

<p>1 Friday, 3 July 2020 2 (10.30 am) 3 THE CHAIR: Good morning, everyone, and welcome to Day 5 of 4 this public hearing. 5 Ms Langdale? 6 MS LANGDALE: Good morning, chair. In this first session, 7 we hope to call Dr Kwhali, and also to read in some 8 evidence, which I will invite Ms Kennedy to do upon the 9 conclusion of Dr Kwhali's evidence. 10 May I ask, Mr Hughes, that Dr Kwhali is sworn in. 11 DR JOSEPHINE KWHALI (affirmed) 12 Examination by MS LANGDALE 13 MS LANGDALE: Can you give us your name and qualifications, 14 please? 15 A. Yes. My name is Josephine Kwhali. I have 16 a qualification in nursery nursing, residential 17 childcare, social work, a postgraduate certificate in 18 higher education, Master of Philosophy and a Doctorate 19 in Social Work. 20 Q. Dr Kwhali, you have kindly provided the inquiry with 21 a statement dated 25 May 2020. Have you had an 22 opportunity to look again at that statement? 23 A. Yes, I have. 24 Q. Can you confirm for us that the contents are true and 25 accurate, as far as you're concerned?</p> <p style="text-align: center;">Page 1</p>	<p>1 A. Yes, I can. 2 Q. We see from that statement, Dr Kwhali, you worked at 3 Lambeth between 1983 and 1989. 4 A. Yes. 5 Q. What qualifications did you have at the time that you 6 were working there? 7 A. I was a qualified social worker, I had a qualification 8 in residential childcare and I had a qualification in 9 early years. 10 Q. Very briefly, what roles did you have in that period 11 within Lambeth? 12 A. From 1983 to 1985, I was a daycare officer responsible 13 for a range of under-5 services. In '85, I was the 14 principal manager for the whole of children's daycare, 15 and in mid '87 to when I left in March '89, I was the 16 Assistant Director for Children's Services. 17 Q. I see, Dr Kwhali, from your statement that you actually 18 went to Hackney in 2000 as head of children's services. 19 Obviously, we are not talking about Hackney within this 20 investigation, but the Hackney service was placed on 21 ministerial directions, wasn't it, as well, and you were 22 responsible, were you, when those directions were 23 imposed? 24 A. No, the directions were put in place and then I was 25 appointed essentially to help get the service off the</p> <p style="text-align: center;">Page 2</p>
<p>1 ministerial directions. 2 Q. By way of aside, did you find that having the directions 3 imposed assisted in achieving a better standard of 4 service for children thereafter? 5 A. I think it was mixed. I think it concentrated the minds 6 of members and certain senior officers that the 7 situation was serious. Equally, I think it probably 8 made it more difficult to recruit staff who didn't 9 necessarily want to come to what was seen at the time as 10 a failing service. 11 Q. Turning to Lambeth, then, if I may, you say at 12 paragraph 2.7 of your statement that you would describe 13 your last year or so with the council as challenging; 14 a period when it was extremely hard to focus on service 15 development, where senior officers' time was taken up 16 with budgetary and political priorities. You also refer 17 in paragraph 2.8 about feeling caught up in a whirlwind 18 of competing pressures "which I was ill equipped and 19 unsupported to meet". 20 Can you tell us something about how it was, 21 particularly at the end of your time in Lambeth and 22 before you left? What were the pressures, as far as you 23 were concerned, and in respect of -- 24 A. It was extremely challenging. The 30-plus councillors 25 had been previously disqualified for failing to set</p> <p style="text-align: center;">Page 3</p>	<p>1 a budget, so there was an almost entirely new group of 2 elected members. There were major budgetary issues, 3 I assume arising from the failure to set a budget. 4 There were recruitment freezes. The substantive 5 director, Robin Osmond, had left and David Pope had been 6 recruited, so there were gaps in senior management and 7 middle management across the children's services. 8 We were working excessively long hours against the 9 background of, as I said, competing pressures and 10 significant challenges at that time. 11 Q. How clear or not was the focus on children's services in 12 the middle of all of that? 13 A. I think it was mixed. I can't talk about the fieldwork, 14 the children's fieldwork services, because that wasn't 15 part of my remit. But I think, as the senior manager, 16 it was very difficult at that time to stay focused on 17 service delivery, partly because, in my own service, two 18 of the (interference) -- 19 Q. Sorry, I'm losing you there, Dr Kwhali. You're not on 20 mute, are you? 21 A. Yes, where did you ...? Do you want me to start the 22 answer again? 23 Q. If you could start that answer again, please, thank you. 24 A. I think that a lot of the staff, as far as they could, 25 remained focused on service delivery, but I think, from</p> <p style="text-align: center;">Page 4</p>

<p>1 a senior management point of view, there were 2 significant management gaps in the services, so the 3 posts that normally would have been there to help 4 oversight the services were vacant for periods of that 5 time, and senior managers' time, as I indicated, was 6 heavily taken up with budgetary and strategic and 7 various other issues.</p> <p>8 Q. You and Mr Morton, who is not alive anymore, prepared 9 a report, and I am going to ask that the report is put 10 on the screen. You will be able to see it, Dr Kwhali. 11 The reference, Mr Hyde, is LAM028710_002 and _003. This 12 is a report, Dr Kwhali, that you and Robert Morton 13 signed up to, and it was September 1988. I don't know 14 if we can enlarge the wording slightly, Mr Hyde, on 15 page 2. Are you able to see under "Practice" there?</p> <p>16 A. Yes, I am.</p> <p>17 Q. Are you familiar with this report, Dr Kwhali, having 18 co-authored it?</p> <p>19 A. Yes, I am, yes.</p> <p>20 Q. You can see under "Practice" what you have both set out 21 there: 22 "Children, I believe, had been admitted to our home 23 because of bad practice, lack of resources and poor 24 planning. Few care plans exist, the majority of homes 25 have little information on the children, including</p> <p style="text-align: center;">Page 5</p>	<p>1 medical, whilst we also had children in our homes with 2 no legal requirements being met. A considerable number 3 of young children, aged five years and under, are being 4 referred for residential care."</p> <p>5 Clearly, bad practice at the time, very bad 6 practice, wasn't it?</p> <p>7 A. Yes, indeed.</p> <p>8 Q. "An actual analysis of referrals will be available for 9 members at the next subcommittee."</p> <p>10 So this was being brought forward to the 11 subcommittee, wasn't it?</p> <p>12 A. Yes, there was a subcommittee of the main 13 Social Services Committee, and this was the first 14 opportunity that Robert and I had had to have a close 15 look at the residential care sector because the previous 16 principal manager had gone and Robert Morton, after an 17 absence of a number of months, was then appointed to 18 that post, and we basically jointly agreed that he would 19 go in and have a close look and prepare a report for the 20 subcommittee.</p> <p>21 Q. He says here: 22 "As has been previously identified, the attitudes, 23 ability and practice is very poor generally. These 24 comments and circumstances do not only apply to 25 children's homes. For example, I believe, for whatever</p> <p style="text-align: center;">Page 6</p>
<p>1 reasons, a number of fieldworkers are placing children 2 in residential care, or attempting to, as an easy 3 option. Inadequate planning, family work or actually 4 enabling the family to have a self-determination in 5 their own lives is taking place among some social 6 workers."</p> <p>7 So more than a suggestion that children were coming 8 into care when that was not the best or the most 9 appropriate option?</p> <p>10 A. Yes. I mean, neither Robert nor I had responsibility 11 for the children's fieldwork and planning service. But 12 obviously we were seeing the results of that lack of 13 planning in terms of the arrival of children in the 14 residential care sector. Whilst accepting at the time 15 that there were significant staff vacancies and 16 recruitment difficulties, the standard of planning, as 17 the report suggests, was, in our view, unacceptable.</p> <p>18 Q. We see under "Resources" you note there: 19 "A number of homes are in a very poor state, with 20 few resources and little to commend them." 21 You also, just before the document is taken down, 22 under the "Private and voluntary sector" make the point 23 there: 24 "Owing to a general lack of preventive resources, 25 bad practice, planning and mismanagement, this is</p> <p style="text-align: center;">Page 7</p>	<p>1 another whole area which gives considerable cause for 2 concern. There are young people who have been placed in 3 the private and voluntary sector, apparently because of 4 the lack of any alternative who, for whatever reason, 5 have been allowed to stay in the facilities. Some 6 children have therefore been in this sector for years, 7 not necessarily because it is the best place for them."</p> <p>8 That is a damning report, isn't it?</p> <p>9 A. Yes. I mean, in many senses, it had to be, I think, to 10 bring home the seriousness of our concerns. I think we 11 also noted that the level of unallocated cases over that 12 period also exacerbated the poor practice and the lack 13 of planning. But obviously, from a child perspective, 14 that's absolutely no consolation to children and young 15 people or their families if the children were left 16 drifting in unnecessary residential care.</p> <p>17 Q. The document can be taken down now, please, Mr Hyde. 18 You say, Dr Kwhali, at paragraph 2.8 in your 19 statement: 20 "I have made, during my lengthy career ... I went 21 into social work and childcare with a strong and 22 enduring commitment to people in need and the 23 development and support of those that serve them. It 24 soon became clear that such objectives could not be met 25 in the post I held in Lambeth. I therefore made the</p> <p style="text-align: center;">Page 8</p>

<p>1 decision to leave after 18 months and to take a break 2 from the profession." 3 Amplify that for us, please. Why was it that, at 4 that point, you decided to leave? 5 A. I think I'd had very good experiences as principal 6 manager for children's daycare, and it was possible in 7 those years to effect considerable change with a group 8 of staff and some political support to initiate that 9 change. 10 When I went into the assistant director post, it 11 felt as if I was being fired on from all sides, and 12 whilst elements of the service, children's daycare, 13 youth services, were kind of chuntering on, there was no 14 sense at the time, in the residential sector, that it 15 was going to be possible with the staff -- with many of 16 the staff who were present at the time to effect change 17 or to have really a positive practice influence in the 18 midst of being pulled in so many different directions 19 that were not necessarily about the children and the 20 children's homes per se, and I recognised also, as 21 assistant director, that the expectation was the 22 principal managers were the key operational managers for 23 the service and assistant directors were primarily 24 expected to do the more budgetary/strategic role, and 25 that wasn't really something that I wanted to do.</p> <p style="text-align: center;">Page 9</p>	<p>1 I felt that, because there wasn't -- you know, 2 I didn't have peers at the time, there were vacancies, 3 there was little support, it was my first experience of 4 being an assistant director, and I simply felt it wasn't 5 what I wanted to do, I didn't want to get tarnished by 6 association, so to speak, and I felt that I needed to 7 step back and take some time out and decide the future 8 direction of my career. 9 Q. At paragraph 3.3, you say in your statement: 10 "When I took up the assistant director role, 11 I became aware from talking to social workers that there 12 had been historical concerns about the care children 13 received at Shirley Oaks and which had closed around the 14 time of my first joining Lambeth in 1983." 15 What were the concerns that you picked up on around 16 Shirley Oaks in 1983? What were you being told? 17 A. There wasn't anything entirely specific because, again, 18 remember, I wasn't in the field -- I wasn't responsible 19 for the social workers who placed the children, but in 20 the sort of more general conversations -- you know, 21 I was told that children had been ill treated, that the 22 culture of Shirley Oaks was a pretty negative culture, 23 that there had been allegations of abuse, and that 24 particular staff were viewed by some individual social 25 workers as not being child-focused or kind or caring</p> <p style="text-align: center;">Page 10</p>
<p>1 towards the children. 2 Q. Were there discussions around sexual abuse at that time, 3 or possible -- 4 A. No, not that I can specifically remember. I can't 5 recall any named children or named staff. It was this 6 sense of people being glad that Shirley Oaks had closed, 7 and a feeling that that whole village-type children's 8 homes community had had its day, and that staff -- a 9 number of staff had been there years and were very 10 unreceptive to change and weren't trained and, often, in 11 some cases, were pretty uncaring towards children. 12 Q. We have seen a reference in a report written later, but 13 talking about the period when the homes closed, to the 14 sexualised behaviour of the children being a factor in 15 the closure of homes. Was that the kind of thing that 16 was discussed around then, that the behaviour of 17 children was of concern, around their experiences or 18 what they may have experienced there, or can you not 19 remember that? 20 A. I think if I'd been in the fieldwork division, 21 I probably would have heard more, but I was in the 22 children's daycare section, which was quite separate, so 23 the conversations were more the sorts of things that you 24 kind of sort of pick up as you're having the sort of 25 informal conversations with people about Lambeth per se,</p> <p style="text-align: center;">Page 11</p>	<p>1 and people just telling me that the homes had closed and 2 they were glad the homes had closed because they were 3 aware of children who hadn't been treated particularly 4 well. 5 I think, interestingly, when I became the assistant 6 director, I was never told the reasons why Shirley Oaks 7 closed or about its history and background. 8 Q. Were you interested to ask? 9 A. No, because I think what I was more or less told was the 10 kind of village communities had had their day. I'd also 11 seen the same kind of closures in Birmingham, in the 12 Midlands, and the Barnardo's in East London. So that 13 sense of them being expensive, and being outdated, them 14 not being very good places for children, just seemed -- 15 you know, seemed a fairly national picture. 16 Q. You say in your statement, also, at paragraph 3.3: 17 "During the 1980s, paedophilia was no more part of 18 the social work vocabulary than grooming or trafficking 19 was ten years later." 20 If I just can pick up on that for a moment, 21 paedophilia is just a term, isn't it? 22 A. Mmm. 23 Q. Do you agree that people understood that children were 24 at risk of sexual misconduct from adults trusted to care 25 for them at that time? The criminal law reflected it,</p> <p style="text-align: center;">Page 12</p>

1 it is a known fact that --

2 **A. Yes, I think, legally, that was understood. I think the**

3 **point that I made in my statement is, at that stage,**

4 **that legal awareness hadn't permeated its way into**

5 **social work education and training in, as far as I can**

6 **recall, any significant way.**

7 **The focus at the time was much more on the neglect**

8 **and physical abuse of children because of the cases that**

9 **were emerging at that time.**

10 Q. In reality, of course, where children were making

11 complaints of sexual abuse, it was in the knowledge of

12 social workers, wasn't it? Indeed, we are going to come

13 on to a case of LA-A26 where you were involved in making

14 a decision in 1986 about that allegation. So a blanket

15 denial of discussion might be so for policy documents,

16 but the reality on the ground depends on what was going

17 on and what people were receiving, in terms of

18 information --

19 **A. Yes, I absolutely agree with that. I think the other**

20 **point I make in the statement is, I think at the time**

21 **they were -- for instance, the case that you are going**

22 **to come on to, they seemed to be viewed as individual,**

23 **isolated cases. As far as I'm aware, there weren't the**

24 **systems in place that actually co-ordinated those**

25 **individual cases in order to actually provide a more**

Page 13

1 **occurred, or, if they had concluded that it hadn't**

2 **occurred, to have come up with some explanation or**

3 **discussion on what they thought might have led to the**

4 **young person making the allegation in the first place.**

5 Q. Do you think the ethnic makeup of the second panel made

6 a difference to the outcome?

7 **A. Well, there was a very different outcome. I think it**

8 **made a difference to the family. I obviously can't say**

9 **whether there had been different white people on the**

10 **second panel from a different service, whether they**

11 **would also have come to the conclusion that we came.**

12 **But I think, clearly, in terms of perspective, in terms**

13 **of perhaps some of the rigour that we wished to bring to**

14 **ensure that the family felt that they had had -- there**

15 **had been a fair and open investigation, then, yes, it is**

16 **likely that the makeup of the panel did make**

17 **a difference.**

18 Q. Standing back from it, what is demonstrated very clearly

19 is, the first panel, composed, as it was, as you say,

20 with people with an interest in the home, seemed to

21 reject the idea outright that there would have been an

22 opportunity for the child to be sexually abused, whereas

23 you were a voice in the second panel -- you weren't able

24 to go to the disciplinary with that voice; we will come

25 to that in a moment -- for the fact that the opportunity

Page 15

1 **holistic picture that might have alerted people to**

2 **networks of abuse.**

3 Q. Let's look at that case in Ivy House. You deal with it

4 at paragraph 4.2 of your statement, and I can take you

5 to that. So the inquiry has already heard there was

6 a first panel or investigation into that allegation, and

7 you formed part of the second panel to investigate it.

8 You set out at 4.2 why you felt that the first panel was

9 inadequate and the second was better placed, the one you

10 were on, to consider the facts and what had happened.

11 Tell us in your words, or from your statement -- I don't

12 mind if you read it; however you want to do it -- why

13 you think the first was inadequate and the second was

14 the correct forum?

15 **A. I think, as in the statement, there were three or four**

16 **reasons. Firstly, there was nobody from outside the**

17 **children's homes sector involved in that investigation.**

18 Q. In the first one?

19 **A. Sorry, in the first investigation. Secondly, the race**

20 **advisor was not invited to be part of that panel,**

21 **despite that being the normal recommendation. Thirdly,**

22 **in reading the report of the first investigation, it**

23 **seemed more that the people involved had set out to**

24 **disprove the allegation, rather than to take a kind of**

25 **more neutral stance to examine whether it could have**

Page 14

1 could always be there, it was a possibility. You were

2 open to that reality about the opportunity for sexual

3 offenders to abuse children in a residential setting,

4 weren't you?

5 **A. I was -- I think the whole panel was open to the**

6 **possibility. I think the difference was that I went to**

7 **the home. I had obviously no previous knowledge of**

8 **the home and had no previous contact with the home. But**

9 **I went with the chair of the panel to visit the home and**

10 **to actually see the layout of the home, and it was**

11 **clear, as far as my memory can serve me, and as was in**

12 **the second report, that there was opportunity, and, as**

13 **we now know, if people are likely to abuse, it's pretty,**

14 **now, naive to ... (Break in transmission).**

15 Q. Sorry, you have frozen there, Dr Kwahali. "Pretty

16 naive". Let's see what happens. We may get you back.

17 Chair, have we lost the connection completely with

18 Dr Kwahali?

19 THE CHAIR: Do you wish to take a break?

20 MS LANGDALE: It looks like we need to, chair, and see

21 what's happened to the sound, thank you. We will revert

22 when we can.

23 THE CHAIR: Thank you.

24 (10.56 am)

25 (A short break)

Page 16

1 (11.06 am)
 2 MS LANGDALE: Dr Kwhali, can you hear me?
 3 **A. Yes, I can, yes. Thank you.**
 4 Q. Sorry, you froze at the point when you were speaking
 5 about "we were naive" in those days. We lost you at
 6 that point. I don't know if you can remember your track
 7 of thought or train of thought now?
 8 **A. Would you be able to perhaps just repeat the question?**
 9 Q. We were talking about Ivy House and opportunities for
 10 sexual abuse in Ivy House. You had said that you
 11 recognised there were possibilities around that, and you
 12 were moving on to discuss knowledge of sexual abuse at
 13 the time and mention of naivety. What did you wish to
 14 say about that?
 15 **A. I think, as I indicated, it wasn't naivety that**
 16 **individuals could do dreadful things, but I think there**
 17 **was naivety in terms of organised networks, and I think**
 18 **that understanding emerged sequentially.**
 19 **So with the Ivy House incident, for instance,**
 20 **I think that was viewed as the actions of an individual**
 21 **staff member, rather than any connections at**
 22 **a departmental level being made with other allegations**
 23 **or incidences that might have occurred across the**
 24 **council.**
 25 Q. You made the point in your statement that the child

Page 17

1 **it was agreed that she would speak to that particular**
 2 **point in her evidence.**
 3 Q. It was indeed adduced, your view of Ivy House, and
 4 possibilities there, at that hearing.
 5 Turning now to Angell Road, please, and I want to
 6 ask you briefly, although you may not, from the
 7 statement, remember her about a preschool-aged child;
 8 Child Y I have referred to her as. She was at
 9 Angell Road on an informal basis, and in a so-called
 10 disclosure session with a member of Angell Road staff,
 11 described an incident with two men present, and it was
 12 agreed at the time that she needed further disclosure
 13 work or, I might suggest, further work to obtain an
 14 allegation of sexual abuse.
 15 That work never happened, we know that, looking at
 16 the records. Are you aware -- it never happened outside
 17 the home, I should say. It was basically undertaken
 18 within Angell Road. What's your view about any
 19 so-called disclosure work taking place in the home
 20 against a staff member who is working in that home?
 21 What was the propriety of that process?
 22 **A. Well, I became aware of that incident after the**
 23 **investigation had taken place. Of course, by today's**
 24 **standards, it would be completely inappropriate for any**
 25 **disclosure work to be taking place by internal staff**

Page 19

1 concerned was especially vulnerable, and also that her
 2 family and others who knew her well knew her
 3 communication was better than the person, or people, in
 4 the home would have understood it to be. She could have
 5 been targeted as somebody who was, in the perception of
 6 the perpetrator, or an alleged perpetrator, someone who
 7 was unable to communicate what had happened?
 8 **A. In fact, that's one thing that still stands out all**
 9 **these years later, that during the investigation, the**
 10 **second investigation, the staff had clearly indicated**
 11 **that they didn't actually believe or know that the young**
 12 **person could actually verbally communicate, because when**
 13 **she had been in respite care, she hadn't actually done**
 14 **so. But it was also very evident in terms of the words**
 15 **that she used to her parents and the discussions with**
 16 **the parents that she was able to communicate and,**
 17 **indeed, communicate quite clearly to people who**
 18 **understood and knew her.**
 19 Q. You were not able to attend the disciplinary hearing of
 20 the alleged perpetrator. Did you supply written
 21 evidence instead or think about supplying that?
 22 **A. No, because what was agreed was that my evidence was**
 23 **going to be specifically in relation to visiting**
 24 **Ivy House and seeing the physical layout, and the chair**
 25 **of the second investigation had also visited with me, so**

Page 18

1 **members or, indeed, by the child's own social worker.**
 2 Q. Did that child have a social worker until after she made
 3 the allegation? Because we haven't found a record of
 4 any social worker before that because she was there on
 5 an informal basis, it would appear?
 6 **A. I don't know, because my only substantive role in that**
 7 **particular case was, I think the investigation and its**
 8 **outcome was reported to the offsite homes manager who**
 9 **had responsibility for the oversight of the home, who**
 10 **then reported it to me and, as was then the case,**
 11 **I reported it on to the Director and Assistant Director**
 12 **of the Fieldwork Services and then personnel**
 13 **co-ordinated the actual investigation. So I'm not aware**
 14 **whether she had a social worker or not.**
 15 Q. Can we agree there was substantial delay and no proper
 16 investigation of that allegation and it wasn't dealt
 17 with correctly in terms of eliciting what that young
 18 child may have been able to say?
 19 **A. Yes. I mean, as I understand it, the child's key worker**
 20 **undertook disclosure work, and I wasn't still in Lambeth**
 21 **at the time of the actual disciplinary, but as far as**
 22 **I can recall, the work that had been done by the social**
 23 **worker and by the key worker was -- their report was**
 24 **then -- provided the basis of the decision to take**
 25 **disciplinary action.**

Page 20

1 Q. Don't worry, I'm not going to ask you about processes
 2 after you had left. Just dealing with Angell Road,
 3 though, and when you were there, did you know
 4 Michael Carroll? Had you met him?
 5 **A. I'd met him. I had visited Angell Road on one occasion
 6 as part of my induction, so, yes, I knew him.**
 7 Q. Did you know he had a schedule 1 offence, or when did
 8 you know that?
 9 **A. Not at that time, and I tried very hard to remember
 10 specifically when I knew an incident had occurred and
 11 when I knew he actually had a schedule 1 offence, and my
 12 recollection, as I said in my statement -- and I can't
 13 remember whether this was before I left or after
 14 I left -- that David Pope had told me that there had
 15 been an incident when John Carroll was a young man in
 16 the care home that he had previously lived in, and he
 17 had returned there as a 17- or 18-year-old and engaged
 18 in horseplay with another young resident, and the nuns
 19 had called the police.
 20 I only knew that it had actually resulted in
 21 a conviction, I think, as far as my memory can serve me
 22 correctly, when Roger Clough undertook his investigation
 23 that I went -- I attended some time after I had actually
 24 left Lambeth.**
 25 Q. What's your view now of somebody being in his position

Page 21

1 discipline hearing whereby they have been found guilty,
 2 so to speak, and then we have been able to look at their
 3 file and see whether there has been a subsequent
 4 disciplinary and we have been then able to take that
 5 into account in deciding on the outcome.
 6 So there wasn't a mechanism whereby managers were
 7 told. So I can only assume that when John Carroll's
 8 disciplinary took place, and the outcome was whatever
 9 the outcome was, that was then essentially, it seemed,
 10 put to one side and others of us who subsequently joined
 11 the service were not formally informed of the nature of
 12 that offence.
 13 Q. Did you know about the so-called direct work being
 14 undertaken at Angell Road surrounding sexual abuse with
 15 children? Was that something that you were aware of?
 16 **A. No. No.**
 17 Q. When you were in Lambeth or subsequently, were you ever
 18 concerned about Freemasonry or memberships of secret
 19 societies by people within Lambeth, either at officer
 20 level or staff level?
 21 **A. Not whilst I was there. I was aware that there was
 22 a significant number of quite influential men in council
 23 and officer roles, and after I had left, I heard rumours
 24 of Freemasonry, but at the time, Freemasonry wasn't,
 25 anyway, something that I was familiar with, and I don't**

Page 23

1 at Angell Road with a conviction, a criminal
 2 conviction -- not of the nature just described by you;
 3 a criminal conviction. You understand the severity
 4 of --
 5 **A. Of course. I now know that there was a specific
 6 conviction, and I now -- I understood from Mr Clough
 7 that he had a probation order.**
 8 Q. By the way, did you understand he was an adult, he was
 9 18 at the time of the offence?
 10 **A. I understood from Mr Clough, clearly, that he was an
 11 adult. At the time, and I can't be 100 per cent clear
 12 on this, my understanding was that I was initially told
 13 that he was 17 or 18. I wouldn't be able to be
 14 100 per cent precise on that.**
 15 Q. It sounds as though there's been minimisation of that
 16 offence, doesn't it; if you have heard that from my
 17 professional, there is a minimisation of what that was?
 18 **A. Yes. I mean, certainly when I first heard, it was not
 19 conveyed in a manner that suggested to me that there was
 20 a serious concern. Now, at the time, and even in jobs
 21 subsequently, when somebody has been through
 22 a disciplinary hearing, other people have not been told
 23 the nature of that disciplinary hearing; we have only
 24 been told -- even as a senior manager, I have only ever
 25 been told if somebody has been presented at a subsequent**

Page 22

1 think at the time I would have realised the
 2 significance. But, no, at the time, I wasn't aware of
 3 people talking about Freemasonry; it was only
 4 subsequently.
 5 Q. In terms of your own position and the positions you
 6 occupied in Lambeth, looking back now, with the learning
 7 and knowledge of hindsight, what would you have done
 8 differently, either in relation to individual cases or
 9 generally, when we see what that report that you and
 10 Mr Morton wrote communicated? What would you say to
 11 your younger self, looking back, about what might have
 12 been done differently to make things different for
 13 children?
 14 **A. I think, like I indicated, for my first four and a half
 15 years, I did a tremendous amount in a different service.
 16 I think, in the Children's Home Service --
 17 interestingly, I think I might have stayed longer,
 18 because -- when I first took over as AD and there was no
 19 principal manager and I'd had some involvement with
 20 residential staff through various trainings and the odd
 21 visits, I just -- it didn't have the feel of a great
 22 service. So I think I might have asked more about
 23 previous years of the Children's Home Service and why
 24 nobody had picked up earlier what Robert and I had
 25 picked up fairly quickly when we decided we were going**

Page 24

1 **to have a close look at all of the children's homes and**
 2 **prepare a report for members.**
 3 **I think if I'd had a bit more experience, and if**
 4 **I had been better supported, I think I would have**
 5 **perhaps wanted to have stayed and been part of pushing**
 6 **through change for those children. But at the time,**
 7 **I didn't feel that was within my capabilities, and if**
 8 **you can't do a job and you can't do it well, it's better**
 9 **to not be associated with something that you know isn't**
 10 **terribly healthy.**
 11 Q. You can't speak for Mr Morton, but do you think you'd
 12 actually understood, in describing the service as you
 13 both did, and in him using the word "dangerous", what
 14 that actually meant in terms of risk to children, the
 15 child protection on the ground; not simply the quality
 16 or what it looked like, but the day-to-day --
 17 **A. We were very clear -- I'm not talking about every single**
 18 **member of staff, and that is important to say. There**
 19 **were good people in the service, as there always are.**
 20 **But in terms of what the experience must have been like**
 21 **for children, and indeed for those committed staff, our**
 22 **view, clearly, was that it was not a healthy**
 23 **environment, and you either have to be part of that**
 24 **change process or you can't be associated with it. As**
 25 **I understand, I don't actually think that Robert stayed**

Page 25

1 MS LANGDALE: Chair, I see the time, but would it be
 2 possible for Ms Kennedy to read some evidence in?
 3 I know that will push us later but I'm keen we have that
 4 evidence read in before next week. It will mean our
 5 morning break will be slightly later and we will perhaps
 6 come back a bit later.
 7 THE CHAIR: Yes, thank you, Ms Kennedy.
 8 MS KENNEDY: Thank you, chair. I am going to read in the
 9 evidence of Bernadette Khan.
 10 Statement of MS BERNADETTE KHAN (read)
 11 MS KENNEDY: "In the early '70s, I was a co-opted member of
 12 the Lambeth Social Services Committee, which means that,
 13 although I was not elected and retained no political
 14 powers, I was able to attend meetings and obtain copies
 15 of agendas, along with carrying out visits to children's
 16 homes, which included Shirley Oaks.
 17 "I qualified as a social worker in 1977. I went on
 18 to be appointed as a part-time social worker for
 19 Wandsworth Borough Council. I was based at the
 20 St George's Hospital for a period of approximately eight
 21 to nine years. I initially worked with the elderly,
 22 going on to work in the paediatrics and maternity
 23 departments, including on the regional neonatal unit.
 24 "On or around 1986, I moved to the fostering and
 25 adoption unit at Wandsworth Borough Council where

Page 27

1 **an awful long time afterwards either.**
 2 MS LANGDALE: No, that's right.
 3 Chair, I have no further questions, unless you do?
 4 THE CHAIR: Thank you, Ms Langdale. I will check with the
 5 panel members. Ms Sharpling?
 6 MS SHARPLING: No, thank you, chair.
 7 THE CHAIR: Thank you. Mr Frank?
 8 MR FRANK: No, thank you.
 9 THE CHAIR: Sir Malcolm?
 10 PROF SIR MALCOLM EVANS: No, thank you, sir.
 11 MS LANGDALE: Sorry, chair, I have one final question for
 12 Dr Kwhali.
 13 Dr Kwhali, can you still hear me?
 14 **A. Yes, I can, yes.**
 15 Q. Were you responsible for allowing Angell Road to be
 16 a daycare centre?
 17 **A. No. There was a day nursery in Angell Road, which was**
 18 **entirely separate, but I have no knowledge of**
 19 **Angell Road having a daycare centre and who made that**
 20 **decision.**
 21 MS LANGDALE: Thank you. No further questions. Apologies,
 22 chair. Thank you very much, Dr Kwhali.
 23 **A. Fine.**
 24 THE CHAIR: Thank you, Dr Kwhali.
 25 (The witness withdrew)

Page 26

1 I continued my employment on a part-time basis. My role
 2 consisted of carrying out assessments for those
 3 individuals looking to foster and/or adopt children.
 4 "I resigned from my post as a social worker with
 5 Wandsworth Council in January 1990.
 6 "During my time in the employment of Wandsworth
 7 Council, I was asked to assess a fostering application
 8 that had been made by Michael John and June Margaret
 9 Carroll. I believed there was complete clarity and
 10 transparency between Wandsworth Council and the role
 11 that was being required to be filled; namely, the
 12 assessment of the Carrolls' application to foster
 13 children.
 14 "In 1987, whilst employed in the Wandsworth Adoption
 15 and Fostering Unit, I was assigned to assess the
 16 fostering application received from Michael John Carroll
 17 and his wife June Margaret Carroll, a childless couple,
 18 at the request of Lambeth Social Services.
 19 "At the time, Michael John Carroll was the head of
 20 the Lambeth children's home. The application centred
 21 around two teenage brothers who were living in a Lambeth
 22 children's home in which June Margaret Carroll was
 23 employed. Lambeth's referring senior social worker,
 24 Brenda Jones, reported the application to be
 25 a fait accompli, reporting the brothers were spending

Page 28

<p>1 weekends and holiday periods in the Carrolls' home 2 setting. 3 "The brothers were expecting to be permanently 4 fostered by the Carrolls and Lambeth was supporting the 5 Carrolls' fostering application. This is contained 6 within the fostering application documentation provided 7 to me by the inquiry. 8 "Prior to my completion of the assessment of 9 the Carrolls' suitability as foster parents, I had 10 a period of extended sick leave. This gave rise to 11 considerable pressure from the boys' head teacher, the 12 Carrolls and Lambeth to secure a panel hearing date. 13 "Ultimately, I was visited at my home by the head of 14 Wandsworth Adoption and Fostering Unit, on 21 July, who 15 proposed that she should reallocate another social 16 worker to complete the assessment. 17 "I disagreed, and said I would return to work to 18 complete the assessment, and present my report to 19 Wandsworth Fostering Panel. 20 "Upon completion of my assessment, and prior to 21 going to Wandsworth Fostering Panel, I visited the 22 couple to share my concerns and inform them that I was 23 not supporting their application. John Carroll, who 24 I found to be authoritarian in manner and approach, 25 became very aggressive and angry in his opinion. I did</p> <p style="text-align: center;">Page 29</p>	<p>1 not understand the needs of children in care or their 2 experiences in care he had felt through that assessment. 3 Mr Carroll later telephoned my home in continuing anger, 4 questioning my professional expertise and competency, 5 stating that I was rubbish and that he knew people in 6 high places. 7 "He also knew the outcome of the panel before it had 8 been returned to him officially. He went on to inform 9 me of his desire to withdraw their application, 10 including seeking to directly consult with Lambeth 11 social worker Jack Smith on the matter. 12 "On 24 August 1988, I went on to present my report 13 with a recommendation for non-approval of the Wandsworth 14 fostering application to the Wandsworth Fostering Panel. 15 After much discussion, they endorsed my recommendation 16 of non-approval of the Carrolls, giving the following 17 reasons: Mr Carroll's need to come to terms with the 18 circumstances of his conviction and the emotional 19 implications for himself, given his strong use of 20 denial, which is evident in the manner he has chosen to 21 deal with the matter to date; his needs to explore more 22 deeply some of the very painful issues related to his 23 identity and origins; the dynamics of the couple's 24 relationship gave cause for concern, since it did not 25 appear to be fulfilling, open and honest as it presented</p> <p style="text-align: center;">Page 30</p>
<p>1 on the surface; added to this, my reservations about 2 Mr Carroll's ability to help children make a healthy, 3 emotional transition into childhood. 4 "The history of the Carrolls' unsuccessful fostering 5 applications. 6 "The Carrolls unsuccessfully applied to foster two 7 little girls living in Angell Road Lambeth Children's 8 Home that Mr Carroll was head of as reported to me by 9 Val Rogers, the girls' social worker. The Carrolls 10 followed this with a fostering application to Croydon. 11 I refer to the Croydon correspondence dated 12 5 February 1986 which shows that the couple were turned 13 down by the Borough of Croydon in relation to their 14 fostering application when police checks revealed 15 John Carroll's antecedents, a schedule 1 offence 16 precluding registration of the application. 17 "Correspondence was sent to Lambeth Council, his 18 employer at the time, advising them of the conviction, 19 given John Carroll was working as the head of a Lambeth 20 children's home. 21 "I do consider there to have been clarity and 22 transparency in the assessment of Carroll's fostering 23 application by Wandsworth. I was also aware of 24 interborough communications at senior directorate 25 levels, given the complexities the Carrolls' application</p> <p style="text-align: center;">Page 31</p>	<p>1 presented. Not least, Mr Carroll's conviction and his 2 role as the head of the children's home; not to mention 3 the boys' plight given their expectations of being 4 fostered by the Carrolls. 5 "The intervention or interference during the 6 assessment. 7 "During the assessment process, there was an 8 occasion when I was informed by the head of Wandsworth 9 Adoption and Fostering Unit that a senior Lambeth 10 officer advised that my report dealing with Mr Carroll's 11 police check should record "satisfactory", furthermore 12 advising me that the outcome of the police checks would 13 be dealt with by Lambeth's Fostering Panel. 14 "Nevertheless, I went on to record John Carroll's 15 conviction in my report, despite being directed 16 otherwise. It was imperative to do so. 17 "The intervention or interference was recorded by 18 way of a memorandum to Mr Henry Gilby, the chief 19 executive of Lambeth Council, dated 15 February 1994. 20 "Lambeth Council did respond to the above-mentioned 21 memorandum, accepting that an inappropriate and 22 unprofessional telephone call was made by the then team 23 leader to the Wandsworth team. 24 "Contact with Lambeth Council. 25 "I can confirm the only people I had contact with at</p> <p style="text-align: center;">Page 32</p>

