

<p>1 Tuesday, 23 July 2019 2 (10.30 am) 3 Welcome and opening remarks by THE CHAIR 4 THE CHAIR: Good morning, everyone. I am Alexis Jay, and I 5 am the chair of the Independent Inquiry into Child 6 Sexual Abuse. Sitting with me are the other panel 7 members of the inquiry: Ivor Frank, Drusilla Sharpling 8 and Professor Sir Malcolm Evans. 9 On behalf of the inquiry, we welcome you all to this 10 the fourth preliminary hearing in the investigation into 11 allegations of child sexual abuse linked to Lambeth. 12 This is one of 14 investigations currently being 13 conducted by this inquiry. Our task in each is to 14 examine the extent to which public and private 15 institutions in England and Wales have failed to protect 16 children from sexual abuse in the past, and to make 17 meaningful recommendations to keep children safe today 18 and in the future. 19 In this investigation, the inquiry will consider the 20 experience of victims and survivors and examine the 21 scale and nature of the abuse that may have taken place 22 under the care of the relevant authorities. We will 23 investigate whether there were child protection failures 24 by the counsel, the police and other public authorities. 25 We will examine the extent to which particular</p> <p style="text-align: center;">Page 1</p>	<p>1 vulnerabilities of any children who were subject to 2 sexual abuse put them at risk and whether this may have 3 shaped how public authorities responded to them. 4 The purpose of this fourth preliminary hearing is to 5 provide an update on the investigation and to hear any 6 other applications or submissions from core 7 participants. The structure of the hearing is set out 8 in the hearing agenda. 9 Before we hear from counsel, some points on timing. 10 If it appears that the hearing will last the full 11 morning, we will take a 15-minute break at around 12 11.45 am. If this hearing has not concluded before 13 1.00 pm, we will take a break for lunch and directions 14 arising from this hearing will be published on the 15 inquiry's website shortly after the hearing, as will the 16 hearing transcript. 17 I now invite the lead counsel to the inquiry, 18 Rachel Langdale QC to provide us with further background 19 and an update on the investigation. Please go ahead, 20 Ms Langdale. 21 Opening remarks by MS LANGDALE 22 MS LANGDALE: Thank you. Good morning, chair, panel, core 23 participants and members of the public. My name is 24 Rachel Langdale, as you have heard and I appear as 25 leading counsel in this investigation, together with</p> <p style="text-align: center;">Page 2</p>
<p>1 Amelia Nice. 2 This is the fourth preliminary hearing, as you have 3 said, in the Lambeth investigation, and the purpose of 4 the hearing today is to update you with the progress of 5 this investigation and core participant applications. 6 May I first introduce the representatives of the parties 7 before you. 8 LA-A25 is represented by Richard Scorer. 9 LA-A61, LA-A103 and LA-A115 represented by 10 Charles Derham. 11 LA-A99 by Samuel Barker. 12 LA-A131 by Stephen Simblet. 13 LA-A24 and Ms Anna Tapsell represented by 14 Ms Aswini Weeraratne QC. 15 Lambeth Council represented by Cleo Perry. 16 The MPS, represented by Jonathan Dixey. 17 The CPS by Fraser Coxhill. 18 Dr Nigel Goldie by David Enright. 19 And the Department for Education represented today 20 by William Barclay. 21 Since the last hearing, a number of people have been 22 awarded core participant status and one applicant has 23 been refused designation. 24 LA-A24, granted, and represented by 25 Simpson Millar LLP. LA-A24 was in Lambeth Council's</p> <p style="text-align: center;">Page 3</p>	<p>1 care and lived in Shirley Oaks. He states, whilst there 2 and under 18 years of age, he was sexually abused by an 3 employee of Lambeth Council. 4 LA-A25, granted, and represented by Slater & Gordon. 5 LA-A25 was in Lambeth Council's care and lived in 6 Shirley Oaks in the 1960s. Whilst there and under 7 18 years of age, she says she was sexually abused by an 8 employee of Lambeth Council. 9 LA-A99, granted, and represented by Hugh James 10 Solicitors. She lived at a care home operated by 11 Lambeth Council in the 1970s and '80s and also spent 12 time in foster care. She said she was sexually abused 13 by the son of a foster carer and another man. 14 LA-A103, granted, and represented by Verisona Law. 15 LA-A103 was in Lambeth Council's care and lived at 16 Shirley Oaks. She states, whilst at Shirley Oaks, she 17 experienced severe physical abuse before being fostered 18 by a man who was both physically and sexually abusive. 19 She said she reported this matter to the police and her 20 social worker, but no action was taken. 21 LA-A115, granted, and also represented by 22 Verisona Law. LA-A115 lived at care homes operated by 23 Lambeth Council in the 1960s and '70s. He said he 24 experienced severe physical and sexual abuse in the care 25 of Lambeth.</p> <p style="text-align: center;">Page 4</p>

