

<p>1 Thursday, 12 October 2017 2 (10.30 am) 3 THE CHAIR: Good morning, Mr Altman. 4 MR ALTMAN: Good morning, chair and panel members. We are 5 going to begin this morning with some reading by 6 Mr Henderson and then we are going to call Mr Bartlett. 7 MR HENDERSON: Good morning, chair and panel. There are two 8 witnesses that we are going to read some excerpts of 9 accounts from this morning. The first is Eileen Kershaw 10 and the second is Martyn Green. 11 Transcript of MRS EILEEN KERSHAW (read) 12 MR HENDERSON: Mrs Kershaw first. There are three excerpts 13 of three accounts she's given relating to the possible 14 involvement of Jack McCann MP in 1970. The first we can 15 find at INQ001263, if we could bring that up on the 16 screen, please. 17 If we could just zoom in on the heading 18 "Dispatches", this is from the transcript of 19 the Channel 4 documentary broadcast on 12 September 2013 20 "Dispatches: Channel Four. Cyril Smith, the paedophile 21 MP: how he got away with it". You see there it is 22 presented by Liz McClean. 23 If we can go firstly to internal page 009, so 24 INQ001263_009. Zoom in where it says "Eileen Kershaw". 25 This is the first part of Eileen Kershaw's account in</p> <p style="text-align: center;">Page 1</p>	<p>1 "Despite Smith's apparent bravado, he was 2 frightened. His friend, Eileen, lived just around the 3 corner from his terraced home." 4 Over the page, INQ001263_014, the top of the page, 5 please. Mrs Kershaw: 6 "And that's when he started coming, night after 7 night, and it went on for about three months, it wore us 8 out." 9 Mrs McClean asks: 10 "What effects did this police investigation have on 11 him?" 12 Mrs Kershaw: 13 "On him? Ooh, terrible. And he used to sit there 14 then just popping Valium. 'Cos I said to him one night 15 'What are them tablets you're shoving into your mouth?', 16 he says 'They're Valium'. 17 Over the page to page INQ001263_015, we get the end 18 of this section. Mrs Kershaw again comments: 19 "In the end, my husband said to him have you 20 involved Jack McCann in all this, have you spoken to 21 Jack? Jack was our MP. I'm gonna bring him over. And 22 Jack McCann sat on the end of the stone fireplace from 23 about 9 o'clock when he arrived, until eventually at 24 3.00 in the morning he suddenly got to his feet and said 25 'Right Cyril', he said, 'I'm going to go to the DPP and</p> <p style="text-align: center;">Page 3</p>
<p>1 that documentary. She says this: 2 "That night the door, our door, was flung open and 3 Cyril came thumping in, white, he was absolutely white." 4 The presenter Liz McClean comments: 5 "Eileen Kershaw had been a fellow councillor and one 6 of Smith's closest friends. He turned to her when he 7 discovered that someone had reported him to the police." 8 Then we get Mrs Kershaw's words again: 9 "As soon as I saw him, I knew there was something 10 wrong and I said, "What's the matter?" and he said 'He's 11 reported me to the police for interfering with lads at 12 Cambridge House'. He said 'He's got me involved with 13 the police'. 14 Over the page, page INQ001263_010. Ms McClean asks: 15 "What did he tell you about what he was accused of?" 16 Mrs Kershaw: 17 "He didn't tell us anything. I didn't know." 18 Ms McClean asks: 19 "Were you suspicious?" 20 Mrs Kershaw says: 21 "I knew it was something sexual but I didn't know 22 what." 23 There is then an interpolation as to some other 24 material, and on page 13, INQ001263_013, right at the 25 bottom, the story continues. Mrs McClean comments:</p> <p style="text-align: center;">Page 2</p>	<p>1 tell them that they've either got to get on and 2 prosecute because it's gone on for long enough, or 3 they've to drop it." 4 Ms McClean comments: 5 "Jack McCann was Deputy Chief Whip and a senior 6 member of the Labour Government then in power and he was 7 as good as his word. Despite the police file on Smith's 8 crime running to 80 pages the response from the Director 9 of Public Prosecutions came back in just eight days." 10 Then an actor read out a section from the DPP's 11 letter which, chair, you have heard much about over the 12 last couple of days. If we go over the page to page 16, 13 we see Mrs Kershaw's final remarks on this: 14 "And it was only a couple of weeks later my husband 15 said 'I've had a phone call from Cyril. He asked me to 16 call in on the way home and he was in tears'. The 17 police had been in to see him and they'd dropped the 18 case. And he was in tears, he was so relieved." 19 Mrs McClean asks: 20 "What do you think about the intervention by 21 Jack McCann?" 22 Mrs Kershaw: 23 "Well, it certainly got Cyril off the hook, whatever 24 Jack McCann said to the DPP they listened to him." 25 Mrs McClean:</p> <p style="text-align: center;">Page 4</p>

<p>1 "Smith may have been relieved, but in the same year 2 he stood against Jack McCann as a Liberal candidate in 3 the general election. Eileen remembers it as a bitter 4 campaign." 5 Mrs Kershaw's final comment: 6 "It was terrible. If he'd stuck to the politics 7 okay, but he was being personal about Jack. I said, 'If 8 you want to attack Jack McCann, attack him politically, 9 but leave the personalities out'. I said, 'Have you 10 forgotten what he's done for you?'" 11 That was Mrs Kershaw's account to the Dispatches 12 documentary. She then, however, gave an account 13 a couple of years later, in 2013, to Greater Manchester 14 Police. We find that at GMP000978. If we can zoom in 15 there on the first sentence, beginning "My first 16 husband". This is what she said to police: 17 "My first husband was John Kershaw, but he was known 18 as 'Jack' and we resided at Rochdale. Jack was good 19 friends with Cyril Smith, having gone to grammar school 20 together. My husband, Jack, was head teacher at 21 Howarth Cross High School, which is no longer in 22 existence. During mid to late 1969, it came to my 23 husband's attention that pupils were visiting a property 24 facing the school that was occupied by a man called A48 25 and I believe he was a former resident of</p> <p style="text-align: center;">Page 5</p>	<p>1 actually did was get the DPP to expedite the matter and 2 resolve the situation bringing it to a conclusion. I do 3 not think his intervention influenced the DPP's decision 4 whether Cyril was guilty or not. 5 "In fact, I don't think Jack McCann liked 6 Cyril Smith, but in the interests of justice, the matter 7 needed sorting out. 8 "I should also state that when I said, 'Have you 9 forgotten what he has done for you?', I meant as in 10 bringing about a decision, not actually influencing it. 11 "Today, I have also read the transcript of my 12 footage in the programme, and can agree it is true and 13 accurate. 14 "Following Cyril's election to parliament as MP, my 15 husband and I saw a lot less of him. 16 "During the 1980s, I became a governor of Knowl View 17 School which catered for boys from Lancashire and other 18 areas. I cannot remember who was the chairman, nor the 19 names of any of the other governors. I do not recall 20 anything suspicious occurring during those days. 21 "I was visited by Simon Danczuk and his current 22 wife, Karen, prior to the publication of his book and he 23 asked about a file that was missing but I was not sure 24 what he was talking about. I understand that the file 25 has since been found and, had the police known of its</p> <p style="text-align: center;">Page 7</p>
<p>1 Cambridge House. My husband was concerned and stopped 2 the children visiting A48's address, but it started 3 again and so he informed the police and spoke to 4 a detective sergeant called Alan Robinson, who appeared 5 uninterested and came out with a comment similar to 6 'We've got bigger fish to catch'. 7 "I know my husband called to see Cyril Smith, who 8 was on the board of governors of Howarth Cross High 9 School to see if Cyril could address the problem of 10 the pupils visiting the house opposite the school. This 11 would have been with a view to Cyril speaking to the 12 police to address the problem with A48. 13 "However, that same evening, Cyril bounced into our 14 house with his mother, Eva (but known as 'Hetty'), and 15 that is when the account I have given to the Channel 4 16 Dispatches programme starts. 'He's been to the police' 17 meant that A48 had made an allegation against 18 Cyril Smith." 19 Over the page: 20 "Today, Thursday, 5 March, I have viewed the 21 Channel 4 Dispatches programme [exhibited] and can 22 confirm that it is myself on the programme and that the 23 account I gave is true and accurate. However, the only 24 thing I regret is using the term 'got Cyril off the 25 hook', as Jack McCann was a man of integrity and what he</p> <p style="text-align: center;">Page 6</p>	<p>1 existence, they would have prosecuted. I have known 2 Simon Danczuk since he was 16 years of age. I know that 3 some of my comments appear in the book 'Smile for the 4 camera'. 5 Then very finally, Mrs Kershaw added another 6 paragraph to her statement, which we find at GMP000979. 7 If we can zoom in on that further paragraph, this is on 8 9 June 2015: 9 "Further to the statement I made to the police on 10 5 March 2015, I would like to add the following. When 11 I mentioned Simon Danczuk visiting me and talking about 12 the file, I'm referring to the file spoken about by 13 Jack McCann." 14 There's the file sent to the DPP: 15 "When he was at my house with Cyril, he said he was 16 going to take the file to the DPP and get him to make 17 a decision. I've never seen the file. I presumed it 18 contained the allegations against Cyril. A week after 19 Mr Danczuk's visit, he came back to my house. He said 20 that the file had been found and the police said, with 21 the information in it, they would have prosecuted Cyril 22 now." 23 It is slightly garbled in the version on the screen 24 but it says, I think: 25 "I don't know where the file was found or who had it</p> <p style="text-align: center;">Page 8</p>

1 or where it is now, as I say, I've never seen it."
 2 That's Mrs Kershaw's accounts.
 3 Statement of MR MARTYN GREEN (read)
 4 MR HENDERSON: The second witness to read an account from is
 5 a Mr Martyn Green, who is a retired journalist from
 6 Rochdale. If we can bring that up on the screen as
 7 well, please, GMP000100. If we zoom in on the paragraph
 8 at the bottom there. This is a statement dated
 9 18 November 2014 and reads as follows:
 10 "I am a retired journalist living at an address
 11 known to police. I retired from the Rochdale Observer
 12 based in Drake Street, Rochdale. At my retirement,
 13 I was the news editor, having previously been the chief
 14 reporter. I have been asked if I have ever met or know
 15 of a man named Martin Digan. I do know the name and
 16 I met the man a couple of times. I have been told
 17 Mr Digan claims that we met between 1994 and 1996, but
 18 I cannot be certain, and I would have to take his word
 19 on when the meetings took place. He came into the
 20 Observer offices and asked to speak to someone senior
 21 about rather delicate information about Cyril Smith. He
 22 then said it concerned cases of abuse at Knowl View
 23 School and that he was, or had been, head of some
 24 department at the school. I don't know if he was sacked
 25 or what. He gave me some details at the time, including

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1 the fact that he had lost his job and wanted it back.
 2 This was above me, so I told Alan Tweedale, who was my
 3 news editor at the time, who unfortunately is now
 4 deceased. He told me not to do anything about it
 5 because he felt that Mr Digan had lost his job and was
 6 now trying to get either his job back or some sort of
 7 compensation. I went to speak with Mr Digan and, as
 8 delicately as I could, had to explain that we had taken
 9 note of what he said but that there was nothing we could
 10 do without a lot more information and details, so
 11 I asked him if there was anyone who could help with
 12 this.
 13 "I saw him ... two or three times that year
 14 whichever year it was and I think it was on the third
 15 occasion he came in with a file of things he had written
 16 down. I had written down all the information he gave
 17 me, as it was my job to do so. I told him once again
 18 that we couldn't do anything with it as it was
 19 tremendously libellous and couldn't be backed up, but he
 20 said he wanted to hand it over to the police, so
 21 I followed him to Rochdale Police Station and saw him
 22 hand over the dossier to a male police officer in
 23 uniform. I don't know if he was given a receipt or not.
 24 It was definitely in the small reception office at
 25 Rochdale Police Station. I have been asked if it could

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1 have been Littleborough Police Station and, although I'm
 2 74 and ill, I'm fairly sure it was at Rochdale. I have
 3 also been asked if I know the name of Sterndale in
 4 relation to the police and I do not know of any officer
 5 called Sterndale. Every time I spoke to Mr Digan, I was
 6 always told by my editor to 'spike' the story and forget
 7 it. This meant that I put all my notes and information
 8 on a spike which then had the paper taken off it and
 9 sent for destruction. I felt that there was a story
 10 there to be investigated and said as much to my editor,
 11 but he said that unless there was anything to back
 12 Mr Digan up, the paper couldn't afford to touch it for
 13 fear of being sued.
 14 "I don't know if they were just worried or they were
 15 got at by someone. If you were to ask me did I agree
 16 with the information being spiked, then I would have to
 17 say, no, I didn't agree. If you were to ask me did
 18 I think the paper covered this up, then I would say yes,
 19 I think they did. It crossed my mind a couple of times
 20 that the story had been suppressed. The news editor who
 21 at that time was Brian Beal had to speak with the
 22 general editor and they knew all the important people in
 23 a sort of hierarchy of Rochdale. By that I mean the
 24 senior business owners, council leaders, senior police
 25 officers and senior politicians all knew each other and

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1 spoke to each other in a sort of almost incestuous way.
 2 It is a small town and everybody knew everybody else.
 3 After meeting with Mr Digan and seeing him drop the
 4 dossier off, he called a couple of times to the office
 5 to see if there was any news. I just told him I hadn't
 6 heard anything and didn't tell him the story had been
 7 spiked. I should also point out that I knew Cyril Smith
 8 and his mother and brother quite well, and he actually
 9 babysat my children a couple of times. Nothing ever
 10 happened to my children and I had no concerns about the
 11 times he babysat. I have to say, though, this would not
 12 have stopped me following up on the story from Mr Digan
 13 had I been allowed to investigate further. I believe he
 14 was genuine, but he was also desperate to get his job
 15 back. It was so strange for them to miss out on a good
 16 story. I think I started in 1973 or thereabouts and
 17 I retired in 1998."
 18 That's Mr Green's account from the Rochdale
 19 Observer.
 20 MR ALTMAN: The next witness is David Bartlett.
 21 David Bartlett, please.
 22 MR DAVID GERALD BARTLETT (affirmed)
 23 Examination by MR ALTMAN
 24 MR ALTMAN: Can you give us your full name, please?
 25 **A. David Gerald Bartlett.**

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1 Q. Mr Bartlett, sit a little closer to the microphone, if
 2 you would, so we can all hear you. Thank you.
 3 In the 1970s, were you the co-editor of
 4 a community-based newspaper, published monthly, known as
 5 the Rochdale Alternative Press?
 6 **A. It was actually known as Rochdale Alternative Paper,
 7 but, yes, I was.**
 8 Q. Your co-editor, was that John Walker?
 9 **A. Indeed.**
 10 Q. First published in 1971?
 11 **A. November that year.**
 12 Q. Where did you run it from?
 13 **A. Where did I, what?**
 14 Q. Where did you run the paper from?
 15 **A. From my home.**
 16 Q. Just reading from a statement you made in 2014, you say
 17 it cost 3p and the first edition, in fact, you said in
 18 the statement, but nobody will criticise you for the
 19 month, was October, is what you said in 2014. Was that
 20 1971? Was it October, the first edition, or November,
 21 do you think?
 22 **A. I can't remember. I thought it was November, but it may
 23 have been October.**
 24 Q. It doesn't really matter. What was the objective of
 25 RAP, as I am going to refer to it?

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1 **A. It grew out of a movement at that time around
 2 community-based journalism. The objectives were to give
 3 people who didn't normally have a voice in public
 4 a proper voice in public. We did a lot of research into
 5 local companies, local politics.**
 6 Q. Do you mind if I read what you said in 2014:
 7 "The objectives of the paper were to upset the
 8 establishment, challenge the powerful, and support and
 9 be the voice of the ordinary man."
 10 **A. I'm still proud of that, yes, thank you.**
 11 Q. That encapsulates --
 12 **A. It does.**
 13 Q. -- the ethos of RAP. You say that you and John Walker
 14 published approximately 112 editions, and the
 15 publication ended in 1983, having sold 8,000 copies at
 16 its peak?
 17 **A. That's correct.**
 18 Q. Now, you say that during its life -- again, I am taking
 19 this from the statement you made -- there were two big
 20 stories, one, obviously, with which we are interested is
 21 the one in relation to Cyril Smith and Cambridge House,
 22 and there was another one also which related to Smith,
 23 but that was in connection with a business?
 24 **A. Yes.**
 25 Q. Let's focus on the one, of course, which is relevant to

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1 this inquiry. Did you decide, in 1978, to investigate
 2 Cyril Smith and his links to Cambridge House Hostel?
 3 **A. We did indeed, yes.**
 4 Q. Why was that?
 5 **A. Cyril Smith was running a campaign for re-election as
 6 the town's MP, and based it entirely on his -- the
 7 statement was "Smith the man". It was a very personal
 8 campaign, there were very few references to other
 9 political connections and, given what we had become
 10 aware of about some aspects of his past behaviour, we
 11 felt that the town -- the electorate should be aware of
 12 the whole -- of the parts of his life which up to that
 13 point had not been made public.**
 14 Q. What was it that you and your co-editor had picked up on
 15 which you felt needed to have a public airing?
 16 **A. These were stories emanating from Cyril Smith's time as
 17 the secretary of the hostel called Cambridge House and
 18 allegations from some of the people who had been
 19 resident there about inappropriate touching, medical
 20 examinations for which he wasn't qualified.**
 21 Q. This was 1978 when you commenced the investigation.
 22 There was a general election the following year, 1979,
 23 and it was campaigning for that election, was it, where
 24 Smith was campaigning on the basis of his character and
 25 personality?