<p>1 Lambeth Council during the assessment process was 2 Jo Hughes, the appointed social worker for the children, 3 and senior social worker, Val Rogers, who was a referee 4 for the Carrolls. After the panel hearing and 5 ultimately hearing that the boys had been placed with 6 the Carrolls, I spoke in confidence with Councillor 7 Anna Tapsell, chair of Lambeth Social Services, who 8 I knew and trusted, about the child protection concerns 9 within her corporate parenting status. 10 "I cannot recall this timeline, but this may have 11 been after leaving Wandsworth Adoption and Fostering 12 Unit. 13 "Contact with referees and/or individuals supporting 14 the application. If memory serves, the first referee 15 I interviewed was a senior social worker from 16 Lambeth Council, Val Rogers. At the time she informed 17 me that her relationship with Mr Carroll was 18 a professional one only. This related to three 19 childcare cases, jointly shared, of children living in 20 Angell Road Children's Home, which John Carroll was the 21 head of. Also, through a course they had been on 22 together at Goldsmith College. 23 "Val Rogers advised me the Carrolls had applied 24 unsuccessfully to foster two little girls who had been 25 resident in the children's home of which John Carroll</p> <p style="text-align: center;">Page 33</p>	<p>1 was the head. The Carrolls were deeply disappointed 2 their application was unsuccessful. Another 3 consideration was that the couple chosen for the girls 4 could not have had children of their own, while it was 5 considered still possible for the Carrolls to do so. 6 "I was given to understand that from time to time 7 the Carrolls took the children to their home. I do 8 recall meeting June Carroll in Croydon market with two 9 little girls, who I assumed were relatives. Upon asking 10 her, she informed me they were from the children's home. 11 Val Rogers had very little knowledge of June Carroll, 12 who she had only met on three occasions. Indeed, 13 I found her to have very little knowledge of 14 the couple's personal relationship, or their home life. 15 Val Rogers informed me that she was aware of 16 John Carroll's conviction, understanding it to be 17 a showers incident, as initially told to me by 18 John Carroll. Val Rogers found him to have a natural 19 manner with children, possibly overindulged children, 20 while able to set limits and controls, albeit slightly 21 authoritarian in manner. 22 "Val Rogers explained that, as far as the Carrolls' 23 application was concerned in relation to the boys, she 24 and Lambeth Council would be supporting it. 25 "The second referee I interviewed in the presence of</p> <p style="text-align: center;">Page 34</p>
<p>1 my senior was Irene O'Brien. In our discussion, she 2 explained she had known John Carroll since their early 3 days together as residential social workers in 4 Liverpool. Both had come together to work in Lambeth 5 Children's Homes. Ms O'Brien went on to set up her own 6 private children's homes in the same locality as where 7 the Carrolls were resident. 8 "She explained to me that she was aware of 9 John Carroll's conviction. She was very dismissive of 10 the incident and described it as "larking about in the 11 showers" which was a fuss about nothing. Ms O'Brien 12 simply failed to see the previous conviction could pose 13 a danger to children and had no concerns about 14 Mr Carroll being around children in his very own 15 establishment or hers. 16 "I interviewed a third referee whose details 17 appeared to be missing from the file documentation 18 provided to me. If memory serves me correctly, this 19 individual was a lay preacher living with his mother in 20 the immediate locality of Ms O'Brien and the Carrolls. 21 The lay preacher explained to me that he had met 22 John Carroll through their joint membership of 23 the Association of Combined Youth Clubs of Wandsworth 24 and Lambeth, including sharing camping trips to 25 North Wales together. Unfortunately, he was unable to</p> <p style="text-align: center;">Page 35</p>	<p>1 provide me with any in-depth insight into the Carrolls' 2 relationship or their lifestyle. He recalled having met 3 the boys the Carrolls were seeking to foster in the 4 Carrolls' home setting. 5 "On 30 March 1988, in a session in the home 6 with June Carroll, she informed me that the boys were 7 staying with the couple for half term. I recall being 8 introduced to them with their friends. I also recall 9 another session alone with June Carroll where she 10 informed me that John Carroll was away on a youth 11 camping trip with the boys. 12 "Other than the point relating to the police check 13 made earlier in the statement, I am not aware of any 14 other influence or interference in the assessment 15 process. The social worker for the children, Jo Hughes, 16 shared with me that she was being put under considerable 17 pressure to place the boys with the Carrolls after the 18 Wandsworth panel's decision of non-approval. I recall 19 at the time she appeared to be very distressed and 20 unsupported in her social work role and quest to 21 maintaining her professional integrity as a social 22 worker. As far as I am aware from either Wandsworth or 23 Lambeth Council, no official approached me directly to 24 influence my decision making. 25 "I have no knowledge or information of any political</p> <p style="text-align: center;">Page 36</p>

<p>1 interference in the decision-making surrounding the 2 Carrolls' fostering application prior to the panel's 3 decision being made. 4 "My view of retaining Mr Carroll after the 5 conviction came to light. 6 "I was very much astonished at the serious breaches 7 of trust by the employee Mr John Carroll within the 8 nature of his conviction and its implications of risk 9 factors for any children in his care. Furthermore, 10 throughout the application process, he repeated 11 dishonesty relating to the facts surrounding his 12 conviction, all of which would have made him a candidate 13 for immediate dismissal. 14 "I was left with a deep sense of professional 15 betrayal on behalf of the children and myself, expanded 16 upon in the case closing summary. I was perplexed and 17 concerned by the power and influences John Carroll 18 appeared to wield in decision-making ranging from within 19 the Lambeth directorate and the head of the school. 20 My experience led me to believe it was paramount that 21 the process and application must be finalised, simply 22 because this would mean that any findings made by 23 Wandsworth panel would have to be referenced to in any 24 subsequent application the Carrolls may wish to make in 25 the future.</p> <p style="text-align: center;">Page 37</p>	<p>1 "I refer to this in the case record closing summary. 2 In that documentation, there are a series of telephone 3 notes, including the range of individuals contacting my 4 department at the time. Verley Chambers, assistant 5 director also took it upon himself to contact my senior, 6 Mary Griffith-Jones. 7 "On 13 November 1989, as part of the application, 8 I made my closing case summary which I believe 9 adequately deals with this point. 10 "Since our panel's decision, I am given to 11 understand from the children's social worker, Jo Hughes, 12 at Lambeth that the children continue to speak weekends 13 and holidays with the couple. This, I feel, suggests 14 that my professional role and assessment has counted for 15 nothing in terms of my statutory responsibilities in the 16 protection of children. 17 "It further makes a nonsense of the whole process of 18 assessment of suitable, prospective adopters and/or 19 foster parents, given that such a breach of procedures 20 and statute could blatantly be abused through 21 a professional network system whose main 22 responsibilities and accountability are to the overall 23 welfare and protection of children. 24 "I feel that this case gives rise to a lot of cause 25 for concern, least of all that these children and</p> <p style="text-align: center;">Page 38</p>
<p>1 possibly others are being put in a situation of risk. 2 This, I find, in my task and brief as a professional 3 person, unacceptable, that the appropriate authority, 4 such as the DHSS, should be made aware. 5 "In respect of the Lambeth Children's Home 6 Subcommittee during the 1970s, at no time did anyone 7 raise any issues of child abuse at the committee level 8 or in any children's homes visits. The children's home 9 visits were rota visits which were carried out in pairs 10 by committee members, who would report back on those 11 visits at committee meetings. He would also raise any 12 concerns of the staff or ideas that children brought 13 forward in those same meetings with departmental 14 officers. 15 "I do recall questioning, however, why the children 16 were always schooled on site and never appeared to be 17 integrated into Croydon schools, which would invariably 18 have improved their life chances and educational 19 opportunities. I recall that the matter was taken up 20 with Croydon Council by Lambeth at the time but no 21 agreements transpired. I can confirm that, 22 in November 1989, I resigned from my position as social 23 worker with Wandsworth Adoption and Fostering Unit. 24 "Post resignation, in March 1993, I was asked to 25 give evidence to the Lambeth Clough Inquiry with a focus</p> <p style="text-align: center;">Page 39</p>	<p>1 on my role in the assessment of the Carrolls' fostering 2 application. I did not have access to the file on that 3 occasion and nor had I been provided with any documents 4 in the preparation of this statement. I do not have 5 a clear recollection of the questions asked of me. 6 "Other comments: I have been provided with a number 7 of documents, including LAM028605, dated 8 15 February 1994, which is a memorandum. The document 9 refers to a meeting having taken place. I can confirm 10 that I was not present at that meeting. In actual fact, 11 I had left my employment with Wandsworth on 12 31 January 1990. 13 "Nevertheless, the points raised in the document are 14 correct. I refer to my witness statement dated 15 27 August 1998. I would like to point out from the 16 outset that this statement was prepared without having 17 access to the case notes of the fostering application. 18 I have read the statement and can confirm it is true, to 19 the best of my knowledge and belief, and is an accurate 20 depiction of events. 21 "I have also considered another statement that 22 I gave, on 4 December 2014. Once again, if memory 23 serves, the statement was given without any case notes 24 of the fostering application. I have read the document 25 and would like to make the following observations.</p> <p style="text-align: center;">Page 40</p>

<p>1 "Paragraph 2 of the statement refers to the 2 fostering application running until 1998, not 1988. The 3 police statement confirms correctly that I did not meet 4 the two boys who were subject to the application. The 5 only time I have seen the boys in question was during 6 a home visit with June Carroll on 30 March 1988 when the 7 two boys were identified to me. There were no formal 8 introductions, and I can confirm at no time did 9 I approach the boys, who were represented by their own 10 social worker. 11 "Paragraph 3 of the statement refers to the adoption 12 of children. I can confirm that I am not aware of any 13 adoption applications the Carrolls may have made. My 14 knowledge relates to the fostering application. 15 "Finally, an application to foster two girls, the 16 second was an application to Croydon Council and the 17 third relating to the two boys which were rejected." 18 Chair, that concludes the reading. I'm looking at 19 the time. May I suggest that we come back at 12 noon? 20 THE CHAIR: Yes, thank you, Ms Kennedy. We will do that. 21 (11.41 am) 22 (A short break) 23 (11.59 am) 24 MS BROWN: Good morning, Mr Palayiwa. Mr Hughes, the 25 hearing manager, will now ask you to take an oath or</p> <p style="text-align: center;">Page 41</p>	<p>1 affirm. 2 MR MILLIUS PALAYIWA (sworn) 3 Examination by MS BROWN 4 MS BROWN: Mr Palayiwa, do you have in front of you 5 a statement provided to the inquiry, dated 6 29 January 2020? 7 A. Yes. 8 Q. Is that statement true, to the best of your knowledge 9 and belief? 10 A. It is. 11 Q. Mr Palayiwa, is it correct that you worked as a race 12 relations advisor to the directorate of town planning 13 and economic development in Lambeth for the period from 14 1984 to 1993? 15 A. I did. 16 Q. You were asked, in November 1986, by the chief 17 executive, who was then John George, to chair an 18 independent inquiry to review the procedures for dealing 19 with allegations of child sexual abuse in children's 20 homes in Lambeth? 21 A. Yes. 22 Q. If we could have up on screen, please, INQ004910_020, 23 please. We will see there at 2.2, which could maybe be 24 enlarged, the terms of reference? 25 A. Yes.</p> <p style="text-align: center;">Page 42</p>
<p>1 Q. I will read out there, at 2.2(i): 2 "With particular reference to the circumstances 3 surrounding the investigation of child sexual abuse to 4 the child formerly in respite care at Ivy House ..." 5 Pausing there for a moment, that was the case 6 concerning a child with communication difficulties and 7 complex needs who made an allegation of sexual abuse 8 against a member of staff at Ivy House. You're familiar 9 with that? 10 A. Yes, I am familiar with that, yes. 11 Q. Going on, to look at the terms of reference, it was to 12 review the existing arrangements in the directorate of 13 Social Services for investigating this type of 14 allegation, and also at (ii): 15 "To review management and supervisory systems for 16 the protection of residents, especially the most 17 vulnerable, in Social Services establishments from 18 sexual or other abuse." 19 Then, looking at (iii), you were requested: 20 "To report to the chief executive with appropriate 21 recommendations and a timetable ..." 22 Mr Palayiwa, we see there that, really, essentially 23 there were two tasks -- well, one was with particular 24 reference to the circumstances of the Ivy House 25 complaint, but it was both to look at reviewing how</p> <p style="text-align: center;">Page 43</p>	<p>1 these complaints were investigated, but also 2 a preventative, to look at supervisory systems for the 3 protection of residents? 4 A. Yes. 5 Q. If we stay on that page, if we could go down to 2.3, we 6 will see there listed the members of the panel. 7 A. Yes. 8 Q. We see obviously your name as chair of the panel? 9 A. Yes. 10 Q. Moving down, there was William Theaker, who was an 11 independent consultant, and we see he was the former NHS 12 Director of Social Services? 13 A. Yes. 14 Q. Moving down, Ms Ermin Lee-Kin, who was then the Director 15 of the Education Welfare Services at the Inner London 16 Education Authority. We see next to her name "CQSW", 17 which shows us that she was a qualified social worker. 18 Finally, Ms Jennie Jarvis, who is described as a child 19 sexual abuse adviser/consultant. Mr Palayiwa, did you 20 have any say in the panel members? 21 A. No. I was given the panel members as experts and I was 22 to administer and chair them. 23 Q. During the course of chairing them and during the course 24 of the inquiry, did you at any point have any concerns 25 regarding either their independence or their expertise?</p> <p style="text-align: center;">Page 44</p>

<p>1 A. No, not during the sessions, no.</p> <p>2 Q. Just dealing with your chairmanship, Mr Palayiwa, you</p> <p>3 were obviously, at this time, working as the race</p> <p>4 relations advisor for Lambeth. Were you happy that this</p> <p>5 was called an independent review and you had</p> <p>6 a sufficient level of independence to chair this?</p> <p>7 A. Yes. I understood that the three experts were not</p> <p>8 employees of Lambeth. I was the only employee of</p> <p>9 Lambeth from a directorate that was very distanced from</p> <p>10 Social Services, both in terms of work and</p> <p>11 geographically, we were quite far away from</p> <p>12 Social Services. I had no dealings with Social Services</p> <p>13 whatsoever.</p> <p>14 Q. I think you didn't hold yourself out as having any</p> <p>15 expertise in the area of child sexual abuse?</p> <p>16 A. No.</p> <p>17 Q. Just looking at the methodology of the inquiry, how was</p> <p>18 the list of witnesses that you spoke to -- and you spoke</p> <p>19 to a lot of witnesses -- drawn up?</p> <p>20 A. Again, I was supplied with a list of people to be</p> <p>21 interviewed, people to be written to and asked to come</p> <p>22 for interview. That list, I believe, was drawn by the</p> <p>23 chief executive, in conjunction with the Department of</p> <p>24 Social Services, I suppose the Director of Social</p> <p>25 Services. I do not know that Mr Bill Theaker was</p> <p style="text-align: center;">Page 45</p>	<p>1 involved.</p> <p>2 Q. Had you wanted to hear from other witnesses that were</p> <p>3 not on that list, would that have been something you</p> <p>4 would have felt able to do?</p> <p>5 A. Yes. We could have called anybody else we wanted to.</p> <p>6 Q. I think, for the record, you interviewed, in fact,</p> <p>7 members of the directorate of Social Services, the</p> <p>8 police, parents of children, including the parents of</p> <p>9 the child at Ivy House, an expert from the NSPCC, who</p> <p>10 was probably, we believe, Anne Bannister, and</p> <p>11 representatives of Mencap?</p> <p>12 A. Yes.</p> <p>13 Q. Regarding documents, really, the same question: do you</p> <p>14 consider you were given appropriate access to any</p> <p>15 documents you wished?</p> <p>16 A. I think the experts, and Mr Theaker in particular,</p> <p>17 wanted to see extra documents, and he was allowed to see</p> <p>18 them at the directorate of Social Services. Yes, I was</p> <p>19 guided by the experts there as to what documents we</p> <p>20 might want to see, and if you requested, yes, those</p> <p>21 documents were presented.</p> <p>22 Q. Just dealing with that point about Mr Theaker going --</p> <p>23 I think he went into offices to read some particular</p> <p>24 reports. Was that something that Mr Theaker did, and</p> <p>25 reports that you didn't necessarily see?</p> <p style="text-align: center;">Page 46</p>
<p>1 A. I did not see those reports which he had read in the</p> <p>2 directorate of Social Services.</p> <p>3 Q. Talking about the writing of the report, the report</p> <p>4 I think was drafted certainly predominantly by</p> <p>5 Mr Theaker; is that correct?</p> <p>6 A. At the end of the sessions, the inquiry sessions, we</p> <p>7 agreed that the three experts would write a section each</p> <p>8 to do with their expertise or their areas of interest</p> <p>9 as -- that have arisen from the inquiry.</p> <p>10 Q. Sorry to interrupt. Did you write any section?</p> <p>11 A. No, I was not going to write anything. I was going to</p> <p>12 receive the three reports or drafts from the experts and</p> <p>13 then pull them together into a final interim report to</p> <p>14 be presented to the chief executive.</p> <p>15 Q. I think, in fact, what happened was that it was only</p> <p>16 Mr Theaker that submitted a draft; is that correct?</p> <p>17 A. Yes. I kept writing to the three panellists to say,</p> <p>18 "Please, could I see your draft? Could you write</p> <p>19 something?". There was nothing coming -- nothing came</p> <p>20 from the two other members, except from Bill Theaker.</p> <p>21 Q. How did you then go about trying to finalise the report</p> <p>22 in a situation where you've got a draft from one member</p> <p>23 and two other members who at this point are not</p> <p>24 producing any written material?</p> <p>25 A. The three members, the three experts, met on, I believe,</p> <p style="text-align: center;">Page 47</p>	<p>1 23 June 1986 -- sorry, 1987, to agree what</p> <p>2 recommendations they would put in the report or they</p> <p>3 would give to me, the three of them. Then, on 7 July,</p> <p>4 the four of us met to look at what was being presented.</p> <p>5 At that point, I realised that only Mr Bill Theaker had</p> <p>6 written something quite substantial which he said he had</p> <p>7 discussed with his colleagues on 23 June and they'd</p> <p>8 agreed those recommendations, and there being nothing</p> <p>9 forthcoming from the other two, we decided to adopt what</p> <p>10 Bill had written, what Mr Theaker had written.</p> <p>11 Q. Just looking at that, in terms of that agreement, you</p> <p>12 say in your statement at paragraph 5.2 that Ms Lee-Kin</p> <p>13 concurred with Mr Theaker's draft, and that was clear to</p> <p>14 you?</p> <p>15 A. That was very clear, yes.</p> <p>16 Q. The position of Ms Jarvis seems slightly more nuanced.</p> <p>17 Were you satisfied that she was agreeing with</p> <p>18 Mr Theaker's report, or were you aware of some dissent</p> <p>19 from her?</p> <p>20 A. I wasn't aware of any dissent from her at that time.</p> <p>21 She did not indicate that she was not happy with what</p> <p>22 had been written, bearing in mind that they had met on</p> <p>23 the 23rd without me being present, and they'd agreed on</p> <p>24 the main recommendations.</p> <p>25 I think if she had raised any concerns about the</p> <p style="text-align: center;">Page 48</p>

<p>1 content of the report, we would have discussed them and 2 seen if we could come to some agreement. If we couldn't 3 convince her to agree with the other two, then she would 4 have been free to write a minority report or dissenting 5 report. 6 Q. So you concluded that meeting and you, as chair, were 7 satisfied that the report you had and the 8 recommendations that had been made were agreed 9 recommendations? 10 A. Yes, I was quite sure that that was the position. 11 Q. Did you ever come to understand why Ms Lee-Kin and 12 Ms Jarvis did not contribute to the writing of 13 the report? 14 A. I'm at a loss as to why they didn't, because they were 15 engaged and they were paid for doing so. I really have 16 no idea why. Ms Lee-Kin clearly said that she endorsed 17 everything Mr Theaker had said. I think they were -- 18 they had worked together, they knew each other very 19 well, and they were in agreement. 20 Q. Obviously we know, and we will come to this in a moment, 21 that, in fact, that report was never published or 22 actioned by Lambeth. Was there any suggestion, at the 23 stage you were discussing it, that this report was, in 24 effect, going to be sidelined and that somehow 25 contributed to why they weren't putting anything in</p> <p style="text-align: center;">Page 49</p>	<p>1 writing? 2 A. No, everything was going on very smoothly, and whenever 3 it was handed over to me and we agreed it, I said 4 I would present it to the chief executive with 5 a covering letter, in time to go to the Social Services 6 Committee of 14 September that year. 7 Q. We will come to this in a little more detail in 8 a moment, but while we're talking about that meeting 9 where you were agreeing the report, did Ms Jarvis, at 10 that meeting, ever raise an issue, which appears to have 11 come to light later, that she was concerned about the 12 suggestion in the report that a child sexual abuse unit 13 should be set up? As far as you were aware, did she 14 object to that at that meeting? 15 A. No. 16 Q. Were you aware of any potential conflict because she, in 17 fact, herself intended, it has been suggested, to set up 18 her own consultancy? 19 A. No, I was not aware of that until I got the bundle and 20 saw that in Mr Theaker's letters. 21 Q. When you're referring to that, you're saying you weren't 22 aware of that until you received papers in this inquiry? 23 A. Yes. 24 Q. If we could now call up INQ004910_003. Looking there 25 under the heading "Principles and practice of</p> <p style="text-align: center;">Page 50</p>
<p>1 investigating an allegation", about halfway down the 2 page, at paragraphs 1 and 2, if we could highlight them, 3 you set out there, or the inquiry report sets out there, 4 the position you found. The position is set out at 1, 5 and I will read that: 6 "Although there is a general understanding among 7 senior staff in the Social Services Department of 8 the requirements of an investigation of an allegation by 9 a client against a member of staff, there does not at 10 present exist a written procedure for the guidance of 11 staff." 12 Then at 2: 13 "Similarly, no system currently exists which 14 facilitates a client making a complaint against a member 15 of staff in a way which guarantees impartial 16 investigation and in a way which protects the 17 complainant." 18 Mr Palayiwa, that was the situation you were seeking 19 to address and your inquiry was seeking to make those 20 recommendations so that there was indeed a proper 21 complaints system and an investigation procedure? 22 A. Yes. We were concerned that there seemed to be no 23 written guidance or written procedures that would have 24 assisted in the investigation of such allegations. 25 Q. If we could now go on to page 21, this is, in fact,</p> <p style="text-align: center;">Page 51</p>	<p>1 a summary, and it is the summary that was prepared by 2 Mr Theaker for presentation to the Social Services 3 Committee on 14 September 1987. We will come to what 4 happened to that in a moment. But, conveniently, here 5 it summarises the recommendations. I am just going to 6 go through those. 7 At 3.3, so at the top of the page, it says: 8 "The report is critical of the way accused members 9 of staff have been dealt with in the recent past and 10 recommends for the future that an accused member of 11 staff be suspended from duty and not be sent away on 12 special leave, in order to prevent ambiguity." 13 Mr Palayiwa, that comment was presumably made in 14 part because in the Ivy House allegation, that was 15 indeed what happened, certainly initially, that the 16 alleged perpetrator was indeed put on special leave. 17 That, presumably, was in the minds of the panel when 18 they made that recommendation? 19 A. Indeed. That was what we understood, that the person 20 had been sent on special leave, and we felt that the 21 allegations were serious. They were so serious that the 22 person should have been suspended immediately, and we 23 went on to explain what the suspension means, that it 24 does not imply guilt or anything, but it's for the good 25 facilitation of the investigation.</p> <p style="text-align: center;">Page 52</p>

<p>1 Q. I think you said as well that it sent a message to the 2 person complaining that their complaint was indeed being 3 taken seriously? 4 A. Yes, and also transparency and confidence in the system, 5 that there would be no condition and -- yes. 6 Q. Going down at 3.5, it said: 7 "In relation to the conduct of an investigation ... 8 the panel sets out ... a number of principles ..." 9 I skip to the bottom of that paragraph: 10 "... there should be the involvement of other 11 agencies, including the police, education and health at 12 the very earliest opportunity, and, in the case of young 13 children or a child who may be particularly vulnerable, 14 the engagement of specialists to conduct a disclosure 15 interview and/or to collect medical evidence." 16 Again, Mr Palayiwa, that was a recommendation that 17 was presumably made in light of the circumstances of 18 the Ivy House complaint, when there was a child who was 19 particularly vulnerable and had communication 20 difficulties? 21 A. Yes, and that the police were told very late during the 22 process, and we felt that the multi-agency involvement 23 would help the understanding and processes. 24 Q. Going on, at 3.6, you say the use of a new complaints 25 system for use by clients, that's in the middle of that</p> <p style="text-align: center;">Page 53</p>	<p>1 paragraph. I'm just going to skip through 3.7, and this 2 says: 3 "... the report identifies a weakness in the 4 management supervision of homes and centres and it was 5 recommended that a new post of homes manager ..." 6 So we switch now, from the recommendations above 7 were looking at the investigation system and how that 8 should be conducted. We are moving now to what we saw 9 was the second home reference, looking at prevention and 10 management and supervision -- 11 A. Yes, and strengthening -- 12 Q. -- and you felt that there was a weakness there? 13 A. And strengthening the management processes. 14 Q. Finally, we look at 3.8, the last recommendation: 15 "... to explore the possibility with other boroughs 16 and the voluntary sector of establishing a child sexual 17 abuse unit for the inner London boroughs of South London 18 is very strongly made." 19 A. Yes, we felt that. 20 Q. Those recommendations seem very comprehensive, 21 reflecting what the terms of reference said, but this 22 was described as an interim report. What was your 23 understanding of the plan of what we know didn't but 24 what was intended to come there next? 25 A. This was an interim report, and if you look at the</p> <p style="text-align: center;">Page 54</p>
<p>1 Social Services report that set up the inquiry, it hoped 2 that there would be two stages. There would be one 3 stage where we would look at the processes -- procedures 4 and processes, and then there would be a second stage 5 where we would look in detail at what went on at 6 Ivy House and the whole management systems and make 7 recommendations accordingly. So the first -- the 8 interim report, the first report, was simply about 9 procedures. 10 Q. The second stage, just to confirm, that's when you would 11 have looked in more detail potentially at the actual 12 circumstances of the case? 13 A. Yes. The report said that the second stage would be 14 reviewing management and supervisory systems to 15 Social Services establishments. 16 Q. If you could now go to INQ004910_004, I'm just going to 17 go through a little bit more detail. We have looked at 18 the summary, but just a little bit more detail as to 19 where the focus of your inquiry was. We will see at 20 paragraph 10 of that page that there was a focus on the 21 victim and you say, or the inquiry report says: 22 "An integral and important part of any investigation 23 must be at the earliest possible time to secure the 24 safety of the alleged victim from further abuse, from 25 direct or indirect pressure to change or withdraw the</p> <p style="text-align: center;">Page 55</p>	<p>1 allegation and the stress of repeated interviews." 2 Then going on: 3 "Additionally, it should be the specific task of an 4 appropriate officer, usually a social worker, to support 5 the alleged victim and the family." 6 So it appears that keeping the victim's interest was 7 very much at the heart of this inquiry? 8 A. Oh, yes, the victim is very important. The child's 9 welfare is paramount and, therefore, the family and the 10 supporting mechanisms should be kept within the loop of 11 what is happening. 12 Q. If we could go, then, to page 9 of the same document, 13 INQ004910_009, this is now moving on to the aspect of 14 the terms of reference looking at prevention and 15 management. It is said there at the first full 16 paragraph that visits should be frequent, and you are 17 referring there in context to visits by the home 18 manager, which is a post the inquiry recommended should 19 be a newly created post? 20 A. Yes. 21 Q. "Visits should be frequent to the degree which makes 22 her/him a familiar figure to residents and junior staff 23 and, therefore, a person who has been abused but is 24 afraid of victimisation by staff could confide in or, in 25 certain circumstances, could be a person approached by</p> <p style="text-align: center;">Page 56</p>

<p>1 a member of staff who has anxieties but is afraid for 2 their position." 3 A. Yes, we felt that the night home manager should be 4 a familiar face to people in the home and that people 5 should be comfortable to approach such a person without 6 any fear or favours. 7 Q. So you were seeking to give a further avenue of someone 8 outside the immediate day-to-day staff, should either 9 a child or, indeed, a fellow staff member have 10 a concern? 11 A. Yes. 12 Q. If we go down on that page to the third paragraph from 13 the bottom, you say: 14 "A vitally important part of the responsibilities of 15 a home manager should be the personal supervision and 16 professional development of officers-in-charge ..." 17 Do we take from that that you felt there was a lack 18 of supervision of officers-in-charge? 19 A. Yes. They felt that they did not think that they were 20 very well supported and they felt that perhaps there 21 could be more supervision and training and development. 22 Q. Going over the page now to page 10, just one thing 23 I want to pick out from this page, at the second 24 paragraph: 25 "Additionally, it's recommended that a formal</p> <p style="text-align: center;">Page 57</p>	<p>1 full-scale review of each establishment be completed by 2 the homes manager in conjunction with the 3 officer-in-charge, four times a year." 4 Again, one would take from that that it was felt 5 that there was a lack of reviewing visits of the homes? 6 A. Yes, that was the feeling. 7 Q. Finally on this document, before we leave it, if we 8 could go to page 16, INQ004910_016, at the first 9 paragraph it's said: 10 "There is, however, a detectable level of anxiety 11 amongst many professional staff arising from the 12 steadily increasing numbers and complexity of reported 13 cases of child sexual abuse ..." 14 I take from that there was an understanding that 15 this was an increasing problem or there was an 16 increasing awareness of the problem? 17 A. Yes, I think there was that feeling that generally in 18 Lambeth, and in the country as a whole, sexual abuse was 19 becoming an issue and social workers were very much 20 getting aware of that, and therefore we thought that 21 there should be some training, specialist training, for 22 Social Services to engage with this new phenomenon which 23 seemed to be rising or being more -- people becoming 24 more aware of it. 25 Q. I think the training is, in fact, exactly what you do</p> <p style="text-align: center;">Page 58</p>
<p>1 address in the next paragraph, three lines down of 2 the second paragraph: 3 "The Social Services Department should therefore 4 plan to increase the availability of specialist training 5 for social workers and for other staff working with 6 children." 7 A. Yes. 8 Q. These, Mr Palayiwa, were changes that you considered 9 were needed -- we can leave the document now, thank you 10 very much. 11 These were changes that you considered were 12 necessary to protect children, both by adding additional 13 supervision of the homes and also to ensure that, if 14 there was an allegation, there was proper investigation? 15 A. Yes. 16 Q. Regarding, now, publication of the report, we have 17 talked about the meeting where you agreed or you 18 understood the report to be agreed by all panel members. 19 You then submitted the report to the chief executive. 20 Was that something that you undertake personally? 21 A. Yes, I wrote a covering letter which I can't find now 22 and delivered the report by hand. I went to the chief 23 executive and said, "Here is the report and here is 24 a covering letter", with this covering letter, "and now 25 it is up to you to take it to the Social Services</p> <p style="text-align: center;">Page 59</p>	<p>1 Committee". 2 Q. Did he give you any indication, then or afterwards, as 3 to what his view was of the report, what he thought of 4 it? 5 A. No. I think he was happy with it. 6 Q. He was happy with it. How did he convey that you to 7 you? 8 A. Well, he just -- "Thank you for producing the report. 9 I will read it and take it to Social Services". 10 Q. But he didn't give you feedback -- or did he give you 11 feedback on the content of the report at any point? 12 A. No. 13 Q. As far as you were aware, did the report go or did you 14 know whether that report did go to the Social Services 15 Committee? 16 A. Well, I got to know at some time in -- I think at the 17 end of August or early September, when the executive 18 rang me and said, "By the way, the report is not going 19 to go to a Social Services Committee". The reason I had 20 rung him also to find out what was happening was because 21 I expected the three panel members to attend that 22 Social Services Committee to answer questions about the 23 report and how the -- the elected members could ask 24 questions about the report in details and we would have 25 to defend the report or then it was up to them either to</p> <p style="text-align: center;">Page 60</p>

1 **accept it or not accept it.**
 2 Q. That, of course, is why there was a summary that we
 3 looked at, the summary that was produced by Mr Theaker,
 4 to go to the Social Services Committee?
 5 **A. Yes. The system was that there has to be a report to go**
 6 **with any papers.**
 7 Q. But that committee meeting never took place?
 8 **A. Well, the committee meeting did take place, but the**
 9 **report did not go to the committee.**
 10 Q. When you heard from the chief executive that the report
 11 was not going to the Social Services Committee, first of
 12 all, what did the chief executive convey to you was his
 13 view of that?
 14 **A. I asked the chief executive why the report was not**
 15 **going, and he gave me two reasons. He said the first**
 16 **reason was that one of the panel members thought that**
 17 **the report had not taken on board her views, so she was**
 18 **not happy with the report.**
 19 Q. Ms Jarvis, was it?
 20 **A. That was Ms Jarvis. And the second reason was that at**
 21 **paragraph 5, I think, of the May report, we had said**
 22 **that in cases of allegations made by very young children**
 23 **or by elderly people that the possibility of fabrication**
 24 **and/or confusion should be taken into consideration.**
 25 **I was told that certain elected members thought that was**

Page 61

1 arising, it appeared, because the report was not an
 2 agreed report?
 3 **A. I understood there to have been an agreed report and the**
 4 **three panellists -- or definitely Mr Theaker and**
 5 **Ms Lee-Kin were of the same mind, that the report had**
 6 **been agreed. It was an interim report, not a draft**
 7 **report.**
 8 Q. Just to be absolutely clear, when you presented it to
 9 the chief executive, your understanding was it was an
 10 agreed report?
 11 **A. I was sure it was an agreed report.**
 12 Q. I think I've covered this as well, but I've been asked
 13 to ask you specifically: you knew nothing about the
 14 suggestion that Ms Jarvis had a business idea regarding
 15 setting up a consultancy and that that was somehow in
 16 conflict with the suggestion we have looked at in the
 17 report of setting up a Child Abuse Unit?
 18 **A. I did not have that knowledge at all, and I would have**
 19 **considered it a serious conflict which perhaps would**
 20 **have disqualified her from sitting as a member on that**
 21 **panel.**
 22 Q. Regarding the fact these recommendations had been made
 23 and you had an awareness of the Ivy House complaint, did
 24 you have concerns that there was now a situation where
 25 there were individuals, particularly the individual

Page 63

1 **not a proper thing to say.**
 2 Q. When you refer to that, that would imply that if it was
 3 the elected members, the committee, that had concerns,
 4 that they had at least read the report and the summary,
 5 albeit it hadn't been formally presented?
 6 **A. Yes, I'm sure -- I'm absolutely sure that the members of**
 7 **the committee and the staff in Social Services did read**
 8 **the report.**
 9 Q. What did you say, particularly in relation to the fact
 10 that one of the panel members was apparently now saying
 11 that they didn't agree with the report? How did you
 12 respond to that, given the meeting and your
 13 understanding that it had been agreed?
 14 **A. I was very surprised. I was taken aback. Because I had**
 15 **written to the panel members on several occasions to**
 16 **say, "Please, could you hurry up and come up with your**
 17 **contributions to the report", and, as I say, they even**
 18 **met on 23 June, the three of them, and agreed what they**
 19 **thought should go in the report, but there was nothing**
 20 **written from the other two panellists, but I understood**
 21 **that they had agreed, so I was very surprised to hear**
 22 **that one member was now saying that her views had not**
 23 **been taken on board.**
 24 Q. Did you see that, Mr Palayiwa, as in some way your
 25 responsibility as the chair because the dispute now was

Page 62

1 against whom allegations were made in Ivy House, who
 2 were still in employment at Lambeth or possibly
 3 elsewhere and that they posed a potential risk to
 4 children?
 5 **A. I had a vague idea. I did not know the ins and outs of**
 6 **the Ivy House incidents, because I think it was still**
 7 **going on, disciplinary processes were going on or had**
 8 **taken place. We were not shown the results of those**
 9 **disciplinary processes, so I was not aware that the**
 10 **person, the alleged perpetrator, was working in Lambeth.**
 11 Q. Mr Theaker did have concerns about the continued
 12 employment, potentially with vulnerable people, of that
 13 individual. Was that a concern he addressed with you at
 14 any point?
 15 **A. No. I'm looking at the correspondence which is in the**
 16 **bundle. I was a bit surprised because, looking at the**
 17 **chronology, we had the three panellists meeting on**
 18 **23 June, you will see, to agree main recommendations.**
 19 **Then we have Mr Theaker going to the Social Services**
 20 **Inspectorate on 26 June and raising concerns. That was**
 21 **before we had even agreed the report.**
 22 **Then we have the correspondence from Mr Poyser,**
 23 **I think, of the Social Services Inspectorate on 6 July,**
 24 **again, raising concerns. Then we meet on 7 July to**
 25 **approve the report and those concerns were not raised at**

Page 64

1 **all.**
 2 Q. Just to be completely clear, you were not aware that
 3 Mr Theaker was raising concerns with the Social Services
 4 Inspectorate at the time?
 5 **A. No.**
 6 Q. Given your role as chairman of the panel, and given that
 7 you had identified risks, you felt, to children in terms
 8 of the supervision and concerns about investigations,
 9 did you, when you became aware this report was not going
 10 to be presented formally, take steps to speak to the
 11 chief executive, write to the chief executive or go to
 12 any other outside agency, such as the Social Services
 13 Inspectorate?
 14 **A. No, I didn't, because the chief executive was the most**
 15 **senior employee of the council, and the buck really**
 16 **stopped with him, and I knew that Mr Theaker had the**
 17 **connections with the Social Services Inspectorate and**
 18 **I knew that the police were aware of this.**
 19 **According to the documents I have seen today, it**
 20 **looks like that actually they did contact Lambeth**
 21 **Social Services on 15 September, the day after the**
 22 **committee was supposed to have met. So I did not think**
 23 **I was in a position to force or try to push the chief**
 24 **executive to take the report forward. He was the most**
 25 **senior official, and if anybody could talk to the**

Page 65

1 MS BROWN: Chair, with your permission, I will now read in
 2 the witness statements of Ms Lawrence and Mr Clarke.
 3 Mr Palayiwa, maybe if you could ensure your button is
 4 muted.
 5 Chair and panel, I will now read the witness
 6 statement, or extracts from the witness statement, of
 7 Pauline Lawrence. For the transcript, the reference for
 8 this is INQ004927.
 9 Statement of MS PAULINE LAWRENCE (read)
 10 MS BROWN: The witness statement reads:
 11 "I, Pauline Lawrence, will say as follows: I worked
 12 for Lambeth Council as a senior personnel officer in the
 13 Social Services directorate from October 1984
 14 to December 1986."
 15 She goes on further in the statement:
 16 "My role was to advise and support line managers at
 17 all levels on personnel matters relating to the
 18 recruitment of staff and employee relations, matters
 19 such as grievance and discipline."
 20 Just stepping away from the reading of the statement
 21 to explain, a note on the file was seen by the CHILE
 22 investigation that indicated that, on 28 October,
 23 Pauline Lawrence had asked the chair of Social Services
 24 to approve a reference for LA-F12. That's the alleged
 25 perpetrator in the Ivy House complaint. It is noted in

