

<p>1 Wednesday, 27 July 2016 2 (2.00 pm) 3 Preliminary remarks by THE CHAIR 4 THE CHAIR: Yes, good afternoon everybody and welcome to the 5 second preliminary hearing on the Inquiry's 6 investigation into children in the care of Lambeth. 7 I have sitting with me on the bench today my fellow 8 Panel members, Professor Sir Malcolm Evans, Ivor Frank, 9 Professor Alexis Jay and Drusilla Sharpling. Together, 10 of course, we share the collective responsibility of 11 considering all of the material that will come before 12 this Inquiry, determining what our findings of facts are 13 based on that material and then formulating 14 recommendations to take forward in our reports to the 15 Home Secretary. 16 Now, Mr Emmerson, may I call on you, please, to 17 address us about the business of today. 18 General remarks on the progress of the Inquiry into children 19 in the care of Lambeth by COUNSEL TO THE INQUIRY 20 MR EMMERSON: Yes, indeed, Madam Chair and Members of the 21 Panel. As you have indicated, this is the second 22 preliminary hearing for the Inquiry's investigation into 23 institutional failures to protect children in the care 24 of Lambeth Council from sexual abuse and exploitation. 25 My submissions this afternoon are primarily by way</p> <p style="text-align: center;">Page 1</p>	<p>1 Ms McGahey. 2 THE CHAIR: Ms McGahey. 3 MR EMMERSON: The Shirley Oaks Survivors' Association, or 4 SOSA, are represented by Mr Raymond Stevenson and 5 Ms Lucia Hinton today. 6 THE CHAIR: Mr Stevenson and Ms Hinton. 7 MR EMMERSON: I think they will have some submissions to 8 make to you at a later stage. 9 Brian Pead, who is an applicant for core participant 10 status that you have provisionally declined, appears in 11 person and will make some submissions at an appropriate 12 point on his renewal application. 13 THE CHAIR: Yes, Mr Pead, I will hear from you in due 14 course. 15 MR PEAD: Thank you. 16 MR EMMERSON: The Lambeth investigation is focused primarily 17 on abuse which took place during the 1980s and 1990s. 18 With that focus, the Inquiry has conducted a review of 19 publicly available material, including media reports and 20 previous published Inquiry reports into matters relating 21 to the sexual abuse of children in the council's care 22 and has also sought material from a range of 23 core participants by way of statutory disclosure. 24 From Lambeth Council the Inquiry has sought and 25 received and has now considered and analysed a vast</p> <p style="text-align: center;">Page 3</p>
<p>1 of an update on the Inquiry's work, but today's hearing 2 will also provide an opportunity for one renewed 3 application for core participant status as well as for 4 the existing core participants to make submissions on 5 the restriction order relating to anonymity for 6 complainants, the redaction protocol and draft redaction 7 guidance and to raise any other matters on which they 8 wish to make submissions. 9 In attendance this afternoon are Clair Dobbin and 10 Marlene Cayoun, lead and supporting junior counsel for 11 this investigation -- 12 THE CHAIR: Ms Dobbin, Ms Cayoun. 13 MR EMMERSON: -- and the representation otherwise is as 14 follows: 15 Lambeth Council is represented by my learned friend, 16 Mr Verdan. 17 THE CHAIR: Mr Verdan. 18 MR EMMERSON: The Commissioner of Police for the 19 Metropolitan area is represented by my learned friend 20 Mr Beer. 21 THE CHAIR: Mr Beer. 22 MR EMMERSON: The Crown Prosecution Service again by 23 Mr Brown. 24 THE CHAIR: Mr Brown. 25 MR EMMERSON: The Secretary of State for Education again by</p> <p style="text-align: center;">Page 2</p>	<p>1 quantity of documents. First the Inquiry has received 2 a significant tranche out of a total of more than 5,000 3 documents contained in the council's CHILE archive. 4 "CHILE" was an acronym for the Children's Homes in 5 Lambeth Inquiry and ran between 1998 and 2003. It took 6 evidence from individuals who had been in Lambeth's care 7 from 1953 to 2003, including those who had self-referred 8 to the Inquiry, as well as those who were proactively 9 approached by the council on the basis of suspicions 10 that they may have been sexually abused whilst in care. 11 The archive also contains records relating to staff 12 about whom there were suspicions of misconduct or 13 criminal offending and records relating to the 14 management of different children's homes. 15 Despite concerns about what CHILE ultimately 16 achieved, the evidence which it gathered is valuable to 17 the Inquiry and has enabled us to identify children who 18 may have been abused, suspected abusers, the homes at 19 which those suspects worked and the periods of time 20 during which the suspects were working. Needless to 21 say, this Inquiry's analysis of the material considered 22 by CHILE will be entirely independent and objective. 23 Secondly, the Inquiry has received information 24 relating to the management and records of a range of 25 named children's homes, including Monkton Street,</p> <p style="text-align: center;">Page 4</p>