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1 **A. Indeed.**
 2 Q. Was he also critical of the then Liberal Party leader
 3 Jeremy Thorpe?
 4 **A. Yes.**
 5 Q. In what way was he being critical of Thorpe?
 6 **A. I don't remember all the detail of that, but Smith was
 7 in hospital for a while and was, to my knowledge, based
 8 on an interview later with a journalist at the
 9 Daily Mirror, providing information about the internal
 10 politics of the Liberal Party that were proving to be
 11 damaging to Jeremy Thorpe.**
 12 Q. Can I simply remind you of what you told the police when
 13 you made the statement in 2014:
 14 "He was also critical of his leader ..."
 15 Which was Jeremy Thorpe:
 16 "... who at the time was undergoing an investigation
 17 and criminal case that had homosexual overtones."
 18 **A. Indeed.**
 19 Q. Against that background, did you and Mr Walker come to
 20 the view that Smith was being a hypocrite?
 21 **A. That was the way I expressed it in the article that was
 22 written at the time, yes.**
 23 Q. Indeed. To that end -- and I don't want any names,
 24 Mr Bartlett, because I am not going to be asking for
 25 names of any of the individuals you contacted -- did you

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1 trace and identify six males who had been resident at
2 Cambridge House Hostel at the relevant time?
3 **A. Yes, indeed. Two of them, as you are aware, had lived**
4 **with me at various times prior to that.**
5 Q. So you certainly knew two of them, and they had lived
6 with you, but you identified and traced six in all?
7 **A. Indeed.**
8 Q. Did they agree to make affidavits --
9 **A. They did.**
10 Q. -- at a solicitor? In a word or two -- it may be
11 obvious -- what was the point of you inviting them to go
12 to a solicitor to make affidavits?
13 **A. The story we were proposing to publish, based on the**
14 **interviews we had done, both with the boys and with most**
15 **of the officials who had been involved with the**
16 **discussions around Cyril Smith's behaviour, was clearly**
17 **likely to be libellous and, consequently, we needed to**
18 **have the best evidence possible to defend that, should**
19 **such a case emerge.**
20 Q. So the article became written based upon the evidence
21 that you were able to gather, presumably including the
22 evidence from the men that you had identified and
23 traced. Was that article headed "Strange case"?
24 **A. It was indeed, yes. The front page -- I don't know**
25 **whether you have seen it or not.**

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1 Q. Perhaps we can bring it up on the screen as well, the
2 actual article. We don't have the front page, but we
3 have certainly got the article. INQ000963, please. Can
4 you see the article there? You have actually got
5 a paper copy, that's great. Thank you.
6 I suppose by some of the colourful headlines we're
7 used to seeing in this day and age, "Strange case" is
8 rather tame compared to what you might have chosen. Why
9 "Strange case"?
10 **A. The front page was really rather better because it had**
11 **the slogan Smith used for his election campaign of,**
12 **"Smith the man", so it was "Strange case of Smith the**
13 **man", so that was perhaps a touch more dramatic.**
14 Q. I see. So that was the reason for it. What you do, if
15 we have the article on screen, and you have the paper
16 version, or a paper version, in front of you, you
17 divided up the double-page spread, as it appears to be,
18 into several sections, setting out "The police
19 investigation", "Information about the hostel", third,
20 "The statements", and you divided that section,
21 section 3, into "Beatings", because there was evidence
22 of physical abuse?
23 **A. There was.**
24 Q. And "Medicals", which related to the medical
25 examinations, did they, that Smith was offering?

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1 **A. Yes.**
2 Q. Then section 4 in the centre, "Outside the hostel", you
3 also spoke to at least one individual who wasn't
4 a resident of Cambridge House at all?
5 **A. We did, yes.**
6 Q. Then "Jack McCann", which we have heard a little about
7 very recently, and you were in the hearing room to hear
8 that, Mr Bartlett. Actually, we have not looked at this
9 before, so let's just read about Jack McCann:
10 "During the course of the police enquiry in the
11 1970s early months, Smith sought help. He visited
12 Dr McKichan in Rugby. He called at the home of a local
13 man ..."
14 Do you remember who Dr McKichan was?
15 **A. Police surgeon.**
16 Q. And he provided medical services to the hostel, is that
17 right, at Cambridge House?
18 **A. That's correct, yes.**
19 Q. So he visited that doctor, who was living in Rugby:
20 "He called at the home of a local man who had
21 fostered one of the boys from the hostel. That lad had
22 made a statement to the police and Smith's visit
23 appeared to have the purpose of seeking ways of reducing
24 the credibility of the statement.
25 "He also turned to Jack McCann, the then Labour MP

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1 for Rochdale. He had earlier turned to the same man for
2 help in getting his MBE award of 1966. We have had
3 described to us a late-night session between Smith and
4 McCann, who had been brought over to Rochdale from his
5 Eccles home for that purpose. The meeting ended with
6 McCann offering to make representations on Smith's
7 behalf."
8 That's what we have just been listening to?
9 **A. Indeed.**
10 Q. The account that Eileen Kershaw gives. The article
11 continues:
12 "Jack McCann's widow, Alice, remembers her husband
13 being asked to help Smith. We know that McCann was
14 concerned about the situation in which he found himself
15 since, though a man of close confidence, he actually
16 discussed it with one associate in the course of a train
17 journey between London and Manchester. That confidant
18 still vividly remembers the conversation and told RAP
19 that McCann had said that he had taken the matter up
20 with the chief constable.
21 "Beyond that hint, we have not been able to find
22 exactly what McCann did or if anything he did had any
23 bearing on the result. Certainly the chief constable
24 concerned told RAP he has no memory of ever meeting him
25 but there is one disturbing discrepancy in the stands

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<p>1 now being taken." 2 Then did you move on to the DPP, your sixth section, 3 which I will read? I have read part of this already, 4 but let's read it all: 5 "The police, at the conclusion of their 6 investigation, appear to have taken the view that there 7 was sufficient reason to warrant a court's verdict. 8 A file was certainly drawn up by the officer in charge 9 of the task force team for submission to the Director of 10 Public Prosecutions. 11 "From that point, the story becomes disturbingly 12 confused over the issue of whether the file actually 13 reached the DPP. 14 "It has always been believed by those in the know 15 that the file was indeed sent to the DPP and that the 16 DPP returned it marked 'For no further action on the 17 basis of insufficient evidence'. 18 Of course this article is May 1979: 19 "That was what the investigating team were told. 20 That's also what local associates of Smith and the then 21 leading political figures in the town who were 22 officially informed of the proceedings also believed. 23 That was what Smith himself was told by the 24 investigating officer. An approach to the DPP, however, 25 failed to confirm that. On our first request for</p> <p style="text-align: center;">Page 21</p>	<p>1 from the director, 'The DPP cannot trace such a case 2 being referred to us but cannot confirm or deny 3 receiving it'. 4 How did you receive that communication? 5 A. By phone. 6 Q. Do you remember who you spoke to? 7 A. No. 8 Q. Male or female? 9 A. No. 10 Q. But what you were told is, and you put this in quotation 11 marks, and, as a journalist, that should suggest that 12 was exactly what you were told? 13 A. I have often been referred to by this inquiry as 14 a "journalist". I was actually a lecturer in sociology 15 at the local technical college and this was a part-time 16 occupation, but I was careful, yes, and that was -- 17 Q. Were you adopting a journalist's convention? 18 A. I was indeed. 19 Q. Which in quotation marks reads: 20 "'The DPP cannot trace such a case being referred to 21 us but cannot confirm or deny receiving it'. 22 Then you continue: 23 "The director did confirm that, under the then 24 applicable regulations, the 'Chief office of police 25 shall report to the DPP offences which include indecent</p> <p style="text-align: center;">Page 23</p>
<p>1 information, the DPP's press office agreed to answer the 2 question of whether or not the file had been received by 3 them." 4 Pausing there, Mr Bartlett, did you make the request 5 to the DPP, it seems this way, as a matter of logic 6 before the article was published? 7 A. Yes. 8 Q. Contemporaneous with the writing of the article? 9 A. Yes. 10 Q. May time, April time, 1979? 11 A. It would have been done towards the end of the process 12 of research and writing. 13 Q. "So on our first request for information, the DPP's 14 press office agreed to answer the question of whether or 15 not the file had been received by them. After making 16 the appropriate search, we were told that they had 17 failed to find such a file. A further approach ..." 18 And when you used in the article the term 19 "approach", was this in those days a phone call or 20 a letter? 21 A. I think we originally wrote. My memory is the original 22 one was a letter, the second one I think was a phone 23 call. 24 Q. So: 25 "A further approach brought the official statement</p> <p style="text-align: center;">Page 22</p>	<p>1 offences upon a number of young persons'. 2 Was this a separate communication or part of 3 the same communication? 4 A. My memory is that it was part of the same conversation. 5 Q. Did you query with the person to whom you spoke why they 6 were using the "can't confirm or deny" contrivance? 7 A. No. 8 Q. You then say this: 9 "We also wrote to Sir Norman Skelhorn, the man who 10 was the Director of Public Prosecutions at the time of 11 the investigation." 12 Sir Thomas Hetherington was by now the DPP, I think, 13 if my memory serves me, he took over in '77 or '78. 14 A. Yes. 15 Q. Where did you write to Sir Norman Skelhorn? 16 A. I think I have included it in the article. I sent the 17 letter to his club, the Athenaeum, and asked that they 18 pass it on to him, which apparently they did. 19 Q. So you sent it to him not via any official channel, but 20 personally? 21 A. Yes. 22 Q. On Wednesday, 25 April, the article continues: 23 "... we received a phone call from someone claiming 24 to be Sir Norman on holiday and from a coin-box phone 25 who said he could remember nothing at all about such</p> <p style="text-align: center;">Page 24</p>

1 a case."
 2 **A. That was bizarre, but yes, that's exactly what happened.**
 3 Q. Did you speak to him personally? Was it you?
 4 **A. I did. It was a call to my phone at home, and I know it**
 5 **was a coin-box because those were the days when pips**
 6 **went after three minutes, and he obviously didn't phone**
 7 **back afterwards, so it was a very short -- short-ish**
 8 **conversation.**
 9 Q. How did he have your home number?
 10 **A. I don't know.**
 11 Q. Was it in the letter?
 12 **A. Probably on the letter, but I don't -- that I sent to**
 13 **him.**
 14 Q. You ran the paper from your home, so if you --
 15 **A. Yes.**
 16 Q. -- had a letterhead, might it have had your home number?
 17 **A. And I still remember the number, yes.**
 18 Q. All right. We are not going to ask for that. So a man
 19 to whom you write at his personal club phones up,
 20 purporting to be the man to whom you wrote, on a number
 21 which is likely to have been at the top of your
 22 letterhead or the letter which was sent to him, claiming
 23 to be the man to whom you wrote?
 24 **A. Indeed.**
 25 Q. Saying he could remember nothing at all about such

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1 a case?
 2 **A. Absolutely right, yes.**
 3 Q. Any idea now how long after your sending the letter it
 4 was that you received this phone call on 25 April?
 5 **A. No.**
 6 Q. In other words, how long had passed -- days, weeks? Do
 7 you know?
 8 **A. It wouldn't have been days. It may well have been**
 9 **weeks.**
 10 Q. This section of the article concludes in this way:
 11 "RAP also interviewed Mr Palfrey, the Chief
 12 Constable of Lancashire at the time. He agreed that
 13 such a file 'should have been sent' but said 'I can't
 14 say for sure whether the file was sent or not'. He told
 15 us to approach police HQ, which we have done several
 16 times. Their final comment was, 'We decline to
 17 comment'.
 18 **A. Yes.**
 19 Q. Police headquarters is presumably Lancashire
 20 Constabulary?
 21 **A. No, Rochdale had its own police force in those days.**
 22 Q. Oh, Rochdale?
 23 **A. Yes.**
 24 Q. Then you deal with Special Branch and then Cyril Smith
 25 himself:

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1 "Throughout the police enquiry [it reads 'policy'
 2 but I think you meant police enquiry] Smith has said
 3 he's innocent of the allegations. He told his friends
 4 at the time that it was a case of an attempt to damage
 5 him politically. He pointed to the home backgrounds and
 6 records of some of the ex-residents of the hostel as
 7 evidence of their lack of credibility ..."
 8 Which is a point that was made through the CPS
 9 witness yesterday:
 10 "At his interview with the police, with his
 11 solicitor present, he denied all the allegations made
 12 against him. We have no reason to believe that he would
 13 do anything other than that today."
 14 Did you say this:
 15 "RAP wrote to him asking for an interview to discuss
 16 the serious issues raised by our investigations but he
 17 did not reply."
 18 **A. Indeed. We did, yes.**
 19 Q. Then your ninth section, "Why now?", and you write:
 20 "This is not, though it will be suggested it is,
 21 a smear campaign in the middle of an election. Our
 22 investigation started, as our records show and those we
 23 talked to can confirm, last October, when the election
 24 was still thought to be a year away."
 25 So in fact your investigation began before the

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1 election had been called; is that what you were saying?
 2 **A. That's correct. He was the prospective parliamentary**
 3 **candidate.**
 4 Q. "When we published our last issue which announces the
 5 date of this one, we did not know that this issue would
 6 be just a few days before an election. The fact is that
 7 our findings compel us to publish. Rochdale is being
 8 asked to elect a man as MP on a purely personal basis.
 9 His election material makes but passing reference to the
 10 Liberal Party. Smith himself has consistently and
 11 consciously personalised the issue. Once we became
 12 convinced that he had over a period of years
 13 interspersed his undoubted good work with a clear abuse
 14 of his position for personal ends, we felt we had no
 15 choice but to make that part of what Rochdale's electors
 16 should be asked to take into account."
 17 Then you say this:
 18 "It had already been reported to us before
 19 publication that Smith intended to issue a libel writ.
 20 That did not alter our conviction that the men we had
 21 interviewed were telling the truth nor our view that
 22 they should not have been left with the indelible mark
 23 of their experiences at the hands of Smith. For too
 24 long, it is they who have effectively been branded as
 25 wrongdoers."

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1 Did Smith issue a writ?
 2 **A. There was a pre-writ document at the time, which was**
 3 **a warning of a writ to come. The writ never actually**
 4 **came. It was described by my -- the journalists I was**
 5 **talking to at the time, of which there were a number, as**
 6 **a "gagging" document.**
 7 Q. Who were you talking to at the time, as a matter of
 8 interest, or from where?
 9 **A. I talked with the Daily Mirror, I talked with Paul Foot**
 10 **at Private Eye, I talked with Bruce Page of The New**
 11 **Statesman and several others.**
 12 Q. Was this after the publication or before?
 13 **A. No, this was during the run-up to it, because I wanted**
 14 **to know if they knew of the events that I was trying to**
 15 **establish.**
 16 Q. Were they interested or not?
 17 **A. Yes, but I think they knew it all already, or at least**
 18 **the Daily Mirror certainly did.**
 19 Q. But they weren't happy to jump on the bandwagon?
 20 **A. Apparently not. They said they were waiting for him to**
 21 **die.**
 22 Q. Your final section of the article "Conclusion":
 23 "It is not RAP's function to pronounce on guilt or
 24 innocence. We do, however, believe that the
 25 investigation of 1970 should have resulted in a court

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1 case. We cannot but believe, like many of the men we
 2 interviewed, that had the allegations involved a less
 3 prominent person, it would have had exactly that result.
 4 We do find Smith guilty of the charge of hypocrisy over
 5 his role in the Thorpe affair. At the very least, he
 6 might have been expected to remain silent. He didn't.
 7 We have established that Smith himself was a major
 8 source of the press's information on the Liberal Party's
 9 affairs at the time. He was reporting at his own
 10 initiative the most confidential of conversations with
 11 his leader direct to the Daily Mirror."
 12 So they were getting it from both sides, in one
 13 sense?
 14 **A. Yes.**
 15 Q. "We accept that Smith may never have committed or, even
 16 if the evidence gathered by the police investigation had
 17 led to prosecution, been found guilty of any criminal
 18 offence. But the practices described in the statements
 19 made to both the police and RAP must be condemned not
 20 for any sexual content which may be read into them, but
 21 because they represent a serious abuse of authority.
 22 Private preferences are and should remain personal
 23 business. The use of public position for personal
 24 gratification at the cost of exploitation of others must
 25 be prevented."

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1 Which encapsulates, really, what this article was
 2 all about?
 3 **A. It does, yes.**
 4 Q. Now, in terms of follow-up, a couple of things,
 5 Mr Bartlett. Am I right in saying that you followed up
 6 that article with another article in June?
 7 **A. Indeed, yes.**
 8 Q. I don't know if you have got it there. We don't have
 9 a very good copy. But in it, did you publish a letter
 10 from the then deputy chief constable, John Moody?
 11 **A. I can't remember, but if you say so.**
 12 Q. I look like I am in the privileged position of being the
 13 only person to have a paper copy of it.
 14 **A. Yes.**
 15 Q. We might be able to bring it up on screen. It is the
 16 same reference but it may be a second page?
 17 **A. I can tell you we were extremely careful with everything**
 18 **we wrote about the story because both John and**
 19 **I stood -- and our wives stood to lose our homes if we**
 20 **were wrong.**
 21 Q. Absolutely. In the bottom left, do you see,
 22 Mr Bartlett --
 23 **A. Yes, I do. Yes, thank you.**
 24 Q. Headed "Police headquarters. Hutton, Preston":
 25 "Dear Rochdale's Alternative Paper ..."

