

<p>1 Friday, 24 July 2020</p> <p>2 (10.30 am)</p> <p>3 THE CHAIR: Good morning, everyone, and welcome to Day 15 of</p> <p>4 this public inquiry. Ms Dobbin?</p> <p>5 MS DOBBIN: Chair, can I call the first witness for today,</p> <p>6 please, Sir Stephen Bubb.</p> <p>7 SIR STEPHEN BUBB (sworn)</p> <p>8 Examination by MS DOBBIN</p> <p>9 MS DOBBIN: Could you give your full name to the inquiry,</p> <p>10 please?</p> <p>11 A. Sir Stephen Bubb.</p> <p>12 Q. It is right, Sir Stephen, that you made a statement to</p> <p>13 the inquiry on 1 July 2020?</p> <p>14 A. I did, yes.</p> <p>15 Q. Are you content that that statement is true, to the best</p> <p>16 of your knowledge and belief?</p> <p>17 A. I am.</p> <p>18 Q. Sir Stephen, I am going to ask you some questions, just</p> <p>19 to establish your background.</p> <p>20 A. Thank you.</p> <p>21 Q. You were a councillor in Lambeth, first elected</p> <p>22 in May 1982; is that right?</p> <p>23 A. Yes.</p> <p>24 Q. In that same year, you became a member of</p> <p>25 the Social Services Committee?</p> <p style="text-align: center;">Page 1</p>	<p>1 A. Yes.</p> <p>2 Q. You went on, in 1983, to become the vice chair of</p> <p>3 the Social Services Committee?</p> <p>4 A. Yes.</p> <p>5 Q. The chair of that committee being Councillor Boateng; is</p> <p>6 that right?</p> <p>7 A. It is.</p> <p>8 Q. I think you remained the vice chair until 1985?</p> <p>9 A. Yes.</p> <p>10 Q. After 1985, you became the Chief Whip to the Labour</p> <p>11 Group?</p> <p>12 A. Yes, I did.</p> <p>13 Q. And an ex officio member of all services committees and</p> <p>14 subcommittees as well?</p> <p>15 A. I did, yes.</p> <p>16 Q. I think that whilst you were involved in the</p> <p>17 Social Services Committee, you also sat on</p> <p>18 subcommittees, which included the Cases Subcommittee and</p> <p>19 the Secure Accommodation Subcommittee as well?</p> <p>20 A. Yes, I did.</p> <p>21 Q. I will ask you a little bit more about those in the</p> <p>22 course of your evidence.</p> <p>23 A. Sure.</p> <p>24 Q. I think, then, you were one of the councillors who was</p> <p>25 disqualified in 1986 when a rate wasn't set by its due</p> <p style="text-align: center;">Page 2</p>
<p>1 date; is that right?</p> <p>2 A. Well, the rate wasn't set. There wasn't a due date, of</p> <p>3 course.</p> <p>4 Q. I think after 1986, you didn't have any involvement with</p> <p>5 Lambeth thereafter; is that correct?</p> <p>6 A. Yes.</p> <p>7 Q. You've had a number of roles since then, but the role</p> <p>8 that you most recently held was that of leader of</p> <p>9 the Association of Chief Executives for Voluntary</p> <p>10 Organisations?</p> <p>11 A. Yes.</p> <p>12 Q. You required from that, but you still volunteer as</p> <p>13 a director of the charity think tank Charity Futures.</p> <p>14 Have I got that right?</p> <p>15 A. You have, yes.</p> <p>16 Q. Sir Stephen, I wanted to start by asking you a bit about</p> <p>17 what the environment was like in Lambeth whenever you</p> <p>18 were a councillor in terms of the political environment.</p> <p>19 I wanted to start by asking you about a report that was</p> <p>20 written sometime after you left about that. So I'm</p> <p>21 going to ask for it to be brought up on screen, but</p> <p>22 I will read it as well. That is document LAM028530,</p> <p>23 please, Mr Hyde.</p> <p>24 This was a document written by the Children's Home</p> <p>25 in Lambeth Enquiry, Sir Stephen, so written a number of</p> <p style="text-align: center;">Page 3</p>	<p>1 years after you left, but I just wanted to ask you about</p> <p>2 a passage in it which refers to your time in office, and</p> <p>3 that's at page 18, please, Mr Hyde. It's the second</p> <p>4 page of that, if we could enlarge it, please.</p> <p>5 A. I'm going to have to sort of take hold of the iPad to</p> <p>6 read this.</p> <p>7 Q. I will read it as well. I will read it out, and see how</p> <p>8 you find that, if that's more comfortable. It says:</p> <p>9 "The mid-eighties also saw the development of</p> <p>10 a conflict between social workers and local elected</p> <p>11 councillors. The former made claims that councillors</p> <p>12 were refusing to accept their judgment in an</p> <p>13 increasingly politicised environment. An inquiry was</p> <p>14 set up by the Environment Secretary, Mr Patrick Jenkin,</p> <p>15 with one of the terms of reference to look at the</p> <p>16 increasing politicisation of local councils. Working</p> <p>17 relationships appeared to have deteriorated over the</p> <p>18 last three years until they had been described as</p> <p>19 'nothing short of "poisonous"'. Subcommittee meetings</p> <p>20 to discuss the action to be taken in particular cases</p> <p>21 had become platforms for abusing social workers and some</p> <p>22 councillors had scorned staff recommendations on the</p> <p>23 grounds that they, as elected representatives, knew more</p> <p>24 about the needs of the community ..."</p> <p>25 There is reference to a newspaper article. It says:</p> <p style="text-align: center;">Page 4</p>

<p>1 "Committee meetings had turned into arguments about 2 who knows best. Some of the polarisations had developed 3 along racial lines with black councillors showing 4 distrust towards white social workers. In a meeting, 5 over half of the 1,400 employees of the Social Services 6 department gave a vote of no confidence against the then 7 chairman of Lambeth Social Services Committee, 8 Mrs Janet Boateng and vice chairman Stephen Bubb." 9 Sir Stephen, what I wanted to ask on behalf of 10 the inquiry was whether or not you recognised that 11 characterisation of that period by this CHILE report? 12 A. No. I think there are a number of -- of course I dealt 13 with some of this in my evidence. Good governance 14 requires a certain -- good governance is around 15 nonexecutives -- in this case councillors -- setting 16 strategy and policy and ensuring effective monitoring of 17 that, and indeed scrutiny, and that, of course, is why 18 we had those committees, and of course I was very keen 19 that we establish the Secure Accommodation Subcommittee 20 precisely because of that. 21 Now, there is -- it is natural in a relationship 22 between non-exec and executive that there will be 23 tensions, and it's -- it is right that this was a time 24 of, you know -- we had had -- as I explained in my 25 statement, the 1981 Brixton riots were a fairly crucial</p> <p style="text-align: center;">Page 5</p>	<p>1 turning point, and the manifesto we were elected on in 2 1982 was around tackling racial inequality and 3 diversity, and we took that very seriously. 4 Now, in doing that, that required sort of fairly big 5 changes in the way we operated as a council, and it was 6 right that we, as councillors, tried to ensure we 7 pursued that agenda, and we did that in Social Services, 8 but it wasn't just an agenda that was pursued by 9 councillors. 10 There are a number of points to make -- sorry, 11 I don't want to ramble on this. You have that passage, 12 but you compare that with the account in the Tyra Henry 13 Report, which dealt with a specific case, an independent 14 inquiry, but if you read that, what you don't get is 15 that feeling of abuse antagonism coming through. In 16 fact, it is a very good report. It makes the point 17 that, you know, there were efficient and effective 18 resources made available. It certainly doesn't refer to 19 abusive councillors, and I suppose, on a personal level, 20 I completely reject the characterisation that, when we 21 were dealing with issues, particularly in the Secure -- 22 in the Cases Subcommittee, there were abusing social 23 workers. We didn't have social workers there. The only 24 people at meetings were senior directors. 25 I don't know if that is helpful or not, if you want</p> <p style="text-align: center;">Page 6</p>
<p>1 me to expand on some of that? 2 Q. There are a couple of points. Firstly, the CHILE report 3 certainly points to a degree of discord, if nothing 4 else, between elected members and councillors. Is that 5 something that you recognise? Did your agenda clash 6 with the -- 7 A. No, the -- 8 Q. -- practice that you saw? 9 A. Did it clash? When I think back to these days, I don't 10 recall it as one of personal antagonisms and clashes 11 between ourselves as -- you know, myself and other 12 members of the committee and the directorate. Our main 13 contact was always with the most senior members of 14 the Social Services Directorate. I didn't have contact 15 with other members of the Social Services. And I don't 16 recall -- I recall it -- there were tensions. We were 17 asking for -- I was, in particular, asking for 18 information, and I was insistent, and I was robust on 19 that. But I think that's different from being abusive. 20 I think the other point to make is that it would be 21 a gross misrepresentation of the time to say that, you 22 know, it was just elected councillors who were wanting 23 to tackle racial inequality and diversity. Also, in 24 terms of Social Services, people in the sub also took 25 that seriously. In fact, again, going back to the</p> <p style="text-align: center;">Page 7</p>	<p>1 Tyra Henry Inquiry, you will see in there reference to 2 the good practice guide on dealing with black families. 3 Now, that was developed by the staff of Social Services. 4 So I think the idea that, you know, it was just a bunch 5 of "loony left" councillors who'd taken up the race 6 issue and the rest of the council in Social Services not 7 being concerned about that would be ridiculous. 8 We had both got that agenda as being important, and 9 people in that directorate took these issues as serious 10 as we did. We pushed it absolutely, and I think that 11 was our role as nonexecutives. 12 Q. Do you recollect the walkout of staff that's referred to 13 in the CHILE history of Social Services? 14 A. No, I don't. But I think -- again, I've referred to 15 this in my statement. You know, we need to remember 16 this was the '80s. There was considerable industrial 17 unrest across London, across London boroughs. I was 18 a trade union official, so I know all the tactics 19 involved here, and that would have been one of them. 20 As I said, it would be a rum deal if we, as elected 21 members, thought that it was the staff who set policies 22 as opposed to democratically-elected councillors. 23 Q. I'm going to come back and ask you a bit more about some 24 of those issues. I do want to move on to the Tyra Henry 25 Report.</p> <p style="text-align: center;">Page 8</p>

<p>1 You say at paragraph 21 of your statement that you 2 were one of the people involved in pushing for an 3 independent review -- 4 A. Yes. 5 Q. -- in respect of Tyra Henry's death. Is that right? 6 A. Yes, it is. 7 Q. I just want to pick up on a few of the things that 8 Sir Stephen Sedley referred to in his report. I am just 9 going to read them out, Sir Stephen, if I may. If we 10 need to bring them up on screen, please say. 11 A. Sure. 12 Q. In the introduction to his report, he refers to this -- 13 so he starts off by saying: 14 "When Tyra Henry died of extensive and appalling 15 injuries in the early hours of 1 September 1984, the 16 public concern generated by press coverage was matched 17 by the concern of members and officers of the London 18 Borough of Lambeth in whose care Tyra had been 19 throughout practically all of the year and ten months of 20 her life. Two inquiries were held within the town hall. 21 The first, known as the Coker Inquiry, was conducted by 22 senior officials from outside the Social Services 23 Directorate. The second, known as the Pope Inquiry, was 24 conducted by the borough's Assistant Director of 25 Social Services. The reports of both inquiries were</p> <p style="text-align: center;">Page 9</p>	<p>1 unacceptable to the staff and to the local branch of 2 their union, NALGO, with the result that the independent 3 panel, whose report this is, was invited by the council 4 to conduct a public inquiry with the following terms of 5 reference." 6 He then goes on to set those out. 7 The question that arises out of that is, in what 8 sort of organisation are there two inquiries following 9 the death of a child which are unsatisfactory and only 10 then owing to a third independent inquiry. 11 A. That's a good question, but I personally always felt 12 that we needed an independent inquiry. I can't remember 13 the exact details, but I was one of those -- probably 14 the leading person who was pushing for that independent 15 inquiry, and the reality was, let's be clear about this, 16 there was very strong resistance from the NALGO branch, 17 and I think that that had its effect in terms of those 18 two internal inquiries. So you'd have to ask the NALGO 19 branch why they were so insistent, and they resisted, 20 very strongly resisted, the idea that we would have an 21 independent inquiry. 22 Fortunately, my colleagues were very -- absolutely 23 insistent that an independent inquiry was the correct 24 course of action. 25 I don't remember all of the details, but I do</p> <p style="text-align: center;">Page 10</p>
<p>1 remember this is something that was -- the details of 2 this, which were highly publicised at the time, were 3 horrific, and I think many of us were quite affected by 4 the fact that someone who was in our care had been 5 murdered, a baby. 6 When we had the results of the court case, 7 I actually asked to see the files, and I went to the 8 directorate to look through the files myself, and 9 I wasn't satisfied, for reasons that became obvious in 10 the independent inquiry, which is why I felt it was 11 essential we had that independent inquiry. 12 Q. Can you just help me with why NALGO was able to hold so 13 much sway over the council that there were two failed 14 inquiries into a child's death before there was an 15 independent inquiry? 16 A. I don't think, actually, that's -- I don't think they 17 held that amount of sway, because, actually, if they 18 had, we wouldn't have had an independent inquiry. 19 Q. Well, then, why did it take so much effort, why were 20 there two failed inquiries before there was an 21 independent inquiry? 22 A. Well, you'll have to remind me how long those inquiries 23 took. 24 Q. I'm sure that you're more familiar with that sequence of 25 events --</p> <p style="text-align: center;">Page 11</p>	<p>1 A. No, I'm not. I'm not. 2 Q. Probably the worst thing that could happen in a local 3 authority, the death of a child in its care in this way, 4 ought to have prompted the most anxious and immediate 5 scrutiny. 6 A. Yes. 7 Q. The first passage of Sir Stephen's report sets out 8 clearly that there were two failed internal 9 investigations and inquiries first before there was any 10 independent scrutiny? 11 A. I think I've already made the point I was keen that we 12 had an independent inquiry. I don't think something 13 like this, and particularly after I had seen the files, 14 that looking at, you know, reviewing yourself, if you 15 like, was adequate. 16 Q. Just on that point, Sir Stephen went on -- and just for 17 anyone who wants to follow this in the report, it's at 18 page 163 of it. He set out a passage, and it was about 19 the difficulties that his inquiry had, and he said 20 this -- again, Sir Stephen, I'm just going to read it: 21 "While there are real difficulties about whether 22 child abuse inquiries should be held in public, there 23 are none about the proposition that they should be 24 conducted by persons unconnected with the directorates 25 involved. Some of our findings involve criticism of</p> <p style="text-align: center;">Page 12</p>

<p>1 personnel high in the directorate, including David Pope, 2 who was earlier given the invidious task of conducting 3 one of the two internal inquiries. The council cannot 4 know in advance how high up the ladder of responsibility 5 an inquiry into the death of a child in care may have to 6 go. It's not fair to expect an inquisitor to be 7 objective about his or her own role in a deeply 8 sensitive matter." 9 He goes on at the end of that paragraph to say: 10 "We know nothing of what the two internal inquiries 11 found, but we can understand that their very 12 constitution was likely to undermine confidence in their 13 findings, whatever they were." 14 Again, the question that arises out of that is, how 15 could Lambeth even contemplate having an internal 16 inquiry chaired or headed up by one of the individuals 17 who was key to that department? 18 A. Well, yes, that's a good question, but, as I have 19 already explained -- I'm not quite sure why you're 20 asking me this question. I always felt that an 21 independent inquiry was the correct course of action. 22 Q. I think what we are looking for is perhaps some insight 23 into the organisation to explain how that could possibly 24 have been thought a good idea or a proper course in the 25 first place?</p> <p style="text-align: center;">Page 13</p>	<p>1 A. I'm still not quite getting your question. I was the 2 vice chair. I took the view, after this, that we needed 3 an independent inquiry, which we had. Obviously, you 4 presumably asked these questions to the individuals 5 concerned. 6 Q. Well, I'm asking you, as one of the people who was at 7 the centre of ensuring accountability at that time? 8 A. I was the vice chair. 9 Q. So are you suggesting that you didn't have a central 10 role? 11 A. Can we just pause at this point? I have already said to 12 you that I wanted an independent inquiry for exactly the 13 reasons you've just read out. 14 Q. So was it as a result of the two failed inquiries that 15 you thought an independent inquiry was needed? 16 A. As I recall, my view from the start when I read that 17 file was that it needed an independent report. 18 Q. I'm going to move on to a different part of 19 Sir Stephen's report. This is his chapter 12 about 20 child abuse inquiries. He said -- again, for anyone who 21 is following this in the report, it's at page 159: 22 "A second problem on which we wish to record our 23 view is the relationship of the local authority with an 24 independent panel which it has itself set up. More than 25 once during the inquiry we felt that one limb or other</p> <p style="text-align: center;">Page 14</p>
<p>1 of the council was showing unconcealed pique at the fact 2 we were not doing what it thought we ought to be doing 3 and showing it in a proprietorial way, where other 4 participants accepted our rulings, right or wrong, with 5 better grace." 6 So he was just pointing to the tensions inherent in 7 his sort of inquiry, but he went on to say this: 8 "Perhaps the sharpest example of the problem 9 occurred in April 1986, when, five days before we were 10 due to start sitting to take evidence, the council's 11 Special Committee, without consulting us, decided to 12 postpone our hearings indefinitely because of 13 the non-cooperation by Lambeth NALGO." 14 I think in April 1986, you may have gone by then; is 15 that right, Sir Stephen? 16 A. Yes. 17 Q. Again, what that alludes to is the power of NALGO, 18 essentially, to have stopped the council from letting 19 Sir Stephen's inquiry proceed. Again, I wanted to ask 20 you a question about that, whether that reflects the 21 level of power or leverage that NALGO had in these 22 circumstances? 23 A. Well, I think the first point to make was, they tried to 24 prevent us setting up an independent inquiry, which 25 obviously, as I said, I'd advocated, and they failed to</p> <p style="text-align: center;">Page 15</p>	<p>1 do that. We did set up the independent inquiry and, in 2 the end, it did meet. 3 Back in those days, yes, NALGO did have more sway. 4 I don't believe that it stopped us doing, in terms of 5 Social Services, the things we needed to do. For 6 example, NALGO wanted us to not close children's homes, 7 so we were very clear that -- I, in particular, was very 8 clear that children's homes were an inappropriate way of 9 carrying out our responsibilities for children and young 10 people in care. I took a very strong view I'd formed at 11 the time institutional care -- and I quoted this in my 12 statement -- was not a good way of fulfilling our 13 duties. 14 They tried to stop us closing those homes. They did 15 not succeed. We said we would close the homes, and we 16 did close the homes. Now, you know, from what you have 17 already referred to, that that caused industrial action, 18 but we did not cave in to that industrial action. 19 I find it an interesting question to me, given my 20 position at the time, but I was very clear: we ran the 21 council, not NALGO. 22 Q. When you talk about homes closing, are you referring to 23 the closure of Shirley Oaks? 24 A. No. 25 Q. So which homes are you referring to as having closed?</p> <p style="text-align: center;">Page 16</p>

1 **A. I can't remember. We had a programme when I was in**
 2 **Social Services of closing children's homes. We had by**
 3 **then decided that we needed to move away from that model**
 4 **of care, which was the, you know, predominant model of**
 5 **care for children and young people at the time, and that**
 6 **was not the appropriate way we should be providing care.**
 7 **That was when I formed my view that institutional**
 8 **care is, by its nature, abusive. I quoted you in my**
 9 **evidence, the comments from a very interested American**
 10 **physician who set up the first blind boarding school in**
 11 **America and, after a while, he strongly regretted that,**
 12 **because he took the view that institutional care was an**
 13 **abhorrent way of treating people. Now, that's the view**
 14 **I formed then. It's a view I formed particularly after**
 15 **I saw what we were doing in our so-called secure**
 16 **accommodation. But I can't remember which homes we were**
 17 **proposing the closure of. Obviously the council could**
 18 **provide that information.**
 19 Q. Can you tell me how many homes you think closed during
 20 the period?
 21 **A. I mean, we had, as I recall, I think about 30 old people**
 22 **and children's homes.**
 23 Q. I'm just interested in children's homes. How many
 24 children's homes do you think closed?
 25 **A. I think -- well, I don't know. I think we had about 15.**

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1 the requirement imposed on the local authority to hold
 2 a review of the case of each child kept in secure
 3 accommodation at intervals not exceeding three months
 4 had not been complied with.
 5 If we go over the page, please, Mr Hyde, and if we
 6 could enlarge paragraph 2.6, it says:
 7 "At this time ..."
 8 So this is part of the explanation as to why the
 9 reviews hadn't taken place:
 10 "... the senior management of the directorate of
 11 Social Services were very heavily engaged in additional
 12 work resulting from the industrial action, which had
 13 necessitated the closure of the majority of children's
 14 homes, and had also given rise to secure difficulties in
 15 the management of old people's homes. Whether because
 16 of this or a failure of communication, it was not until
 17 its meeting on 11 April 1984 that the Social Services
 18 Committee received a report dealing with the terms of
 19 reference and membership of the Secure Accommodation
 20 Cases Subcommittee."
 21 What the inquiry is interested in is the evidence
 22 that the majority of children's homes had been shut down
 23 because of industrial action. Do you recollect that?
 24 **A. Can we, at this point, just clarify something for me,**
 25 **please? I was surprised, when I saw that report, that**

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1 **I was there for two years. I think the best answer to**
 2 **that is to ask the council.**
 3 Q. I'm going to ask you. Have you just said that you think
 4 Lambeth closed 50 children's homes?
 5 **A. No, no, I said we had -- I think we had 15 children's**
 6 **homes. I don't know how many of those we proposed for**
 7 **closure.**
 8 Q. Sorry, it may be it's just difficult for me to hear you.
 9 Are you saying "15"?
 10 **A. Yes.**
 11 Q. Fifteen homes. Out of those 15 homes, you aren't able
 12 to say how many closed during the period that you were
 13 a councillor?
 14 **A. No.**
 15 Q. I just want to pick up again on the topic of industrial
 16 relations. Mr Hyde, could we go to document LAM015770.
 17 Sir Stephen, you have seen this document. This is the
 18 Secure Accommodation Cases Review Subcommittee --
 19 **A. Yes.**
 20 Q. -- from 1985. It was a meeting about -- we can pick
 21 this up from paragraph 1.1, if we could enlarge that,
 22 please, Mr Hyde. It refers to a meeting of
 23 21 June 1984, and the committee considering a report by
 24 you where you drew attention to three cases of children
 25 in the council's care held in secure accommodation where

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1 **I wasn't asked about the substance of the report, and**
 2 **that I wasn't provided with my original report which**
 3 **pointed to my concerns about the use of secure**
 4 **accommodation and the fact that we weren't abiding by**
 5 **our statutory duties.**
 6 **Now, can I understand whether you are going to come**
 7 **on to this, because this is an inquiry into child sexual**
 8 **abuse, and I believe that when I raised questions and**
 9 **issues about abuse and we tackled them, I should have**
 10 **been asked questions on that, so I'm puzzled why, in**
 11 **terms of this report, I'm being asked about industrial**
 12 **action, as opposed to the substance, where I, as**
 13 **a councillor, was raising issues about what I regarded**
 14 **as abuse of young people -- children and young people.**
 15 Q. The inquiry is interested in the suggestion that the
 16 majority of children's homes were shut due to industrial
 17 action and the issues that that raises as to where
 18 children who were in children's homes were housed and
 19 cared for during that period, so that's why we are
 20 asking you about it, as opposed to your report on secure
 21 accommodation. Although I will come to secure
 22 accommodation, but we are interested in finding out more
 23 about industrial action shutting children's homes and
 24 the extent to which children might have been put at risk
 25 as a result of that.