<p>1 Ivy House, Southvale Assessment Centre, Angel Road and 2 the Shirley Oaks complex.</p> <p>3 Thirdly, the Inquiry has received information about 4 individuals known to have abused children in Lambeth, 5 such as Michael Carroll, a convicted sex offender who 6 ran children's homes in the borough. The information 7 provided includes records relating to his fostering of 8 children and materials provided to the Clough Inquiry, 9 which investigated the council's conduct in relation to 10 Carroll. One of the issues being considered by the 11 investigation is the extent to which there was candour 12 in the disclosure provided to the Clough Inquiry.</p> <p>13 Fourthly, the Inquiry has a range of reports 14 commissioned by the council about children in its care 15 or its provision of children's services. Some of those 16 reports, for instance "Whose child?", the report into 17 the death of Tyra Henry, are not directly relevant to 18 the issue of the sexual abuse of children in Lambeth, 19 but they do provide vital information about the wider 20 cultural and management issues within the council which 21 may negatively have affected the provision of services 22 across a number of Lambeth directorates.</p> <p>23 These reports allow the Inquiry to begin the process 24 of plotting how Lambeth responded not just to instances 25 of reported sexual abuse of children, but also how it</p> <p style="text-align: center;">Page 5</p>	<p>1 and the experience of children who lived in these homes.</p> <p>2 The Inquiry's analysis of the evidence disclosed by 3 Lambeth thus far is focused on six principal questions: 4 first, to what extent were children sexually abused 5 whilst they were in the care of Lambeth Council? 6 Secondly, was the sexual abuse of children living in 7 Lambeth's children's homes organised in the sense that 8 abusers enabled other abusers to have access to children 9 who lived in those homes? Thirdly, what information or 10 evidence was before Lambeth Council at the material 11 times to demonstrate that children in its care were at 12 risk of sexual abuse? Fourth, to what extent did 13 Lambeth put children at risk of sexual abuse by its 14 recruitment practices and by its management of 15 children's homes? Fifth, what extent was the response 16 of the council and individual employees to evidence of 17 sexual abuse adequate? And lastly, what was the 18 experience of children who were fostered?</p> <p>19 I turn now to consider the evidence received from 20 the Metropolitan Police. Over the years, the MPS has 21 been involved in a number of investigations relating to 22 allegations of the sexual abuse of children in the care 23 of Lambeth Council. The Inquiry has an interest in 24 securing the product of those investigations, but also 25 in understanding the extent to which the investigations</p> <p style="text-align: center;">Page 7</p>
<p>1 responded to each report which it commissioned. The 2 quantity of reports produced to the Inquiry gives rise 3 to a question which the Panel will in due course need to 4 consider of whether there may have been a culture within 5 Lambeth of commissioning reports in response to 6 failures, rather than tackling the failures already 7 identified.</p> <p>8 As you may appreciate, the scale of the disclosure 9 exercise is genuinely enormous. Lambeth described the 10 extent of the materials which had to be sifted for 11 relevance at the last hearing. It will be recalled 12 that, in addition to the CHILE archive, there are 13 100,000 items in the "Restore" archive, which mostly 14 comprises individual children's files, and some 15 26,000 boxes of material held in locations around the 16 county. In the light of the scale of that disclosure 17 exercise, Lambeth has agreed to provide disclosure on 18 a rolling basis, once a month.</p> <p>19 The sheer volume of material considered by the 20 Inquiry thus far underscores the vast scale of the task 21 faced by this investigation. Of the records so far 22 analysed, very few have proved to be wholly irrelevant. 23 They nearly all provide information about the culture of 24 homes within Lambeth, the quality of the staff who 25 worked at them, the quality of care provided to children</p> <p style="text-align: center;">Page 6</p>	<p>1 were conducted adequately.</p> <p>2 One issue the MPS must address is the allegation 3 that there was interference in the investigation carried 4 out by Detective Inspector Driscoll into abuse within 5 Lambeth homes. Those issues will be pursued as the 6 investigation develops. But for present purposes the 7 imperative has been to receive information gathered 8 during the MPS investigations in order to assist the 9 Inquiry's understanding of the prevalence of sexual 10 abuse in Lambeth children's homes.</p> <p>11 The first tranche of disclosure from the MPS relates 12 to a man called Leslie Paul. Paul worked at the 13 Southvale Assessment Centre and has been convicted three 14 times in respect of the sexual abuse of children, in 15 1993, 2003 and 2015.</p> <p>16 The investigation is using the material gathered for 17 those prosecutions to understand how the allegations 18 against Paul unfolded, what the council knew about him 19 at material points in time and how the council responded 20 to information that he may have been sexual abusing 21 children.</p> <p>22 Since the last preliminary hearing, the Inquiry -- 23 specifically counsel -- have held two meetings with the 24 representatives of the Shirley Oaks Survivors' 25 Association. The continued involvement of SOSA, if</p> <p style="text-align: center;">Page 8</p>

