

<p>1 Tuesday, 9 October 2018</p> <p>2 (10.00 am)</p> <p>3 THE CHAIR: Good morning, everyone. Good morning, Mr Sadd.</p> <p>4 Please proceed.</p> <p>5 MR SADD: Good morning, chair, and members of the panel.</p> <p>6 This morning, we are going to hear evidence from</p> <p>7 Mr Ken Rigby. His statement is at INQ002422.</p> <p>8 Good evening, Mr Rigby. I know it is 7.00 pm in the</p> <p>9 evening, or thereabouts, in Australia. Someone at this</p> <p>10 end is about to administer the oath or affirm; which</p> <p>11 would you prefer?</p> <p>12 MR KENNETH RIGBY (sworn)</p> <p>13 (Evidence given via videolink)</p> <p>14 Examination by MR SADD</p> <p>15 MR SADD: Mr Rigby, you have provided two statements to the</p> <p>16 inquiry. Primarily, I am going to go through the first</p> <p>17 one and, at the very last page of that statement, which</p> <p>18 is page 21, we can see that you signed and dated that</p> <p>19 statement. At the time that you did so, were you</p> <p>20 satisfied that what you set out there was the truth, as</p> <p>21 far as you can recall?</p> <p>22 <b>A. Yes, it is.</b></p> <p>23 Q. I know that in one of my questions I am going to take</p> <p>24 you to the very last page, and I think I might do it</p> <p>25 now, just to help you. This is in relation to any</p> <p style="text-align: center;">Page 1</p>	<p>1 corrections you might want to make.</p> <p>2 At paragraph 92 of your statement, so it is the last</p> <p>3 page, there is a reference there to a date span between</p> <p>4 January to October and you say 1994. It is in</p> <p>5 relation --</p> <p>6 <b>A. Yes, it is a typing error: 1984.</b></p> <p>7 Q. Thank you. In the time that we have allotted, I am not</p> <p>8 going to take you through your statement line by line.</p> <p>9 I am going to, instead, go to various topics, and</p> <p>10 although you have been asked to look at a lot of</p> <p>11 documents and have commented on documents, I shall be</p> <p>12 using that ability to do so very sparingly, unless you</p> <p>13 want particular documents to be provided. Otherwise, if</p> <p>14 you are happy to leave it to my discretion, that's how</p> <p>15 I shall approach it.</p> <p>16 I am going to start straight away, if I may, and go</p> <p>17 to the first page of your statement, and summarise the</p> <p>18 facts there as follows. You worked at Beechwood for</p> <p>19 18 years, between 1975 and 1993; is that right?</p> <p>20 <b>A. Correct.</b></p> <p>21 Q. You were qualified in "residential care of children and</p> <p>22 young people"?</p> <p>23 <b>A. Correct.</b></p> <p>24 Q. When you joined in 1975, it was a new establishment, as</p> <p>25 previous units were joined together as the Beechwood</p> <p style="text-align: center;">Page 2</p>
<p>1 Observation and Assessment Centre, and that this</p> <p>2 encompassed, at that point, Redcot, the Lindens and</p> <p>3 Enderleigh. Indeed, in your statement you set out why</p> <p>4 the Lindens was called the Lindens, you set out where</p> <p>5 everything was placed in location and geographically.</p> <p>6 From your statement, we understand that your job was</p> <p>7 organising the overall administration of the three units</p> <p>8 into one system; is that right?</p> <p>9 <b>A. That's correct.</b></p> <p>10 Q. Over the time that you were there, you remained in</p> <p>11 charge, effectively, of administration of Beechwood?</p> <p>12 <b>A. Correct.</b></p> <p>13 Q. In a supplementary document that you have provided the</p> <p>14 inquiry, you say that your contact over that period, so</p> <p>15 from 1975 to 1993, with children or young people at the</p> <p>16 home was minimal; is that right?</p> <p>17 <b>A. Yes, it was limited, that's correct.</b></p> <p>18 Q. It was limited. Did that remain the case throughout</p> <p>19 your time there?</p> <p>20 <b>A. It did.</b></p> <p>21 Q. We go to paragraph 18 and then 54 to 58 of your</p> <p>22 statement, but sticking with paragraph 18, please -- to</p> <p>23 help you, that's page 5. This is where you talk about</p> <p>24 Redcot. Do you have that?</p> <p>25 <b>A. I do.</b></p> <p style="text-align: center;">Page 3</p>	<p>1 Q. You say that Redcot became more unsettled in 1979, when</p> <p>2 it changed into a mixed unit. Before that change, did</p> <p>3 residents from the different units -- essentially, the</p> <p>4 Lindens, Enderleigh we know was at a further distance,</p> <p>5 and Redcot, did residents mix between the units?</p> <p>6 <b>A. On occasions, I believe they did.</b></p> <p>7 Q. When you say "on occasions", was that on a daily basis?</p> <p>8 <b>A. In school, yes. And if, for instance, they were going</b></p> <p>9 <b>swimming to Rushcliffe Baths, it could be a joint</b></p> <p>10 <b>venture where a member of staff from the Lindens,</b></p> <p>11 <b>a member of staff from Redcot, would take a group of</b></p> <p>12 <b>children to, say, the Rushcliffe Leisure Centre in the</b></p> <p>13 <b>evening.</b></p> <p>14 Q. Was it your responsibility to carry out training for</p> <p>15 staff working in the mixed unit that became Redcot?</p> <p>16 <b>A. When you say "training", training was limited.</b></p> <p>17 Q. My question was directed --</p> <p>18 <b>A. I did what I could -- sorry?</b></p> <p>19 Q. My question was directed at --</p> <p>20 <b>A. I did --</b></p> <p>21 Q. -- not whether it was limited, but whether you carried</p> <p>22 it out?</p> <p>23 <b>A. I did, to the degree that I was able to.</b></p> <p>24 Q. To what extent did residents at Enderleigh interact</p> <p>25 with, or were mixed with, those at Lindens and Redcot in</p> <p style="text-align: center;">Page 4</p>

<p>1 the everyday workings of the home?</p> <p>2 <b>A. In the school room, predominantly. That would be it.</b></p> <p>3 Q. We are going to talk or come to questions in more detail</p> <p>4 about various members of male staff, but certainly the</p> <p>5 inquiry has heard evidence that some female complainants</p> <p>6 have made allegations that male staff walked in on them</p> <p>7 whilst in the shower. Is that something that you were</p> <p>8 aware of at the time?</p> <p>9 <b>A. No, I was not. Are we talking about Enderleigh or</b></p> <p>10 <b>Redcot?</b></p> <p>11 Q. Redcot.</p> <p>12 <b>A. Redcot, no, I was not aware of that at all.</b></p> <p>13 Q. The interaction with female residents once placed at</p> <p>14 Redcot, when it became mixed, and the relationship</p> <p>15 between staff and female residents, was that something</p> <p>16 that you gave guidance and training on to those working</p> <p>17 at Redcot?</p> <p>18 <b>A. Yes, along with Mr Hays, who was the head of education.</b></p> <p>19 <b>We both attended a course. It was entitled "Bring on</b></p> <p>20 <b>the Girls", and it was held at St John's Approved</b></p> <p>21 <b>School, Apethorpe in Rutland, and then, when we got the</b></p> <p>22 <b>date that Redcot was going to come into being, then we</b></p> <p>23 <b>attempted to give the staff some guidance as to what</b></p> <p>24 <b>would be required when the unit became mixed.</b></p> <p>25 Q. In doing that, were there any concerns about sexual</p> <p style="text-align: center;">Page 5</p>	<p>1 activity between residents and how best to protect</p> <p>2 individuals resident at Redcot?</p> <p>3 <b>A. We spoke -- I spoke about the need for staff to always</b></p> <p>4 <b>be aware of the situation that they were in, the need</b></p> <p>5 <b>that young girls coming into a unit that had hitherto</b></p> <p>6 <b>been all boys, that their requirements would be</b></p> <p>7 <b>different, to make sure that they gave them the space to</b></p> <p>8 <b>be able to operate and, if a male member of staff was in</b></p> <p>9 <b>any sort of difficulty in not knowing what to do, then</b></p> <p>10 <b>they had to get hold of the female staff who would be on</b></p> <p>11 <b>duty. There would always be female staff on duty to ask</b></p> <p>12 <b>for guidance or to take over, whatever.</b></p> <p>13 Q. At the time that Redcot did become a mixed unit, can you</p> <p>14 remember the ratio of female staff to male staff running</p> <p>15 the unit?</p> <p>16 <b>A. At the time when it changed over, the house warden was</b></p> <p>17 <b>male, we had a deputy house warden, female, three female</b></p> <p>18 <b>residential social workers and three male residential</b></p> <p>19 <b>social workers. That is my memory of it.</b></p> <p>20 Q. Can we go, please, to page 13 of your statement,</p> <p>21 paragraph 56, where you have set out there the processes</p> <p>22 of Beechwood and the intake that Beechwood would</p> <p>23 receive. You say at the bottom of page 13:</p> <p>24 "I was well aware that at times staff felt quite</p> <p>25 demoralised at seeing Beechwood being used as the</p> <p style="text-align: center;">Page 6</p>
<p>1 'dumping ground' for Nottinghamshire's young people who</p> <p>2 were displaying extreme deviant behaviour."</p> <p>3 What should the inquiry understand by the phrase</p> <p>4 "dumping ground"?</p> <p>5 <b>A. Well, it seemed to be that Beechwood had to take anybody</b></p> <p>6 <b>that was disruptive in any sort of community home in</b></p> <p>7 <b>Nottinghamshire. We had no say on who should come, and,</b></p> <p>8 <b>therefore, we had to take all comers, and that could be</b></p> <p>9 <b>extremely disruptive to what had probably been a settled</b></p> <p>10 <b>unit, to then have somebody coming in who was displaying</b></p> <p>11 <b>all sorts of problems, and that could then quickly</b></p> <p>12 <b>unsettle the unit in total.</b></p> <p>13 Q. You use the phrase "extreme deviant behaviour". Again,</p> <p>14 what should the inquiry understand by that phrase? What</p> <p>15 are you trying to describe?</p> <p>16 <b>A. When various people came into Beechwood, they would</b></p> <p>17 <b>display all sorts of behaviour -- behavioural problems,</b></p> <p>18 <b>whether it was -- we will say glue sniffing, absconding</b></p> <p>19 <b>and then committing a lot more offences, not wanting to</b></p> <p>20 <b>take any sort of guidance from members of staff, causing</b></p> <p>21 <b>trouble, being extremely disruptive, both in the unit,</b></p> <p>22 <b>maybe in the classroom, that's the sort of deviant</b></p> <p>23 <b>behaviour I'm talking about.</b></p> <p>24 Q. If, as you've described, staff viewed Beechwood as</p> <p>25 a dumping ground for children, did that affect the</p> <p style="text-align: center;">Page 7</p>	<p>1 attitude of staff to the children placed at Beechwood?</p> <p>2 <b>A. I think the staff all knew that we were being used for</b></p> <p>3 <b>all the problems within other children's homes within</b></p> <p>4 <b>Nottinghamshire, that they were being shipped into</b></p> <p>5 <b>Beechwood. Children who had been in Beechwood were then</b></p> <p>6 <b>sent out to make places available for these children.</b></p> <p>7 <b>Therefore, the staff did feel demoralised. They were</b></p> <p>8 <b>probably working with young children who were looking</b></p> <p>9 <b>forward to being placed in another community home</b></p> <p>10 <b>elsewhere, and suddenly they were being shipped out and</b></p> <p>11 <b>another youngster was brought in who was displaying all</b></p> <p>12 <b>sorts of behavioural problems.</b></p> <p>13 Q. Mr Rigby, I'm sorry to interrupt you, my question was</p> <p>14 directed at the effect of that view of Beechwood, of the</p> <p>15 effect that that had on the staff's approach to the</p> <p>16 children placed at Beechwood, not on how it affected the</p> <p>17 staff.</p> <p>18 <b>A. No, I think the staff coped as best they could with</b></p> <p>19 <b>whatever children were being admitted.</b></p> <p>20 Q. Can we go to paragraph 57, please. At paragraph 57, you</p> <p>21 note that when you took up your position as deputy</p> <p>22 superintendent in late February 1975, the main function</p> <p>23 was to admit young people from court for them to undergo</p> <p>24 a period of assessment.</p> <p>25 Mr Rigby, the inquiry has heard evidence from</p> <p style="text-align: center;">Page 8</p>

<p>1 complainants stating that, whilst they were at 2 Beechwood, how they would come to be assessed, and what 3 would happen. The assessment, in effect, decided where 4 they would go on to. Is that right? 5 <b>A. That is correct.</b> 6 Q. And that that assessment was determined by staff at 7 Beechwood? 8 <b>A. Not in total, no.</b> 9 Q. They would have a say -- 10 <b>A. The assessment --</b> 11 Q. Sorry, forgive me, you carry on. 12 <b>A. The assessment programme is, if they came from court for</b> 13 <b>a six-week assessment, they would undergo an educational</b> 14 <b>assessment. Obviously there would be a unit assessment,</b> 15 <b>a psychological assessment, if required, and then, at</b> 16 <b>the end of the period of, we will say, the six weeks,</b> 17 <b>a case conference was convened and representatives from</b> 18 <b>the many disciplines would meet together to try to</b> 19 <b>decide what would be in the best interests for that</b> 20 <b>child. That recommendation would then go forward to be</b> 21 <b>submitted to the court.</b> 22 Q. In the three reports that you listed there, one of them 23 was the unit assessment. Presumably, the unit 24 assessment was written by a member of staff in the unit? 25 <b>A. Normally, the unit assessment was the house warden, but</b></p> <p style="text-align: center;">Page 9</p>	<p>1 <b>he would have gleaned information from all the unit</b> 2 <b>staff, from the various logs and the running sheets, all</b> 3 <b>come together. There would be a staff meeting to</b> 4 <b>determine how the report was going to be written, and it</b> 5 <b>was the house warden's responsibility to report -- to</b> 6 <b>have the report written, ready for the case conference.</b> 7 Q. Thinking back on that process, do you think that that 8 assessment report, in the way that you have described 9 it, was going to be something that was influential in 10 the case conference; is that right? 11 <b>A. Yes, I think it's fair to say that it would be.</b> 12 Q. Is it your view, looking back, that that gave a degree 13 of influence over children wielded by the staff in 14 determining what was going to happen to that child? 15 <b>A. Well, put like that, the case conference -- the report</b> 16 <b>that would come from the unit would be as truthful</b> 17 <b>a report of the youngster during the period of time that</b> 18 <b>they were being assessed.</b> 19 Q. Do you consider, Mr Rigby, that some children might have 20 felt that they couldn't make or disclose allegations of 21 how they were being treated at Beechwood, whether 22 physically abused or sexually abused, for fear of being 23 labelled "troublemaker" and getting a bad report? 24 <b>A. I could understand that now, certainly, yes.</b> 25 Q. Is that "yes", meaning that it was a realistic fear?</p> <p style="text-align: center;">Page 10</p>
<p>1 <b>A. I think some children did fear that, yes.</b> 2 Q. Paragraphs 10 to 12 and 26 to 29, you set out the 3 training and experience of staff and the relationship 4 with residents. At paragraph 10, you say -- do you have 5 it there before you? 6 <b>A. Yes, I have it.</b> 7 Q. Paragraph 10, you say: 8 "Apart from myself and Mr Bussell, who were 9 qualified ... the remainder of the residential social 10 work staff in all three units were 'untrained' with no 11 recognised childcare qualifications." 12 Did that change over the period that you worked 13 there? 14 <b>A. Not greatly, no.</b> 15 Q. Does that mean that it didn't? 16 <b>A. No, it didn't change. There was very few -- when the</b> 17 <b>house warden of Lindens -- in fact, he died. The</b> 18 <b>replacement house warden was qualified. When the house</b> 19 <b>warden of Redcot, when he resigned in, I believe it</b> 20 <b>was April 1979, his replacement was qualified. But as</b> 21 <b>far as RSW staff being qualified, the answer is: no.</b> 22 Q. I think there was a body of teaching staff; is that 23 right? 24 <b>A. That's correct, yes.</b> 25 Q. To your knowledge, were the team of teaching staff</p> <p style="text-align: center;">Page 11</p>	<p>1 trained in how to help and protect children or to 2 identify issues that might be worrying children? 3 <b>A. I just believe that the teachers had teaching</b> 4 <b>qualifications and they had elected to work in the type</b> 5 <b>of establishment that Beechwood was.</b> 6 Q. You say at paragraph 11, and you have already touched on 7 this, it was difficult to get people who were qualified. 8 You have explained what happened in the time that you 9 were there in relation to getting qualified people. Did 10 you introduce any requirement that, as a minimum, those 11 being recruited should be qualified? 12 <b>A. It was always -- wherever possible, it was a genuine to</b> 13 <b>get qualified people. But in the '60s and '70s -- the</b> 14 <b>late '50s and '60s, very, very few residential social</b> 15 <b>workers were qualified, and those that were, were able</b> 16 <b>to command higher positions.</b> 17 Q. You say at paragraph 11, please, the third line down: 18 "We had to seek, wherever possible, people who 19 showed a genuine interest in wanting to work with young 20 people, many who had come from disadvantaged backgrounds 21 and capable of displaying truculent behaviour." 22 How did you assess genuine interest in young people 23 as a criteria? 24 <b>A. One of the things that we looked for was people who had</b> 25 <b>probably had some sort of experience working with young</b></p> <p style="text-align: center;">Page 12</p>

<p>1 <b>people in a voluntary capacity, people who, when coming</b>  2 <b>into a job like an RSW, were willing to learn and were</b>  3 <b>actually wanting to be genuine in what they were wanting</b>  4 <b>to do, and that was work with disadvantaged children.</b>  5 Q. In a supplementary statement that you provided,  6 Mr Rigby, you say that the majority of staff did  7 a magnificent job in the care and control of residents.  8 You also say:  9 "I was only able to see members of staff around  10 residents on limited visits I made to any of the units  11 within Beechwood."  12 That's in paragraph 13 of your statement. Why were  13 those visits limited?  14 <b>A. Well, because of the other work that I had to carry out.</b>  15 <b>My administration duties kept me extremely busy, and,</b>  16 <b>therefore, my visits to the units were in connection</b>  17 <b>with my own work, and it was time. The times that I saw</b>  18 <b>the children and the staff working was when I was</b>  19 <b>perhaps the campus officer and I would pay visits to</b>  20 <b>various units through the evenings.</b>  21 Q. Did you exercise any supervision over staff?  22 <b>A. Tried to guide them, where possible. When you say -- it</b>  23 <b>was really the house warden who was responsible for the</b>  24 <b>staff team, but if there was a problem, one would do</b>  25 <b>what we could.</b></p> <p style="text-align: center;">Page 13</p>	<p>1 Q. So on the basis of your evidence and what you have  2 described as the limited visits, was your assessment of  3 the job that the staff were doing based essentially on  4 reports that you were being given, rather than --  5 <b>A. Not necessarily, no. I didn't walk around with my eyes</b>  6 <b>and ears closed. I could see the way that members of</b>  7 <b>staff did interact with children. I know it was</b>  8 <b>limited. But I do believe, fervently believe, that the</b>  9 <b>majority of staff at Beechwood did a very good job in</b>  10 <b>the circumstances that they were having to work in.</b>  11 Q. Paragraph 5, please, of your statement. Here, you tell  12 the inquiry about NO-F29 who was in a senior position at  13 the Lindens. You say in the initial months after your  14 appointment in 1975, you had a very strained  15 relationship with him, and you explain the reason why.  16 You say he considered that he should have got your job,  17 effectively. You say that you were concerned about this  18 and that Mr Saul, who was then the superintendent of  19 Beechwood, told you that he would mellow in time, but  20 this never happened because F29 died in 1980. Does that  21 mean that the relationship with F29, between you and  22 him, was a poor one throughout that time?  23 <b>A. It was not the best of relationships. I would have</b>  24 <b>hoped for better. But I do believe that NO-F29 did his</b>  25 <b>job to the best of his ability, from what I could see.</b></p> <p style="text-align: center;">Page 14</p>
<p>1 <b>I would have liked a better relationship with him, but</b>  2 <b>it was strained, for the reasons that I gave.</b>  3 Q. A third of the way down paragraph 5, you say:  4 "I heard odd remarks concerning F29, a bachelor  5 living alone in the staff flat above the Lindens."  6 What were the odd remarks that you heard and that  7 you remember hearing?  8 <b>A. Well, I heard a sort of remark passed that NO-F29 was</b>  9 <b>a queer. That was the sort of remark --</b>  10 Q. Was that a fairly --  11 <b>A. -- that I'm talking about.</b>  12 Q. Was that a fairly constant refrain in relation to F29?  13 <b>A. No, I don't think it was. Not -- I heard it more than</b>  14 <b>once, I must admit, but certainly it wasn't constant.</b>  15 Q. You say that you took this up with Mr Saul. You say  16 this:  17 "Mr Saul was astute enough to see where I was coming  18 from and he assured me that any rumours I had heard  19 regarding F29 were just that, rumours with no foundation  20 to them."  21 Were you happy to accept what Mr Saul told you in  22 relation to F29?  23 <b>A. As Mr Saul had worked as a superintendent with NO-F29 as</b>  24 <b>his deputy for quite some time, I did take it, what he</b>  25 <b>said, as correct. I'd got no other evidence to suggest</b></p> <p style="text-align: center;">Page 15</p>	<p>1 <b>otherwise.</b>  2 Q. You say that you have no recollection or knowledge of  3 any -- sorry, I will start again.  4 In relation to the reply that you have just given,  5 had you not accepted Mr Saul's view of F29, what would  6 you have been able to do in that era? Where would you  7 have gone to raise concerns about F29, given that you  8 were being told by the superintendent and you didn't  9 agree with his summary of what --  10 <b>A. I would have gone to the homes adviser, initially, and</b>  11 <b>then perhaps on to the divisional director.</b>  12 Q. You say that you have no recollection or knowledge of  13 any formal allegations of sexual abuse relating to F29.  14 Were you aware that those residents at Beechwood might  15 not make formal allegations in that era; in other words,  16 might not feel that they were able to do so?  17 <b>A. I can accept that, yes.</b>  18 Q. Do you consider that rumours or behaviours might, in  19 certain circumstances, especially where affecting senior  20 members of staff, be the only source of possible  21 allegations?  22 <b>A. Sorry, could you just rephrase that question?</b>  23 Q. Yes. Do you consider that rumours or the behaviours  24 demonstrated by senior members of staff might be the  25 only source on which to consider that there may be</p> <p style="text-align: center;">Page 16</p>

<p>1 allegations in relation -- or the risk of allegations 2 being made against a member of staff? 3 <b>A. Yes, I can accept that.</b> 4 Q. One document that you have been shown, and I am going to 5 quote from it, it is NSC001178. I am going to quote the 6 text: 7 "I went up to Beechwood at F29's request [two 8 residents] were accusing him of homosexual activities. 9 I interviewed A629 about this, but all A629 said was 10 that everybody knew that F29 was 'queer'. Mr Rigby was 11 there as well, and it was felt that there was nothing in 12 these accusations at all, apart from trying to diminish 13 F29's authority in the place. It was a very difficult 14 time for Beechwood. The group was unsteady. And A629 15 seemed to be in the middle of all the trouble that was 16 going on." 17 This is a contemporaneous record, Mr Rigby. 18 <b>A. Yes.</b> 19 Q. Do you have any recollection of this? 20 <b>A. I have tried very hard to recollect -- I have seen the</b> 21 <b>statement there. It wasn't my statement. And I have</b> 22 <b>tried to reflect back over time. I'm afraid I can't</b> 23 <b>really come up and say categorically that, yes, that was</b> 24 <b>it. There were certain things that were said in the</b> 25 <b>unit, but I don't know. I can't categorically say, yes,</b></p> <p style="text-align: center;">Page 17</p>	<p>1 <b>I can remember that.</b> 2 Q. It is difficult to work out from the note, but who was 3 it who would have come to the conclusion that there was 4 nothing in these accusations? It reads as if you were 5 one of those members of staff who came to that 6 conclusion. Would that be fair? 7 <b>A. I think that would be fair, yes, certainly.</b> 8 Q. Did you or your colleague decide to follow up these 9 allegations? 10 <b>A. I think it was at that time that I probably saw Mr Saul.</b> 11 Q. Because just to remind you, what is being suggested is 12 that he was being accused -- that is, F29 -- of 13 homosexual activities. So you think that you went from 14 there to seeing Mr Saul? 15 <b>A. I think that's probably correct, yes.</b> 16 Q. Were these the only accusations you heard against F29? 17 <b>A. Yes, they were.</b> 18 Q. The inquiry has received allegations of sexual abuse 19 against F29 from about 25 to 30 former residents at 20 Beechwood, and the police have recorded 33 different 21 former residents who make allegations. In the light of 22 the evidence that we are looking at together, do you 23 have any comment to make on that? 24 <b>A. Well, obviously there was something that rings true.</b> 25 <b>Can you tell me when these allegations were made, in</b></p> <p style="text-align: center;">Page 18</p>
<p>1 <b>what year?</b> 2 Q. The allegations have been made -- 3 <b>A. Were they made before '75?</b> 4 Q. They have been made in relation to the recent police 5 operations, Operation Daybreak that's been taking place 6 here in Nottingham. So between 2010 and ongoing. 7 <b>A. Yes, I meant, really, what years were these -- the</b> 8 <b>youngsters were making these complaints, what years were</b> 9 <b>they in Beechwood?</b> 10 Q. All I can tell you at this stage -- not at this stage. 11 All I can tell you is that the allegations relate to 12 1974 -- between 1974 and 1980. 13 <b>A. Okay.</b> 14 Q. Thinking about the number of those allegations, do you 15 think that there were barriers to children being able to 16 come forward to say that a member of staff was sexually 17 abusing them? 18 <b>A. At that period in time, I didn't think there was</b> 19 <b>a barrier. There were so many people that children</b> 20 <b>could have contacted. Obviously, now I know that is not</b> 21 <b>the case. But 40 years ago, I thought that children had</b> 22 <b>many avenues in which to make complaints, and some did,</b> 23 <b>and they were always investigated.</b> 24 Q. Some did, and you say there were many avenues. Looking 25 first at that second point, that there were many</p> <p style="text-align: center;">Page 19</p>	<p>1 avenues. The inquiry heard yesterday from Rod Jones, 2 a senior professional officer at the time, who was 3 familiar with Beechwood from the time that he started 4 work with the County Council in 1976. He described the 5 intake of children and young people at Beechwood as 6 coming from very difficult -- essentially, very 7 difficult backgrounds. He agreed with the proposition 8 that, for that cohort, that group, it would have been 9 very difficult for them to come forward to speak out 10 against adults and members of staff. Do you agree with 11 that proposition? 12 <b>A. Yes, I do.</b> 13 Q. Looking back on your position, are you able to reflect 14 on whether any more could have been done to engage the 15 trust of young people resident at Beechwood whilst you 16 were there? 17 <b>A. I don't think so. My recollection of the staff, the</b> 18 <b>general body of staff did all they could --</b> 19 Q. Can we go -- 20 <b>A. -- in the way that they were caring for children.</b> 21 Q. Can we go to paragraph 13, please. This is where you 22 deal with Colin Wallace. You say you weren't involved 23 in his appointment, but you do remember him. 24 <b>A. Yes, I do.</b> 25 Q. Paragraph 14. You refer there to Mark Cope's evidence</p> <p style="text-align: center;">Page 20</p>

