

<p>1 Thursday, 23 July 2020</p> <p>2 (10.30 am)</p> <p>3 THE CHAIR: Good morning, everyone, and welcome to Day 14 of</p> <p>4 this public hearing. Ms Langdale?</p> <p>5 MS LANGDALE: Thank you, chair. Good morning. May I call,</p> <p>6 please, Commander Murray.</p> <p>7 COMMANDER ALEX MURRAY (sworn)</p> <p>8 Examination by MS LANGDALE</p> <p>9 MS LANGDALE: Can you give us your name and occupation,</p> <p>10 please?</p> <p>11 A. My name is Alex Murray, and I'm a commander in the</p> <p>12 Metropolitan Police Force.</p> <p>13 Q. You have helpfully provided to the inquiry a statement</p> <p>14 dated 23 April 2020. Do you have that statement near to</p> <p>15 you, Commander Murray?</p> <p>16 A. Yes, it's in front of me.</p> <p>17 Q. Can you confirm the contents are true and accurate, as</p> <p>18 far as you're concerned?</p> <p>19 A. Yes, I can.</p> <p>20 Q. Just setting out at the beginning of paragraph 2, you</p> <p>21 explain you have been a serving police officer for</p> <p>22 23 years. What is your current position, insofar as</p> <p>23 this inquiry is concerned, that's relevant to us?</p> <p>24 A. So I'm a commander for a team called central specialist</p> <p>25 crime that has seven divisions. One of those divisions</p> <p style="text-align: center;">Page 1</p>	<p>1 is called vulnerability, and it has Operation Winterkey</p> <p>2 within it. Operation Winterkey has been assisting IICSA</p> <p>3 and also deals with historic crime associated with</p> <p>4 institutions, particularly sex abuse. It also has the</p> <p>5 modern slavery and child exploitation team in it, and it</p> <p>6 also has the online child sexual exploitation teams</p> <p>7 within it for serious online child sexual exploitation</p> <p>8 offences.</p> <p>9 Q. We understand, from paragraph 4 of your statement, that</p> <p>10 Operation Winterkey currently consists of approximately</p> <p>11 80 to 85 officers; is that right?</p> <p>12 A. Yes, that's correct.</p> <p>13 Q. You say the terms of reference were reviewed in 2019,</p> <p>14 and are due to be reviewed in 2020, March 2020. Without</p> <p>15 committing you to this, what's likely to be the position</p> <p>16 by March 2020? Do you know? Are they likely to stay</p> <p>17 the same, or what's the position?</p> <p>18 A. We have reviewed the terms of reference. They have</p> <p>19 stayed largely the same. There have been a couple of</p> <p>20 peripheral changes, particularly in relation to the date</p> <p>21 of anything pre 2012. That's been changed. But,</p> <p>22 otherwise, it remains largely the same.</p> <p>23 Q. For those, and there will be many, who are interested in</p> <p>24 how sex offenders are being detected and prevented now,</p> <p>25 how do you say, as somebody who overviews that</p> <p style="text-align: center;">Page 2</p>
<p>1 operation, the commitment is? What's the commitment to</p> <p>2 pursuing sexual offenders?</p> <p>3 A. Well, we are really committed to working with victims</p> <p>4 and complainants to understand what's happened to them</p> <p>5 and to bringing offenders to justice, however historic</p> <p>6 the offences are. I would always encourage people who</p> <p>7 have been subject to sex abuse to come forward and we</p> <p>8 offer our commitment to look into that thoroughly and</p> <p>9 hopefully bring offenders to justice.</p> <p>10 Q. You set out, at paragraph 8, the number of allegations</p> <p>11 you have received and the number of individuals who have</p> <p>12 been prosecuted and convicted. Can you just tell us,</p> <p>13 please?</p> <p>14 A. Yes, this is just Operation Winterkey. Within</p> <p>15 safeguarding across the Met we have over 2,000 officers,</p> <p>16 so that would be very different.</p> <p>17 For Operation Winterkey, we have referred 265</p> <p>18 allegations, and we have charged 87 individuals and</p> <p>19 investigated 101 cases of police misconduct associated</p> <p>20 with those investigations. 79 individuals have been</p> <p>21 convicted as a result of those investigations.</p> <p>22 Q. Can I ask you now about investigative approaches. We</p> <p>23 heard from DI Morley yesterday. He very helpfully set</p> <p>24 out different approaches. We traced -- I'm not going to</p> <p>25 do it with you; we're not going to cover the same</p> <p style="text-align: center;">Page 3</p>	<p>1 ground -- various operations and investigation</p> <p>2 techniques. We hear from that that there can be several</p> <p>3 intelligence-led approaches where it is a question of</p> <p>4 looking at the documents and speaking to those who you</p> <p>5 think may have direct knowledge. Then there can also be</p> <p>6 a different approach, where all potential victims are</p> <p>7 approached, perhaps in relation to an institution, an</p> <p>8 establishment, or people who might know an alleged</p> <p>9 offender, et cetera. What's your view about the</p> <p>10 appropriateness of a wider approach generally when you</p> <p>11 have a suspect or someone that the police is interested</p> <p>12 in, as opposed to the intelligence-led specific, going</p> <p>13 to individual potential victims?</p> <p>14 A. I think we have got guidance on this which is quite</p> <p>15 clear, which is every case on its merits. And the</p> <p>16 senior investigating officer would need to assess what</p> <p>17 is the best approach to look for either additional</p> <p>18 witnesses or additional victims. That could be</p> <p>19 questionnaires, it could be direct approaches. Often</p> <p>20 the way we do it is by saying, rather than, "Have you</p> <p>21 been a victim of crime?", "Have you witnessed</p> <p>22 something?", so it can minimise the disruption to</p> <p>23 people's lives if they weren't expecting a visit, for</p> <p>24 example. But it is every case on its merits.</p> <p>25 Q. You're not too reluctant to be proactive and make</p> <p style="text-align: center;">Page 4</p>

1 a visit? I mean, that's sometimes what's needed,
 2 presumably, to reach out to potential victims?
 3 **A. Yeah, that's right. Certainly you've seen from some of**
 4 **the victims and witnesses that a number of things make**
 5 **people want to report information to the police, and**
 6 **they -- sometimes they don't want to, and then later on**
 7 **in their life they come to a position where they feel**
 8 **that they can, and it's right that we give people the**
 9 **opportunity to when they can. But also, for a whole set**
 10 **of reasons, sometimes people don't want to report to us.**
 11 Q. We discussed yesterday with DI Morley the question of
 12 where links between alleged child sexual offenders
 13 weren't identified or followed up at the time, or didn't
 14 seem to be. We had examples of two offenders being
 15 together with a particular child; we had examples of
 16 children in care referring to another man being present
 17 while pornography was being shown to two children, for
 18 example. What efforts are made now to provide and look
 19 at links between those who are abusing children to see
 20 what networks are involved, or might be involved, with
 21 that?
 22 **A. So I think now we'd be really concerned, from**
 23 **a safeguarding point of view, and from a criminal**
 24 **investigation point of view. Clearly now the welfare of**
 25 **the child is paramount and the welfare of all children.**

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1 and some of the precursor operations looked at
 2 North Wales and the links there. Clearly it's
 3 something, particularly in light of the Bichard Inquiry,
 4 following some of the murders in Soham, that we are very
 5 well linked up on nationally with something called the
 6 Police National Database, PND. But, at that time, it
 7 would have required an officer to make contact with
 8 North Wales Police and, again, social care to social
 9 care as well in North Wales. The detail of how that
 10 happened I'm not over at the moment, but we'll get back
 11 to you on it.
 12 Q. Thank you for that. We have followed up with a rule 9
 13 for DI Morley, but in effect, we have seen a memo which
 14 refers to some children being placed in North Wales, and
 15 we are just trying to follow up around that, so thank
 16 you for that.
 17 In terms of your statement now, you set out from
 18 paragraph 10 general development of policy and practice,
 19 and you helpfully break that up into various sections.
 20 1963 to 1988, you talk about CID officers in individual
 21 stations largely being responsible for taking complaints
 22 from victims and complainants. So tell us what the
 23 shortfalls were with that system?
 24 **A. You can imagine a CID office in a borough in the '70s**
 25 **and '80s in London. People are going to be dealing with**

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1 **So in the example that you have given, if there was**
 2 **a main perpetrator but we were aware of another person**
 3 **being in the room, that would be an obvious line of**
 4 **enquiry (a) to understand whether a criminal offence had**
 5 **been committed by that individual, but also from**
 6 **a safeguarding point of view: who else has that**
 7 **individual got access to; are they in a position of**
 8 **trust; do they have children of their own? That would**
 9 **immediately now come to a multi-agency safeguarding hub**
 10 **where police officers sit with children's social workers**
 11 **and then an analysis would be done on the information.**
 12 **At that point, they would decide what the next step**
 13 **would be, whether that is a strategy discussion or**
 14 **what's called a section 47 discussion, where an**
 15 **appointment is made to see the victim or the offender**
 16 **with a social worker and a police officer.**
 17 Q. In relation to children in Lambeth specifically, was
 18 there, or has there been, at any point, as far as you're
 19 aware, an examination around children that may have gone
 20 from Lambeth and been placed in North Wales and whether
 21 there are any links surrounding their experiences or
 22 potential experiences between both places?
 23 **A. Yes. I listened to Simon Morley's evidence yesterday,**
 24 **and I think that's something we need to come back to you**
 25 **on in relation to understanding to what extent Middleton**

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1 a whole array of crime, from armed robbery through to
 2 violence through to burglary, and then through to
 3 child abuse. You can see they're very different
 4 offences that require very different skill sets; and you
 5 will need a very omni-competent officer who can deal
 6 with all of those in a satisfactory fashion.
 7 In fact, early in my career, I was a child
 8 interviewer. I was shown a video of a conventional CID
 9 interview of a child as a way to not interview a child,
 10 saying, "This is how we have moved on". I think that
 11 would have been a real challenge, both from a victim's
 12 point of view but from a CID's officer point of view,
 13 that they have to deal with a whole array of crime and
 14 they can't be specialists in everything.
 15 Q. One of our complainant core participants, LA-A156,
 16 reported a crime in a London station in 1984. She was
 17 a child in care. She'd been truanting. She was
 18 sexually abused. When the alleged offender was
 19 prosecuted in relation to other cases, he was not
 20 prosecuted in relation to her, and she recollects the
 21 police officer saying they have got enough evidence in
 22 relation to the other girls. Now, I'm not asking you to
 23 comment on the specific case, I'm asking you this: it's
 24 likely, isn't it, with that kind of overview of cases,
 25 that the factors I've described would have been used

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<p>1 very much to influence decisions against children in 2 care when they came forward with complaints? 3 A. I think you're right, and certainly we have seen that 4 with the chair's report in relation to Rotherham as 5 well, that the idea of lifestyle choices no doubt did 6 feature in police officers' views around how to take 7 forward an investigation, and it's something we, in 8 police in more general, have learnt a lot about and 9 learnt not to go down that avenue at all. 10 Q. They're not really choices, are they, when they're 11 children in care; they're children. So it's 12 stereotyping against -- judging victims rather than the 13 complaint? 14 A. Yes, I'm certainly -- I'm saying that the idea of 15 a child making a lifestyle choice is totally 16 inappropriate, and that's what we have learnt from, yes. 17 Q. Can you look at 1988 to 1999. You speak there about how 18 child protection teams were introduced in 1988. This is 19 the beginning of the shift, isn't it, of so-called 20 Working Together? 21 A. Yes. 22 Q. How did that work out, looking back, at the time? Was 23 that such a new initiative? Was it difficult for the 24 MPS? 25 A. You see a whole raft of legislation and reports in 1988,</p> <p style="text-align: center;">Page 9</p>	<p>1 1989, with the Children's Act of 1989, where child 2 protection teams come together for the first time, 3 largely as a result of the Lady Butler-Sloss report from 4 Cleveland, but also the Children's Act, and I think it 5 was a very sensible and long-overview development, where 6 we have officers who are much better trained and who 7 work hand in glove with children's social care, which is 8 absolutely essential. 9 Q. We see you attach to your statement -- we can perhaps 10 have it on the screen, please, Mr Hyde. 11 MPS004481_002-003. This, Commander Murray, is the 2003 12 standing operative procedures, making clear that the 13 primary purpose of the MPS's child abuse investigation 14 teams -- if we look at it at 1.3.1 and we highlight 15 there -- is, "The welfare of the child is paramount", as 16 you have just said. Did that require something of 17 a cultural shift for the MPS, just thinking about that? 18 A. Yes, it does -- it did, and it does, and it is now. So 19 historically, the police have always been about 20 prosecution, and sometimes now you will still feel 21 a sense of -- that the police are about prosecution, and 22 that the social care is about welfare. This was very 23 clearly saying that everyone should have as number 1 on 24 the agenda the welfare of the child. It is something 25 the police are now committed to. It is not just about</p> <p style="text-align: center;">Page 10</p>
<p>1 bringing an offender to justice, albeit that is really 2 important, including for the welfare of the child. But 3 the voice of the child, how we take them through the 4 process, is of paramount importance, as you can see. 5 Q. Can that document be taken down, Mr Hyde? Thank you. 6 It also requires training and real understanding, 7 that, doesn't it, the shift to that? 8 A. Yes, it does. I mean, now officers go through an 9 intensive amount of training, both in how they interview 10 children, but also how they work with children's social 11 care and all the things that are really important to 12 understand around how children react. 13 Q. I want to ask you now about something specific in 14 relation to checks and police checks. It may be you 15 can't help us with it. I know you know I am going to 16 ask you this. But if you can't, tell us. 17 The position, we know, within Lambeth is that 18 children were placed with foster carers and with third 19 party agencies monitoring sometimes, and not others. 20 A question has arisen about whether the people that they 21 were placed with generally were police checked, were 22 safe or not. I'm going to give you the information that 23 we have and summarise it, if I may. 24 An inspection report in March 1993 by the SSI 25 identified vetting as an area of concern, but of the</p> <p style="text-align: center;">Page 11</p>	<p>1 total staff group employed post 1986 and eligible for 2 a police check, 18 per cent had not been subject to 3 a police check and 4 per cent had not been subject to 4 a DOH consultancy. May 1994, the Social Services 5 Inspectorate report found 1,637 forms had been sent to 6 staff, 718 of which were at the stage of being checked 7 by the police, but that the police were refusing to 8 process the checks due to workload implications, and 9 a lack of government guidance on it. 10 So we have got that situation between '93 and '94. 11 It is a question, really, about whether the police have 12 the resources or statutory obligation to do that at this 13 time. We know in 2000, if I can just move on, the 14 leader of the council wrote to the Commissioner of 15 the Police and said: 16 "We are faced with a situation whereby we simply do 17 not know whether police checks have been carried out on 18 large numbers of existing staff, either because of 19 the past failures of our organisation or because of 20 the failure of predecessor authorities to transfer to us 21 complete records. We have asked the interim 22 chief executive to carry out a mapping exercise. The 23 council feels so strongly about this matter that I have 24 undertaken to write to the Home Secretary to ask him to 25 amend Circular HoC (86)44 of 17 July 1986 which advises</p> <p style="text-align: center;">Page 12</p>

<p>1 against carrying out retrospective police checks." 2 So you see the issue loud and clear there. What was 3 the position, bearing in mind it was also for the police 4 to think that child welfare was paramount? What was the 5 position, as far as you're concerned, with checks, 6 retrospective checks, through that period in the '90s 7 and into 2000? 8 A. So I've read the correspondence you're referring to. It 9 is clear that the Met were doing checks on new foster 10 carers and new staff within children's social care in 11 Lambeth. But, as you point out, it's the retrospective 12 checks that weren't done, and it appears from the 13 correspondence that the Home Office guidance suggested 14 that that would not always be appropriate, and that was 15 given by the police at the time as a reason for not 16 doing it. 17 I haven't seen any correspondence, and I don't think 18 the inquiry has, back from the commissioner to the 19 leader of the council, so I don't know what happened as 20 a result of that. They may have, therefore, been done, 21 they may not have been done. But bearing in mind what 22 we have spoken about, the welfare of the child being 23 paramount, certainly now they would be done and the DBS 24 check system means that it is done. At that time, 25 I don't know what happened as a result of those letters</p> <p style="text-align: center;">Page 13</p>	<p>1 that went through, that I think are perfectly 2 reasonable, from the leader of the council, asking for 3 those retrospective checks to be done. 4 Q. Whether they were required or not, given the problems 5 Lambeth had, they were necessary, weren't they? 6 A. Yes, I think they were. 7 Q. If you can go to paragraph 40, please, of your 8 statement, you refer here to Serious Case Reviews. Can 9 you tell us or expand on the role of the MPS in Serious 10 Case Reviews organised by local safeguarding children's 11 boards? 12 A. Thank you, yes. By statute, the police are a key member 13 of the LSCBs, the local children's safeguarding boards, 14 now re coined as partnerships. As a core member, if 15 there is a death of a child or serious injury of a child 16 and it's associated potentially with neglect or abuse, 17 then the LSCB will commission a children's 18 safeguarding -- a Serious Case Review with an 19 independent chair who brings together all the evidence 20 across all the agencies. It is very much a learning 21 process where, together with the local authority and key 22 partners, we understand what's gone on and what lessons 23 can be learned. 24 The way it happens is, as soon as one of those comes 25 in, the Met and all other agencies, so a local</p> <p style="text-align: center;">Page 14</p>
<p>1 authority, would put what they call an IMR, an 2 information management review, back into the local 3 children's safeguarding board independent chair of 4 the Serious Case Review that would highlight everything 5 we think we know about what happened. They're all 6 collated and then the independent author will make 7 recommendations around learning and then it feeds into 8 an organisational learning process. It would come to my 9 equivalent in safeguarding, a commander in safeguarding, 10 who would say, "What can we learn from an institutional 11 point of view across the Met?". It would also go to the 12 borough commander who would say, "What's happened here? 13 Is there anything we can learn locally?" Now, very 14 recently, there's a national board, so that all Serious 15 Case Reviews that have also had their terms slightly 16 changed, it goes to a learning group that features 17 nationally so we can learn lessons nationally as well. 18 Q. Is there any independent monitoring of that learning and 19 how it's implemented? 20 A. There is now, yes. There is an independent board across 21 the country that receives all Serious Case Reviews. 22 Q. Have there been any instances of Serious Case Reviews, 23 as far as you know, within the MPS being announced and 24 then being withdrawn with no reason given? 25 A. I'm not aware of any, but that doesn't mean there</p> <p style="text-align: center;">Page 15</p>	<p>1 hasn't. Often, the Serious Case Reviews are pended 2 whilst there's a court case ongoing, often a coronial 3 inquiry as well. But it comes out in the end. Part of 4 the guidance from Working Together is really clear: if 5 there are lessons to be learnt whilst the report is 6 being written, you don't wait for the summary of 7 the report to come out to learn those lessons and 8 institutions and organisations learn straight away. 9 Q. Paragraph 60, please, of your statement, you speak of 10 approach to child sexual exploitation. You say, 11 following the publication of Professor Alexis Jay's 2014 12 report into child sexual exploitation, there was 13 appreciation of the potential for children to slip 14 through the gaps in services provided by Social Services 15 and police. Do you see that? 16 A. Yes. 17 Q. You set out at paragraph 62, if you can expand upon 18 that, and paragraph 63, how the protocol was developed 19 in London to address that. Tell us more about that. 20 A. As you know, there's 32 boroughs in London, so it's 21 really important to have a single definition of child 22 exploitation, child sexual exploitation and abuse, which 23 I think the London protocol provides us with, so we can 24 be absolutely clear what it is. 25 The review that Professor Alexis Jay did was really</p> <p style="text-align: center;">Page 16</p>