<p>1 I can use the acronym, in this investigation is very 2 welcome and we very much hope that that will continue. 3 I reiterate the importance which the Inquiry attaches to 4 the participation of individuals who can speak to their 5 experiences in Lambeth homes. 6 Alongside the Inquiry's investigative work, the 7 research team is providing support to enable the 8 investigation to understand more about Lambeth and its 9 population over time. Research has begun that will 10 provide information about Lambeth's demographics and the 11 demographics of its looked after children, as well as 12 the structure and funding arrangements for the provision 13 of services to those children. Researchers are 14 analysing the existing inspection reports for Lambeth's 15 statutory children's services and tracking the 16 implementation of any recommendations that were made. 17 It is intended that this will in due course allow us to 18 put what we know about the institutional responses to 19 child sexual abuse in Lambeth in its national and 20 historic context. It is anticipated that all three of 21 the local authority investigation reports will provide 22 background information in a standardised format. 23 The Inquiry has received nine applications for 24 core participant status. Applying the principles 25 contained in the Inquiry Rules, you have granted</p> <p style="text-align: center;">Page 9</p>	<p>1 tasked here today to present my case to this court for 2 core participant status. Notwithstanding my belief that 3 anyone who has been abused is automatically 4 a core participant, I present my case as follows: 5 I have the permission of a very famous person to 6 reveal to the court the following extract from his 7 forthcoming autobiography, which I am in the fortunate 8 position of ghost-writing for him. He says that this 9 teacher: 10 "... if you weren't good at his subject ... you 11 would be called to the study where he would lecture you. 12 He would smack you around the head several times, 13 perhaps a half dozen times. He would clout you with his 14 giant hand. It was like a ritual. He would get you to 15 drop your trousers ... then your pants ... then he would 16 bring out a hairbrush which was leather-lined to prevent 17 bruising. He would smack your bare bottom until it 18 stung." 19 And this person says that he tried not to cry 20 through the throbbing pain. Then he says that sometimes 21 the teacher would hug him. 22 This, ladies and gentlemen, is but one small extract 23 from his autobiography which I feel epitomises the very 24 notion of abuse of power and authority. I shall reveal 25 his name at the conclusion of this application.</p> <p style="text-align: center;">Page 11</p>
<p>1 participant status to five of those applicants. There 2 have been so far no awards for legal expenses funding 3 under section 40. 4 Since the last hearing, the Inquiry has received two 5 new applications for core participant status. You 6 provisionally declined them both, but one of them, 7 Mr Brian Pead, has indicated an intention to renew his 8 application today. This would, I think -- 9 THE CHAIR: Would this be a convenient time? Yes, thank 10 you. 11 Mr Pead, would you care to address me? Feel free to 12 say whatever you wish to say, but I remember very well 13 your application and my provisional determination, so 14 that perhaps you could emphasise anything additional 15 that you might want to say or anything that was in my 16 determination, my provisional determination, with which 17 you wish to take issue. 18 Renewed application for core participant status by 19 MR BRIAN PEAD 20 MR PEAD: I understand completely, Madam Chair. Thank you. 21 I would like to thank you and the members of the Panel 22 for this opportunity to allow me to come here today and 23 to speak before you. 24 My application here today draws on several strands, 25 but they are all relevant, I can assure you. I am</p> <p style="text-align: center;">Page 10</p>	<p>1 His account is but a mere grain of sand when 2 compared with all the abuse of power that people are 3 subjected to on a daily basis the world over, but 4 I believe that this country is on the verge of history. 5 800 years after Magna Carta was signed by King John at 6 Runnymede -- and I noted that downstairs when I came in 7 this morning -- the poor, the oppressed, the bullied and 8 the abused are still fighting for the right to be 9 treated equally; the right to be treated as human 10 beings. A light is beginning to shine and this Inquiry, 11 obviously, helps to shine the light. 12 "In the naked light I saw. 13 "Ten thousand people, maybe more. 14 "People talking without speaking. 15 "People hearing without listening. 16 "People writing songs. 17 "That voices never share. 18 "And no one dare. 19 "Disturb the sound of silence." 20 Perhaps for the first time in this country's 21 history, the survivors of abuse are being given a voice. 22 How strong that voice becomes is in part up to this 23 Inquiry. But I believe that, no matter what the outcome 24 of this Inquiry, those who were abused will rise up and 25 ensure that their voices are heard. They may not</p> <p style="text-align: center;">Page 12</p>