<p>1 LA-A61, granted, and represented by Verisona Law. 2 LA-A61 was under the care of Lambeth Council, living 3 with Lambeth foster carers. She was then adopted. She 4 says she was groomed by the female foster carer, 5 sexually abused by the male foster carer, and Lambeth 6 conducted a limited investigation into the alleged 7 conduct and no adequate referrals made to the police. 8 The foster carers who are alleged to have committed or 9 facilitated the abuse against her continued to foster 10 numerous other children. 11 LA-A131, granted. LA-A131 is represented by 12 Uppal Taylor. He was in Lambeth Council's care and 13 lived at Southvale. He states he was sexually abused by 14 Les Paul, an employee of Lambeth Council. He also 15 experienced physical abuse by Les Paul and another 16 employee of the council. 17 Bernardette Khan, the application declined. 18 Represented by Bhatia Best Solicitors, Ms Khan was 19 previously employed by Wandsworth Council and she 20 oversaw Michael John Carroll's application to foster two 21 children. 22 The inquiry's protocol which sets out the procedure 23 for how to apply for core participant status is 24 available, of course, on the inquiry's website. As far 25 as the Lambeth investigation is concerned, may I take</p> <p style="text-align: center;">Page 5</p>	<p>1 this opportunity to reiterate that any individual who 2 suffered sexual abuse whilst in the care of 3 Lambeth Council can apply in their own right to be 4 a core participant or, if they would prefer, they can 5 contact the solicitor to the inquiry's team to see what 6 this might involve in the first instance. 7 I should say at this point that the inquiry is 8 grateful to receive the submissions of Mr Simblet on 9 behalf of LA-A131 in terms of how victim/survivor core 10 participant evidence might be adduced in the Lambeth 11 investigation in due course. The inquiry will consider 12 that important issue when we are further ahead in this 13 investigation. 14 The inquiry is also acutely aware that victims and 15 survivors of child sexual abuse are likely to have an 16 individual and ongoing response to such abuse, and the 17 inquiry handles the material and evidence it receives 18 with the utmost sensitivity and importance. Where 19 victims or survivors do not seek to participate directly 20 in this investigation, for whatever reason, I want to 21 emphasise, for all, and at the outset, that the Lambeth 22 investigation will not lose sight of the fact that 23 victims of child sexual abuse are at the core of this 24 investigation. The investigation will not only examine 25 institutional failings of the past, but it is committed</p> <p style="text-align: center;">Page 6</p>
<p>1 to a careful evaluation of how children might be made 2 safer in the future and to consider how they can 3 properly be heard. More of that later when I deal with 4 expert evidence. 5 The investigation update. 6 On 31 October 2018, you heard submissions, chair, 7 surrounding the selection of case studies suitable for 8 oral hearing in the Lambeth investigation. On 9 12 November 2018, having received written and oral 10 submissions from all core participants, you determined 11 that the case studies in the Lambeth hearing should 12 encompass five institutions: Southvale Assessment 13 Centre; Shirley Oaks, Angell Road; Ivy House and 14 Monkton Street. You were satisfied that the selection 15 of those institutions would enable the inquiry to 16 examine the experiences of children within the care of 17 Lambeth Council, including the experiences of those who 18 are especially vulnerable and where communication was 19 difficult. Furthermore, that the case studies would 20 enable examination of the approach of individuals who 21 had responsibilities for the institutions under 22 consideration, and assessment of institutional responses 23 to child sexual abuse in Lambeth. 24 As we made clear at the last preliminary hearing, 25 the focus on case studies at the oral hearing does not</p> <p style="text-align: center;">Page 7</p>	<p>1 mean that counsel to the investigation will not have 2 analysed a greater volume of material or looked for 3 evidence of any wider corruption links or associations 4 which may have impacted upon the protection of children 5 within the care of Lambeth from child sexual abuse. The 6 case studies have been chosen because they will permit 7 rigorous examination of the culture which prevailed in 8 Lambeth and how it may have put children at further risk 9 of sexual abuse. 10 In addition to the work which has been done on the 11 development of each of the specific case studies, the 12 inquiry has been investigating and gathering evidence on 13 the wider thematic issues which have emerged in the 14 course of the investigation thus far. To date, the 15 investigation has received 200,769 pages of 16 documentation and is in the process of reviewing the 17 documents for relevance. 18 Relevance and thematic issues involved include: 19 Childcare drift: specifically, whether this may have 20 compounded the risk that already vulnerable children 21 would be abused; the length of time they spent living in 22 care homes; lack of planning as to their futures; and 23 the impact in some cases of their having been involved 24 with the police at a young age. 25 Corruption: we are considering issues of corruption</p> <p style="text-align: center;">Page 8</p>