1 **useful in relation to that. It describes the imbalance**
 2 **of power between an individual and the perpetrator, and**
 3 **the London protocol, which is currently being rewritten,**
 4 **which is incredibly helpful, to look at all sorts of**
 5 **exploitation means that the council and the police in**
 6 **London all work together to the same definitions and the**
 7 **same expectations.**
 8 Q. Paragraph 65, please. You speak about:
 9 "Following publication of the protocol, officers
 10 from the MPS were also involved alongside other agencies
 11 in the provision of training on child sexual
 12 exploitation to local authority care homes across
 13 London. This training recognised the fact that older
 14 children living in residential care homes are often
 15 particularly vulnerable to sexual exploitation and was
 16 aimed at helping residential care home workers recognise
 17 the signs of such exploitation."
 18 What are the particular vulnerabilities to children
 19 in care that you are referring to there now?
 20 **A. So I'm going to speak of opinion rather than from my**
 21 **statement, if you don't mind. I think it goes back to**
 22 **the definition of child sexual exploitation in the**
 23 **London protocol, where, if there is an imbalance of**
 24 **power and someone in care wants something that they**
 25 **don't have, and that could be something as simple as**

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1 **that's sometimes not the case and that sometimes**
 2 **officers can be very focused on prosecution and that**
 3 **sometimes the welfare of the child therefore may come**
 4 **second place. You know, I think we train and I think**
 5 **our continuous professional development and the way we**
 6 **work with children's social care now would certainly**
 7 **ameliorate that as much as possible, but I'm sure there**
 8 **are cases where we don't get it right now. That's why**
 9 **we are focusing so much on trying to improve children's**
 10 **safeguarding in London.**
 11 Q. Indeed, from paragraph 87 in your statement, you refer
 12 to the HO Inspectorate of Constabulary Inspection 2016.
 13 It might be helpful, again, to have that on the screen
 14 for these purposes. If we can have, please, Mr Hyde,
 15 MPS004452_001 and 003. This is the 2016 report, the
 16 inspection.
 17 This report, Commander, sets out the findings from
 18 HMIC's 2016 inspection of child protection services in
 19 the Metropolitan Police Service. That's part of the
 20 rolling-out programme of child protection inspections.
 21 We see the findings there, if we can highlight, please,
 22 Mr Hyde, the first three paragraphs. As you have just
 23 indicated, paragraph 2:
 24 "Examples of officers and staff throughout the MPS
 25 who are working with genuine commitment, dedication and

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1 **love or it could be something financial or it could be**
 2 **a combination of both, that need can be exploited by**
 3 **people who want to sexually exploit that child.**
 4 **It can even appear as consensual, when clearly it is**
 5 **not because of the power imbalance. Clearly, CSE does**
 6 **affect children from all backgrounds and no-one is**
 7 **completely protected from it, but children in care**
 8 **perhaps are more vulnerable than others because they**
 9 **don't necessarily have the checks and balances in place**
 10 **that someone from a different background may have.**
 11 Q. Paragraph 77, please. You set out:
 12 "More generally where any allegation of sexual
 13 abuse, sexual exploitation, is made by a child, whether
 14 in care or otherwise, the following approach should be
 15 taken by the MPS officers and staff."
 16 You say, firstly:
 17 "Whilst the manner in which an investigation is
 18 conducted should have regard to the particular facts of
 19 the individual case, it is the welfare of the child
 20 that's paramount and is at the heart of all decision
 21 making."
 22 How satisfied are you that that's entrenched in
 23 attitudes within the MPS, that learning?
 24 **A. I think we have had a few decades of welfare being**
 25 **number one, but I'm not foolish enough to think that**

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1 empathy", et cetera.
 2 Paragraph 2 reports:
 3 "These individuals and teams are not achieving
 4 consistently good results for children in London. In
 5 fact, when we reviewed our sample of child protection
 6 case files, we judged that almost three-quarters (278 of
 7 the 374 examined) demonstrated policing practice that
 8 either needed improvement or was inadequate."
 9 Then we see in the paragraph below referral back of
 10 38 cases to the force and, until prompted by HMIC
 11 inspectors, the MPS had taken no action to address the
 12 issues it had itself identified:
 13 "This is inexcusable and raises a significant
 14 concern about the ability of some staff to recognise the
 15 need to act and intervene to safeguard children in
 16 London."
 17 If we can have pages 4 and 5, please, Mr Hyde, on
 18 the screen. Those two can go down and 4 and 5 can go up
 19 of the same document. Do we see there, Commander, in
 20 the second bullet point:
 21 "We found good examples of officers working quickly
 22 and effectively to protect children when the risk to
 23 them was evident and straightforward. They frequently
 24 failed to consider whether other children might be at
 25 risk from the same perpetrator; for example, by checking

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<p>1 which other young people he or she was in contact with 2 on social media or in real life." 3 It's the proactivity point there, I imagine? 4 A. Yes. At the heart of much of the findings of HMIC is 5 a culture of professional curiosity that we need to 6 embed more across the Met and policing per se. It's 7 right to highlight, when things are really clear, the 8 Met and policing understand what to do. It's when it 9 becomes slightly more ambiguous, it is more challenging, 10 and that's where we're engaging in most of our learning 11 at the moment. So with repeat missing children, for 12 example, and we have seen from many of the statements 13 read out so far that missing children from care homes 14 should be a significant risk to us, and when someone 15 goes missing from a care home or similar, we need to be 16 very concerned because, what are they engaged in? And 17 sometimes we are not doing the checks that we should be 18 doing and we are working really hard, we have an action 19 plan around missing and around many of the areas that 20 HMIC highlighted here and in 2018 as well. 21 Q. Let's go to page 8 and the fourth bullet point: 22 "Borough officers are often unaware of 23 the registered sex offenders in their areas and so miss 24 opportunities to gather intelligence routinely about 25 those who pose the greatest risk to children."</p> <p style="text-align: center;">Page 21</p>	<p>1 That's a serious omission, isn't it? 2 A. Yes, it is. So we have got jigsaw teams that are sex 3 offender managers. They have a ratio of about one 4 officer to just over 50 sex offenders. But the issue it 5 highlights here is, if I'm a neighbourhood officer, do 6 I know who my sex offenders are who live on my patch? 7 It is not as good as it should be at the moment. 8 As a result of this finding, which is right on, we 9 launched Operation Beat. Operation Beat is very much 10 there to highlight to neighbourhood officers who their 11 sex offenders are. So when you're on patrol, fighting 12 any type of crime, if you see a sex offender, you will 13 know who they are and, if they are in the wrong place, 14 we can immediately take some action. We are taking 15 quite a lot of action in relation to sex offender 16 orders, for example, risk orders. But I think there's 17 a lot more that we need to do in relation to this. 18 There are over 8,000 sex offenders currently in London 19 at the moment, so it is a big challenge for 20 neighbourhood officers to understand who they are and 21 where they work, but it is one we shouldn't ignore. 22 Q. We see, two paragraphs below that: 23 "The MPS is the first force that HMIC has inspected 24 as part of its child protection programme to have no 25 single chief officer with responsibility and</p> <p style="text-align: center;">Page 22</p>
<p>1 accountability for all child protection matters across 2 the force." 3 And there was an absence of strategic oversight in 4 relation to that. Was that something that the MPS 5 followed up with? 6 A. Yes, that was immediately addressed. So now the 7 assistant commissioner is responsible for safeguarding 8 and there is an officer of my rank, commander, in the 9 Professionalism Directorate, who is solely responsible 10 for safeguarding, answering to the assistant 11 commissioner, and there is a whole apparatus of 12 improvements and boards and action plans that is set -- 13 that sets the ambition to be much better at safeguarding 14 in London as a result of this. 15 Q. The document can go down now. Thank you, Mr Hyde. 16 I think what happened, there was a series of four 17 reports over the course of 2017, wasn't there, in order 18 to monitor the progress by the MPS and improving its 19 practice. That's right, isn't it? 20 A. Yes, that's right. 21 Q. Do you have any observations -- we will go to the 2018 22 report in a moment. But how were things in 2017 from 23 your perspective, going through those reports, if I can 24 deal with them at one? 25 A. I think we addressed a number of points, and we were</p> <p style="text-align: center;">Page 23</p>	<p>1 very clear in our commitment for all officers to be 2 concerned with safeguarding. I think the point made in 3 2016 and 2018, and I think it is still an issue, is 4 consistently good interventions across the board for 5 children in London. I think we still have some 6 significant challenges in London in relation to that, 7 particularly for more complex cases involving 8 exploitation, county lines, for example; particularly 9 involving missing persons reports; and, as you have 10 highlighted, in relation to sex offenders as well. We 11 have got some big IT developments, as you would imagine, 12 joining up the systems. They are taking time. They are 13 not in place at the moment. So having to check a number 14 of systems is still something that we are doing. So 15 I think we still do have some challenges. 16 Q. You have all the boroughs signed up to the protocol 17 you've referred to, but is that working in practice? 18 That should be information sharing, shouldn't it, but 19 how does that deliver on the ground? 20 A. We also have teams in each BCU, in each basic command 21 unit, that covers two or three boroughs, just aligned to 22 child sexual exploitation, and they will be receiving 23 information on children who may be subject to child 24 sexual exploitation. I also have a team that works to 25 me that deal with the most serious end of that. At the</p> <p style="text-align: center;">Page 24</p>

<p>1 moment, we tier the child sexual exploitation into three 2 tiers. If it is tier 1 or tier 2, the local officers 3 deal with it. That often involves Prevent interventions 4 with the local authorities and sometimes investigations. 5 When we see immediate safeguarding risks and harm to 6 children around complex child sexual exploitation 7 enquiries, that comes to a central command unit that's 8 more experienced in dealing with that.</p> <p>9 Q. Can we have on the screen, please, Mr Hyde, 10 MPS004476_003-004. Commander, internally of the report, 11 for your purposes, 3 and 4. Can you have a look at that 12 on the screen for us and see, at paragraph 2, about the 13 dedicated inspection team. Do you see there, 14 paragraph 2, "Dedicated inspection team", which the MPS 15 established to review child protection cases and 16 reference there to how immediately -- do you want to 17 deal with the comment that's made there?</p> <p>18 A. Yes. So we have a DIT team, a dedicated inspection 19 team, that works to the commander for safeguarding that 20 does the checks that HMIC do and understands where we 21 have made mistakes and where we can do improvement, and, 22 as it highlights here, that data needs to inform child 23 protection teams and safeguarding teams on BCU and in 24 the centre on where we need to improve.</p> <p>25 We have also now, as a result of an operation called</p> <p style="text-align: center;">Page 25</p>	<p>1 Operation Aegis, good teams of dedicated officers who 2 parachute into BCUs -- they have started in the 3 southwest of London -- where they are working with the 4 whole of the BCU to try to improve some of the points 5 that have been highlighted by both HMIC and the DIT 6 teams. We are seeing, as a result of that, this being 7 addressed, where, in actual fact, there are significant 8 improvements. We just need to make sure that that's 9 consistent across all the BCUs across -- in London at 10 the moment, and I don't believe it is.</p> <p>11 Q. Mr Hyde, can we keep that page without highlighting that 12 particular paragraph and put MPS004476_005 next to it. 13 So remove _003 and have _004 and _005. Thank you. If 14 we look at the bottom: 15 "As we found in 2017, the MPS has acted swiftly on 16 some of the 2016 recommendations, and improvements are 17 therefore more evident in those areas of practice. But 18 in other areas progress has been slow. We remain 19 particularly concerned about how the MPS responds to 20 indecent images of children and online child sexual 21 exploitation cases, and its management of registered sex 22 offenders. The force's performance in these areas has 23 in some respects deteriorated since our 2016 and 2017 24 inspections. For instance, in some areas, sex offender 25 managers are managing more than 100 offenders each.</p> <p style="text-align: center;">Page 26</p>
<p>1 This is significantly more than we found in 2016 (when 2 they were managing between 50 and 60 offenders). 3 Further work is required (in the case of online abuse, 4 as a matter of particular urgency) to ensure that 5 children are effectively protected from those who pose 6 a risk to them."</p> <p>7 What do you say about that, getting worse, managing 8 the describes that are described?</p> <p>9 A. I think this was accurate at the time. As a result, in 10 each of our safeguarding teams on BCU now, we also have 11 one and eight, so a sergeant and eight officers, who 12 look at internet abuse, IIOC, child images of abuse. 13 That wasn't in place at this time. Those teams are 14 professionalising, so we have got 12 teams plus the big 15 central team that I run. So my team deals with the high 16 and very high-risk IIOC images. The medium and low-risk 17 images go to a BCU team of one and eight, who deal with 18 those. When in report was written, again, you'd have 19 officers who'd carry normal case files across all sorts 20 of crime types, plus they'd have some IIOC images coming 21 through to their case files. HMIC were right to 22 highlight that that's not appropriate. As a result, we 23 built that capacity across each of those 12 boroughs and 24 that's continually improving.</p> <p>25 In relation to the point you have made for RSOs,</p> <p style="text-align: center;">Page 27</p>	<p>1 I think our data now, on average, shows that we are 2 about 1 to 50. So one officer to fifty RSOs. But, of 3 course, there will be natural variation and I imagine 4 that some will have a worse ratio than that. But across 5 London, it is roughly 1:50 or 51.</p> <p>6 Q. Can we have pages 6 and 7, please, Mr Hyde, of that 7 document. We see here the conclusions, 8 Commander Murray. We see at the bottom of page 6: 9 "The MPS told us that it anticipates work to ensure 10 that children receive consistently improved responses 11 will take a further two years. Senior leaders must 12 assure themselves that this timescale is justifiable, 13 given the extreme vulnerability of any of the children 14 who come into contact with the force. We would now 15 expect to see clearly articulated timeframes and 16 milestones that are agreed and established and can be 17 closely monitored to give the force and others 18 overseeing this work clarity on exactly how and when 19 improvements will be achieved."</p> <p>20 How clear are you that the focus continues to be on 21 child protection matters and that long-term planning is 22 taking place?</p> <p>23 A. My assistant commissioner has responsibility for this. 24 He is bringing together all the plans, that they are 25 clear and smart into what's he's called a public</p> <p style="text-align: center;">Page 28</p>

1 protection improvement plan. So the plans are there.
 2 I can say, just from my experience, that I know we in
 3 the Met are committed to it, we are investing in it, but
 4 I think we are not where we want to be at the moment and
 5 we still have a lot of learning to do and we still need
 6 to inject a lot of capacity and training into our staff
 7 who are doing safeguarding. I can't say with certainty
 8 at all that we are anywhere near where we'd need to be,
 9 but our ambition is strong in this area. I know that
 10 sounds like platitudes, but I can honestly say it is our
 11 commitment. I live it and breathe it here and so I can
 12 say I can prove testimony to the amount of times that
 13 I have heard the assistant commissioner and the
 14 commander with responsibility for safeguarding pushing
 15 this -- for improvement in these areas.

16 Q. Can the document go down now, please, Mr Hyde. In terms
 17 of getting that root and branch understanding and
 18 commitment, is that an issue for the Met? It is clearly
 19 a large force, a lot of officers involved. How do you
 20 get that across the board, that level of commitment and
 21 dedication to the issues involved?

22 A. I think this is the challenge, and we have had -- you
 23 know, we have had over 48,000 missing persons every
 24 year, over 60 per cent of those are children. So
 25 officers, response officers, for example, will be going

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1 and the amount of scrutiny you're under, and then, when
 2 things go wrong, it's also very, very difficult, and we
 3 need to rise to that challenge. We have got a huge
 4 amount of dedicated officers, so over 2,000 officers in
 5 London working in safeguarding, and it takes a very
 6 special officer to work either as a children's social
 7 worker or in child protection in London. But it is
 8 a challenge, and we have a shortage of detectives in
 9 this area, and we want to make it an attractive area to
 10 work, but it is one I think that is considered quite
 11 high risk because so much can go wrong, and the workload
 12 burdens are very high, as you can imagine.

13 So it is part of our role, as leaders in the Met, to
 14 make it as attractive a role as possible, but I don't
 15 deny it is hard work and we need to recruit into it
 16 more.

17 Q. You refer, at 111 of your statement, to the MPS
 18 currently trialling a forensic interview psychology
 19 service which allows for video recorded interviews to be
 20 conducted by an ABE-trained psychologist instead of
 21 a police officer or social worker. When did that trial
 22 begin?

23 A. So my understanding, it was two years ago. There's been
 24 an evaluation and it's been funded for a further length
 25 of time.

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1 to any manner of job and then many missing children as
 2 well and injecting that professional curiosity but
 3 making sure there is active supervision and a correct
 4 understanding of risk and then the right actions as
 5 a result of that is a challenge, and it is one we are
 6 trying to meet.

7 Obviously, capacity always is an issue, but
 8 safeguarding children must be a priority and our focus
 9 is on delivering that.

10 Q. One of the issues that was raised through the historic
 11 investigation surrounding Lambeth and children in care
 12 was how keen officers were to be involved in child
 13 protection work. Is that a modern issue? How
 14 attractive is this work seen to be? Are people wanting
 15 to do this?

16 A. It's a very, very good point you raise. You know, it's
 17 one I think we need to address both in London and
 18 nationally for both officers involved in child
 19 protection and children's social care. Things are not
 20 binary in this world, as you know. If you are catching
 21 a burglar, you know a burglar does a burglary, you catch
 22 and convict them and, although difficult, that is
 23 relatively straightforward. The risk that you carry as
 24 a child protection officer and some of the stuff you're
 25 exposed to that victims have suffered is significant,

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1 Q. How effective are officers finding that, to have the
 2 benefit of a psychologist involved in the actual
 3 interview?

4 A. So I've read the report and it's got lots of qualitative
 5 feedback from interviews with officers and victims, and
 6 it looks very promising. I think the issue in relation
 7 to The Lighthouse Project is probably scale and
 8 capacity, and the amount of people who have access to it
 9 and children who can be used through it. You know, when
 10 you look at the evaluation, several -- I think it's
 11 somewhere around 300, 350 referrals have been made to
 12 The Lighthouse Project, if I can recall. Well, that's
 13 nothing compared to the challenges and issues facing
 14 London, obviously. So it's how we industrialise that
 15 I think is the challenge.

16 Q. And the resources, presumably?

17 A. Yes, and, clearly, it's going to carry an expense with
 18 it, from all agencies. The Lighthouse Project is led by
 19 health and, clearly, health budgets and policing budgets
 20 and social care budgets are under immense challenge.

21 Q. The chair and panel are going to hear from
 22 The Lighthouse, so we will hear direct evidence about
 23 how it is working from their perspective. From your
 24 perspective, the feedback you have had has been
 25 positive, has it?

