

1 Thursday, 17 January 2019

2 (10.00 am)

3 (Proceedings delayed)

4 (10.08 am)

5 LADY SMITH: Good morning. We turn to further oral  
6 evidence. Last night you promised me two witnesses  
7 today, Mr Peoples, and I've been told that two have  
8 arrived.

9 MR PEOPLES: Indeed. The first witness this morning to give  
10 oral evidence is Kate Roach.

11 KATE ROACH (sworn)

12 LADY SMITH: Please sit down and make yourself comfortable.

13 It looks as if you're in a good position for the  
14 microphone. If I can just at the outset ask you to make  
15 sure that your voice is picked up by it: we need you to  
16 do that.

17 I'll hand over to Mr Peoples and he'll explain what  
18 happens next.

19 Questions from MR PEOPLES

20 MR PEOPLES: Good morning.

21 A. Good morning.

22 Q. Do you have any objection to me calling you Kate?

23 A. None at all.

24 Q. Thank you. Can I just explain by way of introduction,  
25 although I think you might be familiar with our

1 processes, in front of you there is a red folder which  
2 contains a statement that's been provided by Barnardo's  
3 to the inquiry. I'll just give the reference:  
4 BAR.001.004.9625. You're free to use that statement at  
5 any point if it assists you in giving evidence. You'll  
6 also seen in front of you there's a screen that's  
7 brought up the statement also. You can use that as well  
8 if it's easier for you.

9 So far as today is concerned, my focus will be on  
10 the issue of aftercare and, in particular, the service  
11 known as Making Connections, and I'll be asking you some  
12 questions about that shortly.

13 I think you can perhaps just confirm for me that you  
14 did contribute some parts of the statement that's before  
15 you.

16 A. Yes, indeed, yes.

17 Q. Can I just take some preliminary information. What is  
18 your current post within Barnardo's?

19 A. I'm the service manager of the Making Connections  
20 service.

21 Q. For how long have you been employed by Barnardo's?

22 A. This is my 25th year in Barnardo's.

23 Q. During that period of employment have you been concerned  
24 with aftercare issues and services on behalf of the  
25 organisation?

1 A. Yes. I joined Barnardo's in what was then the aftercare  
2 service in late 1994.

3 Q. Did that involve you being based in London, in  
4 headquarters?

5 A. Yes. We were initially based at the head office  
6 building in Barkingside.

7 Q. Was there at that time an aftercare department?

8 A. Yes. There has been an aftercare department since the  
9 days of Dr Barnardo. It is actually the -- the  
10 evolution, the very same department that is described  
11 in the statement which provided support for the young  
12 people after they left the homes.

13 Q. When you joined Barnardo's in 1994, did you take over  
14 that department?

15 A. No. I joined initially as the deputy head of aftercare  
16 and I was brought in at that time because the  
17 social work side of the service had expanded because  
18 we were moving towards -- well, there was an ongoing  
19 increase in the provision of -- I won't say access to  
20 records, but at that stage access to information.

21 Barnardo's was on the verge of taking the decision to  
22 have what we described as open access, which meant that  
23 rather than a summary of a Barnardo's adult, a summary  
24 of their information, written out by a social worker,  
25 they would be able to get direct access and see the

1 actual files that were written about them. That change  
2 took place in 1995.

3 Q. I'll maybe ask you a little more about that in due  
4 course if I can.

5 So you started as a deputy or the number two in the  
6 department, in 1994?

7 A. That's right.

8 Q. And it was a time of change --

9 A. Huge change.

10 Q. -- as you've explained in terms of the way that  
11 information was to be released or be available?

12 A. Yes.

13 Q. Did there come a point when you became the head of the  
14 aftercare service or department?

15 A. That's correct. I took over as the service manager in  
16 2007. That was when the aftercare department merged  
17 with another department in Barnardo's, which was  
18 providing a very similar service but to people who had  
19 been adopted through Barnardo's. In many ways, the work  
20 was very similar, but the legislative framework around  
21 it was quite different.

22 The work with adopters is governed by adoption  
23 legislation and we were governed really only by the Data  
24 Protection Act at that stage. But the two services  
25 merged and that's when I applied for the post of service

1 manager and was successful. That's when we changed our  
2 name to Making Connections.

3 Q. In 2007?

4 A. Yes.

5 Q. I haven't yet asked you, but can you give us a very  
6 brief resumé of your professional qualifications and  
7 employment background before you joined Barnardo's?

8 A. Yes. After I did my first degree, which was not in  
9 a social care subject, I started in residential  
10 childcare up in Derbyshire, where I lived. That was in  
11 late 1978.

12 Then from 1980 to 1982 I went on a seconded CQSW  
13 course; that was down in London.

14 Having qualified as a social worker and with  
15 a masters degree, I returned to Derbyshire County  
16 Council, and worked with them for another four years,  
17 and in 1986, we moved as a family down to London and so  
18 that's when I changed jobs and I joined Lambeth, London  
19 Borough of Lambeth, and worked in adoption and fostering  
20 until I took the Barnardo's job in 1994.

21 Q. If I can take you, with that introduction, to the  
22 statement itself. I think that we can perhaps turn to  
23 page 66 of the statement, which is on, in our numbering,  
24 page 9690, where I think that you -- there is a heading  
25 there "Aftercare and Making Connections". I think that

1 basically the matters you're going to tell us about  
2 today are contained in that section from page 66 through  
3 to page 70, paragraphs 239 to 258 of the statement.

4 If I can ask you a little bit about that. I think  
5 it falls into two parts, essentially. One is you seek  
6 to give us some information about the position  
7 historically regarding preparation for leaving care and  
8 support and assistance for care leavers. Then you tell  
9 us, I think, in the latter part of that section a bit  
10 more about the Making Connections service and how it  
11 operates. So we can maybe deal with it in that way  
12 today if we can.

13 If we could begin -- and I think at 239 you do begin  
14 to set out the historical position regarding preparation  
15 for leaving care and the support and assistance that was  
16 given at the point of leaving care, and indeed after the  
17 point of leaving care. So you're trying to cover all  
18 matters; is that correct?

19 A. Yes, that's right.

20 Q. The information you're able to give or the general  
21 impressions you set out in this part of the statement,  
22 are these based essentially on your knowledge of the  
23 records that you've had to look at over the years from  
24 1994 through to indeed the present day, relating to  
25 children in the care of Barnardo's?

1       A.  Yes.  Everything that we know, really, we have gleaned  
2       from the records and from talking to people.  There is  
3       no single story for any child who grew up in Barnardo's.  
4       There is a massive amount of variation, but there are  
5       certain common threads that go through it, and in  
6       a sense it's those common threads that have been  
7       recorded here.

8       Q.  Do you feel, so far as the records go, not just the  
9       children's files but perhaps records more generally,  
10      do you have a good working knowledge of them, do you  
11      think?

12     A.  Yes.  I don't have as good a working knowledge as my  
13      colleagues who actually do the work on a day-to-day  
14      basis, but I manage them and I have done direct work  
15      with people too.

16     Q.  So far as Scotland is concerned -- and we've heard  
17      evidence about this -- while Barnardo's was founded  
18      in the 19th century, the Scottish operations really took  
19      off during the war, with evacuation centres and  
20      subsequently various residential homes in various parts  
21      of the country.

22     A.  Yes.

23     Q.  You tell us a little bit in the statement about what was  
24      said on the matter of aftercare in the Barnardo Book.  
25      I think the first one appeared in 1944 --

1 A. Yes.

2 Q. -- and the second edition in 1955.

3 A. Correct.

4 Q. Can you just tell us, just summarise, what the book was  
5 saying on that matter, if it's possible to do so in  
6 a few sentences?

7 A. I think what it illustrates is that Barnardo's was  
8 completely committed to the ongoing support of the young  
9 people, that it wasn't just a question of letting  
10 a child loose when they had grown out of the homes.

11 In fact, in the earlier days when Barnardo's had  
12 a legal responsibility for the young people, in other  
13 words had parental responsibility before the 1948 Act,  
14 our legal responsibility went up to the age of 21, and  
15 Barnardo's took that very seriously and did their best  
16 to support the young people. So what's laid out in the  
17 Barnardo's Book is clear guidance as to how that should  
18 be done and what the objectives of -- the support  
19 objectives were.

20 Having said that, I think the experience of each  
21 young person was very different. We meet people today  
22 who are quite surprised to find out that Barnardo's  
23 continued to support them, helped them get lodgings,  
24 helped them get the jobs, used to visit their employee,  
25 because they don't remember it that way. Sometimes they

1 will say to us, for example, "Oh, that's who that was,  
2 I didn't know he came from Barnardo's". So they were  
3 aware that there was somebody who was taking an  
4 interest, but didn't necessarily connect them with  
5 Barnardo's.

6 Some young people continued to stay in touch with  
7 Barnardo's, sometimes for positive reasons, because they  
8 felt that kind of connection and they felt there was  
9 some sort of almost parental affiliation there. For  
10 others, their reasons for keeping in touch were perhaps  
11 less positive, that they were always in trouble, they  
12 were often getting thrown out of lodgings and losing  
13 jobs, and needed ongoing support to keep getting them  
14 back on their feet again.

15 Again, a wide variety of experiences.

16 Q. But those that fell into the latter category would be  
17 a significant number, is that correct, that would  
18 require support?

19 A. It's very difficult to say. I mean, yes, we have nearly  
20 400,000 records and we're seeing upward of -- we're  
21 seeing about 200 people a year overall. Every  
22 experience is different. But, yes, there were  
23 a significant number who would struggle.

24 Q. Are you able to give me figures for Scotland or  
25 am I asking too much of you?

- 1 A. I don't have figures for Scotland.
- 2 Q. You're talking about 400,000 records over what period?
- 3 A. From the beginning.
- 4 Q. From the 1870s or thereabouts through to the present
- 5 day?
- 6 A. Yes.
- 7 Q. And that's across the UK operations as a whole?
- 8 A. Yes, and it includes the adoption records as well.
- 9 Q. Perhaps the point you were making about the attitude of
- 10 Barnardo's -- I think that you'll be aware that
- 11 Professor Abrams, who gave evidence this week, prepared
- 12 a draft report and gave some evidence about some
- 13 conclusions she drew from a more limited review of the
- 14 records. One thing she did pick out, and I don't need
- 15 to take you to it, I'll just give the reference:
- 16 INQ.001.004.0260. I think it is -- it was a statement
- 17 by the regional executive officer of Barnardo's in 1963.
- 18 I quote:
- 19 "When the older boys and girls leave our homes,
- 20 there is never any question of them leaving our care."
- 21 So does that perhaps capture what was understood to
- 22 be the continuing responsibility for those that had been
- 23 in the direct care?
- 24 A. Yes, absolutely. That's absolutely the case.
- 25 If I can bring it forward a bit into more recent

1 times, I think the existence of aftercare and then  
2 Making Connections is really indicative of the ongoing  
3 commitment that Barnardo's feels.

4 It's very different now, what we're able to provide  
5 is more limited because the majority of our resources  
6 have to go to the work that we're doing with children  
7 and families today. But there is undoubtedly --  
8 Barnardo's has continued that sort of ongoing  
9 commitment.

10 Children were told at the time that they belonged to  
11 the Barnardo family. That was a message that was  
12 repeated to them. Contrary to the way we would work  
13 today, that was often told to them to sort of reassure  
14 them that they didn't have to worry about whatever  
15 difficult past they'd come from any more, that they were  
16 now safe in the care of Barnardo's, and that is the  
17 message that they were given. Really, the aftercare  
18 service, through the ages, has been the place where that  
19 ongoing support has happened.

20 Q. When we use the term "aftercare" here, I suppose it  
21 breaks into three parts. In one sense there's a stage  
22 of preparation for leaving care.

23 A. Yes.

24 Q. There's the point of leaving care itself and what  
25 happens then.

- 1 A. Yes.
- 2 Q. And then the subsequent post-care period, particularly  
3 the immediate period.
- 4 A. Yes.
- 5 Q. Which is no doubt of great significance to  
6 a care-leaver.
- 7 A. Yes, which for a relatively small number of people has  
8 been a lifetime's ongoing commitment in one form or  
9 another.
- 10 Q. In this inquiry generally, care-leavers, some of them,  
11 have said that they didn't necessarily feel well  
12 equipped when they left care for the realities of life  
13 in the big wide world, even with some element of  
14 support. Is that in any sense something that surprises  
15 you based on your knowledge?
- 16 A. No, it doesn't surprise me at all. It was no different  
17 in Barnardo's than anywhere else in residential  
18 childcare. When you raise a child in a children's home,  
19 it's very difficult, particularly in the larger homes.  
20 How do you get across to them what the realities are of  
21 actually living and shifting for yourself in every small  
22 detail?
- 23 Q. I suppose one thing that has come out is that to a large  
24 extent in care settings, particularly historically,  
25 a lot was done for the children. They had a structure,

1           they didn't have to think about things like money or  
2           what they did next or how they did things.

3           A. That's correct.

4           Q. Was it any different in Barnardo's, at least  
5           historically?

6           A. No, I don't think Barnardo's differed from anywhere  
7           else, no.

8           Q. Is it possible from the historical records to ascertain  
9           how much preparation was done in relation to these  
10          practical matters of equipping you with life skills?

11          A. Well, compared with what we try to do for young people  
12          today, very little. But the expectation was that  
13          a young person would go into employment, perhaps if they  
14          were fortunate an apprenticeship, but by and large just  
15          a job with a local firm. And their accommodation would  
16          be lodgings and the expectation of the people providing  
17          those lodgings would be that they would provide  
18          everything that the young person needed.

19                 The issue of finance was quite significant and the  
20          young person's financial situation was monitored quite  
21          closely by the aftercare department. But landladies  
22          would often make contact with Barnardo's and say, you  
23          know, "He's ruined his only good pair of trousers and  
24          hasn't got enough money to buy himself any new ones, can  
25          you help him out?"

1           They had a very sort of, if you like, by today's  
2 standards, gentle introduction to coping with their  
3 finances because they were in lodgings which were being  
4 paid for.

5       Q. So the commitment onwards was, well, don't worry about  
6 things, just as we looked after you in care, we'll find  
7 you a job, we'll find you a place to stay, if you need  
8 some money to buy something we will be there to help  
9 you. Is that the way --

10      A. I think so, and you can learn slowly, in due course --  
11 because we're talking about 15, 16, 17-year-olds, you  
12 can learn slowly and gradually from the outside world.

13      Q. I suppose these youngsters who left care historically --  
14 we're used to people leaving school at 16 or even later,  
15 17, 18, but no doubt historically the school-leaving age  
16 was much lower.

17      A. It was 14. But the young people were encouraged to go  
18 into some kind of training.

19      Q. On leaving or before?

20      A. Before. Before leaving. For the boys there was the  
21 trade training school in Hertfordshire. For the girls  
22 there were various different types of training, eg in  
23 the very early days domestic service -- Barnardo's girls  
24 were quite highly prized in some of the best houses in  
25 England -- childcare, some sort of secretarial or

- 1 administrative training.
- 2 Q. Just to explore that a little bit if I may. Before,  
3 say, a boy or a girl left Barnardo's, the organisation,  
4 they might undergo that type of training at a particular  
5 place to equip them for taking up employment or a post  
6 when they left?
- 7 A. That's correct. When the official school leaving age  
8 was -- it was 14 in the very early days, then went up to  
9 15 and was only changed to 16 in the ...
- 10 Q. 1960s?
- 11 A. Late 1960s, early 1970s. I think.
- 12 Q. It was 14 during the war. It may have been 13 before  
13 then.
- 14 A. Yes. It was slightly different once the school-leaving  
15 age went to 16 because then that kind of training and  
16 preparation for leaving could happen in conjunction with  
17 the schools and so on.
- 18 Q. Just picking up on the point of perhaps pointing in the  
19 direction of more specialised training in a training  
20 centre, for example -- and I think there's been mention  
21 of them in the statement and no doubt elsewhere in the  
22 evidence we've heard. Were these training centres --  
23 there's a naval college or something that I can think  
24 of --
- 25 A. Two naval schools.

1 Q. Were all these centres based in England, largely?

2 A. Largely. The issue of child migration is a whole  
3 separate issue. When we migrated children to Canada,  
4 they would be trained when they got there in mainly  
5 farming and agricultural processes.

6 Q. If we leave that to one side. I have to say -- and you  
7 maybe don't know this -- we'll be having a study looking  
8 at child migration and no doubt that will feature, that  
9 process.

10 If we're looking at the situation where there's no  
11 migration beyond the UK but there is a form of migration  
12 from Scotland to England to attend training college,  
13 does it follow from what you've said, before the person  
14 left the care setting or at least the establishments run  
15 by Barnardo's, they could be in Scotland, but then if  
16 they wanted to go to naval college, they would have to  
17 uproot and go down to the college in England?

18 A. Yes, that's right. That's where the -- all the training  
19 establishments were in England.

20 Q. So although Barnardo's established a presence during the  
21 war and after the war in Scotland, they didn't at the  
22 same time set up training centres as such in Scotland to  
23 your knowledge?

24 A. No.

25 Q. I don't know if you're able to help me, but would that

1 mean that if a child or young person was brought up in  
2 Scotland for most of their life in a Barnardo's home,  
3 they might then go to England to train for a period,  
4 leave care, would they stay in England or would they  
5 come back to Scotland? Do you have any kind of feel for  
6 what the situation was?

7 A. I don't think I can honestly say that I do have a sense  
8 of what was the normal pattern, no.

9 Q. That's quite a significant move, even before leaving  
10 care, is it not, for some children and young persons?

11 A. Well, yes, except that the training establishments were  
12 as -- they were part of Barnardo's. You were still  
13 a Barnardo's boy when you went down to Goldings. In  
14 fact, the sort of Barnardo's ethos was even stronger in  
15 places like Goldings and the sea schools. So you were  
16 still very much helped.

17 Q. I suppose it might be said against that that you're  
18 uprooted from your normal environment where you're  
19 settled, in perhaps a rural location, then you have to  
20 go to not just to a city in Scotland but to somewhere  
21 down south, and that can be quite a challenging  
22 experience.

23 A. Yes, indeed. Yes, it would be.

24 Q. Is it possible, from the historical records, to  
25 ascertain how much say in real terms a leaver had

1 in relation to his or her future after leaving care on  
2 reaching the school age or as they were approaching it?  
3 How much in reality did they have a say in this process?

4 A. They were spoken with. There was discussion; I think  
5 the records do show that. How much actual sort of power  
6 a young person felt they had to say, "No I don't want to  
7 do that, I want to do this instead", or how much  
8 knowledge they would have of the range of alternatives,  
9 I don't know. But probably not a great deal.

10 Q. So in a sense, in real terms, there might have been  
11 quite a limited choice in terms of what they could do  
12 and how much influence they could bring to bear on the  
13 process of finding accommodation and work?