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1 You didn't have a name, apparently:
 2 "Thank you for your letter of 14 May 1979.
 3 "As a general principle, I regret we cannot enter
 4 into correspondence with you on matters of this kind and
 5 there is nothing I can add to what was conveyed to you
 6 by the constabulary press office."
 7 What was it you were asking, do you remember, at
 8 this stage? Were you asking for further comment or
 9 confirmation a file had gone to the DPP?
 10 **A. It would be the latter, almost certainly. Most of that**
 11 **section of the story came from the superintendent who**
 12 **had led the 1969/70, a man called Jeff Leach, as you're**
 13 **aware. We met him in a pub in Oldham and although it**
 14 **was obviously eight years later when I saw him, he was**
 15 **still angry about what had happened to that file.**
 16 Q. By which you mean? What was he angry about?
 17 **A. About the fact that his team, he and his team, had**
 18 **recommended prosecution and in his -- what he told us**
 19 **was that the file had, as you can see from the article,**
 20 **been taken away from Lancashire Police headquarters by**
 21 **what he thought -- what he assumed to be Special Branch.**
 22 Q. As far as your exchange with Mr Leach was concerned some
 23 years afterwards, do I understand you to be telling us?
 24 **A. Sorry?**
 25 Q. It was some years after the article, was it, that you

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1 saw Mr Leach --
 2 **A. No, it was some years after his investigation, sorry.**
 3 Q. When did you see Mr Leach, then?
 4 **A. In the research that we did, because we talked to**
 5 **everybody at a senior level in every institution that**
 6 **might or might not have had reason to be concerned about**
 7 **the alleged behaviours.**
 8 Q. Just help us, then: who were the senior people and, if
 9 you can't name them, what were the institutions of which
 10 you interviewed senior people? Who did you speak to?
 11 Where did you go?
 12 **A. You want the institutions, not the names?**
 13 Q. Not necessarily the names.
 14 **A. The Probation Service, the Education Service.**
 15 Q. When you say "the Education", do you mean the
 16 Education Department of Rochdale Council?
 17 **A. Indeed, yes. And the Lancashire Police, the**
 18 **Rochdale Police and I think that's -- oh, no, the**
 19 **director, at the time, of social services.**
 20 Q. Who was that?
 21 **A. Lyndon Price. You're aware of his name, I know.**
 22 Q. Yes. Who at the Education Service do you think you
 23 spoke to? Do you remember?
 24 **A. It would have been the chief officer at the time, but**
 25 **I don't remember which one it was, because there was**

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1 **a fair turnover, so I'd prefer not to provide a name.**
 2 Q. What was the nature of the discussions that you had, in
 3 particular with Lyndon Price and in particular with the
 4 head of the Education Service?
 5 **A. Well, I put to them what had been put to us from the**
 6 **discussions I'd had with the residents of**
 7 **Cambridge House. I'd also talked with the matron and**
 8 **her husband at the time of Cambridge House and talking**
 9 **to them to ask if they were aware of those allegations.**
 10 Q. Was that Mr and Mrs Saille?
 11 **A. Yes.**
 12 Q. What was their reaction to that question?
 13 **A. They denied it.**
 14 Q. What, denied knowledge or denied that anything had
 15 happened?
 16 **A. No, denied knowledge, yes.**
 17 **Would you allow me just to go back briefly to the**
 18 **article?**
 19 Q. Yes, of course.
 20 **A. There is something I would like to clarify with you. Is**
 21 **that acceptable?**
 22 Q. Yes, of course.
 23 **A. Just to make it clear that the Jack McCann piece was**
 24 **based entirely on conversations with Eileen Kershaw,**
 25 **whom you have heard from earlier, but my memory is that**

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1 **what she told me at the time -- I corroborate the way**
 2 **she described Cyril Smith at the time. But she told me**
 3 **that Jack McCann had been in touch with the then**
 4 **Home Secretary, not with the DPP, but --**
 5 Q. Who was Roy Jenkins.
 6 **A. Yes.**
 7 Q. When you spoke to the Director of Education, or the
 8 Education Service, as you describe it, was that person,
 9 whoever it was, already aware of the allegations?
 10 **A. They may have been, but they didn't tell me they were,**
 11 **no.**
 12 Q. Did you get any sense that they may have been?
 13 **A. No.**
 14 Q. Just coming back to the June 1979 article, you say, top
 15 right --
 16 **A. Could I have it back? Is that possible?**
 17 Q. We need to go back to page 2, I think. We need to
 18 expand it. It is the column at the top right:
 19 "RAP's revelations concerning Cyril Smith published
 20 in our last issue was a story in which the national
 21 press had been interested for a long time. What
 22 prevented them from publishing previously was the laws
 23 of libel, which still prevent them from publishing it
 24 now. RAP has not received a libel writ from Smith.
 25 "Once the story was out, the media interest

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1 continued. Several taxis from Manchester offices of
 2 newspapers arrived at Rochdale newsagents to buy a dozen
 3 copies each. The People sent its representative,
 4 Harold Holborn, accompanied by a Rochdale Observer
 5 reporter. John Dorricot of The Mail, Bill Jenkins of
 6 The Sun, Mike Nally of the Sunday Observer, Chris Bryer
 7 of Granada, Chris House, the crime correspondent of
 8 the Sunday Telegraph and the news editor of the Star
 9 have all had conversations with us about the story."
 10 Was this after publication or was this still before,
 11 in the run-up?
 12 **A. Most of those I had talked with -- not all of them.**
 13 **Most of those I had talked with in the run-up to the**
 14 **story. Certainly I had close contact with**
 15 **Granada Television at the time.**
 16 Q. You wrote:
 17 "Libel remains the problem, and of course it had
 18 been ours. Clearly, what we have said about Smith is
 19 defamatory. The only defence, therefore, against liable
 20 is that what we have said is true. Our London lawyer's
 21 advice was simple: if you know it to be true, print it.
 22 We did."
 23 Then this:
 24 "The one national paper with enough courage to carry
 25 the story so far was Private Eye."

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1 Was that as a result of your conversation with
2 Paul Foot?
3 **A. No. The conversation I had with Paul Foot was prior to**
4 **publication. The decision to print came without further**
5 **intervention from us.**
6 Q. "Its edition of May 9 ran a summary of the RAP story as
7 its lead article. It repeated the allegations RAP had
8 made and included the extracts from the sworn affidavits
9 made by the young men concerned. Private Eye has
10 frequently received libel writs from politicians. It
11 has not received one in this instance.
12 "None of which stops Smith from continuing to
13 condemn others. As recently as his Ob letter from
14 parliament' ..."
15 What did you mean by "Ob"? Do you see that?
16 **A. Observer, sorry. Rochdale Observer. Always referred to**
17 **as the Ob, I'm afraid.**
18 Q. "... letter from parliament of 26 May, he commented on
19 the actions of Labor Councillor Bob Crossley at the
20 Mayor Making Ceremony. He (Smith) found that behaviour
21 to be 'disgusting', unlike, apparently, holding young
22 men's testicles and beating their bare bottoms, as he
23 has done."
24 So that was June.
25 In addition to Private Eye, which you date as

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1 being May 9, we understand New Statesman also published
2 an article in March 1980. Were you aware of that?
3 **A. Yes.**
4 Q. But none of the other nationals touched it?
5 **A. No.**
6 Q. As far as you're concerned, and you have told us about
7 the absence of a writ, a libel writ, any other reprisals
8 of any other kind?
9 **A. Happily not. We both kept our jobs.**
10 Q. And your homes?
11 **A. Sorry?**
12 Q. And your homes?
13 **A. And our homes, thank you, yes.**
14 Q. May I ask you this: in 1998, so two decades on from
15 here, were you interviewed by two policemen from
16 Operation Cleopatra?
17 **A. Yes.**
18 Q. One of them a Sergeant Vincent Hill?
19 **A. Yes.**
20 Q. 12 November 1998?
21 **A. I don't remember the date, but yes, I remember the**
22 **visit.**
23 Q. Do you remember giving them material from your own
24 researches?
25 **A. Indeed, yes.**

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1 Q. I don't need to ask you anything more about that, thank
2 you.
3 When you made your statement in 2014, you were asked
4 to consider certain matters such as whether you had --
5 you personally had -- any evidence of any coverup or
6 corruption by any public officials in office whilst you
7 resided in Rochdale. What's your answer to that,
8 Mr Bartlett?
9 **A. No evidence, no. Lots of speculation, but no evidence.**
10 Q. Targeted at Cyril Smith, really?
11 **A. Yes.**
12 Q. You say --
13 **A. Not only Cyril Smith, because we were contacted -- well,**
14 **we were contacted by another of the Rochdale MPs,**
15 **Geoffrey Dickens, whose name, again, you are aware of,**
16 **who invited us to the House of Commons to talk about**
17 **more widespread activity of which he believed Smith was**
18 **part.**
19 Q. Anything to do with sexual abuse or other scandalous --
20 **A. Paedophilia, yes.**
21 Q. The inquiry will take note of that, thank you.
22 You say that you did speak to three high-ranking
23 police officers in Rochdale during the investigation
24 about Cyril Smith, and the article published
25 in May 1979, "and all three left me with the impression

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1 that they were aware or had been aware but refused to
2 provide or confirm any details?"
3 **A. That's the case, yes.**
4 Q. You name them as Tom Rankin and Alex Anderson and
5 another one by the name of Palfrey, and that's a name we
6 have already seen because you mentioned him in the
7 article?
8 **A. Bill Palfrey, yes.**
9 Q. What were you saying there, that these high-ranking
10 officers had known at the time of the earlier
11 investigation or at some other time? And what was it
12 that they did know?
13 **A. My recollection -- and I know that you are sensitive to**
14 **the fact that this is a gap of some 40 years. My**
15 **recollection is that they didn't want to talk about any**
16 **of it, and therefore no detail was provided to us by**
17 **them.**
18 Q. I think, unless I am told otherwise, one final question,
19 but I might be getting some instructions from my left.
20 When you met Mr Leach, what was your impression of
21 him?
22 **A. Angry on the subject under discussion, but as an honest**
23 **and decent man.**
24 Q. Integrity?
25 **A. Pardon?**

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1 Q. A man with integrity?
 2 **A. A man with integrity, yes.**
 3 Q. First, you can confirm that, despite your article, Smith
 4 was re-elected in 1979?
 5 **A. Not only re-elected; with an increased majority.**
 6 Q. By about 5,000, wasn't it?
 7 **A. That was depressing.**
 8 Q. Depressing and surprising or just depressing?
 9 **A. Just depressing.**
 10 Q. This may be a difficult question for you to answer, but
 11 there, again, you were sufficiently local perhaps to
 12 understand why, why did an article such as this have not
 13 only little impact, but apparently negative impact?
 14 **A. One of the reasons that we believed at the time, and**
 15 **I still do, looking back on it now, was that Rochdale –**
 16 **if you can speak in a corporate sense at all – wasn't**
 17 **surprised. These stories had been circulating in most**
 18 **rooms of the town for a very long time. There was**
 19 **nothing very new, apart from the fact that it had been**
 20 **put into print. So a lot of people just shrugged their**
 21 **shoulders and relied on the man they thought they knew**
 22 **or the man they had known and, as you're aware, he was**
 23 **extremely prominent in the town and had a considerable**
 24 **impact in all kinds of areas of the town, and people**
 25 **didn't want to believe that someone they regarded as**

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1 **a hero was capable of these kind of things, but they had**
 2 **heard the stories.**
 3 **We didn't get any kind of – none of the modern**
 4 **version of trolling, or anything of that nature. We**
 5 **never received any abuse from anyone, no bricks through**
 6 **windows. But on the whole, I think the town wasn't**
 7 **surprised; quite widely spread, that sense of, "Well, we**
 8 **knew that, didn't we?", and therefore had discounted it.**
 9 Q. You may have indirectly answered this, because certainly
 10 in the June 1979 article you talk about the libel laws,
 11 but do you have any insight into why the national papers
 12 didn't go with it? You said they were storing it up for
 13 after his death, but why were they not prepared -- was
 14 it simply a question of the libel laws? -- to publish
 15 during his life?
 16 **A. One of the possible questions of which you gave me**
 17 **notice, kindly, was as to whether I was aware, we were**
 18 **aware, of any D-Notice in force at the time, and, no, we**
 19 **weren't.**
 20 Q. But putting to one side the possibility of a D-Notice,
 21 and apart from libel laws, could there have been any
 22 other reason why the nationals didn't take it up in his
 23 lifetime?
 24 **A. Not that I was ever aware of. That was depressing too,**
 25 **though.**

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1 Q. Of course. It left you almost exposed as well?
 2 **A. Mmm.**
 3 Q. Did any of the journalists that you spoke to, some of
 4 whom you name in the June article, say anything about
 5 not publishing the story because of the ongoing
 6 Jeremy Thorpe trial? Did that have anything to do with
 7 it?
 8 **A. No.**
 9 MR ALTMAN: I think that's all I need ask you, Mr Bartlett.
 10 Unless the panel have any questions?
 11 THE CHAIR: No, thank you. Thank you very much,
 12 Mr Bartlett, for attending today.
 13 **A. Thank you.**
 14 **(The witness withdrew)**
 15 MR ALTMAN: Chair, the next live witness is going to be the
 16 second part of Gail Hopper. She is going to take a long
 17 time. So I just wonder, we are about five or six or
 18 seven minutes short of your usual break time, so it
 19 might be a good point to break and then resume with her.
 20 THE CHAIR: Thank you, Mr Altman. We will return at
 21 11.55 am.
 22 (11.40 am)
 23 (A short break)
 24 (11.55 am)
 25 MR ALTMAN: Gail Hopper, please.

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1 MS GAIL HOPPER (continued)
 2 Examination by MR ALTMAN
 3 MR ALTMAN: Thank you, Ms Hopper. Welcome back. There is
 4 no need to reswear you, you are still on oath, I think,
 5 or did you affirm?
 6 **A. I swore on the oath, yes.**
 7 Q. We are moving away from Cambridge House and are going to
 8 focus today on Knowl View.
 9 In your very lengthy statement at section 7, if you
 10 turn to that, please, your page 25, the heading there is
 11 "The setting up of Knowl View School, the rationale for
 12 its existence and its constitution as a tripartite
 13 council facility."
 14 I expect that that was a heading that you were given
 15 to focus on --
 16 **A. It was, that's correct.**
 17 Q. -- rather than one devised by you?
 18 **A. Yes.**
 19 Q. I think one of the points you make, or I remember, if it
 20 wasn't you, someone else making, but I suspect it was
 21 you, it was never tripartite at all?
 22 **A. It was quadrapartite.**
 23 Q. Quadrapartite, if that's a word.
 24 **A. It was quadrapartite, that's right, yes, because there**
 25 **were four local authorities.**

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1 Q. There were four originating authorities.
 2 I will give you the paragraph numbers, as I did the
 3 other day, just to help you focus on what I am asking
 4 you about.
 5 At 7.2, just to remind us, do you say the council
 6 holds very little information about the early period and
 7 the setting up of Knowl View?
 8 **A. That's correct, because the majority of information was**
 9 **taken from the council committee records from the**
 10 **archives.**
 11 Q. What you did find, at 7.4 -- we will go to documents
 12 when we have to, but I am going to avoid going to
 13 documents which are unnecessary to screen. The first
 14 reference to what would later become, because it hadn't
 15 yet been named, Knowl View Residential School, or
 16 Knowl View as we have been calling it, is committee
 17 meetings of 13 March 1963 of the Medical Welfare
 18 Services and Nursery School Subcommittee of
 19 the Education Committee?
 20 **A. That's correct, yes.**
 21 Q. At item (c), referring to a report on a meeting of
 22 Rochdale, Bolton, Oldham and Lancashire Councils
 23 regarding erecting a residential special school for
 24 maladjusted boys. So there, in its embryonic form, is
 25 Knowl View School?

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1 **A. That's right, some years before it actually opened, yes.**
 2 Q. This is 1963. The intention -- your paragraph 7.5 -- is
 3 to provide a residential educational establishment
 4 shared between those four local authorities --
 5 Lancashire, Rochdale, Oldham and Bolton -- to meet what
 6 was an identified need for local residential educational
 7 provision, but presumably geared towards what was then
 8 termed maladjusted boys?
 9 **A. That's my understanding, yes.**
 10 Q. You found a record -- your paragraph 7.6 in the minutes
 11 of that same subcommittee, Medical Welfare Services and
 12 Nursery School Subcommittee, the minute being dated
 13 14 August 1963, item (e), that the four authorities each
 14 be charged according to use, loan charges to be included
 15 with maintenance costs in the calculation of a pupil
 16 week. What was that all about?
 17 **A. My reading of that was that any costs associated with**
 18 **building would be included in the revenue costs of**
 19 **actually operating the setting, and shared amongst the**
 20 **four local authorities.**
 21 Q. So this was actually going to be a school that was going
 22 to be built from scratch? In other words, it wasn't
 23 going to be set up in a building already identified.
 24 Was this to be newly built?
 25 **A. It was a new build at the time, but it was assisted by**

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1 **a government grant, is my understanding.**
 2 Q. The proposal, I think, was -- your 7.8 -- in a minute of
 3 9 December 1964 from the Special Services Subcommittee
 4 of the Education Committee, the school was to be in
 5 Rochdale?
 6 **A. That wasn't the first choice. My understanding was the**
 7 **original plan was for it to be in Lancashire, and for**
 8 **some reason that then changed, which is why, at the end**
 9 **of that paragraph, it refers to the finance being**
 10 **transferred from Lancashire to Rochdale.**
 11 Q. I see. But did that mean that Rochdale was to be the
 12 lead authority or the providing authority?
 13 **A. That's my understanding, because it then refers to the**
 14 **role of the Education Committee in Rochdale in terms of**
 15 **governance at a later point.**
 16 Q. We see in the last three lines of your paragraph 7.9, in
 17 relation to the minutes of the building and supply
 18 subcommittee meeting of 9 February 1965, so this is at
 19 the top of your 27, page 27, that they had approved
 20 Rochdale Council applying to the Minister of Housing to
 21 borrow £162,000-odd to build the school?
 22 **A. That's right.**
 23 Q. We see in the next paragraph there was a tender
 24 in February 1967 to a building company to build the
 25 school. Was that tender accepted?

