THE LEICESTERSHIRE INQUIRY 1992

THE REPORT OF AN INQUIRY INTO ASPECTS OF THE MANAGEMENT
OF CHILDREN'S HOMES IN LEICESTERSHIRE BETWEEN
1973 AND 1986

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CONTENTS

		Page
Chapter 1	Introduction	1
Part 1	**Background**	**9**
Chapter 2	Background 1973 - 1980 Miss Edwards' Directorship	11
Chapter 3	Background 1980-1986 Mr Rice's Directorship	20
Chapter 4	Methods of Control in Children's Homes Policy and Practice	30
Chapter 5	Training: Residential Child Care	36
Chapter 6	Financial matters	38
Chapter 7	Grievance and Disciplinary Procedures and Practice	39
Part 2	**The Poplars, Ratcliffe Road and Rosehill 1973-1978**	**45**
Chapter 8	The Poplars, Market Harborough and The Appointment of Mr Beck	47
Chapter 9	Treatment: 'Regression Therapy'	57
Chapter 10	The move to Ratcliffe Road, Leicester	65
Chapter 11	The Role of the Visiting Psychiatrists	69
Chapter 12	Early Warnings	73
Chapter 13	BC's Complaint 1977	77
Chapter 14	Rules and Prospectus, Ratcliffe Road 1977	81
Chapter 15	Simon O'Donnell	86
Chapter 16	Mr Beck's Departure from Ratcliffe Road 1978	90
Chapter 17	Rosehill, Market Harborough 1977-1978	93
Chapter 18	Mr Beck at Rosehill and the Rosehill Investigation 1978	97
Part 3	**The Beeches 1976-1986**	**113**
Chapter 19	The Beeches, Leicester Forest East 1976-1978	115
Chapter 20	The Appointment of Mr Beck and the 'New' Beeches 1978 - 1986	127
Chapter 21	A Complaint from a Teacher February 1980	140
Chapter 22	Miss Lambert's Complaint May 1980	143
Chapter 23	Miss V's Complaint Summer 1980	145

Chapter 24	FL and the Trial of Mr Beck 1982 - 1983	147
Chapter 25	Miss Shimeld's Complaint May to August 1982	156
Chapter 26	OP's Complaint September 1982	162
Chapter 27	Miss Akram's Complaint November 1982	166
Chapter 28	The Complaints relating to M 1982 - 1983	173
Chapter 29	N's Complaint June 1983	180
Chapter 30	UV's Complaint March 1984	183
Chapter 31	Working Relationships BD's case April to November 1984	188
Chapter 32	EG's Complaint January 1985	200
Chapter 33	HJ's Complaint August 1985	203
Chapter 34	Two Allegations of Sexual Impropriety August and September 1985	206
Chapter 35	Mr Alexander's Complaint December 1985	211
Part 4	**Fostering**	**217**
Chapter 36	The Approval of Mr Beck as a Foster Parent	219
Part 5	**Mr. Beck's Resignation**	**233**
Chapter 37	The Departure of Mr Beck	235
Chapter 38	The Consultancy List	247
Chapter 39	References	250
Part 6	**Other Cases**	**255**
Chapter 40	TV's Complaint 1979	257
Chapter 41	Mr Davies 1980	261
Chapter 42	Mr Bloxham 1981	264

Chapter 43	Mr Pay 1982	267
Chapter 44	Mr Gasson 1983	272
Chapter 45	Mr Scott 1985-1986	275
Chapter 46	Mr Dixon 1986	282
Part 7	**Miscellaneous**	**287**
Chapter 47	The Retirement of Mr Rice	289
Chapter 48	Speculation and Fact	294
Part 8	**Post 1987**	**299**
Chapter 49	Appointment of Mr Brian Waller as Director Subsequent Management Action	301
Part 9		**307**
Chapter 50	Conclusions	309
Appendices		**319**

INDEX

		Page
Chapter 1	**Introduction**	**1**
Chapter 2	**Background 1973-1980 Miss Edwards' Directorship**	**11**
2.1	General legislative background	11
	The County Council	12
2.18	Elected members	12
2.20	Social Services Committee	12
2.21	Sub-Committees	12
2.22	The Chief Executive and his Department	12
	The Social Services Department	13
2.27	Organisation	13
2.29	Management Team structure	13
2.30	Relevant personnel	13
2.45	Comment	15
2.46	Review	15
2.49	Temporary change	15
	Residential Care	15
	Care Branch	15
2.50	Structure and personnel	15
2.58	The task of Care Branch	16
2.62	Staff communications	17
	Monitoring of Children's Homes	17
2.64	Statutory management visits	17
2.68	Other contacts	18
	Child care matters	18
2.71	Officers in Charge	18
2.74	Child care standards	18
2.79	Polebrook House	19
2.83	Review of provision of services	19
Chapter 3	**Background 1980 - 1986 Mr Rice's Directorship**	**20**
3.1	Social Services	20
3.5	Mr Rice	20
3.8	The Management Team	20
3.10	Mr Smith's Group	21
3.13	The Labour Group manifesto	21
3.14	County Council	21
3.19	Committees	22
3.20	Social Services Committee	22
3.24	Members and members' visits	23
3.30	Evolution of child care policy	23
3.31	Review of Residential Care	23
3.32	Secure accommodation	24
3.45	The Child Care Strategy	25
	Implementation of the Strategy	25
3.48	Members	25
3.51	Officers	26
3.55	Structural issues	26
3.59	Children's Homes	27
3.60	Closures	27
3.65	1984/5 Inspection	27
3.67	Child Care Resources Team 1986	28

Chapter 4	**Methods of Control in Children's Homes Policy and Practice**	**30**
	Policy	30
4.2	Community Homes Regulations	30
4.3	1973 Director's recommendation	30
4.5	1973 Committee	31
4.7	1976 Director's recommendation	31
4.8	1976 Committee	31
4.9	1977-78 Working Party	31
4.15	1978 Review	32
4.16	1978 Director's recommendation	32
4.18	1979 Committee	33
4.20	1979-1982 Policy unchanged	33
4.21	1982 Committee	33
4.22	1983 Modification	34
	Practice	35
4.25	Care Branch	35
4.27	Mr Beck	35
Chapter 5	**Training: Residential Child Care**	**36**
5.1	Responsibility	36
5.5	External qualifying training	36
5.8	Other external training	36
5.11	Internal training	37
5.14	Mr Beck	37
5.15	Comment	37
Chapter 6	**Financial Matters**	**38**
6.9	Comment	38
Chapter 7	**Grievance and Disciplinary Procedures and Practice**	**39**
7.1	National Conditions	39
7.3	Local Procedures	39
7.4	Revisions	39
7.6	Grievance Procedure	39
7.8	Disciplinary Procedure	39
7.9	Warnings	39
7.12	Challenging warnings	40
7.13	Recording warnings	40
7.14	Suspension and Dismissal	40
7.19	Practice	41
7.20	Suspension pending investigation	41
7.24	Reluctance	41
7.27	The standard of proof	41
7.30	Elected members	42
7.32	Criminal investigation	42
7.36	Comment	42
7.43	Complaints procedure	43
Chapter 8	**The Poplars, Market Harborough and The Appointment of Mr Beck**	**47**
8.2	Background to Mr Beck's appointment	47
8.5	Future of The Poplars	47
8.16	The appointment of Mr Beck	51
8.22	Confirmation of the appointment	52
	Evidence about the appointment	52
8.23	Miss Edwards	52
8.27	Mr Naylor	53

8.28	Mr Loader	53
	The referees	53
8.29	Mr Sturges	53
8.30	Miss Rowell	54
8.32	Staff	54
8.37	Introduction of treatment methods	55
8.41	Comment	55
Chapter 9	**Treatment: 'Regression Therapy'**	**57**
9.4	Regression	57
9.8	Benefits and risks	58
9.9	Assessment	59
9.10	The therapeutic relationship	59
9.11	The time scale	60
9.12	Other aspects	60
9.13	Mr Beck	60
9.18	Warrendale	61
9.27	Mr Beck	61
9.32	Some perceptions of the treatment	62
Chapter 10	**The Move to Ratcliffe Road, Leicester**	**65**
10.2	Progress of plans	65
10.7	The move	66
10.10	Staffing	67
10.14	Children	67
10.23	Treatment and abuse	67
Chapter 11	**The Role of the Visiting Psychiatrists**	**69**
11.1	Dr Hopkirk	69
11.10	Dr Hopkirk and Care Branch	70
11.14	Comment	70
11.23	Dr Bhate	71
11.30	Comment	72
Chapter 12	**Early Warnings**	**73**
12.1	Councillor Dunphy	73
12.2	Complaint	73
12.7	Mr Beck	73
12.10	Mr Gallagher and Miss Edwards	74
12.12	Committee	74
12.14	Comment	74
12.16	Mr Thomas	74
12.21	Complaint	75
12.23	Comment	75
12.24	Mr Sturges	75
12.27	Comment	75
12.29	Miss Furness	76
12.36	Comment	76
Chapter 13	**BC's Complaint 1977**	**77**
13.3	Complaint to Police	77
13.6	Police enquiries	77
13.12	Care Branch	78
13.21	Comment	79

Chapter 14	**Rules and Prospectus, Ratcliffe Road 1977**	**81**
14.4	Mr Smith's contribution	81
14.8	The Rules	81
14.10	Mr Smith's view	84
14.13	Comment	84
14.17	Prospectus	85
Chapter 15	**Simon O'Donnell 1977**	**86**
15.2	Simon's background and death	86
15.6	The Area Director's view	86
15.7	Dr Bhate's view	86
15.8	Inquest	87
15.11	Mr Charman's evidence	87
15.14	Social Services Committee	87
15.18	Comment	89
Chapter 16	**Mr Beck's Departure from Ratcliffe Road 1978**	**90**
16.3	Reference for Mr Beck	90
16.5	The Poplars and Ratcliffe Road: Comment	91
Chapter 17	**Rosehill, Market Harborough 1977-1978**	**93**
17.4	Interregnum	93
17.6	Letter to Miss Edwards	93
17.12	Rosehill and the Area	94
17.13	Miss John's complaint	94
17.14	Miss Brown	95
17.19	Miss Brown's complaint	95
17.21	Care Branch	96
17.23	Comment	96
Chapter 18	**Mr Beck at Rosehill and The Rosehill Investigation 1978**	**97**
18.2	Arrival of Mr Beck	97
18.4	Part time volunteer	98
18.7	A complaint to foster parents	98
18.11	Miss John's report	99
18.13	Mr Beck	99
18.21	Mr Copson and Miss Poole	101
18.24	Miss Edwards and Miss John	102
18.32	Investigation at Rosehill	103
18.39	The course of the investigation	105
18.47	Miss Edwards and Mr Beck	110
18.54	Comment	111
Chapter 19	**The Beeches, Leicester Forest East 1976-1978**	**115**
19.2	Outline	115
19.6	Mr Tapson	116
19.11	Miss Scaysbrook's complaint	117
19.14	Care Branch	118
19.26	Mr Low's complaint	121
19.27	Care Branch	121
19.35	A complaint against Mr Adjinka	124
19.37	Complaint from staff	125
19.37	Care Branch	125
19.43	Comment	125

Chapter 20	**The Appointment of Mr Beck and The 'New' Beeches 1978-1986**	**127**
20.4	Mr Beck's application	127
20.7	Contemporaneous work at Rosehill	128
20.8	Interview	128
20.9	Appointment and purpose	128
20.12	Management responsibility	129
20.23	Accommodation	131
20.24	Staffing	131
20.30	Evaluation	131
20.41	Development of The Beeches	133
20.46	Comment	134
20.49	Placement	134
20.57	Treatment	135
20.64	Methods of control	136
20.66	Psychiatric support	136
20.74	Management relationships	136
20.89	Sundry complaints	137
20.96	Social Services Inspectorate 1985	139
Chapter 21	**A Complaint from a Teacher February 1980**	**140**
21.4	Complaint	140
21.5	Care Branch	141
21.7	Mr Beck	141
21.9	Comment	142
Chapter 22	**Miss Lambert's Complaint May 1980**	**143**
22.3	Complaint	143
22.4	Care Branch	143
22.10	Comment	144
Chapter 23	**Miss V's Complaint Summer 1980**	**145**
23.2	Background	145
23.12	Complaint	146
23.15	Comment	146
Chapter 24	**FL and the Trial of Mr Beck 1982-1983**	**147**
24.4	Complaint	147
24.6	Care Branch	148
24.9	Mr Rice and Mr Fenney	148
24.11	References	149
24.14	Social Services Committee	150
24.15	Trial	150
24.20	Further references	150
24.27	Management approach	153
24.35	Comment	154
Chapter 25	**Mrs Shimeld's Complaint May to August 1982**	**156**
25.4	Complaint	156
25.6	Care Branch	156
25.11	Further complaint	158
25.12	Care Branch	158
25.24	The Area	161
25.25	Comment	161

Chapter 26	**OP's Complaint** **September 1982**	**162**
26.2	Background	162
26.5	Complaint	162
26.10	Care Branch	164
26.11	Comment	165
Chapter 27	**Miss Akram's Complaint** **November 1982**	**166**
27.3	Impression of The Beeches	166
27.5	Complaint	167
27.7	Care Branch	168
27.21	Comment	170
27.25	The complaint relating to L	171
27.28	Comment	172
Chapter 28	**The Complaints relating to M** **1982-1983**	**173**
28.5	Complaint	173
28.6	Care Branch	174
28.8	Comment	174
28.10	No improvement	174
28.16	Further complaint	177
28.19	Comment	177
28.21	A parallel issue	177
28.26	Comment	179
Chapter 29	**N's Complaint** **June 1983**	180
29.6	Police	180
29.8	The Area	181
29.11	Care Branch	182
29.14	Comment	182
Chapter 30	**UV's Complaint** **March 1984**	**183**
30.2	Background - the first complaint	183
30.3	Care Branch	184
30.6	Complaint by UV	184
30.9	Care Branch	186
30.15	Comment	187
Chapter 31	**Working Relationships** **BD's case** **April to November 1984**	**188**
31.2	Background	188
31.12	Complaint	189
31.14	Further developments	189
31.18	Renewed complaints	190
31.24	Complaint from BD's mother	192
31.25	The Director's response	192
31.28	Mr Beck	193
31.30	Renewed calls for investigation	195
31.31	Headquarters	195
31.39	Comment	196
31.45	Two further examples	197
31.49	Comment	199

Chapter 32	**EG's Complaint January 1985**	**200**
32.4	Complaint	200
32.8	Mr Copson and Mr Wells	201
32.15	Comment	202
Chapter 33	**HJ's Complaint August 1985**	203
33.4	Investigation	203
33.9	HJ's complaint	203
33.10	Mr Rice	204
33.17	Comment	205
Chapter 34	**Two Allegations of Sexual Impropriety August and September 1985**	**206**
34.2	Background	206
34.17	JL's complaint	207
34.20	Police	207
34.23	Subsequent events	208
34.26	Comment	208
34.31	GI's complaint	209
34.34	Comment	209
Chapter 35	**Mr Alexander's Complaint December 1985**	**211**
35.2	Mr Alexander	211
35.5	Complaint	211
35.6	Response	212
35.8	Mr Beck	212
35.9	Meeting at County Hall	214
35.12	Comment	214
Chapter 36	**The Approval of Mr Beck as a Foster Parent**	**219**
36.2	Relevant legislation	219
36.7	Mr Beck's application - LN	219
36.18	Mr Beck's application - PQ	221
36.55	Comment	229
36.64	General approval	229
Chapter 37	**The Departure of Mr Beck**	**235**
37.2	The key personnel	235
37.18	Conviction of Mr Scott	236
37.19	Complaints	236
37.22	Mr Nelson	238
37.24	Mr Rice and Mr Naylor	239
37.27	Mr Beck's suspension	239
37.33	Staff meeting	242
37.36	Management deliberation	242
37.39	Resignation	243
37.45	Police	243
37.58	Comment	246
Chapter 38	**The Consultancy List**	**247**
38.10	Mr Rice and Mr Stimpson	248
38.14	Comment	249

Chapter 39	**References**	**250**
39.4	The first reference	250
39.7	The second reference	251
39.19	Comment	253
Chapter 40	**TV's Complaint 1979**	**257**
40.2	Background	257
40.7	Complaint	258
40.9	Care Branch	258
40.11	Comment	259
Chapter 41	**Mr Davies 1980**	**261**
41.6	Complaint	261
41.8	Resignation	261
41.10	Offences	261
41.11	Reemployment	262
41.16	Postcript	262
41.19	Comment	263
Chapter 42	**Mr Bloxham 1981**	**264**
42.2	Background	264
42.7	Care Branch	264
42.12	Police	265
42.16	RCCOs	265
42.18	Comment	266
Chapter 43	**Mr Pay 1982**	**267**
43.2	Background	267
43.4	Complaints	267
43.6	Care Branch	268
43.7	Mr Pay	270
43.8	Suspension	270
43.14	Comment	271
Chapter 44	**Mr Gasson 1983**	**272**
44.2	Complaint	272
44.3	Care Branch	272
44.14	Comment	274
Chapter 45	**Mr Scott 1985-1986**	**275**
45.2	Mr Scott	275
45.6	Arrest	275
45.10	Conviction	276
45.12	Responses	276
45.18	Mr Rice and SSI	277
45.21	Further enquiries	279
45.25	Committee	280
45.26	Correspondence	280
45.29	Comment	281
Chapter 46	**Mr Dixon 1986**	**282**
46.4	Care Branch	282
46.6	Delay	283
46.10	Comment	285

Chapter 47	**The Retirement of Mr Rice**	**289**
47.3	Mr Roberts	289
47.5	Chief Executive	289
47.9	Investigation	290
47.11	Retirement	292
Chapter 48	**Speculation and Fact**	**294**
48.2	Freemasons	294
48.10	Political considerations	294
48.18	Paedophile ring	295
48.27	Deaths of children	296
48.30	Missing papers	296
Chapter 49	**Appointment of Brian Waller as Director Subsequent Management Action**	**301**
49.3	Managment Team changes 1989	301
49.4	Departmental restructuring 1991	301
49.10	Comment	302
49.13	Action following the arrest of Mr Beck and others	302
49.14	Assistance with Police investigation	302
49.15	Child protection	302
49.16	Independent investigation	302
49.17	Inspection of Children's Homes	302
49.20	NSPCC helpline	303
49.22	The Leicestershire Commission	303
49.26	Comment	304
49.30	The Children's Rights Service	304
49.32	Objectives of the service	304
49.34	Complaints procedure	304
49.39	Comment	305
Chapter 50	**Conclusions**	**309**
50.5	How Mr Beck came to be appointed and assume a powerful and unchallenged position	309
50.20	Why the many complaints did not prompt effective action	311
50.32	Where management responsibility lies	313
50.77	The Chief Executive and Mr Fenney	317
50.80	Elected members	317
Appendix	**1**	**319**
	Representation	321
Appendix	**2**	**323**
	Evidence	325
Appendix	**3**	**329**
	Structural diagrams	331
Appendix	**4**	**333**
	Grievance and Disciplinary Procedures (extracts)	335
Appendix	**5**	**337**
	1973 References	339
Appendix	**6**	**341**
	Psychotherapy and Regression Mr Peter Wilson B.A.	343
Appendix	**7**	**349**
	Ratcliffe Road Prospectus	351

1
INTRODUCTION

1.1 In 1973 Mr Frank Beck, a former Royal Marines sergeant and a single man fresh from Stevenage College of Further Education where he had obtained the qualification CQSW, was appointed Officer in Charge of a Children's Home in Market Harborough in Leicestershire. He remained in the employment of Leicestershire County Council as an Officer in Charge of Children's Homes until his resignation in March 1986.

1.2 Mr Beck was Officer in Charge of The Poplars Children's Home, Market Harborough 1973 - 1975, Ratcliffe Road Children's Home, Leicester 1975 - 1978 and The Beeches Children's Home, Leicester Forest East 1978 - 1986. In addition, Mr Beck was temporarily in charge of Rosehill Children's Home at Market Harborough for some ten weeks between February and the end of April 1978.

1.3 Early in 1989, Mrs Outhwaite, who had been in residential care at Ratcliffe Road as a teenager, began to tell her family's social worker of her experiences whilst in Mr Beck's charge.

1.4 Mrs Outhwaite came to put her recollections in writing. It was a statement cataloguing physical abuse and humiliation. It began:

> "I suppose what attracted me to actually going into the Children's Home was the surface show they put on for all visitors. The apparent freedom of the place, children all over sitting on the staff's knee being cuddled and loved a lot. If only I had known what was going on behind the scenes.
>
> "The hell started on the day I walked into the place. I had just left home and was naturally upset. I was quiet and tearful. Although I must have been there for a long time it just seemed like minutes later that they got hold of me. Accusing me of chucking out angry feelings, of hating my mother and sisters. When I tried to explain that I missed my mother they trapped me between their legs and dug their fingers into my ribs and made me scream and cry out in pain. This was what they called 'a temper tantrum'. They then put me into a wooden play pen. When I tried to get out Anne Daines got in and forcibly restrained me from getting out. When I finally gave in and stopped fighting I was allowed to get out and was given two chocolate bars for being 'a good girl' and doing things their way. This set the pattern for the next three years. We all got what they called treatment regularly, maybe three or four times a week. We didn't have to do anything. They just pounced on who they fancied. No excuse, just that they thought we were chucking out angry feelings. I would say most of us probably were. I mean we were being forced to use bottles and being fed by a spoon. It was humiliating. We were dressed by staff and bathed by staff, male and female and generally degraded by them. We were angry and hurt."

1.5 Police were informed of what Mrs Outhwaite had said and written, and first took a statement from her in March 1989.

1.6 Mrs Outhwaite's statement to Police marked the beginning of a thorough and widespread Police investigation in the course of which almost 600 potential witnesses were identified and traced, and witness statements were taken from 383 of them. Almost half of those statements were made by people who had, during their earlier years, spent time at Children's Homes in Leicestershire or at school units attached to them. Many, but not all, spoke of mistreatment.

1.7 In May 1990 Police arrested four men who had been employed in Children's Homes in Leicestershire. They were Mr Frank Beck, Mr Peter Jaynes, Mr George Lincoln and Mr Colin Fiddaman. Mr Fiddaman died before he could be brought to trial.

Trial

1.8 Mr Beck, Mr Jaynes and Mr Lincoln stood trial upon the first of three indictments in the autumn of 1991. At the conclusion of the trial on 29th November 1991, Mr Beck was found guilty on 17 counts involving sexual and physical assault. Those convictions included four for offences of buggery and one for an offence of rape. Mr Beck was sentenced to life imprisonment for each offence of buggery and for the offence of rape.

He was further sentenced to an aggregate of twenty four years imprisonment in respect of other offences. Mr Jaynes was convicted of one offence of indecent assault, one of assault occasioning actual bodily harm and two offences of common assault. He was sentenced to a total of three years imprisonment. Mr Lincoln was convicted of one offence of common assault and was conditionally discharged.

1.9 In passing sentence upon Mr Beck, the trial Judge, Mr Justice Jowitt, made the following (and other) remarks:

> "You are a man whose character combines considerable talent and very great evil. Sadly you chose to use your talent in pursuit of your evil and lustful desires. At Market Harborough and Ratcliffe Road there were entrusted to your care some of the most disturbed and difficult children whom the Leicester County Council had in its care. Many of them had been sexually abused before they came under your charge; they could hardly have been more vulnerable and more in need of wholesome care. Save that they were less disturbed, though still disturbed by ordinary standards, this is substantially true also of the many children placed under your care at The Beeches. What many children suffered at your hands was harshness and perversion when there should have been wholesomeness. You exploited your authority and the undoubted power of your personality to satisfy your lust. It is tempting to think that your great arrogance led you into thinking that you could, in part, excuse yourself because of the good which in other respects, I accept, you sought to do and did. It seems to me that your co-accused, Jaynes, spoke the truth when he said of you 'you just wanted too much, you could not settle for people to care for them and concern yourself about them, you had to abuse them as well'."

Inquiries

1.10 Immediately following the conclusion of the trial, the Secretary of State for Health announced the setting up of two Inquiries. One, a national Inquiry under the chairmanship of Mr Norman Warner, was established with the following terms of reference:

> "to examine selection and appointment methods and criteria for staff working in children's homes and to recommend practical improvements; and to make such further examination as the committee may consider justified of management or other issues relevant to the protection of children and young people and to the support and guidance of staff in such homes."

1.11 The other Inquiry, to be legally chaired, was established by direction of the Secretary of State for Health in the following terms:

> "Pursuant to powers conferred by section 81 of the Children Act 1989, I hereby direct Leicestershire County Council under Section 250 of the Local Government Act 1972 to hold a local inquiry with the following terms of reference:
>
> In the light of the recent criminal trial of child care officers formerly employed in Leicestershire County Council's children's homes, to inquire into and report on:
>
> i management responses to complaints or other prima facie evidence of abuse, malpractice or other related matters in Leicestershire children's homes between 1973 and 1986.
>
> ii any other relevant management and personnel management matters during that period or subsequently.
>
> Signed on behalf of the Secretary of State for Health
>
> J A PARKER
> Assistant Secretary
> 6th December 1991"

1.12 After discussion with the Department of Health, Leicestershire County Council asked me to chair the local Inquiry.

Assessors

1.13 I have been greatly assisted in my task by two Assessors. Mr Morris le Fleming was formerly Chief Executive of Hertfordshire County Council. Mrs Hilary Simon is currently Senior Assistant Director of Social Services (Service Provision), Berkshire County Council. Mr le Fleming and Mrs Simon brought to the Inquiry a wealth of experience in local government and Social Services and were unstinting in their advice and guidance to me both during the conduct of the Inquiry and in the preparation of this report. I am indebted to them both.

1.14 We were not, however, a committee. Accordingly, whilst credit is due to Mr le Fleming and Mrs Simon, criticism, where due, is to be borne by me alone.

Advertising

1.15 The Inquiry was advertised in local and national press, with an invitation to those with a contribution to make to communicate with the Solicitor to the Inquiry.

Accommodation

1.16 Leicestershire County Council provided ideal accommodation for the conduct of an Inquiry at a modern school building at Thurcaston, outside the City of Leicester, which was not currently needed for education purposes. The Governor of H.M Prison, Gartree generously made available a large room at the prison on two consecutive Mondays to enable the Inquiry to receive oral evidence from Mr Beck.

Representation

1.17 It appeared to be appropriate to allow for appearances and representation by a Solicitor and/or Junior Counsel of those people who were in key management positions in the period 1973 to 1986. At the outset it was necessary to rely upon guidance from Leicestershire County Council as to the identity of those officers and as to the extent to which they needed to be represented separately, one from the other.

1.18 A number of people who had been in care in Leicestershire in their earlier years plainly had an important contribution to make. For the most part they already had Solicitors acting for them for the purpose of pursuing civil claims. I was grateful that an accommodation could be reached amongst a number of firms of Solicitors which resulted in all those wanting independent representation being represented at the Inquiry by a single firm of Solicitors. A number of such witnesses, however, preferred to come to the Inquiry under the umbrella of Solicitor and Counsel to the Inquiry.

1.19 Leicestershire County Council was represented by Counsel throughout.

1.20 A number of County Councillors chose to be represented for the purpose of their giving evidence, and for cross examination of Mr Rice.

1.21 Mr Beck was represented for the purpose only of giving his oral evidence.

Terms of Reference

1.22 The Terms of Reference of the Inquiry, set out above, call first for inquiry into and report on management responses to complaints or other prima facie evidence of abuse, malpractice or other related matters in Leicestershire Children's Homes between 1973 and 1986.

1.23 Management posts extend down the line of command to senior officers in residential posts within Children's Homes; and outwards from the residential sector into other areas of operation. The decision was taken that the main focus of attention of the Inquiry should be on the Headquarters management with responsibility for residential child care and references to Management Officers in this report refer to those Headquarters staff.

1.24 Although the Inquiry was often referred to - inaccurately - as "The Beck Inquiry", the Terms of Reference are not confined to the homes in which Mr Beck worked. The Inquiry accordingly cast its net more widely and was receptive to matters arising in other Children's Homes between 1973 and 1986.

1.25 The second part of the Terms of Reference, calling for inquiry into and report on any other relevant management and personnel management matters during the period or subsequently, is potentially very wide. The Inquiry has given consideration to relevant management arrangements within the Social Services Department but has given particular attention to the circumstances in which Mr Beck came to be employed in 1973, to his approval as a foster parent in 1983 and 1984, to the circumstances of Mr Beck's resignation in 1986, to the absence of any note of the circumstances of the resignation on the Consultancy List maintained by the Department of Health, and to the provision of references to enable Mr Beck to obtain employment in social work elsewhere.

1.26 The Terms of Reference do not call upon the Inquiry to make recommendations. Detailed recommendations in the field of residential child care were made in The Report of the Staffordshire Child Care Inquiry 1990 (Pindown). The Staffordshire report was followed in 1991 by a Review of Residential Child Care "Children in the Public Care" (HMSO) prepared by Sir William Utting. The Children Act 1989 brought with it new Children's Homes Regulations 1991 as well as a range of other related Regulations. All that is collected together with invaluable commentary and guidance in "The Children Act 1989 Guidance and Regulations Volume 4 Residential Care". (HMSO) Most recently, "Choosing with Care", the Report of the Committee of Inquiry, chaired by Mr Norman Warner, into the Selection, Development and Management of staff in Children's Homes (HMSO) gives a comprehensive range of recommendations to make Children's Homes safe and to bring all round improvements in the quality of the service.

Police

1.27 Early in January 1992 the Chief Constable of Leicestershire announced that an inquiry had been set up under the auspices of the Police Complaints Authority to look into matters relating to Police arising from the events antecedent to the trial and to assist the two Inquiries ordered by the Secretary of State. The Police inquiry has been undertaken by Chief Superintendent Foster of the West Mercia Police. Mr Foster and I have kept in touch with each other. Matters that came to the notice of the Inquiry that looked as though they may warrant Police consideration have been passed on to Mr Foster.

1.28 It is a feature of the period 1973 - 1986 that "working together" between Police and Social Services had not yet evolved. Indeed, the two agencies viewed each other with some mutual suspicion. Against that background, it is useful that Mr Foster's Report is to be published.

Approach

1.29 I formally opened the Inquiry on 22nd January 1992 when I dealt with appearances and representation and outlined the objectives of the Inquiry and the manner in which I envisaged that it would proceed. To the consternation of some who doubted whether sufficient preparation time was being allowed, I indicated that the Inquiry would begin to receive evidence on 12th February. I am satisfied that it was appropriate to make the earliest possible start and that nobody was unduly inconvenienced by it.

1.30 Of the people who made complaints to the Police in 1989 and 1990, many had not spoken of their experiences before and were fortified to do so by the knowledge that they were not alone. Others had spoken only to professional medical advisers in later life.

1.31 Some, again, had made formal or informal complaint at the time to a family member, or to a field social worker, or to a Police officer or to some other outside person. In the main such complaints got no further. In the 1970s and into the 1980s adults were much less acute at hearing what they were being told than they are, or should be, today.

1.32 An early task of the Inquiry, therefore, was to try to identify which complaints or other prima facie evidence of abuse or malpractice had found their way to Management Officers. In doing that, the Inquiry was very greatly assisted by being afforded by the Leicestershire Constabulary access to the 383 witness statements and voluminous documentary evidence that they had obtained. It was then possible to identify which of those witnesses thought that they had made some kind of complaint at the time and to follow what progress, if any, towards Management Officers the complaint had made. The complaints that went to Management Officers are referred to in the body of the Report.

1.33 It has not been the task of the Inquiry to evaluate the truth or falsity of the complaints, but to find out what Management Officers did about them. Nor has it been any part of the Inquiry's function - or power - to determine either criminal or civil liability.

Publicity

1.34 The criminal trial of Mr Beck and others attracted wide publicity but it did not, of course, address questions of managerial responsibility. Confidential reports commissioned by the Social Services Department and prepared by Mr M.B Newell, formerly Deputy Director of Social Services, Nottinghamshire County Council, in 1990 had, for all their confidentiality, found their way to the press and had stimulated interest in the part played by Management Officers. There was keen interest in some areas in Leicestershire in the work the Inquiry was to undertake.

1.35 Despite that, after careful consideration, I decided to receive the bulk of the evidence in private. I announced that decision in a public session on 22nd January 1992 in these terms:

> "I have given very careful thought as to how best to achieve my objective of producing a full report. That, of course, depends on the quality of the evidence we receive.
>
> "I am extremely conscious of continued public interest in and concern about this whole affair. It is plainly right that the public should have the fullest possible information about it.
>
> "At the same time I bear in mind that at the core of all the evidence lies detail of young people at times of particular difficulty in their present or past lives - detail, moreover, which has been recorded in circumstances of confidentiality. The identity and something of the difficulty of some, but by no means all, of those young people is already, of necessity, public knowledge: of necessity, because they gave evidence in the criminal trial. But I intend to respect the right of all those people to confidentiality and I shall do nothing to add to the burdens upon any of them.
>
> "Furthermore, I am certain that the fullness of my final report, by which the public will be informed, depends upon witnesses feeling able to talk freely and frankly to me, and that some may feel inhibited in that respect if their every word is in public audience.
>
> "Accordingly, I intend to receive evidence in this Inquiry in private session".

1.36 On 12th February 1992, as the Inquiry started to receive evidence, I considered further argument and in the light of it relaxed my decision to the extent only of allowing evidence to be given in public by those 'complainants' who might find it positively helpful to themselves to speak in public session.

1.37 In the result, of 26 'complainants' who gave oral evidence, 7 chose to do so in public. In addition, 10 family members gave oral evidence of whom 4 asked to speak in public and were permitted to do so. For completeness' sake, it should be noted that the Inquiry received written evidence from a further 16 'complainants' and 2 family members.

Witnesses

1.38 All witnesses were put, in the first instance, to a written statement of evidence. Wherever practical, arrangements were made for the attendance of all those witnesses who were required to elaborate upon their written evidence, deal with documents that had arisen, or answer cross examination. In a very few instances attendance was not practical due to distance, ill health or imprisonment.

1.39 Almost all witnesses attended willingly. In one or two instances, the voluntary attendance of a witness or the production of relevant written material was procured after a reminder of the valuable powers conferred by Section 250 Local Government Act 1972 to achieve that end by means of an order. That, it must be stressed, did not apply to the County Council who cooperated throughout. It was not, in the result, necessary to issue any process under Section 250.

Report

1.40 I made clear from the outset, with the agreement of Leicestershire County Council, that my Report would be made public in its entirety.

1.41 It has been my objective to provide a full account of matters that fall within the Terms of Reference of the Inquiry in order to inform people in Leicestershire of the role of members and of the action and inaction of officers of the County Council in relation to those matters.

1.42 Part 1 of the Report begins with two chapters of background sketch of relevant matters in the County Council, Social Services Department and residential child care. The Inquiry heard a wealth of detail, some of it on controversial topics, which would in itself fill a substantial volume. The background chapters are drawn from that material, but of necessity do no more than highlight salient features and do not attempt to reflect the range of different perceptions and opinions about the past. There follow short chapters about the policy and practice as to methods of control in Children's Homes, the availability of training for residential care staff, financial matters and policy and practice as to grievance and disciplinary procedures.

1.43 Part 2 deals with Children's Homes in which Mr Beck had responsibility in the period 1973 to 1978 and covers his appointment and work at The Poplars, Market Harborough, Ratcliffe Road, and Rosehill. Part 3 is devoted to The Beeches, Leicester Forest East 1976 - 1986. It begins with a chapter about The Beeches and difficulties and complaints that arose there in the two years before Mr Beck took over as Officer in Charge. Chapters about Mr Beck's appointment to The Beeches, the development of the home, management issues and then a series of complaints follow. Part 4 contains the evidence about Mr Beck's approval as a foster parent. Part 5 addresses the circumstances of Mr Beck's resignation, the Department of Health Consultancy List and the provision by Mr Rice of references for Mr Beck. Part 6 outlines seven complaints and related matters arising in Children's Homes with which Mr Beck then had no connection. They serve to show that management deficiencies were not confined to dealings with Mr Beck. Part 7 sweeps up miscellaneous matters. Part 8 is a short account demonstrating that under the present Director, Mr Waller, arrangements have moved forward. Part 9 contains key conclusions.

1.44 With almost any endeavour, a review in the comparative calm of an Inquiry of actions made and decisions taken under the pressure of operational business in past years, and past times of less developed professional and management expertise, is likely to find room for criticism. That has been very much in the mind of the Inquiry. So, too, has the danger of making critical comment only with the benefit of hindsight. Nonetheless, some matters have emerged that do call for comment and comments are included in the narrative where appropriate. The main ones are brought together in Part 9.

1.45 Although this has been essentially an historical Inquiry and although the events took place before the extensive recommendations, legislation and guidance of the past three years, it would not be wise for anyone to approach this Report on the basis that it all happened a long time ago and that nothing like it could ever happen again. Readers from outside Leicestershire may well find lessons to be learned from what amounts to a very serious cautionary tale. My own comments in the narrative and in Part 9 are not intended to be exhaustive. Readers coming to this Report from differing backgrounds within the broad area of welfare work may want to draw conclusions of their own from it and should do so.

Confidentiality

1.46 I have taken the liberty of referring to all those people who were under 18 at the time as "children". It is purely a matter of convenience which I hope will be understood and will cause no offence.

1.47 With one exception where a pseudonym is used, all children are referred to by coded initial letters. There are references to some 54 boys and 18 girls. Because of their numbers, the boys have double initial letters. The girls are referred to by single initials.

1.48 The identity of a handful of adults is disguised: three foster mothers, one friend, one teacher and three residential care staff. There is no possible reason for the foster mothers and friend to be identified: the teacher and three care staff were themselves victims and attract no possible criticism - indeed the reverse.

1.49 I hope that the confidentiality accorded to those people will be respected.

1.50 All the other people to whom reference has to be made in this Report are identified by name. I have given long and anxious thought to whether that was invariably necessary.

1.51 The cumulative evidence of many, but not all, witnesses who had worked as residential care staff, as social workers and in other relevant professional capacities during the period 1973 to 1986 created a very powerful impression of the most anxious soul searching about their participation in past events: whether they had themselves erred, whether they could have done something differently at the time. Most have moved on in life, wiser people. Furthermore, some of those written about in Part 6 have paid the penalty demanded of them.

1.52 Despite those considerations, I have decided that it is my obligation to produce a Report in which the central players are identified by name; and to avoid any possible suggestion of a 'cover-up' in reporting on an affair about which lack of full information in the past has merely encouraged rumour, speculation and, in many victims, a profound sense of injustice.

Acknowledgements

1.53 I have already expressed my gratitude to Mr Morris le Fleming and Mrs Hilary Simon.

1.54 The Inquiry was staffed by a small but enthusiastic team. Mrs Lynda Eaton, a partner in the Leicester firm of Solicitors, Messrs Josiah Hincks Son and Bullough, acted with the greatest efficiency as Solicitor and Secretary to the Inquiry, and performed with equal flair any other role that came along - including Administrator and Press Officer. Mrs Eaton was assisted by Mrs Malayne Bowley who was responsible for the office and its machinery, in particular the computer and word processor; Miss Erica Povoas undertook a constellation of tasks, acquiring a particular speciality in keeping the documents under control and indexed; Mr Bob Weaver, a retired senior police officer, brought to the Inquiry his very considerable skills in finding witnesses and in travelling the length and breadth of the country to interview them. I am indebted to them all.