14 A. They would be -- yes, they would be reliant on the  
15 aftercare officers to help them in that process, and  
16 they wouldn't have any knowledge themselves of what the  
17 options were.

18 Q. We've sometimes heard in evidence, I think, that the  
19 person who was in overall charge of an establishment who  
20 had connections with employers, who might take on  
21 residents, could have some considerable influence on  
22 whether they were employed or not employed because they  
23 would be asked for their views as to the suitability for  
24 the work or things of that nature. So they could  
25 heavily influence whether a person went in one direction

1 or another.

2 A. They could. Yes, the knowledge and influence of the  
3 aftercare officer was quite considerable.

4 LADY SMITH: Would that really be any different from what  
5 would happen in a home setting with parents encouraging  
6 children to go in a particular direction on leaving  
7 school and not explaining what the options are and  
8 telling them that was the best thing to do for them?

9 A. There is a good argument for that. Young people at 15,  
10 16, really don't have the same range of awareness of  
11 their options. It's a very unusual teenager who knows  
12 "I want to do that and that's where I'm going".

13 LADY SMITH: Certainly historically, I'm sure we can see  
14 countless of examples of people having been more or less  
15 told, particularly by their father: this is what you're  
16 doing when you leave school, end of story.

17 A. Yes, I'm sure that's so.

18 LADY SMITH: Mr Peoples.

19 MR PEOPLES: But I suppose while that may be the situation,  
20 many young people, while they may not know all the  
21 options, can sometimes say, "I know that's what you want  
22 to do but this is what I'm going to do", so they do it.  
23 That doesn't seem to be the picture from the Barnardo's  
24 leavers: they went in the direction they were guided to.

25 A. They did initially go in the direction they were guided

1 to, but we also have examples from the records of young  
2 people who voted with their feet. I said earlier that  
3 some young people kept in touch with Barnardo's for  
4 months, years -- many years in some cases -- but others  
5 didn't. Sometimes young people would just move and  
6 Barnardo's would make efforts to try and find out where  
7 they were. Sometimes they would catch up with them,  
8 occasionally they never really did. So yes, young  
9 people did, as young people always do, decide, "No, I'm  
10 making my own decisions here".

11 Q. So far as their destinations were concerned, again  
12 harking back to Professor Abrams' evidence, she  
13 indicated at least from the review she conducted that  
14 typical destinations for care-leavers across the  
15 organisations we've been looking at might be places like  
16 the armed forces. Would that be true of Barnardo's?

17 A. Certainly, yes.

18 Q. Farm work?

19 A. Almost the whole range, I think, farm work,  
20 engineering --

21 Q. Domestic service for girls?

22 A. Domestic service for girls.

23 Q. Nursing, care work?

24 A. Childcare work, a few would go into -- would move from  
25 there into nursing perhaps, yes.

1 Q. And in the case of those with nursing care, who go into  
2 that area, would that also be sometimes with the  
3 provider themselves, Barnardo's or whoever it might be?

4 A. Yes. Some of the Barnardo's care-leavers, as it were,  
5 would go into Barnardo's own nursery nurse training  
6 establishments.

7 Q. Would it have been uncommon historically for young  
8 people in Barnardo's to come back and effectively work  
9 for the organisation, not just in nursing but in other  
10 capacities like house assistants or care assistants and  
11 so forth?

12 A. It was not unusual. It wasn't widespread, but if you  
13 think in terms of the kind of -- I hesitate to use the  
14 word institutionalisation because of its negative  
15 connotations, but Barnardo's was home, parent, family,  
16 for many young people who weren't in contact with their  
17 own birth relatives. So the attraction of coming back  
18 to work for Barnardo's was quite strong, I imagine, for  
19 some children.

20 Q. I suppose another area maybe -- and I'm thinking of the  
21 Borders, there's a number of establishments in the  
22 Borders. Would factories in the Borders historically  
23 have been a destination for some residents?

24 A. I can't say that I'm aware of that, but given proximity  
25 and patterns, then probably.

1 Q. Again, I am trying to get a general picture. Did  
2 leavers tend to stay in the locality of the home or go  
3 further afield? Obviously if they were trained, they  
4 would go to England, or if they had to train they might  
5 go down south. But generally speaking, did they stay in  
6 the locality or did they move away?

7 A. Again, a variety, but I would think that -- my sense  
8 is that they ... If there was a particular reason for  
9 them to move to a different locality -- and that reason  
10 could easily include the fact that that's where their  
11 birth family were and they wanted to start to strengthen  
12 connections with birth family members, then Barnardo's  
13 would go out of its way to try and find lodgings and  
14 jobs for them in that area.

15 Q. I think you have given an example of that in the section  
16 about a person who was temporarily in a hostel or some  
17 accommodation in Yorkshire and then went to --

18 A. Close to her mother, but then chose to come back to the  
19 area where she'd grown up in Barnardo's after her mother  
20 sadly died, yes.

21 Q. So far as destinations are concerned in terms of what  
22 they did, there's clearly two broad categories: they  
23 went to do some kind of work --

24 A. Mm-hm.

25 Q. -- or they maybe undertook some form of vocational

1 training?

2 A. Yes.

3 Q. How many historically undertook higher education?

4 A. A very, very small number. Going to university was  
5 a most unusual thing. We are in contact with  
6 a gentleman who became a neurosurgeon and was at a later  
7 stage in his life a member of Barnardo's Council. There  
8 are people who undertook theological training that we  
9 know about. There may be others that we simply don't  
10 know about. But a small number.

11 Q. These are a small number?

12 A. Yes.

13 Q. Is there an explanation for that that you can offer?

14 A. Um ... (Pause). Any explanation I can offer would be  
15 really apocryphal. I remember, for example, being told  
16 by a woman who had passed the eleven-plus to go to  
17 grammar school, but when she went to grammar school she  
18 felt totally unsupported in terms of getting time and  
19 space to do her homework in the particular home where  
20 she was.

21 There were a small number of children who went to  
22 grammar school and knowing what we know about the  
23 system, the education system, at the time, if you didn't  
24 go to grammar school then further education and higher  
25 education was really pretty much closed off to you. So

1 I think in a sense that's where the decisions were  
2 essentially made, as they were across the country, for  
3 kids taking the eleven-plus.

4 Q. We've heard evidence that Barnardo's increasingly took  
5 in children with complex needs, emotional problems,  
6 behavioural challenges, and so forth. Did that present  
7 challenges in terms of aftercare and how these children  
8 fared in life when they left Barnardo's?

9 A. Again, it's a varied picture according to where we are  
10 historically, what we're looking at historically. In  
11 the early days when Barnardo's were looking after  
12 children with disabilities, they would usually, whether  
13 it be learning disabilities or physical disabilities,  
14 they would most usually move on to another institution  
15 when they reached the end of their time in Barnardo's.  
16 I use the word "institution" sort of a bit guardedly  
17 because many establishments were trying quite hard  
18 to ... Establishments started out as being fairly  
19 institutional, but gradually changed and tried to  
20 normalise the lives of people with disabilities.

21 But in many instances Barnardo's continued to visit  
22 those young people when they went into institutions of  
23 different types. I can think of a village in Papworth  
24 in Cambridgeshire, a sort of community village, and when  
25 I first joined Barnardo's, we had aftercare officers

1           visiting a number of more vulnerable adults and there  
2           were a small handful of former Barnardo's children  
3           living in that village in Cambridge, for example.

4       Q.   So it wouldn't have been uncommon, given the profile of  
5           the children that were being taken in, for children to  
6           move on to other forms of institutional care?

7       A.   Yes.

8       Q.   Or, at the very least, not to be capable of independent  
9           living and requiring some kind of supported living  
10          arrangement?

11      A.   Well, that's correct, because that was the social  
12          context at the time, yes.

13      Q.   The other institutional setting that maybe comes across  
14          quite a lot -- and this is a reality, I think, from what  
15          we know of the prisons population -- is that a high  
16          proportion of the prison population have a care  
17          experience.

18      A.   Yes, indeed, that's true.

19      Q.   No doubt some have care experience with Barnardo's?

20      A.   Yes.

21      Q.   I'm not singling Barnardo's out, but that's a fact,  
22          isn't it? We know that.

23      A.   Yes, it's true.

24      Q.   There's a very high proportion, a disproportionate  
25          number who have a care background?

- 1 A. Yes.
- 2 Q. Going back to the historical position, was the general  
3 aim to provide continuing support routinely for the  
4 first 12 months and thereafter, as required, or if asked  
5 for? Would that be a broad division?
- 6 A. My sense is that it was longer than 12 months from  
7 direct reading of the records. But it really depended  
8 on how well the young person was coping.
- 9 Q. In terms of a more formal arrangement, at least it does  
10 appear from the evidence that you're giving that at  
11 least routinely there would be contact in the first  
12 12 months to ensure that the transition was going well  
13 or satisfactorily.
- 14 A. Absolutely, yes, initially quite frequent contact,  
15 I think.
- 16 Q. You also tell us, I think, in this part of the statement  
17 that there would be a degree of vetting of potential  
18 employers and accommodation for the leaver.
- 19 A. Yes. That's right, yes. I think probably by today's  
20 standards we might approach it differently but, yes,  
21 there were certainly employers that we -- when there  
22 were problems arising, we took a child out of there and  
23 we would make a note on the file that we weren't going  
24 to use that employer again.
- 25 Q. You also mention something that's described as a formal

1           farewell --

2           A. Yes.

3           Q. -- that seems to have been part of the process of  
4           leaving care.

5           A. Yes.

6           Q. Going back to Professor Abrams' review, I think, again,  
7           based on her limited records, her draft report was to  
8           the effect that it really wasn't clear how or if this  
9           occurred in Scotland. That was one of the things she  
10          said. But you tell us a little bit about what you've  
11          been able to glean from records as to what the farewell,  
12          formal farewell, may have involved. Can you tell us  
13          what you've managed to learn?

14          A. Yes. It usually involved an interview in the office  
15          with a fairly senior officer in Barnardo's. There would  
16          be a file on the child in front of the officer and the  
17          officer would talk to the young person about -- they  
18          would give them lots of advice about how to live their  
19          lives, but they would also refer back to the young  
20          person's file and talk to them about whether it was  
21          advisable or not to try and make contact with their  
22          birth family.

23                 Apocryphally, we hear stories about people being  
24          told, "You don't have anything to worry about, you come  
25          from good people", or, "Perhaps it wouldn't be very

1           advisable for you to try and make contact with your  
2           family". Really, those were the two options.

3           If there had been ongoing contact with the family  
4           throughout the child's period in care, then moves would  
5           be made to kind of make -- enable that young person to  
6           be back in touch if needed.

7           Q. But the formal farewell in that sense is having a sit  
8           down with someone in a senior position, it's not  
9           a farewell party or anything of that nature --

10          A. No, it's not.

11          Q. -- or preparing their goodbyes, talking to those that  
12          they made friends with and have formed relationships  
13          with? It wasn't that type of farewell?

14          A. No, it's a formal farewell, you know, by the  
15          organisation and assuring them that they are going to be  
16          there for them in the future.

17          Q. Because the reason I ask that is that in this case study  
18          as a whole we've heard some evidence from people in care  
19          who have said that they felt that the process of leaving  
20          some establishments was quite an abrupt one, that one  
21          day they were there, the next day they weren't, and they  
22          weren't really fully prepared and didn't get a chance to  
23          say all their goodbyes and get used to the idea they  
24          were leaving. Is there a suggestion that that could  
25          have been the situation in Barnardo's as much as

1           anywhere else?

2           A. Yes, I think so. The farewelling process that took  
3           place was not in the child's home establishment.

4           I don't think we have much information from the records  
5           about what may or may not have taken place in the home  
6           that the child was leaving. It's quite possible that  
7           there wouldn't have been very much.

8           Q. The other thing which you've said about farewell -- and  
9           this is perhaps quite a significant matter -- is you're  
10          suggesting that at that point, there might have been  
11          a decision to either give or withhold information about  
12          the family as part of the formal farewell process. It  
13          was at that point that information might be supplied or  
14          not supplied. If that be the case, that rather suggests  
15          that that information wasn't being provided during the  
16          period of care.

17          A. The information on the whereabouts of family would not  
18          necessarily have been provided during the child's time  
19          in care. That would depend on a number of different  
20          factors, not least of which would have been what were  
21          the circumstances that brought the child into care in  
22          the first place.

23                 Another one would be how much contact had taken  
24          place between the birth family and the child while they  
25          were in care. Another would be the child's inclination

1 and curiosity about who were their family and did they  
2 or didn't they want to be in touch. So again, a raft of  
3 different options.

4 Q. Can I take one possible scenario? Say a child at an  
5 early age was placed with Barnardo's because the mother  
6 was unmarried --

7 A. Yes.

8 Q. -- would there have been situations where that  
9 information would first have been given to the child on  
10 leaving Barnardo's? Is that possible or would they have  
11 been told before then about how they had come to be in  
12 Barnardo's? Can you tell from the records?

13 A. They would not have ... Yes, we don't have the sense  
14 that they would have been told routinely whether or not  
15 they were illegitimate. The term "illegitimate" is one  
16 that we're totally comfortable with these days and it  
17 matters not a jot, but back then, the use of the word  
18 "illegitimate" was fairly derogatory.

19 Q. I don't mean to use that term, I'm more saying: this is  
20 how you came to be here, every child has a birth mother,  
21 and --

22 A. Yes, children were not routinely told, but depending on  
23 if there was contact from birth relatives, then the  
24 young person would have been talked through that contact  
25 and that might include some information about the

1           circumstances that brought them into contact.

2           Q. The other point that crosses my mind is if you're  
3           leaving care with all the uncertainties that that's  
4           going to bring, you're suddenly leaving something you  
5           know to go to something you don't know, you're going to  
6           a new job, new accommodation, if you're also getting at  
7           that point new information about your family background,  
8           it's a lot to take in.

9           A. It would have been. I don't think it -- it certainly  
10          didn't routinely happen in that way that you just  
11          described, no. If the young person had information  
12          about their birth family it would have been either  
13          because a member of the birth family, perhaps the birth  
14          mother, had kept in touch and sent gifts throughout the  
15          period or something like that, or that the young person  
16          had expressed a real interest and it was considered that  
17          the young person could handle the information and that  
18          the contact could be a positive one.

19          Q. It's quite a paternalistic system?

20          A. It was very paternalistic. Barnardo's had made that  
21          commitment to the child that they were as a substitute  
22          family.

23          Q. I take it that we can -- can we take it that there was  
24          certainly no practice of giving leavers a copy of their  
25          records at the point of leaving?

1 A. Certainly not. The records were never written with the  
2 intention that the subject of the records would ever  
3 read them.

4 Q. But that position is rather different today?

5 A. Totally different.

6 Q. And maybe that brings us on towards the  
7 Making Connections service which you've told us about,  
8 which became Making Connections in 2007. You told us  
9 a little bit about how information would be provided to  
10 former residents historically. Can you just help us  
11 again on that? How was that done typically or what was  
12 the typical position?

13 A. Well, anything that they were given at the point of them  
14 leaving the homes would have been in the limited way  
15 I have described already. After that, again, it was the  
16 function of the aftercare department to be the point of  
17 contact for anybody who had spent time in Barnardo's  
18 care or indeed fully grown up in Barnardo's care.

19 There were aftercare officers who would respond to  
20 correspondence. People would write in for birth  
21 certificates, for example, because they wouldn't  
22 necessarily have all the detail they needed to get their  
23 birth certificate for themselves, so Barnardo's would  
24 supply a birth certificate. There were all sorts of  
25 different reasons why people might get in touch with

1 Barnardo's to find information about their background,  
2 which they hadn't grown up knowing.

3 The responses were very much on an individual basis.

4 Q. But did you say ultimately it was the organisation and  
5 the department that determined how much information  
6 would be released to the individual who had made the  
7 enquiry? They did some form of report and they would  
8 provide information, but they would decide ultimately  
9 how much they were prepared to say?

10 A. Yes, that's correct. Usually, the aftercare department  
11 would receive requests from people wanting family  
12 background information rather than information about  
13 their times in care. Another common request might be,  
14 "Oh, I grew up with this person in the home, he was with  
15 me for two years in such-and-such a home, are you in  
16 touch with him, could you put us in touch?" Again, the  
17 aftercare department would do that.

18 There was a whole range of different reasons why  
19 people might get back in touch with aftercare at that  
20 time, but not to give them information about what  
21 happened to them when they were in care.

22 Q. We have heard some evidence from people who have seen  
23 records, whether the full records or a limited set of  
24 records, that they've sometimes been quite surprised by  
25 what's in them.

- 1 A. Yes.
- 2 Q. Either there's not a lot in them or it's all very  
3 negative stuff and it doesn't seem to represent the  
4 person they believe they were.
- 5 A. Yes.
- 6 Q. Have you heard that often?
- 7 A. Very, very commonly, yes.
- 8 Q. Do you think that's a fair comment?
- 9 A. That the records don't reflect the young person's  
10 memories, yes.
- 11 Q. Or don't actually record the young person's experiences  
12 in the totality?
- 13 A. Certainly, because the records do not contain accounts  
14 of day-to-day life in the home or in the foster home.  
15 The keeping of daily logs and foster carer diaries is  
16 a relatively modern phenomenon. So the records will  
17 contain all the correspondence. Frustratingly,  
18 sometimes, answers to letters aren't kept. There are  
19 some -- there are definitely some gaps in the records.  
20 But correspondence will be there, annual reports will be  
21 there. From a later period the six-monthly reviews will  
22 be there. But it varies tremendously depending on when  
23 the person was in Barnardo's care, how much information  
24 will be available for them to see.
- 25 Q. Just in terms of Making Connections, you've told us that

1           that was the new name from 2007 --

2           A. Yes.

3           Q. -- but the service itself was running for a long time --

4           A. Absolutely.

5           Q. -- and would deal with requests for information in the

6           manner you've described?

7           A. Yes.

8           Q. But until around the time you joined Barnardo's there

9           was no practice of releasing the whole records on

10          request for --

11          A. At the point I joined was the point at which the

12          trustees had finally made the decision that they were

13          going to have open access to records and we started

14          doing that early in 1995.

15          Q. Can you tell me, if you're able, what the background to

16          that shift in policy was about release or access to

17          records?

18          A. Yes. The head of aftercare at the time I joined had

19          taken over in 1986 from the previous head of aftercare,

20          who had been in charge of the department for about

21          35 years, and the department had sort of not really

22          moved on very much. But when Collette Bradford joined

23          in 1986, she took a look around and started listening to

24          what the former -- we call them old boys and girls --

25          were saying to her. There were some very strong and

1 insistent voices saying, "We should have more".

2 So at that point, the service started to develop.  
3 Social workers were recruited for the first time because  
4 Collette felt very strongly that some of the issues that  
5 were being brought back by the old boys and girls which  
6 needed social work insights and skills to help them to  
7 look at and examine their past experiences. The process  
8 was that summaries of the records would be written, but  
9 they could be quite detailed summaries, you know,  
10 a couple of hundred pages in some instances, depending  
11 on the size of the file that they were presenting.