<p>1 to the inquiry. The inquiry will be hearing from                  2 Mark Cope. You said he found a note about Colin Wallace                  3 meeting with a young resident at the home and that he                  4 passed his concerns on to you. He says that you told                  5 him to keep an eye on them -- that is, the resident, and                  6 on Colin Wallace -- and then raised concerns with you                  7 a second time when he saw a second note. He says that,                  8 following this, the girl in question was moved to                  9 another children's home near Mr Wallace's home address,                  10 but that a few days later, when she went missing, she                  11 was found naked in his house.</p> <p>12 Documents seen by the inquiry, Mr Rigby, show that                  13 he was dismissed from Beechwood and convicted of four                  14 counts of unlawful sexual intercourse with the resident.                  15 What's your recollection of the case? Is it as set out                  16 in your statement?</p> <p>17 <b>A. As set out in my statement, I have a recollection of</b>                  18 <b>Mr Cope passing a remark to me about Girl -- I said</b>                  19 <b>"Girl A" because I had no number. Girl A was -- or</b>                  20 <b>Mr Wallace was getting too close to Girl A. I do not</b>                  21 <b>recall Mr Cope telling me about him seeing the girl</b>                  22 <b>having placed a note in the top box of Mr Wallace's</b>                  23 <b>motorbike. Had that been the case, as I have already</b>                  24 <b>said, I would have been going straight to the motorbike</b>                  25 <b>to retrieve the note and at the same time asking Mr Cope</b></p> <p style="text-align: center;">Page 21</p>	<p>1 <b>why he'd not retrieved the note and brought it to me, if</b>                  2 <b>it was at that time. But Mr Cope actually says, and</b>                  3 <b>I am quoting now:</b>                  4 <b>"I recovered the note and read it, and it said,</b>                  5 <b>'Meet me at somewhere', but I can't remember the</b>                  6 <b>details."</b>                  7 <b>I put, "When was 'once'?".</b>                  8 <b>If it was at a time prior to Mr Wallace making</b>                  9 <b>a comment to me, then why didn't Mr Wallace not himself</b>                  10 <b>get the note and take it to a senior officer?</b>                  11 <b>I went on to say that I very much -- I can't</b>                  12 <b>remember my exact words to Mr Wallace, but I very much</b>                  13 <b>doubt me saying, "We should keep an eye on the pair of</b>                  14 <b>them". I don't think I would have made that sort of</b>                  15 <b>remark.</b></p> <p>16 Q. If you had learnt that sort of information that was                  17 being relayed to you, what action would you have taken?</p> <p>18 <b>A. I would have gone straight -- well, I went to Mr Saul</b>                  19 <b>and passed on the remark to him, and at the next</b>                  20 <b>meeting, the next Monday morning meeting, Mr Saul --</b>                  21 <b>I remember him saying to the house wardens that it's</b>                  22 <b>important to reiterate to male staff the importance of</b>                  23 <b>being aware of their actions when around female</b>                  24 <b>residents.</b></p> <p>25 Q. At the top of that page, where we have seen</p> <p style="text-align: center;">Page 22</p>
<p>1 paragraph 17, you say four lines down from the first                  2 paragraph on that page, referring to Mr Bussell, the                  3 house warden of Redcot:</p> <p>4 "I have a recollection that Mr Bussell told me the                  5 staff group were fully aware that Girl A sought                  6 attention from any male member of staff who was on duty                  7 at that time."</p> <p>8 Presumably, you were being told this, given your                  9 position of seniority in the staff group?</p> <p>10 <b>A. I went to see Mr Bussell, yes.</b></p> <p>11 Q. And that he was telling you this, expecting or eliciting                  12 a response from you as to what should happen and what                  13 should be done. Is that right?</p> <p>14 <b>A. No, Mr Bussell didn't say that at all. He just said</b>                  15 <b>that he was fully aware that Girl A sought attention</b>                  16 <b>from any male member of staff who was on duty at that</b>                  17 <b>time.</b></p> <p>18 Q. Did you follow that up?</p> <p>19 <b>A. No, I didn't.</b></p> <p>20 Q. Given that Mr Wallace was convicted of having sex with                  21 the young person when she was young, do you think the                  22 characterisation of her there set out by Mr Bussell was                  23 a fair one, essentially saying --</p> <p>24 <b>A. I took Mr Bussell's word for what he was saying. I had</b>                  25 <b>no doubt to disbelieve what he was saying. Mr Bussell</b></p> <p style="text-align: center;">Page 23</p>	<p>1 <b>worked in the unit and he was well aware of how Girl A</b>                  2 <b>sought attention from male members of staff who were on</b>                  3 <b>duty, not just Mr Wallace.</b></p> <p>4 Q. My question, Mr Rigby, is directed at the                  5 characterisation of the resident, and what we                  6 subsequently learn happened to her and that Mr Wallace                  7 was then convicted of, essentially, having sex with her                  8 as a young person. That characterisation of her, that                  9 she effectively sought attention from any male, is                  10 that -- that depicts her in a pejorative light, doesn't                  11 it?</p> <p>12 <b>A. Yes, I would say, yes, it does, yes.</b></p> <p>13 Q. Was that a characterisation that was generally used in                  14 describing girl residents at Beechwood at the time, in                  15 the event that their behaviour was poor?</p> <p>16 <b>A. No, it wasn't.</b></p> <p>17 Q. We know that the girl was moved to a different home.                  18 How soon after her disclosure was she moved?</p> <p>19 <b>A. Oh, I cannot remember. I cannot go back that time.</b>                  20 <b>I really cannot remember the girl in question. It's so</b>                  21 <b>long ago, I can't -- I've got very little recollection</b>                  22 <b>of that.</b></p> <p>23 Q. Do you have any recollection of whether there was                  24 a policy of transferring residents when they made an                  25 allegation against members of residential staff?</p> <p style="text-align: center;">Page 24</p>

<p>1 <b>A. No, there wasn't.</b></p> <p>2 Q. Do you know or can you remember, Mr Rigby, whether</p> <p>3 concerns about Colin Wallace were passed on to the new</p> <p>4 care home of the girl in question?</p> <p>5 <b>A. I cannot remember, no.</b></p> <p>6 Q. The inquiry, Mr Rigby, has heard other accounts from</p> <p>7 former residents of Beechwood of being sexually abused</p> <p>8 by Colin Wallace, including one who said she was sure</p> <p>9 that other staff knew what was going on. After</p> <p>10 Colin Wallace was dismissed, can you remember if any</p> <p>11 thought was given to trying to establish whether indeed</p> <p>12 he had had sexual relationships with other girls in the</p> <p>13 home?</p> <p>14 <b>A. No, I cannot give a definite answer on that, no.</b></p> <p>15 <b>I can't go back so far and remember what happened.</b></p> <p>16 Q. So it follows to my next question, probably the answer</p> <p>17 is no, but was any formal investigation internally</p> <p>18 carried out within Beechwood to see how that situation</p> <p>19 had developed and what steps could be taken to prevent</p> <p>20 something like that happening again?</p> <p>21 <b>A. Yes, there were discussions around this. There were</b></p> <p>22 <b>discussions of how Mr Wallace was able to do what he</b></p> <p>23 <b>did. It was also questioned as to the girl -- I mean,</b></p> <p>24 <b>in terms of her advancing towards Mr Wallace, the fact</b></p> <p>25 <b>that she was apparently leaving notes in a top box, as</b></p> <p style="text-align: center;">Page 25</p>	<p>1 <b>Mr Cope has suggested, but other than that, no, I don't</b></p> <p>2 <b>know.</b></p> <p>3 Q. Those discussions, would they have formed part of</p> <p>4 a formalised written record between members of staff in</p> <p>5 the wake of Colin Wallace's activities?</p> <p>6 <b>A. I seem to remember that they were discussed at a staff</b></p> <p>7 <b>meeting, and that staff meeting would have been</b></p> <p>8 <b>recorded, yes.</b></p> <p>9 Q. Can you remember what steps were taken in the wake of</p> <p>10 the Wallace episode -- by calling it an "episode",</p> <p>11 I don't mean to diminish it, but can you remember what</p> <p>12 steps were taken or put in place to reduce the risk of</p> <p>13 this sort of incident occurring?</p> <p>14 <b>A. Male staff -- it was just reiterated once more that they</b></p> <p>15 <b>had to be extremely careful about young -- around young</b></p> <p>16 <b>females, how they presented themselves to young females,</b></p> <p>17 <b>and this was the main thing.</b></p> <p>18 Q. But what about the approach, it might be asked, towards</p> <p>19 the young females? What steps were put in place for</p> <p>20 them, as opposed to guidance provided to the staff?</p> <p>21 <b>A. I can't say. I can't say. I wasn't involved with that.</b></p> <p>22 Q. Can we go, please, to paragraphs 24 to 26, where you</p> <p>23 provide your account of John Dent. At paragraph 24, you</p> <p>24 say you knew him as a deputy house warden and house</p> <p>25 warden at Enderleigh. You say that he was always very</p> <p style="text-align: center;">Page 26</p>
<p>1 popular with residents and staff, although there was one</p> <p>2 occasion when you had to have a word with him. What was</p> <p>3 that occasion?</p> <p>4 <b>A. On a visit one evening, I went in to Enderleigh and went</b></p> <p>5 <b>into the TV room, and Mr Dent was sitting on a settee</b></p> <p>6 <b>with a girl either side of him, and he had his arms</b></p> <p>7 <b>across their shoulders. He didn't make any attempt --</b></p> <p>8 <b>he wasn't embarrassed, he made no attempt to sort of</b></p> <p>9 <b>jump up. I then asked him --</b></p> <p>10 Q. How old were the girls?</p> <p>11 <b>A. Sorry?</b></p> <p>12 Q. How old were the girls?</p> <p>13 <b>A. From my recollection, they'd be about 14 or 15.</b></p> <p>14 Q. What did you say to him?</p> <p>15 <b>A. Well, I took him into the office and I told him that</b></p> <p>16 <b>that's not expected, he's putting himself in</b></p> <p>17 <b>a situation, and he could be giving mixed messages to</b></p> <p>18 <b>the girls as well.</b></p> <p>19 Q. And what of the girls? Did you speak to them?</p> <p>20 <b>A. No. I didn't think the girls had done anything wrong.</b></p> <p>21 Q. Were you aware of any occasions when he was found alone</p> <p>22 with female residents again? Did that happen again?</p> <p>23 <b>A. No, not to my knowledge. I never saw him. When I say</b></p> <p>24 <b>"alone", the room -- there must have been nine, ten</b></p> <p>25 <b>girls, perhaps, in the room. He wasn't just there with</b></p> <p style="text-align: center;">Page 27</p>	<p>1 <b>two girls. They were there watching television in</b></p> <p>2 <b>total.</b></p> <p>3 Q. And he was the only male in the room?</p> <p>4 <b>A. And he was the only male in the room, yes, he was.</b></p> <p>5 <b>I didn't see a female there, no.</b></p> <p>6 Q. Paragraph 24, please. You say that you never had any</p> <p>7 doubts or concerns and never heard any rumours of any</p> <p>8 form of sexual misconduct in relation to John Dent.</p> <p>9 I want to ask you a question about the training of staff</p> <p>10 in relation to the needs of girls specifically. At</p> <p>11 paragraph 26, you describe a conversation that took</p> <p>12 place between four men -- one of them was Mr Dent --</p> <p>13 about appropriate conduct around girls and the need to</p> <p>14 be "sensitive" around their times of the month. You say</p> <p>15 this specifically:</p> <p>16 "... to be sensitive in their approach to female</p> <p>17 residents regarding their needs, especially with regard</p> <p>18 to mood swings that can affect females at certain times</p> <p>19 of the month."</p> <p>20 Did this information take place, as far as you can</p> <p>21 remember, at the time that Redcot was a mixed unit?</p> <p>22 <b>A. No, it was before then.</b></p> <p>23 Q. So at that point, would it be fair to describe the staff</p> <p>24 intake at Beechwood as predominantly male?</p> <p>25 <b>A. If I look at the staff at that time, two-thirds would be</b></p> <p style="text-align: center;">Page 28</p>

<p>1 <b>male and a third would be female.</b></p> <p>2 Q. Here you are speaking to four -- or there are four male</p> <p>3 individuals involved, including you, I should say. Do</p> <p>4 you feel that male members of staff were appropriately</p> <p>5 trained in relation to the needs of girl residents at</p> <p>6 Beechwood?</p> <p>7 <b>A. No, they weren't.</b></p> <p>8 Q. Paragraph 26. You say that you spoke to Mr Dent about</p> <p>9 not putting himself in a position where he might be</p> <p>10 compromised. Was the concern there about the risk of</p> <p>11 false allegations being made?</p> <p>12 <b>A. No, definitely not.</b></p> <p>13 Q. So who was the concern for, or what was the concern</p> <p>14 related to?</p> <p>15 <b>A. From my knowledge, Mr Dent was a very outgoing sort of</b></p> <p>16 <b>person. His attitude could send a wrong message. He</b></p> <p>17 <b>was very -- how can I put it? Not forward, but he --</b></p> <p>18 <b>I don't know how to describe him in that sense. He was</b></p> <p>19 <b>very popular with the group. They liked him, and I was</b></p> <p>20 <b>trying to say to him, "Be very careful. Don't put</b></p> <p>21 <b>yourself in a situation where you could get yourself</b></p> <p>22 <b>compromised". That is what I was trying to get over to</b></p> <p>23 <b>him.</b></p> <p>24 Q. You say it came to you as a very big shock when you were</p> <p>25 informed in 1999 that Mr Dent was being investigated in</p> <p style="text-align: center;">Page 29</p>	<p>1 relation to abuse at Enderleigh. Are you aware that he</p> <p>2 was convicted in 2001 in relation to sexual offences</p> <p>3 against four former residents of children's homes, three</p> <p>4 of whom were at Enderleigh? Did you know that?</p> <p>5 <b>A. When I was interviewed by the police officer, they said</b></p> <p>6 <b>there was a case going forward. I never heard anything</b></p> <p>7 <b>more after that.</b></p> <p>8 Q. So you are learning it from me today that he was</p> <p>9 convicted?</p> <p>10 <b>A. I learned it -- no, I think -- no, I heard it from</b></p> <p>11 <b>somewhere, but I can't really say where. But I was --</b></p> <p>12 <b>after I'd given evidence to the Constable Balodis on</b></p> <p>13 <b>15 March and 14 December 1999, I was aware that a case</b></p> <p>14 <b>was going forward, but I wasn't certain that he had been</b></p> <p>15 <b>convicted.</b></p> <p>16 Q. In the light of those convictions, do you think staff at</p> <p>17 the Beechwood complex, on reflection, took sufficient</p> <p>18 steps to reduce the risk of children being abused by</p> <p>19 staff?</p> <p>20 <b>A. I think staff took all the precautions they could do.</b></p> <p>21 Q. What were those precautions?</p> <p>22 <b>A. Well, to be very sensitive around the female staff,</b></p> <p>23 <b>to -- it wasn't just the male members of staff. Some of</b></p> <p>24 <b>the girls in Redcot were very promiscuous, and to see</b></p> <p>25 <b>how they operated around boys in the unit. Male members</b></p> <p style="text-align: center;">Page 30</p>
<p>1 <b>of staff had to be very careful and give the girls</b></p> <p>2 <b>plenty of leeway, as I could put it.</b></p> <p>3 Q. Can we come on, please, to discuss Andris Logins. This</p> <p>4 you address at paragraphs 79 to 88 of your statement.</p> <p>5 From paragraph 79, you recall that Andris Logins was</p> <p>6 quite aloof. You say that you don't recall any concerns</p> <p>7 being raised in relation to his work or behaviour. You</p> <p>8 had no knowledge of any allegations against him and,</p> <p>9 until you spoke to the solicitor to this inquiry, and</p> <p>10 then looked into the conviction of Logins for crimes at</p> <p>11 Beechwood, that was the first you knew?</p> <p>12 <b>A. Absolutely.</b></p> <p>13 Q. At paragraph 84, you set out how you felt when you found</p> <p>14 out about the Logins conviction:</p> <p>15 "I cannot describe in words how I reacted to reading</p> <p>16 the article ... It has left me mortified and in total</p> <p>17 despair."</p> <p>18 "At this moment" -- this is at the time of writing</p> <p>19 your statement:</p> <p>20 "... I am finding it very difficult to come to terms</p> <p>21 with the fact that the sexual crimes he committed were</p> <p>22 actually carried out presumably in Redcot ... where</p> <p>23 girls were resident during the time I was in post as</p> <p>24 Deputy Superintendent.</p> <p>25 "I have no answers as to how he was able to carry</p> <p style="text-align: center;">Page 31</p>	<p>1 out such heinous crimes and evade detection for so long</p> <p>2 ... For Logins to have had such an opportunity whereby</p> <p>3 he was able to carry out these sexual assaults</p> <p>4 undetected means there was a complete breakdown in the</p> <p>5 workings of the staff team whenever these sickening</p> <p>6 crimes were committed."</p> <p>7 One or two questions in relation to that narrative.</p> <p>8 Complainants to this inquiry have given accounts of</p> <p>9 being groomed by Logins. Were you aware of him</p> <p>10 appearing to give female residents more favourable</p> <p>11 treatment in the home?</p> <p>12 <b>A. No, I was not.</b></p> <p>13 Q. On reflection, and knowing what you know, do you think</p> <p>14 a blind eye was turned towards the way he behaved, what</p> <p>15 we would now consider to be grooming?</p> <p>16 <b>A. On reflection, probably that is the case. But I have</b></p> <p>17 <b>got no knowledge of that.</b></p> <p>18 Q. I have just read out to you paragraph 85, where you use</p> <p>19 the phrase "a complete breakdown in the workings of</p> <p>20 the staff team". As deputy, were you responsible for</p> <p>21 the staff team?</p> <p>22 <b>A. No, the house warden was responsible for his staff team,</b></p> <p>23 <b>not myself.</b></p> <p>24 Q. You were the deputy superintendent, so the second person</p> <p>25 in charge of the home.</p> <p style="text-align: center;">Page 32</p>



<p>1 <b>A. No, I wasn't the second person in charge of the home.</b>  2 <b>The house warden is in charge of the home. The second</b>  3 <b>person would be the deputy house warden.</b>  4 Q. When I say "home", Mr Rigby, I mean the Beechwood  5 complex?  6 <b>A. Yes, okay. Yes.</b>  7 Q. That unit was part of the Beechwood complex; is that  8 right?  9 <b>A. Yes.</b>  10 Q. And you were deputy principal superintendent of  11 the Beechwood complex?  12 <b>A. Yes.</b>  13 Q. Do you accept responsibility that you too -- would you  14 accept that you, too, were responsible for what happened  15 to children abused by Andris Logins under your watch?  16 <b>A. I have got to accept that. Yes, I have.</b>  17 Q. Did you previously think that no staff members would  18 have had the opportunity, whilst you were working at  19 Beechwood, to abuse children in their care?  20 <b>A. Yes. I never felt for one moment that that would be</b>  21 <b>possible. There was always a mixed staff team on,</b>  22 <b>female and male, and there should never have been any</b>  23 <b>situation whereby a male member of staff could have got</b>  24 <b>away with what Logins got away with.</b>  25 Q. You say that you have been sickened to the core by an</p> <p style="text-align: center;">Page 33</p>	<p>1 incident disclosed at the trial of Logins photographing  2 a colleague twisting a boy's heel and burning him with  3 a cigarette end, and by the judge then describing  4 Beechwood as "a home from hell". Do you accept that  5 description now?  6 <b>A. I said at the time that there were -- I know many</b>  7 <b>members of staff who worked in Beechwood at that time</b>  8 <b>who would not be any part of this. They would not --</b>  9 <b>I am still finding it hard to accept that this happened,</b>  10 <b>that Logins was able to do what he did and nobody saw</b>  11 <b>it, nobody -- I don't know. I'm just completely lost</b>  12 <b>for words. I was actually physically sick when I heard</b>  13 <b>this.</b>  14 Q. Mr Rigby, were you alive to the risk of dominant males  15 being able, in effect, to influence other members of  16 staff?  17 <b>A. There's always dominant males, I think, in any sort of</b>  18 <b>staff group.</b>  19 Q. Sorry, my question was directed to Beechwood itself:  20 were you alive to the risk at Beechwood, perhaps  21 I should have said, of dominant males in effect holding  22 other members of staff in thrall?  23 <b>A. No, I wasn't aware of that, no.</b>  24 Q. At his criminal trial, Logins' barrister, following his  25 conviction, described his client as having been "sucked</p> <p style="text-align: center;">Page 34</p>
<p>1 into a regime that he became part of", suggesting that  2 the culture and environment in Beechwood in the  3 mid 1980s was both physically and sexually abusive. Is  4 that a description that you recognise?  5 <b>A. No, it's not.</b>  6 Q. Paragraph 88, Mr Rigby. You say that you have to accept  7 the evil events took place but cannot accept the police  8 inspector's comments of Beechwood as "a brutal regime",  9 saying that, "The crimes committed by a few do not  10 outweigh the positive work done by the majority of staff  11 members", something that you have already reflected on,  12 Mr Rigby, I should say. As you perhaps are aware, the  13 inquiry has also heard a large number of accounts  14 describing Beechwood as a brutal regime and have heard  15 of a large number of allegations of sexual abuse. Do  16 you think that that comes to outweigh the good work done  17 by other members of staff?  18 <b>A. With the knowledge I have got now, yes, of course it</b>  19 <b>does.</b>  20 Q. At paragraph 90, you say that you shoulder as much  21 responsibility as other senior officers at the time, but  22 you find it difficult to accept that not one of  23 the staff members would have reported children being  24 assaulted. Do you think it is possible that staff  25 didn't report because they didn't want to get into</p> <p style="text-align: center;">Page 35</p>	<p>1 trouble?  2 <b>A. The staff getting into trouble or the children?</b>  3 Q. The staff. Because they were --  4 <b>A. The 20 members of staff were not just care staff, they</b>  5 <b>would be the night supervision officers, the cooks,</b>  6 <b>domestics, the teaching staff. I find it very hard to</b>  7 <b>believe that nobody could pick up -- personally, I never</b>  8 <b>saw anybody with a split lip or bloody nose or whatever,</b>  9 <b>and I find it very hard to have to accept that if these</b>  10 <b>things happened, that there were no members of staff who</b>  11 <b>could pick up on that, and I just find that so hard to</b>  12 <b>believe because I know that within a staff team -- they</b>  13 <b>weren't all evil at all. Obviously, the way that this</b>  14 <b>comes over now, with Logins, et cetera, he is an evil</b>  15 <b>man, but there are members of staff who were working at</b>  16 <b>that time I would have trusted my own children with.</b>  17 Q. The question about whether or not they were fearful of  18 getting into trouble was the fact that they were going  19 to be telling on colleagues. Do you think that the  20 other reason why staff may not have come forward is  21 because what they found at Beechwood was effectively how  22 Beechwood worked?  23 <b>A. I have got no answer to that.</b>  24 Q. You refer elsewhere to your view that Mr Fenwick formed  25 personal relationships with other members of staff. Do</p> <p style="text-align: center;">Page 36</p>

<p>1 you believe that this sort of culture meant that 2 concerns or allegations against members of staff were 3 less likely to be reported? 4 <b>A. I don't think Mr Fenwick would have let that stand in 5 his way. If Mr Fenwick had known that there was this 6 sort of abuse going on, no, definitely not.</b> 7 Q. You say at paragraph 92, please, where you are dealing 8 with whether or not members of staff would have turned 9 a blind eye, it's something that you have answered 10 previously today, you say: 11 "It's these members of staff that I desperately feel 12 sorry for ..." 13 Presumably, you have a view of the residents who 14 were abused and about whom Logins was convicted. What's 15 your view of what they faced? 16 <b>A. I feel exactly the same. I feel desperately sorry for 17 the young girls that Logins abused. Desperately sorry.</b> 18 Q. Can we turn, please, Mr Rigby, to looking at your views 19 on the level of absconding and what's now called sexual 20 exploitation but at the time would have been regularly 21 referred to as prostitution. At paragraph 37, you refer 22 to the practice of putting known absconders into pyjamas 23 to stop them absconding, but that this was stopped in 24 your early days at Beechwood. 25 <b>A. Yes. You're referring to the Pindown Report?</b></p> <p style="text-align: center;">Page 37</p>	<p>1 Q. I am, but I want to concentrate, if I may, on Beechwood. 2 But, yes, you're right. It comes from the 3 Pindown Report and concerns that followed thereafter 4 nationally about how children were being treated. 5 You say in your early days this was stopped. This 6 may be difficult for you to answer, but how soon is 7 "early"? You started in 1975. By 1980, was it still 8 being used? 9 <b>A. Oh, good grief, no. I'm talking about three months 10 after I started. At least within three months. 11 Probably sooner.</b> 12 Q. Your reference at paragraph 37, the last sentence there: 13 "It was never sanctioned to be used on any occasion 14 during my remaining time at Beechwood." 15 Did you ever come across situations in which it may 16 not have been sanctioned but it was still being used? 17 <b>A. I was never aware and I never observed it.</b> 18 Q. Paragraph 38, please. You say: 19 "Young people absconding was never taken lightly. 20 Every effort was made by staff to deter any young 21 person ... boys or girls were equally devious in methods 22 of absconding ..." 23 This you say at the bottom of 38. 24 Then we go over the page, please: 25 "... although the number of girls who absconded when</p> <p style="text-align: center;">Page 38</p>
<p>1 Enderleigh was operational as an open unit was 2 negligible." 3 When you say that every effort was made to stop 4 this, do you mean physical effort? 5 <b>A. No. Physical effort was banned. This is -- no. No, 6 there was no physical effort in stopping young people 7 from absconding.</b> 8 Q. Was there any physical punishment once they returned? 9 <b>A. No. I never saw any physical punishment, and I would 10 have taken action if I'd known it was happening.</b> 11 Q. By referring to the boys and girls being "devious in 12 their methods", should the inquiry take that as an 13 indication as to how you viewed the residents at 14 Beechwood? 15 <b>A. Some of the children coming into Beechwood were very 16 devious. They were devious in all sorts of things. 17 Absconding was just but one of them.</b> 18 Q. Paragraph 39, please. Do you have that? 19 <b>A. Yes, I have it now, thank you.</b> 20 Q. You refer, five lines down, to a newspaper article, and 21 you say: 22 "... at least 70 girls had fled ..." 23 Then you comment in brackets: 24 "... (a very emotive word) from Beechwood more than 25 once."</p> <p style="text-align: center;">Page 39</p>	<p>1 Why "very emotive" to use the word "fled"? 2 <b>A. Well, "fleeing". Girls absconded. I don't take the 3 figure that was given above of 400 times, they said 4 "from a Nottingham children's home". I think that 5 probably should have said "Nottingham children's homes", 6 but I thought it was a very emotive word, "fleeing". 7 Girls absconded for all sorts of reasons.</b> 8 Q. Were children who absconded on their return ever asked 9 why they had done so? 10 <b>A. Yes, I think they were.</b> 11 Q. Did management, including yourself, discuss amongst 12 yourselves why children were absconding? 13 <b>A. Yes, I think in staff meetings it was brought up as to 14 why children did abscond, but some children didn't 15 really need a reason to abscond, they just didn't want 16 to be there at all, and they knew that they -- it was an 17 open unit, they could go whenever they wanted to carry 18 on the lifestyle that they'd had prior to coming to 19 Beechwood.</b> 20 Q. Was there an internal review carried out generally in 21 relation to the level of absconding, rather than in 22 staff meetings? 23 <b>A. Not to my knowledge, no. It was discussed in house 24 wardens' meetings. The level of absconding was 25 discussed in staff meetings, but it was an issue that</b></p> <p style="text-align: center;">Page 40</p>