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1 **A. Okay. I mean, I'm happy to answer that, but on the**
 2 **understanding that you will come to the substance of my**
 3 **report, which hasn't been provided, and that discussion.**
 4 Q. Sir Stephen, the questions that we ask are not
 5 conditional. We are asking you questions that go to
 6 issues around the vulnerabilities of children in
 7 children's homes at this period. I wonder if you could
 8 answer the question?
 9 **A. Which is the risk -- which I have raised, myself.**
 10 **I have raised issues around the abuse -- the physical**
 11 **and emotional abuse of young people in our care, and**
 12 **I would like to be able to talk about that and I would**
 13 **like to be asked questions on that. So what I would**
 14 **like is an assurance that we are going to get on to**
 15 **that, which is the substance of my evidence to the**
 16 **inquiry.**
 17 Q. The inquiry asks the questions.
 18 **A. Well, I'm giving -- can we pause at this point, please?**
 19 Q. I'm afraid we can't, Sir Stephen. It is a very --
 20 **A. I would like to speak to my solicitor at this point,**
 21 **please.**
 22 Q. It is a very straightforward question. I am going to
 23 come on to ask you about your concerns about secure
 24 accommodation.
 25 **A. Sorry, I would like to speak to my -- this is supposed**

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1 **the two internal inquiry reports.**
 2 Q. Yes.
 3 **A. Now, I don't recall those -- I think it is important to**
 4 **point out, I don't recall either of those reports.**
 5 **I only remembered them when I read the actual inquiry**
 6 **report as part of the evidence for this. So I really**
 7 **don't have much memory of what was in them or why they**
 8 **were there. But I think I'm right in saying that the**
 9 **independent inquiry was set up really relatively quickly**
 10 **after the court case, and I just want to make it clear**
 11 **I was always of the view we needed an independent**
 12 **inquiry.**
 13 Q. Thank you, Sir Stephen. Just going back to the issue at
 14 hand, the issue of the majority of children's homes
 15 being shut due to industrial unrest, do you recollect
 16 that?
 17 **A. No, I don't particularly, no.**
 18 Q. You can't help us, then, with the question of where the
 19 children who were living in children's homes were sent
 20 to or were accommodated during that period of unrest?
 21 **A. No. Obviously, the council officers would have made**
 22 **appropriate arrangements, but I don't recall what they**
 23 **were.**
 24 Q. Now, Sir Stephen, you wanted to explain to the inquiry
 25 your concerns about the use of secure accommodation.

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1 **to be a non-accuse -- whatever the term is -- process**
 2 **where I give my evidence, which I have done in my**
 3 **written statement. I think we are veering off that.**
 4 **I would like to speak to my solicitor, please.**
 5 Q. All right. If you like, I will ask the chair if we can
 6 take a break for a few moments?
 7 **A. Please.**
 8 MS DOBBIN: Chair, is that all right?
 9 THE CHAIR: Yes. We will have a short break. Thank you.
 10 (11.04 am)
 11 (A short break)
 12 (11.14 am)
 13 THE CHAIR: May I just say, before we continue, Sir Stephen,
 14 that I understand matters have now been resolved. Let
 15 me emphasise that this is not your inquiry and we expect
 16 you to answer the questions that are put to you.
 17 Ms Dobbin, please proceed.
 18 MS DOBBIN: Sir Stephen, the question was whether or not it
 19 is right that in the period referred to in that report,
 20 in 1984, the majority of children's homes were shut
 21 because of industrial unrest or dispute?
 22 **A. Thank you. That was helpful. Can I just, before**
 23 **I answer that, go back to a previous question you were**
 24 **asking me about the Tyra Henry Inquiry? I wanted to**
 25 **make clear, which I probably haven't, you referred to**

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1 **A. Yes.**
 2 Q. And, in particular, the report that you wrote so as to
 3 ensure a higher level of procedural protection for
 4 children who were in secure accommodation; is that
 5 right?
 6 **A. Yes.**
 7 Q. I think one of the things that you were also concerned
 8 about and which you discuss in your witness statement as
 9 well was the use of drugs on children who were in secure
 10 accommodation as well?
 11 **A. Yes.**
 12 Q. And you took steps that have that outlawed or not
 13 allowed in Lambeth; is that right?
 14 **A. Yes.**
 15 Q. I think you might have been part, then, of a wider or
 16 broader thrust to have that stopped --
 17 **A. Yes.**
 18 Q. -- more generally; is that right?
 19 **A. Yes.**
 20 Q. One of the things that we were interested in and asked
 21 you about is that one of the children whose cases we are
 22 following, a child who we are referring to as A23, was
 23 placed in Cornwall in the early 1980s. It came to our
 24 attention that, shortly after that placement, he then
 25 appears to have gone from Cornwall to being placed in

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<p>1 secure accommodation. You might recall that we sent you 2 some of the paperwork on that child. Do you recall 3 that?</p> <p>4 A. I've seen paperwork. I don't recall the detail, no.</p> <p>5 Q. Can you just help the inquiry with the extent to which 6 the Secure Cases Committee had insight into the history 7 of the children who ended up being in secure 8 accommodation and the level of detail that would have 9 been provided to you about those children?</p> <p>10 A. I think -- well, to really clarify what I was saying in 11 my written evidence, this all arose from a visit I made 12 to our Lambeth secure accommodation, Cumberlow Lodge. 13 When I made that visit, I was surprised to discover that 14 we put young people into padded cells, effectively 15 padded cells, and they were kept in exclusion for, you 16 know, considerable periods of time.</p> <p>17 I discovered that physical restraint was used on 18 young people, including the forcible injection of 19 Largactil, which is a very serious sedative.</p> <p>20 I took those issues back to the council. I thought 21 they were absolutely unacceptable, and the council did 22 end those practices in terms of the forcible injection 23 of Largactil, but I did take that further, in that 24 I thought that that was an abusive practice and the 25 regulations on the use of single padded cells and</p> <p style="text-align: center;">Page 25</p>	<p>1 forcible injections were then changed.</p> <p>2 I also felt that secure accommodation itself was 3 a breach of the European Convention, and that view of 4 mine was, in fact, correct and, in the end, secure 5 accommodation arrangements were ended.</p> <p>6 So my recollection is that, because of that, we set 7 up the Secure Accommodation Subcommittee so that we 8 could specifically look at those cases and give more 9 oversight to them, but, as you saw from the 10 chief executive's report, it took some time before it 11 was set up. I'm not sure how many of those meetings 12 actually took place while I was still on the council or 13 still as vice chair of Social Services.</p> <p>14 In the particular case, I don't have much more 15 memory than what was in the paper that you sent to me. 16 I do remember that the person concerned absconded 17 because I think he got onto the (inaudible) council, but 18 more of the detail I don't recall.</p> <p>19 Q. It was really just a question about the level to which 20 councillors would have been made familiar with the life 21 stories and histories of children who ended up in secure 22 accommodation?</p> <p>23 A. If we were reviewing a case, I think we would have had 24 a reasonable -- I mean, I think the report indicated -- 25 that particular case indicated that we had that.</p> <p style="text-align: center;">Page 26</p>
<p>1 Whether we -- I mean, certainly the committee was set up 2 to review all the cases, and the reason I wrote my 3 report was I was unhappy that, in fact, we weren't 4 adhering to our statutory duties.</p> <p>5 As a matter of principle, I found the fact that we 6 had secure accommodation very troubling, for the reasons 7 I have set out. It is a view I have held ever since.</p> <p>8 Q. Sir Stephen, I'm going to move on to an entirely 9 separate topic to ask you about someone called 10 John Carroll, who was a manager of a children's home in 11 Lambeth. First of all, did you know John Carroll at all 12 during the time that you were a councillor?</p> <p>13 A. No, I didn't.</p> <p>14 Q. Did you ever attend a meeting at Southwark with 15 Southwark officials and Councillor Boateng in respect of 16 any fostering application made by John Carroll or at 17 a meeting at which such an application was discussed?</p> <p>18 A. Not that I recall, and I think when I made my statement, 19 I made the point that it would have been unusual for me 20 and Councillor Boateng to be at the same meeting because 21 of our responsibilities, and in fact, if this was 22 a meeting of the day, which I suspect it was, I would 23 have had to have taken time off to do it. I think 24 I probably wasn't, but I don't recall.</p> <p>25 Q. Can I just ask, separate to that, do you ever recall</p> <p style="text-align: center;">Page 27</p>	<p>1 attending a meeting at Southwark with 2 Councillor Boateng, with council officials and with 3 councillor counterparts from Southwark? Have you any 4 recollection of such a meeting?</p> <p>5 A. I don't, but one of the points I made in my written 6 submission was, presumably, there's an unofficial record 7 of that meeting, which the council should have, which 8 would clarify whether I was or wasn't, but I don't 9 recall it.</p> <p>10 Q. Again, I'm just seeing if any of this might ring my 11 bells or chime with you: do you have any recollection of 12 a meeting with Southwark officials relating to a Lambeth 13 child who was placed in Orchard Lodge relating to 14 concerns over sexual abuse of that child?</p> <p>15 A. No. Where is Orchard Lodge? Is that a Southwark home, 16 then?</p> <p>17 Q. I think it may be.</p> <p>18 A. Okay. No, I don't.</p> <p>19 Q. Finally this: you say in your witness statement, at 20 paragraph 34, that your final year on the council was 21 marked by the battle on rate capping which consumed much 22 of the time of the council. Can you explain what 23 consideration was given to the impact that that sort of 24 battle had on the delivery of front-line services, like 25 services to children, during that period?</p> <p style="text-align: center;">Page 28</p>

1 **A. Well, one of the reasons we were refusing to set a rate**
 2 **was because it would mean that we would make a budget**
 3 **that imposed cuts, which would, of course, affect**
 4 **Social Services. I'm not sure there's much more I can**
 5 **say on that.**
 6 **Apart from the fact that that was something that**
 7 **sort of consumed, if you like, councillors more than it**
 8 **did council staff, I'm not sure that it had a particular**
 9 **effect in terms of the council -- the Social Services**
 10 **Directorate in doing their job.**
 11 Q. So you didn't think that it caused instability/turmoil
 12 within the council?
 13 **A. It was a -- you know, it was a different time, and this**
 14 **was a big issue that affected something like 20 councils**
 15 **across the country. I'm not sure there's much more**
 16 **I can say on that.**
 17 MS DOBBIN: Chair, I have no further questions for this
 18 witness. Do you have any questions?
 19 THE CHAIR: I have a couple of questions, and then I will
 20 ask my colleagues if there are any other questions from
 21 them.
 22 Questions from THE PANEL
 23 THE CHAIR: Sir Stephen, I wanted to ask you about the
 24 nature of the decisions you challenged in the Cases
 25 Subcommittee. For example, would you challenge

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1 MS SHARPLING: Thank you, chair. Just one, if I may,
 2 Sir Stephen. You may have heard a very lengthy apology
 3 at the beginning of this investigation which was given
 4 on behalf of Lambeth Council for the abuse that children
 5 have suffered over many decades when in their care. Is
 6 this apology, or any part of it, something you feel able
 7 to associate yourself with?
 8 **A. Yes, absolutely. I mean, I didn't hear it, but I get**
 9 **the gist of what you're saying. I think it's appalling**
 10 **that children and young people in our care suffered that**
 11 **abuse, and, you know, one of the reasons I was very keen**
 12 **that in my evidence, both today -- was that some of us**
 13 **actually took action when we saw abuse, which is what**
 14 **I did, as I have explained on the -- today, in terms of**
 15 **locking people in single padded cells and injecting them**
 16 **with Largactil.**
 17 MS SHARPLING: I see. Thank you.
 18 THE CHAIR: Mr Frank?
 19 MR FRANK: No, thank you.
 20 THE CHAIR: Sir Malcolm?
 21 PROF SIR MALCOLM EVANS: No, thank you, chair.
 22 THE CHAIR: Thank you, Sir Stephen. We have no further
 23 questions.
 24 **A. Thank you.**
 25 **(The witness withdrew)**

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1 a recommendation to return children home or, vice versa,
 2 to retain them in care or, separately from that, would
 3 you challenge the matching of individual children to
 4 foster carers or prospective adopters?
 5 **A. I think the word "challenge" is not the right term.**
 6 **I was quite keen, when we had meetings, as you recall**
 7 **from my evidence when I looked at those two cases, that**
 8 **we had the proper information that enabled us to make**
 9 **decisions, which is, of course, the role of good**
 10 **governance.**
 11 THE CHAIR: So you would not have, in effect, vetoed any
 12 particular matching arrangement, for example?
 13 **A. Well, it wouldn't be for me to veto individuals, it**
 14 **would be a matter for the committee. Of course, in --**
 15 **I think one of the points I was making was that, in both**
 16 **of the cases where I was asking for more information,**
 17 **the recommendations were agreed. My recollection is**
 18 **that most of the recommendations we received were**
 19 **agreed. I think there's a balance between, you know,**
 20 **our role in scrutiny and therefore ensuring that we have**
 21 **had enough information to enable us to make a proper**
 22 **decision and the professional role of staff in caring**
 23 **for children. So there's a balance, isn't there?**
 24 THE CHAIR: I have no comment to make on that.
 25 Ms Sharpling?

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1 MS DOBBIN: Chair, it has been suggested that we might take
 2 a shorter morning break, in order to make up some time.
 3 Would it suit if this morning's break was five minutes,
 4 rather than the usual 15?
 5 THE CHAIR: Actually, we would prefer if it were the usual
 6 15 minutes. Thank you.
 7 (11.31 am)
 8 (A short break)
 9 (11.45 am)
 10 MS DOBBIN: Chair, may I call the next witness, please,
 11 Mr Christopher Hussell.
 12 MR CHRISTOPHER EDWARD MORTON HUSSELL (affirmed)
 13 Examination by MS DOBBIN
 14 MS DOBBIN: Can I ask you to give your full name to the
 15 inquiry, please?
 16 **A. Yes, my full name is Christopher Edward Morton Hussell.**
 17 Q. Mr Hussell, you should have two statements in front of
 18 you -- one statement is dated 8 June 2020, and that's
 19 a statement that you made to the inquiry?
 20 **A. That's correct.**
 21 Q. Is that statement true, to the best of your knowledge
 22 and belief?
 23 **A. It was true at the time that I wrote it, but I've since**
 24 **discovered that there was one item that was slightly**
 25 **inaccurate. This was --**

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1 Q. Mr Hussell, let me stop you there. We can go back and
 2 correct it. That statement is true, to the best of your
 3 knowledge and belief, subject to a correction that you
 4 would like to make about a date?
 5 **A. That's correct.**
 6 Q. You also have a copy of a statement that you made to the
 7 police of 12 October 1999?
 8 **A. Oh, yes. Yes, I have.**
 9 Q. Is that statement also true, to the best of your
 10 knowledge and belief?
 11 **A. To the best of my knowledge and belief, yes, it was.**
 12 Q. I think, if we just turn to the matter that you wanted
 13 to correct, Mr Hussell, is that a correction about the
 14 dates of your involvement with the case of a child who
 15 we are going to call A23?
 16 **A. It is.**
 17 Q. Did you want to correct the date when your team first
 18 became involved with that child?
 19 **A. Yes. When I wrote the statement, I thought -- my memory**
 20 **told me that our first experience of the case and the**
 21 **family was in 1981, whereas the documentation clearly**
 22 **indicates that we were involved two years before that.**
 23 **I think the error was that I really didn't become very**
 24 **involved with A23 until '81 -- September/October '81 --**
 25 **when we were asked to find a new placement for him.**

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1 **A. I did.**
 2 Q. I think that you had other roles at other local
 3 authorities after that point, including as a child
 4 protection coordinator; is that right?
 5 **A. Well, eventually, I became a child protection**
 6 **coordinator in Westminster, towards the end of the '80s.**
 7 Q. Mr Hussell, one of the cases that you had responsibility
 8 for was that of LA-A23; is that correct?
 9 **A. That's correct.**
 10 Q. LA-A23 was a child who -- I don't want to go into the
 11 background details of him, but it is right to say that
 12 he was of some vulnerability. Do you agree with that?
 13 **A. Yes, he was very vulnerable. He'd been in care, really,**
 14 **for the whole of his life.**
 15 Q. Thank you. I just don't want to go into any of
 16 the further background as regards those circumstances.
 17 **A. All right.**
 18 Q. He had also been placed to live in a therapeutic
 19 community home outside Lambeth. Is that also correct?
 20 **A. Well, my recollection is that he spent some time with**
 21 **the Richmond Fellowship, which is probably where he met**
 22 **F36, and where the practice of holiday placements began.**
 23 **I have got very little -- I have got no recollection of**
 24 **that, but the -- Andrew Small's statement to the police**
 25 **goes into that in more detail, I believe.**

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1 Q. Mr Hussell, I will take you through those events.
 2 I just want to establish a bit about your background, if
 3 I may, first. I think it is right -- this is set out at
 4 the start of your statement -- that you began your
 5 training in Lambeth in 1969?
 6 **A. In 1969, correct.**
 7 Q. You then went to study at the Enfield Polytechnic for
 8 a qualification in social work?
 9 **A. That's correct.**
 10 Q. Was that for a period of two years?
 11 **A. It was actually a 17-month course. It was a course for**
 12 **graduates with non-related degrees. So it was a rather**
 13 **strange length. So it finished in the spring of 1972,**
 14 **I believe.**
 15 Q. Did you go back, then, into practice at Lambeth in 1972?
 16 **A. I did.**
 17 Q. Did you become a specialist in childcare in 1974?
 18 **A. Well, I guess. I drifted into that, really, although**
 19 **I was still doing some mental health work. But we**
 20 **tended to specialise, to a greater extent, by 1974, and,**
 21 **really, the majority of my team's caseloads were**
 22 **childcare cases by 1974.**
 23 Q. Did you also become a team leader in 1974?
 24 **A. I became a team leader in 1974.**
 25 Q. Did you remain as team leader in Lambeth until 1984?

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1 Q. I'm just going to stop you there because it may be
 2 difficult for other people to follow. Andrew Small was
 3 a social worker who was in your team; is that right?
 4 **A. That's correct.**
 5 Q. Andrew Small was the social worker for the child we are
 6 concerned with, A23; correct?
 7 **A. That's correct.**
 8 Q. In fact, you say in your statement -- I'm just looking
 9 at paragraph 5:
 10 "I was Andrew Small's line manager. At the time,
 11 A23's case was transferred to my team in 1981 ..."
 12 You have already corrected that date:
 13 "... until I left Lambeth in May 1984, my role was
 14 to supervise his work, and so I took an active part in
 15 all decisions relating to A23 and was accountable for
 16 them, subject to more senior management."
 17 Is that right?
 18 **A. That's correct.**
 19 Q. A23's placement at the home outside Lambeth broke down.
 20 Correct?
 21 **A. That was with the Cotswold Community in Wiltshire, that**
 22 **they, at very short notice, asked us to remove him,**
 23 **which created a crisis, in effect.**
 24 Q. A23, at that time, was already known to an adult man who
 25 we are going to call F36?