12 That was all quite labour-intensive. And during  
13 that period, 1986 to 1994, there was a strong -- there  
14 were a couple of very strong voices saying, "Hang on,  
15 these records are ours, they're about us, we don't  
16 really want them interpreted through your filters, we  
17 should be able to see them".

18 It was difficult because, as I said earlier, the  
19 records were never written with a view to being read by  
20 the subject. That's not what the records were for or  
21 were written for. So it was quite a long process of  
22 working out how this could become a real sort of  
23 service.

24 I think the Barnardo's trustees, when it was first  
25 put to them, were concerned about the content of

1 records, perhaps containing information about negative  
2 experiences, abusive experiences on Barnardo's part.  
3 However, the reality is that there is very little in the  
4 records that evidences directly that children were --  
5 some children were being abused.

6 Ultimately, the Barnardo's trustees made the  
7 decision in late 1994 to have open access and we  
8 introduced -- we recruited more social workers and  
9 introduced that service in early 1995.

10 Q. But were you getting by then -- and perhaps even in the  
11 period you've described, 1986 through to 1994 -- was the  
12 organisation getting feedback from former residents in  
13 one shape or another that not all the experiences they  
14 had had were happy ones?

15 A. Yes, yes. Again, very variable, but a small proportion  
16 of people were telling the organisation, telling  
17 aftercare, that things had happened to them that  
18 shouldn't have happened, yes.

19 Q. So for the first time they were making disclosures to  
20 the organisation that, say, abusive things had happened  
21 to them in some cases?

22 A. Yes, in some cases, yes.

23 Q. If I could ask you to see what connection, if any, there  
24 is between what you've described and certain  
25 documentaries that are referred to in the statement,

1           because I just want to be clear about this.  If we turn  
2           to page 88 of the statement -- I appreciate this is not  
3           in a section that you have personally contributed to and  
4           I'm not wanting to ask you to comment in too much  
5           detail, but what we're told at paragraph 347 -- and this  
6           echoes I think what you've already told us -- is that  
7           prior to -- sorry, I'll let you get to the page.  It's  
8           page 9712 of our numbering, page 88 of the statement:

9                        "Prior to 1995, if a former resident requested  
10           information about their time in care, they were given  
11           a summary.  If allegations of historic abuse were made  
12           prior to this time, it was noted in their records."

13                      That seems to be what is said is the practice prior  
14           to 1995?

15       A.  Yes.

16       Q.  In paragraph 348 it refers that:

17                      "In mid-1995, July, there were some documentaries  
18           about the work of Barnardo's, past and present, shown on  
19           the BBC."

20                      And the information we are being given in the  
21           statement is that:

22                      "By December the same year, Barnardo's had received  
23           4,000 enquiries for access to records from former  
24           residents.  When the documentaries were repeated in  
25           August 1997, a further 1,500 enquiries received.  It was

1           around this time that awareness of understanding of  
2           historic child abuse increased as did the number of  
3           allegations made against those working in residential  
4           homes."

5           Does that accord with your recollection of things  
6           at the time?

7           A. Yes.

8           Q. Am I right in thinking from what you've just told us it  
9           wasn't the BBC documentary that resulted in a decision  
10          to give full access, that had already been decided?

11          A. No, no. The Barnardo's decision to have open access to  
12          records was in a sense part of the reason for the  
13          documentaries. The story of the documentaries is that  
14          the BBC producer had actually come to look at the  
15          Barnardo's photographic archive with a view to producing  
16          something about Princess Diana, I think, but in the  
17          process was shown some of the older photos that are  
18          in the archive and was totally captivated, basically,  
19          and just became very sold on producing a series of  
20          documentaries about Barnardo's history.

21          It was a very difficult process because the way the  
22          BBC approached it was to advertise for people who had  
23          been in Barnardo's who would like their stories told in  
24          a documentary. Many people, 800 or so people, put their  
25          names forward and many people were interviewed by the

1 production team, but only a small handful were taken on,  
2 and the small handful that were taken on were people who  
3 were obviously going to make good telly, and that  
4 included a group who were in one of our homes where  
5 quite a lot hadn't been right for a while.

6 Q. A home in England?

7 A. A home in England, yes. So those people who did  
8 eventually take part in the documentary were rather  
9 traumatised by the BBC and although the BBC didn't  
10 really -- the production team didn't really want  
11 aftercare people to be involved, nevertheless the head  
12 of aftercare invited herself to be present when some of  
13 the filming was taking place and eventually was able to  
14 sort of forge relationships with these people who had  
15 been totally traumatised by the making of the  
16 programmes.

17 We did our best to try and support those  
18 individuals, but because the first two episodes of the  
19 documentaries were really extremely emotive and  
20 provocative, at the end of the programmes there was  
21 a support system put in place, which Barnardo's --  
22 various officers from all over Barnardo's helped to  
23 staff the telephones. At the end of the programme, as  
24 soon as the phone number was put up, all the lights just  
25 lit up and for days afterwards there were just enquiries

1 coming in. And because of the emotive nature of the  
2 documentaries, many of those enquiries were people who  
3 had experienced abuse in Barnardo's, so we had to learn  
4 very quickly how to respond to those people in an  
5 appropriate manner.

6 Q. So was this one way in which Barnardo's suddenly  
7 realised that there was quite a lot of people out there  
8 that felt that their experiences were in some cases  
9 abusive?

10 A. Yes. We knew there would be people who would respond.  
11 I don't think we knew quite how many would respond at  
12 that point. Of the 4,000 enquiries, I need to say that  
13 they weren't all people who had experienced abuse. Far  
14 from it. But we took a decision to prioritise everybody  
15 who made allegations of abuse, and, even so, it took us  
16 several years to work through all of those enquiries.

17 Q. I think that did lead, and I'm not -- I think this is  
18 something that your colleague can tell us about if  
19 necessary. That led to a series of actions being  
20 taken --

21 A. Yes.

22 Q. -- dealing with some sort of historical abuse  
23 implementation plan --

24 A. Correct.

25 Q. -- and appointments of various people for safeguarding

- 1           and other processes? It was the start, I think, of  
2           a process that's described in the statement.
- 3       A. Yes.
- 4       Q. So that would start to date the process and the  
5           significance of the BBC programme?
- 6       A. Absolutely.
- 7       Q. It wasn't to create full access to records, but it did  
8           create the need for a process to handle allegations of  
9           that type?
- 10      A. That's right. Because the documentaries -- where it  
11         links to access to records is the documentaries made  
12         a clear statement: Barnardo's has taken the decision to  
13         open its records.
- 14      Q. I was going to ask you that. Whatever else you think  
15         about the programme and how it was handled and how they  
16         handled those interviewed, it did make clear to those  
17         listening to the programme that Barnardo's had made  
18         a policy decision to allow full access to those that  
19         wanted to see their whole records?
- 20      A. Yes, that's right.
- 21      Q. So far as the material that's held by Barnardo's, quite  
22         a lot of archival is held by the Making Connections  
23         service, is it, or is it all of it?
- 24      A. It's all there, yes.
- 25      Q. We understand that, obviously, all the children's files

1           are held?

2           A. All the children's files are held. There are one or two  
3           small gaps that we have only learned about over the  
4           years. We know, for example, that during the war there  
5           was a bomb landed in Stepney, so there was some fire and  
6           flood damage there. But by and large, the sort of  
7           success rate of retaining the records has been quite  
8           high.

9           Q. So the service manages those historical records?

10          A. Yes.

11          Q. Current records are held presumably in different places?

12          A. The current records are generally held in the service.  
13          Since 2005, Barnardo's has -- most of Barnardo's records  
14          are kept electronically, but prior to that, there were  
15          paper records. So when we're looking for records,  
16          we have to know at what period we're looking because  
17          sometimes there will be a paper record and an electronic  
18          record.

19          Q. In terms of the archival material that's held by  
20          Making Connections, you told us about the children's  
21          files. So far as we are looking at other forms of  
22          records -- policies, procedures, whatever -- we've  
23          already heard evidence -- and you're probably aware of  
24          this -- that some perhaps quite important documents have  
25          not been retained for one reason or another over time.

1 So they're not held in archives?

2 A. Yes. Barnardo's Children's Services Department has had  
3 retention policies, clear retention policies, for quite  
4 some time, but Barnardo's organisation as a whole has  
5 not necessarily. So there has not always been a clear  
6 path for what happens to a record when it's done with  
7 and perhaps when a department closes or a department  
8 merges with another department. So yes, we have not  
9 always retained --

10 Q. I don't know if you were listening yesterday to  
11 Sir Roger's evidence. Obviously he has to some extent  
12 been a contributor to the statement, particularly about  
13 his period as chief executive and what was happening and  
14 how policies were formed and what they were dealing  
15 with. I think he expressed some surprise that there was  
16 no copy of his care and control policy as originally  
17 formulated by the Four Cs and drafted, I think,  
18 personally by him to some extent. Are you surprised  
19 that that wasn't kept or retained somewhere?

20 Do you have any comments to make about --

21 A. I can't really comment on that. In Making Connections,  
22 we're sort of more -- we research into what we think  
23 might have happened and we observe what has happened and  
24 make a note of it so that we can try and account for  
25 gaps as well as what we have.

1 Q. If then an allegation of non-recent abuse is received,  
2 and I don't want to go into the details, but so far as  
3 your involvement might be or your department, do I take  
4 it that the archives would be searched to see if there  
5 is anything of relevance to the allegation as a matter  
6 of practice now?

7 A. Up to a point. I'm not going to say that we do a major  
8 investigation into every single allegation that we  
9 receive. But before we receive an allegation, or during  
10 the course of our contact with somebody who's approached  
11 us for access to records, we will have the main piece of  
12 evidence, which is their record, and the experience of  
13 abuse will either be evident in the records or not, more  
14 commonly not. But then there will be evidence in the  
15 records which is circumstantial, which perhaps confirms  
16 that they were at a particular establishment, there  
17 might be the name of the particular member of staff on  
18 there -- or a peer if we're talking about peer abuse.  
19 So some kind of contextual evidence will almost  
20 certainly be available from the record itself.

21 The other main source for us that we use to help  
22 people when they make allegations is our electronic  
23 database, which is quite a complex database, which gives  
24 us some problems sometimes, but it is by and large  
25 fairly accurate. We have a member of staff who is

1 skilled in using the database and can, for example, if  
2 somebody comes to us and says that they experienced  
3 abuse at, let's say, Tyneholm, then that member of staff  
4 can go to the database and pull up everything that has  
5 been recorded about Tyneholm and that will pull together  
6 all the cases. We can then look into the cases and find  
7 out who the alleged abuser was in each case, the alleged  
8 perpetrator.

9 So what we can do is pull together information which  
10 enables us to go back to the victim who's just disclosed  
11 to us and say, "Actually, you weren't alone", and we  
12 don't give identifying detail, obviously, but we will  
13 say, "This is not the first time we have heard about  
14 this individual".

15 Q. You used the word "help". Do I take it then that the  
16 approach is to use these searches to see if there is  
17 evidence that will help the individual who has made the  
18 disclosure rather than finding evidence to disprove what  
19 is said?

20 A. Oh, we're not looking for evidence to disprove.

21 Q. It's to see if there's evidence that supports and  
22 assists?

23 A. Absolutely.

24 Q. And, in fact, maybe reveals more of a pattern --

25 A. Yes.

1 Q. -- that might be relevant to a criminal investigation?

2 A. Yes, absolutely, absolutely.

3 Q. Am I right in thinking -- and I think this is somewhere  
4 in the statement, I don't need to take you to the  
5 detail -- since about 2001 the policy has been to report  
6 all allegations of criminal behaviour --

7 A. Yes.

8 Q. -- to the police? I think we'll hear more about that  
9 maybe tomorrow if necessary.

10 A. Yes, that's correct. In a nutshell, Barnardo's was part  
11 of a group of children's charities known as the  
12 Big Five, which all got together and said, "What are we  
13 going to do? We're all experiencing these allegations  
14 and we don't think that we're responding adequately".  
15 The Big Five pulled together a set of principles and  
16 standards, which the safeguarding officer who was  
17 appointed -- the safeguarding lead who was appointed at  
18 Barnardo's in 1998 then took on board and appointed an  
19 assistant director to implement those principles and  
20 standards and that included the obligation to report  
21 information which could be used for a criminal  
22 investigation to the police.

23 LADY SMITH: Who are the other four charities?

24 A. Action for Children, NCH as was; the Children's Society;  
25 Save the Children, if I'm not mistaken; Barnardo's --

1 and who was the other one? Was it the Red Cross?

2 Sorry, my Lady, I can't remember.

3 LADY SMITH: I have a feel from that. What about the timing  
4 of this? Obviously, after 1998, or was it before 1998  
5 when the safeguarding lead took this on board? About  
6 what time did you get together and decide you had to  
7 have a common policy on how to deal with these  
8 allegations?

9 A. Well, during the course of -- from late 1998 to 1999.  
10 So that's when we started reporting on what we were  
11 receiving, the new allegations that we were receiving.  
12 But then, in 2000, we also made a decision to go back  
13 and review all those cases that we had been left feeling  
14 uncomfortable about and we reviewed every single case  
15 where allegations had been made and took decisions about  
16 whether we were going to revisit the person, contact  
17 them, with all that that involved, possibly bringing up  
18 more painful things to not much effect, or whether  
19 we were going to report them to the police.

20 MR PEOPLES: The five principles and organisations, it's all  
21 public record. I think I tried to do it, I haven't got  
22 it in front of me, but I think we can find who they  
23 were. They were well publicised?

24 A. Yes.

25 Q. Indeed, the appointment of a head of safeguarding or

1 a lead was 1998 for the first time; is that right?

2 A. No. A new head of safeguarding, sorry.

3 Q. I didn't follow that, sorry.

4 Just going back to Making Connections, because I'm  
5 almost finished, I think, with the questions I have for  
6 you. Obviously, one of the functions is to deal with  
7 requests for access --

8 A. Yes.

9 Q. -- which will involve full access to records. There's  
10 an indication that that will be done with the provision  
11 of support and counselling --

12 A. Yes.

13 Q. -- for no doubt reasons you've already touched upon  
14 about how it can be a traumatic experience to look at  
15 records, so you have this support mechanism in place --

16 A. Yes.

17 Q. -- that's available to someone who wants to see their  
18 records?

19 A. Yes. And again, there's been an evolution in practice  
20 because from 1995, we were so convinced of the  
21 importance of support that we actually insisted on  
22 face-to-face interviews with everybody that we shared  
23 records with. That often involved social workers  
24 travelling all over the country where people weren't in  
25 a position to travel themselves. We would cover the

1 costs of people coming down to see us. That was  
2 obviously more economical with our time, but more  
3 expensive in travel.

4 We were able to sustain that, if you like, condition  
5 up until the implementation of the Data Protection Act,  
6 which was I think finally in 2001, where we realised  
7 that of course this is somebody's absolute right, and if  
8 they absolutely refuse to come and visit us and meet  
9 with us to look at their records, then there was nothing  
10 we could do about it. So we then started, basically,  
11 working on our telephone counselling skills. The team  
12 had telephone counselling skills anyway because we did  
13 a lot of introductory work, follow-up work with people  
14 on the phone but now we needed to focus that more and  
15 our support is now largely telephone support.

16 We write a supporting letter which highlights for  
17 people perhaps what we think might be information of  
18 significance or difficulty and we have a totally open  
19 policy in terms of follow-up support: please contact us  
20 at any time that we can help you.

21 Q. So historically, before the data protection legislation  
22 and the rights of access to information, freedom of  
23 information legislation, the organisation's position was  
24 that the records were their records, they could give out  
25 such information as they saw fit to do to the

1 individuals in care, but once these pieces of  
2 legislation were passed, and perhaps also the Human  
3 Rights Act, all these things, did that lead to  
4 a significant shift in thinking, that these are their  
5 records, they're entitled, but we would like to offer  
6 the support --

7 A. I would say the shift in thinking was not around the  
8 Data Protection Act. The shift in thinking was around  
9 1995 -- 1994 leading up to that decision in 1995.

10 Q. This just reinforced the legal right to do that of the  
11 person making the request?

12 A. That's correct. There was no legal obligation on  
13 Barnardo's to give people access to their actual records  
14 prior to the Data Protection Act.

15 Q. But indeed, if they tried to impose conditions of access  
16 such as a formal interview, the Data Protection Act  
17 ruled that out as an inflexible process?

18 A. It just changed our thinking a bit. The bottom line,  
19 prior to the Data Protection Act, was that we did not  
20 refuse somebody access to their records if they weren't  
21 able to come. There were a few cases where we would  
22 arrange for records to be sent to perhaps a Barnardo's  
23 project local to them and for them to go in and pick  
24 them up and sign for them, that sort of thing. People  
25 had an absolute right to refuse our support and a few

1 did, but for the most part people were actually quite  
2 appreciative of the support they got.

3 Q. So far as support is concerned, finally, that's support  
4 in the context of accessing records that you may not  
5 have seen before or full records that you may never have  
6 seen, what about wider support for someone who comes  
7 along and wants their records against a background of  
8 saying, "I had a bad experience or an abusive experience  
9 in care"? Does the Making Connections service have  
10 other forms of support to cater for that scenario?

11 A. We have always had the possibility of helping somebody  
12 with counselling. Over the years, we have gained a lot  
13 of knowledge of what's available for people and we have  
14 a well-developed signposting system and our  
15 social workers will research what could be available in  
16 a person's home area to ensure that they get  
17 counselling -- and by counselling, I mean therapeutic  
18 counselling rather than what we call counselling, which  
19 is sort of advice, help, whatever's needed.

20 Where people have a need for therapeutic  
21 counselling, we will help them to try and secure that.  
22 Barnardo's hasn't provided that itself for the most part  
23 to people. We do, as a kind of -- what's the word --  
24 safety net, a sort of bottom ... we do subscribe to  
25 a national therapeutic counselling company called

1 CNLR Horizons. For the last two years, we've been  
2 subscribing to their service so that we have something  
3 available in the event that one of our service users  
4 comes to us and says, "I'm really in a mess, there's  
5 nothing in my area that I can access or I can afford",  
6 and we could use that if need be. But in the two years  
7 we've been subscribing to them, there's been nobody  
8 who's come forward and said, "I think you should get me  
9 therapeutic counselling".

10 Q. Does the organisation have a policy on how these  
11 services, if necessary, are funded?

12 A. The organisation has agreed to the funding of this  
13 service if it's taken up.

14 Q. If there's a local service that requires a payment that  
15 can't in other ways be met by the individual through  
16 either some state support or some other means of  
17 support, is the organisation in principle prepared to  
18 fund such services? I don't want to commit you to  
19 individual situations, but in principle is that an  
20 option that will be considered?