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<p>1 A. Yes, it has been positive. The issue is one of scale, 2 I think. The majority of officers working in child 3 protection I don't think will have experienced 4 The Lighthouse Project. 5 Q. Will they still be doing those interviews by themselves, 6 effectively, as officers? 7 A. Yes. Yes. They will be ABE-trained officers. So they 8 will have had the training and they will be doing the 9 interviews with children and vulnerable adults. I think 10 there's still a lot we can do to improve that, in actual 11 fact. 12 Q. We know, and I don't know, Mr Hyde, if you have the 13 document MOJ000916_011, that a joint inspection report 14 looked at ABE interviews, and it was an inspection 15 police and CPS, and recommendations made that the 16 Ministry of Justice should ensure further revision of 17 ABE guidance. We see at the bottom, if we can highlight 18 that footnote 1, that there would be assistance to the 19 police around training issues and understanding of how 20 the guidance works to have those three bullet points. 21 We can see the last one in its totality, particularly: 22 "A booklet or aide-memoire to assist police 23 staff ...", as set out there. 24 What's your view about that? Do you think that 25 would be useful to have that updated guidance and</p> <p style="text-align: center;">Page 33</p>	<p>1 material to assist officers on the ground? 2 A. Yes. So we have what we call a local responsible 3 officer at superintendent level who is responsible for 4 improving interviews to both victims and witnesses. 5 She's well aware of this. In actual fact, we launched 6 our own booklet recently, which is incredibly helpful. 7 I have read this guidance and I agree with it. It is 8 from 2011. It contains references to things like the 9 National Police Improvement Agency, that doesn't exist 10 anymore, and I think it would be really useful if this 11 was republished and revised as soon as possible. 12 Q. That can go down now, thanks, Mr Hyde. Everyone 13 listening to your evidence, Commander Murray, I'm sure 14 would agree and wish that the MPS is able to detect and 15 apprehend child sexual offenders. That's clearly 16 something that's in the public interest and all of us 17 would agree with. 18 From your perspective, and giving evidence to this 19 inquiry, what would be of assistance to you? What can 20 help in that -- obviously, the challenges you have set 21 out, and clearly that the MPS isn't able to deal with at 22 the moment, what could help from your perspective to 23 improve the position? Looking to the future. If you 24 had -- 25 A. So I think one of our challenges is around the</p> <p style="text-align: center;">Page 34</p>
<p>1 exploitation of children per se, and we have seen 2 several focuses on slavery, on county lines and on child 3 sexual exploitation that's sometimes dealt with in 4 isolation. But there's huge overlaps between all three 5 of those areas and, increasingly, we just need to 6 understand exploitation per se of children and have 7 a much more sophisticated understanding across 8 government and public sector in relation to exploitation 9 per se, because those three areas are often closely 10 interrelated. It's where there is ambiguity and, you 11 know, officers will be met by children who won't 12 necessarily co-operate with policing, for a whole set of 13 understandable reasons, and so how we address 14 exploitation per se I think is a challenge for now and 15 as we go forward, not dealing with it in silos, but 16 dealing with it together and having a mature 17 understanding of how we approach that with all the 18 challenges that come with it. 19 Q. You include, do you, with exploitation, children in care 20 who are exploited when they are in the care of 21 the authority? 22 A. Yes, absolutely. Where we are seeing a huge focus at 23 the moment is with county lines, so young children, and 24 we have seen in the Serious Case Review the tragic 25 murder of Jaden Moodie, for example, missed</p> <p style="text-align: center;">Page 35</p>	<p>1 opportunities there around someone involved in 2 criminality who was being exploited from that point of 3 view, and in London we see people travelling around the 4 country, often children, who are involved in drug 5 dealing, and understanding when someone becomes 6 responsible for their behaviour and when they are being 7 exploited is a key nuance that police officers need to 8 work with. But in actual fact, if we get the 9 safeguarding right and we report right, then we can 10 answer that question. 11 So if someone is -- if a young person is going to 12 court charged with an offence, they can use a defence 13 that they're being exploited, and we can say, "Well, to 14 what extent have they been offered opportunities around 15 safeguarding or not?" These are the challenges that we 16 are facing now. 17 MS LANGDALE: Thank you. I have no further questions. The 18 chair and panel may have. 19 THE CHAIR: Thank you. I have no questions. But I shall 20 check with my colleagues. Ms Sharpling? 21 Questions from THE PANEL 22 MS SHARPLING: Thank you, chair. Just the one, if I may. 23 Thank you, Commander, for that. How is the Metropolitan 24 Police Service held to account by the Mayor's Office for 25 their performance in relation to child protection and</p> <p style="text-align: center;">Page 36</p>

1 safeguarding?

2 **A. So I know MOPAC have been incredibly intrusive in this**

3 **area. I don't have the detail because a colleague of**

4 **mine, who is the professionalism lead for safeguarding,**

5 **will be intimately involved in that with the assistant**

6 **commissioner. But, for example, I know MOPAC have been**

7 **instrumental in funding Operation Aegis, that is pushing**

8 **improvements at a grass roots level in BCUs. I know it**

9 **is high on their agenda. The exact architecture of how**

10 **that operates, I don't have that detail, but I can get**

11 **back to you.**

12 MS SHARPLING: Thank you.

13 THE CHAIR: Mr Frank?

14 MR FRANK: No, thank you.

15 THE CHAIR: Sir Malcolm?

16 PROF SIR MALCOLM EVANS: No, thank you.

17 THE CHAIR: Thank you very much, Commander. Thank you.

18 **A. Thank you.**

19 **(The witness withdrew)**

20 MS LANGDALE: Chair, may I ask that that statement,

21 reference MPS004497 of Commander Murray is uploaded in

22 due course? We have obviously not touched on all of

23 the material within the statement.

24 Can I suggest that we resume again at 11.45 am, when

25 the next witness is going to give evidence?

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1 **Victims and Intimidated Witnesses Police Guide, and**

2 **Achieving Best Evidence Guide, but we also have a role**

3 **pulling together the so-called Victims' Code, which sets**

4 **out rights that victims can express from criminal**

5 **justice agencies, including the police.**

6 Q. How does it work for the MoJ, when you are dealing with

7 all those different perspectives, pulling together

8 guidance?

9 **A. We will convene a set of interested parties to assess**

10 **and update existing guidance or set out new areas we are**

11 **keen to deliver on, and so we spend a lot of our time**

12 **talking with Criminal Justice Agency partners and other**

13 **government departments to try and convene, if you like,**

14 **all the things that are going on here and bring them**

15 **together. At the moment, we are very much focused on**

16 **a new Victims' Code, which is due up at the end of**

17 **the year, which has just finished consultation at the**

18 **moment. We are also, which is linked to the situation**

19 **with the pandemic at the moment and recovery of**

20 **the courts, to pushing forward rolling out section 28,**

21 **which is one of the special measures available under the**

22 **1999 Act, but also some work on intermediaries and**

23 **funding support services. So we have a fairly**

24 **wide-ranging role.**

25 Q. In terms of the impact of this joint guidance for the

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1 THE CHAIR: Yes, we will do that. Thank you.

2 (11.20 am)

3 (A short break)

4 (11.45 am)

5 MS LANGDALE: May I call Mr Bowler, please?

6 MR JAMES BOWLER (sworn)

7 Examination by MS LANGDALE

8 MS LANGDALE: Can you give us your name and occupation,

9 please?

10 **A. Hello. My name is James Bowler. My occupation is**

11 **Director-General for Policy Communications and Analysis**

12 **in the Ministry of Justice.**

13 Q. Mr Bowler, you have helpfully provided us with

14 a statement dated 14 July 2020, where you adopt

15 a statement by a colleague who made a former statement,

16 on 14 May 2020. You are going to deal with a discrete

17 point with us.

18 Can you help us, firstly, with what the role of

19 the MoJ is in terms of providing policy and guidance to

20 the police?

21 **A. Yes, the Ministry of Justice has a coordinating role for**

22 **the criminal justice system generically, and in this**

23 **instance it has a role in coordinating and pulling**

24 **together guidance for the police and the two -- well,**

25 **I guess the three elements of that guidance are the**

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1 police, for example, the National College of Police have

2 their own website, don't they, to deliver information?

3 **A. Yes, that's right.**

4 Q. What's the added benefit of this kind of guidance that's

5 issued formally by the Home Office, by the MoJ now. How

6 is that received, as far as you're aware? Its status.

7 **A. In terms of your first question, the College of Policing**

8 **has an approved professional practice website that pulls**

9 **together all relevant areas that will, for example, link**

10 **the legislation as well as the guidance and as well as**

11 **police's own policy papers on this. In terms of our**

12 **work, in particular with achieving best evidence, we**

13 **pull together that guidance, but that focuses on the**

14 **police primarily, but also other people, including**

15 **children's sector, social work and other people who**

16 **might be engaged in the multi-agency impact of**

17 **considering whether children are, you know, available to**

18 **give best evidence through criminal proceedings. So it**

19 **is not just for the police. I suppose that's where it**

20 **goes wider than just the College of Policing.**

21 Q. In terms of its authority and effectiveness, it can

22 bring forward to the police in authoritative guidance

23 those voices, too -- as you say, children's sectors,

24 other views about how these interviews and best evidence

25 should be gathered?

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<p>1 A. Yes, that's right, but it is guidance, and it is not, 2 you know, law. It is about trying to achieve best 3 practice, not setting out absolute rules or covering 4 every single situation that may arise. 5 Q. Of course. Can we then -- I'm going to take you to, 6 first of all, not the ABE evidence or guidance, rather, 7 looking at "Vulnerable Witnesses: A Police Service 8 Guide". I know you have seen these before, but for the 9 benefit of everybody, if we could have, please, Mr Hyde, 10 on the screen, NAP000011_001-002. This is 2001 11 Home Office, as it was then, "Vulnerable Witnesses: 12 A Police Service Guide. Action for justice". If we 13 have pages 2 and 3 on the screen. Thank you for showing 14 us the front page, Mr Hyde. Now if we have 2 and 3. We 15 see set out there at page 2, paragraph 2: 16 "The identification of vulnerable witnesses at the 17 investigation stage is fundamental to the operation of 18 the whole 'Speaking up for Justice Scheme'. This 19 document is designed to assist the police in such 20 identification, through a series of prompts and to 21 provide guidance on making an overall assessment of 22 the needs of an individual witness. My particular hope 23 is that its use will help to ensure that every 24 vulnerable witness will be treated as an individual, 25 consult and enabled to give their evidence in the best</p> <p style="text-align: center;">Page 41</p>	<p>1 way possible." 2 We see on page 3: 3 "Foreword to Vulnerable Witnesses: a Police Service 4 Guide by Mr Tony Burden -- Chief Constable of 5 South Wales Police and President of the Association of 6 Chief Police Officers." 7 Third paragraph: 8 "Witnesses may be vulnerable for a number of 9 different reasons and the consequent challenges facing 10 the police service need to be addressed. The 11 Home Office publication 'Speaking up for Justice' helped 12 to identify the key issues. This document 'Vulnerable 13 Witnesses: A Police Service Guide' is intended as a 14 practical guide to operational police officers." 15 Pausing there, the practicality of a guide and 16 having as much information in one place is obvious, 17 isn't it, for people on the ground dealing with 18 anything? Not everyone is in law books and looking at 19 case reports. It is just knowing how information is to 20 be obtained and used; would you agree? 21 A. Yes, very much so. The guide, both the 2001 version and 22 the 2011 version that updates it, includes a set of 23 prompts in particular to identify vulnerable and 24 intimidated witnesses and you will see from that it's 25 very practical in its nature.</p> <p style="text-align: center;">Page 42</p>
<p>1 I should probably say, lest there's some confusion 2 about this guide versus other guides, this is very much 3 about initial point of contact focus as well, with 4 victims. We will come on later to talk about the much 5 larger achieving best evidence, it's about the interview 6 process and the investigation as a whole. But this 7 guide is in particular about achieving initial point of 8 contact and making sure you assist police through 9 a number of processes that will afford vulnerable and 10 intimidated witnesses equal access to justice. 11 Q. I'm going to go back to that guidance and also the 2011. 12 I'm going to ask you about this point: this does indeed 13 include the initial contact. This inquiry has had 14 evidence in the '80s, which predates this, I realise, 15 but I wanted to look at what this says as well, of 16 assumptions being made at the initial point of contact 17 around communication and abilities of witnesses giving 18 statements to the police. So that's what we are dealing 19 with, assumptions, the initial point of contact. That's 20 why I'm taking you to this guidance in particular, what 21 the police are supposed to do. 22 If I can invite you, Mr Hyde, please, to put on the 23 screen NAP000011_017. What that should be, Mr Bowler, 24 if we can enlarge it, paragraph 5.7, surrounding the 25 issue of competence. Back in 2001, this guidance made</p> <p style="text-align: center;">Page 43</p>	<p>1 it very clear officers should not make early judgments 2 on whether the witness is likely to be accepted as 3 a competent witness by the courts and should act on the 4 general presumption that they will be regarded as 5 competent: 6 "If the officer has concerns on this issue, this can 7 be discussed with the CPS at the early special measures 8 meeting. The Youth Justice and Criminal Evidence Act 9 sets out the general rule that all people, whatever 10 their age, are competent to act as witnesses unless they 11 cannot understand questions asked of them in court and 12 answer them in a manner which can be understood (with, 13 if necessary, the assistance of special measures that 14 the court has the power to grant)." 15 That made it crystal clear, didn't it, that 16 paragraph 5.7, that the initial assessment was around 17 obtaining the best information or evidence from 18 a witness; it wasn't about saying they're not competent, 19 they're not capable to give evidence. Special measures 20 is taking material, using material, that will assist the 21 witness to give the police information, and they're not 22 prejudging competency? 23 A. Yes, it does. I mean, it's worth saying that the 1999 24 Youth Justice and Criminal Evidence Act makes that 25 crystal clear in law, so it says all persons are,</p> <p style="text-align: center;">Page 44</p>

1 **whatever their age, competent to give evidence.**
2 Q. A 4-year-old can give evidence, can't they?
3 **A. Absolutely, yes. But it's about achieving best evidence**
4 **and how you can help do that.**
5 Q. So there should be no question of sweeping aside
6 teenagers, believing them to have communication
7 difficulties that mean that they will never be able to
8 give evidence or give evidence in a witness box?
9 **A. Absolutely we avoid any premature judgment of competence**
10 **or credibility.**
11 Q. Let's look at what the 2011 guide says. The 2011 guide
12 that replaced this. It is an MOJ judgment, "Vulnerable
13 and Intimidated Witnesses: A Police Service Guide".
14 Mr Hyde, NAP000118_009, if you could. It is
15 paragraph 1.4. Mr Bowler, the point, really, is,
16 keeping an eye on clarity, the guide, what it's supposed
17 to achieve in communicating with officers, we see no
18 mention of the question of competency and all witnesses
19 being capable or should be presumed to be competent.
20 What we see here -- have a look at paragraph 1.4. It's
21 the nearest that addresses this kind of issue and how it
22 was dealt with historically. What we see here is:
23 "Some people with disabilities may have particular
24 difficulties with receiving information, communicating
25 and/or entering into dialogue. Indeed, some individuals

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1 **our records a reason as to why that wasn't the case.**
2 **5.7 absolutely applies now, as it did in 2001.**
3 **Reading the two guidances, I would say that the 2011**
4 **product is far superior as a practical guide to police**
5 **officers. It's much more proactive and helpful. It is**
6 **a much better written document. You know, I can only**
7 **speculate, and I should be wary of doing it, as to why**
8 **that wasn't in, but the whole premise of the 2011**
9 **document is that you don't want to be assessing**
10 **competence at the initial point of contact, and you**
11 **should be doing everything in your power as per the 1999**
12 **Act to say that, whatever their age, people should be**
13 **presumed competent.**
14 **So, I mean, that is very much through the whole**
15 **thing, because it focuses with a whole section on the**
16 **special measures that can help do this. You know, if it**
17 **is the case that it should be even more clear, then**
18 **I think that's something, you know, we could certainly**
19 **look to reflect, but I do think it is a superior**
20 **document because of that, and my speculation would be,**
21 **you know, an initial point of contact, you really**
22 **shouldn't be considering competence or credibility.**
23 **That's not what we're asking the police to do at initial**
24 **point of contact. The ABE guidance goes on to have**
25 **sections on competence when you go into interviewing and**

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1 experience multiple disabilities which may make
2 communication even more difficult. This, however,
3 should not prevent the individual receiving the quality
4 of service that is expected from the police. Vulnerable
5 witnesses are entitled to a service that is comparable
6 to any other witness; they must be given equal access to
7 the criminal justice system. While some disabilities
8 might have precluded a victim or a witness from being
9 considered credible in the past, steps have now been
10 taken to change matters so that the criminal justice
11 system is more supportive and able to accommodate
12 disabilities up to and including the trial."
13 That is a lot less clear, isn't it, removing, as it
14 does, the presumption of competency; introducing, as it
15 does, questions of credibility; and referring, as it
16 does, which was accurate, that, historically, children
17 with a disability were assumed not to be able to give
18 evidence. It elides a lot of concepts there and the
19 overall effect is it's not very clear. Would you agree
20 with that?
21 **A. Well, I have to say, so the question of why -- you know,**
22 **why was paragraph 5.7 not replicated in its entirety**
23 **from 2001 into the 2011 guidance is something we have**
24 **looked at, and Melissa Case's witness statement says,**
25 **you know, we don't have a reason -- we don't record in**

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1 **the wider court thing. So I speculate that they**
2 **didn't -- you know, the 2001 guidance had this concept**
3 **of considerations, which is a little bit passive and**
4 **perhaps not that helpful to police, that you just have**
5 **considerations, and that doesn't appear in the 2011**
6 **guidance.**
7 Q. I wouldn't disagree, Mr Bowler. Clearly, the way
8 special measures are treated within the 2011 guidance is
9 much better, much clearer, about the use of special
10 measures. That's really not the question, because it's
11 obviously better on its face. It's the omission of what
12 you say is very obviously the starting point, which is
13 competency is presumed, and these special measures are
14 designed to get the best evidence bringing forward and
15 not setting that out at the outset -- it would have been
16 useful, wouldn't it?
17 **A. You know, I think if the drafters could hear your**
18 **comments now, the first thing they'd do would be to put**
19 **a statement in loud and clear to that regard. I think**
20 **it's implicit, whereas it could usefully be explicit.**
21 **So perhaps it is the case that, by 2011, this was so**
22 **clear in how you go about things to police officers who**
23 **are now specialist trained in these areas and have**
24 **benefited from, you know, much more emphasis in how to**
25 **deal with child sexual exploitation, for example,**

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<p>1 compared to when it was a more generic undertaking -- 2 perhaps you're talking to a slightly more educated and 3 trained audience. But, again, I don't wish to 4 speculate. I would happily concede that it would be 5 great for it to be explicit. 6 Q. Of course, for many officers in different parts of 7 the country on the ground dealing with these issues, 8 this first point of contact as a guide is crucial, isn't 9 it? So anything that can make it clear, the better? 10 A. Yes. 11 Q. Can we look at the ABE guidance, not the guidance 12 itself, the recommendations that were made in a joint 13 inspection report in December 2014. Mr Hyde, if we 14 could have, please, MOJ000916_031 on the screen, please. 15 Again, as you're aware, Mr Bowler, this is a joint 16 inspection report between the CPS -- 17 A. Yes. 18 Q. And reflecting about how these important interviews take 19 place on the ground. Can we see at paragraph 4.43, 4.44 20 and the recommendations below, what is suggested in 21 2014, after this considered analysis of cases and how 22 they were being dealt with: 23 "The guidance is a lengthy document which reflects 24 the fact it needs to cover all of the necessary elements 25 for the interviewing of vulnerable, intimidated and</p> <p style="text-align: center;">Page 49</p>	<p>1 significant witnesses. There is, however, a short 2 discrete section dealing with child witnesses. The 3 guidance is clear about the expectations for 4 interviewing children and what constitutes best 5 practice. The interviews assessed by inspectors 6 illustrated failures in compliance rather than inherent 7 problems with the guidance itself. Compliance could be 8 improved through better awareness, training ...", 9 et cetera. It is due to be revisited. You see there 10 under recommendations: 11 "The Ministry of Justice should ensure that any 12 further revision of the Achieving Best Evidence Guidance 13 should include: 14 "Advice to assist police officers dealing with 15 complex cases and where a series of interviews are 16 undertaken; 17 "Advice on the process of opting out of the video 18 interview to ensure it is used and explained where 19 appropriate, and the provisions when a child changes 20 their mind prior to the trial; and 21 "A booklet or aide-memoire to assist police staff in 22 their preassessment and planning for interview to 23 improve recording of: the pre-assessment; considerations 24 on engaging an intermediary; the consent of the child to 25 be interviewed ...", et cetera, et cetera.</p> <p style="text-align: center;">Page 50</p>
<p>1 You see it set out there. 2 Those recommendations were made back in 2014. Where 3 is the MoJ in respect of those issues and revision of 4 the guidance in 2020? 5 A. We are going to update the guidance. We are going to 6 help co-ordinate that with police colleagues in 7 particular, and the minister has written to the NPCC to 8 get that under way. If I can dwell a little bit more on 9 this, I think I'd pick out paragraph 4.43 there, which, 10 as you say, says the guidance is clear about the 11 expectations of interviewing and what constitutes best 12 practice. 13 Q. Yes. 14 A. And it states issues are "from failure in compliance 15 rather than inherent problems with the guidance itself". 16 Q. Yes. 17 A. However, I -- "I", well, I, but the Ministry of Justice 18 agrees with the recommendations set out in 19 recommendation 1. I think we just heard from your 20 previous witness, Commander Murray, that he felt that 21 some aspects of achieving best evidence are now 22 outdated. I think he referred to, you know, it refers 23 to the National Police Improvement Agency, which doesn't 24 exist anymore. Certainly it is the case that achieving 25 best evidence could now be updated. It's been done</p> <p style="text-align: center;">Page 51</p>	<p>1 previously, after large changes to legislation, the 1999 2 Act and then the 2009 Coroners Act. 3 However, I think it does now require updating for 4 the reasons set out in recommendation 1, but also more 5 widely, and the two big things that we are doing this 6 year through a Victims' Code, which will move -- which 7 will set out 12 rights for victims in less than 20 pages 8 from a situation at the moment where we have over 9 100 entitlements in over 100 pages, will -- needs to be 10 reflected in this, because these are rights that -- for 11 victims which then need to be delivered, in particular 12 by the police, and one of the big special measures in 13 terms of cross-examination of video evidence, so-called 14 section 28, is going to be rolled out, and that is not 15 reflected, the fact that that is being rolled out is not 16 reflected in achieving best evidence. So there is 17 a clear case for updating achieving best evidence. We 18 will do so. The minister has written to get that under 19 way. 20 The MoJ's role will be one of coordinating that, 21 because we are no experts in how to do this practically 22 on the ground with, in particular, the National Police 23 Chiefs' Council. 24 Q. Indeed, the recommendation as it was, saying "A booklet 25 or an aide-memoire", that has resonance, doesn't it, for</p> <p style="text-align: center;">Page 52</p>