<p>1 insofar as these touch upon the core issues in this 2 investigation. This includes corruption in the way that 3 children's homes were run to allegations that corruption 4 may have had a bearing on the investigation of child 5 sexual abuse. To this end, we are routinely asking 6 witnesses who are employed by Lambeth, or who were 7 councillors within Lambeth, questions about its culture, 8 whether they had any concerns about corruption and their 9 views to how it impacted upon the protection of children 10 in Lambeth's care.</p> <p>11 Political factors: we are also asking former 12 councillors to explain their role, the effectiveness of 13 committees in decision making, the relationship between 14 councillors and officers and whether the political 15 situation in Lambeth, over the years, impacted upon the 16 quality of care afforded to children looked after by 17 Lambeth and the protection from child sexual abuse. In 18 addition to taking statements from witnesses who are 19 relevant to the case studies and who are being asked to 20 address specific questions, we are taking statements 21 from individuals who occupied positions of 22 responsibility over time. This is a work in progress, 23 and we are not asking these individuals for statements 24 until we are confident that we are able to ask them 25 searching questions about the role they played in</p> <p style="text-align: center;">Page 9</p>	<p>1 Lambeth and can put relevant documents to them.</p> <p>2 Race: in particular, how it may have made children 3 more vulnerable to sexual abuse; how it may have 4 impacted upon investigations into sexual abuse; and the 5 role that race played in the recruitment of Lambeth 6 staff.</p> <p>7 Recruitment and selection: in particular, how 8 difficult it may have been to recruit staff to work in 9 children's homes, what checks were made on staff over 10 time and, ultimately, how much power those who worked in 11 homes had over the lives of those in their care.</p> <p>12 In addition to sending out a number of requests for 13 witness statements to individuals, we have also made 14 requests of a number of institutions for information and 15 draft statements. The requests cover both the thematic 16 issues I've already referred to and issues specific to 17 each institution. The institutions include:</p> <p>18 Lambeth Council: the investigation has received the 19 first draft of Lambeth Council's draft corporate witness 20 statement. The statement will cover overarching aspects 21 of the care of children within Lambeth which do not fall 22 within the case studies. It will include background to 23 the children's homes in Lambeth, historically and now, 24 the organisational structure of Lambeth Council, 25 recruitment and vetting of staff, criminal and</p> <p style="text-align: center;">Page 10</p>
<p>1 misconduct investigations, child death and serious 2 injury, the Children's Home in Lambeth Enquiry and the 3 Redress Scheme, as well a number of discrete areas which 4 do not fall to be addressed within case studies. To 5 provide an indication of the scale of the task, it 6 currently runs to over 140 pages and has over 7 150 exhibits. We are expecting to receive a further 8 draft of the statement in early September 2019. This 9 document will then be reviewed by the inquiry and, once 10 finalised and redacted in line with the inquiry's usual 11 procedures, will be disclosed to core participants. The 12 investigation is in the process of analysing the 13 materials relevant to each of the institutions that form 14 the case studies in this investigation. Once this 15 exercise is complete, the inquiry will be requesting 16 separate specific witness statements from 17 Lambeth Council addressing the matters under 18 investigation for each case study.</p> <p>19 The Metropolitan Police Service: to date, the 20 investigation has made two requests for draft witness 21 statements to the police in relation to investigations 22 that were carried out in respect of children within the 23 care of Lambeth Council. Amongst other things, we've 24 asked them to examine past decision making to provide 25 evidence about possible missed opportunities to</p> <p style="text-align: center;">Page 11</p>	<p>1 prosecute perpetrators at an earlier point in time and 2 to provide some insight, where possible, as to why 3 earlier investigations did not result in prosecutions or 4 convictions.</p> <p>5 The Crown Prosecution Service: the investigation has 6 requested disclosure from the CPS of a number of files 7 and in due course will begin the process of analysing 8 the materials and making further requests. The CPS will 9 be asked to provide a witness statement addressing the 10 decisions taken in relation to the prosecution of 11 particular perpetrators.</p> <p>12 Other local authorities: requests have been made for 13 information from three local authorities for information 14 relevant to the matters under investigation.</p> <p>15 Other institutions: the investigations has received 16 a draft witness statement from the Freemasons and, once 17 it has been reviewed, finalised and processed through 18 the inquiry's redaction procedures, it will be disclosed 19 to core participants.</p> <p>20 The IOPC: rule 9 requests have been made to the IOPC 21 asking for material relating to the four investigations 22 involving children in the care of Lambeth Council: Alka, 23 Hickory, Andersite and Claystone.</p> <p>24 Approach to the selection of children for the case 25 studies.</p> <p style="text-align: center;">Page 12</p>

<p>1 The inquiry necessarily adopts a proportionate 2 approach to the evidence that can be heard and the oral 3 hearing cannot examine every allegation of child sexual 4 abuse involving a child within the care of 5 Lambeth Council. The investigation must, instead, 6 demonstrate the experiences of children within the care 7 of Lambeth Council within the identified case studies 8 and the institutional responses to allegations of child 9 sexual abuse made by specific individual children within 10 those homes. The investigation team is carefully 11 reviewing all of the documents within each case study in 12 order to identify specific individual case studies which 13 are likely to best enable you, chair, and panel, core 14 participants and the public to understand what it was 15 like to live at one of the homes, the nature of the 16 abuse and the institutional responses when allegations 17 were made. 18 May I turn now to update on our specific case study 19 homes. 20 Angell Road. 21 The review of documents provided by Lambeth Council 22 relating to Angell Road is nearing completion. The 23 documents include evidence of allegations of child 24 sexual abuse made at the time of the abuse and evidence 25 of the reasons for the commission of various reports</p> <p style="text-align: center;">Page 13</p>	<p>1 including the Clough Report, Barratt Report and Social 2 Services Inspectorate reports 1991, 1992 and '94. 3 A number of rule 9 requests have been sent to 4 individuals who were employed by Lambeth at the time or 5 who are recorded within the documents as having 6 something relevant to say about child sexual abuse that 7 is said to have taken place there. Further rule 9 8 requests will be sent in due course. 9 The investigation team has identified a number of 10 individual potential case studies as a result of the 11 review of the materials to date. It is too early at 12 this stage, however, to provide further information on 13 the selection of individual case studies. 14 Southvale. 15 The review of documents relating to Southvale is in 16 progress. To date, the investigation team has reviewed 17 materials from the Zephyrine Inquiry, 1989 to 1990; 18 Operation Bell, 1992; Operation Middleton, 1998 to 2003; 19 and Operation Trinity, 2014, together with prosecution 20 materials and records of Les Paul's convictions and 21 sentencing. 22 A rule 9 request for a draft witness statement has 23 been made of the MPS in respect of Les Paul, LA-F5 and 24 LA-F8. LA-F5 and LA-F8 are alleged perpetrators linked 25 to Southvale and investigations into Les Paul. The</p> <p style="text-align: center;">Page 14</p>
<p>1 investigation continues to focus on any links between 2 these individuals, together with perpetrators at other 3 homes. The need for further rule 9 requests will be 4 reviewed on an ongoing basis and as the review of 5 documents progresses. 6 As in the case of Angell Road, the investigation 7 team has identified a number of potential individual 8 case studies as a result of the review of the materials 9 to date. Again, it is too early at this stage, however, 10 to provide further information on the selection of 11 particular studies. 12 Shirley Oaks. 13 The review of documents relating to Shirley Oaks is 14 ongoing. Rule 9 requests have been made of the MPS 15 surrounding both non-recent and more recent 16 investigations and prosecutions. It is clear that the 17 scale of abuse within the complex of homes at 18 Shirley Oaks was widespread, and numerous actual or 19 suspected perpetrators have been identified from the 20 documents that have been reviewed to date. This 21 includes Patrick Grant, Philip Temple, Michael Hook and 22 LA-F34. In some cases, there was eventually 23 a successful prosecution. In other cases, the Lambeth 24 investigation will examine potential failures to deal 25 with allegations that were made at the time and</p> <p style="text-align: center;">Page 15</p>	<p>1 subsequently. 2 The case study will also enable the examination of 3 whether multiple abusers were working at Shirley Oaks 4 and whether there is evidence of a ring of perpetrators 5 working together at the site. 6 Ivy House. 7 The review of documents relating to Ivy House is 8 nearing completion. Ivy House was a home that provided 9 respite care to children with learning difficulties. 10 The review of the documents relating to Ivy House has 11 led the inquiry to focus on one particular allegation of 12 child sexual abuse by a complainant, LA-A26, with 13 communication difficulties. The case study raises 14 particular issues surrounding the institutional response 15 to allegations made by children who are especially 16 vulnerable by reason of their communication ability 17 because of speech and language difficulties or cognitive 18 impairment. 19 The inquiry have made a number of rule 9 requests to 20 those with knowledge of this particular complaint and 21 the disciplinary proceedings that followed. Further 22 rule 9 requests will be made in due course. 23 Monkton Street. 24 The review of documents of Monkton Street is 25 similarly well advanced. Like Ivy House, Monkton Street</p> <p style="text-align: center;">Page 16</p>