1.55 I am grateful to all Solicitors and Counsel for their very great assistance.

1.56 Miss Anna Pauffley, Counsel to the Inquiry, contributed a ready and remarkable mastery of the issues and the detail, examined and cross examined a total of 173 witnesses both fairly and thoroughly, and dealt with the Chairman and Assessors with unfailing tact. I extend to Miss Pauffley my profound thanks.

PART 1

BACKGROUND

2
BACKGROUND
1973-1980
MISS EDWARDS' DIRECTORSHIP

The General Legislative Background

2.1 The period reviewed by the Inquiry begins at a time of philosophical and administrative change in the approach to the care of children by public authorities.

2.2 The intention of the *Children and Young Persons Act 1969* was to create a fundamental change in the care and treatment of children and young persons by breaking down the discrimination in attitude and care towards offenders, and others with behavioural difficulties or social disadvantage. Juvenile delinquency came to be seen as a symptom of deprivation which required treatment rather than punishment. The Act sought to introduce a system of care whereby local authorities were able to provide a range of services oriented to keeping children away from custodial establishments and to maintaining them in the community.

2.3 Approved Schools became Community Homes with Education.

2.4 The system of Community Homes, maintained by local authorities, was developed with a view to providing residential care and treatment for children to include those who had hitherto been cared for in 'penal' establishments.

2.5 The Secretary of State for Health and Social Security was authorised to make grants available for local authorities to enable them to provide secure accommodation facilities in Community Homes.

2.6 Intermediate treatment resources were to be developed.

2.7 Children's Regional Planning Committees were set up with a view to planning a range of Community Homes within the region and to co-ordinate the use of residential establishments and related resources.

2.8 There was a general assumption in the early 1970s that local authorities, which had the responsibility, also had the skills to care for any child for whom society had no other answer.

2.9 The practical consequence was that Leicestershire County Council -like other authorities - had to assume responsibility for a range of children who had hitherto been regarded as delinquent. Some could be accommodated in ordinary Children's Homes where the majority of children were not delinquent. For others, appropriate facilities had to be thought out and put in place.

2.10 Between the implementation of the *Children Act 1948* and 1971, services for children were provided by local authorities through their specialised Children's Departments, led by a Children's Officer. Other welfare and health services were provided by combined or separate specialised departments.

2.11 The *Local Authorities Social Services Act 1970* implemented the recommendations of the Committee on Local Authority and Allied Personal Social Services [1968, HMSO, Cm3703] - the Seebohm Committee - that services be re-organised to provide a more comprehensive, coherent and accessible service.

2.12 Each Social Services Authority was required to establish a Committee with responsibility for all Social Services functions and to appoint a Director of Social Services to head the newly created Department.

2.13 The ideal was adopted of a family social worker able to respond to any social problem within the family, whether posed by the young, disabled or old. Social workers generally ceased to be specialists and became generic social workers.

2.14 In the quest for integration of previously separate services, management structures which emphasised client group specialisation were not felt to be appropriate. Many authorities adopted a division between field work management, and combined residential and day services management across all client groups. Management officers came to have responsibility for services outside their previous field of experience.

2.15 As the newly formed Social Services Departments were developing the skills required of them, major upheaval was caused by the complete re-organisation of local government enacted by the *Local Government Act 1972*.

2.16 The Social Services Committees and Departments of the 'old' Leicestershire and Rutland County Councils and Leicester City Council were brought together through transitional arrangements in 1973 and early 1974, and the 'new' Leicestershire County Council came into being on 1st April 1974. The Social Services Department of the new Leicestershire County Council had the responsibility for all social services throughout the geographical area that had been the geographical counties of Leicestershire and Rutland, serving a population of approximately 900,000 over an area of 255,297 hectares.

2.17 The *Community Homes Regulations* 1972 [SI 1972 No 319] provided a broad framework within which responsible bodies were to administer Community Homes. Specific reference will be made to relevant parts of the Regulations in the course of this report.

The County Council

Elected Members

2.18 In 1973 County Council elections, to elect the new County Council that was to assume executive authority on 1st April 1974, returned a balanced Council with the Conservatives being the largest party (Con 41: Lab 37: Lib 7: Ind: 8). In the 1977 elections, in common with the rest of the country, the Conservatives enjoyed substantial gains and in Leicestershire established overwhelming control - (Con 75: Lab: 17: Ind: 1).

2.19 Notwithstanding the balanced position between 1973 and 1977, party politics played little part in the Council's affairs from local government reorganisation until 1981. Conservatives chaired the Council and committees. Members looked to officers to lead policy thinking and initiatives and to undertake day to day management with minimum member involvement. Officers were expected to keep members informed appropriately. Chairmen played an important role as confidant and guide to the Chief Officers and were looked to by members to reflect their concerns.

Social Services Committee

2.20 The Social Services Committee was a reflection of the County Council as a whole in its composition and approach. There were some differences of approach between former County and former City members (and during the Inquiry there was some evidence that those differences of approach still obtain) but, with experienced Conservative Chairmen from the former Leicestershire County Council (Mrs N M E Eady to 1976; Mr N R Hanger 1976-1981) and Miss Edwards as Director of Social Services (also from the former County Council), the general approach was that of the County Council pre 1974. Apart from the determination of its budget by the Council on the recommendation of the Policy Committee and personnel controls, the Social Services Committee was largely master in its own house.

Sub-Committees

2.21 There were from the outset two sub-committees, the Social Services Sub-Committee and the Personal Services Sub-Committee, whose membership reflected the membership of the Social Services Committee. There was in addition a Conditions of Service Sub-Committee, convened as and when necessary, to deal with a variety of personnel and disciplinary issues affecting staff within the purview of the Committee.

The Chief Executive and his Department

2.22 At the time of local government reorganisation the Council appointed Mr Thornton, previously City Chief Executive, to be Chief Executive of the new County Council. Mr Thornton was succeeded in that post by Mr Sam Jones in 1976. Mr Jones was appointed from outside the County. Throughout the 1970s the Chief Executive was 'free-standing', with separate County Secretary's (legal and administration) and Personnel and Manpower Services Departments. In 1981 those were incorporated in the Chief Executive's Department.

2.23 Mr Jones was 'head of the paid service'. As Chief Executive, he had authority over all other officers so far as was necessary for the efficient management and execution of the Council's functions. In practice, the Chief Executive had a wide range of functions in the political, corporate, and overall resource management of the authority and was in no position to oversee, let alone intervene in, departmental management issues in the general course.

2.24 It was necessary for the Chief Executive to adopt an approach and develop relationships with Chief Officers within which they were able to inform him and discuss with him matters generally and issues of difficulty. Mr Jones maintained such a relationship through an 'open door' policy and the Inquiry heard evidence that Mr Jones was regarded as both accessible and approachable. Systematic formal or informal staff appraisal systems had not been developed in Leicestershire at the time.

2.25 Direct contact with Chief Officers was supplemented by information and views about Chief Officers and their departments from elected members and from the Chief Executive's own staff or related staff. In the field of Social Services, the officer best placed to bring information to the Chief Executive was Mr R Fenney.

2.26 Since 1977, Mr Fenney, now Deputy County Secretary, has been the senior solicitor responsible for the administrative and legal service to the Social Services Committee. Mr Jones regarded Mr Fenney as the Chief Executive's 'eyes and ears' in the Social Services Committee and expected Mr Fenney to bring to his attention any matters of serious difficulty.

The Social Services Department

Organisation

2.27 The three Social Services Departments which had to be brought together at local government reorganisation (1973-1974) had themselves come into existence only recently as a result of the Local Authority Social Services Act 1970. Given the inherent difficulties in such an amalgamation, the view was taken in Leicestershire that minimal structural change was desirable to limit disruptions for the staff involved. However, because of differences in size and community needs the pre-existing differences were considerable.

2.28 The Director's working party, which recommended the new structures, had considered the possibility of establishing two or three all purpose area organisations but had rejected it on the ground that suitable area officers, with the range of experience required, were not available.

The Management Team Structure

2.29 The structure that was adopted consisted of:–

The Director of Social Services	– Miss D M Edwards
Deputy Director	– Mr T S Smith - Research and Development (with a staff of 10)
Senior Assistant Director	– Mr T A Nelson - Coordination
Five Assistant Directors	– Mr H G Orme - Personnel and Training (19)
	– Mr R B Willis - Finance and Administration (38)
	– Mr M Wells - Domiciliary Services (with a HQ staff of 16)
	– Mr D Hindes - Domiciliary Support Services (19)
	– Mr P W Naylor - Residential and Day Care Services (Care Branch) (with a HQ staff of 27)

Structural diagrams are at Appendix 3.

Relevant Personnel

2.30 The members of the Management Team with whom the Inquiry was mostly concerned were:

2.31 *Miss Dorothy Edwards* became Leicestershire County Council's first Director of Social Services in 1971 and Director of Social Services of the new Leicestershire County Council in 1974. Born in 1920, Miss Edwards came to Leicestershire in 1969 as Children's Officer. Before that appointment, Miss Edwards had been Children's Officer, West Suffolk County Council 1961 - 1969 and Assistant Children's Officer, Essex County Council 1952 - 1961. Miss Edwards held the University of London Teacher's Certificate and the Home Office Certificate in Child Care.

2.32 Miss Edwards was spoken of at the Inquiry by all who knew her as having a profound knowledge of and interest in child care, a caring approach and a 'hands on' style of leadership.

2.33 In the post of Director of Social Services, which carried responsibilities for all client groups, Miss Edwards' time and experience were inevitably spread more thinly than they had been before 1971 and she was not able to maintain the intimate knowledge of and involvement with the children's services that she had in the past. Miss Edwards retired in 1980.

2.34 *Mr Terry Smith* was appointed to the post of Assistant Director of Social Services of the old Leicestershire County Council in 1971. His past experience lay predominantly in the field of mental welfare. He had served Leicestershire County Council as Area Welfare Officer (mental health and social welfare) 1969 - 1971 and Leicester City Council as mental health training officer 1967 - 1969. As Assistant and then Senior Assistant Director (1971-1973) Mr Smith was responsible for social work, home help, occupational therapy and professional advisory services. Following reorganisation he was appointed Deputy Director with responsibility for Research and Development.

2.35 Mr Smith held Certificates in Applied Social Studies and in Psychiatric Social Work. Mr Smith held a BA in Social Administration and had attended relevant Management courses.

2.36 In 1974 *Mr T A Nelson*, who was a solicitor, was appointed to the post of Senior Assistant Director with responsibility for Co-ordination. Mr Nelson had previously served the County Councils' Association as Assistant Secretary from 1962 to 1967 and as Senior Assistant Secretary from 1967 to 1974. It is Miss Edwards' recollection that members of the Social Services Committee of the County Council had been keen to have as a member of the Management Team someone with a background outside social work. There was other evidence that it was the Chief Executive, Mr Thornton, who had favoured Mr Nelson's appointment.

2.37 Mr Nelson's role was in part to develop co-ordination with outside groups - NHS, District Housing Authorities and the voluntary sector. Mr Nelson's co-ordination role with the NHS diminished as available joint funding reduced.

2.38 The other aspect of Mr Nelson's role was internal co-ordination between branches. That was in part frustrated by his lack of professional social work qualification and expertise, and in part because it was not welcomed by the branches themselves.

2.39 In 1974 *Mr Michael Wells* was appointed Assistant Director responsible for Domiciliary Services. Mr Wells had been liaison officer Leicester City / Leicester County leading up to amalgamation in 1973 to 1974, Assistant Director of Social Services with Coventry City Council 1972 - 1973 and before that had served Leicester City Council as a social worker and then Area Officer in the Welfare, Education and Health departments.

2.40 As Assistant Director (Domiciliary Services) Mr Wells had responsibility for 12 Areas throughout the County each headed by an Area Director and responsible for all field social work activities.

2.41 Mr Wells held Certificates in Social Studies and in Psychiatric Social Work, a Diploma in Municipal Administration and an MA in Public Administration.

2.42 *Mr Peter Naylor* served the old Leicestershire County Council as an Area Director from the creation of the Social Services Department until 1972 when he was appointed to the post of Assistant Director of Social Services. Mr Naylor's earlier experience had been as a social worker dealing with physically handicapped and elderly people and then as a Principal Officer responsible for the physically handicapped and, later, homes for the elderly.

2.43 Upon the formation of the new Leicestershire County Council in 1974 Mr Naylor was appointed Assistant Director, Residential and Day Care Services (Care Branch). Until his retirement in 1986, Mr Naylor remained the senior officer responsible for residential services (including Children's Homes).

2.44 Mr Naylor had Diplomas in Social Studies and in Social Work.

Comment

2.45 The notable features of the Management Team were:

- the absence of professional child care expertise and background, other than that of the Director, Miss Edwards.
- the extensive responsibilities of the Domiciliary and Care Branches, and in relation to Mr Wells, a very wide span of control.
- the apparently limited responsibilities of Mr Smith and Mr Nelson.
- there was accordingly a degree of imbalance in the management team as a whole.
- no useful bridge was formed between the Domiciliary and Care Branches which each went their own way.

Review

2.46 In the years following reorganisation the County Council commissioned systematic internal Organisation and Method Reviews of its departments. In the case of the Social Services Department this was undertaken in 1977 "to review the organisation and staffing of the Social Services Department Headquarters staff, and to make such recommendations as may be appropriate with a view to making the most effective use of resources". The section of the report on the general structure and operation of the Department consisted of five brief paragraphs describing the general organisation and commenting "it is, however, considered that the present management team of eight may be too large and some reduction in numbers may be appropriate when there has been time to assess the effect of the structural changes proposed in this review".

2.47 Despite the imbalance within the team and doubts in various quarters about the adequacy of the roles of the Deputy and Senior Assistant Directors, the only significant alteration recommended was the merger of the Domiciliary and Domiciliary Support Branches, arguably adding further to the imbalance by increasing the role of Mr Wells.

2.48 Other recommendations, all of which were implemented, were limited to minor savings and redeployments of staff. Miss Edwards said in evidence to the Inquiry that she had been anxious to avoid further disruption so soon after the Department's formation in 1973/74.

Temporary Change

2.49 In 1980 Mr Orme (Personnel and Training) retired. Miss Edwards, herself about to retire, opted to leave the post unfilled to give freedom of action to her successor. Responsibility for Training was temporarily assigned to the Deputy Director, Mr Smith, (joining Research and Development) and responsibility for Personnel was assigned temporarily to the Senior Assistant Director, Mr Nelson.

RESIDENTIAL CARE

Care Branch

Structure and Personnel

2.50 Residential and day care services for all client groups were managed centrally by Mr Naylor and his subordinate officers of Care Branch. Within Care Branch, residential services were the responsibility of the Principal Officer, *Mr John Noblett.*

2.51 Nr Noblett was appointed Principal Officer, Residential Services for Leicestershire County Council on 1st April 1974. Mr Noblett's background was as a Clerical and then Administrative Officer in the Health and Welfare Department, Lancashire County Council 1950 - 1961 and as a Senior Officer, Welfare Department, Warwickshire County Council 1961 - 1974. Mr Noblett qualified CQSW in 1972.

2.52 Until the end of 1979 Mr Noblett had working to him officers in three Principal Assistant posts, each Principal Assistant covering a geographical division.

1. *Mr Edwin Ross* 1974 to January 1980.
2. Mr J H Robinson 1974 to 1976.
   Mr John Cobb 1976 to 1986.
3. Mr S M R Healey 1974 to 1976.
   Mr John Wilmott 1976 to 1986.

2.53 *Mr Edwin Ross*, who has died, was an officer of the old Leicester City Council and was brought into the new Leicestershire County Council upon amalgamation. The Inquiry was told that Mr Ross was well liked in the City homes. Miss Edwards regarded Mr Ross as a lame duck and "a bit of an old fuddy duddy". There is evidence that Mr Ross, who was the Principal Assistant responsible for Ratcliffe Road Children's Home from 1975 to 1979, had found Mr Beck unresponsive to management from County Hall.

2.54 *Mr John Cobb* came to the County in 1976 with a background as a carpenter and joiner, in work with the mentally handicapped, and in management appointments in Cheshire and Stockport from 1971 to 1976 with responsibility for day centres for the handicapped, day nurseries and homes for the elderly. He had attended a part time course in child care at Redbank Community School.

2.55 *Mr John Wilmott* was appointed a Principal Assistant in 1976. He had joined the department during the previous year as a Homes Adviser. His previous experience had been as Superintendent of an Observation and Assessment Centre in the City of Nottingham.

2.56 Each Principal Assistant was supported by two Residential Care Officers (R.C.O), otherwise described as Homes Advisers. In 1979, in response to the need for financial savings, three management posts (one Principal Assistant and two Homes Advisers) were deleted from the establishment of Care Branch - a reduction from 9 to 6 such posts resulting in a substantial increase in the number of homes supervised by each member of staff. No evidence was given to the Inquiry that that significant reduction was opposed by Care Branch or its implications carefully considered and reported to members by the Director. Evidence was given, however, that Mr Naylor was not very strong in "fighting his corner". No steps were taken to try to restore the posts when the financial circumstances eased.

2.57 Ordinarily, direct line management responsibility for Officers in Charge of homes lay with the Homes Advisers. In some instances, however, anomalies in salary scales led to Officers in Charge being in receipt of a higher salary than the Homes Adviser with consequent difficulty in management. The problem was addressed in part by passing line management responsibility to the relevant Principal Assistant and, in one instance, to Mr Noblett.

The Task of Care Branch

2.58 Figures for 1976 show that Care Branch had responsibility for 128 units, which included 31 Children's Homes as well as homes for the elderly, people with learning difficulties, and the mentally ill. That figure also included day centres. In addition, Care Branch was responsible for the inspection of a number of privately run homes.

2.59 The number of places for children in residential homes between 1st April 1974 and the end of 1980 remained almost constant at 487-491. That was despite the closure during the period of 10 homes and the opening of 7.

2.60 Each of the three Principal Assistants and his Homes Advisers (until 1979) had responsibility for an approximately equal number of Children's Homes - about 10 each. Following the deletion of the three management posts in 1979, responsibility for Children's Homes was re-allocated so that East Division (Mr J Wilmott and two Homes Advisers) had responsibility for 12 homes and West Division (Mr J Cobb and two Homes Advisers) had responsibility for 14. Mr Noblett had line management responsibility for the largest home, Polebrook House, in addition to his other duties.

2.61 From 1973 until 1984 responsibility for placement of children in Children's Homes lay with Care Branch. From his appointment in 1976 Mr John Cobb was the responsible officer. Following the deletion of the three management posts in 1979, Miss Jean Carr was assigned to assist Mr Cobb with placements and she handled the administration of the placement work from then on.

Staff Communications

2.62 The geographical location of management staff within headquarters at County Hall influenced the methods of communication amongst them. All their offices were along a single corridor divided by the point of access to the lifts. At one end were the Director, Deputy Director and Assistant Directors. At the other end were Mr Noblett and other Care Branch staff.

2.63 A great deal of communication within Care Branch was done by 'dropping into' each other's offices and 'having a chat'. If the office was empty it was common practice to leave a manuscript note on the document requiring discussion or on a loose piece of paper. Communications were not commonly by formal memo. The consequence of that informal method of communication was that discussion and decisions tended to go unrecorded and such manuscript notes as there were did not necessarily acquire the formal status of a document to be filed.

Monitoring of Childrens Homes

Statutory Management Visits

2.64 The Community Homes Regulations 1972 required that "the authority shall arrange for the home to be visited at least once a month and a report made to them in writing upon the home by such persons as they consider appropriate".

2.65 The practice both as to frequency and content of visits and reports varied in Leicestershire from time to time. Visits and reports were made by Principal Assistants or Homes Advisers within Care Branch. Reports were made by filling in boxes on a prescribed form which was then due to pass via Mr Noblett and Mr Naylor to the Social Services Committee. The practice was for the forms to be placed in the Committee room, available for members to inspect if they wished to do so.

2.66 A typical form for 1977 shows the following categories to be looked at:

"A – Name and address of Home, date of visit, date of last visit, available accommodation, number of children accommodated on date of visit, name of Officer in Charge, name of person seen if not Officer in Charge.

B – Details of all children admitted or discharged since last report, children awaiting fostering/return home. Illnesses, general medical and dental care, problems and general comments.

C – Activities within the home and outside the home, visits by parents, weekends at home, community involvement, visits by social workers, religious observance.

D – Fire precautions.

E – Comments on entries in daily record book, punishment book and client records, meal times, bed times, comments on menus and use of housekeeping, Comforts fund, Treatment programmes related to behaviour modification, comments on rules, controls and general running of the house.

F – Staff.

G – Accommodation (the whole establishment to be inspected), number of children's bedrooms, adequacy of other rooms, use made of building and grounds, comments on staff accommodation.

H – Premises and furniture, general condition, cleanliness and hygiene, furniture, floor covering and curtains, bedding and linen, kitchen, dining room equipment, crockery and cutlery.

General Comment.

Items to be dealt with and action taken."

The form is headed with a note "Section A and B and at least one other section to be completed every month. The whole form to be completed every six months".

2.67 Compliance with the requirement for monthly visiting and full reporting six monthly does not appear to have been uniform and there is evidence of slippage in the completion of reports. In evidence to the Inquiry, Mr Cobb thought (wrongly) that from about 1979/80 the requirement changed so that full reports were to be made annually, rather than six monthly "with interim reports in between times". There was no provision for monitoring the regularity of statutory visits.

Other Contacts

2.68 Principal Assistants or Homes Advisers went to homes for the purpose of attending case reviews and to attend to particular matters that arose.

2.69 There was no practice of formal supervision of Officers in Charge. Discussion of management issues between Officers in Charge and Headquarters staff depended largely on the personalities of the people concerned and the relationships which developed.

2.70 Meetings of all Officers in Charge were held regularly under the chairmanship of a Care Branch officer. The meetings were used as an opportunity to pass on details of legislative changes and changes within the department. A wide range of topical child care issues was discussed. Meetings tended to be dominated by the more senior, and often the more forthright, Officers in Charge. Weekly allocation meetings took place with the Officers in Charge of the larger homes to discuss vacancies and the movement of children.

Child Care Matters

Officers In Charge

2.71 The 1970s saw in Leicestershire, as elsewhere, a deliberate move away from the traditional arrangement whereby Children's Homes were in the hands of a husband and wife team as Superintendent and Matron, or Officer in Charge and Deputy.

2.72 There were two main reasons. The first was that joint appointment presented management difficulty. Miss Furness, who came to Leicestershire as a Homes Adviser in 1976, told the Inquiry that she regarded joint appointments as "collusive" and explained "if there are problems, a husband and wife aren't going to object to what is happening". Furthermore, the appointment of husband and wife to the two senior posts in a home led to duty rostering problems since both commonly wanted to work the same periods of duty and have the same time off duty.

2.73 Secondly, the increase in numbers of difficult adolescents coming into the homes in consequence of the changes effected by the Children and Young Persons Act 1969 was seen to call for a departure from the 'Uncle and Auntie' style of leadership to one that was controlling but lively and imaginative.

Child Care Standards

2.74 Disquiet at the state of child care standards in the County was one of the reasons that Miss Edwards, the Director, called a day conference at County Hall on 21st January 1975. Miss Edwards opened the conference by drawing attention:

> "to the disquiet throughout the Country at the apparent deterioration of child care standards since the implementation of the Social Services Act. This concern was reflected in Leicestershire and was one of the reasons for calling the conference. The picture was not totally black and Miss Edwards mentioned some of the positive achievements of the department, for example the work at Polebrook House and the Poplars, and the development of intermediate treatment, fostering and preventive work. However, there was plenty of room for improvement in all areas, although any proposals had to be discussed in the context of the grave financial situation now facing us."

2.75 In discussion that followed there was a call on behalf of Care Branch for "dialogue with field social workers, particularly regarding admission criteria . . . some conflict was inevitable because Care Branch could not always provide appropriate placements; moreover admissions criteria changed according to the vacancy situation. Planned placements were an ideal to aim for and Mr Latchem, a Homes Adviser, made a plea to the social workers for the established procedures to be followed" (i.e. placement through the Care Branch placement officer rather than by direct approaches to homes).

2.76 Mr Austen, Senior Social Worker, (South Charnwood) spoke, inter alia, of "Social Services and local government reorganisation which had dissipated skills and experience", "imbalances against children's work with the equalisation of services to the client groups", "huge increases in adolescent problems with limited residential resources to respond to them", "the stresses of child abuse work where departmental fallibility no longer appeared tolerable". "The technicalities of children's work suggested a return to specialisation. Non-specialised training exposed many anxieties and retraining was essential."

2.77 In further discussion about Care Branch, led by Mr L Copson (Area Director):

> "It was understood that only two planned placements had been made during the past 12 months and this was a matter of grave concern."
>
> "It was at present too difficult for the small group of people making placements of children to be in contact with all children's establishments and know the dynamics of each of these."
>
> "The Area decided to receive a child into care and suggested the type of placement needed, but the Care Branch could override this to some extent by allocating the places. This resulted in a certain amount of conflict between branches."

2.78 Amongst the positive achievements for the Department to which Miss Edwards pointed were Polebrook House and The Poplars. The Poplars is dealt with in such detail as is available in Chapter 8.

Polebrook House

2.79 Polebrook House was the former Desford Boys (Approved) School for which Leicestershire County Council had become responsible in 1974. Mr Sydney Jones was appointed Principal on 1st June 1973 by the controlling authority at the time, Leicester City Council. At the time of Mr Jones' appointment, Polebrook House was running on traditional approved school lines with about 90 boys from the East and West Midlands, and a staff mainly of teachers but with four housemasters. Mr Jones' remit was to develop the establishment into a Community Home to provide "care and treatment in a planned environment".

2.80 By 1975 a start had been made on replacing the gymnasium (which had been gutted by fire) with a large sports hall, and plans were in hand to redevelop the whole site by the provision of four purpose built living units. That work was eventually completed in 1979.

2.81 In the late 1970s the Regional Plan called for the provision at Polebrook House of a secure unit for 8 children to serve the East Midlands region. The decision was taken that the secure unit should be fully incorporated in the larger redevelopment so that it could be used in conjunction with the other units and facilities. The secure unit was funded by a grant from the DHSS of £175,000.

2.82 At the same time as re-building work was planned and then carried out, there was a large increase in the number of social work staff at Polebrook and the home took on a new ethos as it tried to shake off its old approved school image. The development of Polebrook House, both in terms of buildings and facilities, and culturally, was a major undertaking of the County Council in the 1970s in its task of making provision for children in the residential field.

Review of provision of services for children

2.83 In the latter part of the 1970s there was, both nationally and in Leicestershire, a general questioning of the way in which personal social services had developed for children, young people and their families and whether the resources allocated had been used in the most effective way. Resources had been concentrated on residential care, the effectiveness of which was being questioned, with absence of development of more community based alternatives.

2.84 The Social Services Department had responded by promoting various small innovative projects on an ad hoc basis involving the change of use of some Community Homes (in particular The Beeches) and the redeployment of resources released by some closures.

2.85 During 1978 and 1979 it was recognised that this approach was unsatisfactory and that a major review exercise was required. The Department's Management Team confirmed the need for an overall plan for the development of services for children. At the invitation of Miss Edwards, Mr Smith, the Deputy Director, formed a group of seven officers drawn from both residential and field work sectors which became known as the Child Care Strategy Group. The Group began work in January 1980 with these terms of reference:

> "To consider the scope for modifying the Department's existing approach to dealing with children in trouble by the development of a co-ordinated community based strategy; to make proposals for the development of schemes, taking into account ideas which are currently being expressed and the scope for increasing the resources available by application for central government funding".

2.86 The Group reported in March 1981 and further reference to its findings and the implications of them is made in Chapter 3.

3
BACKGROUND
1980-1986
MR RICE'S DIRECTORSHIP

Social Services

3.1 Miss Edwards retired on 31st August 1980. Final selection of her successor by a panel of seven elected members of the County Council lay between Mr Terry Smith, the serving Deputy Director and Mr Brian Rice who was then Deputy Director of Social Services, Gloucestershire County Council. Mr Rice was appointed to the post.

3.2 It entered Mr Smith's mind that Mr Rice had been preferred to himself because of Freemasonry connections. There were influential members of the County Council who were Freemasons. Mr Sam Jones, the Chief Executive, was a Freemason, although he had no vote in the appointment of the new Director. Mr Rice was a Freemason.

3.3 The reality, however, was different. During the course of Mr Smith's interview it emerged that a gap in his curriculum vitae was accounted for by his conscientious objection to National Service. He had instead worked as a farm labourer, bread roundsman and a clerk in the hospital service - "work of national importance". The Inquiry was told that that circumstance weighed with the interviewing members.

3.4 Mr Rice took up his appointment on 1st September 1980. Mr Smith continued to serve as Deputy. The relationship between them was never easy.

Mr Rice

3.5 Mr Rice was aged 50 on appointment. He had served two years National Service in the Intelligence Corps (1949-1951); Administrative Officer, Health Department, Gloucestershire County Council (1951-1958); Mental Health Welfare Officer, Gloucestershire County Council (1958-1963); College and University Lecturer in the field of Social Administration and Local Government Studies (1963-1970); Deputy Director of Social Services (old) Gloucestershire County Council (1970-1974); Deputy Director of Social Services, (new) Gloucestershire County Council (1974-1980).

3.6 Mr Rice had an academic background of a Diploma in Municipal Administration (1958/59); Diploma in Social Studies (London University, 1961); Bachelor of Science (Sociology) (London University - external - 1970).

3.7 Mr Rice came to the County essentially as an Administrator but with background experience in the field of Mental Health. The retirement of Miss Edwards and the appointment of Mr Rice left the Management Team without expertise in the field of child care.

The Management Team

3.8 On the retirement of Mr Orme in 1980, Miss Edwards had lodged Mr Orme's responsibility for Training and Personnel temporarily in the hands of Mr Smith and Mr Nelson respectively. She had not wanted to tie the hands of the new Director.

3.9 Mr Rice left Training and Personnel where Miss Edwards had lodged them. Indeed, Mr Rice left the structure of the Department and the Management Team virtually unaltered until 1986. He had experience of restructuring in Gloucestershire to a divisional framework but felt that re-organisation in Leicestershire was impractical at a time when he was being required to cut his budget. Mr Rice did not, however, act when the budgetary position improved substantially in the following year. The imbalance in the Management Team, the separation of domiciliary and residential child care services and the lack of child care expertise at senior management level were not addressed.

Mr Smith's Group

3.10 The Child Care Strategy Group which had been set up by Miss Edwards in January 1980 under the chairmanship of Mr Terry Smith reported in March 1981. The Group concluded that:

- the Department was overprovided for in the number of conventional residential units for children;
- excessive and unhelpful use was being made of out of County placements;
- the existing pattern of services lacked variety, alternatives and flexibility;
- there was too little provision of Area resources (intermediate treatment, day care, volunteers, preventive aid); substitute family care and special fostering and adoption; community homes with identifiable, flexible, planned care programmes and trained staff; special arrangements for education in support of community homes.

3.11 The Group proposed a strategy with three essential elements:

- an acceptance of the concept of locally based care in the community;
- the switching of resources from long term residential care to the development of a flexible range of community facilities;
- a phased programme of change (over five years).

3.12 The Group also addressed the organisational implications of its proposals and considered that, short of radical reorganisation on the basis of geographical divisions, needs could be met by separating out child care services into a new Child Care Branch or, at the least, the creation of a Child Care Resources Team to provide the impetus for resource switching and allocation. Mr Smith and Mr Wade then set about a Review of Residential Care, but, at that early stage, the opportunity for an officer led initiative for operational and organisational change was in the Director's hands.

The Labour Group Manifesto

3.13 The proposals of the Child Care Strategy Group coincided very broadly with the thinking of the Leicestershire Labour Party as it prepared for the County Council elections in May 1981. The Party's manifesto contained the following (extracted) passages:

"Residential homes are generally inappropriate, as well as extremely expensive, ways of caring for children. Much of the truancy, vandalism etc., in which children take part could be stopped if only we responded properly as a community to the needs of our children. Labour will:

- reduce the proportion of children taken into the care of the local authority placed in residential homes
- ensure that those children for whom there is no alternative to residential care enjoy the same rights, freedoms and opportunities as children in a normal family
- abolish the use of secure provision for children in the County's Childrens Homes and stop paying for our children to be placed in secure provision outside the County
- recognise the need for adequately trained and paid residential child care staff with a proper career structure
- provide day-care schemes for serious juvenile offenders where relevant educational, leisure and life-skills could be acquired
- develop the use of fostering as an alternative to residential care, with proper levels of payment to foster parents, and improved back up from Social Services staff."

County Council

3.14 The May 1981 elections saw a resurgence of opposition parties both nationally and in Leicestershire. The election gave no party overall control on the County Council (Con 44: Lab 43: Lib 5: Ind 1). In the first year (1981-1982) the Conservatives retained the chairmanships, but in 1982-83 they passed to the Labour Group.

3.15 The impact on senior officers of the demands of working to a hung Council were very great. Chief Officers tended to be regarded with suspicion by the Labour Group as being Conservative Group appointments. Consultation and balance had to be maintained with the political groups. Policy was the arena of political controversy.

3.16 Furthermore, there was a general expectation over the four years following the May 1981 election that the absence of Conservative control was a temporary phenomenon that would end in 1985. That influenced Labour and Liberal/Alliance members who, once they had settled in and organised themselves in the first year, pressed for an early implementation of the changes they viewed as desirable. Conservative members, on the other hand, were not unhappy to delay matters to which they were opposed.

3.17 Senior officers, some personally sympathetic to the changes, some personally opposed to them, had to come to terms with the conflict between loyalty to the immediate democratic decision making and the maintenance of relations with the party opposed to the change and expected to resume control, as well as to the avoidance of disruptive changes of policy.

3.18 In the event, the 1985 County Council elections saw the 'no overall control' state of the Council continued (Con 42: Lab 32: Lib 11). The position was maintained in 1989.

Committees

3.19 At the time there was no legislative requirement for the political balance of the Council to be reflected in the composition of Committees and Sub-Committees. Chairmen and Vice-Chairmen of Committees were appointed by the County Council at its meeting in May of each year by adoption of one of the lists submitted by the two main political groups. The composition of the Committees and Sub-Committees would then be determined by adoption of a further list submitted by the successful group.

From January 1986, however, there have been no Chairmen other than those elected on the day for the day.

Social Services Committee

3.20 The impact of the changes on senior officers was significant in relation to Social Services, an area to which a number of the new Labour members attached great significance and in which they were active.

3.21 During the period 1981 to 1986 the composition and chairmanship of the Social Services Committee was as follows:-

	CON	LAB	LIB	CHAIRMAN
1981/82	11	10	1	Mr E A Crane (Con)
1982/83	10	12	2	Mr M Ryan (Lab)
1983/84	10	12	2	Mr M Ryan (Lab)
1984/85	12	10	2	Mr E A Crane (Con)
1985/Jan 86	15	11	4	Mr A O'Brien (Con)
Jan 86	14	11	4	NONE

3.22 The Social Services Committee maintained, throughout the period, a Social Services Sub-Committee, a Personal Services Sub-Committee and an ad hoc Conditions of Service Sub-Committee. In addition, a Child Care Strategy Working Party was established in 1983. That became a Sub-Committee in 1986 in response to legislative requirement. A Secure Accommodation Sub-Committee was established in 1984.

3.23 Throughout the period, Mr Rice's relationship with the Committee and Sub-Committees was difficult. The Inquiry heard evidence from Labour members who felt that Mr Rice had come ill-prepared to Committee and had dragged his feet over implementation of their policies; and from some officers who felt that Mr Rice did not have the confidence of the members. Mr Stimpson, formerly Assistant Chief Inspector, Social Services Inspectorate, East Midlands Region, spoke of members virtually ignoring advice from the Director. "Members made it clear that it was for them to determine and decide on policy matters and for the Officers, including the Director, to carry it out."

Members and Members' Visits

3.24 Recognising that ultimate responsibility for the provision of residential services for children and for the quality of the service rested with members, those members who gave evidence to the Inquiry generally expressed the rightly held view that resources and policy lay within their province but day to day management did not. That was the responsibility of Management Officers. Involvement of members in day to day management would cause confusion about accountability.

3.25 However, visiting by members to Children's Homes does not fall within the ambit of day to day management. The Inquiry was told that both Miss Edwards and Mr Rice encouraged members to visit but that the arrangements were very fluid. A visiting rota was prepared annually but making visits was in the discretion of individual members.

3.26 Some, if not most, members of the Social Services Committee, with heavy demands on their time quite apart from their County Council duties, were and are in no position to visit Children's Homes regularly. Some felt that a Children's Home should be regarded as a private home for the children in the sense that visits except by invitation by the residents were intrusive and could be insensitive.

3.27 The general picture painted by evidence was that such visits as occurred took place when the children were out at school and were made in order to look at buildings, kitchens, grounds and upkeep and perhaps to talk to staff. The point was made forcefully that as laymen rather than experts in child care matters members often did not know what to look out for in order to get a feel of standards within the home.

3.28 It is notable that some members who had visited The Beeches were misled into accepting Mr Beck's contention that the poor state of the home should be regarded as compatible with the poor circumstances from which many of the children had come; it was what the children were accustomed to and were comfortable with. The risk of members being misled by an Officer in Charge has to be recognised.

3.29 Whilst members' visits should not be seen to blur the monitoring responsibility of officers, visits have value. They enable members to be better informed about the homes for which they have responsibility and demonstrate to staff interest in them and their work.

Evolution of Child Care Policy

3.30 There is no room for doubt, despite widespread misunderstanding to the contrary, that the origins of Leicestershire's Child Care policy in the 1980s lay in the March 1981 report of Mr Smith's Child Care Strategy Group. Misunderstanding has arisen because the proposals of the Group came to be seen to have been taken up, adjusted and pursued by the Labour and Liberal/Alliance groups, rather than to have been given impetus by officers.

Review of Residential Care

3.31 The report of Mr Smith's and Mr Wade's Review of Residential Care was made in February 1982. The report addressed the structural needs of the Department in the context of its findings and of the proposals of the 1981 Strategy Group:

> "We are forced to consider again the old issue of the separation between field and residential work and the obstacles which this creates for constructive work. Could a workable and reasonably economical structure be devised whereby this division was minimised, or even eliminated, given the geography of Leicestershire? Would this permit a continuance of 'generic' work or would a pre-Seebohm type client-centred approach be necessary?
>
> "If such a radical re-structuring could not be contemplated, then the indications in this study are that a strong child care grouping is necessary at County Hall (one of the options proposed by the Child Care Strategy Group) which would involve senior personnel from the domiciliary, care and research and development branches and would mean that care branch staff would need to re-organise on a client-group basis.
>
> "Such a group could set the objectives of the child-care service generally, monitor the methods being employed, operate the gates which lead to all the child care facilities and control the development towards a community based and treatment centred service."