<p>1 ultimately receive the justice they richly deserve, but 2 they will have their voices heard. No more the sound of 3 silence, Madam Chair, no more the sound of silence. 4 I, along with a brother, was abused in the late 5 1950s and 1960 in a children's home in Harpenden, 6 Hertfordshire, and I'm in the process of having that 7 investigated by Hertfordshire Police and I understand 8 I can't make any further comment. But it has taken me 9 ten years and five unlawful terms of imprisonment just 10 to get to this stage. Those in positions of power did 11 not want my voice to be heard. 12 "'Fools', said I, 'you do not know 13 "'Silence like a cancer grows 14 "'Hear my words that I might teach you 15 "'Take my arms that I might reach you.' 16 "'But my words like silent raindrops fell. 17 "'And echoed in the wells of silence." 18 When I became the head of a pupil referral unit in 19 Lambeth in 2005, I ended up blowing the whistle on child 20 abuse, racism and bullying, but was unlawfully dismissed 21 whilst a teacher I had sacked for the grooming of 22 students was reinstated by Lambeth into an all girls' 23 school. At a disciplinary hearing prior to my unlawful 24 dismissal, Alex Passman, an employment law specialist 25 from the University of Plymouth, told me, "Brian, you</p> <p style="text-align: center;">Page 13</p>	<p>1 protection of whistle-blowers. The reality is that 2 there is none. 3 Then, in 2011, whilst held on remand in 4 Belmarsh Prison for the alleged witness intimidation of 5 my 12-year-old grand-daughter, who has never been 6 a witness in any trial or hearing, I was wrongly 7 convicted of the harassment of my beloved daughter and 8 eldest grand-child when neither family member had ever 9 made a complaint to the police against me, ever made 10 a witness statement or ever appeared in court. Police 11 told my daughter I was a paedophile and threatened to 12 have her children taken into care if she maintained 13 further contact with me. 14 I have been beaten up in the street by police 15 officers and, when decent ordinary members of the public 16 wrote to the police to complain about brutality, they 17 were visited by senior officers and forced to withdraw 18 their statements. 19 I turn to Mr Emmerson's comments regarding 20 DCI Driscoll, who, of course, is well known to this 21 Inquiry. He told me on 9 March 2015 that I had been 22 targeted by Scotland Yard because of my research and 23 books. Silence indeed like a cancer grows. 24 I have had no contact with my beloved family since 25 2008 due to the state's interference in my private and</p> <p style="text-align: center;">Page 15</p>
<p>1 are being set up by Lambeth". He was not wrong. 2 Following my unlawful dismissal, I entered 3 a Kafka-esque world of local authority and police 4 corruption as Lambeth Council sought to maintain the 5 sound of silence. In 2013, they applied for a permanent 6 gagging order on me for the rest of my life. But no 7 more the sound of silence, Madam Chair, no more the 8 sound of silence. 9 In 2009, I was wrongly convicted of inciting 10 a 14-year-old female by offering her sex for money. She 11 did not exist. You can read the true account of that 12 trial in my book called "Framed!", and in 2012, 13 Madam Chair, Alasdair Palmer of the Daily Telegraph and 14 a former speech-writer for our present Prime Minister, 15 Theresa May, read through the documentation in that case 16 and emailed me with the following: 17 "Brian, it is clear to me that you are indeed the 18 victim of an injustice, as you maintain." 19 Four years on, I am still waiting for that 20 conviction to be quashed. It has been held over me like 21 the Sword of Damocles so that the Home Office has an 22 excuse -- they will call it a "legitimate right" -- to 23 interfere with all aspect of my life, including the 24 unlawful interference in all forms of my communications 25 and keeping me under surveillance. So much for the</p> <p style="text-align: center;">Page 14</p>	<p>1 family life as a means to silence me. But no more the 2 sound of silence, Madam Chair, no more the sound of 3 silence. 4 A book I wrote about my experiences at Lambeth, 5 entitled "From Hillsborough to Lambeth", was banned at 6 this very court in 2013. I even went to prison for two 7 weeks for a bogus allegation of contempt of court. But 8 my co-author, Michael Bird, did not go to prison for he 9 had not been a whistle-blower. That book, "From 10 Hillsborough to Lambeth", was received by former 11 Home Secretary Jack Straw by Lambeth MPs, Chuka Umunna, 12 Kate Hoey, Tessa Jowell, former Justice Minister 13 Simon Hughes and many others, including the present 14 Shadow Home Secretary, Andy Burnham, who, as everybody 15 probably knows, was instrumental in achieving truth and 16 justice for the families of Hillsborough. 17 He sent me a letter saying he had read the book with 18 great interest and he commended my own fight for 19 justice. It is my fervent wish that this present 20 Inquiry achieve a similar result to that of 21 Hillsborough. What are we, what are our lives, without 22 truth and justice? 23 In July 2013, as I mentioned before, Lambeth Council 24 spent money on making an application at this very court 25 for a permanent gagging order. That application would</p> <p style="text-align: center;">Page 16</p>