<p>1 <b>was often discussed on a Monday morning meeting, which</b>  2 <b>was called a house wardens' meeting, where the</b>  3 <b>superintendent, deputy superintendent, house warden,</b>  4 <b>deputy house warden, head of education all met, and that</b>  5 <b>was a topic that often came up.</b>  6 Q. Were you aware that a number of residents of Beechwood  7 were being sexually exploited when they absconded? Did  8 you know that was happening?  9 <b>A. No, I didn't know that was happening, no.</b>  10 Q. Might that suggest that the follow-up on those returning  11 to Beechwood was not as thorough as it might have been?  12 <b>A. I think, with hindsight, that is correct.</b>  13 Q. Can we look, please, at record keeping, then. This you  14 deal with at paragraphs 64 and 75 to 76. At  15 paragraph 64 you refer to a meeting in relation to the  16 use of logbooks. You say you checked the logbooks at  17 each unit at random times throughout each month and made  18 an entry wherever you had an altercation with a resident  19 or whenever there was any allegation of abuse. How  20 often were the running sheets for each resident reviewed  21 by you?  22 <b>A. Maybe once a month.</b>  23 Q. Do you consider that the record keeping at Beechwood was  24 satisfactory?  25 <b>A. It could have been a lot better.</b></p> <p style="text-align: center;">Page 41</p>	<p>1 Q. It could have been a lot better?  2 <b>A. It could have been a lot better.</b>  3 Q. In the opening, I referred to a memo in 1978 from the  4 divisional director to the superintendent in which the  5 following was noted:  6 "You will remember that these remarks arose out of  7 the failure of staff on duty one night when a boy made  8 allegations against them. I commented that the full  9 account of that incident should have been recorded in  10 the logbook. Will you please ensure that the logbooks  11 in the Lindens and in Redcot are at all times kept fully  12 and accurately and in particular regard is had to the  13 child's behaviour and the response of staff to that  14 behaviour."  15 Do you remember concerns about notes being voiced by  16 line management?  17 <b>A. Yes, I remember that memo coming from the divisional</b>  18 <b>director. It was discussed in -- I do remember it was</b>  19 <b>discussed in the house wardens' meeting and Mr Saul was</b>  20 <b>quite emphatic that better record keeping has got to be.</b>  21 <b>I think I was remiss at the time, having not checked the</b>  22 <b>logbooks, but from there on I checked them on a regular</b>  23 <b>basis.</b>  24 Q. What steps were available to you to take to ensure that  25 if complaints were being made by residents, they were</p> <p style="text-align: center;">Page 42</p>
<p>1 being logged? Because I suppose what you don't know,  2 you don't know. What steps did you take to ensure that  3 complaints were being properly logged? How would you  4 know that complaints were made and being followed  5 through?  6 <b>A. The only way I would know if they were being logged is</b>  7 <b>by looking at the logbook. The house warden, the deputy</b>  8 <b>house warden, they were the people who had the autonomy</b>  9 <b>of running the unit.</b>  10 <b>Record keeping could have been a lot better, but,</b>  11 <b>having said that, staff did keep records, and they kept</b>  12 <b>them up to date, and I'm sure that all the records of</b>  13 <b>the children that were in Beechwood, when they left, the</b>  14 <b>records were there and they were all kept in the</b>  15 <b>basement of the Lindens in date order for anybody to</b>  16 <b>see.</b>  17 Q. Paragraph 75, please. At paragraph 75, you say that  18 statements made of any kind of abuse need to be heard  19 and tested rigorously where possible to establish fact  20 from fiction and that residential staff were often faced  21 with situations that made them vulnerable to gross  22 exaggeration.  23 Mr Rigby, did this, or the perspective that you set  24 out there, did that make you, as a starting point,  25 sceptical about allegations of physical abuse which were</p> <p style="text-align: center;">Page 43</p>	<p>1 raised?  2 <b>A. Definitely not. Definitely not. I'm just saying, if</b>  3 <b>any statement of abuse by young people, I said it needed</b>  4 <b>to be heard and tested rigorously, to get the facts. It</b>  5 <b>was certainly nothing to do of indicating that the child</b>  6 <b>making that complaint was wrong.</b>  7 Q. But taking a situation in which it might have been the  8 word of a resident against the word of a staff member,  9 what would have been your approach at the time -- sorry,  10 not what would have been, what was your approach at the  11 time?  12 <b>A. To have brought in an independent person to review the</b>  13 <b>case, ie, the social worker, to take the case away from</b>  14 <b>Beechwood and have the case tested by some other person.</b>  15 Q. Do you remember that happening?  16 <b>A. Yes, I do.</b>  17 Q. Is that in relation to a series of complaints being  18 followed through or, from your memory, just one or two?  19 <b>A. Not a series, no; from allegations that had been made,</b>  20 <b>individual allegations, that were not satisfactorily</b>  21 <b>explained.</b>  22 Q. A difficult question for you to answer, I know, and then  23 we are coming up to 11.30 am here in England, but in the  24 time that you spent at Beechwood, how many  25 investigations that you called for do you think</p> <p style="text-align: center;">Page 44</p>

<p>1 happened -- can you remember? -- in relation to                  2 allegations that needed to be resolved?                  3 <b>A. Three or four, at the most, I would say.</b>                  4 MR SADD: Chair, I know that -- Mr Rigby, I am just going to                  5 talk to the chair of the inquiry here in the hearing                  6 room in England. You will be able to listen, of course,                  7 but I am going to turn away from you.                  8 Chair, we are now at 11.30 am. We started a little                  9 later, and I genuinely have about 10 minutes more of                  10 questions. It is up to you as to what you might want to                  11 do.                  12 THE CHAIR: Please continue, Mr Sadd.                  13 MR SADD: Of those investigations, Mr Rigby, the three or                  14 four, how many related to sexual abuse?                  15 <b>A. None that I can recall. It was all physical abuse.</b>                  16 Q. You say at paragraph 76, please, that children could                  17 contact their social worker or that they would be --                  18 sorry:                  19 "It was Beechwood's policy that if any boy or girl                  20 wished to contact their social worker, they be given the                  21 opportunity for them to do so."                  22 Mr Rigby, the inquiry has heard from a number of                  23 former residents who say they didn't feel able to                  24 disclose to their social workers, either because they                  25 didn't think they would be believed or because they</p> <p style="text-align: center;">Page 45</p>	<p>1 didn't trust them or, additionally, they never saw them.                  2 Did you ever consider that residents might need someone                  3 else to talk to other than their social worker?                  4 <b>A. No, I didn't, no.</b>                  5 Q. In relation to paragraph 75, you remember residents                  6 making complaints that they'd been physically abused.                  7 Are you also aware that former residents have made                  8 allegations of physical assault against you?                  9 <b>A. Yes, I am. Nineteen -- sorry, I beg your pardon, 2014.</b>                  10 Q. Can you help me with this, please, Mr Rigby: on                  11 reflection, was there a culture of staff at Beechwood                  12 being physically violent towards children?                  13 <b>A. I do not think so. I think it was the other way around.</b>                  14 Q. Meaning that children were physically violent towards                  15 staff?                  16 <b>A. Yes, and themselves.</b>                  17 Q. One document that's before the inquiry that's in tab 12                  18 of your bundle, INQ001815, this is an email that you                  19 sent to Browne Jacobson solicitors in January 2015 after                  20 you'd been told about some of the allegations that were                  21 being made. You say:                  22 "... I will most certainly vigorously respond to                  23 what I deem to be these spurious allegations."                  24 You go on to say:                  25 "I am not in the least surprised that some former</p> <p style="text-align: center;">Page 46</p>
<p>1 residents of Beechwood are now looking to 'cash in' by                  2 making (false) accusations of physical abuse in the hope                  3 of securing a large compensation payout."                  4 Does that remain your position, Mr Rigby?                  5 <b>A. That statement was made in relation to myself. I made</b>                  6 <b>that remark with regard to the alleged allegations being</b>                  7 <b>made about myself. I will quite clearly state I have</b>                  8 <b>never abused a child or a young person in my life.</b>                  9 <b>I have never used abusive language to them. I have, on</b>                  10 <b>occasions, had to restrain a child. But I have never,</b>                  11 <b>ever physically abused any child, and that remark was</b>                  12 <b>made in relation to myself.</b>                  13 Q. Can we look then at the culture and environment and the                  14 number of allegations that relate to Beechwood. At                  15 paragraph 53, please, you refer to bullying and say that                  16 it can be found in any residential establishment or                  17 school?                  18 <b>A. Yes, bullying. We are talking about bullying here, are</b>                  19 <b>we?</b>                  20 Q. Yes, paragraph 53. Do you have that? If it helps you                  21 and to save time, I will read it out to you:                  22 "Bullying between either boys or girls can be found                  23 in any residential establishment, it is also a problem                  24 in any school throughout the country. A member of staff                  25 being made aware of or seeing anyone being bullied of</p> <p style="text-align: center;">Page 47</p>	<p>1 any kind must act upon it immediately to stop such an                  2 occurrence. Beechwood did not condone any form of                  3 bullying but staff realistically knew that it did take                  4 place surreptitiously when out of sight of staff who                  5 were constantly reminded to keep alert for such                  6 occurrences. If a boy or girl did get caught bullying                  7 another resident, then there were sanctions in place                  8 given to the perpetrator to try and stop any further act                  9 of bullying."                  10 Were there any particular problems unique to                  11 Beechwood in relation to, for instance, the level of                  12 bullying? Was it at a high level, as far as you were                  13 aware?                  14 <b>A. Bullying did take place, but, as I've pointed out, I was</b>                  15 <b>not working in any of the units, so I did not see the</b>                  16 <b>type of bullying that obviously would take place in any</b>                  17 <b>residential establishment, and I said "any school".</b>                  18 Q. You mentioned that if a boy or girl got caught bullying                  19 another resident, they were sanctioned?                  20 <b>A. Yes.</b>                  21 Q. Do you know what would happen to the resident who was                  22 being bullied?                  23 <b>A. They would have been probably helped by a member of</b>                  24 <b>staff, talked through the incident that had happened,</b>                  25 <b>try to reassure them that they were trying to put a stop</b></p> <p style="text-align: center;">Page 48</p>

<p>1 <b>to it.</b></p> <p>2 Q. Mr Rigby, my question to you was not what perhaps should</p> <p>3 have happened. Do you know whether in fact that did</p> <p>4 happen?</p> <p>5 <b>A. I can't be certain to say that that did happen, no.</b></p> <p>6 Q. Did you have any concerns during your time at Beechwood</p> <p>7 about sexual violence between residents?</p> <p>8 <b>A. Yes, there were concerns. There were concerns that we</b></p> <p>9 <b>had sexual -- alleged sexual perpetrators that were in</b></p> <p>10 <b>the unit and a close eye had to be kept on them.</b></p> <p>11 Q. Were there any steps taken to protect those who were</p> <p>12 potentially vulnerable to those residents?</p> <p>13 <b>A. Staff would have been alerted to those particular</b></p> <p>14 <b>children, and a special watch kept on them.</b></p> <p>15 Q. Again, Mr Rigby, I'm sorry to be so precise on the</p> <p>16 point. What you have described is what should have</p> <p>17 happened. To your recollection, did it happen?</p> <p>18 <b>A. I wasn't in the unit, so I couldn't say.</b></p> <p>19 Q. Would you determine the policy and guidance that would</p> <p>20 be available to the units as to how to run the home?</p> <p>21 <b>A. Sorry, would you say that again?</b></p> <p>22 Q. Given your position as deputy superintendent of</p> <p>23 the complex, so the --</p> <p>24 <b>A. Yes.</b></p> <p>25 Q. Was one of your roles setting out policy and guidance on</p> <p style="text-align: center;">Page 49</p>	<p>1 various issues?</p> <p>2 <b>A. I was a deputy. I helped with the superintendent. We</b></p> <p>3 <b>set out the guidance for the running of the home, but</b></p> <p>4 <b>I have made it very clear that it was always decreed</b></p> <p>5 <b>right from the beginning that house wardens had their</b></p> <p>6 <b>own autonomy within the unit, but they were guided from</b></p> <p>7 <b>time to time on various issues.</b></p> <p>8 Q. Would those issues have included steps to be taken in</p> <p>9 the event of sexual assaults between residents or the</p> <p>10 risk posed to vulnerable children placed in the units?</p> <p>11 <b>A. Yes.</b></p> <p>12 Q. They would have done?</p> <p>13 <b>A. Yes.</b></p> <p>14 Q. So the inquiry can accept your evidence that there was</p> <p>15 guidance on what to do in relation to that?</p> <p>16 <b>A. It would appear not enough guidance.</b></p> <p>17 Q. At paragraph 60, you discuss staff members using</p> <p>18 physical restraint on children as a last resort.</p> <p>19 <b>A. Yes.</b></p> <p>20 Q. And refer to staff being extremely vulnerable, and</p> <p>21 a moment ago you expanded on that. You use the word</p> <p>22 "vulnerable" three times in your statement, and each</p> <p>23 time that you do so, you are referring to staff members</p> <p>24 rather than children. Did you perceive at the time</p> <p>25 children to be vulnerable?</p> <p style="text-align: center;">Page 50</p>
<p>1 <b>A. There were some very vulnerable children, vulnerable</b></p> <p>2 <b>children who were being attacked by other residents,</b></p> <p>3 <b>they were extremely vulnerable.</b></p> <p>4 Q. Were staff given any specific training on caring for</p> <p>5 those vulnerable children?</p> <p>6 <b>A. No.</b></p> <p>7 Q. For example, in relation to the use of force or</p> <p>8 restraint?</p> <p>9 <b>A. No, they weren't.</b></p> <p>10 Q. Yesterday, we heard evidence from Rod Jones, who was</p> <p>11 responsible for putting together community homes</p> <p>12 regulations, or community homes guidance and policy, and</p> <p>13 that was in 1978. There's an extract from that policy</p> <p>14 in the documents that you have had.</p> <p>15 <b>A. Yes.</b></p> <p>16 Q. But, actually, I want to take you to the policy on the</p> <p>17 use of corporal punishment. You haven't got that in</p> <p>18 front of you, but I am going to quote from it. This is</p> <p>19 at 1978. It refers to the corrective measures that</p> <p>20 mustn't be used, and it includes the following: the use</p> <p>21 of corporal punishment effectively is prohibited:</p> <p>22 "... which means striking, cuffing, shaking,</p> <p>23 smacking or any other deliberate infliction of pain as</p> <p>24 a means of punishment, unless written permission is</p> <p>25 given by Social Services Committee to a specific officer</p> <p style="text-align: center;">Page 51</p>	<p>1 in charge to possess such a punishment."</p> <p>2 In your time at Beechwood, did you see striking,</p> <p>3 cuffing, shaking, smacking or any other deliberate</p> <p>4 infliction of pain by staff on residents?</p> <p>5 <b>A. No, I did not, and if I had, I would have been taking</b></p> <p>6 <b>action straight away.</b></p> <p>7 Q. In a statement given by Mark Cope to the police --</p> <p>8 Mark Cope being someone who worked briefly at Beechwood</p> <p>9 in the late '70s, and to which you refer at the</p> <p>10 beginning of your statement -- he refers to boxing</p> <p>11 matches between children organised by a member of staff,</p> <p>12 Norman Bloodworth. Were you aware of these boxing</p> <p>13 matches taking place?</p> <p>14 <b>A. Yes, I was, and they were fairly conducted. They were</b></p> <p>15 <b>boxing matches. They were not fights. Mr Bloodworth</b></p> <p>16 <b>was a former army senior NCO, and I was aware that they</b></p> <p>17 <b>did have boxing matches.</b></p> <p>18 MR SADD: At paragraph 79, you discuss an internal inquiry</p> <p>19 in 1989 regarding allegations made to The Sun. You have</p> <p>20 given evidence about that, and we are going to be</p> <p>21 hearing later on today from Mr Fenwick in relation to</p> <p>22 that. It is on that basis, Mr Rigby, that I have</p> <p>23 finished my questions to you. Thank you for your</p> <p>24 patience. It may be, Mr Rigby, if you wait there, that</p> <p>25 the panel, the chair and panel, may have questions for</p> <p style="text-align: center;">Page 52</p>

<p>1 you.</p> <p>2 THE CHAIR: Thank you, Mr Sadd.</p> <p>3 Questions by THE PANEL</p> <p>4 THE CHAIR: Mr Rigby, would you accept that a major part of</p> <p>5 the problem may have been the attitudes held by staff to</p> <p>6 the children in their care? After all, they did appear</p> <p>7 to resent their presence, from your comments earlier,</p> <p>8 that Beechwood was regarded as a dumping ground, which</p> <p>9 may say something about what they thought about the</p> <p>10 children who were placed. We have heard several</p> <p>11 statements that they lacked understanding, even</p> <p>12 sympathy, for the terrible backgrounds and childhood</p> <p>13 experiences that many of the residents had, that they</p> <p>14 were driven by value judgments about them and</p> <p>15 effectively blamed the victim.</p> <p>16 <b>A. No, I don't think that's correct. I don't think that's</b></p> <p>17 <b>correct at all. What I was meaning when I said</b></p> <p>18 <b>a "dumping ground", Beechwood had to take all comers.</b></p> <p>19 <b>It wasn't a case of having to reflect on the child.</b></p> <p>20 <b>They came into care from various avenues. They had all</b></p> <p>21 <b>sorts of problems. And it seemed to me that Beechwood</b></p> <p>22 <b>was having to take all the problem children from within</b></p> <p>23 <b>the county, and a lot of the staff felt the same at the</b></p> <p>24 <b>same time. It was a case of, we took all comers.</b></p> <p>25 THE CHAIR: Yes, I --</p> <p style="text-align: center;">Page 53</p>	<p>1 <b>A. It was very difficult. It was very difficult to handle</b></p> <p>2 <b>children coming in and unsettling what probably had been</b></p> <p>3 <b>a settled unit and the staff basically having to start</b></p> <p>4 <b>all over again. And it was extremely difficult for the</b></p> <p>5 <b>children who were already in Beechwood, to have to be</b></p> <p>6 <b>disrupted in the manner that some of these problem</b></p> <p>7 <b>children presented.</b></p> <p>8 THE CHAIR: Yes, I understand that point, but would you</p> <p>9 answer the question: did you think that staff attitudes</p> <p>10 to the children was a major part of the problem?</p> <p>11 <b>A. Reflecting on what's happened now, then I've got to</b></p> <p>12 <b>accept that.</b></p> <p>13 THE CHAIR: Thank you, Mr Rigby. Mr Frank?</p> <p>14 MR FRANK: You have told us twice that if you had ever seen</p> <p>15 any kind of inappropriate physical contact between staff</p> <p>16 and the children, you would have taken immediate action.</p> <p>17 You have told us that twice this morning.</p> <p>18 <b>A. Correct.</b></p> <p>19 MR FRANK: Between 1995, when you took up post, and 18 years</p> <p>20 later, did you ever have to take action against any</p> <p>21 member of staff in any of that time?</p> <p>22 <b>A. No, I didn't.</b></p> <p>23 MR FRANK: Not once?</p> <p>24 <b>A. Not once.</b></p> <p>25 MR FRANK: Thank you.</p> <p style="text-align: center;">Page 54</p>
<p>1 THE CHAIR: Ms Sharpling?</p> <p>2 MS SHARPLING: Thank you. Just a question from me. Can you</p> <p>3 just remind us, please, Mr Rigby, when you actually left</p> <p>4 Beechwood?</p> <p>5 <b>A. I left in October 1992.</b></p> <p>6 MS SHARPLING: Thank you. During that time, we heard from</p> <p>7 Mr Jones yesterday that various policies and practices</p> <p>8 were issued, principally formulated by him. What was</p> <p>9 the means of implementing those policies and practices?</p> <p>10 For example, the community homes policy, which was</p> <p>11 I think published in 1978?</p> <p>12 <b>A. Sorry, what was the question again?</b></p> <p>13 MS SHARPLING: It's all right. I will shorten it. What was</p> <p>14 the procedure, if any, for implementing policies for</p> <p>15 childcare in the circumstances of residential care that</p> <p>16 had been issued by the council? Was there a method of</p> <p>17 ensuring that they were implemented? Did your area</p> <p>18 director, for example, say, "There's a new policy from</p> <p>19 Mr Jones and we are responsible for putting it in</p> <p>20 place"?</p> <p>21 <b>A. Yes. We got -- I think you're referring to NTP000083?</b></p> <p>22 MS SHARPLING: Just what happened to make it happen at the</p> <p>23 front-line?</p> <p>24 <b>A. This document was discussed at a house wardens' meeting.</b></p> <p>25 <b>It was discussed in its full content. I do remember</b></p> <p style="text-align: center;">Page 55</p>	<p>1 <b>having this photostatted on for three and getting all</b></p> <p>2 <b>the staff to sign it. It wasn't just discussed in the</b></p> <p>3 <b>house wardens' meetings, it was discussed in every</b></p> <p>4 <b>single unit at that time.</b></p> <p>5 MS SHARPLING: As a result of that, did anybody monitor or</p> <p>6 look at, in some shape or form, whether the policy had</p> <p>7 been properly implemented?</p> <p>8 <b>A. As much as we could gather, the policy was implemented.</b></p> <p>9 MS SHARPLING: I see. Thank you.</p> <p>10 THE CHAIR: Sir Malcolm?</p> <p>11 PROF SIR MALCOLM EVANS: Thank you. Very briefly, how would</p> <p>12 you characterise your, ie Beechwood's, relationship with</p> <p>13 the Social Services Department during your time at</p> <p>14 Beechwood? Did you clear it close, supportive, distant,</p> <p>15 et cetera, et cetera? How did you see the nature of</p> <p>16 that relationship?</p> <p>17 <b>A. Quite distant in many ways. The homes adviser came from</b></p> <p>18 <b>time to time -- and it was from time to time. So, on</b></p> <p>19 <b>the whole, I don't think we got a lot of support from</b></p> <p>20 <b>the County Council -- from Social Services Department.</b></p> <p>21 <b>We were very much left on our own, I think.</b></p> <p>22 THE CHAIR: Thank you. We have no further questions. Thank</p> <p>23 you very much, Mr Rigby.</p> <p>24 <b>A. Thank you.</b></p> <p>25 <b>(The witness withdrew)</b></p> <p style="text-align: center;">Page 56</p>

<p>1 MR SADD: Chair, we have reached a time -- I did go over my  2 time, I'm sorry. It is now just coming up to 11.55 am.  3 Might I suggest we break until 12.10 pm?  4 THE CHAIR: Yes, we will do that, thank you.  5 MR SADD: Thank you, Mr Rigby.  6 (11.53 am)  7 (A short break)  8 (12.13 pm)  9 THE CHAIR: Mr Livingston?  10 MR LIVINGSTON: Good morning, chair.  11 MS BRONWEN COOPER  12 Examination by MR LIVINGSTON  13 MR LIVINGSTON: Good morning, Ms Cooper.  14 <b>A. Good morning.</b>  15 Q. You should have a statement at tab 1 of your bundle.  16 That statement can be found at INQ001800. Have you read  17 through your statement recently?  18 <b>A. I have.</b>  19 Q. Was it true, to the best of your knowledge, at the time  20 you signed it?  21 <b>A. Yes.</b>  22 Q. Are there any corrections you need to make to it?  23 <b>A. No, not in my statement. There is one small detail. It</b>  24 <b>is not incorrect. But on page 5, at paragraph 8.2,</b>  25 <b>I say that, by that time, I was employed as case review</b></p> <p style="text-align: center;">Page 57</p>	<p>1 <b>officer. Actually, I was already using the title "case</b>  2 <b>review officer". I dropped the title of "investigation</b>  3 <b>officer" at that point. I had dropped that title by</b>  4 <b>2005/2006. It's only a detail, but it's just to clarify</b>  5 <b>that.</b>  6 Q. Thank you. Chair and panel, as you will have seen, this  7 statement relates to a different period of Beechwood or  8 Woodborough Road, as it was known then, to the evidence  9 we heard this morning, so this is in relation to the  10 period 2000 to 2002.  11 Ms Cooper, your whole statement will be uploaded  12 onto the inquiry's website, so it will be published.  13 It is correct you have held various posts in  14 Social Services within the county and then city  15 councils; is that right?  16 <b>A. Yes.</b>  17 Q. Your most recent employed post was that of investigation  18 officer and then case review officer from 2001 to 2009?  19 <b>A. Yes.</b>  20 Q. At paragraph 2.1 of your statement, you refer to your  21 time as an investigation officer for the city council,  22 and you say that you conducted investigations into  23 staffing matters, including disciplinary and harassment;  24 is that right?  25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 58</p>
<p>1 Q. At paragraph 3.1, you say you wouldn't have been the one  2 looking into allegations made by children in the first  3 instance; that would have been done by a social worker.  4 Is that right?  5 <b>A. That's correct, yes.</b>  6 Q. At what point would they come to you?  7 <b>A. In that role as investigation officer, if children had</b>  8 <b>made allegations, for example, against members of staff,</b>  9 <b>and there was a disciplinary investigation that followed</b>  10 <b>the child protection investigation, I may have been</b>  11 <b>asked to do that. I wouldn't have been involved in that</b>  12 <b>role in the child protection or safeguarding</b>  13 <b>investigation.</b>  14 Q. Do you recall conducting any investigations into  15 allegations of sexual abuse made by children at  16 Woodborough Road?  17 <b>A. Not -- certainly not in that role. I think I may have</b>  18 <b>done in the past as a social worker. I think some</b>  19 <b>children on my case load as a social worker many years</b>  20 <b>previously may have made such allegations. I may have</b>  21 <b>investigated them. But --</b>  22 Q. Do you have any better recollection you can provide us  23 with at all?  24 <b>A. I'm afraid I don't, because the children I may have done</b>  25 <b>child protection investigations for in the past</b></p> <p style="text-align: center;">Page 59</p>	<p>1 <b>generally moved around quite a lot, and I can't remember</b>  2 <b>a particular child whose investigation I conducted that</b>  3 <b>stayed at Woodborough Road/Beechwood for any length of</b>  4 <b>time.</b>  5 Q. As case review officer -- so you were investigation and  6 case review officer and then you became just case review  7 officer -- you were involved, at least partly, in  8 management reviews conducted for Serious Case Reviews;  9 is that right?  10 <b>A. Yes, I was.</b>  11 Q. Including one at Woodborough Road in 2002; is that  12 right?  13 <b>A. Yes.</b>  14 Q. We will come on to that later. Ms Cooper, at  15 paragraph 3.2 of your statement, you say that in your  16 role you were commissioned to carry out independent  17 investigations whilst you were employed by, and  18 accountable to, the city council. Do you think that  19 compromised your independence?  20 <b>A. I think it had the potential to. I put the word</b>  21 <b>"independent" in inverted commas deliberately. It was</b>  22 <b>a stand-alone post, and at various times I was managed</b>  23 <b>by different assistant directors, I think the point</b>  24 <b>being to maintain objectivity. I didn't have any</b>  25 <b>operational responsibility. I was employed solely to</b></p> <p style="text-align: center;">Page 60</p>