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<p>1 A. That's correct.</p> <p>2 Q. It appears from the records that F36 had been a teacher;</p> <p>3 is that right?</p> <p>4 A. That's correct.</p> <p>5 Q. And that he had taken this child away on a few holidays</p> <p>6 whilst he was in the Richmond Fellowship home; is that</p> <p>7 your recollection?</p> <p>8 A. I believe so, yes.</p> <p>9 Q. Now, the long and short of it, Mr Hussell, is that A23</p> <p>10 went to live with F36 in Cornwall; is that correct?</p> <p>11 A. That's correct.</p> <p>12 Q. If we maybe just bring up a document on a screen that</p> <p>13 helps us with this -- Mr Hyde, could you bring up</p> <p>14 LAM030015. Thank you. This is a letter written on</p> <p>15 11 November 1981 to F36. It refers to an outcome of</p> <p>16 a meeting "held here last week to discuss A23's future".</p> <p>17 It said:</p> <p>18 "We would like to proceed towards accepting your</p> <p>19 proposal. This falls into two parts, (a) your desire to</p> <p>20 offer a permanent home to A23 and (b) your proposal to</p> <p>21 provide A23 with education, for as long as is</p> <p>22 appropriate to his needs."</p> <p>23 Then the second paragraph reads:</p> <p>24 "The process of your being accepted as a 'permanent</p> <p>25 parent' is a long one, requiring a full assessment of</p> <p style="text-align: center;">Page 37</p>	<p>1 you and your circumstances by ourselves and preparation</p> <p>2 of A23 for this commitment. I anticipate that this</p> <p>3 would take around six months.</p> <p>4 "In the meantime, we could give provisional approval</p> <p>5 of you as a short-term foster parent for A23 when you</p> <p>6 have completed your application, and when references</p> <p>7 have been taken up satisfactorily. Until then, A23 will</p> <p>8 have to be considered 'on holiday' with you."</p> <p>9 If we drop down to the fifth paragraph:</p> <p>10 "The education question is a difficult one. Lambeth</p> <p>11 cannot 'employ' you in the normal sense. We would,</p> <p>12 however, contemplate paying your fees as the proprietor</p> <p>13 of a private school."</p> <p>14 At the very end, it says:</p> <p>15 "I should say that those with whom we have discussed</p> <p>16 this are very positive about the plan but do feel we</p> <p>17 should not be too hasty in finalising a package that may</p> <p>18 prove to be too much of a commitment for [the child]."</p> <p>19 Mr Hussell, can you help me with this: it appears</p> <p>20 that A23 had gone to Cornwall -- I think it appears from</p> <p>21 the records that he had gone to Cornwall in October. Is</p> <p>22 that your recollection?</p> <p>23 A. That's my recollection, yes.</p> <p>24 Q. He was still there in November, and there was no</p> <p>25 formality around the placement at all at this point in</p> <p style="text-align: center;">Page 38</p>
<p>1 time. Hence the child being referred to as being on</p> <p>2 some sort of extended holiday?</p> <p>3 A. That's right. I mean, holiday placements were fairly</p> <p>4 common, and this one had been set up some time</p> <p>5 previously. I don't know who set it up or whether it</p> <p>6 was the previous team or whoever, but it was, to that</p> <p>7 extent, an informal process. It didn't require the same</p> <p>8 level of checking as a fostering placement would.</p> <p>9 Q. This wasn't any holiday, in a normal sense. He was with</p> <p>10 F36 because his placement had broken down. This was in</p> <p>11 term time, when we ought to have been living with</p> <p>12 someone in a placement and going to school.</p> <p>13 A. Well, we didn't have anywhere else for him to go, and</p> <p>14 here was the availability of somewhere he could go</p> <p>15 temporarily. The alternative would have been to get him</p> <p>16 back into the traditional, long-term residential -- not</p> <p>17 necessarily long term, but into the residential care</p> <p>18 system, which we were anxious to avoid.</p> <p>19 Q. Just to be clear, at around this time -- I should have</p> <p>20 established this with you first -- A23 would have been</p> <p>21 in and around 12 years of age at this time?</p> <p>22 A. He was just 12 at that time. I think his birthday was</p> <p>23 in November.</p> <p>24 Q. If we could go to the next document, then, please,</p> <p>25 Mr Hyde, this is LAM030016. This is a letter addressed</p> <p style="text-align: center;">Page 39</p>	<p>1 to Mr Jack Smith, principal officer social work.</p> <p>2 Although it seems to have "Chris H" also written onto it</p> <p>3 in manuscript. This letter sets out, if we look at the</p> <p>4 second paragraph of it:</p> <p>5 "At the conference with Mr Small and Mr Hussell,</p> <p>6 I said we basically supported the idea of trying</p> <p>7 a foster placement with LA-F36. At that stage, our</p> <p>8 doubts about LA-F36 had, to a certain extent, been</p> <p>9 allayed by a written statement from [that's not in our</p> <p>10 version] saying he was a good teacher ..."</p> <p>11 Presumably it was a reference to an educational</p> <p>12 establishment:</p> <p>13 "... although they wouldn't say anything about his</p> <p>14 suitability as a potential foster parent.</p> <p>15 "However, since then, we have heard from an</p> <p>16 ex-member of our staff team who also worked at [that</p> <p>17 place] that F36's time with [presumably, again, that's</p> <p>18 an organisation] was by no means straightforward and</p> <p>19 that there are real grounds to be worried about his</p> <p>20 future contact with A23."</p> <p>21 Then I'm just going to go over the page, please, if</p> <p>22 I may:</p> <p>23 "As you said on the telephone, there's a danger that</p> <p>24 because A23 has so little going for him, it's tempting</p> <p>25 to leap at the first offer of help. I would like to</p> <p style="text-align: center;">Page 40</p>

<p>1 think all our doubts about F36 are unfounded, but 2 I don't feel hopeful." 3 So that was information coming in, and that letter 4 is dated before your letter to LA-F36. That letter was 5 dated 9 November 1981. Your letter to F36 about him 6 becoming a permanent parent is dated 11 November. Were 7 you aware of that letter of 9 November 1981 -- 8 A. No, I wasn't. 9 Q. -- raising real grounds to be worried about the 10 placement? 11 A. No, I wasn't aware of it. I don't recall ever receiving 12 that letter. In fact, it was sent to Chris Butcher, my 13 immediate line manager. So the "Chris" might be 14 Chris Butcher. Jack Smith passed it on to 15 Chris Butcher, but I didn't see it until after I had 16 written my letter, which clearly I might not have done 17 if I'd seen that letter. 18 Q. If we go on to the next piece of correspondence, 19 LAM030013_001, please, Mr Hyde. This is a letter dated 20 19 November 1981, Mr Hussell, and it is about LA-A23. 21 It says at the first paragraph: 22 "You're probably aware of recent events concerning 23 LA-A23 and that F36 is offering him a permanent home. 24 We understand that F36 has asked you for a reference and 25 we would now like to have this urgently. To complicate</p> <p style="text-align: center;">Page 41</p>	<p>1 matters, we have just heard via [that's blacked out] an 2 unnamed ex-member of your staff team at [that place] 3 that F36's time with [that place] was by no means 4 straightforward and that there are real grounds to be 5 worried about his future contact with LA-A23. 6 "I would be grateful if you would comment on this 7 and give us any other relevant information as soon as 8 possible. At present, LA-A23 is staying with F36 and we 9 are committed to assessing the possibility of this being 10 made a permanent arrangement." 11 There is another manuscript note at the top of that 12 document, Mr Hyde. It says: 13 "Letter from Chris Hussell to the Fellowship asking 14 for a reference on F36. Memo dated 26 January 1982. No 15 reply was received." 16 Presumably from the Fellowship. Again, Mr Hussell, 17 that's a letter from you -- we see that at the bottom -- 18 it seems, seeking a reference about F36 on the basis 19 that you had received information that showed that there 20 were real grounds to be worried about F36. Do you 21 recollect that letter? 22 A. No. I find this letter quite puzzling, on a number 23 of -- for a number of reasons. The tone in which it's 24 written implies that it's written by somebody who knew 25 the recipient well. It's really quite personal towards</p> <p style="text-align: center;">Page 42</p>
<p>1 the end. I certainly did not know her and had no 2 contact with the Richmond Fellowship, and I suspect that 3 it was actually written by Andrew Small and that -- 4 maybe because we didn't have a team clerk at the time, 5 it somehow got confused and went out -- I also -- it's 6 got my name at the bottom, but it says "social worker", 7 which I would not have referred to myself as, I would 8 have put "team leader". So this is a very puzzling 9 letter. But I can only think that the most appropriate 10 person to have written that would have been the person 11 who knew her, which was Andrew Small. 12 Q. Would you have known by this stage that there were real 13 grounds to be worried about A23 and F36? 14 A. I guess I must have done, but I've got no recollection 15 of it. 16 Q. I'm going to move on a little bit in time from that. If 17 we could go to LAM030003, please, Mr Hyde. In fact, it 18 is fine, Mr Hyde. If you leave that, I will read that 19 out. Mr Hussell, I'm just going to read this entry out 20 because of some other information contained in it. This 21 is the record of a visit of 22 February 1982. It is 22 a visit from Mr Small to Cornwall to see A23. He says 23 in this record: 24 "Purpose of visit. To explore possible beginnings 25 of A23 permanent placement, to rough out a plan for</p> <p style="text-align: center;">Page 43</p>	<p>1 future contact by ..." 2 And that name hasn't been given: 3 "Purpose of A23's placement and support for F36. 4 A23 contact with family. F36 progress vis-a-vis 5 education. Practical difficulties re A23, for example, 6 clothing. References. In view of the originals falling 7 through from ..." 8 And the person's name is not included. So it would 9 appear we're obviously some time down the line now, 10 Mr Hussell -- this is February 1982 -- that no 11 references have been received in respect of F36? 12 A. Yes, that appears to be the case. There were a lot of 13 obstacles in progressing the plan. 14 Q. I think you suggest in your statement that there may 15 have been some sort of industrial action that meant that 16 administrative work, like collecting references, wasn't 17 being done? 18 A. That's correct. 19 Q. Would there have been anything to stop you telephoning 20 referees or telephoning the people who had expressed 21 reservations and concerns about F36 looking after A23? 22 A. Well, no, I guess not, but, as I say, I've got no 23 recollection of seeing that letter. Although I must 24 have been aware of it at some point. Andrew Small would 25 have been doing that sort of thing, I think. We didn't</p> <p style="text-align: center;">Page 44</p>

1 **have a team clerk to take up references in the formal**
 2 **sense, and we didn't have the means by which we could**
 3 **make regular payments to F36 either.**
 4 Q. The obvious concern was that this child was placed in
 5 a very geographically remote part of the country from
 6 Lambeth, and appears to have been there now for a period
 7 of five months, with very little being known about F36
 8 and his suitability to care for this child, save the
 9 reservations and concerns which had been expressed?
 10 **A. Well, all that was known was our assessment of**
 11 **the quality of the relationship between them at that**
 12 **point. Yes, it was a very unsatisfactory situation.**
 13 Q. How had you been able to assess the quality of
 14 the relationship between the child and this man up until
 15 that point?
 16 **A. Because he seemed to have quite a deep understanding of**
 17 **A23's needs and to be able to relate to him in ways that**
 18 **had been difficult for anybody else previously.**
 19 Q. Was this on the basis of in-depth discussions with F36?
 20 How were you able to establish that he had that
 21 understanding of the child?
 22 **A. Well, Andrew Small reported on his visits, and it did**
 23 **seem that there was some depth to the relationship and**
 24 **that F36 seemed to understand A23's needs at quite**
 25 **a good level.**

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1 non-existent" --
 2 **A. Yes.**
 3 Q. -- "at present".
 4 **A. That was Andrew Small's words at the time, yes. It was**
 5 **pretty non-existent in any formal sense.**
 6 Q. He goes on to say this:
 7 "LA-F36 has identified needs in LA-A23 to regress to
 8 infantile levels, ie, LA-A23 asked if LA-F36 could buy
 9 a baby's feeding bottle, which he did."
 10 Was that not a cause of enormous alarm, that this
 11 was going on in the placement?
 12 **A. I think we saw it as an indication of LA-A23's needs to**
 13 **regress to a very infantile level, which F36 recognised.**
 14 **This didn't come from F36, it was instigated by A23**
 15 **himself. It may have been an indication, in attachment**
 16 **terms, of his desire to form a primary attachment.**
 17 Q. Were you not desperately alarmed that F36, a man about
 18 whom you knew very little, was engaging in this sort of
 19 regression therapy or activity with a 12-year-old child
 20 in Lambeth's care?
 21 **A. Well, it was a cause for concern, but, actually, as**
 22 **I say, he did seem to understand the child's needs.**
 23 Q. So am I to take it, Mr Hussell, that that didn't cause
 24 alarm; it was actually seen as being a good thing in
 25 Lambeth?

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1 Q. How often were those visits taking place at that time?
 2 **A. I don't know. It was every -- I think he was -- the**
 3 **agreement was probably once a month, probably with other**
 4 **contacts by telephone in the meantime.**
 5 Q. I'm going to read a bit more of this record
 6 from February 1982. It says:
 7 "LA-A23's needs. Education non-existent at present.
 8 F36 says that after five months he has still not had
 9 time to get anything organised. Also no money for
 10 educational materials."
 11 So, Mr Hussell, this was a child who was receiving
 12 not even the fundamental of education in this placement.
 13 Was that acceptable?
 14 **A. It was not very acceptable. I mean, by this stage, it**
 15 **was quite clear that the placement was under tremendous**
 16 **strain, to the point of breakdown. I mean, it depends**
 17 **what you consider education to be, really. In**
 18 **the formal sense -- I mean, there was some education**
 19 **going on at an informal level. F36 was a qualified**
 20 **teacher in teaching children with special needs, and**
 21 **I have no doubt he used every opportunity to teach A23**
 22 **at various stages.**
 23 **The placement seemed to be holding at a minimal**
 24 **level, but it was far from satisfactory.**
 25 Q. Mr Hussell, to be clear, the record says "education

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1 **A. Not in a general sense, but it wasn't an alarm, in the**
 2 **sense that this was seen as a danger to A23. It was not**
 3 **seen as abusive, if that's what you mean.**
 4 Q. What about emotionally abusive or emotionally concerning
 5 or psychologically disturbing: any of those things?
 6 **A. Well, this wish came from the child himself. It was not**
 7 **suggested to him or instigated by the adult.**
 8 Q. I'm going to move on, Mr Hussell, to some other entries
 9 in this report. It says:
 10 "F36 sleeps in A23's room. A23 wanted this. Too
 11 scared to sleep on own. F36 trying to wean A23 off this
 12 arrangement."
 13 Again, did the fact that this man was sharing a room
 14 with A23 cause any concern or alarm?
 15 **A. Well, I think we saw it as an indication that A23 needed**
 16 **to regress to quite an infantile level and that he had**
 17 **some quite infantile fears, and he had infantile**
 18 **attachment needs, which had never been met, really.**
 19 Q. You were happy for those needs to be met by a man about
 20 whom very little was known, save for concerns and
 21 anxieties that had been expressed previously?
 22 **A. Well, it was clearly a situation that needed to be**
 23 **monitored and looked at, and there were indications**
 24 **that, actually, the care of A23 was becoming too much**
 25 **for F36, who himself was quite a -- we knew he was quite**

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1 **a vulnerable person and had needs of his own, and we**
 2 **were not confident that this would last the course,**
 3 **really.**
 4 Q. I'm going to go on. The record says:
 5 "The house is a shambles. Looks very dirty. F36
 6 and A23 use one room. The tabletop appeared little
 7 different from when I had seen it two months previous,
 8 ie, the same litter on top. Is the situation too much
 9 for him from the point of view of continuous care for
 10 A23?".
 11 **A. Yes. Do you want me to comment on that?**
 12 Q. Yes, please. Again, this would indicate that you have
 13 placed a child with someone who was barely able to cope
 14 with, again, the fundamentals of caring for a child?
 15 **A. I think, by this stage, it was becoming apparent that he**
 16 **was barely able to cope.**
 17 Q. So why was the child not removed in February 1982?
 18 **A. Well, he would have been removed into the mainstream**
 19 **residential care system, which he'd been in all his life**
 20 **and which had not provided him with any security at any**
 21 **point previously.**
 22 Q. So this setup was better than any offering that could be
 23 made from residential care; is that right?
 24 **A. I believe that was the way we were thinking at the time,**
 25 **that what was -- the available alternatives were not**

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1 attitude."
 2 There is set out a bit more about the allegation of
 3 indecency, and that's from a Mr Rayner:
 4 "He willingly gave me complete details of the
 5 incident in the of summer 1978. LA-F36 had taken three
 6 boys home with him, with parental agreement. All boys
 7 subsequently alleged that he had climbed into bed with
 8 them and had handled their genitals and in one case
 9 kissed a boy. All boys made statements to the police,
 10 which were not signed, apparently the parents were
 11 unwilling to proceed against LA-F36, who was regarded
 12 with some respect ... F36 emphatically denied the
 13 allegations and the DPP decided not to proceed with
 14 a prosecution. However, the school dismissed him on the
 15 grounds of gross misconduct and this decision was upheld
 16 by the DES."
 17 I assume that's the Department of Education or the
 18 Cornwall Department of Education. So by this point,
 19 Mr Hussell, you were provided with very clear
 20 information about the concerns about this man, that he
 21 had been sacked, and that sacking had been upheld by the
 22 local authority for indecency against children?
 23 **A. That's correct. This was the first I had heard of any**
 24 **precise allegations. I must say that, actually,**
 25 **Cornwall never gave us any documentary evidence of any**

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1 **going to meet his needs any better.**
 2 Q. I'm going to move on to the next record in time.
 3 Mr Hyde, we can bring this up. This is LAM030003_010.
 4 This is a record dated 8 March 1982. It says:
 5 "Telephone message to phone Mr Charnock,
 6 Social Services, urgently. Called Mr Charnock. He is
 7 very concerned about LA-A23 being placed with F36. How
 8 much do we know about him? I asked him to tell me what
 9 he knew. Police have been in touch today with
 10 Social Services and are contemplating taking some sort
 11 of action."
 12 If we read down, it said:
 13 "Phoned DC Watch. He and his [boss] are most
 14 concerned about LA-A23's placement in view of LA-F36's
 15 history. No specific incident being investigated.
 16 I asked for precise details ..."
 17 This sets out that F36 faced an allegation of gross
 18 indecency in 1978 which resulted in F36 being dismissed.
 19 There was no prosecution. He had resigned -- that must
 20 be from a different school -- in December 1973 following
 21 an interview concerning his conduct. PC Watch thought
 22 that this was to do with lack of supervision:
 23 "Members of the public have complained about
 24 LA-A23's welfare. Could not be specific about this, but
 25 thought it was something to do with 'an overbearing

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1 **of this. They never actually provided us with anything**
 2 **in writing, as far as I recall.**
 3 Q. Did you ask for the records or did you approach the
 4 local Department of Education for them?
 5 **A. I can't remember, I'm afraid.**
 6 Q. So that's the position. I think it is right, then,
 7 Mr Hussell, that you went to see F36 with Mr Small; is
 8 that correct?
 9 **A. That's correct.**
 10 Q. You interviewed F36?
 11 **A. I did.**
 12 Q. You decided that he was telling the truth when he told
 13 you that there was nothing in the allegations; is that
 14 right?
 15 **A. Well, not exactly. I said he gave a plausible account,**
 16 **but, I mean, it's always hard to know where the truth**
 17 **lies with these sorts of things. His account was**
 18 **plausible. At the same time, Andrew Small interviewed**
 19 **A23, who made no allegations that were in any way**
 20 **worrying.**
 21 Q. I'm just going to read out the record and set out what
 22 you recorded at the time, Mr Hussell. This is a record
 23 of 17 March 1982. You had gone to Cornwall to interview
 24 F36 and you set out a lengthy description of
 25 the allegations against F36. Part of it reads as

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1 follows -- this is in relation to one of
 2 the complainants from Cornwall:
 3 "He was a deprived child who obviously wanted love
 4 and attention. F36 says that what this boy needed was
 5 not just medical attention, but he needed physical
 6 contact, and so, purely as a natural and appropriate
 7 response to the boy's needs, F36 held him in his arms
 8 and kissed him on the lips. The boy apparently liked
 9 this and hung around a little longer, not wanting to go
 10 to bed. F36 eventually sent him up to bed, saying that
 11 he would come and say good night to him. When F36 went
 12 upstairs, the child sat up in bed and put his arms
 13 around F36, wanting to be kissed again. F36 gave him
 14 a goodnight kiss and the child told him to kiss another
 15 child goodnight as well. F36 did this purely as
 16 a straightforward goodnight kiss, whereupon the other
 17 child started giggling. F36 told him not to be silly,
 18 as they seemed to be devaluing a normal and natural
 19 parental action."
 20 So that was the account that F36 provided in part to
 21 you; correct, Mr Hussell?
 22 **A. I believe so. But my recollection is --**
 23 Q. You weren't concerned that, even on his own account, he
 24 was describing kissing a child on the lips?
 25 **A. Well, it is of some concern, but it didn't particularly**

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1 **people disappearing from him and we didn't want to**
 2 **continue that pattern. I think we were realising at**
 3 **this point that we were moving towards a situation where**
 4 **we needed to find something better, and eventually, as**
 5 **you know, it -- the situation broke down completely.**
 6 Q. It didn't break down until about June of that year, did
 7 it?
 8 **A. I believe it was June, yes.**
 9 Q. What plans did you make in the interim for this child to
 10 be moved to a more suitable placement?
 11 **A. I can't recall.**
 12 Q. We also know this from the records, Mr Hussell: Cornwall
 13 Social Services Department refused to supervise this
 14 placement, didn't they?
 15 **A. They did.**
 16 Q. That's because they were strongly opposed to it?
 17 **A. That's correct. They didn't wish to co-operate on any**
 18 **level with supervising it.**
 19 Q. That's because they were horrified, weren't they, that
 20 this child was being placed with F36?
 21 **A. This is what they said at the time, yes.**
 22 Q. Further information was provided to you about this child
 23 as well during that period. Do you recollect that
 24 information was provided by the NSPCC?
 25 **A. No, I don't recall that.**

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1 **raise any anxieties in me regarding abusive behaviour.**
 2 Q. In the same record, you go on to say:
 3 "This was my second meeting with F36. On the first
 4 occasion, I had found him a likable, intelligent and
 5 sensitive man, in whom I had some confidence as a parent
 6 figure for A23. On the second occasion, I was even more
 7 impressed by his depth of concern and commitment to A23,
 8 which had strengthened in the previous six months by
 9 strength of ..."
 10 That word is not here, but:
 11 "... by the frankness with which he answered all of
 12 my questions. I was left in little doubt that the story
 13 he had told me was the truth, at least as far as he
 14 viewed it."
 15 Mr Hussell, why were you in a better position than
 16 the school at which F36 taught and the local authority
 17 department to decide that F36's account of these
 18 allegations was credible?
 19 **A. I don't suppose I was, but I don't think at any stage**
 20 **had we seen any detailed documentation of those**
 21 **allegations.**
 22 Q. Why was the fact of his dismissal not enough to propel
 23 you to remove the child from this situation?
 24 **A. I think we thought a sudden removal would be damaging.**
 25 **The boy's life was one string of sudden events and**

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1 Q. Again, that there were concerns -- I will read you the
 2 record. This is March 1982:
 3 "Telephone call from Sergeant Kahn. He told me that
 4 last week Inspector Haywood of the NSPCC received an
 5 anonymous referral re A23 complaining about an
 6 overbearing attitude on the part of F36. He thought
 7 that we should know."
 8 Do you recollect that?
 9 **A. I have a vague recollection. I can't remember the**
 10 **details.**
 11 Q. Do you recollect information being provided
 12 in April 1982? The letter on the file is a letter from
 13 the Probation Services to Mr Charnock from Cornwall
 14 Social Services. That letter sets out concern about F36
 15 shouting at A23 in a pub. It refers to a passerby being
 16 shocked and concerned at the way the child was being
 17 shouted at, concern that the child didn't attend school,
 18 F36's house being described as dirty and disorganised,
 19 concern being expressed because it was commonly believed
 20 that F36 was dismissed for indecent assaults against
 21 pupils. F36 was frequently seen to be drunk. The
 22 letter goes on to say:
 23 "These complaints have been registered with me by
 24 two completely separate people, who are responsible,
 25 concerned and unjudgmental, within the last two weeks."