Page 67

1 **councillors and say, "Why have you not done this?", it**
 2 **would be the chief executive. I felt my duty had been**
 3 **done. We had produced a report which I thought was**
 4 **a good report, a reasonable report, and it was up to the**
 5 **chief executive to push it forward.**
 6 Q. What did you, in fact, do with the report, Mr Palayiwa?
 7 **A. Well, I still had a copy of the report in my possession,**
 8 **and considering it to be a reasonable report, which any**
 9 **reasonable authority would have adopted, or at least**
 10 **discussed, I deposited it with the Social Services**
 11 **section of the Bodleian Library in Oxford, which is**
 12 **where I live, and I use the library quite a lot.**
 13 MS BROWN: Thank you very much. Chair and panel, I don't
 14 know if you have any questions?
 15 THE CHAIR: Thank you, Ms Brown, I will check.
 16 Ms Sharpling?
 17 MS SHARPLING: No, thank you, chair.
 18 THE CHAIR: Mr Frank?
 19 MR FRANK: No, thank you.
 20 THE CHAIR: Sir Malcolm?
 21 PROF SIR MALCOLM EVANS: Not from me, thank you.
 22 THE CHAIR: Thank you. We have no questions. Thank you
 23 very much to the witness.
 24 **A. Thank you very much.**
 25 **(The witness withdrew)**

Page 66

1 that CHILE note that there was an unsigned comment on
 2 the envelope stating, "I do not know what the normal
 3 form of reference is, but it does not seem illegal".
 4 Pauline Lawrence was asked about this note, and the
 5 issue of the reference for LA-F12, and she says this in
 6 her statement:
 7 "I do not recall whether I was asked to process
 8 a reference for LA-F12, so I do not know what the
 9 comments refer to. I do not recall dealing with
 10 references for anybody suspected of child abuse."
 11 She goes on then in her statement to deal with
 12 culture, and she says at paragraph 4.1 of her statement:
 13 "In Social Services, I found the culture to be
 14 extraordinary and, in my view, one that was damaging to
 15 service delivery. The director and assistant directors
 16 of Social Services seemed relatively powerless with the
 17 chair, councillor, of Social Services, Janet Boateng,
 18 the race relations advisor and the NALGO senior steward
 19 seemed to hold sway on the direction decisions.
 20 "Albeit early in my career, the lack of management
 21 grip on performance and the standards applied in
 22 employment matters did not wholly fit with my personal
 23 or developing professional values."
 24 She goes on:
 25 "The culture I describe above was constant, from my

Page 68

<p>1 recollection, for the period of my employment of just 2 over two years." 3 If I may now read in extracts from the statement of 4 Mark Clarke. For the transcript, the reference is 5 INQ005751: 6 "I, Mark Clarke, will say as follows ..." 7 He sets out then his employment history, employed at 8 London Borough of Lambeth from September 1984 9 to October 1996. There follows in his statement a brief 10 summary. In September 1984 to October 1987, he was the 11 race relations advisor, or a race relations advisor. 12 From October 1987 to July 1990, he was the recruitment 13 and information manager. Then from July 1990 14 to August 1993, he was a personnel training and support 15 services manager. Finally, from August 1993 16 to October 1996, he was the central services 17 manager/head of central services, and he was made 18 redundant from Lambeth in October 1996. 19 He sets out at paragraph 26 of his statement: 20 "The purpose of the role of the race relations 21 advisor at Lambeth was to act as a change agent, to 22 persuade and educate managers, staff and members that 23 developing and pursuing good race relations and equal 24 opportunities policies could help to achieve practical 25 benefits for the organisation, its employees and service</p> <p style="text-align: center;">Page 69</p>	<p>1 users, as well as for the communities in the borough." 2 He then addresses the culture at Lambeth Council, 3 and at paragraph 35 he says: 4 "There were also systemic failings which affected 5 the apparent absence of a discernible organisational 6 culture at Lambeth. While I believe the council did 7 have a strategy, it was never systematically rolled out 8 to all managers and staff so that departments, sections, 9 managers and individual employees knew precisely what 10 was expected of them and how it would be monitored. 11 This was compounded by poor performance management 12 systems that were poorly applied and in some cases often 13 not applied at all. 14 "My impression was that things settled down in the 15 late '80s and performance and staff morale began to 16 visibly improve across the council in the early 1990s." 17 Mr Clarke was also asked by the inquiry about his 18 role as the race relations advisor at the disciplinary 19 hearing of LA-F12 in which he sat, and he says this at 20 paragraph 41: 21 "On completion of the disciplinary hearing, I wrote 22 to the Director of Social Services, calling the panel's 23 second and third findings perverse and unreasonable." 24 He goes on: 25 "I cannot recall if I discussed the hearing or its</p> <p style="text-align: center;">Page 70</p>
<p>1 findings with Paula McDonald [a fellow panel member] or 2 any other panel member after the disciplinary, but 3 I could have, because I was clearly very perplexed at 4 the panel decision. 5 "I also cannot remember doing so, but in accordance 6 with normal council work practice, it can reasonably be 7 assumed, because I would have reported back to the 8 principal race relations advisor and the director of 9 management services. 10 "I do have a surprisingly distinct memory of sitting 11 at my desk and talking to someone about a reference for 12 LA-F12, who had obtained an employment offer elsewhere. 13 I have tried, but cannot recall, to whom I was talking 14 or what I commented, advised or suggested. I am 15 assuming that the call was from Social Services human 16 resources and I'm hoping that my view was, as it should 17 have been, that no mention should be made in the 18 reference of the nature of the disciplinary charge 19 against LA-F12 and the advice of our legal services 20 should be sought." 21 Finally, at paragraph 55 and paragraph 56 of his 22 statement, Mark Clarke says: 23 "I was and remain fully convinced that the 24 traditional person on the Clapham omnibus, having heard 25 and accepted the evidence of Anne Bannister and</p> <p style="text-align: center;">Page 71</p>	<p>1 Dr Lorna Wing ..." 2 I interpose to say they were the experts that were 3 called in the second management inquiry regarding 4 LA-A26, the Ivy House complainant: 5 "... and the counterarguments of Mr Williams could 6 have arrived at no other reasonable conclusion than 7 that, on the balance of probabilities, the case had been 8 fully and compellingly established by the management 9 side. I found it difficult to understand how a panel 10 could have reached the majority decisions it did." 11 That was, of course, the majority decision that the 12 charge was not established against LA-F12. 13 Chair, just one matter of housekeeping. In relation 14 to the statement that was read by Ms Kennedy earlier, 15 for the transcript, we should note that the reference 16 for that was INQ005655. 17 Chair, that concludes this session. 18 THE CHAIR: Thank you, Ms Brown. We will return at 1.45 pm. 19 Thank you. 20 (12.48 pm) 21 (The short adjournment) 22 (1.45 pm) 23 MS BROWN: Good afternoon, Mr Osmond. 24 MR ROBIN OSMOND (affirmed) 25</p> <p style="text-align: center;">Page 72</p>

<p>1 Examination by MS BROWN</p> <p>2 MS BROWN: Mr Osmond, you gave two statements to the</p> <p>3 inquiry, both dated 5 June 2020. Can you please confirm</p> <p>4 that both of those statements are true, to the best of</p> <p>5 your knowledge and belief?</p> <p>6 A. Yes, they are. Yes.</p> <p>7 Q. Mr Osmond, you set out in your statement at paragraph 8</p> <p>8 that you were the director of Social Services at</p> <p>9 Lambeth Council between 1977 and 1988, a ten-year</p> <p>10 period?</p> <p>11 A. That's correct, yes.</p> <p>12 Q. I'm not sure of the exact date, but you say you believe</p> <p>13 you retired in approximately April 1988?</p> <p>14 A. I think I did retire in April 1988, yes.</p> <p>15 Q. Was there any reason for that, which was an early</p> <p>16 retirement? You would have been 53, I think.</p> <p>17 A. Yes. I decided that -- after 11 years in the job, the</p> <p>18 opportunity arose to take early retirement, and I took</p> <p>19 it.</p> <p>20 Q. Was that contributed to by any particular stresses of</p> <p>21 the job or any particular issues at work?</p> <p>22 A. Not by any particular stresses. There were stresses</p> <p>23 throughout my time in the job, but I simply took the</p> <p>24 opportunity to take retirement when it was available to</p> <p>25 me. I thought I'd done as much as I could.</p> <p style="text-align: center;">Page 73</p>	<p>1 Q. If I could just turn, if you have your statement in</p> <p>2 front of you, to paragraph 10 of your statement,</p> <p>3 I wonder if you would be able to read out from halfway</p> <p>4 through paragraph 10, where it starts, "The department"?</p> <p>5 A. "The department was full of extremely dedicated and</p> <p>6 committed people, whose primary focus was to put the</p> <p>7 well-being of the children in our care first. We had</p> <p>8 values and policies which were both admirable and clear</p> <p>9 cut. The atmosphere was very positive."</p> <p>10 Q. Thank you. Turning to the issue of the positive</p> <p>11 atmosphere, can we just look at some things that</p> <p>12 occurred that obviously would have caused concern at the</p> <p>13 time. On 1 September 1984, Tyra Henry died of appalling</p> <p>14 injuries, and of course there was a lot of press</p> <p>15 coverage and a public inquiry that led to the report</p> <p>16 "Whose Child?". You gave evidence to that inquiry,</p> <p>17 I think?</p> <p>18 A. I did, yes.</p> <p>19 Q. If we could just call up LAM028613_087 and _088, please.</p> <p>20 We see at the bottom of internal page 85 -- this is an</p> <p>21 extract from chapter 6 of the report:</p> <p>22 "Whilst Social Services may legitimately complain</p> <p>23 that they got no proper response from housing, and</p> <p>24 housing that it got no formal priority claim from</p> <p>25 Social Services, it is the local authority corporately</p> <p style="text-align: center;">Page 74</p>
<p>1 which bears the responsibility for providing the</p> <p>2 accommodation and maintenance needed to protect a child</p> <p>3 in its care. The failure of its directorates to work</p> <p>4 adequately in harness is a failure for which,</p> <p>5 constitutionally, the elected members are answerable."</p> <p>6 Mr Osmond, how did that affect the morale of your</p> <p>7 staff and of the directorate?</p> <p>8 A. The tragedy of Tyra Henry's death and the subsequent</p> <p>9 aftermath and inquiries, which concluded with the public</p> <p>10 inquiry chaired by Stephen Sedley, caused obviously</p> <p>11 a very considerable distress and reaction from the staff</p> <p>12 in the area involved, but in the department as a whole.</p> <p>13 It was a terrible event, and the amount of time and</p> <p>14 energy and work involved in the subsequent, as it were,</p> <p>15 three inquiries dominated a great deal of that middle</p> <p>16 period -- well, probably four years in the middle of</p> <p>17 the 1980s, when many other things were going on in the</p> <p>18 work of the department.</p> <p>19 Q. What, as you recall, were the principal changes that</p> <p>20 were made as a result of that inquiry?</p> <p>21 A. Well, I think it focused attention on management, it</p> <p>22 focused attention on the organisation of the department,</p> <p>23 particularly on inter-organisation relationships and</p> <p>24 practice, and we followed that up, as far as I recall,</p> <p>25 with detailed procedural booklets, handlets and advice,</p> <p style="text-align: center;">Page 75</p>	<p>1 which were worked through the work of the department and</p> <p>2 worked through the organisation of various other</p> <p>3 organisations associated with child protection.</p> <p>4 Q. You took about booklets, and so on, but did you see</p> <p>5 a change on the ground of what was happening following</p> <p>6 that report?</p> <p>7 A. Well, I very much hoped, of course, there was a change</p> <p>8 on the ground. I had hoped and believed that there was,</p> <p>9 but I had no kind of direct, immediate recollection at</p> <p>10 this time.</p> <p>11 Q. If you could turn now to the management oversight, and</p> <p>12 more specifically of care homes, which you deal with at</p> <p>13 paragraph 18 of your statement. You say in that:</p> <p>14 "Reports in respect of care homes were reviewed at</p> <p>15 meetings of the Social Services Committee, and there was</p> <p>16 a specific subcommittee to deal with children's homes."</p> <p>17 Did you consider that the system of review of</p> <p>18 reports by a committee system was an effective form of</p> <p>19 scrutiny?</p> <p>20 A. I think the role of the Children's Homes Subcommittee,</p> <p>21 in reviewing the work of the children's homes, was an</p> <p>22 effective subcommittee. I think they played an active</p> <p>23 part when they received the reports from the children's</p> <p>24 homes officers. Yes, I think they were an effective</p> <p>25 committee.</p> <p style="text-align: center;">Page 76</p>

1 Q. Can I ask you to look at paragraph 18 of your statement.
 2 Having referred to the committee's overview, you then
 3 turn to your role in overiewing. Could you just read
 4 out from where you start halfway through at the
 5 paragraph, "I chaired weekly meetings"?"
 6 **A. "I chaired weekly meetings with the directorate
 7 management group. Although I met some of these people
 8 informally, more frequently as work required.
 9 I regularly met senior members of staff. I made it
 10 clear that I was keen to be kept up to speed with what
 11 was going on, and despite the department's large size,
 12 we operated a collaborative approach in which anyone
 13 could come to see me to discuss anything. This does
 14 not, however, mean that I would have been aware of
 15 everything that was going on in the department at any
 16 one time.**
 17 Q. Mr Osmond, how often did you visit the children's homes?
 18 **A. I did visit children's homes quite regularly,
 19 particularly in the early times, when I first went to
 20 Lambeth. I was particularly keen -- the council made it
 21 absolutely clear that the top priority was to move from
 22 the closure of the Shirley Oaks homes to community-based
 23 services, so I put a strong focus on the Children's
 24 Homes Services and I visited -- I got to know the
 25 different homes, the style of homes, so that I had**

Page 77

1 **but -- I mean, I made a commitment when I went to
 2 Lambeth that I would visit all the homes in a very short
 3 period of time, including the old people's homes, which
 4 I managed to do. But increasingly, the volume of work
 5 and the intensity of work in all sorts of ways meant
 6 that I visited less frequently. So I wouldn't have
 7 visited different homes at more than, say, a six-monthly
 8 interval. I was visiting the children's homes offices,
 9 I was visiting day nurseries, I was visiting old
 10 people's homes. It was a wide range of services which
 11 took time in familiarising myself with what was going on
 12 locally.**
 13 Q. Looking towards the end of your period, let's say the
 14 last two years, would you have visited a children's home
 15 in that -- any of the children's homes in that last
 16 two-year period?
 17 **A. I can't honestly remember whether I did or not.**
 18 Q. In relation to the visits that you did carry out, what
 19 was your impression in relation to the fabric of
 20 the buildings?
 21 **A. Again, it's very difficult to remember just what
 22 I thought about the individual fabric of individual
 23 buildings, but, over time, I didn't consider that --
 24 I mean, I recognised the limitations of resources in
 25 enabling the council to maintain and improve the quality**

Page 79

1 **a broad view of the circumstances of the children's
 2 homes as we were taking the policy forward.**
 3 Q. Did you visit Shirley Oaks prior to its closure in 1983?
 4 **A. Yes, I did. Oh, yes, I visited the children's homes at
 5 Shirley Oaks.**
 6 Q. What did your visits involve at Shirley Oaks?
 7 **A. My visits involved meeting the house parents and meeting
 8 the children and visiting the homes and seeing the style
 9 of homes and talking about the work of the homes and
 10 generally familiarising myself with the homes.**
 11 Q. If I could just run through some other homes to
 12 establish whether you visited these. Did you visit
 13 Southvale?
 14 **A. I did visit Southvale, yes.**
 15 Q. Angell Road?
 16 **A. I visited Angell Road, yes.**
 17 Q. And Monkton Street and Ivy House?
 18 **A. Yes, both of them.**
 19 Q. Yes, approximately -- you say "frequently". Would that
 20 be a yearly visit? You were there for, obviously, ten
 21 years in post. A yearly visit, every six months? An
 22 indication of how frequently you would visit the homes?
 23 **A. It's very difficult to remember the sort of timing of
 24 the visits, but I would say that I visited them more
 25 regularly in the early days of my time at Lambeth,**

Page 78

1 **of the buildings that we had. It was a continuing
 2 problem. Repair and maintenance were almost always very
 3 low down in the list available to resources when the
 4 councils were considering their budget.**
 5 Q. More significantly, the quality of the care that the
 6 children were receiving, did you feel that these visits
 7 gave you an insight as to what that quality of care was?
 8 **A. I felt that, from the insights that I had from my
 9 visits, that the quality of care was quite satisfactory.
 10 I didn't believe or come back to my office and
 11 immediately organise a review or a meeting to discuss
 12 the need to make improvements. I would have done that
 13 through the normal channels, which would have been
 14 reported to the Children's Homes Subcommittee. There
 15 may have been reports to the Children's Homes
 16 Subcommittee drawing attention to the condition of
 17 certain buildings, which I'm sure there were, but I have
 18 no recall or memory of them.**
 19 Q. In relation to, as I say, the last, let us say, two-year
 20 period, did you feel that you had visited homes in order
 21 to make an assessment of what the experience was like
 22 for a child in a Lambeth care home in that period, in
 23 the period of, let us say, '85 to your retirement in
 24 '88?
 25 **A. I can't honestly remember, but I think the answer would**

Page 80

<p>1 probably be that it would be unlikely that I had, in the 2 context which you have just described. 3 Q. So, in the last three years of your role, you don't 4 believe you probably visited the homes; is that correct? 5 A. No, I wouldn't go as far as to say that, but I simply 6 can't remember the extent to which I had visited the 7 homes. 8 Q. If we could now go to LAM028710_002 and _003 of that 9 document and put those pages alongside each other, 10 Mr Osmond, this is a report prepared by Robert Morton, 11 who was the principal manager of children's homes, and 12 Josie Durrant, who was the Assistant Director of 13 Children and Young Persons Division. This was a report 14 from 22 December, so after you had left, after you had 15 retired, but it looks back at the situation over 16 a number of years and the situation as they found it 17 when these members of staff took post. 18 If we could look at the first paragraph, this talks 19 about staffing: 20 "The conditions of service, reputation of Lambeth 21 and the rates of pay are affecting our recruitment." 22 Was recruitment a problem when you were director? 23 A. Recruitment was always a problem, yes. 24 Q. It goes on to say: 25 "Morale is still very low. This is due to many</p> <p style="text-align: center;">Page 81</p>	<p>1 factors -- conditions of service, staffing vacancies, 2 little sense of direction or objectives, bad management 3 and in some cases general apathy." 4 Mr Osmond, that paints a very different picture 5 amongst the morale and conditions of staff in the care 6 homes to the one that you read out was your view of 7 the morale of staff. Were you aware of this issue with 8 staff in the care homes? 9 A. I have commented on this report in my statement. As 10 I said in my statement, I do find it very difficult to 11 comment on a report by a recently appointed person into 12 that job into the department and can sympathise with him 13 for the circumstances that he found, but I don't feel 14 it's particularly appropriate for me to comment on what 15 he has said which was nine months after I had left the 16 department. 17 Q. We are looking at a report that was September 1988. If 18 we could turn maybe to page 3, so the second page there, 19 under "Summary", what it says there is: 20 "The extent of the problems within the children's 21 homes sections cannot be underestimated. The present 22 situation has not occurred overnight, it has evolved, 23 for whatever reason, over many years. The results of 24 ineffective management, bad planning and poor practice 25 are now being tackled."</p> <p style="text-align: center;">Page 82</p>
<p>1 Mr Morton and Ms Durrant's view was that over many 2 years -- that's over the years leading up 3 to September 1988 -- there was an evolving problem of 4 bad management, poor practice that was only then being 5 tackled, and that's what I'm asking you about, because 6 that would have occurred during the period that you were 7 the director, Mr Osmond? 8 A. Again, as I said in my statement, that is an observation 9 made at a moment in time on the basis of what was found 10 when they examined the situation. I have already said 11 that staff recruitment and management problems in the 12 children's homes was a continuing problem which 13 contributed to the difficulties of managing the 14 children's homes over the years. 15 Q. But you have told us about your assessment, that the 16 treatment and conditions for the children, you felt, 17 wasn't a cause for concern. Mr Morton looks back and 18 says, over a number of years, there is great cause for 19 concern. What I'm trying to explore is, why is there 20 that discrepancy and whether you consider, looking back 21 now, with hindsight, that there was indeed a lack of 22 planning and management that contributed to the crisis 23 situation that occurred in '88? 24 A. I don't think there was a lack of planning and 25 management in those days. But I recognise that they</p> <p style="text-align: center;">Page 83</p>	<p>1 were extremely difficult times, particularly in the 2 aftermath of the closure of the Shirley Oaks homes, 3 which took something like three or four years longer 4 than I expected. We had the children's residential 5 workers' industrial action, and then the various 6 pressures on managing the children's homes after those 7 years. I think the link between those early days and 8 what was found in that report can be seen. 9 Q. If you could look at a very specific issue, then, 10 Mr Osmond, document LAM028400_003, this is looking at 11 the specific issue of placing children outside of 12 Lambeth in private and voluntary homes. Is that 13 something that you were aware was going on? 14 A. I was certainly aware that it was going on. It was 15 going on all through my time. We were placing children 16 in private and voluntary homes. 17 Q. This is a placement officer -- the report is dated 18 17 November 1988, so, again, obviously after you had 19 left, but it's looking at the position as Mr Byron, the 20 placement officer, found it when he arrived in post 21 in September, so within six months of your departure. 22 A. Yes. 23 Q. At paragraph 1 there, it says: 24 "Monitoring and control systems ..." 25 This is monitoring and control of children being</p> <p style="text-align: center;">Page 84</p>

1 placed in private and voluntary accommodation:
 2 "... simply did not exist. This state of affairs
 3 did not result overnight, but would appear to be the
 4 result of years of neglect and inefficiency."
 5 Were you aware children were being placed out of
 6 Lambeth and it wasn't been monitored effectively?
 7 **A. No, I wasn't aware that it wasn't being monitored**
 8 **effectively.**
 9 Q. Why did that occur, Mr Osmond? Because Mr Byron came in
 10 and it appears to have been immediately apparent to him
 11 that there was no monitoring. Why was that failure to
 12 reach you at director, that these children were being
 13 placed out of London and the homes where they were going
 14 to were not being monitored? Where did the breakdown of
 15 communication occur, in your view?
 16 **A. Well, my belief was that it would be the social workers**
 17 **concerned with supervising the placements that were made**
 18 **in the private and voluntary establishments, it would**
 19 **have been their job to visit and assess and review the**
 20 **circumstances of all the children in the private and**
 21 **voluntary homes, and I would have expected and believed**
 22 **that that was happening. That would have been the**
 23 **responsibility of what we called the personal services**
 24 **section of the department, rather than the residential**
 25 **services part of the department.**

Page 85

1 children's homes to get children out of homes into
 2 fostering. What steps did you take to ensure that that
 3 fostering and those placements, that there were proper
 4 measures for oversight of the safety of those children
 5 placed in foster care?
 6 **A. Children placed in foster care would have been the**
 7 **responsibility to be supervised by the social worker who**
 8 **had made the placement. I would have expected the**
 9 **social worker and believed that the social workers --**
 10 **that was their job and that's what they should have**
 11 **done.**
 12 Q. You've talked in your evidence about a significant shift
 13 from children's homes to foster care, and we have seen
 14 the numbers, there was a dramatic reduction in
 15 children's homes to fostering. Was that not something
 16 that had to be dealt with at a director level, to
 17 ensure, with that significant change in how children
 18 were cared for, that there was, equally, a significant
 19 monitoring system to ensure that was controlled over and
 20 above the individual social worker?
 21 **A. Well, my job was to oversee the work that management**
 22 **were doing in order to ensure that the children were**
 23 **being properly supervised, but it would have been the**
 24 **responsibility of the assistant director of personal**
 25 **services to ensure that the proper supervision and**

Page 87

1 Q. What Mr Byron is explaining there is there is no system
 2 of overall monitoring. Surely, Mr Osmond, that
 3 ultimately must have rested with you, as the director,
 4 if there was no proper monitoring system?
 5 **A. Well, everything would have been my responsibility, as**
 6 **the director. What I'm trying to point out is that the**
 7 **monitoring and the supervision of children in private**
 8 **and voluntary homes would not have been the**
 9 **responsibility of the children's homes section, whose**
 10 **job it would have been to find suitable homes, but it**
 11 **would then be the responsibility of the social workers**
 12 **for the individual children to supervise and monitor the**
 13 **placement and review their circumstances.**
 14 **I believed, in my time, that in that division that**
 15 **was the work that was being carried out. Now, there is**
 16 **no reference in the report that you referred to of any**
 17 **communication or discussion with the personal services**
 18 **division responsible for the social workers.**
 19 Q. Just continuing on that particular issue, Mr Osmond,
 20 were you aware of any financial incentive that social
 21 workers may have received to place children out of
 22 Lambeth?
 23 **A. Not at all. Nothing.**
 24 Q. If I could turn now to fostering, Mr Osmond, you spoke
 25 in your evidence just now about the move away from

Page 86

1 **management was taking place. It wouldn't have been my**
 2 **direct responsibility.**
 3 Q. Can I refer you now to a specific case, which did, it
 4 appears from the correspondence, concern the placing of
 5 a child outside of Lambeth and it did come to your
 6 attention at the time. The document is LAM030005. This
 7 is a case, Mr Osmond, that refers to a child LA-A23, who
 8 was placed out of London with a man LA-F36. We can see
 9 that a memo was sent for your attention from
 10 Chris Hussell, who was supervising social worker, on
 11 23 April 1982. Just looking at a few points I'm going
 12 to pick out from that memo, talking about this
 13 placement, it's said partway through the second
 14 paragraph:
 15 "It was agreed that as we had no better placement
 16 for LA-A23, he would go to LA-F36 on an extended holiday
 17 placement ..."
 18 The next paragraph down:
 19 "Unfortunately ... the standard references were not
 20 requested ..."
 21 And then:
 22 "When disturbing information concerning LA-F36's
 23 background came to light via the local Social Services
 24 office, this was fully investigated by the social worker
 25 and me. We came to the conclusion that it was not in

Page 88

1 the interests that LA-A23 should be removed and it was
 2 unlikely we could find a better placement."
 3 It goes on to refer to the fact that the local
 4 social worker in that area refused to supervise on the
 5 basis that they wouldn't approve such a placement. If
 6 we could just flick on to the next page, there is
 7 reference to information being received from the police.
 8 Mr Osmond, we have got a case there which was
 9 a specific case that came to your attention where there
 10 were a number of alerts of a child being placed, because
 11 there was no better alternative, with an individual
 12 about whom there were concerns and where the local --
 13 the area to which that child had been taken were not
 14 happy with that placement. Would that not be
 15 a situation, when it came to your attention, that you
 16 should have intervened to prevent?
 17 **A. I have no knowledge of this case at all, in retrospect.**
 18 **The first I know of it now is when I read the documents,**
 19 **including that letter that you just had up on the**
 20 **screen. So I can't really say any more than that.**
 21 **There is another letter associated with this case --**
 22 Q. There is (overspeaking). I'm about to put that up.
 23 Maybe I should put it on the screen.
 24 **A. They make reference to me. But it is only what I can**
 25 **see from what you have on the screen that I can comment**

Page 89

1 made three months later and why it wasn't stopped
 2 initially when you were made aware of it.
 3 **A. I can't really assist. I could only speculate and say**
 4 **that I must have got involved following that earlier**
 5 **letter that you showed and had discussions with whoever**
 6 **was responsible for managing that case. That's pure**
 7 **speculation. I can't help, I'm afraid.**
 8 Q. If we could now go to the specific case of Ivy House --
 9 this is the letter that may have been put up before --
 10 you say in your statement that your recollection is that
 11 the Ivy House complaint of child sexual abuse by a child
 12 with complex needs was the first time that you were
 13 directly involved with dealing with an allegation of
 14 child sexual abuse. Is that correct?
 15 **A. In retrospect, I believe that to be so, yes.**
 16 Q. It does, as one would probably expect, appear that you,
 17 yourself, wrote to the family of the complainant in that
 18 case, and you wrote after there had been a management
 19 investigation, and you wrote to say, following that
 20 investigation, there was no evidence to substantiate any
 21 charge against the member of staff concerned, and you
 22 wrote:
 23 "I hope you feel we have taken your complaint
 24 seriously."
 25 What led to that letter was an investigation that

Page 91

1 **on. But if you have the other letter, yes.**
 2 Q. LAM030054. We see, Mr Osmond, that three months later
 3 you did indeed respond to this case, and this is a memo
 4 from you, and you do say there that that placement
 5 should not continue. You say, "I noticed
 6 Andrew Small" -- that's the name of a social worker in
 7 his comments -- "suggests the door might still be left
 8 open but I think in view of what occurred and
 9 subsequently what happened at Angell Road, it is not
 10 feasible placing LA-A23 under LA-F36's care" --
 11 **A. With respect, I think that's the wrong letter. That's**
 12 **not the letter that you are just talking about that I'm**
 13 **seeing on the screen.**
 14 Q. I apologise.
 15 **A. That's another letter.**
 16 Q. Yes, it is. My reference is LAM030054. Is that the
 17 right letter?
 18 **A. No.**
 19 Q. We seem to have a problem with the numbering. Suffice
 20 it to say, Mr Osmond -- ah, I think we have the right
 21 one now. Yes, that is the right one?
 22 **A. Yes.**
 23 Q. The situation was that you, Mr Osmond, did indeed stop
 24 that placement a few months later and it was really as
 25 to whether you can assist with why that decision was

Page 90

1 was conducted by an internal panel and at which the
 2 parents did not give evidence, at which there was not
 3 a race relations advisor, and at which there was no
 4 expert to assist with the child who had communication
 5 difficulties.
 6 Looking back on that, what was your view of the way
 7 that first investigation was handled?
 8 **A. Well, I think my view is clearly stated in my statement,**
 9 **and I think it was file 507 in which I expressed my**
 10 **views about that first investigation to the senior**
 11 **assistant director who was responsible.**
 12 Q. Yes.
 13 **A. I have nothing more to add to that. That's entirely my**
 14 **view about the quality and the weaknesses of that first**
 15 **investigation.**
 16 Q. I don't think we need to put it up, but it is the
 17 document, as you say, quite correctly, 507, where you
 18 wrote to Thelma Lavender and you said:
 19 "It is obvious that the allegations required more
 20 detailed and thoroughgoing investigations."
 21 And you were critical particularly of the fact the
 22 parents weren't called. But, Mr Osmond, given that this
 23 was the first time you had dealt with a case of child
 24 sexual abuse --
 25 MS RODWAY: Excuse me, can I just interrupt? This is

Page 92

1 Susan Rodway speaking. Can we make it clear, please,
 2 Ms Brown, what Mr Osmond has said in his statement is
 3 this is the first time he can recall dealing with sexual
 4 abuse involving a child with learning difficulties.
 5 I think that has to be made clear. I apologise for
 6 interrupting.
 7 MS BROWN: Thank you, yes. Mr Osmond, if I haven't been
 8 clear, this is a child here with learning difficulties.
 9 Had you previously been involved in allegations of child
 10 sexual abuse with other children?
 11 **A. I can't recall, but I think the answer is no. I think**
 12 **this was the first case.**
 13 Q. In relation to your criticism of what occurred in the
 14 first management or the first investigation, the
 15 question is, why did you not take charge of that first
 16 investigation. You were subsequently critical of it,
 17 but clearly that was after the event. Did you not think
 18 that it would have been appropriate for you to oversee
 19 that first management investigation?
 20 **A. I think, in retrospect, that could be said, but, in the**
 21 **circumstances in which we were managing -- I was**
 22 **managing the department at the time, it was the senior**
 23 **assistant director's job in that section of**
 24 **the department to oversee that first inquiry, in the**
 25 **same way as I would have expected her to work with other**

Page 93

1 the food fraud was also involved, in May
 2 and August 1986, in the disciplinary hearing against
 3 Michael Carroll. At the time of that, the disciplinary
 4 hearing against Michael Carroll, did you have any
 5 concerns about that individual, against Mr Thomas?
 6 **A. I can't make sense of -- I have no recollection that the**
 7 **person involved in the fraud was also involved in**
 8 **a hearing involving Mr Carroll. No recollection.**
 9 **I think you can see the surprise on my face.**
 10 Q. Yes, thank you. If we can go then to what occurred in
 11 the Ivy House complaint, so, as we have seen and as you
 12 have accepted, you were critical of what happened in the
 13 first investigation, and there was then a subsequent
 14 inquiry chaired by Waveney Williams, which was, as you
 15 stated, far more thorough, and in that case parents were
 16 spoken to, an expert from the NSPCC was sought, there
 17 was a race relations advisor appointed.
 18 In relation to that, if we could just call up on the
 19 screen LAM028780_045. This is a letter that you wrote
 20 to the parents of LA-A26, the child who attended
 21 Ivy House. At that point, you'd received a copy of
 22 Anne Bannister's report. She was the NSPCC expert who
 23 had spent some sessions speaking with the child
 24 involved. You say:
 25 "I am writing to inform you that I have today

Page 95

1 **similar inquiries.**
 2 **So it wasn't in any way unusual that in that**
 3 **particular allegation, even though it was the first time**
 4 **that it had occurred, that traditional management**
 5 **practice wouldn't take place, which is exactly what**
 6 **happened.**
 7 **I think you can say, in retrospect, what you have**
 8 **just said.**
 9 Q. In relation to the panel that sat on that, you talk in
 10 your statement about becoming aware subsequently, or
 11 becoming aware at a point in time, about an individual
 12 who was involved in fraud in relation to food and the
 13 theft of food?
 14 **A. Yes.**
 15 Q. Were you aware that that individual about whom
 16 allegations were brought was the person who sat on or
 17 chaired the panel of that first investigation?
 18 **A. No, no, no. My understanding is that that panel took**
 19 **place before the subsequent investigations for fraud.**
 20 Q. Thank you. The same question: that individual was also
 21 involved in a disciplinary hearing against
 22 Michael Carroll. Were you aware, when he was involved
 23 in that, of the alleged food fraud?
 24 **A. I'm sorry, could you ask that question again?**
 25 Q. The individual against whom allegations were made of

Page 94

1 formally suspended LA-F12 from duty and the information
 2 contained in the report has been reported to the police.
 3 "I very deeply regret what has happened to LA-A26
 4 and the stress and frustration to you both."
 5 Mr Osmond, what was the change then that was brought
 6 about, because, initially, this individual had been put
 7 on special leave, and obviously there was a change then
 8 to suspend them and indeed to send the report to the
 9 police?
 10 **A. I don't recall that we changed the decision to put him**
 11 **on special leave or suspend him. I have no recollection**
 12 **of the change of decision, if that's what happened.**
 13 **The main objective in what I thought was putting him**
 14 **on special leave was to take him out of the operational**
 15 **situation.**
 16 Q. Certainly that's what we understand happened first. But
 17 on that letter of 1 August, it appears then, according
 18 to your letter, "Today I have formally suspended you",
 19 but that's not something you recollect?
 20 **A. That's not something I recollect, no.**
 21 Q. We know, in relation to the disciplinary process, that
 22 in fact charges were not found to be established against
 23 LA-F12, and I think you've seen the memo from
 24 Mark Clarke, who was the race relations advisor, who
 25 doesn't criticise the disciplinary panel, but does say

Page 96

1 that he found their conclusions to be unreasonable and
 2 perverse. Did that leave you with a concern about the
 3 continued employment of LA-F12, either with you or
 4 indeed future employment?
 5 **A. Well, I think it did lead me to have concern about**
 6 **LA-F12's future employment, yes.**
 7 Q. What steps did you take, if any, given those concerns?
 8 **A. Well, I can't recall what steps we did take. I have no**
 9 **recollection of what steps we took.**
 10 Q. It appears that a reference was given, or possibly
 11 a reference was given. Is that something you recall in
 12 any way, the giving of a reference?
 13 **A. In recollection, my view would be that if he left the**
 14 **department and applied for a job with another authority,**
 15 **which I thought he probably would do, then we would be**
 16 **required, if asked, to give him a reference. That**
 17 **reference would be framed in a way which would not be --**
 18 **as employers, we wouldn't be in a position to make**
 19 **reference to that incident.**
 20 Q. We know then that there was a special panel set up, that
 21 Mr Palayiwa was the chairman of, to look into, in some
 22 more depth, the circumstances in relation to the
 23 Ivy House complaint, but also to report more widely. Do
 24 you have any recollection, Mr Osmond, as to why that
 25 report, as we understand it, never was presented to the

Page 97

1 **impossible. It is understood that the parents consented**
 2 **to these examinations: where no parents were available,**
 3 **consent to medical examinations was given by the**
 4 **Director of Social Services."**
 5 Q. Obviously that would have been you at the time.
 6 **A. Yes.**
 7 Q. You say in your statement that you are horrified by the
 8 fact that children with complex needs who hadn't made an
 9 allegation of abuse had to go under examination. Can
 10 you recall what your reaction was at the time to that
 11 investigation and, indeed, that report?
 12 **A. I can't recall my recollection at the time. I mean,**
 13 **I can only assume that, for those children for whom**
 14 **parental approval wasn't given, then, as a matter of**
 15 **duty for me, I would have given permission. But I have**
 16 **no recollection of those really quite appalling reports.**
 17 Q. Looking back at it, with hindsight now, you would have
 18 considered -- if this is right, is it your evidence that
 19 you would have considered conducting those examinations
 20 would have been an inappropriate thing to do?
 21 **A. Well, again, in retrospect -- I can't say that it would**
 22 **have been inappropriate to conduct medical examinations,**
 23 **but in the way in which they have been described, it**
 24 **just sounds appalling.**
 25 Q. If you could turn now to the case of Michael Carroll, if