Secure Accommodation

3.32 Prior to 1982 there were no secure accommodation units within the County although provision was planned.

3.33 In March 1982 a proposal for provision of a 4 bed secure remand unit at The Woodlands was referred back to the Social Services Committee by the County Council.

3.34 In May 1982 the Social Services Committee, still with a Conservative majority, affirmed an earlier decision to provide the 4 bed secure unit at The Woodlands; and affirmed the intention to open the secure unit at Polebrook House provided in accordance with the Regional Plan, funded by the DHSS, and being staffed in preparation for opening in the Autumn.

3.35 Later in May, the Social Services Committee was re-constituted with control, dependent on the casting vote of the Labour Chairman, passing to the Labour Group.

3.36 In June 1982, the newly constituted Social Services Committee deferred The Woodlands proposal for further research.

3.37 In September 1982, the question of opening the secure unit at Polebrook House, which was now staffed and ready to begin work, was re-considered by the Social Services Committee. It was an issue that attracted widespread and heated controversy. There was consultation, and advice was obtained from outside the County which reflected the powerful arguments expressed nationally both for and against the use of secure accommodation.

3.38 The debate about Polebrook House is still alive in the County and the Inquiry heard a volume of evidence about it. The Inquiry was informed that the secure unit was an integral part of the whole Polebrook House project, and staffed to a high level of qualification and skill; that Magistrates and Police regarded provision of the resource as necessary; that Conservative politicians supported the project; that it was at odds with the Labour Party's determination, expressed in their 1981 manifesto, to abolish the use of secure accommodation for children; that the Liberal Group took advice from Mr Beck who was himself opposed to the use of secure accommodation.

3.39 A report was prepared for the Committee over the signature of the Director, and to be spoken to by him. It argued for the opening of the secure unit as a local and regional resource at least for a trial period. It was not a well prepared document and was arguably insensitive to the political atmosphere at the time. It laid the foundation for argument by Labour members, at an urgently arranged meeting with the Chief Executive and the Director, that the latter was not to be relied upon to present both sides of the case or all material considerations, for decision by members.

3.40 The upshot of the meeting was that, exceptionally, a report over the name of Mr Ryan, Chairman of the Committee, written by two of the new 1981 Labour members, Mr I Whitehead and Mrs S Middleton, was presented and circulated at the Committee meeting. It argued against the opening of the secure unit.

3.41 The motion that "the County Council be recommended to approve the recommendation of the report of the Chairman" was moved by Mr Whitehead, the Vice Chairman, seconded by Mrs Middleton and carried by 13 votes to 9, Liberal/Alliance members voting in support. It was later affirmed by the County Council.

3.42 The proposal with regard to The Woodlands does not appear to have been revived.

3.43 The wisdom or otherwise of not opening the secure unit at Polebrook House is not a matter for the Inquiry. The course of the debate about it, and the outcome, has, however, this peripheral relevance. It represented the first significant step in the implementation of new policy. It was the first major stumbling block in the relationships between the Director and the members. It was the first instance of Mr Beck having an influence on political decision. And it has led to the question whether the absence of a secure resource in Leicestershire contributed to the value attached to the work of Mr Beck in taking on very difficult adolescents.

3.44 Notwithstanding ideological opposition to the use of secure accommodation, some placements (out of County) proved to be necessary over the coming years.

The Child Care Strategy

3.45 On 29th November 1982 the Social Services Committee gave detailed consideration to the report of the Director prepared in consulation with the Chairman, "A Strategy for Child Care and a Strategy for Children and Young People in Trouble". The Committee endorsed the report and recommended that it be submitted to the County Council. The County Council adopted it in January 1983.

3.46 The report was expressed to incorporate the recommendations of the departmental Child Care Strategy Group and the findings of the Review of Residential Care. It contained these passages:

> "The overall objective of the strategy is to provide a continuum of services which can most appropriately meet the complex range of demands being made on the Social Services Department. The emphasis is placed upon developing a network of community based services which aim to enable the majority of children and young people to remain with their own parents and families and so reduce considerably the number of children who:
>
> i) are received into care as a result of voluntary agreements being made between the child's parents and social worker.
>
> ii) live in residential establishments on a full-time basis; in particular, the number of children who are placed in residential care because of their delinquent behaviour but could be more appropriately involved in Intermediate Treatment schemes.
>
> "However consideration must also be given to those young people who cannot continue to live at home and will need to live in one of various alternative forms of care. Foster care is regarded as the primary option for the majority of children in this respect but the need for residential establishments to care for young people (albeit fewer in number than hitherto) has to continue as not every young person is either able or willing to live with foster parents.
>
> "It is recognised that it will be necessary to modify present practice by shifting resources from the residential sector in order to develop a range of alternative community based programmes which are geared to maximising the capacity of parents to maintain their child at home.
>
> "It is of vital importance to establish effective systems to develop, monitor and review the implementation of the proposed strategy. Much of this work will be undertaken by a centrally based Child Care Resources Team. This team will be led by an additional officer responsible for monitoring and a gate-keeping function for admissions of children to care."

The Strategy was to be implemented over a period of three years, which represented some acceleration of the original proposal.

3.47 It was fundamental to the Strategy that it be self-financing. In practical terms that meant that money saved by the closure of Children's Homes was to be made available to finance community based schemes. Conversely, that the extent of implementation of the strategy in the community depended upon the anticipated release of money by the closure of homes.

Implementation of the Strategy

Members

3.48 In June 1983 a Child Care Strategy Working Party was established to oversee implementation of the Strategy. It was essentially the creation of the Labour and Liberal/Alliance Groups to progress/chase the closure of Children's Homes and the redeployment of savings to community initiatives, and to develop detailed policies in a way in which, in their view, the existing committee structure would not otherwise achieve.

3.49 The composition of the Working Party (Con 3: Lab 3: Lib/All 1) ensured Labour and Liberal/Alliance control. That a number of witnesses at the Inquiry erroneously believed that the member Working Party had been established earlier and had played a significant part in the actual formulation of the Child Care Strategy is an indication of the important role it has been seen to have since 1983. The Working Party was re-formed as a Sub-Committee from 1st January 1986.

3.50 A second significant development was to institute four weekly reviews of all children in secure accommodation and to scrutinise recommendations for such placements through the establishment of the Secure Accommodation Sub-Committee in 1984. That was to complement the emphasis in the Strategy on the development of community facilities and reflected the opposition in the Labour and Liberal/Alliance Groups to the use of secure accommodation.

Officers

3.51 In September 1983 a Child Care Resources Team was set up through secondments from other branches. Though standing separate from the Area teams, it was located in Mr Wells' Domiciliary Branch and was accountable to him. The Team was headed by a Principal Officer (Mr Sayer Sept 83 - May 84; Mr L J Ashon Oct 84 - July 86).

3.52 The Team had central roles in Adoption and Fostering, Intermediate Treatment and Leaving Care work. In addition, the Principal Officer and his team had responsibilities:

- to implement, administer and service the Child Care Strategy
- to develop alternatives to care
- to manage the juvenile justice team
- to supervise, advise on and plan the closure of Children's Homes
- to be responsible for placements in Children's Homes; to approve the use of places and to ensure that all other methods and kinds of provision had been considered - a gate-keeping mechanism
- to service the Child Care Strategy Working Party (Sub-Committee), Secure Accommodation Sub-Committee and (from 1985) the Personal Services Sub-Committee.

3.53 The removal of responsibility for placements from Care Branch to the Child Care Resources Team in 1984 involved the move of Mr John Cobb, Principal Assistant and Placement Officer in Care Branch, to the open plan office occupied by the Child Care Resources Team. Mr Cobb nevertheless remained a Care Branch officer accountable within the Care Branch management line.

3.54 Mr Ashon, appointed Principal Officer in the Team in October 1984 (an appointment for which, so documents suggest, Mr Beck made unsuccessful application) told the Inquiry of difficulty and confusion which arose through the removal of responsibility for placements from Care Branch without giving to the Child Care Resources Team responsibility for the management of Children's Homes at the outset. In particular:

- Staff in all branches of the Department, including very senior ones, had difficulty in differentiating between placements and management.
- Management issues were wrongly referred to the Child Care Resources Team instead of to Care Branch.
- A degree of confusion existed for staff in Children's Homes.
- Whilst some Officers in Charge saw the Child Care Strategy as a threat, the division of responsibilities left room for the creation of difficulties.
- There were obvious problems in planning for the future of the Children's Homes without having the management of them and being in a position to gain a clear idea of their individual strengths and weaknesses.

Structural Issues

3.55 The long-standing views in some quarters about the imbalance between the responsibilities of posts in the Management Team were taken up with Mr Rice by Mr Smith and Mr Wells. In 1982 Mr Smith and Mr Wells secured Mr Rice's agreement to their approaching Professor Rowbottom of Brunel University for his advice about appropriate restructuring of the Department. The Professor's advice included a recommendation for the integration of domiciliary and residential care services. Such integration, with delivery of both types of service through strengthened area structures, was the pattern currently being developed in many Social Service Authorities.

3.56 The establishment of the Child Care Resources Team in the latter part of 1983 presented an opportunity to bring together the gate-keeping and homes management tasks (which would have accorded with Professor Rowbottom's recommendation). That was considered but not followed through.

3.57 Nonetheless, the Management Team gave consideration to Professor Rowbottom's proposals and they were the subject of consultation with staff early in 1984. Consultation took the surprising form of a very large meeting with staff, union officers and elected members. It is Mr Smith's recollection that the hostility to the proposals was such that the members decided to postpone any decision until after the County Council elections in May 1985. It was not until May 1986 that substantial reorganisation was agreed and put into effect. A number of officers, including Mr Nelson, Mr Naylor and Mr Noblett took early retirement in the late summer of that year.

3.58 The main features of the reorganisation were the division of the Social Services Department into two sections, with Mr Smith as First Deputy Director responsible for Resources, including Finance, Personnel, Training, Policy Review and Research; and Mr Wells as Second Deputy Director with responsibility for Operations, including six Divisions under divisional management, five of them responsible for domiciliary and residential services (other than Children's Homes) in geographical divisions and one for services in relation to the Health Service. The Child Care Resources Team remained centrally under Mr Wells' responsibility, but with full responsibility for Children's Homes, fostering and adoption and intermediate treatment.

Children's Homes

3.59 Management of Children's Homes remained with Care Branch until July 1986, when it passed to the Child Care Resources Team.

Closures

3.60 At the beginning of January 1980 there were 28 Children's Homes in the County. Over the following years to the end of 1986, 17 homes were closed and one, a 16 bed respite home for children with learning difficulties, was opened.

3.61 The rate of closures was as follows:-

1980	1
1983	2
1984	6
1985	3
1986	5

3.62 The 1984 closures included the closure of Polebrook House, a controversial decision reached in 1983 and involving the abandonment of the 'flagship' development of the previous ten years and the loss to the County Council of many of its skilled and experienced staff. However, though itself divided into units, Polebrook House was in size out of keeping with the thinking about Children's Homes in the mid 1980s; and its closure was essential for the provision of money for the implementation of the Child Care Strategy.

3.63 The overall reduction of residential beds in the period 1980-1986 was 316 leaving a maximum of 180 beds for all child groups in residential care spread over 12 homes.

3.64 The Child Care Strategy itself came across to residential care staff as a message that their work was not valued and that residential care was regarded as 'a last resort' in a pejorative sense. Despite the County Council's no redundancy policy, the rapid and widespread closure of homes lead to an additionally demoralising sense of insecurity and uncertainty amongst residential staff. Mr Nelson, as the Department's Senior Officer with responsibilities for Personnel, was heavily engaged in the task of helping displaced staff with redeployment into training or other fields of work. His contribution in that area was spoken of highly at the Inquiry.

1984/85 Inspection

3.65 In 1984/85 the Social Work Service (later SSI) of the DHSS undertook an inspection of 11 non-specialist homes in Leicestershire as part of a nationwide inspection of Community Homes undertaken in a selection of authorities throughout the Country. The homes inspection did not include The Beeches.

3.66 The summary of findings of the Inspectors included the following passages:

> "During the previous 3½ years the Social Services Committee had given a great deal of thought and attention to the development of a child care strategy which included amongst its main thrust an emphasis on the development of alternatives where possible to residential care. A great deal of detailed work was undertaken by the Committee but comparatively little time was focused on residential care. This coupled with the closure of a large number of establishments in a short period of time appears to have significantly undermined the morale of staff. The pace at which changes had occurred and the amount of administrative and managerial time which the member working party consumed had not enabled staff at HQ or unit level to deal with all the implications and repercussions . . ."

"The overall impression at the time of the inspection visits was a lack of clear strategy for residential care and its fit within a broader strategy of child care and a lack of a specific role for each of the homes within an overall strategy. This created uncertainty amongst staff of the home and undermined the effectiveness of performance of those homes . . ."

"Although operating in a changing climate with all the accompanying pressures that change can cause, homes were also confronted with the effect of a strategy which positively discouraged use of residential placements hence those children that were placed for residential care tended almost inevitably perhaps to be among the more difficult children. Although there was a commitment evident amongst residential workers, most of them had not been equipped by training or experience to cope with the changing demand. Only a very small proportion of staff had professional qualifications, less than 50% had even in-service training and indeed some members of staff had been waiting for a number of years for a place on such a course. It is ironic that the least trained and sometimes the least experienced staff are expected to cope with the most difficult children who have already failed to respond to non-residential methods of intervention by staff, who in the main, will be professionally qualified . . ."

"Throughout the homes visited there were many positive examples of staff commitment and good practices but not necessarily with any consistency or coherence. The impression gained was that it was left largely to senior staff of homes to decide on the pattern of daily life in the home, the nature of care and treatment provided, the form of staff supervision and the system of case recording. Although senior staff indicated that they could always call upon staff from Headquarters for advice and help, there appeared to be no regular pattern of supervision and support by management or visiting by members . . ."

"Although ad hoc consultation was readily available there appeared to be no pattern of regular support and supervision from the Department and in most homes staff supervision tended to be on an informal basis rather than in a systematic or formal fashion . . ."

"It is considered that residential homes could provide a more effective contribution to child care given greater attention, support and direction by the Department."

The Inspectors made detailed recommendations for the improvement of residential services for children.

Child Care Resources Team 1986

3.67 Mr David Oldershaw, who took over from Mr Ashon the post of Principal Officer, Child Care Resources Team in July 1986 as responsibility for the management of Children's Homes passed from Care Branch to the Child Care Resources Team, told the Inquiry that he found some good staff and some staff working extremely well. But the overall picture was of a disheartened service and a management vacuum. In particular:

- Morale of staff was low. Staff felt that they had been badly treated by the Department in one way or another over recent years. The Child Care Strategy had put so much emphasis on alternatives to residential care that residential care had come to be thought of as a negative thing in itself, as an admission of failure. To a degree, residential staff had come to feel that Children's Homes were seen as a dumping ground for children for whom all else had failed. It was consequently difficult for staff to see their work in a positive light.
- Residential homes' staff and managers alike had been accustomed to operating without controls or constraints.

  Homes had established for themselves different ways of operating. They had relationships of differing and variable quality with their managers. Some saw themselves as operating outside the normal constraints of the Department. "It seemed as though homes did not see themselves as being part of the Department in a way that other services and teams did."

  There were very few management systems and few agreements as to how things should be done or operate. There was no process of regular formal management supervision of staff.
- Many of the homes were in poor physical condition.
- Residential care staff were resistant to attempts to introduce standard procedures and lines of accountability, due in part to the freedom from controls to which they had hitherto been accustomed and in part to the perception that Headquarters managers had not been of value to them in the past. By a gradual process from July 1986, residential staff began to see the benefits of working together and of having managers who could be trusted and who were there both to support them and to help them to provide high standards of care for children.

- The Beeches was in a state of chaos. That arose from the appalling state of the premises, the lack of agreement as to what work the home was there to do, what kind of people they would take, what they would do with them, and a lack of control over some of the people in the home. "They had been used to operating in a particular way because of the personality of the Officer in Charge. That person having left, there was confusion within the home as to what they should be doing. That confusion was part of the overall chaos within the home."

3.68 From July 1986, the Child Care Resources Team set about the long and formidable task of addressing the shortcomings in residential services for children. The following measures were amongst those introduced:

- written procedures for the operation of the service, with expectations of staff and how they would conduct their work;
- regular meetings of homes' managers as a management exercise;
- regular meetings of Officers in Charge to share in management decisions;
- a regular process of formal management supervision of staff;
- monitoring of the quality and standards of each home on a monthly basis;
- introduction of individual care plans for children and regular planning/review meetings;
- improvements to the physical standards and environment of the home.

3.69 Mr Oldershaw made no claims to the Inquiry that all management problems have been resolved. "There are many challenges ahead for the future management of the Community Homes". "Not until we have pay and conditions of services that are comparable to other forms of social work or, in some cases, perhaps better, will we be able to get the people with the qualifications and skills to stay in residential child care. That is absolutely essential to the future."

4
METHODS OF CONTROL IN CHILDREN'S HOMES. POLICY AND PRACTICE

4.1 It is necessary to preface this Chapter with the important note that it has been generally recognised in the provision of residential care for children in Leicester between 1973 and 1986 that occasions arise when it is necessary to control a child by physical restraint, so as to prevent the child from causing physical harm to himself or others or serious damage to property. There has been no cause for the Inquiry to question that practice.

Policy

Community Homes Regulations

4.2 The Community Homes Regulations 1972 (SI 1972 No 319) provided by regulation 10:-

"10. (1) The control of a community home shall be maintained on the basis of good personal and professional relationships between the staff and the children resident therein.

(2) The responsible body in respect of a local authority or controlled community home and the local authority specified in the instrument of management for an assisted community home may approve in respect of each home such additional measures as they consider necessary for the maintenance of control in the home, and the conditions under which such measures may be taken, and in approving such measures and conditions they shall have regard to the purpose and character of the home and the categories of children for which it is provided.

(3) Any approval mentioned in the preceding paragraph shall be given in writing to the person in charge of the home, save that in the case of an assisted community home the approval shall be given to the responsible organisation, and shall be reviewed every twelve months.

(4) Full particulars of any of the measures mentioned in paragraph (2) of this regulation which are used and of the circumstances in which they are used shall be recorded in permanent form by the person in charge of the home and the record shall be kept in the home".

1973 - Director's Recommendation

4.3 The question of control and corporal punishment first came to be considered by the Social Services Committee of the old Leicestershire County Council, in the context of the Community Homes Regulations, on 5th July 1973. Miss Edwards, as Director, put a paper before the committee setting out useful background history. Miss Edwards included in it a reminder of

- the resolution of the former Children's Committee in 1968 - "the Children's Officer be requested to write to the staff of all Children's Homes in the county stating that it is the wish of the committee that corporal punishment be not used"; and
- the resolution of the Social Services Committee of Leicester City Council on 2nd March 1973 - "no corporal punishment is to be used in any form of striking, cuffing or shaking". Miss Edwards added: "They have, however, allowed the use of caning in both their approved school at Desford and their former remand home in Leicester".

4.4 Miss Edwards concluded her paper by saying:

"As we do not have any major problem of control within our Community Homes and the appropriate steps are being taken to ensure the recording of ways in which exceptional incidents are dealt with, members may wish to confirm the existing resolution on corporal punishment".

1973 - Committee

4.5 The Social Services Committee resolved "that the Director of Social Services be requested to write to staff of all Community Homes in the County stating that it is the policy of the Committee that corporal punishment be not used". Community Homes' staff were duly informed of that by means of a notice to all Officers in Charge.

4.6 That was the state of policy in County and City at the time of Mr Beck's first appointment in September 1973. Following amalgamation of City and Council in 1974, the existing resolutions continued to apply.

1976 - Director's Recommendation

4.7 In December 1976 the Social Services Committee of the new Leicestershire County Council considered for the first time a report from the Director upon all relevant provisions of the Community Homes Regulations including the question of control. Miss Edwards' report to the Committee shows that control in Community Homes was presenting more difficulties than it had at the time of her 1973 report.

> "I expect Officers in Charge to maintain control on the basis of good personal and professional relationships. This is of course an extremely difficult area of work and in order to clarify the position I recently issued instruction and guidance to the Officers in Charge reminding them that no corporal punishment of any sort is allowed. There are, however, two exceptions, The Woodlands Observation and Assessment Centre and Polebrook House Community School. At the Committee meeting of the City Social Services noted above, it was agreed that corporal punishment at these two establishments should be available in the form of the cane. I have discussed the use of the cane with both Officers in Charge and very little use is made of the cane in either establishment. However, both agree that the threat of the cane is a useful deterrent and they would wish to have the use of the cane retained, at least for the time being. The staff in general, who themselves are not authorised to use the cane, also find this threat useful on occasions. Both of these establishments admit and are expected to deal with some of the most difficult adolescent boys coming into our care.
>
> "The Committee will be aware of all the difficulties present in the care and control of children who are placed in Community Homes. Many of the children find considerable difficulty in dealing with adults and particularly authority figures. A relationship based upon a good personal and professional relationship as between staff and child is difficult to achieve and virtually impossible in a small number of instances. Staff, however, require guidance that defines as clearly as possible the control available to them, bearing in mind the need of the child and the expectation, often difficult to define, of society at large.
>
> "Officers in Charge are expected to record all punishment or loss of privileges in a book and this book can be inspected by Committee Members. The Committee is requested to consider whether it wishes to confirm the policies of the previous authorities".

1976 - Committee

4.8 On 29th December 1976 the Social Services Committee of the new Leicestershire County Council accepted Miss Edwards' report and adopted the 1973 policies. That incorporated into County Council policy the former City prohibition of "striking, cuffing or shaking" as well as the exceptional provisions in relation to Polebrook House and The Woodlands. Officers in Charge were notified of the Committee's decision.

1977-1978 Working Party

4.9 A Working Party first met on 20th June 1977 to consider "care and control in Community Homes". The Working Party appears to have arisen out of Heads of Homes meetings. Its chairman was Mr Beck. It was not a departmental group.

4.10 The members of the working party were:-

Mr Beck	– Chairman
Mr Gordon Ambler	– Hemp Pit Hill
Miss Marie Furness	– Care Branch
Mr Walter Harrison	– Care Branch
Mr George Lincon	– Rosehill
Mrs Janice Meadwell	– The Holt
Mr Peter Naylor	– Care Branch
Mr Tony Shaw	– Care Branch
Mr John Wright	– Netherhall Road

4.11 In evidence to the Inquiry, Miss Edwards said that she suspected that she was not involved at all in setting up the Working Party. "The membership . . . consisted of Mr Beck and Gordon Ambler, who was one of the old style heads of homes and not highly regarded, three residential assistants at Children's Homes, plus Care Branch staff. For any Working Party I cannot think of a weaker group." Nonetheless the party was set up and Mr Naylor, Assistant Director of Social Services (Residential and Day Care Services), gave his time and support to it.

4.12 The report of the Working Party ranged more widely than its original remit and made useful recommendations on admissions procedures, staffing ratios, support systems, communications and training. There is scant evidence that recommendations were carried further. On the topic of control, the Working Party did little more than reiterate the legal advice it had received from the County Secretary's Department and list methods of control presently in use in the County's community homes.

4.13 Parts of the County Secretary's advice are of particular relevance:

> "no corporal punishment shall be used in the Council's residential establishments."
>
> "corporal punishment includes punishment to the body by a hand or instrument."
>
> "physical restraint is acceptable as long as it is seen to be reasonable in all circumstances."

4.14 There is good evidence that Mr Beck's own practices did not accord with material published by the Working Party under his chairmanship.

1978 - Review

4.15 A further review of policy was initiated by the Director in October 1978 not in response to the Working Party but in the light of the evolving nature of residential work and in particular the letter of the Chief Social Work Officer in July 1978:

> "The Secretary of State does not believe that the infliction of physical pain in a punishment is either desirable or proper in a professional caring relationship. We consider the use of corporal punishment to be undesirable and this view has recently been supported by a number of professional organisations".

1978 - Director's Recommendation

4.16 Miss Edwards concluded a detailed report to the Committee:

> "Up to the present time the Committee has ruled that no member of staff may 'strike, cuff or shake a child'. I think this may sometimes be unrealistic, particularly when small children are being helped to keep away from dangerous objects. It might be advisable to amend the advice accordingly.

I RECOMMEND:-

(a) That the use of the cane should not be authorised in any of the county's Community Homes.

(b) That the use of a slap should not normally be necessary, but that when this is considered to be in the younger child's interest it should be on the hand, arm or leg and duly reported in the home's punishment book."

4.17 The October 1978 meeting of the Social Services Committee put over the issue raised by Miss Edwards to a special topic meeting of the Committee on 25th January 1979.

1979 - Committee

4.18 On 25th January 1979 the Director's recommendation was moved by the Chairman. An amendment was moved and carried to allow the use of the cane to be continued at Polebrook House and The Woodlands (although it was very seldom used at either) and to extend its use to The Holt Observation and Assessment Centre. The Chairman's motion, as amended, was carried and the Director was asked to bring in to the next ordinary meeting of the Committee the instructions to be issued to Community Homes.

4.19 On 21st February 1979 the Committee considered and approved the instructions. The instructions issued to Polebrook House, The Woodlands and The Holt detailed the circumstances in which the cane might be used sparingly and as a last resort. The instructions to all other Community Homes, which including The Beeches where Mr Beck was by then Officer in Charge, were in these terms:

> *"Control*
>
> Control should normally be maintained on the basis of good personal and professional relationships between staff and the children.
>
> The following are the only permitted additional methods of control:-
>
> (a) temporary loss of recreation or privileges (including personal allowance).
>
> (b) the use of a slap should not normally be necessary, but when this is considered to be in the younger child's interest it should be on the hand, arm or leg, and duly reported in the home's punishment book.
>
> When considering the above it should be noted that this method of punishment is limited to a slap. At such times staff should be thoughtful, and give due consideration to the needs of the child. A slap with the open hand must be applied on the hand, arm or leg only and the circumstances surrounding the incident and the punishment must be recorded in the punishment book. No age limit has been set but as a general rule adolescents would fall outside this form of control.
>
> Staff should be reminded that cuffing and shaking a child is not permissible".

1979 - 1982 - Policy Unchanged

4.20 The 1979 policy received periodic reaffirmation from the Committee up to and including May 1982. However, in the light of decisions taken that year by the County Council over the use of corporal punishment in schools, the Chairman of the Social Services Committee called for further consideration of the policy relating to community homes.

1982 - Committee

4.21 At the Committee's meeting on 8th September 1982 the Chairman's motion called for an end to corporal punishment of any kind in all Community Homes. An amendment to allow continued use of a single slap on hand, arm or leg of the younger child was lost. The Chairman's motion was carried and duly notified to Officers in Charge in the following terms:

> "At the last Social Services Committee held on the 8th September 1982, the above matter was the subject of further discussion. The decision, referred to in Staff Bulletin No 19 dated 17th September 1982, is that additional control be limited to the following instructions:-
>
> 1. temporary deprivation of recreation and privileges;
> 2. temporary deprivation of pocket money;
> 3. reparation of any damage;
> 4. meaningful activity;
>
> and in particular, corporal punishment of any kind, be not approved.
>
> All previous instructions are therefore cancelled. Can I impress upon you the requirement to discuss these changes with all members of staff in order to ensure that there is no misunderstanding.
>
> If you have any queries on the matter, please get into touch with Mr P.W. Naylor, Assistant Director".

1983 - Modification

4.22 On 23rd February 1983 Mr Beck was acquitted of a charge of an assault occasioning actual bodily harm which had arisen from an episode on 15th May 1982 when Mr Beck had spanked a ten year old boy. One of the issues for decision by the Court was whether in the circumstances the Community Homes Regulations applied. It was decided that the boy had not been "in care" at the time so that the Regulations were not applicable.

4.23 Following discussion with Mr Fenney, a senior solicitor in the Chief Executive and County Clerk's Department, Mr Rice, the Director, proposed to the Committee the extension of the methods of control approved in the previous September to include all staff having the care of children in any setting whether or not the Community Homes Regulations applied. The Director's proposal was adopted by the Committee on 13th April 1983 and led to a full letter from the Director to all Officers in Charge:

> "COMMUNITY HOMES REGULATIONS
>
> You will no doubt be aware that under the Community Homes Regulations 1972, the Social Services Committee has approved measures dealing with the control of children. Those measures, last approved in September 1982, are as follows:-
>
> 'Control should normally be maintained on the basis of good personal and professional relationships between staff and children.
>
> The following are the only permitted additional methods of control:-
>
> 1. temporary deprivation of recreation and privileges
> 2. temporary deprivation of pocket money
> 3. reparation of any damage
> 4. meaningful activity
>
> It should be particularly noted that corporal punishment of any kind, be not approved.'
>
> "Although these measures are required to be approved under the Regulations, it is intended that they should apply to any children for whom you may have responsibility, irrespective of the legal basis on which these children are in your care as an employee of the County Council.
>
> "It is essential that, as a member of staff dealing with children away from their own home even for periods of one or two hours, you understand the limits on the means available to you to control children as an employee of the County Council. Within the context of the approved measures, it is important for you to note that control should normally be maintained on the basis of good personal and professional relationships between staff and children.
>
> "In considering the approved measures, it is important to distinguish between Items 1 to 4 and the final phrase 'corporal punishment of any kind be not approved'. Items 1 to 4 apply particularly to children living in Community Homes though any one item may have particular application to your working situation.
>
> "In addition, situations arise where it may be necessary physically to restrain a child. Under no circumstances should deliberate rough handling or ill considered physical discomfort be allowed to take place.
>
> "It is important to recognise that these measures of control apply to all children whether taken into care under Section 2, under a Care Order or dealt with on a planned or casual basis. These measures apply to staff and children in a Community Home, Centre or Day Nursery or under an IT Scheme. Failure to comply with these measures could involve the staff concerned in formal action under the disciplinary procedure.
>
> "I am writing this letter to you personally. Would you sign the copy letter and return it to me so that I may place it on your personal file."

4.24 That remained the County Council's policy throughout the remainder of the period under review by the Inquiry.

Practice

Care Branch

4.25 All Care Branch Management Officers who gave evidence to the Inquiry were clear in their understanding that corporal punishment of any kind, including striking, cuffing and shaking, was not allowed in any Children's Homes with the exception of the provision relating to the single smack of the smaller child between 1979 and 1982, and with the exception of the special provisions relating to Polebrook House, The Woodlands and later The Holt up to 1982.

4.26 Management Officers told the Inquiry that they were unaware of a practice of hitting children in any of the residential homes where it was not allowed, and would have regarded the hitting of a child as a serious disciplinary matter.

Mr Beck

4.27 Mr Beck had his own interpretation of "corporal punishment" as hitting a child with a weapon of any kind. At least until 1983 he did not regard hitting a child "when expedient" as being against policy and forbidden.

4.28 The daily log maintained at The Beeches shows that over the years 1979 to 1985 there were well over 500 recorded incidents of children being hit by members of staff on various parts of their bodies from their heads to their bottoms.

4.29 There is no reason to suppose that, in the light of Mr Beck's interpretation of policy, his practice and that of his staff in his earlier years in the County from 1973 to 1978 was any different. Records have not survived.

4.30 The Inquiry has seen a very few isolated examples of children in other homes being smacked but there is no picture of widespread disregard of the County Council's policy in those homes.

5
TRAINING
RESIDENTIAL CHILD CARE

Responsibility

5.1 Training was the responsibility of the Assistant Director of Social Services, Mr H G Orme, from 1974 to 1980; and of the Deputy Director, Mr Terry Smith, from 1980 to 1986.

5.2 The Inquiry heard evidence from Mr Smith; Miss Rowberry, Training Officer from 1975 to 1978; Mr Tim Thomas, Training Officer from 1975 to date; and Mr Kenelm Hawker, Principal Training Officer 1979 to 1990.

5.3 Each Training Officer had allocated responsibility for the training needs of a branch of the Social Services Department. Mr Thomas was the Officer to whom residential care training was allocated from his appointment in 1975.

5.4 Recommendation of a member of staff for external training was a Branch recommendation. Selection was made within the Training Section.

External Qualifying Training

5.5 External qualifying training was available within the limits of budget:

- by secondment for CQSW for the two year, full time, period of the course. Figures for secondment from the residential sector were not available to the Inquiry, but they were certain to have been very modest at least until 1982.
- from 1978, by secondment for the two year part-time Certificate of Social Service Course for residential and day care staff at Derbyshire College of Higher Education. The course, available to staff chosen by employers, required commitment from employers to guarantee support of the staff over the two year period of the course, including provision of study supervisors. The numbers embarking on the course from the children's residential sector in Leicestershire were:-

1978	1	1983	1
1979	1	1984	4
1980	4	1985	3
1981	4	1986	3
1982	5		

5.6 The Inquiry was told by Mr Hawker that those two forms of secondment reached relatively few staff, and that the cost of replacing staff at the work place ensured that secondment used the majority of the training budget. With hindsight, Mr Hawker raised the question whether that represented the best use of resources.

5.7 Notwithstanding increases in secondment facilitated by the enlargement of the training budget pressed by the Labour group in 1982, and further secondments of residential staff on qualifying (CQSW) training as they became released on closure of homes in the 1980s, there proved to be little benefit to the residential sector. It was a problem not peculiar to Leicestershire that, once qualified, staff commonly moved to other posts where they received better remuneration and had to endure less anti-social working hours. Attempts to bind staff to a return to work for two years in the branch from which they had been seconded proved to be largely ineffective.

Other 'External' Training

5.8 Some staff went on the nationally sponsored Inservice Study Course for Residential Care (1973-1978), Inservice Study Course (1979) and Inservice Course in Social Care (1980-1986).

5.9 It was a pre-qualification day release course run over a period of one year at South Fields College of Further Education in Leicester. Those who completed the course obtained a Statement of Attendance.

5.10 Staff from Children's Homes in Leicestershire attended as follows:

1973	20	1980	10
1974	19	1981	10
1975	23	1982	17
1976	18	1983	16
1977	13	1984	8
1978	14	1985	9
1979	15	1986	6

Internal Training

5.11 Within the Department there was available a monthly Induction Course for all non-manual staff. It was essentially an introduction to working within the Department. Attendance for new staff was voluntary.

5.12 Training Officers were detailed to ascertain training needs of the Branch or area of work to which they were assigned and to arrange such training as they felt was required to meet the need. Training was usually provided by means of small group (16-20) courses over one, two or three days.

5.13 Within Children's Homes the training of junior residential care staff was in the hands of Officers and Deputy Officers in Charge. It was inevitably patchy, both as to frequency and content, with, predominantly, an expectation that staff would learn as they went along from the example of others. The Inquiry was informed that there was no realistic prospect of junior staff receiving any training away from the home in which they worked for at *least* two years.

Mr Beck

5.14 The Inquiry was told by Mr Hawker that Mr Beck made clear to him that he regarded CSS training as worthless, and the ISCRC/ICSC provided at South Fields College as too simple for the specialist work undertaken by staff at The Beeches. Mr Hawker said that Mr Beck took the view that any staff who were to be trained should be trained on a full-time course away from the home.

5.15 Figures show that three members of staff at Ratcliffe Road attended the ISCRC course in 1975 and one in 1976. Those four people apart, no staff working in homes where Mr Beck was Officer in Charge attended either the CSS or the ISCRC/ICSC courses.

Comment

5.16 Attendance of staff for training outside the Home should have been, and should be, a management decision and should not be solely in the hands of the Officer in Charge who may have a range of motives and prejudices for discouraging it. No management action was taken to redress the very low uptake of in-service courses by Mr Beck's staff.

5.17 There was and, pending introduction of national training standards, there remains an overwhelming need for unqualified residential care staff to receive, and be required to receive, such basic training that, at the least, they know and understand core principles and practice of good child care. It must also be emphasised that those principles are not to be compromised.

6
FINANCIAL MATTERS

6.1 The Inquiry was assisted by the evidence of Mr Alan Youd, Senior Assistant County Treasurer, in considering whether any unusual financial phenomena had contributed to management difficulty during the period. The conclusion is that they did not.

6.2 Government indicators, through the Grant Related Expenditure Assessment and Standard Spending Assessment mechanisms from 1983 / 1984, suggested that Leicestershire County Council's expenditure, both generally and on the Social Services, should be higher than the average for English counties to reflect need.

6.3 Both generally, and in relation to Social Services, the County Council budgeted for expenditure consistently above the level which the Government indicators suggested as being necessary.

6.4 The cumulative increase in real terms in budgets was higher in Leicestershire than the average of English counties:

	GENERALLY		SOCIAL SERVICES	
	LCC	English CC (non-metropolitan)	LCC	English CC (non-metropolitan)
1977/8-1986/7	0.8%	-6.2%	16.4%	7.6%
1977/8-1991/2	10.2%	2.1%	39.2%	33.2%

6.5 The figures conceal the fact that the rate of growth in real terms was higher from 1981/2 when Conservative control gave way to no party having overall control.

6.6 The implementation of the Child Care Strategy was effected by 'ring-fencing' of Children's Services expenditure and over the period 1983 to the Inquiry some £3.5 m had been redeployed from potential savings of £4m.

6.7 Notwithstanding the limitation by 'ring-fencing' of real terms growth in recent years, the increase in spending on Children's Services in Leicestershire has consistently been higher than the English non-metropolitan counties average by more than the Government indicators suggest as appropriate.

1976/7 - 1986/7 LCC 54.9% English CC 30%
1976/7 - 1990/1 LCC 73.4% English CC 55.6%

6.8 Expenditure per head of population on Social Services has consistently been higher than the average of Audit Commission Family 5 (in which Leicestershire is included).

Comment

6.9 The general conclusion to be drawn is that in Leicestershire, services generally, and Social Services and Children's Services, were well funded in comparison with other authorities. The conclusion does not establish that there might not have been individual areas of activity which were inadequately funded. However, no suggestion has been made that any such areas were drawn to the attention of members as being seriously underfunded.

6.10 Budget reductions in 1979/80 resulted in the removal of three homes supervision posts in Care Branch. The Inquiry had evidence that the effect was substantially to increase the number of establishments the remaining officers each had to supervise. However, whether that reduction was an appropriate way to meet the budget reductions required does not seem to have been debated; nor was any attempt made to reinstate any of those posts when the budgetary position eased.

7
GRIEVANCE AND DISCIPLINARY PROCEDURES AND PRACTICE

National Conditions

7.1 Management and social work staff were, and are, subject to the national Conditions of Service for Administrative, Professional, Technical and Clerical (APT and C) staff [the Purple Book].

7.2 In grievance and disciplinary matters the conditions of service give discretion to individual authorities to devise detailed procedures, normally done in consultation with the relevant union(s) and determined by Committee decision.

Local Procedures

7.3 In Leicestershire County Council the national conditions of service and local procedures were contained in 'the Black Book' to which, in theory at least, all APT and C staff had access. Leicestershire County Council's local Grievance, Disciplinary and Appeal Procedures were available to the Inquiry in their 1975 and in their 1978 (revised) form. The 1978 revisions were not significant for the purposes of the Inquiry. Relevant extracts appear at Appendix 4.

Revisions

7.4 The Purple Book was revised in 1984 in part to bring its provisions in line with the ACAS Code of Disciplinary Procedures in Employment, 1977 [Employment Protection Act 1975].