21 A. It's an option that will be considered, yes.

22 Q. On a case-by-case basis?

23 A. On a case-by-case basis in particular circumstances,  
24 yes.

25 MR PEOPLES: These are all the questions I have for you

1           today.

2           LADY SMITH: Can I just ask you about one thing to do with  
3           aftercare? Correct me if I'm wrong, but I think I have  
4           read it's Barnardo's that had or have a project entitled  
5           "spare room project" encouraging people to come forward  
6           who have a spare room in their flat, for example, and  
7           would be interested in taking on somebody ex-care as  
8           a flatmate. Is that Barnardo's?

9           A. You're talking about currently?

10          LADY SMITH: Yes.

11          A. I have heard of something along those lines, but I don't  
12          think I'm in a position to absolutely confirm it. It  
13          sounds like the kind of thing that Barnardo's might do,  
14          yes.

15          LADY SMITH: Right, thank you very much.

16          A. And it's an example of how we -- a lot of what we do  
17          today we were also doing many years ago in different  
18          ways.

19          LADY SMITH: It sounded quite imaginative and looking at  
20          what all sorts of current provision may be available to  
21          help young people coming out of care.

22          A. Yes.

23          LADY SMITH: Can I check whether there are any outstanding  
24          applications for questions?

25          MR JACKSON: No, thank you.

1 MR PEOPLES: These are all the questions -- I'd like to  
2 thank Kate for coming along today and answering the  
3 questions on this matter. Thank you very much.

4 LADY SMITH: Can I add my thanks to you, both for providing  
5 the section that you provided in the overall statement  
6 and for coming along to talk about your experience  
7 today. It's very helpful to me to have heard that and  
8 I'm now able to let you go.

9 A. Thank you.

10 (The witness withdrew)

11 LADY SMITH: That neatly takes us to 11.30, Mr Peoples.

12 We'll take the morning break now.

13 (11.30 am)

14 (A short break)

15 (11.50 am)

16 LADY SMITH: Yes, Mr Peoples.

17 MR PEOPLES: My Lady, the next witness to give oral evidence  
18 is David Beard.

19 DAVID BEARD (sworn)

20 LADY SMITH: Please sit down and make yourself comfortable.

21 If I can ask you to make sure that the microphone  
22 picks up your voice: we need to hear you through the  
23 sound system.

24 I'll hand over to Mr Peoples and he'll explain what  
25 happens next.

1                   Mr Peoples.

2                                   Questions from MR PEOPLES

3       MR PEOPLES:   Good morning.

4       A.   Good morning.

5       Q.   Do you have any objection to me calling you David?

6       A.   Not at all.

7       Q.   Can I just start with some introductory information?

8           There's a red file in front of you, David, that contains  
9           a copy of the Barnardo's statement, BAR.001.004.9717.  
10          That's our identification of it.  That copy is for your  
11          use today in giving evidence if you require to consult  
12          it.

13                 The statement will also appear in front of you on  
14                 the screen, so if you find it easier to work off the  
15                 screen at any stage, feel free to do so.

16                 You're here today really because you've contributed  
17                 at least one section to the statement I have just  
18                 referred to, which is to tell us a bit about some  
19                 current practices of Barnardo's in various matters.  
20                 That's what will be the focus of my questions today.  
21                 Indeed, I think if I could just identify at this stage  
22                 that the matters you're here to tell us about are  
23                 contained in the statement at page 93 through to  
24                 page 101, I think from about paragraphs 364 to 404.  In  
25                 our numbering it's 9717 through to 9725.  Those really

1 are the matters we'll focus on.

2 Can I also say this, that in that section and  
3 chapter of the statement, reference is made to various  
4 documents that were submitted to the inquiry as  
5 appendices to the statement. I think there are  
6 14 appendices in all with a variety of policies and  
7 guidance and forms and things of that nature, reports.  
8 Can I say at the outset that it is not my plan today to  
9 take you to the detail of these documents. We have  
10 them, I think they've been released, and obviously  
11 we can all read them.

12 What I would like to do today is to get some  
13 understanding, a general understanding, of the processes  
14 that are used in various situations by the organisation.  
15 That's really my intention today.

16 Can I take some preliminary information, David. How  
17 long have you been employed by Barnardo's?

18 A. I have worked for Barnardo's since 1998.

19 Q. What is your current role or position within the  
20 organisation?

21 A. I currently work as the head of corporate safeguarding.  
22 I have been in that position since November 2016. That  
23 means I have overall responsibility for safeguarding  
24 practice across the whole of the organisation, so that's  
25 both within children's services but also the other areas

1 of Barnardo's business, such as retail and fund-raising,  
2 et cetera. I hold responsibility within that for the  
3 policies and reporting procedures, for reporting those  
4 upwards as necessary to the corporate director  
5 responsible for safeguarding within the organisation,  
6 the chief executive, and ultimately the trustees.

7 I manage a small team of people at a head office  
8 level in London who have responsibility for  
9 safeguarding, complaints and some areas of children's  
10 services policies.

11 Q. I think maybe the best way for us to get a general  
12 understanding of how your current processes and policies  
13 work is probably for me to ask you a few "what if"  
14 questions. I think that's probably as easy a way as any  
15 to get an understanding of how things would operate in  
16 certain situations that you may be faced with today.

17 The first matter I think that you deal with in the  
18 statement is the matter of complaints --

19 A. Yes.

20 Q. -- and representations. That's, I think, starting at  
21 paragraph 366. I'd just like to ask you a little bit  
22 about that. There is a complaints process that  
23 Barnardo's have put in place and I think the current  
24 policy dates from August of last year.

25 A. That's when it was last reviewed, yes.

1 Q. I think you tell us that all your policies are subject  
2 to regular review and updating and revision, if  
3 necessary.

4 A. That's correct. Just to add something to that: the  
5 safeguarding policies are all annually reviewed. The  
6 other children's services or organisational policies are  
7 determined by a particularity of their review. The  
8 frequency of the complaints one would be every two  
9 years.

10 Q. Just by way of -- you tell us, before we look at the  
11 complaints policy as such, in paragraph 365 that:

12 "In 2016, for example, Barnardo's carried out an  
13 extensive consultation on the issue of reporting on  
14 allegations and incidents and made changes as a result  
15 of that process to the reporting process for serious  
16 safeguarding incidents."

17 So that's an example of --

18 A. That's an absolute example of our process, yes.

19 Q. And I'll maybe come to ask you a little bit about what  
20 serious safeguarding incidents involve in a moment.

21 So far as complaints are concerned, they would  
22 initially fall under the complaints and representation  
23 process in the policy that you refer to, starting at  
24 paragraph 366; is that correct?

25 A. Correct, yes.

1 Q. Is this what one might term a fairly generic policy to  
2 cover a range of situations, complaints, concerns,  
3 representations, a multitude of situations?

4 A. Absolutely. You sum it up well. It's entirely that.  
5 It's a broad children's services complaints policy. It  
6 also pertains to our work in family placement in areas  
7 where we're also involved in education, training and  
8 schools. It's a process, hopefully transparent, where  
9 children and young people are able to articulate any  
10 concern that they have, any complaints or indeed  
11 representation, should they wish to make something of  
12 a more positive nature about the service that they've  
13 been provided with to the organisation.

14 Q. If I'm asking you questions about complaints in  
15 particular today, can you perhaps bear in mind that what  
16 our interest in particular is perhaps a complaint by  
17 a child or young person in the care of Barnardo's  
18 currently about abuse or ill-treatment, particularly by  
19 a member of staff. That's the sort of situation that  
20 maybe you can keep in mind in telling us about the  
21 processes today. Because I appreciate the other forms  
22 of representation might raise other considerations.

23 If such a complaint is made, does it proceed under  
24 this policy or is there a distinct or discrete process  
25 that happens afterwards if you receive that kind of

1 complaint?

2 A. So if it's a complaint that's made that makes an  
3 allegation against a member of staff or a carer or  
4 volunteer working for or on behalf by a child or young  
5 person in our care, at the point of the initial stage,  
6 the point 1 which is covered in, I think, a later  
7 paragraph in the statement. At that stage, the  
8 consideration would be given as to whether or not it's  
9 of sufficient gravity that it should be immediately  
10 moved more into the policy for managing allegations  
11 against staff carers and volunteers who work for us, so  
12 moving from recognising and logging it as a complaint,  
13 but recognising that the process for investigation  
14 should actually be more formalised and therefore go  
15 through the allegations policy that is referenced later  
16 in the statement.

17 Q. Just take that scenario, just say that there's the young  
18 person in care, a complaint of ill-treatment or abuse is  
19 directed against a person currently employed by  
20 Barnardo's or at least works for them in some voluntary  
21 capacity. Is there any difference between the latter  
22 two situations?

23 A. No.

24 Q. Let's take that scenario then. The complaint is made,  
25 it's logged. What happens next in practice then? What

1           would be the next step if that's the type of complaint  
2           we're dealing with?

3           A.   Okay.  It would go through due managerial process.  
4           It would go through the service manager, the unit  
5           manager, for instance if it was in a residential unit,  
6           or his or her assistant director.

7                     At that point, a first decision would be taken along  
8           the lines I suggested -- if it was of sufficient gravity  
9           it should go down that allegation route.  It would then  
10          be notified through to myself as the head of corporate  
11          safeguarding and also through the equivalent HR  
12          processes in the regional or national area of the  
13          business considered for an immediate decision as to how  
14          that complaint/allegation is going to be managed going  
15          forward.

16                    So if you will, we hold an internal strategy meeting  
17          at that point to make a definitive decision about the  
18          next stage of the process.

19          Q.   So we have the complaint, the units involved in this  
20          stage, you're notified if it's this type of complaint,  
21          and then there's a decision taken as to -- does it  
22          involve an allegation, is that the first question?

23          A.   The question would be -- well, any allegation will be  
24          taken seriously irrespective of what it's saying.  So  
25          we will not be determining at that stage whether the

1 allegation is proven or not proven. It's a complaint  
2 ... which probably errs it into the side of being better  
3 investigated through an allegations policy.

4 Q. Say you characterise it as pretty plain on its face,  
5 that the complaint is characterised properly as an  
6 allegation of abuse or ill-treatment by a member of  
7 staff. Let's just take that simple situation. That's  
8 been determined, there's no real doubt about it.

9 A. Okay.

10 Q. So what happens next?

11 A. Then we will take the immediate next decision in respect  
12 of that person. So if it's an employee or a volunteer,  
13 a decision needs to be taken whether they need to be  
14 suspended from their duties, taken off their duties.  
15 A decision taken -- if it's an allegation undoubtedly  
16 we will refer directly to the police at that stage for  
17 investigation. The important thing is not to obviously  
18 prejudice any external investigation by entering too  
19 much of an internal process at that stage.

20 Q. Can I stop you there so we take this slowly just so we  
21 know -- an allegation of abuse or ill-treatment  
22 involving criminal conduct or potentially criminal  
23 conduct, it's reported to the police for them to make  
24 such investigation as they consider appropriate?

25 A. Mm-hm.

1 Q. You have to consider what you do with the alleged abuser  
2 who's working in the organisation -- say they're in the  
3 unit and have direct access to children -- are they  
4 automatically suspended pending investigation?

5 A. This would be suspended without prejudice pending  
6 investigations.

7 Q. It's not a disciplinary matter, it's just a suspension  
8 to allow the matter to be investigated?

9 A. Yes.

10 Q. Is that with the -- at least as a safeguarding measure?

11 A. Absolutely. The importance in this is obviously the  
12 safety of children and young people in our care.

13 Q. You have told the police. Does anything else happen by  
14 way of active investigation of the matter within the  
15 organisation while the police investigation is ongoing?

16 A. Not directly at that stage in terms of any formal  
17 proceedings because, as I indicated in the previous  
18 answer, that would clearly be prejudicial to any  
19 investigation. We would cooperate fully with police  
20 enquiries, so releasing information to them through due  
21 process. For instance, if it was in the residential  
22 unit we may have CCTV coverage that could be useful  
23 within that, so we would absolutely cooperate and  
24 we would -- sorry.

25 Q. You carry on.

1       A. We would wait then for it to be determined by the  
2           outcome of that as to what the next internal stages for  
3           us to take forward were.

4       Q. The police may approach you, with or without any  
5           necessary warrants to get any information that they  
6           require for their investigation, they may want to  
7           interview people, and you would cooperate in that  
8           investigation as an organisation?

9       A. Yes.

10      Q. But separately, would you be making any form of  
11         independent investigation either with a view to  
12         assisting the police or carrying through any process of  
13         your own?

14      A. It's sometimes a difficult balance to play in terms of  
15         that kind of decision-making as to what is the best  
16         thing to do. Undoubtedly, the assistant director or  
17         manager who had investigatory responsibility would  
18         probably be doing some discreet enquiries around the  
19         fringes to see if there was anything else we needed to  
20         know about. But as I said, that's a delicate one to  
21         balance in terms of, again, I use the phrase again, not  
22         prejudicing the external investigations.

23      Q. Would, for example, at that stage, you instruct a search  
24         of records held by the organisation, current records  
25         about the individual who's making the allegation about

1 the individual who's the subject of the allegation, and  
2 other relevant records? Would that be done?

3 A. We would do that. We would certainly cooperate with any  
4 request for that from the investigating police.

5 Q. So a police investigation, but generally speaking  
6 therefore any action other than of the action described  
7 you would hold in abeyance until the investigation  
8 reaches some conclusion?

9 A. We would be under a lot of persuasion from our human  
10 resources colleagues to not do anything differently,  
11 I suspect, in relation to that. The important thing is  
12 to safeguard the interests of children and young people.

13 Q. Let's keep on with this example. It's been reported to  
14 the police that there's been police investigations.  
15 There's two potential outcomes, I suppose. One is that  
16 the matter is reported for prosecution and a decision on  
17 prosecution is taken. So does that mean that the  
18 process remains in abeyance, if you like, or any action  
19 by the organisation pending these proceedings?

20 A. Pending proceedings, yes.

21 Q. The other broad scenario might be the police make an  
22 investigation and, for one reason or another, advise you  
23 that the investigation is concluded and there is to be  
24 no further action taken in terms of prosecution or  
25 otherwise?

1 A. Then we will still proceed with our internal  
2 investigation at that stage.

3 Q. So at that point, whatever action is taken by the  
4 external agencies, particularly the police or the  
5 prosecution authorities, once you know that they're  
6 finished with the matter, you will then conduct an  
7 organisational investigation --

8 A. Yes.

9 Q. -- separately?

10 A. Yes. Because we want to be absolutely sure from an  
11 organisational point of view that, irrespective of the  
12 outcome of the police investigation, we are satisfied  
13 that that person is fit and proper to continue to work  
14 with children and young people. We owe that both to the  
15 children and young people we are working with, but also,  
16 if that person leaves our organisation, that we're able  
17 to determine that in any ongoing reference as well.

18 Q. Would this further investigation involve making some  
19 decision or determination on the substance of the  
20 allegation?

21 A. Arguably, yes. If something came out that the police  
22 were not -- I'll answer it a slightly different way.

23 If something came out in our investigation which we  
24 felt had not been made known to the police for whatever  
25 reason, then our responsibility at that point would be

1 to report that back for the police for them to make any  
2 further consideration of the next action.

3 Q. If I take this example: the police may take no action or  
4 the prosecution take no action because there isn't legal  
5 corroboration, there's just the allegation and the  
6 enquiries have revealed there's not a sufficient basis  
7 to prosecute, the matter ends there from their point of  
8 view, it is back into your court, the allegation is  
9 still there, a person has made it. Presumably you have  
10 to then do something about it?

11 A. Yes. And if on the balance of probabilities we believe  
12 that it has happened, then we will take the appropriate  
13 action at that point and that may well be ending that  
14 person's employment with us.

15 Q. Before that stage is ever reached, would there be some  
16 form of both investigation and then some form of  
17 disciplinary proceedings --

18 A. Yes, yes.

19 Q. -- as part of the process?

20 A. Yes. Absolutely. I kind of gone straight to the end  
21 result to that missing the bits out in between. Yes,  
22 absolutely, there's an agreed disciplinary process to be  
23 taken forward.

24 Q. And that would involve taking account of what was said  
25 by the person making the complaint?

- 1 A. All of that, yes.
- 2 Q. The response of the person who's the subject of  
3 complaint?
- 4 A. Yes.
- 5 Q. And any other relevant information --
- 6 A. Yes.
- 7 Q. And then a judgement is made?
- 8 A. Well, a judgement is made. The person complained  
9 against can obviously appeal against that judgement and  
10 then it goes through normal disciplinary/HR processes.
- 11 Q. There is a process they can go through if they are not  
12 satisfied that they accept the decision as well?
- 13 A. Yes.
- 14 Q. The sort of thing you might find in any organisation  
15 where that sort of allegation made?
- 16 A. Yes.
- 17 Q. And who would generally, in the case of an allegation or  
18 a complaint about abuse or ill-treatment by a member of  
19 staff against a child or young person, investigate on  
20 behalf of the organisation?
- 21 A. Either the assistant director or regional -- national  
22 director level. It is determined by the position of the  
23 person in the organisation that was being investigated.  
24 So if it was a worker within a residential  
25 establishment, probably by an assistant director

1 independent of that establishment, so someone who hadn't  
2 had any prior contact.

3 Q. So anyone connected with the establishment is not  
4 involved in the investigation or conducts --

5 A. Once it moves into those formal processes, no.

6 Q. And if the allegation is against the head of the unit,  
7 then who would likely conduct the investigation and the  
8 hearing?

9 A. In all likelihood, a director from another regional  
10 nation, so if it was in Scotland, anyone other than the  
11 director in Scotland.

12 Q. And if it's a more junior residential care worker,  
13 perhaps in the basic level within the unit, who would  
14 generally conduct the investigation and then any  
15 disciplinary hearing?

16 A. So an assistant director but not one who had any direct  
17 line management of that unit.

18 Q. I have rather compressed that. The investigation would  
19 be one officer and the hearing would be by someone  
20 separately. The investigating --

21 A. I beg your pardon, yes.

22 Q. -- officer would present the case --

23 A. If it went on to the other stages.

24 Q. If it went that far. If it was considered after  
25 investigation that a hearing should be convened to look

1 at the allegations --

2 A. Yes.

3 Q. -- and make a judgement --

4 A. Yes.

5 Q. -- with a view to taking, if necessary, appropriate  
6 action including dismissal?

7 A. Yes.

8 Q. And meantime, when all this is happening, are we still  
9 in the situation where the person who is the subject of  
10 the allegation suspended pending these matters being  
11 resolved?

12 A. Indeed.

13 Q. Would they be redeployed?

14 A. Highly unlikely on the basis of a safeguarding  
15 allegation.

16 Q. Okay.

17 There's one thing I picked up from the statement,  
18 that for the purposes of your processes, a child or  
19 young person within Barnardo's is someone under the age  
20 of 16.