Page 99

1 Social Services Committee and why those recommendations
 2 weren't therefore implemented?
 3 **A. I have no recollection of why that report was not**
 4 **submitted to committee. My only recollection is, having**
 5 **read the documents which you provided, my understanding**
 6 **from those documents is that that report was**
 7 **requisitioned by the chief executive at the time.**
 8 **Having read the papers, I assumed that it was his**
 9 **responsibility for the report to be delivered or**
 10 **withdrawn, but I have no recollection of it.**
 11 Q. It appears from the documents that there was an issue as
 12 to whether it was, in fact, a finalised, agreed draft,
 13 but you can't assist as to why steps weren't taken to
 14 rectify that and get that before the committee for
 15 action?
 16 **A. I'm afraid I can't, no.**
 17 Q. If we could just turn to Monkton Street, then,
 18 Mr Osmond. If I could call up document LAM000573_010,
 19 could I just ask you, Mr Osmond, to read out
 20 paragraph 2.11 at the top?
 21 **A. "In the period [blank], a total of 8 children were**
 22 **medically examined by Dr X. In at least 2 of**
 23 **the examinations, the child resisted: in 1 of these**
 24 **cases, police officers held the child down; in the other**
 25 **case, the child's resistance made the examination**

Page 98

1 I could turn to LAM000020_010, this sets out -- this is
 2 an extract from the Clough Report, which of course is
 3 considerably after your time, Mr Osmond.
 4 **A. Yes.**
 5 Q. But looking back on the events that occurred whilst you
 6 were the director. It says at Paragraph 21, it refers
 7 to an anonymous letter dated 13 November 1984 addressed
 8 to the then director of Social Services concerning
 9 JC's -- that's a reference to Mr Carroll -- alleged
 10 conduct at Angell Road Children's Home. If we could now
 11 go to page 30 of that same document, we see that letter
 12 which starts off:
 13 "This is an anonymous letter to implore you to act
 14 immediately to relieve Angell Road Children's Home of
 15 the blight that is JC."
 16 Meaning John Carroll. Then the letter goes on to
 17 talk about Mr Carroll using the minibus for his own
 18 purposes and spending the children's budget for food for
 19 his own purposes.
 20 Do you recall getting that letter, Mr Osmond?
 21 **A. No. I don't recall getting that letter. I have never**
 22 **seen that letter until I've seen it on this panel.**
 23 Q. Because it appears what happened is that the audit
 24 section -- or it was referred to the audit section. Is
 25 that anything that you can assist with, whether the

Page 100

<p>1 Audit Committee did look into this matter?</p> <p>2 A. I have no recollection that the Audit Committee -- but</p> <p>3 I have no recollection of the letter and certainly no</p> <p>4 recollection that the Audit Committee looked into it,</p> <p>5 no.</p> <p>6 Q. We know then that there was also -- if we can go back to</p> <p>7 page 10, LAM000020_010 -- incident at paragraph 24 there</p> <p>8 that there was a meeting regarding the fact that</p> <p>9 Mr Carroll had used Lambeth-headed paper to gain</p> <p>10 a discount for charitable organisation. Is that</p> <p>11 anything you can assist with or whether you recall --</p> <p>12 A. No, nothing at all. I'm afraid I can't, no.</p> <p>13 Q. Moving on, we know then what subsequently happened was</p> <p>14 that there was an application by Mr and Mrs Carroll to</p> <p>15 Croydon to foster children. Is that something you</p> <p>16 recall occurring?</p> <p>17 A. I don't remember -- I don't recall them applying for</p> <p>18 a fostering job in Croydon. I've seen the papers which</p> <p>19 refer to that, but I don't recall it at the time, no.</p> <p>20 Q. If we could look at LAM001523_001. This is a letter</p> <p>21 from Croydon addressed to you, setting out that</p> <p>22 Mr Carroll had made a foster application and that the</p> <p>23 panel in Croydon had refused it on the basis of his</p> <p>24 previous conviction for indecent assault. Do you recall</p> <p>25 getting that letter, or at least recall being made aware</p> <p style="text-align: center;">Page 101</p>	<p>1 of that?</p> <p>2 A. Oh, yes, I certainly got that letter. Yes, I remember</p> <p>3 that letter.</p> <p>4 Q. Was that letter not something that would have</p> <p>5 immediately caused you to feel that Mr Carroll should be</p> <p>6 dismissed from his post of being in charge of</p> <p>7 a children's home?</p> <p>8 A. Again, my recollection is -- it is assisted by seeing</p> <p>9 the documents -- that, following that, John Carroll was</p> <p>10 disciplined.</p> <p>11 Q. Yes. If we can turn to that, there was a disciplinary</p> <p>12 hearing.</p> <p>13 A. There was disciplinary action following, obviously, the</p> <p>14 fact that various matters hadn't been disclosed to us.</p> <p>15 I mean, that was the subject of the disciplinary --</p> <p>16 Q. Yes. If we could call up LAM000020_011, that probably</p> <p>17 will assist. We see there, as you say, that on the</p> <p>18 basis of that information, so the basis of the letter</p> <p>19 from Croydon, a disciplinary hearing was set up, and</p> <p>20 Mr Pope was put in charge of that?</p> <p>21 A. Yes.</p> <p>22 Q. As you recollect, that was concerned with the failure to</p> <p>23 disclose that information, and also that his actions</p> <p>24 seriously undermined the trust.</p> <p>25 What that disciplinary hearing found is that he</p> <p style="text-align: center;">Page 102</p>
<p>1 should be given a final warning. Lambeth were at odds</p> <p>2 with Croydon, who were viewing that, in light of that</p> <p>3 conviction, Mr Carroll simply shouldn't be in a position</p> <p>4 of trust with children. Why did Lambeth come to</p> <p>5 a different decision, given the severity of the offence?</p> <p>6 A. Well, as you say, David Pope chaired that disciplinary</p> <p>7 panel. I had every confidence in his judgment and</p> <p>8 ability to lead that panel and make the decision at the</p> <p>9 end of it.</p> <p>10 On the basis of the decision he made, he was advised</p> <p>11 that, as Carroll had committed the offence as</p> <p>12 a juvenile -- and I understood that to be legal</p> <p>13 advice -- therefore, it was appropriate for him to</p> <p>14 receive a final written warning, rather than dismissal.</p> <p>15 With every confidence that I had in David Pope's</p> <p>16 judgment, I accepted that decision. But I'm clear, from</p> <p>17 having read the Clough Report, that, in contemporary</p> <p>18 times, Carroll would have been sacked. There's no</p> <p>19 question about it.</p> <p>20 But as the Clough Report states, it was a balanced</p> <p>21 decision, and the Clough Report could understand the</p> <p>22 balance and the way in which the chairman of that panel</p> <p>23 had to make the final decision.</p> <p>24 Q. We will come to the Clough Report in just a moment, but</p> <p>25 in relation to the legal advice that Mr Pope said he</p> <p style="text-align: center;">Page 103</p>	<p>1 received, did you ever see that legal advice?</p> <p>2 A. I didn't see that legal advice, no.</p> <p>3 Q. Because we have seen documents that show that, in fact,</p> <p>4 Mr Carroll certainly was not under age, he was 18 at the</p> <p>5 time this offence was committed. Were you aware of that</p> <p>6 at the time?</p> <p>7 A. My understanding was that he was 17. But that's only my</p> <p>8 understanding.</p> <p>9 Q. You received, Mr Osmond, from Merseyside Police details</p> <p>10 of that offence. Do you recall that?</p> <p>11 A. Well, I've seen the documents. I don't recall it, but</p> <p>12 I've seen the documents in the course of this inquiry.</p> <p>13 Q. Those documents in fact confirm, when one looks at the</p> <p>14 date of the offence and the date of birth, that</p> <p>15 Mr Carroll was, in fact, 18 at the time of the offence?</p> <p>16 A. Right. Okay.</p> <p>17 Q. In relation to the Clough Report, if we could -- no,</p> <p>18 I think we will move on from that. But the</p> <p>19 Clough Report found that that had allowed Mr Carroll to</p> <p>20 continue in post in a situation where their view was</p> <p>21 that he should have been dismissed.</p> <p>22 A. Yes.</p> <p>23 Q. Turning on then to the situation that you considered</p> <p>24 that children were faced, the Ivy House allegation was</p> <p>25 going on at the same time and you were aware of that, as</p> <p style="text-align: center;">Page 104</p>

1 we have seen the documents. Were you not concerned
 2 about the risk to children, given what was going on as
 3 well with Ivy House, that Mr Carroll posed a risk to the
 4 children in the home that he was in charge of?
 5 **A. Yes, I was concerned that the children were at risk and,
 6 I mean, discussed that with the staff concerned, and
 7 instructed that they should give the closest possible
 8 supervision of Carroll. But, again, it's a long time in
 9 recalling the discussions that we had and the actions
 10 that we took at the time. So I can't assist, really,
 11 any further in that.**
 12 Q. Just in relation to a question I have been requested to
 13 ask in regard to Freemasonry, Mr Osmond, were you, or
 14 are you, a member of the Freemasons?
 15 **A. I am not, no.**
 16 Q. One other question I was asked to put that I should have
 17 put: in relation to Mr Carroll we were just discussing,
 18 were you aware of the Home Office circular that talked
 19 about disclosure of criminal backgrounds of those with
 20 access to children?
 21 **A. At the time -- do you mean at the time?**
 22 Q. Yes, at the time.
 23 **A. Well, I would have been aware of the Home Office
 24 regulations at the time, and I was also very much aware
 25 of the difficulties of accessing the required**

Page 105

1 **A. I have tried to convey in my statement how much
 2 I welcomed the opportunity do the job at Lambeth and
 3 always felt very privileged to do it. I'm absolutely
 4 clear that, with the people that I was working with, in
 5 the circumstances that we were dealing with, everyone
 6 did their best to do the best we could for all the
 7 services, and particularly in the best possible
 8 interests of children in the care of the council who we
 9 were concerned with. I'm very clear in my mind that
 10 that's what we tried to do and did our best to achieve.**
 11 MS BROWN: Yes, Mr Osmond. The panel may have some
 12 questions for you now.
 13 Questions from THE PANEL
 14 THE CHAIR: Thank you, Ms Brown. I have a question,
 15 Mr Osmond, if you don't mind. I want to ask you about
 16 your relationship with elected members and your chairs
 17 of Social Services, which you described as very
 18 productive, I believe, in your statement. Can you tell
 19 me whether any elected members at any time attempted to
 20 influence the care plan of a child or an adult by making
 21 contact with you or attempting to persuade you to
 22 intervene in the care planning for any of those clients?
 23 **A. No, I don't remember any individual case of that kind,
 24 no.**
 25 THE CHAIR: Secondly, were there any occasions in which any

Page 107

1 **information when we were seeking information about a
 2 potential candidate's previous criminal record or not.
 3 It was always a problem, you know.**
 4 Q. Mr Carroll was in the situation where you had been
 5 provided with that information, but you chose not to
 6 dismiss him, despite being aware of that?
 7 **A. I don't recall, but if that is what you say, then that
 8 is what we did, yes.**
 9 Q. Could I just ask you to read out paragraph 58 of your
 10 statement, please?
 11 **A. "Even with the benefit of hindsight, I think the
 12 documents support the fact that we made every effort to
 13 act appropriately and immediately take steps to address
 14 any concerns that we may have made a mistake (such as
 15 the first inquiry). I think we did our best to strike
 16 a fair balance between investigating allegations raised
 17 by or on behalf of vulnerable children and ensuring
 18 a fair process to our employees who were accused of
 19 abuse."**
 20 Q. Mr Osmond, given the documents that you have now had
 21 a chance to see and the evidence you have heard in this
 22 inquiry, is there anything that you would wish to change
 23 about your statement or anything that you would wish to
 24 add or do you still consider that that accurately
 25 summarises the situation?

Page 106

1 elected members attempted to influence the outcome of
 2 any disciplinary hearings involving staff members?
 3 **A. Not at all, no.**
 4 THE CHAIR: Thank you very much. Ms Sharpling?
 5 MS SHARPLING: Thank you, chair, just one question from me,
 6 if I may, Mr Osmond, and that is simply to ask for your
 7 views about the relationship with other statutory
 8 agencies in the time of your tenure, in particular, that
 9 with the police in your local borough?
 10 **A. Well, in terms of my personal relationship with other
 11 agencies, it was always very good. It was very much
 12 part of my approach to management to encourage and
 13 develop inter-disciplinary services. I'm very much an
 14 inter-disciplinary person. I was always chairing
 15 inter-disciplinary committees. We had an Area Review
 16 Committee looking into child protection, et cetera,
 17 et cetera, and my personal relationships with the police
 18 were always very positive. I had a personal link with
 19 the commander, the local commander, of the police and
 20 worked with him, and they gave assistance in certain
 21 circumstances which were always positive and helpful.**
 22 **I have already commented, as you have seen, or as
 23 you have heard, about the circumstances of those medical
 24 enquiries that the police made. I don't need to say any
 25 more about that. But in general terms, my relationship**

Page 108

<p>1 with other agencies was generally – it was always very 2 positive, and I had no problems working with the police. 3 MS SHARPLING: Thank you. 4 THE CHAIR: Mr Frank? 5 MR FRANK: No, thank you. 6 THE CHAIR: Sir Malcolm? 7 PROF SIR MALCOLM EVANS: Yes, just one general question, if 8 I may. Doubtless you will have heard, as we have heard, 9 of other reports and other evidence which, how can I put 10 it, paint a fairly bleak picture of aspects of 11 governance within the borough at the time that you were 12 director. Could you just reflect a little on this for 13 us, about how you understand, shall we say, the 14 pressures of the time, both financial and political, and 15 whether you thought that those had any effect on the 16 day-to-day delivery of the services for which you were 17 responsible? 18 A. There's absolutely – the context of working in Lambeth 19 Social Services in the '80s was an extremely 20 fast-moving, demanding and stressful time as 21 a professional working with politicians. The 22 relationship between politicians with their 23 responsibilities, with their legal responsibilities, and 24 their political responsibilities, and the interface with 25 our professional responsibilities is always a kind of</p> <p style="text-align: center;">Page 109</p>	<p>1 major issue. But in many ways, I would say that we 2 worked closely in seeking to accommodate the balance in 3 those relationships. 4 But the combination of the events which we have been 5 discussing today, if you go from the closure of 6 Shirley Oaks, from the social workers' strike, through 7 the incredibly powerful financial reductions in what we 8 called at the time the so-called cuts exercises, 9 although the council were as supportive as they were 10 able to be in the financial circumstances in which they 11 were found, going through then to the Tyra Henry report 12 and these disciplinary hearings with mentally 13 handicapped children being involved, inevitably it put 14 tremendous pressures on the whole department, on the 15 operational services, in order to keep up with – to 16 maintain the operation of the services in the face of 17 the political realities of the time. That's why 18 I think, in my own final comments about it, despite all 19 the difficulties, the commitment and the energy and the 20 efforts and the enthusiasm that people put into the 21 task, despite all these difficulties, and they were 22 incredibly difficult, we did our best to do the best for 23 the children for whom we were responsible. 24 PROF SIR MALCOLM EVANS: Thank you. 25 THE CHAIR: Thank you. We have no further questions. Thank</p> <p style="text-align: center;">Page 110</p>
<p>1 you, Mr Osmond. 2 A. Thank you, madam. 3 (The witness withdrew) 4 MS BROWN: Chair, in light of the time, I don't know when 5 you would want to resume? When would be your preferred 6 time to resume? 7 THE CHAIR: We will resume at 3.10 pm. 8 MS BROWN: Thank you. 9 (2.53 pm) 10 (A short break) 11 (3.10 pm) 12 MS LANGDALE: Chair, may I call, please, Ms Dunipace. 13 MS PHYLLIS DUNIPACE (affirmed) 14 Examination by MS LANGDALE 15 MS LANGDALE: Can you give us your name, please. 16 A. Phyllis Dunipace. 17 Q. I understand, Ms Dunipace, that you were a Labour 18 councillor between 1986 and 1990 in Lambeth Council? 19 A. Yes. 20 Q. Chair of Social Services Committee between 1986 and 21 1988? 22 A. Yes. 23 Q. Deputy leader of the council 1989 to 1990? 24 A. Yes. 25 Q. You went back to Lambeth in a different capacity, as an</p> <p style="text-align: center;">Page 111</p>	<p>1 advisory teacher in the education department, between 2 1994 and 1997? 3 A. Yes, and then I stayed with Lambeth until I was -- 4 I retired in 2010. 5 Q. You have prepared for us, haven't you, a statement dated 6 21 February 2020? 7 A. Yes. 8 Q. Do you have that statement near you, Ms Dunipace? 9 A. I have it in front of me, thank you. 10 Q. I will be asking you questions about your period of time 11 as a councillor and chair of Social Services Committee. 12 Just to put it into context for others listening, 13 Ms Dunipace, we know that during that period we have got 14 an investigation into Ivy House, Monkton Street, we have 15 got Michael Carroll's disciplinary hearing, the 16 Tyra Henry report and various reports from Robert Morton 17 in relation to children's homes. So that's the time 18 period that you are at the council in that position; 19 yes? 20 A. Yes. 21 Q. You say in your statement at paragraph 5: 22 "As almost all Labour councillors had been 23 disqualified in 1986, we newly elected councillors were 24 on a steep learning curve and especially those of us who 25 took on departmental responsibilities."</p> <p style="text-align: center;">Page 112</p>

1 Tell us, please, when you began in 1986, what kind
 2 of experience did you have that might assist you in
 3 relation to being a councillor, and what was the steep
 4 learning curve?
 5 **A. I don't know, really, what experience I had that would**
 6 **assist me. I was an active member of the Labour party**
 7 **and almost all our councillors had been disqualified and**
 8 **couldn't stand again. So those of us who were involved**
 9 **in the Labour Party stood as councillors.**
 10 **I had been very briefly on the Children's Homes**
 11 **Subcommittee. I was a teacher. I was very committed to**
 12 **doing the best for the most vulnerable children in our**
 13 **care.**
 14 Q. How did you see you would go about that as a councillor?
 15 **A. I thought that we would work together as an**
 16 **administration, and we would work with senior officers,**
 17 **just to do the best we could, really.**
 18 Q. I'm going to focus on children's homes. To get
 19 knowledge about children's homes, what sources of
 20 information did you rely upon for that?
 21 **A. We had a Children's Homes Subcommittee which took**
 22 **regular reports, also a Social Services Committee. We**
 23 **visited children's homes and we talked to all the kind**
 24 **of various staff and, where possible, we would talk to**
 25 **children if they were in the homes and they wished to**

Page 113

1 **recorded. But I don't know. Looking back, I can't give**
 2 **you an accurate answer.**
 3 Q. Can you tell me if you went to Angell Road? I'm sure,
 4 since that time, you have thought about Angell Road and
 5 Michael Carroll.
 6 **A. Yes.**
 7 Q. Did you visit that home? Can you think about that home?
 8 **A. Yes, I definitely visited that home.**
 9 Q. What do you remember about visiting that home? What do
 10 you see when you see that home now, looking back?
 11 **A. I see a home that was quite well resourced, quite well**
 12 **cared for. That was my memory of it.**
 13 Q. Did you speak to children when you went there?
 14 **A. I think so.**
 15 Q. You were a qualified teacher, so presumably you know how
 16 to speak to children.
 17 **A. I hope so.**
 18 Q. Can you not remember what sorts of things, if you had
 19 spoken to children, you would have spoken about? I'm
 20 just wondering about (overspeaking)?
 21 **A. I would have spoken to them about whether they were**
 22 **going to school, how they were getting on at school,**
 23 **what -- because that would be the area of my expertise,**
 24 **and I would have chatted to them about that. That would**
 25 **be an easy way into a conversation. But I wouldn't have**

Page 115

1 **talk to us.**
 2 Q. How often did you visit homes, then, in your time as
 3 a councillor, and particularly when you were chair of
 4 Social Services?
 5 **A. I visited every part of our estate, and, remember, we**
 6 **had children's homes, adult homes, day nurseries and all**
 7 **sorts of things. Most of them I would have only, in**
 8 **a two-year period, visited once or twice, unless there**
 9 **was a special event, which could be a very nice thing or**
 10 **something else, something maybe not quite so nice if**
 11 **something had gone wrong. But generally I'd try and**
 12 **visit at least once a year, visit everything once**
 13 **a year, so that would only be twice.**
 14 Q. So in terms of the homes the chair and panel are
 15 specifically focusing upon, would you have visited, for
 16 example, Ivy House, Monkton Street, Angell Road
 17 Southvale or Shirley Oaks, that was earlier --
 18 **A. I wouldn't have visited Shirley Oaks, because that was**
 19 **closed. I think I would have visited -- I would have**
 20 **aimed to visit, but I have no memory of them really.**
 21 Q. We know that members' visits didn't take place in
 22 accordance with requirements. Do you say you have no
 23 recollection of whether you went or that you didn't go
 24 and you can't really remember anything about it?
 25 **A. I thought we went, but we didn't -- maybe it wasn't**

Page 114

1 **got to know children.**
 2 Q. When you say you'd had a conversation, where would that
 3 take place? I'm trying to think about Angell Road.
 4 Where would you have a conversation with a child, if you
 5 had one, at Angell Road?
 6 **A. It wouldn't be -- it would tend to be -- I would have**
 7 **gone with someone else and it would tend to be a group**
 8 **conversation. It wouldn't have been a one-to-one**
 9 **conversation.**
 10 Q. Who would be in the group if you were speaking to
 11 children? Who would you be with?
 12 **A. Perhaps I went with another councillor, and it would be**
 13 **other children. You know, quite often they would be**
 14 **playing and you would ask them, if they were playing,**
 15 **what they were playing with, you know, what they were**
 16 **doing, that sort of general conversation. We were just**
 17 **a visiting adult.**
 18 Q. Would you let them know when you were visiting, let the
 19 home know?
 20 **A. Yes.**
 21 Q. So you wouldn't make an unannounced visit and walk in
 22 and just start looking at the logbook or the incident
 23 book, you would say you'd be coming and you would be
 24 shown around; is that how it was?
 25 **A. Yes.**

Page 116

1 Q. So that would be an opportunity for anyone who was
 2 showing you the home and how it worked to think about
 3 how that meeting would go and to orchestrate it however
 4 they chose, wouldn't it?
 5 **A. Yes, within limits, yes.**
 6 Q. You say in your statement, paragraph 9:
 7 "In my view, in Lambeth, in 1986, councillors were
 8 too involved in operational decision making and thus
 9 were unable to provide sufficient challenge and hold
 10 officers appropriately accountable."
 11 What sort of key matters were being left
 12 unchallenged, as far as you think now, looking back, in
 13 terms of those who should have held officers to account?
 14 What were you not able to challenge?
 15 **A. I don't think it was sort of at an individual
 16 operational level. I think that we didn't stand back
 17 enough and say, "Where are we going? What are we going
 18 to do? What's our strategic aim?" It was a very busy,
 19 very hectic time, with so much going on. I think we
 20 were so busy that we didn't take time to stand back, and
 21 I think that that would have enabled us, if we had stood
 22 back, to think about, well, you know, how is this going,
 23 and evaluate how we were getting on, and I don't think
 24 when I look back on that time, compared to my recent
 25 experience, that we did that. It was just incredibly**

Page 117

1 **A. I think that it was a very important report and the
 2 particular issues that I remember were trying to deal
 3 with the boundaries between officers and members and
 4 I think Stephen Sedley, when I read the report again
 5 recently, he refers to that and how you can manage that,
 6 the different roles, in a very productive way. I think
 7 we did try to come to terms with that.**
 8 **The second issue, which was a major one, was the
 9 relationship between the Housing Department and the
 10 Social Services department, and I think he was
 11 correctly, and understandably, very, very critical of
 12 the failure corporately to bring these two huge
 13 departments with their big issues together, and I think
 14 we did make some efforts in that direction.**
 15 Q. Of course, by the time Elizabeth Appleby QC reports in
 16 1995, that's still an issue, isn't it: the three
 17 directorates are not working together at all. She
 18 describes a very dysfunctional group of directorates,
 19 doesn't she, not working collectively?
 20 **A. I was, by then, a teacher, and I wasn't involved.**
 21 Q. Let me ask, if I can, about specific cases.
 22 Monkton Street. You have been asked, and you have set
 23 out, your recollections about Monkton Street. There
 24 was, wasn't there, an investigation into allegations of
 25 child sexual abuse and the effects on children with

Page 119

1 **hectic.**
 2 Q. We have seen Mr Morton's report -- I don't need to go to
 3 it again. He was clearly encouraging strategic overview
 4 and consideration of what was going on in homes, wasn't
 5 he? Would you have seen those reports? We know they
 6 went through to various committees?
 7 **A. If they went through to various committees -- by the
 8 time he was writing those reports, I was deputy leader.
 9 I wasn't chair of Social Services anymore. And I was
 10 the deputy leader in charge of introducing a community
 11 charge into Lambeth. So my recollection is stronger of
 12 that side than on the children's homes side. So
 13 I really don't remember those reports.**
 14 Q. Even though you'd been chair of Social Services, by the
 15 time you were deputy leader that wasn't of interest or
 16 priority to you because of other things that you were
 17 dealing with?
 18 **A. Yes, I think that was the case, yes.**
 19 Q. Do you think, as councillors, you benefited from any
 20 learning from the Tyra Henry report? That was 1987 and
 21 Stephen Sedley QC, as he then was, made various
 22 observations, didn't he, about how councillors and
 23 officers interacted? Did you read that at the time and
 24 what, if anything, did you learn or draw from that
 25 report?

Page 118

1 complex needs at Monkton Street at the time when you
 2 were chair of the Social Services Committee?
 3 **A. Yes.**
 4 Q. You can remember that now?
 5 **A. Oh, yes, yes.**
 6 Q. If we look at CWH000012_015, that should be a letter
 7 dated 27 November 1986. There it is. Thank you very
 8 much. If you can enlarge that.
 9 That is a letter, Ms Dunipace, from you, as chair,
 10 to fellow councillors informing them about the
 11 investigation panel and the completion of its work. See
 12 at paragraph 3, you flag up:
 13 "The Director of Social Services has asked the
 14 police for copies of the medical reports prepared by the
 15 police surgeons on various children ... the
 16 investigating panel regards access to these reports as
 17 a fundamental part of its work. So far the police have
 18 not provided these reports. The director is continuing
 19 his contacts with the police on this matter."
 20 You had had that drawn to your attention by the
 21 director, had you?
 22 **A. I don't remember.**
 23 Q. But you're flagging up that working together, if I can
 24 use that phrase, with the police isn't particularly
 25 working at that point, as far as you're concerned; is

Page 120

1 that right?

2 **A. That's true.**

3 Q. The panel wanted the reports and you were flagging that

4 up to councillors. When you sent that out to

5 councillors, what response would you want from

6 councillors? What are you looking for there, that

7 someone does something and it happens, or are you just

8 informing them? What's the position?

9 **A. I think it was more information.**

10 Q. Would any specific councillors have links with the

11 police or be able to assist when something like that

12 arose, or not? What was the formal communication, as

13 far as you're aware?

14 **A. I don't know.**

15 Q. But you didn't? It is not like you, as chair of social,

16 would pick up the telephone or speak to anyone from the

17 police? You wouldn't know? You would just know the

18 director was making requests?

19 **A. At that time, I wouldn't have done that, yes.**

20 Q. You say, going back to your statement at paragraph 11,

21 "At that time there was not a strong partnership with

22 the police, which one would expect now"?

23 **A. Mmm.**

24 Q. You also say about that investigation:

25 "I always had doubts about the nature of

Page 121

1 days before the meeting, it should be considered because

2 of the special circumstances that members needed to be

3 formally advised of the action taken in respect of

4 a case concerning allegations of child sexual abuse

5 which had been widely reported in the local and national

6 press."

7 If we see four paragraphs further down:

8 "The chair advised the committee that any

9 recommendations on practice and procedures made by the

10 special review panel will be available for public

11 disclosure."

12 Ms Dunipace, we have heard evidence today about the

13 person on the Special Review Panel, the chair of

14 the Special Review Panel, and we know that that report

15 actually didn't see the light of day and was actually

16 withdrawn from committee meetings and wasn't published.

17 Have you got any insight in relation to that, why

18 a report with recommendations about procedures,

19 et cetera, wasn't produced or published in the way you

20 indicated it might be at the meeting?

21 **A. I have no recollection of that.**

22 Q. It looks as though it may be that Ms Jarvis dissented or

23 there wasn't complete agreement within that report at

24 the time. Were you friends with Ms Jarvis or anyone

25 else in relation to the preparation of that report?

Page 123

1 the investigations, especially as the young people had

2 severe learning difficulties and were the most

3 vulnerable in society."

4 What do you mean by that?

5 **A. The first bit, about the police --**

6 Q. No, not the police. The bit about the children being

7 vulnerable.

8 **A. I felt, about this investigation at Ivy House, that we**

9 **had not had the level of expertise involved to elicit**

10 **the best response from young people who had severe**

11 **learning difficulties, and then I wasn't sure, once**

12 **you'd done that, whether you were getting the right**

13 **evidence for an investigation. It was a challenge, yes.**

14 Q. As you refer there, you had, as well, during your time,

15 the allegation that was made in respect of a member of

16 staff at Ivy House. We see, if we can have, Mr Hyde,

17 please, LAM007476_001 and _002 at the same time, if we

18 could, on the screen. This is minutes of a meeting,

19 Ms Dunipace, of the Social Services Committee,

20 24 March 1987, when you're in the chair.

21 We see at the bottom of page 1, point 147:

22 "Allegations of sexual abuse to a child at

23 Ivy House.

24 "The chair was of the opinion that although this

25 report had not been available for at least three clear

Page 122

1 **A. No.**

2 Q. So it wasn't a question at all of you having any

3 personal input or influence into what happened to that

4 and that report not being published?

5 **A. No.**

6 Q. Did you think, as chair, to follow it up, and knowing it

7 was there -- I see you say you didn't see it, but

8 saying, "What's happened to it? Can we have it?" Or

9 did that just get lost amongst everything else?

10 **A. I can't remember at all.**

11 Q. Because it would appear that a report that might have

12 led, for example, to a suggestion that a bid for

13 additional funding for a child sexual abuse unit or

14 something like that in the budget process didn't happen,

15 it was an opportunity missed, wasn't it, to perhaps get

16 a budget for something like a child sexual abuse unit?

17 **A. Yes, it was an opportunity missed, yes.**

18 Q. Do you take responsibility for that, as chair at the

19 time, and having commissioned the report, and looking at

20 the investigation material that was available from the

21 learning from Ivy House and Monkton Street?

22 **A. I didn't commission the report. It was commissioned by**

23 **the chief executive.**

24 Q. Right.

25 **A. So I wasn't responsible for it. I think it is a pity**

Page 124

1 **that we missed an opportunity. You showed me the**
 2 **documentation, I looked at it. It seemed to me that**
 3 **there were a lot of sensible recommendations. I think**
 4 **it would have been sensible to set up a child sexual**
 5 **abuse unit if we could have got the funding. I think**
 6 **a recommendation to set one up across London was pie in**
 7 **the sky. I think that would have taken forever to**
 8 **negotiate that.**
 9 Q. But it might have helped children in Lambeth's care to
 10 have focus on child sexual abuse first and foremost,
 11 mightn't it, at that time?
 12 **A. Yes.**
 13 Q. And would have done earlier than that, of course, given
 14 what we know?
 15 **A. Yes.**
 16 Q. Angell Road, Michael Carroll. You said you visited
 17 there. Did you know Michael Carroll, other than
 18 visiting the home? Did you know him very well? Did you
 19 see him very much?
 20 **A. No, I only met him at the home.**
 21 Q. Were there any rumours about him at the time? When did
 22 you first know about allegations of sexual abuse against
 23 him?
 24 **A. When the director told me about the disciplinary.**
 25 Q. So the disciplinary was August 1986, wasn't it? Did he

Page 125

1 **something like that, you could have councillors**
 2 **involved. That was probably my thought. But I wouldn't**
 3 **have generally asked for the detail of any disciplinary.**
 4 Q. I think you say, in fairness, he'd been retained despite
 5 his conviction, "I do not remember any of the details".
 6 I just want to be clear, you did know it was a sexual
 7 offence conviction?
 8 **A. I think I did, yes.**
 9 Q. But you didn't know precisely what. Did you know it was
 10 against a child?
 11 **A. I don't know.**
 12 Q. Do you think that attempts were made to minimise what
 13 that represented, that conviction?
 14 **A. I don't know. I could speculate, but that's not right.**
 15 Q. Well, you can look back and say what were you thinking
 16 about it at the time, and now you look back and think,
 17 a man in charge of a children's home had a sexual
 18 offence conviction.
 19 **A. I think he should have been sacked, yes.**
 20 Q. Yes.
 21 **A. Now, looking back, yes.**
 22 Q. At the time, did it occur to you that he should have
 23 been sacked?
 24 **A. I don't know.**
 25 Q. Were you asked by Mr Osmond not to disseminate that

Page 127

1 tell you there or thereabouts at the time of
 2 the disciplinary?
 3 **A. He would have told me after the disciplinary.**
 4 Q. What did he tell you? Can you remember?
 5 **A. That there had been a disciplinary and that he'd been**
 6 **given -- that he hadn't been dismissed.**
 7 Q. Did he tell you about the sexual offence that
 8 Michael Carroll had committed?
 9 **A. I don't recollect the detail. I presume he did, but**
 10 **I don't recollect the detail.**
 11 Q. When you say "the director", was it Mr Osmond or Mr Pope
 12 that discussed this with you?
 13 **A. Oh, Mr Osmond.**
 14 Q. So Mr Osmond told you that Michael Carroll had committed
 15 some form of offence, but you don't now know what the
 16 details of it was?
 17 **A. Yes, because I wouldn't, as a councillor, know the**
 18 **details of any disciplinary.**
 19 Q. Wouldn't you want to know the details of a sexual
 20 offence committed by somebody running a care home, as
 21 a councillor?
 22 **A. Looking back, yes.**
 23 Q. But you don't think you asked him for the details at the
 24 time?
 25 **A. It's very difficult, because if there was an appeal or**

Page 126

1 information or share that information? When he
 2 mentioned it to you, could you have told anyone you
 3 liked? What was the feeling about what you had to do
 4 with that information when it came to you?
 5 **A. I would have been told that in confidence.**
 6 Q. Do you think it is right that that was in confidence and
 7 social workers, for example, and others working with
 8 children in the home in which he was in charge didn't
 9 know about that?
 10 **A. I don't think he should have been kept in charge of**
 11 **the home. So whether it was in confidence or not,**
 12 **I don't think it was the right action now when I look**
 13 **back.**
 14 Q. Clearly, I don't think anyone would disagree he
 15 shouldn't have been kept in the home. But even if he
 16 was in the home, the transparency around a conviction
 17 would at least have enabled social workers to observe
 18 and think about that. He should never have been there,
 19 but if he was there, the transparency would assist,
 20 wouldn't it? So did you not think, "If he is staying,
 21 I need to share this information with anyone who comes
 22 into contact with children at the home"?
 23 **A. I didn't think that was my role.**
 24 Q. So you think that was for the director, because it was
 25 a disciplinary, to share what he thought was appropriate

Page 128

1 at the time?
 2 **A. Mmm.**
 3 Q. Mr Carroll would refer on occasion, we have heard,
 4 talking about -- tried to give the impression of having
 5 high-profile contacts. As far as you're aware, you say
 6 he wasn't a friend of yours. Was he a friend of
 7 councillors or any other political figures that you're
 8 aware of?
 9 **A. Not that I know of.**
 10 Q. Was there any political pressure brought to bear on you
 11 or anyone else, as far as you're concerned, to keep
 12 Michael Carroll in the council's employment at that
 13 time?
 14 **A. No.**
 15 Q. Mr Carroll's foster care applications. What were you
 16 aware of at the time in respect of fostering
 17 applications? How many did you think he'd made?
 18 **A. I didn't know anything about it until the children wrote**
 19 **to me.**
 20 Q. So you knew about an application being made to
 21 Wandsworth, did you, a Wandsworth fostering care
 22 application?
 23 **A. Yes, that's when I knew about it.**
 24 Q. That's the one you knew about. Did you know anything
 25 about an application having been made to Croydon

Page 129

1 Monkton Street. How many other, in your period of time
 2 as chair of Social Services, sexual abuse investigations
 3 or cases or allegations were you made aware of?
 4 I remind you now, I don't want you to refer to names or
 5 any identity about anything, other than were you aware
 6 of any being made?
 7 **A. I can't remember.**
 8 Q. If we can go, please, Mr Hyde, to LAM029282_001 and 003.
 9 It is a three-page document, but we just need pages 1
 10 and 3, please.
 11 This is a meeting of 11 December 1987 with you in
 12 the chair. We see on page 3 at (m), staff sickness at
 13 Southvale:
 14 "Councillor Motley expressed concern at the problem
 15 of possible sexual abuse in respect of two of the
 16 children. The chair indicated that the issues would be
 17 dealt with by the child abuse team."
 18 So there was obviously some discussion, wasn't
 19 there, around allegations at Southvale, and you said it
 20 was dealt with by the child abuse team. Was that what
 21 you expected, that that would just be dealt with by
 22 officers within a different team or can you shed any
 23 light on that entry?
 24 **A. I can't shed any light on it at this distance, no.**
 25 Q. But it looks as though possible sexual abuse on children

Page 131

1 beforehand or not?
 2 **A. No.**
 3 Q. Were you aware of a suggestion there was a further
 4 application to Southwark or not?
 5 **A. No, I didn't know anything about that.**
 6 Q. You knew about the Wandsworth application, and that was
 7 the one you were contacted about?
 8 **A. Yes.**
 9 Q. Were you aware that there was a daycare centre being run
 10 at Angell Road?
 11 **A. No, I don't think so. I can't remember.**
 12 Q. So you weren't aware whether Mr Carroll let children in
 13 informally as he wanted, not part of an approved policy
 14 but as part of an informal daycare arrangement?
 15 **A. I certainly didn't know about that, no.**
 16 Q. Would you have expected to have been made aware of that,
 17 as chair of Social Services?
 18 **A. Yes, I think because it was a change in use of**
 19 **the children's home. I think I would have been --**
 20 **I would have expected to know if there was a change of**
 21 **use of a children's home.**
 22 Q. It wasn't anything anyone brought to your attention or
 23 anything? It was picked up by --
 24 **A. Not that I can recollect.**
 25 Q. You were obviously aware of the Ivy House and

Page 130

1 in a home was expressly recognised again in 1987 just as
 2 it was with the Ivy House and Monkton Street?
 3 **A. Yes.**
 4 Q. Were you aware, Ms Dunipace, of reasons around
 5 Shirley Oaks' closure? We have seen references --
 6 I know that was before your time, but references to
 7 sexualised behaviour of the children in Shirley Oaks in
 8 a document produced by Dr Goldie, much later in '88 --
 9 1998. Did anyone ever talk to you about sexualised
 10 behaviour of children at Shirley Oaks or anything like
 11 that?
 12 **A. No.**
 13 Q. So you wouldn't have known what that was, if that was
 14 one of the reasons for closing down Shirley Oaks?
 15 **A. No.**
 16 Q. When you look at these documents now, was it in your
 17 mind, as a chair of Social Services, that sexual abuse
 18 of children in Lambeth's care was an issue, an issue
 19 that needed to be taken seriously and addressed head-on?
 20 **A. Yes. I was aware it was an issue, yes.**
 21 Q. How were you reassured it was being dealt with and taken
 22 as an issue?
 23 **A. That was one of the reasons I wanted the Special Review**
 24 **Panel to look at processes and procedures because I felt**
 25 **that the staff should be trained and we should have**

Page 132

1 proper processes and procedures because, otherwise,
 2 everything is just a reaction and you don't have --
 3 you're not proactive about looking for things and staff
 4 feeling confident to report things, staff feeling
 5 confident, and children feeling confident, because --
 6 I mean, I know you're asking -- but when I was director
 7 in Lambeth, we had very strong children in care councils
 8 and all sorts of things, and it was wonderful to hear
 9 those young people, and I was aware that it was
 10 a different culture when you look back. You know, we
 11 just were -- we were so proud of the achievements for
 12 our looked-after children when I was director and we did
 13 very well at that time, so it just seems so sad when
 14 I look back and I think that those children, their
 15 voices weren't recognised. Particularly for children
 16 with learning difficulties, they weren't really treated
 17 as a full citizen with full citizen's rights.
 18 Q. Were they, as children in care -- all children I'm
 19 asking the question about, not just those with complex
 20 needs -- not, in your view, treated as full citizens
 21 with full rights who could bring complaints, concerns,
 22 worries, to those who were caring for them?
 23 A. I can't say, because some of them obviously had very
 24 good relationships with their house parents, their
 25 social workers and so on. But it wasn't built into the

Page 133

1 differently.
 2 Q. What about councillors being more proactive and what's
 3 happening on the ground? Governance requires
 4 scrutinising what is going on. How do we find out
 5 what's going on?
 6 A. I don't think that a councillor visiting -- it's part of
 7 a process, it's part of knowing what's going on, and it
 8 will triangulate, but it won't give you a system. It
 9 has to be there. I think the children have to have
 10 confidence in the person that they're talking to and
 11 they have got to feel secure.
 12 Q. Did you feel as a Labour councillor, though, a need to
 13 defend the system? Did the children get caught up in
 14 the politics between Labour and Conservative
 15 councillors? The system is not working, yes, it is
 16 working. Did you feel you needed to justify sometimes
 17 circumstances that really required more enquiry than
 18 a simple justification?
 19 A. No, I don't think that's the case. I think that the
 20 subcommittees were -- I think I say in my statement, the
 21 subcommittees were very much working committees where we
 22 all worked together. Although there would be debates
 23 and discussion, they were debates and discussions
 24 between individuals who were concerned about the outcome
 25 for the child, not on party political grounds.