7.5 The Inquiry was told that revision of the County Council's 1978 procedures had been the subject of negotiation between officers of the County Council and Unions for ten years and that it was hoped that unresolved differences would go to elected members for determination before the end of 1992. Meanwhile, the 1978 procedures stood.

GRIEVANCE PROCEDURE

7.6 The grievance procedure provides for an employee to pursue a matter of direct concern, for example, about working conditions or conditions of service. The procedure is not apt, nor has it been interpreted as being applicable, to the making of a complaint by an employee about, for example, the treatment of a child in a Children's Home. Paragraph 1 requires the matter to be discussed first with the "immediate supervisor (eg Senior Clerk or Section Head)".

7.7 With the exception of paragraph 5, which allows a complainant a specific right of appeal to the member Conditions of Service Sub-Committee, the local grievance procedure follows that recommended by the Purple Book.

DISCIPLINARY PROCEDURE

7.8 Leicestershire County Council's local procedure provides for tiers of disciplinary action:

Warnings

7.9 In appropriate circumstances, a *verbal warning* should be given by the appropriate supervisor. "The officer must be advised that the warning constitutes the first formal stage of the disciplinary procedure."

7.10 For a further commission of a similar act, or for a subsequent but different offence a *written warning* will result, indicating that a further offence will be referred to the Conditions of Service Sub-Committee and may lead to suspension or dismissal.

7.11 There evolved a practice of a final *written warning* which is not prescribed by the local procedures, but is commonly operated by local authorities.

Challenging Warnings

7.12 There is a theoretical right to challenge a verbal or written warning through the grievance procedure, as far, if necessary, as the Conditions of Service Sub-Committee. However, Mr Gunby, Organiser for the Leicestershire branch of NALGO, told the Inquiry that, taking a pragmatic stance, he discouraged union members from going that far because it was unproductive. In his judgement, the elected members, re-examining the case, would invariably back the disciplining officer's judgement and there was at least a theoretical risk that they could impose a graver disciplinary measure.

Recording Warnings

7.13 The procedure provides that the details of a warning should be recorded on the officer's (personal) file, the entry being shown to and initialled by the officer. Records of warnings are required by the procedure to be removed from the personal file if "the officer's conduct remains satisfactory for a period of 12 months". The principle behind that provision has a broad analogy in the Rehabilitation of Offenders legislation. The provision is, however, flawed:

- it makes no distinction between the classes of warning - verbal, written, final written warning - nor does it allow for any regard to be had to the nature of the offence that attracted the warning.
- it applies across the whole range of employment within the authority. In the field of child care (as well, perhaps, as in other fields) special considerations are relevant. In particular, the demands of child protection may require that, for example, a written warning should remain on the record and should never be expunged.

Suspension and Dismissal

7.14 The Leicestershire procedure provides for (a) suspension for gross misconduct, and (b) suspension to enable allegations of gross misconduct to be investigated. It does not deal in terms with dismissal at all. Suspension is to be on full pay and is preliminary to a reference to elected members. Accordingly, it is a 'neutral' act, though inevitably a serious step, marked as such by the requirement for the Chief Officer taking it to act in consultation with the Chief Executive.

7.15 Examples of gross misconduct include, inter alia:

> "an admitted criminal offence or one which can be conclusively proved by direct evidence;
>
> "sexual offences and sexual misconduct at work;
>
> "violence on duty and physical assault";

and generally:

> "gross misconduct is misconduct of such a nature that the authority is justified in no longer tolerating the continued presence at the place of work of the officer who commits such an offence."

7.16 When a case falls short of *gross* misconduct there is no provision for suspension but it may be referred to the Conditions of Service Sub-Committee.

7.17 The task of the Sub-Committee in both categories of case is "to investigate allegations of misconduct, indiscipline or inefficiency made by a Head of Department against an officer and, where appropriate, to impose punishment". Chief Officers have been given no power to dismiss, although that, with a subsequent right of appeal to elected members, was contemplated by the Purple Book provisions.

7.18 An appeal lies from the Sub-Committee to the Appeals Committee of elected members of the County Council. From there, the employee's right to apply to an Industrial Tribunal is preserved.

Suspension and Dismissal - Practice

7.19 The Director of Social Services did not feel able to suspend an officer without the prior assent of the County Council's Central Personnel Department. It was practice also to consult the Chief Executive's Department.

Suspension Pending Investigation

7.20 Illogically, suspension to enable an investigation to be made was regarded as a disciplinary step that could not be taken without cogent evidence. The Inquiry has seen no single example, at least until March 1986, of an officer being suspended prior to an investigation by officers into an allegation against him, and in practice that provision seems not to have been used in the Social Services Department.

7.21 The failure to understand the provision for suspension pending investigation and its potential value, and the consequent failure to use it, made a significant contribution to the failure of investigations into allegations of abuse over the years. The important effect of removing the person under investigation from his or her position of influence upon residential staff and children, thus 'freeing' them to talk, was never perceived.

7.22 Accordingly, the practice that evolved was to investigate a complaint or allegation with the person complained about in post. The investigation involved, and on occasions involved only, obtaining that person's answer to the complaint. The proper course, however, was to consider whether the evidence accumulated by a thorough investigation was apparently reliable, and if it was, and if a warning met the circumstances, to issue a warning.

7.23 If dismissal was thought to be the appropriate remedy then the Director, or an officer on his behalf, consulted with Central Personnel and the Chief Executive's Departments to prepare a 'charge' and to arrange for a Sub-Committee to hear it. The Director made a written statement in support of the charge, together with his recommendation to dismiss. At that stage suspension pending hearing by the Sub-Committee was implemented.

Reluctance

7.24 Care Branch officers were reluctant to take disciplinary matters to the Sub-Committee for fear of, as they saw it, losing the case. Any conclusion that fell short of acceptance of a recommendation to dismiss was regarded as losing. Such a conclusion might be reached by the Sub-Committee either because the evidence did not sufficiently support the charge so that blameworthiness was not established; or because, although blameworthiness was established, the Sub-Committee decided that in all the circumstances, including the employee's record of service, a disciplinary sanction short of dismissal would meet the case.

7.25 Management Officers considered that they faced difficulty when the Sub-Committee failed to adopt a recommendation to dismiss. That necessitated reinstatement of the employee, perhaps notwithstanding a finding of blameworthiness, and was felt by officers to undermine their authority generally, and particularly their judgment that the offence warranted dismissal. Furthermore, Management Officers believed that the Sub-Committee required proof of blameworthiness to an exceptionally high standard.

7.26 The focus of Care Branch officers in investigating allegations or complaints was upon the possibility of bringing disciplinary proceedings before members. It is probable (though not conceded by the officers in evidence to the Inquiry) that their perception of what was required by way of evidence was allowed to contribute to their apparently reluctant attitude to the conduct of investigations.

The Standard of Proof of Blameworthiness

7.27 It was the task of the legal officer serving the Sub-Committee to advise the members of it of the standard to which the allegation must be proved. Mr Fenney told the Inquiry that members were invariably advised that they must be satisfied that the allegation or charge was made out by evidence "on the balance of probabilities" - that it was more probably true than not. That was the correct advice. Mr Fenney, however, told the Inquiry that he thought that members were inclined to want to be more sure than that.

7.28 Representations were made to the Inquiry on behalf of officers, in particular Mr Naylor, Mr Nelson and Mr Noblett, that members looked for evidence that matched the test applicable in criminal courts, that they should be satisfied of blameworthiness "beyond reasonable doubt".

7.29 The Inquiry was particularly asked to consider on behalf of those Management Officers three cases that had been before the Sub-Committee and that had involved night staff falling asleep whilst on duty in Old People's Homes. In two cases the Sub-Committee had found blameworthiness, but had ordered a final written warning instead of dismissal; in the third blameworthiness was not established. The Inquiry was not referred to any examples of decisions by the Sub-Committee upon cases arising from Children's Homes. None were taken to the Sub-Committee for determination.

Elected Members

7.30 The Inquiry heard evidence from a number of past and present elected members of the County Council who had, at one time or another, served on a Conditions of Service Sub-Committee to hear disciplinary matters.

7.31 The overall impression gained from them was that they were not finely attuned to the lawyers' important but legalistic distinction between "the balance of probability" and "beyond reasonable doubt", and that their concern was to reach what they felt to be the right decision upon the case. Collectively, those members gave a powerful impression of bringing to their task a wealth of common sense.

Criminal Investigations

7.32 The local procedure provides:

> "if an alleged indiscipline or misconduct appears to involve criminal liability the Head of Department shall inform the County Solicitor. If the County Solicitor considers that a criminal offence has been committed he shall refer the matter to the Chief Constable. (Where suspected irregularities affect cash, stores or other property, the County Treasurer must also be informed)."

7.33 In practice, reference to Police was by a Headquarters Management Officer to the appropriate local Police officer. Ordinarily, referrals did not go by the County Solicitor to Chief Constable route.

7.34 The procedure neither precludes officer investigation following referral to Police, nor does it give guidance as to the circumstances in which an officer of the authority may investigate and proceed with disciplinary action during the currency of Police investigation. It is worth noting the following, on page 37 of the 1987 ACAS advisory handbook "Discipline at Work":

> "Where the conduct requires prompt attention, the employer need not await the outcome of the prosecution before taking fair and reasonable action".

7.35 Police investigation was not seen, in theory, as necessarily holding up disciplinary action. However, the Inquiry received clear evidence from officers of the authority that Police were generally unhappy about concurrent investigations because of the risk of loss of or damage to evidence potentially available to Police. Care Branch managers did not in fact investigate at all in any case that went to the Police regardless of the outcome of Police enquiries.

Comment

7.36 The completion of Leicestershire County Council's new grievance and disciplinary procedures is long overdue.

7.37 Officers with a grievance against their immediate supervisor should have an alternative first point of reference specified in the grievance procedure.

7.38 The period appropriate before warnings are deleted from staff records is being reviewed. Particular regard should be had to child care and child protection issues. In some circumstances, deletion may never be appropriate.

7.39 The provision for suspension pending investigation needs particular attention. It must be regarded as a routine and neutral act, not as a part of the disciplinary process, and 'without prejudice' to rights of employer and employee.

7.40 The retention of the power of dismissal to elected members only is cumbersome, causes unnecessary delay and is prejudicial to good management. Chief Officers should have the power to dismiss and should have power to delegate power of dismissal to nominated officers on their behalf. A single avenue of appeal to elected members is appropriate.

7.41 There was a conflict in the evidence received by the Inquiry as to the extent to which Mr Fenney's advice was obtained in potential disciplinary cases. He suggested that it was confined to those where the Police were involved or where a Sub-Committee was to be called whereas Mr Rice's recollection was that his involvement was greater. In any event it seems that Mr Fenney's view was that his role was confined to interpreting the law, practice and procedures. It is unfortunate that he did not, either as the Chief Executive's representative or as legal adviser to the Director and his staff, assume a more positive and wider role which might have resulted in Social Services Management Officers seeing him as an important ally and confidant in resolving their problems with Mr Beck.

7.42 Though it was no thanks to a decision by the Director or Care Branch that he was called upon, Mr Nelson played a valuable part in bringing Mr Beck's departure about. It is regrettable, and inexplicable in view of his departmental responsibility for Personnel matters from 1980 onwards, that Mr Nelson was not involved in resolving complaints relating to Mr Beck much earlier.

Complaints Procedure

7.43 Leicestershire County Council had no Complaints Procedure in the period 1973-1986. A procedure was introduced in 1987. Until then there was no guidance for children, families, other members of the public, local authority employees or other professionals about the bringing of complaints. Nor was there any guidance as to the investigation of and determination upon a complaint by officers.

PART 2

THE POPLARS
RATCLIFFE ROAD
ROSEHILL
1973-1978

8
THE POPLARS, MARKET HARBOROUGH AND THE APPOINTMENT OF MR BECK

8.1 In 1972 and 1973 the Social Services Department was looking for new approaches in their task of dealing with disturbed children in residential care. In that climate, Mr Beck was appointed as Officer in Charge. He was allowed to go his own way.

The Background to Mr Beck's Appointment

8.2 The Poplars was a Community Home maintained by the old Leicestershire County Council with planned beds for up to 18 adolescent boys and a staff complement of 6 in all.

8.3 Mr John Moseling was appointed Officer in Charge in February 1972. He came to the post with a background in youth work and work in an ILEA 'maladjusted' school. Mr Moseling had completed basic and advanced courses in residential child care.

8.4 On 1st September 1972 Mr Peter Jaynes came to the post of Deputy Officer in Charge. Records show that he was then 23½ years old. He had four GCE 'O' levels and a certificate of attendance at an in service course in residential child care.

Future of The Poplars

8.5 At the time of Mr Moseling's appointment, amalgamation of County and City was foreshadowed and the future of The Poplars was under review by the Social Services Department of the old Leicestershire County Council:

- The capacity of the home exceeded the needs of the County.
- There was another County home nearby (Rosehill).
- The building was unsuitable.
- The City was short of places for children of the group provided for by The Poplars.
- With the impending merger of the County and City Social Services Departments within the new Leicestershire County Council, alternative provision was being considered within the City area. A new 20 bed home was proposed on land adjacent to the Old People's Home at Knighton House in the City of Leicester. That proposal later came to fruition with the opening of the Ratcliffe Road Children's Home in 1975.

8.6 A manuscript note held in DHSS records of a meeting that probably took place in early 1973 contains further material:

"(1) *Future of The Poplars*

(2) *Future of Staff and Children*

13 Children	– Most have been at Poplars for twelve months or so
July 1972	– Treatment plans for each child and things going for each child not happening elsewhere
by Jan 1973	– Mr Moseling discouraged - lack of support. Therefore only 'a good Children's Home'
Ratcliffe Road 20 places	– Not a replacement for the developed purpose, only the building

Group II Home – To be a 'good Children's Home' in an urban setting.
To provide for deprived and potentially delinquent children. County children.
Not severely disturbed.
10+ boys and girls.
No pre-school".

8.7 A DHSS paper written late in 1972 or early in 1973, contains this passage:

"The Poplars, Market Harborough. This County home for 12/18 adolescent boys is used by the local authority as an alternative to approved school placement. There were only 6 boys in residence at the time of a recent visit. An examination of case files confirmed that the house was being used for disturbed and difficult boys, mainly offenders.

"The Superintendent, Mr J Moseling, was engaged in youth work followed by experience in an ILEA maladjusted school. He followed this by a basic residential child care course and later the Advanced Course at Bristol.

"He has been in post since February 1972 and impressed by his insightful approach. He has been handicapped by untrained and inexperienced staff but there are indications that with appropriate support from his department he should be able to realise the full potential of the planned environmental approach he has adopted. Mr Moseling is strongly influenced by the work of David Wills, Dockar-Drysdale, Balbernie and by the planned Environment Therapy Trust."

8.8 By June 1973 Mr John Moseling had arranged to leave. On 12th June 1973 Miss Gillian Corsellis, an officer of the Social Work Service of the DHSS, wrote to Miss Edwards, the Director, following a visit that Miss Corsellis and her colleague Mr Briers had made to the Poplars on 7th June:

"You will wish to have a note following a visit made by Mr Briers and myself to the Poplars on 7th June. Mr Naylor joined us there and this gave us opportunities for discussions with both him and Mr Moseling, the Superintendent.

"Mr Briers had, of course, visited previously when engaged on a survey of the working of ..... residential establishments making provisions for disturbed and difficult children. ..... He had expressed a high opinion of the potential of the home and its methods in the treatment of such children.

"I, too, was impressed by the positive therapeutic work being done and we both thought it a pity that your Department is to lose a man of Mr Moseling's calibre. There are all too few establishments that can be said to provide a total therapeutic environment and it is not often that a Department is able to find people with the right qualities to run them.

"I understand that you are to have a meeting very shortly to discuss the future of The Poplars. If time allows and if you think it would be helpful, we should be pleased to discuss our views with you further."

8.9 The meeting referred to by Miss Corsellis took place on 25th June 1973 and was attended by the Director, Assistant Directors Mr Terry Smith and Mr Peter Naylor, Mr Spicer (Child Care Adviser), Mr Jaynes, Miss Corsellis and Mr Briers. The minute of the meeting is self-explanatory:

"1. The discussion centred around the significant achievement at the Poplars. It should be borne in mind that the Poplars was seen as a developing unit, for emotionally disturbed children but staffing difficulties had not really allowed for the project to become established until September 1972. The view was expressed that certain resources had not been provided and that whilst treatment plans had been drawn up their effectiveness in operation was considerably reduced. Additional financial help had not been forthcoming and psychiatric and psychological support had not been available. Offers from the Child Guidance Clinic hardly materialised.

Recommendation:

a. Psychiatric support should be planned for the Ratcliffe Road Unit.

b. An approach should be made to the Child Guidance Clinic with a view to improving their help at the Poplars.

c. An adequate staffing ratio is essential in this type of unit.

"2. Ratcliffe Road Children's Home should not be seen as a replacement for the Poplars as the Poplars is at present constituted.

Accommodation should be provided for difficult antisocial children possibly of ⅔rds boys and ⅓rd girls.

The children should not be so severely disturbed as to be unable to benefit from the local education facilities.

The home to be planned broadly for secondary school children aged 10 plus to 18/19 years. No children below school age.

Some children at the Poplars may need to transfer to Ratcliffe Road.

Recommendation:

a. D.G.C. Spicer Child Care Adviser to provide report on the Ratcliffe Road Unit bearing in mind specifically the need for consultants to be available to the staff.

b. This is to be a group 2 home.

"3. Staff at the Poplars. It seems likely that a number of staff will be moving during the next few months and it was not clear how many of those remaining would be willing to contemplate a move to Ratcliffe Road Unit.

"4. There was considerable discussion concerning the future role of the Poplars building and site. Mr Briers indicated that whilst the DHSS was interested in provision they were also concerned about cost limits on the present proposals, for a project of £125,000 would be unlikely to receive support at this time.

Recommendation:

a. S Morris and M Hardy prepare a report on proposals for the building and site. A meeting was called for the 6th August at 2.30 pm to discuss these proposals.

b. Further recommendations: the post of Superintendent of the Poplars to be advertised and including a comment to the effect that a possible transfer to Ratcliffe Road would be expected.

c. In view of the staffing position at the Poplars any further demands were not to be contemplated unless the staffing position improved.

d. Mr Loader Child Care Adviser to be asked to support the Poplars at this time."

8.10 Two papers were produced for the meeting called for 6th August.

8.11 Mr Morris and Mr Hardy wrote "A case for the retention of the Poplars Community Home, Market Harborough in addition to the new twenty bed home at Ratcliffe Road (Knighton House) Leicester" in which they outlined the attempts made to "provide more specialist provision, to enable us to offer to each individual child the environment in which they can receive the care and treatment necessary to help them to lead a more full and useful life".

8.12 They drew attention to the difficulties encountered in getting the home fully and properly staffed, providing adequate material resources and obtaining psychiatric and psychological support. They concluded:

> "In spite of these drawbacks, staff developed a therapeutic approach with planned treatment programmes for each resident, for which there was wide appreciation among Area Directors, Social Workers and Social Work Officers of the DHSS. It was at this point that it was realised that we had within the county a specialist unit that was capable of dealing with the *more severely disturbed children*, we were responsible for, and that we could now offer to treat within our own system and not seek expensive places in units in other parts of the country, often a great distance away."

8.13 The second paper was produced by Mr Spicer, the Social Services Department's Child Care Adviser. It was "An outline of aims and functions for the new children's Community Home" (Ratcliffe Road). It was a valuable and important paper which outlined the concept of therapy in a planned environment, and drew attention to:

- the need for consultation, probably from outside the authority "if the appropriate knowledge and skill in this field is to be drawn upon";
- the need for consultation and support from psychologists and psychiatrists to be made readily and regularly available;
- the need for a high ratio of staff to children.

8.14 The paper (below) represented appropriate advice for the setting up of a specialist resource offering planned environment therapy. It was not followed.

"One of the main factors in deciding the location of this new home was its proximity to the City of Leicester and the associated facilities which urban children were accustomed to. Therefore, it has consistently been held that the children to be admitted would not need the total care environment of a community school but would be capable of participating in the local educational system and other community activities to a large degree. This assumes that the children though disturbed, will not be severely so, but will display a range of behaviour difficulties stemming from problems of personal development, perhaps as a result of deprivation, emotionally or socially; family breakdown; relationship difficulties; adjustment to school etc. Although the children's functioning will have been impaired to a considerable degree, those admitted should be seen on assessment as capable of benefitting from a period of remedial residential care.

"Residents

May be of either sex, normally within the secondary school age range, however the possibility of some of the upper age groups of primary children (say 10, 11 year olds) could be considered. At the upper end of the age ranges those already resident should not be automatically transferred once they enter employment. Thus the total age range might be given as approximately 10-17 years. This age scale bridges two major areas of development through which children need considerable help. 1) Adolescence to young adulthood and the attaining of a degree of independence. 2) The transition from school to employment.

"Education

This should be provided through the appropriate range of local schools within the city. This need not preclude the possibility of a home teacher in special circumstances, but the home has not been designed with the provision of education in mind.

"Social

The children placed here should be given encouragement, and opportunity, to participate in a full range of social, cultural and recreational activities within the local community.

"Environment and Treatment

The planned environment (a concept well documented and described in the Home Office Community Homes Project in relation to Approved Schools) should be a sensitive atmosphere, alert to the needs of individual children and flexible enough to adapt to those changing needs. Giving opportunities for identification with positive adult figures; and for relationships to be formed with adults and peers. It should encourage the important adolescent transition to independence with opportunities for individual decision making and progress towards a self awareness.

"The home and family of each child must be understood, accepted and involved in the work of the Home to the extent that a regular contact will be encouraged and maintained as an essential part of the task of helping the individual to function adequately in both his family and society at large.

"Time Factors

It is often difficult to define time limits on treatment programmes but there is much to be said for some boundaries being considered. With children who have reached this age range and experienced personal, social or family breakdown, frequently after a prolonged period of stress, it is unlikely that periods of less than one year will be effective in providing the remedial help needed. Therefore, it is suggested that this must be considered as an intermediate to long stay Centre, with care and treatment plans on assessment being drawn up for periods of one year and upwards.

"Staff

Ratios of staff to children need to be in the order of one staff on duty to three children, and should take account of the overall management tasks and professional direction roles of the Head and Deputy of the unit.

"Consultation should be made available to the Head in the early stages of development so that the full consideration may be given to the implications of planned environment therapy. It may well be that consultation from outside the local authority is essential if the appropriate knowledge and skill in this field is to be drawn upon. Also consultation and support from psychologists and psychiatrists should be made readily and regularly available. (It is probably true to say that staff responsible for most children in residential care today would benefit from such regular supportive services).

"Professional Care Staff

Should be a mixture of resident and non-resident and at least an equal balance of male and female members. Certain members should have specific responsibility towards sub-groups within the unit and maintain close oversight of the development and interaction of the individual children within that grouping."

8.15 On the day after the meeting, 7th August, Miss Edwards wrote to Mr Naylor:

"I should be grateful . . . if you will get ahead with the interviews for Mr Moseling's successor.

"You will hear that we had a further abortive meeting over the future of The Poplars and Terry" [Smith] "can give you details.

"It seems to me that all we have done at the moment is to play around with the rooms at The Poplars, dependent on the whim of the moment and affected by odd comments thrown in by me, without anybody giving the matter proper consideration. We have now left it to Mr Morris, Mr Loader and Mr Hardy to prepare a brief of actually what we do want (this should have been done at the beginning) and, with some misgivings, I have said that if a proper report is produced I will take this to the Social Services Committee on September 6th.

"I am unhappy, as you know, about the whole of the way The Poplars situation, supervision and plans for the future have been handled. I should be grateful if you would take a personal interest in this from now on.

"Since I dictated this I have had further discussions with Mr Morris and at last think that we are beginning to get down to basic details. He will tell you what we have said but I think it is most unlikely that we will be putting a report to the Sub-Committee".

The Appointment of Mr Frank Beck

8.16 Evidence suggests strongly that the only applicant for Officer in Charge, as successor to Mr Moseling, was Mr Frank Beck. In his form of application dated 5th August 1973 and received by the Director on 7th August, Mr Beck described himself as a single man and gave information as follows:

Date of Birth	19.7.42	
Education	Normal State Education Northampton College of F.E. Stevenage College of F.E.	
Qualifications	Residential Child Care Staff in service study course C.Q.S.W. Home Office Letter of Recognition in Child Care	
Details of past Appointments	1959-1969	Royal Marines
	1969-1970	Residential C.C.O Leicester P.O. hostel
	1970	Residential C.C.O Northampton (Probation hostel)
	1970-1971	Residential C.C.O Northampton Children's Home
	1971 to date	2 year course.

Mr Frank Beck was available to start work in September 1973.

8.17 The form of application for the post of Officer in Charge of the Poplars was accompanied by a manuscript statement by Mr Beck in which he enlarged upon his reasons for applying:

". . . I took employment at an intensive care unit for several emotionally disturbed children 5 to 13 year olds. Here I trained under a Miss Wendy Rowell who had spent 3 years at the Mulberry Bush School Oxford training under Barbara Dockar-Drysdale. In this unit an intensive planned treatment programme of therapy for each individual child was carried out. Although I left in Sept 1971 I have continued contact, voluntarily, maintaining a helping and supporting role to date.

"My college training has taken me to a psychiatric hospital as a P.S.W where I was also co-therapist with an outpatient group and a therapiutic (sic) drama group, plus of course normal casework both here and in Social Services . . .

". . . I've also made a study of growth and development over the past three years.

"I would be available for employment as from August/Sept 1973 when I hope to enter employment to develop a therapiutic (sic) community where children or young persons can develop to their full emotional personalities."

8.18 Mr Beck's application was supported by two references, one from Mr T Sturges, Senior Lecturer in Social Work at Stevenage College of Further Education and the other from Miss Wendy Rowell. Copies of those references are reproduced at Appendix 5. Neither referee was invited to enlarge upon the written reference given.

8.19 Mr Beck was interviewed by Mr Naylor and two others on 15th August. Mr Naylor's note reads:

"Appeared good responded well.
Accepted situation inc. short term.
Poplars concept and poss. transfer to Ratcliffe Road. Offered £1,959.
Accepted and can start v. soon."

8.20 A check with the Social Work Service of the DHSS produced no observation.

8.21 Mr Beck took up the post of Officer in Charge at The Poplars on 1st September 1973.

Confirmation of Mr Beck's Appointment

8.22 As was usual in Leicestershire, Mr Beck's appointment was subject to a probationary period of six months. Albeit eight months after Mr Beck started, on 2nd April 1974 Mr Naylor responded to a memo from Personnel and Training Branch:

"Mr F Beck, Officer in Charge, The Poplars

In reply to your memo concerning the probationary period for Mr Beck, I am now in a position to provide the following report, and would recommend that his appointment be made permanent:

'Mr Beck took up his post on 1st September, 1973, and from the outset, has set up a programme of therapy for each of the boys in the Home, most of which are severely disturbed and have suffered acute emotional deprivation.

'As the previous Head of the Home had made little progress with the boys, this initial effort on Mr Beck's part has been of some magnitude.

'There is little doubt that Mr Beck has achieved considerable success, both with the boys and with regard to successful staff integration. The Unit staff operate very much as a team under the guidance of Mr Beck, who in my opinion has shown a fairly high degree of management skill.

'The establishment of satisfactory relationships with the boys and staff is apparent and this reflects Mr Beck's skill and personal qualities. He has at all times displayed considerable insight into the needs of the individual boys and has formed a programme of treatment to meet these needs.

'One feels that Mr Beck has much to offer and there is little doubt that his appointment should be confirmed in the light of his efforts during the past six months.'

P.W. Naylor
Assistant Director."

The setting of the body of the report in quotation marks indicates that Mr Naylor relies on a report to him by another (unidentified) officer.

Evidence about the appointment of Frank Beck

Miss Edwards

8.23 Miss Edwards considered the appointment to have been appropriate. Miss Edwards helpfully reminded the Inquiry of some of the thinking prevalent in the early 1970s:

"Many staff were of course, untrained in 1970. Some had been in post for many years, and had rigid, old-fashioned ideas which were difficult to change. These were increasingly apparent as the general philosophies relating to the care of children become more widely acknowledged and it was recognised that many children became delinquent because they were deprived, and that unless they could be

helped while they were young, they were not only likely to become recidivists or permanently mentally disordered, but also would make poor parents and produce children in the next generation like themselves. Some of the older staff members found it difficult to provide warm, accepting relationships with the children, and some failed to recognise the need to maintain family links. Differing theories of ways in which to treat disturbed children were practised and widely discussed, the influences of Freud, Winnicott, Bowlby, David Wills, A S Neill, etc. extended amongst all those concerned with the training and practice of social work whilst a number of experiments were carried out, notably in establishments like Mulberry Bush, The Cotswold Community and Summerhill. **Many local authorities, on a smaller scale, with less resources and less availability of psychiatric help, were endeavouring to adapt those homes and experiment within their own Children's Homes without removing children to expensive establishments away from their own families."** (emphasis added)

8.24 There was urgency to fill the post. The Deputy, Mr Jaynes, was young and inexperienced.

8.25 There was a shortage of applicants for the post (and for such posts nationally).

8.26 Mr Beck was a good applicant for the post in that he had, unusually, the generic social work qualification CQSW. He also had some, though very limited, experience of residential care.

Mr Naylor

8.27 Mr Peter Naylor was unable to bring to the Inquiry any recollection of the interview with or appointment of Mr Beck. Mr Naylor's own professional background would not have enabled him to evaluate in interview Mr Beck's plans and suitability for developing a therapeutic community, nor to estimate whether the ideas about therapy undoubtedly expounded by Mr Beck in interview made good sense.

Mr Loader

8.28 Mr Loader, an Area Director from 1971 to 1973 and Child Care Adviser from 1973 - 1976, gave to the Inquiry a perceptive view of Mr Beck's appointment:

"I think the view was this, that generally speaking the units that we had and the people who ran them, and I don't wish to be derogatory, were really very much geared to providing care of youngsters but really weren't geared to providing anything in the way of what you might call an intervention strategy, a treatment or any thing of that nature. And I believe that in securing Mr Beck the Department's senior management thought they had some kind of 'a catch'. Here was somebody who came along with 'a therapy'. He'd been at an establishment which practised what one might call some sort of advanced therapy with youngsters who were very disordered and emotionally disturbed and he'd brought that with him. And I imagine that, in fact, he was seen as something of 'a catch', and, therefore, he was, in a sense afforded a level of discretion and a level of autonomy as a kind of recognition of his special position and special skills."

The Referees

Mr Sturges

8.29 Mr Trevor Sturges, the referee from Stevenage College of Further Education, offered a valuable written contribution to the Inquiry. He wrote:

"I was Principal Lecturer in Social work at Stevenage College, and therefore responsible for submitting Beck's name in 1973 for the award of the Certificate of Qualification in Social Work.

"Whilst it is difficult to see how admission procedures could be tightened up so as to prevent the selection of a person like Beck, I am left feeling troubled that my unease at the time, echoed by several colleagues, could not in any way be recorded in the assessment of Beck's performance. Simply, he met the criteria for completing the course successfully in his academic work and practical placements, and I had no option but to recommend him for qualification and to give him a good reference for Leicestershire Social Services.

"As you know, when someone is assessed as an adopter or foster parent, it is perfectly possible for the social worker, or for the Panel considering that application, to register such unease, to turn down the application, to refuse to give reasons for that decision. Professional judgment is thus respected and valued. With this comparison in mind, it is surely alarming that there is no place for such judgment on a social work training course; someone like Beck is left free to meet the objective criteria of the course and to go on to inflict incalculable damage upon so many people.

"Inevitably, some clashes of personality will occur between some students and some students. However, I would like to submit the suggestion that, where there is shared concern amongst the *group* of social work tutors, as there was in Beck's case, some mechanism is built in whereby such concern can be officially registered with the External Assessor to the course, and whereby the recommendation for qualification can be withheld pending some further investigation of that student."

8.30 Miss Rowell told the Inquiry that:

- she met Frank Beck when he went to work with her in 1970/71 at the unit for seven children of which she was in charge at Highfields Children's Centre, Northampton. The age range of the children was 5-12 years.
- she had earlier spent 3½ years on the staff at the Mulberry Bush School as "a very junior member". "I took part in the care that I was directed to, rather than starting myself". Regression formed a part of the therapeutic approaches used at the Mulberry Bush.
- regression was used in a limited way with some, but not all of the children, at the unit at Highfields, "offering care to children as though they were much younger than they actually were, perhaps giving more attention to children than would normally be, but very much offering care at the level the children wanted to accept". "Children were never put in nappies or given babies feeding bottles to feed from."
- all therapeutic approaches at the unit were under the direction of an Educational Psychologist engaged full time at the Childrens' Centre.
- Miss Rowell regarded Mr Beck as "a person with a very strong character, who was very eager to learn, who was extremely enthusiastic about anything that he went in for. Quite a domineering person. Somebody who made very strong friendships, but he also had very strong dislikes".
- Miss Rowell believed that the application by Mr Beck, to which she had lent her support, was to be for a post of Officer in Charge of a Childrens' Home. She did not know that Mr Beck was proposing that he should develop a therapeutic community. Had she known that, "I hope I would have put something towards the fact that he had no therapeutic background or knowledge or training."

8.31 Neither referee was asked, on the telephone or otherwise, to enlarge on what had been written or to speak behind the written word.

Staff

8.32 Mr Jaynes, the Deputy Officer in Charge under Mr Moseling, remained in post following Mr Beck's appointment. It is unlikely that the four RCCOs did so. Certainly, by the end of 1973 all four RCCO posts had been filled by new staff.

Name	*Age*	*Qualification*	*Date of Taking up Post*
Geoffrey Porter	22	1 CSE 1 GSE 'O' Level O.N.C (Building construction)	15.9.73
Leslie Ketteringham	22	(No information)	15.10.73
Colin Fiddaman	22	6 GCE 'O'Levels	10.11.73
Susan Morton	25	5 GCE 'O'Levels (3½ years W.R.A.C)	1.12.73

8.33 Mr Jaynes, Mr Porter, Mr Fiddaman and Miss Morton remained at The Poplars and in due course moved with Mr Beck to Ratcliffe Road.

8.34 Mr Ketteringham appears to have left in 1974 and to have been replaced by

Name	*Age*	*Qualification*	*Date of Taking up Post*
Mark Salisbury	21	6 GCE 'O' Levels CCETSW in Service Training Certificate	1.12.74

8.35 Mr Beck had previously met Mr Porter whilst working in Northampton; Mr Ketteringham as a patient at a Hospital in Welwyn Garden City whilst Mr Beck was at college; and Mr Fiddaman probably in Northampton. Mr Fiddaman had replaced Mr Beck at Miss Rowell's unit at Highfields. Miss Morton had done some voluntary work at the same unit (though probably not in Mr Beck's time) and was introduced to him through that contact.

8.36 The selection of staff was by a committee of two or three, including the Officer in Charge and one or two officers from the Care Branch Headquarters management. In practice, each of those appointed to posts at The Poplars had applied at the instigation of Mr Beck and were the appointees of his choice.

Introduction of Treatment Methods

8.37 Documents show that at the beginning of August 1973 there were eleven children resident at The Poplars. It is unlikely that the number increased before Mr Beck's arrival on 1st September.

8.38 Mr Beck introduced his own treatment techniques almost immediately. On 18th September Mr Beck discussed with Mr Todd, senior educational psychologist, the possible help the schools psychological service might be able to give.

8.39 On 24th September 1973 Mr Todd wrote to Mr Beck, and sent a copy of his letter to Mr Naylor:

> **"You said that you did not envisage any need for direct help in work with the children, but that you would welcome someone attending staff meetings to cover inter staff relationships and particularly staff-child relationships involved in regressive therapy techniques.**
>
> "I have discussed this with colleagues and Dr H Hopkirk, Consultant Children's Psychiatrist, is certainly interested in trying to do this. He will, however, need to have a discussion with you before any definite arrangement is made. Unfortunately, he is about to go on leave and will be returning on 18th October. He intends to contact you as soon as possible after that date, but it might be advisable for you to ring his secretary at this office a few days before his return, so that the matter is given some priority then". (Emphasis added).

8.40 One of the children at The Poplars when Mr Beck arrived was a 14 year old boy AB. Care staff reports in respect of AB show:

> "13.9.73. With the arrival of new staff at The Poplars it is hoped that we can offer positive help to AB in the form of a regression. It is expected to take two years to complete. Contact with home has been reduced until November to help facilitate the therapeutic relationship required. It is expected such a relationship will be started within the next few weeks.
>
> "9.11.73. AB was offered a regression on 3rd October (1973), to facilitate his emotional development, and to repair the earlier deprivation. To date we have had a number of temper tantrums and much of the disruptive behaviour is gone".

Comment

8.41 Leicestershire County Council had not formed a clear plan or concept of care for the future of The Poplars beyond the general notion that the regime was to be therapeutic.

8.42 Mr John Moseling had established his own beneficial regime of care in the light of his training, reading, ideas and wide experience and apparently without management guidance.

8.43 It was hoped that Mr Moseling's successor would also do imaginative work. The surviving papers give the clear impression that it was hoped that The Poplars (and later Ratcliffe Road) would develop into a specialised resource.

8.44 In the context of child care, the word 'therapeutic' was commonly used in a loose and vague way. It was a fashionable word which denoted recognition of good child care practices as they were coming to be identified. "Caring is curing." It did not generally connote specialist psychotherapeutic work, nor was much of the specialist work being done at the time recognised for what it was - delicate psychotherapeutic work in the hands of highly trained and experienced people.

8.45 Mr Beck's appointment as Officer in Charge of a "good ordinary Children's Home" is understandable in the light of the circumstances that the post had to be filled, that there was no, or no significant, competition for the post, and that Mr Beck had social work qualification. His lack of previous experience in such a post called, at the least, for close oversight by managers.

8.46 The method of selection and appointment by written application, single interview and acceptance of written references would not be likely to show up significant defects in personality.

8.47 Mr Beck had no training or appreciable experience in the field of therapy and was not qualified in any way to diagnose or treat disorders of personality or disturbed young minds.

8.48 Nobody within the management of Care Branch, including the Director, had a background in, or detailed knowledge of, therapeutic processes and techniques.

8.49 The idea that a specialised therapeutic resource might evolve without at least following the advice of Mr Spicer (para 8.13 - 8.14) particularly as to seeking outside advice, was unrealistic and potentially dangerous.

8.50 Mr Beck was left free of management intervention or supervision to develop his own regime of care. Neither he nor any of his staff had the training or experience for the work he was allowed to attempt. Staffing levels were too low. Management Officers did not put in place any proper level of psychiatric or psychological support.

8.51 Mr Beck acquired a reputation in Leicestershire County Council for his treatment approach which became known as 'regression therapy'. There is overwhelming evidence from people cared for by Mr Beck and his disciples over the years that many children found Mr Beck's methods threatening, violent and humiliating.

9
TREATMENT: 'REGRESSION THERAPY'

9.1 The Inquiry was made aware of a measure of public disquiet surrounding the 'regression therapy' or 'regressive therapy' believed to have been practised by Mr Beck and the care staff who learnt from him. That included the apparently bizarre use of the paraphernalia of babyhood in the treatment of adolescent boys and girls.