<p>1 have cost several thousand pounds, money which could 2 have gone towards prevention of child abuse. But no 3 more the sound of silence, Madam Chair, no more the 4 sound of silence.</p> <p>5 The book is still banned, though I am producing 6 a second updated edition. I believe that my experiences 7 as a head-teacher at Lambeth and my writing and my 8 experiences in a children's home should lead me to 9 become a core participant. In 2013 I was wrongly 10 convicted in a Magistrates' Court of criminal damage to 11 a car belonging to Eon, the energy company. I wrote to 12 the full board of directors for proof of this allegation 13 and three years later none has been forthcoming.</p> <p>14 In 2014 I was ghosted around the prison estate and 15 I was in ten different prisons in just 12 weeks. 16 Hardened criminals told me they had never heard of such 17 a thing before. "Blimey mate, you've trod on some 18 powerful toes" was the general consensus.</p> <p>19 In 2015 I was found guilty of impersonating 20 a barrister, but I have never spoken on another person's 21 behalf in a court of law nor donned a wig or gown so it 22 is clearly an unsafe conviction. In 2015, when my 23 Member of Parliament, Sir Henry Bellingham, sent 24 Christmas and birthday cards to my family members, I was 25 found guilty of breaches of a restraining order issued</p> <p style="text-align: center;">Page 17</p>	<p>1 dated 11 May 2016, and Sir Henry wrote: 2 "I am quite convinced that Brian Pead is a victim of 3 a number of miscarriages of justice." 4 Like Alex Passman, like Alasdair Palmer, like 5 Clive Driscoll and like so many others, Sir Henry is not 6 wrong. As part of my research into the famous man's 7 autobiography, he said to me, "All through my trial, you 8 know, I wondered when my defence team was going to get 9 round to telling my version of events. In fact they 10 never did. No one ever heard my account". But no more 11 the sound of silence, Madam Chair, no more the sound of 12 silence.</p> <p>13 So, in conclusion, these are, I believe, momentous 14 times. The nothingness of silence no longer reigns. 15 Slowly, imperceptibly, with the help of inquiries such 16 as this one here today, voices can be heard. They may 17 yet be a whisper, but a whisper can grow into a shout, 18 and I shall devote the rest of my life, however long 19 that may be, to helping others to find their voice and 20 to the protection of whistle-blowers in this country.</p> <p>21 Oh yes, I have been wrongly imprisoned on five 22 occasions, subjected to over 30 arrests, beaten up in 23 the street, separated from my family, made homeless, but 24 I still have a voice and still I am able to write. 25 I realise I am but a small cog, but while that cog still</p> <p style="text-align: center;">Page 19</p>
<p>1 in error by a Bexley Magistrates' Court and I was 2 sentenced to two years in prison. The Home Office 3 ensured I spent it in a sex offender's prison in 4 a further attempt to defame me.</p> <p>5 The abuse still continues. Upon my release from 6 prison, I have been made homeless. The local authority 7 does not believe that a man released from prison with no 8 home to go to is vulnerable. The authorities tried to 9 run me out of money. They have removed three of my 10 websites, "AllAroundJustice.com", 11 "LambethChildAbuseandCoverUp.com" and 12 "BrianPeadisInnocent.com". However, I do believe two 13 are still active, which is "LambethChildAbuse.org" and 14 "Justice4Brianpead.com".</p> <p>15 The rubric for core participant status requires 16 someone to have more than a significant interest in the 17 Inquiry. As a survivor of abuse, as a former 18 head-teacher who blew the whistle on abuse and as an 19 author about abuse, I believe that I have more than 20 a significant interest.</p> <p>21 Now I return to the famous man at the start of this 22 application. He was so incensed at reading some of 23 documentation in my four unsafe convictions and angry at 24 the state's treatment of me and my family, he wrote to 25 my MP, Sir Henry Bellingham. The MP replied in a letter</p> <p style="text-align: center;">Page 18</p>	<p>1 turns, I shall devote the remainder of my life to 2 advocating realistic safeguards, not mere lip service to 3 whistle-blowers. A whole new policy needs to be written 4 and implemented and I should like to sit on a board 5 making that policy.</p> <p>6 I have offered my services to the Labour Party in 7 this respect and also to the present government through 8 my MP. I leave the last word to my friend, whose 9 autobiography I feel so privileged to be writing. 10 I believe his words to be poignant and touching, with an 11 emotional depth so redolent of those who have been 12 abused.</p> <p>13 "I am not sure", he says, "what happiness is. All 14 my life I have looked for things to give me a reason to 15 live ... a sense of purpose to continue ... I had gone 16 to Scotland to get away from my depression and from the 17 girl. I would have liked marriage, but I find sex too 18 personal -- it's like an assault on the other person. 19 I create a lot of my disappointments. 40 years ago 20 I had a good relationship with a woman but I was absent 21 emotionally. I should have married her, but I didn't 22 because I couldn't walk up the aisle without thinking 23 that, because of the childhood abuse, people would think 24 that I was a pervert." 25 Those are the words of [redacted] who went on trial</p> <p style="text-align: center;">Page 20</p>