Page 135

1 system. It wasn't in the processes to make it happen
 2 and for it to be something where a little worry or a big
 3 worry could be brought forward. I think it is really
 4 important that the little worries and the big worries
 5 should be brought forward to make life better. That's
 6 what I think has improved over the last 30 years.
 7 Q. What about vetting processes? You explain how it would
 8 have been better to hear in children. In terms of
 9 staff, vetting procedures, how they were recruited in
 10 the first place and looking at their motivations for
 11 working in children's homes. Was that something, when
 12 you were in Social Services, that you enquired about,
 13 vetting, if I can focus on that, the vetting of staff?
 14 A. No (overspeaking).
 15 Q. Looking back, was that an overnight not to have, as
 16 a committee, a Social Services Committee, full awareness
 17 of how staff members were being checked when they were
 18 going into work with children?
 19 A. With hindsight, yes.
 20 Q. If you could look back now and say, "with the learning
 21 we have, what would I have done differently?", what
 22 would you do differently?
 23 A. I think I would put more emphasis on professionals all
 24 the way through the system listening to the voice of
 25 the child. That, I think, is what I would do

Page 134

1 I think Social Services Committee was a much more
 2 formal thing. So the inquiry and the debates happened
 3 in the subcommittees where they were -- people were
 4 very -- the councillors were very concerned about what
 5 happened and, to the best of their abilities, enquired.
 6 Q. Can I ask you to look at a press article -- final
 7 document -- LAM029004. It is 25 November 1986,
 8 a South London Press article. It is a comment from you
 9 and also from a Tory Social Services spokesman,
 10 John Pinniger. We will get it on the screen and you
 11 will be able to see it, Ms Dunipace.
 12 I can read it while we are finding it, actually,
 13 Ms Dunipace. This is an article, South London Press,
 14 talking about the Monkton Street investigation. I will
 15 read the full amount out, actually, if you can't see it:
 16 "A detective said he is a 12-year-old but has the
 17 mental age of a 4-year-old. There is medical evidence
 18 that five or six children at the home were interfered
 19 with, that they are severely handicapped and cannot
 20 speak. The man, who has not been named, was arrested
 21 and questioned twice by police during his four-month
 22 leave, but at no stage was he charged with an offence.
 23 Lambeth Social Services Committee chairwoman,
 24 Phyllis Dunipace, said: 'He now has every right to his
 25 job back. There is no reason for him to be moved', she

Page 136

1 said. 'I am glad the period of uncertainty is over, and
 2 I hope the home can get back to normal'. Lambeth
 3 launched its own internal inquiry into the allegation
 4 and found no evidence against the man.
 5 Councillor Dunipace added: 'We cannot guarantee every
 6 child is safe 100 per cent. Children are at risk all
 7 the time'. Tory Social Services spokesman John Pinniger
 8 said 'I am deeply concerned about the number of
 9 allegations of child sex abuse in Lambeth homes, the way
 10 these cases are being dealt with is scandalous and
 11 Labour has failed to take any serious action. At the
 12 very least, this man should have been transferred to
 13 another home. Councillor Pinniger called for an
 14 external independent inquiry and plans to take the case
 15 to Secretary of State Norman Fowler."
 16 We see there you saying no reason for him not to be
 17 moved, but may I focus on:
 18 "You cannot guarantee every child is safe
 19 100 per cent. Children are at risk all the time."
 20 In the context of child sexual abuse and what that
 21 article refers to, reflecting on the comment, "You can't
 22 guarantee every child is safe 100 per cent. Children
 23 are at risk all the time", what do you say, looking at
 24 that comment now?
 25 **A. I don't remember the comment. The South London Press**

Page 137

1 would have on child victims' lives?
 2 **A. I think that it was considered as one of the major**
 3 **issues that we had to deal with and that we had to try**
 4 **and do things better, to make life better for them.**
 5 THE CHAIR: Thank you. Ms Sharpling?
 6 MS SHARPLING: Thank you, chair, just one question, if
 7 I may. Ms Dunipace, thank you for your evidence. You
 8 will have heard, perhaps, the lengthy apology given by
 9 Lambeth Council, by Ms Hudson, at the beginning of this
 10 investigation. Can you associate yourself with that
 11 apology?
 12 **A. Yes.**
 13 MS SHARPLING: Thank you.
 14 THE CHAIR: Mr Frank?
 15 MR FRANK: No, thank you.
 16 THE CHAIR: Sir Malcolm?
 17 PROF SIR MALCOLM EVANS: No, thank you, chair.
 18 THE CHAIR: Thank you very much, Ms Dunipace.
 19 (The witness withdrew)
 20 MS LANGDALE: That concludes, chair, the oral evidence
 21 today. In the remaining time, can I invite Ms Kennedy
 22 to read the final statement we would like to admit today
 23 and then that will conclude proceedings for today.
 24 MS KENNEDY: Thank you. I am going to read the witness
 25 statement of Brenda Jones, who was a team manager in

Page 139

1 **was not noted for accurate reporting. But I think what**
 2 **comes to me is the role of the police. That's what**
 3 **comes out of the article.**
 4 Q. Not the political posturing between a Tory position or
 5 Social Services spokesman, your position, "A member of
 6 staff has got his right to his job back. You can't
 7 guarantee children are safe". It doesn't really focus
 8 on the children's perspective, does it?
 9 **A. Not at all.**
 10 Q. How does that reflect on the whole situation between
 11 councillors who are, between them, trying to secure
 12 services that keep children safe?
 13 **A. I think it reads very badly. But it is just some**
 14 **extracts from an article in the South London Press.**
 15 **It's not -- it doesn't necessarily reflect either what**
 16 **I was doing or what John Pinniger was doing.**
 17 MS LANGDALE: Thank you very much, Ms Dunipace. No further
 18 questions from me. There may be from the chair and
 19 panel.
 20 THE CHAIR: Thank you, Ms Dunipace. I have one question for
 21 you. You say that you were aware that child sexual
 22 abuse was an issue at the time you were a member. But
 23 how much recognition was there by yourself and by other
 24 councillors that child sexual abuse was at the most
 25 serious level of crime and of the devastating impact it

Page 138

1 Lambeth.
 2 Statement of MS BRENDA JONES (read)
 3 MS KENNEDY: "I have been asked by the inquiry to set out
 4 a summary of my career which explains the professional
 5 qualifications which I hold and the roles which I have
 6 held in my professional capacity. I originally went to
 7 work in Lambeth in 1943 in the mental health department
 8 to deal with children who had been in residential care
 9 but who had learning difficulties. In fact, that never
 10 actually happened, as I had no training in mental
 11 health. I had previously worked for West Yorkshire
 12 County Council as a careers officer. I became an
 13 unqualified social worker in an area office in Lambeth
 14 office for about four years. I cannot remember whether
 15 I applied to go on a course or if I was offered
 16 a training course. I went for the part-time social work
 17 course, which was called 'the married women's course' at
 18 Croydon. There was a three-year course from 1971 to
 19 1974. I came back to work in Dulwich Hospital, which
 20 was in Southwark, working on the wards for the elderly.
 21 I then transferred to an obstetrics ward to work with
 22 mothers.
 23 "One worker was allocated to work with two area
 24 teams to act in a consultative capacity in relation to
 25 adoption and fostering placements. I initially stayed

Page 140

<p>1 for a few years, and then went as a senior social worker 2 to Bexley Council's Adoption and Fostering Services. 3 I then returned to Lambeth as a team manager and 4 remained there until my retirement. 5 "I will explain below about a letter which I believe 6 was sent shortly before I retired, which concerned an 7 investigation into Michael Carroll's attempt to foster 8 two children. 9 "Michael John Carroll. 10 "I have been asked by the inquiry to explain the 11 role which I played in the fostering application which 12 was made by Michael Carroll to foster two boys who were 13 in the care of Lambeth Council. I do not have a good 14 memory of these events. 15 "The Clough Report details the concerns of senior 16 management regarding Mr Carroll ignoring the area 17 manager's clear instructions that the boys should not 18 stay with Mr and Mrs Carroll except with his permission. 19 "I have been shown the Clough Report at 20 paragraph 176. I recall I was interviewed in the 21 Clough Inquiry at the Victoria Station Hotel. It was 22 just the one interview. I have been asked whether it 23 was appropriate to put Mr Carroll forward to Wandsworth 24 at all, or not to inform them about his previous 25 conviction. The Carroll report states that Croydon</p> <p style="text-align: center;">Page 141</p>	<p>1 Borough Council were aware of Mr Carroll's conviction, 2 as he and his wife had applied to Croydon to foster. 3 Wandsworth was informed by Croydon of Mr Carroll's 4 schedule 1 offence which he had not revealed to Croydon 5 or his wife. Wandsworth informed Lambeth that the 6 fostering application would be turned down for clear 7 legal reasons. This information must have been 8 available to Jack Smith and myself. 9 "Perhaps pressure from the children was influencing 10 the people who were making decisions about their future. 11 They had been in the home long enough to build up 12 a close relationship with Mr Carroll, which would have 13 been an asset if the home had been an appropriate 14 placement. 15 "Paragraph 176 refers to the allegation that I rang 16 Wandsworth Council at the request of the chair of 17 the Lambeth Fostering Panel, Jack Smith. 18 "It is suggested that, in this call, I said that the 19 assessment report relating to the police checks on 20 Michael Carroll should be deemed satisfactory and that 21 the chair of the Lambeth Fostering Panel would take 22 responsibility for this within Lambeth. 23 "I have also been shown the notes of 24 Bernadette Khan, dated 14 March 1988, from the 25 Wandsworth file on the fostering application. This</p> <p style="text-align: center;">Page 142</p>
<p>1 states: 'Brief discussion with Alison Barraball, 2 principal officer, who had already had discussions with 3 Brenda Jones, team leader, Lambeth Adoption and 4 Fostering Unit, as to the complications of the case and 5 which panel the report should be submitted to. It has 6 been suggested and agreed, in joint discussion between 7 Brenda Jones and Jack Smith, chair of Lambeth Adoption 8 and Fostering Panel, that my reports state against 9 police reference "satisfactory" and Jack Smith will take 10 personal responsibility for dealing with the matter at 11 his panel'. 12 "I accept that I must have made this telephone call, 13 as there would not have been any reason for Ms Khan to 14 have recorded this if it had not happened. I can say 15 that I would not have made that telephone call without 16 the involvement of Jack Smith. 17 "I would not have communicated that he would take 18 responsibility for the police reference as being 19 satisfactory without his knowledge, as Jack Smith was 20 senior to me. He was not in an administrative role, he 21 was a consultant, and a good one. He was then the chair 22 of the fostering panel. 23 "Looking back, I don't understand why I would have 24 made this call if Jack Smith had not agreed. There 25 seems to have been a huge amount of pressure to place</p> <p style="text-align: center;">Page 143</p>	<p>1 these children with the Carrolls. The Clough Report 2 details the actions taken by the children to influence 3 Lambeth to place them with Mr and Mrs Carroll. One 4 child sought help from a solicitor. Both children 5 complained to the complaints panel. Both children took 6 out a grievance under the procedure against Lambeth. 7 "I think such action would have been taken to 8 influence the borough's decision as to their future 9 placement in a family with whom they had a close 10 relationship. Pressure could have been felt by the 11 decision makers." 12 I pause there for a moment. Just for the benefit of 13 the transcript, the URN reference to this witness 14 statement is INQ005069. Returning to the statement: 15 "I have been asked whether the pressure might have 16 stemmed from the difficulty Lambeth faced in having 17 Wandsworth judge Michael Carroll as not fit to be 18 a foster parent because of his conviction when it had 19 retained him as manager of a children's home. I do not 20 recall the detail of that meeting but if the children 21 were there and asking to go to the Carrolls, that would 22 have created enormous pressure. 23 "I have been asked what view I now take of 24 Michael Carroll being permitted to remain as the manager 25 of Angell Road Home and Lambeth's support of his</p> <p style="text-align: center;">Page 144</p>

<p>1 fostering application in light of this. I regard the 2 decision to keep Carroll on as wrong. 3 "I have been asked whether it would be appropriate 4 for Lambeth to put Michael Carroll forward to Wandsworth 5 at all or not to inform Wandsworth about his conviction. 6 My view is that this was not appropriate if people knew 7 about the conviction. 8 "I have been asked by the inquiry why, at the time, 9 people within Lambeth did not appear to think that this 10 was wrong. I think that perhaps it was to do with 11 pressure. The conviction went back to conduct when 12 Michael Carroll was 16 or 17. I think that people found 13 it difficult to understand that a man who was 14 a paedophile could be in charge of a children's home. 15 There wasn't the knowledge then. You needed to know 16 that someone was a paedophile before you took that sort 17 of action. 18 "On my social worker course, we had one half-day 19 training on sexual abuse. Looking back, this was 20 inadequate. 21 "Internal investigation. 22 "I have been informed by the inquiry that after the 23 Clough Report a further internal investigation was 24 carried out which touched upon my role and that of 25 Jack Smith in the Carroll fostering application. I have</p> <p style="text-align: center;">Page 145</p>	<p>1 been shown INQ002206. This is a memo from David Pope 2 about the outcome of the internal investigation. I do 3 not recall this investigation. I do not recall being 4 interviewed by the internal inquiry. Although I note 5 that page 2 of the memo suggests that I was. 6 "My attention has been drawn to paragraph 1.11. It 7 states that Jack Smith could not recall having any 8 conversation with me in which the reference was made to 9 our asking Wandsworth if the reference could be stated 10 as 'satisfactory'. 11 "The Wandsworth social worker undertaking the 12 assessment of the Carrolls has said I made a phone call 13 to Wandsworth asking this question. She also said 14 Jack Smith would follow this by taking the application 15 to the Lambeth panel. I could not have said this 16 without Jack Smith's knowledge, as we are meeting 17 together. 18 "My attention has also been drawn to the last page 19 of the memo, which refers to me being reprimanded in 20 respect of the Carroll fostering application, but not 21 Jack Smith. I have no knowledge as to whether 22 Jack Smith was reprimanded or not. If not, as we appear 23 to have taken a decision together and he was senior to 24 me, it would be unfair to me. 25 "I received a letter from Verley Chambers a few days</p> <p style="text-align: center;">Page 146</p>
<p>1 before I retired from Lambeth with the reprimand. I had 2 not been interviewed by him, which would have been the 3 usual procedure. I understand that a copy of this 4 letter has not been found on the file." 5 That concludes the reading for today. 6 THE CHAIR: Thank you, Ms Kennedy. That concludes our 7 business today. Thank you very much. 8 (3.56 pm) 9 (The hearing was adjourned to 10 Monday, 6 July 2020 at 10.30 am) 11 12 I N D E X 13 14 DR JOSEPHINE KWHALI (affirmed)1 15 Examination by MS LANGDALE1 16 Statement of MS BERNADETTE KHAN27 17 (read) 18 MR MILLIUS PALAYIWA (sworn)42 19 Examination by MS BROWN42 20 Statement of MS PAULINE LAWRENCE67 21 (read) 22 MR ROBIN OSMOND (affirmed)72 23 Examination by MS BROWN73 24 Questions from THE PANEL107 25 MS PHYLLIS DUNIPACE (affirmed)111 Examination by MS LANGDALE111 Statement of MS BRENDA JONES (read)140</p> <p style="text-align: center;">Page 147</p>	

A				
aback 62:14	accommodate 110:2	132:19	72:24 111:13	allegations 10:23
abilities 136:5	accommodation 75:2 85:1	addresses 70:2	147:13,20,23	17:22 42:19
ability 6:23 31:2	accompli 28:25	adduced 19:3	afraid 56:24 57:1	51:24 52:21
103:8	account 23:5	adequately 38:9	91:7 98:16	61:22 64:1 92:19
able 5:10,15 15:23	117:13	75:4	101:12	93:9 94:16,25
17:8 18:16,19	accountability 38:22	adjourned 147:9	aftermath 75:9	106:16 119:24
20:18 22:13 23:2	accountable 117:10	adjournment 72:21	84:2	122:22 123:4
23:4 27:14 34:20	accurate 1:25	administer 44:22	afternoon 72:23	125:22 131:3,19
46:4 74:3 110:10	40:19 115:2	administration 113:16	age 104:4 136:17	137:9
117:14 121:11	138:1	administrative 143:20	aged 6:3	alleged 18:6,20
136:11	accurately 106:24	admirable 74:8	agencies 53:11	52:16 55:24 56:5
above-mentioned 32:20	106:18	admit 139:22	108:8,11 109:1	64:10 67:24
absence 6:17 70:5	accused 52:8,10	admitted 5:22	agency 65:12	94:23 100:9
absolutely 8:14	106:18	adopt 28:3 48:9	agendas 27:15	allocated 140:23
13:19 62:6 63:8	achieve 69:24	adopted 66:9	agent 69:21	allowed 8:5 46:17
77:21 107:3	107:10	adopters 38:18	aggressive 29:25	104:19
109:18	achievements 133:11	adoption 27:25	agree 12:23 13:19	allowing 26:15
abuse 10:23 11:2	133:11	28:14 29:14 32:9	20:15 48:1 49:3	alongside 81:9
13:8,11 14:2	achieving 3:3	33:11 39:23	62:11 64:18	alternative 8:4
16:3,13 17:10,12	act 69:21 100:13	41:11,13 140:25	agreed 6:18 18:22	89:11
19:14 23:14 39:7	106:13 140:24	141:2 143:3,7	19:1,12 47:7	ambiguity 52:12
42:19 43:3,7,18	action 20:25 84:5	adult 22:8,11	48:8,23 49:8	amount 24:15
44:19 45:15	98:15 102:13	107:20 114:6	50:3 59:17,18	75:13 136:15
50:12 54:17	123:3 128:12	116:17	62:13,18,21 63:2	143:25
55:24 58:13,18	137:11 144:7	adults 12:24	63:3,6,10,11	Amplify 9:3
63:17 68:10	145:17	advice 71:19 75:25	64:21 88:15	analysis 6:8
91:11,14 92:24	actioned 49:22	103:13,25 104:1	98:12 143:6,24	and/or 28:3 33:13
93:4,10 99:9	actions 17:20	104:2	agreeing 48:17	38:18 53:15
106:19 119:25	102:23 105:9	advise 67:16	50:9	61:24
122:22 123:4	144:2	advised 32:10	agreement 48:11	Andrew 90:6
124:13,16 125:5	active 76:22 113:6	33:23 71:14	49:2,19 123:23	Angell 19:5,9,10
125:10,22 131:2	actual 6:8 20:13	103:10 123:3,8	agreements 39:21	19:18 21:2,5
131:15,17,20,25	20:21 40:10	adviser/consulta... 44:19	ah 90:20	22:1 23:14 26:15
132:17 137:9,20	55:11	advising 31:18	aim 117:18	26:17,19 31:7
138:22,24 145:19	AD 24:18	32:12	aimed 114:20	33:20 78:15,16
abused 15:22	add 92:13 106:24	advisor 14:20	albeit 34:20 62:5	90:9 100:10,14
38:20 56:23	added 31:1 137:5	42:12 45:4 68:18	68:20	114:16 115:3,4
accept 61:1,1	adding 59:12	69:11,11,21	alerted 14:1	116:3,5 125:16
143:12	additional 59:12	70:18 71:8 92:3	alerts 89:10	130:10 144:25
accepted 71:25	124:13	95:17 96:24	Alison 143:1	anger 30:3
95:12 103:16	Additionally 56:3	advisory 112:1	alive 5:8	angry 29:25
accepting 7:14	57:25	affairs 85:2	allegation 13:14	Anna 33:7
32:21	address 51:19 59:1	affect 75:6	14:6,24 15:4	Anne 46:10 71:25
access 40:2,17	106:13	affirm 42:1	19:14 20:3,16	95:22
46:14 105:20	addressed 64:13	affirmed 1:11	43:7,14 51:1,8	anonymous 100:7
120:16	100:7 101:21		52:14 56:1 59:14	100:13
accessing 105:25			91:13 94:3 99:9	answer 4:22,23
			104:24 122:15	60:22 80:25
			137:3 142:15	93:11 115:2

<p>answerable 75:5 antecedents 31:15 anxieties 57:1 anxiety 58:10 anybody 46:5 65:25 68:10 anymore 5:8 118:9 anyway 23:25 apathy 82:3 Apologies 26:21 apologise 90:14 93:5 apology 139:8,11 appalling 74:13 99:16,24 apparent 70:5 85:10 apparently 8:3 62:10 appeal 126:25 appear 20:5 30:25 85:3 91:16 124:11 145:9 146:22 appeared 35:17 36:19 37:18 39:16 63:1 appears 50:10 56:6 85:10 88:4 96:17 97:10 98:11 100:23 Appleby 119:15 application 28:7 28:12,16,20,24 29:5,6,23 30:9,14 31:10,14,16,23 31:25 33:14 34:2 34:23 37:2,10,21 37:24 38:7 40:2 40:17,24 41:2,4 41:14,15,16 101:14,22 129:20 129:22,25 130:4 130:6 141:11 142:6,25 145:1 145:25 146:14,20 applications 31:5 41:13 129:15,17 applied 31:6 33:23</p>	<p>68:21 70:12,13 97:14 140:15 142:2 apply 6:24 applying 101:17 appointed 2:25 6:17 27:18 33:2 82:11 95:17 approach 29:24 41:9 57:5 77:12 108:12 approached 36:23 56:25 appropriate 7:9 39:3 43:20 46:14 56:4 82:14 93:18 103:13 128:25 141:23 142:13 145:3,6 appropriately 106:13 117:10 approval 99:14 approve 64:25 67:24 89:5 approved 130:13 approximately 27:20 73:13 78:19 April 73:13,14 88:11 area 8:1 45:15 75:12 89:4,13 108:15 115:23 140:13,23 141:16 areas 47:8 arisen 47:9 arising 4:3 58:11 63:1 arose 73:18 121:12 arrangement 130:14 arrangements 43:12 arrested 136:20 arrival 7:13 arrived 72:6 84:20 article 136:6,8,13 137:21 138:3,14 aside 3:2</p>	<p>asked 24:22 28:7 39:24 40:5 42:16 45:21 61:14 63:12 67:23 68:4 68:7 70:17 97:16 105:16 119:22 120:13 126:23 127:3,25 140:3 141:10,22 144:15 144:23 145:3,8 asking 34:9 83:5 112:10 133:6,19 144:21 146:9,13 aspect 56:13 aspects 109:10 assault 101:24 assess 28:7,15 85:19 assessment 28:12 29:8,16,18,20 30:2 31:22 32:6 32:7 33:1 36:14 38:14,18 40:1 80:21 83:15 142:19 146:12 assessments 28:2 asset 142:13 assigned 28:15 assist 90:25 91:3 92:4 98:13 100:25 101:11 102:17 105:10 113:2,6 121:11 128:19 assistance 108:20 assistant 2:16 9:10 9:21,23 10:4,10 12:5 20:11 38:4 68:15 81:12 87:24 92:11 93:23 assisted 3:3 51:24 102:8 associate 139:10 associated 25:9,24 76:3 89:21 association 10:6 35:23 assume 4:3 23:7</p>	<p>99:13 assumed 34:9 71:7 98:8 assuming 71:15 astonished 37:6 atmosphere 74:9 74:11 attempt 141:7 attempted 107:19 108:1 attempting 7:2 107:21 attempts 127:12 attend 18:19 27:14 60:21 attended 21:23 95:20 attention 75:21,22 80:16 88:6,9 89:9,15 120:20 130:22 146:6,18 attitudes 6:22 audit 100:23,24 101:1,2,4 August 30:12 40:15 60:17 69:14,15 95:2 96:17 125:25 authoritarian 29:24 34:21 authority 39:3 44:16 66:9 74:25 97:14 availability 59:4 available 6:8 73:24 80:3 99:2 122:25 123:10 124:20 142:8 avenue 57:7 aware 10:11 12:3 13:23 19:16,22 20:13 23:15,21 24:2 31:23 34:15 35:8 36:13,22 39:4 41:12 48:18 48:20 50:13,16 50:19,22 58:20 58:24 60:13 64:9 65:2,9,18 77:14</p>	<p>82:7 84:13,14 85:5,7 86:20 91:2 94:10,11,15 94:22 101:25 104:5,25 105:18 105:23,24 106:6 121:13 129:5,8 129:16 130:3,9 130:12,16,25 131:3,5 132:4,20 133:9 138:21 142:1 awareness 13:4 58:16 63:23 134:16 awful 26:1</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>back 10:7 15:18 16:16 24:6,11 27:6 39:10 41:19 71:7 80:10 81:15 83:17,20 92:6 99:17 100:5 101:6 111:25 115:1,10 117:12 117:16,20,22,24 121:20 126:22 127:15,16,21 128:13 133:10,14 134:15,20 136:25 137:2 138:6 140:19 143:23 145:11,19 background 4:9 12:7 88:23 backgrounds 105:19 bad 5:23 6:5,5 7:25 82:2,24 83:4 badly 138:13 balance 72:7 103:22 106:16 110:2 balanced 103:20 Bannister 46:10 71:25 Bannister's 95:22 Barnardo's 12:12</p>
--	--	--	--	---

<p>Barraball 143:1 based 27:19 basically 6:18 19:17 basis 19:9 20:5,24 28:1 83:9 89:5 101:23 102:18,18 103:10 bear 129:10 bearing 48:22 bears 75:1 becoming 58:19 58:23 94:10,11 began 70:15 113:1 beginning 139:9 behalf 37:15 106:17 behaviour 11:14 11:16 132:7,10 belief 40:19 42:9 73:5 85:16 believe 5:22 6:25 18:11 37:20 38:8 45:22 46:10 47:25 70:6 73:12 80:10 81:4 91:15 107:18 141:5 believed 28:9 76:8 85:21 86:14 87:9 benefit 106:11 144:12 benefited 118:19 benefits 69:25 Bernadette 27:9 27:10 142:24 147:15 best 7:8 8:7 40:19 42:8 73:4 106:15 107:6,6,7,10 110:22,22 113:12 113:17 122:10 136:5 betrayal 37:15 better 3:3 14:9 18:3 25:4,8 88:15 89:2,11 134:5,8 139:4,4 Bexley 141:2 bid 124:12</p>	<p>big 119:13 134:2,4 Bill 45:25 47:20 48:5,10 Birmingham 12:11 birth 104:14 bit 25:3 27:6 55:17 55:18 64:16 122:5,6 blank 98:21 blanket 13:14 blatantly 38:20 bleak 109:10 blight 100:15 board 61:17 62:23 Boateng 68:17 Bodleian 66:11 book 116:23 booklets 75:25 76:4 borough 27:19,25 31:13 69:8 70:1 108:9 109:11 142:1 borough's 144:8 boroughs 54:15,17 bottom 53:9 57:13 74:20 122:21 boundaries 119:3 boys 33:5 34:23 36:3,6,11,17 41:4 41:5,7,9,17 141:12,17 boys' 29:11 32:3 breach 38:19 breaches 37:6 break 9:1 16:14,19 16:25 27:5 41:22 111:10 breakdown 85:14 Brenda 28:24 139:25 140:2 143:3,7 147:25 brief 39:2 69:9 143:1 briefly 2:10 19:6 113:10 bring 8:10 15:13 119:12 133:21</p>	<p>broad 78:1 brothers 28:21,25 29:3 brought 6:10 39:12 94:16 96:5 129:10 130:22 134:3,5 Brown 41:24 42:3 42:4 66:13,15 67:1,10 72:18,23 73:1,2 93:2,7 107:11,14 111:4 111:8 147:18,21 buck 65:15 budget 4:1,3 80:4 100:18 124:14,16 budgetary 3:16 4:2 5:6 budgetary/strat... 9:24 build 142:11 buildings 79:20,23 80:1,17 built 133:25 bundle 50:19 64:16 business 63:14 147:7 busy 117:18,20 button 67:3 Byron 84:19 85:9 86:1</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>call 1:7 32:22 50:24 71:15 74:19 95:18 98:18 102:16 111:12 142:18 143:12,15,24 146:12 called 21:19 45:5 46:5 72:3 85:23 92:22 110:8 137:13 140:17 calling 70:22 camping 35:24 36:11 candidate 37:12 candidate's 106:2</p>	<p>capabilities 25:7 capacity 111:25 140:6,24 care 5:24 6:4,15 7:2,8,14 8:16 10:12 12:24 18:13 21:16 30:1 30:2 37:9 43:4 74:7 75:3 76:12 76:14 80:5,7,9,22 82:5,8 87:5,6,13 90:10 107:8,20 107:22 113:13 125:9 126:20 129:15,21 132:18 133:7,18 140:8 141:13 cared 87:18 115:12 career 8:20 10:8 68:20 140:4 careers 140:12 caring 10:25 133:22 carried 39:9 86:15 145:24 Carroll 21:4,15 28:9,16,17,19,22 29:23 30:3 31:8 31:19 33:17,20 33:25 34:8,11,18 35:2,14,22 36:6,9 36:10 37:4,7,17 41:6 94:22 95:3 95:4,8 99:25 100:9,16,17 101:9,14,22 102:5,9 103:3,11 103:18 104:4,15 104:19 105:3,8 105:17 106:4 115:5 125:16,17 126:8,14 129:3 129:12 130:12 141:9,12,16,18 141:23,25 142:12 142:20 144:3,17 144:24 145:2,4 145:12,25 146:20</p>	<p>Carroll's 23:7 30:17 31:2,15,22 32:1,10,14 34:16 35:9 112:15 129:15 141:7 142:1,3 Carrolls 29:4,12 30:16 31:6,9 32:4 33:4,6,23 34:1,5,7 35:7,20 36:3,17 37:24 41:13 144:1,21 146:12 Carrolls' 28:12 29:1,5,9 31:4,25 34:22 36:1,4 37:2 40:1 carry 79:18 carrying 27:15 28:2 case 13:13,21 14:3 20:7,10 37:16 38:1,8,24 40:17 40:23 43:5 53:12 55:12 72:7 88:3 88:7 89:8,9,17,21 90:3 91:6,8,18 92:23 93:12 95:15 98:25 99:25 107:23 118:18 123:4 135:19 137:14 143:4 cases 8:11 11:11 13:8,23,25 24:8 33:19 58:13 61:22 70:12 82:3 98:24 119:21 131:3 137:10 caught 3:17 135:13 cause 8:1 30:24 38:24 83:17,18 caused 74:12 75:10 102:5 cent 22:11,14 137:6,19,22 central 69:16,17 centre 26:16,19</p>
---	--	--	--	--

<p>130:9 centred 28:20 centres 54:4 certain 3:6 56:25 61:25 80:17 108:20 certainly 22:18 47:4 52:15 84:14 96:16 101:3 102:2 104:4 130:15 certificate 1:17 cetera 108:16,17 123:19 chair 1:3,6 16:9,17 16:19,20,23 18:24 26:3,4,6,7 26:9,11,22,24 27:1,7,8 33:7 41:18,20 42:17 44:8,22 45:6 49:6 62:25 66:13 66:15,17,18,20 66:22 67:1,5,23 68:17 72:13,17 72:18 107:14,25 108:4,5 109:4,6 110:25 111:4,7 111:12,20 112:11 114:3,14 118:9 118:14 120:2,9 121:15 122:20,24 123:8,13 124:6 124:18 130:17 131:2,12,16 132:17 138:18,20 139:5,6,14,16,17 139:18,20 142:16 142:21 143:7,21 147:6 chaired 75:10 77:5 77:6 94:17 95:14 103:6 chairing 44:23 108:14 chairman 65:6 97:21 103:22 chairmanship 45:2</p>	<p>chairs 107:16 chairwoman 136:23 challenge 117:9,14 122:13 challenges 4:10 challenging 3:13 3:24 Chambers 38:4 146:25 chance 106:21 chances 39:18 change 9:7,9,16 11:10 25:6,24 55:25 69:21 76:5 76:7 87:17 96:5 96:7,12 106:22 130:18,20 changed 96:10 changes 59:8,11 75:19 channels 80:13 chapter 74:21 charge 71:18 72:12 91:21 93:15 102:6,20 105:4 118:10,11 127:17 128:8,10 145:14 charged 136:22 charges 96:22 charitable 101:10 chatted 115:24 check 26:4 32:11 36:12 66:15 checked 134:17 checks 31:14 32:12 142:19 chief 32:18 42:16 43:20 45:23 47:14 50:4 59:19 59:22 61:10,12 61:14 63:9 65:11 65:11,14,23 66:2 66:5 98:7 124:23 child 8:13 15:22 17:25 19:7,8 20:2,18 25:15 33:8 39:7 42:19</p>	<p>43:3,4,6 44:18 45:15 46:9 50:12 53:13,18 54:16 57:9 58:13 63:17 68:10 74:16 75:2 76:3 80:22 88:5 88:7 89:10,13 91:11,11,14 92:4 92:23 93:4,8,9 95:20,23 98:23 98:24 107:20 108:16 116:4 119:25 122:22 123:4 124:13,16 125:4,10 127:10 131:17,20 134:25 135:25 137:6,9 137:18,20,22 138:21,24 139:1 144:4 child's 20:1,19 56:8 98:25 child-focused 10:25 childcare 1:17 2:8 8:21 33:19 childhood 31:3 childless 28:17 children 3:4 5:22 5:25 6:1,3 7:1,7 7:13 8:6,14,15 9:19 10:12,19,21 11:1,5,11,14,17 12:3,14,23 13:8 13:10 16:3 23:15 24:13 25:6,14,21 28:3,13 30:1 31:2 33:2,19 34:4,7,19,19 35:13,14 36:15 37:9,15 38:12,16 38:23,25 39:12 39:15 41:12 46:8 53:13 59:6,12 61:22 64:4 65:7 74:7 78:8 80:6 81:13 83:16 84:11,15,25 85:5 85:12,20 86:7,12</p>	<p>86:21 87:1,4,6,17 87:22 93:10 98:21 99:8,13 101:15 103:4 104:24 105:2,4,5 105:20 106:17 107:8 110:13,23 113:12,25 115:13 115:16,19 116:1 116:11,13 119:25 120:15 122:6 125:9 128:8,22 129:18 130:12 131:16,25 132:7 132:10,18 133:5 133:7,12,14,15 133:18,18 134:8 134:18 135:9,13 136:18 137:6,19 137:22 138:7,12 140:8 141:8 142:9 144:1,2,4,5 144:20 children's 2:14,16 2:18 4:7,11,14 6:25 7:11 9:6,12 9:20 11:7,22 14:17 24:16,23 25:1 27:15 28:20 28:22 31:7,20 32:2 33:20,25 34:10 35:5,6 38:11 39:5,8,8 42:19 76:16,20 76:21,23 77:17 77:18,23 78:1,4 79:8,14,15 80:14 80:15 81:11 82:20 83:12,14 84:4,6 86:9 87:1 87:13,15 100:10 100:14,18 102:7 112:17 113:10,18 113:19,21,23 114:6 118:12 127:17 130:19,21 134:11 138:8 144:19 145:14 CHILE 67:21 68:1</p>	<p>chose 106:5 117:4 chosen 30:20 34:3 Chris 88:10 chronology 64:17 chuntering 9:13 circular 105:18 circumstances 6:24 30:18 43:2 43:24 53:17 55:12 56:25 78:1 82:13 85:20 86:13 93:21 97:22 107:5 108:21,23 110:10 123:2 135:17 citizen 133:17 citizen's 133:17 citizens 133:20 claim 74:24 Clapham 71:24 clarity 28:9 31:21 Clarke 67:2 69:4,6 70:17 71:22 96:24 clear 4:11 8:24 16:11 22:11 25:17 40:5 48:13 48:15 63:8 65:2 74:8 77:10,21 93:1,5,8 103:16 107:4,9 122:25 127:6 141:17 142:6 clearly 6:5 15:12 15:18 18:10,17 22:10 25:22 49:16 71:3 92:8 93:17 118:3 128:14 client 51:9,14 clients 53:25 107:22 close 6:14,19 25:1 142:12 144:9 closed 10:13 11:6 11:13 12:1,2,7 114:19 closely 110:2 closest 105:7</p>
--	---	--	---	---