<p>1 an officer having initial contact? It is all very well 2 if you have perfectly trained officers everywhere who 3 know the whole guidance and the document. But the 4 practicalities around how witnesses give their 5 statements or statements are taken from them, that has 6 resonance to make clarity around this issue, doesn't it, 7 something that's (overspeaking) -- 8 A. Yes, it absolutely does. I think the inspection report 9 says it well. You can understand why achieving best 10 evidence is over 200 pages long, but it is over 11 200 pages long. If you were coming to this, you know, 12 it is hard work to digest that kind of thing or to 13 remember it all, so the case for something shorter and 14 cleaner and an aide-memoire, I think, because I think 15 there is still a case for the background guidance, is 16 clear. I have to say, obviously that's been much of our 17 policy focus in the last few years with a Victims' Code 18 as well, which, as I say, in its first few iterations 19 started off as a very long set of entitlements, over 20 100 pages. The code we are currently consulting on is 21 19 pages long with 12 rights. That doesn't replace the 22 need for an aide-memoire on ABE, but that is clearly -- 23 I'm giving it as a suggestion of why that -- having 24 a sensible, practical, short and clear set of 25 propositions is a good one.</p> <p style="text-align: center;">Page 53</p>	<p>1 Q. Don't assume from my question -- I'm not suggesting that 2 the whole of the ABE guidance in its entirety isn't very 3 clear, helpful and important to know, but just the 4 practicality around you're not judging competence, 5 you're not assessing credibility at that point, it is 6 about getting the best evidence forward? 7 A. Yes, absolutely. I mean, ABE has sections 2.7 to 2.12 8 on competence, 5.2, 5.25 and annex A which defines it. 9 It is very clear that it stems from the 1999 Act that 10 says all persons are, whatever their age, competent to 11 give evidence, and this is absolutely about striving to 12 make sure that we use all the things in our arsenal, if 13 you like, to help deliver that best evidence, and of 14 course the other thing that's happened since 2011 is 15 that those special measures that have helped -- that are 16 there to try and help deliver best evidence are being 17 both enacted and rolled out and improved, and I'd 18 happily talk about that if that was helpful. 19 Q. Do you have a Ministry of Justice programme to roll that 20 out, then, or to provide intermediaries? 21 A. On registered intermediaries? 22 Q. Yes. 23 A. That's very much up and running, yes. Current 24 registered intermediaries are used 550 times a month. 25 In 2019, of the 6,700 uses of registered intermediaries,</p> <p style="text-align: center;">Page 54</p>
<p>1 4,500 were with children. So I think that's relevant to 2 this inquiry. 3 I should be open that there was a Victims 4 Commissioner report about three or four years ago that 5 was critical of some of the delivery of registered 6 intermediaries, and that has been a spur to improve 7 them. We have increased capacity by 24 per cent in the 8 last two years, and 98 per cent of requests are now 9 matched with a waiting time of, on average, less than 10 two weeks. I think it is a more recent but really good 11 story to tell on getting registered intermediaries into 12 helping achieving best evidence. 13 Q. In terms of them being registered, is that something the 14 MoJ looks at or they present themselves to you as 15 a registered intermediary? 16 A. I think it is through the National Crime Agency, 17 actually, and the board that helps that. I'm not an 18 expert on that area, so I don't want to -- 19 MS LANGDALE: Fair enough. You have dealt with the point, 20 so thank you, Mr Bowler, there are no more questions 21 from me on the point that was in issue. 22 Chair? 23 THE CHAIR: Thank you. I have no questions, but I will ask 24 my colleagues if they have any. Ms Sharpling? 25</p> <p style="text-align: center;">Page 55</p>	<p>1 Questions from THE PANEL 2 MS SHARPLING: I just have one, please, if I may. In the 3 new edition of the Victims' Code, does the victim or 4 witness have any comeback if the service described in 5 that Code, and is characterised as a right, is not met? 6 A. Yes. I'm trying to flick to making sure I can do that. 7 But very much so. It's in the consultation that we have 8 published and the aim is to also then put it into law, 9 which will include the entitlements where you assert it 10 is not met. But that is very much part of the Code. We 11 are publishing it later this year. The intention is 12 that it then moves to a victims' law. But it guarantees 13 victims' rights and the level of support they can expect 14 and it does have a system of redress. 15 MS SHARPLING: Thank you. 16 THE CHAIR: Mr Frank? 17 MR FRANK: No, thank you. 18 THE CHAIR: Sir Malcolm? 19 PROF SIR MALCOLM EVANS: No, thank you. 20 THE CHAIR: There are no further questions. Thank you very 21 much, Mr Bowler. 22 A. Thank you very much. 23 (The witness withdrew) 24 MS LANGDALE: Chair, may I suggest that in the time 25 remaining Ms Brown reads a statement into the evidence?</p> <p style="text-align: center;">Page 56</p>

<p>1 THE CHAIR: Yes, go ahead.</p> <p>2</p> <p>3 MS BROWN: Thank you, chair. I will now be reading in the</p> <p>4 witness statement of Herbert Botley. The reference for</p> <p>5 that is INQ005858. Mr Botley, just by way of</p> <p>6 introduction, was the officer-in-charge in</p> <p>7 Monkton Street Children's Home. That was a Lambeth-run</p> <p>8 children's home that was set up to provide long-term</p> <p>9 care for children with complex needs. Mr Botley was the</p> <p>10 officer in charge for almost a 10-year period from 1979</p> <p>11 to January 1989.</p> <p>12 Statement of MR HERBERT LEONARD BOTLEY (read)</p> <p>13 MS BROWN: "I Herbert Leonard Botley say as follows:</p> <p>14 "I have been asked to provide a statement covering</p> <p>15 my period of employment with Lambeth Social Services.</p> <p>16 This was more than 30 years ago, and my recollection of</p> <p>17 people and events from so long ago is very limited.</p> <p>18 "I have not retained any documents, either hard copy</p> <p>19 or electronic, relating to my employment. Without</p> <p>20 access to the documents that have been shared with me by</p> <p>21 the inquiry, I would not have even been able to confirm</p> <p>22 the exact dates of my employment."</p> <p>23 He then goes on to deal with his career and</p> <p>24 professional training:</p> <p>25 "After leaving school at 18, I started my nurse</p> <p style="text-align: center;">Page 57</p>	<p>1 training at Leybourne Grange Hospital in Kent. At the</p> <p>2 time, it was a 1,500-bed hospital providing long-term</p> <p>3 residential care for children and adults with learning</p> <p>4 disabilities. My professional training was completed at</p> <p>5 St Lawrence's Hospital, Surrey. At the time, this was</p> <p>6 a 2,000-bed hospital, providing long-term residential</p> <p>7 care for children and adults with learning disabilities.</p> <p>8 "My professional qualifications at the time was RNMH</p> <p>9 (Registered Nurse for Mentally Handicapped). In time,</p> <p>10 terminology changed from 'mentally handicapped' to</p> <p>11 'learning disabilities' and my nursing registration</p> <p>12 became RNLD.</p> <p>13 "By the early 1970s, the more progressive</p> <p>14 Social Services departments were developing</p> <p>15 locally-based residential and daycare services for</p> <p>16 people with learning disabilities. This was seen as</p> <p>17 a positive development in maintaining family links</p> <p>18 rather than using private and voluntary homes, which</p> <p>19 were often a long way away from placing Social Services</p> <p>20 department.</p> <p>21 "In about 1974, I was appointed officer-in-charge of</p> <p>22 an existing residential care home for children with</p> <p>23 learning disabilities by Southwark Social Services. The</p> <p>24 home provided 12 beds for mainly long-term care. Up to</p> <p>25 three beds were used for short-term or respite care.</p> <p style="text-align: center;">Page 58</p>
<p>1 "In 1979, I was appointed officer-in-charge for</p> <p>2 a new residential home being developed for the long-term</p> <p>3 care of children with learning disabilities in Lambeth.</p> <p>4 Social Services had two new homes for children with</p> <p>5 learning disabilities under construction -- one in</p> <p>6 West Norwood and one in Kennington, Monkton Street. At</p> <p>7 this time, there was a clear policy initiative to bring</p> <p>8 out-of-borough placements back to provision within</p> <p>9 borough. The aim was to maintain family links and</p> <p>10 improve monitoring by social workers of placements. At</p> <p>11 the time of my appointment, neither the home in</p> <p>12 West Norwood nor the home at Kennington was close to</p> <p>13 completion and I was temporarily based at the short-term</p> <p>14 care facility, Ivy House. This was an opportunity for</p> <p>15 me to visit Lambeth children with learning disabilities</p> <p>16 in private and voluntary homes and to assess which</p> <p>17 individuals might form a compatible group for one of</p> <p>18 the new residential homes in Lambeth.</p> <p>19 "My appointment had been nominally for the home in</p> <p>20 West Norwood, but eventually the home in Kennington was</p> <p>21 completed first and I became the officer-in-charge for</p> <p>22 Monkton Street.</p> <p>23 I was attracted to work for Lambeth Social Services</p> <p>24 because it was an opportunity to open and develop a new</p> <p>25 service and because, at the time, Lambeth had a good</p> <p style="text-align: center;">Page 59</p>	<p>1 reputation for investing in its staff, particularly</p> <p>2 a commitment to staff training. There was good access</p> <p>3 to a lot of internal training courses and, on</p> <p>4 reflection, a generous commitment to external training</p> <p>5 too, including secondment to professional training.</p> <p>6 "The provision of long-term care for children with</p> <p>7 learning disabilities in borough was clearly a new</p> <p>8 development for Lambeth Social Services at the time.</p> <p>9 The management of these specialist services was located</p> <p>10 within the Children's Home Section, overseen by the</p> <p>11 Children's Home Subcommittee.</p> <p>12 "Specialist expertise provided for the new services</p> <p>13 was at officer-in-charge level. The homes at</p> <p>14 West Norwood and Kennington each had a learning</p> <p>15 disability-registered nurse as officer-in-charge. My</p> <p>16 recollection is that children's homes officers, the</p> <p>17 senior management level above officer-in-charge, did not</p> <p>18 have specialist knowledge or learning disability</p> <p>19 expertise to support the homes. I believe that I was</p> <p>20 appointed on the basis of my nursing qualification and</p> <p>21 my experience of providing services for children with</p> <p>22 learning disabilities in both hospital and</p> <p>23 Social Services settings.</p> <p>24 "Learning disabilities children's homes were</p> <p>25 administered as part of the Children's Home Section</p> <p style="text-align: center;">Page 60</p>

<p>1 within Social Services. However, the very different 2 care and support needs of children with severe learning 3 disabilities meant that there was little contact or even 4 much sense of shared values with the other children's 5 homes. 6 "Monkton Street was established to provide long-term 7 residential care for some 12 or 13 children with 8 generally severe learning disabilities which sometimes 9 included behaviours which challenged services. Initial 10 referrals were from Lambeth-funded placements in 11 out-of-borough private and voluntary homes, although 12 later some referrals were accepted direct from a family 13 home in borough. At some point in the early half of the 14 1980s, I was asked to accept some referrals for 15 short-term or respite care. This was not in line with 16 the original stated aim of providing long-term care and 17 it is my recollection that there were sufficient 18 referrals to justify keeping all of the beds designated 19 for long-term care. 20 "Based on previous experience, I advised against 21 mixing long term and respite care as the constant 22 changes tended to be disruptive for the children in 23 long-term care. Given that the borough retained 24 Ivy House as an ongoing short-term respite care service 25 I found it difficult to understand why Monkton Street</p> <p style="text-align: center;">Page 61</p>	<p>1 was being required to accept short-term care referrals. 2 My objections were overruled. 3 "The lack of adequate staffing was a constant 4 concern and it is noted in LAM029868 and LAM029870 5 a number of factors were at play. The starting point 6 was the funded establishment, the number of grades or 7 posts for which funding had been agreed to provide 8 a safe level of care and support for the client group 9 needs. There were formulas available to help calculate 10 what the funded establishment should be, although the 11 formulas did not appear to reflect the higher support 12 needs of children with severe learning disabilities. 13 "My recollection is that the grading structure was 14 adequate -- a sufficient range of different grades to 15 provide a structure for managing and supervising staff 16 and to provide promotional incentives. The problem 17 seemed to be with the formulas to calculate total 18 staffing needs for a client group of people with severe 19 learning disabilities, challenging behaviours and what 20 constituted safe levels of care. This was compounded by 21 inadequate replacement funding in formulas for sickness, 22 secondment, maternity, training and special leave. 23 I recall quite exceptional recruitment activity during 24 my employment at Lambeth with innovative and varied 25 approaches, but it was never enough.</p> <p style="text-align: center;">Page 62</p>
<p>1 "I noted earlier that Lambeth had a strong 2 commitment to ongoing staff training and development. 3 For staff with experience but no formal qualifications, 4 the opportunity to be seconded full time for CSS 5 (Certificate in Social Services) or CQSW (Certificate of 6 Qualification in Social Work) professional training was 7 very attractive. Several staff members were successful 8 in obtaining secondment. Very positive for the 9 individuals and for longer-term service development in 10 the short term. However, this meant that the home was 11 losing the most experienced staff and compounding 12 long-term recruitment problems. 13 "I recall very few staff individually, but I retain 14 an overall sense of admiration for the staff team 15 generally and their commitment to providing a safe level 16 of care, even when this was at the personal cost to 17 their family life. 18 "During my last six months of employment with 19 Lambeth, there were exceptional restrictions on 20 recruitment. No vacancies could be advertised without 21 special application and justification. No overtime 22 working to cover vacancies, no use of agency staff. 23 Together with the staff team, a safe level of care was 24 maintained by people agreeing to work excess hours and 25 accrue time owing. This was not something that could be</p> <p style="text-align: center;">Page 63</p>	<p>1 maintained long time and, at the end of January 1989, 2 I went to see my line manager. I needed some 3 reassurance, both for myself and the staff team, that 4 urgent action was being taken to address the crisis in 5 staffing. 6 "The response I received was that no change could be 7 expected in the medium term. I felt unable to maintain 8 a service that was not safe and, without some assurance 9 of imminent practical support, my resignation was 10 immediate. 11 "This was not an issue of additional resources, but 12 of being allowed to use already approved and allocated 13 resources funded care posts to provide safe levels of 14 care. It is interesting for me to see, after all these 15 years, that none of this detail appears in LAM029035, 16 which refers to my resignation. 17 "The line management structure above children's 18 homes officer continued through principal officers, 19 assistant directors and the Director of Social Services. 20 In addition to the line management structure, there were 21 other forms of service monitoring. 22 "Councillors clearly had a role to play which 23 I recall was fulfilled in two ways. Officers-in-charge 24 provided written reports, maybe quarterly, I don't 25 remember exactly, to the Children's Homes Subcommittees.</p> <p style="text-align: center;">Page 64</p>

<p>1 This was a subcommittee of the Social Services Committee 2 and was attended by elected councillors and senior 3 officers. It was an opportunity to update councillors 4 on developments in children's homes, consider written 5 reports from the officers-in-charge and for councillors 6 to question and hold senior officers to account. 7 "Where further action was needed, the Children's 8 Homes Subcommittee would refer specific issues to the 9 Social Services Committee for consideration. 10 "In addition, councillor members of the Children's 11 Homes Subcommittee had a rota for visiting and 12 inspecting individual children's homes. My recollection 13 is that the rota was planned for bi-monthly visits to 14 each home, six times a year, but I think that when 15 cancellations were taken into account, actually visits 16 were probably four times a year. 17 "Some councillors seemed more interested than 18 others, but I valued the opportunity to share and 19 discuss information directly with a member of 20 the Children's Homes Subcommittee. I am aware that 21 councillors gave feedback to the subcommittee because 22 this sometimes resulted in further queries back to me at 23 a later date by senior officers. 24 "I am not aware if the feedback to subcommittee by 25 councillors on their visits was written or verbal. All</p> <p style="text-align: center;">Page 65</p>	<p>1 visits to the home were recorded and my reports to the 2 Children's Homes Subcommittee included a summary of 3 visits by councillors, officers and others, people who 4 were visiting the home in an official or professional 5 capacity, such as social workers, senior social workers 6 and teachers. 7 "The formal individual external monitoring was the 8 six-monthly case review. Each child had an allocated 9 social worker and there was a requirement for 10 six-monthly reviews to assess whether the child's care 11 and support needs were being appropriately met. 12 "While staffing shortages in the Social Work 13 Department meant that there might be more than 14 six-monthly intervals between reviews, this was 15 a valuable opportunity to take stock and check that the 16 various professionals had a shared understanding of 17 the care and support needs of each child. 18 "Reviews would be chaired by the social worker and 19 typically the key worker and other appropriate 20 residential care staff -- teachers, parents and other 21 professionals, if appropriate. Despite the ongoing 22 staff shortages, staff relationships were positive. 23 There was a sense of teamwork and members of the staff 24 team knew that they were needed both by the children and 25 their colleagues. There was an understanding that the</p> <p style="text-align: center;">Page 66</p>
<p>1 children were extremely vulnerable and most staff felt 2 personally responsible for maintaining safe levels of 3 care. This often meant working additional hours at 4 short notice and, in later years, without pay for 5 additional hours worked, or any real hope of being 6 allowed time off in lieu of additional hours. 7 "The level of personal care needed by the children 8 meant that staff/child relationships had to be positive. 9 Maybe half the children had active family contact and 10 the staff understood that care and support for the 11 children included liaison and support for the family. 12 "The main contact with other professionals outside 13 the home was teachers and social workers. Relationships 14 with teachers was generally good. The school was 15 located about 250 metres away from the home, so care 16 staff accompanied the children to school each morning 17 and brought them home at the end of each day. There was 18 daily contact between care staff and teachers and home 19 school diaries were maintained to ensure key daily 20 information was passed on. I also visited the school 21 regularly and teachers participated in Social Services 22 review meetings. I developed a positive working 23 relationship with the headmistress. Similarly, 24 relationships between residential care staff and social 25 workers were positive. Not all children at all times</p> <p style="text-align: center;">Page 67</p>	<p>1 had an allocated social worker. There were ongoing 2 recruitment problems for social workers, as there were 3 for care workers. Many of the children had previously 4 been placed out of borough in private and voluntary 5 homes, so when a child had an allocated social worker at 6 a residential home in borough, it was more practical for 7 the social worker to maintain regular contact and 8 support. 9 "While the council and Social Services in particular 10 would make general policy decisions, the framework for 11 front-line services was a departmental manual of 12 policies and procedures. Homes for children with 13 learning disabilities were newly established within 14 Lambeth and were managed within the Children's Homes 15 Sections. This seemed to be on the basis that service 16 users were children first and foremost and their 17 learning disability was secondary. 18 "Children's Homes Sections' policy and procedures 19 were readily available in each home, and at 20 Monkton Street located in the staff room. However, it 21 did not appear that consideration had been given to 22 adapting or adding to the policies and procedures to 23 reflect the different or additional needs of service 24 users and staff in the new learning disability homes. 25 I recall that the service user complaints policy</p> <p style="text-align: center;">Page 68</p>