<p>1 <b>conduct investigations or reviews. It was intended,</b>  2 <b>I think, to be somewhat arm's length, but of course,</b>  3 <b>being employed and accountable to the city council meant</b>  4 <b>that complete independence and objectivity I do feel was</b>  5 <b>slight compromised.</b>  6 Q. So do you think that the title of "independent", if that  7 title was used, on reflection, was an incorrect one?  8 <b>A. That title was not in my job description. I think there</b>  9 <b>was just a suggestion that I should maintain an element</b>  10 <b>of independence, and for that reason I had no</b>  11 <b>operational responsibility whilst in that role.</b>  12 Q. You say in that paragraph that on some occasions you  13 were asked to offer opinions, conclusions and  14 recommendations, and that this could be uncomfortable  15 because the senior manager who commissioned you might  16 disagree with those opinions, conclusions and  17 recommendations; is that right?  18 <b>A. Yes. I think at times the investigations that</b>  19 <b>I conducted, where I was asked to give opinions, draw</b>  20 <b>conclusions and make recommendations, were at times --</b>  21 <b>certainly the opinions I think at times could be</b>  22 <b>somewhat unpalatable. I was at times investigating</b>  23 <b>quite difficult situations where allegations were being</b>  24 <b>made against staff, and these, yes, could cause</b>  25 <b>discomfort in the reading, and also the conclusions and</b></p> <p style="text-align: center;">Page 61</p>	<p>1 <b>recommendations that I made at times I think were</b>  2 <b>difficult sometimes to put in place.</b>  3 Q. We will come on to the specific report into  4 Beechwood/Woodborough Road in 2001 in a minute, but in  5 general, when you were conducting these investigations  6 and you might have offered opinions which were  7 unpalatable, was the general reaction, if there was one,  8 that you would write that in the report and then the  9 commissioning manager would simply reject your opinion  10 or was it that they would ask you to change your report?  11 <b>A. I think practice varied over time. I also think</b>  12 <b>I became more experienced in the role. And over time in</b>  13 <b>the role, the negotiations at the start became more</b>  14 <b>detailed. So I would negotiate a clear brief as</b>  15 <b>I became more experienced, and I would ensure that the</b>  16 <b>commissioner was clear with me in what they wanted from</b>  17 <b>my investigation.</b>  18 Q. To what extent did you find your role or independence  19 compromised by not having the final say in what  20 happened?  21 <b>A. I think I accepted that. I was not in a position,</b>  22 <b>status-wise, to maintain an opinion or a recommendation</b>  23 <b>that was not workable, and I hope my recommendations the</b>  24 <b>majority of the time were realistic and achievable, and</b>  25 <b>they were certainly, over time, negotiated with</b></p> <p style="text-align: center;">Page 62</p>
<p>1 <b>commissioners and with people I was talking to during</b>  2 <b>the course of my investigations.</b>  3 <b>I don't really recall a situation where I would</b>  4 <b>press on with a recommendation or a conclusion in the</b>  5 <b>face of complete opposition. I don't think that would</b>  6 <b>have been appropriate either to my position and status</b>  7 <b>or to what was expected of me.</b>  8 Q. We are going to move on now to the investigation you  9 conducted into Beechwood/Woodborough Road, which you  10 discuss from paragraph 6 of your statement.  11 <b>A. Yes.</b>  12 Q. You say that you had some knowledge of  13 Beechwood/Woodborough Road before that investigation,  14 and you give a few examples of why you might have had  15 that knowledge. So one of them was from visiting  16 children as a social worker; is that right?  17 <b>A. Yes.</b>  18 Q. Then you think you had conducted a disciplinary  19 investigation at some point as well. Can you recall  20 whether that disciplinary investigation was following an  21 allegation of physical or sexual abuse?  22 <b>A. The investigations that I recall were just shortly</b>  23 <b>before the whole unit investigation, and I think I refer</b>  24 <b>to them both in the report, the copy of my report, of</b>  25 <b>that investigation. There was a disciplinary</b></p> <p style="text-align: center;">Page 63</p>	<p>1 <b>investigation of one member of staff, I believe, and</b>  2 <b>a grievance allegation and investigation that I had</b>  3 <b>started, which then gave rise to a counterallegation and</b>  4 <b>a second grievance, I believe.</b>  5 <b>I think it was at that point that, in discussion</b>  6 <b>with the commissioning manager, the decision was made to</b>  7 <b>open it up into a whole unit investigation.</b>  8 Q. As far as you can recall, were they all internal staff  9 issues, so issues about staff bullying other staff or  10 harassing other staff or racially abusing other staff?  11 Was it limited to that?  12 <b>A. That's my recollection, yes.</b>  13 Q. Including your visits when you were a social worker,  14 which presumably were in the 1980s or 1990s -- is that  15 right?  16 <b>A. Yes, it would have been.</b>  17 Q. And up to the time when you were an investigation  18 officer, did you see a substantial change, or any  19 change, in the way that the home operated?  20 <b>A. I wouldn't say I had the familiarity with it that I came</b>  21 <b>to have at a later stage, and I certainly wasn't looking</b>  22 <b>at it in any detail when I was simply visiting children,</b>  23 <b>and, more often than not, I would take children out when</b>  24 <b>I was visiting as a social worker. So I wouldn't say</b>  25 <b>that I was very familiar with Woodborough Road prior to</b></p> <p style="text-align: center;">Page 64</p>



<p>1 <b>this investigation.</b>  2 <b>So I would find it difficult to comment on whether</b>  3 <b>it had changed particularly over time.</b>  4 Q. As a quick aside on that, when you were a social worker,  5 and you said you were taking children out from  6 Beechwood, the inquiry has heard a number of accounts of  7 children who were resident at Beechwood over the years,  8 and many of them had said that they either didn't see  9 a social worker regularly or that, when they did see  10 a social worker, they weren't able to see them on their  11 own. What's your recollection of your time there? Were  12 you able to see children on their own?  13 <b>A. Yes, I think that's one of the reasons that I chose to</b>  14 <b>take children out with me. Anecdotally, I think --</b>  15 <b>I can say that I would have found it difficult to see</b>  16 <b>a child alone at Beechwood as a social worker in that</b>  17 <b>time. It always struck me as quite a busy unit with</b>  18 <b>a lot going on. And I preferred to take a child who was</b>  19 <b>on my caseload away from that environment to talk with</b>  20 <b>them. So that was more usually what I did. So</b>  21 <b>I suppose I created that opportunity.</b>  22 Q. Your 2001 investigation -- the report is at NCC000294,  23 and that's tab 2 of your bundle, Ms Cooper, if we can  24 have that up on screen. Going to page 3 of that  25 document, and I'll summarise, you say in the report that</p> <p style="text-align: center;">Page 65</p>	<p>1 you group the allegations which you were investigating  2 into: bullying and intimidation; sexual harassment;  3 racial harassment; and inappropriate behaviour.  4 Did you understand the purpose of your report to be  5 solely about these internal staff issues or also to  6 incorporate child protection issues which might arise as  7 a result?  8 <b>A. I would say that my understanding was, in opening up</b>  9 <b>a whole unit investigation, I was tasked with looking at</b>  10 <b>the whole operation of the unit, the culture and</b>  11 <b>practice of the unit, and whether children felt safe and</b>  12 <b>whether they were well looked after by staff within the</b>  13 <b>unit. I think the only reason for the grouping of those</b>  14 <b>headings was that those were the allegations that had</b>  15 <b>emerged by that point. I think my remit was broader</b>  16 <b>than that, and I certainly wouldn't limit it just to</b>  17 <b>those headings, and if I became aware of child</b>  18 <b>protection concerns in any situation, actually, I would</b>  19 <b>have thought I had a duty to report on those.</b>  20 Q. Just to check, you say you were commissioned by the  21 assistant director at the time to investigate the whole  22 unit. Was that Margaret McKechnie?  23 <b>A. Yes, it was.</b>  24 Q. At paragraph 6.3, you say you were given a verbal brief  25 without terms of reference. Was that common?</p> <p style="text-align: center;">Page 66</p>
<p>1 <b>A. Sorry, paragraph?</b>  2 Q. Paragraph 6.3.  3 <b>A. Oh, is this back to my statement?</b>  4 Q. Yes, sorry, my mistake. You say you were given a verbal  5 brief for the investigation without terms of reference,  6 or you don't recall specific terms of reference. Was  7 that common, just to have a verbal brief?  8 <b>A. I probably need to explain. This was quite early days</b>  9 <b>into my appointment. I had been in post I think</b>  10 <b>from August 2000, and I think this was possibly</b>  11 <b>the November time, 2000. I changed my practice over</b>  12 <b>time, with experience, to focus more on drawing up more</b>  13 <b>formal terms of reference and a written brief as</b>  14 <b>I continued in the post. I think, and my recollection</b>  15 <b>is, that at that time, I took a verbal brief. I think</b>  16 <b>I took some notes for myself of that brief and created</b>  17 <b>an outline plan for the investigation which I verbally</b>  18 <b>agreed with Margaret McKechnie, and that was accepted.</b>  19 Q. You say again in paragraph 6.3 that you were asked to  20 address such issues as the management of the home, the  21 staff culture and practice and whether this was a home  22 where children felt safe, well cared for and able to  23 voice any concerns they might have had. To the best of  24 your recollection, were all of those things agreed with  25 Margaret McKechnie that you should look into?</p> <p style="text-align: center;">Page 67</p>	<p>1 <b>A. Yes, I would say so, yes.</b>  2 Q. In that discussion, that verbal brief, were you, at  3 least at the beginning, asked to come to a conclusion on  4 each of those issues?  5 <b>A. I think my understanding was, yes, that I was.</b>  6 Q. Do you recall, were you asked at the initial stage to  7 make any recommendations?  8 <b>A. My recollection of that, I have to say, is unclear.</b>  9 <b>I think I possibly made an assumption that I would draw</b>  10 <b>recommendations. I'm not sure it was absolutely</b>  11 <b>specific.</b>  12 Q. Just to summarise the methodology, which is set out in  13 the document, it says that you interviewed around  14 50 members of staff and some other people who visited  15 the home; is that right?  16 <b>A. Not many people that visited the home, but I took the</b>  17 <b>whole staff group, so cleaners, domestic staff, cooks,</b>  18 <b>some of the managers. I did interview, I believe --</b>  19 <b>yes, actually, it's here -- Family Resource Panel</b>  20 <b>manager, and I think I interviewed an advocate, a person</b>  21 <b>who was employed as an advocate.</b>  22 Q. That's fine, Ms Cooper. We can move on.  23 <b>A. Yes.</b>  24 Q. You also say that you talked with several of  25 the children. I think in the report itself, it says</p> <p style="text-align: center;">Page 68</p>

<p>1 that two young people chose to be interviewed. Is that 2 your recollection?</p> <p>3 <b>A. Yes. I think two young people actually came forward to 4 speak with me personally and privately, supported by the 5 advocate, actually. Other young people I spoke to 6 informally in the home itself and explained what I was 7 doing there and just had informal conversations. Some 8 chose to speak to me, some didn't.</b></p> <p>9 Q. Would those informal conversations be without any staff 10 members or members of the department present?</p> <p>11 <b>A. I don't recall any staff members being there, and it was 12 a very informal conversation about how things were at 13 the home at that time.</b></p> <p>14 Q. You also looked at -- I think it says in the report that 15 you looked at some of the documentation, presumably 16 pertaining to the period that you were investigating. 17 The inquiry has heard a number of criticisms of record 18 keeping at Beechwood, at least in the period when it was 19 run by the County Council until 1998. When you looked 20 at it then, do you remember having any particular views 21 on the state of the record keeping?</p> <p>22 <b>A. I remember looking at such records as inspection visits, 23 regulation -- I can't remember what they were called, 24 but the regulatory inspection visits. I looked at some 25 supervision files for staff, and I think I looked at the</b></p> <p style="text-align: center;">Page 69</p>	<p>1 <b>home diary or log, as it was called.</b></p> <p>2 Q. Were you happy, when you were looking at these, that 3 everything you would expect to find was there?</p> <p>4 <b>A. I can't say that for sure, no.</b></p> <p>5 Q. Moving on, from paragraph 6.4 onwards, you talk about 6 the culture that you observed at Beechwood, and at 6.4, 7 you say that you found the culture and environment to be 8 flawed. What do you mean by "flawed"?</p> <p>9 <b>A. I thought it was not a pleasant environment for young 10 people to be cared in. Physically, the building was 11 very poor and run down and damaged and had a lot of 12 unrepaired damage, I noticed. I thought the building 13 lacked warmth, homeliness. I looked at some of 14 the young people's rooms -- by invitation only. They 15 were poorly decorated.</b></p> <p>16 <b>I suppose the physical environment wouldn't count 17 for a great deal if you felt that the young people were 18 living in an environment of emotional warmth and care, 19 and I was concerned to look at that as well.</b></p> <p>20 <b>Do you want me to go on to say what I found?</b></p> <p>21 Q. I think we will come on to that, if that's okay.</p> <p>22 <b>A. Okay.</b></p> <p>23 Q. One of the things that you say in the report is that you 24 found inappropriate behaviour between staff, so 25 exchanging of obscene text messages and picture</p> <p style="text-align: center;">Page 70</p>
<p>1 messages. In your experience, was that type of 2 behaviour amongst staff common or was this an outlier?</p> <p>3 <b>A. I have never found it anywhere else. I mean, there were 4 some allegations that had been made that gave rise to 5 the need to look for that, so I was asking specific 6 questions about that, which of course I wouldn't have 7 been asking in other units, but I had never heard this 8 reported elsewhere. But certainly here, in this 9 environment, I found that there was a lot going on that 10 I found inappropriate.</b></p> <p>11 Q. At paragraph 6.6 of your statement, you refer to one of 12 the specific issues or concerns, which was an allegation 13 about a member of staff, NO-F1, forming an inappropriate 14 relationship with a resident, and you say that you 15 reported this immediately to the assistant director. 16 Would that be Margaret McKechnie again?</p> <p>17 <b>A. I believe it was, yes.</b></p> <p>18 Q. You then interviewed the staff member -- so the 19 allegation arose because one staff member raised it 20 about another staff member; is that right?</p> <p>21 <b>A. Yes.</b></p> <p>22 Q. And you interviewed the staff member who raised the 23 allegation in the first place?</p> <p>24 <b>A. I did.</b></p> <p>25 Q. You say that at the conclusion of this investigation,</p> <p style="text-align: center;">Page 71</p>	<p>1 you were asked to include the allegation itself in the 2 report, and we can see that at page 18 of the report, if 3 we can have it up on screen. We won't go into it in 4 specific detail, but you set out here the allegation, 5 the supporting evidence, and then, going over to the 6 next page, the conflicting evidence, and then you note 7 that the allegation was not put to F1 during the 8 investigation.</p> <p>9 Now, Ms Cooper, you say in your statement that you 10 were not asked to pursue the matter further or talk to 11 the young person and you think it was followed up as 12 a child protection matter. Were you satisfied with this 13 approach?</p> <p>14 <b>A. I was concerned that it should be followed up, and that 15 was why I reported this situation to Margaret McKechnie. 16 I was assured that the matter would be followed up. 17 I think I did make an offer to pursue this, or I asked 18 the question as to whether I was required to pursue this 19 further, and whether she wished me to interview more 20 staff and also the young person concerned, but I was 21 told that that wasn't necessary at that stage or 22 possibly not appropriate for me to do so, but that it 23 would be followed up by somebody else, and I felt 24 reassured by that. I trusted that that would happen.</b></p> <p>25 Q. Were you ever told of any follow-up action or</p> <p style="text-align: center;">Page 72</p>

<p>1 investigation that had taken place?                  2 <b>A. I wasn't, no.</b>                  3 Q. Would you have expected to be told?                  4 <b>A. Not necessarily, no.</b>                  5 Q. More broadly, Ms Cooper, at paragraph 6.5 you say:                  6 "I remember feeling very concerned about the care                  7 that was being offered to the children, who were, by                  8 definition, already highly vulnerable before moving into                  9 Woodborough Road, while the staff group charged with                  10 looking after them were engaged in such inappropriate                  11 behaviour."                  12 What do you mean by being "very concerned"?                  13 <b>A. I was extremely concerned about the behaviour that I was</b>                  14 <b>told about during the course of this investigation.</b>                  15 <b>There was a lot of inappropriate behaviour, in terms of</b>                  16 <b>pranks, practical jokes, staff moving each other's cars,</b>                  17 <b>taking each other's car keys, and also this exchanging</b>                  18 <b>of obscene text messages, some of which were shown to me</b>                  19 <b>by members of staff, sexualised behaviour, inappropriate</b>                  20 <b>touching between staff. And I was extremely concerned</b>                  21 <b>that the care of the children in this situation was</b>                  22 <b>being neglected, because I was hearing so many</b>                  23 <b>allegations of what was going on between members of</b>                  24 <b>staff, and that gave rise to great concern.</b>                  25 Q. Indeed, you say, Ms Cooper, that this culture and</p> <p style="text-align: center;">Page 73</p>	<p>1 environment must have had an impact on the children                  2 resident in the home. What sort of impact did you think                  3 that would have had?                  4 <b>A. Well, I believed that staff who are demonstrating a lack</b>                  5 <b>of appropriate boundaries, a lack of appropriate</b>                  6 <b>behaviour, and indeed some very inappropriate behaviour,</b>                  7 <b>particularly sexualised behaviour, would have an impact</b>                  8 <b>on children that we knew had previously suffered</b>                  9 <b>physical/sexual abuse/neglect and were looking to this</b>                  10 <b>staff group to care for them, keep them safe and also</b>                  11 <b>show them appropriate boundaries, and I would -- well,</b>                  12 <b>I remember thinking at the time that this must all be</b>                  13 <b>having an impact on the children.</b>                  14 Q. Ms Cooper, you say at paragraph 7.1 of your statement:                  15 "In my view, there was a high level of risk of                  16 sexual abuse of residents within the home at the time of                  17 my investigation, by staff and other residents, because                  18 of the environment and culture generated by the staff                  19 group that I have described."                  20 How did the environment you have described translate                  21 for you into a high level of risk of sexual abuse of                  22 residents?                  23 <b>A. From the description of the level of activity that was</b>                  24 <b>going on amongst the staff group, in terms of sexualised</b>                  25 <b>behaviour, and some of the text messages and images that</b></p> <p style="text-align: center;">Page 74</p>
<p>1 were being exchanged and were shown to me during the                  2 investigation, I felt that the whole atmosphere of                  3 the home was unsafe sexually. There were not                  4 appropriate sexual boundaries in place. And I felt that                  5 vulnerable children in this situation would not have                  6 felt safe physically, sexually, and I also thought it                  7 would be very hard for any child to talk about any                  8 experience of inappropriate sexual behaviour that could                  9 have happened to them.                  10 Q. Why did you think it would be hard for the children to                  11 talk about that?                  12 <b>A. Well, in talking to the staff that I interviewed, some</b>                  13 <b>of those staff who experienced such inappropriate</b>                  14 <b>behaviour -- sexualised touching and unwelcome texts --</b>                  15 <b>found it very hard to talk about and very hard to report</b>                  16 <b>themselves, so I felt, if they found it difficult,</b>                  17 <b>children would certainly find it difficult.</b>                  18 Q. Ms Cooper, in paragraph 6.7 of your statement, you say                  19 that at the conclusion of your investigation you                  20 submitted an initial draft report which included                  21 recommendations that Woodborough Road be closed and all                  22 residents have their care plans reviewed. Do you                  23 recall, was this initial draft report put in writing?                  24 <b>A. It was.</b>                  25 Q. When you suggested that Woodborough Road be closed, did</p> <p style="text-align: center;">Page 75</p>	<p>1 you mean closed permanently or did you mean temporarily                  2 closed?                  3 <b>A. I think -- I wasn't specific, but I assumed</b>                  4 <b>Woodborough Road had to continue in some form. I just</b>                  5 <b>felt that what I had found in evidence in this</b>                  6 <b>investigation and what staff had described, and the</b>                  7 <b>whole culture and practice of Woodborough Road, and the</b>                  8 <b>deep division in the staff group, I thought it would be</b>                  9 <b>very difficult to remedy and continue as it was, and</b>                  10 <b>I suppose I felt that the clearest way forward would be</b>                  11 <b>to close it, at least temporarily, review all care</b>                  12 <b>plans, train up and offer support to the staff who</b>                  13 <b>appeared to be struggling -- there was very low morale</b>                  14 <b>in a certain group of staff -- and instigate</b>                  15 <b>disciplinary action, where needed, with the other group</b>                  16 <b>of staff, or their removal certainly from the unit, and</b>                  17 <b>I thought at that point that the only way to achieve</b>                  18 <b>this very clearly and successfully would be to close</b>                  19 <b>Woodborough Road, at least temporarily.</b>                  20 Q. Just to try to pinpoint at least roughly when that                  21 initial draft report was put in, we know the final                  22 report, which we have already had up on screen,                  23 was July 2001. There's another memo in the bundle which                  24 we can go to, if necessary, which is dated April 2001,                  25 and which sets out an initial summary of allegations.</p> <p style="text-align: center;">Page 76</p>

<p>1 That doesn't include anything about closure. Was it 2 sometime between those two, between April and July? 3 <b>A. Yes. That initial summary I think was quite -- not 4 early on in the investigation, because I think I had 5 interviewed a fair number of staff by then, but it was 6 probably around what I would think was halfway through, 7 because I would have done a lot of interviews, but there 8 was still a lot of work to do. 9 So I think the initial draft was possibly 10 produced May/June time.</b> 11 Q. You say that you recall the discussions about this 12 initial draft which was regarded as contentious. Were 13 these discussions just you and Margaret McKechnie? 14 <b>A. No. I think I had discussions with other senior 15 managers as well about this.</b> 16 Q. All at the same time or individual discussions? 17 <b>A. I can't recall that exactly. But there were others 18 other than Margaret, yes.</b> 19 Q. When you say that the initial report was regarded as 20 contentious, was that that it was regarded as 21 contentious by Margaret McKechnie and potentially by the 22 other members of staff or management whom you spoke to? 23 <b>A. Yes. I mean, I think the very fact that I'd made such 24 a recommendation was viewed as contentious, but also 25 probably unrealistic and unachievable and that there</b></p> <p style="text-align: center;">Page 77</p>	<p>1 <b>were other options available to managers.</b> 2 Q. You say at paragraph 6.8: 3 "I recall within the discussions with my manager 4 there being some acknowledgement that to close 5 Woodborough Road and 'start again' might be a positive 6 move, but that it was practically and politically 7 impossible, and that there were alternative courses of 8 action that could be pursued." 9 What does "practically and politically impossible" 10 mean? Sorry, let me rephrase, actually. 11 <b>A. Okay.</b> 12 Q. Rather than it just being practically impossible, why 13 were you told that it couldn't be closed? 14 <b>A. I think there was a sense that I had perhaps overstepped 15 my brief in putting forward that opinion, anyway, but 16 also that there were a number of children placed at 17 Woodborough Road at that time, many of whom had probably 18 had breakdowns in foster placements, breakdowns from 19 birth families, et cetera, and that actually it was 20 pretty essential that we had residential homes in place 21 and that alternatives were difficult to find. I mean, 22 it was always a struggle to find enough foster 23 placements for children. 24 So I think there was a genuine feeling that it was 25 possible and desirable to maintain children's homes, and</b></p> <p style="text-align: center;">Page 78</p>
<p>1 <b>that would be the aim, albeit they had to be reviewed 2 and perhaps their brief changed, their remit changed, as 3 homes. 4 So I think, ultimately, the sense I came away with 5 was that there were alternatives and that 6 Woodborough Road should, and would, remain open, 7 and that the recommendations that I had come to, and 8 certainly the recommendation that that home should be 9 closed was not appropriate or possible at that point in 10 time.</b> 11 Q. Is it fair to say that, on strictly care grounds, you 12 thought the home should be closed, but on financial or 13 practical grounds, you were persuaded that it would be 14 better for it not to close? 15 <b>A. I suppose that was the sense of it. I don't think there 16 was any obligation on the part of managers to explain to 17 me why it should remain open.</b> 18 Q. Well, Ms Cooper, if you don't mind me jumping in, that 19 might be right if they had let you include your 20 recommendation and then not adhered to it, but 21 presumably, given this was your report, it was up to 22 them to explain to you why you should take it out of 23 your report? 24 <b>A. Yes. Well, that's true. But, I mean, I think I -- the 25 emphasis was rather more on me justifying my findings</b></p> <p style="text-align: center;">Page 79</p>	<p>1 <b>rather than on them justifying their actions, their 2 thoughts.</b> 3 Q. Did you feel pressure to remove that recommendation? 4 <b>A. A little, yes.</b> 5 Q. What did you think would happen if you stood firm? 6 <b>A. I don't think it would have been used. We did have 7 constructive discussions. I didn't feel under enormous 8 pressure to revise it. I was convinced by their 9 argument, and I also felt perhaps I had overstepped my 10 brief, in terms of making that recommendation.</b> 11 Q. If we can go back to the report itself, which is at 12 tab 2, and go to page 21 of that, please. At the bottom 13 of the page, in the summary, you set out that staff had 14 been keen to stress that the care of young people at the 15 home had not been compromised by the allegations made 16 and it goes on to say the staff who regularly visit 17 commented that young people were happy there. 18 Ms Cooper, from your statement to the inquiry, 19 should we understand that you held the opposite view, 20 having conducted your investigation? 21 <b>A. I did, yes.</b> 22 Q. But in this written report, which is your report, 23 Ms Cooper, it just includes this side of the story, if 24 you will, and doesn't include your view that the care of 25 young people had been compromised. Did you have any</p> <p style="text-align: center;">Page 80</p>