<p>closing 37:16 38:1 38:8 132:14 closure 11:15 77:22 78:3 84:2 110:5 132:5 closures 12:11 Clough 21:22 22:6 22:10 39:25 100:2 103:17,20 103:21,24 104:17 104:19 141:15,19 141:21 144:1 145:23 Clubs 35:23 co-authored 5:18 co-opted 27:11 co-ordinated 13:24 20:13 collaborative 77:12 colleagues 48:7 collect 53:15 collectively 119:19 College 33:22 combination 110:4 Combined 35:23 come 3:9 13:12,22 15:2,11,24 27:6 30:17 35:4 41:19 45:21 49:2,11,20 50:7,11 52:3 54:24 62:16 77:13 80:10 88:5 103:4,24 119:7 comes 128:21 138:2,3 comfortable 57:5 coming 7:7 47:19 116:23 commander 108:19,19 commend 7:20 comment 52:13 68:1 82:11,14 89:25 136:8 137:21,24,25 commented 71:14 82:9 108:22 comments 6:24</p>	<p>40:6 68:9 90:7 110:18 commission 124:22 commissioned 124:19,22 commitment 8:22 79:1 110:19 committed 25:21 74:6 103:11 104:5 113:11 126:8,14,20 committee 6:13 27:12 39:7,10,11 50:6 52:3 60:1 60:15,19,22 61:4 61:7,8,9,11 62:3 62:7 65:22 76:15 76:18,25 98:1,4 98:14 101:1,2,4 108:16 111:20 112:11 113:22 120:2 122:19 123:8,16 134:16 134:16 136:1,23 committee's 77:2 committees 108:15 118:6,7 135:21 communicate 18:7 18:12,16,17 communicated 24:10 143:17 communication 18:3 43:6 53:19 85:15 86:17 92:4 121:12 communications 31:24 communities 12:10 70:1 community 11:8 118:10 community-based 77:22 compared 117:24 compellingly 72:8 competency 30:4 competing 3:18 4:9</p>	<p>complain 74:22 complainant 51:17 72:4 91:17 complained 144:5 complaining 53:2 complaint 43:25 51:14 53:2,18 63:23 67:25 91:11,23 95:11 97:23 complaints 13:11 44:1 51:21 53:24 133:21 144:5 complete 28:9 29:16,18 123:23 completed 58:1 completely 16:17 19:24 65:2 completion 29:8 29:20 70:21 120:11 complex 43:7 91:12 99:8 120:1 133:19 complexities 31:25 complexity 58:12 complications 143:4 composed 15:19 compounded 70:11 comprehensive 54:20 concentrated 3:5 concern 8:2 11:17 22:20 30:24 38:25 57:10 64:13 74:12 83:17,19 88:4 97:2,5 131:14 concerned 1:25 3:23 18:1 23:18 34:23 37:17 50:11 51:22 85:17 91:21 102:22 105:1,5,6 107:9 120:25 129:11 135:24 136:4 137:8</p>	<p>141:6 concerning 43:6 88:22 100:8 123:4 concerns 8:10 10:12,15 29:22 33:8 35:13 39:12 44:24 48:25 62:3 63:24 64:11,20 64:24,25 65:3,8 89:12 95:5 97:7 106:14 133:21 141:15 conclude 139:23 concluded 15:1 49:6 75:9 concludes 41:18 72:17 139:20 147:5,6 conclusion 1:9 15:11 72:6 88:25 conclusions 97:1 concurred 48:13 condition 53:5 80:16 conditions 81:20 82:1,5 83:16 conduct 53:7,14 99:22 100:10 145:11 conducted 54:8 92:1 conducting 99:19 confide 56:24 confidence 33:6 53:4 103:7,15 128:5,6,11 135:10 confident 133:4,5 133:5 confirm 1:24 32:25 39:21 40:9 40:18 41:8,12 55:10 73:3 104:13 confirms 41:3 conflict 50:16 63:16,19 confusion 61:24</p>	<p>conjunction 45:23 58:2 connection 16:17 connections 17:21 65:17 consent 99:3 consented 99:1 Conservative 135:14 consider 14:10 31:21 46:14 76:17 79:23 83:20 106:24 considerable 6:2 8:1 9:7 29:11 36:16 75:11 considerably 100:3 consideration 34:3 61:24 118:4 considered 34:5 40:21 59:8,11 63:19 99:18,19 104:23 123:1 139:2 considering 66:8 80:4 consisted 28:2 consolation 8:14 constant 68:25 constitutionally 75:5 consult 30:10 consultancy 50:18 63:15 consultant 44:11 143:21 consultative 140:24 contact 16:8 32:24 32:25 33:13 38:5 65:20 107:21 128:22 contacted 130:7 contacting 38:3 contacts 120:19 129:5 contained 29:5 96:2</p>
---	---	---	--	---

<p>contemporary 103:17 content 49:1 60:11 contents 1:24 context 56:17 81:2 109:18 112:12 137:20 continue 38:12 90:5 104:20 continued 28:1 64:11 97:3 continuing 30:3 80:1 83:12 86:19 120:18 contribute 49:12 contributed 49:25 73:20 83:13,22 contributions 62:17 control 84:24,25 controlled 87:19 controls 34:20 conveniently 52:4 conversation 115:25 116:2,4,8 116:9,16 146:8 conversations 10:20 11:23,25 convey 60:6 61:12 107:1 conveyed 22:19 conviction 21:21 22:1,2,3,6 30:18 31:18 32:1,15 34:16 35:9,12 37:5,8,12 101:24 103:3 127:5,7,13 127:18 128:16 141:25 142:1 144:18 145:5,7 145:11 convince 49:3 convinced 71:23 copies 27:14 120:14 copy 66:7 95:21 147:3 corporate 33:9 corporately 74:25</p>	<p>119:12 correct 14:14 40:14 42:11 47:5 47:16 73:11 81:4 91:14 correctly 20:17 21:22 35:18 41:3 92:17 119:11 correspondence 31:11,17 64:15 64:22 88:4 council 3:13 17:24 23:22 27:19,25 28:5,7,10 31:17 32:19,20,24 33:1 33:16 34:24 36:23 39:20 41:16 65:15 67:12 70:2,6,16 71:6 73:9 77:20 79:25 107:8 110:9 111:18,23 112:18 139:9 140:12 141:13 142:1,16 council's 129:12 141:2 councillor 33:6 68:17 111:18 112:11 113:3,14 114:3 116:12 126:17,21 131:14 135:6,12 137:5 137:13 councillors 3:24 66:1 112:22,23 113:7,9 117:7 118:19,22 120:10 121:4,5,6,10 127:1 129:7 135:2,15 136:4 138:11,24 councils 80:4 133:7 counted 38:14 counterargume... 72:5 country 58:18 County 140:12</p>	<p>couple 28:17 29:22 31:12 34:3 36:7 38:13 couple's 30:23 34:14 course 13:10 19:23 22:5 33:21 44:23 44:23 61:2 72:11 74:14 76:7 100:2 104:12 119:15 125:13 140:15,16 140:17,18 145:18 course' 140:17 coverage 74:15 covered 63:12 covering 50:5 59:21,24,24 CQSW 44:16 created 56:19 144:22 crime 138:25 criminal 12:25 22:1,3 105:19 106:2 crisis 83:22 critical 52:8 92:21 93:16 95:12 119:11 criticise 96:25 criticism 93:13 Croydon 31:10,11 31:13 34:8 39:17 39:20 41:16 101:15,18,21,23 102:19 103:2 129:25 140:18 141:25 142:2,3,4 culture 10:22,22 68:12,13,25 70:2 70:6 133:10 currently 51:13 curve 112:24 113:4 cut 74:9 cuts 110:8 CWH000012_015 120:6</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>D 147:12</p>	<p>damaging 68:14 damning 8:8 danger 35:13 dangerous 25:13 date 29:12 30:21 73:12 104:14,14 dated 1:21 31:11 32:19 40:7,14 42:5 73:3 84:17 100:7 112:5 120:7 142:24 David 4:5 21:14 103:6,15 146:1 day 1:3 11:8 12:10 26:17 65:21 79:9 114:6 123:15 day-to-day 25:16 57:8 109:16 daycare 2:12,14 9:6,12 11:22 26:16,19 130:9 130:14 days 17:5 35:3 78:25 83:25 84:7 123:1 146:25 deal 14:3 30:21 68:11 75:15 76:12,16 119:2 139:3 140:8 dealing 21:2 32:10 42:18 45:2 46:22 68:9 91:13 93:3 107:5 118:17 143:10 dealings 45:12 deals 38:9 dealt 20:16 32:13 52:9 87:16 92:23 131:17,20,21 132:21 137:10 death 75:8 debates 135:22,23 136:2 December 40:22 67:14 81:14 131:11 decide 10:7 decided 9:4 24:25 48:9 73:17</p>	<p>deciding 23:5 decision 9:1 13:14 20:24 26:20 36:18,24 37:3 38:10 71:4 72:11 90:25 96:10,12 103:5,8,10,16,21 103:23 117:8 144:8,11 145:2 146:23 decision-making 37:1,18 decisions 68:19 72:10 142:10 dedicated 74:5 deemed 142:20 deep 37:14 deeply 30:22 34:1 96:3 137:8 defend 60:25 135:13 definitely 63:4 115:8 degree 56:21 delay 20:15 delivered 59:22 98:9 delivery 4:17,25 68:15 109:16 demanding 109:20 demonstrated 15:18 denial 13:15 30:20 department 38:4 45:23 51:7 59:3 74:4,5 75:12,18 75:22 76:1 77:15 82:12,16 85:24 85:25 93:22,24 97:14 110:14 112:1 119:9,10 140:7 department's 77:11 departmental 17:22 39:13 112:25 departments 27:23 70:8</p>
---	--	---	--	--

<p>119:13 departure 84:21 depends 13:16 depiction 40:20 deposited 66:10 depth 97:22 deputy 111:23 118:8,10,15 describe 3:12 68:25 described 19:11 22:2 35:10 44:18 54:22 81:2 99:23 107:17 describes 119:18 describing 25:12 desire 30:9 desk 71:11 despite 14:21 32:15 77:11 106:6 110:18,21 127:4 detail 50:7 55:5,11 55:17,18 126:9 126:10 127:3 144:20 detailed 75:25 92:20 details 35:16 60:24 104:9 126:16,18 126:19,23 127:5 141:15 144:2 detectable 58:10 detective 136:16 devastating 138:25 develop 108:13 developing 68:23 69:23 development 3:15 8:23 42:13 57:16 57:21 DHSS 39:4 died 74:13 difference 15:6,8 15:17 16:6 different 9:18 15:7 15:9,10 24:12,15 77:25 79:7 82:4</p>	<p>103:5 111:25 119:6 131:22 133:10 differently 24:8,12 134:21,22 135:1 difficult 3:8 4:16 difficulties 7:16 43:6 53:20 83:13 92:5 93:4,8 105:25 110:19,21 122:2,11 133:16 140:9 difficulty 144:16 direct 23:13 55:25 76:9 88:2 directed 32:15 direction 10:8 68:19 82:2 119:14 directions 2:21,22 2:24 3:1,2 9:18 directly 30:10 36:23 91:13 director 2:16 4:5 9:10,21 10:4,10 12:6 20:11,11 38:5 44:12,14 45:24 68:15 70:22 71:8 73:8 81:12,22 83:7 85:12 86:3,6 87:16,24 92:11 99:4 100:6,8 109:12 120:13,18 120:21 121:18 125:24 126:11 128:24 133:6,12 director's 93:23 directorate 31:24 37:19 42:12 43:12 45:9 46:7 46:18 47:2 67:13 75:7 77:6 directorates 75:3 119:17,18</p>	<p>directors 9:23 68:15 disagree 128:14 disagreed 29:17 disappointed 34:1 discernible 70:5 disciplinary 15:24 18:19 20:21,25 22:22,23 23:4,8 64:7,9 70:18,21 71:2,18 94:21 95:2,3 96:21,25 102:11,13,15,19 102:25 103:6 108:2 110:12 112:15 125:24,25 126:2,3,5,18 127:3 128:25 discipline 23:1 67:19 disciplined 102:10 disclose 102:23 disclosed 102:14 disclosure 19:10 19:12,19,25 20:20 53:14 105:19 123:11 discount 101:10 discrepancy 83:20 discuss 17:12 77:13 80:11 discussed 11:16 48:7 49:1 66:10 70:25 105:6 126:12 discussing 49:23 105:17 110:5 discussion 13:15 15:3 30:15 35:1 86:17 131:18 135:23 143:1,6 discussions 11:2 18:15 91:5 105:9 135:23 143:2 dishonesty 37:11 dismiss 106:6 dismissal 37:13 103:14 dismissed 102:6</p>	<p>104:21 126:6 dismissive 35:9 disprove 14:24 dispute 62:25 disqualified 3:25 63:20 112:23 113:7 disseminate 127:25 dissent 48:18,20 dissented 123:22 dissenting 49:4 distance 131:24 distanced 45:9 distinct 71:10 distress 75:11 distressed 36:19 disturbing 88:22 division 11:20 81:13 86:14,18 Doctorate 1:18 document 7:21 8:17 40:8,13,24 56:12 58:7 59:9 81:9 84:10 88:6 92:17 98:18 100:11 131:9 132:8 136:7 documentation 29:6 35:17 38:2 125:2 documents 13:15 40:3,7 46:13,15 46:17,19,21 65:19 89:18 98:5 98:6,11 102:9 104:3,11,12,13 105:1 106:12,20 132:16 doing 49:15 71:5 87:22 113:12 116:16 138:16,16 dominated 75:15 door 90:7 Doubtless 109:8 doubts 121:25 Dr 1:7,9,10,11,20 2:2,17 4:19 5:10 5:12,17 8:18</p>	<p>16:15,18 17:2 26:12,13,22,24 72:1 98:22 132:8 147:13 draft 47:16,18,22 48:13 63:6 98:12 drafted 47:4 drafts 47:12 dramatic 87:14 draw 118:24 drawing 80:16 drawn 45:19,22 120:20 146:6,18 dreadful 17:16 drifting 8:16 due 81:25 Dulwich 140:19 Dunipace 111:12 111:13,16,17 112:8,13 120:9 122:19 123:12 132:4 136:11,13 136:24 137:5 138:17,20 139:7 139:18 147:23 Durrant 81:12 Durrant's 83:1 duty 52:11 66:2 96:1 99:15 dynamics 30:23 dysfunctional 119:18</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>E 147:12 earlier 24:24 36:13 72:14 91:4 114:17 125:13 earliest 53:12 55:23 early 2:9 27:11 35:2 60:17 68:20 70:16 73:15,18 77:19 78:25 84:7 East 12:12 easy 7:2 115:25 economic 42:13 educate 69:22 education 1:18 13:5 44:15,16</p>
--	--	---	--	---

<p>53:11 112:1 educational 39:18 effect 9:7,16 49:24 109:15 effective 76:18,22 76:24 effectively 85:6,8 effects 119:25 effort 106:12 efforts 110:20 119:14 eight 27:20 either 23:19 24:8 25:23 26:1 36:22 44:25 57:8 60:25 97:3 138:15 elderly 27:21 61:23 140:20 elected 4:2 27:13 60:23 61:25 62:3 75:5 107:16,19 108:1 112:23 elements 9:12 elicit 122:9 eliciting 20:17 Elizabeth 119:15 emerged 17:18 emerging 13:9 emotional 30:18 31:3 emphasis 134:23 employed 28:14 28:23 69:7 employee 37:7 45:8 65:15 67:18 employees 45:8 69:25 70:9 106:18 employer 31:18 employers 97:18 employment 28:1 28:6 40:11 64:2 64:12 68:22 69:1 69:7 71:12 97:3 97:4,6 129:12 enabled 117:21 128:17 enabling 7:4 79:25 encourage 108:12</p>	<p>encouraging 118:3 endorsed 30:15 49:16 enduring 8:22 energy 75:14 110:19 engage 58:22 engaged 21:17 49:15 engagement 53:14 enlarge 5:14 120:8 enlarged 42:24 enormous 144:22 enquired 134:12 136:5 enquiries 108:24 enquiry 135:17 ensure 15:14 59:13 67:3 87:2 87:17,19,22,25 ensuring 106:17 enthusiasm 110:20 entirely 4:1 10:17 26:18 92:13 entry 131:23 envelope 68:2 environment 25:23 equal 69:23 equally 3:7 87:18 equipped 3:18 Ermin 44:14 especially 18:1 43:16 112:24 122:1 essentially 2:25 23:9 43:22 establish 78:12 established 72:8 72:12 96:22 establishing 54:16 establishment 35:15 58:1 establishments 43:17 55:15 85:18 estate 114:5 et 108:16,17 123:19</p>	<p>ethnic 15:5 evaluate 117:23 EVANS 26:10 66:21 109:7 110:24 139:17 event 75:13 93:17 114:9 events 40:20 100:5 110:4 141:14 evidence 1:8,9 18:21,22 19:2 27:2,4,9 39:25 53:15 71:25 74:16 86:25 87:12 91:20 92:2 99:18 106:21 109:9 122:13 123:12 136:17 137:4 139:7,20 evident 18:14 30:20 evolved 82:22 evolving 83:3 exacerbated 8:12 exact 73:12 exactly 58:25 94:5 examination 1:12 42:3 73:1 98:25 99:9 111:14 147:14,18,21,24 examinations 98:23 99:2,3,19 99:22 examine 14:25 examined 83:10 98:22 example 6:25 114:16 124:12 128:7 excessively 4:8 Excuse 92:25 executive 32:19 42:17 43:20 45:23 47:14 50:4 59:19,23 60:17 61:10,12,14 63:9 65:11,11,14,24 66:2,5 98:7 124:23</p>	<p>exercises 110:8 exist 5:24 51:10 85:2 existing 43:12 exists 51:13 expanded 37:15 expect 91:16 121:22 expectation 9:21 expectations 32:3 expected 9:24 60:21 70:10 84:4 85:21 87:8 93:25 130:16,20 131:21 expecting 29:3 expensive 12:13 experience 10:3 25:3,20 37:20 80:21 113:2,5 117:25 experienced 11:18 experiences 9:5 11:17 30:2 expert 46:9 92:4 95:16,22 expertise 30:4 44:25 45:15 47:8 115:23 122:9 experts 44:21 45:7 46:16,19 47:7,12 47:25 72:2 explain 52:23 67:21 134:7 141:5,10 explained 34:22 35:2,8,21 explaining 86:1 explains 140:4 explanation 15:2 explore 30:21 54:15 83:19 expressed 92:9 131:14 expressly 132:1 extended 29:10 88:16 extent 81:6 82:20 external 137:14 extra 46:17</p>	<p>extract 74:21 100:2 extracts 67:6 69:3 138:14 extraordinary 68:14 extremely 3:14,24 74:5 84:1 109:19</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>fabric 79:19,22 fabrication 61:23 face 57:4 95:9 110:16 faced 104:24 144:16 facilitates 51:14 facilitation 52:25 facilities 8:5 fact 13:1 15:25 18:8 40:10 46:6 47:15 49:21 50:17 51:25 58:25 62:9 63:22 66:6 89:3 92:21 96:22 98:12 99:8 101:8 102:14 104:3,13,15 106:12 140:9 factor 11:14 factors 37:9 82:1 facts 14:10 37:11 failed 35:12 137:11 failing 3:10,25 failings 70:4 failure 4:3 75:3,4 85:11 102:22 119:12 fair 15:15 106:16 106:18 fairly 12:15 24:25 109:10 fairness 127:4 fait 28:25 familiar 5:17 23:25 43:8,10 56:22 57:4 familiarising 78:10 79:11</p>
---	--	--	---	---

<p>families 8:15 family 7:3,4 15:8 15:14 18:2 56:5 56:9 91:17 144:9 far 1:25 3:22 4:24 13:5,23 16:11 20:21 21:21 34:22 36:22 45:11 50:13 60:13 75:24 81:5 95:15 117:12 120:17,25 121:13 129:5,11 fast-moving 109:20 favours 57:6 fear 57:6 feasible 90:10 February 31:12 32:19 40:8 112:6 feedback 60:10,11 feel 24:21 25:7 38:13,24 80:6,20 82:13 91:23 102:5 135:11,12 135:16 feeling 3:17 11:7 58:6,17 128:3 133:4,4,5 fellow 57:9 71:1 120:10 felt 9:11 10:1,4,6 14:8 15:14 30:2 46:4 52:20 53:22 54:12,19 57:3,17 57:19,20 58:4 65:7 66:2 80:8 83:16 107:3 122:8 132:24 144:10 field 10:18 fieldwork 4:13,14 7:11 11:20 20:12 fieldworkers 7:1 figure 56:22 figures 129:7 file 23:3 35:17 40:2 67:21 92:9 142:25 147:4</p>	<p>filled 28:11 final 26:11 47:13 103:1,14,23 110:18 136:6 139:22 finalise 47:21 finalised 37:21 98:12 Finally 41:15 44:18 54:14 58:7 69:15 71:21 financial 86:20 109:14 110:7,10 find 3:2 39:2 59:21 60:20 82:10 86:10 89:2 135:4 finding 136:12 findings 37:22 70:23 71:1 Fine 26:23 fired 9:11 first 1:6 6:13 10:3 10:14 14:6,8,13 14:18,19,22 15:4 15:19 22:18 24:14,18 33:14 55:7,8 56:15 58:8 61:11,15 74:7 77:19 81:18 89:18 91:12 92:7 92:10,14,23 93:3 93:12,14,14,15 93:19,24 94:3,17 95:13 96:16 106:15 122:5 125:10,22 134:10 Firstly 14:16 fit 68:22 144:17 five 6:3 136:18 flag 120:12 flagging 120:23 121:3 flick 89:6 focus 3:14 4:11 13:7 39:25 55:19 55:20 74:6 77:23 113:18 125:10 134:13 137:17 138:7</p>	<p>focused 4:16,25 75:21,22 focusing 114:15 follow 124:6 146:14 followed 31:10 75:24 following 30:16 40:25 76:5 91:4 91:19 102:9,13 follows 67:11 69:6 69:9 food 94:12,13,23 95:1 100:18 force 65:23 foremost 125:10 forever 125:7 form 68:3 76:18 126:15 formal 41:7 57:25 74:24 121:12 136:2 formally 23:11 62:5 65:10 96:1 96:18 123:3 formed 14:7 former 44:11 formerly 43:4 forthcoming 48:9 forum 14:14 forward 6:10 39:13 65:24 66:5 78:2 134:3,5 141:23 145:4 foster 28:3,12 29:9 31:6 33:24 36:3 38:19 41:15 87:5 87:6,13 101:15 101:22 129:15 141:7,12 142:2 144:18 fostered 29:4 32:4 fostering 27:24 28:7,15,16 29:5,6 29:14,19,21 30:14,14 31:4,10 31:14,22 32:9,13 33:11 37:2 39:23 40:1,17,24 41:2</p>	<p>41:14 86:24 87:2 87:3,15 101:18 129:16,21 140:25 141:2,11 142:6 142:17,21,25 143:4,8,22 145:1 145:25 146:20 found 20:3 23:1 29:24 34:13,18 51:4 68:13 72:9 81:16 82:13 83:9 84:8,20 96:22 97:1 102:25 104:19 110:11 137:4 145:12 147:4 four 14:15 24:14 48:4 58:3 75:16 84:3 123:7 140:14 four-month 136:21 Fowler 137:15 framed 97:17 Frank 26:7,8 66:18,19 109:4,5 139:14,15 fraud 94:12,19,23 95:1,7 free 49:4 Freemasonry 23:18,24,24 24:3 105:13 Freemasons 105:14 freezes 4:4 frequent 56:16,21 frequently 77:8 78:19,22 79:6 Friday 1:1 friend 129:6,6 friends 36:8 123:24 front 42:4 74:2 112:9 froze 17:4 frozen 16:15 frustration 96:4 fulfilling 30:25</p>	<p>full 56:15 74:5 133:17,17,20,21 134:16 136:15 full-scale 58:1 fully 71:23 72:8 88:24 fundamental 120:17 funding 124:13 125:5 further 19:12,13 26:3,21 38:17 55:24 57:7 67:15 105:11 110:25 123:7 130:3 138:17 145:23 furthermore 32:11 37:9 fuss 35:11 future 10:7 37:25 52:10 97:4,6 142:10 144:8</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>gain 101:9 gaps 4:6 5:2 general 7:24 10:20 51:6 82:3 108:25 109:7 116:16 generally 6:23 24:9 58:17 78:10 109:1 114:11 127:3 geographically 45:11 George 42:17 George's 27:20 getting 58:20 100:20,21 101:25 115:22 117:23 122:12 Gilby 32:18 girls 31:7 33:24 34:3,9 41:15 girls' 31:9 give 1:13 39:25 48:3 57:7 60:2 60:10,10 92:2 97:16 105:7 111:15 115:1</p>
--	--	---	---	--

129:4 135:8 given 30:19 31:19 31:25 32:3 34:6 38:10,19 40:23 44:21 46:14 62:12 65:6,6 92:22 97:7,10,11 99:3,14,15 103:1 103:5 105:2 106:20 125:13 126:6 139:8 gives 8:1 38:24 giving 30:16 97:12 glad 11:6 12:2 137:1 go 6:19 15:24 44:5 47:21 50:5 51:25 52:6 55:16,17 56:12 57:12 58:8 60:13,14,19 61:4 61:5,9 62:19 65:11 81:5,8 88:16 91:8 95:10 99:9 100:11 101:6 110:5 113:14 114:23 117:3 118:2 131:8 140:15 144:21 goes 67:15 68:11 68:24 70:24 81:24 89:3 100:16 going 5:9 9:15 13:12,16,21 18:23 21:1 24:25 27:8,22 29:21 43:11 46:22 47:11,11 49:24 50:2 52:5 53:6 53:24 54:1 55:16 56:2 57:22 60:18 61:11,15 64:7,7 64:19 65:9 75:17 77:11,15 79:11 84:13,14,15 85:13 88:11 104:25 105:2 110:11 113:18	115:22 117:17,17 117:19,22 118:4 121:20 134:18 135:4,5,7 139:24 Goldie 132:8 Goldsmith 33:22 good 1:3,6 9:5 12:14 25:19 41:24 52:24 66:4 69:23 72:23 108:11 133:24 141:13 143:21 governance 109:11 135:3 great 24:21 75:15 83:18 grievance 67:19 144:6 Griffith-Jones 38:6 grip 68:21 grooming 12:18 ground 13:16 25:15 76:5,8 135:3 grounds 135:25 group 4:1 9:7 77:7 116:7,10 119:18 guarantee 137:5 137:18,22 138:7 guarantees 51:15 guidance 51:10,23 guided 46:19 guilt 52:24 guilty 23:1 <hr/> H <hr/> Hackney 2:18,19 2:20 half 24:14 36:7 half-day 145:18 halfway 51:1 74:3 77:4 hand 59:22 handed 50:3 handicapped 110:13 136:19 handled 92:7 handlets 75:25 happen 124:14	134:1 happened 14:10 16:21 18:7 19:15 19:16 47:15 52:4 52:15 90:9 94:6 95:12 96:3,12,16 100:23 101:13 124:3,8 136:2,5 140:10 143:14 happening 56:11 60:20 76:5 85:22 135:3 happens 16:16 121:7 happy 45:4 48:21 60:5,6 61:18 89:14 hard 3:14 21:9 harness 75:4 head 2:18 28:19 29:11,13 31:8,19 32:2,8 33:21 34:1 37:19 head-on 132:19 heading 50:25 health 53:11 140:7 140:11 healthy 25:10,22 31:2 hear 17:2 26:13 46:2 62:21 133:8 134:8 heard 11:21 14:5 22:16,18 23:23 61:10 71:24 106:21 108:23 109:8,8 123:12 129:3 139:8 hearing 1:4 18:19 19:4 22:22,23 23:1 29:12 33:4 33:5 41:25 70:19 70:21,25 94:21 95:2,4,8 102:12 102:19,25 112:15 147:9 hearings 108:2 110:12 heart 56:7	heavily 5:6 hectic 117:19 118:1 held 8:25 98:24 117:13 140:6 help 2:25 5:3 31:2 53:23 69:24 91:7 144:4 helped 125:9 helpful 108:21 Henry 32:18 74:13 110:11 112:16 118:20 Henry's 75:8 her/him 56:22 high 30:6 high-profile 129:5 higher 1:18 highlight 51:2 hindsight 24:7 83:21 99:17 106:11 134:19 historical 10:12 history 12:7 31:4 69:7 hold 45:14 68:19 117:9 140:5 holiday 29:1 88:16 holidays 38:13 holistic 14:1 home 5:22 8:10 15:20 16:7,8,8,9 16:10 18:4 19:17 19:19,20 20:9 21:16 24:16,23 28:20,22 29:1,13 30:3 31:8,20 32:2 33:20,25 34:7,10,14 36:4,5 39:5,8 41:6 54:9 56:17 57:3,4,15 79:14 80:22 100:10,14 102:7 105:4,18,23 115:7,7,8,9,10,11 116:19 117:2 125:18,20 126:20 127:17 128:8,11 128:15,16,22	130:19,21 132:1 136:18 137:2,13 142:11,13 144:19 144:25 145:14 homes 5:24 6:1,25 7:19 9:20 11:8 11:13,15 12:1,2 14:17 20:8 25:1 27:16 35:5,6 39:8 42:20 54:4 54:5 58:2,5 59:13 76:12,14 76:16,20,21,24 77:17,18,22,24 77:25,25 78:2,4,8 78:9,9,10,11,22 79:2,3,7,8,10,15 80:14,15,20 81:4 81:7,11 82:6,8,21 83:12,14 84:2,6 84:12,16 85:13 85:21 86:8,9,10 87:1,1,13,15 112:17 113:10,18 113:19,21,23,25 114:2,6,6,14 118:4,12 134:11 137:9 honest 30:25 honestly 79:17 80:25 hope 1:7 91:23 115:17 137:2 hoped 55:1 76:7,8 hoping 71:16 horrified 99:7 horseplay 21:18 Hospital 27:20 140:19 Hotel 141:21 hours 4:8 house 14:3 17:9,10 17:19 18:24 19:3 43:4,8,24 46:9 52:14 53:18 55:6 63:23 64:1,6 67:25 72:4 78:7 78:17 91:8,11 95:11,21 97:23
---	---	--	---	--

<p>104:24 105:3 112:14 114:16 122:8,16,23 124:21 130:25 132:2 133:24 housekeeping 72:13 housing 74:23,24 119:9 Hudson 139:9 huge 119:12 143:25 Hughes 1:10 33:2 36:15 38:11 41:24 human 71:15 hurry 62:16 Hussell 88:10 Hyde 5:11,14 8:17 122:16 131:8</p> <hr/> <p style="text-align: center;">I</p> <p>idea 15:21 49:16 63:14 64:5 ideas 39:12 identified 6:22 41:7 65:7 identifies 54:3 identity 30:23 131:5 ignoring 141:16 ii 43:14 iii 43:19 ill 3:18 10:21 illegal 68:3 immediate 35:20 37:13 57:8 76:9 immediately 52:22 80:11 85:10 100:14 102:5 106:13 impact 138:25 impartial 51:15 imperative 32:16 implemented 98:2 implications 30:19 37:8 implore 100:13 imply 52:24 62:2 important 25:18</p>	<p>55:22 56:8 57:14 119:1 134:4 imposed 2:23 3:3 impossible 99:1 impression 70:14 79:19 129:4 improve 70:16 79:25 improved 39:18 134:6 improvements 80:12 in-depth 36:1 inadequate 7:3 14:9,13 145:20 inappropriate 19:24 32:21 99:20,22 incentive 86:20 incidences 17:23 incident 17:19 19:11,22 21:10 21:15 34:17 35:10 97:19 101:7 116:22 incidents 64:6 included 27:16 including 5:25 27:23 30:10 35:24 38:3 40:7 46:8 53:11 79:3 89:19 increase 59:4 increasing 58:12 58:15,16 increasingly 79:4 incredibly 110:7 110:22 117:25 indecent 101:24 independence 44:25 45:6 independent 42:18 44:11 45:5 137:14 indicate 48:21 indicated 5:5 17:15 18:10 24:14 67:22 123:20 131:16</p>	<p>indication 60:2 78:22 indirect 55:25 individual 10:24 13:22,25 17:20 24:8 35:19 63:25 64:13 70:9 79:22 79:22 86:12 87:20 89:11 94:11,15,20,25 95:5 96:6 107:23 117:15 individuals 17:16 28:3 33:13 38:3 63:25 135:24 induction 21:6 industrial 84:5 ineffective 82:24 inefficiency 85:4 inevitably 110:13 influence 9:17 36:14,24 107:20 108:1 124:3 144:2,8 influences 37:17 influencing 142:9 influential 23:22 inform 29:22 30:8 95:25 141:24 145:5 informal 11:25 19:9 20:5 130:14 informally 77:8 130:13 information 5:25 13:18 36:25 69:13 88:22 89:7 96:1 102:18,23 106:1,1,5 113:20 121:9 128:1,1,4 128:21 142:7 informed 23:11 32:8 33:16 34:10 34:15 36:6,10 142:3,5 145:22 informing 120:10 121:8 initially 22:12 27:21 34:17</p>	<p>52:15 91:2 96:6 140:25 initiate 9:8 injuries 74:14 inner 44:15 54:17 input 124:3 INQ002206 146:1 INQ004910 50:24 INQ004910_004 55:16 INQ004910_009 56:13 INQ004910_016 58:8 INQ004910_020 42:22 INQ004927 67:8 INQ005069 144:14 INQ005655 72:16 INQ005751 69:5 inquiries 75:9,15 94:1 inquiry 1:20 14:5 29:7 39:25 42:5 42:18 44:24 45:17 47:6,9 50:22 51:3,19 55:1,19,21 56:7 56:18 70:17 72:3 73:3 74:15,16 75:10,20 93:24 95:14 104:12 106:15,22 136:2 137:3,14 140:3 141:10,21 145:8 145:22 146:4 ins 64:5 insight 36:1 80:7 123:17 insights 80:8 Inspectorate 64:20 64:23 65:4,13,17 instance 13:21 17:19 instructed 105:7 instructions 141:17 integral 55:22</p>	<p>integrated 39:17 integrity 36:21 intended 50:17 54:24 intensity 79:5 inter-disciplinary 108:13,14,15 inter-organisation 75:23 interacted 118:23 interborough 31:24 interest 15:20 47:8 56:6 118:15 interested 12:8 interestingly 12:5 24:17 interests 89:1 107:8 interface 109:24 interfered 136:18 interference 4:18 32:5,17 36:14 37:1 interim 47:13 54:22,25 55:8 63:6 internal 19:25 74:20 92:1 137:3 145:21,23 146:2 146:4 interpose 72:2 interrupt 47:10 92:25 interrupting 93:6 interval 79:8 intervene 107:22 intervened 89:16 intervention 32:5 32:17 interview 45:22 53:15 141:22 interviewed 33:15 34:25 35:16 45:21 46:6 141:20 146:4 147:2 interviews 56:1 introduced 36:8</p>
--	---	---	---	--