21 A. Yes.

22 Q. And a person, young person, in residential care in  
23 Barnardo's -- and I appreciate they've not got a large  
24 number of units now in Scotland, but they will have some  
25 and they will be people of different ages -- a person

1           between the age 16 or over and under 18, that person is  
2           treated as an adult for the purposes of your policies  
3           and procedures?

4           A.   Peculiarly, within Scotland, yes.

5           Q.   I'm just trying to establish that's how it's done.

6           A.   That's ...

7           Q.   I'm not trying to form any criticism.

8           A.   I know you're not.

9           Q.   So far as the processes you've just described that apply  
10          in the case of a complaint by a child or young person or  
11          made on their behalf, is that process in any way  
12          different depending on whether the person is treated as  
13          a child or an adult?

14          A.   No, not at all.

15          Q.   So the same would be done?

16          A.   Absolutely the same would be done.

17          Q.   So the fact they are just in different policies doesn't  
18          in a real sense make any difference to this situation?

19          A.   No.  It's a challenge of having policies that have to  
20          cover four nations' legislation that have slightly  
21          different determinants.

22          Q.   I appreciate that.  All I'm after is ultimately it's not  
23          making a material difference to the response or process?

24          A.   Absolutely not.

25          Q.   I'm not really worried about the technical reasons for

1           it, I just want to know what would happen if I was  
2           being -- if I wanted to know if I was that complainer  
3           what would happen, it wouldn't make a jot of difference  
4           if I was 15 or 17?

5           A. It wouldn't.

6           Q. Okay. So far as the process is concerned, going back to  
7           the complaints process, the general complaints process,  
8           I just want to know how in the context of complaints  
9           against residential care workers by children or young  
10          persons, how this process that you have set out with  
11          three stages of investigation -- does that apply at all  
12          then to this scenario?

13          A. Well, hopefully I clarified this in some of the previous  
14          answers. As soon as it's clear that the complaint is  
15          one of safeguarding allegation nature, it moves out of  
16          this three-stage process. This three-stage process is  
17          much better -- a much clearer process arguably for  
18          anything other than the allegations and safeguarding  
19          ones. That's the easiest way for me to describe it to  
20          you --

21          Q. That's what I want to know because I don't want to take  
22          up time getting a complete understanding of the process  
23          as we can read it ourselves. Basically what you have  
24          told us is what happens?

25          A. Yes.

- 1 Q. The three-stage process is a general process, but  
2 it would not be the process followed in the example  
3 I have given?
- 4 A. No.
- 5 Q. One thing, however, that the complaints process  
6 envisages is that a complainer who's a child or young  
7 person, whether making a complaint or representation,  
8 would have access to the services of an independent  
9 advocate --
- 10 A. Yes.
- 11 Q. -- under the general complaints and representation  
12 policy?
- 13 A. Yes.
- 14 Q. To give them advice, assistance, support, representation  
15 if need be, at any proceedings or hearings or whatever.  
16 How does that provision apply in the example I gave you?  
17 If the child or young person, 15, 17, whatever, has made  
18 a complaint or it's been made on their behalf and  
19 there's a process of investigation and possibly a  
20 hearing into the allegation, does that person have the  
21 services of this independent advocate through this  
22 process?
- 23 A. Absolutely. That's absolutely the right and appropriate  
24 thing to do, to support a young person through making --  
25 going through a very difficult and challenging process.

1 Q. And that would be including at the stage of any attempt  
2 to take detailed statements or a response to matters  
3 that come up in --

4 A. Absolutely, and as determined by the young person  
5 themselves as to who is the most appropriate person to  
6 support them.

7 Q. And any representation needed at, say, for example,  
8 a disciplinary hearing?

9 A. Indeed.

10 Q. You say the choice ultimately lies with the young  
11 person. What if they're quite young?

12 A. Well, it still has to be someone that they ultimately  
13 have trust and confidence in, who is known to them.  
14 Depending on their age, it could be a teacher, it's  
15 a trusted adult who they -- or trusted friend who they  
16 have confidence in and who can best advocate on their  
17 behalf.

18 Q. Who's independent of the organisation?

19 A. Who's independent of the organisation.

20 Q. Obviously, some of the possible candidates you have  
21 mentioned would not necessarily have trained advocacy  
22 skills. Does that matter?

23 A. I don't think so. When I say I don't think so, the  
24 ultimate test in this is someone who the young person  
25 trusts and they have confidence in, who will support he

1           or she in following this process through. Clearly, the  
2           idea would be that people would have advocacy skills and  
3           they would be trained as such.

4       Q. The reason I ask you is we know, for example, there  
5           would be organisations, and one that comes to mind is  
6           Who Cares? Scotland. One of their functions is,  
7           I think, to provide advocacy support to young people in  
8           care in one situation or another. Would that be the  
9           type of organisation that would be involved in this  
10          process?

11       A. Yes, absolutely.

12       Q. Or could be?

13       A. Could be, yes.

14       Q. And if a young child wasn't of an age to be able to  
15          express a view on what representation they needed, would  
16          that be a port of call by the organisation?

17       A. Absolutely it would be a port of call for that and any  
18          other government organisation yes.

19       Q. I think that sort of organisation provides advocacy  
20          workers who will represent children's interests at  
21          a variety of situations including, say, Children's  
22          Hearings --

23       A. Yes.

24       Q. -- and reviews of children's placements --

25       A. Yes.

- 1 Q. -- and other situations of important decision-making  
2 processes?
- 3 A. Yes.
- 4 Q. Is that your understanding of what they do?
- 5 A. Absolutely. It is important in having the voice of  
6 childhood in those decision-making forums.
- 7 Q. Under the general complaints process, there's a time  
8 limit for making complaints. What happens if there's  
9 a complaint by a child or young person that's made more  
10 than 12 months after the event or the alleged event?  
11 How is that -- is it a non-recent abuse point or is it  
12 dealt with under the process you have just described?
- 13 A. From my perspective, it would be dealt with under the  
14 process that we've just described. It would be dealt  
15 with on a contemporary basis. I think it's, again --  
16 we have spoken -- this is a generic policy. The  
17 12 months may well be an appropriate timescale to put in  
18 for some complaints, but clearly for ones of  
19 a safeguarding allegation nature, absolutely not, so we  
20 would follow through in terms of the process --
- 21 Q. So there's no rigidity in terms of classifications --
- 22 A. No.
- 23 Q. -- as to recent or non-recent in the case of children  
24 currently in care?
- 25 A. Yes.

1 Q. And they would be dealt with in a similar way regardless  
2 of the time that has elapsed if they're still in care?

3 A. Yes.

4 Q. Can we move to a different situation or scenario. What  
5 if there is an allegation of something that you would  
6 categorise as non-recent child abuse, historical child  
7 abuse that someone comes along and discloses or makes an  
8 allegation that something had happened to them? Can you  
9 describe what processes currently are followed in that  
10 scenario?

11 A. Just to clarify, we're talking about historical child  
12 abuse? I think that's what you are referring to. So  
13 a child or young person advises us of something that  
14 happened while they were in our care some years back?

15 Q. So you see this situation as confined to a former  
16 resident who was making an allegation about something  
17 that happened quite a long time ago?

18 A. Not necessarily, no.

19 Q. Okay. What situations are covered?

20 A. Sorry, I don't quite understand the question you're  
21 asking me. Can you re-ask me the question please so I'm  
22 absolutely clear?

23 Q. In what circumstances, for example, would the process  
24 that's set down for allegations of non-recent child  
25 abuse -- if we look at it this way: in what

1           circumstances, if any, would that process apply where  
2           the complainer is a child or young person currently in  
3           care?

4           A.   Currently in our care?

5           Q.   Yes.

6           A.   We would deal with it -- sorry, I understand now --  
7           through contemporary processes.  It would not be dealt  
8           with as a historic issue.

9           Q.   The process is confined to someone who is no longer  
10          in the care of Barnardo's but who was in the care at  
11          some point, whatever their age, and they're making an  
12          allegation about events that happened when they were in  
13          care with Barnardo's?

14          A.   Yes.  Sorry to --

15          Q.   No, no, I just want to understand.  So there is  
16          a separate process for that scenario?

17          A.   The former one we are talking about, the child who's in  
18          our care, we would deal with through current  
19          safeguarding practices and process.

20          Q.   But the person who is making the non-recent allegation  
21          who was in your care who comes along, what process is  
22          followed in that scenario?

23          A.   We follow that through the historical child abuse policy  
24          and process which is detailed within the statement.

25          Q.   Can you just help us in simple terms then what happens

1           then?  If you get an allegation that's categorised  
2           in that way what happens to that allegation?  What does  
3           the organisation do?  Essentially, what does it do  
4           differently to the process you described for the  
5           contemporaneous situation?

6           A.  Obviously, there are a number of issues within it.  One,  
7           we will clearly take that allegation seriously and  
8           promote the welfare of the person who's making that  
9           complaint to us.

10                 We also -- dependent on what the nature of that  
11           allegation is there may be some immediate safeguarding  
12           actions that need to be taken determining where that  
13           child or young person currently is, what he or she is  
14           saying about the alleged perpetrator.  So we need to be  
15           able to safeguard that child or young person with the  
16           local authority, police, et cetera.

17                 On the basis of that being an allegation against  
18           someone who we have confirmed was -- both that person  
19           was in our care and the person they're complaining about  
20           was a former or current member of staff, then the  
21           immediate action is to refer that matter to the police.

22           Q.  So it's no different to the other situation, the police  
23           get involved at the earliest stage?

24           A.  Absolutely.

25           Q.  Once you've confirmed that the person was a former

1 resident -- I suppose you might refer it anyway, if you  
2 weren't certain.

3 A. And we would, yes, clearly.

4 Q. Let's suppose you've done that and you have done it  
5 fairly quickly and you've determined that and you've  
6 determined that the person that's the subject of the  
7 allegation has a connection with Barnardo's as a current  
8 or former employee or volunteer, for example --

9 A. Then we would refer it to the police.

10 Q. So it's referred to the police, you've got the  
11 allegation, you've established the person making it was  
12 in the care of Barnardo's. Can we take, firstly, the  
13 situation where this person subject to the allegation is  
14 still employed by Barnardo's?

15 A. Still employed by Barnardo's?

16 Q. What happens then?

17 A. Similar to the process we discussed in the previous --

18 Q. Suspension?

19 A. Suspension.

20 Q. Let the police sort things out and wait until that  
21 process is completed and then revisit and make  
22 a decision on the whole matter?

23 A. We would have to. We would have to, yes.

24 Q. Which could result in dismissal, depending on what's  
25 made of the matter?

- 1 A. Yes.
- 2 Q. And regardless of what the police determine in relation  
3 to their processes?
- 4 A. No different to the process we have discussed  
5 previously.
- 6 Q. Okay. The second situation in that is where the person  
7 who's the subject of the allegation is a former employee  
8 or volunteer who worked for Barnardo's in the past. How  
9 does the process differ?
- 10 A. Well, clearly, again, we would be cooperating with the  
11 police in terms of releasing information to them,  
12 et cetera. We would be part of that decision-making  
13 process. Dependent on what the police were determining  
14 at that stage, we may make some decisions anyway to be  
15 looking back retrospectively at our records in relation  
16 to that person as well. We've got evidence of  
17 situations where we have done that, where issues have  
18 arisen, been reported to the police about actions of  
19 a former member of staff. We've taken -- once the  
20 police investigations have been completed, irrespective  
21 of the outcome, we will take our own internal review of  
22 process at that stage.
- 23 Q. That's what I was going to ask you. In this scenario  
24 where the former member of staff, the police are  
25 investigating the matter and, for one reason or another,

1 determine not to take any further action in the form  
2 of -- and there's no proceedings and the matter is  
3 closed from that standpoint, you as an organisation  
4 still look at what action needs to be taken by the  
5 organisation?

6 A. That's been our practice in the last two to three years.  
7 Certainly in my time in this post that's the process  
8 that we've taken forward, so that we can be clear in  
9 terms of both lessons learnt from this process for us,  
10 but also were there times when something was triggered,  
11 so when something was made aware to us and we didn't --

12 Q. Pick it up?

13 A. -- yes, trigger a response.

14 Q. Or make an appropriate response?

15 A. Exactly.

16 Q. So you still review the situation regardless of what the  
17 external agencies have decided?

18 A. It's important that we do that for purposes of lessons,  
19 learning lessons, maybe varying policy and process  
20 in relation to this. One of the things that we've done  
21 in terms of varying one of our investigatory processes  
22 is, for instance, to follow things through in relation  
23 to this, not to -- because the person's left the  
24 organisation, the police have decided there's no case to  
25 follow, drawing the line under it at that stage.

1           Arguably, we're not doing a thorough enough job on that  
2           in terms of the child or young person who's made the  
3           complaint. But also assuring ourselves if that person  
4           has moved on to another organisation, are we confident  
5           that the information that has followed that person is  
6           appropriate, particularly if they've moved into another  
7           childcare organisation.

8           Q. So you're reviewing the whole matter and looking at the  
9           person who makes the complaint and has disclosed it to  
10          you and what action, but also looking at the  
11          organisation's performance, if you like, historically  
12          and whether something should have been picked up,  
13          whatever?

14          A. Could we have done better.

15          Q. One thing you haven't told me yet is, so far as the  
16          allegation itself is concerned, since you don't have  
17          a current employee and you can't submit that person to  
18          a process if they're alive, do you ever take steps to  
19          investigate with a view to determining the allegation on  
20          the balance of probabilities?

21          A. We have done, yes.

22          Q. Does that depend on whether the person that's the  
23          subject of the allegation is known to be alive or is  
24          known to be deceased?

25          A. Certainly the incidents that spring to mind as we're

1           having the conversation would certainly be people who  
2           are alive and operating somewhere.

3       Q.   So you'd still want to make the investigation and form  
4           a conclusion?

5       A.   Yes.

6       Q.   Say you concluded that that person, on the balance of  
7           probabilities, had abused the complainer in the way  
8           that is described and they're known to be alive, what  
9           action would you take in those circumstances?

10      A.   Then we would be considering making a referral onwards  
11         to regulatory bodies in Scotland, SSSC --

12      Q.   Just to alert them to your findings?

13      A.   I think in terms of being transparent and honest, that  
14         would be the correct thing to do.

15      Q.   I didn't ask you this in detail, we've already touched  
16         on this with the previous witness, but if we go to  
17         page 95 of the statement, page 9719 of our numbering,  
18         in relation to historical abuse allegations, at  
19         paragraph 375, you set out five governing principles.

20      A.   Yes.

21      Q.   I think we have heard some evidence already that these  
22         are principles agreed with other major children's  
23         charities. So these are common principles that have  
24         been agreed amongst the five parties to this agreement?

25      A.   Correct.

1 Q. Just to be clear, principle 1 is that:

2 "Barnardo's listens to, takes seriously and acts  
3 in relation to allegations of historical abuse."

4 So the first principle is listen, take seriously and  
5 take action?

6 A. Yes.

7 Q. The second principle is:

8 "Barnardo's promote the welfare of former service  
9 users who allege historical abuse."

10 What is that principle intended to ensure?

11 A. Well, I have no doubt you have just touched on this with  
12 the previous witness. However, the importance of this  
13 is -- children and young people who have been in the  
14 care of Barnardo's, if they have suffered abuse then  
15 we have an organisational responsibility to support them  
16 and investigate it. Because if they have had  
17 a negative experience in our care, it's something that  
18 we have responsibility to own, to investigate, to  
19 apologise for if it's proven, and to follow them  
20 through. So supporting them, arguably following the  
21 Dr Barnardo principle for life is something that  
22 we would continue to do.

23 Q. So the support is not confined to support during the  
24 processes that might take place following the allegation  
25 being disclosed, both organisational processes and

1 external processes, it's support more generally?

2 A. Yes. Hopefully, it sounds like a cliché, but I think  
3 it's actually reality, an open door to former child and  
4 young people in our care that's something we've done  
5 throughout our history.

6 Q. Then principle 3 -- I might as well go through them with  
7 you, just because I don't think we've brought them out  
8 yet:

9 "Barnardo's safeguards children who may currently be  
10 at risk from alleged perpetrators."

11 So when you receive an allegation of this kind, you  
12 are also considering the safety of children who may  
13 currently be at risk, whether within the organisation or  
14 anywhere?

15 A. Absolutely. So if we have a sense from the information  
16 that we are receiving there are children and young  
17 people in the proximity of that perpetrator, wherever he  
18 or she is living or working, et cetera, we would report  
19 that appropriately to the authorities.

20 Q. That may mean notifying various bodies of the existence  
21 of the allegation and any findings you make?

22 A. Well, at that stage if we had concerns around the  
23 welfare of children and young people, we would make that  
24 child protection referral immediately.

25 Q. To whom?

1           A. To the local authority in the area where both the --  
2           well, most probably where the perpetrator was working or  
3           operating or living. But also arguably where the  
4           complainant was -- to try and give a "what if" scenario,  
5           so if the person making the allegation had children of  
6           their own and was saying that the perpetrator was still  
7           seeking to have contact, then we would clearly want to  
8           make contact with the local authority in which the  
9           complainant was living. I hope I've made that clear.

10          Q. So you're looking at all the possible children, or  
11          indeed any vulnerable person who might be at risk, based  
12          on the allegation?

13          A. Yes.

14          Q. And you're trying to ensure that that risk is -- you are  
15          making people aware of the risk and that some steps are  
16          taken to assess if there's a current risk?

17          A. Yes. The safety principle is paramount.

18          Q. Principle 4 is:

19                 "Barnardo's shares information carefully and makes  
20                 decisions based on legal and best practice  
21                 requirements."

22                 I just want to be clear: is the underlying rationale  
23                 that it's important that information is shared with  
24                 relevant agencies but whilst taking account of all  
25                 relevant legal rights?

1 A. Absolutely, yes.

2 Q. I know it's a tricky balance, but I think we know what's  
3 there. Obviously there are various rights in play here.

4 A. Yes.

5 LADY SMITH: Can you confirm that decisions in that  
6 principle refers to decisions about whether or not to  
7 share information or is it meant to go wider than that?

8 A. No, it's the former, not the latter.

9 LADY SMITH: I thought so. One interpretation of it could  
10 be the latter. Thank you.

11 MR PEOPLES: I suppose historically one issue that may have  
12 arisen is the extent to which organisations who receive  
13 allegations, whatever they do internally, have not  
14 always shared the allegations or any findings that they  
15 made in relation to them with other agencies  
16 historically. I'm not asking you to comment on  
17 specifics, but I think that's something that must be  
18 within your general knowledge, that these situations  
19 have arisen.

20 A. Yes. That will and has been the case in the past.  
21 I would hope, and certainly in terms of Barnardo's, that  
22 it wouldn't be current practice.