9.2 It is of the utmost importance that neither accounts of Mr Beck's practices, nor anything in this Report should cast any shadow over the concept of regression as it is recognised and understood in the best psychotherapeutic circles.

9.3 'Regression therapy' does not stand in professional circles as a distinct and credible therapy. That the term was widely used in the Social Services Department to describe Mr Beck's treatment cocktail as if it stood on its own as a distinct and credible therapy is in itself an indication that there was no depth of understanding at any level, including management, either of the true nature and implication of regression or of Mr Beck's interpretation of it.

Regression

9.4 Regression is a natural and spontaneous human reaction. There is a spontaneous force within anybody to regress.

9.5 As it is most commonly experienced, the human reaction of regression functions to maintain a state of normality in a person facing gravely distressing (abnormal) experiences. It is both defensive - allowing a person in such distress to take recourse in earlier familiar modes of behaviour in retreat from the difficulties being faced; and adaptive - allowing for rest and replenishment.

9.6 The place, benefits and risks of using and encouraging regression in a therapeutic context were put before the Inquiry by Mr Peter Wilson B.A., presently Director of Young Minds (the National Association for Child and Family Mental Health) in a paper "Psychotherapy and Regression". The paper prepared by Mr Wilson for the assistance of the Inquiry is at Appendix 6. It is of great importance and has to be read in its entirety. Mr Wilson was at pains to stress that "pretty well every idea in that paper comes out of thinking that preceded the 1970s" and that there was abundant written material available to anybody wishing to make serious enquiry into the subject in the early 1970s.

9.7 Whilst Mr Wilson's paper has to be read in full, it assists the narrative of this report to quote extracts from it:

> "Regressive processes are encouraged in many forms of psychoanalytic psychotherapy and form an integral part of the overall therapeutic experience of children and adolescents in some therapeutic establishments. There is a clear rationale for encouraging regressive phenomena and, when conducted with adequate safe-guards, can be a very human and efficacious response to the tragedies of many troubled children and adolescents.
>
> "If the child's difficulties emanate from the failure of his parents to love him sufficiently and meet his early needs, the aim of psychotherapy can be said to enable the individual to re-experience in the psychotherapeutic relationship something of this early experience and the related feelings of loss and anger and help the individual work through his feelings about not having the love that he missed.
>
> "In the face of individuals and especially children who have suffered considerable maternal deprivation or other unfavourable family conditions in the past, there are many therapists who have argued for and practised a form of psychotherapy that actively seeks to make up the early inadequate provision - and not only to understand it. There is a long line of eminent psychoanalytic psychotherapists who have taken this position - beginning perhaps with Ferenzi and including Alexander, Balint and Winnicott.

"The basis of this position is that the most important factor responsible for the mental health of all individuals is the provision of basic good enough parenting from the beginning and appropriate parental provision in daily family life - that is to say the giving of love and affirmation, the provision of safety and protection, the provision of emotional and intellectual stimulation and so forth. Where such provision is missing, the argument is that development becomes arrested. With this in mind, the aim of therapy is to seek to reach back and remedy the early parental deficiencies.

". . . these ideas have had particular appeal to practitioners who have worked with children from emotionally and socially deprived backgrounds - very often in residential centres. One particular practitioner is Barbara Dockar-Drysdale who was strongly influenced by the work of Winnicott and who in turn has had considerable influence on others in the field generally . . . Her attempt is to get as close as possible to recreating something of an elemental mother/child unity through the personal involvement of the therapist with the child. Through regression the aim is to get back to the point when the child's mother has been unable to meet the infant's needs.

"The rationale is thus clear - to reach back, through encouraging regression, to the traumatic childhood experiences that originated the current disturbance and to then work through again these experiences and find new solutions and opportunities for different developments. It is important to emphasise that in the light of this thinking regression is not seen as an end in itself but a means of releasing new forward progressive trends. Implicit in this approach is a faith in the individual's capacity to achieve a new synthesis of his experience through review and a reliving of the past."

Benefits and Risks

9.8 Mr Wilson:

"The undertaking of such an approach in psychotherapy, especially as conducted in residential settings with children and young people is highly ambitious. To some extent it may be unavoidable in view of the already regressed nature of many of the young people - and in some cases it may well be a desirable, highly sensitive and remarkably efficacious approach. It can well be said that for many of the troubled children who need help, there is in fact no other way if there is to be any substantial attempt to heal these young minds. However, there are considerable dangers attached to such an approach.

"In the interests of trying to reach back to the crucial early disturbing experiences, it is important to remember what is being involved. Individuals, children and adolescents, are basically being allowed to behave and respond as small children or as babies, e.g. to be dependent, passive, clinging, demanding; to be impulsive, seeking bodily pleasures, needing to be fed and cuddled, to be put to bed, to be read to and allowed to be confused and silly. Moreover, in so doing, these young people are being encouraged to re-experience past experiences that were essentially painful, whether because of frightening and bewildering loss and betrayal or because of feeling overwhelmed by parental violence and sexuality. It is worth emphasising that early childhood experiences are especially powerful. A child's hunger, rage, bodily excitement and fears have a particular intensity, unmodified as they are by maturity or by a more grown up sophisticated comprehension and ways of handling. To encourage troubled adolescents to regress to these earlier states and conditions is very often particularly hazardous - not only does such a regressive force undermine the normal progressive momentum of adolescent life (i.e. to grow up, to leave behind parental attachments, to assume individual responsibility) - but it can also augment the adolescent's new physical energy and power with infantile passions - often with very destructive consequences.

"In so far as it is central to the therapeutic function of regression that it should be seen as essentially temporary and leading on to progressive development, it is important that the young people who are being allowed to regress have the capacity to, as it were, 'regress and rebound'. This may not always be the case - the young person preferring to stay put in a passive dependent position or to simply indulge in the gratification of his needs and demands.

"The danger of all this is that the young person may become evermore impulsive, disordered in this thinking, unconcerned for other people and chronically dependent. Regressive processes moreover, may undo whatever adaptive resources the child has managed to accomplish, however inadequate. It is thus very important, for children to be assessed for their suitability for such therapy."

Assessment

9.9 The assessment of children for their suitability for such therapy is a very difficult matter. Mr Wilson gave advice about it in his oral evidence to the Inquiry:

> "It is very difficult to assess how a child is going to respond to a situation where essentially he is going to be invited back into an earlier way of being and into earlier memories. It is a very very treacherous undertaking. The most important criteria I would have is how far I think a child would be able to 'regress and rebound'.
>
> "Some children are extremely needy, they are very very demanding. They have been so deprived that if you set up a regime that seeks to give them what they have been deprived, they just consume and consume and consume. Other children react to deprivation with other aspects of functioning. It is not simply the case that someone who has been deprived in their early childhood is going to be incapacitated in their later life. This does add to the complexity of human development, really, and we all know of people who have overcome great adversity in their lives and function extremely well, or apparently very well.
>
> "The key thing is something to do with - and it is a word that I do not like, it is a jargon word - their 'ego-functioning'. That is to say their capacity to deal with frustration, to deal with anxiety, to keep a hold of what is going on in the external reality, and differentiate that from what is going on in their own minds, have got a fairly reasonable grip of handling themselves and their impulses, and that is what ego-functioning means. In a formal assessment you try to assess a child's ability to manage themselves in that way.
>
> "It is extremely important that one makes some assessment of the ego strength. That is difficult to do but you can do it with good clinical thinking, with some psychological tests and so on. There needs to be a good grounding in child development, in child psychopathology, a good grounding in psychological theories, a preponderance of thinking in the training and practice with disturbed children. Child psychotherapists, psychiatrists and psychologists specialise in these matters of child development, child psychopathology and so forth. I think you need as much grounding in the theory and the practice of all this in order to make these very difficult assessments."

The Therapeutic Relationship

9.10 Mr Wilson:

> "There is a spontaneous force within anybody to regress. It is not as it if it is something you have to foist on somebody to go backwards, particularly amongst the more vulnerable and the more disturbed, and if we are talking about regressing, one needs to think about it in terms of degrees to which a child is going to be dependent on you, the way it can expect for you to provide food for them, help them to actually take the food in, how far you are going to help them to get to bed, to get to sleep, to read stories to them and so on. It is all very much how far a child is going to be doing his own things, taking responsibility for his own things and how far he is going to be dependent on others.
>
> "It works gradually because, if it is to be effective, the child has to feel sufficiently trusting to allow himself to be rendered so dependent and so needy, so you cannot foist, you cannot force children to regress like that, because the essence of it is trust, and that will take time. If you take on a child in a residential setting and form a good relationship with him in which the child has his own time to trust you and to, as it were, qualify you to be his therapist by virtue of his trust, then there will increasingly be more of a dependent relationship developing. To force that process is simply unrealistic.
>
> "How you take people back there - it is an easy phrase and I have used the phrases quite a lot in my paper: 'Get back to the point of failure', 'Get back to the basic fault', 'Reach back' and all the rest of it. I do not think you do it properly in the forced, rather artificial way of nappies, bottles and requiring a 15 year old to undress and be helped to the toilet. What is crucial in the idea is that you try and create a relationship with the child in which that young person can allow himself to experience something of an earlier neediness and state of dependency which he was never allowed to have before.
>
> "So really to get back in a benign sense, it is a question of forming, quite honestly, a simple, good, direct and honest relationship in which the kid can relax and feel that he can trust the key worker. If you can do that, then you are getting back to the essence of what was missed."

The Time Scale

9.11 Mr Wilson:

> "It takes in the order of three or four years but, of course, it depends on how the disturbed child is before that child comes in.
>
> "Let me just dwell on that three or four years. I cannot emphasise enough how troubled these people's minds are. We are dealing with chaotic minds who are not thinking logically, who are ravaged by really quite appalling fear. They do not trust anybody; they are very angry; they are very edgy; they do not know how to handle themselves; cannot figure out what the hell went on yesterday and tomorrow. The state of mind is chaotic.
>
> "So, you need to create a relationship of trust, of continuity, of dependability, in which the child can actually begin to get some sort of orientation that there is something out there which is reliable, which he may not have experienced before, and feel a kind of inner sense of relief that he can feel that way with you and that you are going to hold it.
>
> "It is a slow process. It is a slow process of healing. The whole point is to then generate towards going out, because all of these therapeutic communities are essentially transitional places. They are not homes in the sense of forever. You come in in order to go out and you must always bear that in mind when you are running a place like this."

Other aspects

9.12 Mr Wilson's detailed evidence covers other aspects of this delicate therapeutic work for which, for all their importance, summary reference suffices for the purpose of the narrative. In particular:

- the need for continuous multi-disciplinary assessment of the child;
- the demands on a therapist in terms of time and personal commitment;
- the emotional pressures and possible powerful emotional effects on therapeutic staff;
- the importance of understanding and maintaining appropriate professional distance and boundaries;
- the need for therapists to gain insight into their own part and responses in the therapeutic relationship and to ensure their own emotional well being and integrity, usually through counselling and personal psychotherapy.

Mr Beck

9.13 Mr Beck's limited experience of therapeutic work in Northampton and his two year generic social work training for CQSW did not equip him with either the depth of theoretical understanding, nor the experience to undertake the delicate psychotherapeutic work which he attempted and that is described in its proper application by Mr Wilson.

9.14 Mr Beck had, however, read widely. His managers had not. Mr Beck's knowledge of the subject from his private reading left him better informed than the Management Officers and better informed than most, if not all, of the field social work staff with whom he had dealings. The psychiatrists who came to have involvement through staff meetings at the Children's Homes run by Mr Beck did not have backgrounds in psychotherapeutic work.

9.15 Mr Beck's evidence to the Inquiry reflected his thinking and understanding at the time of his appointment:

> "you didn't need to be an expert. Nowadays, if you said you were going to do therapy you'd expect to have some degree or all sorts of qualifications. In those days the words weren't taken quite so seriously. You would, as long as you weren't forcing things and using medication and medical practices, you were all right. Nobody had an answer, everyone was trying to do something different."

9.16 Mr Beck continued in his evidence:

> "and I used things like 'Love is Not Enough' Bruno Bettleheim's book. I mean, Ratcliffe Road was almost based on it. I chose a lot out of his work and a lot out of other people's work to try to get the best deal."

9.17 The first main ingredient of Mr Beck's cocktail of 'regression therapy' derived from his largely untutored reading of psychoanalytical works about child development and regression. The second ingredient of significance in the formulation of his treatment method, and of significance to complaints that came to be made, was his understanding of a film called "Warrendale".

Warrendale

9.18 Warrendale is the name of a film made in a small residential Children's Home in Canada in the late 1950s or early 1960s and is intended to demonstrate methods of working with troubled young people, mostly teenagers.

9.19 The black and white film is poorly made, disjointed, lacking coherence and with very poor quality of sound. It does not have written or spoken commentary or explanation of the conceptual framework within which the work was being attempted, nor of which episodes shown were said to be well managed and which badly by staff members.

9.20 The film was shown in the course of in service training of qualified and unqualified social work staff in Leicestershire in 1960s and 1970s and was regularly shown by Mr Beck to his care staff.

9.21 In the absence of clarification of the theoretical rationale and therapeutic implications of the work being attempted, the impact of the film is in the focussing on the techniques of verbal and physical confrontation, provocation, physical ways of actually holding a child in restraint, and the intimacy of handling of a child who is regressed.

9.22 In the course of the film, care staff appear to place heavy emphasis upon the value of ventilation of feelings, of 'getting out' from children their supposed deep seated feelings of anger and distress. That was achieved by deliberate oral and physical confrontation and provocation, physical restraint by one, two or more members of staff ("its alright to be angry and it's especially alright to be angry when you are being held") and further goading until emotion was spent. In one of a number of episodes, the film portrays a male worker holding down a child and literally bellowing at her in confrontation and challenging and breaking down the child's defences.

9.23 The 'successful' conclusion of such an episode was followed by a great deal of physical comforting and nursing of the child, including washing, dressing, massaging, reading, cuddling and other attendance to childish needs.

9.24 The film reflects practices based on therapeutic beliefs that were sincerely held at the time, as well as, in some examples, practices by staff that were wild and ill considered.

9.25 The care staff appeared in the film to be driven in their work by a conviction and determination in their work and to be led in it by a young man of persuasive personality. They were naive, caught up in a particular therapeutic ideology and lacking awareness of the constellation of risks inherent in their approach.

9.26 In the absence of explanation of what was being attempted, and the reason for it, and in the absence of commentary distinguishing the good from the bad, and highlighting the risks of the workers' own physical and sexual excitement and loss of personal perspective and equilibrium in this kind of therapy, this film must be regarded as a very dangerous model and training aid indeed.

Mr Beck

9.27 The Inquiry had already viewed the film and had heard sufficient evidence to suggest marked similarity between practices described at homes run by Mr Beck and episodes portrayed in the film, before Mr Beck himself recommended to the Inquiry that the Warrendale film be watched to cast light on his understanding of 'regression therapy'.

9.28 There is good evidence that Mr Beck was able to give to others at the time a convincing description of 'regression therapy' in terms of a benign approach in filling gaps in the child's developmental experience. He was given to making sweeping references to the authors of works on child care, but the Inquiry has heard no evidence that during his time as Officer in Charge of Children's Homes in Leicestershire Mr Beck drew to the attention of his managers the importance he attached to the Warrendale film.

9.29 As well as describing regression to the outside world in the superficially attractive and benign terms that he was able to do, Mr Beck was also able to point to features of work in specialised therapeutic communities which he had partly replicated.

9.30 There were outside psychiatrists involved; but involvement was marginal and not, as generally assumed by managers and field social work staff, contributing to treatment plans of individual children.

9.31 There was formal supervision of staff and attention to personal and professional growth, a concept familiar among professionally trained social workers, but little known in the residential sector. But supervision and counselling were contained within the home and carried out by staff with no training or experience to do it. It was abused by Mr Beck.

Some Perceptions of Treatment at The Poplars

9.32 Quite apart from a volume of allegations made since 1989 by former residents in Children's Homes of sexual and physical assaults upon them by Mr Beck and other care staff over the years, there have been significant complaints about the treatment methods that were used. They are significant because young people found the treatment to which they were subjected in the name of therapy to be abusive in itself.

9.33 *AB, the 14 year old boy* who was at The Poplars when Mr Beck arrived. The evidence that AB gave to the Inquiry echoed that of other witnesses:

> "over a period of time I was subjected to the so-called regression treatment by Frank Beck mainly. He stated that I was a sad person and tried to make me cry. Later he wanted me to become angry, and would pin me down to make me angry to release my emotions. He tried to make me go back in time to babyhood and at times I suffered humiliation as a result of this. For example, I remember one day when I was in a sleeping bag with a large pink fluffy elephant, when other children came in from school with friends from outside the home I felt very embarrassed."

9.34 *Miss Morton* (RCCO at The Poplars and later Ratcliffe Road):

> "Frank Beck always said that a lot of the children hid their troubles and insecurities and that you needed to provoke some of them in order to get them to express it. It was the provoking that I did not agree with . . .
>
> "Sometimes it would be discussed at a staff meeting about a child that appeared to need to talk, who was behaving oddly or aggressively . . . I was never asked to provoke a child.
>
> ". . . usually a child was taken to another room when it was perceived they were getting angry and the women really did not have much part in the holding down. We were assumed not to be strong enough . . .
>
> "A lot of them were very big boys and became very verbally abusive and excited and their arms would flail about, and usually a couple of male members of staff would hold them down on a settee or on the floor, and really then encourage the child to shout and kick and say 'get it out of your system'."
>
> "BG had returned to the home from attending school in Market Harborough and was showing Frank Beck a new watch that he had been given for Christmas. I could see that the boy was very proud of his watch just by the look on this face but Frank Beck just suddenly slapped him across the face for no reason at all and sent him straight to his room. I was astounded by this behaviour but Frank Beck said to me 'go and deal with him'. I went to comfort BG and couldn't really understand why Frank Beck had hit him but he later told me that he had done this in order that the boy would not like him (Beck) but form a relationship with me. I presumed that this was part of the regression therapy treatment and did not query it because I assumed Frank Beck knew what he was doing."
>
> "The idea was to allow them to be small children again, in order to form a close relationship that they had perhaps never experienced and to be able to learn to trust and then to grow . . . Staff were also encouraged to sit children on their laps and cuddle them, cut up their food for them, and generally behave towards the children as if they were much younger . . .

"A lot of children seemed to enjoy the relief of not being expected to behave as a teenager would. A lot of them did enjoy the smaller children's games, playing Cowboys and Indians and sort of nobody frowning on them at the seaside if they dug sand castles, even if they were 14 or 15. I think quite a few of them did enjoy the physical contact, the sitting on the settee together watching TV and things like that."

". . . several of the children had bottles, and some of the children that I looked after had bottles, but they only had them at bedtime when we read them a bedtime story. They would drink orange juice from the baby's bottles."

9.35 *Mrs Brenda Biamonti* had a four week placement at The Poplars in 1974, at the end of her first year as a mature student on the CQSW Course at Stevenage College of Further Education. She gave a written contribution to the Inquiry which contains this passage:

"I had a particular interest in alternative therapies and treatments and had requested a placement in a therapeutic community. This was towards the end of the first year of the two year course and at that stage I had limited practical knowledge of social welfare organisations especially in the field of professional child care. Nevertheless the knowledge that I did have, together with my growing interest, informed me sufficiently to know that what I witnessed was the antithesis of therapeutic. I saw children being systematically tormented and humiliated, verbally and physically. What I saw horrified and frightened me.

"I discussed these feelings with both the tutor who visited me on the placement and later my personal tutor Trevor Sturges.

"During my placement there were no female care staff; any women employed at The Poplars were there in a domestic capacity. When I queried this with Frank Beck his explanation was that it was his view that the boys in his care had been damaged as a result of bad mothering and it was his job to ensure that this balance was redressed. This was also his explanation of the theory behind the regression techniques that he used. The children had to be broken down, to make them regress, and only then could the process of good reparenting begin. He also told me that he took boys that no one else would touch because they were so difficult. For that reason he was left alone by the Social Services Department to do what he wanted in the way that he wanted to do it.

"He was perfectly open about the philosophy and activities that I describe. Our supervision sessions were largely occupied with debating our different views.

"Children were systematically targeted for this breaking down process which was orchestrated by Frank Beck and from what I saw, carried out largely by his junior staff.

"I remember being present, I believe it was at a staff meeting, when a particular child, a fairly new resident aged about twelve years, was being discussed and a plan drawn up for his treatment. One staff member was allocated as his keyworker with the explicit task of breaking the boy's defences and making him totally dependant on the worker. Two examples of how this was done remain firmly imprinted on my mind eighteen years later.

"One evening I was in the sitting room playing board games with some of the boys. The boy in question came into the room followed by his keyworker who was verbally provoking him, shouting in his face and calling him names. The worker literally followed the boy round and round the room which he was not allowed to leave. The other boys present were encouraged to join in this verbal abuse which they did with gusto. The boy was also physically jostled and at one point was pushed over a settee which overturned tipping him on the floor. During the course of this the boy also had water thrown over him.

"Another time I saw the same child in the garden with his keyworker. The worker was following the child around, pushing him hard in the back and verbally abusing him in the manner described above. This continued to my knowledge for a good half hour.

"When I expressed disquiet about these occurrences I was told that the boy needed to get angry and the procedure was necessary to provoke this reaction.

"On another occasion I was shown evidence of the end part of this process. When another child, a boy of about nine years in this case, had regressed. A sort of nest had been built in the corner of a room or corridor. It was hung around with curtains to create a dark and womb like atmosphere and there was a mattress or cushions on the floor. I was told that the child slept there and spent part of the day there too, that he was bottle fed and wore nappies. All of this was explained within the framework of the treatment and as such did not appear to be secret.

"Some boys were clearly more favoured than others even though they too endured heavy teasing by the staff. There was a hierarchy of acceptability, much of it based on the children rejecting the values of their natural families, their mothers in particular. This top dog status was also based on the extent of their willingness to join in when others were being tormented. This was a tenuous status however because each boy in his turn was a recipient of some form of this treatment and the children were constantly reminded of this.

"What is harder to describe is the oppressive atmosphere of the place. What I was witnessing profoundly disturbed me. It contradicted all that I felt to be right about how one should treat children and the kinds of examples that should be set by adults."

10
THE MOVE TO RATCLIFFE ROAD, LEICESTER

10.1 In March 1975, staff and children at The Poplars moved into new, purpose built accommodation at 5 Ratcliffe Road, Leicester. Mr Beck appears to have had the full support of Management Officers who had no insight into his methods. Mr Beck's reputation grew.

Progress of Plans

10.2 Discussions about a proposed move to new accommodation at Ratcliffe Road continued throughout 1974. Few documents have survived.

10.3 On 28th March 1974 Mr Loader, Child Care Adviser wrote a memo to Mr Naylor:

> "It so happens that I have just had discussions with Mr Beck concerning our Treatment Unit. It is our joint view that the Treatment Unit for severely disturbed children should be relocated at Ratcliffe Road Children's Home, Leicester. This would provide a more centrally located facility, give improved staff accommodation, improve facilities for the children, and perhaps most important enable the Treatment Unit to provide facilities for girls. Mr Beck recommends that one of the 6-bedded units should be used for girls, thus keeping their proportion to the total complement of children relatively low. He feels this is important because the disturbed girl is relatively more difficult to treat than the boy."

10.4 On 4th April 1974 a memo was sent to Mr Beck, initialled by Mr Noblett over Mr Naylor's name:

> "I had a discussion with Miss Edwards yesterday morning and we agreed that we should resolve the matter of the setting up of Ratcliffe Road Children's Home now.
>
> "The proposal is that you should take over the appointment of Head of that unit on the assumption that we shall close down The Poplars as a 'treatment' unit.
>
> "The question of a staffing establishment for Ratcliffe Road has still to be worked out and therefore I am not in a position to indicate what salary levels will be offered there. This will, of course, be a matter for discussion as of now. I think the important thing is that you can be involved in this project if you so wish.
>
> "I would be grateful if you could give me some indication as to your views and could you also give me some indication of the sort of thing that you think you could do at Ratcliffe Road"

10.5 The memo was endorsed in manuscript by Mr Noblett:

> "Mr Beck informed that Ratcliffe Road would be a treatment unit".

10.6 On 29th April 1974 Mr Beck set out his own ideas and ambitions for the proposed new home in a letter to Mr Naylor:

> *"Ratcliffe Road Home*
>
> "The following is an outline of what we would like to do at the Ratcliffe Road home. Develop a County home, which promotes effective care and treatment, for twenty emotionally disturbed adolescents.
>
> "It is clear, that if we are to effect individual'treatment/help at Ratcliffe Road, we will need to take, very seriously, the impact of the institutional structure and milieu. We could not help a child, if soon after his meeting with the staff, he steps into a world, regimented by the compulsive constriction of suppressive rules and routines, narrowed by a programmeless exposive to boredom, sprinkled with the overstimulations coming from seductive contagion - initiators in the childs peer group. Thus for us to succeed in creating a Therapeutic community, which I believe is now possible, it could not be divided into those who tell others how to create, and those others who are supposed to do so, as they are told. The Therapeutic community is the continuous creation, of and by all members, and there could be none who 'also serve'.

"Using such methods of treatment that we do i.e. regressive therapy, group work, non-directional therapy, and to a lesser degree, behavioural therapy, calls for open, safe and free communication, which are never present in a strong hierarchical, often undemocratic organisation.

"If we wish to continue the development of a therapeutic environment, as we have already at Poplars, it is obviously the staff philosophy and attitudes, and not the physical objects and their arrangements that determine and create the life that goes on within the physical setting of the home. The best designed institution would not be much good if its overall plan, and all its detail, did not reflect the right philosophy and attitudes.

"Buildings become important, only as they are endowed with human meaning, only as they acquire significance and dignity, as settings for constructive living. All rooms in the home should not only be colourful and pleasant, but often, also full of voices and movement. In the new building, there would be some difficulties in protection of the children, due to the three towers design. I would therefore hope, that the present staff to child ratios be maintained or improved upon, and should take into account the overall management and professional responsibilities of the Head and the Deputy. The home would require a strong domestic back-up staff.

"If one really wants treatment, or effective care for more difficult, emotionally disturbed children within the county, I would hope that the Residential Social Workers could be on a grade 2 scale of pay, particularly remembering the size of the home, and I hope, the therapeutic nature of the work involved. At present a grade 1 position, does not attract any trained persons.

"I would like as many residential staff as possible, and with a little reorganisation, we can accommodate the present Poplars staff in the new home. To date, all our staff are willing to move; this will of course, give the new home a reasonable start. Recruitment of new staff, should be set in motion as soon as a movement date is given, to help with settling, and with the continuation of the home as a functioning unit.

"I would keep the present psychiatric support, Dr Hopkirk having agreed to continue in the new home.

"Education facilities that we would require are set out in the letter, Provisions of Education Facilities at Ratcliffe Road. The major educational needs should be provided by the local schools. But a part-time teacher, as our present arrangements are, should be attached to the new home, to aid treatment programmes, and cover those children, who on admission, require total care, before being integrated back into normal society i.e. schools, clubs, work etc.,

"I feel that the New Home, could and should continue as the Poplars now is, but including girls. We would continue to cream off the more disturbed children (age range 10 to 17; 6 girls, 14 boys) from within the county, relieving other Homes, and societies conscience, of the pressure that such children cause.

"Given the right staff ratio, and the part-time teacher, there is no reason why Leicestershire should not have its own therapeutic facilities, within a twenty mixed unit for difficult and emotionally disturbed children, promoting effective treatment methods, with a view to eventual rehabilitation back into society.

"I would appreciate being informed of any development, and most certainly wish to be involved in the future planning."

Parts of that letter contain a good deal of specious jargon. But it was not questioned.

The Move

10.7 On 21st March 1975, staff and children at The Poplars moved to the new purpose built home at 5 Ratcliffe Road, Leicester. The new home was variously referred to as The Poplars, and The New Poplars, but properly known as Ratcliffe Road. It had 20 planned beds.

10.8 The new building was of 3 two storey towers of hexagonal design with a single storey hexagonal central area. The main bedrooms for the children were on the first floor of each tower (3 hexagonal rooms of 2 beds, capable of division into small single rooms, in each tower). There was no direct access between the upper floors of the three towers so that observation was difficult to keep. A small school unit was established in rooms at Knighton House, some 50 to 60 yards away.

10.9 The Management Officer with direct responsibility for Ratcliffe Road was Mr Edwin Ross (Principal Assistant).

Staffing

10.10 The staffing establishment was 9, increasing to 10 in the second half of 1976. The whole of the staff group from The Poplars moved to Ratcliffe Road (Beck, Jaynes, Morton, Porter, Fiddaman and Salisbury).

10.11 Three new members of staff were recruited: Mr Adrian Ratcliffe, a qualified teacher, aged 24; Miss Anne Woolley, aged 24, and Miss Anne Daines, aged 23. Both Miss Woolley and Miss Daines had GCE 'O' levels. Neither had any professional qualifications.

10.12 Miss Woolley left in August 1976. Miss Delyth Davies aged 21 and Miss Peta Bowman aged 22 were recruited in the Autumn of that year. Both Miss Davies and Miss Bowman were graduates with degrees in Public Administration but no child care qualifications. Miss Davies left in May 1978.

10.13 Those changes apart, the staff group remained unchanged throughout Mr Beck's time at Ratcliffe Road.

Children

10.14 Records, which are inexact, indicate that 10 children moved from The Poplars to Ratcliffe Road.

10.15 For the period that Mr Beck was Officer in Charge of Ratcliffe Road (21.3.75-30.6.78), the County Council's Register of children in residential care shows a total of 20 children admitted, the majority staying for between 2 and 4 years. Other documents show a further 20 children passing through the home.

10.16 In the absence of full records a no more exact figure than 40 children can be arrived at. The evidence is clear that Ratcliffe Road was fully occupied.

10.17 Children were admitted who had been made the subject of Care Orders by the Courts as well as children received into care voluntarily under Sections 1 and 2 Children Act 1948.

10.18 The work of Mr Beck and his staff was highly regarded by Care Branch, and the reputation of the home for taking in young people who were difficult to accommodate elsewhere in the County ensured that the demand for places exceeded availability.

10.19 Selection of children for entry to the home was by Mr Beck upon referrals, in the main, from field social workers.

10.20 It would be a surprising phenomenon, if true, that Leicestershire had as many as 20 children at a time for whom regression was really indicated. The reality is that as Mr Beck's criteria for admission became known (in particular temper tantrums as evidence in his eyes of early deprivation) so the presentation of children was made to fit the criteria.

10.21 The Inquiry had evidence from field social workers who had placed children in their responsibility at Ratcliffe Road. None of them was able to tell the Inquiry any detail of the work being done at the home or to speak in more than general terms of knowledge that 'regression therapy' was used there and Mr Beck had a reputation for being successful.

10.22 Mr Beck undoubtedly demanded from his staff, and got, unquestioning enthusiasm for his methods and a high level of commitment. There is irony that the commitment of staff brought some benefit to children even in the context of a treatment approach that did not.

Treatment and Abuse

10.23 During the 3 years that Mr Beck remained at Ratcliffe Road he practised his version of 'regression therapy' in an intensive way.

10.24 The Inquiry heard a wealth of evidence of the violence of confrontation, provocation and often unwarranted physical restraint from witnesses who had been broken down to make then amenable to regression treatment.

10.25 Mr Beck built a reputation for being interested in taking on treatment of the most difficult children.

10.26 At his trial in 1991 Mr Beck was convicted of sexual offences against six children at Ratcliffe Road. Only one - BC - made effective complaint at the time. What of the others? The statements of some are instructive and important:

- "I'm sure it's difficult for people to understand why I kept going back to see him after I had been sexually assaulted, but I was naive, very lonely and it was the only place I felt secure and had friends and although Frank was doing these things to me against my will I still trusted him and treated him as a friend."
- "I thought I was the only one involved. I was fearful of Frank Beck and thought no one would believe me."
- "I told my sister about the physical beatings but not the sexual abuse and I also made a complaint to the local Police. I also told my social worker after I had run away. They were the only persons that I informed, and I reported the matter to each of them on one occasion. It appeared to me that neither my social worker nor the Police believed me, so I gave up telling people. After I had told my social worker what had happened, I understand that she spoke to Frank Beck but he told her that I was a disturbed child and a delinquent and was not to be believed.

  "I told them all that although me and my contemporaries were teenagers, we were still being bathed by the staff as if we were tiny children and we were at times being made to drink out of babies feeding bottles and generally being treated as infants. I told them that four of us were placed in a room and made to strip off and I told my social worker that Beck often tried to sexually abuse us. I played down, however, the sexual abuse aspect from speaking to my sister and to the Police in the presence of my sister because I was embarrassed about it. I did nothing to stop the abuse. I was only 15 years old. I was very vulnerable because of the abuse which I had suffered and frankly I wanted to ignore the problem in the hope that it would go away rather than confronting it.

  "It was clear to me that nobody believed what I was saying. Frank Beck had recruited weak members of staff, whom he was able to persuade to his philosophy. He is a very plausible man. His subordinates accepted his advice as gospel and, for example, when I complained to my social worker after I had run away in 1977, she spoke to Frank Beck, who pointed out that I was a juvenile delinquent, and it is true that I had committed criminal offences. He also said that I was a very disturbed child and said to her 'who would you rather believe?' or similar words. The Police were also very sceptical."
- "I . . . took an overdose sufficient to get me into Hospital ... I told the staff what had been happening . . . A doctor asked me if I'd been sexually assaulted . . . but I daren't tell him in case I was sent back."
- "I was too ashamed and frightened to tell anyone about what had occurred."
- "I was frightened of Frank and never dared to tell anyone of what he had done to me because I didn't think that anyone would believe me or do anything about it. I was hurt and humiliated . . ."
- "I remember the Police came to Ratcliffe Road one day. They came to the home because someone had rung them complaining about being hit. But no one admitted ringing them and we all said we hadn't been hit. We daren't admit it because we wouldn't be believed and would get a worse beating."

11
THE ROLE OF THE VISITING PSYCHIATRISTS

DR HOPKIRK

11.1 Dr Kenneth Hopkirk, Consultant Children's Psychiatrist, first became involved with The Poplars late in 1973. He held a consultant post at the Towers Hospital, Leicester from 1969 to 1976. Dr Hopkirk's role, as it developed over time, was to sit in on staff discussions about management practices and staff problems, probably once a week for about an hour on a Wednesday morning. Dr Hopkirk's written evidence to the Inquiry:

> "My role was not related to the assessment of individual children, but mainly to management practices and staff problems connected with this difficult and very demanding treatment. Many of the staff who were involved in the treatment in those early days were very committed, but completely new to this highly demanding field, especially having regard to the type of difficult children that they were dealing with.
>
> "To the best of my memory I was never involved with specific children on a consultative basis during these visits. However, there would have been a small number of referrals from Child Guidance, whereby I would see such patients at the Towers Hospital and I would have recommended to whoever had referred them that such patients may be suitable for subsequent referral to Frank Beck for the question of regressive therapy to be considered.
>
> "There was not an attempt to deal with the child's unconscious mind in the manner of Freudian analysis and the regression consisted mainly of encouraging the child at certain periods of the days to behave in a manner generally considered appropriate to a very much younger child.
>
> "I understood that at times this would involve cuddling the child, or having the child sitting on one's knee and it was clear at the time that this had obvious potential pitfalls. Related to this was the whole area of new untrained staff having to learn very clearly that they must not become, under any circumstances, personally or emotionally involved with individual children under their specific care.
>
> "This was without doubt the main purpose of the staff discussions and the reason my being present, to monitor that the whole system did not go badly astray."

11.2 In November 1974 Dr Hopkirk wrote to Mr Ramell, Assistant Director (Special Education) about the schooling needs of some of the children at The Poplars and, in due course, at Ratcliffe Road. The letter contained this passage:

> ". . . in fact admissions are not made in consultation with me. My role is limited to having discussions with staff about the running of The Poplars and the cases for admission are selected entirely by Mr Beck.
>
> I should explain that The Poplars is a very specialised establishment, much more than an average Children's Home . . . The treatment is intense over a period of months at the least."

A copy of that letter was sent to Mr Noblett.

11.3 Dr Hopkirk's own experience of regression was very limited. He knew of it but had not worked with it:

> "I started psychiatry when I lived in Australia and in South Australia it was a fairly psycho-analytical set up at the time I started . . . I gradually got away from the psycho-analytical net . . . I remember that going back to sort of 1964-ish, we had a highly, I think she was Kleinian play therapist who went into all sorts of sub-conscious stuff and I have an idea there was a lot of regression . . . but it's part of Freudian and Kleinian and other analytic psychology that I haven't bothered with for a number of years . . . apart from, as a consultant, you should know about it."

11.4 The Doctor understood that the use of regression at The Poplars was of a fairly "low profile" and "consisted mainly of encouraging the child at certain periods of the day to behave in a manner generally considered appropriate to a much younger child".

11.5 Dr Hopkirk knew of the Warrendale film. He believed that the methods shown in it would never have been acceptable in this country. He was unaware that Mr Beck was a follower of it.

11.6 Dr Hopkirk stressed his opinion that the belief that it was necessary to be a Doctor in order to give treatment of a psychiatric or psychological nature was a myth that had been tossed out in his medical lifetime. An innovation of the 1970s was that social workers were doing therapy.

11.7 Dr Hopkirk was not able to recall to the Inquiry any memory of knowledge of Mr Beck's background or experience, but understood that the "hierarchy of Social Services had given him the green light to go ahead". Mr Beck's treatment approach "was accepted by the County's Social Services establishment . . .and I probably didn't look any further". "It probably occurred to me that Mr Beck was going to do this anyway, it had better be somebody who knew a little bit about what he was doing."

11.8 Dr Hopkirk saw nothing in the staff meetings he attended to cause him any particular disquiet.

11.9 The Doctor expressed to the Inquiry the view that Mr Beck was "a fairly dynamic sort of individual and a fairly capable sort of individual . . . but rather an odd bod . . . idiosyncratic . . . definitely an individual, not just a run of the mill person . . . with a remarkable professional grasp of what was necessary".

Dr Hopkirk and Care Branch

11.10 Dr Hopkirk had no contractual or other formal professional relationship with Leicestershire County Council or the management of the Social Services Department.

11.11 Mr John Noblett, who came to Leicestershire County Council as a Principal Officer (Care Branch) on 1st April 1974, visited The Poplars and was left feeling somewhat uneasy about regression. He discussed this unease, as he recalls, with Mr Naylor and together they had a discussion with Dr Hopkirk. According to Mr Noblett's recollection, the discussion was after Dr Hopkirk had visited The Poplars but before the Doctor became a regular visitor.

11.12 Mr Noblett's anxieties were: "Was Beck competent to do the job? Did he have training? Did he have experience to do this sort of job? Secondly was he doing it satisfactorily?" Dr Hopkirk " assured us that the job was being well done and he assured us that he thought Beck had the capacity to do the job". Dr Hopkirk had no recollection of such discussion.