<p>1 required review because it specifically depended on the 2 service user being able to communicate verbally or in 3 writing. This was not the case for most of the children 4 at Monkton Street. 5 "The inquiry documents make reference to two 6 separate allegations of sexual abuse. Despite my best 7 efforts, I can only remember the first such allegation 8 in the documents. I recall that an allegation was made 9 which involved an ancillary staff member. I had no 10 concerns about the individual working in proximity to 11 vulnerable people. This was based on my knowledge of 12 the individual and the clear rule that ancillary staff 13 did not provide direct care or support for the children. 14 "Ancillary staff provided support for care staff, 15 enabling them to provide the care and support needed by 16 the children. A safe level of care meant adequate 17 numbers of care staff. Not using ancillary staff as 18 emergency carers. Following the inquiry, the 19 recommendation was that the ancillary worker be 20 reinstated from suspension and transferred to an 21 alternative work location. I had no concerns about the 22 individual continuing to work with children or 23 vulnerable people. 24 "The decision to medically examine other children 25 who were resident at Monkton Street was not mine to</p> <p style="text-align: center;">Page 69</p>	<p>1 make. This decision had to be taken at very senior 2 management level. 3 "Following the receipt of the allegation, everything 4 was led by senior management, director level. It was 5 a difficult and sensitive time requiring leadership and 6 support for all parties (children, parents, staff) and 7 co-ordination across agencies (police, hospitals, 8 doctors, schools, social workers). 9 "I have no criticism that decisions were taken at 10 the most senior of management, but the staff team at 11 Monkton Street, who were still providing care and 12 support for vulnerable children, felt very much on the 13 periphery of what was happening. 14 "There was appreciation that the director attended 15 Monkton Street to provide some reassurance for the staff 16 team. I do not have any recollection of any other 17 allegations or concerns of child sexual abuse during my 18 time with Lambeth Social Services. I have no 19 recollection of a third enquiry referenced at LAM000012 20 and I am unable to find a reference in this document to 21 allegations in respect of staff at Monkton Street. 22 I accept that I was interviewed as part of 23 the management investigation, LAM000573, along with the 24 rest of the staff team at Monkton Street. However, 25 I have no recollection of specific questions asked of me</p> <p style="text-align: center;">Page 70</p>
<p>1 and I am not aware of the names of experts appointed by 2 the panel. 3 "During my employment with Lambeth Social Services, 4 I was not aware of, and neither did I suspect, that any 5 other officer or councillor might have been involved in 6 Freemasonry, the making or distributing of pornography, 7 bullying or harassment or the operation of a paedophile 8 ring." 9 Then the statement is signed with a statement of 10 truth. 11 Chair, that concludes the reading in of evidence. 12 THE CHAIR: Thank you. We will now take our lunch break and 13 return at 1.30 pm. 14 (12.31 pm) 15 (The short adjournment) 16 (1.30 pm) 17 THE CHAIR: Good afternoon, everyone. Ms Dobbin? 18 MS DOBBIN: Chair, can I call the first witness of this 19 afternoon, Ms Helen Kenward. 20 MS HELEN RUTH KENWARD (sworn) 21 Examination by MS DOBBIN 22 MS DOBBIN: Ms Kenward, could I ask you, please, to give the 23 inquiry your full name? 24 A. Helen Ruth Kenward. 25 Q. Now, I think, Ms Kenward, that you have two statements</p> <p style="text-align: center;">Page 71</p>	<p>1 in front of you. One of them is dated 17 November 2014, 2 and it's a statement that was made to the police? 3 A. Yes. 4 Q. Ms Kenward, are you content that that statement is true, 5 to the best of your knowledge and belief? 6 A. I am. 7 Q. Do you also have a statement that you made to the 8 inquiry as well? 9 A. I do. 10 Q. I don't think that that's dated, but it is a statement 11 that runs to 37 paragraphs? 12 A. That's correct, yes. 13 Q. Again, are you content that that statement is true, to 14 the best of your knowledge? 15 A. I am. 16 Q. Ms Kenward, the inquiry understands that you might need 17 a break during your evidence. If you do, please just 18 raise your hand, and we will take a break as well. 19 A. Thank you. 20 Q. Ms Kenward, is it right that, in 1998, you were 21 recommended by the Department of Health to Lambeth to 22 undertake an independent enquiry for it? 23 A. That's correct. 24 Q. Was that enquiry to become known as the Children's Home 25 in Lambeth Enquiry?</p> <p style="text-align: center;">Page 72</p>

1 **A. It was.**
 2 Q. It's become known over time more commonly as CHILE?
 3 **A. It has.**
 4 Q. I will refer to it as that in your evidence.
 5 **A. Okay.**
 6 Q. Were you appointed in and around December 1998?
 7 **A. I was.**
 8 Q. Could you explain to the panel what your professional
 9 background had been until that point?
 10 **A. At that point, I was an independent consultant in child**
 11 **protection. I had been working -- I had worked**
 12 **originally for 18 years with local authority, and then**
 13 **moved into independent work. So at that point, I think**
 14 **I'd done something like 37 years in social work.**
 15 Q. Did you have a particular --
 16 **A. Not that much, sorry. I'm just trying to work out the**
 17 **dates.**
 18 Q. How many years' experience do you think you had by --
 19 **A. At that point, 30 years' experience.**
 20 Q. Did you have a particular specialisation in child
 21 protection?
 22 **A. Yes, in child sexual abuse and interviewing sexually**
 23 **abused victims.**
 24 Q. When you worked in local authorities, what sort of
 25 social work was it that you were engaged in?

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1 **investigation -- almost all -- right the way through.**
 2 **It's just been continuous.**
 3 Q. I am going to go on and ask you a bit more about CHILE,
 4 but I just wonder, so that we can set the scene, could
 5 you explain to the panel what the relationship was
 6 between CHILE and Operation Middleton?
 7 **A. We followed the Working Together principles. From the**
 8 **onset, we developed a protocol which was about how we**
 9 **would work, that we would be open, honest, work at**
 10 **trust; that we would share information, that we would**
 11 **keep the child at the focus of all the investigations,**
 12 **the child and the grown child as an adult witness. We**
 13 **agreed on joint strategy meetings, joint conferences.**
 14 **Interviews were done jointly, police officers and social**
 15 **workers going out together. It was seen very much that**
 16 **the victims needed the resources of both social work and**
 17 **police and, therefore, the only way to deal with that**
 18 **was to work together.**
 19 Q. Was CHILE the support arm, so to speak, or the -- I'm
 20 going to come on to its independence, but the
 21 Social Services arm, then, of Middleton, or is that --
 22 would that be an inaccurate way to describe it?
 23 **A. It is not entirely inaccurate. But, I mean, all the**
 24 **data and all the material from Social Services was held**
 25 **by the CHILE team so that they provided the information**

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1 **A. I worked in residential work -- in residential care**
 2 **around children's homes, I managed a daycare centre,**
 3 **I worked in a fieldwork team, I was the child abuse**
 4 **protection lead in the county, and at that point I moved**
 5 **into independent work.**
 6 Q. As part of your independent consultancy work, had you
 7 taken other investigations or enquiries on before?
 8 **A. Yes, I had.**
 9 Q. Were they enquiries of the sort of scale or nature that
 10 the CHILE enquiry was?
 11 **A. No. This was -- I think this -- at the time, this was**
 12 **bigger, although I was running another investigation**
 13 **around that time, which was probably as big.**
 14 Q. Did that investigation raise similar types of issues as
 15 the ones that you were to uncover in CHILE?
 16 **A. Yes. Every investigation I have looked at throughout my**
 17 **career has come up with the same issues.**
 18 Q. Did you have any particular training in investigative
 19 techniques, or did you develop those in the course of
 20 your practice?
 21 **A. I worked at the Police Staff College as an associate**
 22 **tutor. I worked with the investigation teams there in**
 23 **terms of training. I did a year's interview training,**
 24 **a personnel management course, in the early '70s. All**
 25 **my training has been around interviewing and**

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1 **that was required by the police team so that they**
 2 **coexisted in that way.**
 3 **In terms of criminal investigation, then the police**
 4 **were the lead. In terms of victim work, then social**
 5 **workers were the lead. Sometimes they crossed over in**
 6 **an investigation, where, if two social workers went out**
 7 **and found that it was a criminal investigation, then**
 8 **they might have to do a lot of negotiation back to the**
 9 **other team. But the two roles were seen as being**
 10 **incredibly intermingled and necessary for one another.**
 11 Q. Is it right -- we will look at this again in a bit more
 12 detail -- that CHILE had a wider remit than just
 13 supporting the criminal investigation?
 14 **A. Yes. They were looking -- the remit was to look at the**
 15 **children's homes and the history of the residential**
 16 **homes and the staffing and whether or not the local**
 17 **authority had managed the children's homes and any**
 18 **allegations that had been made. So it was wider in that**
 19 **sense.**
 20 **The police were looking at a criminal investigation**
 21 **and whether or not enquiries that CHILE made would lead**
 22 **to a criminal investigation.**
 23 Q. It is right that you were an independent appointee?
 24 **A. Yes.**
 25 Q. You hadn't ever worked in Lambeth before, had you?

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<p>1 A. No, I don't think so. There may have been the odd 2 individual who had perhaps been on a training course 3 that I'd run, but, no, I'd never worked in Lambeth. 4 Q. I'm just going to ask maybe that we look at a document 5 that sets out some information about the independence of 6 the CHILE team. Mr Hyde, could I please have up 7 LAM014678. If I could look, please, at the first page 8 of that, and paragraph 2. This document, Ms Kenward, is 9 described as a risk assessment. 10 A. Yes. 11 Q. It explains a bit about how you were constituted to 12 begin with? 13 A. Yes. 14 Q. And it explains that you were invited to, I think, 15 choose the people who joined the CHILE team? 16 A. Yes. 17 Q. Is that right? 18 A. That's correct. 19 Q. That you had 16 social workers, researchers and 20 administrative staff, and that two of those staff had 21 previous employment in Lambeth? 22 A. They had, yes. 23 Q. If we could just go over the page, please, Mr Hyde, or 24 just enlarge the second page, just at the top. I think 25 there, Ms Kenward, we see the reasons why it was thought</p> <p style="text-align: center;">Page 77</p>	<p>1 that independence was important? 2 A. Yes. 3 Q. It goes on -- it is the second main paragraph: 4 "The probability of losing public confidence would 5 be high and the community influence would result in the 6 operation being exposed to an independent public [or] 7 judicial inquiry. The risk to Middleton would be high 8 since the constant presence of an independent team 9 supports the credibility of the Metropolitan presence." 10 Is that a reference to the Metropolitan Police 11 Service? 12 A. Yes. 13 Q. "The doubts and questions raised in the public forum of 14 the police consultative group are countered by the 15 monitoring effect of the independence of CHILE." 16 That suggests, Ms Kenward, that at the outset of 17 CHILE, there was some scepticism, possibly, as to the 18 independence of any enquiry that was going to take place 19 into Lambeth Children's Homes; is that right? 20 A. Yes, that's correct. I think that the history of 21 Lambeth and previous enquiries had led to a lack of 22 confidence, and it was felt that, by being independent, 23 people would be more likely to come forward if they had 24 observations/complaints to make. 25 Q. Now, we saw from that document that you had two members</p> <p style="text-align: center;">Page 78</p>
<p>1 of your team who had been -- or who were employees of 2 Lambeth. 3 A. Yes. 4 Q. Did having those individuals working on your team 5 imperil the independence of it or undermine it? 6 A. No, I don't think they did. One member of the team was 7 from human resources and was able to negotiate through 8 some of the personnel files that we found, and the other 9 member of staff was a social worker -- social work 10 background, team leader, had experience of working in 11 Lambeth. 12 Initially, there was some caution because there was 13 some apprehension that we might be compromised by that, 14 but as time went on, the gains overcame that and people 15 were shown to be trustworthy. One of the things that we 16 did was to operate a very tight control over information 17 and documents and whether or not they left the team, and 18 this I felt was really important in terms of protecting 19 them as well as the rest of the team, in that it helped 20 maintain that sense of -- the integrity of it. 21 Q. I just want to, in fact, go to the next document to ask 22 you a bit about the importance of securing documents and 23 the records as you found them in Lambeth when you first 24 came. Was, in fact, one of your first tasks to get all 25 of the records together in one place?</p> <p style="text-align: center;">Page 79</p>	<p>1 A. In fact, on the day that I was interviewed, or at least 2 the first day that I went to Lambeth for them to 3 instruct me, one of the conditions that I made of taking 4 on the task was, on that day, all documents should be 5 secured in one place, because I didn't want to take on 6 a situation where, you know, someone else was holding 7 the documents and I had to go and find them. I wanted 8 all the documents from the children's homes to be in one 9 place, and it was agreed, on that day when I was 10 appointed, to put them in a room in the town hall, which 11 was the second room -- you had to go through an outer 12 room in order to get to it, and a grille was placed on 13 the outer door so that no-one had access but the team. 14 I felt that was really important for us to be able to 15 say, "From this date, these are the documents that we 16 are responsible for". 17 Q. Can I just take you to a document that might illuminate 18 what the state of the records was. Mr Hyde, can we have 19 LAM019297, please. You might recognise this document, 20 Ms Kenward. This was a report that was written, an 21 archivist -- 22 A. I recognise it. 23 Q. -- had taken it on, I think a Mr Massey had the job of 24 trying put the records together. Perhaps, Mr Hyde, if 25 we could just enlarge from 2 down. We see that the</p> <p style="text-align: center;">Page 80</p>

20 (Pages 77 to 80)

<p>1 archives were on the second floor of a car park at the 2 rear of Mary Seacole House, which was, I think, the 3 Lambeth building where Social Services was situated? 4 A. Yes. 5 Q. Some records were kept in large, lockable wire cages, 6 and there's reference there to the area being 7 inadequately heated with exceptionally high 8 concentrations of dust. The toilet block was filthy, 9 dilapidated and in an unusable condition. Then he goes 10 on to describe what these various cages contained. 11 A. Yes. 12 Q. Only four, in fact, contained archivable material. 13 I think, when we go to the last paragraph, we see that 14 two of the cages had a number of boxes of children's and 15 family files. 16 A. Yes. 17 Q. But, as I understand this memo, that was of concern 18 because they ought to have been in or under the control 19 of a Ms Allen, who is referred to? 20 A. Yes. 21 Q. I think if we could go, please, to page 2, again we see 22 a description of the way that records had been left. 23 There is reference there to split boxes, records strewn 24 across the floor area, among a mass of material jammed 25 into a cage, numerous boxes, some numbered, some not,</p> <p style="text-align: center;">Page 81</p>	<p>1 which were children and family files. A proportion of 2 these boxes were falling apart. There is reference at 3 the bottom of this page to "Client files" and to 4 Mr Massey creating a database of those. 5 If we could go over the page, please, now, Mr Hyde, 6 to page 3, and enlarge the first section on the children 7 and families files database, I think here you are 8 describing that maintenance of this system had been with 9 someone from corporate support in respect of children 10 and family files? 11 A. Yes. 12 Q. I think what this is recording is that files that should 13 have been under the control of this individual had gone 14 missing as well? 15 A. Yes. 16 Q. You cite a specific example? 17 A. Yes. If I might add to that, at the point where -- the 18 reference to "Ms X" in 1997, at that point there, when 19 we began to look for that file, and we looked at all the 20 files in the growing archive and in the town hall, there 21 was no evidence of that file at all. We just could not 22 find it, although we knew it existed. Then, at a later 23 date -- and because this report wasn't written, I don't 24 think at that point, at a later date, the file turned up 25 on -- at the car park in a box of other files</p> <p style="text-align: center;">Page 82</p>
<p>1 anonymously, and when the archivist went through the 2 box, found the file that we were looking for. So 3 somewhere it had been in the authority, but whoever had 4 it had not returned it and had not -- and also, in the 5 process of looking for that file, we did a spot search 6 on the whole of the building -- looked in cupboards, 7 everything, to try to find this file, and were unable to 8 do so. And yet, somehow, at a later date it turned up. 9 Q. I want to ask you a bit more about files and about files 10 being withheld, but I want to ask you, first of all, 11 this question. I think in your statement you suggest 12 that these files, to you, were also emblematic of chaos 13 and the disrespect for children's lives as well, insofar 14 as these files contained their life stories; is that 15 correct? 16 A. It is correct, yes. There was a total lack of respect, 17 and also extraordinary things written in those files 18 which, in any normal social work curiosity should have 19 been dealt with, and weren't. Just basic social work. 20 Not necessarily criminal, just basic social work was 21 lacking. 22 Q. I'll come back to that point, if I may, in terms of what 23 you discovered in the course of your enquiry, but I just 24 want to stay on this thread, if I can, for a moment. 25 I think at paragraph 11 of your inquiry statement, you</p> <p style="text-align: center;">Page 83</p>	<p>1 said: 2 "History showed that people had lied about files, 3 hidden them, denied working with or knowing individuals 4 being investigated." 5 A. Yes. 6 Q. At your paragraph 14 -- I can read this to you, if it 7 helps, Ms Kenward -- you went on to say: 8 "Those workers who had been involved in the previous 9 investigation were resentful and had to be reminded of 10 a social worker's duty of care. There were some who 11 were subversive and withheld files, hiding them in 12 drawers and cupboards." 13 I just wanted to pick up on those two parts of your 14 statement in particular, because that obviously suggests 15 a culture of withholding information, hiding and 16 concealing that which is difficult. 17 A. Yes. 18 Q. I wondered if you could tell us a bit more about that? 19 A. I think -- what the files showed was that there was 20 a culture of lazy social work. I'm not suggesting that 21 it was all necessarily malevolent, but it was -- there 22 was a lot of laziness about it; a lack of enquiring 23 mind; a lack of rigour in assessment. The files 24 reflected that, and I suspect that they were reluctant 25 to let us look at the files because what they knew was,</p> <p style="text-align: center;">Page 84</p>

1 by this time, that, you know, every file we looked at we
 2 did a chronology on and we looked at every single detail
 3 of the social work response to children, because we were
 4 looking for -- you know, an adult reflects their
 5 childhood, so the adult victims we were working with
 6 would reflect the childhood experience they had had at
 7 the hands of Lambeth, and we needed to be able to look
 8 at, "So what's the history?", and so, therefore, people
 9 knew that they were going -- their files were under
 10 scrutiny, probably for the first time, because there was
 11 very little evidence that files had been supervised and
 12 scrutinised in the normal social work way, which is, you
 13 submit your file and your reports to your team leader
 14 for their scrutiny and for their approval for you to go
 15 on to the next stage, and that would be normal practice.
 16 That evidence wasn't there.
 17 I think people were genuinely scared about, "What
 18 does this mean for us?" There was a culture, a sense of
 19 fear amongst people about the history and what impact it
 20 was going to have on them.
 21 Q. Do you mean fear in the sense of, "What does this mean
 22 for me in terms of my employment, my future in Lambeth?"
 23 A. Yes.
 24 Q. Or do you mean fear of retribution, fear of --
 25 A. Fear of future, I think. I think they -- I hesitated

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1 "Should I have done ... what could I have done? Did
 2 I know?", and trying almost to rewrite history.
 3 Q. I will ask you more about Carroll as I go through your
 4 examination, so I'm not leaving it there, I will come
 5 back to it.
 6 A. Just stop me if I talk too much.
 7 Q. I was going to just, in fact, go back to the start of
 8 CHILE and ask you about some of the investigations at
 9 the beginning. Again, I was just going to do it by
 10 reference to a document from that time. Mr Hyde, could
 11 you please bring up LAM028401_007. Can you see that,
 12 Ms Kenward? This is actually a document that was
 13 written by the Executive Director of Social Services.
 14 You might be familiar with this as well because it was
 15 within one of the CHILE sets of documents.
 16 A. Yes.
 17 Q. If we can just enlarge 1.3 to put this in context, it
 18 refers to Operation Care being the investigation being
 19 undertaken by Merseyside:
 20 "Operation Trawler is the name given to date to the
 21 Metropolitan Police investigation. This is to change to
 22 become Operation Middleton to reflect the changed status
 23 of the investigation."
 24 A. Yes.
 25 Q. Can I just ask, had that already happened by the time

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1 because I'm sort of skipping about a bit. But you
 2 mentioned the words "fear of retribution". That was
 3 very common amongst those social workers who had worked
 4 with John Carroll.
 5 Q. Yes.
 6 A. So that culture -- you know, social workers who had gone
 7 to Angell Road or who had worked with John Carroll were
 8 afraid, and, as time goes on, and knowledge -- I think
 9 one of the things that's easy to forget is that
 10 knowledge and understanding of sexual abuse and the way
 11 that paedophiles behave has grown over time, and so
 12 there will be a period in social work history where
 13 people were not as aware as they should have been, not
 14 for any other reason than the knowledge just wasn't
 15 there or wasn't shared. So when people suddenly look
 16 back on their career and they see someone else looking
 17 at their career and they think, "Did I do the right
 18 thing there? What was that about?", then they become
 19 afraid, and, you know, it's very hard to manage that.
 20 The enquiry is not -- you know, that wasn't my
 21 responsibility, to manage their fear in that sense, but
 22 the organisation needed to do that.
 23 Q. That was even though John Carroll, by the point of
 24 CHILE, had been gone for a very long time?
 25 A. Yes. It's about people looking back and thinking,