<p>1 concerns that this might be misleading?</p> <p>2 <b>A. Do you mean in the report? Sorry, not my statement, my</b></p> <p>3 <b>report?</b></p> <p>4 Q. Yes, in the report. So the report just contains the</p> <p>5 staff view, which is that the care of children hadn't</p> <p>6 been affected. You have told the inquiry in your</p> <p>7 statement that, actually, you thought that the care had</p> <p>8 been affected. Were you not obliged to put that in the</p> <p>9 report?</p> <p>10 <b>A. I would say that I had very much flagged up my concerns</b></p> <p>11 <b>within the body of my report. I think I had flagged up</b></p> <p>12 <b>the inappropriate behaviour of the staff, the lack of</b></p> <p>13 <b>care and concern for the young people's situation in the</b></p> <p>14 <b>home. I think the report, the body of the report, in</b></p> <p>15 <b>a sense spoke for itself even without my recommendation</b></p> <p>16 <b>at the end. I think the concerns that I found and that</b></p> <p>17 <b>were raised are very much there in the body of</b></p> <p>18 <b>the report, and I don't think anybody reading that</b></p> <p>19 <b>report could have doubted the extreme concern that</b></p> <p>20 <b>I felt about the care that was being provided.</b></p> <p>21 Q. On reflection, Ms Cooper, do you think that you should</p> <p>22 have specifically stated in the report that you were</p> <p>23 concerned about the care of children and, as you have</p> <p>24 told the inquiry now, that there was a high level of</p> <p>25 risk of sexual abuse of residents?</p> <p style="text-align: center;">Page 81</p>	<p>1 <b>A. Yes, I think that could now be said, and I think now,</b></p> <p>2 <b>with the experience I have now as an investigator,</b></p> <p>3 <b>I think my findings would be different, and I think --</b></p> <p>4 <b>sorry, differently stated, and perhaps I would have more</b></p> <p>5 <b>confidence in making such clear recommendations and</b></p> <p>6 <b>standing by them.</b></p> <p>7 <b>It isn't particularly an excuse, but I was -- I had</b></p> <p>8 <b>only been in the post a short while, and I was persuaded</b></p> <p>9 <b>by the arguments that there were definitely alternative</b></p> <p>10 <b>means of improving the situation for children at</b></p> <p>11 <b>Woodborough Road.</b></p> <p>12 Q. So a less nuclear option; is that fair?</p> <p>13 <b>A. Yes, that's a phrase indeed, yes. Had I not been</b></p> <p>14 <b>convinced that there were alternative measures that were</b></p> <p>15 <b>going to be put in place, I think I would have had</b></p> <p>16 <b>enough confidence to query that then. I was reassured</b></p> <p>17 <b>by the measures they were intending to take.</b></p> <p>18 Q. As an investigation officer, were you involved at all in</p> <p>19 implementing those measures or in monitoring the</p> <p>20 implementation of those measures?</p> <p>21 <b>A. No, I wasn't.</b></p> <p>22 Q. Were you kept informed at all about it?</p> <p>23 <b>A. No.</b></p> <p>24 Q. Just to check, at paragraph 8.2 of your statement, about</p> <p>25 four lines down, you say that on receipt of your report</p> <p style="text-align: center;">Page 82</p>
<p>1 there was an acknowledgement from senior management that</p> <p>2 the type of sexualised culture you'd found was highly</p> <p>3 problematic and unprofessional. Do you recall</p> <p>4 specifically discussing the sexualised culture and your</p> <p>5 concerns about the risk of sexual abuse to residents</p> <p>6 with management, with Margaret McKechnie?</p> <p>7 <b>A. I certainly remember discussions about the sexualised</b></p> <p>8 <b>culture and her absolutely sharing my concern about that</b></p> <p>9 <b>situation. I mean, it's impossible to recall specifics,</b></p> <p>10 <b>but I do remember us having a discussion that went along</b></p> <p>11 <b>the lines of, "If this is what the staff are engaged</b></p> <p>12 <b>in ...", it was almost a phrase along the lines of, you</b></p> <p>13 <b>know, "The children can't be getting a look-in", and</b></p> <p>14 <b>certainly we agreed that it must make for a very unsafe</b></p> <p>15 <b>environment and an environment in which children would</b></p> <p>16 <b>find it very hard to talk about sexual abuse.</b></p> <p>17 Q. In fact, jumping back a bit, although we don't need to</p> <p>18 go to the bit in your statement, you say at</p> <p>19 paragraph 6.4 that there was a clear view from some of</p> <p>20 the staff who weren't engaged in what you found to be</p> <p>21 inappropriate behaviour that they were excluded, that</p> <p>22 they were ostracised, bullied, and intimidated, and you</p> <p>23 refer to them being demoralised and scared, I think.</p> <p>24 <b>A. I'm sorry, which paragraph?</b></p> <p>25 Q. Let me find the specific part. It is over the page, on</p> <p style="text-align: center;">Page 83</p>	<p>1 page 4, but still within paragraph 6.4.</p> <p>2 <b>A. Oh, right.</b></p> <p>3 Q. So you refer to a lot of the staff being scared who were</p> <p>4 on the receiving end of this inappropriate behaviour.</p> <p>5 Did that make you concerned that if staff were feeling</p> <p>6 intimidated, excluded, ostracised, that children might</p> <p>7 be feeling like that as well?</p> <p>8 <b>A. Absolutely. I mean, the level of distress in these</b></p> <p>9 <b>members of staff was palpable and very concerning during</b></p> <p>10 <b>the investigation. Some staff who were off sick and had</b></p> <p>11 <b>been off sick for a while, I did ask if I could speak</b></p> <p>12 <b>with them, and went through the union to seek permission</b></p> <p>13 <b>to do this, but some staff felt unable to see me. They</b></p> <p>14 <b>had been so distressed and made ill by the experience.</b></p> <p>15 MR LIVINGSTON: Chair, I'm conscious of the time.</p> <p>16 I probably have 10 to 15 minutes left. Would you mind</p> <p>17 sitting for 10 to 15 minutes?</p> <p>18 THE CHAIR: Please go ahead.</p> <p>19 MR LIVINGSTON: Ms Cooper, I will be as quick as possible.</p> <p>20 Moving on from that 2001 report, at paragraph 8.2 of</p> <p>21 your statement -- again, we don't need to go to it --</p> <p>22 you reflect that the significant changes to</p> <p>23 Woodborough Road which you acknowledge were necessary in</p> <p>24 2001 finally took place in 2002/2003, after a young</p> <p>25 person took their life at Woodborough Road. You were</p> <p style="text-align: center;">Page 84</p>

<p>1 asked to complete the internal management review for the 2 part 8 review, which is the precursor of what we would 3 now know as a Serious Case Review. Is that right? 4 <b>A. Yes.</b> 5 Q. A couple of questions about that. What does the role of 6 completing the internal management review involve -- 7 just to check, was this for the city council? 8 <b>A. Yes, it was.</b> 9 Q. What did that role involve? 10 <b>A. That role involved interviewing the staff in Children's 11 Services that had been involved with that young girl's 12 care, any staff that had been, for example, her 13 allocated social worker. It included interviewing staff 14 at Woodborough Road. It also involved interviewing her 15 relatives and, basically, finding out what steps had 16 been taken in relation to the various points at which 17 she came into contact with Children's Services and 18 whether those were appropriate.</b> 19 Q. Sorry to interrupt you, that's the work you carried out, 20 and is the idea that you then produce a report which 21 goes to the part 8 review panel? 22 <b>A. Yes, indeed, yes.</b> 23 Q. I'm grateful. If we can go to tab 8 of your bundle, 24 which is OFS008229 and have that up on screen, please. 25 This is a report which was carried out by the National</p> <p style="text-align: center;">Page 85</p>	<p>1 Care Standards Commission just over a month after the 2 resident's death, and it made significant criticisms of 3 management at Woodborough Road leading up to the death 4 and immediately following. Do you remember if you ever 5 saw a copy of this report when you were preparing your 6 own internal management review? 7 <b>A. No, I haven't seen this before, until --</b> 8 Q. Have you had the opportunity to read it now at all? 9 <b>A. Yes.</b> 10 Q. I am just going to set out a couple of the findings 11 within this report. At page 6 of the report at 12 paragraph 5.1, it says: 13 "In April 2002, NCSC inspectors undertook visits to 14 387 Woodborough Road and recommended that the home 15 should be closed because it was failing to safeguard and 16 promote the welfare of the children resident there. 17 However, within 48 hours, they acceded to an agreement 18 to allow the home to remain open, subject to the 19 registration process and a reduction in numbers from ten 20 young people to eight." 21 Were you aware of this recommendation in April 2002, 22 that Woodborough Road be closed? 23 <b>A. No, I wasn't, no.</b> 24 Q. I should state that there is some contention about 25 whether that recommendation was actually made, but</p> <p style="text-align: center;">Page 86</p>
<p>1 coming some nine months after you had recommended that 2 the home be closed and been persuaded otherwise, does 3 this have particular resonance for you? 4 <b>A. It certainly causes me some concern, yes. I mean, it 5 had echoes of what -- I mean, having read this for this 6 inquiry, I certainly found echoes of what I'd found at 7 Woodborough Road.</b> 8 Q. At page 8 of that report at paragraph 5.6, it says: 9 "387 Woodborough Road has provided an inadequate 10 quality of care, with evidence that this service has 11 over a period of time acted in breach of Children's 12 Homes Regulations 2001 and failed to meet some of 13 the most basic of national minimum standards." 14 Then if we can turn to page 14, please, at 15 paragraph 6.9, it says: 16 "This review concludes that young people have not 17 been cared for at 387 Woodborough Road in a manner 18 likely to safeguard and promote their welfare. If past 19 conduct is taken to be a reliable indicator of future 20 performance, then the Commission is bound to conclude 21 that it has little confidence in the provider's ability 22 to keep young people in care at 387 Woodborough Road 23 safe." 24 Do you have any comments on those findings in light 25 of your report the year before?</p> <p style="text-align: center;">Page 87</p>	<p>1 <b>A. Well, it echoes what I felt at the time.</b> 2 Q. When you were producing your internal management review 3 which fed into the Serious Case Review, do you remember, 4 did you include that your concerns about the care of 5 young people the year before had been such that you had 6 in fact thought that the home might close then? 7 <b>A. I'm afraid, without a copy of my management review in 8 front of me, I wouldn't recall that specifically. I may 9 have done. I'm really not sure. So I can't say that 10 I did.</b> 11 Q. If we can go to tab 3 of your bundle, NCC000297, this is 12 the overview report of the Case Review Panel. I know 13 you weren't on the panel, but would I be right in 14 thinking that you produced your internal management 15 review, the panel considers that, and then this is what 16 comes out, this is the result? 17 <b>A. That's right.</b> 18 Q. If we can just look at a couple of the things mentioned 19 there, at internal page 36, which is page 37 of 20 the report, at paragraph 3.2 it says: 21 "Historically, the unit had been predominantly used 22 as a home for young people (mainly boys) remanded to 23 local authority care and it was discussed how this may 24 have had an impact on the 'culture' of the home." 25 Was that something you were conscious of, as having</p> <p style="text-align: center;">Page 88</p>

<p>1 an impact on the culture?</p> <p>2 <b>A. No.</b></p> <p>3 Q. At page 18, internal page 17, it says at</p> <p>4 paragraph 2.107:</p> <p>5 "The strategy meeting to discuss violence between</p> <p>6 residents at 387 [that's in December 2001] ... bullying</p> <p>7 and child-on-child abuse ..."</p> <p>8 This comes around five months after your report.</p> <p>9 Were you aware of violence between residents, bullying</p> <p>10 and child-on-child abuse, when carrying out your report?</p> <p>11 <b>A. No, I wasn't.</b></p> <p>12 Q. Page 22 of that report, internal page 21, at</p> <p>13 paragraph 2.139, the Review Panel comments includes:</p> <p>14 "The Review Panel questioned whether more could have</p> <p>15 been done at 387 to create an environment where</p> <p>16 vulnerable young women and men were not liable to be</p> <p>17 sexually exploited by each other ..."</p> <p>18 Was that an environment which you think existed at</p> <p>19 the time of your report?</p> <p>20 <b>A. I do, yes. I think the environment that existed at the</b></p> <p>21 <b>time of my report was one where sexual exploitation was</b></p> <p>22 <b>potentially rife.</b></p> <p>23 Q. You see here some of the things listed which the</p> <p>24 Review Panel thought could have been done to try and</p> <p>25 reduce that environment or ameliorate the consequences</p> <p style="text-align: center;">Page 89</p>	<p>1 of that environment:</p> <p>2 "Residential staff seeking advice ... via CAMHS ...</p> <p>3 "Better involvement by the Looked After Children</p> <p>4 Health Team;</p> <p>5 "Work by the residential staff with the young, both</p> <p>6 individually and as a group;</p> <p>7 "Better liaison with the field social worker;</p> <p>8 "Better oversight by the Operational Manager of</p> <p>9 the behaviour of young people and the ability of staff</p> <p>10 to manage them effectively; and</p> <p>11 "Increased staffing levels within the home."</p> <p>12 This report was written in 2003 but is about</p> <p>13 a period leading up to late 2002, so the year following</p> <p>14 your report. Ms Cooper, you have already said that you</p> <p>15 were persuaded that there were other actions that could</p> <p>16 be done as an alternative to closing the home. Looking</p> <p>17 at this, do you think that you were duped into thinking</p> <p>18 more would be done?</p> <p>19 <b>A. No, I can't say that. No, I wouldn't go that far.</b></p> <p>20 Q. Do you think that, looking at this, you should have made</p> <p>21 recommendations in your report that these specific</p> <p>22 actions be done, or that actions like this should be</p> <p>23 done?</p> <p>24 <b>A. I think the list of actions following my report were</b></p> <p>25 <b>discussed and a management plan drawn up after the</b></p> <p style="text-align: center;">Page 90</p>
<p>1 <b>discussions at the end of my investigation, and I was</b></p> <p>2 <b>involved in some of that discussion. So there was</b></p> <p>3 <b>a list of actions drawn up, but not by me; by senior</b></p> <p>4 <b>managers. But I was party to some of that discussion.</b></p> <p>5 Q. Do you think that lessons were learnt following your</p> <p>6 report in 2001?</p> <p>7 <b>A. I'm not sure that they were, no.</b></p> <p>8 Q. Looking at these documents now, do you regret altering</p> <p>9 your original report and recommendation?</p> <p>10 <b>A. I don't think I had much option at the time.</b></p> <p>11 Q. Finally, Ms Cooper -- I'm almost done -- you discuss at</p> <p>12 paragraph 8.1 of your statement that you thought the</p> <p>13 major barrier to children disclosing sexual abuse would</p> <p>14 have been the sexualised culture among the staff group</p> <p>15 and the absence of appropriate boundaries. We have</p> <p>16 already talked a little bit about this, but can you</p> <p>17 expand at all?</p> <p>18 <b>A. Well, I think where staff who are employed to look after</b></p> <p>19 <b>some of the most vulnerable children who come to be in</b></p> <p>20 <b>the care of the local authority are engaged in openly</b></p> <p>21 <b>sexualised behaviour amongst themselves, I just don't</b></p> <p>22 <b>think they would have had the opportunities and the</b></p> <p>23 <b>environment in place where such children would feel safe</b></p> <p>24 <b>and able to make disclosures of sexual abuse.</b></p> <p>25 Q. Thank you. And finally, finally, on the basis of your</p> <p style="text-align: center;">Page 91</p>	<p>1 investigation and the documents that you have seen</p> <p>2 preparing for today, do you have any view on how that</p> <p>3 environment was able to be created at Beechwood? What</p> <p>4 happened that allowed that to happen?</p> <p>5 <b>A. I think that's really difficult to summarise in</b></p> <p>6 <b>a nutshell, but I think where there is a culture</b></p> <p>7 <b>created -- I mean, I think I described it in my report</b></p> <p>8 <b>as a fairly macho culture and a culture of staff</b></p> <p>9 <b>engaging in setting each other up against each other, in</b></p> <p>10 <b>creating factions, in viewing staff that weren't</b></p> <p>11 <b>prepared to engage in this inappropriate behaviour,</b></p> <p>12 <b>viewing them negatively, and using bullying and</b></p> <p>13 <b>intimidation to set them against each other, I think</b></p> <p>14 <b>that would just create an environment where the good</b></p> <p>15 <b>staff, the staff who really wanted to care for children,</b></p> <p>16 <b>and that's what they sought to do, would -- well, they</b></p> <p>17 <b>certainly expressed to me in the investigation that they</b></p> <p>18 <b>didn't have the opportunity to do so.</b></p> <p>19 MR LIVINGSTON: Thank you, Ms Cooper. I have finished my</p> <p>20 questions. The chair and panel may have a couple of</p> <p>21 questions for you now. Thank you.</p> <p>22 THE CHAIR: No, we have no questions. Thank you, Ms Cooper.</p> <p>23 (The witness withdrew)</p> <p>24 MR LIVINGSTON: Madam chair, we will now, I think, break for</p> <p>25 lunch. We have a videolink witness due to come back at</p> <p style="text-align: center;">Page 92</p>

<p>1 2.00 pm. Are you happy to come back then, or would you 2 prefer to -- 3 THE CHAIR: Yes, we will return at 2.00 pm. 4 MR LIVINGSTON: Thank you, madam chair. 5 (1.20 pm) 6 (The short adjournment) 7 (2.00 pm) 8 MR LIVINGSTON: Good afternoon, chair. 9 THE CHAIR: Good afternoon, Mr Livingston. 10 MR LIVINGSTON: We are due to call Jim McLaughlin this 11 afternoon via videolink, so hopefully the videolink will 12 be going on now, or soon. 13 Mr McLaughlin, the usher is going to affirm or swear 14 you in now. Thank you. 15 MR JIM MCLAUGHLIN (affirmed) 16 (Evidence given via videolink) 17 Examination by MR LIVINGSTON 18 MR LIVINGSTON: Thank you, Mr McLaughlin. You have provided 19 two statements to the inquiry, I believe. The first one 20 should be at tab 1 of the little bundle in front of you, 21 and it is about four pages. Do you have that? 22 <b>A. I do.</b> 23 Q. For the record, that statement is at INQ001833. Then 24 there is a second statement at tab 2 of the bundle, 25 which is just one page, and that is at INQ001902.</p> <p style="text-align: center;">Page 93</p>	<p>1 Mr McLaughlin, are those statements true, to the best of 2 your knowledge and belief? 3 <b>A. They are, yes.</b> 4 Q. Other than the one issue which we have spoken about 5 before, in terms of a correction, are there any other 6 corrections you need to make to your statement? 7 <b>A. There were a couple of names that were maybe slightly</b> 8 <b>inaccurate, but ...</b> 9 Q. If we come to them in evidence and it becomes relevant, 10 then we can deal with them, thank you. 11 <b>A. Okay.</b> 12 Q. Just to reassure you, Mr McLaughlin, the panel have 13 a copy of your statements and they will be published on 14 the website, if we don't cover everything? 15 <b>A. Right.</b> 16 Q. Firstly, you describe, at paragraphs 2 to 3 of your 17 statement, joining Beechwood as a volunteer, after being 18 told to contact Ken Rigby. Can you remember whether you 19 had to go through any application process to be 20 a volunteer? 21 <b>A. I don't believe it was an application process, no,</b> 22 <b>I believe it was an interview. I think I met Ken Rigby</b> 23 <b>and had a discussion about what I would be doing.</b> 24 Q. What sort of questions were you asked as to why you 25 wanted to volunteer at Beechwood?</p> <p style="text-align: center;">Page 94</p>
<p>1 <b>A. I think it was -- I don't really recall, but I presume</b> 2 <b>it would have been something to do with my previous work</b> 3 <b>with young people in the hospital that I worked with and</b> 4 <b>my volunteering at the school that I had worked at.</b> 5 Q. In terms of that volunteering, you think it was for one 6 or two evenings a week for a number of months; is that 7 right? 8 <b>A. That's right, yes. That's correct.</b> 9 Q. You say that what you did during that volunteering was 10 mostly joining in activities with residents at the 11 Lindens; is that right? 12 <b>A. That's right. That's correct.</b> 13 Q. You say that because you enjoyed your time there, you 14 applied for a traineeship, and you got the post in 1979? 15 <b>A. I believe.</b> 16 Q. Do you remember what the application process for that 17 traineeship involved? 18 <b>A. Sorry, I lost your question there.</b> 19 Q. That's okay. You were a volunteer already, then you 20 applied for a traineeship. 21 <b>A. That's right.</b> 22 Q. Do you remember whether there was any application 23 process to become a trainee? 24 <b>A. I believe there was, yes. I'm pretty certain there was.</b> 25 <b>I'm pretty certain there was an application form and an</b></p> <p style="text-align: center;">Page 95</p>	<p>1 <b>interview.</b> 2 Q. Can you help us, if you can remember, what was the 3 concept of being a trainee at that time? What was 4 a traineeship? 5 <b>A. I believe it was just to induct you into the process of</b> 6 <b>working with young people. I remember -- I think there</b> 7 <b>were things like looking at how the court procedures</b> 8 <b>worked, how young people came into the facility, that</b> 9 <b>you'd work as possibly a key worker with them in making</b> 10 <b>statements that would be taken to the courts with them</b> 11 <b>when they went back to court, and those kind of things.</b> 12 Q. So was the idea that before becoming a full member of 13 staff, a full residential social worker, that you should 14 go through this traineeship where you actually -- were 15 you actually given any training during that time? 16 <b>A. Yes, I believe I was, yes.</b> 17 Q. Was that all from people within Beechwood or was that 18 provided externally as well? 19 <b>A. My recollection is it was all from people within</b> 20 <b>Beechwood.</b> 21 Q. Were you, for example, trained on what sort of physical 22 and emotional contact you were allowed to have with 23 children? 24 <b>A. Yes, I believe so, yes. I know there was quite a lot of</b> 25 <b>emphasis placed on not leaving yourself alone with young</b></p> <p style="text-align: center;">Page 96</p>



<p>1 <b>people, wherever possible.</b></p> <p>2 Q. Were you told why you shouldn't be left alone with</p> <p>3 a child?</p> <p>4 <b>A. I think for your own safety and for the safety of</b></p> <p>5 <b>the children as well. That was my understanding.</b></p> <p>6 Q. Can I take it from that that your understanding at that</p> <p>7 time was that it was not permissible for a member of</p> <p>8 staff to be alone with a child?</p> <p>9 <b>A. I think generally that was the case, yes.</b></p> <p>10 Q. We will come on to talk about your key worker role. Did</p> <p>11 you receive any training specifically in relation to</p> <p>12 that role?</p> <p>13 <b>A. I think the way it worked was that, having been</b></p> <p>14 <b>allocated a key worker role, the process was that you</b></p> <p>15 <b>talked to the young person with somebody else present in</b></p> <p>16 <b>order to sort of try and make a plan for that young</b></p> <p>17 <b>person.</b></p> <p>18 Q. Bearing in mind this was the late 1970s, do you</p> <p>19 remember, were you given any training about how to talk</p> <p>20 to and how to work with children who had been sexually</p> <p>21 abused?</p> <p>22 <b>A. I don't recall that specifically, because I don't recall</b></p> <p>23 <b>particularly any young people there who had been</b></p> <p>24 <b>sexually abused and that being an issue.</b></p> <p>25 Q. More broadly, then, were you given any training in your</p> <p style="text-align: center;">Page 97</p>	<p>1 role as a key worker as to how you might try to</p> <p>2 facilitate concerns that the young person might have</p> <p>3 about their care at Beechwood?</p> <p>4 <b>A. It's very hard to recall exactly how that would have</b></p> <p>5 <b>worked, but I do -- I think there were. You know, I do</b></p> <p>6 <b>remember sort of meetings where people discussed how</b></p> <p>7 <b>they felt -- you know, we had staff meetings where</b></p> <p>8 <b>individuals were talked about and how their care could</b></p> <p>9 <b>be facilitated within the establishment, and I certainly</b></p> <p>10 <b>worked very closely with one of the teachers where</b></p> <p>11 <b>I went into -- because one of the daytime roles was to</b></p> <p>12 <b>go into the classroom with the young people, and</b></p> <p>13 <b>I certainly worked with the art teacher, and we found</b></p> <p>14 <b>that we could do quite a lot of talking to the young</b></p> <p>15 <b>people through doing artwork with them, which I found</b></p> <p>16 <b>really helpful, and I fed back into the staff meetings.</b></p> <p>17 Q. The inquiry was shown yesterday -- you don't have this</p> <p>18 in front of you, but there was a policy and procedure</p> <p>19 guide for community homes, which was written in 1978,</p> <p>20 which ran to about 160 pages, and we were told that this</p> <p>21 was written for staff at the homes, and we heard this</p> <p>22 morning that staff were asked to sign the policy to show</p> <p>23 that they had read it. Do you remember being asked to</p> <p>24 sign policies and procedures?</p> <p>25 <b>A. I don't recall that particularly. I do remember there</b></p> <p style="text-align: center;">Page 98</p>
<p>1 <b>being a policy and procedure manual.</b></p> <p>2 Q. Where was that kept?</p> <p>3 <b>A. I think that was in the office at the Lindens, to my</b></p> <p>4 <b>recollection.</b></p> <p>5 Q. Was the idea that staff should read it all or that, if</p> <p>6 there was a problem, they should go and look at what the</p> <p>7 policy said?</p> <p>8 <b>A. I think, from my -- my recollection was I had to read</b></p> <p>9 <b>that as part of my training.</b></p> <p>10 Q. Do you remember whether that applied to non-trainee</p> <p>11 staff, so the established staff?</p> <p>12 <b>A. I am not so sure. I do remember, from my own point of</b></p> <p>13 <b>view, having to read something on a regular basis and to</b></p> <p>14 <b>check things through on that, and I think I was</b></p> <p>15 <b>questioned about that in my supervision sessions.</b></p> <p>16 Q. Picking up on that, do you remember how often you had</p> <p>17 supervision sessions during that time?</p> <p>18 <b>A. I think I had weekly supervision sessions.</b></p> <p>19 Q. In terms of the environment and culture, from</p> <p>20 paragraphs 4 to 5, you talk about specifically the key</p> <p>21 worker role. We have talked a little bit about any</p> <p>22 training for that. Can you describe what the key worker</p> <p>23 role at that time actually involved?</p> <p>24 <b>A. I think it was mainly sort of putting together</b></p> <p>25 <b>information regarding that particular young person,</b></p> <p style="text-align: center;">Page 99</p>	<p>1 <b>keeping a record of it, and contributing to case</b></p> <p>2 <b>conferences that were held for that individual.</b></p> <p>3 Q. Did you see it as your role to -- were you supposed to</p> <p>4 be a confidant for the child?</p> <p>5 <b>A. Yes, I think that was the case as well, yeah. I think</b></p> <p>6 <b>that's how it was kind of emphasised, that, you know,</b></p> <p>7 <b>you built a relationship with that young person.</b></p> <p>8 Q. In reality, were you able to do that?</p> <p>9 <b>A. Yes, I believe I was. You know, I can only really</b></p> <p>10 <b>remember one young person that I was involved with, and</b></p> <p>11 <b>I did -- you know, I did feel that I got to know that</b></p> <p>12 <b>young person really well, and I contributed to the case</b></p> <p>13 <b>conference, which put me in conflict with the officer in</b></p> <p>14 <b>charge of the Lindens at that point.</b></p> <p>15 Q. Did you act as an advocate on behalf of the child, or</p> <p>16 were you acting on behalf of what was best for the home</p> <p>17 or for Children's Services?</p> <p>18 <b>A. Certainly my understanding was that I was acting on</b></p> <p>19 <b>behalf of the young person.</b></p> <p>20 Q. You talk in your statement about the mixture of</p> <p>21 residents at the home, and you say "including the more</p> <p>22 criminal element and some quite vulnerable youngsters".</p> <p>23 Now, this is something the inquiry has received quite</p> <p>24 a lot of documentation about. When you say "the more</p> <p>25 criminal element", do you mean children who were being</p> <p style="text-align: center;">Page 100</p>