11.13 Dr Hopkirk left the County in 1976.

Comment

11.14 It is improbable that Dr Hopkirk could or would have given comprehensive assurances at so early a stage of his involvement with The Poplars, nor could he have given an assurance about Mr Beck's training and experience. It is probable that if Mr Noblett and Mr Naylor had such a conversation with Dr Hopkirk, it involved an inquiry of a general nature about regression and reflected Dr Hopkirk's opinion that therapeutic work was a proper field of practice for people without medical training.

11.15 There is no evidence that either Mr Naylor, Mr Noblett or the Principal Assistants responsible to them had a particular discussion on any other occasion about treatment methods either with Dr Hopkirk or any of the other psychiatrists who joined in the staff meetings at homes run by Mr Beck over the following twelve years.

11.16 Dr Hopkirk's assistance at The Poplars was arranged informally by and at the request of Mr Beck and not by Management Officers.

11.17 The role of Dr Hopkirk at The Poplars was a marginal one in that he was not involved in the assessment of children or the selection of children for treatment, nor was he involved in the direction or oversight either of treatment or of those carrying it out.

11.18 Plainly Dr Hopkirk knew nothing of Mr Beck's reliance upon provocation and the lessons he took from the Warrendale film. Nor did he have any depth of understanding of Mr Beck's interpretation of regression.

11.19 The Doctor came to spend about one hour a week in general discussion with staff which was an involvement which was wholly inadequate for the purpose of counselling and supporting the staff members and wholly inadequate for the purpose of giving Dr Hopkirk an insight into the workings of the home or the full nature and quality of the child care practices.

11.20 Dr Hopkirk had no monitoring role. His involvement provided no safeguards for the children at the home.

11.21 The marginal involvement of Dr Hopkirk - and his successors - nevertheless gave an impression that there was psychiatric oversight of the work done in the home. That was not intended by Dr Hopkirk but it was in fact misleading.

11.22 The description given to the Inquiry by Mr Naylor of consultant child psychiatrists as being "deliberately chosen to provide checks and balances to the establishment" was inaccurate.

DR BHATE

11.23 Dr Surjakant Ramji Bhate, Consultant Children's Psychiatrist, took up his first consultant post with Leicestershire Health Authority in 1975, and soon after took over the task of visiting Ratcliffe Road. Dr Bhate knew nothing of Mr Beck's background, qualifications or experience.

11.24 Dr Bhate's role at Ratcliffe Road:

> "So far as my remit was laid down at all it was to provide a consultation service to an assessment centre in Desford, (a school for delinquents, which closed down in around 1984/5) and two Children's Homes in the area when called in whenever there was a crisis or some difficulty. It was in this latter context that I came across Frank Beck.
>
> "There was not in my early days in Leicester a set routine to visit Children's Homes but a routine did develop. Mr Beck began in consultation with senior officers in the Social Services to ask for staff support, stating that he and his staff worked with many difficult children and were therefore under great pressure. Beck wanted to establish regular visits to provide staff support.
>
> "My predominant role became to support the staff at Ratcliffe Road by listening to their practical difficulties and the stresses and strains put upon them and to try and help them in group meetings. My involvement became more a matter of discussing management techniques than the specific assessment of individual children. In this context, I had a great many meetings with Beck and Jaynes.
>
> "I used to visit Ratcliffe Road about 20-30 times a year. I did visit the other homes in the area occasionally but was not nearly so closely involved with them. The group meetings would take place between once a week to once a month depending on convenience and my availability. The meetings would last about three-quarters of an hour to an hour so that I would be in the building for an hour and a half at the most on each occasion.
>
> "I was also very occasionally called in (by Ratcliffe Road staff) to have direct contact with a specific child and then to advise the staff after seeing the child. This involvement was rare however, probably only three or maybe four times a year.
>
> "The other element of my role was attending case conferences about the review of individual children together with local authority representatives, social workers and other relevant persons involved with the child concerned. Most children, however, had no input at all from the psychiatrist into the care offered to them, especially those who had been taken into care voluntarily. If I did see a child in these circumstances, it would usually be just the one occasion where I would give my opinion on the child's condition. If the child had an acute psychological problem then I would see him or her more often. Most were in care because they were simply unmanageable in a family setting as they were emotionally damaged and had behavioural problems.
>
> "The only knowledge I tended to have of the children at the Home was anecdotal from the group meetings with the staff when specific incidents or behavioural problems would be referred to me and I would be asked to suggest means of dealing with the specific problem without having a full profile or background of the child involved."

11.25 Dr Bhate's understanding of the use of 'regression therapy':

"I was, as everyone was at the time, aware of the use of regression therapy at Ratcliffe Road. As far as I am aware this was the only home at which it was used. The decision to implement the technique was taken by Beck who suggested it was the best management technique for the home. As he was held in high regard by his employers, his decision prevailed. Once this policy decision had been made the children were specifically chosen for admission to the home as being suitable cases for the treatment. The decision as to whether the child was suitable was down to Beck in consultation with either the Residential Child Care Department of the County Council or the individual Social Worker concerned. I would have no control over such decision for even if I were consulted, and this was not frequent, it was the jealously guarded right of the Local Authority, an autonomous Department with Statutory authority, rights, and responsibilities, to seek my opinion but then to reject or agree with it as they saw fit."

11.26 The problems for the psychiatrist:

"This simply exemplifies the fundamental problems for the psychiatrist in the Child Care field then and indeed now. First there was simply no mechanism for access by the psychiatrist on a formal basis to senior officers at County Hall to discuss or debate policy issues; no way in which to discuss whether what was proposed in practice was right, desirable or otherwise, whether in general or with regard to specific cases.

"Second, the psychiatrist visiting a home as a guest finds himself in a difficult position. To whom are any misgivings about practice or otherwise expressed? In addition, there is the inherent conflict engendered in the psychiatrist by the degree of trust, confidence and loyalty built up towards the staff working at the home under difficult circumstances and for whose benefit and assistance the psychiatrist has been called into the home. Does the psychiatrist become their advocate or an external assessor? This was never spelled out.

"Third, as a visitor, the psychiatrist has extremely limited opportunity to observe any wrongdoing. Moreover, unless he has any formal status in the organisation (which I had not) then the victims, be they staff or children, will not and cannot, indeed would not and could not, approach him because he is not seen to have any organisational authority."

11.27 Dr Bhate questioned the value of 'regression therapy' at Ratcliffe Road:

"As to the use of regression therapy, my own opinion was at best cynical. I could not and still cannot accept that there is not at least some danger in the practice that for instance allows a 15 year old girl to be sat upon a member of staff's knee and cuddled. I expressed this cynicism in the context of the staff group meetings saying I felt it was somewhat bizarre. Beck and his staff would retort that I was not an analyst. Beck considered it was my lack of training in the therapy which led me to question the rationale behind it. He also felt I had problems with it because of cultural differences arising due to my having been born in India. More to the point, he would stress that my brief was a limited one of helping the staff cope with the stress they endured rather than the concept of the treatment and also to help deal with the management of the children while they were at the home rather than to discuss whether they should be there or not, receiving regression therapy."

11.28 Dr Bhate expressed strong views to the Inquiry about the use of therapeutic philosophies:

"It is extremely ill advised to use therapeutic philosophies without the formal involvement of other disciplines such as child psychiatry and child psychology. Progress or otherwise in evaluation of those strategies should be a formal affair in a collaborative venture between Social Services, Health and Eduction Department."

11.29 Dr Bhate did not himself "believe" the therapy . . . "I wasn't sure that what they thought worked was the thing that was working. My judgment was that it was the consistency of care . . . and the personal interest shown (by staff) about children's welfare that was making the change rather than 'regression therapy'."

Comment

11.30 As with Dr Hopkirk, so with Dr Bhate, the role of the psychiatrist was informal and marginal. It was not a monitoring role and did not provide safeguards to the children. It did, however, incidentally create the impression to management and social work officers outside the home that all that occurred was with the oversight and approval of a Consultant Child Psychiatrist.

11.31 It was a significant omission on the part of Management Officers within Care Branch that they took no steps to clarify the psychiatric role.

12
EARLY WARNINGS

Councillor Dunphy

12.1 In the Spring of 1975 Councillor Dunphy raised with the Director of Social Services an anonymous complaint he had received about mistreatment of children at Ratcliffe Road.

Complaint

12.2 On an evening in April 1975, Councillor Henry Dunphy received a telephone call from a woman who did not give her name, telling him of mistreatment of young people by the Officer in Charge of Ratcliffe Road. Mr Dunphy understood the caller to be an employee or ex-employee and "she sounded very concerned". Mr Dunphy was told of the Officer in Charge holding youngsters down on the floor, "they were screaming and kicking" and getting very worked up.

12.3 Mr Dunphy telephoned to County Hall next day and spoke to somebody who may have been Miss Edwards. He was told that the complaint would be investigated.

12.4 In a subsequent telephone conversation to County Hall Mr Dunphy was told that two people had been to Ratcliffe Road to investigate at 7 am on the day after his report to County Hall. Those two people were almost certainly Mr Edwin Ross, the Homes Adviser to Ratcliffe Road, and Mr Noblett.

12.5 Very shortly afterwards Mr Ross and Mr Noblett visited Mr Dunphy at his home. The meeting lasted for at least half an hour. Mr Dunphy was told:

- that what was happening at Ratcliffe Road was part of a therapy being practised there;
- that Mr Beck was a very good officer and had had similar experience and had worked at Market Harborough before transferring to Ratcliffe Road;
- in answer to his question, that there was no doctor or trained psychologist at Ratcliffe Road.

12.6 Foremost in Mr Dunphy's mind was his belief that Social Services should not be practising therapies when they were not qualified to do so. He was not satisfied by what Mr Ross and Mr Noblett told him.

Mr Beck

12.7 Within the next few days Mr Beck telephoned Mr Dunphy. Mr Beck was "rather aggressive" and said that he felt that Mr Dunphy was afraid to go and see him personally. "If he intended to frighten me I think it had the opposite effect in that it made me angry . . . I immediately indicated that I would come up and see him."

12.8 The meeting between Mr Dunphy and Mr Beck was cool, even aggressive, on both sides:

> "it did not last very long. I arrived at the door. He was obviously waiting for me because it was an appointed time. I did not see any other member of staff. I did not see any children. I was led straight from the door into a study, and the discussion took place there. He wanted to know the basis of the complaint, he wanted to know who made the complaint. I told him it was privileged information. Even though I did not know, I did not let him know that I did not know. He said that it was slanderous and that he was an experienced professional officer and I made him aware that it was the first time I had ever heard of Social Services carrying out therapies, or attempting therapies, and that the purpose of the Social Services Department, in my view, was for the care of children, and it was at that point that he told me that he was practising a method which was called the Warrendale method."

12.9 Mr Dunphy went straightaway to see Father Ingram whom he knew to be a child psychologist, as well as a priest, working with Leicester Family Service Unit. Father Ingram had heard of Warrendale and told Mr Dunphy "that it was a totally discredited method and he believed that, although the majority of children would not be harmed by this therapy, there would be a minority who would be totally destroyed. He told me that I should try and prevent anyone practising the system." Separate enquiries informed Mr Dunphy that the Warrendale film had been shown on a social work training course at South Fields College.

Mr Gallagher and Miss Edwards

12.10 Mr Dunphy reported what he had learned to Mr Gallagher, then shadow Chairman of the Social Services Committee, as well as to Miss Edwards who, as Mr Dunphy recalled, said that she had not heard of Warrendale but that she would look into the matter.

12.11 Mr Dunphy had a further meeting with Mr Gallagher and Miss Edwards at which he asked that there be a full discussion by the Social Services Committee and that the Warrendale film should be shown to the Committee. Miss Edwards could not recall to the Inquiry a mention by Mr Dunphy of the film.

The Committee

12.12 On 18th June 1975, the Social Services Committee chaired by Mrs Eady heard from Mr Beck. The minutes of the meeting:

> "RESOLVED that the public (including the press) be excluded from the meeting as publicity would be prejudicial to the public interest because the Committee is to receive advice of a confidential nature from an Officer of the Council.
>
> *Ratcliffe Road Community Home, Leicester*
>
> The Chairman invited the Officer in Charge of the Community Home at Ratcliffe Road, Leicester to speak to the Committee about the work being carried out at the home.
>
> Mr Beck referred to the nature of the work, which is primarily concerned with helping children suffering from various types of severe difficulty and disturbance of development. He stated that the home when fully staffed could accommodate 20 children. A high staffing ratio was particularly important as many of the children had problems arising from rejection and required a good deal of individual attention. He described the philosophy underlying the methods which were used in caring for these children and gave details of some individual cases and the degrees of success which had been achieved.
>
> The Chairman thanked Mr Beck and his staff on behalf of the Committee for the work which they were carrying out at the home."

There is no record of what detail Mr Beck gave the Social Services Committee.

12.13 Mr Dunphy was not a member of the Social Service Committee at that time. He recalls that he was later informed by Mr Gallagher that the Warrendale film had been loaned to Liverpool and had got lost and therefore was not shown to the Social Service Committee.

Comment

12.14 It is certain that Mr Naylor, the senior Management Officer with responsibility for Ratcliffe Road, would have been kept informed by Miss Edwards of Mr Beck's attendance at the Social Service Committee and of the reason for it, arising out of Mr Dunphy's information.

12.15 Mr Dunphy's best efforts misfired. Mr Beck and his methods were seen to have been given the approval of the elected members of the Council. Management Officers repeatedly told the Inquiry that the County Council had approved what Mr Beck was doing. Mr Beck's position, rather than being effectively challenged, was in the result strengthened.

Mr Thomas - Dunblane Avenue

12.16 In May 1975, staff at Dunblane Avenue Children's Home took to their Homes Adviser and to Mr Noblett a complaint about Mr Beck's offensive attitude on the introduction of a 13 year old girl.

12.17 Since 1972, Dunblane Avenue Children's Home had been in the hands of Mr Tim Thomas, Officer in Charge and his then wife.

12.18 In March 1975, A, a thirteen year old girl with a very troubled past history became resident at the home. In May 1975, after A had absconded and encountered associated difficulties, her social worker contacted Mr Beck who then studied A's file and said that he would, in principle, accept her.

12.19 Mr Thomas had met Mr Beck at Heads of Homes meetings and found him to be "rude and aggressive and considered himself to be a child care guru".

12.20 It was probably Mrs Thomas who took A to Ratcliffe Road for an introductory visit later in the month of May:

> "As soon as they arrived at Ratcliffe Road and were met by Frank Beck, he came out with a tirade against A with words to the effect 'so you're the whore, the slag. I know what you have been up to'. A became naturally very upset and she was immediately brought back to Dunblane Avenue by my wife".

Complaint

12.21 Mr Thomas telephoned Mr Stan Morris, the Homes Adviser responsible for Dunblane Avenue, who visited the home that afternoon. Mr Thomas told Mr Morris what had occurred and added that not only was he not happy for A to go to Ratcliffe Road but that A herself was saying that she would not go under any circumstances. "Stan Morris argued that what had happened was 'reality therapy' which Beck practised and was the appropriate way to deal with her."

12.22 The following day Mr Thomas and his wife went to Mr Noblett's office insisting on a case conference to consider A's future. At the meeting Mr Thomas raised the question of disciplinary action against Mr Beck and found the gist of Mr Noblett's response so surprising as to be memorable:

> "What would you do? I have to place hard-to-place kids and here is someone who will take them without asking too many questions, I dare not upset him"

Comment

12.23 Those words were echoed over the coming years. It is a recurring theme that Mr Beck was valued as an Officer in Charge who would take on children whom other Officers in Charge were reluctant to admit.

Mr Sturges

12.24 In November 1975, Mr Sturges, one of Mr Beck's referees from Stevenage College of Further Education, brought to Mr Naylor the concerns of two mature students.

12.25 Mr Sturges, who had responsibility for Mrs Brenda Biamonti, the student placed at The Poplars in the Summer of 1974, had another of his mature students, Mrs Audrey Veale, placed for a month at Ratcliffe Road in the Summer of 1975. Mrs Veale, who was also interested in exploring intensive therapy for disturbed children, reported back to Mr Sturges, as Mrs Biamonti had done a year earlier, serious misgivings about the harsh atmosphere and rigid methods of 'treatment' at Ratcliffe Road. Both students felt sure that something was seriously wrong with what they had seen.

12.26 On 14th November 1975 Mr Sturges went to see Mr Naylor and reported to him the great concern felt by the two mature students and the cause for their concern. He gave Mr Naylor details. Mr Sturges regarded that as a drastic step for him to take and was surprised to find, many years later, that no record of that meeting existed. Mr Naylor had no recollection of the meeting. However, from the lack of further contact with Mr Sturges or with either of the two mature students, it is plain that Mr Naylor did nothing whatever about it.

Comment

12.27 Reports from mature students following placement in a Children's Home were and are a potentially valuable source of information to senior Management Officers.

12.28 It is astonishing that Mr Naylor did not take up those important concerns with vigour.

Miss Furness

12.29 In the early autumn of 1976 two children who had absconded from Ratcliffe Road made complaints to Police of sexual abuse by Mr Beck.

12.30 Miss Marie Furness recalled to the Inquiry that in August or September 1976 Mr Naylor asked her to go to Ratcliffe Road Children's Home to sit in on interviews by Police with three boys resident there. Two children who had absconded had complained to Police at Wigston Police Station of sexual interference by Mr Beck. The three boys whom the Police wished to interview were possible corroborative witnesses whom, it was suggested, might also have been abused.

12.31 Mr Naylor asked Miss Furness to attend the interviews with the three boys because she had recently been appointed as a Homes Adviser and was in a different division from the one managing Ratcliffe Road. Miss Furness's task was to act as representative of the boys on behalf of the Department in its 'parental' role.

12.32 Miss Furness recalls being met at Ratcliffe Road by Mr Fiddaman who told her that he knew why she was there and made an observation about the credibility of the allegations. Mr Fiddaman explained that the boys were in varying stages of regression and might wish to sit on her knee during the interview.

12.33 The three boys were seen separately by two interviewing Police officers. Each boy chose to sit on Miss Furness's knee while being interviewed. Each denied having been abused or having witnessed abuse. Miss Furness noted that in denying abuse each boy used exactly the same phrase about the allegations as had been used by Mr Fiddaman.

12.34 Miss Furness subsequently made a written report to Mr Naylor mentioning the identical phrases used, and indicating that the Police were confident that the three boys were telling the truth.

12.35 No further action was taken by the Police in respect of the allegations made by the absconders. No Care Branch record of the episode has survived.

Comment

12.36 This episode is the first of which there is now any memory of a sexual allegation against Mr Beck coming to the notice of Care Branch. There is no reason, in view of the sparse information available, to suggest that it was not properly handled at the time. However, it begins to assume significance in the light of a substantial allegation made in the spring of the following year.

13
BC's COMPLAINT OF SEXUAL INTERFERENCE
1977

13.1 The convictions of Mr Beck at his trial in 1991 included convictions for serious sexual offences against six children in care at Ratcliffe Road between March 1975 and June 1978. Of those six, only one made a complaint that came to the notice of Care Branch Management Officers at the time.

13.2 BC, who was in voluntary care (Section 1 Children's Act 1948), was admitted to Ratcliffe Road in November 1975, at the age of 14. Whilst there, he was given 'regression therapy'.

Complaint to Police

13.3 On Saturday 5th March 1977 BC went to his mother's home from Ratcliffe Road and complained to her of sexual interference with him by Mr Beck and Mr Jaynes.

13.4 BC was taken by his mother to Wigston Police Station. BC's field social worker, Mr Kenneth Exton, was contacted and he attended at the Police Station. BC made a written statement to the Police in the presence of his mother but not of Mr Exton.

13.5 In his statement BC complained of indecent assault upon him by Mr Beck and Mr Jaynes. Mr Exton knew the nature of BC's complaint but it is his recollection that Police told him little if any of the detail of it.

Police Enquiries

13.6 Detective Inspector Vardy interviewed a number of other children at Ratcliffe Road. "We encountered some difficulty in that Beck and Jaynes would not allow us to interview the children without the presence of a member of staff. We wished to interview them alone in view of the nature of the allegations. We were not permitted to see any alone." No corroborative evidence arose from those interviews.

13.7 On 8th March Detective Inspector Vardy and another officer interviewed Mr Beck and Mr Jaynes. They denied that their conduct amounted to impropriety.

13.8 On 15th March Mr Exton made a written statement to the Police which contained these passages:

> "The Poplars is a Children's Home specialising in the treatment of extremely disturbed and difficult children. Whilst having no direct knowledge of the techniques employed at The Poplars, I am aware of the extremely high level of support and individual attention offered to all of the children, and of the efforts of the staff to promote self-awareness and personal growth in their charges. In accordance with these aims, staff offer the children the experience of close personal relationships, such as parents would offer, and every effort it made to create that sense of physical and emotional security conducive to normal, healthy development.
>
> "The decision to approach The Poplars, with a view to BC's placement there, was taken at a review conference held on 23.9.75 amid growing concern for BC's increasingly disturbed behaviour and **in the continuing absence of a Community Home placement appropriate to his particular needs** . . . He was considered to need 'intensive help in the form of a one-to-one relationship in which he can benefit from the dependency, free from the tensions associated with that of his mother'. He was also felt to need 'a relationship with male figures through whom he could make a more satisfactory identification', in view of the absence in his family life of a stable male/father figure. It was considered that 'placement in a specialised unit is . . . the only adequate way of meeting his needs'.
>
> "In general terms, then, BC is a boy with a good many personal difficulties, whose social and emotional development have been serious retarded by the upsets in his early life. On the positive side, there is little doubt in my mind that he has made good progress during his period at The Poplars, and that this particular placement has succeeded in helping BC against the odds." (emphasis added)

13.9 On 4th April 1977 Mr Naylor, as Assistant Director of Social Services with responsibility for Ratcliffe Road, also made a witness statement to the police which read:

"5 Ratcliffe Road, Leicester

"The above Home accommodates 20 children, primarily teenagers, of either sex. The children are referred to this particular Home on the basis of a case conference decision and usually after the children have been known to the Department for a minimum period of six weeks.

"The children admitted to 5 Ratcliffe Road are all very disturbed children who may have been referred to the Social Services Department as a result of some criminal activity, but may also be referred as a result of their difficult and/or disturbed behaviour.

"The children demonstrate extensive damage to their personality, but are not considered suitable for admission to a psychiatric hospital, although they may be known to the School Psychological Service. The children normally have contact with their own parents and may go home for weekends and school holidays, but the relationship with their own home may be either very poor or extremely tenuous. The behaviour of the children can take a variety of forms which may require a degree of medication from the local General Practitioner for the Home, but other forms of display may be in acute temper tantrums in which the child may need protection from himself or require that the other children be protected from him. Some children are practised manipulators of adults, and have extremely poor self-images with a tendency for self-destruction. They may be uncertain as to their own sexuality and be seeking ways of establishing an acceptable mode of behaviour. Some may show very strong homosexual tendencies. Many of these children are sufficiently distressed as to be extremely active and therefore difficult to handle.

"The proper psychological development of most children admitted to 5 Ratcliffe Road has been disrupted at an early age; for example some will have been deserted by their mothers and will have missed out the experience of mothering which is necessary at important stages of their development. Such children, therefore, need experiences in adolescence which are quite different from those of normal children. The accepted method of dealing with them is to allow them to regress temporarily to an early stage in their development. This can require a considerable degree of personal physical handling, including hugging and firm holding. Where a child has difficulties with his sexuality, discussions with staff about sex are a necessary part of his treatment.

"The expectation is that when close physical contact is required there will always be other members of staff and/or children about to protect both staff and children.

"To support them in an extremely difficult task staff receive regular help from the Child Psychiatrist, Dr S.R. Bhate, M.B., B.S., D.P.M, M.R.C. Psych., who is based at The Towers Hospital".

13.10 Mr Naylor was not able to recall to the Inquiry any detail of this episode. He thought it likely that he would have obtained information for the completion of his police statement from a subordinate officer within Care Branch, probably Mr Ross. The statement contains inaccuracies. It betrays ignorance of the workings of the home.

13.11 The police having completed their investigation, the papers were sent to the Director of Public Prosecutions and a decision was made not to prosecute Mr Beck or Mr Jaynes.

Care Branch

13.12 It is clear that Mr Naylor knew the nature of BC's complaint. It is possible, though by no means a probability, that Mr Naylor mentioned to Miss Edwards that he was to make or had made a police statement and the generality of the circumstances. Miss Edwards had no recollection of having heard any details.

13.13 No documents relating to BC's complaint were found by the Inquiry on any management or personnel files. The only source of documents for the Inquiry was the Leicestershire Constabulary. Nor were any relevant running records found by the Inquiry on BC's area social work file. If any were made, they have disappeared. Mr Exton had no recollection of having interviewed BC about his allegations.

13.14 Dr Bhate was not informed of the allegations.

13.15 Immediately upon making his complaint, BC was moved from Ratcliffe Road to another Children's Home. On 5th April 1977 his mother discharged him from care.

13.16 Neither Mr Beck nor Mr Jaynes was suspended from duty pending investigation nor is there any record or reliable memory of consideration having been given by Management Officers to that course.

13.17 It is the overwhelming probability that Management Officers took no steps at all following the decision not to prosecute. That was in line with the view held at the time by Mr Naylor and Mr Noblett that if police investigated the complaint and took no action, then it was not appropriate for Care Branch management to go any further.

13.18 Mr Noblett put his understanding to the Inquiry in the following terms:

> "I once, early in my career with this Authority, carried on with an investigation when the police were involved and I got told off about it by our legal department and I was instructed that when the police were involved you drop out and you accept the police findings. Now, that was the instruction from the County Council's legal department and I followed it for the rest of my working life with Leicestershire County Council. I could, when it was discussed with me, I could see the reason for it. The legal department as they explained it to me said 'it's useless you carrying on your enquiries and its useless you bringing about disciplinary proceedings against your staff when the police have already said that there is no evidence, or insufficient evidence'."

13.19 Mr Naylor had a vague recollection of a discussion along similar lines with the legal department earlier during his time as Assistant Director of Social Services.

13.20 The understanding of Mr Naylor and of Mr Noblett did not entirely accord with the evidence given to the Inquiry by Mr Fenney, presently Deputy County Secretary, who had served Leicestershire County Council as a solicitor in the County Secretary's Department and the Chief Executive and County Clerk's Department since formation of the new Leicestershire County Council in 1974. Mr Fenney made clear that:

- Chief Officers should not investigate during the currency of a police investigation because of the danger of spoiling the evidence possibly available to the police;
- the circumstance that there had been a police investigation with a conclusion that there should be no prosecution did not preclude a Chief Officer from having his own enquiries made;
- whether or not disciplinary proceedings might follow such an inquiry depended on the circumstances of the case;
- the fact that a decision had been taken not to prosecute was a material but not conclusive factor in considering whether disciplinary proceedings could be brought; it might influence the outcome of disciplinary proceedings.

Comment

13.21 Mr Naylor, Mr Noblett and, indeed, Mr Nelson had a dangerously simplistic view of the relevance of police investigations to the handling of complaints within the Social Services Department. They thought only in terms of whether a disciplinary case might be brought to a successful conclusion before elected members on the basis of the criminal allegation. They failed to appreciate the difference between the Police objective - the investigation of crime - and their own proper objectives - the investigation and maintenance of proper professional standards. In the context of Children's Homes, they had no perception at all that issues of child care and child protection may need to be addressed, nor that management questions may arise.

13.22 Miss Edwards was right in her unequivocal evidence to the Inquiry that Mr Naylor should have caused investigations to be made, and Mr Naylor frankly recognised that he was wrong not to have done so.

13.23 Mr Naylor should have sought the cooperation of BC and/or his mother in furthering an investigation. BC's mother knew the detail of the allegation.

13.24 Mr Naylor should have made enquiries of the Leicestershire Constabulary to find out as much detail as he could about BC's complaint.

13.25 At that time, the Leicestershire Constabulary had no formal policy for dealing with such requests, although in practice some information was made available. The response of individual officers was likely to have been more or less guarded, depending on how well he or she knew the person making the request; and officers would have in mind that they must not make *improper* disclosure of information. Nonetheless, a formal request made at senior officer level - particularly at Assistant Chief Officer level - was likely to have produced an informative response.

13.26 In the light of the likely responses to those enquiries, the very least further action that should have been taken was to interview Mr Beck and Mr Jaynes. There is no reason to suppose that, if properly interviewed, the answers they would have given to Care Branch managers would have differed substantially from answers they gave when interviewed by Detective Inspector Vardy and Detective Sergeant Hall on 8th March 1977.

13.27 The two police officers made a detailed record of their interview with Mr Beck. They noted the following (extracted) answers by Mr Beck:

> "Well, certainly I have had sexual contact with BC, but you must realise that this boy came to us in a very regressed state and the staff dealing with him have had to do everything for him, from seeing to his toilet activities to spoon-feeding him."
>
> "I have had to bath him on numerous occasions and see to his toilet needs, but every time I have had contact with him it has been in the capacity of seeing to his needs and certainly not sexual interference as is implied."
>
> "I go into the dormitory and wake him and I would undress him. If he had an erection, I would most likely tell him to go into the toilet to masturbate. BC is going through a sexual stage at his age and we do encourage him to talk freely about any sexual problems he has."
>
> "We encourage close physical contact between staff and children and they sit on our knees and things like that. When BC feels randy and he has been sitting on my knee he has made a grab for me but this is immediately stopped and I would tell him to leave the room and go and masturbate."
>
> "It's quite possible that I did make a remark about him being a rotten rapist and telling him to go and masturbate . . . I have spoken to him along the lines you have said but, as I said before, he has got sexual problems and I felt that it was necessary to talk to him like that to help him out."

[In 1991 the Jury convicted both Mr Beck and Mr Jaynes of indecently assaulting BC].

13.28 A proper investigation under the direction of Mr Naylor at the time would or should have informed Management Officers that there were standards and practices at Ratcliffe Road of which they were hitherto unaware and of which they should have been aware with effective management supervision.

13.29 Such an inquiry would or should have shown how Mr Beck responded to BC's allegations and his perceptions of what were sound methods of dealing with a boy then aged 15½.

13.30 The conduct of Mr Beck, even on his own account of it, was entirely unacceptable.

14
RULES AND PROSPECTUS
RATCLIFFE ROAD
1977

14.1 Mr Terry Smith, Deputy Director of Social Services (1974-1988) recollected that, following an allegation to the police by a child of sexual abuse, he was asked by Miss Edwards to become involved with Mr Beck in "drawing up some guidance or rules for regression therapy". The quoted words are Mr Smith's.

14.2 The allegation of sexual abuse was undoubtedly the complaint by BC and the rules were produced in November 1977. Mr Smith did not know the details of the complaint.

14.3 It is possible, though not established, that the rules were based on an earlier, less formal, document (which has not survived) drawn up by Mr Beck and Mr Noblett in 1975.

Mr Smith's contribution

14.4 Although Mr Smith had training and experience in generic and psychiatric social work, he did not see it as any part of his task to review the treatment practices being carried on at Ratcliffe Road. Mr Smith understood that "the Ratcliffe Road Unit already had authority to use this particular method of treatment, it having been approved some two years earlier by the Social Services Committee".

14.5 Mr Smith's own understanding of regression was:

> "The notion that in some circumstances it would be appropriate to allow a very troubled and disturbed child to regress to an earlier stage of development, not to put the pressures on them which being of a certain age does when in fact they have not resolved the difficulties that belong to a much earlier stage."

14.6 Mr Smith's understanding of the use of regression at Ratcliffe Road:

> "many of the children being dealt with were very very disturbed children who had had a very bad experience in their early lives and that what one might call normal methods of dealing with them as if they were children who had not had that experience, were not working. Some of those who were admitted to Ratcliffe Road at that time, so I understood, were children who other means of treating them had failed and they were actually deteriorating in other regimes. So it was worth in fact trying a different regime which was soundly based theoretically, or so it seemed to me, to see if that would in fact bring about some relief to them.
>
> "It was established and had been established for two years or more and it had the authority behind it of the Director and of the Committee, because the Committee had had a presentation on it and they had gone along with it and also I understood that the Consultant Psychiatrist who was attached - perhaps that is the wrong word - to the unit, spent some time at the unit, was also supporting his therapy."

14.7 Mr Smith's reference to the Committee was a reference to Mr Beck's talk to the Social Service Committee on 18th June 1975, following concerns raised by an anonymous report to Councillor Dunphy.

The Rules

14.8 Mr Smith understood the purpose of the rules to be to protect staff and to protect children. Mr Smith's participation in preparation of the rules was hardly more than one of drafting.

14.9 The rules produced in September 1977 were:

RATCLIFFE ROAD ADOLESCENT UNIT

Rules Governing the Treatment of Children
and the Conduct of Staff

A. *Treatment programmes*

1. All children are to be individually assessed, and a personal treatment programme worked out, based on Development/Regression Therapy. As part of this treatment children may need to regress to an early stage of development.

2. Within the Unit, the staff will, in dealing with the regressed child, interact as the mother would with a child under 5 years old, creating a warm emotional envelopment.

   This will include dressing the child daily, and when necessary, bathing, and/or washing him.

   At meals it may be necessary to assist the child by cutting his food into more manageable sizes and spoon-feeding when needed.

   Many regressed children demand what one would expect of the very young child, which includes baby bottles or feeders, particularly at bed-times. Dummies become useful as they reduce the number of toys eaten. Most children, however, revert to their thumbs or fingers.

   The staff will be expected to maintain close physical contact with the children by having them sitting on their laps, holding hands, cuddling and giving pick-a-backs.

3. No regressed child may be sent to bed without bed-time routine. Bed-time routine for the regressed child is as follows:-

   A member of staff attends for not less than 15 minutes (max 1 hour) with story and refreshments, settles the child and gives a good-night cuddle.

4. As part of the treatment programme it may be necessary sometimes for children to be provoked. This may not be done unless discussions have taken place with the Officer in Charge, or the Deputy.

5. Group work is used to supplement regression therapy when necessary. A co-therapist is always to be drawn from outside the main staff group.

6. No changes are to be made in the treatment of children without prior discussions with the Officer in Charge.

7. Staff will review treatment programmes and progress regularly. (i.e. not less than every three months).

B. *Physical Contact*

1. Physical contact is an integral part of "caring"; cuddling and carrying are positive expressions of loving care and therefore should be used freely.

2. Staff are not allowed to kiss children.

3. Male staff may not bath adolescent girls.

4. Female staff may not bath adolescent boys.

   (This is subject to the discretion of the Officer in Charge to permit undeveloped children (i.e. children in latency) who are children in a regressed state to be bathed by male or female staff).

C. *Control, Punishment and Restrictions*

1. No corporal punishment is permitted.
2. Absconding children will not receive punishment unless specifically prescribed by the Officer in Charge.
3. No food is to be withheld from children.
4. No child is to be locked up.
5. Negative reinforcements for control are not to last for more than one day without discussion with the Officer in Charge or Deputy.
6. Positive reinforcements consist of praise, greater freedom, rewards, sweets, increased care.
7. No child is allowed to smoke in bedrooms at night.
8. Children may not be set domestic duties. Many will wish to help with domestic tasks and, as long as this is not an escape from facing their problems, they may be allowed to do so; they will eventually be helped to become self-sufficient in practical matters.
9. All restrictions are to be discussed with senior duty staff as soon as possible, for confirmation and clarification.

D. *Counselling*

1. Counselling is a part of treatment in which children have discussions in private with a staff member.
2. Counselling may only be undertaken once the senior person on duty has been informed and has agreed.
3. Counselling of children must not be carried out in staff quarters or in a locked room.
4. Back-up staff will check counselling staff periodically.
5. Female staff may not counsel boys on sexual problems.

E. *Recording and Records*

1. Each significant event with an individual child will be discussed with the Senior Member of Staff who will be responsible for informing the Officer in Charge.
2. Full records are to be maintained in accordance with the Director's instructions, plus individual records.
3. To ensure this, the following meetings are held:

   Three short meetings each day.

   One weekly meeting for ALL staff, for discussion of administrative and treatment arrangements to assess progress.

   One fortnightly meeting for ALL staff, for personal growth and awareness, which is attended by visiting Consultant Child Psychiatrist.
4. Duty Senior Staff must ensure that staff meetings are directed and completed professionally.
5. The confidentiality of information about individual children is to be maintained within the staff group.
6. No adult may withhold information about a child at a staff discussion.

F. *Conduct of Staff*

1. All Duty Staff must attend all staff meetings.
2. Staff must try to live by the same moral code within the Unit as they teach, and expect, the children to live by.
3. Staff may not smoke or consume alcoholic drinks while dealing with children.
4. Staff may not remove children's personal effects.
5. Staff are not allowed to use the children as unpaid servants for their own ends.
6. Night Duty Staff will check all children upon commencement of task and completion of duty.
7. Staff will attend supervision sessions as and when required, but not less than monthly for Junior Staff.
8. Staff must ensure that priority is always given to children in relation to their duty time and not to visiting personnel, except parents.

September 1977. D.M. EDWARDS.

Mr Smith's View

14.10 In his evidence to the Inquiry, Mr Smith maintained the view that, given that Ratcliffe Road had authority to use regression as a method of treatment, the rules represented and represent good common sense.

14.11 Mr Smith accepted such explanations as Mr Beck gave which were put to him in a convincing way. His understanding of the word "provoke" used in Clause A 4 of the rules:

> "I thought it meant that some children would not face up to the problems that they had in their life and in their relationships and so on and were not reacting emotionally to the events that they had experienced or were experiencing and they needed some kind of challenge put to them to make sure that they were facing up to those problems emotionally."

14.12 But Mr Smith added:

> "If in fact children were being forced to regress or if they were being provoked as we have had evidence of to shout out that they hate their mother and father and that sort of thing, that is abuse of the therapy, it seems to me.
>
> "It seems to me that it is completely counter- productive because the notion of allowing a child to regress is to take the pressure off them so if in fact you try and force a child to regress to an earlier stage you are putting extra pressure on, which is the reverse of what you are aiming to do."

Comment

14.13 Mr Smith's assistance in the preparation of the rules, together with the production of them over the name of Miss Edwards, gave to the rules the weight of their authority.

14.14 The rules presupposed good faith and correct professional behaviour on the part of the Officer in Charge and care staff.

14.15 The rules do nothing, however, to protect children from conduct that they might perceive as being abusive. On the contrary, Parts A and B of the rules lay the foundation for members of staff to make spurious justification of (improper) intimate handling of young people.

14.16 Given his senior position and professional background, it is unsatisfactory that Mr Smith chose to adopt such a passive role. He did not seek to establish the nature of BC's allegations which had prompted production of the rules to ensure that the subject matter was properly addressed, nor did he interest himself in developing a view about Mr Beck's 'therapy'. The degree of his passivity is reflected in the fact that Mr Smith was not apparently involved in the consideration of allegations that arose in subsequent years.

Ratcliffe Road Prospectus

14.17 At the same time as the Ratcliffe Road rules were being prepared, Mr Smith also worked with Mr Beck on the production of a prospectus for the information of families, social workers and other authorities.

14.18 Mr Smith's participation was probably at Mr Beck's request and was consistent with Mr Smith's responsibility for printed material going out of the Department to the public.

14.19 Again, Mr Smith's contribution was largely one of drafting and editing. ". . . none of it was my contribution in that I was adding anything . . . I was trying to codify what was already in existence and had already been approved."