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1 you joined?
 2 A. Yes.
 3 Q. I think it is right that you had not met the then
 4 Detective Inspector Clive Driscoll?
 5 A. That's right.
 6 Q. He'd left before your appointment; is that correct?
 7 A. Yes.
 8 Q. If we could go, please, to the next page, Mr Hyde, and
 9 look at 2.1 and 2.2, please. This is describing
 10 investigations, and I think that this is a reference
 11 back to July 1998, so these were investigations possibly
 12 that had already taken place. It describes 75 letters
 13 being sent out by Operation Care and 55 former residents
 14 still being traced. It refers to Operation Trawler
 15 having sent out 65 letters to ex-residents of those
 16 homes, being Angell Road and Highland Road:
 17 "From this process, 10 people have come forward and
 18 made allegations of being sexually abused. As was to be
 19 expected, not all of these related to John Carroll.
 20 Allegations have now been made in relation to several
 21 potential abusers in six different homes."
 22 It goes on to say that this raised the possibility
 23 of paedophile activity during the '70s and '80s and it
 24 was in recognition of this likely development that
 25 a commitment was made at the outset of the enquiry to

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<p>1 endeavour to contact all former residents of children's 2 homes between the years 1974 and 1994: 3 "By so doing, it is hoped that it will be possible, 4 once and for all, to close this chapter on Lambeth's 5 history. The strategy therefore adopted ... has been 6 one of initially focusing on the two homes in which 7 John Carroll worked and then to follow other leads ... 8 and to systematically ensure all homes and time periods 9 are covered during the course of the overall 10 investigation." 11 Does that describe, as well, at the outset, the work 12 that CHILE was supposed to do or support as well? 13 A. No. It didn't describe the work of CHILE, no. The 14 remit for CHILE was all children's homes over a 20-year 15 period and to look at the possibility of paedophile 16 activity, organised paedophile activity, and with the 17 knowledge that Operation Care were focusing on 18 John Carroll and those two children's homes, and so the 19 CHILE enquiry was wider than just those two children's 20 homes. 21 Q. Again, I just want to put everything in context. If 22 I could ask if we could go over the page, please, 23 Mr Hyde, to page 9, and if we could just enlarge, 24 please, paragraph 2.8. This refers to the development 25 about the allegations that were made by Steven Forrest.</p> <p style="text-align: center;">Page 89</p>	<p>1 I just wanted, again, to focus on the end of that 2 paragraph. That described the names of all children, 3 135 children, resident at Stockwell Park -- that's 4 because Forrest had worked at Stockwell Park -- and 5 Angell Road Children's Homes between 1981 and 1992 "have 6 now been provided to the health authority and police for 7 tracing. Once addresses are identified, all will be 8 visited jointly by a social worker and then relevant 9 support and advice over health checks will be provided." 10 I just wonder if you can help us with whether or not 11 CHILE was part of that exercise that's been described, 12 of going to talk to -- 13 A. Yes. 14 Q. -- the 135 children who had been at Stockwell Park and 15 Angell Road? 16 A. No. 17 Q. Do you know anything about that, or whether those were 18 checks that had been made prior to CHILE starting, or at 19 some other point? 20 A. It's difficult to pinpoint at which point I knew about 21 that. I'm not quite sure that I understand your 22 question, actually. Would you like to repeat your 23 question? 24 Q. I'm sorry. It's just the suggestion there that the 25 names of 135 children had been provided to the police</p> <p style="text-align: center;">Page 90</p>
<p>1 for tracing and the line goes on to say: 2 "Once addresses are identified, all will be visited 3 jointly by a social worker and then relevant support and 4 advice over health checks will be provided." 5 So the question was whether or not CHILE had been 6 involved -- 7 A. No. 8 Q. -- in any of those visits with police to those 9 135 children who had been identified? 10 A. No, they hadn't -- that was before -- I think that was 11 the previous investigation. 12 Q. Thank you, Mr Hyde, we can take that down. 13 What appears to have been described in the first two 14 paragraphs that we looked at, about the sorts of letters 15 being sent, was a proactive approach to potential 16 victims of sexual abuse by those two investigations. 17 The inquiry understands that Operation Middleton and 18 CHILE determined that they would not take that approach; 19 is that right? 20 A. Yes. 21 Q. Can you explain a bit about the rationale for not taking 22 that sort of proactive approach? 23 A. The problem comes when you look at victims or people who 24 are aware of other -- children who are aware of other 25 children being victims. Is that -- depending on their</p> <p style="text-align: center;">Page 91</p>	<p>1 state of development and their life circumstances and 2 things that might be triggering them at any one time, if 3 you ask them questions before they are ready to make 4 a statement, before they choose to, then you're likely 5 to get a blank wall. People are likely -- there is 6 evidence that people denied -- "It wasn't me. I don't 7 know what you're talking about", but later will come 8 back and say, "It's time for me to tell now". 9 So the notion that you kind of blanket every 10 child -- there were 7,002 children who were in 11 residential care during that 20-year period. The notion 12 of blanketing them with, you know, "Have you been 13 sexually abused?" stirs up all sorts of issues for them 14 and their families and what their survival has been, and 15 so on. So it was felt a better way to approach it was 16 to look at those people who had made complaints that had 17 not been addressed, so they would be -- we'd look at the 18 logbooks, the diaries, all of those areas of resource 19 which would show where someone made a complaint and it 20 had not been addressed, and where we could then say -- 21 we could narrow the number of children that we needed to 22 address. 23 So it -- if a child was at Angell Road -- for 24 example, at Angell Road before John Carroll and after 25 John Carroll, they wouldn't necessarily come in the</p> <p style="text-align: center;">Page 92</p>

1 group of children that you would expect to send the
 2 letter to, in that sense. So it was felt that we would
 3 go with an intelligence-led look at what we know
 4 already, what's been done, what hasn't been done, and to
 5 follow up old enquiries, because there were enquiries in
 6 the past which had come to -- for instance, there's one
 7 with John Carroll where there was a complaint against
 8 John Carroll and John Carroll was the investigator.
 9 Whichever way you look at it, that's ridiculous. So we
 10 would look at those kinds of examples again.
 11 **Does that answer your question?**
 12 Q. Yes, but I want to ask you a couple of things leading on
 13 from it. It is obviously one thing to write to someone,
 14 saying, "Have you been abused?", but is there not
 15 another way of approaching them, to ask them, for
 16 example, "Would you like to talk about your experiences
 17 in care?", so giving them a broader invitation that
 18 might encourage them to come forward without necessarily
 19 confronting them with the possibility that they'd been
 20 abused?
 21 **A. It's my personal view that -- we don't know what their
 22 circumstances are, and even an innocuous approach like
 23 that may cause considerable distress. Sometimes when
 24 people see things on the newspaper -- in the newspaper,
 25 that triggers off, and then they will ask for help.**

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1 some of the work that you did and just ask you about
 2 that. At page 3 of your statement, and it is
 3 paragraph 23, you describe John Carroll as being part of
 4 a wider network and, indeed, at paragraph 23, as part of
 5 a national network.
 6 **A. Yes.**
 7 Q. Can you just describe to the panel, please, what you
 8 mean by that or what you discovered in the course of
 9 CHILE that leads to that conclusion?
 10 **A. John Carroll -- we did a profile of John Carroll for
 11 Operation Care. They weren't interested in it, to be
 12 honest with you, but we did it and it was helpful in
 13 terms of the way in which we worked.**
 14 **John Carroll was a charismatic person who could be
 15 either dominant and bullying or seductive and charming.
 16 He was well known in Lambeth, but he was also known on
 17 the residential scene, and he was a member of
 18 the Residential Care Association.**
 19 **Now, that brought him into contact with a whole
 20 range of people, and I know, for instance, that people
 21 like Frank Beck were part of that organisation. Because
 22 of my previous experience in other investigations --
 23 Nottingham, Cleveland, and so on -- I knew that that was
 24 a meeting place for many people, but also for
 25 paedophiles.**

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1 **I think what is important is to make it clear to the
 2 public that if they come forward, if they make
 3 a complaint, they will be listened to, and people will
 4 take actions.**
 5 Q. In terms of the approach that you took, which was to
 6 retrace old investigations, was there not a real risk,
 7 then, that you would omit a whole section of children
 8 who had never been able to speak about what had happened
 9 to them?
 10 **A. There is a risk, but we didn't only do it -- do that.**
 11 **We saw -- many people came forward themselves, young
 12 people who were in contact with other people. So if
 13 they came forward and made a statement and said, "But my
 14 friends were also there. I'm still in contact with
 15 them. Can they come and see you? Can you go and see
 16 them?" So it was much wider than just that. But that's
 17 where we started. But it wasn't the only route.**
 18 **Sometimes we did knock on doors. Sometimes, you
 19 know, when all the evidence was there that this person
 20 was in this place, the right place -- or the wrong place
 21 at the wrong time, that we would approach them, but we'd
 22 be very careful how we did that because of people's
 23 mental health.**
 24 Q. I'm just going to deal with a couple of things to do
 25 with Carroll and then I'm just going to trace through

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1 **When we looked at Waterhouse and we looked at the
 2 children who had been directed along the path towards
 3 North Wales, and so on, it was advice from that -- you
 4 could see the links that John Carroll had with other
 5 people. We did a diagram which showed his links with
 6 people both in and out of the organisation, and mostly
 7 they were out of the organisation.**
 8 **So, for example, one of the things that was -- I'm
 9 not sure this is the right place to say this. There
 10 were documents from people indicating that they were his
 11 associates, if not his friends, outside of
 12 the organisation.**
 13 Q. Can I just ensure that I have understood you? You
 14 discovered evidence that he was linked to other known
 15 paedophiles around the country, who were also involved
 16 in the residential care of children?
 17 **A. Yes.**
 18 Q. You said that Operation Care wasn't interested in that
 19 information?
 20 **A. Their investigation was a criminal investigation, and
 21 they had witnesses and they had a trial and they were
 22 focused on the criminal investigation.**
 23 **My interest, our interest, in CHILE was on the
 24 impact of people like that on a social organisation,
 25 and, you know, the way in which their behaviour is then**

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1 reflected in the responses of other people. You could
 2 see common elements of behaviour that respond from
 3 having a paedophile -- it doesn't mean that there were
 4 other people necessarily working in Lambeth, but if you
 5 are a stamp collector and you wanted a particular stamp,
 6 you would go to a person in another authority who was
 7 a stamp collector, and paedophiles operate in that way.

8 Q. Did you have any evidence of him travelling, for
 9 example, to homes in other areas or having access to
 10 children in other geographical locations?

11 A. He had links with a home in another neighbouring
 12 authority and we linked with that authority and that
 13 authority investigated that children's home. So
 14 a former member of staff, of his staff, moved to another
 15 authority, set up a private children's home and he had
 16 links with that, so we investigated his links with that
 17 and gave the information to the other local authority,
 18 who were then able to close that children's home and
 19 investigate it. Another part of the Metropolitan Police
 20 would have responded to that.

21 Q. Do you know if it was found or there was any evidence
 22 that he had abused children in that home?

23 A. No. The children were very young. They specialised in
 24 working with very young children -- under 7/8. Many of
 25 them would be non-verbal. At the point where I handed

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1 Q. Yes.

2 A. And when they made complaints, they were treated as
 3 whistleblowers in a very negative sort of way. So those
 4 people will have a very negative view of John Carroll
 5 and that he shouldn't have been allowed to practise.

6 He was also supported by the organisation. So, you
 7 know, senior managers supported him in his role as the
 8 manager of a children's home, and, you know, when you --
 9 if you're a paedophile and you have that kind of
 10 support, you manipulate it, and anyone who is
 11 manipulated then feels angry at having had that
 12 experience.

13 Q. Just in terms of, then, the criminal investigation into
 14 him, that was obviously dealt with by Operation Care and
 15 in the Merseyside area. Were there any further
 16 investigations into John Carroll after that criminal
 17 investigation ended and he had been convicted?

18 A. We were beginning to look at that at the point where
 19 Operation Middleton was wound down, because they did
 20 a risk assessment and I think there are documents in
 21 here showing that they brought their side of
 22 the Working Together to a close, and the CHILE team was
 23 closed. So there were still unanswered questions and
 24 unanswered pieces of work which are about tying together
 25 the information that was available.

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1 it over to the other authority, I hadn't got that
 2 information. I don't know what the outcome of that was.

3 Q. Ms Kenward, one of the things you also say -- this is at
 4 paragraph 23 of your statement -- is that Carroll
 5 groomed the community, the staff and children. For
 6 some, there was disbelief and anger that he had been
 7 allowed to practise. I wondered, again, if you could
 8 just explain a bit more about what you meant about his
 9 grooming of the community, staff and children?

10 A. Because he had the two facets of his presentation -- one
 11 was the bully and the autocrat, who controlled people
 12 and controlled staff; and the other was someone who was
 13 more open, gregarious, joined in community activities,
 14 sought to be a foster carer, went through a very, very
 15 difficult, negative experience in terms of -- from the
 16 child's point of view -- fostering -- he was outward
 17 going. So it depended which side you looked at.

18 If you think about an authority that's got
 19 a children's home that's not particularly functioning
 20 well, and somebody comes in from outside and says, "I'm
 21 a wonder. I know how to do this. Let me have the
 22 freedom to do this", and then, from an outside point of
 23 view, it looks as if that's exactly what happened, but
 24 internally there were staff who were saying, "No, this
 25 isn't right".

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1 Q. I'm going to bring you to a summary of your work which
 2 I think refers to some of that.

3 A. Yes.

4 Q. Mr Hyde, could we go to LAM028369. This was the
 5 overarching summary, as I understand it, that was
 6 written after CHILE had been ongoing for five years; is
 7 that right?

8 A. Yes. At the point where I was told that there would be
 9 no further funding to do the kind of tying-up stage or
 10 the end stages of the enquiry, there was about a month,
 11 and I felt that it was really important that I tried to
 12 put at least an executive summary in place. I couldn't
 13 just walk away from it.

14 Q. I will bring you to page 5 of the summary, please,
 15 Mr Hyde, which I think explains that. It sets out at
 16 the top exactly what your terms of reference were: that
 17 you were to work with Operation Middleton in
 18 investigating the care of children between 1974 and
 19 1994, but that that timescale became broader. You
 20 focused on four principal areas, and we see them there.
 21 Then you say:
 22 "The financial constraints imposed by Lambeth
 23 brought the enquiry to a premature end."
 24 You go on to say:
 25 "This document does not analyse the practice issues

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<p>1 examined during the period of the instruction [the 2 five-year period]."</p> <p>3 A. Yes.</p> <p>4 Q. Is it right, then, that CHILE ends after five years and 5 there is no overarching report or any sort of 6 overarching findings that Lambeth could have used in the 7 future?</p> <p>8 A. That's right.</p> <p>9 Q. I will come back to that point. I'm just going to work 10 through this document, if I may. If we could go to the 11 next page, please, Mr Hyde -- sorry, it is page 7. 12 I think that describes some of the figures, so the 13 overall involvement. You explain this -- I won't ask 14 you about this now -- with 426 children; contact 154; 15 production of a vulnerability check, which I will ask 16 you about; production of a chronology; longer-term 17 support and counselling for 49 people; and liaison with 18 insurers.</p> <p>19 I think if we could jump ahead, then, please, 20 Mr Hyde, to page 15. We see there that CHILE undertook 21 work relating to 426 children. I don't think that 22 meant, Ms Kenward, that you spoke to 426 children, did 23 it?</p> <p>24 A. We probably spoke to more, actually.</p> <p>25 Q. I only pick that up from the third paragraph, which</p> <p style="text-align: center;">Page 101</p>	<p>1 said:</p> <p>2 "The nature of the work undertaken in each case has 3 varied from research ... to individual counselling ..."</p> <p>4 A. I see what you mean. The total work was for 5 426 children. Sorry, my mind has gone blank in terms of 6 the question you asked me.</p> <p>7 Q. It was really just asking whether or not you thought you 8 spoke to 426 children, or not?</p> <p>9 A. To be honest with you, it's hard to say at this distance 10 from it. I don't think, from that, that we could have 11 done, but it felt like more.</p> <p>12 Q. If we maybe go over the page, please, to page 17, 13 Mr Hyde. You explain what a vulnerability check is. Is 14 that the process by which you would decide whether or 15 not a joint interview with the police was needed?</p> <p>16 A. Yes. It included whether or not -- things like mental 17 health of the individual, their support systems, whether 18 what they were giving was criminal -- possible criminal 19 evidence or whether they were giving intelligence. So 20 we were trying to, in a sense, cause them the least 21 possible number of interviews.</p> <p>22 Q. If we could go to page 19, please, Mr Hyde, we also see 23 that during the course of CHILE you interviewed 24 92 employees and ex-employees as well. Could you just 25 explain what the point of interviewing that many</p> <p style="text-align: center;">Page 102</p>
<p>1 employees was?</p> <p>2 A. Some of them would have been people who came forward 3 themselves, so people who had anxiety or who felt that 4 they had information, intelligence, so that would be one 5 group. Others would be support staff in the various 6 children's homes, because, quite often, people have 7 information and they don't realise the significance of 8 the information that they have. So there would be staff 9 in children's homes, there would be adults -- staff that 10 children had mentioned -- or young people had mentioned 11 in their statements. So I went to Glasgow to see the 12 house mother of one family of children who had been at 13 Shirley Oaks, for instance. So there was a whole range 14 of people, and including people in the fostering 15 section, social workers who were currently working in 16 the local authority at that time, where there were links 17 with past cases.</p> <p>18 Q. Was that an information-gathering exercise, as much as 19 anything?</p> <p>20 A. Some of them were information, some of them were to do 21 with disciplinary investigations, some of them were to 22 do with criminal investigations.</p> <p>23 Q. If we could please go to page 21. I think this is the 24 final page we need to go to of this document. This 25 refers to the information that you provided to</p> <p style="text-align: center;">Page 103</p>	<p>1 Operation Middleton, so it says there that you responded 2 to 1,130 requests for information. So that would have 3 been in support of criminal investigations; is that 4 right, Ms Kenward?</p> <p>5 A. Yes.</p> <p>6 Q. I want to then jump, if I may, Ms Kenward, to the 7 Operation Middleton fourth and final report. Mr Hyde, 8 this is LAM012377_001. I'll just read it to you, 9 Ms Kenward. That's probably easier, seeing as we don't 10 seem to have the document.</p> <p>11 The summary of the work said that Operation 12 Middleton investigated over 120 allegations of sexual 13 abuse assault and was successful in bringing a number of 14 perpetrators to justice. Three perpetrators were 15 imprisoned for periods of between 18 months and ten 16 years. The operation also assisted a number of other 17 police forces in completing investigations and bringing 18 charges, including Merseyside Constabulary in the case 19 of Carroll, who was imprisoned for ten years.</p> <p>20 "The following factors hampered further successful 21 prosecutions against alleged perpetrators: 16 alleged 22 perpetrators died either before or during the 23 operation's life, including one suicide during trial 24 in March 2003; 11 cases where the Crown Prosecution 25 Service decided no further action was possible; 19 cases</p> <p style="text-align: center;">Page 104</p>

1 where the alleged perpetrators could not be identified;
 2 and one case where the victim died before being able to
 3 give evidence. A further four cases were referred to
 4 other forces since the case was outside the parameters
 5 of the operation, but are being handled elsewhere."
 6 The report goes on to say:
 7 "It would be unreasonable to judge the success of
 8 the operation solely on the basis of the number of
 9 successful prosecutions. The operation has provided
 10 a range of additional functions and tasks, including the
 11 following ..."
 12 And it refers then to things like long-term support
 13 and counselling to 49 victims of child abuse and that
 14 kind of thing.
 15 Ms Kenward, the question is really this, that, after
 16 all of that work, only three individuals ultimately went
 17 to prison. The issue is really whether or not
 18 Operations CHILE and Middleton were an effective vehicle
 19 for detecting child sexual abuse?
 20 **A. Are you asking me if they were?**
 21 Q. Yes, I'm asking you your views on that and your views on
 22 the small number of people who were ultimately convicted
 23 at the end of this very laborious process, laborious
 24 investigation?
 25 **A. In some ways, we could be grateful that that's the case,**