23 Q. And the idea is you share the information with people  
24 who need to know or should be informed, having regard to  
25 obviously --

- 1 A. Yes.
- 2 Q. -- any legal requirements?
- 3 A. My own personal view on this is that safeguarding trumps  
4 everything else when it comes to this matter and that's  
5 the view I think that's held within the organisation.
- 6 Q. So rather share --
- 7 A. Share and take the consequence, frankly, rather than  
8 share and take a consequence of harm to children and  
9 young people.
- 10 Q. Don't make fine legal judgements and if it's important  
11 to share, get the information out?
- 12 A. That's my view.
- 13 Q. Okay. That's the current approach?
- 14 A. Yes.
- 15 Q. Principle 5, I think, is perhaps directed at a slightly  
16 different situation:  
17 "Barnardo's provides information to ex-staff members  
18 about the process of investigations."  
19 Is that a principle that's really meant to ensure  
20 the interests of the person accused are taken proper  
21 account of?
- 22 A. Absolutely that, yes.
- 23 Q. So these are common principles that you and some other  
24 major charities have agreed are appropriate principles  
25 in this context?

1 A. Yes.

2 Q. Can I come back to a matter which we touched on before,  
3 and it's the concept of serious safeguarding incidents.  
4 We've left complaints to one side at the moment, whether  
5 non-recent or recent or contemporaneous. This embraces  
6 what? What's intended -- what's the concept of  
7 a serious safeguarding incident or an SSI, as I think  
8 it's called sometimes?

9 A. That's our acronym for it.

10 Q. We can use that. I don't want to keep using the phrase  
11 all the time. SSI: what's the concept?

12 A. It's important in answering this that I contextualise.  
13 We spoke earlier on about decisions that were made in  
14 2016 to do a fundamental review of our safeguarding and  
15 reporting policies. One of the decisions that we took  
16 at that stage is that we wanted to -- we had previously  
17 had a reporting process internally which was both for  
18 those matters which were determined as serious  
19 safeguarding incidents -- and I will explain what I mean  
20 by that in a minute -- and the allegations were all  
21 reported in one format. It was really a one size and it  
22 really didn't fit anybody particularly well.

23 What was clear from the work that we did internally  
24 at that stage was that there was a confusion within the  
25 organisation and employees within the organisation as to

1 what areas they should be reporting and in what format.

2 So we made a decision at that stage to split. We  
3 split it into a process for allegations against adults  
4 who work for and on behalf of Barnardo's, which clearly  
5 is a serious safeguarding incident per se, and I'll come  
6 back to that in a minute as well. Then other areas  
7 which are outwith the day-to-day child protection  
8 concerns that any of our services will be dealing with  
9 and which will be managed through our safeguarding  
10 policies and procedures as the inquiry has had sight of.

11 However, there are clearly a number of areas where  
12 the safeguarding concerns are of sufficient severity  
13 that, for a number of reasons, they need to have a more  
14 senior oversight within the organisation. Senior  
15 oversight through myself and then senior oversight, as  
16 appropriate, up through the structures within the  
17 organisation, and arguably to external regulators as  
18 well.

19 So we have determined a number of broad category  
20 areas of which we determine serious safeguarding  
21 incidents. Clearly that doesn't mean that any  
22 safeguarding incident is not serious. Any incident is  
23 serious. Our procedures are very clearly on the  
24 responsibilities that staff have to report and to take  
25 every child protection concern and allegation seriously.

1           However, there are areas which we determine that should  
2           be internally escalated through our SSI process.

3           Q. Right. Can I ask you then, with that background and  
4           explanation, just to be absolutely clear on the question  
5           of what constitutes an SSI.

6           A. Yes.

7           Q. Does it include all occasions, for whatever reason or  
8           cause, a child suffers harm or injury whilst in the care  
9           of Barnardo's or the residential -- let's talk about  
10          child in residential care. If they suffer harm or  
11          injury, whatever the reason or cause, would that always  
12          be an SSI situation?

13          A. In the residential situation, and indeed in the family  
14          placement situation, yes, it would.

15          Q. Okay.

16          A. The reasons for that is because, arguably, the injury to  
17          that child or young person could be as a result of the  
18          fault of the individual member of staff, the carer  
19          responsible for that child. Could arguably be.

20          Q. Yes. The injury might not be intentional but it could  
21          be the result of a bad practice, for example?

22          A. It could be bad practice.

23          Q. Or inappropriate practice?

24          A. Breach of policy, potentially inappropriate management  
25          of a particular situation in terms of managing

1           challenging behaviour, et cetera. If it was use of  
2           restraint, restrictive physical intervention, then  
3           absolutely it would result in an SSI.

4       Q. So restraint situations which result in injury are SSIs?

5       A. Anything that requires -- anything by which a service  
6           ... has been required to issue a restrictive physical  
7           intervention in order to manage a situation would result  
8           in an SSI being reported. Certainly anything which, as  
9           I think you said, created an injury or something,  
10          absolutely.

11      Q. Maybe just seeing if -- is there a necessity for injury  
12          or harm? What if there's a restraint situation where  
13          restraint is used but there's no clear or obvious  
14          injury? Is that an SSI?

15      A. So the behaviour management policy, which determines how  
16          those are managed, also says very clearly when  
17          a restrictive physical intervention is used as part of  
18          restraint, then an SSI should be completed as well, and  
19          that is the case.

20      Q. So really, the injury clearly that raises an extra  
21          consideration, but restraint itself is an SSI situation?

22      A. Because we want to have an analysis of, thankfully, in  
23          modern type practice, the fairly limited times when it  
24          has to be used, but we need to know where it is being  
25          used, the reasons why it's being used, it's the lessons

1           again to be learned from this. Is it about lack of  
2           understanding of individual members of staff in the  
3           training that they've received? Et cetera. There will  
4           be a range of issues. It needs to have senior  
5           management oversight as well.

6           Q. Again, just so that we're clear about the scope of the  
7           SSI, I think you've said this, but I just want to be  
8           absolutely clear, that an SSI would include all  
9           allegations of ill-treatment or abuse alleged against  
10          members of staff in a residential care setting?

11          A. Yes.

12          Q. Or volunteers in that setting?

13          A. Either.

14          Q. If the abuse happened to a child or young person in that  
15          setting but the alleged abuser was someone who is an  
16          external adult, whether it took place in the setting or  
17          outwith the setting, would that be an SSI?

18          A. Absolutely.

19          Q. So all these situations would be covered?

20          A. Yes.

21          Q. And would be part of the process?

22          A. Yes.

23          Q. And in terms of what the implications of being an SSI  
24          are, is the process such that such incidents must be  
25          reported within 24 hours?

- 1 A. It is.
- 2 Q. Where they are reported within the time limits, what  
3 happens after that? Will you always get a report on  
4 an SSI?
- 5 A. Well, I always get a report on an SSI, absolutely. They  
6 all come through me.
- 7 Q. So you will always be assessing each SSI incident and  
8 judging what actions are being taken or what further  
9 actions need to be taken and so forth?
- 10 A. I do.
- 11 Q. So it is not just left to those below you to determine?
- 12 A. No, I see them all. Others may view I'm somewhat  
13 controlling in respect to that, but I do and I think  
14 it's the right thing to do.
- 15 Q. Are there a range of responses to reports of an SSI that  
16 you would consider when you see them? Can you give us  
17 an idea of the sort of responses?
- 18 A. So I will determine whether the immediate actions are  
19 the appropriate ones that have been taken. So for  
20 instance, if there's been a injury to a child or young  
21 person, has the necessary medical treatment been  
22 provided? Has hospitalisation occurred if necessary?  
23 Have the authorities been informed? If that child has  
24 a social worker -- and arguably in the residential  
25 situation they would have -- the local authority

1 social work department has been informed as well.  
2 Alongside that, if it's a significant allegation against  
3 a member of staff of ill-treatment, what immediate steps  
4 have been taken? I'd be doing that kind of, if  
5 you will, initial analysis of the outcomes, immediate  
6 outcomes, from the actions that have been taken, with  
7 obviously the eye to has the welfare of that child or  
8 young person been properly considered in respect of  
9 that.

10 Then we --

11 Q. Are you assessing the risk that that person might pose?

12 A. Well, absolutely assessing risk that that person might  
13 pose. So we may be saying at that stage, if you haven't  
14 already, then we need to have that strategy meeting  
15 I spoke about earlier, strategy discussion to determine  
16 the next stages. If it's an investigation against an  
17 allegation rather against a member of staff, what are we  
18 doing? So have you suspended that member of staff, when  
19 are they next on on shift, what's your intention if  
20 you haven't suspended them in terms of being next on  
21 shift, et cetera? Just so we are clear in terms of  
22 those immediate next steps.

23 Q. So there could be a process of investigation and  
24 disciplinary hearings and various actions, suspension  
25 and all that kind of thing in the context of an SSI,

- 1           depending on the nature of it?
- 2       A.   Yes.
- 3       Q.   But you're considering other actions including the risks  
4           that might be posed by the particular incident?
- 5       A.   Yes.
- 6       Q.   If it is involves a member of staff where there's some  
7           safeguarding concern, a serious safeguarding concern,  
8           is that automatically reported to the SSSC, the Scottish  
9           Social Services Council, who regulate the workforce?
- 10      A.   I am not confident enough to say to you at that point of  
11         the initial SSI that it would have been done.  But  
12         certainly if it hadn't been done by the time of that  
13         report, I would be saying, for instance, "You need to  
14         report this to the SSSC".  If it is in a regulated  
15         establishment to the Care Inspectorate (Scotland),  
16         et cetera.  Any other regulatory bodies that need to be  
17         involved, they need to be involved at that stage.
- 18      Q.   So the system -- we've already talked about reporting to  
19         the police.  The arrangements are such that you have to  
20         then look at what other bodies either expect or perhaps  
21         require you to notify them.  So do the  
22         Care Inspectorate, if it is a residential care  
23         establishment, and the SSSC, if it's a worker that's the  
24         subject of the incident, do they both require Barnardo's  
25         to notify them of all incidents?

1 A. Care Inspectorate certainly require us to notify them of  
2 those. SSSC probably require more at the point of a  
3 final outcome. The expectation in terms of good  
4 practice would be something I would --

5 Q. Would you tend to notify even before you reach an  
6 outcome?

7 A. Yes, the default position would be that.

8 Q. And do these bodies tend in these situations to involve  
9 themselves at the initial stage or do they hold back and  
10 see what you do?

11 A. The latter most probably. In terms of  
12 Care Inspectorate, I think they would be more -- if this  
13 was a pattern of reporting from a particular unit and  
14 perhaps in previous inspections they'd had concerns  
15 around safeguarding practice and that had been  
16 referenced, I'm sure they would be much more proactive  
17 than if it was perceived as, for want of a better  
18 expression, an isolated incident.

19 Q. But I suppose this system of both the reporting within  
20 the organisation of SSIs but also the notification to  
21 external bodies like the Care Inspectorate or SSSC  
22 allows not just you to build up a general picture of  
23 what's going on within the organisation and can analyse  
24 that and see if there's any disturbing trends --

25 A. Yes.

- 1 Q. -- but it provides those external bodies with  
2 intelligence that allows them to carry out their work  
3 more effectively and carry out the inspections and  
4 regulation in a more effective way? Is that the  
5 thinking?
- 6 A. Absolutely, and hopefully a degree of assurance in us as  
7 an organisation that we are responsible and understand  
8 our safeguarding responsibilities as well as the  
9 regulatory requirements.
- 10 Q. You mentioned restraint, which could -- would generate  
11 an SSI. I think you said in passing that the  
12 organisation does have a specific policy on restraint --  
13 or does it? I'm sorry.
- 14 A. No. We have a behaviour management policy with --
- 15 Q. Can you just help me: I take it that's one of the ones  
16 that has been submitted?
- 17 A. It hasn't been submitted.
- 18 Q. I just wanted to know.
- 19 A. No.
- 20 Within that -- and bear with me, it's not a policy  
21 I'm directly responsible for --
- 22 Q. Don't worry, just tell us what you --
- 23 A. -- so I'm paraphrasing what my understanding of it is.
- 24 Let's look at it in terms of a residential unit.  
25 A residential unit would be expected to have both a unit

1 behaviour management policy, which would be determined  
2 by the needs of children and young people, the  
3 parameters of a unit, if you will, in terms of the kind  
4 of children and young people it would be looking after.  
5 Alongside that there would be the individual behaviour  
6 management programmes/plans for those children and young  
7 people, clearly very much determined by their own  
8 particular needs.

9 Both of those internal procedures would be signed  
10 off by the relevant assistant director covering those  
11 units, and they are reviewed annually or more frequently  
12 in terms of the individual plans determined on the needs  
13 of the child or young person.

14 Q. But do you keep an eye on these individual behaviour  
15 management plans or policies as well as the unit  
16 policies as part of your safeguarding responsibilities?

17 A. Not at present.

18 Q. Are you going to be doing so?

19 A. The behaviour management policy is under review as we  
20 speak and, as you'll understand, having given it  
21 somewhat of a fresh eye in recent days in preparation  
22 for today, it clearly came to mind that there is some  
23 work to be done between the two elements of it --

24 Q. So there may be a connection between the two functions  
25 and it may be relevant for you to know some of these

1 things to --

2 A. I do know some, but I absolutely don't -- I only know  
3 the ones currently that meet the SSI criteria. What  
4 I don't know is the quality of what is in the units.

5 Q. Okay. I don't want to press you too far on this, and  
6 I appreciate you're giving these answers with a degree  
7 of caution and I fully understand that, but is it your  
8 understanding, however, that those who have powers to  
9 use restraint under these various arrangements receive  
10 appropriate training --

11 A. Yes.

12 Q. -- in restraint?

13 A. Yes.

14 Q. Does that include use of appropriate restraint  
15 techniques?

16 A. It does. So the Scotland services, Barnardo's Scotland  
17 services, work to a programme -- the acronym is CALM,  
18 crisis and aggregation (sic) limitation management.  
19 I think it's a form very well used across Scotland.  
20 I think in fact that's where its genesis -- its genesis  
21 is within Scotland itself. It is a modular programme in  
22 terms of training for staff. They receive two days of  
23 theory and then a further two days which is very much  
24 practice based, during which time they literally  
25 practice a range of interventions.

1           They have to -- that is reviewed every 12 months.  
2           They also have to evidence in between time that if they  
3           haven't had cause to use that in the course of their  
4           work, they have practised it and they're able to  
5           evidence that as well.

6           Barnardo's Scotland has three members of staff who  
7           are qualified CALM trainers and they keep -- I know,  
8           I have seen they keep records of staff in the units  
9           where this form of training -- sorry, intervention is  
10          used.

11         Q.   Can I move to something different, whistle-blowing. You  
12           tell us at paragraphs 398 to 403 about -- there is  
13           a whistle-blowing policy that's part of the  
14           organisational policies, is that correct --

15         A.   Correct.

16         Q.   -- that allows individuals to come forward with concerns  
17           to the organisation.

18           The policy, do I take it -- you tell us there is, as  
19           part of your processes, a whistle-blowing hotline for  
20           those who want to raise concerns anonymously. But the  
21           policy itself that you discuss is perhaps more  
22           envisaging someone who reveals themselves and makes  
23           known the nature of the concern. Is that what the  
24           policy tends to apply to?

25         A.   Yes. We have made some quite recent changes to our

1 whistle-blowing policy, largely as a result of the  
2 issues that arose from the kind of Oxfam and Save the  
3 Children areas and therefore, in particular in England  
4 and Wales, the Charity Commission's interest in  
5 organisations having good solid whistle-blowing  
6 policies, and obviously in Scotland as well.

7 As a result of which, in terms of that hotline,  
8 that is now triaged by an independent organisation,  
9 which -- the reason for doing that is fairly  
10 self-evident, that people -- there was a previous  
11 concern that people felt if they did reveal themselves  
12 and their identity in a hotline that was still part of  
13 the organisation, they would probably be less willing to  
14 actually say what their worries and concerns were.

15 It's very new, it's only just been implemented in  
16 terms of a change of policy, but the view is that that  
17 will be a positive opportunity for people to feel  
18 confident that if they raise a concern, their anonymity  
19 will be preserved subject to any reasons why it wouldn't  
20 be, if you see what I mean.

21 Q. I suppose they can still -- it's still up to them  
22 whether they reveal themselves at any stage in the  
23 process, but it makes the organisation aware of the  
24 concern?

25 A. Yes.

1 Q. And that can lead to investigation of the concern, can  
2 it --

3 A. Yes.

4 Q. -- whether there's a person who's identified or not?

5 A. Absolutely.

6 Q. And that would happen, would it?

7 A. Yes.

8 Q. In all cases?

9 A. Otherwise it's a fairly toothless being, isn't it?  
10 Absolutely.

11 Q. Is this in some ways 33 years on from Childline for  
12 staff in care settings? It's not dissimilar.

13 A. Possibly so. I'm only hesitant in my reply, really,  
14 because I think organisations have had whistle-blowing  
15 policies to varying degrees for some time. I think the  
16 revelations of Oxfam and Save the Children have probably  
17 made people look at them with a fresh pair of eyes and  
18 tried to make them as robust and rigorous as possible.  
19 Maybe previously they were more about style over  
20 substance perhaps.

21 Q. Well, this policy you have indeed, which is just  
22 undergoing review, was it April 2015, so it's been in  
23 place for a while, and in the years it's been in place,  
24 how well used has it been, this process of raising  
25 concerns and identifying oneself, having the issue

1 investigated in the way that you've described? How well  
2 used has it been?

3 A. I can only answer that in terms of those matters that  
4 have been passed to me in the last couple of years in  
5 terms of safeguarding. The honest answer is fairly  
6 limited in terms of that. I would probably say no more  
7 than a handful of safeguarding concerns have been put  
8 there. So you could view that in one of any number of  
9 ways, I guess. In terms of the organisation's desire to  
10 have a transparent and open culture where people feel  
11 able to report both safeguarding concerns, but concerns  
12 around harassment, bullying and that, there's been  
13 significant work done within the organisation to profile  
14 the importance of whistle-blowing and why the  
15 organisation at a senior level and the trustees view  
16 that as an important outlet for people to raise their  
17 concerns.

18 Q. I suppose it's too early to say whether the hotline  
19 approach is more likely to be more effective because  
20 it's just a new approach.

21 A. Certainly in terms of the independent triaging that  
22 I talked about, yes.

23 Q. Just in terms of the whistle-blowing process, I was  
24 a little puzzled. Someone raises a concern as  
25 a whistle-blower in the public interest or in the

1           organisational interest, whatever, in the interest of  
2           the service users. You described that there would be  
3           a process of investigation of the matter that's raised  
4           by the organisation.

5           A. And that currently is done through our corporate audit  
6           and inspection unit, internal but one step removed from  
7           operations.

8           Q. That investigation, once completed, would result in some  
9           form of findings on the matter. I wasn't quite sure,  
10          but the findings are then communicated to the  
11          whistle-blower?