<p>1 remanded to Beechwood?</p> <p>2 <b>A. Yes.</b></p> <p>3 Q. Were all of the residents, including those children on</p> <p>4 remand, seen as vulnerable?</p> <p>5 <b>A. I'm not sure they were all seen as vulnerable as</b></p> <p>6 <b>possibly they should have been.</b></p> <p>7 Q. What impact did that mixture of very different types of</p> <p>8 young people have on the atmosphere at the home?</p> <p>9 <b>A. I think -- at times, I think, you know, one had to be</b></p> <p>10 <b>quite protective of the young people who were physically</b></p> <p>11 <b>or mentally much more vulnerable, and so therefore --</b></p> <p>12 <b>you know, there sometimes had to be, you know, a certain</b></p> <p>13 <b>area set aside for young people who were maybe more</b></p> <p>14 <b>vulnerable of an evening, so that they didn't get</b></p> <p>15 <b>involved in any more, you know, physical confrontations.</b></p> <p>16 Q. For example -- you may not have been involved in this,</p> <p>17 but where decisions about where children should sleep</p> <p>18 and things like that, were the vulnerabilities taken</p> <p>19 into account when deciding that?</p> <p>20 <b>A. I don't recall, quite honestly, about that. I don't</b></p> <p>21 <b>recall much about the sleeping arrangements at</b></p> <p>22 <b>Beechwood, as it happens. I don't know why I wouldn't</b></p> <p>23 <b>know about them particularly, but I don't recall.</b></p> <p>24 <b>I presume -- I mean, there were dormitories, I'm sure,</b></p> <p>25 <b>and I think they were probably designated between those</b></p> <p style="text-align: center;">Page 101</p>	<p>1 <b>who were more vulnerable and those who were less</b></p> <p>2 <b>vulnerable, physically.</b></p> <p>3 Q. You, Mr McLaughlin, were there in total for around</p> <p>4 18 months; is that right?</p> <p>5 <b>A. That's right, I believe, yes.</b></p> <p>6 Q. You say in your statement that you recall the staff</p> <p>7 being able to create a good environment for the</p> <p>8 residents. Now, the inquiry has heard last week from</p> <p>9 a large number of former residents who say quite the</p> <p>10 opposite. They describe a brutal environment, they</p> <p>11 describe being physically abused, being sexually abused.</p> <p>12 How do you think you had such a different perspective</p> <p>13 from those residents?</p> <p>14 <b>A. That, I don't understand, really. At the point where</b></p> <p>15 <b>I was working there, and, you know, I don't deny, you</b></p> <p>16 <b>know, that things might have happened -- I was very</b></p> <p>17 <b>young myself, quite honestly, and it was my first job in</b></p> <p>18 <b>that, and whether I was maybe not as aware of things</b></p> <p>19 <b>that maybe I should have been aware of, but I certainly</b></p> <p>20 <b>didn't feel -- I felt it was a positive environment, and</b></p> <p>21 <b>I think, you know, if I'd heard of things, in talking to</b></p> <p>22 <b>the young people in the classroom, particularly, where</b></p> <p>23 <b>it was quite a safe environment to talk, I would have</b></p> <p>24 <b>found things out. It would have worried me.</b></p> <p>25 Q. Did you perceive a culture of physical violence</p> <p style="text-align: center;">Page 102</p>
<p>1 perpetrated by staff against children?</p> <p>2 <b>A. At that point, I did not, no.</b></p> <p>3 Q. You say "at that point". Did --</p> <p>4 <b>A. Well, at the point where I was working there.</b></p> <p>5 Q. In your statement to the police, and you actually talk</p> <p>6 about it in your inquiry statement as well -- it's at</p> <p>7 paragraph 9 of your inquiry statement -- you refer to</p> <p>8 a member of staff who you say made you have a fight with</p> <p>9 a child on your first day. In your police statement,</p> <p>10 you say that this made you feel very uncomfortable, but</p> <p>11 the other member of staff said you had to do it, and you</p> <p>12 were naive and it was your first shift. People</p> <p>13 listening might think that that suggests quite a culture</p> <p>14 of violence, where you were essentially being inducted</p> <p>15 into that culture of violence. Is that fair?</p> <p>16 <b>A. I think people could assume that, but I felt that, that</b></p> <p>17 <b>incident apart, that was the only time that I was pushed</b></p> <p>18 <b>into any kind of physical confrontation with any child,</b></p> <p>19 <b>and it wasn't -- you know, I mean, I don't think anybody</b></p> <p>20 <b>got actually hurt in the process, but it was very</b></p> <p>21 <b>uncomfortable, and I didn't think it was appropriate.</b></p> <p>22 Q. Mr McLaughlin, the inquiry has also heard over the past</p> <p>23 ten days or so about large numbers of youngsters from</p> <p>24 Beechwood who would abscond and run away and then be</p> <p>25 brought back to the home. We have seen some large</p> <p style="text-align: center;">Page 103</p>	<p>1 figures in relation to the 1980s, which I appreciate is</p> <p>2 after your time there. Was children absconding from</p> <p>3 Beechwood an issue that you were conscious of during</p> <p>4 your time there?</p> <p>5 <b>A. Yes, that was an issue. There certainly were young</b></p> <p>6 <b>people who absconded on a fairly regular basis and were</b></p> <p>7 <b>brought back by the police.</b></p> <p>8 Q. Did you see that as something the children had done</p> <p>9 wrong for which they needed to be punished?</p> <p>10 <b>A. I personally didn't particularly see that as a problem</b></p> <p>11 <b>in terms of them needing to be punished for it, but</b></p> <p>12 <b>I think things were done to ensure they didn't abscond</b></p> <p>13 <b>again in terms of, you know, just keep monitoring them</b></p> <p>14 <b>very closely.</b></p> <p>15 Q. Do you remember ever asking a child why they had</p> <p>16 absconded?</p> <p>17 <b>A. I don't recall a particular incident. I'm sure I would</b></p> <p>18 <b>have done, but I don't recall.</b></p> <p>19 Q. Do you remember, when you did ask, or if you did ask,</p> <p>20 whether any child said that they were absconding because</p> <p>21 they were scared or because there was violence at the</p> <p>22 home or because of sexual abuse?</p> <p>23 <b>A. I think sometimes -- I do recall, you know, that they</b></p> <p>24 <b>were possibly scared of other residents. And I do</b></p> <p>25 <b>believe that was the case.</b></p> <p style="text-align: center;">Page 104</p>

<p>1 Q. At paragraph 6 of your statement, you say that the 2 building -- and I presume here you mean the Lindens, 3 which was the one you spent most of your time at -- 4 <b>A. Yes.</b> 5 Q. -- was not locked until the late evening. Does this 6 mean that anyone could access the unit without the 7 management being aware? 8 <b>A. I don't know. I don't believe -- well, I presume, yes, 9 people could have come in through the front door, but 10 I think they would have been apprehended at that point 11 if they weren't allowed in the building.</b> 12 Q. Moving on to paragraph 7 of your statement, please, you 13 say that you were aware of sexual abuse of young people 14 as an issue in general, but you don't recall being aware 15 of issues at Beechwood in particular. Is that right? 16 <b>A. That's correct, yes.</b> 17 Q. You mention F29 in that paragraph, and you say that you 18 remember him as a strange personality who maybe had an 19 unhealthy interest in particular individuals. If I can 20 go also to your police statement, which is at tab 3 of 21 your bundle, Mr McLaughlin, and that's NTP001121, and it 22 is page 3 of that. At page 3, you talk about F29 -- the 23 bottom half of the page. You say that you didn't get on 24 with F29, you suspected his motives for being there and 25 you thought he had an unhealthy interest in the boys.</p> <p style="text-align: center;">Page 105</p>	<p>1 What did you suspect his motives for being at Beechwood 2 were? 3 <b>A. I don't think I ever sort of questioned why he was 4 there. I just suspected his relationships with the 5 young people. I mean, I did come into conflict with him 6 over a key worker role, and I think he didn't 7 particularly like me because of that, and I -- you know, 8 I had nothing to actually confirm my beliefs of his 9 interest in the young men there.</b> 10 Q. Can I ask, Mr McLaughlin, what do you mean by "unhealthy 11 interest"? I know it might seem obvious, but we need 12 to ... 13 <b>A. I mean, I think, you know, a lot related to the fact, 14 you know, he was a single man, quite elderly at that 15 point, and didn't seem to have much interest apart from 16 what happened at Beechwood itself.</b> 17 Q. Was there anything else that led you to this conclusion 18 that he had an unhealthy interest? 19 <b>A. No, there was nothing that I actually saw or felt, apart 20 from the fact that, you know, I didn't trust his 21 motives. I'm sorry. It's very difficult to sort of say 22 why you don't trust somebody's motives.</b> 23 Q. You also said in your police statement, Mr McLaughlin, 24 that F29 had a very close relationship with a boys' 25 choir, and he showed particular interest in certain boys</p> <p style="text-align: center;">Page 106</p>
<p>1 who were residents. You actually say that he appeared 2 to be obsessed with a specific boy. Why do you say he 3 was obsessed? 4 <b>A. From what I recall, there were always meetings about 5 this one particular young person, and I think it was to 6 do with the fact that I was trying to support the young 7 person that I was key worker to, and that's -- it never 8 seemed to be important to him. It was always more 9 important the ones that he was interested in, 10 particularly that one, were dealt with and that others 11 were maybe not given the support and help that they 12 required.</b> 13 Q. You also say in your statement to the police: 14 "I didn't have any evidence to say he ever did 15 anything and no boys ever complained to me, but it was 16 just a gut instinct." 17 Can you spell out for us, Mr McLaughlin, what was 18 your gut instinct? 19 <b>A. My gut instinct was that he was -- he had some sexual 20 interest in young men.</b> 21 Q. Given that gut instinct, did you have concerns about him 22 working there with vulnerable young children? 23 <b>A. Yes, I did. Yes, I did have some concerns.</b> 24 Q. You say, and this is also in your statement to the 25 police, but this time at page 4, that you believe others</p> <p style="text-align: center;">Page 107</p>	<p>1 who worked there would have shared your views on F29. 2 <b>A. Yes.</b> 3 Q. Was F29 discussed amongst staff in this regard? 4 <b>A. Never formally, from what I recall.</b> 5 Q. But just chatting to other members of staff? 6 <b>A. Yes, I'm pretty certain that was the case.</b> 7 Q. Did you or anybody else see fit to raise these concerns 8 with any senior members of staff or people outside the 9 home? 10 <b>A. I certainly didn't. I didn't feel, in my position as 11 a trainee there, I was in a position to do anything like 12 that or to make any complaints, when I had no actual 13 evidence to support it.</b> 14 Q. Mr McLaughlin, the inquiry has received about 25 to 30 15 allegations from former residents of being sexually 16 abused by F29, and the police have received allegations 17 from 33 former residents who say they were sexually 18 abused by F29 during their time at Beechwood. I realise 19 that might be startling for you to hear for the first 20 time. 21 <b>A. Very startling, yes.</b> 22 Q. On reflection, do you think more could have been done by 23 you to prevent F29 from continuing to work with 24 vulnerable children? 25 <b>A. In retrospect, yes, I wish I'd voiced concerns, but</b></p> <p style="text-align: center;">Page 108</p>

<p>1 <b>I wouldn't have known who to voice concerns to at that</b>  2 <b>point, as he was my -- as he was the officer in charge,</b>  3 <b>at that point, of the unit that I worked in. I'm</b>  4 <b>shocked.</b>  5 Q. You say later in your statement, Mr McLaughlin, that all  6 the rest of the staff group at that time seemed very  7 dedicated to ensuring the safety of the young people  8 there. Does that mean the rest of the staff group at  9 the Lindens, other than F29? is that what you mean by  10 that?  11 <b>A. I think that's what I was meaning, yes.</b>  12 Q. At paragraph 7 of your statement to the inquiry, if you  13 have that back before you, around the middle of that  14 paragraph you say that you didn't think the setup at the  15 Lindens allowed for any abuse by staff of residents, as  16 everything seemed so carefully monitored. But in your  17 statement to the police, you say that F29 would have  18 individual chats with the boys alone in his office. You  19 also say that F29 had a staff flat. Presumably, those  20 were both opportunities through the setup at the Lindens  21 where staff, particularly F29, could in fact have abused  22 residents?  23 <b>A. I mean, the office I'm talking about was the general</b>  24 <b>office, the staff office, and so therefore would have</b>  25 <b>been accessible to other people.</b></p> <p style="text-align: center;">Page 109</p>	<p>1 Q. And the staff flat?  2 <b>A. The staff flat, well, when I worked there, he had moved</b>  3 <b>out of the staff flat. He wasn't actually resident in</b>  4 <b>the house at the point where I worked there.</b>  5 Q. Which, if any, member of staff would be responsible for  6 monitoring senior staff like F29?  7 <b>A. I believe it would have been -- well, it would have</b>  8 <b>been, at the point where I worked there, Jim Saul and</b>  9 <b>Ken Rigby.</b>  10 Q. In your recollection, were they there enough in the unit  11 in order to actually see what was going on?  12 <b>A. No.</b>  13 Q. One specific point, Mr McLaughlin, is you say that, at  14 shower time, two staff had to supervise the showers by  15 standing on the landing outside. Does this mean that  16 staff would be watching the children whilst they  17 showered?  18 <b>A. Yes.</b>  19 Q. Did any members of staff go into the shower room?  20 <b>A. Not as far as I can recall, no.</b>  21 Q. Did you ever have to undertake the task of supervising  22 showers?  23 <b>A. Yes, I did. Yes.</b>  24 Q. On reflection, do you think it was appropriate to have  25 male staff watching residents showering or bathing?</p> <p style="text-align: center;">Page 110</p>
<p>1 <b>A. I felt a little bit uncomfortable about it, but it was</b>  2 <b>the procedure.</b>  3 Q. Did you supervise solely male residents showering or  4 male and female residents showering?  5 <b>A. Solely male, because Lindens was solely male at that</b>  6 <b>point.</b>  7 Q. You go on to say in your statement -- this is still at  8 paragraph 7:  9 "There were a couple of residents there who were  10 known to have been subject to sexual abuse or  11 inappropriate sexual activity before their time at  12 Beechwood and who were discussed in team meetings,  13 et cetera, as they could pose a risk to other residents,  14 but it all seemed to be well managed and I don't recall  15 any incident of that nature occurring in the 18-months  16 I was there."  17 A couple of questions about that, Mr McLaughlin: how  18 was it known to you and to other staff that children had  19 been sexually abused before coming to Beechwood?  20 <b>A. It would have been discussed in staff meetings.</b>  21 Q. Why was it considered that residents who had previously  22 been sexually abused might pose a risk to other  23 residents?  24 <b>A. I think it was probably -- I mean, the ones I'm thinking</b>  25 <b>about was that they -- when they absconded from the</b></p> <p style="text-align: center;">Page 111</p>	<p>1 <b>unit, they ended up out on the streets, involved in</b>  2 <b>sexual activity that was deemed inappropriate.</b>  3 Q. Did you and other staff members see those children as  4 continuing victims of sexual abuse?  5 <b>A. Yes. I think -- well, I certainly did, and I believe</b>  6 <b>within the main -- the majority of the staff group, that</b>  7 <b>was the case as well.</b>  8 Q. Is it fair for me to assume, then, that during your time  9 at Beechwood there was a general understanding by staff  10 that children resident were being sexually abused  11 outside the home? Is that fair?  12 <b>A. I think that that is the case, yes, in some instances,</b>  13 <b>yes.</b>  14 Q. Do you remember what was done to try to prevent that?  15 <b>A. I can't remember how -- well, I presume it was within --</b>  16 <b>no, I don't recall specifically how that was dealt with,</b>  17 <b>quite honestly. They weren't individuals that I was</b>  18 <b>particularly involved with. You know, I didn't have</b>  19 <b>a key worker role and I wasn't involved in case</b>  20 <b>conferences, which I presume is where those kind of</b>  21 <b>decisions were made as to how to deal with them.</b>  22 Q. Do you have any recollection of -- the people who were  23 abusing these children or who were engaging them in  24 prostitution, as it was known then, or sexual  25 exploitation, as it might be known now, do you have any</p> <p style="text-align: center;">Page 112</p>

<p>1 recollection of any action being taken against those 2 men? 3 <b>A. I don't recall, no, I don't. I don't think I -- I'm not 4 sure that was ever talked about, quite honestly.</b> 5 Q. In your statement to the police, at page 7 of that 6 statement, so back to tab 3, if that's okay, it starts 7 at the bottom of page 7, but on the next page, on 8 page 8, if we can have that up on screen, please, you 9 refer to a child, saying: 10 "He would run away a lot and he had a precocious 11 sexuality, which basically means he was sexually mature 12 at 5 years old and had grown a beard by 7 years old." 13 Was this a child who you were concerned was being 14 sexually abused when he ran away? 15 <b>A. No, I don't believe that was the case.</b> 16 Q. So when you refer to "precocious sexuality", is that 17 referring to his sort of hormonal development or is that 18 referring to his behaviour? 19 <b>A. Yes, I think that's what it was called, yes.</b> 20 Q. So not to his behaviour? 21 <b>A. No.</b> 22 Q. You say in your statement to the inquiry, and you said 23 at the beginning, that you can't recall any disclosures 24 of sexual abuse being made during your time at 25 Beechwood. Presumably, that's in relation to abuse by</p> <p style="text-align: center;">Page 113</p>	<p>1 staff? 2 <b>A. Yes.</b> 3 Q. Again, a number you won't have heard before, but from 4 the records available to the inquiry, between the period 5 of 1978 and 1980, which is roughly when you were there, 6 there were around 20 former residents who alleged that 7 they were sexually abused at Beechwood during that time. 8 Do you have any view on why you and other members of 9 staff weren't able to spot that? 10 <b>A. I'm very shocked, and I do not understand why -- you 11 know, that was not picked up, quite honestly. You know, 12 I thought I worked within quite a close staff team who 13 sort of supported each other and supported the young 14 people there, and I'm -- yeah, I'm quite horrified that 15 that would be the case.</b> 16 Q. Moving on to a slightly different issue, Mr McLaughlin, 17 you come on in your statement to the inquiry, and also 18 in your second statement, to discuss your time as 19 a peripatetic social worker. We don't discuss this in 20 detail because we are looking at Beechwood in this 21 hearing, but to briefly summarise what you say, you say 22 that you had different experiences at different homes 23 and some of those homes you asked not to be placed at 24 again, for example, Greencroft. You say that there was 25 a female member of staff who was having a relationship</p> <p style="text-align: center;">Page 114</p>
<p>1 with a 16-year-old boy in her care at that time. Is 2 that right? 3 <b>A. That's right, yes.</b> 4 Q. Do you remember if anything was done about that case? 5 <b>A. No, because that's the point where I handed in my notice 6 and left the department on sick leave.</b> 7 Q. Just to get the chronology right, you were on sick 8 leave, and then did you send your letter of resignation 9 later or was it at the time you went off on sick leave? 10 <b>A. It was at that time. I think it was almost immediate.</b> 11 Q. I wonder if you can help us. I know from your 12 supplementary statement to the inquiry that you say that 13 you wrote a lengthy resignation letter around 1984. You 14 said you had a copy for a while but it's been lost over 15 the years, and the inquiry hasn't been able to obtain 16 a copy. Can you tell us, at least in broad terms, what 17 that letter contained? 18 <b>A. I think it was basically saying, you know, how I felt, 19 first of all, that my role as a peripatetic -- as an 20 untrained social worker, which I was at that point -- 21 I did subsequently train -- that I was put in positions 22 that were unacceptable, that I was having to go in and 23 maybe run a home and not have any access to young 24 people's files, to know about their history, that 25 I was -- that the homes generally were not very well</b></p> <p style="text-align: center;">Page 115</p>	<p>1 <b>run, I thought, and having worked in a home previously 2 in Croydon, after I left Beechwood, that was very well 3 run and had a lot of support from the authority, you 4 know, I felt the homes were working on their own with 5 very little support from above, and working with quite 6 difficult children in quite difficult environments, and 7 I just felt they were asking me to be officer in charge 8 at Greencroft and I felt that was inappropriate, given 9 my lack of training. And, from all the experience I'd 10 had over the -- I think it was two years that I was 11 a peripatetic, had been mostly negative. There were 12 very few homes -- I had basically taken the job on to 13 find a home that I would like to work in. There were 14 two homes that I would have happily worked in, but they 15 both had full staff complements, so therefore, when 16 I left the department, I was -- you know, I realised, 17 you know, that I would have to go and train if I was 18 going to do anything more in childcare.</b> 19 Q. Did your peripatetic work ever take you back to 20 Beechwood? 21 <b>A. No. I think I might have asked not to go back there at 22 that point.</b> 23 Q. Why would you have asked not to go back? 24 <b>A. Because -- not because I particularly felt it was 25 uncomfortable, but I think the fact of having short-term</b></p> <p style="text-align: center;">Page 116</p>

<p>1 <b>staff there with short-term residents, it was just a bit</b>  2 <b>complicated, and I don't think they actually put</b>  3 <b>peripatetic workers into Beechwood anyway, at that</b>  4 <b>point.</b>  5 Q. You refer to the homes being -- sorry, there is a bit of  6 an echo here. I only have one more question, so I will  7 just deal with the echo.  8 You refer to the homes being badly run. Were you  9 aware, during your time as a peripatetic, of children  10 being at risk of being sexually abused in those homes?  11 Are?  12 <b>A. I was more concerned -- and I'm sure there might well</b>  13 <b>have been the risk. I was more concerned about their</b>  14 <b>physical vulnerability and their vulnerability to things</b>  15 <b>like drugs and alcohol, which seemed to be an issue in</b>  16 <b>quite a few of them.</b>  17 Q. Finally, were you ever told why these homes were having  18 to rely on peripatetic social work staff to run the  19 homes? Was it ever explained why this was happening?  20 <b>A. No, I don't think it was ever explained. But I think it</b>  21 <b>was just that they were short staffed and the idea was</b>  22 <b>that peripatetics would be senior staff going in to help</b>  23 <b>out when staff were on sick leave or on holiday.</b>  24 Q. That's even though you were untrained at the time; is  25 that right?</p> <p style="text-align: center;">Page 117</p>	<p>1 <b>A. Yes, which I did feel very uncomfortable about, to be</b>  2 <b>a senior member of staff within a team when I didn't</b>  3 <b>actually have a qualification as such.</b>  4 MR LIVINGSTON: Thank you, Mr McLaughlin. I have no more  5 questions for you. The chair and panel may have  6 questions for you.  7 THE CHAIR: No, we have no questions. Thank you very much,  8 Mr McLaughlin.  9 MR LIVINGSTON: Thank you, Mr McLaughlin.  10 (The witness withdrew)  11 MR LIVINGSTON: Chair, can I invite you to take an early  12 break now and then have the next witness at about  13 3.00 pm?  14 THE CHAIR: Yes, we will do that.  15 MR LIVINGSTON: Thank you, Mr McLaughlin. The videolink  16 should be cut. Thank you.  17 (2.47 pm)  18 (A short break)  19 (3.03 pm)  20 MR SADD: Chair, we now go to the evidence of James Fenwick.  21 His statement can be found at INQ002010.  22 MR JAMES FENWICK (sworn)  23 Examination by MR SADD  24 MR SADD: Mr Fenwick, good afternoon.  25 <b>A. Good afternoon.</b></p> <p style="text-align: center;">Page 118</p>
<p>1 Q. You have provided a seven-page statement to this  2 inquiry, a statement that will be published today or  3 very soon after on the inquiry's website. If we go to  4 page 7 of that statement, we can see a date there. Is  5 that in your handwriting?  6 <b>A. It is, yes.</b>  7 Q. Can we assume that at the time that you signed the  8 statement, you read it?  9 <b>A. Yes.</b>  10 Q. Were you satisfied that what you'd set out there was  11 true, as far as you can remember?  12 <b>A. I do, yes.</b>  13 Q. Just to let you know, the panel have a copy of your  14 statement. In the time that we have allotted, I am not  15 going to go through each paragraph, I will not go  16 through it line by line. I am going to try to summarise  17 some of your evidence and then ask you questions arising  18 out of those summaries. I will also ask you to comment  19 on documents that you have already had sight of but that  20 we may discuss during the course of your evidence.  21 If we can go, please, to the first page of your  22 statement, there you describe taking up the post in 1981  23 of principal at Beechwood. I think it is right that you  24 changed the name from "superintendent" to "principal";  25 is that right?</p> <p style="text-align: center;">Page 119</p>	<p>1 <b>A. Yes.</b>  2 Q. You were in post until 1991?  3 <b>A. That's correct.</b>  4 Q. In your role -- paragraph 4 -- as principal of  5 the Beechwood complex, you say you assumed overall  6 responsibility for the establishment and its day-to-day  7 running, including the education unit?  8 <b>A. That's correct.</b>  9 Q. It is an easy inference from there to assume that that  10 included the management of staff?  11 <b>A. It did, yes.</b>  12 Q. And the supervision to those resident in the Beechwood  13 complex?  14 <b>A. That's right.</b>  15 Q. You explain the configuration of Beechwood, about which  16 the inquiry has heard already a lot of evidence, so we  17 are not going to have to touch on that. At paragraph 7,  18 your family and you lived on site. You tell the inquiry  19 at paragraph 9 about the school unit. You say at  20 paragraph 10:  21 "With residential care staff, the scene was very  22 different, as was the case across most children's  23 homes."  24 I ought to let you know, Mr Fenwick, at this stage,  25 that this morning we heard from one of your former</p> <p style="text-align: center;">Page 120</p>