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1 **mental health and their welfare. So that's one of**
 2 **the roles that CHILE took.**
 3 MS DOBBIN: I'm just going to pause there. Chair, I see the
 4 time, but would it be possible to carry on with this
 5 witness until 2.45 pm?
 6 THE CHAIR: Yes, please go ahead.
 7 MS DOBBIN: Ms Kenward, I just want to ask you then about
 8 some discrete topics, if I can. The first thing that
 9 I wanted to ask you was about a meeting that you
 10 attended with Detective Superintendent Gargini with
 11 Mrs Anna Tapsell. Do you recollect that meeting?
 12 **A. I do.**
 13 Q. I just wanted to ask what you recollect about the tone
 14 of that meeting and, specifically, whether you recollect
 15 that Detective Superintendent Gargini was trying to shut
 16 Ms Tapsell down or convey to her that she ought not to
 17 be repeating any of the information that she was
 18 providing to you and he?
 19 **A. That's not my recollection. My recollection is that**
 20 **Anna Tapsell had a lot of knowledge and experience of**
 21 **Lambeth, lots of documents which she was very open to**
 22 **sharing and allowing us to use. She was -- I think it**
 23 **is true to say that her concerns didn't always**
 24 **understand the difference between intelligence and**
 25 **evidence, and so sometimes, when people have**

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1 **because we didn't want -- I don't say we didn't look,**
 2 **but we were relieved that we hadn't got an enormous**
 3 **paedophile network within a local authority, because**
 4 **that would have been disastrous for the victims.**
 5 **I think that there are other things that were -- that**
 6 **came out of the inquiry apart from successful**
 7 **prosecutions.**
 8 **Some order was put into children's information data.**
 9 **Victims were given a voice. There were a large number**
 10 **of people who were helped and given support so that the**
 11 **victim side of it -- if you help one person, that's**
 12 **something; you know, if you help ten, that's even**
 13 **better.**
 14 **I think we had to be realistic about how many**
 15 **successful prosecutions you could get after 20 or**
 16 **30 years, and some of those complaints were made way**
 17 **back before our actual parameter dates, and we included**
 18 **them because there wasn't anywhere else for them to go**
 19 **and people came forward. Some of those were very, very**
 20 **young. If you have a child under 5, or even a child who**
 21 **is not articulate, you know, they have to have a place**
 22 **to go to look at their mental health now. I think CHILE**
 23 **responded to people in that way. The evidence showed**
 24 **that the local authority hadn't responded. They hadn't**
 25 **given victims a voice. They hadn't addressed their**

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1 **information, how they share it is really important.**
 2 **I think that Superintendent Gargini's response to her**
 3 **was about containing gossip rather than gossip being**
 4 **allowed to spread like wildfire. In an investigation,**
 5 **what you are trying to do is to contain the information**
 6 **and contain the intelligence in order to gain the**
 7 **evidence. I think he was very patient.**
 8 Q. I'm going to move on, if I may, and this is a topic
 9 that's dealt with largely in your police statement, if
 10 you need to look at it, Ms Kenward. It is about
 11 a meeting that you had with Ms Theresa Johnson, do you
 12 recollect that?
 13 **A. Yes.**
 14 Q. Did you go to that meeting with Detective Superintendent
 15 Gargini as well? If it helps you to look at your
 16 witness statement ...?
 17 **A. I'm trying to think whether he -- I did go, and I was**
 18 **with a police officer, and I can't, in my head, see**
 19 **which one it was. But the notes should reflect that.**
 20 Q. If I look at your police witness statement at page 1, it
 21 says:
 22 "Richard Gargini and I went to interview
 23 Theresa Johnson at her home address on our own."
 24 **A. It's just that there were so many interviews, and a lot**
 25 **of joint interviews. I was trying to remember which**

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1 **officer I went with, yes.**
 2 Q. You say in your statement that she provided some
 3 information about LA-F41; is that correct?
 4 **A. Which page are we looking at, sorry?**
 5 Q. This is your witness statement, and that's the name
 6 that's given in this inquiry to the individual who
 7 you're talking about.
 8 **A. Right, yes.**
 9 Q. We can see that from the top of your statement you said
 10 that she stated that he had been going into the
 11 Angell Road Children's Home:
 12 "She was suspicious with regards to this but she had
 13 no evidence that he did anything untoward."
 14 **A. Yes.**
 15 Q. Is that the information that she provided at that --
 16 **A. It is.**
 17 Q. What was your assessment of that information, please,
 18 Ms Kenward?
 19 **A. I'm just trying to be careful about -- I want to be**
 20 **accurate in what I say. My assessment at the time was,**
 21 **it was a very, very sad interview. Theresa Johnson was**
 22 **in a very distressed state. She had -- she felt**
 23 **bullied, marginalised and dismissed by the organisation.**
 24 **She felt that everyone was looking at her as if she was**
 25 **somewhat strange and not believing what she was saying,**

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1 **somewhere and it is going to be widely discussed. You**
 2 **know, people are not necessarily guilty by association.**
 3 **We had to be very clear exactly what we were looking at.**
 4 Q. Sorry, what my bad question was getting at, and I will
 5 put it more clearly: in terms of the information that
 6 she provided about this LA-F41 and the children's home,
 7 was that information that you had heard or come across
 8 previous to meeting her?
 9 **A. No.**
 10 Q. What you go on to say then is that you had an agreement
 11 with Mr Gargini that you would not disclose this to
 12 anyone outside the Home Office, No 10 and the
 13 Gold Group. I think it is right that the Gold Group was
 14 the oversight group --
 15 **A. The Strategy Group, yes.**
 16 Q. -- that oversaw Operation Middleton; is that right?
 17 **A. Yes.**
 18 Q. Can I just ask, did you agree that that was an
 19 appropriate response?
 20 **A. I did, in that it is easy to make allegations at times**
 21 **or to make deductions about situations that if you don't**
 22 **check them out and -- I felt that this is something that**
 23 **needed to be -- it's not just because of who he was. It**
 24 **would have been anyone. You know, anyone who is accused**
 25 **of something -- the local bank manager, the**

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1 **and that her experiences at Angell Road with**
 2 **John Carroll were ignored. It was a very sad interview.**
 3 **She was distressed. She was also unwell, which was not**
 4 **helpful.**
 5 **In terms of the piece of information that she gave**
 6 **us, we had had no evidence to support that information**
 7 **from any of the documents that we had seen or any of**
 8 **the information that we had previously had, so in terms**
 9 **of how we handled that, given who the individual was, we**
 10 **needed to be circumspect and not leave it open to gossip**
 11 **and innuendo and surmise.**
 12 **So it was agreed that the actions taken would be**
 13 **done so by Superintendent Gargini; that I would relook**
 14 **at all the documents to see if we had any evidence to**
 15 **support what she was saying, which we didn't find; and**
 16 **Superintendent Gargini came back to me and said that he**
 17 **had passed it to his manager and it had gone up the line**
 18 **and was no longer my responsibility.**
 19 Q. Can I just check, Ms Kenward: was that rumour or
 20 information that you had heard previous to this meeting
 21 with Ms Johnson?
 22 **A. No, I'm saying that we didn't want there to be rumour.**
 23 Q. Sorry, it's my fault. It was a bad question.
 24 **A. We didn't want -- if I had gone back and discussed it,**
 25 **inevitably, somebody is going to let something slip**

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1 **greengrocer -- they have a right to their privacy and**
 2 **for us to handle it in an appropriate way and not find**
 3 **them guilty just because somebody says they are guilty.**
 4 **We have to prove it. It has to be proved in a court of**
 5 **law.**
 6 Q. I'm going to go on to a different subject. Sorry to
 7 move you on.
 8 **A. There is one thing, though, attached to that reference**
 9 **and I have alluded to it, and that is that, when I was**
 10 **interviewed by a journalist, I was given a photograph**
 11 **and asked if I had seen it. I hadn't seen that**
 12 **photograph before. It was of a gentleman holding**
 13 **a small boy, and they were smiling at the camera, but**
 14 **I had not seen it before. I took that to the**
 15 **Gold Group -- this is in about 2014. I rang**
 16 **Sir Hugh Orde and other people who had been on the**
 17 **Strategy Group and said, "I have some information. This**
 18 **is what's happened. It's not for me, I'm an**
 19 **independent. I can't do anything with it. I need to**
 20 **pass it on", and that's what I did.**
 21 Q. Thank you, Ms Kenward. I am just going to move on, if
 22 I may, then, to a completely different subject. It is
 23 set out in a memo. I will just see if I can remind you
 24 of it, so we don't need to bring it up on screen. It
 25 was a memo about Lambeth having children in Welsh

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1 children's homes. The query that appeared to be being
 2 raised was whether or not there was some sort of fraud
 3 or whether or not children really were being sent to
 4 Welsh children's homes. Did you get to the bottom of
 5 that issue?
 6 **A. No. There was considerable doubt in my mind about**
 7 **John Carroll, who had, after he left Lambeth, bought**
 8 **a hotel in North Wales. If you looked at the profile of**
 9 **John Carroll and buying a hotel, they don't fit.**
 10 **John Carroll was a residential social worker. He had**
 11 **worked in local authority all his employment time. He**
 12 **didn't have access to private money. He was from**
 13 **a children's home himself. But I asked the question of**
 14 **the police, "How does that happen?" You know, "How can**
 15 **a man, who has had that kind of career and comes from**
 16 **that kind of background, afford to buy a hotel?" So**
 17 **I passed that information on, and I was concerned about**
 18 **it, and there was information about, you know, where did**
 19 **all the money go? There's no proper audit trail in**
 20 **Lambeth, or there wasn't, to show where money was paid**
 21 **to and who had access to it, and so on.**
 22 Q. Can I just drill down, just in terms of whether or not
 23 you established if children from Lambeth were being sent
 24 to Welsh children's homes during that period?
 25 **A. There were some children who were taken on holiday, yes.**

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1 Chair, do you have any questions for this witness?
 2 Questions from THE PANEL
 3 THE CHAIR: Thank you. I have one question. Looking back
 4 now, Ms Kenward, what is your assessment of the role of
 5 senior managers and their actions or inactions in
 6 identifying and potentially, of course, stopping this
 7 horrendous abuse?
 8 **A. I think people saw what they wanted to see and that**
 9 **there was a lack of curiosity about people's behaviour**
 10 **and a lack of system, auditing. The organisation was**
 11 **ripe for anyone to move in there and manipulate.**
 12 THE CHAIR: Do you ultimately attribute that to anyone in
 13 particular? For example, Directors of Social Services?
 14 **A. Well, the Directors of Social Services that I was**
 15 **involved with were new, so they were recent, and during**
 16 **the time I was there I think there were two or three**
 17 **changes, and they were -- so they were working to make**
 18 **things better.**
 19 **Prior to that, I think -- I think there was a sort**
 20 **of dismissive -- it is hard to describe it. But**
 21 **I interviewed an individual who was a senior manager who**
 22 **was quite dismissive of the whole process of looking**
 23 **back and uncovering any kind of abuse. He didn't want**
 24 **to know. He just didn't want to know.**
 25 **I think the fact that files went missing, people hid**

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1 Q. I want to deal with one final thing on behalf of a core
 2 participant. We have a core participant called LA-A61
 3 whom you prepared a report for -- well, the report was
 4 for the chief executive of Lambeth. She was a child who
 5 had been fostered and you carried out an investigation
 6 for her. I just wanted to ask you if you can
 7 recollect -- in the course of your investigation, you
 8 discovered that a family finders report which had been
 9 written about her had not been provided to the police.
 10 Is that something that you are able to recollect?
 11 **A. I do recollect that, yes.**
 12 Q. It appears from your report that you were the person who
 13 finally provided it to the police, in 1999. It had been
 14 prepared in 1996.
 15 **A. Yes.**
 16 Q. Is that right?
 17 **A. That's correct.**
 18 Q. Was the issue there that someone in Lambeth had
 19 essentially sat on that report so that it was not
 20 provided to the police?
 21 **A. Yes, it was.**
 22 Q. Did you provide it to the police as soon as you realised
 23 that that was the case?
 24 **A. Yes.**
 25 MS DOBBIN: Ms Kenward, I am going to ask you to stop there.

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1 **them, people didn't come forward when they clearly had**
 2 **information, I think that was a symptom of the way the**
 3 **organisation had been allowed to deteriorate.**
 4 THE CHAIR: In comparable other circumstances, there is
 5 a tendency to think that all allegations are
 6 exaggerated. Was that the case here?
 7 **A. Yes, and, "It couldn't possibly happen here, because**
 8 **we're all gentlemen, aren't we?".**
 9 THE CHAIR: Thank you very much.
 10 **A. Sorry, I didn't mean it quite like that.**
 11 THE CHAIR: Ms Sharpling?
 12 MS SHARPLING: No, thank you very much, chair.
 13 THE CHAIR: Mr Frank?
 14 MR FRANK: No, thank you.
 15 THE CHAIR: And Sir Malcolm?
 16 PROF SIR MALCOLM EVANS: No, thank you, chair.
 17 THE CHAIR: Thank you very much, Ms Kenward.
 18 **A. Thank you.**
 19 **(The witness withdrew)**
 20 MS DOBBIN: Chair, would it suit to come back in 15 minutes?
 21 THE CHAIR: Yes. We will return at 3.05 pm. Thank you.
 22 (2.48 pm)
 23 (A short break)
 24 (3.05 pm)
 25 MS LANGDALE: May I call the next witness, please, chair,

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1 Lord Boateng.
 2 THE RT HON LORD BOATENG (sworn)
 3 Examination by MS LANGDALE
 4 MS LANGDALE: Can you give us your name, please?
 5 **A. Paul Boateng.**
 6 Q. You have provided to the inquiry two statements: one
 7 dated 22 May 2020, and a second dated 21 July 2020.
 8 **A. Yes.**
 9 Q. They also refer to an earlier police statement. Can you
 10 confirm to us whether the contents are true and
 11 accurate, as far as you're concerned?
 12 **A. I can confirm that to be the case.**
 13 Q. Can I ask you, then, first, please, about your career
 14 and when you first started as a solicitor. I think in
 15 your statement you helpfully set out your legal
 16 background, so 1974 to 1987, you were eventually
 17 a partner at Birnberg & Co, weren't you?
 18 **A. I practised law between 1974 and 1987. I was an**
 19 **articled clerk between 1974 and 1976 with BM Birnberg,**
 20 **and then I moved to the Paddington Law Centre. Then**
 21 **I returned to BM Birnberg between 1979 and June 1987 as**
 22 **a partner in the firm of BM Birnberg & Co in South**
 23 **London.**
 24 Q. When did you leave that firm?
 25 **A. In June 1987, when I was elected to parliament.**

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1 **injustice and disparity.**
 2 Q. How many boroughs contributed to that work of the GLC in
 3 that format?
 4 **A. All the London boroughs, both inner and outer.**
 5 **I represented an outer London borough, the Borough of**
 6 **Walthamstow, but I lived in an inner London borough, the**
 7 **Borough of Lambeth.**
 8 Q. What sort of matters were discussed in that remit on the
 9 Police Committee?
 10 **A. The whole range of matters concerned with policing. So**
 11 **we were particularly concerned, as you can imagine, at**
 12 **that time, with issues of police/community relations.**
 13 **It was a very difficult and challenging time for those**
 14 **relationships, particularly the relationship between the**
 15 **black community and the police and young people and the**
 16 **police. So we were concerned with that.**
 17 **We were concerned about the issue of crime**
 18 **prevention. We were concerned also about the issue of**
 19 **how you would stop people falling into the criminal**
 20 **justice system and the disproportionate numbers of black**
 21 **young people and, indeed, people in care who fell into**
 22 **the criminal justice system.**
 23 **It was a time, too, when there was a major campaign**
 24 **against the sus laws, the Vagrancy Act. Many of the**
 25 **young people, including many of those in care, were**

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1 Q. What was your area of practice, Lord Boateng?
 2 **A. I practised primarily as a criminal lawyer. I did some**
 3 **employment, but mainly crime. Of my criminal work,**
 4 **quite a bit of that was in the youth justice field and**
 5 **I practised in the juvenile courts in London and,**
 6 **indeed, outside.**
 7 Q. You were elected, weren't you, at some point to the GLC,
 8 the Greater London Council?
 9 **A. I was indeed.**
 10 Q. When was that?
 11 **A. That was in 1980/'81.**
 12 Q. How long were you with the GLC?
 13 **A. Until its abolition.**
 14 Q. Can you remind me of the date of its abolition?
 15 **A. 1986.**
 16 Q. In the work of the GLC, what was your role there?
 17 **A. I was chair of the Police Committee and vice chair of**
 18 **the Ethnic Minorities Committee. The GLC at the time**
 19 **was campaigning for the accountability of**
 20 **the Metropolitan Police Service, which wasn't at that**
 21 **time, as it is now, accountable to any elected assembly,**
 22 **and the Police Committee was set up, really, to raise**
 23 **and to explore that issue, criminal justice issues**
 24 **generally, and the Ethnic Minorities Committee was**
 25 **concerned with dealing with issues of racial inequality,**

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1 **being arrested under the Vagrancy Act, an Act which**
 2 **subsequently was appealed. A lot of time and effort was**
 3 **spent campaigning for the repeal of that section of**
 4 **the Vagrancy Act that was used disproportionately**
 5 **against young black people.**
 6 Q. What was the composition of that Police Committee? Were
 7 the members professionals from social care, from other
 8 organisations? What was it?
 9 **A. The Police Committee consisted of elected members. So**
 10 **all the three main parties were represented on the**
 11 **committee. It was serviced by a police unit within the**
 12 **GLC, who, of course, worked extensively with the social**
 13 **work profession, with others -- with others engaged in**
 14 **the criminal justice system, and with community groups,**
 15 **and those groups concerned really to keep people out of**
 16 **crime and to support the victims of crime.**
 17 Q. Was there anything specific related to Lambeth Council
 18 that was discussed in relation to that work? Did
 19 Lambeth come to the committee's attention for issues,
 20 any issues?
 21 **A. No more than any other borough within London, save, of**
 22 **course, for the fact that, because Lambeth contained**
 23 **Brixton and because Lambeth contained a large number of**
 24 **members of the black and the minority ethnic community,**
 25 **it featured in our work. But it was -- the GLC**

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1 essentially was about Greater London, and my sphere of
 2 political activity was in Greater London as a whole, and
 3 not specifically within Lambeth.

4 Q. When children in care -- you're describing the youth
 5 justice efforts around children in care at the time. In
 6 that context within the GLC, was there ever discussion
 7 about other challenges for children in care, and
 8 particularly how vulnerable they were to abuse in care,
 9 sexual abuse? Was that an issue that was raised or
 10 discussed in that context?

11 A. The issue that was raised and discussed, which of course
 12 is relevant to the issue of sexual abuse, was the lack
 13 of a voice for children in care. You did not get
 14 a sense, and I certainly didn't get a sense as a legal
 15 practitioner, that they were listened to, that they were
 16 respected. There was, at the time, widespread
 17 institutional systemic racism, and it wasn't just within
 18 the Metropolitan Police. It existed also within local
 19 authorities, it existed within the professions, my own
 20 included, and that was part of the reality. Part of
 21 that reality was not listening to people. Many of my
 22 clients felt positively disempowered --

23 Q. Can I stop you there? I don't know if you have just
 24 pressed a button on your computer. We were getting
 25 interference.

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1 the same would apply to witnesses for them. Because it
 2 was very often hard to get witnesses, who were other
 3 young people, and you needed those in very many of these
 4 cases, to actually come and give a statement. And if
 5 you were diligent, and I tried to be, you went out and
 6 searched for them.