1 was a specialist children's home for children with
 2 learning difficulties.
 3 In 1986, concerns arose that LA-A49 had been
 4 sexually abused by a member, or members, of staff. This
 5 set in motion a train of events whereby not only LA-A49,
 6 but a number of other children who had stayed in
 7 Monkton Street were identified as potential victims of
 8 child sexual abuse and were subjected to medical
 9 examination.
 10 The inquiry will be considering the institutional
 11 response of a number of institutions in this case study,
 12 and will also seek expert views on what is considered
 13 best practice surrounding medical examinations where
 14 child abuse is suspected.
 15 The investigation team is in the process of
 16 identifying individuals who had knowledge of the
 17 management investigation that took place by
 18 Lambeth Council, the MPS' response and the decisions
 19 made regarding medical examination. Further rule 9
 20 requests will be made in due course.
 21 Expert evidence.
 22 The case studies in combination raise important
 23 issues surrounding obtaining best evidence and
 24 allegations of sexual abuse.
 25 THE CHAIR: Sorry to interrupt, Ms Langdale. We are

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1 participation of those with communication needs in the
 2 process of justice.
 3 As part of the Lambeth investigation, the inquiry
 4 will instruct Dr Emily Phibbs, clinical psychologist,
 5 who has particular expertise in the assessment of
 6 vulnerable witnesses, achieving best evidence with
 7 children and vulnerable witnesses and the use of
 8 intermediaries. Her CV has provided to core
 9 participants. At this stage, we seek Dr Phibbs'
 10 research-based assistance with a number of issues
 11 surrounding working with children, particularly those
 12 children with complex communication needs. At a later
 13 stage, we will invite Dr Phibbs to consider the way in
 14 which individual children who form part of the Ivy House
 15 and Monkton Street case studies were treated.
 16 We also intend to instruct an independent social
 17 worker with knowledge of service provision for children
 18 in residential and local authority care and an
 19 understanding of statutory expectations surrounding the
 20 provision of local authority services and the protection
 21 of children from child sexual abuse. Lambeth
 22 commissioned a number of independent reports to consider
 23 various allegations or events between 1970 and 2003,
 24 agreeing terms of reference for the various report
 25 authors and providing an opportunity to act on any

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1 concerned about the noise and someone has been
 2 dispatched to try to deal with it. It may be that we
 3 should take a break until that matter is resolved.
 4 MS LANGDALE: I am in your hands, chair.
 5 THE CHAIR: Shall we break for a few minutes to ensure this
 6 is resolved.
 7 (10.50 am)
 8 (A short break)
 9 (10.57 am)
 10 THE CHAIR: Thank you, Ms Langdale. We understand the tree
 11 cutters have now completed their work. Please proceed.
 12 MS LANGDALE: Thank you.
 13 Expert evidence.
 14 The case studies in combination raise important
 15 issues surrounding obtaining best evidence and
 16 allegations of sexual abuse from children, including
 17 especially vulnerable children.
 18 Since the Youth Justice and Criminal Evidence Act
 19 1999, special measures for vulnerable witnesses have
 20 been available within the court system. More recently,
 21 practice directions within criminal law and
 22 Advocacy Toolkits have also developed with the aim of
 23 improving the way in which child witnesses experience
 24 the giving of evidence. The role and use of
 25 intermediaries has increased to facilitate the