<p>1 colleagues, Mr Rigby, so some of the evidence that you                  2 have set out here we heard him give comments about, but                  3 I will be taking you to some of the same issues for your                  4 views.                  5 So I was just saying:                  6 "With residential care staff [paragraph 10], the                  7 scene was very different, as was the case across most                  8 children's homes. We would wish to have qualifications,                  9 but more often than not took people with whom the                  10 interest and commitment to helping young people was the                  11 first factor."                  12 I'm going to be coming back to that.                  13 You set out at paragraph 14 in more detail the way                  14 the configuration of the senior staff was set up, and                  15 then you give some general information about the intake                  16 at Beechwood and the desire to have smaller units.                  17 That's at paragraph 16 to paragraph 18.                  18 I want to go directly, if I may, to paragraph 27,                  19 please, where you have already spoken about the nature                  20 of the intake, the types -- it is an uncomfortable word                  21 to use, but the categories of children who would come to                  22 be placed at Beechwood, and you say at paragraph 27:                  23 "The approach to and measures taken with:                  24 "(a) children who had been sexually abused; or                  25 "(b) had been involved in sexually abusing others.</p> <p style="text-align: center;">Page 121</p>	<p>1 "Very little specialist or specific training was                  2 around to highlight and identify any different                  3 approaches for these youngsters. Staff were clearly                  4 made aware of the need for sympathy and empathy and                  5 encouraged to tackle relationships in an appropriate                  6 manner."                  7 Who would have made staff aware of the need for                  8 sympathy and empathy with those children?                  9 <b>A. Who? It would have been me passing those thoughts on to                  10 senior staff in house units and expecting those senior                  11 staff to pass it on to their staff team.</b>                  12 Q. Would you follow up on that advice to see whether in                  13 fact it was being put into practice?                  14 <b>A. It's the sort of thing that would have been regular                  15 talking points in house unit meetings and those house                  16 unit meetings took place on a daily basis as teams -- as                  17 morning team went off, an afternoon team came on.</b>                  18 Q. Mr Fenwick, my question to you was, would you follow up                  19 on that advice yourself to see whether or not it was                  20 being put into practice, that is, empathy and sympathy?                  21 <b>A. I would do when I was attending those house meetings,                  22 yes.</b>                  23 Q. But would you do so in relation to the children resident                  24 in the units, to see whether they felt that there was                  25 sympathy and empathy being provided to them?</p> <p style="text-align: center;">Page 122</p>
<p>1 <b>A. I wouldn't have expected me to do that. I would have                  2 expected the staff to deal with things with the                  3 children.</b>                  4 Q. So should we understand that your contact with the                  5 children, in the light of that answer, was -- what was                  6 the extent of that contact? Was it minimal?                  7 <b>A. Minimal.</b>                  8 Q. How would you know, therefore, how children were in fact                  9 being treated in Beechwood over the ten years that you                  10 were there?                  11 <b>A. There were very regular meetings to discuss individual                  12 children and, during those meetings, whether they were                  13 house meetings to keep me informed or assessment                  14 meetings that would involve field social workers as well                  15 as our own staff, I would have been kept well informed.</b>                  16 Q. Do you think, as principal of a home of young people,                  17 was one of your roles getting to know those young                  18 people?                  19 <b>A. Sorry, would you repeat that?</b>                  20 Q. Would one of your roles as principal of a children's                  21 home be getting to know the people who lived in the                  22 home?                  23 <b>A. As much as I possibly could, yes.</b>                  24 Q. So you would have contact with children?                  25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 123</p>	<p>1 Q. How would that contact come about?                  2 <b>A. My daily contact with children as far as school was                  3 concerned, and my daily contact with children when they                  4 were in house units. I would be visiting, I would take                  5 part in things with them and gradually get to know them.</b>                  6 Q. At 27, you say there was very little specialist or                  7 specific training available at the time to identify "any                  8 different approaches for these youngsters", that is,                  9 children who may have been sexually abused or had been                  10 involved in sexually abusing others. Despite that lack                  11 of training, do you recall any specific measures that                  12 were taken when receiving such children at Beechwood, so                  13 that is children who had either been sexually abused or                  14 had themselves sexually abused others?                  15 <b>A. Other than what I have previously stated, of asking                  16 staff to be extra vigilant, extra sympathetic, no,                  17 I haven't. I haven't any -- I don't recall.</b>                  18 Q. Over the time that you were principal -- again, that                  19 decade that you were principal, from 1981 to 1991 -- did                  20 your approach to that intake change?                  21 <b>A. I can't say that I recollect that it did.</b>                  22 Q. Could we bring up, please, on screen NSC000444 and go to                  23 pages 5 to 6. Mr Fenwick, in your bundle in front of                  24 you there, it is tab 9, please, and it is pages 5 to 6.                  25 So it is the last page in that tab.</p> <p style="text-align: center;">Page 124</p>

<p>1 This is a letter dated 9 November 1989. It is                  2 a letter from Mr McBride, who appears to have been at                  3 the time a second deputy principal at Beechwood. Do you                  4 remember him?                  5 <b>A. Yes.</b>                  6 Q. It is a letter written to a Mr Thorpe from                  7 Social Services, and the letter concerns the placement                  8 of a young man at Beechwood. We can read it together.                  9 Point 3. If you see on the first page, there are three                  10 numbered points halfway down the page, and it is point 3                  11 that I want to go to, please. This is in relation to                  12 a placement at Beechwood, or the attempted placement at                  13 Beechwood, of a young man who was alleged to have                  14 sexually assaulted others. It was a query from                  15 Mr McBride as to whether in fact that was a practical                  16 idea. So paragraph 3:                  17 "The only bed available in Beechwood was in the                  18 Lindens house which already has four young men who are                  19 suspected of being, or who are known to be, sexual abuse                  20 perpetrators. A group this size could provide each                  21 other with reinforcement for the distorted way they view                  22 females."                  23 The letter that you can see in front of you,                  24 Mr Fenwick, mentions "suspected of being, or known to                  25 be". Were you told at the point that young people were</p> <p style="text-align: center;">Page 125</p>	<p>1 placed in Beechwood whether they had previously                  2 experienced or had perpetrated sexual abuse?                  3 <b>A. I would certainly expect to have been told. I can't</b>                  4 <b>say, with hand on heart, that we always were.</b>                  5 Q. Does your memory help you with incidents where you would                  6 have been -- where you did get told, I should say?                  7 <b>A. I have no personal recollection of this particular topic</b>                  8 <b>that Callum was dealing with. I can certainly</b>                  9 <b>understand that it would have happened, but I don't</b>                  10 <b>recollect that it did. I have no personal recollection</b>                  11 <b>of it happening.</b>                  12 Q. So what the inquiry would be entitled to understand is                  13 that that was something that would have been delegated                  14 to one of your senior colleagues; is that right?                  15 <b>A. To Callum McBride, yes.</b>                  16 Q. And not something that you would have become involved                  17 in?                  18 <b>A. No.</b>                  19 Q. The policy there, or the implicit policy that we see                  20 there, is that a group of young people with those                  21 experiences shouldn't be grouped together, as far as                  22 possible. Again, is that something that you would have                  23 had a direct influence on?                  24 <b>A. Yes.</b>                  25 Q. You would. So something would have been referred back</p> <p style="text-align: center;">Page 126</p>
<p>1 to you about this issue?                  2 <b>A. I would like to think it would have done, yes.</b>                  3 Q. As difficult as I know it is, because you're looking                  4 back a long, long time ago, if you can help the inquiry                  5 with what you think did happen, as opposed to what you                  6 think should have happened. So in the case of these                  7 individuals with that history, was your advice sought                  8 about what should happen?                  9 <b>A. I don't recollect that it was.</b>                  10 Q. I'm going to move on, if I may, to the culture and                  11 environment of Beechwood, which is going to include                  12 looking at the relationship between staff and between                  13 staff and residents. I will identify the specific                  14 paragraphs in your statement as we go through this. We                  15 are going to look first, please, at paragraph 26, so we                  16 go back to your statement, please. Do you have it?                  17 <b>A. Yes.</b>                  18 Q. You say there:                  19 "We tried very hard to create an overall staff group                  20 that (i) cared (ii) sympathised and (iii) empathised                  21 with young people whose lives and circumstances were in                  22 turmoil and who presented some difficult and challenging                  23 behaviour."                  24 To some extent, Mr Fenwick, this is something that                  25 you have already tried to address, but I wondered if you</p> <p style="text-align: center;">Page 127</p>	<p>1 might have further reflections on this. In practical                  2 terms, creating an overall staff group that cared,                  3 sympathised and emphasised with young people, what steps                  4 did you introduce to create such an environment?                  5 <b>A. From the early days of me being involved at Beechwood --</b>                  6 <b>I think it is mentioned earlier on -- it was a very much</b>                  7 <b>male-dominated group. We tried over a fairly long</b>                  8 <b>period of time to change this, to appoint more females</b>                  9 <b>and, in addition to that, to alter the role that the</b>                  10 <b>females were expected to play, introducing them to key</b>                  11 <b>worker responsibilities, introducing them to having</b>                  12 <b>a role to play in an assessment report, introducing them</b>                  13 <b>into being part of assessment meetings, planning</b>                  14 <b>meetings and, on the whole, attempting to value their</b>                  15 <b>role more than it had been.</b>                  16 Q. What of the steps taken towards existing male staff and                  17 their attitudes?                  18 <b>A. I think, on the whole, they were quite agreeable to</b>                  19 <b>these changes taking place.</b>                  20 Q. How were you aware of that?                  21 <b>A. Yes, certainly.</b>                  22 Q. No, how were you aware of these changes?                  23 <b>A. Because I mixed with them on a daily basis, I shared</b>                  24 <b>meetings with them, I asked their opinions, and</b>                  25 <b>attempted to share those opinions.</b></p> <p style="text-align: center;">Page 128</p>



<p>1 Q. To what extent, Mr Fenwick, do you think you were 2 successful in engendering a staff group that cared, 3 sympathised and empathised with the young people living 4 there? 5 <b>A. I thought, on the whole, we were quite successful. We 6 did it quite well.</b> 7 Q. What made you come to that conclusion? 8 <b>A. I think the attitude of the staff on the whole, over the 9 course of their working week, or whatever, they were 10 happier and more contented with what was expected of 11 them.</b> 12 Q. We don't need to go to this paragraph, but I'm just 13 going to remind you and the inquiry, you say at 14 paragraph 37: 15 "Beechwood was a thriving and caring community home. 16 Taking into consideration the level of difficulties 17 being experienced by the young people on admission, the 18 culture and environment impacted with individuals in 19 different ways and I am unaware of any inabilities or 20 fears to raise and discuss concerns and/or to disclose 21 any allegations of abuse." 22 You say that follows because of the caring 23 environment -- 24 <b>A. One would hope so.</b> 25 Q. -- that you feel you created whilst you were principal?</p> <p style="text-align: center;">Page 129</p>	<p>1 <b>A. I wouldn't claim 100 per cent success as far as I'm 2 concerned. We took a senior staff group and, on the 3 whole, they tackled it.</b> 4 Q. As you may or may not know, the inquiry is aware of 5 136 individuals who allege that they were sexually 6 abused as children whilst at Beechwood over the period 7 of its existence. Of those, 35 allegations relate to 8 the 1980s, including Andris Logins. That's broadly the 9 period when you were principal. At paragraph 45 of your 10 statement, you state you have no recollection of any 11 instance of staff being involved in abusing a young 12 person or of youngsters abusing other residents. Does 13 that remain your evidence? 14 <b>A. It does, yes.</b> 15 Q. As I am sure you will appreciate, Mr Fenwick, to many 16 people hearing that evidence and me reading out that 17 extract, particularly those who were in Beechwood at the 18 time, what you say is difficult to reconcile with their 19 experience there. I imagine you can understand that 20 difficulty? 21 <b>A. I certainly can, yes.</b> 22 Q. What are your reflections on the number of allegations 23 of sexual abuse -- 35 -- made at Beechwood over this 24 period? What's your reflection on that number? 25 <b>A. I'm absolutely shocked.</b></p> <p style="text-align: center;">Page 130</p>
<p>1 Q. Do you have any reflections as to how that might have 2 come about and remained undiscovered whilst you were 3 there? 4 <b>A. I have no idea.</b> 5 Q. When is it that you first learnt that there were that 6 number of allegations? 7 <b>A. Sorry, would you repeat that?</b> 8 Q. Of course. When was it that you first learnt that there 9 were that number of allegations of sexual abuse at 10 Beechwood during the 1980s? 11 <b>A. I had no idea until you just told me that those numbers 12 reflected my ten years.</b> 13 Q. Were you aware before today of the number of historical 14 allegations that have come forward in relation to 15 Beechwood? 16 <b>A. No.</b> 17 Q. I'd like to explore with you, please, the specific issue 18 of allegations of physical abuse. I'm leaving to one 19 side those allegations of sexual abuse. At 20 paragraph 46, please -- actually, perhaps before I go to 21 that, Mr Fenwick, one question that the inquiry would 22 want your reflection on: do you think that in that 23 ten years you ought to have known what was happening in 24 relation to the abuse of children? 25 <b>A. Yes, I do. Very much so.</b></p> <p style="text-align: center;">Page 131</p>	<p>1 Q. Do you have any reflection on why it is you didn't come 2 to know? 3 <b>A. I haven't, no. I'm shocked.</b> 4 Q. As I say, Mr Fenwick, I interrupted myself. Forgive me. 5 We are going to look at the specific issue in relation 6 to allegations of physical abuse. At paragraph 46, 7 which is at page 5 of your statement, you say that there 8 were occasions of physical confrontations and, without 9 the luxury of specific training in restraint procedures, 10 perhaps there were times when inappropriate force was 11 used, but everyone was constantly and consistently 12 reminded of the need to be caring and sensitive in 13 dealing with the difficulties presented. Who was doing 14 the reminding? 15 <b>A. Me and other senior staff.</b> 16 Q. You would do that on the walk-arounds that you have 17 described? 18 <b>A. Yes.</b> 19 Q. Would you, at any part of those walk-arounds, engage 20 with the young people in the units and ask them how they 21 were? 22 <b>A. Yes, I would.</b> 23 Q. How did those engagements go? How did those 24 conversations go? 25 <b>A. In very much the same way as they would have been with</b></p> <p style="text-align: center;">Page 132</p>

<p>1 <b>staff members. When you had the difficulties that would</b>  2 <b>escalate into physical difficulties, you had to deal</b>  3 <b>with it, and young people knew that as well as staff</b>  4 <b>did.</b>  5 Q. What sorts of examples -- because you refer there to  6 "inappropriate force was used". What sorts of examples  7 of inappropriate force are you thinking of here, are you  8 recollecting?  9 <b>A. Of staff being confronted with young people being</b>  10 <b>physical with each other and the fact that it then had</b>  11 <b>to be stopped and, to stop those sort of circumstances,</b>  12 <b>it needed an element of physical force. We tried to say</b>  13 <b>to people, "Under circumstances like that, please</b>  14 <b>attempt to ensure that there are at least two people</b>  15 <b>involved and that you don't take that force too far".</b>  16 Q. Was it ever brought to your attention that there were  17 random acts of violence on residents within the units  18 committed by staff?  19 <b>A. No.</b>  20 Q. It wasn't brought to your attention?  21 <b>A. No.</b>  22 Q. You weren't aware of it?  23 <b>A. No.</b>  24 Q. Do you recollect that in 1978, although your post  25 started from 1981, but at the time that you started, was</p> <p style="text-align: center;">Page 133</p>	<p>1 there a community homes policy and procedure guideline  2 available for the running of the home, about 136 pages,  3 most of it loose leaf that would be taken in and out  4 when there were changes -- do you remember that? -- that  5 would set out how the home would be run?  6 <b>A. Before I got there?</b>  7 Q. Once you got there, was that guidance provided? It's  8 not in your statement.  9 <b>A. Not that I can recollect, no.</b>  10 Q. What the guidance -- this might help you remember it --  11 covered was the extent of punishment that could be  12 properly used in relation to young people and what  13 punishment couldn't be used. I am just going to quote  14 to you from the guidance and see if this helps you  15 remember whether or not it existed. This is in relation  16 to the use of corporal punishment, which the guidance  17 prohibited, and the nature of the corporal punishment  18 was striking, cuffing, shaking and smacking, or any  19 other deliberate infliction of pain as a means of  20 punishment.  21 Just to understand your evidence clearly, it goes on  22 to say:  23 "... unless written permission is given by  24 Social Services to a specific officer in charge to  25 possess such a punishment."</p> <p style="text-align: center;">Page 134</p>
<p>1 So there was the qualification. But as a matter  2 of -- the default position was: don't use that form of  3 physical chastisement. Does that help you, does that  4 ring any bells as to the rules and procedures --  5 <b>A. No.</b>  6 Q. -- that were to be used? In your time as principal, did  7 you ever see a member of staff striking, cuffing,  8 shaking, smacking, or any other deliberate infliction of  9 pain, on --  10 <b>A. Did I ever see?</b>  11 Q. Yes.  12 <b>A. No.</b>  13 Q. On young residents?  14 <b>A. No.</b>  15 Q. During the course of the hearing last week, Mr Fenwick,  16 the inquiry heard evidence from N1, who arrived at  17 Beechwood in around 1982, so around a year after you  18 started as principal. When asked about her impressions  19 of Beechwood, she recalled it being "quite rowdy", to  20 quote, and described, quoting:  21 "Answer: ... I noticed staff was, like, giving them  22 [residents], you know, like, twisting their arms, and  23 where they'd scream out in pain -- 'Chinese burns' we  24 called it back [then] -- where they'd scream out in  25 pain.</p> <p style="text-align: center;">Page 135</p>	<p>1 "I seen girls being dragged around the corridors by  2 the hair by certain members of staff ... That was  3 definitely the culture, seen staff members abusing  4 children physically."  5 Does that account match your memories of you being  6 principal at Beechwood?  7 <b>A. No, it doesn't.</b>  8 Q. You have already told us, and there is a document to  9 this effect in which you say that staff, as I understand  10 it, didn't perpetrate physical abuse on the young people  11 at Beechwood. Is that right? That's your view?  12 <b>A. Yes, it is. I don't recollect it, anyway.</b>  13 Q. You don't recollect it?  14 <b>A. No.</b>  15 Q. Do you consider now that your view may be a mistaken  16 one, in the light of what you have heard?  17 <b>A. I suppose it could be, yes.</b>  18 Q. What would have been your response to learning about  19 inappropriate force being used by a member of staff on  20 a young person?  21 <b>A. I would certainly be wanting to see that member of staff</b>  22 <b>with their unit leader to discuss how and why.</b>  23 Q. Did you ever have occasion to do that, that you  24 remember?  25 <b>A. There was one occasion, I think I recall it, of a young</b></p> <p style="text-align: center;">Page 136</p>

<p>1 lady making allegations against two members of staff, 2 and we did in fact see those two members of staff quite 3 separately, without them knowing that -- what it was we 4 were thinking about. Their stories about the incident 5 matched, and we had to say, "Okay", you know, "Let's put 6 it behind us". 7 Q. Say that to whom? 8 A. To the two members of staff and to the young lady 9 concerned. 10 Q. Saying it to the young lady concerned that she should 11 put it behind her? 12 A. That perhaps the description of the circumstances was 13 not exactly as she had described. 14 Q. We are going to turn then to look briefly at a response 15 to a specific set of complaints of physical abuse. I am 16 going to take you to some documents. In 1987, a number 17 of children complained about ill-treatment and physical 18 abuse at Beechwood, and social workers raised concerns 19 about this. Please can we have up on screen NSC000464, 20 and we are going to go to page 2, please. In fact, 21 sorry, we are going to go to page 6 first. Mr Fenwick, 22 it is tab 2 of your bundle, please. I want you to go, 23 when you get to tab 2, to page 6. 24 We can see at the top there it is addressed to 25 Mr Ken Rigby and it is from Mr T Smedley. Do you have</p> <p style="text-align: center;">Page 137</p>	<p>1 that? 2 A. Yes. 3 Q. This relates to an individual, a young person, at 4 Beechwood. There is reference in the second paragraph 5 to the young person's social worker, a Mr Donohoe. Set 6 out in Mr Smedley's account is, in the second larger 7 paragraph: 8 "The first incident I wish to describe occurred, 9 according to A316, three or four days before the 10 11th February. This of course was the date of the Court 11 hearing at which A316's son was made subject to a care 12 order ... (I am not sure ..." 13 I will read on. But do you have where it says: 14 "NO-A316 alleges that on the date in question ..." 15 It is about four lines down from the paragraph. 16 I have rather confusingly taken you to there. So you go 17 to the second paragraph, you count six lines down, where 18 it starts: 19 "NO-A316 alleges that on the day in question she was 20 in the kitchen and was asked to perform some task or 21 other by NO-F15. She apparently refused to do this and 22 NO-A316 states that NO-F15 became so angry that he took 23 her by the throat with his hands. On the next day, 24 NO-A316 began to experience some pain in her neck and 25 a rash appeared on her face. Consequently, she attended</p> <p style="text-align: center;">Page 138</p>
<p>1 the GP's surgery, ostensibly because of the rash." 2 We go over the page. Before going over the page, 3 she was seen by a doctor who attends Beechwood: 4 "... the doctor commented upon the marks on her neck 5 and further remarked that they appeared to be 6 strangulation marks. When Matt Donohoe [the social 7 worker] indicated that he would have to discuss what she 8 had said with his Senior, and then asked her if she 9 stood by what she had already disclosed, NO-A316 had 10 said, 'drop it'. Mrs Newton, however, had advised [her] 11 to talk further with Mr Donohoe because 'other children 12 may suffer' or words to that effect. 13 "... 14 "Their conversation continued ..." and I'm reading, 15 Mr Fenwick, from the last paragraph there on page 6: 16 "... and NO-A316 went on then to inform Mr Donohoe 17 that staff were always 'getting at the kids' at 18 Beechwood. She recalled and described another incident 19 involving a member of staff named NO-F8 and NO-F134. 20 She could not remember exactly when this occurred but 21 apparently in the toilets during an altercation. NO-F8 22 and NO-F134 each took one of her hands and bent her 23 fingers back until they became very painful." 24 Then, please, at the top of page 7: 25 "Mr Donohoe [the social worker] asked NO-A316 why</p> <p style="text-align: center;">Page 139</p>	<p>1 she had waited until now before making such statements 2 and why she had not informed him earlier? NO-A316 3 informed him that at the time of the incident with 4 NO-F15 in the kitchen she had said that she intended to 5 contact her social worker. However, she claims that she 6 was told by NO-F15 that although she was quite at 7 liberty to do this, no one would believe her. This it 8 seemed supported her long-held view that all social 9 workers, whether residential or field, were all 10 colleagues together and would close ranks when 11 necessary. Consequently, she felt that it would do no 12 good to discuss that particular incident or any other 13 with Mr Donohoe. 14 "NO-A316 did state that nothing untoward ever 15 happened at Beechwood when either yourself or 16 Jim Fenwick were on duty." 17 Did you ever get to hear of the incident there set 18 out? 19 A. I don't have any recollection of it, no. 20 Q. If we go to pages 4 and 5 of the documents in that tab, 21 we see what is, I'm afraid, a very bad photocopy, dated 22 30 April 1987, and this is a response to Mr Smedley, 23 whose letter we have just looked at. It is a response 24 from you, we can see, when we go over the page. In the 25 response to this and the other allegations, you note</p> <p style="text-align: center;">Page 140</p>

<p>1 that staff denied the deliberate infliction of pain,                  2 that they used the necessary amount of force to                  3 restrain, although one member of staff had dealt with                  4 a resident "in a manner which was not entirely                  5 necessary". You note that staff have little or no                  6 preparation or training.                  7 When staff denied allegations of physical abuse, as                  8 appears to be the case here, Mr Fenwick, to what extent                  9 would that have been accepted without any further                  10 scrutiny?                  11 <b>A. I don't think it would have just been accepted. People</b>                  12 <b>would have wanted to look into it and find out what had</b>                  13 <b>gone on.</b>                  14 Q. In looking into it, would that have involved speaking to                  15 the young person?                  16 <b>A. Yes, it would.</b>                  17 Q. Then we go, please, to page 8, and this is a letter --                  18 <b>A. Could I just point something out?</b>                  19 Q. Of course.                  20 <b>A. The start of that letter:</b>                  21 <b>"I realise it was addressed to ... but now that I am</b>                  22 <b>back at Beechwood, it is clearly for me to undertake the</b>                  23 <b>responsibility."</b>                  24 <b>I had in fact, at that time, been away from</b>                  25 <b>Beechwood for four months, and hadn't been present at</b></p> <p style="text-align: center;">Page 141</p>	<p>1 <b>the time that incident happened.</b>                  2 Q. But it would be right to conclude, wouldn't it, now that                  3 you were back at Beechwood, you re-engaged with overall                  4 responsibility --                  5 <b>A. Oh, of course.</b>                  6 Q. -- for what happened at Beechwood?                  7 <b>A. Yes.</b>                  8 Q. We go to the letter, please, from Mr Riddell, and this                  9 is at page 8, please. It is a letter dated 13 May 1987,                  10 Mr Riddell being the principal assistant in the                  11 department. He noted that you denied the allegations                  12 that staff had been taking young people into the office                  13 and slapping or knocking them around, noting, and                  14 I quote -- this is at the bottom of page 8, Mr Fenwick,                  15 so that you can follow it:                  16 "Mr Fenwick completely denies that staff at                  17 Beechwood ..."                  18 Do you have that?                  19 <b>A. Yes.</b>                  20 Q. "... are responsible for taking children or young people                  21 into the office and slapping and knocking them around                  22 without witnesses. He emphasises that this behaviour                  23 would be totally unacceptable to Beechwood and does not                  24 happen. While he cannot completely deny that staff will                  25 be guilty of swearing, he also indicates that this</p> <p style="text-align: center;">Page 142</p>
<p>1 behaviour is not tolerated by him either for staff or                  2 for young people."                  3 Then we go over the page, please, and the third                  4 paragraph on page 9, which starts:                  5 "Clearly Mr Fenwick and his staff were concerned..."                  6 Do you have that?                  7 <b>A. Yes.</b>                  8 Q. "... that allegations have been made and of course                  9 residential staff are constantly vulnerable, given the                  10 numbers of confrontations which take place in any                  11 working day."                  12 Then three lines up from the bottom of that                  13 paragraph:                  14 "Mr Fenwick is quite understanding of the fact that                  15 we need to fully investigate incidents that are alleged.                  16 Obviously we ourselves are put in a very vulnerable                  17 situation."                  18 What did you understand, to the extent that you can                  19 remember, Mr Fenwick, of the need to fully investigate                  20 incidents? Is it what you have described earlier, that                  21 you would speak to the members of staff and speak to the                  22 young person, or would it go further?                  23 <b>A. Further than me?</b>                  24 Q. No, the extent of the investigation. Would it go                  25 further than simply speaking to the staff and the young</p> <p style="text-align: center;">Page 143</p>	<p>1 person or young people?                  2 <b>A. I would want to be involved in speaking to the members</b>                  3 <b>of staff who were around, not just the ones who were</b>                  4 <b>involved in the incident.</b>                  5 Q. Would you want to come to a resolution as to whether the                  6 incident had or had not happened?                  7 <b>A. Of course, yes.</b>                  8 Q. At tab 5 -- I'm not going to ask for this to be put up                  9 on screen, but it's NSC000465 and I want you to go to                  10 page 8. There is a handwritten three-page letter dated                  11 1987 to Mr Culham, who was, I think, the Director of                  12 Social Services, is that right, at the time?                  13 <b>A. Yes.</b>                  14 Q. It is a letter written by a parent in relation to her                  15 son at Beechwood. At page 8, she says:                  16 "All was going well at Lindens until one evening                  17 [name redacted] phoned home and was really distressed so                  18 I went through to Lindens. On my arrival, I found [name                  19 redacted] crying on the steps outside. We had a talk                  20 and I was told by [the young person] he had been arguing                  21 with a member of staff known as NO-F3. He is a coloured                  22 gentleman, apparently [the child] was cheeky and this                  23 member of staff shouted at [the child]. An argument                  24 followed and the member of staff threatened to hit [the                  25 child] and poked him with a billiard cue, waving it</p> <p style="text-align: center;">Page 144</p>