7 Q. Which children's homes would you have visited in that --
 8 to take instructions in that way?

9 A. Well, I represented young people in care in a whole
 10 range of boroughs. I was duty solicitor at the
 11 Camberwell Green Magistrate's Court, so I had
 12 a particular focus on the South London boroughs, and you
 13 would go wherever you would go. Thirty-plus years on,
 14 and without seeing their records, I don't know where
 15 those young people were located. But wherever they were
 16 located, if it was necessary to go and see them to take
 17 a statement, then I would. But my first aim was to get
 18 them to come into the office, obviously.

19 Q. You say social workers were supposed to come with them,
 20 were they, in the office, as the first point, but that
 21 didn't always happen?

22 A. It didn't always happen. For the older ones, I think
 23 very often -- one, the older ones didn't want them there
 24 and the social workers who were -- had other
 25 responsibilities didn't bring them, but for the younger

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1 A. Many of my clients felt disempowered, not listened to
 2 and, frankly, uncared for. They had been let down by
 3 the state, both nationally and locally.

4 Q. When you say your clients, was that people you were
 5 representing through the criminal justice system?

6 A. Yes. When I talk about "clients", it's people I'm
 7 representing through the criminal justice system. My
 8 constituents, of course, similarly, felt the same way.

9 Q. Where would you meet clients that you were representing,
 10 first of all, through the criminal justice system?

11 A. I would meet them primarily in my office in Borough High
 12 Street or at court. With young people, and particularly
 13 young people in care, the reality was that their lives
 14 were very often chaotic, and they weren't used to
 15 turning up to appointments. On occasion, if they
 16 weren't brought by a social worker or if the social
 17 worker didn't care enough about them to bother to bring
 18 them, it was necessary to see them where they were, or
 19 to go out and try and see them where they were, which is
 20 in their children's home. Of course, there were some
 21 young people who were in custodial or secure settings,
 22 and there you would see them in those custodial or
 23 secure settings. But the first aim was to try and get
 24 them to come into the office. But if they couldn't,
 25 well, then, you had to go for them and to see them. And

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1 one, I would expect and hope that their social worker
 2 would be sufficiently engaged to bring them. But,
 3 I mean, one of the problems was undoubtedly at the time
 4 that the quality of social work support and care for
 5 these young people varied. Some social workers were
 6 very good, very diligent, and that showed up in the way
 7 that they related to my clients and theirs, but others,
 8 frankly, were disengaged, and you saw that in the
 9 quality of reports that were presented to the courts.

10 Q. Did you ever visit Angell Road Children's Home?

11 A. I've got no recollection of ever having visited
 12 Angell Road Children's Home.

13 Q. Might you have done?

14 A. I might have done. I mean, if I had a client who was at
 15 that home and the client hadn't come to see me, if there
 16 was a witness at that time who hadn't come to give
 17 a statement on behalf of my client, I might well have
 18 gone to them, to see them there, as indeed I went to
 19 other children's homes. But I can't, I'm afraid, all
 20 these years on, ever recollect a specific instance in
 21 which I went to that home.

22 Q. Can you picture that home now or going into that home?

23 A. No. I mean, I know where Angell Road is, but I have
 24 no -- I've got no independent recollection of what it
 25 looks like.

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1 Q. How many homes, generally, would you have visited? You
 2 said you've been to a number. Where would you put the
 3 number, roughly?
 4 **A. I don't think I can give a rough number all this time**
 5 **on, frankly. I mean, there are some -- you know, each**
 6 **of these boroughs had their own children's home. It**
 7 **wasn't -- you know, I wasn't at a children's home every**
 8 **week. I really did seek to avoid, frankly -- because**
 9 **you have got a whole volume of cases, as you can**
 10 **imagine, as a solicitor with that sort of practice. So**
 11 **I wasn't looking for opportunities to get out and about.**
 12 **But I would expect in any month it was quite possible**
 13 **that you might visit two or three children's homes, but**
 14 **then another month you might not visit any.**
 15 Q. Did you ever meet Michael Carroll?
 16 **A. No. I have no recollection of meeting a man named**
 17 **Michael Carroll or Michael John Carroll. No**
 18 **recollection whatsoever. But I met many social workers,**
 19 **as you can imagine, but I have no recollection of**
 20 **meeting him. I have no recollection of working with him**
 21 **in relation to any specific client or project. And**
 22 **I certainly didn't know him personally.**
 23 Q. Can you remember -- when you say you worked with social
 24 workers, so there are social workers you could remember
 25 working with for the duration of the case or longer?

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1 **in some instances, you got a sense from the young people**
 2 **that their social workers were not behaving towards them**
 3 **in a way that we would now consider to be appropriate.**
 4 **But none ever made any specific allegations to me of**
 5 **sexual abuse. Their focus, in coming to see me as their**
 6 **lawyer, was in relation to their treatment at the hands**
 7 **of the criminal justice system, and they did obviously**
 8 **allege racism, they alleged maltreatment of a physical**
 9 **nature at the hands of the police, but they never made**
 10 **any allegations of sexual abuse.**
 11 Q. When did you first become aware of Michael Carroll?
 12 **A. I think I first became aware of him in the late 1990s,**
 13 **in terms of the appearance of his name in the press in**
 14 **connection with Lambeth.**
 15 Q. In what context in connection with -- being charged with
 16 offences or what?
 17 **A. My recollection is in relation to charges and**
 18 **investigations, but that would have been in the late**
 19 **1990s. I hadn't read about him before then.**
 20 Q. We know, in 1987, you became an MP for Brent South. In
 21 1997, you were government minister as Parliamentary
 22 Undersecretary for Health, weren't you?
 23 **A. I was.**
 24 Q. Did you -- was anything raised with you surrounding
 25 investigations within Lambeth during that role?

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1 **A. I remember seeing social workers at court and talking to**
 2 **them about their reports. I remember social workers**
 3 **coming to my office. I recall social workers who were**
 4 **active campaigning for diversionary work for young**
 5 **people. But I don't recall one of those as being called**
 6 **Michael John Carroll, which is not to say that he wasn't**
 7 **the social worker of one or more of my clients, but**
 8 **I don't have any recollection of him and I don't have**
 9 **any specific reason to recall his name because he wasn't**
 10 **someone who stood out for me in my practice.**
 11 Q. At that time, working with young people and vulnerable
 12 people, did any ever raise or make disclosures to you of
 13 abuse, sexual abuse, in homes in Lambeth, or any homes
 14 in --
 15 **A. No, they didn't. But what they did reveal to me, and**
 16 **what they did disclose to me, was a sense of deep**
 17 **alienation; a sense, in some instances, of anger;**
 18 **a sense that they were being neglected and not heard.**
 19 **What they did reveal to me, a sense that they weren't**
 20 **really being cared for or looked after as one would hope**
 21 **a child, a young person, would be cared for and looked**
 22 **after. But one has also to remember that, you know, at**
 23 **that time, I'm afraid the nature and extent of racism,**
 24 **frankly, of the use of words that would now never be**
 25 **used, and not just by police officers, but, I'm afraid,**

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1 **A. Yes, it was --**
 2 Q. Tell us about that.
 3 **A. -- on one occasion. And that was by Dame Denise Platt,**
 4 **when she was the chief inspector of the Social Services**
 5 **Inspectorate. She raised the issue with me of an**
 6 **investigation in which the SSI was involved, told me**
 7 **that it covered a period where my wife had been chair of**
 8 **Social Services in Lambeth, and we agreed, readily,**
 9 **that, because of that, I should have no -- I should**
 10 **recuse myself from any engagement or involvement at all**
 11 **in any work the Department of Health did with the**
 12 **Social Services Inspectorate or with Lambeth or with the**
 13 **police or with anybody else. That was the one time she**
 14 **raised it with me, and I never -- she never raised it**
 15 **with me again. I never saw any papers in relation to**
 16 **any -- anything connecting Lambeth and**
 17 **Michael John Carroll, the police or anything else ever**
 18 **again.**
 19 Q. When you say "ever again", did you see papers at the
 20 time or was it a conversation that she had with you?
 21 **A. My recollection at the time was of a conversation and**
 22 **never seeing any papers. Remember, your papers are put**
 23 **into your red box by your private secretary, and they**
 24 **determine -- your private office determines what papers**
 25 **you see. I remember being told that Dame Denise wanted**

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1 to speak with me. She did speak with me, most likely in
 2 the presence of my private secretary. He would have
 3 made sure after that, of course, because there would
 4 have been a note -- he would have made sure that
 5 I didn't see any other papers. Again, the only paper
 6 I might have seen was one telling me that I had an
 7 appointment to see Dame Denise and I had an appointment
 8 to speak with each other. But I don't recall ever
 9 receiving any ministerial briefing about anything to do
 10 with the specific matter from which I was recused.
 11 Q. So the conversation, you think, with Dame Denise was
 12 face to face. It was an appointment and arranged face
 13 to face?
 14 A. Yes.
 15 Q. Do you think your secretary would have been there as
 16 well for the purposes of the conversation?
 17 A. Most likely, but bear in mind -- I mean, the chief
 18 inspector of Social Services is a very senior civil
 19 servant, and so a private secretary isn't always
 20 required to be there. I can't say with absolute
 21 certainty that one was there on this occasion. But the
 22 private secretary would have been very much involved in
 23 any decision of this nature, namely, that I should be
 24 kept completely separate and distant from any matters in
 25 relation to the SSI and Lambeth in relation to that

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1 would have been kept rigorously to by my ministerial
 2 colleagues as well as by the civil servant.
 3 Q. So, having discussed it with Dame Denise, you didn't
 4 discuss it directly with Frank Dobson or anyone else?
 5 A. I have no recollection of discussing it with
 6 Frank Dobson, as Secretary of State, and nor would
 7 I have any reason to, because it seems -- it was the
 8 obvious thing to do. My wife had been chair of
 9 Social Services during part of this time in which the
 10 SSI and Lambeth were working together and that was the
 11 end of the matter, so far as I was concerned.
 12 Q. Did you get any sense in that discussion, apart from
 13 whether you should be recused from the situation, about
 14 what was going on in Lambeth broadly, the extent of
 15 problems in Lambeth?
 16 A. No.
 17 Q. Obviously, by then, the Tyra Henry Report was public,
 18 wasn't it, from 1987 and moving on to the
 19 Appleby Report. Did you have any awareness about these
 20 reports generally that had been published in respect of
 21 Lambeth's children's homes and the difficulties?
 22 A. Well, I was obviously aware of the Tyra Henry Report.
 23 It was a significant report which had been widely
 24 discussed in Social Services circles and written about.
 25 But did I have any specific focus in my job as

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1 period of time when my wife was chair of
 2 Social Services, and he would have made absolutely sure
 3 that I didn't see any papers, and, indeed, I didn't.
 4 Q. Can you remember now if there was a note of
 5 the discussion that you had with Dame Denise taken, or
 6 not?
 7 A. No, I couldn't, because -- I don't remember now, but
 8 I wouldn't, in any event, have seen any note because the
 9 matter was closed and decided and done once Dame Denise
 10 and I had discussed it and we had readily agreed -- it
 11 seemed to me to be obvious that if the SSI was involved
 12 in anything to do with Lambeth during the time my wife
 13 was chair of Social Services, I shouldn't have anything
 14 to do with it. It seems an obvious conflict of
 15 interest, and so I didn't concern myself with the matter
 16 again.
 17 Q. Who took over the responsibility for monitoring Lambeth
 18 then, if you couldn't, when you --
 19 A. I don't know, but I'm sure the Secretary of State would
 20 have -- I would have gone to the Secretary of State
 21 himself, or he would have assigned it to someone else.
 22 I never discussed it with anyone else and nobody ever
 23 discussed it with me, because that was quite clearly the
 24 understanding and the agreement that I should have no
 25 further engagement with this issue at all, and that

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1 parliamentary undersecretary in the department on
 2 Lambeth? No. No, I didn't. Was there media coverage
 3 of it? Yes, indeed, there was, and I would have been
 4 aware of that. Were there concerns generally about the
 5 way children in care were treated? Yes, there certainly
 6 were. I was the minister in the department with
 7 responsibility for social care when Frank Dobson made
 8 a landmark speech on this issue in which the state owned
 9 up to the fact that it had not been a good parent, and
 10 I was, as minister, responsible for setting up
 11 a committee, a care committee, specifically within the
 12 department, upon which, at my insistence, we had a young
 13 person in care with support, with administrative and
 14 secretarial support, sit. So, for the first time ever
 15 in a ministerial committee, because I chaired the
 16 committee, we had the voice of the young person, and not
 17 a young person there isolated, unsupported, but a young
 18 person there with support who was able to give voice to
 19 the concerns I knew, having been a practising lawyer in
 20 this area, as well as having been a community activist
 21 and representative, I knew young people had these
 22 concerns and I wanted those concerns to be reflected in
 23 ministerial committees.
 24 Q. In your work with young people, did you come across the
 25 Association of Combined Children's Youth Clubs, the

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1 ACYC?

2 **A. It was a name I was aware of, as I was aware of a number**

3 **of associations. If my memory serves me, there was also**

4 **an Association of London Youth Clubs. There were**

5 **a couple of well-known associations working in the**

6 **field. I was aware of them as a lawyer, I was aware of**

7 **them at one time when I was practising, as I said, as**

8 **a solicitor in Paddington -- I was a member of**

9 **the Westminster Youth Council. I was aware -- I was**

10 **aware of the field and of the work of these various**

11 **organisations. But it was no more than an awareness.**

12 **I had no institutional involvement as a patron or,**

13 **indeed, as a volunteer in relation to that particular**

14 **organisation.**

15 Q. Any connection with any adults who went on trips or

16 anything?

17 **A. None, none whatsoever.**

18 Q. As you know, Lord Boateng, this inquiry is

19 investigating, as one of the issues it's investigating,

20 whether at any time there has been any coverup or

21 suppression of an investigation into child sexual abuse

22 within Lambeth children's homes. As far as you're

23 concerned, have you been part, at any stage, of

24 a coverup or sought to suppress investigation into what

25 was happening in Lambeth children's homes?

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1 did visit Angell Road to see a witness or to take

2 instructions, what's the kind of context that you would

3 do that, if you did see a child?

4 **A. If I went to see a client or a witness in a children's**

5 **home, I would turn up, having sought to make an**

6 **appointment to see the young person or the witness --**

7 **sometimes successfully, other times not. I would go in,**

8 **I would sign the visitors' book if there was a visitors'**

9 **book presented and I was asked to do so, and I would see**

10 **the young person, either alone or with a social worker.**

11 **It depended very much on the nature of the case and the**

12 **nature of the relationship between the young person and**

13 **the social workers.**

14 Q. To be clear, then, in that context, you say you can't

15 recall whether you went to Angell Road. Can you confirm

16 for us, if you did go to Angell Road, whether you would

17 have attended parties at Angell Road with other adults,

18 children?

19 **A. I didn't know anyone at Angell Road. My wife didn't**

20 **know anyone at Angell Road. We had no connection of**

21 **friendship or affinity with anyone there. So there is**

22 **no way that I would be attending social events at**

23 **Angell Road or, indeed, having any sort of connection at**

24 **all with anyone there, either staff or resident, beyond**

25 **the responsibilities and duties I had as a solicitor.**

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1 **A. No. My whole life's work as a lawyer and as**

2 **a politician has been in giving young people a voice, as**

3 **being an advocate for them. There is no way in which**

4 **I would be complicit in any way in any coverup of abuse**

5 **and of harm done to young people.**

6 Q. Did you telephone Clive Walsh at Southwark County

7 Council in an attempt to support or promote

8 Michael Carroll's application to foster children? He's

9 given evidence that someone phoned him and said they

10 were Paul Boateng. Was that you phoning to --

11 **A. Well, it certainly wasn't me. I didn't know**

12 **Michael John Carroll. I had no idea that he was seeking**

13 **to foster children. I was in no position to phone or to**

14 **get involved in any way in anything to do with this man.**

15 **You know, the focus of my life and work in the '80s and**

16 **by the time of the late '80s was in representing my**

17 **clients, representing my constituents, in Walthamstow,**

18 **and by 1985/'86, right the way up until 1987, the whole**

19 **focus of my work was in becoming the member of**

20 **parliament for Brent South in north-west London. That**

21 **was the focus of my work. And thereafter, when I was**

22 **elected in 1987, the focus of my work was in parliament**

23 **and in north-west London, where, by that time, I lived.**

24 **I had no involvement in South London matters at all.**

25 Q. You say you can't recall visiting Angell Road. If you

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1 Q. Equally, as far as taking children up to the flat at

2 Angell Road where Michael Carroll was or on outings from

3 Angell Road, would that be something that, in the

4 context of your work, you would have done?

5 **A. No. Most certainly not.**

6 Q. Finally, whether you attended holiday camps at the ACYC

7 holiday camps at any point?

8 **A. No, I didn't ever volunteer with the ACYC. I never went**

9 **to any diversionary or holiday activities. I had no**

10 **engagement as a volunteer or in any other way with ACYC;**

11 **and never any social connection with anyone at ACYC or,**

12 **indeed, anyone at Angell Road.**

13 Q. Can you just confirm for us, when you were first -- you

14 responded, didn't you, to a journalist's email on this

15 topic in 2015?

16 **A. I did.**

17 Q. You were asked, you responded. You also gave

18 a statement was it to a Panorama programme in 2016. Was

19 that a specific statement --

20 **A. A Newsnight programme.**

21 Q. You gave a Newsnight programme interview?

22 **A. I did.**

23 Q. When the police spoke to you the first time, that was in

24 2019, wasn't it?

25 **A. That's right.**

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1 Q. You gave them a statement?
 2 **A. I did.**
 3 Q. You have provided the inquiry, upon request, with
 4 statements, in 2020?
 5 **A. I did.**
 6 MS LANGDALE: Thank you, Lord Boateng. No further questions
 7 from me. There may be from the chair and panel.
 8 THE CHAIR: I have no further questions, but I will ask my
 9 colleagues. Ms Sharpling?
 10 MS SHARPLING: No, thank you.
 11 THE CHAIR: Mr Frank?
 12 MR FRANK: No, thank you.
 13 THE CHAIR: Sir Malcolm?
 14 Questions from THE PANEL
 15 PROF SIR MALCOLM EVANS: Just one, if I may, chair.
 16 Lord Boateng, as a former resident of Lambeth and
 17 a senior politician within London for a period of time,
 18 including the GLC, we have heard quite a lot of quite
 19 excoriating descriptions of the managerial and political
 20 culture within Lambeth at the relevant times. From your
 21 knowledge, do any of these descriptions resonate with
 22 you? How do you respond to those descriptions of
 23 the culture at that time?
 24 **A. I was a Greater London politician. I represented**
 25 **Walthamstow and then Brent South. So the focus of my**

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1 **political activity was very much in those parts of**
 2 **London and in London as a whole. So far as Lambeth was**
 3 **concerned, what I knew was that my wife, who was chair**
 4 **of Social Services, had her work cut out in making sure**
 5 **that she did something to change the culture of her**
 6 **department, the department for which she had political**
 7 **responsibility; that she did something in order to**
 8 **improve the lives of the community and the young people**
 9 **she was elected to represent.**
 10 **We never, because we all had -- we had five young**
 11 **children, we had differing political responsibilities,**
 12 **we didn't, frankly, discuss Lambeth Social Services over**
 13 **breakfast or at dinner or at any other time in any**
 14 **detail. But I saw how hard she worked, I saw how**
 15 **diligent she was, I saw how she felt, as I felt, that**
 16 **there was a lack of black and minority and ethnic**
 17 **representation at every level within the political**
 18 **groupings, within the trade unions, within the**
 19 **professions. She was concerned about that, as was I.**
 20 **So if you ask me, does it surprise me that there was**
 21 **a job of work to be done in order to reform and improve**
 22 **Lambeth? No, it doesn't. There was a job of work to be**
 23 **done to improve and to reform Lambeth, and my wife**
 24 **worked very hard at that.**
 25 PROF SIR MALCOLM EVANS: Thank you.

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1 MS LANGDALE: Thank you.
 2 THE CHAIR: Thank you. We have no further questions. Thank
 3 you, Lord Boateng.
 4 **A. Thank you.**
 5 **(The witness withdrew)**
 6 MS LANGDALE: Chair, that concludes the evidence for today.
 7 THE CHAIR: Thank you, Ms Langdale.
 8 (3.40 pm)
 9 (The hearing was adjourned to
 10 Friday, 24 July 2020 at 10.30 am)
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