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1 lessons learned. This investigation will explore what
 2 steps and measures Lambeth should have taken upon the
 3 receipt of those reports to improve the protection and
 4 safeguarding of children in their care. Furthermore, to
 5 consider the cumulative effect of the reports obtained
 6 and what it said about the culture in Lambeth that
 7 reports were repeatedly commissioned so far as the
 8 protection of children from child sexual abuse is
 9 concerned.
 10 May I turn to the issue of disclosure.
 11 We are currently in the process of making decisions
 12 as to the relevance of the documents that have been
 13 provided to us and then preparing the documents for
 14 disclosure to core participants. As all involved will
 15 be aware, the process of onward disclosure to core
 16 participants will take place using Relativity, the
 17 inquiry's electronic document management system. Core
 18 participants will be able to access disclosed documents
 19 on the Relativity system, provided they have given the
 20 inquiry a confidentiality undertaking. Such documents
 21 are held by core participants in confidence unless or
 22 until they are referred to in a hearing or admitted into
 23 evidence, at which stage copies of the documents will
 24 usually be posted on the inquiry website.
 25 The Lambeth investigation, of course, is by no means

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1 the only investigation that this inquiry is conducting
2 and there is a whole series of further investigations
3 that are due to the heard, both before this and
4 following it. Those whose job it is to deal with
5 documents -- analysing them, redacting them, preparing
6 them for disclosure and then making disclosure -- work
7 on all of those other investigations as well as Lambeth
8 and must prioritise their work to ensure that core
9 participants in all investigations obtain documents
10 before their hearings. Disclosure of documentation
11 relevant to the Lambeth investigation will take place in
12 due course and before the public hearing starts.

13 The Lambeth oral hearing will take place somewhere
14 between April and November 2020. With that in mind, the
15 investigation aims to disclose the corporate witness
16 statements of Lambeth and the MPS in or
17 around December 2019 and individual witness statements
18 on a sequential basis in 2020. In written submissions
19 prepared for this preliminary hearing by those acting
20 for Dr Goldie, counsel to the investigation have been
21 asked to provide Lambeth's draft corporate witness
22 statement to core participants at this point in time.
23 For the avoidance of doubt, it is not the inquiry's
24 practice to disclose individual draft witness statements
25 for two reasons. Firstly, this would inevitably involve

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1 Chair, may I now hand over to core participants in
2 the event any wish to make oral submissions to you. You
3 will have read the written submissions made on behalf of
4 Dr Goldie, LA99 and, more recently, Anna Tapsell and
5 LA131. LA99 invites the inquiry to ask Lambeth for her
6 care files and to disclose them onwardly to core
7 participants following redactions in line with the
8 inquiry's usual procedures and with the usual ciphering.
9 Counsel to the inquiry will consider the position
10 further in respect of requesting LA-A99's files, but
11 I should make it clear that it is not anticipated within
12 this investigation, either in this case or generally,
13 that care files will simply be disclosed to core
14 participants. Only specific material within case study
15 care files that is relevant to the investigation, for
16 example, original complaints, interviews surrounding
17 complaints and institutional responses to complaints,
18 will be provided in due course. I have dealt with the
19 issue of anticipated timing of disclosure of statements
20 to core participants earlier and can only repeat that we
21 aim to disclose Lambeth and MPS corporate witness
22 statements by the end of the year. I am sure those
23 acting for core participants will appreciate the scale
24 of the task involved.

25 THE CHAIR: Thank you, Ms Langdale. Might I now ask for any

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1 an unnecessary duplication of work relating to redaction
2 and disclosure. Secondly, it is important that
3 searching questions are asked in respect of specific
4 documentation and, wherever possible, witnesses should
5 have the opportunity to comment upon specific documents
6 before finalising their evidence. As the investigation
7 is still reviewing documentation, this is an ongoing
8 process and may result in additional questions being
9 asked by the inquiry.

10 I should also mention, in the case of Lambeth,
11 counsel to the inquiry are working to produce
12 a composite chronology of events in Lambeth and this
13 will be served on all core participants for invited
14 comment or agreement in due course. The factual
15 background matrix within Lambeth is complex and drawing
16 it together in chronological form will hopefully be of
17 assistance to everyone. There is a need to be focused
18 at oral hearing next year in order to ensure that you,
19 chair, and the panel, have the best possible evidence to
20 report upon the experience of children in the care of
21 Lambeth and, equally important, to enable consideration
22 of what recommendations might be made to improve the
23 lives of children in care in the future. A detailed
24 factual background summarised within a chronology we
25 hope will assist us with that focus.

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1 submissions from core participants present. Mr Scorer?
2 Mr Derham? No. Mr Barker?

3 Submissions by MR BARKER

4 MR BARKER: Thank you, chair. These submissions are made by
5 Hugh James on behalf of core participant LA-A99. The
6 chair has a copy of LA-A99's submissions sent to the
7 inquiry on 28 June 2019.

8 LA-A99 was designated core participant to the
9 Lambeth hearings on 29 April 2019 and, as such, has not
10 had the benefit of participating in prior preliminary
11 hearings, but has had the opportunity to review the
12 transcripts of those hearings.

13 LA-A99's submissions today go briefly to the scope
14 of the upcoming hearings and to the issue of disclosure.
15 In order to properly frame these submissions, it is
16 appropriate to go very briefly through LA-A99's history
17 in Lambeth care.

18 LA-A99 was first taken into care at the age of 2
19 being placed into Shirley Oaks Children's Home and was
20 later placed on a full care order with Lambeth at age 3
21 and remained in the care of Lambeth until reaching her
22 majority.

23 During that time, LA-A99 spent time in foster care
24 and, after the breakdown of the foster placement, in
25 Southvale Assessment Unit.