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1 **A. It was. It was, yes.**
 2 Q. Can we look at 7.11, and perhaps I will ask for this
 3 document to go up on screen. It should be, I hope,
 4 RHC002541. There should be on the first page the date
 5 9 November 1967. Is this the right document, Ms Hopper?
 6 Because you say it shows the nomination of Cyril Smith,
 7 the chair of the Education Committee -- we can certainly
 8 see his name there:
 9 "Present: Alderman Smith (in the chair);
 10 Alderman Fox."
 11 **A. My understanding is it is on the next page.**
 12 Q. I find these slightly difficult to read. Point out to
 13 us where you think the relevant part is.
 14 **A. Then it could even be on the page after that. But**
 15 **I certainly -- I was re-reading them yesterday, and**
 16 **I did see the record of Councillors Smith and Fox being**
 17 **appointed, even though it was some time before the**
 18 **school had opened.**
 19 Q. There's the reason, it is 1967, not '87, that document.
 20 No, it should be '67.
 21 **A. '67.**
 22 Q. It is at page 4, thank you. It is my fault.
 23 **A. Right in the middle:**
 24 **"(bb) school for maladjusted boys."**
 25 Q. That's it. Thank you. So:

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<p>1 "School for maladjusted boys resolved -- that the 2 chairman [Smith] and Alderman Fox be appointed this 3 committee's representatives on the subcommittee to be 4 constituted as the managing committee for this school." 5 I meant 1967, not '87. So that's where you found 6 that? 7 A. That's correct, yes. 8 Q. That shows both their nominations. What is it they're 9 being nominated to do? To sit on, what, a special 10 subcommittee that was going to run the school at that 11 point? 12 A. Yes, there was a memorandum of understanding that was 13 agreed between the four councils, and the memorandum of 14 understanding said that in the management committee 15 there would be four -- sorry, two councillors from each 16 of the four local authorities who would each represent 17 their own council. 18 Q. So they were the two, were they? 19 A. They were the two for Rochdale. 20 Q. Smith and Fox? 21 A. Is my understanding, yes. 22 Q. So moving on with the relevant history, your 23 paragraph 7.14, John Turner. Was he appointed head 24 teacher and his wife, Doris, matron, that appointment 25 being made at a special meeting of the organisation</p> <p style="text-align: center;">Page 49</p>	<p>1 the power to determine the staffing establishment of 2 the school to a governing body, to the Knowl View 3 governing body? 4 A. It did. That's correct. 5 Q. What was the effect of that decision? 6 A. My understanding was that it then transferred it into 7 the kind of process that would normally operate in 8 running a school. I could be wrong about this, but 9 I think that it is only possible to have a governing 10 body once there is a school and, prior to that, my 11 reading of the information suggested that the management 12 committee was involved in the setting up of the school. 13 We now had a school that was ready to operate with 14 effect from 1969. 15 Q. You go through in your section 7 -- I am not going to go 16 through this -- about the documents you read that dealt 17 with staffing and other administrative issues. Can 18 I ask you to go to your 7.33 on page 30 of your 19 statement, because this takes us some years on. I am 20 just really tracing through the establishment of 21 the school. 22 Your 7.33, we are in 1981 now, 21 September. Did 23 you find that the Director of Education from Oldham 24 wrote to the Chief Education Officer of Rochdale at that 25 time, whose name you have as Neville Naylor, informing</p> <p style="text-align: center;">Page 51</p>
<p>1 subcommittee on 29 April 1968? 2 A. That's correct, yes. 3 Q. It was on 23 May 1968 that representatives of all four 4 councils signed a memorandum of agreement between the 5 County Council of the Palatine of Lancaster, Bolton, 6 Oldham and Rochdale relating to the residential school 7 for maladjusted boys in Bamford. Rochdale and 8 Bamford -- is that a district of Rochdale? 9 A. Bamford is an area of Rochdale, yes. 10 Q. I don't think -- I am going to resist putting up on 11 screen all of the terms, but it was, if my memory serves 12 me, not an overlengthy document but a memorandum setting 13 out the shared agreement between them as to the school 14 and perhaps some of the terms and conditions you would 15 expect to find in an agreement of that kind? 16 A. It was. 17 Q. Over the page for you, please, Ms Hopper, 18 paragraph 7.21. On 15 July 1968, did you find that by 19 now the school had a name to it and the name was 20 Knowl View? 21 A. It had. That's correct. 22 Q. Do you know where the name came from? 23 A. I don't, I'm sorry. 24 Q. Your paragraph 7.28, please, on page 29. On 25 15 January 1970, did the Education Committee delegate</p> <p style="text-align: center;">Page 50</p>	<p>1 him that all eight of Oldham's children, who were 2 clearly at Knowl View at the time, were to be withdrawn 3 at the end of the autumn term because Oldham was opening 4 a new residential school in Oldham. 5 Then the next paragraph, in October of that year, 6 the school's subcommittee noted a letter from Oldham's 7 Director of Education to Rochdale Council giving notice 8 of withdrawing their eight pupils in accordance with the 9 previous paragraph. That was noted again, a few days 10 later, at a governor's meeting? 11 A. Yes, those points are correct. 12 Q. Did it come to this, if we go through -- and perhaps 13 I can put this short, but did the quadrupartite 14 agreement eventually end on 1 September 1988? I think 15 we see that at your 7.42 on your page 31. 16 A. Yes. Although Oldham gave notice at a much earlier 17 stage, it wasn't until a much later point, indeed the 18 date that you suggest, that that agreement ended. 19 Q. It looks as if, if we go to the top of your page 31 at 20 7.40, there had been a meeting. Mr Naylor, the Chief 21 Education Officer for Rochdale, had written to the other 22 three participating councils to see whether they wanted 23 to end the agreement. Oldham, Bolton and Lancashire 24 indicated they were happy to end the agreement, it 25 appears, and on 1 September that's in effect what</p> <p style="text-align: center;">Page 52</p>

1 happened. So from 1 September 1988, Rochdale was the
 2 only relevant authority in the life of Knowl View from
 3 that point onwards?
 4 **A. It was the only operating authority, but my**
 5 **understanding was that the school continued to take**
 6 **a small number of young people from other local**
 7 **authorities after that.**
 8 Q. Whose responsibility, ultimately, would those boys have
 9 been?
 10 **A. They would be the responsibility of their own local**
 11 **authority.**
 12 Q. As a matter of history, looking at 7.47, and I am just
 13 going through your sections to make it easier, rather
 14 than dance around your statement, on 20 October 1994,
 15 did the governors recommend temporary closure of
 16 the school?
 17 **A. They did, yes.**
 18 Q. Did the school finally close in 1996, I think it was --
 19 was it 31 August 1996?
 20 **A. It did. It didn't operate from the end**
 21 **of December 1994, but the formal process took some time**
 22 **to conclude, yes.**
 23 Q. Can you help us, while we have that in mind, in
 24 a sentence or two, without raking over documents, with
 25 what brought about first the temporary and then the

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1 final closure of the school?
 2 **A. From the information that I have read, there were**
 3 **clearly issues around staffing and leadership and**
 4 **difficulties in finding someone with sufficient skill**
 5 **and experience in operating the local management of**
 6 **special schools. That's information that is written.**
 7 **I think in terms of other information, it might be**
 8 **a question that Diana Cavanagh may be able to give**
 9 **further assistance with, because she was actually**
 10 **directly involved.**
 11 Q. I think we saw the other day the age range of children
 12 who were admitted to the school. What was your
 13 understanding of the age range of children who were
 14 admitted to the school?
 15 **A. My understanding was children could be admitted as young**
 16 **as 7 years old and through to 16.**
 17 Q. There is much material, perhaps, to describe this, but,
 18 again, you have looked at just about everything anybody
 19 could look at, I think. What about the needs and
 20 vulnerabilities of those children? Was it a whole gamut
 21 of difficulties and problems that different boys had?
 22 **A. It was. As you touched on earlier, the school was**
 23 **a school for maladjusted children, and if I take you**
 24 **a few years forward, the term "maladjusted" was replaced**
 25 **by "educational behaviour disturbance", or**

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1 **"difficulties" might be the correct terminology. The**
 2 **terminology has changed again, and for that group of**
 3 **young people, it now includes mental and social needs.**
 4 **So I think it gives a clue to the kind of difficulties**
 5 **that young people in such a setting experienced.**
 6 **I think what I found in the documentation was a wide**
 7 **range of difficulties that children had, not only their**
 8 **own difficulties, but the difficulties they experienced**
 9 **within their family life.**
 10 **So I would say that, for the cases I looked at,**
 11 **there were experiences for children who had been**
 12 **physically abused, certainly; children who experienced**
 13 **parenting from parents who had significant difficulties**
 14 **in those areas. There were children who these days**
 15 **might be described as having attention deficit**
 16 **hyperactivity disorder, so real problems with actually**
 17 **concentrating and communicating and operating in an**
 18 **education setting through to children with antisocial**
 19 **behaviour problems, children who had offended.**
 20 **It seemed as if there were decisions that were made**
 21 **around children going into Knowl View for a number of**
 22 **those reasons, not because of the education difficulties**
 23 **that they had, from the information that I have seen.**
 24 Q. What about children whom today we would recognise as
 25 being autistic?

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1 **A. Yes. I would certainly say that there were descriptions**
 2 **of young people who had anxiety in schools, had anxiety**
 3 **and inability to communicate with other children,**
 4 **children who were easily frightened, who were, you**
 5 **know -- who had difficulties in operating in settings**
 6 **which these days would be considered as an example of**
 7 **young people who sit on the autistic spectrum.**
 8 Q. So in a word or two, children within the age range of 7
 9 through to 16 with probably every social and other
 10 emotional or mental difficulty you could probably
 11 imagine?
 12 **A. I think it was -- in reading the examples of cases, it**
 13 **was difficult to see young people who didn't sit within**
 14 **that very wide range that you describe, yes.**
 15 Q. There was even one boy who had previously been an
 16 inpatient in a psychiatric hospital. Are you aware of
 17 that?
 18 **A. There was, yes. There was. And young people who had**
 19 **physical difficulties with emotional connections, such**
 20 **as, you know, bedwetting and encopresis. I wasn't clear**
 21 **of their age range, but at 7, even, that would be**
 22 **a concern. So a really wide range of difficulties.**
 23 Q. Thank you for that. Can we then go back to your
 24 section 5, because I want now to ask you about the
 25 history of Cyril Smith's relationship with the

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<p>1 council -- and the school, in fact.</p> <p>2 We looked at, didn't we, a few moments ago, and we</p> <p>3 found with Mr Henderson's help page 4 of the document</p> <p>4 that was put up on screen showing, in November 1967,</p> <p>5 Smith and Fox becoming the Rochdale nominees on the</p> <p>6 committee.</p> <p>7 At your 5.11 on page 17, did you note that as part</p> <p>8 of the Garnham Review in 2014 Lyndon Price, who was --</p> <p>9 let's remind ourselves -- the children's officer from</p> <p>10 1965 to 1971 and then Director of Social Services,</p> <p>11 explains that his understanding was Cyril Smith had been</p> <p>12 the leading campaigner in the efforts to get the school</p> <p>13 established?</p> <p>14 A. Indeed, that's my understanding.</p> <p>15 Q. You chart his involvement with the school from 5.12</p> <p>16 onwards: April 1968, Cyril Smith was appointed chair of</p> <p>17 the subcommittee responsible for the new residential</p> <p>18 school?</p> <p>19 A. Yes, that's correct.</p> <p>20 Q. So his involvement in governance begins in April 1968.</p> <p>21 He remains the chair of that subcommittee until it</p> <p>22 develops into the board of governors?</p> <p>23 A. That's right.</p> <p>24 Q. Which we were considering a little while ago. We know</p> <p>25 the powers were delegated from the committee to the</p> <p style="text-align: center;">Page 57</p>	<p>1 governors of a school.</p> <p>2 Q. So that's his first period of governance, if I can call</p> <p>3 it that, of the school, so between 1968 and 1972,</p> <p>4 a period of roughly four years.</p> <p>5 A. Yes.</p> <p>6 Q. But there was a second period, which you point out, and</p> <p>7 we go to your paragraph 5.26 on your page 19. Did he</p> <p>8 become involved again in the school in the 1990s?</p> <p>9 A. He did, yes.</p> <p>10 Q. There is a letter from him, dated 2 January 1993, to</p> <p>11 Diana Cavanagh. Let's put this up on the screen,</p> <p>12 please. It is GMP000263.</p> <p>13 A. I think it is the page after that one.</p> <p>14 Q. Sorry, have you got it?</p> <p>15 A. It is the page after that one.</p> <p>16 Q. I'm afraid I can't see what's on the screen.</p> <p>17 A. It is a handwritten letter from Cyril Smith.</p> <p>18 Q. Yes, you have probably got the label first of all. But</p> <p>19 it should be page 3.</p> <p>20 A. That's the one.</p> <p>21 Q. Dated 2 January, to Diana Cavanagh, Director of</p> <p>22 Education:</p> <p>23 "Dear Ms Cavanagh ..."</p> <p>24 Part of the left-hand margin is missing:</p> <p>25 "Dear Mrs Cavanagh.</p> <p style="text-align: center;">Page 59</p>
<p>1 board on 15 January 1970?</p> <p>2 A. That's right.</p> <p>3 Q. On 15 July 1968, the school subcommittee, chaired by</p> <p>4 him, Smith, delegated powers to the special subcommittee</p> <p>5 in relation to the school, as you pointed out, at this</p> <p>6 point named Knowl View, and as I have just pointed out,</p> <p>7 5 January 1970 -- if I said the 15th, I meant the 5th --</p> <p>8 admitting pupils for a year, although it had still not</p> <p>9 officially opened, and the school subcommittee appointed</p> <p>10 its chairman, Smith, alongside Fox, as the</p> <p>11 representatives. No, I was right the first time.</p> <p>12 15 January 1970, that is when the powers transferred.</p> <p>13 So that's the short history of all of that.</p> <p>14 I think you can confirm from records that</p> <p>15 Cyril Smith chaired the Knowl View School board of</p> <p>16 governors until 1972?</p> <p>17 A. That's correct, yes.</p> <p>18 Q. What was the magic of 1972? Was that when he was first</p> <p>19 elected to parliament? Is that just a coincidence or is</p> <p>20 that --</p> <p>21 A. I thought he was elected -- yes, he was. He was elected</p> <p>22 in the by-election of 1972.</p> <p>23 Q. So would that have been the reason why he stood down at</p> <p>24 that point?</p> <p>25 A. It would be very unusual to have an MP as the chair of</p> <p style="text-align: center;">Page 58</p>	<p>1 "I write re Knowl View School."</p> <p>2 I think that reads, but I could be wrong:</p> <p>3 "I suppose you know that Mr Harry Wild ... is a good</p> <p>4 friend of mine. He's spoken to me three or four times</p> <p>5 during December about his deep concern and worry for the</p> <p>6 school, where he is now the vice chairman of governors."</p> <p>7 A. That's correct.</p> <p>8 Q. "Mr Wild was a very senior manager for ICI and has</p> <p>9 travelled the world on their behalf. He is also</p> <p>10 a former Norden councillor. I value his judgment (for</p> <p>11 the former rather than the latter reason!!!)</p> <p>12 "His view is that things are far from satisfactory</p> <p>13 at Knowl View, and the wisest course would be to close</p> <p>14 the school and sell the land!"</p> <p>15 A. That's right.</p> <p>16 Q. Pausing there -- I will read on -- was there some idea</p> <p>17 that Smith had, or Wild had, to do something with the</p> <p>18 land at Knowl View at that point?</p> <p>19 A. I don't know the answer to that question.</p> <p>20 Q. Have you read anything about that?</p> <p>21 A. I haven't read anything about that, no.</p> <p>22 Q. Says Smith:</p> <p>23 "I don't know about that -- but I do know an enquiry</p> <p>24 is called for and if the LEA does not move, the danger</p> <p>25 is that others will -- particularly national press,</p> <p style="text-align: center;">Page 60</p>

1 et cetera."
 2 What he is inviting Ms Cavanagh to do
 3 in January 1993 is to hold an enquiry into the school.
 4 He doesn't actually say why or what the concerns are in
 5 1993, but his preference is for an enquiry by the LEA
 6 rather than the national press. Is that correct?
 7 **A. That would seem to be so from the letter, yes.**
 8 Q. "I believe an enquiry is called for. I have read the
 9 confidential papers of the last ..."
 10 It is difficult to see what that is:
 11 "... two years at this school. We ..."
 12 **A. Does that say "dare not"?**
 13 Q. Quite, thank you. Maybe you should read it:
 14 "We dare not ignore the dangers there. Mr Wild
 15 tells me he had a meeting with you ..."
 16 And there is something missing. Something about
 17 "but he's heard nothing from you":
 18 "I STRONGLY advise you to write to him, if only
 19 a holding letter!
 20 "Meanwhile, I hereby ask that it be placed on the
 21 agenda of the next Education Committee -- with a view to
 22 a formal enquiry taking place."
 23 That's the effect of the letter. I am not going to
 24 read any more, not least because I'm not doing it very
 25 well. But at the end:

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1 "Sorry to start off 1993 in this way ...", and so
 2 on, and there is a "PS" which I am not even going to
 3 attempt.
 4 So there he is, clearly engaged in Knowl View in
 5 1993, writing a letter of that nature referring to
 6 Harry Wild as his good friend. There is a letter back
 7 from her, which you saw, Ms Hopper, your paragraph 5.27,
 8 dated 12 January of that year, to Smith confirming
 9 a meeting which was originally arranged for 19 January,
 10 then rearranged to the 20th, thanking Smith for his
 11 assistance in supporting the aggregated schools budget,
 12 and you point out the importance of that meeting was
 13 illustrated by an anonymous handwritten note referring
 14 to the need to send all documentation to Val via Diana
 15 for the meeting with Cyril Smith by 19 January. So
 16 documentation was to be sent to him in advance of this
 17 meeting, and then there is a further letter, which we
 18 can put up on the screen, please, RHC001567, of
 19 27 January, and because this is typewritten, I can read
 20 it, from her to him:
 21 "Dear Sir Cyril.
 22 "Knowl View School.
 23 "Thank you for your letter of 21 January and thank
 24 you also for the time you spent with us on the previous
 25 day. It was most helpful to have your perspectives

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1 regarding the school and some of the ways forward.
 2 "The governors' meeting was a useful one although
 3 not all the ground could be covered. Some outstanding
 4 items have been put on the agenda for the next meeting
 5 in February.
 6 "The remit for Mrs Mellor was agreed with all the
 7 governors and I am hopeful that it will give us a sound
 8 basis for planning."
 9 That is obviously a reference to Valerie Mellor --
 10 **A. That's correct.**
 11 Q. -- the psychologist, who of course, by this stage, had
 12 already reported the year before, in February 1992, and
 13 was to report again, but didn't do so until the summer
 14 of 1993?
 15 **A. That's right.**
 16 Q. So we get a clue, perhaps, from this letter about some
 17 of the subject matter, and it may also help us perhaps
 18 understanding who the "Val" was reference to in that
 19 handwritten note, "all documentation to Val via Diana
 20 for the meeting with Cyril Smith by 19 January". Do you
 21 think that was a reference to Val Mellor or another
 22 Valerie?
 23 **A. I would be surprised if information for the director was**
 24 **then to be passed on to an external person.**
 25 Q. The only reason I ask is people tend to call her "Val".