<p>1 for murder. We are currently in the process of seeking 2 to overturn his conviction for manslaughter. His 3 remarks, Madam Chair, just about sum up for me the 4 legacy of child abuse, the sense of shame, the blaming 5 oneself, a negative way of thinking and sometimes being 6 emotionally distant when the thing you crave is 7 emotional closeness.</p> <p>8 In truth, Madam Chair, I came here today not to make 9 an application to be a core participant per se, but to 10 have the voice of my late brother finally heard, to have 11 my own voice heard, to have the voice of [redacted] 12 heard and to be an advocate for those who have no voice 13 or who are too afraid to speak out for fear of receiving 14 the same kind of treatment I have been subjected to for 15 a decade now.</p> <p>16 I thank you, Madam Chair and Panel, for providing me 17 with the forum to have our voices heard so that, in 18 these historical times, when the oppressed are learning 19 to discover their voice and realise the power they have, 20 yet all too frequently give away, so that their voices 21 can resonate down through the generations to ensure that 22 whilst child abuse will never be totally eliminated, it 23 can at least be minimalised and talked about openly, so 24 that the sound of silence no longer holds any power to 25 diminish the lives of abused human beings.</p> <p style="text-align: center;">Page 21</p>	<p>1 and 19(4) to conclude that there is a risk of harm or 2 damage from the disclosure and that therefore 3 publication of that name should be prohibited.</p> <p>4 THE CHAIR: Yes.</p> <p>5 Mr Pead, I don't need to hear from you in response, 6 unless you have anything directed to the legal 7 submission.</p> <p>8 MR PEAD: I'm sorry, could you repeat that?</p> <p>9 THE CHAIR: I don't require to hear from you in response to 10 Mr Emmerson's application to me unless you have anything 11 to say that is specifically directed to the legal point 12 that Mr Emmerson has made.</p> <p>13 MR PEAD: Thank you for repeating it. I understand it. My 14 response is very short, very simply.</p> <p>15 THE CHAIR: Well, is it directed to the legal?</p> <p>16 MR PEAD: Yes, it is. It is that I have his permission to 17 have read that out.</p> <p>18 Restriction Order</p> <p>19 THE CHAIR: Well, look, in the interim and in the absence of 20 that being verified, I make a restriction order under 21 section 19(1)(b) and section 19(4) of the Inquiries Act 22 2005 accordingly.</p> <p>23 MR EMMERSON: Thank you very much, Madam.</p> <p>24 THE CHAIR: I will just be specific. That relates directly 25 to the publication of [redacted]'s name.</p> <p style="text-align: center;">Page 23</p>
<p>1 Madam Chair, I offer you a passage from Proverbs 31, 2 verse 9: 3 "Speak up, judge righteously, and defend the rights 4 of the afflicted inflicted and oppressed."</p> <p>5 You see in the words of the late Martin Luther King 6 that the time comes when silence itself is a betrayal.</p> <p>7 Please, Madam Chair, no more the sound of silence, 8 no more the sound of silence. That's my submission.</p> <p>9 Thank you very much for the opportunity.</p> <p>10 THE CHAIR: Yes, Mr Pead, thank you very much for your 11 thoughtful submission. I will consider it as an 12 application for further consideration of your 13 application for core participant status and I will let 14 you have my decision in due course.</p> <p>15 MR PEAD: I understand. Thank you very much.</p> <p>16 Submissions re restriction order by COUNSEL TO THE INQUIRY</p> <p>17 MR EMMERSON: I have nothing to say in response, but, Madam, 18 may I ask you to make a restriction order in respect of 19 the name of [redacted]. He is a notorious individual in 20 this jurisdiction. If what is read out is true, he's 21 potentially entitled to protection and anonymity under 22 the sexual offences acts and, in any event, there is 23 nothing to indicate that consent has been given for his 24 name to be mentioned in this way. So that is rather an 25 important matter. So we ask you, under section 19(1)(b)</p> <p style="text-align: center;">Page 22</p>	<p>1 MR EMMERSON: Simply to the name "[redacted]"?</p> <p>2 THE CHAIR: Yes.</p> <p>3 MR EMMERSON: That will obviously need to be redacted from 4 the transcript as well.</p> <p>5 THE CHAIR: Yes. Just so that we are clear, everybody in 6 this hearing room understands what the order is that 7 I have just made, I am sure. If anybody is not clear, 8 will they please speak to counsel about that before they 9 leave the hearing and, in the interim, nothing is to be 10 tweeted in relation to [redacted]'s name or otherwise 11 communicated. Thank you.</p> <p>12 MR EMMERSON: Thank you, Madam.</p> <p>13 That concludes the core participant update, save to 14 formally put on the record, of course, that once again 15 SOIA made a general application which is applicable to 16 this investigation also.</p> <p>17 THE CHAIR: Which I will consider.</p> <p>18 MR EMMERSON: As I have explained now on a number of 19 occasions, a draft restriction order has been circulated 20 to core participants which proposes to grant anonymity 21 to complainant core participants in all the 22 investigations. We have also posted a redaction 23 protocol on the Inquiry's website and circulated 24 redaction guidance which reflects the approach on 25 anonymity that the Inquiry has adopted and addresses</p> <p style="text-align: center;">Page 24</p>