14.20 The prospectus, produced in August 1977, is reproduced at Appendix 7.

15
SIMON O'DONNELL
1977

15.1 The Social Services Committee had occasion to give further consideration to the work done at Ratcliffe Road in October 1977 following the death of Simon O'Donnell.

Simon's background and death

15.2 Simon O'Donnell, born on 28.3.64, was admitted to Ratcliffe Road on 6th April 1977, aged 13.

15.3 Simon's sad background included an episode in December 1976 when a social worker found him hanging from a roller towel and rescued him; consequent admission to the George Eliot Hospital where he was seen by Dr Bhate; discharge to The Beeches (Assessment Centre); admission to Leicester Royal Infirmary on 27th January 1977 following ingestion of a large quantity of aspirin tablets where he was seen by Dr Bhate and Dr Pittock, Consultant Child Psychiatrists; transfer to the Towers (Psychiatric) Hospital on 1st February 1977 and discharge from there to Ratcliffe Road on 6th April 1977. At Ratcliffe Road, Simon was involved in the unit's regime of regression treatment.

15.4 Sometime between 1 a.m. and 7.15 am on 4th October 1977, Simon absconded. He was found dead at 8.20 am hanging from a roller towel in the gentlemen's lavatories at G.E.C. Whetstone Sports and Social Club.

15.5 Despite the considerable public interest in the case at the time, Miss Edwards was unable to recall in 1992 any detail of it.

The Area Director's View

15.6 Mr John Hollis, the Area Director for the area from which Simon came, recalled to the Inquiry that his Area team had had serious reservations about the placement of Simon at Ratcliffe Road. Mr Hollis' memory was that:

- there was a real problem about placement of Simon for his safety and treatment;
- there were high level discussions between Miss Edwards and the Health Authority about placement of Simon in an appropriate psychiatric setting;
- the Health Authority had no suitable long term provision to offer;
- he could recall no consideration being given to an out of County placement;
- the only available solution was for the Social Services Department to provide care for Simon;
- "we didn't think it was appropriate. We felt this boy was very severely disturbed and needed specialised treatment that didn't appear to be available;"
- "my feeling is that the Director herself wasn't satisfied with it, but it was the only alternative we had."

Dr Bhate's View

15.7 Dr Bhate made a report on 6th October 1977 in which he said:

> "Numerous contacts by telephone, letters and consultations with professionals involved in trying to find a suitable placement and treatment plan finally resulted in Simon being placed at Poplars.
>
> "Attempting to find suitable placement with relevant facilities for someone like Simon was indeed difficult because of his tendency to abscond and a high degree of security was felt desirable. In absence of such a facility being immediately available after careful consideration he was admitted to Poplars, a unit which undertakes treatment of young people like Simon."

Inquest

15.8 On 10th October 1977, Mr Michael Charman, H.M. Coroner for the City of Leicester and South Leicestershire held an inquest and concluded that Simon killed himself.

15.9 It was drawn to the attention of the Inquiry that some members of Simon's family, as well as some people who had been residents in care at Ratcliffe Road at the time, do not accept the Coroner's verdict and believe that Simon was unlawfully killed. It was made clear at the Inquiry, and it is necessary to repeat, that it was no part of the Inquiry's function to investigate the detail of the circumstances of Simon's death.

15.10 The local press at the time reported remarks made by Mr Charman in the following terms:

> "He has been in various places, hospitals, an observation centre, The Poplars. I have no doubt that he was given a great deal of care and concern, particularly at The Poplars.
>
> "However, I have the impression that those concerned with the boy were fumbling in the dark. It may be, indeed, that no-one knows the answer to the sort of problems this boy had.
>
> "The people looking after the boy did their best. Nonetheless, I must say that I am not happy with what I have heard of the regression treatment he had. The boy was immature, but of average intelligence.
>
> "Mr Salisbury, his social worker, impressed me as a man trying very hard to find a way to help the boy".

Mr Charman's Evidence

15.11 In evidence to the Inquiry, Mr Charman confirmed the generality of that report, but stressed that what he had actually said was that he believed that the "treatment was fumbling in the dark".

15.12 Mr Charman: "My main concern in making these statements was that treatment was carried out by unqualified people. During the course of the Inquest I recall asking Dr Bhate how often he went into the Children's Home and he said that he only went in when he was needed. My view, therefore, was that the treatment was not only carried out by unqualified people, but there was inadequate supervision".

15.13 Mr Charman was sufficiently concerned about what had occurred to pass a message through to the local Police force that they might consider investigating further. Mr Charman was later informed by his Assisting Officer that Police were not allowed into the Children's Home, but were informed that Social Services were holding their own inquiry. There is no suggestion that obstruction was put in the way of the Police by Headquarters Management Officers.

Social Services Committee

15.14 The Social Services Committee considered a report by Miss Edwards on 26th October 1977. The Minutes of the meeting read as follows:

> "The Chairman referred to the death on 4th October 1977 of Paul Simon O'Donnell and stated that he had asked the Director of Social Services to report fully to the Committee on the circumstances relating to Simon and the facilities available for boys like him. He welcomed Dr Bhate, Consultant Psychiatrist and Dr Laing, specialist in Community Medicine (Social Services), who had been invited to attend the meeting in connection with the case.
>
> "Copies were circulated to members at the meeting of a Leaflet describing the Adolescent Unit at Ratcliffe Road, Leicester.
>
> "The Chairman reminded the Committee that its overriding responsibility in considering the report which was to be made was to the children in its care and in this case the children at Ratcliffe Road. They were children who had been placed there because they found difficulty in coping with life, and were difficult to understand. In many cases they were children who were sensitive, who had been rejected to some degree and were themselves often rejecting of society.
>
> "The Director of Social Services then gave a detailed report of the Coroner's judgment, the history of the treatment which Simon had received before and during his admission to the unit, and the nature of the treatment given at the unit. She referred generally to the provision available for such children within the County and in the country generally and the question of whether more secure accommodation would be of value in treating children of this type.

"Members then asked questions about the treatment undertaken at the Adolescent Unit, and about the part played respectively by Social Services and the Health Service in the treatment of children. The Director confirmed that there was close liaison between all agencies concerned with individual children, involving case conferences and a review of each case every six months. Members expressed appreciation of the work being done by the staff at the Unit and by all those concerned with this group of children. The Chairman asked members to visit the Unit individually to see at first hand the treatment which was being undertaken.

"It was RESOLVED that the report given by the Director of Social Services be accepted and that there be recorded the Committee's support of the staff at the Adolescent Unit.

"It was agreed that arrangements be made for any members who wished to do so to visit secure accommodation in Derby, Lincoln and Birmingham.

"The Director undertook to supply copies of her report to members of the Committee who wished to receive them."

15.15 No copy of the Director's report was attached to the Minutes (possibly because of its sensitive nature) and no copy could be found for production to the Inquiry.

15.16 Miss Edwards thought that material for her report would have been collated from various sources within the Department, including a contribution by Mr Beck himself. The statistics to which Miss Edwards referred, for what they are worth, are likely to have come from Mr Beck.

15.17 Memories of the oral report and questions have faded. Contemporary press reports perhaps give the flavour of the report and of the debate. The following article was carried in the local press:

RETURN TO CHILDHOOD THERAPY:
'PUBLIC MAY BE SHOCKED BUT IT WORKS'

"Miss Edwards defended a type of treatment carried out at The Poplars unit known as 'regression therapy' which allows a child to return to childhood - often being cuddled, carried around or given a baby's bottle.

"She said the main methods used in the unit are regression therapy, group work and play therapy. Behavioural therapy is used to a small extent. Corporal punishment is not used and medication is not used in order to control behaviour.

"Regression therapy is based on developmental theories which allow a child to return to previous emotional ages, often below the age of five years, where the child's deprivation has left unfilled needs.

"This means, in effect, that many children during their stay at the unit go through a period when they act as babies, when they like the close cuddling that a small child would have, including at times being carried around by a member of staff and including, at times, asking to be allowed to have a baby's bottle.

"Simon was having regression therapy of this sort and did use a baby's bottle from time to time.

"I recognise that many members of the public and, indeed, many members of the Committee, will be shocked at the thought of a 13 year old boy wanting to be cuddled or wanting to have a baby's bottle, but I can only say that the experience we have had at the unit leads me to believe that, with many children who have experienced early deprivation, this form of treatment works. I think that the figures about the children who have been in Ratcliffe Road during the last four years show this. To date, 37 children have been admitted.

"Before they were accepted, 30 of them were reported as uncontrollable; 27 of them were extremely aggressive; 24 had sexual difficulties, including incestual problems; 17 were reported as dangerous to others; 11 of them had attempted suicide; 19 of them had been expelled from school; 8 of them had been reported as untreatable; 21 were transferred from other Children's Homes; 7 had previously been in closed hospital psychiatric wards.

"Fourteen of those children have since been discharged home and seven of the 14 have shown no anti-social behaviour and have committed no offences since their discharge. Of the other seven, four have committed minor offences but they are living happily in the community and three of that four have committed no offences during the last year. The remaining three have committed further offences and have since had to be placed in other institutions.

"Of the children who are at the home now the majority are making good headway and it is interesting to note that, despite their background, during the last four years only five offences have been committed by children actually resident. These statistics are all indications that the unit is being far more successful with disturbed children than any similar establishment I know.

"Miss Edwards said she would oppose any move for an external inquiry into Simon's death.

"This was not because she was afraid of the outcome, as she was quite satisfied that all had been done in the circumstances, but because of the inevitable time that would need to be spent on such an inquiry, 'which I believe can more profitably be used on other things.'

"'I believe it is right that we should take seriously comments such as those made by the Coroner and we have done this. I cannot see that any useful purpose would be served by any further inquiry' she adds.

"Miss Edwards says it would be easy to pretend that more secure accommodation, either in the social services field or in psychiatric hospitals, would solve all the problems and prevent such tragedies taking place (in the future).

"'My (own) view is that this is far from the case' she says."

Comment

15.18 Such material as now exists shows that Miss Edwards and some of the elected members had high regard for the work being done by Mr Beck and his staff at Ratcliffe Road. To the extent that Miss Edwards based her view on the unvalidated statistical information she had, her confidence in Mr Beck was not warranted.

15.19 Other questions were raised going to the appropriateness of the Social Services Department attempting work which really lay within the expertise of mental health professionals.

15.20 Mr Charman was right to question this type of treatment being carried out by unqualified staff with inadequate supervision. His concerns prompted no practical response.

15.21 It is impossible to say, one way or another, whether any aspect of regression treatment precipitated Simon's death.

15.22 It is plain that Simon was so profoundly disturbed and so much at risk that Ratcliffe Road could not meet his needs. The confidence placed in Mr Beck to do so was not justified.

16
MR BECK'S DEPARTURE FROM RATCLIFFE ROAD
1978

16.1 Mr Beck himself began to have doubts about the efficacy of the work he was doing at Ratcliffe Road. He did not share his doubts with Management Officers.

16.2 Mr Beck understandably had an eye to his own professional development. At the same time he was growing in the realisation that, even by his own lights, Ratcliffe Road had its limitations. He told the Inquiry:

> "in some senses, I think I let down the children, because I gave them to believe that people really did care, myself included. Yet, it was conditional. But I never said that. Regression had this built in belief, and I think we really did believe it, that we really did love those children as any parent could possibly love any child. But it was an illusion, because we were not the parent and we were staff. We would leave those children and we would go off and do our own thing. The children would have to face the world without us. Whereas normally kids had parents, even bad ones. I think, in some senses, we were living an illusion ourselves and I don't think that we were truly honest with ourselves. Although I firmly believe regression - and I still believe - is very effective and can be very, very useful, it can only be successful if you involve someone who is going to be there for the next twenty years. I remember Dorothy Edwards saying to me - and it was a good rule of thumb - you have to care for a child once they leave care for at least the same length of time that they have been in care. Bearing in mind, in those days, you were talking about most kids spending at least two years in care. There is a lot of truth in that simple statement, but we never ... We were either not able to, or we didn't take it seriously. Now, I think that was a mistake, because a lot of cases, those that came to visit me etcetera, etcetera, did so because, if you like, they were telling me that I had been adopted, almost, as their parent figure. And yet I was still saying to them, 'Yes, fine, but I am not really'.
>
> "(The literature) talks about the dependency and being there and being part of it, but I think it really relies on transferring that on to somebody else, normally to the families. We never did that. One of my reasons for leaving Ratcliffe Road was because it dawned on me more and more and more that we could only do so much within the frame of an institution. There comes a time when . . . If you like, we were only doing part of the job, not all of the job."

A Reference for Mr Beck

16.3 In November 1977 Mr Beck applied to attend a course in York for a year and was supported in that application by a reference sent over the name of Miss Edwards, but written by Mr Noblett:

> "In reply to your letter of 29th November, I can confirm that Mr Beck has been employed by this Authority since the 1st September, 1973, first as an Officer-in-Charge of The Poplars, Children's Home, Market Harborough and now in the same capacity at 5, Ratcliffe Road, Leicester.
>
> "Ratcliffe Road is a 20 place Children's Home providing for boys and girls with severe emotional problems. A large proportion of these children have been in other homes where the staff have been unable to cope with them. Individual and group methods are practised with a strong emphasis on regression therapy.
>
> "Mr Beck has always expressed an interest in this type of child, in fact I doubt whether there would be sufficient stimulation in an ordinary Children's Home to retain his attention. The demands he makes on his staff are high insisting on 100% commitment. On the other hand he is greatly respected by his staff and there has been very little staff turnover in his homes. He is understanding and his treatment of these disturbed children is good and I know he is respected by the Psychiatrist who acts in a consultant capacity.
>
> "At times I feel Mr Beck finds it difficult to work within the constraints of a local authority and is very critical of bureaucracy. He can be very outspoken at anything he disagrees with.
>
> "I am unable to comment on his ability to cope with the course he has applied for. I can say with conviction that he is a very dedicated therapist whose abilities I doubt if we can replace and whose services we shall be very sorry to lose."

16.4 That was not the only application Mr Beck made at the turn of the year 1977 to 1978, but in the result those applications were frustrated by lack of funding and were overtaken by events. In February 1978 he took on the temporary task of overseeing Rosehill Children's Home, and in July 1978 Mr Beck left Ratcliffe Road on his appointment as Officer in Charge of The Beeches.

THE POPLARS AND RATCLIFFE ROAD

Comment

16.5 Insofar as Management Officers had had a concept of the work to be done at The Poplars, and later at Ratcliffe Road, they envisaged something in the nature of planned environment therapy - that is to say, care tailored to individual needs in an environment that had been thought about, in contrast to the regimented routines of care of former years. There was wisdom and experience outside the County Council which could have been, but was not, drawn upon.

16.6 It was known by Management Officers that Mr Beck departed from their original concept and placed reliance on what became known as 'regression therapy'.

16.7 It was known, and tolerated, that Mr Beck required to be in total control, was scathing of bureaucracy and saw no role at The Poplars and Ratcliffe Road for management contribution from County Hall.

16.8 Management Officers who were responsible for knowing detail of treatment methods as well as methods of control used in their Children's Homes, failed to inform themselves of the proper use of regression in psychotherapeutic practice, together with its benefits and pitfalls, and of the use and adaptation of that and other processes and techniques by Mr Beck. Mr Beck, despite his very limited qualifications and experience, was simply regarded as the expert.

16.9 Any attempt to analyse the foundation for a reputation for success fails for lack of contemporary evaluation.

16.10 The impact of Mr Beck's approach was containment. That, at the time, was misinterpreted as success.

16.11 In reality, the treatment regime and the containment it achieved depended in large measure upon repression and seduction. It rendered children powerless and created fear and dependency.

16.12 The return of former residents to visit Mr Beck after they had left care was seen as a tribute to his benevolent methods of care. In reality, it was driven by the dependency he had created.

16.13 Mr Beck, by force of personality, gained the loyalty of his staff group which remained consistent and little changing over a period of five years.

16.14 Although well staffed in comparison with 'ordinary' Children's Homes, by normal rostering standards of three duty shifts each 24 hour day the homes were grossly understaffed for work of an intensive kind. Staff were required to work beyond a normal rostering system.

16.15 Staff saw themselves as doing very special work of a kind that was beyond the capabilities of other Children's Homes, not likely to be widely understood and accepted. They worked within a set of rules that demanded that confidentiality be maintained within a staff group which did not extend to field social workers.

16.16 With very limited exception, Mr Beck's staff did not receive in service training outside the homes in which they worked. They were not available for relief duties in other Children's Homes. They worked in a closed community.

16.17 Field social workers knew of Mr Beck's reputation for success with difficult children. There was little understanding of the nature of the work done. Involvement of field social workers in any detailed planning of the work, or its execution, was not regarded by residential staff as appropriate. Some, if not most, could visit only by appointment. The culture of the homes marginalised the role of field social workers.

16.18 The Director and Management Officers believed that they had in Mr Beck a child care officer of exceptional quality whose special drive and skills took him outside the normal run of Officers in Charge and his homes outside the normal run of Children's Homes. In that atmosphere, they let go the established procedures which provide necessary checks and balances. In particular:

- placement procedures, normally leaving responsibility for placement of children with the placement officer, were waived to leave Mr Beck the decision whether or not to admit.
- case responsibility, which by procedure rested with the field social workers, was effectively yielded to residential staff.
- statutory inspections, which were designed to monitor treatment methods and methods of control, failed to identify what was going on.

16.19 Mr Beck and the work of his staff were unsupervised and unmanaged.

16.20 When Mr Beck left Ratcliffe Road at the end of June 1978, Mr Jaynes, the Deputy Officer in Charge acted as Officer in Charge until the appointment to that post of Mr Colin Clarkson in 1980. Mr Jaynes continued the treatment approach he and the staff had learned from Mr Beck. Mr Clarkson eventually, although not immediately, ended it.

17
ROSEHILL, MARKET HARBOROUGH
1977-1978

17.1 Rosehill Children's Home was a 16 bed Community Home for children of school age at Market Harborough. It had a staff complement of 6, an Officer in Charge, a Deputy and 4 RCCOs. The poor managment of transitional arrangements following the retirement of the Officer in Charge led to serious difficulties within the home. Complaints were not addressed.

17.2 On 28th August 1977, Mr George Lincoln took up the post of Deputy Officer in Charge. He had previously been Deputy Officer in Charge of Liberty Road Children's Home since May 1975, having been appointed to that post at the age of 23 without professional qualification and with an academic background of one GCE 'O'level. Mr Lincoln's appointment was in anticipation of the departure of the Officer in Charge and Deputy (or Matron), Mr and Mrs Rudd, who left on 31st August 1977. It was Mr Lincoln's task to perform the duties of Officer in Charge pending the taking up of that post by Mrs Ashdown-Herbert on 10th October 1977. Mrs Ashdown-Herbert, then aged 29, had previous residential care experience with another authority and had received in service training.

17.3 Mr Lincoln inherited a staff group consisting of Miss O'Connell, Mrs Bale and Mrs Brisley who were all ladies of mature years (although, so far as records show, without professional qualification), and Mrs Jeffrey, about whom records are silent except that she left about a month later.

Interregnum

17.4 It is apparent from the evidence received by the Inquiry that in the six weeks after Mr and Mrs Rudd left, Mr Lincoln set about altering the style of the home from one of an old fashioned structured regime to a more liberal and flexible approach. It was the view of Mrs Brisley expressed to the Inquiry that change was taken too far too fast. Those changes had an unsettling effect on the children who became increasingly difficult to manage, with a consequent lowering of morale of staff.

17.5 That was the state of affairs to which Mrs Ashdown-Herbert came on 10th October 1977. Mrs Ashdown-Herbert and Mr Lincoln did not work well together. It is an important question whether Mr Shaw, the Homes Adviser, and his superior as Principal Assistant, Mr Wilmott were wise to allow Mr Lincoln to introduce significant change during the interregnum. The probability is that Mr Shaw and Mr Wilmott did not give their minds to the question beyond looking forward generally to a more up to date approach to child care than the caring but old fashioned Mr and Mrs Rudd had provided.

Letter to Miss Edwards

17.6 Late in October or early in November 1977, three members of staff, Miss O'Connell, Mrs Bale and Mrs Brisley were sufficiently concerned about the state of affairs at Rosehill to write to the Director, Miss Edwards. The letter has not survived. Whether in consequence of the letter or coincidentally, a meeting of staff, chaired by Mr Wilmott, was held at Rosehill on 9th November 1977.

17.7 The minute of the meeting, which covers a range of topics, makes clear what was at the root of staff ill-feelings:

> "Certain members of staff said they saw the change over at Rosehill in terms of a deterioration and loss of order and discipline. Children seemed to them to be free to do as they pleased, raiding the pantry, stealing, being generally rude and abusive. The present day concept of child care, encompassing a child's individuality and its freedom of expression, has been interpreted as giving way to the children.
>
> "Although staff agree there are bound to be changes by a new Officer in Charge they felt the new regime had been so hastily implemented it had confused both themselves and the children."

17.8 It was noted at the end of the minute that:

> "The group were reprimanded for writing directly to the Director by-passing their immediate superiors. It had merely resulted in correspondence being passed back to Mr Wilmott. The recognised grievance procedure should be adopted in future. Staff were assured that if having gone through the proper channels they were not satisfied they could then approach their Director.
>
> "In reply it was stated staff were not aware that this meeting was being arranged. They were, in the meantime, worried about the situation and took what they thought to be the appropriate action of reporting directly to Miss Edwards."

17.9 Grievance procedures, even if appropriate to the nature of the matters worrying the staff, would have required that they were taken in the first instance to the Officer in Charge and in the absence of satisfactory response, to Headquarters management at Homes Adviser or Principal Assistant level. Some sympathy must lie however with the staff.

> "At the time we did not think that the Officer in Charge and Deputy were coping with the situation, and that things were getting out of hand. They did not seem to be in control . . ."; "and we thought that Mr Wilmott would not be in agreement with what we were saying so the letter was written" (to Miss Edwards).

17.10 The meeting of 9th November did not effect improvement, and on 24th November 1977 Mr Shaw, reporting on a statutory visit, noted:

> "Rosehill is in a state of transition from being a rigid structured regime to one providing more flexibility in treatment programmes. This transition period is causing some confusion for both staff and children.
>
> "The children are acting out to a marked degree.
>
> "The situation is further aggravated by the very poor relationship between Mrs Ashdown-Herbert and her Deputy, Mr Lincoln."

17.11 Following a number of further protracted meetings, Mr Wilmott reached the opinion that Mrs Ashdown-Herbert was an anxious person who over-reacted to most situations, and that the difficult atmosphere at Rosehill would take a more experienced and stable personality than Mrs Ashdown-Herbert to resolve. Mrs Ashdown-Herbert's appointment ended within its probationary period with effect from 18th February 1978. It may well be that she actually left a little before that date.

Rosehill and the Area

17.12 Rosehill had hitherto had a good and close working relationship with the Domiciliary Branch Area (Market Harborough) and in particular with the Area Director, Miss V M John (who has since died). Miss John was a person with a lifetime of experience in child care, perceptive, knowledgable and forthright.

Miss John's complaint

17.13 Miss John's early impression of Mr Lincoln was a poor one. On 13th January 1978 she had cause to write to Mr Naylor about him:

> "I chaired the special case conference at Rosehill on Thursday 12th January . . .
>
> "I do hope that the situation at Rosehill will be resolved before too long since the relationships there are having a serious effect on the children.
>
> "I must say I thought Mr Lincoln's attitude rather bland and immature. As an example, I arrived at 10.30 am to chair the conference; a representative from the school was there, Mr Shaw from Care Branch, the senior social worker for the girls concerned, and the residential staff. Mr Lincoln was in the kitchen when I arrived. We were waiting for him to join the conference and I was told he had gone to have a bath. I was extremely sharp with him as I think this was a most discourteous act towards all the busy people who were there waiting to start the conference.

"We have a boy at Rosehill aged 10 years, who is quite a danger to himself when he goes out into the street. He is a disturbed boy. Mrs Ashdown-Herbert had set up an arrangement for the boy to be escorted by a member of staff to school, but when she was off duty her instructions were not carried out. The boy's mother lives in Scotland and she can only visit at the weekend. The social worker concerned, who lives in Market Harborough, told Mrs Ashdown-Herbert that she would be willing at any time to go to Rosehill to see the boy's mother. Mrs Ashdown-Herbert left instructions for the social worker to be contacted but when the mother visited last Sunday, Mr Lincoln did not bother to let the social worker know.

"If Mrs Ashdown-Herbert does leave and another woman is appointed as Officer in Charge, I will be very interested to know whether Mr Lincoln adopts the same approach to his colleagues."

Miss John's complaint attracted no response.

Miss Brown

17.14 Miss Brown was appointed as a part time care assistant by Mrs Ashdown-Herbert on 5th November 1977. Miss Brown was aged 19 and had a nursery nursing qualification. She was a generally reliable witness at the Inquiry.

17.15 B was a teenage girl, born in 1962, who had spent much of her life in care and who went to live at Rosehill some months before Mr and Mrs Rudd left. She told the Inquiry that they were "strict but OK". She also told of the arrival of Mr Lincoln and of the regular and considerable violence she suffered at his hands.

17.16 Mr Lincoln described B as the most difficult girl he had encountered. "I would say that I had no training at that time in what to do when confronted with a child like B. She would frequently throw quite phenomenal temper tantrums.... ". "It was necessary to restrain her....". "I restrained her because it was the only way I could bring the situation under control".

17.17 Miss Brown became particularly concerned about B:

"Shortly after my own arrival at Rosehill I noticed marks and bruising on the face of a girl by the name of B, who was resident at the home. I can remember that B showed me corresponding tooth mark impressions on the inside of her cheek, which matched the visible marks that I could see on her face. It was quite apparent that the marks had been deliberately caused, but she would not tell me as to how she had come by the marks on her face.

"There were a number of occasions when I noticed similar marks and bruising on B's face, but she would never tell me to begin with how she had received them. It became more apparent that the bruising and marks were not accidental and because I was so concerned, I spoke to Betty Bale about the matter. She actually told me that it was George Lincoln who was responsible and on the next occasion that I saw bruising on B's face, I said to her, 'Has Uncle George done this?' She replied with words to the effect 'don't tell anyone about Uncle George'."

17.18 Miss Brown gave evidence of a specific incident which is undocumented but probably occurred in February 1978. Mrs Ashdown-Herbert was not present at Rosehill at the time. Miss Brown told the Inquiry that as a result of an episode at a meal time, Mr Lincoln took B by the hair to the office and closed the door. Miss Brown heard the sound of slapping, and B screaming. Miss Brown asked another member of staff "what on earth are we going to do?" and got the reply "this sort of thing happens all the time, there is nothing you can do about it".

Miss Brown's complaint

17.19 Miss Brown recalled that Miss John, Area Director at Market Harborough, had attended at Rosehill to chair meetings. Miss Brown went by bicycle to the Area office. She asked to see Miss John, who was in a meeting, urgently. Miss John made herself available and heard Miss Brown's complaint. Then, whilst pointing out to Miss Brown that she risked losing her job for making such allegations, Miss John said that she would contact County Hall and get somebody out to Rosehill that afternoon.

17.20 Miss Brown returned to Rosehill "and it was still going on, B was still screaming and I could still hear the hitting, so I braced myself and walked into the room in an attempt to stop what was going on. When I walked in they were both lying on the floor, they were both clothed, George Lincoln had one of his legs across B"..."I had spoken to B about George hitting her, and she had said 'Oh don't tell anybody' and I could not understand why the child would go through being hit and bruised but it became evident when I walked into the room. He was then cuddling her and giving her the affection that probably she had never had." In evidence to the Inquiry, Mr Lincoln denied that that episode had occurred.

Care Branch

17.21 Two men went to Rosehill from County Hall that afternoon. Miss Brown was unable to recall who they were. They interviewed Miss Brown who told them what she had seen and heard. No notes were made. Miss Brown told the Inquiry:

> "I was expecting that they would be really interested in what I had to say about George Lincoln and the incident, but I became shocked and dismayed by their overall attitude. They did not seem to be particularly interested in what I had to say and were very supportive of George Lincoln. They made great play on the fact that I actually had not seen him hit the girl, despite the events immediately before and afterwards when I told them that I had heard screams and the sound of someone being slapped. I felt no support or encouragement from them at all and they remarked that I had not been in the job for too long and that the children at Rosehill needed to be restrained from time to time. George Lincoln must have been spoken to after me, because he later called me into the office and said that I had done the right thing by reporting the incident to someone in authority, had it been a member of staff beating up a child. I just could not believe what he was saying and actually said to myself, am I going mad.
>
> "Following the visit of the two men from County Hall I was not made aware of any subsequent action taking place and believe that nothing further came of the incident that I had initially reported."

17.22 Miss Brown left Rosehill in March 1978, soon after appointment to a permanent post there, and took employment elsewhere.

Comment

17.23 Mr Wilmott's response to the sending by staff of a letter to the Director failed to recognise the unsatisfactory nature of a grievance procedure that required a complaint to be taken by staff to the person complained about as their immediate superior.

17.24 Although Care Branch Officers spent considerable 'crisis management' time over the difficulty at Rosehill, the crisis was largely of their own making in failing to exercise management control over Rosehill and Mr Lincoln upon his appointment and pending the arrival of Mrs Ashdown-Herbert, rather than ensuring that necessary changes at Rosehill were evolved through collaboration between Care Branch and the new Officer in Charge.

17.25 There is force in Mrs Ashdown-Herbert's comment that she received no help from her managers by way of planned professional supervision - discussing and resolving management issues in a regular and planned way. The value and technique of formal supervision were not understood in Care Branch.

17.26 By Miss Brown's account, the response to her complaint by Care Branch Officers (though not by Miss John) was uninterested and dismissive.

18
MR BECK AT ROSEHILL AND THE ROSEHILL INVESTIGATION 1978

18.1 In 1978 a comprehensive investigation into allegations of physical abuse was made at Rosehill. Its thoroughness contrasted with superficial investigations made on other occasions. The evidence casts valuable light on the general approach of Care Branch to investigating complaints, as well as on other aspects of relevance to the Inquiry.

Arrival of Mr Beck

18.2 With the departure of Mrs Ashdown-Herbert, Mr Beck was asked to and did commit 18½ hours per week as acting Officer in Charge until the post was filled on 1st May 1978. Mr Beck and Mr Lincoln already knew one another, Mr Lincoln having served with Mr Beck on the working party looking into care and control in Community Homes which first met in the summer of 1977.

18.3 Mr Lincoln's account of Mr Beck's arrival at Rosehill early in 1978 is informative:

> "Because of the particular state that I was in at the time, either Peter Naylor or John Noblett came to visit me at Rosehill and said that it was their intention to provide some help for me and that Frank Beck would be appointed as temporary Officer in Charge. At the time that he was introduced to me, I was extraordinarily depressed and considered that I had failed in my role as Deputy Officer in Charge. This feeling was exacerbated by the fact that the Department had confirmed my failure by appointing Frank Beck as a temporary Officer in Charge whilst I remained as his Deputy.
>
> "On the day of Frank Beck's arrival he walked into Rosehill Children's Home, established who I was and then we both went into the office. He gave me a hug and said that I must have had a terrible time whereupon I began to cry and he pulled me onto his lap and continued to cuddle me. When I had stopped crying I got up from his lap and sat in another chair and nothing else happened at the time, other than us continuing to talk.
>
> "We discussed all the issues and problems that I had experienced whilst at Rosehill and I found that he was very direct and businesslike in his attitude. Although he talked about child care and the way in which he would help me I can't remember exactly what he said. I do recall that before he left on that occasion he told me that the Director of Social Services, Miss Edwards, had given him the authority to sack me if he wished and he then left the home saying that he would be back again that same evening and would stay the night in the Officer in Charge's flat, which was situated on the first floor of the building.
>
> "He duly returned that night when he met all the children at the home. After they had gone to bed, we went to my room and by this time I had moved from the small room at the top of the house to a larger room at the back, situated on the first floor. When Frank Beck and I went to my room he produced a bottle of wine which we both drank. He was being very kind to me and told me that he had had a go at the senior management within the Social Services Department for their overall lack of support and referred a lot to his relationship with Miss Edwards.
>
> "He then returned to his own flat and I got undressed and retired to bed. A very short time later, Frank Beck came back to my room, sat in an armchair next to my bed talking to me and I think that he may have even read me a story. Quite suddenly he got up, pulled back the covers of my bed and got in on top of me. He was fully dressed and remained so but he began touching me between the legs, tried to kiss me and I asked him what he was doing. He replied that I knew very well what he doing and that he was merely responding to my own feelings. Because of the doubt that I had about my own sexual orientation, and also because he was an expert, I believed him to be right. I asked Frank Beck to stop and this he did before getting out of my bed. I was frightened by the incident, not so much because of what he had done to me but somehow he seemed to know my secret, that I was

perhaps a homosexual. I felt very confused and frightened of whom he might tell because he had previously mentioned his closeness to the Director of Social Services and had been given the authority to sack me.

"I am unable to explain why, but I found myself at the point of feeling totally dependent upon him. As the days went by, there were no further advances from Frank Beck towards me and it became clear that he did know in fact what he was doing. The children calmed down at Rosehill and the whole establishment began to function well with a great improvement in terms of staff relationships. It was as if everything I had struggled with seemed to come to him in an effortless manner and I enjoyed a reasonably happy association with Frank Beck as my work had become easier since he arrived at Rosehill. He remained as the temporary Officer in Charge for about 8 weeks before he returned to Ratcliffe Road. During the 8 week period he still remained in overall control at Ratcliffe Road and would spend time at both establishments."

Part time volunteer

18.4 Mr Beck introduced a part-time voluntary assistant (who will be referred to as Jane) to help the staff. Staff at Rosehill believed Jane to be a member of the staff at Ratcliffe Road.

18.5 It was probably during March 1978 that Mr Beck provided to staff at Rosehill a collection of case summaries identifying children in care at Ratcliffe Road. The purpose of that is not clear, unless it were to demonstrate his success. The summaries did not conceal the identity of the children referred to. In time Rosehill staff identified Jane as one of those children, and realised that Jane was not a member of the Ratcliffe Road staff at all. It was, however, Mr Lincoln's recollection that the true identity of Jane only emerged during an inquiry at Rosehill later in the year. It is not clear on the evidence for how long Jane stayed, although she certainly left by the end of April 1978.

18.6 Mr Lincoln recalled Jane carrying out a technique that she might have learned at Ratcliffe Road:

"I came back to the establishment one day and she was holding one of the older girls, I think her name was C. I did not know what on earth was going on and I actually asked her not to do it again without consulting either myself or Frank Beck.

She was restraining C with her arms round her and her legs wrapped around hers and C I had always got on very well with. There had never been any necessity to restrain C. Certainly B, yes, but not C so I was a little surprised when I saw it."

A 14 year old boy at Rosehill makes a complaint to his prospective foster parents

18.7 CD, a boy born in May 1964, was admitted to Rosehill in April 1976. In 1978 he was awaiting a foster placement. Meanwhile he was attending Welland Park College.

18.8 On 7th April 1978 CD, having first signed the school register, went to the home of Mr and Mrs Y, the people who were to foster him. They were out. CD left a note:

"Dear ,

I am not at school today because I cannot work. My mind is not set on work today. (Today is Friday). Last night George had me in his room and made me say I HATE DADDY hundreds of times until I cried but after I heard that he had not just done it but (Jane) a new staff had done it as well not to me but to DE, C, D, Me, EF . . . but last night (illegible) way (illegible) to the floor about 1.30 and he heard C screaming and then she stopped and Jane said to C, say I like Jane, I like Jane. C had been got like that three times and DE three, D once, EF once and FG once. They make you say I hate Daddy I hate Daddy until you're crying. Don't tell I said because I will get into trouble.

Lots of Love.
CD"

18.9 That letter was passed on to CD's social worker, Miss Poole, on 17th May 1978 and to Mr Noblett during a subsequent investigation on 16th June 1978.

18.10 At about the same time CD had said something similar to his form mistress at school who had in turn told the Deputy Headmistress Mrs Maltby. Mrs Maltby did not act immediately because she thought it to be an isolated incident, but upon reflection Mrs Maltby spoke on the telephone to Miss John, the Area Director at Market Harborough.

Miss John's report

18.11 On 28th April 1978 Miss John sent a memo to Miss Edwards:

> "I feel you should know that I had a telephone call from the Deputy Head of Welland Park College about a child, CD, from Area 1. CD recently appeared at school very distressed and on being questioned he said he is being encouraged to reject his parents and is being made to say 'I hate my mother and my father.' The child said that if he did not agree to say this he was hit by Mr George Lincoln. Mrs Maltby wondered whether there was any group therapy going on at Rosehill. She also told me that a member of staff at Rosehill had recently resigned over this incident, (I do not know who it is), and has given her exactly the same information, so she felt she ought to pass this on.
>
> "Head Teachers and people in the local community tend to relate to the area office about all the children at Rosehill where, as you know, I chair the case reviews, so this is probably the reason.
>
> "From this area we have four children at Rosehill, involving the two social workers who came to see you about our concern at Rosehill when Mrs Ashdown-Herbert left. I understand from one of them that when Mr Beck is at Rosehill all seems well, but when he is not there the residential staff say that Mr Lincoln's behaviour is as before.
>
> "I feel very concerned if Mr Lincoln is adopting any therapeutic group work as, in my opinion, he has neither the training nor the skills to do this. I continue to be very concerned about Rosehill.
>
> "I informed Mr Copson, Area Director, about CD and he will arrange for his social worker to see the boy.
>
> "I am not sure whether you saw my memo of 13th January to Mr Naylor and I attach a copy for your information."

18.12 Miss John sent copies of that memo to Mr Wells, the Assistant Director of Social Services to whom she was responsible, to Mr Naylor, and to Mr Copson, the Area Director, Area 1, who had responsibility for the work of Miss Poole, CD's field social worker.

Mr Beck

18.13 Miss Edwards passed her copy of the memo to Mr Naylor endorsed with a manuscript note to Mr Beck, "Would you like to look at this and let me have your comments."

18.14 Mr Beck's attachment to Rosehill ended formally with the arrival of Mr Scott as the new Officer in Charge on 1st May 1978.

18.15 Mr Naylor appears to have acted promptly upon the memo passed over to him by Miss Edwards. On 2nd May, at Ratcliffe Road, Miss Poole overheard a conversation between Mr Naylor and Mr Beck about the complaint against Mr Lincoln. Mr Beck "said he knew about the incident, he dismissed it as an excuse used by CD for skiving and expressed surprise at the credibility given to him and fuss made by the school. He would deal with it anyway."

18.16 Mr Beck's immediate response was characteristically forthright and came by way of a formal complaint sent from Ratcliffe Road to Mr Naylor, with a copy to Mr Noblett on 3rd May:

> "Dear Peter
>
> **Reference: Rosehill Childrens Home - Grievance of unprofessional procedure by Area Director, Market Harborough.**
>
> In that Miss Johns did before 1st May formally complain about a member of staff at Rosehill Childrens Home. Having made NO attempt to follow the grievance procedures laid down in that Miss John did not at any time discuss the said complaint with the then Officer in Charge of Rosehill, who is directly responsible for the running and conduct of the staff within the same Home.
>
> My grievances therefore summarised by the following:-
>
> a. It is of my opinion that the Officer in Charge should have been given the opportunity to have replied direct before a formal approach was made to the Director.
> b. That the Area Director should feel able to and did undermine the authority of the Officer in Charge.
> c. That the Area Director should be able to and is persecuting staff in Residential Work, causing unnecessary anxiety and undermining the work undertaken within the Home.
>
> Yours sincerely
> Mr F Beck,
> Officer in Charge."