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1 Do you recollect seeing that letter? It is in the
 2 Lambeth file?
 3 **A. I have no recollection of that, but clearly things were**
 4 **getting more and more untenable, I think, by this stage.**
 5 Q. There's also a letter, which I think was written to
 6 you -- maybe you recollect this -- from an educational
 7 psychologist which referred to the child being seen
 8 wandering about by himself. That's a letter dated
 9 4 May 1982. Do you recollect that?
 10 **A. No, I have no recollection of that.**
 11 Q. It goes on to say:
 12 "In accordance with this authority's practice, both
 13 A23 and F36 were recently interviewed by the chief
 14 educational psychologist, and he has reported that A23
 15 receives no formal education on an ordinary curricular
 16 basis and his education is all incidental. Much of
 17 the boy's time is spent wandering the town by himself.
 18 As a result, I am bound to advise you that I do not
 19 consider that the present arrangements constitute
 20 a satisfactory education, particularly since it appears
 21 you do not seem to have a monitoring system for that
 22 which is provided."
 23 That's a letter to you of 4 May 1982. Do you
 24 recollect that?
 25 **A. I don't recollect that, but I know things were getting**

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1 Q. So is the answer to that "no"?
 2 **A. Well, it was an unusual thing to do. I don't recall**
 3 **ever doing anything like it before. It seemed at the**
 4 **time like an imaginative, short-term solution. This**
 5 **plan was endorsed by my managers.**
 6 Q. There's a letter in A23's file dated 3 February 1983,
 7 and it says:
 8 "On 22 January 1983, A23 told Mr Martin in
 9 confidence that during the early part of his fostering
 10 period in Cornwall F36 tried unsuccessfully to go to bed
 11 with him. He has since retold the story to me and
 12 assures me that it's true. A23 refuses to give any more
 13 information on this subject."
 14 Do you recollect seeing that letter, Mr Hussell?
 15 **A. I don't recollect it, no.**
 16 Q. We know that Mr Small took a fuller account from A23
 17 about that incident. Did he discuss that with you?
 18 **A. I have no recollection of him discussing that with me.**
 19 Q. Is that not precisely the sort of thing he would have
 20 discussed with you, given that you were his supervisor?
 21 **A. I would have thought so.**
 22 Q. So is it likely, then, that you did know that this child
 23 had made a disclosure of that nature in 1983?
 24 **A. Well, I really have no recollection around those events**
 25 **at all.**

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1 **to the point where it was clearly untenable.**
 2 Q. You didn't pre-empt A23's removal from that placement,
 3 did you? It came to an end. That placement collapsed,
 4 didn't it --
 5 **A. It did.**
 6 Q. -- prompting you to act?
 7 **A. It did.**
 8 Q. The action that you took was to bring A23 and F36 to
 9 live in Angell Road for a period of two weeks; is that
 10 right?
 11 **A. That's correct.**
 12 Q. Why was that thought a sensible thing to do, in light of
 13 all of the information that you had about F36?
 14 **A. We wanted to get a different opinion of the relationship**
 15 **between A23 and F36, and John Carroll had spare**
 16 **accommodation there, and what we thought was a fairly**
 17 **imaginative use of a children's home in our area was to**
 18 **place the two of them there and get an independent**
 19 **observation of the quality of their relationship and**
 20 **whether F36 was able to exercise care and control of A23**
 21 **in any meaningful way.**
 22 Q. Did you have any concerns about bringing someone like
 23 F36 to stay in a children's home?
 24 **A. It seemed, at the time, like an imaginative use of that**
 25 **facility.**

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1 Q. If such a letter was written from another local
 2 authority, and if a social worker you supervised took
 3 a fuller account from the child about events in
 4 Cornwall, is it likely that that information would have
 5 been conveyed to you, as the team leader?
 6 **A. Well, you would think so, but when Andrew Small made his**
 7 **statement to the police in 1999, he said at no point had**
 8 **A23 made any disclosures to him at all, and that is my**
 9 **recollection, that there were never any disclosures of**
 10 **any abuse made. It's possible that those memories are**
 11 **incorrect.**
 12 Q. There is a record in the social work record of
 13 8 February 1983 that Mr Small has made which sets out
 14 a conversation he had with A23 where A23 describes
 15 having gone to bed, F36 coming to read him a bedtime
 16 story:
 17 "The child described F36 putting his feet under the
 18 bedclothes when the story was over, had put his arm
 19 around him and said, 'Come on, what about it?'. Just
 20 before F36 got under the clothes with A23, A23 got out
 21 of the bed at this point and went downstairs. F36
 22 followed him and asked what was wrong. A23 said that he
 23 just wanted to go to sleep. F36 had said okay and A23
 24 went to bed. He made no further attempt to get back
 25 into bed with him."

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1 On any view, in light of everything that had
 2 happened previous to February 1983, that was a worrying
 3 disclosure by this child, wasn't it?
 4 **A. It was, but I really remember nothing about it.**
 5 MS DOBBIN: Chair, I note the time. There are a couple more
 6 questions for this witness. Would you be willing for me
 7 to proceed with him?
 8 THE CHAIR: Yes.
 9 MS DOBBIN: Thank you. We know from a record that was made
 10 by the Children's Homes in Lambeth Enquiry, Mr Hussell,
 11 that there are case conference notes from March 1984
 12 stating that contact with A23 from F36 would not be
 13 discouraged, but any contact would be arranged through
 14 Andrew Small. Can you explain why, in March 1984, some
 15 years after these events, contact with A23 and F36 was
 16 not being discouraged by Lambeth?
 17 **A. Well, I would guess that we considered that there were**
 18 **still some positives in the relationship and discussions**
 19 **with A23 indicated that, actually, that was the case,**
 20 **that he did have some respect and liking for F36.**
 21 Q. Did you ever stand back and think, Mr Hussell, that this
 22 child might be being groomed and sexually abused by F36?
 23 **A. No, because, at that point, we knew nothing about**
 24 **grooming and sexual abuse. We were not aware of**
 25 **paedophilia, really, until after this time, and I guess,**

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1 **A. I knew him quite well. The Angell Road Children's Home**
 2 **was within our area, and we worked together on a number**
 3 **of approaches to childcare, particularly working with**
 4 **vulnerable families in the area in order to avoid the**
 5 **need for children coming into care, and developing the**
 6 **practice of direct work with children which was**
 7 **undertaken in the most part by Helena Allen at that**
 8 **time, I think. You've already had evidence about that**
 9 **from Val Rogers.**
 10 Q. You provided a reference for John Carroll, didn't you,
 11 when he applied to do the advanced social work course?
 12 **A. I did.**
 13 Q. What year was that in?
 14 **A. I think that must have been just before I left Lambeth**
 15 **in 1984.**
 16 Q. Did you know he had a conviction for child abuse at that
 17 time?
 18 **A. No, of course not.**
 19 Q. I want to ask you about a statement that someone has
 20 made to the inquiry. This is a statement by a Mr Dear.
 21 I'm just going to read it to you, please. Mr Dear made
 22 a statement. It's dated 13 October 2016. He says this:
 23 "I was informed by a manager called Chris Hussell
 24 about allegations against the officer-in-charge,
 25 John Carroll. The children didn't make any allegations.

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1 **with hindsight, we probably should have been. But we**
 2 **had no education and no awareness of such matters in**
 3 **1982.**
 4 Q. Sorry, Mr Hussell, this was a man who had been dismissed
 5 from his job as a teacher on grounds of indecency with
 6 children in 1978; correct?
 7 **A. Correct.**
 8 Q. What did people in Cornwall know about child abuse that
 9 people in Lambeth didn't?
 10 **A. I don't know, but as far as we were aware -- in**
 11 **retrospect, yes, we should have been more aware, but the**
 12 **information that we had at the time was very scanty, and**
 13 **nothing had gone to court, there were never any**
 14 **prosecutions, we didn't know -- it had not been tested,**
 15 **so -- and we didn't know, really, what the facts were.**
 16 Q. It certainly wasn't tested by you or by Lambeth either,
 17 was it?
 18 **A. Well, the process of leaving the placement as it was**
 19 **a way of testing it, to a certain extent, but also there**
 20 **was good communication between the social worker and**
 21 **A23, and there was no reason to believe that he was**
 22 **withholding anything from the social worker.**
 23 Q. I'm going to move on to a separate subject, Mr Hussell.
 24 How well did you know John Carroll whilst he was at
 25 Lambeth?

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1 However, I was told that F46 was a close friend of
 2 John Carroll. F46 was the training manager for Lambeth.
 3 I was told that indecent images were found on his
 4 computer and he was involved in a ring that sexually
 5 abused children with John Carroll. I do not have any
 6 direct knowledge of this. I was told this by Chris."
 7 First of all, Mr Hussell, did you convey that
 8 information to Mr Dear?
 9 **A. Well, this was a long time after I left Lambeth, and**
 10 **I happened to meet someone who worked in the training**
 11 **unit who told me this information about the training**
 12 **manager having child pornography in his desk. I don't**
 13 **think we had computers at that point.**
 14 **I possibly passed that on almost on a sort of level**
 15 **of gossip, really. It was information that would go**
 16 **around Lambeth like wildfire, really. It would have**
 17 **been impossible to keep that a secret.**
 18 **I certainly didn't say anything about a relationship**
 19 **between F36 -- sorry, between John Carroll and the**
 20 **training manager, because I wouldn't have known of any**
 21 **such relationship, and it was a long time after I left**
 22 **Lambeth, and I didn't know anything about John Carroll's**
 23 **convictions until it hit the national press, really, at**
 24 **the end of the 1990s. So I knew nothing of**
 25 **John Carroll's convictions.**

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1 Q. I want to end on this, if I may: do you know anything
 2 about any attempt John Carroll may have made to foster
 3 two children in the early 1980s, so before you left
 4 Lambeth in 1984?
 5 **A. No, I wasn't aware of any of that.**
 6 Q. Do you recollect John Carroll being allowed to keep up
 7 a relationship with two boys who had been in the
 8 Highland Road Home?
 9 **A. No, I didn't know anything about that. All I knew was**
 10 **the work that we did with John Carroll, and I didn't**
 11 **know anything about any of those other cases at all.**
 12 MS DOBBIN: Mr Hussell, those are all the questions from me.
 13 Chair, do you have any questions for this witness?
 14 Questions from THE PANEL
 15 THE CHAIR: Thank you. I have one question. Mr Hussell, in
 16 retrospect, do you have any regret about any of
 17 the decisions made by you or others in A23's case?
 18 **A. I think, in retrospect, knowing what we know now and**
 19 **what we learnt subsequently about paedophile networks**
 20 **and grooming and those sorts of things, then we probably**
 21 **wouldn't have made those decisions at the time. We**
 22 **would have proceeded more cautiously. I can't hear you.**
 23 THE CHAIR: Apologies. Just one point, though. In
 24 retrospect, the term "grooming" was never used, but the
 25 activities could be easily described. Would you not

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1 Q. You have helpfully provided the inquiry with a statement
 2 dated 9 December 2019. Can you please confirm for us
 3 that the contents are true and accurate, as far as
 4 you're concerned?
 5 **A. They are.**
 6 Q. I know you want to make some introductory remarks,
 7 Mr Whaley. Before you do, can you just confirm for us
 8 what you were a councilor at Lambeth between 1986 and
 9 1994?
 10 **A. That's correct.**
 11 Q. You were chair of the management services between 1986
 12 and 1987?
 13 **A. Correct.**
 14 Q. Vice chair of Education Committee, 1988 to 1989?
 15 **A. Correct.**
 16 Q. Chair of Social Services Committee 1990 to 1991?
 17 **A. Yes.**
 18 Q. And leader of the council 1991 to 1994?
 19 **A. That is correct.**
 20 Q. Please make any introductory remarks as you see fit?
 21 **A. Chair, I wish to say a few words at the outset. I have**
 22 **paid careful attention to the evidence so far, and I was**
 23 **moved and deeply saddened by the evidence of**
 24 **the survivor witnesses. As can be seen from my**
 25 **statement and the other evidence before the inquiry, the**

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1 agree?
 2 **A. Well, it was not something that I was aware of at the**
 3 **time.**
 4 THE CHAIR: Thank you. Ms Sharpling?
 5 MS SHARPLING: No, thank you very much, chair.
 6 THE CHAIR: Mr Frank?
 7 MR FRANK: No, thank you.
 8 THE CHAIR: Sir Malcolm?
 9 PROF SIR MALCOLM EVANS: No, thank you.
 10 THE CHAIR: Thank you very much, Mr Hussell.
 11 (The witness withdrew)
 12 MS DOBBIN: Chair, before we end for this morning's session,
 13 can I please just ask that this be done: can the
 14 statement of Angela Chase, URN INQ005369 be added in
 15 full as evidence?
 16 THE CHAIR: Yes, of course. Thank you. We will now take
 17 the lunch break and return at 1.45 pm. Thank you.
 18 (12.45 pm)
 19 (The short adjournment)
 20 (1.45 pm)
 21 MS LANGDALE: May I please call Mr Whaley.
 22 MR STEPHEN WHALEY (affirmed)
 23 Examination by MS LANGDALE
 24 MS LANGDALE: Can you give us your name, please?
 25 **A. Stephen Whaley.**

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1 **political, financial and cultural circumstances in**
 2 **Lambeth Council at the time were exceptionally difficult**
 3 **and challenging. I believe there were a number of**
 4 **officers and councillors which did all they could to**
 5 **challenge the incompetent delivery of council services,**
 6 **including Social Services. It is a matter of deep**
 7 **regret to me that we did not succeed in improving the**
 8 **way the council was run so as to improve the position of**
 9 **children in its care. I can only apologise for people**
 10 **who were abused when they were in the care of**
 11 **the council. The abuse was carried out by people**
 12 **employed by the council. We failed in our policy making**
 13 **and supervisory responsibilities to make sure that**
 14 **children's and other services were delivered in a safe**
 15 **and caring manner. We did not have a regime where**
 16 **instances of abuse were able to be quickly identified**
 17 **and abuse properly dealt with. This is something**
 18 **I deeply regret. Thank you.**
 19 Q. Can we pick up, then, please, at paragraph 19 of your
 20 statement, if you have it before you, you say to us when
 21 you were chair of the Social Services Committee you
 22 naturally had to rely upon the advice of qualified
 23 practitioners and council officials with expertise in
 24 these areas, and you say:
 25 "I was dependent on the quality and honesty of

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1 advice received."
 2 Dealing with Directors of Social Services, firstly,
 3 what qualities -- you talk about "quality of advice",
 4 but what qualities would you expect in someone who is
 5 a Director of Social Services, in terms of advising you,
 6 as chair of the committee?
 7 **A. One would expect them to (a) recognise that, as a lay**
 8 **member, I didn't have a specific knowledge of**
 9 **Social Services, and, therefore, advice to me,**
 10 **particularly on matters to do with case work, and**
 11 **suchlike, had to be presented in a way which I could**
 12 **understand and also which was open and fair and honest,**
 13 **and -- because without their giving me the information,**
 14 **there was no way I could check whether they were telling**
 15 **the truth or not.**
 16 Q. Would you expect them to understand risk around child
 17 protection?
 18 **A. I would hope so, as that was -- in my view, as head of**
 19 **service, that would have been one of their major**
 20 **responsibilities.**
 21 Q. Did you understand, or do you understand, anything about
 22 risk around child protection and the judgments that come
 23 with assessing risk?
 24 **A. Not in -- I have no formal qualification or -- in that**
 25 **area. I have some understanding of what risk means and**

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1 **corruption that was going on in the council. As we**
 2 **moved forward and I got more understanding of it as**
 3 **leader, I became very clear that we needed to have**
 4 **a full investigation of the corruption in itself, and**
 5 **there are a whole series of broader issues on that, but**
 6 **also the corruption itself, which the section 5 report**
 7 **talked about.**
 8 Q. So the more knowledge you got coming to be leader is you
 9 realised that corruption did need to be vigorously
 10 investigated and there were serious issues around it?
 11 **A. Indeed.**
 12 Q. You say in your statement that, in your view, the
 13 pursuit of an ideological opposition to the government
 14 of Margaret Thatcher during the period of Ted Knight's
 15 administration meant that more energy was spent on
 16 confronting the government than dealing with the issues
 17 necessary in the council. Would you like to elaborate
 18 on that for us, please?
 19 **A. I think it is clear that, in a way, the council started**
 20 **to be run as a political campaign, rather than**
 21 **necessarily as an organ for delivering services to the**
 22 **people, and that the confusion between those things and**
 23 **the, in a sense, organising of everybody to take part in**
 24 **that political campaign, meant that that sort of became**
 25 **the prime focus, rather than the delivery of services**

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1 **how one would deal with it, but I don't have any formal**
 2 **qualification in that.**
 3 Q. When you deal with the culture of the council, you
 4 provided us with a statement or a draft statement you'd
 5 written back in 1993, nearer to events that we are
 6 examining at this point. You, as you set out in your
 7 statement to this inquiry, described in that draft
 8 statement that there was effectively open warfare in the
 9 CMT, particularly regarding the section 5 report.
 10 That's the auditors', the district auditors', report, is
 11 it?
 12 **A. Section 5 reports were reports actually produced by us,**
 13 **or -- about services which were failing. The first one**
 14 **was the one where we had identified the amount of holes**
 15 **in the pavements which were still there but we paid for**
 16 **all of them to be repaired. So it was a report which**
 17 **described services in that way.**
 18 Q. You say in the draft statement:
 19 "Certain people were determined to push the
 20 investigation by the district auditor as strongly as
 21 possible. Others were far less willing to see
 22 a vigorous investigation of corruption."
 23 Where did you fall on that spectrum?
 24 **A. Because I've said, even in that statement -- early on,**
 25 **I probably felt that I was unsure as to the breadth of**