<p>introducing 118:10</p> <p>introductions 41:8</p> <p>invariably 39:17</p> <p>investigate 14:7</p> <p>investigated 44:1 88:24</p> <p>investigating 43:13 51:1 106:16 120:16</p> <p>investigation 2:20 14:6,17,19,22 15:15 18:9,10,25 19:23 20:7,13,16 21:22 43:3 51:8 51:16,21,24 52:25 53:7 54:7 55:22 59:14 67:22 91:19,20 91:25 92:7,10,15 93:14,16,19 94:17 95:13 99:11 112:14 119:24 120:11 121:24 122:8,13 124:20 136:14 139:10 141:7 145:21,23 146:2 146:3</p> <p>investigations 65:8 92:20 94:19 122:1 131:2</p> <p>invite 1:8 139:21</p> <p>invited 14:20</p> <p>involve 78:6</p> <p>involved 13:13 14:17,23 46:1 75:12,14 78:7 91:4,13 93:9 94:12,21,22 95:1 95:7,7,24 110:13 113:8 117:8 119:20 122:9 127:2</p> <p>involvement 24:19 53:10,22 143:16</p> <p>involving 93:4 95:8 108:2</p> <p>Irene 35:1</p>	<p>isolated 13:23</p> <p>issue 50:10 58:19 68:5 74:10 82:7 84:9,11 86:19 98:11 110:1 119:8,16 132:18 132:18,20,22 138:22</p> <p>issues 4:2 5:7 30:22 39:7 73:21 119:2,13 131:16 139:3</p> <p>Ivy 14:3 17:9,10 17:19 18:24 19:3 43:4,8,24 46:9 52:14 53:18 55:6 63:23 64:1,6 67:25 72:4 78:17 91:8,11 95:11,21 97:23 104:24 105:3 112:14 114:16 122:8,16 122:23 124:21 130:25 132:2</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>Jack 30:11 142:8 142:17 143:7,9 143:16,19,24 145:25 146:7,14 146:16,21,22</p> <p>Janet 68:17</p> <p>January 28:5 40:12 42:6</p> <p>Jarvis 44:18 48:16 49:12 50:9 61:19 61:20 63:14 123:22,24</p> <p>JC 100:15</p> <p>JC's 100:9</p> <p>Jennie 44:18</p> <p>Jo 33:2 36:15 38:11</p> <p>job 25:8 73:17,21 73:23 82:12 85:19 86:10 87:10,21 93:23 97:14 101:18 107:2 136:25 138:6</p>	<p>jobs 22:20</p> <p>John 21:15 23:7 28:8,16,19 29:23 31:15,19 32:14 33:20,25 34:16 34:18 35:2,9,22 36:10 37:7,17 42:17 100:16 102:9 136:10 137:7 138:16 141:9</p> <p>joined 23:10</p> <p>joining 10:14</p> <p>joint 35:22 143:6</p> <p>jointly 6:18 33:19</p> <p>Jones 28:24 139:25 140:2 143:3,7 147:25</p> <p>Josephine 1:11,15 147:13</p> <p>Josie 81:12</p> <p>judge 144:17</p> <p>judgment 103:7 103:16</p> <p>July 1:1 29:14 48:3 64:23,24 69:12,13 147:10</p> <p>June 28:8,17,22 34:8,11 36:6,9 41:6 48:1,7 62:18 64:18,20 73:3</p> <p>junior 56:22</p> <p>justification 135:18</p> <p>justify 135:16</p> <p>juvenile 103:12</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>keen 27:3 77:10,20</p> <p>keep 110:15 129:11 138:12 145:2</p> <p>keeping 56:6</p> <p>Kennedy 1:8 27:2 27:7,8,11 41:20 72:14 139:21,24 140:3 147:6</p> <p>kept 47:17 56:10 77:10 128:10,15</p>	<p>key 9:22 20:19,23 117:11</p> <p>Khan 27:9,10 142:24 143:13 147:15</p> <p>kind 9:13 10:25 11:15,24 12:10 12:11 14:24 76:9 107:23 109:25 113:1,23</p> <p>kindly 1:20</p> <p>knew 18:2,2,18 21:6,10,11,20 30:5,7 33:8 49:18 63:13 65:16,18 70:9 129:20,23,24 130:6 145:6</p> <p>know 5:13 10:1,20 12:15 16:13 17:6 18:11 19:15 20:6 21:3,7,8 22:5 23:13 25:9 27:3 45:25 49:20 54:23 60:14,16 64:5 66:14 68:2 68:8 77:24 89:18 96:21 97:20 101:6,13 106:3 111:4 112:13 113:5 114:21 115:1,15 116:1 116:13,15,18,19 117:22 118:5 121:14,17,17 123:14 125:14,17 125:18,22 126:15 126:17,19 127:6 127:9,9,11,14,24 128:9 129:9,18 129:24 130:5,15 130:20 132:6 133:6,10 145:15</p> <p>knowing 124:6 135:7</p> <p>knowledge 13:11 16:7 17:12 24:7 26:18 34:11,13 36:25 40:19</p> <p>41:14 42:8 63:18 73:5 89:17 113:19 143:19 145:15 146:16,21</p> <p>known 13:1 35:2 132:13</p> <p>Kwhali 1:7,10,11 1:15,20 2:2,17 4:19 5:10,12,17 8:18 16:15,18 17:2 26:12,13,22 26:24 147:13</p> <p>Kwhali's 1:9</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>LA-A23 88:7,16 89:1 90:10</p> <p>LA-A26 13:13 72:4 95:20 96:3</p> <p>LA-F12 67:24 68:5,8 70:19 71:12,19 72:12 96:1,23 97:3</p> <p>LA-F12's 97:6</p> <p>LA-F36 88:8,16</p> <p>LA-F36's 88:22 90:10</p> <p>Labour 111:17 112:22 113:6,9 135:12,14 137:11</p> <p>lack 5:23 7:12,24 8:4,12 57:17 58:5 68:20 83:21 83:24</p> <p>LAM000020_010 100:1 101:7</p> <p>LAM000020_011 102:16</p> <p>LAM000573_010 98:18</p> <p>LAM001523_001 101:20</p> <p>LAM007476_001 122:17</p> <p>LAM028400 84:10</p> <p>LAM028605 40:7</p> <p>LAM028613_087 74:19</p> <p>LAM028710_002 5:11 81:8</p>
--	---	---	--

LAM028780_045 95:19	111:12,14,15 138:17 139:20	legitimately 74:22	live 66:12	121:6 124:19
LAM029004 136:7	147:14,24	lengthy 8:20 139:8	lived 21:16	126:22 127:21
LAM029282_001 131:8	large 77:11	let's 14:3 16:16 79:13	Liverpool 35:4	133:3 134:10,15
LAM030005 88:6	larking 35:10	letter 50:5 59:21 59:24,24 89:19	lives 7:5 139:1	137:23 143:23
LAM030054 90:2 90:16	late 53:21 70:15	89:21 90:1,11,12	living 28:21 31:7 33:19 35:19	145:19
Lambeth 2:3,11	launched 137:3	90:15,17 91:5,9	local 74:25 88:23 89:3,12 108:9,19	looks 16:20 65:20
3:11,21 8:25	Lavender 92:18	91:25 95:19	123:5	81:15 83:17
10:14 11:25	law 12:25	96:17,18 100:7	locality 35:6,20	104:13 123:22
20:20 21:24	Lawrence 67:2,7,9 67:11,23 68:4	100:11,13,16,20	locally 79:12	131:25
23:17,19 24:6	147:19	100:21,22 101:3	logbook 116:22	loop 56:10
27:12 28:18,20	lay 35:19,21	101:20,25 102:2	London 12:12	Lorna 72:1
28:21 29:4,12	layout 16:10 18:24	102:3,4,18 120:6	44:15 54:17,17	losing 4:19
30:10 31:7,17,19	lead 97:5 103:8	120:9 141:5	69:8 85:13 88:8	loss 49:14
32:9,19,20,24	leader 32:23	146:25 147:4	125:6 136:8,13	lost 16:17 17:5
33:1,7,16 34:24	111:23 118:8,10	letters 50:20	137:25 138:14	124:9
35:4,24 36:23	118:15 143:3	level 8:11 17:22	long 4:8 26:1	lot 4:24 38:24
37:19 38:12 39:5	leading 83:2	23:20,20 39:7	105:8 142:11	45:19 66:12
39:20,25 42:13	learn 118:24	45:6 58:10 87:16	longer 24:17 84:3	74:14 125:3
42:20 45:4,8,9	learning 24:6 93:4	117:16 122:9	look 1:22 6:15,19	low 80:3 81:25
49:22 58:18 64:2	93:8 112:24	138:25	14:3 23:2 25:1	
64:10 65:20	113:4 118:20	levels 31:25 67:17	43:11,25 44:2	M
67:12 69:8,18,21	122:2,11 124:21	library 66:11,12	48:4 54:14,25	m 131:12
70:2,6 73:9	133:16 134:20	life 34:14 39:18	55:3,5 74:11	madam 111:2
77:20 78:25 79:2	140:9	134:5 139:4	77:1 81:18 84:9	main 6:12 38:21
80:22 81:20	leave 9:1,4 29:10	lifestyle 36:2	97:21 101:1,20	48:24 64:18
84:12 85:6 86:22	52:12,16,20 58:7	light 37:5 50:11	117:24 120:6	96:13
88:5 103:1,4	59:9 96:7,11,14	53:17 88:23	127:15,16 128:12	maintain 79:25
107:2 109:18	97:2 136:22	103:2 111:4	132:16,24 133:10	110:16
111:18,25 112:3	leaving 33:11	123:15 131:23,24	133:14 134:20	maintaining 36:21
117:7 118:11	led 15:3 37:20	145:1	136:6	maintenance 75:2
133:7 136:23	74:15 91:25	liked 128:3	looked 25:16	80:2
137:2,9 139:9	124:12	limitations 79:24	55:11,17 61:3	major 4:2 110:1
140:1,7,13 141:3	Lee-Kin 44:14	limits 34:20 117:5	63:16 101:4	119:8 139:2
141:13 142:5,17	48:12 49:11,16	line 67:16	125:2	majority 5:24
142:21,22 143:3	63:5	lines 59:1	looked-after	72:10,11
143:7 144:3,6,16	left 2:15 3:22 4:5	link 84:7 108:18	133:12	makers 144:11
145:4,9 146:15	8:15 21:2,13,14	links 121:10	looking 19:15 24:6	makeup 15:5,16
147:1	21:24 23:23	list 45:18,20,22	24:11 28:3 41:18	making 13:10,13
Lambeth's 28:23	37:14 40:11	46:3 80:3	43:19 45:17	15:4 36:24 51:14
32:13 125:9	81:14 82:15	listed 44:6	48:11 50:24 54:7	107:20 117:8
132:18 144:25	84:19 90:7 97:13	listening 112:12	54:9 56:14 64:15	121:18 142:10
Lambeth-headed 101:9	117:11	134:24	64:16 79:13	Malcolm 26:9,10
Langdale 1:5,6,12	legal 6:2 13:4	little 5:25 7:20	82:17 83:20	66:20,21 109:6,7
1:13 16:20 17:2	71:19 103:12,25	10:3 31:7 33:24	84:10,19 88:11	110:24 139:16,17
26:2,4,11,21 27:1	104:1,2 109:23	34:9,11,13 50:7	92:6 99:17 100:5	man 21:15 88:8
	142:7	55:17,18 82:2	108:16 115:1,10	127:17 136:20
	legally 13:2	109:12 134:2,4	116:22 117:12	137:4,12 145:13
				manage 119:5
				managed 79:4
				management 4:6,7

<p>5:1,2 43:15 54:4 54:10,13 55:6,14 56:15 68:20 70:11 71:9 72:3 72:8 75:21 76:11 77:7 82:2,24 83:4,11,22,25 87:21 88:1 91:18 93:14,19 94:4 108:12 141:16 manager 2:14 4:15 6:16 9:6 20:8 22:24 24:19 41:25 54:5 56:18 57:3,15 58:2 69:13,15 81:11 139:25 141:3 144:19,24 manager's 141:17 manager/head 69:17 managers 9:22,22 23:6 67:16 69:22 70:8,9 managers' 5:5 managing 83:13 84:6 91:6 93:21 93:22 manner 22:19 29:24 30:20 34:19,21 March 2:15 36:5 39:24 41:6 122:20 142:24 Margaret 28:8,17 28:22 Mark 69:4,6 71:22 96:24 market 34:8 married 140:17 Mary 38:6 Master 1:18 material 47:24 124:20 maternity 27:22 matter 30:11,21 39:19 72:13 99:14 101:1 120:19 143:10</p>	<p>matters 67:17,18 68:22 102:14 117:11 McDonald 71:1 mean 7:10 8:9 20:19 22:18 27:4 37:22 77:14 79:1 79:24 99:12 102:15 105:6,21 122:4 133:6 Meaning 100:16 means 27:12 52:23 meant 25:14 79:5 measures 87:4 mechanism 23:6 mechanisms 56:10 medical 6:1 53:15 99:3,22 108:23 120:14 136:17 medically 98:22 meet 3:19 41:3 64:24 meeting 34:8 40:9 40:10 49:6 50:8 50:10,14 59:17 61:7,8 62:12 64:17 78:7,7 80:11 101:8 117:3 122:18 123:1,20 131:11 144:20 146:16 meetings 27:14 39:11,13 76:15 77:5,6 123:16 member 17:21 19:10,20 25:18 27:11 43:8 47:22 51:9,14 52:10 57:1,9 62:22 63:20 71:1,2 91:21 105:14 113:6 122:15 138:5,22 members 3:6 4:2 6:9 20:1 25:2 26:5 39:10 44:6 44:20,21 46:7 47:20,23,25 52:8 59:18 60:21,23</p>	<p>61:16,25 62:3,6 62:10,15 69:22 75:5 77:9 81:17 107:16,19 108:1 108:2 119:3 123:2 134:17 members' 114:21 membership 35:22 memberships 23:18 memo 88:9,12 90:3 96:23 146:1 146:5,19 memorandum 32:18,21 40:8 memory 16:11 21:21 33:14 35:18 40:22 71:10 80:18 114:20 115:12 141:14 men 19:11 23:22 Mencap 46:11 mental 136:17 140:7,10 mentally 110:12 mention 17:13 32:2 71:17 mentioned 128:2 Merseyside 104:9 message 53:1 met 6:2 8:24 21:4 21:5 34:12 35:21 36:2 47:25 48:4 48:22 62:18 65:22 77:7,9 125:20 methodology 45:17 Michael 21:4 28:8 28:16,19 94:22 95:3,4 99:25 112:15 115:5 125:16,17 126:8 126:14 129:12 141:7,9,12 142:20 144:17,24 145:4,12 mid 2:15</p>	<p>middle 4:7,12 53:25 75:15,16 Midlands 12:12 midst 9:18 mightn't 125:11 MILLIUS 42:2 147:17 mind 14:12 48:22 63:5 107:9,15 132:17 minds 3:5 52:17 minibus 100:17 minimisation 22:15,17 minimise 127:12 ministerial 2:21 3:1 minority 49:4 minutes 122:18 misconduct 12:24 mismanagement 7:25 missed 124:15,17 125:1 missing 35:17 mistake 106:14 mixed 3:5 4:13 Mmm 12:22 121:23 129:2 moment 12:20 15:25 43:5 49:20 50:8 52:4 83:9 103:24 144:12 Monday 147:10 monitor 86:12 monitored 70:10 85:6,7,14 monitoring 84:24 84:25 85:11 86:2 86:4,7 87:19 Monkton 78:17 98:17 112:14 114:16 119:22,23 120:1 124:21 131:1 132:2 136:14 months 6:17 9:1 78:21 82:15 84:21 90:2,24</p>	<p>91:1 morale 70:15 75:6 81:25 82:5,7 morning 1:3,6 27:5 41:24 Morton 5:8,12 6:16 24:10 25:11 81:10 83:1,17 112:16 Morton's 118:2 mother 35:19 mothers 140:22 motivations 134:10 Motley 131:14 move 77:21 86:25 104:18 moved 27:24 137:17 moved' 136:25 moving 17:12 44:10,14 54:8 56:13 101:13 multi-agency 53:22 mute 4:20 muted 67:4</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>N 147:12 naive 16:14,16 17:5 naivety 17:13,15 17:17 NALGO 68:18 name 1:13,15 44:8 44:16 90:6 111:15 named 11:5,5 136:20 names 131:4 national 12:15 123:5 natural 34:18 nature 22:2,23 23:11 37:8 71:18 121:25 near 112:8 necessarily 3:9 8:7 9:19 46:25</p>
---	---	--	---	--

<p>138:15 necessary 59:12 need 8:22 16:20 30:17 80:12 92:16 108:24 118:2 128:21 131:9 135:12 needed 10:6 19:12 59:9 75:2 123:2 132:19 135:16 145:15 needs 30:1,21 43:7 91:12 99:8 120:1 133:20 negative 10:22 neglect 13:7 85:4 negotiate 125:8 neither 7:10 neonatal 27:23 network 38:21 networks 14:2 17:17 neutral 14:25 never 12:6 19:15 19:16 39:16 49:21 61:7 70:7 97:25 100:21 128:18 140:9 Nevertheless 32:14 40:13 new 4:1 53:24 54:5 58:22 newly 56:19 112:23 NHS 44:11 nice 114:9,10 night 57:3 nine 27:21 82:15 non-approval 30:13,16 36:18 nonsense 38:17 noon 41:19 normal 14:21 68:2 71:6 80:13 normal' 137:2 normally 5:3 Norman 137:15 North 35:25 note 7:18 67:21</p>	<p>68:1,4 72:15 146:4 noted 8:11 67:25 138:1 notes 38:3 40:17 40:23 142:23 noticed 90:5 November 38:7 39:22 42:16 84:18 100:7 120:7 136:7 NSPCC 46:9 95:16 95:22 nuanced 48:16 number 6:2,17 7:1 7:19 11:9 23:22 40:6 53:8 81:16 83:18 89:10 137:8 numbering 90:19 numbers 58:12 87:14 nuns 21:18 nurseries 79:9 114:6 nursery 1:16 26:17 nursing 1:16</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>O'Brien 35:1,5,11 35:20 Oaks 10:13,16,22 11:6 12:6 27:16 77:22 78:3,5,6 84:2 110:6 114:17,18 132:7 132:10,14 Oaks' 132:5 oath 41:25 object 50:14 objective 96:13 objectives 8:24 82:2 observation 83:8 observations 40:25 118:22 observe 128:17 obstetrics 140:21 obtain 19:13 27:14</p>	<p>obtained 71:12 obvious 92:19 obviously 2:19 7:12 8:13 15:8 16:7 44:8 45:3 49:20 74:12 75:10 78:20 84:18 96:7 99:5 102:13 130:25 131:18 133:23 occasion 21:5 32:8 40:3 129:3 occasions 34:12 62:15 107:25 occupied 24:6 occur 85:9,15 127:22 occurred 15:1,2 17:23 21:10 74:12 82:22 83:6 83:23 90:8 93:13 94:4 95:10 100:5 occurring 101:16 October 67:13,22 69:9,10,12,16,18 odd 24:20 odds 103:1 offence 21:7,11 22:9,16 23:12 31:15 103:5,11 104:5,10,14,15 126:7,15,20 127:7,18 136:22 142:4 offenders 16:3 offer 71:12 offered 140:15 office 80:10 88:24 105:18,23 140:13 140:14 officer 2:12 23:19 23:23 32:10 56:4 67:12 84:17,20 140:12 143:2 officer-in-charge 58:3 officers 3:6 39:14 76:24 98:24 113:16 117:10,13</p>	<p>118:23 119:3 131:22 officers' 3:15 officers-in-charge 57:16,18 offices 46:23 79:8 official 36:23 65:25 officially 30:8 offsite 20:8 Oh 56:8 78:4 102:2 120:5 126:13 Okay 104:16 old 79:3,9 omnibus 71:24 once 40:22 114:8 114:12,12 122:11 one-to-one 116:8 open 15:15 16:2,5 30:25 90:8 operated 77:12 operation 110:16 operational 9:22 96:14 110:15 117:8,16 opinion 29:25 122:24 opportunities 17:9 39:19 69:24 opportunity 1:22 6:14 15:22,25 16:2,12 53:12 73:18,24 107:2 117:1 124:15,17 125:1 option 7:3,9 oral 139:20 orchestrate 117:3 order 13:25 22:7 52:12 80:20 87:22 110:15 organisation 69:25 75:22 76:2 101:10 organisational 70:5 organisations 76:3 organise 80:11</p>	<p>organised 17:17 originally 140:6 origins 30:23 Osmond 4:5 72:23 72:24 73:2,7 75:6 77:17 81:10 82:4 83:7 84:10 85:9 86:2,19,24 88:7 89:8 90:2 90:20,23 92:22 93:2,7 96:5 97:24 98:18,19 100:3,20 104:9 105:13 106:20 107:11,15 108:6 111:1 126:11,13 126:14 127:25 147:20 outcome 15:6,7 20:8 23:5,8,9 30:7 32:12 108:1 135:24 146:2 outdated 12:13 outright 15:21 outs 64:5 outset 40:16 outside 14:16 19:16 57:8 65:12 84:11 88:5 overall 38:22 86:2 overindulged 34:19 overnight 82:22 85:3 134:15 oversee 87:21 93:18,24 oversight 5:4 20:9 76:11 87:4 overspeaking 89:22 115:20 134:14 overview 77:2 118:3 overviewing 77:3 Owing 7:24 Oxford 66:11</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>paediatrics 27:22 paedophile 145:14</p>
--	---	---	---	---

<p>145:16 paedophilia 12:17 12:21 page 5:15 44:5 51:2,25 52:7 55:20 56:12 57:12,22,22,23 58:8 74:20 82:18 82:18 89:6 100:11 101:7 122:21 131:12 146:5,18 pages 81:9 131:9 paid 49:15 painful 30:22 paint 109:10 paints 82:4 pairs 39:9 Palayiwa 41:24 42:2,4,11 43:22 44:19 45:2 51:18 52:13 53:16 59:8 62:24 66:6 67:3 97:21 147:17 panel 14:6,7,8,20 15:5,10,16,19,23 16:5,9 26:5 29:12,19,21 30:7 30:14 32:13 33:4 37:23 44:6,8,20 44:21 52:17 53:8 59:18 60:21 61:16 62:10,15 63:21 65:6 66:13 67:5 71:1,2,4 72:9 92:1 94:9 94:17,18 96:25 97:20 100:22 101:23 103:7,8 103:22 107:11,13 114:14 120:11,16 121:3 123:10,13 123:14 132:24 138:19 142:17,21 143:5,8,22 144:5 146:15 147:22 panel' 143:11 panel's 36:18 37:2 38:10 70:22</p>	<p>panellists 47:17 62:20 63:4 64:17 paper 101:9 papers 50:22 61:6 98:8 101:18 paragraph 3:12,17 8:18 10:9 12:16 14:4 41:1,11 48:12 53:9 54:1 55:20 56:16 57:12,24 58:9 59:1,2 61:21 68:12 69:19 70:3 70:20 71:21,21 73:7 74:2,4 76:13 77:1,5 81:18 84:23 88:14,18 98:20 100:6 101:7 106:9 112:21 117:6 120:12 121:20 141:20 142:15 146:6 paragraphs 51:2 123:7 paramount 37:20 56:9 parent 144:18 parental 99:14 parenting 33:9 parents 18:15,16 29:9 38:19 46:8 46:8 78:7 92:2 92:22 95:15,20 99:1,2 133:24 part 4:15 12:17 14:7,20 21:6 25:5,23 38:7 52:14 55:22 57:14 76:23 85:25 108:12 114:5 120:17 130:13,14 135:6 135:7 part-time 27:18 28:1 140:16 particular 10:24 19:1 20:7 43:2 43:23 46:16,23</p>	<p>73:20,21,22 86:19 94:3 108:8 119:2 particularly 3:21 12:3 53:13,19 62:9 63:25 75:23 77:19,20 82:14 84:1 92:21 107:7 114:3 120:24 133:15 partly 4:17 partnership 121:21 partway 88:13 party 113:6,9 135:25 Paula 71:1 Pauline 67:7,9,11 67:23 68:4 147:19 pause 144:12 Pausing 43:5 pay 81:21 peers 10:2 people 8:2,15,22 11:6,25 12:1,23 13:17 14:1,23 15:9,20 16:13 18:3,17 22:22 23:19 24:3 25:19 30:5 32:25 45:20 45:21 57:4,4 58:23 61:23 64:12 74:6 77:7 107:4 110:20 122:1,10 133:9 136:3 142:10 145:6,9,12 people's 79:3,10 perception 18:5 performance 68:21 70:11,15 period 2:10 3:14 8:12 11:13 27:20 29:10 42:13 69:1 73:10 75:16 79:3 79:13,16 80:20 80:22,23 83:6 98:21 112:10,13</p>	<p>112:18 114:8 131:1 137:1 periods 5:4 29:1 permanently 29:3 permeated 13:4 permission 67:1 99:15 141:18 permitted 144:24 perpetrator 18:6,6 18:20 52:16 64:10 67:25 perplexed 37:16 71:3 person 15:4 18:3 18:12 39:3 52:19 52:22 53:2 56:23 56:25 57:5 64:10 71:24 82:11 94:16 95:7 108:14 123:13 135:10 personal 34:14 57:15 68:22 85:23 86:17 87:24 108:10,17 108:18 124:3 143:10 personally 59:20 personnel 20:12 67:12,17 69:14 Persons 81:13 perspective 8:13 15:12 138:8 persuade 69:22 107:21 perverse 70:23 97:2 phenomenon 58:22 Philosophy 1:18 phone 146:12 phrase 120:24 Phyllis 111:13,16 136:24 147:23 physical 13:8 18:24 pick 11:24 12:20 57:23 88:12 121:16</p>	<p>picked 10:15 24:24,25 130:23 picture 12:15 14:1 82:4 109:10 pie 125:6 Pinniger 136:10 137:7,13 138:16 pity 124:25 place 2:24 7:5 8:7 13:24 15:4 19:19 19:23,25 23:8 36:17 40:9 61:7 61:8 64:8 86:21 88:1 94:5,19 114:21 116:3 134:10 143:25 144:3 placed 2:20 8:2 10:19 14:9 33:5 85:1,5,13 87:5,6 88:8 89:10 placement 84:17 84:20 86:13 87:8 88:13,15,17 89:2 89:5,14 90:4,24 142:14 144:9 placements 85:17 87:3 140:25 places 12:14 30:6 placing 7:1 84:11 84:15 88:4 90:10 plan 54:23 59:4 107:20 planning 5:24 7:3 7:11,13,16,25 8:13 42:12 82:24 83:22,24 107:22 plans 5:24 137:14 played 76:22 141:11 playing 116:14,14 116:15 please 1:14 4:23 8:17 9:3 19:5 42:22,23 47:18 62:16 73:3 74:19 93:1 106:10 111:12,15 113:1 122:17 131:8,10</p>
---	---	---	--	--

<p>plight 32:3 pm 72:18,20,22 111:7,9,11 147:8 point 5:1 7:22 9:4 13:3,20 17:4,6,25 19:2 36:12 38:9 40:15 44:24 46:22 47:23 48:5 60:11 64:14 86:6 94:11 95:21 120:25 122:21 points 40:13 88:11 police 21:19 31:14 32:11,12 36:12 41:3 46:8 53:11 53:21 65:18 89:7 96:2,9 98:24 104:9 108:9,17 108:19,24 109:2 120:14,15,17,19 120:24 121:11,17 121:22 122:5,6 136:21 138:2 142:19 143:9,18 policies 69:24 74:8 policy 13:15 78:2 130:13 political 3:16 9:8 27:13 36:25 109:14,24 110:17 129:7,10 135:25 138:4 politicians 109:21 109:22 politics 135:14 poor 5:23 6:23 7:19 8:12 70:11 82:24 83:4 poorly 70:12 Pope 4:5 21:14 102:20 103:6,25 126:11 146:1 Pope's 103:15 pose 35:12 posed 64:3 105:3 position 21:25 24:5 39:22 48:16 49:10 51:4,4 57:2 65:23 84:19</p>	<p>97:18 103:3 112:18 121:8 138:4,5 positions 24:5 positive 9:17 74:9 74:10 108:18,21 109:2 possession 66:7 possibilities 17:11 19:4 possibility 16:1,6 54:15 61:23 possible 9:6,15 11:3 27:2 34:5 55:23 105:7 107:7 113:24 131:15,25 possibly 34:19 39:1 64:2 97:10 post 6:18 8:25 9:10 28:4 39:24 54:5 56:18,19 78:21 81:17 84:20 102:6 104:20 postgraduate 1:17 posts 5:3 posturing 138:4 potential 50:16 64:3 106:2 potentially 55:11 64:12 power 37:17 powerful 110:7 powerless 68:16 powers 27:14 Poyser 64:22 practical 69:24 practice 5:15,20 5:23 6:5,6,23 7:25 8:12 9:17 50:25 71:6 75:24 82:24 83:4 94:5 123:9 preacher 35:19,21 precise 22:14 precisely 70:9 127:9 precluding 31:16 predominantly</p>	<p>47:4 preferred 111:5 preparation 40:4 123:25 prepare 6:19 25:2 prepared 5:8 40:16 52:1 81:10 112:5 120:14 preschool-aged 19:7 presence 34:25 present 9:16 19:11 29:18 30:12 40:10 48:23 50:4 51:10 82:21 presentation 52:2 presented 22:25 30:25 32:1 46:21 47:14 48:4 62:5 63:8 65:10 97:25 press 74:14 123:6 136:6,8,13 137:25 138:14 pressure 29:11 36:17 55:25 129:10 142:9 143:25 144:10,15 144:22 145:11 pressures 3:18,22 4:9 84:6 109:14 110:14 presumably 52:13 52:17 53:17 115:15 presume 126:9 pretty 10:22 11:11 16:13,15 prevent 52:12 89:16 preventative 44:2 prevention 54:9 56:14 preventive 7:24 previous 6:15 16:7 16:8 24:23 35:12 101:24 106:2 141:24 previously 3:25 6:22 21:16 93:9</p>	<p>140:11 primarily 9:23 primary 74:6 principal 2:14 6:16 9:5,22 24:19 71:8 75:19 81:11 143:2 principles 50:25 53:8 prior 29:8,20 37:2 78:3 priorities 3:16 priority 74:24 77:21 118:16 private 7:22 8:3 35:6 84:12,16 85:1,18,20 86:7 privileged 107:3 proactive 133:3 135:2 probabilities 72:7 probably 3:7 11:21 46:10 75:16 81:1,4 91:16 97:15 102:16 127:2 probation 22:7 problem 58:15,16 80:2 81:22,23 83:3,12 90:19 106:3 131:14 problems 82:20 83:11 109:2 procedural 75:25 procedure 51:10 51:21 144:6 147:3 procedures 38:19 42:18 51:23 55:3 55:9 123:9,18 132:24 133:1 134:9 proceedings 139:23 process 19:21 25:24 32:7 33:1 36:15 37:10,21 38:17 53:22 68:7 96:21 106:18</p>	<p>124:14 135:7 processes 21:1 53:23 54:13 55:3 55:4 64:7,9 132:24 133:1 134:1,7 produced 61:3 66:3 123:19 132:8 producing 47:24 60:8 productive 107:18 119:6 PROF 26:10 66:21 109:7 110:24 139:17 profession 9:2 professional 22:17 30:4 33:18 36:21 37:14 38:14,21 39:2 57:16 58:11 68:23 109:21,25 140:4,6 professionals 134:23 proper 20:15 51:20 59:14 62:1 74:23 86:4 87:3 87:25 133:1 properly 87:23 proposed 29:15 propriety 19:21 prospective 38:18 protect 59:12 75:2 protection 25:15 33:8 38:16,23 43:16 44:3 76:3 108:16 protects 51:16 proud 133:11 provide 13:25 36:1 117:9 provided 1:20 20:24 29:6 35:18 40:3,6 42:5 98:5 106:5 120:18 providing 75:1 public 1:4 74:15 75:9 123:10</p>
---	--	---	---	--

<p>publication 59:16 published 49:21 123:16,19 124:4 pull 47:13 pulled 9:18 pure 91:6 purpose 69:20 purposes 100:18 100:19 pursuing 69:23 push 27:3 65:23 66:5 pushing 25:5 put 2:24 5:9 23:10 36:16 39:1 48:2 52:16 74:6 77:23 81:9 89:22,23 91:9 92:16 96:6 96:10 102:20 105:16,17 109:9 110:13,20 112:12 134:23 141:23 145:4 putting 49:25 96:13</p> <hr/> <p style="text-align: center;">Q</p> <p>QC 118:21 119:15 qualification 1:16 2:7,8 qualifications 1:13 2:5 140:5 qualified 2:7 27:17 44:17 115:15 quality 25:15 79:25 80:5,7,9 92:14 quest 36:20 question 17:8 26:11 41:5 46:13 93:15 94:20,24 103:19 105:12,16 107:14 108:5 109:7 124:2 133:19 138:20 139:6 146:13 questioned 136:21 questioning 30:4 39:15 questions 26:3,21</p>	<p>40:5 60:22,24 66:14,22 107:12 107:13 110:25 112:10 138:18 147:22 quickly 24:25 quite 11:22 18:17 23:22 45:11 48:6 49:10 66:12 77:18 80:9 92:17 99:16 114:10 115:11,11 116:13</p> <hr/> <p style="text-align: center;">R</p> <p>race 14:19 42:11 45:3 68:18 69:11 69:11,20,23 70:18 71:8 92:3 95:17 96:24 raise 39:7,11 50:10 raised 40:13 48:25 64:25 106:16 raising 64:20,24 65:3 rang 60:18 142:15 range 2:13 38:3 79:10 ranging 37:18 rates 81:21 reach 85:12 reached 72:10 reaction 75:11 99:10 133:2 read 1:7 14:12 27:2,4,8,10 40:18 40:24 43:1 46:23 47:1 51:5 60:9 62:4,7 67:1,5,9 69:3 72:14 74:3 77:3 82:6 89:18 98:5,8,19 103:17 106:9 118:23 119:4 136:12,15 139:22,24 140:2 147:16,19,25 reading 14:22 41:18 67:20 147:5 reads 67:10 138:13</p>	<p>realised 24:1 48:5 realities 110:17 reality 13:10,16 16:2 reallocate 29:15 really 9:17,25 43:22 46:13 49:15 65:15 89:20 90:24 91:3 99:16 105:10 113:5,17 114:20 114:24 118:13 133:16 134:3 135:17 138:7 reason 8:4 60:19 61:16,20 73:15 82:23 136:25 137:16 143:13 reasonable 66:4,8 66:9 72:6 reasonably 71:6 reasons 7:1 12:6 14:16 30:17 61:15 132:4,14 132:23 142:7 reassured 132:21 recall 11:5 13:6 20:22 33:10 34:8 36:7,8,18 39:15 39:19 68:7,9 70:25 71:13 75:19,24 80:18 93:3,11 96:10 97:8,11 99:10,12 100:20,21 101:11 101:16,17,19,24 101:25 104:10,11 106:7 141:20 144:20 146:3,3,7 recalled 36:2 recalling 105:9 receive 47:12 103:14 received 10:13 28:16 50:22 76:23 86:21 89:7 95:21 104:1,9 146:25 receiving 13:17</p>	<p>80:6 recognise 83:25 recognised 9:20 17:11 79:24 132:1 133:15 recognition 138:23 recollect 96:19,20 102:22 126:9,10 130:24 recollection 21:12 40:5 69:1 76:9 91:10 95:6,8 96:11 97:9,13,24 98:3,4,10 99:12 99:16 101:2,3,4 102:8 114:23 118:11 123:21 recollections 119:23 recommendation 14:21 30:13,15 52:18 53:16 54:14 125:6 recommendations 43:21 48:2,8,24 49:8,9 51:20 52:5 54:6,20 55:7 63:22 64:18 98:1 123:9,18 125:3 recommended 54:5 56:18 57:25 recommends 52:10 record 20:3 32:11 32:14 38:1 46:6 106:2 recorded 32:17 115:1 143:14 records 19:16 recruit 3:8 recruited 4:6 134:9 recruitment 4:4 7:16 67:18 69:12 81:21,22,23 83:11 rectify 98:14 reduction 87:14</p>	<p>reductions 110:7 redundant 69:18 refer 3:16 31:11 38:1 40:14 62:2 68:9 88:3 89:3 101:19 122:14 129:3 131:4 referee 33:3,14 34:25 35:16 referees 33:13 reference 5:11 11:12 42:24 43:2 43:11,24 54:9,21 56:14 67:7,24 68:3,5,8 69:4 71:11,18 72:15 86:16 89:7,24 90:16 97:10,11 97:12,16,17,19 100:9 143:9,18 144:13 146:8,9 referenced 37:23 references 68:10 88:19 132:5,6 referrals 6:8 referred 6:4 19:8 77:2 86:16 100:24 referring 28:23 50:21 56:17 refers 40:9 41:1,11 88:7 100:6 119:5 137:21 142:15 146:19 reflect 109:12 138:10,15 reflected 12:25 reflecting 54:21 137:21 refused 89:4 101:23 regard 105:13 145:1 regarding 44:25 46:13 59:16 63:14,22 72:3 101:8 141:16 regards 120:16 regional 27:23</p>
--	--	--	---	--