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<p>1 LA-A99 was sexually assaulted on a frequent basis 2 whilst in foster care, and at the relevant time she was 3 between the age of 7 and 13. LA-A99's foster parent 4 delegated the bathing of LA-A99 to her adult nephew and 5 it was in this circumstance that the sexual abuse 6 occurred. 7 Following the breakdown of this foster placement, 8 LA-A99 was placed in Southvale and, within a period of 9 five months, she absconded from Southvale on a total of 10 eight occasions. For this reason, the Director of 11 Social Services at the time sought a secure 12 accommodation order because LA-A99 was considered to be 13 physically, morally and emotionally at extreme risk 14 while absconding. Rather than make this order so a full 15 assessment could be carried out, the Secure 16 Accommodation Cases Review Subcommittee adjourned the 17 hearing. During this time, LA-A99's social worker 18 discovered she was living with a person whom that social 19 worker deemed to be unsatisfactory, but Lambeth approved 20 that carer as a bridging placement and, for that reason, 21 that person did not have to be vetted, as it was not 22 considered a foster placement. 23 LA-A99 was 13 at this time and, whilst in that 24 placement deemed unsatisfactory by her own social 25 worker, she was raped by a man in the local area. This</p> <p style="text-align: center;">Page 25</p>	<p>1 matter is now subject to ongoing police investigation. 2 LA-A99 remained living in unsatisfactory conditions 3 until mid-1998 when Lambeth received a phonecall from an 4 anonymous man who reported LA-A99 was living with 5 a 18-year old unmarried mother in dubious circumstances 6 and had complained of being sexually assaulted and 7 raped. On the same day, LA-A99 was interviewed by her 8 social worker and she made full disclosures in relation 9 to both of these incidents. 10 LA-A99 has had time to reflect on her time in 11 Lambeth care since being allocated core participant to 12 these hearings. She has never forgotten the sexual 13 abuse she was subjected to. However, one thing that has 14 stuck in her mind recently is the lack of proper care 15 paid to her when faced with risks whilst absconding, 16 when such risks were plainly known, and Lambeth's 17 inadequate response to her grave and concerning 18 disclosures of sexual assault at an early stage. 19 Now having her own children, LA-A99 comments that 20 she would never consider it acceptable to allow her 21 child to spend the night at a friend's house without 22 satisfying herself of the ability of those parents to 23 provide adequate care. 24 LA-A99 was on a full care order, Lambeth was her 25 statutory parent, but even when clearly possessed of the</p> <p style="text-align: center;">Page 26</p>
<p>1 knowledge that LA-A99 was a 13-year-old in moral danger 2 and living with an unsatisfactory person, it was clear 3 that appropriate steps were not taken to ensure she was 4 protected from the harm which did eventuate. 5 Further, although outside the remit of these 6 hearings, LA-A99 nonetheless wants to make it clear that 7 she is particularly aggrieved by the total lack of 8 education she received whilst on a full care order. 9 It is with this in mind that LA-A99 makes the 10 following brief submissions in respect of the scope of 11 the hearings. 12 LA-A99 asks the inquiry to consider the adequacy of 13 current safeguarding measures in place in Lambeth in 14 respect of foster placements, not just relating to 15 foster parents, but also children and young adults 16 living in the foster house, so to ensure the most robust 17 measures are taken to avoid the type of sexual abuse she 18 endured whilst in foster care. 19 LA-A99 also asked the inquiry to consider the extent 20 to which failings in the provision of proper and 21 reasonable care results in an increased risk of sexual 22 harm to children in care. 23 LA-A99's case is unusual in that those sexual 24 assaults were reported to Lambeth by her shortly after 25 their occurrence. As such, her care files provide</p> <p style="text-align: center;">Page 27</p>	<p>1 a unique insight into Lambeth's response to 2 contemporaneous reports of sexual abuse of a child in 3 its care. 4 LA-A99 submits that her care records will go some 5 way in assisting the inquiry in understanding: 6 1. Lambeth's approach at the time to investigating 7 reports of sexual abuse of children in its care. 8 2. The culture within Lambeth in respect of 9 complaints of sexual abuse of children within its care. 10 3. Importantly, whether LA-A99's race in any way 11 contributed to the standard of care provided and/or the 12 response to her allegations of sexual assault at the 13 early stage it was made. 14 To this end, LA-A99 urges the chair to issue 15 a rule 9 request to Lambeth to disclose to the inquiry 16 a full set of LA-A99's unredacted care records in an 17 ordered fashion which will be subjected to the inquiry's 18 cipher rules. 19 Thank you. 20 THE CHAIR: Thank you. Mr Simblet? 21 Submissions by MR SIMBLET 22 MR SIMBLET: Madam, we have made our submissions in detail 23 in writing. Just a couple of short points arising out 24 of them, and to update in terms of what we heard today. 25 As I have it, we put at the end of our submissions,</p> <p style="text-align: center;">Page 28</p>