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1 It is a guess, I suppose.
 2 **A. That isn't where my thinking was with the letter.**
 3 Q. All right.
 4 **A. It is certainly not to go out to Val Mellor, because**
 5 **I would be surprised if someone who is carrying out an**
 6 **external enquiry would be the person that you would give**
 7 **information to to assist the head teacher -- sorry, the**
 8 **Director of Education.**
 9 **I had wondered whether it was one of**
 10 **the administrative staff.**
 11 Q. It may be. It may be --
 12 **A. But, again, it is guesswork on my part too.**
 13 Q. And maybe on mine too. But if it is not Valerie, it
 14 could have been a secretary or something along that
 15 line.
 16 In any event, what we actually see there is an
 17 exchange between Smith and Diana Cavanagh, and Smith
 18 obviously meeting with her around that time in relation
 19 to the school, touching on matters that Mrs Mellor had
 20 to deal with.
 21 **A. May I just add a point there, just so that it is clear?**
 22 **It did seem odd to me that -- because I think it was in**
 23 **1991/'92 that Cyril Smith again became a governor.**
 24 Q. 1994.
 25 **A. It was '94, sorry, yes. At that point, too, it seemed**

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1 **odd for a local MP to become a governor. It was just**
2 **unusual. Sorry, I'm stepping ahead of you.**
3 Q. Unless I'm wrong, I think he left parliament in 1992,
4 and therefore he wouldn't have been --
5 **A. Then it is less --**
6 Q. -- an MP at that point?
7 **A. Yes.**
8 THE CHAIR: Mr Altman, I have a couple of questions before
9 you move on in respect of these issues.
10 MR ALTMAN: Of course.
11 THE CHAIR: In relation to the governance and management of
12 Knowl View School, was there at any point an external
13 link to Rochdale Council in management terms on a daily
14 basis, or was the management and operation of the school
15 left entirely to the board of governors?
16 **A. It is an interesting point, chair, because I think there**
17 **is reference to the responsibility that rested with the**
18 **LEA, and there's clearly communication, there is**
19 **correspondence, particularly between the head teachers**
20 **and senior officers in the local authority.**
21 **What I haven't seen is any regular and continuing**
22 **engagement in that process. It did seem that the school**
23 **was operating, and when there was a need for support or**
24 **advice, it was sought, but it didn't feel that there was**
25 **a close working relationship between the two, from my**

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1 **reading of it.**
2 THE CHAIR: If that support was necessary, would it have
3 been directed through the Department of Education rather
4 than social services?
5 **A. It was -- the point that was clear, chair, was that the**
6 **links that were made were with the Education Department**
7 **by and large. The only point at which I saw the**
8 **connections with the Social Services Department was when**
9 **they were dealing with the issue in relation to**
10 **Rodney Hilton.**
11 THE CHAIR: Thank you. One other question about the age
12 range. I appreciate you would be looking at this with
13 hindsight, but can you identify what, if any, problems
14 could arise with such a wide age range of children with
15 complex multiple difficulties?
16 **A. Certainly. It was clear that the children were placed**
17 **in different units at some point during the period that**
18 **the school was open. So there was a unit for 7- to**
19 **10-year-olds, for instance, but they were being cared**
20 **for by the same group of staff, they were being taught**
21 **by the same group of teachers. As we know in any other**
22 **setting, the skills in teaching smaller children are**
23 **different from the skills that people have in working**
24 **with adolescents.**
25 **There is also a significant potential for risk to**

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1 **the younger children if they are mixing with an older**
2 **age group, and there were concerns that arose about**
3 **child-on-child abuse, and that inevitably would seem to**
4 **me to be a risk for younger children operating in such**
5 **a wide-ranging age setting.**
6 THE CHAIR: How early would these concerns have been
7 identified?
8 **A. I don't know if those concerns were identified. That**
9 **was my identification of those concerns.**
10 THE CHAIR: Thank you, Mr Altman.
11 MR ALTMAN: I just wanted to complete Smith's association
12 with the school. If you look at your paragraph 5.31 on
13 page 19 you confirm that at a governor's meeting on
14 20 July 1994 he was appointed to serve as a co-opted
15 governor.
16 **A. He was.**
17 Q. Don't worry. There are enough dates that you have had
18 to remember. That was followed by a formal standard
19 letter to Smith of the next day, the 21st, informing him
20 he'd been appointed as co-opted governor for the school,
21 effective from 21 July to 20 July 1998. Obviously it
22 was then thought the school would continue for years to
23 come?
24 **A. It was. The appointment period seems to have been for**
25 **four years, yes.**

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1 Q. Four years. The minutes of the Knowl View residential
2 school governors meeting on 28 September of that year
3 welcomed him as the new governor; is that correct?
4 **A. That's correct, yes.**
5 Q. You found an anonymous handwritten note of that meeting
6 referring to "Sir Cyril, his initiative, this school
7 owes its foundation". In other words, crediting him
8 with the fact that the school existed?
9 **A. That would appear to be the case, yes.**
10 Q. You found that he, Smith, attended the meeting of
11 the governing body on 20 October 1994 which agreed the
12 temporary indefinite closure of the school, as you
13 pointed out earlier, from 22 December?
14 **A. Yes, that's correct.**
15 Q. Over the page, your 5.36, a meeting of the governors
16 held on 25 January 1995 nominated Cyril Smith to be one
17 of the governing members of the working party
18 considering the future of the school?
19 **A. Yes, indeed. That's correct.**
20 Q. As far as you know, did he remain a governor,
21 therefore -- it seems he must have done -- until the
22 final closure of the school in August 1996?
23 **A. I believe so because, at the end of that year,**
24 **from January to December, would have been the final**
25 **operational year of the school, yes.**

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<p>1 Q. So it comes to this, as far as Cyril Smith is concerned, 2 just recapping, and his association with the school: 3 instrumental in its establishment? 4 A. Yes. 5 Q. Two distinct periods of involvement in terms of 6 governance with the school: he was chair of 7 the committee, responsible for the school 8 from April 1969; he remained as chair to the time that 9 body developed into the governing body in January 1970, 10 which he chaired until 1972 when he became an MP? 11 A. Yes. 12 Q. And he was co-opted as a governor 22 years later, 13 in July 1994, until its closure? 14 A. That's my understanding, yes. 15 Q. That encapsulates the position. Can we slot in at the 16 same time his good friend Harry Wild? 17 A. Yes. 18 Q. You deal with that at your section 6. 19 A. Yes. 20 Q. 6.6. Harry Wild was appointed along with Smith, you 21 write, as a governor of the school on 19 May 1970? 22 A. Yes. 23 Q. When you say "along with Smith", is that once the powers 24 of the original committee had been delegated to the 25 governing body in January 1970? Was that an election</p> <p style="text-align: center;">Page 69</p>	<p>1 regular meetings between the governors, school and 2 Education Department staff. Between 1992 and 1994, 3 Harry Wild was in frequent correspondence with 4 Diana Cavanagh, the Director of Education, and you say 5 at 6.12: 6 "It appears that Wild remained close to Cyril Smith 7 during this period ..." 8 Confirmed in the letter that we have just referred 9 to? 10 A. Yes. 11 Q. Was he elected chair on 28 September 1994, elected chair 12 of the governing body, so two months after Smith had 13 been brought back in as a governor of the school? 14 A. Yes, that's my understanding. 15 Q. He continued in the chair when the decision was made 16 in October 1994 to close the school? 17 A. Yes. Yes. What we didn't know at the point that the 18 statement was put together, there was a question about 19 whether Harry Wild had been encouraged by Cyril Smith 20 to -- 21 Q. That's a question -- 22 A. I'm sorry. 23 Q. No, no, tell us. It is one of the questions I wanted to 24 ask. 25 A. Having read through some of the witness statements since</p> <p style="text-align: center;">Page 71</p>
<p>1 which took place afterwards or how do you understand it? 2 A. My understanding was that the powers had been delegated 3 to the governing body, and it would appear that some 4 people who were on the original body had moved over, but 5 they had appointed additional people as well. That's my 6 understanding of it. 7 Q. Was that by election or just appointment? 8 A. I'm not sure. I'm sorry, I'm not sure. 9 Q. Don't worry. Then 6.7, you say: 10 "Wild sat as a governor of the school until 20 May, 11 when a councillor by the name of Randall was appointed 12 in his place, and he ceased being a councillor in 13 Rochdale from May 1972." 14 A. Those points are correct, yes. 15 Q. Then two decades later, on 9 January 1992, Harry Wild as 16 again appointed as a governor of Knowl View. Over the 17 page, on 21 October 1992, Harry Wild was appointed vice 18 chair of the governing body, which fits with the letter 19 we saw of 2 January 1993, where Smith refers to him as 20 his good friend and vice chair of the governing body? 21 A. Vice chair, that's correct. 22 Q. You say by this time an action plan was under way to 23 address the concerns identified by Phil Shepherd and 24 Val Mellor's reports. Wild was heavily involved as part 25 of the governing body during this period and there were</p> <p style="text-align: center;">Page 70</p>	<p>1 this was produced, there is information from the former 2 leader of the council, Paul Rowen, who I believe will 3 give evidence next week, that refers to Harry Wild being 4 suggested as a potential governor by the then chair 5 Pam Hawton, which I suppose was information that 6 I didn't understand at the time. It brought in another 7 individual. 8 Q. Was there any suggestion that Smith had been 9 instrumental in bringing Wild in at any time? 10 A. There isn't any information that we have found that 11 suggests that. I think it was more of an assumption. 12 Q. Or vice versa? 13 A. Or vice versa. 14 Q. Because there is almost, but not quite, the same two 15 periods, almost? 16 A. That's right. It leads you to ask those questions, 17 which is why the statement from Paul Rowen was 18 a surprise for me. 19 Q. You have got Smith involved from '68 to '72? 20 A. Yes. 21 Q. Wild is from 1970 to '72, or a little earlier, in fact, 22 he stopped being a councillor in May 1972. But it 23 happens to be when Smith became an MP? 24 A. Yes. 25 Q. And May 1972 would probably have been when the general</p> <p style="text-align: center;">Page 72</p>

1 election was?
 2 **A. Yes.**
 3 Q. Then you have got the second period. In the case of
 4 Wild, he's vice chair at the end of 1992. He becomes
 5 chair in 1994. Smith becomes a governor again
 6 in July 1994. So the periods almost match?
 7 **A. Yes.**
 8 Q. But there was no evidence other than perhaps supposition
 9 that the two were, as it were, in harness?
 10 **A. I think it is fair to say there is a lot more**
 11 **supposition than evidence, yes.**
 12 Q. Which brings me on to another question. Was there any
 13 evidence that you discovered that the council were aware
 14 of a police operation known as Operation European into
 15 Harry Wild?
 16 **A. I think that that information became known about at**
 17 **a later point, is my understanding.**
 18 Q. Later than?
 19 **A. Than the --**
 20 Q. His governorship?
 21 **A. Than his governorship, yes.**
 22 Q. I suppose that would be right, although I can't exactly
 23 remember the date of Operation European, but it became
 24 into being --
 25 MS STUDD: It was February 2000.

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1 MR ALTMAN: February 2000, thank you. It was in relation to
 2 Wild's application to police for support for his
 3 Rochdale and District Youth Fitness Foundation in 1999,
 4 the outcome of which was characterised as disturbing --
 5 **A. Yes.**
 6 Q. -- because the police had uncovered certain information
 7 about Wild's activity in relation to, I think, a young
 8 offenders' institution, or some such establishment?
 9 **A. Yes, that was the Buckley Hall Youth Prison, which is**
 10 **also in Rochdale.**
 11 Q. If Operation European didn't come into being until 2000
 12 in relation to Wild's application in relation to whether
 13 he was a fit and proper person in relation to
 14 a foundation he had set up or was setting up around
 15 1999, then by the time that was going on, the school had
 16 long closed?
 17 **A. Long closed, that's correct, yes.**
 18 Q. So that deals with those aspects. Can we now look,
 19 please, at your section 8 on page 32 of your statement.
 20 I would like to look at the legal basis on which
 21 children actually resided at the school, without
 22 necessarily being in the care of Rochdale Council.
 23 You say at 8.3:
 24 "The school was a residential special school for
 25 boys ..."

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1 As you have told us more than once:
 2 "... covering the age range 7 to 16. Children were
 3 placed there by their local education authority
 4 primarily in order to meet their education needs,
 5 although social care needs would be taken into
 6 consideration."
 7 You made a few comments about that a little earlier
 8 when you were telling us about the needs and
 9 vulnerabilities of the boys who were typically placed
 10 there?
 11 **A. Yes.**
 12 Q. It appears, you say, that for most of its existence,
 13 boys attended on a residential basis, although from 1991
 14 there were some day pupils, but it is unclear, you say,
 15 on what basis pupils remained at Knowl View at weekends.
 16 Now, there are two regimes, I think, that you tell
 17 us about in your statement. There is pre Education Act
 18 1981 and post Education Act. Can you tell us, please,
 19 about the admission process, as you understood it, in
 20 relation to Knowl View before the Education Act of 1981?
 21 **A. The information that we have discovered suggests that**
 22 **there could have been a range of routes into Knowl View**
 23 **pre 1981. So there are examples of young people who may**
 24 **have been referred through a referral to the education**
 25 **psychology or to child psychiatry services, but the**

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1 **actual process in that period was unclear.**
 2 Q. Your paragraph 8.29 -- I think this might be your
 3 encapsulation of the position -- do you say:
 4 "... prior to 1981, pupils were identified as
 5 needing residential schooling by either an educational
 6 psychologist or consultant psychiatrist and that a place
 7 would then be sought for them."
 8 Was that the --
 9 **A. That would essentially be it, yes.**
 10 Q. You say at 8.30:
 11 "Educational psychologists reports prior to 1981
 12 which exist in the records ..."
 13 In other words, in relation to the school:
 14 "... do not provide detailed reasons why residential
 15 schooling is recommended. The role of the educational
 16 psychologist was to determine whether or not the child
 17 was maladjusted."
 18 It appeared, you said, that prior to 1981, children
 19 were sometimes identified as needing residential
 20 schooling due to welfare concerns surrounding the
 21 circumstances of their home life?
 22 **A. That's correct.**
 23 Q. You pointed out one example of that. At 8.34 on your
 24 page 36, you refer to Dr Simpson?
 25 **A. That's correct, yes.**

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1 Q. Who was Dr Simpson?
 2 **A. Dr Simpson was a consultant psychiatrist who operated in**
 3 **the area, but he also provided a service to Knowl View**
 4 **in support of their young people for one day a week.**
 5 Q. The service that he provided, did that have anything to
 6 do with admissions or was it a service of consulting in
 7 relation to boys who required psychiatry?
 8 **A. My understanding was that it was a consultancy service**
 9 **for young people; not necessarily young people who**
 10 **required psychiatry, but some of the information that**
 11 **I have read about referrals to Dr Simpson by the head**
 12 **teacher suggested that it could relate to issues such as**
 13 **their behaviour, difficulties they were having at home,**
 14 **but they were the young people who were already resident**
 15 **at Knowl View. There's also information to suggest that**
 16 **he saw other young people in the community and I have**
 17 **seen reference to him corresponding with a local primary**
 18 **school head teacher and actually suggesting it might be**
 19 **appropriate for a pupil to move to Knowl View.**
 20 Q. So Dr Simpson comes into view not so much because he has
 21 anything to do with admissions, or might he have done
 22 from time to time?
 23 **A. My understanding was, he did have something to do with**
 24 **admissions, but I don't think that that was the role**
 25 **that was described for him within the documentation.**

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1 Q. When was he practising? Was it the '70s, the early
 2 '70s?
 3 **A. My understanding was that he was practising certainly**
 4 **through the '70s, yes.**
 5 Q. We can look at perhaps one or two of his documents of
 6 his weekly visits. If we can put up, please, RHC002667.
 7 I hope it is the same one I'm looking at. You will see
 8 it is headed 28 November 1972:
 9 "Boys to interview on Wednesday, 29 November.
 10 "During recent weeks [redacted name] has been
 11 involved in a series of fairly delinquent activities.
 12 He will discuss these with you quite freely, but, as
 13 a result of your discussion, I would like your comments
 14 on ..."
 15 This is from, as we can see at the bottom, the then
 16 acting headmaster to Dr Simpson.
 17 **A. Yes.**
 18 Q. Do you see just to the left of the name "JD Lowe", the
 19 acting headmaster, it says "Next admissions
 20 conference -- January 31, 1973."
 21 What do you think that had to do with what's going
 22 on in this document where the headmaster, or the acting
 23 head, is asking Dr Simpson to focus on three particular
 24 areas in the case of this particular boy?
 25 **A. My reading of that, having operated in a large -- having**

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1 **worked in a large setting some years after that,**
 2 **probably 10 years after that point, was that the head**
 3 **teacher may have been considering his numbers, young**
 4 **people who might be there, because he asks the question**
 5 **about the extent of someone's commitment to**
 6 **Knowl View -- I think that's higher up the page -- the**
 7 **degree of identification that this young person has with**
 8 **the school and suitability of remaining at Knowl View.**
 9 **So my reading of that was, was the head teacher**
 10 **saying, "These are the young people I would like to look**
 11 **at but we maybe need to have some understanding of**
 12 **whether these young people will continue to be here or**
 13 **whether their moving on is something we can consider**
 14 **when we look at the next group of young people whom we**
 15 **are being asked to take". But, I have to say, that's my**
 16 **reading of it, and I could be incorrect.**
 17 Q. If we go to the next page, let's look at another
 18 referral, this one of 6 December 1972, it should be.
 19 **A. Yes.**
 20 Q. "Throughout his stay at Knowl View has been involved in
 21 a series of delinquent activities ... I would like your
 22 comments on the following ...
 23 "(a) the suitability [to remain at the school].
 24 "(b) his degree of identification ..."
 25 So it is exactly the same thing:

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1 "(c) the prognosis of his future health, if this is
 2 possible."
 3 Was this just a head looking at boys who needn't
 4 have been there or whom he didn't want there, at the
 5 school, in order to free up places for others? Was this
 6 a cull that was going on from time to time?
 7 **A. I believe it would be unfair of me to say it was either**
 8 **of those things, but clearly he was asking questions**
 9 **about whether they would continue. I'm just not sure of**
 10 **his motive for doing that.**
 11 Q. So it may be that Dr Simpson, from time to time, had
 12 direct involvement with admission, but it looks as if,
 13 if anything, certainly from the couple of documents --
 14 the sample documents we have just looked at, Dr Simpson
 15 was being invited by the then acting head to help him
 16 make decisions about whether boys should stay or go?
 17 **A. Certainly about suitability for returning the boys, and**
 18 **I think that comes out further on, because there were**
 19 **quite a lot of examples of those documents that I looked**
 20 **at.**
 21 Q. We are not going to do that now, but thank you.
 22 In your paragraph 8.36, you then deal with the
 23 situation after the implementation of the 1981 Act. How
 24 did admissions change with the implementation of that
 25 statute?