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1 **and the making sure that services were delivered in**
 2 **a quality fashion, and without the sort of corruption**
 3 **which we found later.**
 4 Q. So the politicisation and the issues within the council
 5 impacted, as far as you're concerned, on the quality of
 6 services delivered without any question?
 7 **A. I believe so, yes.**
 8 Q. You also make the point that an unusually large number
 9 of new councillors found themselves in senior positions
 10 very quickly, didn't they? There was 37 out of 40 new
 11 councillors in 1986?
 12 **A. Yes, that's correct.**
 13 Q. That's when you became chair of Management Services
 14 Committee. We have heard from Phyllis Dunipace, who was
 15 chair of Social Services Committee. How did you feel,
 16 as new councillors propelled into those positions? Were
 17 you equipped to deal with that and to hold officers to
 18 account?
 19 **A. It's very difficult to say with hindsight. I mean,**
 20 **I felt that I was able to do the job that I was being**
 21 **asked to do, partly because my own background, I had**
 22 **actually been a trade unionist within my university**
 23 **I worked at, and I was chair of the Joint Union**
 24 **Committee and all those sorts of things. So I had some**
 25 **quite extensive experience, if you like, of working in**

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<p>1 those sorts of quite pressured environments. So I think</p> <p>2 we were able to attempt to deal with the issues we were</p> <p>3 faced with. But they were pretty extraordinary at the</p> <p>4 time.</p> <p>5 Q. You formed the view, you tell us at paragraph 31 of your</p> <p>6 statement, that the trade unions had obtained a great</p> <p>7 deal of influence:</p> <p>8 "I gained the impression middle management council</p> <p>9 officers were hesitant to discipline staff because the</p> <p>10 political leadership might be perceived to side with the</p> <p>11 trade unions."</p> <p>12 Again, can you elaborate on that for us, please?</p> <p>13 A. It's difficult to say much more than that. I don't</p> <p>14 think it was actually true that councillors actually</p> <p>15 interfered and persuaded the trade unions or took the</p> <p>16 side of trade unions in disciplinaries, but I think</p> <p>17 there was a sense in which the workers -- and it didn't</p> <p>18 become the workers, it became the sort of trade union</p> <p>19 officials, that they had a close ear of the councillors,</p> <p>20 and, therefore, the tendency, if there were then</p> <p>21 disputes that were going on between them and officers,</p> <p>22 for them to be listened to more than the councillors.</p> <p>23 Sometimes that's also quite interesting, because</p> <p>24 even though that influence was considerable, it didn't</p> <p>25 mean that the trade unionists didn't take action against</p> <p style="text-align: center;">Page 73</p>	<p>1 us, because they did, most of the time. So there was</p> <p>2 a complex relationship.</p> <p>3 Q. Did that relationship prevent good management and</p> <p>4 improvements to poor service?</p> <p>5 A. I don't know whether that, in itself, was a main cause.</p> <p>6 I think it was a partial cause, because I think it -- as</p> <p>7 I said in my statement, I think it undermined the</p> <p>8 confidence of middle management in particular, and that</p> <p>9 meant that there was a lack of direction and</p> <p>10 accountability in the paid officer tiers, and that,</p> <p>11 I think, was one of the major reasons why we started to</p> <p>12 get a sort of anarchistic council and delivery of</p> <p>13 service.</p> <p>14 Q. There were political factions, weren't there, in the</p> <p>15 Labour Party, with 13 councillors, in 1991, being</p> <p>16 suspended?</p> <p>17 A. Indeed.</p> <p>18 Q. What was that about, briefly?</p> <p>19 A. The national party decided that 13 members were behaving</p> <p>20 in such a manner that they were against what was the</p> <p>21 Labour Party's policy on various areas, and so they</p> <p>22 withdrew -- they stopped them being members of</p> <p>23 the party, which meant they no longer could hold office</p> <p>24 in the Labour Group, so they became a minority group in</p> <p>25 their own right and they were no longer a Labour Party</p> <p style="text-align: center;">Page 74</p>
<p>1 Group. There was a small group of Labour councillors</p> <p>2 who were left and then there were the Tories and the</p> <p>3 Liberals.</p> <p>4 Q. So that meant, when they were suspended, you had to</p> <p>5 build a majority for each individual decision, did you,</p> <p>6 that went through the council?</p> <p>7 A. Indeed, because if the expelled and Tories voted</p> <p>8 together, they had a majority against my group.</p> <p>9 Q. You describe in your statement council meetings could</p> <p>10 become unruly, at times lasting until well past midnight</p> <p>11 and achieving very little on the agenda. That's</p> <p>12 paragraph 36, chair.</p> <p>13 A. Indeed. There were times when, again, because of</p> <p>14 the manner in which people could behave, what would</p> <p>15 happen is that something would be voted down, but then,</p> <p>16 because they would then switch allegiance so that they</p> <p>17 then put it back up again, so you ended up with an</p> <p>18 inability to make a decision. I think the most blunt</p> <p>19 examples of that were when we were trying to set the</p> <p>20 budget each year, and that's when every time we put</p> <p>21 a budget up, and we had to legally set one by a certain</p> <p>22 date, otherwise, we, ourselves, could have been</p> <p>23 surcharged, and so that meeting started at sort of 7.00</p> <p>24 in the evening, and we would put our budget and the</p> <p>25 Tories and the Labour people -- the expelled people</p> <p style="text-align: center;">Page 75</p>	<p>1 would vote it down, and then another one would put --</p> <p>2 and we would go on and on and on.</p> <p>3 Eventually, it only got resolved when the next</p> <p>4 morning, by about 10.00 o'clock, enough of the Tories</p> <p>5 decided they had to go to work for us to gain</p> <p>6 a majority, and we were able to put the budget through.</p> <p>7 That, if you can imagine, was a fraught and difficult</p> <p>8 process.</p> <p>9 Q. You pre-empt my next question: so people are going to</p> <p>10 work the next day. This is going on until this time and</p> <p>11 people are going into their jobs the next day. At</p> <p>12 paragraph 40, you set out the major issues facing the</p> <p>13 council in 1986, and you list them as:</p> <p>14 "The state of council housing maintenance and</p> <p>15 management, the problem of direct Labour organisations</p> <p>16 being paid to undertake work but the work not being</p> <p>17 completed, a level of corruption, senior officers not</p> <p>18 having a working line management structure and the</p> <p>19 parlous state of finances."</p> <p>20 You don't mention, at that point, children's service</p> <p>21 or quality or delivery of services. Was that in your</p> <p>22 mind around then, or not?</p> <p>23 A. Yes, but I think, in some ways, the recognition of that</p> <p>24 came later.</p> <p>25 Q. Let's look, then, at children's services in particular,</p> <p style="text-align: center;">Page 76</p>

<p>1 and recognition and some of the material that you may 2 have had sight of, or not had sight of, as we go 3 through. Can we start, please, and can I invite, 4 Mr Hyde, you to put onto the screen INQ002077_002 and 5 _004. While Mr Hyde is helpfully doing that for us, 6 Mr Whaley, this is the Robert Morton report in 1990. We 7 have seen a number of his reports, and this is one in 8 1990, when you were chair of Social Services Committee. 9 If we look at page 2, the fifth paragraph, Mr Morton -- 10 just further down, "I make this statement", thank you, 11 Mr Hyde: 12 "... very clearly within this committee report since 13 I wish there to be no doubt whatsoever of my 14 professional concerns relating to the practice currently 15 prevalent within Lambeth Social Services. I will not 16 detail yet again the areas of concern since I have 17 raised these on numerous occasions, including within my 18 committee reports. I and other officers have tried 19 consistently to address these issues, in some cases with 20 success, in others with total frustration. The problems 21 are so wide ranging ...", et cetera. 22 If we look at page 4, under "Placements", again, if 23 you could kindly highlight that. The inquiry has seen 24 this report, Mr Whaley. You, no doubt, have as well, 25 following the proceedings, and you see there Mr Morton</p> <p style="text-align: center;">Page 77</p>	<p>1 setting out, dealing with constant frustration relating 2 to matters of placements: 3 "We continue to admit young people into care 4 contrary to council policy when totally inappropriate. 5 Young people remain in care due to lack of planning, 6 intervention and appropriate resources. Young people 7 are placed in private and voluntary accommodation which 8 has not been visited and miles away from the community 9 and, indeed, some cases miles away from London." 10 He refers in the next paragraph to: 11 "This attitude has continued to amaze me when the 12 evidence has been extremely clear and one considers we 13 are talking of the welfare of young people." 14 So at this point, you are chair of 15 the Social Services Committee, and this is a report 16 prepared by the Children and Young Persons Services 17 Subcommittee. So, presumably, you would have seen that 18 report and discussed that report? 19 A. Indeed. 20 Q. It can go down now. Thank you, Mr Hyde. If we can put, 21 Mr Hyde, another document on the screen, please, 22 CWH000001. It should be a letter of 23 September 1990 23 from Councillor Whelan to Councillor Whaley. As we wait 24 for that to come up, Mr Whaley -- don't worry about it, 25 I can read the letter instead. Because I'm seeing</p> <p style="text-align: center;">Page 78</p>
<p>1 something else on the screen and also Mr Jacobs' name. 2 Mr Whaley, can you say something? 3 A. I can come back again. 4 Q. We can ignore that document and I'll tell you what it 5 says. It is a letter to you from Councillor Whaley 6 saying, "As you know, I am becoming -- I think we should 7 just remove the emails. Thank you: 8 "As you know, I am becoming increasingly concerned 9 about the current situation in many of Lambeth's 10 children's homes. The recent report to the Children and 11 Young Persons Services Subcommittee by Bob Morton has 12 done nothing to allay my fears. I know you share many 13 of these concerns and I would urge you, in the interest 14 of Lambeth's children, to conduct an immediate inquiry 15 into the allegations made in Robert Morton's report. 16 I have no wish to waste officers' time in yet another 17 paper-pushing exercise but feel the situation is so 18 serious that immediate steps must be taken not only to 19 prevent serious incidents, but to rapidly improve the 20 overall quality of care and planning. It would seem 21 that all the reviewing and reassessing to date has not 22 achieved that." 23 So it appears as though you and Councillor Whelan 24 had had some discussion and she's urging a report into 25 those issues. Where's your recollection at that time?</p> <p style="text-align: center;">Page 79</p>	<p>1 What was the discussion about and what were you thinking 2 about who should examine what? 3 A. I think the discussion was as you have said it. I was 4 very concerned that we were not making as much progress 5 as we should be doing, in terms of improving our 6 children's services, in all the ways in which Morton had 7 actually talked about it. I don't think that we had 8 another inquiry, because I think that, as she also 9 herself said, we had had inquiries and inquiries and 10 inquiries, and the issues were to how were we actually 11 going to try and improve matters. 12 The only way that one can do that, if you are 13 a chair, is, in the end, to push that back to the 14 director, because, in the end, it is his responsibility 15 to make sure that those services, which clearly were not 16 as good as they should have been, were actually 17 improved. 18 By this stage, I had actually come to a conclusion 19 which I didn't particularly share with them at the time 20 that, actually, Lambeth was incapable of running 21 children's services -- children's homes in a safe 22 manner, and I think then and later, and perhaps by that 23 stage when we actually had had some hint of the abuse 24 which was being carried out, I decided, in fact with 25 Councillor Tapsell, that we should shut all our</p> <p style="text-align: center;">Page 80</p>

1 **children's homes, partly because it was a poor practice**
 2 **in many ways to have children's homes because they**
 3 **didn't actually provide a good care, but also because**
 4 **I believed that the council was not capable of running**
 5 **them and that we --**
 6 Q. Did you translate that into what might be happening to
 7 children? Because we know Mr Morton was speaking of
 8 dangerous situations in 1988/'89 and in this report,
 9 1990, so when you had thought, "This is unsafe", did
 10 that indicate, in your mind, that people could be
 11 being -- children could be being sexually abused at that
 12 time?
 13 **A. Not necessarily, because some of -- I don't think we had**
 14 **any particular evidence that there was any sexual abuse,**
 15 **and if you remember the reports that both Whelan and**
 16 **Councillor Tapsell did at that stage, they were more**
 17 **about the quality of care and the poor quality of social**
 18 **work support around the children rather than anything**
 19 **else.**
 20 Q. You had the Ivy House report, didn't you, the abuse of
 21 LA-A26? That was 1986.
 22 **A. Indeed.**
 23 Q. We know from policy documents that the notion that
 24 children could be sexually abused at that time was well
 25 recognised, from 1988 onwards. So when you say there

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1 indecent assault offences. You were leader at the time
 2 when she had been, very briefly, a councillor. Can you
 3 tell us how you dealt with that situation and your
 4 comments on that situation, where you had a councillor
 5 charged with sexual assault offences?
 6 **A. As I said in my statement, when she was charged with an**
 7 **offence and it was reported to me that she had been,**
 8 **first of all we did what I think we should have done,**
 9 **which is we removed the Labour whip from her and also**
 10 **took her off committees, and I think she was only on**
 11 **Social Services Committee for a very short period of**
 12 **time. Then, as I think I've also said in my statement,**
 13 **it isn't within the power of a leader of the council to**
 14 **actually sack a councillor and get them off council.**
 15 **That is something that can only be done by the person**
 16 **themselves or obviously when they are -- they finish**
 17 **their term and they are unelected.**
 18 **What I tried do with Susan Smith was to actually**
 19 **persuade her to stop -- to resign as a councillor.**
 20 **I think I succeeded. Again, the dates and whether she**
 21 **did or did not resign as a councillor or whether she**
 22 **stayed or not, I'm not absolutely sure because I don't**
 23 **have the specifics of her resignation, but I certainly**
 24 **tried to persuade her to resign. In fact, as it says in**
 25 **my statement, I kept her in my office for the whole day**

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1 wasn't a link made, just looking from the fact that the
 2 Ivy House report had raised that issue, wasn't that
 3 a link that was capable of being made at that time?
 4 **A. Yes, I'm not saying it wasn't. I'm just -- I think**
 5 **there's a danger sometimes of trying to remember things**
 6 **and the order in which they took place, and, rather than**
 7 **say that I had a clear understanding that there was**
 8 **abuse taking place then, I'm trying to be clear that**
 9 **I wasn't sure about that.**
 10 **So it was true that certainly later, probably more**
 11 **like when I first became leader, we became convinced**
 12 **there was sexual abuse going on in the homes -- still**
 13 **without proof at that stage -- and decided that, again,**
 14 **as that reason for shutting the homes, that was part of**
 15 **that reason. But we didn't have any proof in those**
 16 **terms. That had been quite an issue for us for quite**
 17 **some time, that we were not able to substantiate what we**
 18 **thought might be going on because we weren't -- because**
 19 **I think people were afraid to come forward and all sorts**
 20 **of other reasons that were happening, and a great deal**
 21 **of frustration at not being able to identify the real**
 22 **causes and issues which were happening in the homes.**
 23 Q. We will come back to that later. But just, first of
 24 all, Susan Smith. She was a councillor, wasn't she, and
 25 in 1992 she was sentenced to a term of imprisonment for

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1 **because at first she could not understand why it was**
 2 **such a serious issue and why she had to resign. She was**
 3 **not willing to accept her responsibilities.**
 4 Q. As you refer in your statement, the press reports
 5 suggest -- you say a press report said she was only on
 6 the Social Services Committee for nine days, but she was
 7 in that position, wasn't she, at the time that she was
 8 charged with the offences?
 9 **A. I believe so.**
 10 Q. You also comment, without going to the press report, at
 11 paragraph 83 that there was another press report that
 12 quoted a senior Labour councillor stating:
 13 "As soon as I knew what the charges were, I and
 14 others urged Councillor Whaley to ask for Smith's
 15 resignation because the charges were so serious. He
 16 refused to do so because he said Smith was innocent
 17 until proven guilty. But if Smith was being treated as
 18 innocent until proven guilty, it is strange that the 13
 19 suspended councillors have not enjoyed the same
 20 leniency."
 21 You say that comment is inaccurate or the statement
 22 is inaccurate. So why do you think that appeared in the
 23 press as it did?
 24 **A. I think, as I said in my statement, there was always an**
 25 **amount of willingness to try to have a go at me as**

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<p>1 leader by any of the suspended councillors, and</p> <p>2 I believe it was purely a political attack and it was</p> <p>3 based on no fact.</p> <p>4 Q. I want to ask you now about the Mr McCooty case.</p> <p>5 Mr McCooty was sentenced for rape and robberies and the</p> <p>6 judge, in summing up, made these observations. He said:</p> <p>7 "I will ask, if I may, that the responsible</p> <p>8 authority in Lambeth looks into the matter that had been</p> <p>9 drawn to their attention that, as a result of him not</p> <p>10 being in secure accommodation, a 53-year-old lady has</p> <p>11 been raped and robbed. It seems to me a most unhappy</p> <p>12 decision has been made. Having said that, I appreciate</p> <p>13 we all have to make decisions and we all have to bear in</p> <p>14 mind the liberty of the subject. It is not an easy</p> <p>15 decision to make and I think it is a matter that ought</p> <p>16 to be drawn to their attention that prima facie appears</p> <p>17 to have been an erroneous one."</p> <p>18 The council set up an independent inquiry, didn't</p> <p>19 it, independent investigation, on that issue?</p> <p>20 A. Indeed.</p> <p>21 Q. Can we have, please, Mr Hyde, CWH000015_036. This is</p> <p>22 a page of that independent investigation report. If we</p> <p>23 look at page 36, and if we can highlight 8.28 to 8.30,</p> <p>24 we see, at 8.28, it's set out:</p> <p>25 "In standing orders urgent action on behalf of the</p> <p style="text-align: center;">Page 85</p>	<p>1 committees of the council is spelt out in</p> <p>2 paragraph 69(1). The Code of Practice for members</p> <p>3 states categorically in paragraph 4.3 'The council has</p> <p>4 no legal power to delegate functions to any individual</p> <p>5 member, nor can urgent action between committees be</p> <p>6 taken by the leader or chairs of committees acting</p> <p>7 alone!."</p> <p>8 Then in the next paragraph, 8.29:</p> <p>9 "Despite this, it had become 'custom and practice'</p> <p>10 that before an urgent request for secure accommodation</p> <p>11 could be made, the oral 'agreement' of the chair or</p> <p>12 vice chair had to be sought. This is precisely what</p> <p>13 happened in N's case. To discover exactly how the</p> <p>14 decision was made has meant relying on the memories of</p> <p>15 the people involved, largely because 'custom and</p> <p>16 practice' has not been to minute formally decisions</p> <p>17 other than those which result in obtaining a secure</p> <p>18 accommodation order, despite the procedure ...</p> <p>19 "In N's case, it would appear that social worker</p> <p>20 advice that N should, for a period, be placed in secure</p> <p>21 accommodation was not agreed by the chair and the</p> <p>22 outcome was that secure accommodation was not sought."</p> <p>23 That can be taken down, thank you, Mr Hyde.</p> <p>24 You were interviewed at the time and so were the</p> <p>25 social workers. Can you now remember the telephone call</p> <p style="text-align: center;">Page 86</p>
<p>1 and being asked about that case?</p> <p>2 A. No. As I said in the report, in the original</p> <p>3 investigation, even then, I did not remember the</p> <p>4 telephone conversation itself.</p> <p>5 Q. But it looks as though you say you had been phoned and</p> <p>6 there was some brief discussion -- no note, no minutes,</p> <p>7 no records shown to you, was there? Was there any</p> <p>8 material provided to you before that discussion?</p> <p>9 A. Indeed, the assumption is -- and I'm not denying the</p> <p>10 fact that there was a phone call -- that I was probably</p> <p>11 phoned at work, and that is one of the reasons why</p> <p>12 I have said in my report that I believe that I quite</p> <p>13 categorically -- that the discussion between me and the</p> <p>14 assistant director was a discussion about the facts and</p> <p>15 that, out of that discussion, he decided, perhaps you</p> <p>16 would say with me, that we would not pursue secure</p> <p>17 accommodation. That seemed to change, in terms of when</p> <p>18 it was reported, but there was no evidence from either</p> <p>19 side. So that becomes my word against his word, which</p> <p>20 is a very untenable position, and is also a very clear</p> <p>21 indication as to why that type of procedure is an</p> <p>22 entirely inappropriate one for making a decision as</p> <p>23 important as taking somebody into secure accommodation.</p> <p>24 Because this was not the only time that I had been</p> <p>25 involved in important decisions, I know very clearly</p> <p style="text-align: center;">Page 87</p>	<p>1 that if I had been asked that and it had been presented</p> <p>2 to me and if I'd had any doubt as to whether or not he</p> <p>3 should have been in secure accommodation, I would have</p> <p>4 asked for a meeting to be called, perhaps not with the</p> <p>5 appropriate subcommittee, but certainly with myself and</p> <p>6 senior officers, so that we could explore the matter</p> <p>7 properly and fully. Because it is not appropriate to</p> <p>8 make decisions like that in the way that is suggested we</p> <p>9 did.</p> <p>10 Q. I'm not asking specifically about that case, but</p> <p>11 generally, when you say "explore the decision", what</p> <p>12 would be the issues that you were considering when you</p> <p>13 were thinking about whether a secure accommodation</p> <p>14 should be made? How would you get information around</p> <p>15 risk, in your capacity as a councillor?</p> <p>16 A. That is difficult. You are reliant -- because, again,</p> <p>17 you have no resources of your own. So you're reliant on</p> <p>18 being presented a case by the officers, the professional</p> <p>19 officers. I'm not even sure whether it is an</p> <p>20 appropriate use of councillors to make decisions or to</p> <p>21 be part of those decisions, because I think it is very</p> <p>22 difficult. But if it is, then it is actually as</p> <p>23 a layperson's decision, in the same way as a member of</p> <p>24 a jury would make a decision.</p> <p>25 So what you would expect is the officers to present</p> <p style="text-align: center;">Page 88</p>

1 to you a clear explanation as to the reasons why they
 2 required – or it was necessary to put somebody into
 3 secure accommodation, and to make that case properly,
 4 and it would be the reaction of the council in that
 5 position to say, "I'm not convinced by that case and
 6 I wish you to go away and make it more strongly", or to
 7 persuade the officers themselves that they were wrong,
 8 because, in the end, it is not a decision -- it is not
 9 a member decision.