<p>1 in paragraph 16, and Ms Langdale has repeated this 2 morning: 3 "Victims of child sexual abuse should be, and are, 4 at the core of your work." 5 There are two aspects of that that I want to 6 emphasise in these submissions. 7 Being at the core of your work includes them being 8 able to participate effectively in the inquiry. 9 Therefore, I commend to you the submissions we have made 10 in relation to disclosure and evidence at paragraphs 12 11 and 13 of the written submissions and note that, 12 since October last year, when Ms Langdale told you there 13 were 122,000 pages of pieces of paper or documents, 14 there are now 200,769. So the disclosure task is 15 a significant one, it's become more substantial, 16 obviously, since last October and the need to get on 17 with disclosure so that it can be considered for onward 18 disclosure and therefore facilitate the effective 19 participation in the inquiry's work of those victim and 20 survivor core participants is important. 21 Similarly, with evidence, we don't make the 22 application that there be disclosure of the draft 23 witness statement, but we are encouraged to hear that 24 there is a chronology being prepared and we do say that 25 that is something that should be produced as soon as</p> <p style="text-align: center;">Page 29</p>	<p>1 possible because, once that chronology is there, then 2 the victim/survivor core participants, and the 3 institutional core participants, have a better 4 appreciation of direction of travel of work and the 5 assistance that they can give to you in ensuring that 6 you've got the best evidence. 7 The second thing I want to say is in relation to 8 something else Ms Langdale said this morning about the 9 inquiry wanting to hear what it was like to live in 10 a Lambeth institution. 11 Some of the best evidence about that is going to 12 come from victims and survivors and, as in other phases 13 and as in the written submissions we have made, in 14 particular paragraphs 14 to 15, we encourage the inquiry 15 and the inquiry lawyers to realise well ahead of time 16 how difficult it might be for some of the witnesses to 17 be able to give evidence, how much support and 18 encouragement they are going to require to be able to 19 give effective evidence and that the management of that 20 process is given early attention. 21 That's all I want to say. Thank you, madam. 22 THE CHAIR: Thank you, Mr Simblet. Ms Weereratne? 23 Submissions by MS WEERERATNE 24 MS WEERERATNE: Chair and panel, again, thank you for the 25 opportunity to address you this morning. I have made</p> <p style="text-align: center;">Page 30</p>
<p>1 some written observations on behalf of Ms Tapsell 2 already. I just wish to emphasise one or two points 3 fairly quickly, if I may. 4 First of all, we have addressed the issue of 5 disclosure in our note and we adopt the matters that 6 have been articulated by Mr Simblet on the issue of 7 disclosure and the need for effective participation 8 flowing from it. 9 Secondly, we are reassured by what we have heard 10 from Ms Langdale this morning in relation to the 11 approach of this investigation into the culture of 12 institutions, the culture of corruption and the impact 13 of that on the care of children in Lambeth, the 14 relationship between councillors and officers in that 15 regard, and that these matters are obviously being 16 investigated through the massive disclosure exercise 17 that's being undertaken. 18 I wanted, on behalf of Ms Tapsell, to express the 19 concerns hitherto that she has had, that there should be 20 sufficient focus, and timetabled focus, in relation to 21 the corporate culture and corruption in Lambeth that she 22 is well placed to give evidence on and has provided much 23 documentation on already, that permitted the sexual 24 exploitation and sexual abuse of children within 25 Lambeth's homes, but also she has provided evidence of</p> <p style="text-align: center;">Page 31</p>	<p>1 these children being taken away from the homes and being 2 sexually abused in other locations. That is a very 3 important strand of this investigation, to see how these 4 children were abused in other locations as well. 5 Probably allied to that is a point on the absconding 6 children that she has highlighted, but we note it has 7 now been mentioned also by LA-A99, and that is a point 8 that has been of significant concern to her, that the 9 children who have absconded have not been sufficiently 10 safeguarded so that they were then -- there's evidence 11 that they also were subjected to sexual abuse and 12 exploitation while they had absconded from the local 13 authority's care. 14 So clearly, it's her concern that these are issues 15 that are allied to, but different from, the abuse of 16 children within the homes, which is clearly of great 17 importance as well, and we don't, obviously, seek to 18 undermine that in any way, but that there is a wider 19 point here which, I think we have heard from counsel to 20 the inquiry, is appreciated and understood as being part 21 of this inquiry also. 22 So thank you very much. 23 THE CHAIR: Thank you, Ms Weereratne. 24 Ms Perry? 25 MS PERRY: Chair, panel, no applications from Lambeth.</p> <p style="text-align: center;">Page 32</p>