12          A. Yes.

13          Q. And who else?

14          A. And whoever needs to be, dependent on what the nature of  
15          the whistle-blowing concern is.

16          Q. You say at paragraph 402, in relation to findings that  
17          have been reached, there's a right of appeal to a senior  
18          responsible manager. By whom?

19          A. Well, by either. Okay, so if the person who's made  
20          their concern raised on the whistle-blowing doesn't feel  
21          that the issue is being dealt with fully, appropriately,  
22          then they have that right of appeal.

23          Q. So if there are a number of individuals that are  
24          identified within the concern, both the person raising  
25          the concern and others who may be the subject of

1 concern, whatever the nature of the concern, they all  
2 get to hear about it, the investigation looks at the  
3 matter, and there's a right of appeal that's available  
4 to all? Is that it?

5 A. It may have gone through formal disciplinary processes,  
6 mightn't it, at that stage? It might be a collective --  
7 given again that -- a bit like how the complaints policy  
8 is quite generic, it could be members of staff raising  
9 a collective grievance against someone, an individual,  
10 whoever. So, yes.

11 Q. I was going to say, it goes in one door but it might go  
12 in another door depending on what happens next and what  
13 the nature of the concern --

14 A. And more likely than not will go down those other doors.

15 Q. Because some of that has got shades of a grievance  
16 process either against the staff or against a practice  
17 or against some other matter, rather than  
18 a whistle-blowing in itself situation -- and you've got  
19 a grievance process I take it?

20 A. Yes, we have got a grievance process. This is about an  
21 organisation having hopefully an open culture where  
22 people can feel confident to raise their concerns in  
23 some form that they feel the most confident and maybe  
24 they don't feel sufficiently able to do it through  
25 a grievance process.

1 Q. I think someone said to us, I'm sure, I can't remember  
2 who it was, that that's an asset to an organisation for  
3 people to come and tell you the problems and concerns.

4 A. One of our elements of our strategy is that we're  
5 a learning organisation. If we can't learn from things  
6 like this, then we're not a very good learning  
7 organisation.

8 MR PEOPLES: I have one other matter to cover, so I think  
9 this is a good time to stop for lunch.

10 LADY SMITH: Certainly.

11 Could you just go back to page 96? It may be  
12 quickest to do it on the hard copy. It's  
13 sub-paragraph (d) in paragraph 376, which started on the  
14 previous page:

15 "All allegations should be recorded and passed as  
16 quickly as possible to ..."

17 What's the end of that sentence?

18 A. The head of corporate safeguarding, my apologies.

19 LADY SMITH: Thank you.

20 A. I did notice that this morning myself.

21 MR PEOPLES: Sorry, I should have noticed that. Thank you.

22 LADY SMITH: So the head of corporate safeguarding. I did  
23 wonder where the allegation was being passed. Thank you  
24 very much.

25 I'll rise now for the lunch break and sit again at

1 2 o'clock.

2 (1.03 pm)

3 (The lunch adjournment)

4 (2.00 pm)

5 LADY SMITH: Good afternoon. Are you ready to carry on?

6 A. Thank you.

7 LADY SMITH: Mr Peoples.

8 MR PEOPLES: Good afternoon, David. Can I turn to the issue  
9 of safeguarding and protecting children in the sense of  
10 preventative measures. I'm going to focus on  
11 recruitment and selection, but I wanted to raise a more  
12 general point with you, which I don't think I did cover  
13 this morning.

14 On page 97 of the statement, page 9721 of our  
15 numbering, you make reference there to a specific  
16 policy, a "safeguarding and protecting children policy  
17 and procedure (children's services)", that is dated  
18 February 2018. Do you see that?

19 A. Which paragraph are you in? Page 97, thank you.

20 Q. It's just the heading there. The paragraphs that  
21 follow, I think, discuss that particular policy. Again,  
22 I don't want to go through with you the detail, but  
23 I suppose a question that arises, to just try to put  
24 some kind of understanding of how the policy operates  
25 is: what does the organisation do in practice to protect

1 children in residential care from ill-treatment or abuse  
2 by staff or others, the sort of child protection  
3 arrangements in the sense of preventative or protective  
4 measures? Are you able to give us a general flavour of  
5 the sort of things that the policy -- that represents  
6 the practical application of the policy?

7 A. Clearly, some of that will be in recruitment and  
8 selection, which we'll talk about in a moment.

9 Q. Leave that aside because I will deal with --

10 A. Of course.

11 So the other issues are clearly about once staff are  
12 in our employment, the support that we give to them to  
13 make them competent and able to work within the  
14 safeguarding arena. For instance, once they are working  
15 with us, there are -- and it determines it within the  
16 policy -- there are key training requirements they have  
17 to complete. All staff generically in the organisation,  
18 irrespective of role, complete an e-learning  
19 safeguarding module within the first couple of weeks of  
20 being within in the organisation. But then more  
21 specifically into children's services, there's a range  
22 of training, different modules of training, which staff  
23 are required to undertake and complete pertinent to  
24 their roles.

25 Certainly for practitioners within residential

1 services, there would be an expectation of them  
2 completing what we call the core 1 and 2 courses, which  
3 would be about in particular how they understand their  
4 responsibilities in respect of safeguarding, how they  
5 recognise signs and symptoms, for want of a better word,  
6 in terms of children and young people, employees and  
7 their responsibilities to report -- review, report,  
8 record the concerns that they have.

9 Another key element of this is clearly -- I've  
10 talked about support -- more clearly supervision that  
11 they have. So we have very clear supervisory  
12 arrangements that relate to staff.

13 In respect of safeguarding every supervisory session  
14 should have a clear recorded area that relates to  
15 safeguarding. That may be talking about particular  
16 cases of concern, eg there's a worker he's working with,  
17 it may refer to particular incidents in the residential  
18 setting that they have managed and what they have  
19 learned from that, what they might have done better. So  
20 some reflective practice, if you will, through those  
21 forums as well.

22 And within the unit and again across all our  
23 services there is an expectation that within team  
24 meetings, team training, there is a specific, again,  
25 recorded item that deals with safeguarding. That may

1 well be an opportunity to focus some time and attention  
2 on a particular area of, perhaps, change to policy,  
3 something that needs to be cascaded down to the staff  
4 group. But it may also be a real opportunity for them,  
5 as a staff team, to talk around on a much more local  
6 level, lessons learned from managing particular children  
7 and young people, particular situations, again what  
8 could they have done better, what could they have done  
9 differently, et cetera. So I think that hopefully gives  
10 some sense and flavour of the expectations.

11 Q. So that's a mixture of obviously training, structured  
12 training programmes that are requirements, really,  
13 including for residential care workers in the units that  
14 are still operating in Scotland? That's one aspect and,  
15 of course, there's also the aspect of these meetings --

16 A. Yes.

17 Q. -- and that effectively safeguarding is like a standing  
18 item or standing matter for discussion?

19 A. Yes.

20 Q. And I think you said that in relation to what might be  
21 termed risk management or behaviour management policy,  
22 am I right in thinking you said you'll have an  
23 organisational policy in general terms, you have a unit  
24 policy, and then you have individual management policies  
25 or plans?

1 A. Yes. So in relation to residential care in particular,  
2 it would have a unit policy which would determine the  
3 methodologies that you use, the expectations, the dos  
4 and don'ts, the limitations on it, and then individual  
5 ones pertinent to the needs of that child or young  
6 person.

7 Q. So in a sense, the individual one would be a bit like  
8 part of or an aspect of a care plan, a management plan?

9 A. Yes.

10 Q. And it would set out the particular needs, the actions  
11 that would be required to meet those needs, and this  
12 would be regularly reviewed and changed if necessary?

13 A. Absolutely, regularly reviewed, both in terms of the  
14 statutory review process but also on an ongoing basis,  
15 dependent on behavioural episodes during that period.

16 Q. And of course you've got the statutory regime in place  
17 as well in terms of the Care Inspectorate, for  
18 example --

19 A. Yes.

20 Q. -- that would operate and can come in at any stage?

21 A. Indeed.

22 Q. You mention, I think at paragraph 383, just specifically  
23 you mention -- I think it's there that you mention the  
24 safeguarding code of conduct.

25 A. Yes.

1 Q. Just help us -- just explain what that code is and how  
2 it fits into the processes.

3 A. It is something that I am probably going to mention  
4 again probably when we talk about recruitment and  
5 selection, but so be it.

6 It is something -- it's a, if you will, another part  
7 of the recruitment checklist at the point of a person  
8 joining the organisation, in a facilitated session with  
9 his or her manager, they will work through the  
10 safeguarding code of conduct. The safeguarding code of  
11 conduct determines responsibilities both of us as an  
12 employer to the employee --

13 LADY SMITH: David, can you slow down slightly?

14 A. I will do my best, apologies.

15 LADY SMITH: There's a lot of information to take on board  
16 here, which is I'm sure second nature to you, but it's  
17 new to some of us.

18 A. Apologies.

19 LADY SMITH: Thank you.

20 A. It references the responsibilities of us as an employer  
21 to the employee in terms of how the -- and we will  
22 support individuals through reporting any kind of  
23 safeguarding concerns. It's also a further opportunity  
24 for any employee to advise us of anything within their  
25 personal or professional history that hasn't previously

1           been made aware through any of the recruitment process,  
2           which may or may not determine their suitability and  
3           also that they feel something we would want us to know  
4           about them as an individual before they enter our  
5           employment.

6           So for example, it could be that within the wider  
7           family circle of someone joining us, there has been  
8           a child protection concern, there may have been some  
9           intervention by the local authority. In all  
10          probability, it will not directly impact on their  
11          suitability to work for us, but equally, if we didn't  
12          know about it in that early opportunity -- and the  
13          facilitated conversation is absolutely to make sure that  
14          this is not prejudicial unless it's something of such  
15          significance that would make us reconsider an employment  
16          offer -- it's a real opportunity for people to say,  
17          "Yes, we understand what both our expectations -- what  
18          the expectations we can have of you as our employer, but  
19          more particularly what our responsibilities as an  
20          employee or a volunteer" -- all members of staff  
21          irrelevant respective of their position in the  
22          organisation sign that.

23       MR PEOPLES: At the point of recruitment?

24       A. At the point of recruitment.

25       Q. The code itself or what the code expects builds in that

1           there is a discussion at the pre-employment stage?

2           A. It's done at the point of, if you will, the induction  
3           part of the pre-employment process. And it's a tool  
4           that's proved eminently helpful, I have to say, in  
5           circumstances when issues have subsequently arisen and  
6           they have not been openly stated to us at that time,  
7           then clearly we have the evidence that a person has  
8           understood what they've signed at that stage.

9           Q. How long has this code been in use?

10          A. I think probably in its third year of iteration. Again,  
11          we review it in terms of content. We reviewed it, the  
12          most recent one, the most recent review would have made  
13          details of -- issues in relation to preventing  
14          radicalisation, for instance. So at any point when we  
15          make a significant change to it, we re-circulate it, so  
16          it's freshly signed by all employees if there are  
17          significant changes.

18          Q. Although it's relevant at the stage of employment and  
19          induction, it is a living code that has to be  
20          continually adhered to by all staff?

21          A. Yes. It's a live document by which people's behaviour  
22          in terms of safeguarding is judged.

23          Q. Am I right in thinking -- I'm not sure I saw that as one  
24          of the appendices, we may have it -- but it is  
25          a free-standing document?

1 A. It's a free-standing document and if you haven't -- the  
2 inquiry could have it --

3 Q. I may well have it, but I just wanted to check. It is  
4 a free-standing document?

5 A. It is a free-standing document.

6 Q. The content of the code, is that something that is  
7 derived from Barnardo's own development of a code or is  
8 it something a bit like the common principles? Is it  
9 a code that is in general use or at least similar to  
10 codes in other organisations that carry out a similar  
11 function?

12 A. You will have -- it certainly has similarities with ones  
13 I've seen in other organisations, but equally, we've  
14 been asked to provide it for many other organisations as  
15 well as a model of good practice.

16 Q. It's not a state code or a national code that's been  
17 issued by a central body?

18 A. No. We have developed it in terms of the content that  
19 we use in the organisation, but it will have elements,  
20 I'm sure, that are comparable in other organisations.

21 Q. But it will have regard, I take it, in its principles or  
22 provisions to, say, for example, national care standards  
23 and things of that nature that have evolved since 2000?

24 A. Yes.

25 Q. That is the more general issue of safeguarding. As you

1 say, and indeed you've explained, one matter that no  
2 doubt I would have asked you about, that if we go to the  
3 stage of recruitment, which does raise safeguarding  
4 issues and considerations, and therefore I think that's  
5 probably why you're here to tell us a bit about it  
6 today. I think that so far as the statement is  
7 concerned, you make reference on page 101, I think the  
8 final page thereto, paragraph 404, to recruitment and  
9 selection procedures.

10 Do you have that there? I think you say there is  
11 a policy document on that matter and I suppose the  
12 purpose -- I'm going to do the same as I did this  
13 morning and I'm going to say, can we take simply  
14 a situation and you can talk me through it as to how  
15 it would operate.

16 Let's suppose we have a person who's applying for  
17 a residential care worker post, not a senior post, just  
18 one that's in the front line. So they're coming forward  
19 for a post in a residential unit that's operating at  
20 present.

21 First of all, can I ask you this: qualifications.  
22 Are they essential, desirable, or not a requirement at  
23 all?

- 24 A. So it will be dependent on the specifics of the person  
25 specification for the job under consideration. So in

1 line with most other organisations, each job we are  
2 recruiting to has a job description and a person  
3 specification. Within the person specification will be  
4 a determinant of whether a qualification for that  
5 particular role is essential or desirable. Within  
6 a residential setting, qualifications could be  
7 relatively wide in terms of consideration, so from  
8 social work to youth work, teaching, education,  
9 community work.

10 Not all roles as a basic practitioner in  
11 a residential setting would necessarily be viewed as  
12 having a formal qualification as an essential. But  
13 it would be desirable and there would certainly be an  
14 expectation of relevant experience in the work of  
15 working with challenging behaviour, children with  
16 particular behavioural needs, et cetera, et cetera.

17 So each job will be in terms of those essential  
18 requirements of qualification or experience -- would be  
19 viewed and assessed at the point of going on to the  
20 recruitment possibilities.

21 Q. Is there a sort of general post of some sort of basic  
22 grade residential care worker that still exists in the  
23 structure of the organisation?

24 A. Not as such. Our posts are helpfully or unhelpfully  
25 determined as project worker posts, project workers 1 to

1           3, 1 being that which is the least experienced. That's  
2           the wrong phraseology, but the lower ranked post, if  
3           you will, through to project worker 2, and project  
4           worker 3 would be what we would probably determine as  
5           senior practitioner. Those kind of posts would appear  
6           within the residential setting and there would be an  
7           expectation in terms of those roles that they would have  
8           a qualification as they would have some line management  
9           responsibility within the unit.

10        Q. You'll be aware we've had a discussion of the historical  
11        position about use of unqualified residential care  
12        workers, particularly in junior posts. How would you  
13        describe the situation now in relation to that? Are  
14        unqualified people used in project worker 1 posts?

15        A. There will be people in those posts who do not have that  
16        formal experience. This is not to defend that position,  
17        but clearly, the recruitment market in certain  
18        geographical areas of Scotland will be more problematic  
19        than in other areas. For instance, two of the  
20        residential units are in the north of the country in  
21        Aberdeen and Inverness, and I know factually that they  
22        struggle to have a suitable recruitment pool for those  
23        particular units.

24                So there has to be some pragmatism between  
25        qualification and relevant experience, and also

1 capabilities within staff which can be further tested  
2 outwith the recruitment process.

3 Q. I'll maybe ask about experience, but sticking with  
4 qualifications for the moment. Project worker 2  
5 level --

6 A. They may well have qualifications.

7 Q. But not always?

8 A. But not always.

9 Q. And project worker 3 level?

10 A. Would have.

11 Q. And would the qualifications at these levels be specific  
12 to residential care work with children with challenging  
13 behaviours, complex needs, or would they be a more  
14 generic qualification?

15 A. They'd be more generic because, to the best of my  
16 knowledge, such a qualification that is specific to  
17 residential social work doesn't exist and hasn't for  
18 some particular time.

19 Q. Am I correct in thinking that all of these levels of  
20 worker who would be -- would be, though, caring in  
21 a practical sense for children with perhaps challenging  
22 behaviour and complex needs of a variety of kinds? They  
23 would be in direct care?

24 A. They would absolutely be part of the staff pool within  
25 any unit managing that behaviour.

1 Q. And they would have to be registered with the Scottish  
2 Social Services Council?

3 A. As I understand.

4 Q. But the Scottish Social Services Council at present, do  
5 they require any of these three levels to possess some  
6 minimum qualification?

7 A. I couldn't confirm that from my own knowledge, I'm  
8 afraid. I don't know the answer is the honest answer to  
9 your question.

10 Q. I suppose it might follow that you if you do employ  
11 those that don't have any qualification, it might  
12 suggest the regulatory body does not at present require  
13 those roles to have formal qualifications.

14 A. Well, I would assume the same on the basis that clearly  
15 those units are inspected by the Care Inspectorate and  
16 that has not come up as a recommendation from any of the  
17 inspections of our residential units in Scotland.

18 Q. So maybe that's still something to be addressed, the  
19 requirement for qualifications in residential care  
20 settings?

21 A. Or how that particular area of work is best addressed  
22 in the qualification opportunities that are available  
23 for people as a particular module or area to focus upon.

24 LADY SMITH: David, let me ask you this: do you think that  
25 having a childcare qualification will mean that it is

1           less likely that that person will abuse a child?

2           A. No.

3           LADY SMITH: Why not?

4           A. Because we've got sufficient evidence, sadly, that  
5           people who have had formal qualifications are as  
6           likely -- not more likely, but as likely -- to be  
7           abusers as unqualified staff. I think the key  
8           determinant for me is that proven ability to empathise  
9           with the needs of challenging -- children and young  
10          people in the care system and be able to work with them.

11          I apologise, I sat in on Sir Roger's evidence  
12          yesterday and many of the issues he raised in that  
13          yesterday about what makes a good unit is exactly the  
14          same principles as I would believe would make a good  
15          residential worker: the opportunity for those open  
16          conversations, having an understanding of where children  
17          and young people are at, et cetera.

18          Clearly, a qualification is helpful. Does it make  
19          you a better worker? I'm not convinced.

20          LADY SMITH: Thank you. That's very helpful.

21          MR PEOPLES: Just let me explore that with you a little bit  
22          further. If you have someone who's not qualified and  
23          not appropriately trained, that's not a state of affairs  
24          that you'd find acceptable?

25          A. That's a very general statement.

1 Q. I think you know where I'm going with this. You told us  
2 all workers, I take it, in these project levels would  
3 receive this structured training appropriate to the job  
4 they're doing.