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1 **A. It became much more formal, because a requirement was**
 2 **introduced into the completion of a formal assessment**
 3 **under section 5 of the Education Act, and that required**
 4 **Education Departments to take a different approach that**
 5 **would include advice from the Education Psychology**
 6 **Service, the child's school, the medical adviser and**
 7 **social services, and from that, from all of those pieces**
 8 **of information, there would be a conclusion as to the**
 9 **needs of the child in terms of their special education**
 10 **needs.**
 11 Q. So it was a more formalised, structured process?
 12 **A. Much more formal, yes.**
 13 Q. Yes. Now, going then, please, to your 8.47 on page 38,
 14 I just want to ask about the basis upon which, as you
 15 were able to discover, boys, at least in that period,
 16 resided at the school. Did they stay at the school five
 17 days a week or from Sunday through to Friday or did they
 18 remain at weekends or return home every weekend if they
 19 had a home to go to or not?
 20 **A. Certainly prior to 1977, the records indicated that they**
 21 **went home at weekends.**
 22 Q. Every weekend?
 23 **A. Yes. But from 1978, I think there was a move to some**
 24 **boarders staying at the school every third weekend.**
 25 Q. The purpose behind that? So moving from a system where,

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1 if boys had a home to go to, they could go home every
 2 weekend, moving in 1978, or around about then, where
 3 certainly the evidence is one boy was said to board
 4 every third weekend, why would that be?
 5 **A. My reading of it, and, again, in part it is based on my**
 6 **analysis of what happened some years after that in**
 7 **similar settings, but also on the needs of the young**
 8 **people. Some of these young people appeared to be**
 9 **having very difficult home lives, and the school would**
 10 **appear to have been playing more of a part in**
 11 **accommodating them.**
 12 Q. I see.
 13 **A. And potentially keeping them out of a continuing**
 14 **difficult experience at home, because I think what some**
 15 **settings did find, and I'm thinking about during the**
 16 **1980s, for young people who had such difficult home**
 17 **lives, settings used to say, "We make progress Monday to**
 18 **Friday, then they go home for the weekend and you start**
 19 **again on Monday".**
 20 Q. I see. Last question before we break for lunch: did
 21 weekend boarding, as far as you could tell, continue
 22 into the mid '80s and '90s?
 23 **A. That's my understanding, though I saw more examples of**
 24 **some young people who probably stayed more than one in**
 25 **three weekends.**

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1 Q. Was it a strict regime, where all boys did the same, or
 2 was it -- were there different regimes according to the
 3 needs of different boys, in terms of weekend boarding?
 4 **A. I think there were different arrangements, but I'm not**
 5 **sure if it was a strict regime.**
 6 Q. Yes.
 7 **A. Because it seemed that -- from some of the documents,**
 8 **that Knowl View sometimes responded to other**
 9 **difficulties, in that a young person had had a family**
 10 **breakdown and had nowhere to go, so stayed in school**
 11 **that weekend. So sometimes it was more responsive to**
 12 **need, and it would also appear that there were times**
 13 **that the school made decisions that the school were**
 14 **happy with. It was probably taking it too far to say**
 15 **that it was a strict regime.**
 16 MR ALTMAN: Thank you. Thank you very much, Ms Hopper. It
 17 is 1.00 pm. I think, with the chair's permission, we
 18 will rise now until 2.00 pm.
 19 THE CHAIR: Thank you, Mr Altman.
 20 (1.00 pm)
 21 (The short adjournment)
 22 (2.00 pm)
 23 MR ALTMAN: Ms Hopper, I understand that you have discovered
 24 the origin of the name Knowl View?
 25 **A. We have. Knowl Hill is on the edge of the Pennines and**

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1 **probably visible from what was Knowl View at the time.**
 2 Q. Section 9 of your statement, then, please, at page 39,
 3 dealing with the position of children who were in care
 4 of the local authority residing at the school, you
 5 obviously discovered that some of the children who
 6 attended the school were in the care of a local
 7 authority, is the way you put it, for all or part of
 8 their time at the school, and did you obtain the
 9 statistic that at least 35 of the 284 boys who were
 10 admitted to the school between 1969 and 1994 were either
 11 in care or had been admitted from care?
 12 **A. That's correct, yes.**
 13 Q. Did that figure include at least 15 young people in the
 14 care of Rochdale Council?
 15 **A. That's correct, over the period that Knowl View was**
 16 **open, yes.**
 17 Q. And the other 20 of the 35 were recorded as being in
 18 care to the other local authorities, including
 19 Lancashire, Oldham, Bolton, as well as Blackburn,
 20 Preston, Stockport and Manchester?
 21 **A. That's correct, yes.**
 22 Q. Looking at your paragraph 9.3, at the time of the first
 23 admission to the school, on 8 January 1969, were four of
 24 the first 13 boys admitted in care -- two to Lancashire,
 25 one to Bolton and one to Oldham?

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1 **A. They were, yes.**
 2 Q. Suggesting, as you put it from the outset, that
 3 Knowl View was, as were other residential schools of
 4 the time, often used for, as you put it, "troubled
 5 youngsters who had social problems often contributing to
 6 their educational difficulties"?

7 **A. Yes, indeed.**
 8 Q. Helpfully, you set out at 9.4 the different ways in
 9 which youngsters would be in care prior to the
 10 implementation of the Children's Act 1989, and that
 11 would be care orders made under the Children and Young
 12 Persons Act 1969, remand in care of the local authority
 13 under the same Act but a different section, wardship or
 14 voluntary care?

15 **A. That's correct, yes.**
 16 Q. At 9.5, after October 1991 -- what was the magic of that
 17 date?

18 **A. October 1991 was the point at which the Children Act**
 19 **1989 was implemented.**
 20 Q. So after the point at which the Children Act came into
 21 force, they would either have been subject to a care
 22 order or voluntary care, so it was one of the two?

23 **A. It was.**
 24 Q. However, you said, for several years in the mid 90s many
 25 children remained on what was known as deemed care

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1 orders. What, because the transition arrangements took
 2 so long to sort out?

3 **A. It was the transition. They were children who had been**
 4 **in care under the previous legislation, yes.**
 5 Q. Were there no longer, after that, remands into care of
 6 the local authority?

7 **A. No, remands into care after that point only became the**
 8 **case in relation to criminal offences.**
 9 Q. Only criminal offences?

10 **A. Yes.**
 11 Q. Help us with this, your paragraph 9.7. You noted that
 12 some children were admitted from children's homes and
 13 some seemed to have returned to children's homes in
 14 school holidays. We have an example in the case of one
 15 boy, A9, where the social services file acknowledges
 16 that being placed across two residential settings
 17 wouldn't be good practice, and you cite a quotation:
 18 "Placement in care would only confuse this lad.
 19 Parenting between two residential establishments, in
 20 other words, the school and the Social Services
 21 Department, with occasional home contact, would not be
 22 appropriate."
 23 Was it seen as bad practice, even then, to have
 24 a boy in a residential establishment for educational
 25 purposes during the course of the week and then

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1 returning to a care home or a children's home at the
 2 weekend?

3 **A. Yes. I can say with some assurance that, as a manager**
 4 **in social services at the time, that would not have been**
 5 **considered appropriate practice in 1990, because young**
 6 **people would have different caregivers, so a group of**
 7 **staff looking after them in the school, a different**
 8 **group of staff looking after them at weekends or**
 9 **holidays in the home, different house rules, different**
 10 **young people with whom they needed to also build**
 11 **relationships, different expectations. I think it would**
 12 **have been considered to be confusing and inappropriate.**
 13 **Certainly not good practice.**
 14 Q. You also say at 9.8:
 15 "Other children in care would have been boarded out
 16 with foster parents and would have returned there at
 17 least in the holidays, possibly at weekends too. For
 18 some boys, Knowl View was effectively their care
 19 placement, which created some difficulties at weekends
 20 and school holidays."
 21 Is that essentially for the same reasons you have
 22 just given?

23 **A. It is for the same reason, and the additional reason**
 24 **would be the difficulties that local authorities may**
 25 **have in maintaining a placement with no young person in**

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1 **it for the 38 weeks of the school year only for it to be**
 2 **used for 14 weeks if those placement needs were under**
 3 **pressure.**
 4 Q. At 9.12, you alight on the case of A10, who continued to
 5 live in a children's home while attending Knowl View,
 6 effectively having two residential placements at the
 7 same time, again, each with their own separate rules and
 8 expectations.
 9 You say that that would not have been uncommon at
 10 the time, but by the early 1990s, that would not have
 11 been seen as good practice, due to the multiple changes
 12 of caregivers, varying house rules and expectations and
 13 changes in fellow residents. So exactly what you have
 14 been telling us?

15 **A. Absolutely.**
 16 Q. Over to 9.22, please, on page 42. Do you say alongside
 17 the young people who were in care and those who were in
 18 and out of care, that there were others who would have
 19 been in care if they had not been placed at Knowl View?

20 **A. Certainly, yes. There is evidence to suggest that, yes.**
 21 Q. In the '80s and '90s, it wasn't uncommon for residential
 22 education to be seen as a less intrusive way of removing
 23 a young person from a negative home environment, and one
 24 that was often more acceptable to the parents?
 25 **A. Yes, that's also correct.**

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1 Q. You deal at 9.24 with another possible motivator for the
 2 Social Services Department seeking placement in
 3 residential education being the result of the financial
 4 costs associated with placing children in care?
 5 **A. Yes.**
 6 Q. So were you saying it was financially more favourable to
 7 a Social Services Department to place a child in an
 8 educational rather than a care establishment?
 9 **A. Certainly, because the cost would at least be shared**
 10 **between social services and the Education Department**
 11 **and, if it was a placement that was within the local**
 12 **authority, the costs might be entirely held by the**
 13 **Education Department.**
 14 Q. Did you note at the foot of your page 43 from the detail
 15 that you give before that pupils with social problems,
 16 even in the 1990s, were continuing to be admitted to the
 17 school as an alternative to care rather than as a care
 18 placement as such?
 19 **A. There's certainly information that would suggest that,**
 20 **yes.**
 21 Q. You saw a file note from the then head,
 22 Stephen Bradshaw, who began as headmaster of the school
 23 in April 1991, but this note being in May 1993, in
 24 relation to a child admitted from social services
 25 suggesting that at least towards the end of the life of

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1 the school, which we remind ourselves temporary closure
 2 at the end of '94, children were being admitted directly
 3 from social services, suggesting that the formal
 4 education assessment process wasn't always being
 5 followed?
 6 **A. That was correct, and there were also examples of**
 7 **children being placed in the school whilst the education**
 8 **assessment process was ongoing too.**
 9 Q. So while it was pending, really?
 10 **A. Yes, yes.**
 11 Q. Would that suggest that perhaps boys were being put into
 12 the school who ought not have been there?
 13 **A. Well, it raises the question of, if you haven't**
 14 **completed the assessment, how do you know that this is**
 15 **the placement that will meet the child's needs, so it**
 16 **was almost assuming an outcome. There's a danger of it**
 17 **assuming an outcome of the assessment.**
 18 Q. Before the outcome was reached?
 19 **A. Yes.**
 20 Q. Section 10, then, the relationship between the council
 21 and the school and whether that changed over time. You
 22 say at 10.2 that the school was set up and maintained as
 23 a school under the 1944 Education Act?
 24 **A. It was.**
 25 Q. As such, it was the responsibility of

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1 the Education Department of the council and the Social
 2 Services Department had no formal jurisdiction in
 3 relation to it.
 4 **A. Yes, that's correct.**
 5 Q. You noted in the next paragraph that, in his interview
 6 with Neil Garnham, Ian Davey, who became the Director of
 7 Social Services from 1991 until 2014, said:
 8 "Knowl View was not the responsibility of
 9 social services", and that Diana Cavanagh, who was the
 10 Director of Education at the time -- I think she became
 11 director around about the autumn of 1990 -- was the lead
 12 officer for Knowl View Residential School?
 13 **A. Yes, that information is correct.**
 14 Q. Do you agree with his assessment?
 15 **A. Certainly my knowledge of working within local**
 16 **authorities throughout that period was that any special**
 17 **schools and residential schools were the responsibility**
 18 **of the Education Departments and reported to**
 19 **Education Committees, which were quite separate during**
 20 **most of that period, certainly up until around 2005,**
 21 **from Social Services Committees, because they were the**
 22 **decision-making processes in councils. So that fits**
 23 **with my understanding of the time, that that's where the**
 24 **lead responsibility would have rested.**
 25 Q. But it didn't divest, did it, social services of any

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1 responsibility for the school?
 2 **A. It didn't divest social services of their**
 3 **responsibilities to respond to concerns about children**
 4 **who were at risk of harm or who needed to be**
 5 **accommodated outside of their families, certainly.**
 6 Q. You point out at 10.4 and 10.5 that Lyndon Price, who
 7 was the children's officer in 1965, so going back some
 8 years, said that the Department of Education retained
 9 responsibility for education and well-being of resident
 10 children and not social services, but accepted he would
 11 have responsibility for the welfare of children in
 12 Rochdale Council's care?
 13 **A. Yes. That's certainly what the information suggests,**
 14 **yes.**
 15 Q. Mr Price also told Garnham that in 1975 he spoke to the
 16 chief education officer about social services
 17 undertaking the training, support and supervision of
 18 essentially care staff at the school, not teaching
 19 staff, but the suggestion didn't fall on anything but
 20 stoney ground?
 21 **A. That's certainly my understanding of the documentation,**
 22 **yes.**
 23 Q. And that the chief education officer made clear the
 24 school was the Department of Education's responsibility?
 25 **A. Yes, that's correct.**

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1 Q. Were these battlelines, as it were, drawn because of
2 resource issues, or was there something else going on?
3 **A. I can only share my own experience of working in local
4 authorities during that period, and it felt very much
5 that Social Services and Education Departments operated
6 on very separate lines.**
7 Q. At Knowl View -- and it may have been the same
8 elsewhere -- you had teaching staff and you had care
9 staff?
10 **A. Yes.**
11 Q. Who was responsible for the care staff, which
12 department?
13 **A. I think that would have rested also with the
14 Education Department, who were responsible for running
15 the school. That was certainly the case as far as
16 Knowl View was concerned.**
17 Q. Was one of the problems arose between care staff, on the
18 one hand, and teaching staff, on the other --
19 **A. Yes.**
20 Q. -- division of responsibilities --
21 **A. Yes.**
22 Q. -- and, in particular, the care staff, how they felt
23 they were looked down upon by the teaching staff?
24 **A. And I certainly recognised that kind of difficulty from
25 the beginning of my own career, where I worked in a very**

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1 **large community home with education. That was operated
2 outside of a council, but there were still those
3 tensions between the staff. But they actually operated
4 under the auspices of that organisation as a whole.**
5 Q. I think you looked across, though, during the period, as
6 regards Knowl View, what was going on, and it really
7 begins at your paragraph 10.10, and you give several
8 examples of whether social services and the
9 Education Department were working together or not,
10 whether they were collaborating, all the way through,
11 I think, to 10.22. What was your impression? Despite
12 the faultlines between the individuals, or groups of
13 individuals, who were working within the school, what
14 was your impression? Were they collaborating, working
15 well together, or not, in practice?
16 **A. My impression from the documentation was that it would
17 be difficult to see the working relationships as
18 collaborative.**
19 Q. At 10.17, did you observe, "Financial pressures to fund
20 residential care and residential education were evident
21 in a number of children's case records"? Were you
22 referring to Knowl View children?
23 **A. Certainly, and there were case records where the issues
24 in relation to financial pressures were referred to in
25 the child's own record on more than one occasion.**

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1 Q. I suppose it is nothing new, it is still with us today,
2 as it obviously was then, but resource issues ever
3 present?
4 **A. Resource issues are ever present. My experience has
5 been that the difficulties in resource issues would not
6 be something that you would expect to see in a child's
7 own file.**
8 Q. Because?
9 **A. Because the child's file is about the child's experience
10 and the care of the child, and some of the records that
11 we saw indicated that the council difficulties were
12 being brought into the child's file. There is no doubt
13 that the council was having financial difficulties, but
14 it does raise questions about how heavily they
15 influenced what happened to individual children.**
16 Q. The influence, I think, is probably encapsulated in this
17 sentence in your paragraph 10.17:
18 "It is also evident that these financial pressures
19 placed strains on the relationship between the
20 Social Services and Education Departments."
21 **A. That's correct. That appeared clear.**
22 Q. You're looking at the corporate position, but it
23 probably trickled down to the staff who were seeking to
24 carry out their functions in that department?
25 **A. I think that would be the case, certainly, because**

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1 **a social worker would not be able to make those
2 decisions and their practice might be influenced by
3 financial decisions that had to be made at a more senior
4 level, certainly.**
5 Q. In his interview, at your paragraph 10.29, page 48,
6 Neil Garnham, this interview being in July 2014,
7 Ian Davey highlighted the view that in the 1990s you say
8 communication between the Social Services and
9 Education Departments was good. That was his view of
10 things.
11 **A. Yes.**
12 Q. But, by contrast, Diana Cavanagh, who was Director of
13 Education at the time -- we are going to hear from them
14 next week. But she told Neil Garnham, also in July
15 2014, that the relationship between education and
16 social services was "not as good as it could have been,
17 saying with regards to that relationship there were kind
18 of boundary disputes on occasion about who should
19 investigate something, who would then say, 'No, that's
20 not for us, that's for you'"?
21 **A. Yes.**
22 Q. Was there buck passing?
23 **A. I'm not sure if I would describe it necessarily as buck
24 passing, obviously, because I wasn't there, but the
25 evidence that we found in pulling this corporate**

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1 **statement together would certainly support**
2 **Diana Cavanagh's assessment of the situation. It was**
3 **clearly very difficult.**
4 Q. You note at 10.32, at the top of page 49, that the
5 Social Services Inspectorate inspected Rochdale
6 Social Services in October 1990. Was that in relation
7 to any particular happening or was it a routine
8 inspection?
9 **A. My reading of the report was that it was a routine --**
10 **sorry, if I just say, the report looks like a routine**
11 **report, but I think the timing also connected with the**
12 **Langley satanic abuse case. So it is not unusual for**
13 **inspections to quickly follow something, particularly if**
14 **it is in the public domain.**
15 **So I'm not sure whether the timing in which it**
16 **happened would have happened anyway, but there had**
17 **certainly been events just prior to that.**
18 Q. It also happened to coincide with the Roderick Hilton
19 incident a month before, just as a matter of chronology.
20 You noted that the report comments that the
21 child abuse guidelines in operation in Rochdale at the
22 time had not yet been updated to reflect the 1988
23 "Working Together" guidance. What was the importance
24 of -- I mean, the clue may be in the title. But what
25 was the importance of the "Working Together" guidance

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1 which Rochdale didn't seem to be employing?
2 **A. The "Working Together" guidance in 1988 was the first of**
3 **its type and, for those of us practising at that time,**
4 **it was very much a welcome document because it provided**
5 **clear government expectations and how practice should**
6 **operate in a way that it never had prior to that time.**
7 **So it was something that was known about nationally,**
8 **it was something that many local authorities responded**
9 **to very quickly, because it was giving, you know, very**
10 **clear expectations in black and white as to how**
11 **organisations and their partners should operate.**
12 Q. Without boundary disputes and everybody collaborating
13 together, presumably?
14 **A. Not necessarily. I think that that probably came a few**
15 **years later. But it was a good starting point,**
16 **certainly. It was surprising that three years on that**
17 **still hadn't been implemented.**
18 Q. What was the key, then, to working together, just so
19 that we understand? What was the key to the guidelines
20 which Rochdale hadn't updated by October 1990 but which
21 were in play by 1988? What was the key to it?
22 **A. The key was the expectation that organisations would**
23 **work more together. Particularly, it brought together**
24 **the police and social services to jointly investigate**
25 **concerns, and it was much clearer than guidance had ever**