<p>1 There has been mention of disclosure of our draft 2 corporate statement and various documents submitted for 3 today. We are very grateful for the counsel to the 4 inquiry's indication that that won't be disclosed. If 5 that does remain a live issue, and it's not clear to me 6 that it does remain a live issue, then I would ask for 7 time to respond to the application by way of 8 submissions. 9 Thank you. 10 THE CHAIR: Thank you. Mr Dixey? 11 MR DIXEY: No submissions. 12 THE CHAIR: Thank you, Mr Dixey. Mr Coxhill? 13 MR COXHILL: No, thank you. 14 THE CHAIR: Mr Enright? 15 Submissions by MR ENRIGHT 16 MR ENRIGHT: Good morning, chair and panel. I appear for 17 Dr Goldie. As you know, Dr Goldie is the former 18 Assistant Director of Corporate Strategy and Quality at 19 Lambeth Council. He was in charge of child protection 20 from 1996 to 1999. Dr Goldie was granted core 21 participant by you, chair, in a determination of 22 7 September 2018. 23 As you know from his submissions, he maintains, 24 inter alia, that Operation Trawler and 25 Operation Middleton failed to address widespread</p> <p style="text-align: center;">Page 33</p>	<p>1 institutional failings in relation to the abuse of 2 children in Lambeth and that certain allegations which 3 had come to light through investigations conducted by 4 Merseyside Police and by a senior Metropolitan police 5 officer were not investigated in a satisfactory manner, 6 or at all. The effect of these failings compounded 7 earlier historic and endemic failings in the protection 8 of children in Lambeth. 9 Chair, you have received our written submissions and 10 I am very grateful to Ms Weeraratne for her support on 11 those. I just wish to address you on four points: 12 1. Notwithstanding what counsel to the 13 investigation has said this morning, it is imperative 14 that material is disclosed to enable Dr Goldie and other 15 core participants to assist the inquiry. We have raised 16 this matter in previous preliminary hearings and in 17 earlier submissions. 18 You will recall in your determination of 19 7 September 2018, you found: 20 "Dr Goldie worked for the council from 1990 and was 21 in charge of child protection from 1994." 22 It was actually 1996: 23 "The evidence he is able to give is highly relevant 24 to the closure of children's homes, the Clough Inquiry 25 and investigation by law enforcement agencies."</p> <p style="text-align: center;">Page 34</p>
<p>1 You continued: 2 "It is likely to assist the inquiry if Dr Goldie is 3 able to be provided with disclosure of relevant 4 documentation and may be able to assist the 5 investigation in helping to link up separate events." 6 Now, an excellent example of this was referred to by 7 counsel to the investigation this morning, and that is 8 the chronology that is being prepared. Early disclosure 9 of a draft chronology would allow core participants, 10 including Dr Goldie, including Ms Tapsell and others, to 11 contribute to that, to assist to that and to improve it, 12 potentially. 13 At the last preliminary hearing on 31 October, we 14 addressed you solely on the issue of disclosure. At 15 that hearing, counsel to the investigation stated that 16 Lambeth had disclosed some 122,000 pages of documents. 17 We have now heard this morning the number of documents 18 is even greater than that. 19 But notwithstanding that, and eight months on, not 20 a piece of paper has been disclosed. Now, we recognise 21 absolutely the difficult task, the enormous task, that 22 Ms Margiotta, the solicitor to this investigation and 23 her team, are undertaking in this and that they are 24 involved in other investigations also. However, 25 progress must be made and, if further resources are</p> <p style="text-align: center;">Page 35</p>	<p>1 needed to support the solicitor team, then they should 2 be provided so that disclosure can come at a reasonably 3 early time. 4 Madam, Dr Goldie has specifically asked me to 5 highlight to you and your legal team that while he is 6 retired from paid work, he is by no means a man of 7 leisure. Dr Goldie and other core participants have 8 heavy commitments -- for example, his directorships of 9 community organisations -- which do not leave him much 10 spare time to devote to the considerable task of this 11 investigation. He also lives very far from London, but 12 he really wishes to assist this inquiry to the best of 13 his ability, but the inquiry cannot assume that he and 14 others have unlimited time, particularly at very short 15 notice, to review very large volumes of important 16 disclosure. 17 Secondly, madam, in relation to documents disclosed 18 in the Westminster investigation, we request that the 19 inquiry confirms that documents referred to and 20 disclosed in the Westminster investigation or disclosed 21 to core participants in that investigation that referred 22 to or are relevant to Lambeth are promptly disclosed and 23 particularly disclosed now. 24 There can be no basis for delay on that, because 25 they have already been redacted, and we have made</p> <p style="text-align: center;">Page 36</p>

<p>1 written submissions in relation to some documents, but 2 other representatives here did not have the opportunity 3 we had to be involved in the Westminster investigation 4 and to see some of the documentation which appears to be 5 relevant to Lambeth. 6 Thirdly, on the proposed scope of the investigation, 7 Dr Goldie is in broad agreement with the scope. He 8 suggests that particular focus is placed on the 9 following: the failures of Operation Trawler and 10 Operation Middleton to address the issue of child abuse 11 in Lambeth; the adequacy of police responses to child 12 abuse in Lambeth, and in particular the decision making 13 of the Metropolitan Police at a senior level; 14 institutional responses to press coverage on the issue; 15 the connections between John Carroll and senior or 16 prominent politicians and senior persons employed by 17 Lambeth Council; whether important files relating to 18 children in care were preserved when childrens' homes 19 were closed down and why key documents went missing 20 during these processes; the response of local 21 authorities to applications made by John Carroll and his 22 wife to foster two young boys, which has been flagged up 23 as an important matter for the investigation at 24 paragraph 29 of CTI's submissions; the possible 25 intervention of senior politicians in the Carrolls'</p> <p style="text-align: center;">Page 37</p>	<p>1 application to foster; and, finally, the adequacy of the 2 role of the Social Services Inspectorate. 3 Finally, I wish to raise a concern in relation to 4 the availability of disclosure. 5 As you will be aware, towards the end of the 6 Westminster investigation, the inquiry restricted and 7 then closed access to the evidence portal on the basis 8 that a core participant in that investigation may have 9 given access to confidential material to an unauthorised 10 person. This caused real difficulties to our client in 11 that investigation, and no doubt others, particularly in 12 relation to drafting post-hearing submissions. 13 The inquiry has not imposed such restrictions in the 14 many other investigations in which we represented core 15 participants and where there was also sensitive 16 disclosure. 17 We therefore ask the inquiry to confirm that it will 18 not repeat the restrictions in the Westminster 19 investigation but default to the normal disclosure 20 process and access adopted in all other investigations 21 or that, and only if strictly necessary, the inquiry 22 introduce additional security measures so as to ensure 23 normal and full disclosure and access, including after 24 the hearing, while at the same time maintaining security 25 but only so far as is vital.</p> <p style="text-align: center;">Page 38</p>
<p>1 Thank you, chair. 2 THE CHAIR: Thank you, Mr Enright. Mr Barclay? Thank you. 3 Ms Langdale? 4 MS LANGDALE: Nothing to add. 5 THE CHAIR: Thank you. Finally, are there any other 6 submissions from anyone in the room? No? 7 In that case, we will conclude the hearing. Thank 8 you, everybody, for your helpful submissions and your 9 attendance today, and we will carefully consider these 10 submissions. Thank you very much. 11 MS LANGDALE: Thank you. 12 (11.25 am) 13 (The hearing adjourned) 14 15 16 I N D E X 17 18 Welcome and opening remarks by THE1 19 CHAIR 20 Opening remarks by MS LANGDALE2 21 Submissions by MR BARKER24 22 Submissions by MR SIMBLET28 23 Submissions by MS WEERERATNE30 24 Submissions by MR ENRIGHT33 25</p> <p style="text-align: center;">Page 39</p>	

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