<p>1 around and pushing it towards [his] face.                  2 "I requested a meeting this man. I was kept waiting                  3 for about half an hour. When he did eventually come, he                  4 made out that [the child] was lying. I then stated to                  5 him that although [the child] had done some stupid                  6 things, I had never known him to lie, not even to the                  7 police. So if [the child] had done it, he would say so.                  8 "At this, the man said [the child] wasn't exactly                  9 lying but that he had taken him the wrong way. After                  10 a while, the conversation calmed down and things were                  11 sorted out ..."                  12 That incident, that member of staff using a billiard                  13 cue on a young person at Beechwood, had you come across                  14 incidents in your time there that had taken place like                  15 that?                  16 <b>A. No.</b>                  17 Q. Do you remember this ever being reported to you? This                  18 went to the Director of Social Services?                  19 <b>A. I can't remember that it was reported to me as an</b>                  20 <b>incident. It came to me because of the letter that went</b>                  21 <b>to Mr Culham.</b>                  22 Q. What was your response? Do you remember that?                  23 <b>A. I think I had occasion to see the individual concerned</b>                  24 <b>and tried to find out just what had gone on. As far as</b>                  25 <b>I can recollect, I think the explanation went very much</b></p> <p style="text-align: center;">Page 145</p>	<p>1 <b>along the lines of the letter. He accepted he had been</b>                  2 <b>out of order.</b>                  3 Q. Going back to paragraph 10 of your statement, where                  4 you're talking about the recruitment of staff, and the                  5 first factor you considered in recruiting staff was                  6 interest and commitment to helping young people, how did                  7 you assess that? How did you assess interest and                  8 commitment to helping young people?                  9 <b>A. It wasn't just me who would attempt to assess it. If we</b>                  10 <b>were appointing people to vacancies, there would be an</b>                  11 <b>appointing panel, and we would discuss at some length</b>                  12 <b>our observations of what the individual had said and how</b>                  13 <b>they had come across.</b>                  14 Q. If staff were starting without any qualifications, was                  15 training given to them at the outset?                  16 <b>A. Supervision was given to them at the outset.</b>                  17 Q. And by "supervision" --                  18 <b>A. The opportunity to go on training courses came later.</b>                  19 Q. Would the same sort of supervision be given to temporary                  20 staff?                  21 <b>A. Oh, yes. Yes.</b>                  22 Q. We have already talked about the male-dominated staff.                  23 This was at paragraph 29. You set out in evidence this                  24 afternoon the efforts that you made. You say at                  25 paragraph 34 of your statement that the quality of</p> <p style="text-align: center;">Page 146</p>
<p>1 staff/young person relationship was a constant and                  2 important topic, and you have described that in evidence                  3 again today. You say:                  4 "Everyone was encouraged to work at developing, as                  5 far as possible, a close and friendly approach and [work                  6 towards] creating circumstances and a degree of trust                  7 where the young people may be 'quite open to discussing                  8 attitudes and responses'.                  9 By the time you left in 1991, do you think you had                  10 achieved that aim of young people being able to be open                  11 about their experience within the home?                  12 <b>A. On the whole, yes, bearing in mind that Beechwood was an</b>                  13 <b>assessment centre taking children regularly, on a weekly</b>                  14 <b>basis, almost, and those sort of developments of honesty</b>                  15 <b>and trust are difficult to bring about and don't just</b>                  16 <b>happen overnight.</b>                  17 Q. Were you able to take any steps in the ten years or                  18 towards the end of the ten years that you were there to                  19 evaluate yourself, personally, how successful that trust                  20 building had become?                  21 <b>A. I would like to think that there were people senior to</b>                  22 <b>me in Social Services who took that upon themselves,</b>                  23 <b>rather than me.</b>                  24 Q. We have heard evidence to suggest that Beechwood had                  25 a large measure of autonomy, that it was, to some</p> <p style="text-align: center;">Page 147</p>	<p>1 extent, independent and, indeed, the suggestion was that                  2 it was quite isolated. So to the extent that you would                  3 depend on others higher up than you in Social Services,                  4 how real was that dependency in judging the trust that                  5 had been created in the home?                  6 <b>A. I'm quite surprised to hear you say Beechwood felt that</b>                  7 <b>they were isolated.</b>                  8 Q. It was an opinion of others that we have spoken to, but                  9 you disagree with that?                  10 <b>A. I think I have to, yes.</b>                  11 Q. You say at the end of paragraph 34, where you're talking                  12 about the degree of trust where the young people may be                  13 quite open to discussing attitudes and responses, "This                  14 developed with some, but not all". Clearly, you are                  15 reflecting on what was your actual experience. What                  16 should the inquiry understand by the qualification                  17 there: "with some, but not all"? What does that mean?                  18 <b>A. Well, it includes both -- the comment would include both</b>                  19 <b>staff and children. Not all staff developed in the way</b>                  20 <b>one would have wanted them to, and the young people</b>                  21 <b>concerned, a lot of them had lots of difficulties in</b>                  22 <b>creating relationships anyway. So it was a matter of</b>                  23 <b>both youngsters and staff -- and some staff.</b>                  24 Q. That proportion of staff who weren't able to do that,                  25 how is it that they came to remain at Beechwood, if they</p> <p style="text-align: center;">Page 148</p>

<p>1 weren't fulfilling what you wanted?</p> <p>2 <b>A. We attempted, I think, to work with them and create</b></p> <p>3 <b>things for them.</b></p> <p>4 Q. I'm going to turn now to three questions that I am asked</p> <p>5 to put on behalf of complainant core participants in</p> <p>6 this investigation. The first is in relation to racist</p> <p>7 language from staff. D22 and other complainants have</p> <p>8 described being subjected to racist language from staff.</p> <p>9 Do you recall whether this happened, whether you would</p> <p>10 hear the use of pejorative racist comments being made to</p> <p>11 residents?</p> <p>12 <b>A. I have no recollection of that.</b></p> <p>13 Q. In one of those legally atomised questions, I need to</p> <p>14 follow up: is that something you can't remember or are</p> <p>15 you saying it didn't happen?</p> <p>16 <b>A. Oh, can't remember.</b></p> <p>17 Q. Other complainants say, Mr Fenwick, that misogynistic</p> <p>18 language was used in the home. Do you remember that?</p> <p>19 <b>A. No.</b></p> <p>20 Q. Some complainants described NO-F49, a member of staff,</p> <p>21 using the morning wake-up call, "Hands off cocks, on</p> <p>22 with socks". Is that something that you were aware of</p> <p>23 at the time?</p> <p>24 <b>A. No.</b></p> <p>25 Q. Can we look, please, then, next at the level of</p> <p style="text-align: center;">Page 149</p>	<p>1 absconding in 1985. You say at paragraph 30, please, so</p> <p>2 we go back, it is page 3 of your statement, please:</p> <p>3 "The level of absconsions or even any absconsion</p> <p>4 created worry and anxiety to us all, and when, in 1985,</p> <p>5 the report was published ..."</p> <p>6 This was about the level of children absconding from</p> <p>7 Beechwood:</p> <p>8 "... it made for a thorough examination of how we</p> <p>9 supervised young people."</p> <p>10 Did you personally conduct a review of why it was</p> <p>11 that children, young people, were running away from</p> <p>12 Beechwood? Is that what you want the inquiry to</p> <p>13 understand?</p> <p>14 <b>A. No, I didn't.</b></p> <p>15 Q. So what was the "thorough examination" that was carried</p> <p>16 out in the wake of the adverse press report on children</p> <p>17 running away?</p> <p>18 <b>A. Among all different staff groups, we discussed it time</b></p> <p>19 <b>after time, as to how we might improve things. But</b></p> <p>20 <b>cutting down on absconders was an extremely difficult</b></p> <p>21 <b>task.</b></p> <p>22 Q. What steps did you take to try to reduce that level of</p> <p>23 children running away?</p> <p>24 <b>A. We tried to make staff more aware of the need to be in</b></p> <p>25 <b>very close contact with young people as much as they</b></p> <p style="text-align: center;">Page 150</p>
<p>1 <b>possibly could and to limit their opportunities to be</b></p> <p>2 <b>able to abscond.</b></p> <p>3 Q. Looking back now, do you think more could have been</p> <p>4 done?</p> <p>5 <b>A. By the staff group we had and the numbers we had, it</b></p> <p>6 <b>would have been extremely difficult.</b></p> <p>7 Q. To do more?</p> <p>8 <b>A. To do more.</b></p> <p>9 Q. Was there any attempt made to understand why it was that</p> <p>10 young people were running away?</p> <p>11 <b>A. We talked all the time about the commitment of young</b></p> <p>12 <b>people to staying at Beechwood. But the young people</b></p> <p>13 <b>concerned, most of them had a history of disappearing</b></p> <p>14 <b>from wherever it was that they were living, whether that</b></p> <p>15 <b>be home, school, other community homes, and the fact</b></p> <p>16 <b>that Beechwood was right on Woodborough Road with bus</b></p> <p>17 <b>stops in both directions, with the city centre within</b></p> <p>18 <b>a mile, made it extremely difficult.</b></p> <p>19 Q. Indeed, you say at paragraph 40, Mr Fenwick:</p> <p>20 "There was always extra concern where young girls</p> <p>21 were involved, and it has been suggested, and there may</p> <p>22 well be an element of truth in the suggestion, that the</p> <p>23 close proximity of Nottingham red light district may</p> <p>24 well have played a part in girls creating opportunities</p> <p>25 to disappear."</p> <p style="text-align: center;">Page 151</p>	<p>1 May I ask you two questions in relation to that: "It</p> <p>2 has been suggested". Who was it suggested by? This is</p> <p>3 looking at paragraph 40.</p> <p>4 <b>A. There was a letter -- call for inquiry into the death of</b></p> <p>5 <b>a girl. It mentions:</b></p> <p>6 <b>"The other girl, also at Beechwood, managed to get</b></p> <p>7 <b>out and obtain a job in a seedy club. Beechwood centre</b></p> <p>8 <b>is near the city's red light district."</b></p> <p>9 <b>It was that comment on that newspaper cutting that</b></p> <p>10 <b>led to me making the comment I did in -- sorry, which</b></p> <p>11 <b>paragraph was it?</b></p> <p>12 Q. Paragraph 40.</p> <p>13 <b>A. Paragraph 40.</b></p> <p>14 Q. What are the opportunities that you say in paragraph 40</p> <p>15 that were being created, to disappear, by young female</p> <p>16 residents?</p> <p>17 <b>A. The living in a house unit of some 17 youngsters,</b></p> <p>18 <b>there's always opportunities during the course of --</b></p> <p>19 <b>sometimes even during the course of a school day, but</b></p> <p>20 <b>certainly during the course of evening activities, and</b></p> <p>21 <b>so on, to absent themselves without people particularly</b></p> <p>22 <b>knowing for a length of time.</b></p> <p>23 Q. Reading paragraph 40, Mr Fenwick, it suggests that one</p> <p>24 of the reasons that they were running away, so far as</p> <p>25 you understood it, was because, using the phrasing of</p> <p style="text-align: center;">Page 152</p>

<p>1 the day, they were prostituting?</p> <p>2 <b>A. I have no evidence to suggest that. I cannot recall any</b></p> <p>3 <b>girl doing it. But that newspaper article suggested it.</b></p> <p>4 <b>I mention that in paragraph 40 in response to the fact</b></p> <p>5 <b>that that article mentioned it.</b></p> <p>6 Q. Do you want the inquiry to understand your evidence that</p> <p>7 in the ten years that you were principal of Beechwood,</p> <p>8 the issue of young female residents at Beechwood</p> <p>9 becoming involved in prostitution in the city was not</p> <p>10 something that you were aware of?</p> <p>11 <b>A. No, I wouldn't want that. I think there were, I think,</b></p> <p>12 <b>occasions when that might have, but I couldn't put names</b></p> <p>13 <b>or circumstances to it.</b></p> <p>14 Q. Mr Fenwick, my question is directed to your</p> <p>15 understanding that young people at Beechwood over those</p> <p>16 ten years were vulnerable to prostitution in the city.</p> <p>17 Are you letting the inquiry know that you knew that?</p> <p>18 <b>A. No, I'm not.</b></p> <p>19 Q. So what would you want them to understand?</p> <p>20 <b>A. That there could have been occasions when it might have</b></p> <p>21 <b>happened, but I haven't any evidence of any youngsters</b></p> <p>22 <b>who did.</b></p> <p>23 Q. Can we go to paragraph 50, please. This is looking at</p> <p>24 the condition of Beechwood whilst you were there and the</p> <p>25 extent to which that condition affected the behaviour of</p> <p style="text-align: center;">Page 153</p>	<p>1 both staff and residents, the young people at Beechwood.</p> <p>2 You say this:</p> <p>3 "Beechwood house units urgently required some</p> <p>4 investment into improving fixtures and fittings. Very</p> <p>5 often behaviour reflected conditions around you, and we</p> <p>6 needed to give serious attention to helping improve the</p> <p>7 quality of life for the young people. Decoration,</p> <p>8 carpeting and furniture (both upstairs and down) in both</p> <p>9 house units were a priority."</p> <p>10 We know that as late as 1989, and you don't need to</p> <p>11 go to it, you are writing to Mr Watkins, the assistant</p> <p>12 director of the children's division, in relation to the</p> <p>13 environment at Beechwood, and you say this:</p> <p>14 "May I attempt to elicit your support for urgent</p> <p>15 attention to be given to the need to improve the quality</p> <p>16 of life for young people who find themselves living at</p> <p>17 Beechwood. I enclose a copy of a letter that I sent to</p> <p>18 Jane Williams on 11 April bringing her attention to the</p> <p>19 appalling state of the interiors of both the house units</p> <p>20 and the subsequent squalid conditions that we are</p> <p>21 expecting children to live in and staff to work around."</p> <p>22 This is in 1989. You leave in 1991. In that</p> <p>23 two-year period, what attempts were made by the council</p> <p>24 to improve the living conditions of children and staff</p> <p>25 at Beechwood?</p> <p style="text-align: center;">Page 154</p>
<p>1 <b>A. I think they did respond to the letter I wrote to</b></p> <p>2 <b>Mr Watkins.</b></p> <p>3 Q. Mr Fenwick, sorry to interrupt you. I am asking you not</p> <p>4 how they responded, but what was done to improve the</p> <p>5 physical conditions of Beechwood in the two years that</p> <p>6 you remained there after this letter in 1989? Can you</p> <p>7 remember what was done?</p> <p>8 <b>A. I think we were given finance, and we spent that finance</b></p> <p>9 <b>improving things.</b></p> <p>10 Q. You appear doubtful about that. Is that simply because</p> <p>11 you can't remember or it didn't happen?</p> <p>12 <b>A. I think so, but -- I thought there'd been written</b></p> <p>13 <b>indication that they had in fact responded.</b></p> <p>14 Q. That may or may not be the case, Mr Fenwick. It is just</p> <p>15 a very short point. You were there. You were living at</p> <p>16 Beechwood. You were aware of the environment in which</p> <p>17 you were living and the young people were living. Do</p> <p>18 you have any memory of that environment actually</p> <p>19 improving?</p> <p>20 <b>A. Yes.</b></p> <p>21 Q. You do. What was done?</p> <p>22 <b>A. New furniture, new carpets and decoration.</b></p> <p>23 Q. When you say at paragraph 50 that behaviour reflected</p> <p>24 conditions around you, what do you want the panel to</p> <p>25 understand by that?</p> <p style="text-align: center;">Page 155</p>	<p>1 <b>A. That if the surroundings were poor, then behaviour</b></p> <p>2 <b>reflected those sort of things.</b></p> <p>3 Q. And did it?</p> <p>4 <b>A. Yes.</b></p> <p>5 Q. What was the behaviour?</p> <p>6 <b>A. Youngsters didn't care about fixtures and fittings</b></p> <p>7 <b>because they could see quite clearly that it was all in</b></p> <p>8 <b>a poor state of repair.</b></p> <p>9 Q. Do you think it reflected, as far as they were</p> <p>10 concerned, how they were thought of?</p> <p>11 <b>A. Oh, of course, yes.</b></p> <p>12 Q. Did that concern you?</p> <p>13 <b>A. We were always concerned about how children were viewed.</b></p> <p>14 Q. Mr Fenwick, you were principal. I am asking you about</p> <p>15 you personally. Did that concern you, that children</p> <p>16 were living in squalid conditions and how that affected</p> <p>17 their own sense --</p> <p>18 <b>A. Of course it did, yes.</b></p> <p>19 Q. Can we then go, please, finally, to paragraph 53. Here</p> <p>20 you are responding to what we now know about</p> <p>21 Andris Logins. You say:</p> <p>22 "... there were no signs or indications in his</p> <p>23 general approach to his work that would have alerted</p> <p>24 anyone."</p> <p>25 What the inquiry should draw from that is, you</p> <p style="text-align: center;">Page 156</p>

<p>1 remember him working there?</p> <p>2 <b>A. Yes.</b></p> <p>3 Q. "The general opinion was that he was a good appointment,</p> <p>4 an intelligent young man, a qualified youth worker with</p> <p>5 a range of interests ... he was supervised in the normal</p> <p>6 way by a senior member of house staff ..."</p> <p>7 Pausing there, is that something that you know</p> <p>8 directly about or that you have learnt since?</p> <p>9 <b>A. Oh, no, that's --</b></p> <p>10 Q. You knew that at the time?</p> <p>11 <b>A. Yes, yes.</b></p> <p>12 Q. "... and, as far as I can remember, his attitudes and</p> <p>13 responses were normal and positive."</p> <p>14 You say there were no signs or indications. What</p> <p>15 sorts of signs or indications might have alerted you</p> <p>16 to -- you or others to the possibility that there was</p> <p>17 something wrong?</p> <p>18 <b>A. Whether or not he was showing unusual close interest in</b></p> <p>19 <b>any of the young ladies.</b></p> <p>20 Q. In her evidence to the inquiry, N1 described Logins'</p> <p>21 clothing as "clothing not appropriate to the job". She</p> <p>22 said:</p> <p>23 "He used to wear really tight trousers in which his</p> <p>24 privates were on show."</p> <p>25 That was in evidence last week to the inquiry. Did</p> <p style="text-align: center;">Page 157</p>	<p>1 you have any concerns about the way he dressed?</p> <p>2 <b>A. I certainly have no recollection of that. No, I didn't.</b></p> <p>3 Q. Mark Cope, who worked at Beechwood at the time, has</p> <p>4 given evidence in his statement that he remembers Logins</p> <p>5 being "overly touchy" with female residents "who would</p> <p>6 sit on his knees". Some female complainants have</p> <p>7 described being given preferential treatment in respect</p> <p>8 of rooms and being allowed cigarettes. Are you aware of</p> <p>9 any of that, or were you aware of any of that at the</p> <p>10 time?</p> <p>11 <b>A. No.</b></p> <p>12 Q. This morning I took your former colleague, Mr Rigby, to</p> <p>13 Andris Logins' offences, and to the subsequent trial.</p> <p>14 The judge at the trial of Logins, where he was convicted</p> <p>15 of a series of severe significant sexual offences</p> <p>16 committed at Beechwood between 1982 and 1985, the judge</p> <p>17 described Beechwood in that era as "a home from hell".</p> <p>18 Is that a description, knowing what you know now, that</p> <p>19 you would accept?</p> <p>20 <b>A. With reference to Logins?</b></p> <p>21 Q. With reference to Logins and the allegations that I have</p> <p>22 read out to you that occurred in that decade?</p> <p>23 <b>A. No, I'm shocked again. I'm not shocked what you are</b></p> <p>24 <b>relating to me about Andris Logins, because clearly that</b></p> <p>25 <b>has taken place, although I was shocked to find out that</b></p> <p style="text-align: center;">Page 158</p>
<p>1 <b>he had.</b></p> <p>2 Q. At his criminal trial, his barrister, following the</p> <p>3 conviction, said that Logins had been sucked into</p> <p>4 a regime that he became part of, suggesting that the</p> <p>5 regime at Beechwood at the time was a corrupt and</p> <p>6 sexualised regime amongst the staff. Is that</p> <p>7 a description that you recognise, Mr Fenwick?</p> <p>8 <b>A. No.</b></p> <p>9 MR SADD: Mr Fenwick, thank you for your patience with me.</p> <p>10 You may be asked some questions by the panel.</p> <p>11 Questions by THE PANEL</p> <p>12 THE CHAIR: Mr Fenwick, I have a question about disciplinary</p> <p>13 action against staff in relation to their behaviour</p> <p>14 towards --</p> <p>15 <b>A. I'm sorry, I can't hear you.</b></p> <p>16 THE CHAIR: My question concerns disciplinary action against</p> <p>17 staff in relation to their behaviour towards residents.</p> <p>18 Roughly, how often did that occur?</p> <p>19 <b>A. Of staff being disciplined?</b></p> <p>20 THE CHAIR: Yes.</p> <p>21 <b>A. I'm not too sure that I would have used the word</b></p> <p>22 <b>"disciplined", but certainly, if there had been</b></p> <p>23 <b>incidents that staff had overstepped the mark, for want</b></p> <p>24 <b>of a better way of describing it, they would have been</b></p> <p>25 <b>seen by senior staff and attempts made to change their</b></p> <p style="text-align: center;">Page 159</p>	<p>1 <b>behaviour.</b></p> <p>2 THE CHAIR: So you can't recall any occasion on which formal</p> <p>3 disciplinary action was taken against staff for any form</p> <p>4 of abuse -- verbal, emotional, physical, sexual --</p> <p>5 against residents?</p> <p>6 <b>A. No.</b></p> <p>7 THE CHAIR: Is that not a little surprising?</p> <p>8 <b>A. It depends on how one wants to describe the results of</b></p> <p>9 <b>their behaviour. Staff were seen and admonished about</b></p> <p>10 <b>things that went wrong. I now begin to recollect there</b></p> <p>11 <b>was one incident that went from the establishment to</b></p> <p>12 <b>a senior social worker, but it didn't go particularly</b></p> <p>13 <b>beyond the establishment.</b></p> <p>14 THE CHAIR: I see. So there would be nothing formal on</p> <p>15 their records?</p> <p>16 <b>A. Oh, I think things would have been put down on people's</b></p> <p>17 <b>record sheets, yes.</b></p> <p>18 THE CHAIR: Their personnel record?</p> <p>19 <b>A. Yes, I think so, yes.</b></p> <p>20 THE CHAIR: I see. Just one other point that I want your</p> <p>21 view on. We have heard many views expressed that</p> <p>22 managers within and outwith the home would always take</p> <p>23 the staff's side against children.</p> <p>24 <b>A. No.</b></p> <p>25 THE CHAIR: That was not the case?</p> <p style="text-align: center;">Page 160</p>



<p>1 <b>A. No.</b>                  2 THE CHAIR: Thank you very much. Ms Sharpling?                  3 MS SHARPLING: Thank you, Mr Fenwick, just one question from                  4 me. We have heard a lot about the level of absconsions                  5 from the home, and it was a matter of concern. Was it                  6 an automatic assumption that if a child absconded, it                  7 was something to do with their past lives rather than                  8 something that was going on in their present?                  9 <b>A. I think it would have been assumed that it was something</b>                  10 <b>to do with what was going on at present.</b>                  11 MS SHARPLING: What sorts of things did you think were going                  12 on in their present lives, as it were, to cause them to                  13 abscond?                  14 <b>A. Children, basically, didn't want to be there. They</b>                  15 <b>didn't want to come into care, whether it would be on</b>                  16 <b>remand or removal from another children's home or</b>                  17 <b>removal from home. It was an extremely difficult task</b>                  18 <b>for staff to undertake, creating an atmosphere in which</b>                  19 <b>the young people wanted to stay, wanted to take part in</b>                  20 <b>their assessment and their planning for the future, and</b>                  21 <b>so on.</b>                  22 MS SHARPLING: Thank you.                  23 THE CHAIR: Mr Frank?                  24 MR FRANK: I wonder if I can -- can I draw your attention to                  25 paragraph 8 of your witness statement where you say, "It</p> <p style="text-align: center;">Page 161</p>	<p>1 is extremely difficult to be accurate when talking about                  2 trained/untrained staff". Can you tell us, what did you                  3 mean by that?                  4 <b>A. The level of trained residential social workers was very</b>                  5 <b>low. I've mentioned in other paragraphs where you</b>                  6 <b>actually took -- attempted to take people who were --</b>                  7 <b>who gave you the impression they cared about children,</b>                  8 <b>that they sympathised with youngsters' difficulties and</b>                  9 <b>empathised with them. Very often, these people had no</b>                  10 <b>specific training. We then had to take them into the</b>                  11 <b>task, into the job, and attempt, through supervision,</b>                  12 <b>through opportunities for training and so on, to bring</b>                  13 <b>them up to scratch with what level of training we could.</b>                  14 MR FRANK: Just on that point, can you help us, what                  15 qualifications did you have to train those staff?                  16 <b>A. (a) I'd been involved -- before 1981, I had been head of</b>                  17 <b>a school, similar setup, for London, owned by London</b>                  18 <b>Borough of Brent. Prior to that, I had been deputy of</b>                  19 <b>a similar establishment in Kent. Prior to that, I had</b>                  20 <b>been teacher of a similar establishment in Northampton.</b>                  21 <b>I was a trained teacher, and I went into the work as</b>                  22 <b>a teacher rather than a social worker, but I did in fact</b>                  23 <b>take extra training during my time between being</b>                  24 <b>a deputy and being a head to do a London university</b>                  25 <b>diploma.</b></p> <p style="text-align: center;">Page 162</p>
<p>1 MR FRANK: Finally this: can you help as to the                  2 circumstances in which you left Beechwood?                  3 <b>A. I retired on health grounds.</b>                  4 MR FRANK: When you retired on health grounds, was there                  5 a period before your retirement when you weren't working                  6 there?                  7 <b>A. That's right, I was suspended.</b>                  8 MR FRANK: You were ...?                  9 <b>A. Suspended.</b>                  10 MR FRANK: Thank you very much.                  11 THE CHAIR: Thank you.                  12 MR SADD: Chair, I have no questions that follow up on that.                  13 Thank you very much, Mr Fenwick.                  14 (The witness withdrew)                  15 MR SADD: Before, chair, we rise, I need to let you know,                  16 chair, and the panel, and members of the public, that                  17 today we were going to be hearing from Jayne Austin. We                  18 have managed to rearrange the witnesses that you have                  19 heard. Contact is still trying to be made with her, and                  20 the expectation is that we will be able to put her into                  21 the witness schedule at some point.                  22 THE CHAIR: Thank you very much, Mr Sadd. We will reconvene                  23 next week in London. Thank you.                  24 MR SADD: Chair, I am also reminded to say that the venue is                  25 going to be at the Kia Oval in London, starting from</p> <p style="text-align: center;">Page 163</p>	<p>1 next Wednesday.                  2 THE CHAIR: Thank you.                  3 (4.25 pm)                  4 (The hearing was adjourned to                  5 Wednesday, 17 October 2018 at 10.00 am)                  6                  7                  8                  9                  10                  11                  12                  13                  14                  15                  16                  17                  18                  19                  20                  21                  22                  23                  24                  25</p> <p style="text-align: center;">Page 164</p>

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