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1 **been about what kind of concerns should be considered in**
2 **what context, and it set out a criteria that prior to**
3 **that hadn't been as clear.**
4 Q. Thank you. Now, at your 10.35, you say:
5 "Children's experience of reporting abuse and the
6 follow-up enquiries illustrate the relationships between
7 social workers and their managers on the one hand and
8 Knowl View staff on the other."
9 What were you saying there?
10 **A. I think what we are saying is that Knowl View staff and**
11 **their managers felt that the concerns should be looked**
12 **at in one way, and the social workers and their managers**
13 **in social services felt that they should be looked at in**
14 **a different way, and they could not reach agreement on**
15 **that.**
16 Q. You deal at length with and provide other examples, as
17 well as a sequence of events, if anyone is interested,
18 from paragraph 10.44 onwards through to 10.64. I'm not
19 going to go through all of those now, but they are
20 available to the chair and panel to read, which I am
21 sure they have already and, if not, will do. Then from
22 10.70 on page 55 you deal with the significant events
23 of May 1991 that occurred within the Social Services
24 Department. I'm not going to go into those now either.
25 Did you, at 10.74, record that in her report

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1 of February 1992, Val Mellor recommended that the
2 relationship between education staff and social services
3 staff requires review?
4 **A. Yes.**
5 Q. So that was a recognition --
6 **A. Yes.**
7 Q. -- that all was not well between the two departments?
8 **A. It was certainly a recognition from an external**
9 **reporter, yes.**
10 Q. She was a psychologist. She wasn't, as she made clear
11 in her report, an education specialist?
12 **A. That's correct.**
13 Q. You note at 10.79 that Mr Davey, following his interview
14 with Neil Garnham, provided additional information and
15 he wanted to deal with a perception expressed by
16 Val Mellor that, in light of the judgment about the
17 Langley wardship cases, there may have been, within the
18 Social Services Department, a greater hesitancy to go in
19 and intervene in family circumstances in Rochdale, and
20 you say:
21 "Within the additional information provided by
22 Davey, he expressed a view that I don't think hesitancy
23 to go in and intervene in family circumstances applied
24 in the Knowl View situation."
25 He went on to explain that Freema Taylor, whom we

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<p>1 saw as playing a coordinating role in the 2 investigation's approach to child protection, was 3 certainly not someone who would shy away from 4 intervening. 5 This part of your statement deals with suggestions 6 that the Middleton Langley wardship ritual satanic abuse 7 intervention, which I think you are right in saying 8 occurred before the Social Services Inspectorate 9 inspection in October 1990, was said by or thought by 10 some to have made the department overcautious, so the 11 pendulum swung completely the other way, and this was 12 Ian Davey denying that? 13 A. There were certainly a number of professionals in 14 Rochdale at the time who did indicate that and have 15 certainly indicated it in their statements to this 16 review. 17 Q. In fact, if you look at 10.80, Diana Cavanagh, in her 18 interview with Neil Garnham, talked about how she viewed 19 the Social Services Department as being supercautious, 20 for which one couldn't blame them, as a result of having 21 had a very difficult time with the Langley business? 22 A. She did, yes. 23 Q. So she saw things differently to, perhaps not 24 surprisingly, the way Ian Davey did? 25 A. Yes.</p> <p style="text-align: center;">Page 101</p>	<p>1 sort of thing going on? 2 A. They operated in very -- along very separate lines, 3 certainly, in my experience. 4 Q. Let's then please move on to section 12 of your 5 statement, when you were asked about the role of 6 councillors in the oversight of the school. Actually, 7 these are the last few questions I am going to ask you. 8 Did you say at 12.2: 9 "The role of the councillors in relation to 10 Knowl View, as with any other schools of the time, was 11 both indirectly through the policies and procedures set 12 by the council committees ..." 13 A. That's correct, yes. 14 Q. "... and directly through representation on the school 15 governing body." 16 A. Yes. 17 Q. "There was no requirement for elected members to make 18 direct visits to schools as there was, for example, in 19 relation to children's homes run by the council." 20 A. Yes, the two were quite different. 21 Q. But you remarked at 12.10 on page 67 that not all of 22 the minutes of the school governing body had been 23 retained, especially from the early years of the school, 24 but you gave then examples of some that had survived? 25 A. Yes, that's the case.</p> <p style="text-align: center;">Page 103</p>
<p>1 Q. Did you find at your 10.83 evidence of attempts by the 2 Education Department to build bridges with the 3 Social Services Department? 4 A. Yes. Yes, there were. 5 Q. Looking across at what we have just been going through, 6 at a bit of a gallop, there was a delineation of 7 responsibility between education and social services, 8 fairly deep rooted by the sound of it, but a note of 9 optimism by 1992, perhaps, or not? 10 A. I'm not sure that I saw evidence of a note of optimism, 11 but I have to say -- 12 Q. I'm talking about your optimism. It is the "building 13 bridges" comment, that was all. 14 A. I think that the building bridges was an offer of 15 a place as a local education authority governor, and 16 that wasn't taken up. So I think that's why I'm being 17 hesitant in having some optimism. But I'd also have to 18 say that what was happening there in terms of very 19 separate roles and areas of responsibility was not 20 unusual, in my experience. 21 Q. Not unusual, what, for -- 22 A. In local authorities at that time. 23 Q. So not just Rochdale? 24 A. Absolutely not. 25 Q. Other authorities, you might have found exactly the same</p> <p style="text-align: center;">Page 102</p>	<p>1 Q. Was there evidence that you found, for example, of 2 the Director of Education, Diana Cavanagh, saying, at 3 least, that she routinely would report concerns about 4 Knowl View to the chair of the Education Committee, at 5 the time, Mary Moffat? I think that's at 12.22. 6 A. Yes. Yes. 7 Q. Did Ms Cavanagh say that when Valerie Mellor's report 8 was produced, she made sure it went to the other 9 political parties making up the council? So, in other 10 words, not just the council in power but the other 11 parties as well? 12 A. Yes, that was her position. 13 Q. Insofar as Ian Davey is concerned, I think also 12.23 14 and onwards, did he say he had contact -- this was all 15 to Garnham, but just summarising for the purposes of 16 your evidence -- with the chair and vice chair of 17 the Social Service Committee? 18 A. Yes. 19 Q. So he was talking to councillors as well? 20 A. Yes. 21 Q. At 12.27, did Diana Cavanagh tell Neil Garnham that she 22 was confident the leader, Farnell, was aware of 23 the issues at Knowl View in light of Shepherd and Mellor 24 because she was keeping Mary Moffat informed? 25 A. She did. She believed that Mary Moffat would pass that</p> <p style="text-align: center;">Page 104</p>

1 **on.**
 2 Q. I think she said at 12.33, again to Neil Garnham that,
 3 from 1992, she had weekly meetings with councillors, the
 4 chair of the Education Committee, the chair of
 5 the School Subcommittee and Councillor Pam Hawton, whom
 6 you mentioned earlier, who was the Conservative
 7 education spokesperson?
 8 **A. She did give that information. It's not been possible**
 9 **to find any records of those meetings, but she certainly**
 10 **fed that back.**
 11 Q. I think that's all I wanted to ask you, really, on the
 12 subject of Knowl View and those other topics that you
 13 were specifically asked to address and have. I have
 14 clearly not gone through anything like every paragraph
 15 of your statement because, if I had, we would be here
 16 until next week, and nobody wants that.
 17 As I say, the statement is available to the chair
 18 and the panel to read as much as they wish.
 19 We are going to have you back, I know, I think the
 20 week after next.
 21 **A. In the final week.**
 22 MR ALTMAN: In the meantime, I will invite the chair and
 23 panel if there are any questions they want to ask of you
 24 at this stage.
 25

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1 Questions from THE PANEL
 2 THE CHAIR: Thank you, Ms Hopper. Just to go back to the
 3 beginning of this particular set of statements, you
 4 noted that 35 of 284 children were in care, or admitted
 5 from care, in the period 1969 to 1994.
 6 **A. Yes.**
 7 THE CHAIR: Did that strike you as an expected number or low
 8 or high?
 9 **A. I'm not sure, really. There were 50 children who could**
 10 **be accommodated at Knowl View at any one time. I don't**
 11 **think it ever reached that capacity. But over a period**
 12 **of 15 years, 35 children wasn't really very many.**
 13 THE CHAIR: Quite.
 14 **A. It seems lower, if you look at it in that way.**
 15 THE CHAIR: I was going to make the point that, given what
 16 you have described as the problematic backgrounds of
 17 many and the complexity of their needs, it would strike
 18 you that that was quite a low level.
 19 **A. I agree, and I think, chair, that there are examples of**
 20 **documents that suggested that some children were placed**
 21 **at Knowl View as a residential education setting without**
 22 **coming into care, when it is quite possible that, had**
 23 **availability of Knowl View not been placed, they may**
 24 **have been admitted to care. That certainly comes**
 25 **across.**

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1 THE CHAIR: I was going on to ask you about that, which I'm
 2 sure you're well aware of, the debate which continued
 3 over years and years and years about the legal status of
 4 children in residential educational establishments and
 5 indeed the fact that if they were there five -- over
 6 seven days or seven days a week, 24 hours a day, whether
 7 they or their parents or anyone else liked it or not,
 8 they would, in effect, have been in care.
 9 **A. Absolutely.**
 10 THE CHAIR: Thank you.
 11 MR FRANK: Ms Hopper, this doesn't arise from what you said
 12 today, but from what you told us on Tuesday afternoon,
 13 so do, if you need to, take time to consider your answer
 14 to this question, but you may remember that you
 15 introduced a document which was an appendix to your
 16 statement which was the long list of committees on which
 17 Cyril Smith was a member of those committees and
 18 subcommittees.
 19 **A. Yes.**
 20 MR FRANK: Very extensive. There is just one question
 21 I wanted to ask you about that, if I may.
 22 **A. Please do.**
 23 MR FRANK: In relation to one of the committees, it is
 24 called the General Purposes Committee -- I'm sorry this
 25 not an exciting question -- but one of the subcommittees

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1 was called the Parliamentary Subcommittee.
 2 **A. Right.**
 3 MR FRANK: I'm wondering whether you know whether that was
 4 an outward looking committee from Rochdale to
 5 Westminster or whether it was a purely internal
 6 committee and whether there was any record/minutes or
 7 anything of what their activities were? Because the
 8 record seems to show that he was a member of that
 9 committee continuously from 1960 through at least until
 10 1970/1972? Any idea at all about that? If you don't,
 11 please don't feel under pressure to answer the question
 12 now.
 13 **A. I don't know, but as Mr Altman said, I will be coming**
 14 **back at a final stage, and I'm certainly happy to check**
 15 **that out with colleagues, because the one thing that's**
 16 **been possible to find is the minutes of many committees.**
 17 **So we are certainly happy to go back and look for that**
 18 **information between now and when I return.**
 19 MR FRANK: Thank you very much, indeed.
 20 **A. You're welcome.**
 21 MR ALTMAN: Thank you very much. Chair, Ms Hoyano was given
 22 permission to ask a few questions, but I think she has
 23 an application to make about those.
 24 MS HOYANO: We are reporting an agreement, actually.
 25 MR ALTMAN: I think the chair has to agree.

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1 Application by MS HOYANO
 2 MS HOYANO: Yes, indeed. Chair, you had kindly given me
 3 permission just to ask a question about the
 4 Pindown Report which Ms Hopper referred to in her
 5 statement. I have suggested to Mr Altman and Mr Ford
 6 that perhaps that would be best left until Ms Hopper
 7 returns, when we are actually addressing children's
 8 homes, because my question, having re-read the
 9 Pindown Report, shows that that question would be
 10 relevant to the children's homes that she's going to be
 11 addressing on that occasion, so if that is --
 12 THE CHAIR: Yes.
 13 Examination by MS HOYANO
 14 MS HOYANO: That leaves me with only three short questions.
 15 Ms Hopper, if I can just take you to your witness
 16 statement, paragraph 2.6, you indicate that in your very
 17 diligent trawl for documents you had made several
 18 requests of Hempsons Solicitors who had been involved in
 19 the Rochdale historic child abuse review by
 20 Neil Garnham QC as we then knew him and that those
 21 requests had been refused and material had been retained
 22 by Hempsons. I was wondering, did you receive any
 23 reason for their declining to cooperate with you on
 24 this?
 25 **A. We received a number of responses because we asked for**

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1 **the information on a number of occasions, and Hempsons**
 2 **would not release the documentation held by them in**
 3 **connection with the Garnham Review to the council,**
 4 **though the council had commissioned that review and met**
 5 **the cost of it, on the basis that to do so may breach**
 6 **the confidentiality or expectations of confidentiality**
 7 **of the witnesses who gave evidence to the review.**
 8 **So it was our understanding that Hempsons complied**
 9 **with the section 21 notices for material requested by**
 10 **the inquiry and disclosed documentation from the review**
 11 **directly to the independent inquiry.**
 12 **The council was not privy to the nature of**
 13 **the requests made by the inquiry or to the responses**
 14 **from Hempsons. So the position is, we don't know what**
 15 **was asked for and we don't know what they gave you, but**
 16 **we know that we were refused a lot of information.**
 17 **The council received disclosure of some of**
 18 **the Garnham witness transcripts from the inquiry as part**
 19 **of the disclosure, so we did receive some of those, but**
 20 **we received them in a very circuitous route.**
 21 **Following receipt of the transcripts, Hempsons**
 22 **agreed to release copies of the interview packs that**
 23 **they prepared for the witnesses to the council on the**
 24 **basis that the documentation contained within them had**
 25 **originally come from council records, and the council**

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1 **also asked Hempsons to provide a full list of all the**
 2 **documentation that they held in connection with the**
 3 **Garnham Review in order that the council could consider**
 4 **whether there was additional material that it sought**
 5 **disclosure of. Unfortunately, that was refused, and**
 6 **those negotiations have gone on until quite recently.**
 7 **Again, they felt that to do so would breach**
 8 **confidentiality, as I said earlier.**
 9 **They did supply a summary of the categories of**
 10 **material that they held and which of those categories**
 11 **had already been disclosed to the inquiry. But that's**
 12 **as helpful as I'm able to be on that point.**
 13 Q. Thank you. That's a very thorough reply.
 14 My second question is, you have noted that
 15 Cyril Smith chaired the Knowl View board of governors
 16 until 1972 and then became involved in Knowl View again
 17 in the 1990s and indeed became a school governor between
 18 1994 and 1998.
 19 **A. Yes.**
 20 Q. Is there any evidence of Cyril Smith's involvement in
 21 the affairs of Knowl View School in that interim period
 22 of 1972 to about 1990?
 23 **A. We have been unable to find any information that would**
 24 **suggest he had involvement either formally or informally**
 25 **during that period.**

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1 Q. Finally, if I could take you to paragraph 11.14 of your
 2 statement. We see here, and we see from other
 3 disclosure, that in 1988 and again in late 1990,
 4 Alison Fraser whom you have indicated was a psychiatrist
 5 appointed to serve Knowl View had reported concerns
 6 about what boys in the school were saying to her about
 7 sexualised behaviour, and that she and her colleague
 8 Christine Scarborough eventually took what they called
 9 the nuclear option of writing a letter directly to the
 10 Director of Education because Dr Fraser's concerns were
 11 not being addressed.
 12 I was wondering if, from your review of the records,
 13 is it possible for you to say why those concerns were
 14 not being addressed?
 15 **A. I'm afraid that, beyond guessing, it wouldn't be**
 16 **possible for me to say that, but I know both Mr Davey**
 17 **and Mrs Cavanagh will be giving evidence and they may be**
 18 **able to help more than I am able to at this moment in**
 19 **time.**
 20 Q. I certainly wouldn't ask you to speculate. Thank you
 21 very much.
 22 **A. Thank you.**
 23 MS HOYANO: Thank you, chair.
 24 MR ALTMAN: Thank you very much, Ms Hopper. We will see you
 25 again.