5 A. Yes.

6 Q. That's the position now?

7 A. That's in-house, that's supportive training, that's  
8 opportunities that we provide and create for people  
9 internally and externally as part of their employment  
10 with us. That's part of being a good employing  
11 organisation.

12 Q. I follow that. Obviously in one sense maybe  
13 qualifications and training are two sides of the same  
14 coin. They're both designed to equip you to do a job  
15 that may require certain specialist skills and certain  
16 knowledge beyond being simply someone that can come in  
17 with all the right intentions? They both can serve that  
18 purpose?

19 A. Yes, but if I use my own experience -- and that's not as  
20 a residential worker but as a field social worker --  
21 I came into it with a formal qualification. It was my  
22 experiences on the job and everything that I learned  
23 post that that really equipped me, I think, to be  
24 hopefully a better than adequate social worker. I think  
25 the same principles apply.

1 Q. I take it that if you get all three -- experience on the  
2 job, access to more experienced workers, formal  
3 qualifications and in-house training in a structured  
4 basis -- you have more chance of getting someone that  
5 will do the job in a competent and professional manner?

6 A. You'd have covered off very, very many variables,  
7 wouldn't you, and you'd hope that that level of  
8 investment would give you the product that you're  
9 looking for, yes.

10 Q. And if we're dealing with abuse in the form of what  
11 might be termed bad practices, you're more likely to  
12 eliminate or reduce the incidence of such practices by  
13 a culmination of these methods, of qualifications,  
14 training, experience on the job, learning, supervision  
15 and so forth?

16 A. You would hope so, yes.

17 Q. So they're all there, they're all acting together to try  
18 and reduce the risk of bad practice and the risk of a  
19 child being harmed intentionally or unintentionally?

20 A. Yes.

21 Q. Sexual abuse is a difficult one because it doesn't  
22 depend on qualifications, training, experience or  
23 whatever. I think history shows that.

24 A. Absolutely.

25 Q. So you can differentiate the two, but you have to be

1 clear that in some cases there are ways of trying to  
2 reduce the risk of incidences of abuse, whether intended  
3 or not?

4 A. Which is what I'm sure, when we begin to talk about  
5 recruitment and selection, we're endeavouring to do  
6 in that, as well as what we provide for people once  
7 they're in our employment. Absolutely it's about that.

8 Q. And the situation, I take it, is a lot better today than  
9 it was historically in relation to trying to reduce that  
10 risk?

11 A. Well, we know an awful lot more than, sadly, we knew  
12 then.

13 Q. Just going back to the person applying, you have told us  
14 the position as regards qualifications. Previous  
15 experience. Is that essential, desirable, not required?

16 A. In those jobs, it would be essential.

17 Q. References?

18 A. References, yes.

19 Q. Essential?

20 A. Absolutely essential and covering five years of  
21 someone's professional work.

22 Q. The last five years?

23 A. The last five years. Continuous through that period.  
24 And if there's a gap in that, we'll go longer than that  
25 in order to get a cover.

1 Q. You may recall that Sir Roger thought one perhaps wants  
2 to delve a bit further into someone's history. Is that  
3 the code of conduct process you have described that  
4 would allow that to happen?

5 A. The code of conduct will do that, but equally, for  
6 example, if there is a gap in someone's employment  
7 history when we're looking at it and it's not referenced  
8 in their application, for instance -- obviously, people  
9 have time off for maternity leave, they may go  
10 travelling, for instance, et cetera, and that's  
11 perfectly legitimate. But if there's a period in their  
12 employment history that is not covered then that's  
13 certainly something that we would explore.

14 Q. So far as police and other pre-employment checks are  
15 concerned, can you tell us what the current practice  
16 within the organisation is on these matters?

17 A. So all posts that have direct contact with children and  
18 young people have to have an enhanced disclosure prior  
19 to employment -- an enhanced disclosure prior to  
20 employment. If on receipt of the disclosure there is  
21 anything on there of concern, then that requires  
22 a conversation between the appointing manager, there  
23 human resources support, and the individual concerned,  
24 to get an understanding of what the issue that's being  
25 flagged on the disclosure is about.

1           We will then make a risk assessment as to the  
2           appropriateness or not of continuing the offer of  
3           employment.

4       Q.   And the enhanced disclosure process, is that done  
5           through Disclosure Scotland?

6       A.   It is.

7       Q.   Are there other bodies that you would contact to make  
8           checks, routinely, before employing an individual in  
9           a residential care worker post?

10      A.   Those would be the main ones, obviously, because  
11           Disclosure Scotland would throw up any -- hopefully  
12           throw up any issues whereby there were reports from  
13           other organisations into it.  If someone is not a UK or  
14           an EU national, we would be required to take --  
15           I apologise, I can't remember what the check is exactly  
16           called.  But for instance, somebody coming in who had  
17           been previously been working in the United States,  
18           we have to have a clearance from there and similar  
19           countries before we would offer them employment as well.

20      Q.   So there is a process for people who are not EU  
21           nationals, there is some check made of them --

22      A.   There is.

23      Q.   -- in their country of origin?

24      A.   Certainly the country that they have come to this  
25           country from and were previously working in.

- 1 Q. If they come from another EU state, is there  
2 a recognised process that's common to the EU?
- 3 A. My apologies, I don't know the answer to that.
- 4 Q. What if someone is an applicant who's lived in another  
5 part of UK and has only recently come to Scotland and  
6 applied for the job? How do you check their background  
7 and any relevant information?
- 8 A. The references will obviously cover that. I think  
9 Disclosure Scotland and DBS England and Wales and  
10 similarly Access NI in Northern Ireland, they all speak  
11 to one another and all have access to one another's  
12 systems, so there is cross-checking through that.
- 13 Q. What if we have the situation where an applicant for  
14 employment has changed his or her name, perhaps after  
15 a conviction, or provides false information about  
16 themselves in their application? Will the process pick  
17 that up?
- 18 A. We ask them for previous names or known as, for example,  
19 so hopefully that enables at least something -- there  
20 was a second part to your question, sorry.
- 21 Q. Say they provide false information and they don't give  
22 you their previous name or give you the wrong name.
- 23 A. I haven't got personal experience of that, so I'm making  
24 a judged -- best judgement answer to your question,  
25 really. Those issues -- I know there will have been

1 isolated examples when that has occurred. I don't know  
2 how recently any of those will have been or how  
3 historical they would be.

4 I think the things I talked about, such as when you  
5 read an application form, intuitively if something  
6 doesn't stack up, it probably will come out from the  
7 application form. The bit about gaps in history, things  
8 that don't actually chronologically make sense when you  
9 read an application, those are important, but clearly  
10 we haven't even come on to the question of how the  
11 interviews take place as well and clearly that's another  
12 major determinant.

13 Q. I will come to that.

14 We have heard evidence about an employee who did,  
15 it would appear, at an establishment run by Barnardo's  
16 historically provide information that was false in  
17 material respects and I think Hugh Mackintosh told us  
18 that having discovered that, it was one of the reasons  
19 why that person was dismissed by him when he was  
20 director. So it does happen and, no doubt, if you want  
21 to conceal something you think might affect your  
22 chances, that's one way in which it can happen, you give  
23 the wrong information.

24 A. Arguably, yes, and evidentially it has happened in  
25 previous times. I think our procedures are now more

1           robust than they were some years ago. Absolutely I do.  
2           I think there are way more checks and balances in it.  
3           The recruitment and selection process has changed  
4           dramatically in my 20-odd years in the organisation, let  
5           alone prior to Barnardo's as well.

6           Q. You seem to attach importance to the interview process  
7           itself. Again, can you tell us how things have moved on  
8           and what happens now that perhaps makes it a more robust  
9           part of the process?

10          A. Many, if not the majority, of all posts for instance  
11          have children and young people directly involved in the  
12          recruitment process, so either sitting as a separate  
13          facilitated panel -- and children and young people are  
14          generally more intuitive than many adults in that  
15          process and get to have a sense of ... if something  
16          doesn't feel right, they will judge it. They may take  
17          part as a separate panel or they may be part of the  
18          formal panel themselves.

19                 How interviews are structured, particularly  
20                 in relation to residential work, they would be much more  
21                 about investigating how those individuals would manage  
22                 particular scenarios, how would you deal with  
23                 a particular challenging incident with a child or young  
24                 person in that unit? What would your attitude be to  
25                 a particular child or young person exhibiting

1 a particular form of behaviour? How would you deal with  
2 it? What would your techniques be to de-escalating  
3 a situation, et cetera?

4 The interviewing panel would clearly have some  
5 predetermined competencies, areas they were looking to  
6 judge around those answers, as well as a sense of the  
7 values, the ethos, the ethics that person brings into  
8 the interview process as well.

9 Q. So the interview is designed to explore attitudes,  
10 motivations and how they would deal with being given  
11 authority and powers over vulnerable groups of  
12 children --

13 A. Yes.

14 Q. -- things of that nature? You're trying, through the  
15 questioning process, to build a picture --

16 A. Yes.

17 Q. -- for suitability and competence?

18 A. Yes, and for us to be given -- we talked about  
19 evidencing previous experience. So: give us examples  
20 from your own experience of how you've managed behaviour  
21 with a certain child or young person? What did you do?  
22 What did you learn? What might have you have done  
23 better? Those are the kind of areas we'd be looking to  
24 explore in an interview.

25 Q. These interviews, going back to the project worker

1 levels, would that be the process for these posts?

2 A. All of them.

3 Q. All posts?

4 A. Yes.

5 Q. It's not just the senior posts that you're introducing

6 these --

7 A. No.

8 Q. -- refinements and processes?

9 A. There might be some more things we would do with the

10 senior posts. We might ask people to do a presentation,

11 et cetera, but certainly all posts would determine the

12 competencies, the values, et cetera, that someone would

13 bring into it.

14 Q. Is there anything else that we've not covered in the

15 recruitment stage that's a key part of the process?

16 You've described some of the things that are done.

17 A. Yes. I don't think so.

18 LADY SMITH: David, can I just raise one thing with you?

19 Earlier you talked about previous experience being,

20 I think, a non-negotiable so far as Barnardo's are

21 concerned. If one, for the moment, assumes that other

22 organisations like yours providing residential care of

23 various types adopt the same approach, they don't want

24 anybody who doesn't have previous experience, where do

25 these candidates get their previous experience from?

1       A. Through volunteering opportunities. We have  
2       a significant cohort of volunteers, as you may be aware.  
3       That's an opportunity. And where people have shown some  
4       real initiative in getting experience of working with  
5       children and young people, hopefully that indicates  
6       a very positive motivation to want to enter into that  
7       field of work as well, and I think that's often an  
8       avenue that people have used over a period of time.  
9       It's often the testing ground, in fact: is this an area  
10      of work I really feel I want to get into or not?

11      LADY SMITH: In Barnardo's, is it a requirement that any  
12      volunteer is always supervised?

13      A. If they are working with children and young people, not  
14      necessarily -- and I'm saying that in terms of some of  
15      them, for instance. We talked this morning about  
16      advocates. We do have volunteer advocates, for  
17      instance. They wouldn't necessarily be working on an  
18      unsupervised basis, but they would have had appropriate  
19      checks done on them, an enhanced disclosure check, for  
20      instance.

21      LADY SMITH: But is it likely that the other types of -- the  
22      sort of daily work one might do with a child in a care  
23      home could only be done on a supervised basis if it's  
24      a volunteer?

25      A. It should be, yes.

1 LADY SMITH: What I think I'm getting at is: does that then  
2 give you some confidence that they've had prior guidance  
3 in good practice in the course of that experience?

4 A. An organisation that values volunteers would seek to  
5 give them that, so you benefit them. Their volunteer  
6 experience is a benefit to us, but equally a benefit to  
7 the individual.

8 LADY SMITH: And whilst Barnardo's will be interested in its  
9 own volunteers, I take it -- and you don't need to tell  
10 me who -- there are other organisations whose volunteers  
11 you've learned to respect because of the way they are  
12 handled and supervised as well?

13 A. Yes, indeed, yes.

14 LADY SMITH: Thank you, that explains the puzzle I had about  
15 where these poor people are going to get their  
16 experience from to get the jobs.

17 Mr Peoples.

18 MR PEOPLES: Can I go back to complaints again. I'm not  
19 going to go back to the process but I'm going back to  
20 maybe something before the process. Clearly, something  
21 must happen to trigger a process. So to get the process  
22 of complaints into play, there has to be a complaint.  
23 And that means that a child or young person may have to  
24 say something to someone that may indicate explicitly or  
25 implicitly that they've been ill-treated or abused by

1 a member of staff, to take one example. That's one  
2 scenario. Or someone else must have suspicions or  
3 concerns about the way that child has been treated by  
4 maybe another member of staff or someone else.

5 A. Yes.

6 Q. So that's all got to happen to get the processes kicking  
7 in, does it not?

8 A. Yes. I mean, there's accuracy in what you say,  
9 absolutely.

10 Q. So bearing in mind and bearing in mind that we've had  
11 some evidence that historically it has been difficult  
12 for children in care settings, perhaps, to say something  
13 for fear of consequences, and perhaps the same might be  
14 true of staff, that they have feared the consequences,  
15 if they were junior staff, of reporting a more senior  
16 member of staff.

17 Bearing these considerations in mind can I just be  
18 clear: what's done today to try and address that  
19 possibility so that you have the best chance that either  
20 the young person will disclose or someone else will say  
21 something?

22 A. So I have talked a few times in terms of my evidence  
23 about the importance of children and young people being  
24 listened to in this process in terms of how their  
25 complaints and allegations are heard. That is about

1 having a process in place, that's an undeniable and  
2 important thing to have, and that children and young  
3 people and families are aware of what that process is  
4 and are then made aware of that at the point of when  
5 they begin their involvement with us. That's a key part  
6 of their induction into the organisation.

7 That's the practical bit of it, I guess. The other  
8 bit of it is how you embed a culture, both within the  
9 unit and within the organisation, where the voices of  
10 children and young people are routinely heard. So  
11 within a residential unit, you have something like  
12 a vibrant children's council, for want of a better word,  
13 advisory group, whatever you call it, that has a voice  
14 and is seen to have a voice, that is able to meet not  
15 just with the unit staff and unit manager, but with the  
16 assistant director, arguably with the national director  
17 when he or she visits a unit.

18 So there's an opportunity for their voices to be  
19 heard, both in terms of how they are managed as  
20 individuals, as a group, how the service works for them,  
21 because children and young people's voices in service is  
22 highly -- is extraordinarily helpful as well. Equally,  
23 that their voices are heard and actively heard in the  
24 review processes, whether they be the formal ones  
25 through the looked-after children process or the ones

1 that they have with their individual workers and staff.

2 The same culture, that is "Your voice will be heard  
3 as a staff member if you raise a complaint or concern  
4 about an individual" is equally important. That,  
5 I believe, has to be -- that absolutely has to be stated  
6 from the most senior part of the organisation downwards.  
7 So the chief executive in our organisation, for example,  
8 regularly -- first of all, he's very clearly sighted on  
9 safeguarding concerns, he receives a weekly report from  
10 myself, for instance. Anything that goes through the  
11 SSI process and allegations process we've talked about  
12 earlier, he has early sighting of.

13 But more particularly, that he's giving a -- saying  
14 to staff very clearly and very regularly: if you have  
15 worries, if you have concerns, it's the right and proper  
16 thing to report and you will be heard and you will be  
17 taken seriously. It's that culture of openness and  
18 transparency.

19 Q. Just in terms of from the perspective of the children  
20 who are coming into care, this is an era of much more  
21 specialist provision and much more reduced care  
22 provision, but with that comes children perhaps with, as  
23 we say, a variety of complex needs and conditions, some  
24 with learning disabilities. You say in the statement  
25 that one of the things that's done -- I think it's in

1 paragraph 367 -- under the complaints procedure at  
2 page 93 is that a complaints leaflet is given to service  
3 users --

4 A. Yes.

5 Q. -- which informs them as to the process.

6 A. Yes.

7 Q. What happens if the child either lacks the capacity, by  
8 reason of age or other reasons, to understand the  
9 information presented in that way? How do they get the  
10 voice?

11 A. So there will be a range of more localised tools  
12 determined by that particular unit or need. So it may  
13 be done in pictorial form. We have some examples of it  
14 being produced in an animated video so the children can  
15 understand through that. There are various innovative  
16 ways that people have used, who are way cleverer than me  
17 in doing this, but they've done it well.

18 Q. Are these being used?

19 A. Absolutely.

20 Q. And I suppose, though, in the case of that type of  
21 profile of child, particularly those with learning  
22 difficulties, it is all the more important that staff  
23 will raise concerns, will report serious safeguarding  
24 incidents?

25 A. Absolutely.

1 Q. And that the culture is open and that they feel they'll  
2 be listened to and not in any way penalised for saying  
3 something?

4 A. Absolutely. There's strong national evidence that  
5 disabled children are disadvantaged in safeguarding  
6 practice. There is a lower level of child protection  
7 referrals to statutory agencies of disabled children.  
8 So absolutely, they need to be given their voice and  
9 equipped to have their voice in the best possible way.

10 MR PEOPLES: I think these are all the questions I have for  
11 you today, David. Thank you very much for coming and  
12 for assisting us to understand the current practices.

13 A. You're very welcome.

14 LADY SMITH: Are there any outstanding applications for  
15 questions? No.

16 David, thank you very much indeed, both for your  
17 contribution to the written paper that Barnardo's have  
18 prepared for us and for coming today to talk about your  
19 particular part of that work. It's been really helpful  
20 to hear from you with the insight you have given us  
21 about the procedures and policies and your experience.  
22 So thank you for that and I'm now able to let you go.

23 A. Thank you very much.

24 (The witness withdrew)

25 LADY SMITH: I think that completes today, doesn't it?

1 MR PEOPLES: Yes. We have one witness tomorrow, and that  
2 will conclude the evidence for this week.

3 Perhaps I should just say -- and maybe your Ladyship  
4 might want to remind others -- that we are having one  
5 day of evidence next week on this matter. Although,  
6 I think, the inquiry is sitting on Monday and Wednesday,  
7 we are sitting on Tuesday for this case study, just in  
8 case parties were unclear on that.

9 LADY SMITH: That's right. This case study has one witness,  
10 I think, on Tuesday, that's right, but we will be  
11 sitting, starting at 8 o'clock on Monday morning and  
12 8 o'clock on Wednesday morning, all being well, with  
13 some video links for some evidence that will be relevant  
14 to the child migrant study. For various reasons it  
15 needs to be taken at this stage.

16 Meanwhile, we'll look forward to tomorrow and I'll  
17 rise until 10 o'clock then. Thank you.

18 (2.38 pm)

19 (The inquiry adjourned until 10.00 am  
20 on Friday, 18 January 2019)

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KATE ROACH (sworn) .....1

Questions from MR PEOPLES .....1

DAVID BEARD (sworn) .....55

Questions from MR PEOPLES .....56

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