<p>1 a broader range of individuals whose identities may be 2 revealed. 3 Madam, I don't believe that anybody has indicated 4 a wish to make submissions on the draft restriction 5 order. 6 No, I see that is the position. 7 Lambeth have put in quite a detailed submission on 8 the work that has been done for the purposes of 9 disclosure which is extremely helpful. But, again, 10 I understand Mr Verdán does not need to speak to that. 11 THE CHAIR: Mr Verdán? 12 MR VERDAN: No, thank you, Madam. 13 THE CHAIR: Thank you. 14 MR EMMERSON: So if I can just tie that up, Madam: as with 15 all hearings this week, those are the submissions 16 collectively on the restriction order or the absence of 17 them and they will be carried over until after the end 18 of this week's hearings. 19 There is nothing else that I need to say to you, but 20 I know that Mr Stevenson, on behalf of SOSA, has some 21 words to say. 22 THE CHAIR: Yes, Mr Stevenson. 23 Submissions on behalf of the Shirley Oaks Survivors' 24 Association by MR RAYMOND STEVENSON 25 MR STEVENSON: Since the last preliminary hearing, SOSA has</p> <p style="text-align: center;">Page 25</p>	<p>1 explanation as to why the failings seem to recur over 2 the decades. It would appear that no one investigated 3 whether the failings were manufactured and therefore the 4 unacceptable consequence of a hidden agenda. 5 Moreover, "Turning a Blind Eye for 33 Years" 6 confirms our belief that there was a white male 7 hierarchy of senior managers running Lambeth Housing and 8 Social Services Department, that they had an unholy 9 alliance that negated any obligation to protect the 10 children in its care. Included in this group were 11 police officers, who were part of Middleton 12 investigation in which we say now we have the evidence 13 was a cover-up. 14 The finger clearly points at the police and Lambeth, 15 and in the police's case we know at least one victim was 16 told that the abuser was dead, only for us to discover 17 in our research that they were in fact alive at the time 18 of the investigation. 19 The names Gary Pankhurst and Richard Gargini are two 20 officers who have been mentioned as people who we 21 believe were obstructing the initial investigation into 22 paedophile rings into Lambeth. For this and many other 23 reasons, our members are reluctant to engage with the 24 Metropolitan Police. We note that the discussions about 25 Leslie Paul, there was no mention that he was a police</p> <p style="text-align: center;">Page 27</p>
<p>1 continued to grow and we have now spoken to over 2 600 survivors from across the world, all of which tell 3 a similar story of sexual and physical abuse and it 4 being subsequently covered up. We are currently 5 producing five reports in connection to the abuse to 6 Lambeth. 7 "Turning a Blind Eye for 33 Years" has been 8 completed by an independent person and we have disclosed 9 a copy to the Inquiry and to Lambeth Council. The terms 10 of reference for "Turning a Blind Eye for 33 Years" was 11 to analyse the various reports that had been produced by 12 Lambeth over the decades and to cut and paste any 13 sections where the council had admitted to failing to 14 follow their national or local guidelines or the 15 council's own childcare policies. 16 The reason we commissioned this report is to enable 17 us to understand the backdrop to what took place at 18 Shirley Oaks and other Lambeth children's homes. 19 Lambeth have conceded that they could not dispute the 20 findings because they are in essence their own words. 21 The conclusion of "Turning a Blind Eye" are 22 consistent with our own findings that each report in 23 isolation appears to blame a catalogue of errors and 24 mismanagement as an integral ingredient of the failings. 25 What was consistent by its absence was a coherent</p> <p style="text-align: center;">Page 26</p>	<p>1 officer. We would like to reiterate that again. 2 We are currently producing the Shirley Oaks report, 3 which outlines the history of child abuse in 4 Shirley Oaks from the 1950s to when it closed in 1983. 5 The report contains the personal accounts of those 6 subject to abuse while in the care of Lambeth children's 7 homes. The council has been privy to reading 70 pages 8 of this report and I am sure they will confirm that it 9 documents what we have claimed to be physical and sexual 10 abuse on an industrial scale. 11 The report includes the name of 60 paedophiles and 12 their victims and outlines how they operated and kept 13 their abuse under wraps for decades. This report is due 14 to be submitted to the Inquiry in the New Year. 15 However, in order for us to complete our work, there is 16 a vital piece of information we need to have access to. 17 This is being hampered by a 100-year banning order on 18 various documents related to Shirley Oaks. If we were 19 to accept on face value the 100-year order, we would 20 have to wait until we were dead or until our 21 grandchildren are adults before the truth about the 22 sexual and physical exploitation of Shirley Oaks is 23 revealed. This is not acceptable. 24 We would ask the Inquiry to allow us to have access 25 to the relevant documents covered by the order and that</p> <p style="text-align: center;">Page 28</p>

1 all core participants in this Inquiry also have access
2 to these documents. Without this we are at
3 a disadvantage because Lambeth and the police already
4 have access to many of these documents.