10 Q. Asking where there may be gaps in the material presented
 11 to you or for further information is one thing, but
 12 actually having the overriding authority to say, "Well,
 13 that shouldn't be the decision -- a change of decision",
 14 that's very different, isn't it? It is one thing to
 15 hold people to account and to probe decision making and
 16 the processes that have been taken to arrive at that
 17 point and it is another to just substitute your own
 18 decision for the one that's being presented to you?

19 A. I think that's right. That's why I'm not sure whether
 20 it is a good idea to have that power, if it is there, in
 21 the hands of the councillors. I think it is proper that
 22 we should have a probing responsibility, but, in the
 23 end -- and make the decision -- make sure the decision
 24 is properly recorded and properly dealt with. But
 25 I don't think we should be able to turn around and say

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1 they were going on. Was that not the subject of
 2 conversation between councillors? It just wasn't
 3 discussed more widely that this man had faced
 4 disciplinary proceedings?

5 A. No. The original disciplinary proceedings against him,
 6 in terms of the failure to declare -- I can't remember
 7 the dates of those, but those were quite early. I think
 8 even maybe before I was a councillor.

9 Q. Yes, '86.

10 A. '86. I'd just become a councillor. No, you would not
 11 expect disciplinary proceedings to be discussed because
 12 of the very nature of disciplinary proceedings. I'm not
 13 saying that some councillors didn't know they were
 14 happening, but they wouldn't necessarily have known,
 15 because those are, by their very nature, private and
 16 confidential, and they are kept so to protect everybody
 17 within the system.

18 Q. Were you ever made aware when you were chair of
 19 Social Services, in 1990, that a schedule 1 offender had
 20 been working in the home and that the council knew about
 21 that and failure to disclose? Was that something that
 22 was ever brought to your attention?

23 A. Never.

24 Q. What did you think when you found that out?

25 A. Well, as I say in my statement, I was -- and I still

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1 to a practitioner, a professional practitioner, that we
 2 override their decision.

3 Q. Can I ask you now about Michael Carroll. You deal with
 4 him at paragraph 102 onwards. You were asked when you
 5 first became aware that Michael Carroll had been
 6 convicted of the sexual abuse of a child. Can you just
 7 explain that to us, when you became aware of what and
 8 when about Michael Carroll?

9 A. Again, I think I say in my statement -- I'm not quite
 10 sure. Can you take me to my statement? Which paragraph
 11 is it?

12 Q. Paragraph 102 onwards.

13 A. Thank you very much.

14 Q. Paragraphs 105 and 106.

15 A. Yes. I mean, I think that it was during that time --

16 Q. Can you just say what the time is? Sorry, people aren't
 17 reading the statement.

18 A. I do apologise. Around 1992, I say, there was this
 19 widespread coverage of the conviction, and I was
 20 involved in commissioning the Clough Inquiry. So it was
 21 around that time when, essentially, it became a public
 22 matter.

23 Q. So around 1992/1993 is when you became aware of that.
 24 It may seem extraordinary that you wouldn't have known
 25 of the disciplinary proceedings within the council when

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1 don't understand. I have no understanding of why it is
 2 that the council did not dismiss Carroll when we found
 3 out. It seems to me that it is an absolute clear
 4 breach, first of all, for not declaring, and then,
 5 during declarations and reports we have read, for lying
 6 about the actual nature of the offence, et cetera,
 7 et cetera. Once all that became clear, it is astounding
 8 that he was allowed to remain on the staff.

9 Q. Did you have any knowledge of any fostering application
 10 made by him?

11 A. No, I wasn't aware of that.

12 Q. Would you, or anyone else you know, have exerted any
 13 pressure in relation to fostering applications?

14 A. Not that I was aware of. I have obviously listened to
 15 evidence and other things which have been said at the
 16 inquiry, but nothing that I was aware of.

17 Q. Can I ask you about a memo that David Pope wrote after
 18 a conversation with you, and, Mr Hyde, if you have it,
 19 please, it is LAM009870_001. This is a note of
 20 Mr Pope's dated 8 December 1992, Mr Whaley. I know
 21 you've seen it. We're just trying to --

22 A. Oh, indeed.

23 Q. Can I have it slightly larger, Mr Hyde? Thank you. We
 24 see what this says:
 25 "I was contacted today, December 1992, by the leader

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1 and advised that at a Labour Group last night it was
 2 decided to seek a report on the issue of employment of
 3 schedule 1 offenders (sexual offences) in Lambeth. In
 4 effect, Labour Group appeared to wish to agree a blanket
 5 policy of not employing any schedule 1 offender (arising
 6 out of the current furore over John Carroll). The
 7 leader asked DSS to draft this in the next few days --
 8 I said this was totally impossible, due to current
 9 workload and the complexity of the issues."
 10 At the end of the second paragraph, amongst other
 11 things, he says:
 12 "As it is likely to cut across existing council EOP
 13 policies, the CPO and legal division need to be
 14 involved."
 15 Can you remember that conversation about schedule 1
 16 offenders and their role in terms of being employed in
 17 the council with Mr Pope? Does that refresh your memory
 18 in any way?
 19 **A. I can't remember. It is too long ago to specifically**
 20 **remember it. I probably do have somewhere the minutes**
 21 **of the Labour Group meeting, but I do know that Labour**
 22 **Group and we at the time, and once we had understood**
 23 **what had happened and that we had a section 1 offender,**
 24 **were very clear that we wanted to make sure that, if**
 25 **there were any others, they needed to be dealt with and**

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1 **A. Indeed.**
 2 Q. What conclusions, when you read it, did you draw from
 3 that report?
 4 **A. I mean, again, I felt it was a report which gave some**
 5 **fairly historical descriptions of things, but it,**
 6 **itself, didn't really deal with the underlying matters**
 7 **as to why it had happened. I think I felt that that was**
 8 **the problem with the report, is that it didn't actually**
 9 **say, you know, why did an Assistant Director of**
 10 **Social Services, as I think he was at the time, agree to**
 11 **the continued employment of somebody who had a section 1**
 12 **offence, and that question was never answered.**
 13 Q. Is that a question that you thought you ought to answer
 14 in your role then, and as the council? In other words,
 15 look for yourselves when you read that report whether
 16 there should be disciplinary action or consideration of
 17 termination of Mr Pope's employment, or not?
 18 **A. I'm not sure. Again, one has to be careful to not just**
 19 **sort of invent something because it's convenient for me**
 20 **to say it now. I'm not sure that we did. At that time,**
 21 **as you can remember, we were at our height of chaos, and**
 22 **I probably -- it was one of many, many issues that we**
 23 **were dealing with, and I don't think that we actually**
 24 **thought that a disciplinary action against Pope was**
 25 **something that we should pursue. And I also say in my**

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1 **not to be employed by the council, particularly in**
 2 **Social Services. I'm surprised -- I haven't seen that**
 3 **memo that you have just shown me until it was produced**
 4 **within my witness bundle for this inquiry, but I'm**
 5 **surprised, very surprised, but it, and also by the**
 6 **attempt to broaden it.**
 7 **I mean, we were clearly talking about**
 8 **Social Services, and somehow, for reasons of his own,**
 9 **David Pope, the director, sort of broadened it into**
 10 **a great issue about the direction of the council,**
 11 **et cetera, seeming to wish not to deal with what**
 12 **I believed, and the Labour Group believed, was an**
 13 **absolute clarity on our part, which is we did not wish**
 14 **to have section 1 offenders employed in Social Services.**
 15 Q. There seems to be a reference there that something might
 16 cut across existing council equal opportunity policies.
 17 Looking back at that memo now, does that make any sense?
 18 Is that something he raised at the time or you can't
 19 remember?
 20 **A. Why would it? Sometimes people use descriptions of**
 21 **cutting across other policies when they wish to not do**
 22 **what they have been asked to do. It is putting up**
 23 **smokescreens.**
 24 Q. The Clough Report. You saw the Clough Report,
 25 obviously, when it was published? You read it, did you?

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1 **statement that, in the end, it is the responsibility of**
 2 **the paid officers. You know, if the chief executive,**
 3 **who is the head of the service, had actually thought**
 4 **that Pope's actions had been something which needed**
 5 **disciplining, he should have taken that action.**
 6 Q. You could have had a conversation with him about that,
 7 though, couldn't you --
 8 **A. I could have.**
 9 Q. -- if you felt it, "I have lost such confidence, how can
 10 I have", as you describe at the beginning, "a trusting
 11 or open advice from somebody who has made these
 12 decisions before"?
 13 **A. I could indeed. But, if I'm being honest, I don't think**
 14 **I did.**
 15 Q. You also, during this period, of course, the council --
 16 Mia Gibelli's death occurred, and we know the tragic
 17 circumstances surrounding that. Did that ring any alarm
 18 bells to look more widely -- for example, social work
 19 assessments, a position for social workers taking
 20 decisions? Did you think about whether cases were
 21 allocated, quality of social work?
 22 **A. All the time that I was there at Social Services, one of**
 23 **the major issues which we faced was the poor allocation**
 24 **of social workers to children. It was a matter of**
 25 **constant discussion and the inability to make -- my**

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1 inability, or the council's inability, to make progress
 2 on that matter always worried me because of the things
 3 which then occurred again, and where we had that case.
 4 Because we were vulnerable, and we were vulnerable
 5 because, whilst we were spending a large amount of money
 6 on Social Services and on child protection, the chaotic
 7 organisation of it and the inconsistent allocation of
 8 people and the poor reporting clearly left us worried
 9 that we were leaving children at risk.

10 Q. Lambeth really was spending a lot of money on children's
 11 services, wasn't it?

12 A. Absolutely.

13 Q. So where it was going or what was happening with it, in
 14 terms of quality of service provision --

15 A. Absolutely. But, I mean, I think it -- you know, there
 16 were vast amounts of money spent on agency staff, there
 17 were vast amounts of money spent on private provision.
 18 You know, the -- money was wasted, partly because we
 19 couldn't establish a settled team of quality social
 20 workers within the authority, and I think that was
 21 partly because of the reputation of the authority, and
 22 because it had become such a toxic place to work,
 23 perhaps, that it was very difficult to attract people,
 24 and so we were constantly trying to find people, and, as
 25 we couldn't find them, then we were taking on agency

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1 finding that they are not put into practice and,
 2 therefore, the situations which we found ourselves in
 3 and being responsible for occurred.

4 Q. As Councillor Dunipace said in her evidence, there were
 5 recommendations there that could have usefully prevented
 6 or assisted, couldn't they, in terms of --

7 A. Absolutely. Absolutely.

8 Q. Having asked for it, didn't you ever want to follow that
 9 up yourself? I appreciate there were processes, but
 10 having said, "We should have this", weren't you keen to
 11 follow up and say, "Have we got it? What have they
 12 said? What's going on?"

13 A. It was in '87, I think, that that was requested, when
 14 I was management services chair. By the time --
 15 I then moved on and actually became a backbencher for
 16 a year and then moved on to being vice chair of
 17 education during the transfer. There was not
 18 a consistency, if you like. I was not responsible and
 19 involved in Social Services matters until I returned to
 20 it in 1990. So whilst it would have been an area which
 21 I was interested in and would have liked to have seen
 22 things going forward, it was not something that I did
 23 return to. I am not even sure that I returned to it
 24 when I became chair of Social Services in '90 --

25 Q. I don't think (overspeaking).

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1 staff, we were making poor decisions in terms of
 2 the allocation of staff. And I think that left us, and
 3 has proved to have left us, in a very vulnerable
 4 position.

5 Q. It's clear from documents the inquiry has seen and you
 6 have seen that, as chair of Social Services, you asked
 7 for a review panel to investigate concerns relating to
 8 child sexual abuse surrounding the LA-A26 Ivy House case
 9 that the inquiry has heard about. Having commissioned
 10 that Special Review Panel report -- the inquiry has also
 11 heard from Mr Palayiwa who wrote that report, or was
 12 involved in producing that report -- you and those who
 13 wanted the report never got it or acted on any of
 14 the recommendations, did you? You hadn't seen it until
 15 we sent it through to you; is that right?

16 A. Indeed. It was the first time, I think, the other day,
 17 I think even yesterday when I finally saw that report.
 18 It is a great pity. That report, as well as one or two
 19 other bits -- this was -- we asked for in '87/'88,
 20 I think, '87, it is a comprehensive description of how
 21 one might have a policy programme to be able to protect
 22 children from abuse within the authority. It clearly
 23 was never implemented. That is a really serious
 24 problem, in terms of the way in which councillors tried
 25 to do their job of getting things established and then

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1 A. -- which, again, is a pity, because, clearly, if we'd
 2 had that policy in place and been able to see them
 3 working, we may have had a different outcome.

4 Q. Can I ask you now about the SSI, please. What was your
 5 understanding, as leader -- what did you expect from the
 6 SSI? What was the relationship with Social Services
 7 Inspectorate?

8 A. The Social Services Inspectorate were an external body
 9 which was able to, and should, review the quality of our
 10 delivery and should openly comment on what it found and
 11 make sure we sought to improve.

12 Q. So your view, as leader, would be that you had to
 13 respond to what was suggested and monitored?

14 A. Of course.

15 Q. Can we have a letter that you have written to Mr Lambert
 16 which is LAM028584. It is a two-page letter. It is
 17 a letter that you wrote in December 1992. We can still
 18 read it, even though it is --

19 A. Yes, I think I actually have a slightly better copy of
 20 it.

21 Q. You have written:
 22 "Dear Mr Lambert,
 23 "I am writing to elaborate on the council's
 24 statement which I sent to you on Friday 4 December."
 25 You set out at the bottom of the letter:

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<p>1 "My authority is concerned any independent 2 investigation has two specific focuses: the historical 3 position with regard to the police investigation 4 surrounding Southvale should be investigated. All 5 matters raised with you in correspondence from 6 Councillor Tapsell ...", et cetera. 7 Over the page: 8 "Any inspection of the current procedures and 9 practices should take account of any issue which may 10 come to light in respect of the above." 11 So very open and wide terms and suggested terms for 12 the investigation. 13 If you go to the third paragraph of the letter, your 14 statement, which you appear to have sent previously, 15 says: 16 "During the last few months, the council has been 17 working closely with the SSI and the police 18 investigating what had been happening in the past. We 19 have improved our practices during the last two years 20 with better management and procedures and are confident 21 that we are providing a high standard of care for the 22 children we are responsible for." 23 Is that what you were saying in 1992? Were you 24 confident about that? Did you think that? 25 A. I think that one of those letters which -- a letter of</p> <p style="text-align: center;">Page 101</p>	<p>1 this type is not produced by oneself. In other words, 2 the Director of Social Services will have written it, 3 and I will have agreed to it. 4 Looking back at it now, that paragraph I should have 5 spotted at the time and removed, because it is clear 6 that we hadn't improved our practices in the last two 7 years, and not only -- I mean, I knew it was clear that 8 we hadn't, and so I shouldn't have allowed that to go 9 through. 10 It is often the case, when writing to ministers or 11 writing letters from councils, when they suspect that 12 they are criticised, to try and paint the best gloss on 13 things, and I'm afraid that that looks like that to me. 14 Q. It can go down now, thanks, Mr Hyde. Would you have 15 signed that letter, then? So it would have been shown 16 to you. Do you hand sign them? 17 A. Absolutely. It was clearly, you know -- I'm not saying 18 I didn't sign it, I'm not saying it didn't say that when 19 I signed it. 20 Q. So when you say that there's concern ministers might be 21 being criticised, is that the culture, then, that if 22 you're being transparent and say, "We have got all these 23 problems, there's risk, it's dangerous, it's difficult 24 for children", that the minister might feel defensive? 25 Is that the point?</p> <p style="text-align: center;">Page 102</p>
<p>1 A. No, no, the other way around. The local authority 2 itself and its practices was being criticised, and, 3 therefore, would try to put the best spin it could on 4 the presentation of itself. 5 Q. That's just misleading, isn't it, rather than saying how 6 things really are? How are the SSI supposed to -- we 7 will be asking them, but how are they supposed to know 8 how things are if they get platitudes like that? 9 A. I wouldn't disagree with you. 10 Q. Do you think Lambeth was transparent? I don't mean just 11 this letter. But generally, as far as you're aware, 12 transparent outwardly about the extent and nature of 13 the problems and risks to children? 14 A. No. I think that we spent a lot of time not being 15 transparent. And I think that is clear from the papers 16 and the questions and the people that you have had in 17 front of you during this inquiry. 18 Q. Covering up the problems? 19 A. Absolutely. 20 Q. Was that a concerted discussion around doing that, or 21 was that every individual councillor choosing to do that 22 in their own patch? I mean, how did that work? 23 A. I didn't necessarily say it was councillors. I think it 24 was a culture within the officer corps, but maybe also 25 between councillors. The way people defend themselves</p> <p style="text-align: center;">Page 103</p>	<p>1 against criticism, I fear in that time, in local 2 authorities, and maybe still is, is that people have 3 a tendency to try to avoid the issues and to hide the 4 facts and to try and find a way of presenting things 5 which is to put a positive spin on it. 6 I, myself, in terms of something which I was 7 thinking about the other day, the first section 5 report 8 which we got, which was this one that talked about the 9 holes that were not filled in but we paid for them. 10 When I was given that by Herman Ouseley on that Friday, 11 I think it was, and I read it over the weekend, 12 I thought to myself, "We could cover this report up", 13 and, yet again, we would be able to not be transparent 14 about what was happening in the authority. 15 I decided over that weekend that that was not 16 a sensible or right thing to do, and I decided that we 17 would make it more public and make the way in which we 18 had behaved public. 19 I knew from that, that that would be a fairly 20 devastating process, and in the end it was a devastating 21 process and I think it led to a large amount more 22 information coming out and us being able to look at the 23 issues which were facing the council. 24 So getting some of that fresh air into the council 25 to actually be honest about our mistakes I think, in the</p> <p style="text-align: center;">Page 104</p>

1 **first instance, showed us to be in a terrible mess, but,**
 2 **in the end, may have helped to actually start the**
 3 **process of getting it to improve.**
 4 Q. Worrying about an institutional reputation above
 5 worrying about children at risk and who we now know were
 6 being sexually abused, who you all knew at the time, by
 7 this time, in 1992, may have been being sexually abused
 8 and were concerned about, worrying about the reputation
 9 of the council instead of that seems -- well, what would
 10 you say about that?
 11 **A. I wouldn't disagree with that. I mean, I think --**
 12 **again, I think, by the time we got to the point where we**
 13 **had started to recognise the sheer chaos which we were**
 14 **operating under, I think just the size and scale of**
 15 **everything did mean that the particular issues within**
 16 **childcare in the children's homes were not seen as being**
 17 **as important as the bigger picture of meltdown and**
 18 **corruption, and I think that's something which we have**
 19 **to accept and bear responsibility for.**
 20 Q. There was also an issue, wasn't there, around vetting?
 21 I'm not going to take you to the details of the SSI
 22 reports, but 1993, 1994, the inquiry has seen the
 23 evidence around how police checks weren't being
 24 conducted, issues between Lambeth and the police about
 25 whether they could be. Placing children at serious and

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1 Q. And the Zephyrine Report, the one into Southvale?
 2 **A. Again, I think it was after my time. What time --**
 3 Q. No, that's 1990, the Zephyrine Report. So that's
 4 looking at -- and evidence, racism, sexism, should have
 5 evidence, treatment of children in the home. But there
 6 was no conversation with a child at the time that report
 7 was undertaken. But you haven't looked at that?
 8 **A. I can't remember it. I don't think it was provided to**
 9 **me.**
 10 Q. One of the things you say at paragraph 207 of your
 11 statement, you're proud that Lambeth, as a significant
 12 public body and employer, played a leading role in
 13 promoting equality of opportunity. We hear that. We
 14 hear people say, "Well, that's what we did". But it may
 15 have had policies -- isn't the reality, on the ground,
 16 there was racism, sexism -- is that promoting equal
 17 opportunity?
 18 **A. I think that is right. The ability to be able to grow**
 19 **good policies in terms of equal opportunity policies and**
 20 **to have them to -- and embed themselves into an**
 21 **organisation, and for that to be successful, is a very**
 22 **hard task. I think we underestimated that task and**
 23 **I think we were overproud of our statements and**
 24 **underlooking at our achievements in terms of that.**
 25 **I think that is borne out not by just us, but also by**

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1 known risk in that context, was that something that you
 2 thought of proactively, either as chair or certainly as
 3 leader, "Well, look, what does this mean for the
 4 children?"
 5 **A. I'm not sure of the dates. It may be that I'd finished**
 6 **by then, because I actually finished in '94.**
 7 Q. 1993 -- sorry to cut over you. In 1993, the SSI
 8 identified vetting as an area of concern.
 9 **A. Again, it was probably something which I would have**
 10 **expected the chair of Social Services to take up in**
 11 **a vigorous manner.**
 12 Q. If you had read the SSI report -- would you read an SSI
 13 report for yourself or just rely on a summary of that?
 14 What would you do with that?
 15 **A. I'm not sure -- again, I'm not sure whether I read that**
 16 **report at the time.**
 17 Q. Would you have read the Zephyrine Report in 1990 or the
 18 Harris Report?
 19 **A. I'm not sure whether I read the Harris Report. The**
 20 **Harris Report -- remind me?**
 21 Q. At the time, the Harris Report, in 1995, about the
 22 three -- the inspection in relation to allegations
 23 made -- you haven't read it? You say you haven't read
 24 it?
 25 **A. I don't think so. I'm not absolutely sure.**