<p>registration 31:16 regret 96:3 regular 113:22 regularly 77:9,18 78:25 regulations 105:24 reject 15:21 rejected 41:17 related 30:22 33:18 relates 41:14 relating 36:12 37:11 41:17 67:17 142:19 relation 18:23 24:8 31:13 34:23 53:7 62:9 72:13 79:18,19 80:19 93:13 94:9,12 95:18 96:21 97:22 103:25 104:17 105:12,17 112:17 113:3 123:17,25 140:24 relations 42:12 45:4 67:18 68:18 69:11,11,20,23 70:18 71:8 92:3 95:17 96:24 relationship 30:24 33:17 34:14 36:2 107:16 108:7,10 108:25 109:22 119:9 142:12 144:10 relationships 75:23 108:17 110:3 133:24 relatively 68:16 relatives 34:9 relieve 100:14 rely 113:20 remain 71:23 144:24 remained 4:25 141:4 remaining 139:21 remember 10:18 11:4,19 17:6</p>	<p>19:7 21:9,13 71:5 78:23 79:17 79:21 80:25 81:6 101:17 102:2 107:23 114:5,24 115:9,18 118:13 119:2 120:4,22 124:10 126:4 127:5 130:11 131:7 137:25 140:14 remind 131:4 remit 4:15 removed 89:1 Repair 80:2 repeat 17:8 repeated 37:10 56:1 report 5:9,9,12,17 6:19 7:17 8:8 11:12 14:22 16:12 20:23 24:9 25:2 29:18 30:12 32:10,15 39:10 43:20 47:3,3,13 47:21 48:2,18 49:1,4,5,7,13,21 49:23 50:9,12 51:3 52:8 54:3 54:22,25 55:1,8,8 55:13,21 59:16 59:18,19,22,23 60:3,8,11,13,14 60:18,23,24,25 61:5,9,10,14,17 61:18,21 62:4,8 62:11,17,19 63:1 63:2,3,5,6,7,10 63:11,17 64:21 64:25 65:9,24 66:3,4,4,6,7,8 74:15,21 76:6 81:10,13 82:9,11 82:17 84:8,17 86:16 95:22 96:2 96:8 97:23,25 98:3,6,9 99:11 100:2 103:17,20 103:21,24 104:17</p>	<p>104:19 110:11 112:16 118:2,20 118:25 119:1,4 122:25 123:14,18 123:23,25 124:4 124:11,19,22 133:4 141:15,19 141:25 142:19 143:5 144:1 145:23 reported 20:8,10 20:11 28:24 31:8 58:12 71:7 80:14 96:2 123:5 reporting 28:25 138:1 reports 46:24,25 47:1,12 76:14,18 76:23 80:15 99:16 109:9 112:16 113:22 118:5,8,13 119:15 120:14,16 120:18 121:3 143:8 representatives 46:11 represented 41:9 127:13 reprimand 147:1 reprimanded 146:19,22 reputation 81:20 request 28:18 142:16 requested 43:19 46:20 88:20 105:12 requests 121:18 required 28:11 77:8 92:19 97:16 105:25 135:17 requirements 6:2 51:8 114:22 requires 135:3 requisitioned 98:7 reservations 31:1 resident 21:18 33:25 35:7</p>	<p>residential 1:16 2:8 6:4,15 7:2,14 8:16 9:14 16:3 24:20 35:3 84:4 85:24 140:8 residents 43:16 44:3 56:22 resignation 39:24 resigned 28:4 39:22 resistance 98:25 resisted 98:23 resourced 115:11 resources 5:23 7:18,20,24 71:16 79:24 80:3 respect 3:23 39:5 76:14 90:11 122:15 123:3 129:16 131:15 146:20 respite 18:13 43:4 respond 32:20 62:12 90:3 response 74:23 121:5 122:10 responsibilities 38:15,22 57:14 109:23,23,24,25 112:25 responsibility 7:10 20:9 62:25 75:1 85:23 86:5,9,11 87:7,24 88:2 98:9 124:18 142:22 143:10,18 responsible 2:12 2:22 10:18 26:15 86:18 91:6 92:11 109:17 110:23 124:25 rested 86:3 result 75:20 85:3,4 resulted 21:20 results 7:12 64:8 82:23 resume 111:5,6,7 retained 27:13 127:4 144:19</p>	<p>retaining 37:4 retire 73:14 retired 73:13 81:15 112:4 141:6 147:1 retirement 73:16 73:18,24 80:23 141:4 retrospect 89:17 91:15 93:20 94:7 99:21 return 29:17 72:18 returned 21:17 30:8 141:3 Returning 144:14 revealed 31:14 142:4 revert 16:21 review 42:18 43:12,15 45:5 58:1 76:17 80:11 85:19 86:13 108:15 123:10,13 123:14 132:23 reviewed 76:14 reviewing 43:25 55:14 58:5 76:21 right 26:2 90:17 90:20,21 99:18 104:16 121:1 122:12 124:24 127:14 128:6,12 136:24 138:6 rights 133:17,21 rigour 15:13 rise 29:10 38:24 rising 58:23 risk 12:24 25:14 37:8 39:1 64:3 105:2,3,5 137:6 137:19,23 risks 65:7 Road 19:5,9,10,18 21:2,5 22:1 23:14 26:15,17 26:19 31:7 33:20 78:15,16 90:9 100:10,14 114:16 115:3,4 116:3,5</p>
--	---	--	---	--

<p>125:16 130:10 144:25 Robert 5:12 6:14 6:16 7:10 24:24 25:25 81:10 112:16 Robin 4:5 72:24 147:20 Rodway 92:25 93:1 Roger 21:22 Rogers 31:9 33:3 33:16,23 34:11 34:15,18,22 role 9:24 10:10 20:6 28:1,10 32:2 36:20 38:14 40:1 65:6 67:16 69:20 70:18 76:20 77:3 81:3 128:23 138:2 141:11 143:20 145:24 roles 2:10 23:23 119:6 140:5 rolled 70:7 rota 39:9 rubbish 30:5 rumours 23:23 125:21 run 78:11 130:9 rung 60:20 running 41:2 126:20</p> <hr/> <p style="text-align: center;">S</p> <p>sacked 103:18 127:19,23 sad 133:13 safe 137:6,18,22 138:7,12 safety 55:24 87:4 sat 70:19 94:9,16 satisfactory 32:11 80:9 142:20 143:9,19 satisfactory' 146:10 satisfied 48:17 49:7</p>	<p>saw 50:20 54:8 saying 50:21 62:10 62:22 124:8 137:16 says 6:21 52:7 54:2 55:21 68:5,12 70:3,19 71:22 82:19 83:18 84:23 100:6 scandalous 137:10 schedule 21:7,11 31:15 142:4 school 37:19 115:22,22 schooled 39:16 schools 39:17 screen 5:10 42:22 89:20,23,25 90:13 95:19 122:18 136:10 scrutinising 135:4 scrutiny 76:19 se 9:20 11:25 second 14:7,9,13 15:5,10,23 16:12 18:10,25 34:25 41:16 54:9 55:4 55:10,13 57:23 59:2 61:20 70:23 72:3 82:18 88:13 119:8 Secondly 14:19 107:25 secret 23:18 Secretary 137:15 section 11:22 47:7 47:10 66:11 85:24 86:9 93:23 100:24,24 sections 70:8 82:21 sector 6:15 7:14,22 8:3,6 9:14 14:17 54:16 secure 29:12 55:23 135:11 138:11 Sedley 75:10 118:21 119:4 see 2:2,17 5:10,15</p>	<p>5:20 7:18 16:10 16:16,20 23:3 24:9 27:1 35:12 42:23 43:22 44:6 44:8,11,16 46:17 46:17,20,25 47:1 47:18 55:19 62:24 64:18 74:20 76:4 77:13 88:8 89:25 90:2 95:9 100:11 102:17 104:1,2 106:21 113:14 115:10,10,11 120:11 122:16,21 123:7,15 124:7,7 125:19 131:12 136:11,15 137:16 seeing 7:12 18:24 78:8 90:13 102:8 seeking 30:10 36:3 51:18,19 57:7 106:1 110:2 seen 3:9 11:12 12:11 41:5 49:2 65:19 67:21 84:8 87:13 95:11 96:23 100:22,22 101:18 104:3,11 104:12 105:1 108:22 118:2,5 132:5 self 24:11 self-determinati... 7:4 send 96:8 senior 3:6,15 4:6 4:15 5:1,5 22:24 28:23 31:24 32:9 33:3,15 35:1 38:5 51:7 65:15 65:25 67:12 68:18 77:9 92:10 93:22 113:16 141:1,15 143:20 146:23 sense 9:14 11:6 12:13 37:14 82:2 95:6</p>	<p>senses 8:9 sensible 125:3,4 sent 31:17 52:11 52:20 53:1 88:9 121:4 141:6 separate 11:22 26:18 September 5:13 50:6 52:3 60:17 65:21 69:8,10 74:13 82:17 83:3 84:21 sequentially 17:18 series 38:2 serious 3:7 22:20 37:6 52:21,21 63:19 137:11 138:25 seriously 53:3 91:24 102:24 132:19 seriousness 8:10 serve 8:23 16:11 21:21 serves 33:14 35:18 40:23 service 2:20,25 3:4 3:10,14 4:17,17 4:25 7:11 9:12 9:23 15:10 23:11 24:15,16,22,23 25:12,19 68:15 69:25 81:20 82:1 services 2:13,16,18 4:7,11,14 5:2,4 6:13 9:13 20:12 27:12 28:18 33:7 43:13,17 44:12 44:15 45:10,12 45:12,24,25 46:7 46:18 47:2 50:5 51:7 52:2 55:1 55:15 58:22 59:3 59:25 60:9,14,19 60:22 61:4,11 62:7 64:19,23 65:3,12,17,21 66:10 67:13,23 68:13,16,17</p>	<p>69:15,16,17 70:22 71:9,15,19 73:8 74:22,25 76:15 77:23,24 79:10 85:23,25 86:17 87:25 88:23 98:1 99:4 100:8 107:7,17 108:13 109:16,19 110:15,16 111:20 112:11 113:22 114:4 118:9,14 119:10 120:2,13 122:19 130:17 131:2 132:17 134:12,16 136:1 136:9,23 137:7 138:5,12 141:2 session 1:6 19:10 36:5,9 72:17 sessions 45:1 47:6 47:6 95:23 set 3:25 4:3 5:20 14:8,23 34:20 35:5 50:13,17 51:3,4 55:1 73:7 97:20 102:19 119:22 125:4,6 140:3 sets 51:3 53:8 69:7 69:19 100:1 setting 16:3 29:2 36:4 63:15,17 101:21 settled 70:14 severe 122:2,10 severely 136:19 severity 22:3 103:5 sex 137:9 sexual 11:2 12:24 13:11 16:2 17:10 17:12 19:14 23:14 42:19 43:3 43:7,18 44:19 45:15 50:12 54:16 58:13,18 91:11,14 92:24 93:3,10 119:25</p>
--	---	--	--	---

<p>122:22 123:4 124:13,16 125:4 125:10,22 126:7 126:19 127:6,17 131:2,15,25 132:17 137:20 138:21,24 145:19 sexualised 11:14 132:7,9 sexually 15:22 share 29:22 128:1 128:21,25 shared 33:19 36:16 sharing 35:24 Sharpling 26:5,6 66:16,17 108:4,5 109:3 139:5,6,13 shed 131:22,24 shift 87:12 Shirley 10:13,16 10:22 11:6 12:6 27:16 77:22 78:3 78:5,6 84:2 110:6 114:17,18 132:5,7,10,14 short 16:25 41:22 72:21 79:2 111:10 shortly 141:6 show 104:3 showed 91:5 125:1 showers 34:17 35:11 showing 117:2 shown 64:8 116:24 141:19 142:23 146:1 shows 31:12 44:17 sick 29:10 sickness 131:12 side 23:10 72:9 118:12,12 sidelined 49:24 sides 9:11 signed 5:13 significance 24:2 significant 4:10 5:2 7:15 13:6</p>	<p>23:22 87:12,17 87:18 significantly 80:5 similar 94:1 Similarly 51:13 simple 135:18 simply 10:4 25:15 35:12 37:21 55:8 73:23 81:5 85:2 103:3 108:6 single 25:17 sir 26:9,10,10 66:20,21 109:6,7 110:24 139:16,17 site 39:16 sitting 63:20 71:10 situation 3:7 39:1 47:22 51:18 63:24 81:15,16 82:22 83:10,23 89:15 90:23 96:15 104:20,23 106:4,25 138:10 six 78:21 84:21 136:18 six-monthly 79:7 size 77:11 skip 53:9 54:1 sky 125:7 slightly 5:14 27:5 34:20 48:16 Small 90:6 Smith 30:11 142:8 142:17 143:7,9 143:16,19,24 145:25 146:7,14 146:21,22 Smith's 146:16 smoothly 50:2 so-called 19:9,19 23:13 110:8 social 1:17,19 2:7 6:13 7:5 8:21 10:11,19,24 12:18 13:5,12 20:1,2,4,14,22 27:12,17,18 28:4 28:18,23 29:15 30:11 31:9 33:2</p>	<p>33:3,7,15 35:3 36:15,20,21 38:11 39:22 41:10 43:13,17 44:12,17 45:10 45:12,12,24,24 46:7,18 47:2 50:5 51:7 52:2 55:1,15 56:4 58:19,22 59:3,5 59:25 60:9,14,19 60:22 61:4,11 62:7 64:19,23 65:3,12,17,21 66:10 67:13,23 68:13,16,17 70:22 71:15 73:8 74:22,25 76:15 85:16 86:11,18 86:20 87:7,9,9,20 88:10,23,24 89:4 90:6 98:1 99:4 100:8 107:17 109:19 110:6 111:20 112:11 113:22 114:4 118:9,14 119:10 120:2,13 121:15 122:19 128:7,17 130:17 131:2 132:17 133:25 134:12,16 136:1 136:9,23 137:7 138:5 140:13,16 141:1 145:18 146:11 societies 23:19 society 122:3 solicitor 144:4 somebody 18:5 21:25 22:21,25 126:20 soon 8:24 sorry 4:19 14:19 16:15 17:4 26:11 47:10 48:1 94:24 sort 10:20 11:24 11:24 78:23 116:16 117:11,15</p>	<p>145:16 sorts 11:23 79:5 114:7 115:18 133:8 sought 71:20 95:16 144:4 sound 16:21 sounds 22:15 99:24 sources 113:19 South 54:17 136:8 136:13 137:25 138:14 Southvale 78:13 78:14 114:17 131:13,19 Southwark 130:4 140:20 speak 10:6 19:1 23:2 25:11 38:12 65:10 115:13,16 121:16 136:20 speaking 17:4 93:1 95:23 116:10 special 52:12,16 52:20 96:7,11,14 97:20 114:9 123:2,10,13,14 132:23 specialist 58:21 59:4 specialists 53:14 specific 10:17 22:5 56:3 76:16 84:9 84:11 88:3 89:9 91:8 119:21 121:10 specifically 11:4 18:23 21:10 63:13 76:12 114:15 speculate 91:3 127:14 speculation 91:7 speed 77:10 spending 28:25 100:18 spent 95:23 spoke 33:6 45:18</p>	<p>45:18 86:24 spoken 95:16 115:19,19,21 spokesman 136:9 137:7 138:5 St 27:20 staff 3:8 4:24 7:15 9:8,15,16 10:24 11:5,8,9 17:21 18:10 19:10,20 19:25 23:20 24:20 25:18,21 39:12 43:8 51:7 51:9,11,15 52:9 52:11 56:22,24 57:1,8,9 58:11 59:5 62:7 67:18 69:22 70:8,15 75:7,11 77:9 81:17 82:5,7,8 83:11 91:21 105:6 108:2 113:24 122:16 131:12 132:25 133:3,4 134:9,13 134:17 138:6 staffing 81:19 82:1 stage 13:3 49:23 55:3,4,10,13 136:22 stages 55:2 stance 14:25 stand 113:8 117:16,20 standard 3:3 7:16 88:19 standards 19:24 68:21 Standing 15:18 stands 18:8 start 4:21,23 77:4 116:22 starts 74:4 100:12 state 7:19 85:2 137:15 143:8 stated 92:8 95:15 146:9 statement 1:21,22 2:2,17 3:12 8:19</p>
--	---	---	---	--

<p>10:9 12:16 13:3 13:20 14:4,11,15 17:25 19:7 21:12 27:10 36:13 40:4 40:14,16,18,21 40:23 41:1,3,11 42:5,8 48:12 67:6,6,9,10,15,20 68:6,11,12 69:3,9 69:19 71:22 72:14 73:7 74:1 74:2 76:13 77:1 82:9,10 83:8 91:10 92:8 93:2 94:10 99:7 106:10,23 107:1 107:18 112:5,8 112:21 117:6 121:20 135:20 139:22,25 140:2 144:14,14 147:15 147:19,25 statements 67:2 73:2,4 states 103:20 141:25 143:1 146:7 stating 30:5 68:2 Station 141:21 status 33:9 statute 38:20 statutory 38:15 108:7 stay 4:16 8:5 44:5 141:18 stayed 24:17 25:5 25:25 112:3 140:25 staying 36:7 128:20 steadily 58:12 steep 112:24 113:3 stemmed 144:16 step 10:7 Stephen 75:10 118:21 119:4 stepping 67:20 steps 65:10 87:2 97:7,8,9 98:13</p>	<p>106:13 steward 68:18 stood 113:9 117:21 stop 90:23 stopped 65:16 91:1 strategic 5:6 117:18 118:3 strategy 70:7 Street 78:17 98:17 112:14 114:16 119:22,23 120:1 124:21 131:1 132:2 136:14 strengthening 54:11,13 stress 56:1 96:4 stresses 73:20,22 73:22 stressful 109:20 strike 106:15 110:6 strong 8:21 30:19 77:23 121:21 133:7 stronger 118:11 strongly 54:18 style 77:25 78:8 subcommittee 6:9 6:11,12,20 39:6 76:16,20,22 80:14,16 113:11 113:21 subcommittees 135:20,21 136:3 subject 41:4 102:15 submitted 47:16 59:19 98:4 143:5 subsequent 22:25 23:3 37:24 75:8 75:14 94:19 95:13 subsequently 22:21 23:10,17 24:4 90:9 93:16 94:10 101:13 substantial 20:15 48:6</p>	<p>substantiate 91:20 substantive 4:4 20:6 Suffice 90:19 sufficient 45:6 117:9 suggest 19:13 41:19 suggested 22:19 50:17 71:14 142:18 143:6 suggestion 7:7 49:22 50:12 63:14,16 124:12 130:3 suggests 7:17 38:13 90:7 146:5 suitability 29:9 suitable 38:18 86:10 summarises 52:5 106:25 summary 37:16 38:1,8 52:1,1 55:18 61:2,3 62:4 69:10 82:19 140:4 supervise 86:12 89:4 supervised 87:7,23 supervising 85:17 88:10 supervision 54:4 54:10 57:15,18 57:21 59:13 65:8 86:7 87:25 105:8 supervisory 43:15 44:2 55:14 supplied 45:20 supply 18:20 supplying 18:21 support 8:23 9:8 10:3 56:4 67:16 69:14 106:12 144:25 supported 25:4 57:20 supporting 29:4 29:23 33:13</p>	<p>34:24 56:10 supportive 110:9 suppose 45:24 supposed 65:22 sure 49:10 62:6,6 63:11 73:12 80:17 115:3 122:11 Surely 86:2 surface 31:1 surgeons 120:15 surprise 95:9 surprised 62:14,21 64:16 surprisingly 71:10 surrounding 23:14 37:1,11 43:3 Susan 93:1 suspected 68:10 suspend 96:8,11 suspended 52:11 52:22 96:1,18 suspension 52:23 sway 68:19 switch 54:6 sworn 1:10 42:2 147:17 sympathise 82:12 system 38:21 51:13,21 53:4,25 54:7 61:5 76:17 76:18 86:1,4 87:19 134:1,24 135:8,13,15 systematically 70:7 systemic 70:4 systems 13:24 43:15 44:2 55:6 55:14 70:12 84:24</p>	<p>73:24 87:2 93:15 94:5 96:14 97:7 97:8 106:13 114:21 116:3 117:20 124:18 137:11,14 142:21 143:9,17 144:23 taken 3:15 5:6 7:21 8:17 19:23 39:19 40:9 53:3 61:17,24 62:14 62:23 64:8 89:13 91:23 98:13 123:3 125:7 132:19,21 144:2 144:7 146:23 talk 4:13 65:25 94:9 100:17 113:24 114:1 132:9 talked 59:17 87:12 105:18 113:23 talking 2:19 10:11 11:13 17:9 24:3 25:17 47:3 50:8 71:11,13 78:9 88:12 90:12 129:4 135:10 136:14 talks 81:18 Tapsell 33:7 targeted 18:5 tarnished 10:5 task 39:2 56:3 110:21 tasks 43:23 teacher 29:11 112:1 113:11 115:15 119:20 team 32:22,23 131:17,20,22 139:25 141:3 143:3 teams 140:24 teenage 28:21 telephone 32:22 38:2 121:16 143:12,15 telephoned 30:3</p>
--	---	--	--	--

<p>tell 3:20 14:11 107:18 113:1 115:3 126:1,4,7 telling 12:1 ten 12:19 78:20 ten-year 73:9 tend 116:6,7 tenure 108:8 term 12:21 36:7 terms 7:13 13:17 15:12,12 17:17 18:14 20:17 24:5 25:14,20 30:17 38:15 42:24 43:11 45:10 48:11 54:21 56:14 65:7 108:10,25 114:14 117:13 119:7 134:8 terrible 75:13 terribly 25:10 thank 4:23 16:21 16:23 17:3 26:4 26:6,7,8,10,21,22 26:24 27:7,8 41:20 59:9 60:8 66:13,15,17,19 66:21,22,22,24 72:18,19 74:10 93:7 94:20 95:10 107:14 108:4,5 109:3,5 110:24 110:25,25 111:2 111:8 112:9 120:7 138:17,20 139:5,6,7,13,15 139:17,18,24 147:6,7 Theaker 44:10 45:25 46:16,22 46:24 47:5,16,20 48:5,10 49:17 52:2 61:3 63:4 64:11,19 65:3,16 Theaker's 48:13 48:18 50:20 theft 94:13 Thelma 92:18</p>	<p>thereabouts 126:1 they'd 48:7,23 thing 11:15 18:8 57:22 62:1 99:20 114:9 136:2 things 11:23 17:16 24:12 70:14 74:11 75:17 114:7 115:18 118:16 133:3,4,8 139:4 think 3:5,5,7 4:13 4:15,24,25 8:9,10 9:5 11:20 12:5,9 13:2,2,19,20 14:13,15 15:5,7 15:12 16:5,6 17:15,16,17,20 18:21 20:7 21:21 24:1,14,16,17,22 25:3,4,11,25 45:14 46:6,16,23 47:4,15 48:25 49:17 53:1 57:19 58:17,25 60:5,16 61:21 63:12 64:6 64:23 65:22 73:14,16 74:17 75:21 76:20,22 76:24 80:25 83:24 84:7 90:8 90:11,20 92:8,9 92:16 93:5,11,11 93:17,20 94:7 95:9 96:23 97:5 104:18 106:11,15 110:18 114:19 115:7,14 116:3 117:2,12,15,16 117:19,21,22,23 118:18,19 119:1 119:4,6,10,13 121:9 124:6,25 125:3,5,7 126:23 127:4,8,12,16,19 128:6,10,12,14 128:18,20,23,24 129:17 130:11,18 130:19 133:14</p>	<p>134:3,6,23,25 135:6,9,19,19,20 136:1 138:1,13 139:2 144:7 145:9,10,12 thinking 127:15 third 35:16 41:17 57:12 70:23 Thirdly 14:21 Thomas 95:5 thorough 95:15 thoroughgoing 92:20 thought 15:3 17:7 17:7 58:20 60:3 61:16,25 62:19 66:3 73:25 79:22 96:13 97:15 109:15 113:15 114:25 115:4 127:2 128:25 three 14:15 33:18 34:12 45:7 47:7 47:12,17,25,25 48:3 59:1 60:21 62:18 63:4 64:17 75:15 81:3 84:3 90:2 91:1 119:16 122:25 three-page 131:9 three-year 140:18 time 2:5 3:9,15,21 4:10,16 5:5,5 6:5 7:14 9:14,16 10:2,7,14 11:2 12:25 13:7,9,20 17:13 19:12 20:21 21:9,23 22:9,11,20 23:24 24:1,2 25:6 26:1 27:1 28:6,19 31:18 33:16 34:6 34:6 36:19 38:4 39:6,20 41:5,8,19 45:3 48:20 50:5 55:23 60:16 65:4 73:23 74:13 75:13 76:10 77:16 78:25 79:3</p>	<p>79:11,23 83:9 84:15 86:14 88:6 91:12 92:23 93:3 93:22 94:3,11 95:3 98:7 99:5 99:10,12 100:3 101:19 104:5,6 104:15,25 105:8 105:10,21,21,22 105:24 107:19 108:8 109:11,14 109:20 110:8,17 111:4,6 112:10 112:17 114:2 115:4 117:19,20 117:24 118:8,15 118:23 119:15 120:1 121:19,21 122:14,17 123:24 124:19 125:11,21 126:1,24 127:16 127:22 129:1,13 129:16 131:1 132:6 133:13 137:19,23 138:22 139:21 145:8 time' 137:7 timeline 33:10 times 58:3 77:19 84:1 103:18 timetable 43:21 timing 78:23 today 65:19 95:25 96:18 110:5 123:12 139:21,22 139:23 147:5,7 today's 19:23 told 10:16,21 12:6 12:9 21:14 22:12 22:22,24,25 23:7 34:17 53:21 61:25 83:15 125:24 126:3,14 128:2,5 top 52:7 77:21 98:20 Tory 136:9 137:7 138:4 total 98:21</p>	<p>touched 145:24 town 42:12 track 17:6 traditional 71:24 94:4 trafficking 12:18 tragedy 75:8 train 17:7 trained 11:10 132:25 training 13:5 57:21 58:21,21 58:25 59:4 69:14 140:10,16 145:19 trainings 24:20 transcript 67:7 69:4 72:15 144:13 transferred 137:12 140:21 transition 31:3 transmission 16:14 transparency 28:10 31:22 53:4 128:16,19 transpired 39:21 treated 10:21 12:3 133:16,20 treatment 83:16 tremendous 24:15 110:14 triangulate 135:8 tried 21:9 71:13 107:1,10 129:4 trip 36:11 trips 35:24 true 1:24 40:18 42:8 73:4 121:2 trust 37:7 102:24 103:4 trusted 12:24 33:8 try 65:23 114:11 119:7 139:3 trying 47:21 83:19 86:6 116:3 119:2 138:11 turn 74:1 76:11 77:3 82:18 86:24</p>
--	--	--	--	---

98:17 99:25 100:1 102:11 turned 31:12 142:6 Turning 3:11 19:5 74:10 104:23 twice 114:8,13 136:21 two 4:17 19:11 28:21 31:6 33:24 34:8 41:4,7,15,17 43:23 47:20,23 48:9 49:3 55:2 61:15 62:20 69:2 73:2 79:14 119:12 131:15 140:23 141:8,12 two-year 79:16 80:19 114:8 type 43:13 Tyra 74:13 75:8 110:11 112:16 118:20	147:3 understandably 119:11 understanding 17:18 22:12 34:16 51:6 53:23 54:23 58:14 62:13 63:9 94:18 98:5 104:7,8 understood 12:23 13:2 18:4,18 22:6,10 25:12 45:7 52:19 59:18 62:20 63:3 99:1 103:12 undertake 59:20 undertaken 19:17 23:14 undertaking 146:11 undertook 20:20 21:22 unfair 146:24 Unfortunately 35:25 88:19 unit 27:23,25 28:15 29:14 32:9 33:12 39:23 50:12 54:17 63:17 124:13,16 125:5 143:4 unnecessary 8:16 unprofessional 32:22 unqualified 140:13 unreasonable 70:23 97:1 unreceptive 11:10 unsigned 68:1 unsuccessful 31:4 34:2 unsuccessfully 31:6 33:24 unsupported 3:19 36:20 unusual 94:2 URN 144:13 use 30:19 53:24,25	66:12 120:24 130:18,21 users 70:1 usual 147:3 usually 56:4	visit 16:9 41:6 77:17,18 78:3,12 78:14,20,21,22 79:2 85:19 114:2 114:12,12,20 115:7 116:21 visited 18:25 21:5 29:13,21 77:24 78:4,12,16,24 79:6,7,14 80:20 81:4,6 113:23 114:5,8,15,18,19 115:8 125:16 visiting 18:23 78:8 79:8,9,9 115:9 116:17,18 125:18 135:6 visits 24:21 27:15 39:8,9,9,11 56:16 56:17,21 58:5 78:6,7,24 79:18 80:6,9 114:21 vitality 57:14 vocabulary 12:18 voice 15:23,24 134:24 voices 133:15 volume 79:4 voluntary 7:22 8:3 54:16 84:12,16 85:1,18,21 86:8 vulnerable 18:1 43:17 53:13,19 64:12 106:17 113:12 122:3,7	144:17 145:4,5 146:9,11,13 want 3:9 4:21 10:5 14:12 19:5 46:20 57:23 107:15 111:5 121:5 126:19 127:6 131:4 wanted 9:25 10:5 25:5 46:2,5,17 121:3 130:13 132:23 ward 140:21 wards 140:20 warning 103:1,14 wasn't 2:21 4:14 6:6,11 9:25 10:1 10:4,17,18,18 13:12 17:15 20:16,20 23:6,24 24:2 48:20 83:17 85:6,7,7 91:1 94:2 99:14 114:25 118:4,9 118:15 119:20,24 122:11 123:16,19 123:23 124:2,15 124:25 125:25 129:6 130:22 131:18 133:25 134:1 145:15 Waveney 95:14 way 3:2 13:4,6 22:8 32:18 51:15 51:16 52:8 60:18 62:24 92:6 93:25 94:2 97:12,17 99:23 103:22 115:25 119:6 123:19 134:24 137:9 ways 79:5 110:1 we're 50:8 weakness 54:3,12 weaknesses 92:14 week 27:4 weekends 29:1 38:12 weekly 77:5,6
<hr/> U <hr/> ultimately 29:13 33:5 86:3 unable 18:7 35:25 117:9 unacceptable 7:17 39:3 unallocated 8:11 unannounced 116:21 uncaring 11:11 uncertainty 137:1 unchallenged 117:12 under-5 2:13 underestimated 82:21 undermined 102:24 understand 20:19 22:3,8 25:25 30:1 34:6 38:11 49:11 72:9 96:16 97:25 103:21 109:13 111:17 143:23 145:13			<hr/> V <hr/> vacancies 7:15 10:2 82:1 vacant 5:4 vague 64:5 Val 31:9 33:3,16 33:23 34:11,15 34:18,22 values 68:23 74:8 various 5:7 24:20 76:2 84:5 102:14 112:16 113:24 118:6,7,21 120:15 verbally 18:12 Verley 38:4 146:25 vetting 134:7,9,13 134:13 victim 55:21,24 56:5,8 victim's 56:6 victimisation 56:24 victims' 139:1 Victoria 141:21 view 5:1 7:17 19:3 19:18 21:25 25:22 37:4 60:3 61:13 68:14 71:16 78:1 82:6 83:1 85:15 90:8 92:6,8,14 97:13 104:20 117:7 133:20 144:23 145:6 viewed 10:24 13:22 17:20 viewing 103:2 views 61:17 62:22 92:10 108:7 village 12:10 village-type 11:7 visibly 70:16	<hr/> W <hr/> Wales 35:25 walk 116:21 Wandsworth 27:19,25 28:5,6 28:10,14 29:14 29:19,21 30:13 30:14 31:23 32:8 32:23 33:11 35:23 36:18,22 37:23 39:23 40:11 129:21,21 130:6 141:23 142:3,5,16,25

<p>welcome 1:3 welcomed 107:2 welfare 38:23 44:15 56:9 well-being 74:7 went 2:18 8:20 9:10 16:6,9 21:23 27:17 30:8 30:12 32:14 35:5 46:23 52:23 55:5 59:22 77:19 79:1 111:25 114:23,25 115:3,13 116:12 118:6,7 140:6,16 141:1 145:11 weren't 11:10 13:23 15:23 16:4 49:25 50:21 92:22 98:2,13 130:12 133:15,16 West 140:11 whatsoever 45:13 whilst 6:1 7:14 9:12 23:21 28:14 74:22 100:5 whirlwind 3:17 white 15:9 wholly 68:22 wide 79:10 widely 97:23 123:5 wield 37:18 wife 28:17 142:2,5 William 44:10 Williams 72:5 95:14 Wing 72:1 wish 16:19 17:13 37:24 106:22,23 wished 15:13 46:15 113:25 withdraw 30:9 55:25 withdrawn 98:10 123:16 withdrew 26:25 66:25 111:3 139:19 witness 26:25 40:14 66:23,25</p>	<p>67:2,5,6,10 111:3 139:19,24 144:13 witnesses 45:18,19 46:2 women's 140:17 wonder 74:3 wonderful 133:8 wondering 115:20 word 25:13 wording 5:14 words 14:11 18:14 work 1:17,19 7:3 8:21 12:18 13:5 19:13,13,15,19 19:25 20:20,22 23:13 27:22 29:17 35:4 36:20 45:10 71:6 73:21 75:3,14,18 76:1 76:21 77:8 78:9 79:4,5 86:15 87:21 93:25 113:15,16 120:11 120:17 134:18 140:7,16,19,21 140:23 worked 2:2 27:21 42:11 49:18 67:11 76:1,2 108:20 110:2 117:2 135:22 140:11 worker 2:7 20:1,2 20:4,14,19,23,23 27:17,18 28:4,23 29:16 30:11 31:9 33:2,3,15 36:15 36:22 38:11 39:23 41:10 44:17 56:4 87:7 87:9,20 88:10,24 89:4 90:6 140:13 140:23 141:1 145:18 146:11 workers 7:6 10:11 10:19,25 13:12 35:3 58:19 59:5 85:16 86:11,18 86:21 87:9 128:7</p>	<p>128:17 133:25 workers' 84:5 110:6 working 2:6 4:8 19:20 31:19 45:3 59:5 64:10 107:4 109:2,18,21 119:17,19 120:23 120:25 128:7 134:11 135:15,16 135:21 140:20 worries 133:22 134:4,4 worry 21:1 134:2 134:3 wouldn't 22:13 79:6 81:5 88:1 89:5 94:5 97:18 114:18 115:25 116:6,8,21 117:4 121:17,19 126:17 126:19 127:2 128:20 132:13 write 47:7,10,11 47:18 49:4 65:11 writing 47:3,17 49:12 50:1 95:25 118:8 written 11:12 18:20 45:21 47:24 48:6,10,10 48:22 51:10,23 51:23 62:15,20 103:14 wrong 90:11 114:11 145:2,10 wrote 24:10 59:21 70:21 91:17,18 91:19,22 92:18 95:19 129:18</p> <hr/> <p style="text-align: center;">X</p> <hr/> <p>X 98:22 147:12</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p>Y 19:8 year 3:13 50:6 58:3 114:12,13 yearly 78:20,21 years 2:9 6:3 8:6</p>	<p>9:7 11:9 12:19 18:9 24:15,23 27:21 69:2 73:17 75:16 78:21 79:14 81:3,16 82:23 83:2,2,14 83:18 84:3,7 85:4 134:6 140:14 141:1 Yorkshire 140:11 young 6:3 8:2,14 15:4 18:11 20:17 21:15,18 53:12 61:22 81:13 122:1,10 133:9 younger 24:11 youth 9:13 35:23 36:10</p> <hr/> <p style="text-align: center;">Z</p> <hr/> <p style="text-align: center;">0</p> <hr/> <p>002 122:17 003 5:11 50:24 81:8 84:10 131:8 088 74:19</p> <hr/> <p style="text-align: center;">1</p> <hr/> <p>1 21:7,11 31:15 51:2,4 74:13 84:23 96:17 98:23 122:21 131:9 142:4 147:13,14 1.11 146:6 1.45 72:18,22 10 55:20 57:22 74:2,4 101:7 10.30 1:2 147:10 10.56 16:24 100 22:11,14 137:6 137:19,22 107 147:22 11 73:17 121:20 131:11 11.06 17:1 11.41 41:21 11.59 41:23 111 147:23,24 12 41:19</p>	<p>12-year-old 136:16 12.48 72:20 13 38:7 100:7 14 50:6 52:3 142:24 140 147:25 147 122:21 15 32:19 40:8 65:21 16 58:8 145:12 17 22:13 84:18 104:7 145:12 17- 21:17 176 141:20 142:15 18 9:1 22:9,13 76:13 77:1 104:4 104:15 18-year-old 21:17 1943 140:7 1970s 39:6 1971 140:18 1974 140:19 1977 27:17 73:9 1980s 12:17 75:17 1982 88:11 1983 2:3,12 10:14 10:16 78:3 1984 42:14 67:13 69:8,10 74:13 100:7 1985 2:12 1986 13:14 27:24 31:12 42:16 48:1 67:14 95:2 111:18,20 112:23 113:1 117:7 120:7 125:25 136:7 1987 28:14 48:1 52:3 69:10,12 118:20 122:20 131:11 132:1 1988 5:13 30:12 36:5 41:2,6 73:9 73:13,14 82:17 83:3 84:18 111:21 142:24 1989 2:3 38:7</p>
--	--	--	---	--

<p>39:22 111:23 1990 28:5 40:12 69:12,13 111:18 111:23 1990s 70:16 1993 39:24 42:14 69:14,15 1994 32:19 40:8 112:2 1995 119:16 1996 69:9,16,18 1997 112:2 1998 40:15 41:2 132:9</p> <hr/> <p style="text-align: center;">2</p> <p>2 5:15 41:1 51:2,12 98:22 146:5 2.11 98:20 2.2 42:23 2.2(i) 43:1 2.3 44:5 2.53 111:9 2.7 3:12 2.8 3:17 8:18 2000 2:18 2010 112:4 2014 40:22 2020 1:1,21 42:6 73:3 112:6 147:10 21 29:14 51:25 100:6 112:6 22 81:14 23 48:1,7 62:18 64:18 88:11 23rd 48:23 24 30:12 101:7 122:20 25 1:21 136:7 26 64:20 69:19 27 40:15 120:7 147:15 28 67:22 29 42:6</p> <hr/> <p style="text-align: center;">3</p> <p>3 1:1 41:11 82:18 120:12 131:10,12 3.10 111:7,11</p>	<p>3.3 10:9 12:16 52:7 3.5 53:6 3.56 147:8 3.6 53:24 3.7 54:1 3.8 54:14 30 36:5 41:6 100:11 134:6 30-plus 3:24 31 40:12 35 70:3</p> <hr/> <p style="text-align: center;">4</p> <p>4 40:22 4-year-old 136:17 4.1 68:12 4.2 14:4,8 41 70:20 42 147:17,18</p> <hr/> <p style="text-align: center;">5</p> <p>5 1:3 31:12 61:21 73:3 112:21 5.2 48:12 507 92:9,17 53 73:16 55 71:21 56 71:21 58 106:9</p> <hr/> <p style="text-align: center;">6</p> <p>6 64:23 74:21 147:10 67 147:19</p> <hr/> <p style="text-align: center;">7</p> <p>7 48:3 64:24 70s 27:11 72 147:20 73 147:21</p> <hr/> <p style="text-align: center;">8</p> <p>8 73:7 98:21 80s 70:15 109:19 85 2:13 74:20 80:23 87 2:15 88 80:24 83:23 132:8 89 2:15</p>	<hr/> <p style="text-align: center;">9</p> <hr/> <p>9 56:12 117:6</p>		
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