5 The remaining three reports are the Lambeth report,
6 which includes the remaining children's homes, such as
7 Angel Road, Southvale, Chevington and Highland Road and
8 many more, of which we have survivors from all of these
9 children's homes. The last report is a report on the
10 policing and the failings in regard to Lambeth
11 childcare.
12 Our report into the Social Services Inspectorate and
13 their failings in regard to the children's homes is
14 completed.
15 Lastly we want to know if any suspect or convicted
16 paedophiles gave evidence at the Peter Davis abuse trial
17 against his house parent at Shirley Oaks. If so, the
18 100-year order is being used to protect the identity of
19 these people. This is not acceptable and is not
20 consistent with the Freedom of Information Act and the
21 Data Protection Act.
22 Thank you very much.
23 THE CHAIR: Yes, thank you, Mr Stevenson.
24 Last time you appeared before me, I raised with you,
25 as you have core participant status, as Shirley Oaks

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1 Survivor's Association has core participant status,
2 whether or not you would like to apply for legal
3 assistance to help you prepare your submissions and your
4 cases for this Inquiry and also, you know, to help you
5 work your way through the legalistics of this 100-year
6 banning order to which you refer.
7 That may be of assistance if you were to have that.
8 I know counsel -- and I say counsel plural -- for the
9 Inquiry will, of course, be engaging with you and
10 assisting you --
11 MR STEVENSON: Yes.
12 THE CHAIR: -- but there can be benefits in having your own
13 counsel as well. It is a matter for you entirely. Of
14 course I'm not pressing you, but I just want to renew my
15 advice.
16 MR STEVENSON: And we are considering it, but I think there
17 are still caveats that we have to -- and I think the
18 100-year order, if we want to have access to the
19 information -- and unlike many groups, we want to know
20 exactly what happened ourselves, rather than it being
21 told to us third-hand from lawyers. So at the point
22 when we feel we know what went on -- and I have to
23 Lambeth have helped us to understand -- we think this --
24 you know, we are relying on you for the particular
25 elements that enable us to finally finish our report and

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1 then calling lawyers to deal with the whole Inquiry.
2 But at this moment we are adamant that there are pieces
3 of information that we would need to have before we take
4 that next stage and also before we commit to the rest of
5 this Inquiry. And it is really important for our
6 members to understand what went on and not just to be
7 told by other people or for lawyers to navigate their
8 way around it.
9 So I think we are kind of reliant on yourself to
10 understand that there are bits of elements of our
11 history that we need to know about, which is maybe just
12 as important as reparation and all those other things,
13 us discovering for ourselves.
14 THE CHAIR: Of course it is entirely a matter for you and
15 for the other members of the association. But I just
16 renew that piece of advice for you to consider and bear
17 in mind as you go.
18 MR STEVENSON: Thank you very much.
19 THE CHAIR: All right. Thank you for your submission.
20 Mr Emmerson?
21 MR EMMERSON: Madam, that is the conclusion of the issues
22 which I need to raise before you.
23 THE CHAIR: Right. Any counsel wish to be heard on anything
24 else?
25 All right. Thank you to all counsel, to

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1 Mr Stevenson and Mr Pead. The Panel and I will now
2 retire.
3 (2.47 pm)
4 (The hearing adjourned to a date to be fixed)
5
6 Preliminary remarks by THE CHAIR1
7
8 General remarks on the progress of1
9 the Inquiry into children in
10 the care of Lambeth by COUNSEL
11 TO THE INQUIRY
12 Renewed application for core10
13 participant status by
14 MR BRIAN PEAD
15 Submissions re restriction order by22
16 COUNSEL TO THE INQUIRY
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18 Restriction Order23
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20 Submissions on behalf of the Shirley25
21 Oaks Survivors' Association by
22 MR RAYMOND STEVENSON
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24
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