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1 **a lot of the staff members who were employed from ethnic**
 2 **minorities who I think sometimes believed that we**
 3 **tokenised them or they were actually tokenised by senior**
 4 **white officers, et cetera, et cetera. So I think an**
 5 **equal opportunities policy -- equal opportunities**
 6 **policies were very important, but I think that there is**
 7 **a need to make sure those policies are properly followed**
 8 **through, particularly to root out the inherent bias and**
 9 **perhaps even racism amongst employing officers, as well**
 10 **as everybody else.**
 11 Q. Finally from me, did you ever visit any children's homes
 12 when you were chair of Social Services Committee,
 13 leader? Did you do any of your councillor visits?
 14 **A. I cannot remember. I think I may have visited once or**
 15 **twice. But I cannot remember. I remember being**
 16 **involved in looking at and dealing with cases where**
 17 **people were in secure accommodation because of**
 18 **a particular committee that dealt with that, and**
 19 **I chaired that on a number of occasions, but I don't**
 20 **remember actually visiting homes.**
 21 Q. Finally, were you a Freemason, Mr Whaley?
 22 **A. No.**
 23 MS LANGDALE: I have no further questions, thank you. The
 24 chair and panel may have.
 25

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1 Questions from THE PANEL
 2 THE CHAIR: Thank you. I have one question, Mr Whaley. Do
 3 you have a view on why David Pope adopted the position
 4 he did over John Carroll and the policy about schedule 1
 5 offenders which, in your own words, appeared to
 6 "frustrate or seriously delay taking action to protect
 7 children"? Why did he do it? Why was he apparently not
 8 willing to do this? Have you any view?
 9 **A. I don't. I mean, I -- you know, you have spoken to him.**
 10 **It is not -- there doesn't seem to be any logical reason**
 11 **whatsoever, and so I am very concerned as to what the**
 12 **reasons might be.**
 13 THE CHAIR: Can you conjecture?
 14 **A. I think that is dangerous. I think it's -- you know,**
 15 **I mean, one can only assume that there was undue**
 16 **influence.**
 17 THE CHAIR: From which sources?
 18 **A. From him, from Carroll. That Pope was --**
 19 THE CHAIR: Directly from the perpetrator?
 20 **A. -- was directly beholden to Carroll. I can think of**
 21 **nothing else.**
 22 THE CHAIR: Unfortunately, that begs another question, as to
 23 why, why there was that -- such a relationship between
 24 someone at the top of their department and someone who
 25 was actually relatively lowly placed, albeit having

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1 Or do you draw a distinction between the two?
 2 **A. I probably wouldn't draw too much distinction between**
 3 **the two. I think it is perfectly reasonable to make**
 4 **that assumption, that if you -- you know, that one and**
 5 **the other could be happening.**
 6 MR FRANK: Thank you.
 7 THE CHAIR: Sir Malcolm?
 8 PROF SIR MALCOLM EVANS: No, thank you, chair.
 9 THE CHAIR: We have no further questions. Thank you very
 10 much, Mr Whaley.
 11 **A. Thank you.**
 12 **(The witness withdrew)**
 13 MS LANGDALE: Chair, shall we resume at 3.00 pm?
 14 THE CHAIR: Yes.
 15 (2.47 pm)
 16 (A short break)
 17 (3.00 pm)
 18 MS LANGDALE: May I call Ms Twelves?
 19 MS JOAN TWELVES (affirmed)
 20 Examination by MS LANGDALE
 21 MS LANGDALE: Can you give us your name, please.
 22 **A. My name is Joan Twelves.**
 23 Q. Can you confirm for us that you were a councillor at
 24 Lambeth between 1986 and 1994?
 25 **A. Yes.**

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1 influence?
 2 **A. Indeed, and why he got involved in that whole question**
 3 **of the looked-after children and the inappropriate way**
 4 **in which they were allowed to go to his house after**
 5 **the -- they were turned down in terms of the adoption or**
 6 **the fostering. Again, I'm not sure that I can speculate**
 7 **any more than you can, but it seems to me that there is**
 8 **a -- shall we say, at my bluntest, an extremely**
 9 **unhealthy relationship.**
 10 THE CHAIR: Thank you, Mr Whaley. Ms Sharpling?
 11 MS SHARPLING: No, thank you, chair.
 12 THE CHAIR: Mr Frank?
 13 MR FRANK: Yes, please. First of all, thank you for your
 14 assistance in relation to the rather curious
 15 misstatement in the letter which described improvements
 16 that had not, in fact, taken place. You very candidly
 17 describe that as being attributable to what you called
 18 a culture of not being transparent. Do you recall that?
 19 **A. Indeed.**
 20 MR FRANK: I'm just interested in the language you've used
 21 there, because I wonder if that's, in itself,
 22 a minimisation of the reality, because what may be
 23 described as a culture of not being transparent by one
 24 might be described as a conspiracy to cover up by
 25 another, the same concept expressed in different words.

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1 Q. And leader between 1989 and 1991?
 2 **A. Yes.**
 3 Q. You have provided to the inquiry a statement dated
 4 26 June 2020?
 5 **A. Mmm-hmm.**
 6 Q. Can you confirm the contents are true and accurate, as
 7 far as you're concerned?
 8 **A. Yes, they are.**
 9 Q. You set out in your statement the background and how you
 10 came to be a councillor, and you speak, "During
 11 1985/1986, local Labour members, both within the Labour
 12 Group and wider party, were aware that it was highly
 13 probable that the councillors of Lambeth Council would
 14 be disqualified from standing in the borough elections
 15 due in May 1986". Do you see that, paragraph 9?
 16 **A. Yes.**
 17 Q. You say:
 18 "Despite the perceived inevitability of this,
 19 decisions were taken that their replacements should not
 20 be chosen until disqualification was confirmed."
 21 Can you elaborate upon that for us, please?
 22 **A. There were lengthy discussions across the Labour parties**
 23 **within Lambeth -- it wasn't just a decision of**
 24 **the Labour Group. Lengthy discussions about whether, by**
 25 **selecting people in the seats where there were**

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1 councillors who were likely to be disqualified, you were
 2 actually prejudging that disqualification. It was quite
 3 a heated debate.
 4 Q. It meant that you were all very much last-minute
 5 appointments as well, did it?
 6 A. Well, I'd been selected in a non-Labour ward some time
 7 before. So I wasn't a last-minute one. I could have
 8 moved into a safer seat, but I was already going to
 9 stand as a councillor. It had been a decision I'd made
 10 for some time beforehand. It was a progression of what
 11 I'd been doing. But, yes, I mean, everybody was -- we
 12 had to go through every single selection for
 13 64 candidates over one weekend.
 14 Q. And 37 of the 40 councillors at that time elected were
 15 brand new, you say?
 16 A. Yes.
 17 Q. What was that effect, as far as you can see, for the
 18 quality or delivery of services, that so many new people
 19 and inexperienced people became councillors at that
 20 time?
 21 A. I think it had a major effect. I doubt if we realised
 22 that at the time, because you don't when you're living
 23 through something like that. But, actually, the effect
 24 of it, when you look back at it, was enormous. Some
 25 people were very highly qualified. We had a couple of

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1 provision to children or backgrounds interested in
 2 children's services, is there?
 3 A. No. They wouldn't have been asked that at all.
 4 Q. Where did you fall into that category? Which category
 5 were you?
 6 A. I think I fell into two categories, actually. I was
 7 extremely political. I had been involved in the rate
 8 capping campaign. I was actually chair of the London
 9 Labour party campaign committee in respect of
 10 the abolition of the GLC. So I had been involved in all
 11 that. However, I was also a council tenant, I had been
 12 a single parent, I'd been homeless, I knew a lot about
 13 welfare rights. Certainly my experience as a tenant was
 14 that I knew that the services were really, really bad.
 15 So I wanted to do something about the services as much
 16 as I wanted to be involved in the politics.
 17 Q. You say, at paragraph 11, that your interests and
 18 experience and expertise were focused on housing,
 19 women's rights and employment issues?
 20 A. Yes. I think that's right.
 21 Q. When you were the Chief Whip, you say you were involved
 22 in the negotiation of the introduction of a minimum wage
 23 and the establishment of a workplace nursery.
 24 A. Yes. I worked with Steve Whaley on both those things.
 25 Q. Do you think the employment issues and the way unions

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1 people who had worked in senior positions in other
 2 councils and knew how things were meant to work. We had
 3 people who had worked at the GLC. But the majority had
 4 no experience of the council at all and, therefore,
 5 depending on what their jobs were in ordinary life, it
 6 totally was, you know, pot luck almost. Somebody could
 7 be very articulate and supportive of Labour policies, be
 8 elected and then you discovered they had no way of
 9 dealing with major reports of any sort. My job was to
 10 actually sort out the members.
 11 Q. You say at paragraph 10, if I can read it out, when you
 12 talk about who those councillors have been and come
 13 from, you say this:
 14 "Local government always attracts a mixed bag of
 15 personalities, from the enthusiastic planner, the person
 16 with a bee in their bonnet about traffic rat runs or
 17 a noisy neighbour, the wannabe mayor, the ambitious
 18 aspiring MP and, in our case, a number of political
 19 campaigners who had been enthused by Lambeth's battle
 20 against the Tory Government but who had very little idea
 21 about running the local state to provide services for
 22 local residents and make decisions which would
 23 fundamentally affect their lives and well-being?"
 24 So there's the range. Within that descriptor, there
 25 is nothing about people understanding quality of service

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1 worked within the council at that time prohibited
 2 pulling people up and having disciplinary hearings
 3 around malpractice or where service improvement needed
 4 to arise?
 5 A. I actually think it is almost the opposite. I say later
 6 in my statement that I spent a lot of time when I was on
 7 the backbenches chairing disciplinary and grievance
 8 procedures -- committees. Councillors chaired the fifth
 9 stage of a panel if there was a disciplinary. The
 10 number of disciplinary and grievance panels that were
 11 being invoked were enormous. I was a trade unionist in
 12 a workplace that had never once had a disciplinary or
 13 grievance, even though obviously much smaller, but even
 14 so. I was actually quite shocked at the way both the
 15 employees would instantly say, "I'm going to put in
 16 a grievance", and equally how management would just as
 17 speedily say, "You're disciplined". It should have been
 18 sorted out -- stage 1 of any disciplinary or grievance
 19 procedure is, sort it out at a local level. None of
 20 those should have gone to member level panels.
 21 Q. You say also in your statement at paragraph 11 at the
 22 end, you speak about policies and talking about whether
 23 you were aware of various issues in the department or
 24 within children's services, and you say:
 25 "That is not to say I was not aware that there were

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1 a series of problematic and distressing reports and
 2 issues with which the committee were dealing with but
 3 I was not personally involved."
 4 What are you referring to there? What reports or
 5 distressing issues?
 6 **A. As I said, I distinctly remember Tyra Henry if only**
 7 **because I think it was the first major report we**
 8 **received as councillors when we first went onto the**
 9 **council. So it had a big impact that we suddenly had**
 10 **this report that we had to make decisions about which**
 11 **most of us knew nothing about. But I knew that wasn't**
 12 **a lone report. As Chief Whip, I may not have read all**
 13 **the reports, but I would see the titles and things would**
 14 **go through committee and then be reported to full**
 15 **council. So we knew there were issues, but at the same**
 16 **time it is for the committee to determine them and it**
 17 **was for the committee chair to come to the leadership**
 18 **and to the Labour Group if they didn't think that they**
 19 **were dealing with them. But certainly I do recall there**
 20 **were a number of reports floating around, Tyra Henry**
 21 **being the big one when we first went on the council.**
 22 Q. Yes, that's '87. We know that one. There was an
 23 Ivy House management investigation into child sexual
 24 abuse. Did you know about that one? Did you see --
 25 **A. No, I didn't. No.**

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1 **A. No.**
 2 Q. The impression one gets, and indeed, if I'm wrong, say
 3 so, but reading your statement, that just wasn't on your
 4 radar, in the sense that you had not sat on a children's
 5 subcommittee, you didn't seem to be involved in
 6 decisions about children. Were you thinking much about
 7 children's homes and services to children or was that
 8 not what you were focused on?
 9 **A. It wasn't what I was focused on, but also I think it's**
 10 **important that, in terms of services to children, as**
 11 **opposed to children's homes -- I mean, a very, very**
 12 **large part of the council's services are relating to**
 13 **children, in the broadest sense. So as a parent, I was**
 14 **definitely kind of very interested and involved in the**
 15 **broader sense of it, but not on the specifics of**
 16 **children's homes.**
 17 Q. Did you ever see any of Mr Morton's reports? We have
 18 had them on the screen. I don't know if you were
 19 watching --
 20 **A. No, I never saw them.**
 21 Q. You never saw them?
 22 **A. No, they went, from what I can tell, having looked at**
 23 **them over the last few weeks, to a subcommittee of**
 24 **the main committee. They would have been confidential**
 25 **reports. They wouldn't have gone much further, other**

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1 Q. Did you know about anything specific arising from any
 2 children's home, any report --
 3 **A. No.**
 4 Q. -- relating to children's homes?
 5 **A. No.**
 6 Q. Did you ever, at any point, visit any children's homes?
 7 **A. No, I didn't.**
 8 Q. As a councillor or as a leader, you never did that?
 9 **A. No. I visited a couple of adult care homes. My parents**
 10 **were in a care home, so there was obvious interest.**
 11 **I definitely never visited a children's home.**
 12 Q. Did you know, when you were leader, whether your other
 13 councillors were visiting children's homes, and
 14 providing reports on that, or not?
 15 **A. I knew other councillors were visiting children's homes.**
 16 Q. Did you ever chat to anyone that had visited
 17 a children's home to say, "What does it look like?" or
 18 "What is it like on the ground?"
 19 **A. I don't think I chatted on that level. Phyllis Dunipace**
 20 **was my deputy leader after she'd been chair of**
 21 **Social Services, so obviously I knew that she'd been**
 22 **quite closely involved in that kind of visit. But**
 23 **I didn't think I ever asked what was it like.**
 24 Q. Did you ever have a conversation with her about, "What's
 25 the quality of care in the children's home?"

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1 **than perhaps a one-line report to the main**
 2 **Social Services Committee, but reports to a subcommittee**
 3 **which was a very specialist subcommittee under**
 4 **confidentiality would not have gone much further.**
 5 Q. So you wouldn't have known about him highlighting the
 6 dangerousness of children's placements and the
 7 unlawfulness of them? He's referring to people being
 8 placed in care when they shouldn't be. When you say
 9 "services to all children", the wide-ranging,
 10 excoriating criticisms about provisions for children in
 11 the borough within those reports?
 12 **A. Yes, no, I was quite shocked when I read them, but they**
 13 **certainly never came any further into the system.**
 14 Q. Looking back now, as you have -- you have obviously seen
 15 the reports now and you look back and reflect, "Well,
 16 I was leader between 1989 and 1991. These reports were
 17 being written". You say you have never seen them. What
 18 do you think, looking back at that now, that that was
 19 your role, leader of the council, and this is happening
 20 under your nose?
 21 **A. The whole time I was leader, it was a matter of crisis**
 22 **management of one sort or another, so it's -- there were**
 23 **so many different reports that obviously -- I hate to**
 24 **think of it that they might have got submerged, but**
 25 **I don't think I ever saw them.**

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1 **But secondly, I am very, very aware from the first**
 2 **day I was on the council that councillors were often the**
 3 **last people to be told such things, not only -- and**
 4 **particularly the councillors in the leadership would not**
 5 **be told. A committee chair may be told, but not**
 6 **necessarily. It was very much for management. And they**
 7 **would not particularly want to tell councillors about it**
 8 **because councillors may actually then demand an inquiry,**
 9 **may then demand changes, and so it would be in the**
 10 **interests of the officers not to tell them.**
 11 Q. Quite a few inquiries were commissioned, we know that.
 12 There is serial inquiry syndrome. So to that extent, it
 13 appears they were initiated, but councillors and
 14 officers collectively weren't looking at recommendations
 15 or implementing them. So what do you think, if you
 16 consider that the reports were being commissioned,
 17 surrounds the fact that there weren't recommendations
 18 being made or followed through, what do you think about
 19 that, both the councillors' and the officers' roles in
 20 that?
 21 **A. I think that's a real problem. If I commission**
 22 **a report -- and I did commission a number of reports**
 23 **into other matters -- the recommendations are what you**
 24 **then need to decide on to change policy, and if reports**
 25 **were going to a committee, in particular Social Services**

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1 **I said it rather flippantly, but it was actually**
 2 **a deadly serious point. There were officers who quite**
 3 **consciously would obfuscate what they were doing by**
 4 **writing such long reports that it was virtually**
 5 **impossible for anyone, particularly people who were also**
 6 **doing full-time jobs in many cases, or people who were**
 7 **not, as I said earlier -- didn't have a culture of**
 8 **reading long reports would just look at the**
 9 **recommendations at the beginning. Very, very easy to**
 10 **obfuscate and make it impossible for councillors to**
 11 **follow through. Often it was quite purposeful.**
 12 Q. Did you confront that at the time? When you say "often
 13 quite purposeful", did you ever call someone up on that
 14 and say, "Why have I got 50 pages here, when you need
 15 two, three, four", et cetera?
 16 **A. I certainly did. I also recall in -- and it wasn't just**
 17 **in terms of the quantity of the paper, it was also the**
 18 **quality. I found it necessary, as leader, to go line by**
 19 **line through some budget heads. I would make a note of**
 20 **the answer. A week later, I would ask the same question**
 21 **and be given a totally different answer.**
 22 **One of the things you learnt was, you don't ask**
 23 **a question at the committee unless you know the answer,**
 24 **because you won't get the right answer.**
 25 Q. You write a lot about the budget in your statement,

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1 **Committee, and the chair wasn't asking about these**
 2 **recommendations, and then, on a day-to-day level,**
 3 **following through is very much part of the job. Even by**
 4 **the next committee meeting, you would want a report on**
 5 **what has happened in respect of these recommendations.**
 6 **It does seem to me, not only were officers remiss in**
 7 **implementing recommendations that they'd clearly put to**
 8 **a committee and had been agreed by a committee, but then**
 9 **I would also say that my colleague chairs were remiss in**
 10 **not following them up.**
 11 Q. Was there a lot of paper generated in Lambeth?
 12 **A. Oh, a massive amount of paper, yes. Because this**
 13 **predates computerisation, remember. We didn't have**
 14 **email. Every evening, a van would go around the borough**
 15 **depositing enormous piles of papers through councillors'**
 16 **letterboxes. One of the first things that happened when**
 17 **you became a councillor was them checking that your**
 18 **letterbox was big enough.**
 19 Q. I think Councillor Whelan gave evidence that when she
 20 became a councillor, she had some advice from you that
 21 knowing which bits of paper -- or something to that
 22 effect -- to look at was a necessary feature. Did you
 23 feel like that, you had to weed through what you wanted
 24 to --
 25 **A. Oh, absolutely. I know that Councillor Whelan reported**

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1 because you're dealing a lot with those financial
 2 issues?
 3 **A. Yes.**
 4 Q. Can I just, standing back from that, say, as far as
 5 children's services are concerned, we know, and from
 6 this inquiry's perspective, that taking the early 1990s
 7 as an example, in 1991, the Social Services Inspectorate
 8 noted that Lambeth's spending on social work staffing
 9 was the joint highest in London, and the same report
 10 noted Social Services' spending per head was the third
 11 highest in London, third highest spender on children's
 12 services per head of population, et cetera. So the
 13 money, whatever was going on politically around that,
 14 was there to be spent for the benefit of children, and
 15 it wasn't providing a good service for children. What
 16 do you say about that?
 17 **A. I would say two things. One, that is precisely why**
 18 **I was scrutinising budgets line by line across the**
 19 **council, because I wasn't prepared to make cuts in**
 20 **services if the money wasn't already being well spent**
 21 **and was value for money. Secondly, I think the case in**
 22 **Social Services -- I suspect a lot of that money was**
 23 **going on agency staff because there were a number of**
 24 **vacancies and that would have actually made the budget**
 25 **far greater than it would be if they'd recruited**

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1 permanent staff and trained them up properly.
 2 Q. Again, was that issue dealt with head-on? You flag that
 3 up in your statement at paragraph 14. You say you
 4 inherited a large number of staff vacancies. Was that
 5 something that was discussed, how much was being spent
 6 on agency staffing and elsewhere and shouldn't be?
 7 **A. It was a question I asked across the council the whole**
 8 **time.**
 9 Q. You say at paragraph 14 there was a policy with
 10 righteous intentions but with the most disastrous
 11 effect. Do you want to tell us about that?
 12 **A. Oh, the disability policy.**
 13 Q. Yes. What happened there?
 14 **A. That was very interesting because it was something we**
 15 **inherited when we came on the council. You know, it**
 16 **sounds really good, so nobody dared say very much about**
 17 **it or ask questions. I definitely recall starting to**
 18 **ask questions because I have a disability myself, and**
 19 **it's a hidden disability and this policy took no account**
 20 **of hidden disabilities. It was only if you were**
 21 **registered disabled, which distorts it before you start.**
 22 **It was a big, big question, and it was certainly**
 23 **said by a number of people that, whilst Stephen Bubb had**
 24 **introduced it -- we knew that, he told us that**
 25 **frequently -- the leadership could find it as a useful**