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<p>1 A. You will, in two weeks.</p> <p>2 MR ALTMAN: Thank you very much.</p> <p>3 A. Thank you.</p> <p>4 (The witness withdrew)</p> <p>5 MR ALTMAN: Chair, Mr Henderson is now going to read some</p> <p>6 more material, first from Father Michael Seed and then</p> <p>7 another witness by the name of Janet Galpin. He hopes</p> <p>8 to be finished within about half an hour or so.</p> <p>9 Excerpt from book of FATHER MICHAEL SEED (read)</p> <p>10 MR HENDERSON: Chair, members of the panel, as Mr Altman</p> <p>11 said, we first of all have some evidence to read from</p> <p>12 Father Michael Seed, who was a pupil at Knowl View in</p> <p>13 the 1970s. He published a book called "Nobody's Child"</p> <p>14 in June 2008. It is essentially an autobiography. It</p> <p>15 contains some information about his experiences at</p> <p>16 Knowl View. We are going to read a section from chapter</p> <p>17 25 of that book and then a few excerpts from his</p> <p>18 interview with the Garnham Review confirming the truth</p> <p>19 of it.</p> <p>20 Firstly, the excerpt from chapter 25 of "Nobody's</p> <p>21 Child", which the relevant part is as follows:</p> <p>22 "Knowl View School, I rapidly discovered, was for</p> <p>23 neither the timid nor the innocent. We may have been</p> <p>24 called pupils. In reality, we were more like prison</p> <p>25 inmates. Officially, we were not allowed to leave the</p> <p style="text-align: center;">Page 113</p>	<p>1 initially sounded like a foreign language to me, and</p> <p>2 told me it was money for old rope. £5 a time was the</p> <p>3 going rate for a rent boy in Rochdale in 1970.</p> <p>4 "For a reclusive boy of 12 whose chief companion for</p> <p>5 years had been a 73-year-old grandmother, it was</p> <p>6 a frightening and confusing experience to be plunged</p> <p>7 into this alien world of casual criminals and</p> <p>8 sex-for-sale teenagers.</p> <p>9 "There were fights and beatings and feuds, just like</p> <p>10 in prison, and I was occasionally a victim of their</p> <p>11 violence. But I could only be thankful that even the</p> <p>12 most aggressive among them were usually too busy with</p> <p>13 their own bizarre affairs to bother with me. The news</p> <p>14 that Edward Heath had become Prime Minister never made</p> <p>15 it past the gates of Knowl View, but the current rates</p> <p>16 for sex and drugs on the local high streets were hot</p> <p>17 topics for discussion.</p> <p>18 "There were three distinct types in the school. The</p> <p>19 children who were not aware, called mentally subnormal</p> <p>20 in those days; the thugs, who suffered from serious</p> <p>21 behavioural problems; and me.</p> <p>22 "Most of the hooligan types had been badly abused</p> <p>23 mentally, physically or sexually and many of them had</p> <p>24 a parent who was either in prison or addicted to drugs</p> <p>25 or alcohol or both.</p> <p style="text-align: center;">Page 115</p>
<p>1 premises without an escort when we would go out in</p> <p>2 convoys like rows of ducks led by a teacher. This rule</p> <p>3 was relaxed when we were older. Set in lush green acres</p> <p>4 of playing fields and parkland in a genteel suburb some</p> <p>5 2 miles north-west of Rochdale, the school should have</p> <p>6 been a paradise, but instead proved to be home to a hard</p> <p>7 core of young career criminals.</p> <p>8 "A later generation of residents would burn down the</p> <p>9 place, and it never recovered.</p> <p>10 "We were a nightmare mix of different cultures,</p> <p>11 colours and religions.</p> <p>12 "The thugs, mainly skinheads, several of whom had</p> <p>13 tattoos that were as intimidating as they were explicit,</p> <p>14 would sneak out of the dormitories at night and head to</p> <p>15 the town's red light district. Some were dealing drugs,</p> <p>16 others made their pocket money thieving and there was</p> <p>17 a well-organised contingent of rent boys selling their</p> <p>18 bodies to kerb-crawling, paedophile homosexuals. Some</p> <p>19 of them were working the streets during the day as well</p> <p>20 as at night and often barely made it back for the</p> <p>21 evening check by house staff. Several of them had tried</p> <p>22 to recruit me into their trade, boasting of the rich</p> <p>23 pickings to be had from what they called 'the old</p> <p>24 faggots' who bought their services. They talked in</p> <p>25 terms of hand jobs and blow jobs and bendovers, which</p> <p style="text-align: center;">Page 114</p>	<p>1 "The school gave scarcely any formal lessons, apart</p> <p>2 from metalwork and woodwork. Each boy was more or less</p> <p>3 allowed to get on with whatever he fancied doing at the</p> <p>4 time, although there were compulsory monthly visits to</p> <p>5 the production lines of dozens of factories across the</p> <p>6 North of England and it was very clear the authorities</p> <p>7 believed this was the only type of work we could ever</p> <p>8 aspire to. As a result, they never attempted to</p> <p>9 academically equip us for anything more challenging.</p> <p>10 The only important teaching seemed to be to get us to</p> <p>11 read and write. With the exception of the headmaster,</p> <p>12 Mr Turner, who was a dedicated and caring man and</p> <p>13 someone one could always talk to, the teachers seemed to</p> <p>14 have difficulty in providing intellectual stimulation or</p> <p>15 inspiration. One teacher was particularly repulsive.</p> <p>16 This brutal, low-class individual appeared to thrive on</p> <p>17 being nasty, referring to us all as 'little shits' and</p> <p>18 verbally abusing the more susceptible boys. Once he had</p> <p>19 selected his victim, he would concentrate for the whole</p> <p>20 lesson on reducing him to tears. He was bordering on</p> <p>21 sadistic and I don't understand how people of that</p> <p>22 mentality managed to get into teaching. Mr Turner and</p> <p>23 the psychiatrist apart, most of the resident staff acted</p> <p>24 more like warders than teachers and seemed not to take</p> <p>25 much account of our feelings. Some were critical to the</p> <p style="text-align: center;">Page 116</p>

1 point of being cruel. The majority made little or no
 2 effort to get to know or understand us, but there were
 3 a few teachers who clearly cared about the boys and made
 4 a big effort to improve our lives. One teacher used to
 5 complain all the time that we smelled. It was true. We
 6 were smelly. Youngsters tend to sweat a lot and we were
 7 made to wear our underwear, socks and shirts for three
 8 days at a time. Trousers were worn for a couple of
 9 weeks between washes. I suppose we were used to the
 10 smell but the teachers must have found a whole class of
 11 us pretty overpowering. Sometimes I, myself, would find
 12 the smell in the dormitory unbearable and I would try to
 13 leave a window open at night, even in the winter. The
 14 dormitories were open plan with room for a dozen beds
 15 and lockers. We had a wall near the side of us for
 16 privacy and we each faced another boy's bed across the
 17 central walkway. The brown linoleum floors were
 18 immaculately clean and the predominant smell, apart from
 19 ourselves, was of Dettol, but we weren't the 'pigs in
 20 shit' that one teacher used to sneeringly label us as.
 21 Ironically, one of the most popular teachers,
 22 David Higgins, later became the subject of a police
 23 investigation into paedophilia and was convicted of
 24 indecent assault on several of the pupils at Knowl View.
 25 "Even though we had to wear the same underwear for

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1 three days, we were made to shower every day, which
 2 I thought was marvellous. At home, we had been lucky
 3 enough to have a bathroom with a bath. In those days,
 4 many homes still didn't. I had never had a shower
 5 before going to Knowl View and I loved it. If
 6 Mr Higgins had had his way, we'd have showered twice
 7 a day. Other teachers would come to watch us in the
 8 open showers and often make very personal remarks about
 9 our genitals, but Mr Higgins was the only one who would
 10 touch us. His technique was ingenious. He would take
 11 us on hikes or pot holing and, because we loved these
 12 outings, he was by far the most popular teacher. Of
 13 course boys of that age adore mud, so Mr Higgins
 14 encouraged us to get as dirty as we liked and, when we
 15 returned to the school, it was only natural that he
 16 should suggest we all have a good shower. And there
 17 would be Mr Higgins, then aged about 30, armed with the
 18 soap, helping us to reach the parts we couldn't easily
 19 reach. He would give a little rub here and a little rub
 20 there. It was the perfect cover for a pervert.
 21 "There were five showers in a row and he would have
 22 us in five at a time. Sometimes he would wash and play
 23 with us and, on occasion, he would get the boys to
 24 masturbate. At the time, I thought all this was normal,
 25 that it was what they did at boarding school. No-one

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1 ever seemed to object and the rent boys would joke about
 2 giving him one on the house.
 3 "The one thing that all 50 or so boys at Knowl View
 4 had in common was a weekly individual meeting with the
 5 resident psychiatrist. Like me, at these sessions, none
 6 of the boys ever honestly discussed his background or
 7 problems. People like the psychiatrist couldn't
 8 understand that kids don't open up on demand. We made
 9 up lies and acted out fantasy family scenarios rather
 10 than reveal the truth. The psychiatrist was a decent
 11 well-meaning man. We did jigsaws and played games
 12 instead of messing about with boxes, but I never found
 13 our sessions any help. I knew I wasn't mad and I'm sure
 14 he believed the same, but we still had to spend our half
 15 hour together each week. It was, after all, a school
 16 for maladjusted children and he had a job to do."
 17 Father Michael Seed was interviewed by Neil Garnham
 18 as part of his review on 1 July 2014, and if we could
 19 please bring up on screen the transcript of that
 20 interview, we will just look at a few very short
 21 passages from it. It is RHC000245. We see there the
 22 cover picture. If we could go to the second page,
 23 please, and right down the bottom, you will see
 24 Father Seed said that 1957 is when he was born, so he
 25 would have been 13 when he went to Knowl View in 1970.

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1 Then over the page, to page 3, the first question by
 2 Mr Garnham, the second paragraph there, you will see he
 3 says this:
 4 "You describe in the book a fairly daunting welcome
 5 to Knowl View with some of the older boys and slightly
 6 thuggish elements amongst them."
 7 Father Seed says:
 8 "Yes, I think there were ideas. At one point, there
 9 were rumours, for example, when the school closed down,
 10 that the school was burnt down, which is possible. I am
 11 not certain about this, but I do think one rumour was
 12 the police itself burned it down. One really didn't
 13 know what was fact and fiction. Then there were rumours
 14 of goings on in Rochdale and such with drugs and
 15 possible prostitution. I wasn't involved in any of
 16 that.
 17 "Question: But there was talk of it amongst the
 18 boys was there?
 19 "Answer: Yes, yes, there would have been.
 20 "Question: You describe in the book the sort of
 21 sexual practices that went on in the public lavatories
 22 in Rochdale?
 23 "Answer: Yes, that's true as well."
 24 If we turn over the page to page 4, and just the
 25 second paragraph there again, a question from

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1 Neil Garnham, you will see Mr Garnham asks:
 2 "What sort of proportion of the boys were indulging
 3 in selling themselves for sex? How common was this?
 4 "Answer: How common? Well, I think it would be
 5 every weekend or whenever they could escape, I guess.
 6 The older ones would go out and whatever. I may have
 7 gone with them once or twice but we would just go
 8 looking to buy a shirt or something like that."
 9 There is then an interpolation about Ben Sherman
 10 shirts and the question is picked up again a few lines
 11 down:
 12 "Question: Of the children there, what percentage
 13 do you think would have been indulging in these sort of
 14 sexual acts? Was it half of them or ...?
 15 "Answer: The older ones, I would say, would be from
 16 maybe 14, 15, 16. From my memory, most people left at
 17 16, I am not sure. I actually stayed on, I think, until
 18 I was about 16.5, from memory. They would go out, but
 19 I wouldn't. There were certain ones that I would just
 20 avoid so I wouldn't really deal with them."
 21 Then finally, if we could turn to page 8 -- sorry,
 22 two more excerpts. Page 8. Again, a little bit more
 23 detail about this in the middle of the page, Father Seed
 24 was asked this:
 25 "Tell me this. The boys who were indulging in the

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1 prostitution going down to -- was it to Smith Street
 2 lavatories?
 3 "Answer: I can't recall ... I do remember going
 4 down to the centre of Rochdale and we would go to
 5 various places and then we would lose the older ones and
 6 we would walk home, usually we would walk everywhere
 7 generally."
 8 A question from Mr Garnham:
 9 "Did you detect -- I just want to know a little bit
 10 about what it did to the boys who were indulging in
 11 these practices. Was it obvious that they were damaged
 12 by it or were they just laughing it off?
 13 "Answer: They were rough. They were very rough.
 14 Very, very disturbed now, actually. I just remember
 15 there was a guy who was really disturbed and quite
 16 violent, and they would be around my age and perhaps
 17 a little older but there was very odd stuff going on
 18 where they would go."
 19 He then speaks about a friend of his. If we go down
 20 to the next paragraph, please, Mr Garnham asks him
 21 again:
 22 "Just going back to the boys who were indulging in
 23 these prostitution practices. They were already pretty
 24 rough lads and they had had a fairly bad life so far.
 25 Do you think they were further damaged by what they were

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1 doing or were they laughing it off or maybe both?
 2 "Answer: I think they didn't give a damn, really.
 3 "Question: Really?
 4 "Answer: To be honest, no. I mean, I'm talking
 5 about the older ones and the rough ones and we did have
 6 some rough elements. You know, sometimes I would be,
 7 from my memory now, I'd be beaten up by the older ones
 8 even though I would have possibly been the same age as
 9 some of the others. Yes, we would all get hit, punched
 10 wherever, and I think when I got to my own little room,
 11 I would lock the door."
 12 Finally, if we could go to page 13, just at the top
 13 of that page, if you go halfway down, this is just
 14 important because, as you will see, he confirms the
 15 accuracy of his book. Mr Garnham asks him:
 16 "Are we right to take your book, at least the
 17 chapters relating to Knowl View, as accurate
 18 a recollection as you have of what happened there?
 19 "Answer: I hope so.
 20 "Question: It's not meant to be a work of fiction,
 21 it's meant to be a work of fact, isn't it?
 22 "Answer: Yes, it's all fact and, if you disregard
 23 the early years, which are not in any sense irrelevant,
 24 but what is relevant to the case now is exactly my years
 25 at that school ..."

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1 He then explains some of it is to do with his
 2 earlier childhood, but down the bottom of that excerpt
 3 that we have got blown up on the screen, he's asked:
 4 "Question: But insofar as it relates to Knowl View,
 5 I can take it, can I, as being your accurate
 6 recollection of what happened?
 7 "Answer: It is, yes. To the best of my memory,
 8 yes, absolutely."
 9 Those are the excerpts we were going to read from
 10 Father Seed.
 11 Statement of MRS JANET GALPIN (read)
 12 MR HENDERSON: Finally for today, we have a witness
 13 statement from Janet Galpin which is at GMP001127,
 14 please. This is Janet Galpin, a statement given to
 15 Greater Manchester Police on 6 February 2015. She says
 16 this -- you can zoom in, thank you very much:
 17 "In September 1979 until July 1980, I was a teacher
 18 at Knowl View School in Rochdale. My role was to teach
 19 a broad range of subjects and this role was a secondment
 20 contract for a teacher who had gone on study leave.
 21 This teacher was possibly named Stanley Thomas. As part
 22 of my contract, I had to work one night a week. My
 23 qualifications at the time of my employment commencing
 24 at Knowl View School were a certificate of education
 25 issued by Middlesex University where I was trained for

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1 the primary age range. At Knowl View School this was up
 2 to age 11.

3 "Prior to starting at Knowl View School, I worked as
 4 a primary school teacher in London and during this
 5 particular role I had carried out a residential, so
 6 I had experience of issues in relation to looking after
 7 students out of the school context; for example, being
 8 aware of having the students cover up after showering.
 9 I took over the role of house parent on Sundays,
 10 following my one-year temporary contract, to make extra
 11 money due to my husband being at university and also
 12 that, as a young teacher, age of 23 at the time, I was
 13 not earning a lot of money. Before commencing the role
 14 at Knowl View, I had two interviews for two special
 15 schools up here and I may have seen the job
 16 advertisement in the Times Education Supplement.

17 "I went for my first interview at a special school
 18 in Bolton, although I cannot remember the name of it.
 19 However, it doesn't exist anymore. This interview was
 20 carried out by an interview panel, very formal.

21 However, I was unsuccessful. My interview at Knowl View
 22 was carried out by Mr Hopwood and informal, in contrast
 23 to the previous interview. I was successful.

24 "There was no induction upon commencing employment.
 25 I was thrown in at the deep end and there was no

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1 in-house training on issues surrounding child
 2 protection.

3 "When I was teaching at Knowl View prior to my role
 4 as house parent, I had to do one night shift which
 5 finished at around 2130 hours to 2200 hours. I would
 6 have started at around 0830 hours. I did a night shift
 7 once a week, and this included weekends, although there
 8 were no lessons taught at the weekend.

9 "From September 1980 I was solely a house parent.
 10 The boys referred to me by the name of Mrs Galpin.

11 "On Sunday nights, I would have been in charge of up
 12 to 12 boys, but this varied as some of the boys went
 13 home for the weekend.

14 "In my role as house parent on a Sunday night,
 15 I would help with the evening meal and I sat and ate
 16 with them and also took part in the evening activities,
 17 such as watching TV or playing board games. The younger
 18 boys were not allowed out on a night-time but the senior
 19 boys were as a treat and they earned this privilege
 20 through good behaviour.

21 "One Sunday night, I cannot recall the specific
 22 date, but I recall it being a winter's night. I was by
 23 the junior dormitory doing the usual night-time routine
 24 and the boys were nearly all asleep. There was an area
 25 called the quad with the junior dormitory on one side

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1 and the senior dormitory on the other side. I was stood
 2 by the junior side and I looked over to the senior side
 3 and through the window I saw a student named A181 with
 4 no clothes on and I had a clear view of all his body,
 5 including penis. He was facing the end of the bed and
 6 appeared to be having sex. There was nothing
 7 obstructing my view and the lights were on in the senior
 8 boys' dormitory. I watched him for about five minutes,
 9 but I cannot recall how it ended. I was not able to
 10 leave my junior dormitory, as the rules were that I was
 11 to stay there until they were asleep. There would have
 12 been someone responsible for the senior boys, but I do
 13 not recall who it was. About 30 minutes later
 14 I reported this to the deputy headmaster, Len Robson.
 15 His response was dismissive and he used words to the
 16 effect of, 'If you don't like it, you know what you can
 17 do'. It was dismissive."

18 Over the page, please. The end of the statement is
 19 as follows:

20 "Due to this response, I am not sure how long after
 21 the incident I reported, but I actually resigned from my
 22 post and it was due to the response I got when reporting
 23 it. I did not speak to anyone else about the incident
 24 except for my husband. After Martin Digan blew the
 25 whistle on Knowl View around 1996 I contacted

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1 Diana Cavanagh to see if they had this incident on
 2 record and she assured me that they did have the report
 3 documented of the incident. There was no further
 4 discussion with Diana Cavanagh.

5 "Around this time I was working at Balderstone
 6 School and I wasn't given approval to hire a member of
 7 staff for a group of challenging boys. I wanted to hire
 8 Martin Digan due to his skills and experience of working
 9 with boys with challenging behaviour and I was told by
 10 the authority that, 'No, he can't (have the job)'.
 11 I was given funding but I could not hire him. I have
 12 had no further contact with Martin Digan since the early
 13 80s, except seeing him on the TV. The culture at the
 14 school was very male dominated. The ones in senior
 15 management, ie the head teacher and deputy head teacher
 16 were unapproachable and patronising. My recollection of
 17 incident recording was that there was an incident book
 18 and any incident was recorded in it. I do not remember
 19 it being carbonated, just a book. I cannot remember if
 20 I wrote the incident that I witnessed in the book or
 21 not."

22 That's all from Mrs Galpin.

23 MR ALTMAN: Chair, I'm afraid that's as far as we can go
 24 today. Tomorrow, Allan Buckley and DCI Sarah Jones from
 25 Greater Manchester Police, possibly a bit of reading as

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<p>1 well I think tomorrow. That's the programme for 2 tomorrow. 3 THE CHAIR: Thank you, Mr Altman. Thank you. That 4 concludes today's hearing. 5 (3.08 pm) 6 (The hearing was adjourned until 7 Friday, 13 October 2017 at 10.30 am) 8 9 I N D E X 10 11 Transcript of MRS EILEEN KERSHAW1 12 (read) 13 14 Statement of MR MARTYN GREEN (read)9 15 16 MR DAVID GERALD BARTLETT (affirmed)12 17 18 Examination by MR ALTMAN12 19 20 MS GAIL HOPPER (continued)44 21 22 Examination by MR ALTMAN44 23 24 Questions from THE PANEL106 25</p> <p style="text-align: center;">Page 129</p>	
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