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1 opportunities policies, et cetera. They may have
 2 drafted the policies, but, actually, the implementation
 3 on the ground, we have heard people give evidence of
 4 racism, sexism.
 5 **A. Yes.**
 6 Q. What do you say about what it was like on the ground?
 7 **A. As a woman leader -- Linda Bellos was the first woman**
 8 **leader in Lambeth. She was a black woman. I was the**
 9 **second woman leader. When we were first elected, leader**
 10 **and Chief Whip were very much part of a team. So we**
 11 **were very, very conscious of the sexist and racist**
 12 **nature of the way we were patronised.**
 13 **But I would go further than that. Because one of**
 14 **the things -- I was, for a while, vice chair of**
 15 **the Women's Committee and I repeatedly requested that**
 16 **they look at women's issues in relation to service**
 17 **delivery, but they were only interested in looking at**
 18 **what it meant for employment within the council, and it**
 19 **was a matter of great frustration to me, as somebody who**
 20 **had campaigned on women's issues for a very long time,**
 21 **to realise they didn't see as a priority looking at**
 22 **issues like domestic abuse or issues -- I mean, one**
 23 **would have thought they may have picked up on child**
 24 **sexual abuse, but that was never part of what they were**
 25 **looking at. They were always looking at the internal**

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1 way to conceal the fact that they were saving an awful
 2 lot of money by having that number of vacancies. It is
 3 always the blunt instrument. It's the first
 4 recommendation of finance officers, a recruitment
 5 freeze. But it meant you had vacancies in all sorts of
 6 wrong places.
 7 Q. Was your point that there were no mechanisms designed to
 8 support disabled people in a physical environment and
 9 working conditions were unchanged? Although this policy
 10 looked as though it was actively encouraging
 11 inclusivity, there was no facility to, in fact, enable
 12 that?
 13 **A. It is not a point I made at the time. It is a point**
 14 **made by the Equal Opportunities Review that**
 15 **I commissioned, which was a wide-ranging review. They**
 16 **made that point, that it was all good intentions, but**
 17 **unless you provide the back-up -- it is rather similar**
 18 **to your questions you're going to ask about the**
 19 **same-race policy. Unless you provide the back-up, the**
 20 **training, you know, the necessary aids and adaptations,**
 21 **then it doesn't work. It sounds good, but you have to**
 22 **have worked out, all the way through the system, what**
 23 **you are going to do to actually make it happen.**
 24 Q. Indeed, we see people land on this when they're talking
 25 about their time in Lambeth -- it was good for equal

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1 employment practices of the council. The same very much
 2 applied with the race advisers as well. That's one of
 3 the reasons why I was looking at equal opportunities
 4 policies when I was doing a number of reviews of
 5 the council's practices, but it's something that really
 6 frustrated me.
 7 Q. When you say "one would have thought they would have
 8 been looking at child sexual abuse", looking back with
 9 your role within the council, what do you think, in
 10 terms of proactivity or looking out in that context,
 11 your might have done differently?
 12 **A. Oh, there's all sorts of things I'd have done**
 13 **differently. But in terms of trying to change some of**
 14 **the things like that, even on a small level --**
 15 Q. It was hard to know what was going on and having
 16 a response to it. It sounds as though you did not
 17 engage very much with reports around children's services
 18 or what was happening in the homes or visiting the
 19 homes, for example?
 20 **A. No, I wasn't engaging with that. I was engaging with**
 21 **issues around housing. I was engaging in issues around**
 22 **education. I mean, we all have to pick and choose and**
 23 **prioritise. The council covers a massive amount of**
 24 **different services.**
 25 Q. Pausing there, do you think, as leader, you need to be

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1 confident that different parts of your councillor groups
 2 are covering the areas? I see, as leader, you can't do
 3 all that yourself and you came with your own interests,
 4 but you need to be clear that your chair of
 5 Social Services has got it: she knows, or he knows,
 6 what's going on. Wouldn't you see that as your role as
 7 leader, to be sure that each area for where the council
 8 is providing services is well overviewed by somebody?
 9 **A. Oh, yes, absolutely. I had two deputy leaders in my**
 10 **first year as leader and one in my second. In my first**
 11 **year, one of them had been a chair of Social Services,**
 12 **as had the one in the second. Therefore, it is a matter**
 13 **of delegating and I was rather dependent on their**
 14 **feedback on that. It didn't mean I didn't question it.**
 15 **It didn't mean that the chair of Social Services wasn't**
 16 **expected to come to chairs' meetings and report. But,**
 17 **you know, keeping track of --**
 18 Q. Were you ever told about John Carroll and his failure to
 19 disclose the schedule 1 offence? Was that something
 20 that came to your knowledge?
 21 **A. Not that I know of.**
 22 Q. When did you first hear about John Carroll and that
 23 offence; can you remember now?
 24 **A. When I got your papers for this inquiry.**
 25 Q. So not before then? It's not something you were

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1 of the boroughs, to deal with the various functions. So
 2 not only was the staff being transferred and you had to
 3 deal with all the complications with transferring staff,
 4 but you had to set up whole new departments to deal with
 5 the functions. We had the same with the abolition of
 6 the Inner London Education Authority, where it's so kind
 7 of -- the effect on our budget and staffing numbers when
 8 we suddenly inherited all the teachers, it was enormous.
 9 Q. You say, after becoming leader:
 10 "I was conscious of the need to put an end to the
 11 political factionalism which had developed over the
 12 previous three years."
 13 Could you expand upon that, please?
 14 **A. The Labour Party is always factional. Put it that way.**
 15 **It is at the moment, very openly. People had different**
 16 **views, came from different ideological backgrounds.**
 17 **There were some councillors who were very loyal to the**
 18 **previous administration of Ted Knight. There were**
 19 **others who politically supported it but were much more**
 20 **questioning. There were others who didn't want anything**
 21 **to do with a policy that said, "We are not going to make**
 22 **cuts", who considered themselves to be pragmatic and**
 23 **reasonable. I think people split. People had**
 24 **disagreements often on an ideological level, sometimes**
 25 **on a personal/political level, and it became very**

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1 following through the news or anything?
 2 **A. No. I mean, I left the council and I was seriously ill**
 3 **for a very, very long time, so I didn't pick up on**
 4 **anything.**
 5 Q. You wouldn't have known about any fostering application
 6 he was making or what was going on with that?
 7 **A. No.**
 8 Q. No-one discussed anything like that with you?
 9 **A. No.**
 10 Q. You talk about the abolition of the Greater London
 11 Council and the impact that had on the council having to
 12 take over a variety of complex functions. Can you
 13 unpack that for us a bit? What was having to be done
 14 there then?
 15 **A. It worked on two levels, because they'd taken -- I was**
 16 **formerly a GLC tenant, and the housing stock was handed**
 17 **over two or three years before abolition. And I know**
 18 **the council struggled then to deal with that handover,**
 19 **just of the housing stock, because that had major**
 20 **implications, just in terms of systems. They kept**
 21 **getting our rent wrong.**
 22 **So by the time you then had the whole of**
 23 **the abolition of the GLC, its major functions were very**
 24 **much planning, so you had -- what was set up were**
 25 **London-wide meetings of the boroughs, of representatives**

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1 **difficult. But by the time I became leader, a lot of**
 2 **those differences had been settled and therefore -- and**
 3 **we had a change of personnel in 1990 with the election,**
 4 **so there was a changeover and it should have become**
 5 **easier.**
 6 Q. Do you recognise the description of meetings that could
 7 take place beyond midnight and arguments and general
 8 discourse, the level or the nature of discourse at that
 9 time?
 10 **A. Budget meetings would go on -- I believe Councillor**
 11 **Whaley said 10.00 am. I never remembered coming out of**
 12 **the council that late -- 7.00 am, maybe. But certainly**
 13 **budget meetings would go on a long time. Other**
 14 **meetings, no, they were just kind of ordinary meetings,**
 15 **you'd be kind of in and out.**
 16 Q. What about -- you say you had to start the long and slow
 17 process of improving staff moral and recruiting
 18 sufficient staff. What was the issue around getting
 19 people to want to work in Lambeth?
 20 **A. It was changing that perception of it being -- trying to**
 21 **change. I obviously failed. Trying to change the**
 22 **perception of the council being chaotic and it being**
 23 **somewhere where people would want to work.**
 24 **I was aware that different specialities had**
 25 **a different reputation across London, that you'd get**

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1 **some people would come to Lambeth because they wanted**
 2 **the experience, say, as a planner or would go somewhere**
 3 **else for that. There is a whole kind of network across**
 4 **London of different departments where people would go**
 5 **from one to one. It was important to try and attract**
 6 **a much higher calibre of staff to Lambeth and that's**
 7 **what we were doing very largely when we appointed**
 8 **Herman Ouseley.**
 9 Q. Looking back in terms of the effectiveness of
 10 councillors, do you think councillors were effective or
 11 not in holding officials to account, officers to
 12 account?
 13 **A. Some were, some weren't. It was something you had to**
 14 **learn how to do.**
 15 Q. What about in relation to children's services? Do you
 16 think, during the time you were there, they were held to
 17 account, the Directors of Social Services? So
 18 Robin Osmond and later David Pope?
 19 **A. I would have hoped they had been, but it appears from**
 20 **the documents I have been reading that that wasn't**
 21 **happening. I think, in all cases, the chair of**
 22 **the Social Services was somebody who would have tried to**
 23 **hold them to account, but obviously they were not going**
 24 **to be held to account. They weren't the only directors**
 25 **it was impossible to hold to account.**

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1 **It wouldn't have been on his own.**
 2 Q. You tell us you weren't there in 1983/84, so you don't
 3 know anything about the industrial action in children's
 4 homes?
 5 **A. Nothing.**
 6 Q. That wasn't something that was raised with you when you
 7 were there?
 8 **A. No.**
 9 Q. In terms of what was described at the same as the
 10 same-race policy, were you aware of that and its
 11 implementation at the time?
 12 **A. Not when it was first -- it may have been reported to**
 13 **the local Labour parties, but I don't remember. It was**
 14 **only when we went onto the council that it then became**
 15 **something I was aware of.**
 16 Q. Were you aware about how that policy was implemented for
 17 children or not?
 18 **A. No, I wasn't. I would have been concerned -- for me,**
 19 **a child in care was a last resort. If that meant that**
 20 **children were staying in care for longer than they**
 21 **needed to, then I would have been concerned. And I'm**
 22 **particularly concerned when you look back at it -- and**
 23 **I recognise very clearly the demographics were different**
 24 **then, but the attitude to mixed-race children seems to**
 25 **have been quite a problem. There were long discussions,**

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1 Q. Are they directors you'd have ever spoken to about
 2 anything or not?
 3 **A. Oh, yes. No, no, no, I would have spoken to them quite**
 4 **frequently.**
 5 Q. What was your working relationship like with Mr Osmond
 6 and Mr Pope?
 7 **A. I don't recall in relation to Mr Osmond and I probably**
 8 **didn't have much to do with him as Chief Whip.**
 9 **David Pope was one of my directors when I was leader and**
 10 **all the directors I spoke to, he was a pleasant -- he --**
 11 **let's put it this way: he wasn't one I saw as being**
 12 **troublesome.**
 13 Q. Did he ever come to you with reports or you ask him
 14 about reports of the state of children's homes or what
 15 was happening?
 16 **A. No. Certainly not on his own. It would have been**
 17 **through the chair.**
 18 Q. Through the chair of Social Services Committee?
 19 **A. Yes. So that if there'd been something -- and I don't**
 20 **recall it being the case. There definitely would have**
 21 **been budget meetings where I would have asked him and**
 22 **the chair to come and explain themselves. And often**
 23 **a budget meeting will reveal all sorts of other things,**
 24 **obviously. But I don't recall separate meetings. There**
 25 **may have been, but it would have been with the chair.**

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1 **however, about race within the Labour Party and, at that**
 2 **time, very much a definition that if somebody was**
 3 **experiencing racism or could experience racism, then**
 4 **they kind of came into the category of "black". There**
 5 **wasn't a differentiation, as you have now, between BAME**
 6 **and -- black, Asian and minority ethnics. There wasn't**
 7 **any differentiation between Afro-Caribbean and African,**
 8 **which became quite an issue of tension at some points.**
 9 **And it was very much, you know, either, to coin**
 10 **a phrase, black or white. I think that had really,**
 11 **really big implications for a lot of mixed-race**
 12 **children.**
 13 Q. What about in 1990, the Zephyrine Report. Was there
 14 much discussion in the Labour Party about that and what
 15 that represented and demonstrated about children's
 16 experiences in Southvale? It referred to racism, it
 17 referred to sexism between adults and various management
 18 issues. But was there any discussion arising from that,
 19 insofar as the impact on adults, or, more importantly,
 20 children?
 21 **A. I don't recall. As I said, we were very conscious of**
 22 **racism and sexism across the Council in all sorts of**
 23 **different ways. But it tended not to -- as I said,**
 24 **service delivery aspects of it used to be subservient to**
 25 **employment issues.**

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1 Q. Elizabeth Appleby, we know her report was produced after
 2 you'd left and described Lambeth as being in an
 3 appalling mess and we have seen the references to the
 4 report and what she said about the three directorates
 5 and how they couldn't work at all together,
 6 dysfunctional. I mean, a very damning report over
 7 a series of years about the council. First of all, do
 8 you accept the conclusions of that report?
 9 **A. No.**
 10 Q. Why not?
 11 **A. Her conclusion -- I don't dispute the individual cases**
 12 **that she studied because I don't know the detail, so**
 13 **I can't dispute them. However, her overall blanket**
 14 **theory that previous reports had never been implemented,**
 15 **which was not the case -- it may have been in some**
 16 **areas, but certainly the race report and, therefore, the**
 17 **appointment of Herman Ouseley had definitely been**
 18 **implemented and all the issues raised from that had**
 19 **definitely been implemented, but she sweeps all that to**
 20 **one side. She misrepresents what was going on in**
 21 **relation to my suspension. She misrepresents what was**
 22 **going on in relation to the audit report and management**
 23 **letters. I don't think she -- she certainly doesn't**
 24 **take any account of equal opportunities or poverty or**
 25 **any context of what's happening in the borough.**

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1 conclusions, the pragmatic conclusions, about how it
 2 was -- a mess for people working there, for people
 3 (overspeaking)?
 4 **A. Her report was three/four years after I was leader, so**
 5 **there had been considerable disruption after '91,**
 6 **which -- it then kind of gets reproduced again in her**
 7 **report.**
 8 **So you had a kind of echo chamber, almost, of kind**
 9 **of what had happened to us in '86 then happened again in**
 10 **terms of the council's disruption in '91. So it's very**
 11 **difficult for me to kind of disagree with that, but it**
 12 **was in a different -- it was a different period.**
 13 **If she'd written that report three or four years**
 14 **earlier, she may have identified the same issues around**
 15 **civil engineering and housing repairs. She would not**
 16 **necessarily have identified the same issues about the**
 17 **council as a whole.**
 18 Q. In terms of corruption and the level of corruption,
 19 would you agree that the corruption was endemic in
 20 Lambeth?
 21 **A. Yes.**
 22 Q. Did you realise that at the time?
 23 **A. Probably not.**
 24 Q. How do you realise it now? What makes you know now?
 25 You hesitated to say, yes, it was endemic. So what --

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1 Q. We are discussing that now, aren't we, equal
 2 opportunities? We are taking into account that it
 3 wasn't working on the ground, was it? You're describing
 4 staff with grievances around sexism, racism. We are
 5 hearing about that. We are hearing about children being
 6 sexually abused in children's homes and nothing being
 7 done about that, despite knowledge and awareness. So
 8 when you look at it, equal opportunities doesn't --
 9 **A. She doesn't even mention it.**
 10 Q. I'm saying, why are you mentioning it now, in the
 11 context of that was not being implemented, was it? Far
 12 from it.
 13 **A. Because there had been a major report about equal**
 14 **opportunities which, if it had been implemented, but it**
 15 **wasn't, because I was suspended, would have definitely**
 16 **made a difference, and so her blanket, "Oh, there have**
 17 **been reports in the past", without actually ever -- it**
 18 **didn't seem that she'd bothered to actually read any of**
 19 **those reports because she doesn't have any clue about**
 20 **what they were. She only says they weren't implemented.**
 21 **She doesn't take that into account at all.**
 22 Q. Wasn't the report about what was happening on the
 23 ground, what Lambeth looked like, how it was on the
 24 ground for people receiving services from Lambeth and
 25 working with Lambeth? Do you agree with those

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1 **A. Some of the reports, in particular into civil**
 2 **engineering, were coming out just as I was leaving at**
 3 **being leader, so in some of those reports it became more**
 4 **obvious. I'd always had issues around housing repair**
 5 **and construction services, and we'd been trying to sort**
 6 **out that from the first day we were on the council, in**
 7 **terms of the various chairs of construction services had**
 8 **tried to sort it out. So I knew that there was issues**
 9 **around that. Whether you'd then call it endemic is very**
 10 **difficult to know.**
 11 **What I did know was that we weren't going to sort it**
 12 **out by just going after kind of individuals. You need**
 13 **to go after the individuals, but it needed much more**
 14 **substantial change, and that is what we were trying to**
 15 **do.**
 16 Q. Now, when you know that a schedule 1 offender was
 17 retained in a children's home, what do you say about
 18 that?
 19 **A. I'm appalled.**
 20 Q. What do you think the reasons around that might be? How
 21 could that person remain in a children's home with
 22 a schedule 1 conviction?
 23 **A. I don't know. I think it's -- there was certainly**
 24 **a view, and I concur with it, in terms of, you can't**
 25 **write people off just because they have a conviction.**

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1 **Otherwise, most of Lambeth and most of Brixton wouldn't**
2 **get employment. But it depends on the level of**
3 **the offence and, as you say, a schedule 1 is different.**
4 **If it is just somebody who had an offence when they were**
5 **a teenager -- for example, if they'd been stopped and**
6 **searched -- then the council not employing them would**
7 **not be, you know, actually providing them with**
8 **opportunities.**
9 **I think, as with a lot of things on Lambeth Council,**
10 **you'd have a policy which -- you know, which would then**
11 **be interpreted in a way that wasn't the intention.**
12 Q. Just to be clear, so a schedule 1 offence is a sexual
13 offence against a child?
14 **A. Yes.**
15 Q. So an adult with a sexual offence against a child.
16 There is no suggestion there is any policy -- or was
17 there any policy around that within Lambeth?
18 **A. No, absolutely not.**
19 Q. I'm just targeting schedule 1 offenders, and I'm asking
20 you about --
21 **A. I understand that. What I would say is, there would**
22 **have been a policy that said "an offence per se".**
23 Q. So different offences outside that. But as far as
24 schedule 1 offences are concerned, do you think anyone
25 should ever have been employed within Lambeth who had

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1 children who, for many decades, did so under their care.
2 Can you associate yourself with that apology, or not?
3 **A. Yes, absolutely. I fully associate myself with it.**
4 MS SHARPLING: Thank you.
5 THE CHAIR: Mr Frank?
6 MR FRANK: No, thank you, chair.
7 THE CHAIR: Sir Malcolm?
8 PROF SIR MALCOLM EVANS: No, thank you, chair.
9 THE CHAIR: Thank you. We have no further questions. Thank
10 you, Ms Twelves.
11 (The witness withdrew)
12 MS LANGDALE: Chair, that concludes the evidence for today.
13 THE CHAIR: Thank you. We will reconvene on Monday. Thank
14 you.
15 (3.40 pm)
16 (The hearing was adjourned to
17 Monday, 27 July 2020 at 10.00 am)
18
19
20 I N D E X
21
22 SIR STEPHEN BUBB (sworn)1
23 Examination by MS DOBBIN1
24 Questions from THE PANEL29
25 MR CHRISTOPHER EDWARD MORTON HUSSELL32
26 (affirmed)

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1 a schedule 1 offence with children?
2 **A. No.**
3 Q. So, looking back now, you say you were never told about
4 that, you didn't know about that. What was there about
5 the culture of Lambeth, do you say now, that could have
6 permitted that to happen? Do you ask yourself, how did
7 that happen?
8 **A. That's what I saying, the culture was suffering. A**
9 **policy -- there probably wasn't an explicit policy that**
10 **said, "You do not employ somebody with a schedule 1**
11 **conviction". Therefore, a poor manager would interpret**
12 **a policy that said, "A conviction per se is not a bar**
13 **for employment", without looking at what the conviction**
14 **was, and that was repeated across the council in a range**
15 **of policies, that they would be interpreted in a way**
16 **that had nothing to do with the intention behind them.**
17 MS LANGDALE: Thank you. I have no further questions,
18 Ms Twelves. The chair and panel may have.
19 THE CHAIR: I have no questions. I will ask my colleagues.
20 Ms Sharpling?
21 Questions from THE PANEL
22 MS SHARPLING: Yes, just one, please, Ms Twelves, if I may,
23 which I have asked other witnesses. You may have heard
24 the extensive apology given by Lambeth Council at the
25 beginning of this hearing for the terrible suffering of

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