The grievance does not appear to have gone further.

18.17 Tellingly, on the same day, Mr Naylor wrote to Mr Beck a personal letter of thanks for his work at Rosehill:

> "Now that you have told me that you have almost completed your term of office at Rosehill, I considered that I should take this opportunity of offering you my personal thanks for what you have been able to do.
>
> "The situation at Rosehill was extremely delicate when you began there and I have every reason to believe that the situation has stabilised and that the new Officer in Charge will have a much better base from which he can work and I am very grateful to you for that.
>
> "I would expect also that the children at Rosehill have benefited by your presence and I would expect that that will again show itself when the new Officer in Charge appears on the scene.
>
> "Again, my thanks to you for your willingness and help and the ready way in which you accepted the request.
>
> P.S. Would you please ensure that I have something in writing concerning the Deputy."

18.18 On 4th May 1978, Mr Beck sent to Mr Naylor a very long-winded and sympathetic report about Mr Lincoln.

18.19 Mr Beck's detailed and vigorous response to the memo from Miss John to Miss Edwards upon which he had been invited to comment was sent to Miss Edwards on 6th May with a copy to Mr Naylor. The material parts of it were:

"In response to Miss John's letter, I would like to comment on the following:

"1. The boy, who's 'recent appearance' at school, of 'being very distressed', in fact occurred on the 7th APRIL 1978, when the boy CD failed to attend school all day. The boy has been a cause of concern to Rosehill, as attempts to foster him were at risk he had a very bad record of non-school attendance, and is well known to the police. He has been a constant worry to the school, who have themselves been helpless to prevent his misbehaviour. Very much under my direction, Rosehill intensified their 'CARE' to this boy. To date, the fostering is now in full swing, and CD has attended school, without a break, for four weeks. No child at Rosehill has been forced to say anything, but as you would be aware, in helping a child to accept foster parents, its own family cannot be forgotten. To this end *I* have had talks with this boy.

   "To summarise this point, great progress has been made at Rosehill with CD. This can be confirmed by the Foster parents, Social Worker, and now the school, the Police and even the boy himself.

   "Why Miss John delayed informing you until three weeks after the non-attendance at school, and two days before I completed my duties at Rosehill, I do not know. One would have hoped that any report of hitting a child, would have been acted upon at once, by informing the Officer in Charge, thereby ensuring it was stopped at once should it be occurring.

   "(I have made this grievance, in writing, to Mr Naylor, 3rd May 1978) copy enclosed.

   "I also enclose a short letter, by CD himself, the contents are most confidential, and are not known by the staff at Rosehill.

"2. There is no Group Therapy undertaken at Rosehill.

"3. Enclosed is a letter to Mr J Wilmott, dated 28th *March* 1978. This letter was not in fact sent, as Miss Brown, the only R.C.C.O to have left recently, resigned on 28th March 1978, due to personal problems, the letter is held by Personnel. Also enclosed 'sick' letter by Miss Brown.

"4. At no point have the Residential Staff of Rosehill complained of Mr Lincoln's behaviour in the three months I have been acting Officer in Charge. In fact, ALL staff have, in recent weeks expressed how happier they have been.

   This statement by Miss John, is a fabrication, and there is no foundation to it at all.

   I strongly question Miss John's reasons for this statement, see grievance C in the letter to Mr Naylor, 3rd May 1978.

"5. Two Social Workers in fact, did complain to Mr Naylor about Pocket Money (report made by myself 6th March 1978, sent to Mr Naylor), copy enclosed.

This was after they had received no satisfactory help by Mrs Ashdown-Herbert, (quote by Miss Ann Black, Harborough Social Worker).

"6. It is worth noting, that three of the children, a family group, from the Area Office of Harborough, Miss John's office, have been at Rosehill from almost eight YEARS, and that the Social Worker informed me that Miss John would not allow these children to be returned to their Mother, even though the children have expressed a wish to do so.

"7. No therapeutic Group Work is being undertaken at Rosehill. This point I do agree with Miss John, that Mr Lincoln has not the training to do this, but that 'he' would be the first to admit it.

"8. Any statements of Mr Lincoln's behaviour while Mrs Ashdown-Herbert was Officer in Charge, seems to me rather a negative approach, as Mrs Ashdown-Herbert, was on investigation by Care Branch, which included Mr Naylor himself, dismissed as unsuitable to look after children or staff. It is with deep regret that Miss John, having counselled Mrs Ashdown-Herbert, was unable to perceive the personality of this woman.

"9. It is worth noting, that Littlehill House, B, and her Social Worker have made attempts to gain contact with Mr Lincoln. Until my temporary appointment at Rosehill, NO one had made any attempt to counsel Mr Lincoln fully, or warn him of the dangers such contact could have.

I expressly ordered NO contact by Mr Lincoln, this has been conformed to.

Report on Mr Lincoln enclosed.

"To summarise:-

Miss John has made NO contact with Rosehill since my appointment of Temporary Officer in Charge, and cannot be aware of the changes within the Home. I am concerned that an Area Director of her standing, failed to communicate with Rosehill IN ANY WAY, particularly when she obviously was concerned as to the ability of the Homes staff."

18.20 The letter to which Mr Beck refers at the end of his first numbered paragraph was almost certainly a second letter written by CD, on this occasion to the Deputy Headmistress of the school:

"To Miss Maltby

Do you remember the time when I said that George and Jane was having us in that room. Well it was all a load of rubbish it wasn't true. I used it as an excuse to get a day off school.

Yours
CD"

Mr Copson and Miss Poole

18.21 In the meantime, Mr Copson had asked Miss Poole, CD's social worker, to make some enquiries and on 11th May Mr Copson wrote to Mr Naylor: "I am enclosing information I have received from the social worker working with the above named (CD) for your information and action. The contents of both this memo and the one I received from Miss John caused me a considerable amount of concern and alarm."

18.22 Miss Poole's memo, which Mr Copson passed on to Mr Naylor, outlined her enquiries:

"27.4.78 - I rang Mrs Maltby, deputy headmistress of Welland Park College, Market Harborough after you had spoken to me at Dale House.

"She said CD had told his form mistress, Mrs Chapman, that he had been made by George Lincoln to go in to a room at Rosehill, and shout at the top of his voice, 'I hate my mother and I hate my father.' If he refused to do this he was hit about the shoulders. Apparently that took place on April 6th, and the following day CD was so distressed that he rang his prospective foster parents and asked them to collect him for the weekend without him having to go back to Rosehill first.

"Mrs Maltby said she had heard an independent account of the above from someone who used to work at Rosehill which exactly tallied with CD's. It is certainly not CD's style of fabrication anyway.

"Mrs Maltby had not reported the matter previously because she had thought it to be an isolated incident, but she now understood it to be an ongoing thing. She agreed to try to establish more precise details.

"28.4.78 - Mrs Maltby phoned to say that this had apparently happened twice to CD twice to two other children and once to another. The staff involved were George Lincoln and a voluntary worker. Frank Beck was never there when this 'therapy' took place, and the children were not given any explanation.

"As far as CD is concerned the incidents took place ages ago, so it was agreed that I should not raise the matter with him."

18.23 There is no room for doubt that Mr Naylor and Miss Edwards kept each other informed of material they each received. Mr Naylor surely made Miss Edwards aware of what he had from Mr Copson.

Miss Edwards and Miss John

18.24 Miss Edwards' response to Miss John's memo of 28th April was made on 18th May. It was little more than an adoption and regurgitation of points made by Mr Beck. The response was entirely inadequate. It was the more surprising in the light of the mutual respect Miss Edwards and Miss John held for each other's experience in the field of child care.

18.25 This is what Miss Edwards wrote on 18th May:

"I have taken some time to reply to your letter of the 20th April since I wanted to look into the matter fully, and I think I must say that I am particularly surprised on two aspects of your letter. The first is that as far as I understand it you did not report the allegations to Mr Beck, who was at that time Officer in Charge and who would quite clearly have been responsible for dealing with the matter. Needless to say, all that I could do when I heard from you was to pass your comments on to Mr Beck to ask for his comments, and it certainly indicates some lack of trust between you and the Care Branch that you did not feel able to discuss the matter either with him or with the Care Branch staff. My second concern is that a report of this sort, and an allegation that a member of staff had hit a child and acted in a generally unprofessional way, was not dealt with immediately. I do expect every member of staff to take up with the Head of residential establishments forthwith if such allegations have been made, and if they do not receive satisfaction from the Officer in Charge, to pass the complaint to Care Branch and, if necessary, to me.

"On the actual points in your letter of the 28th April I am satisfied that CD was not made to say 'I hate my father and mother', that he was not hit by Mr Lincoln and that formal group therapy is not being practised. Clearly in any residential establishment, or with any group of people, therapy does take place in the course of normal activities but this is quite different from formal group therapy for which training is required. I understand, in fact, that CD has very much improved recently and I assume that you heard this at the case reviews yesterday.

"I know I do not need to tell you what a difficult task residential staff in Children's Homes have. They need every possible help and support from field social workers and I hope you and your staff will now do all you can to assist all the staff at Rosehill and particularly the new Officer in Charge."

18.26 Miss Edwards recognised in her evidence to the Inquiry that there was no good explanation for that clear support of Mr Beck against the serious concerns raised by Miss John.

18.27 Miss John was plainly not happy with Miss Edwards' reply to her. She followed it up on 23rd May, and sent copies to Mr Wells and to Mr Naylor:

"Thank you for your memo of 18th May 1978 in reply to my memo to you dated 28th April, not 20th April as you state.

"I wrote that on the *day* I had the comments from Mrs Maltby, Deputy Head of Welland Park, which school CD attends.

"I telephoned Mr Copson, Area 1, that day to inform him of the comments and for his social worker to deal with the situation.

"I cannot agree that it was my place to discuss with Mr Beck as the child was not from my area and residential staff are not accountable to me. I was unable to contact anyone in Care Branch on that day and as I was going on holiday that night, I sent a copy of my memo to Mr Naylor, Mr Wells and Mr Copson.

"I felt at the time, and still do, that any such comments by a responsible Deputy Head Teacher must be passed on to those with authority to investigate complaints.

"I understand from Mr Copson that his social worker did follow up the complaints with the school and the boy, and the complaints were repeated to her.

"I gather from what you say and from Mr Beck, that there was 'no truth' in the statements made by the boy at school.

"It did not seem appropriate to make an issue of this at the review on 17th May. The plan for CD, as you know, is to go to foster parents in Market Harborough at the end of the term.

"I am satisfied that the two social workers here who have children at Rosehill give support to the children and residential staff there. We will give what help we can to Mr Scott and involve him in our area activities where appropriate, as we do with other residential staff in the area."

18.28 The exchanges between Miss Edwards and Miss John were completed by a memo to Miss John of 7th June and Miss John's reply on the following day.

18.29 From Miss Edwards:

"In the first place thank you for your memorandum of the 23rd May.

"I am sorry that there does seem to have been a rift between you and the residential staff at Rosehill, and I am sorry that you did not appreciate that inevitably Mr Beck would have been concerned that you made a complaint over his head to me without letting him know this . . . I think that it is absolutely vital that the staff of the Home know that you and Care Branch are working together and are concerned about child care standards there . . . I think it is important too, and I am sure you will agree with me, that Mr Noblett assures himself that Rosehill is being run, as far as possible, in the interests of the children."

18.30 From Miss John:

"Thank you for your memorandum of 7th June. I cannot really agree that there is a rift between the residential staff at Rosehill and the area staff, including me. It has always been our aim to give support to residential workers, but our main concern is for the children.

"I thought you should know that Mrs Maltby, the Deputy Head of Welland Park College, saw me on Monday, 5th June, and said that CD had been given money to retract his complaints, which I wrote to you about on 28th April. He had said this to his prospective foster parent, indicating that he had been asked to do it (otherwise George Lincoln would lose his job).

"I feel this is a very serious situation which should be fully investigated, but not until CD has been safely placed with his prospective foster parents who are, by the way, professional people - the husband being a Senior Social Worker and the wife a Teacher.

"I have discussed the situation with Mr Copson, who feels that no investigation should take place yet, which might jeopardise CD's placement.

"Mrs Maltby is going to write to you under personal cover about her concern, not only for CD but also other children at Rosehill.

"If you wish to see me with Mr Naylor, I will be pleased to come and see you."

18.31 Mrs Maltby wrote to Miss Edwards. The letter has not survived.

Investigation at Rosehill

18.32 Despite any preliminary views she may have formed for herself, Miss Edwards decided in the course of the next few days that there should be a full and thorough investigation. She asked Mr Noblett and, significantly, Mr C Beddoe to conduct an inquiry.

18.33 Mr Beddoe was a recently appointed Principal Assistant in the Deputy Director's Research and Development Branch, and was known as the Child Care Adviser. He had been with the Social Services Department for a little over a year and had both professional qualifications and experience in various fields of social work, including residential child care.

18.34 Miss Edwards regarded the Child Care Adviser, though with R and D Branch, as available to lend his expertise as called upon throughout the Social Services Department. She saw the benefit in involving in the investigation an officer from outside Care Branch.

18.35 Mr Beddoe gave evidence to the Inquiry which was important, in particular for the light it cast on the approach of Care Branch to such investigations.

18.36 In his oral evidence to the Inquiry, Mr Beddoe gave detailed evidence about the background to the investigation:

"I went to speak to Mr Noblett to try and establish what the basis of this investigation was and how it was to be conducted and as a result of that meeting I had some concerns, and those concerns were of a professional nature and a procedural nature, having done inquiries before into similar situations. Mr Noblett and I didn't share the same sort of view as to how an investigation that was, I assumed at that stage, to be thorough and involving someone like myself who was a non-line management person, should be conducted. I went to speak to Terry Smith about it who said I should be voicing those concerns to Miss Edwards, which I did.

"It was about who was actually doing the investigation, who was helping who, who was taking the lead, whose investigation was it - was it my investigation and John was working with me on it, or was it his investigation and I was assisting him? I was also concerned as to how the information was to be put to people, because it was my previous understanding and practice to tell people exactly what is being said, to give them an opportunity to respond and that didn't necessarily seem to be what would be happening, and I was aware in my mind at some point during the preparation for my involvement in this Inquiry that, whether it was from Miss Edwards herself or Terry Smith or John Noblett, that Miss Edwards had in effect said that she didn't think there was anything in it but she felt that it ought to be investigated properly. In other words, there was a view being expressed that she, having looked at it, wasn't really thinking it was a matter of serious substance but that it ought to be handled properly, in other words she had a view.

"I also was concerned as to know what it was one was responding to. Was it to be a report, was it to make recommendations, what was the purpose of the inquiry; was it a report for Miss Edwards, was it something for Care Branch, what exactly was it. The other thing was about a concern, in terms of representation. Were the staff able to ask for a best friend, or a representative to be with them when they were interviewed and, perhaps more important for me, was the question of the involvement of the children involved; whether they should have their social worker with them or whether they should have somebody accompanying them of their choice? I think probably the point of disagreement I recall most and the thing that provoked the most concern in me was the implication that this investigation might be carried out without seeing the children which was, I think, Mr Noblett's view at the time.

"That was the principle on which I was going to stand. In considering an allegation made by a child, I didn't feel I could be party to an investigation without an opportunity to talk with the child concerned and other children who were receiving care at the particular home involved. They had a right to express a view or be listened to and have an opportunity to say or contribute in the way they wanted".

"Q. Mr Noblett's view was that they should not be seen, is that right?

A. That is correct. He did not attribute the significance to the investigation that I did. I don't think he attributed the same degree of significance to the investigation that I did.

Q. Any reason why not?

A. It wasn't the way they did things in Care Branch.

Q. Did you have any feeling that the manner in which you wanted the inquiry done, and by the look of it, managed to get it done, was something unusual for Mr Noblett?

A. Yes.

Q. Much more thorough than he was accustomed to, is that the position?

A. Certainly, yes.

Q. Tell me in a few words if you can what you understood was the Care Branch attitude to this sort of investigation.

A. I think I can only refer to the difference being a pro-active management style and a reactive management style and my recollection is that Care Branch was characterised wholly by a reactive management style and it was fire fighting and problem related, whereas pro-active management style is usually professionally creative and is moving forward, and I didn't feel that about Care Branch. I suppose I felt that, my God, here is something else we have got to sort out. It was just a reactive response to a number of things that were going on."

18.37 Mr Noblett did not, in his evidence to the Inquiry, dissent from Mr Beddoe's evidence as to the interviewing of children.

18.38 Mr Beddoe was clear in his evidence that Miss Edwards who had "excellent professional values" wanted the investigation to be done properly and thoroughly.

The Course of the Investigation

18.39 The investigation was conducted between 15th and 20th June 1978. On 15th June Mr Noblett and Mr Beddoe saw Mr Lincoln. Mr Beddoe made the following note:

> "We found Mr Lincoln sat in his room on his own in a very distressed state. He cried during the interview and on reflection one feels that he was not in a fit state to answer questions.
>
> "We handed him Mrs Maltby's letter but although he looked it through there must be some doubt whether he actually read it. He stated that he had never hit anyone. He was vague about dates and times and venues. He told us about an occasion when the foster parents came to take CD for the weekend. CD refused to go with them and hid. George found him in the top of a cupboard in the bedroom. He brought him down but he still refused to go with Mr and Mrs Y.
>
> "He told us of one of CD's temper tantrums. George had to restrain him. CD started to talk about his mother and father 'calling them all the names under the sun'. George encouraged the boy to talk openly about his parents and said that CD was much better afterwards.
>
> "We asked George about the bribery allegation. George said he received a telephone call from Frank Beck asking him to put CD in a room on his own with a pencil, paper and an envelope. He was to tell CD that whatever he wrote was to be put in the envelope and sealed, and handed to George. Sometime after that George Lincoln telephoned Frank Beck to say he had 58p of his money, what was he to do with it. Frank asked how CD was. George said he was behaving himself so Frank told him to give the money to CD.
>
> "Mr Lincoln denied taking children into a room forcing them to say derogatory things about their parents or hitting them if they refused."

18.40 Later the same day Mr Beck was interviewed, also by Mr Noblett and Mr Beddoe:

> "Mr Beck was given Mrs Maltby's letter to read and then asked to comment on the allegations made.
>
> "He had never witnessed CD being hit or slapped or manhandled in any way and had no reason to suspect this sort of treatment ever took place. He was aware that CD had to be restrained following outbursts of temper and this could have resulted in the stiff neck and sore shoulders.
>
> "Mr Beck was aware that Mr George Lincoln had encouraged children to talk about their parents in an effort to express feelings and relieve pent up emotions. He discovered that Mr Lincoln had used the Officer in Charge quarters to provoke children to relieve tension and anxieties. Mr Beck discouraged this sort of therapy because of the inexperience of the staff and the shortage of staff. He instructed Mr Lincoln not to carry on with this type of treatment.
>
> "Mr Beck informed us that Karen Brown left Rosehill without giving notice on 11th March 1978. She was an unsatisfactory residential worker. He questioned how she could possibly have known what was going on at Rosehill on 7th April.
>
> "Mr Beck had no knowledge of any strangling activities.
>
> "With regard to the bribery allegation, Mr Beck telephoned CD from Ratcliffe Road and reminded him of what he had told him some three weeks earlier, i.e. that CD had told lies at school about being forced to say things like 'I hate my mother'. Mr Beck said he needed CD's help because Uncle George was in trouble. He asked him if he would write down what he had previously told him. Mr Beck then made a separate call to Rosehill. He spoke to George Lincoln and asked him to put CD into a room on his own with a pencil and paper and envelope and whatever he wrote, CD was to put it in the envelope, seal it and hand it to George. Subsequently, Mr Beck received the sealed envelope.
>
> "Some time after this incident, George Lincoln was talking to Mr Beck on the telephone and mentioned to him that he had 58p belonging to him. Mr Beck told George to give it to CD for being a good lad. He also gave him £1 on his birthday (19th May) and an antique coin book.
>
> "Mr Beck told us that when he first went to Rosehill, CD was quite a delinquent boy - used to steal, stay away from school, in trouble with the Police, one of the ringleaders in the troubles at Rosehill. He had assessed CD as needing some individual care and had assigned George Lincoln to this task. George had worked hard with the boy and had brought about a great improvement, so much so that

he was to be fostered in two weeks time. Mr Beck was annoyed that the credit for this work had been given almost entirely to the foster parents when in his view most of the credit belonged to George Lincoln. He reminded us that he had written reports about the boy and George Lincoln which no one seemed to be taking very much notice of. He had also submitted a report in reply to Miss Edwards first inquiry, and because we were now going over all the same ground, questioned his credibility. He went on to reiterate that George Lincoln may have made mistakes but these were for good motives. Fundamentally George was a very caring person and would not maliciously hit or harm anyone. In his view George was incapable of doing either.

"Mr Beck assured us that he had not attempted to introduce any of the concentrated treatment methods practised at Ratcliffe Road into Rosehill nor had he encouraged the staff in this direction."

18.41 On the following day, Mr Noblett and Mr Beddoe had a meeting with Mrs Maltby which was noted:

"We explained to Mrs Maltby that we had called to see her in connection with the letter she had sent to the Director of Social Services. We said we would like to go through the letter with her and clarify some of the points made.

"She told us that CD attended school on the morning of 7th April. He got his mark in the register but ran off some time during the morning. He did not tell anyone he intended to run and no one saw him go. He was quite normal when he arrived at school. We asked her how did she know he was in a distressed state when he left if no one saw him go. She said she did not know; maybe some of the other pupils said so and in any event he had been distressed on other occasions when he had run away from school.

"We enquired about the relationship between the school and the foster parents and queried whether it was usual for the school to be telephoning foster parents about the incidents complained of. Mrs Maltby said their relationship was a little unusual but told us that Mrs Y was a teacher and therefore had a natural inclination towards school and also that there had been many problems in the past with CD over school attendance which the foster parents were aware of. For these reasons the foster parents kept in close contact with the school.

"Mrs Maltby stated that she had not witnessed any of the incidents mentioned in her letter but she was merely passing information that had been given to her. When she had first heard about 'the treatment' and the threats, she had not thought much of it and it was only when she heard the same story from more than one source that she became alarmed and felt she should draw our attention to it. She had had two discussions with CD and he had assured her that although he had written something at the home to say he told lies, he had not in fact told lies and had been instructed to say things about his father and mother. She had also talked to GH and he had told her the same stories. She had no reason to disbelieve GH. CD had told her that Uncle George had told him to put his hands around his (Uncle George's) neck and squeeze harder and harder.

"She told us that up to recently CD had been a very naughty boy - he was mischievous, ran away from school, used to steal, was involved with the Police. They found it difficult to control him at school and in fact he was given preferential treatment. He would not take punishment, in fact he would run away if he was threatened with punishment. Consequently they allow him to get away with the things he did. They had to humour him and give him privileges he did not deserve. Over the past few months there had been remarkable change for the better. He was still naughty but he was now open and honest."

18.42 Mr and Mrs Y, the prospective foster parents of CD, were seen by Mr Noblett and Mr Beddoe later on 16th June. Mr Beddoe's note:

"We explained that we were investigating certain complaints about Rosehill which to some extent involved CD whom they were due to foster in two weeks time. They were aware of the allegations that had been made. CD's social worker, Miss Poole was present during the interview.

"Mrs Y told us that when she arrived home from work on 7th April 1978 she found a letter under the door from CD (copy attached). As a result she went to Rosehill earlier than usual to collect CD for the weekend. As soon as CD heard her voice he came running to her. His eyes were red and he had been crying. Later that evening CD complained of headache and neck ache. He said he had been hit by Uncle George but Mr and Mrs Y could find no sign of bruising or other marks. He told Mr and Mrs Y that he and other children had been taken into a room in the warden's flat and made to say things like 'I hate my father'. The door was locked and if they did not say these things they were hit. Friends of CD's from Rosehill had also visited Mr and Mrs Y and talked about the same happenings. Mr and Mrs Y thought this sort of activity had gone on for a short period but could not be accurate over dates.

"They had kept notes about CD and they gave us the following information;

"Tuesday 28th February 1978

The school informed Mrs Y that CD had run away from school and had been involved in some delinquent behaviour. Mrs Y telephoned Rosehill and was told that CD had been involved in some incident over a lock-gate on the canal. Mr Y was told that the school should not have been in touch with him.

"Wednesday 1st March 1978

Mr Y was concerned at what he sensed was a deteriorating relationship between him and the home. He telephoned Frank Beck at Ratcliffe Road and told Frank of the former liaison between him and the home and the school. He alleges that Frank Beck was short with him and gave him the impression that CD's care was nothing to do with him at the moment and he should leave it to Rosehill. At a later date Mr Y had a discussion with Frank Beck and sorted out their differences.

"Friday 3rd March 1978

Mrs Y called at Rosehill to take CD home but he refused to go with her. He ran away and hid somewhere. Mrs Y left without him. CD had been absent from school. At 9.45 p.m. Mr Y had a telephone call from George Lincoln to say that he thought CD might go with him if he called. Mr and Mrs Y went to Rosehill and found CD clinging to George like a baby. CD would not have any contact with the Ys. They stayed until 11.00 p.m. but CD would not go with them. They expressed doubts about the treatment CD was receiving and presumed it was some sort of regression therapy which they knew Frank Beck was associated with.

"Wednesday 8th March 1978

CD went to Mr and Mrs Y for tea and stayed for a few days.

"4th May 1978

CD told Mr and Mrs Y that Frank Beck had given him 59p to write a letter saying he had told lies.

The Ys had no knowledge of any strangling incident. They were first introduced to CD in September 1977."

18.43 On Sunday 18th June Mr Beddoe, alone, interviewed Miss Karen Brown, whilst she was at home from her work for the weekend. It was Mr Beddoe's recollection to the Inquiry that Mr Noblett had not been ready to make himself available to proceed with the investigation on a Sunday. Mr Noblett thought that he must have had some other commitment.

"Karen recalled D, C and EF visiting her when she was not well, and telling her of incidents when Jane had given them a piece of paper and they had to write things about their parents and shout them out and fight Jane. They said they did not like it and hated Jane for it. Jane had said other children were going to get it.

"Karen also recalled an incident whilst she was working when Frank Beck pulled C's hair and called her a 'bitch'. No one else saw this but she talked to Betty Bale about it. Betty rang Frank who said he was justified. George had her in the office and told her off for discussing Frank's actions saying his actions should not be questioned. She also remembered Jane hitting a child in Creedy's shop when she was out shopping. She pointed out that Betty Bale kept a diary with all the incidents recorded in it.

"During her time working at Rosehill whilst Frank Beck was Officer in Charge (only a matter of weeks) she remembered a staff meeting where they were handed some papers and case histories on the approach of Frank Beck and the adolescent unit. She later spotted Jane the volunteer as one of the case histories. Frank Beck also said that George was going to give CD special attention but did not expand on it. She then saw George treating CD like a baby and giving him special attention, buying new clothes and giving him treats.

"Because of the worrying stories the children were telling her, Karen told her mother who discussed it with Mrs Maltby at the school (Karen's mother is on the staff of the school). This led to Mrs Maltby writing to Miss Edwards.

"During the latter part of the interview Karen expressed her disquiet with the investigation regarding her allegations over B. She felt she will be proved to be right but George Lincoln mishandled her and now others. I explained I could not discuss this aspect and if she had any observations to make she should refer them to Miss Edwards."

18.44 On Monday 19th June 1978 Mr Noblett and Mr Beddoe had a meeting with members of staff at Rosehill, Mr Lincoln, Miss O'Connell, Mrs Bale and Mrs Brisley. Again, Mr Beddoe made notes:

"We indicated that we wished to see the staff first as a group and then individually. The staff we saw there were Mr G Lincoln, Miss H O'Connell, Mrs Betty Bale and Mrs Agnes Brisley. We acquainted the staff with the purpose of our visit and asked them to recount to us any incidents that had occurred over the past few months and had caused them concern. They told us of the following:

"FG, aged 15

Mrs Brisley said that she had heard shouting from the room upstairs. She heard George's voice and FG's. She was concerned and on the pretext of taking them a drink went into the room. George was very cross and was saying 'say it louder'. FG was crying. She then left the room.

George explained that FG had told D (another child at Rosehill) that he had taken some papers referring to her out of her file. George was alarmed because D was in care because of an incestuous relationship with her father. George was most anxious that the papers should not leave the building and he was concerned that information of this nature should be divulged especially at school. George made it very clear that he was very annoyed with FG who at first told him lies about the papers. He was trying to get the truth out of the lad so that he would know what further action to take if in fact there had been a leak. He smacked the boy on his bottom with his hand.

"B

Mrs Bale heard crying and the floor being thumped in George's room. She went up to investigate and found B and George in the room. B was sat in a chair her face swollen with crying. Mrs Bale asked her if she wanted to leave with her. She said she did not. The door was not locked.

"D

Mrs Bale heard shouting and banging from the boys bedroom. On the pretext of taking a drink she went into the room and found George, Jane (from Ratcliffe Road) and D sat on the floor. A piece of Jane's hair was on the floor. The door was not locked. Mrs Bale got the impression that George was tying to get D to re-live a previous situation. He was pretending to be D's father and was saying 'I want your body, where is your bra.'

George Lincoln explained that he had found Jane and D in the boys room and joined them there. D had pulled Jane's hair out.

The next day D had said that she had had nightmares and was very frightened.

"C

The staff said that there had been a 'treatment session' between Jane and C but they could not give any details. Later C is alleged to have said that she felt better and understood herself better because of it.

The staff could not recall any incidents involving CD but Mrs Bale remarked that CD had a very good relationship with George and CD's behaviour had improved remarkably over the last few months.

The staff said that they had not witnessed any ill treatment of the children or seen any hitting or striking by George. They were concerned about 'the treatment'. They were not sure what the treatment was but thought it was something to do with getting a child on its own and then making the child talk about its past. They had no reason to believe the children had been threatened if they did not co-operate. They knew nothing of any strangling.

They had grave doubts about Jane and her ability. She was bossy, took a lot upon herself and tended to take over. She had been brought into the home by Frank Beck and they were unsure of her position. The children were afraid of her and both Mrs Bale and Mrs Brisley had seen her slap children. They did not consider her competent or experienced enough to deal with children. They had not been told anything about her and were not sure whether she was a volunteer or member of staff or what authority she had. She came at the weekends and lived in. Mrs Bale suspected that Jane at some time had been a child at Ratcliffe Road.

We asked the staff whether they considered 'the treatment' which they continually referred to, was planned on the basis of a session for each child or whether it was spontaneous following some incident. They did not really know but did not think it was planned.

They said that the children were now a lot happier and there was a big change when B left. Rosehill was a much better place to work in.

We then saw the staff individually but they had very little to add to what they had already said as a group.

Mr George Lincoln

"He had no complaints at what the staff had already said. We asked him about Jane. He thought she was a volunteer. When he found out what her background was he felt more confident 'to put her in her place'.

Mrs Agnes Brisley

"She repeated that she had witnessed no physical violence but was very concerned about 'the treatment'. She did not think it was natural.

Miss Helen O'Connell

"She witnessed nothing and said everything she could talk about was hearsay. She was always off duty at the weekends when Jane was present.

She told us that she had asked C about 'the treatment'. C had said that George and Jane had had more than one session with her.

Miss O'Connell thought everything had changed for the better. The treatment had stopped about two weeks before Mr Scott commenced duty and had started before Frank Beck arrived. Frank was never there to see it because it did not happen when he was on the premises.

Mrs Betty Bale

"She said she did not understand 'regression therapy'. She was very concerned about 'the treatment'. She would not like it to happen to one of her children.

She described an incident which had impressed her and which in her opinion was very good child care. She had sat in on a session George had with B. B had wanted to do something which George had refused. B had one of her tantrums. George sat down with the girl to talk through the problem. The girl became so annoyed that she literally pulled her blouse to pieces bit by bit, but George kept talking to her and in the end got her to do what he wanted."

18.45 Finally, on 20th June 1978, Mr Beddoe and Miss Poole spoke to children at Rosehill in the presence of Mr Scott, the Officer in Charge. Miss Poole made notes:

CD

"CD said that one evening he was playing football outside when George brought him in and took him upstairs to one of the rooms in the staff accommodation. He said George turned him round and hit him across the side of the face. He asked him why he was not going to school and then 'changed the subject' to CD's mum and dad. CD said he was told to shout out that his mother did not love him and his father did not care and that he was hit if he did not do so. CD said George also made him hold him round the neck and told him to squeeze. He then had to shout the things about the parents louder. CD said that Jane was in and out of the room during this time. Afterwards he was given a cup of tea and stayed with George another half an hour or so.

CD said that on another occasion he had not been to school the same thing happened. He said he had been frightened and cried. He had not understood what was going on and been embarrassed.

CD said that about 2 weeks after Frank had left he had phoned CD and asked him to write a letter to say that nothing had happened because otherwise George would get into trouble. He had been promised some money to do this. Later he received 59p in an envelope but could not remember who gave him this and did not know where it had come from."

C

"C said she thought Jane had taken her up to the room because she was a bit mardy. She said Jane had asked her to write on a piece of paper that she hated her mother. She refused but Jane pressed her to do so and flicked her around the head. C said that Jane then got on the floor and encouraged her to start fighting with her. She said C could do what she liked because she was there to be hurt and that this was to get the anger out of her. C said Jane praised her when she struggled to get away from her. George was in and out and he also praised her at this point.

C said she was crying and did not understand what was going on. She said she screamed when Jane said her mother did not care about her.

C said that on another two occasions Jane had taken her up to the room for a chat and the same thing had happened. This was over a two week period."

FG

"FG said he had never been taken to the room. He knew something about an incident involving EF and Jane but no details. He had not seen and did not know anything else.

George had 'tanned his back-side' once when he had pretended to have stolen a file from the office but he thought he had deserved this."

D

"D said that one evening her social worker had been to see her. After she had gone Jane had taken her up to the room and asked her what the social worker had told her. She had asked D whether she was going to hit her. When D said 'no' Jane had hit her and repeated her question. D said Jane then wrote something about her father on a piece of paper. When she refused to read this out, Jane hit her and they began hitting one another. D said George came in and he began hitting her as well. George was in and out of the room the whole time. Jane later gave D some orange to drink and again hit her when she would not drink it. D said she had also been made to pull the head off a doll. She had been told that 'fighting gets all your worries out of you'.

D said that Jane had read the children's files in the office. She said that she had told some of the other kids bits out of her file.

D said that Jane had phoned her a couple of days previously using the name of Carol. She had asked her to tell C that she would ring her saying it was Carol and they would have to make an arrangement to meet in Leicester."

EF

"EF said that if Jane thought he had done anything wrong she would take him up to the room. He said she used to hit him and say things about his parents, making him cry. Afterwards, she used to give him sweets and chocolates. He said that this happened 3 times around Easter and nobody else had been involved."

18.46 Mr Beddoe provided his own summary of conclusions upon those interviews:

"The children's statements, taken by Miss Poole are attached. In summary I believe the following can be identified as the key points:-

(a) the children consistently recalled being hit;

(b) the principal initiator of 'the treatment' was Jane the volunteer;

(c) George Lincoln can be seen to have played a minor role, knowing incidents took place, his involvement with CD would appear not to have affected the positive relationship between the two of them;

(d) the incidents have had a marked effect on the children, particularly D and C who were distressed, hurt and unforgiving;

(e) there was a breach of confidentiality when Jane told other children confidential information regarding D;

(f) Jane had attempted continued contact with D and C."

Miss Edwards and Mr Beck

18.47 Whilst the investigation by Mr Noblett and Mr Beddoe was progressing there was a further exchange of correspondence between Miss Edwards and Mr Beck. On 16th June, the day after Mr Lincoln and Mr Beck were interviewed, Mr Beck wrote:

"I cannot express my disgust at the Department's handling of the George Lincoln Rosehill affair, fully enough. I consider the handling of this young sincere residential worker to be unjust and heartless. It is clear that young residential workers are expected to take risks by dealing with damaged young people, without any support or understanding of the children in care, who in this affair are clearly seen to be angels.

"This Department has taken no account of its senior staff or the work already done by Mr Lincoln himself in this case. May I also remind the Department that I was Officer in Charge at Rosehill at the time of the affair and, therefore, am completely responsible for the conduct and actions of the staff.

"I hereby give notice that I intend to find employment in another agency and that my resignation will follow as soon as possible."

18.48 Miss Edwards' reply on 19th June, whilst the investigation was continuing, was placatory:

"Thank you for your letter of June 16th 1978. I am replying immediately, but I doubt whether you will be able to understand completely what I am saying now. I hope, in fact, that you will keep the letter so that when you are feeling less under stress than you are at the moment you can read it again.

"Some years ago you and I agreed that the intensive work that you have been doing at Ratcliffe Road could not be done indefinitely, and that the effect of the burden you would carry would inevitably weigh heavily upon you. I do not think there is any doubt that because of the stress you have had you are now over-reacting to the Rosehill affair. *Because* I care about the residential staff, *because* I need to support them in the community, it is essential that I am seen to investigate properly when complaints are made. As far as I can see at the moment there is very little in the complaints about George Lincoln, and *for his sake* we need to be able to say that we have looked into them thoroughly - if not the allegations will continue, and will go to Committee Members, Police and so on. If there were any evidence of the ill treatment of children by staff, I am sure that you would be one of the first people to want it dealt with fully and that you would not want non-caring staff to be in charge of children.

"I note that you intend to apply for jobs outside Leicestershire. Does this mean that you do not want to be considered for The Beeches?" [Mr Beck had applied on 10th June for the post of Officer in Charge at The Beeches]. "I shall be very sorry if you decide to go elsewhere since I value your work, but think that you may be right, and might, in fact, be better to try to do something quite different for a while. If you want to talk to me about it I will be glad to do so."

18.49 No formal written report of the investigation was made. Miss Edwards received an oral report from Mr Noblett and Mr Beddoe, and may have seen the record of interviews. Undoubtedly, Mr Naylor was kept informed.

18.50 There is no record or memory of any management discussion about the possibility of disciplinary action, nor of discussion with Mr Fenney in the County Secretary's Department.

18.51 No action of any kind was taken as a result of the investigation. Mr Lincoln was under the direction of the new Officer in Charge, Mr Scott. Jane was back at Ratcliffe Road, as was Mr Beck. Mr Beck had applied for the post of Officer in Charge at The Beeches. CD was about to move to foster parents. To follow Mr Beddoe's fire fighting analogy, the fire had gone out.

18.52 Mr Scott's evidence to the Inquiry was that he had found 'regression therapy' in use at Rosehill, with Mr Lincoln an enthusiastic proponent of it as well as being a firm admirer of Mr Beck and his methods. Mr Scott discontinued the use of 'regression therapy' and kept his line management informed of what he was doing.

18.53 On 30th June 1978 Mr Beck was sent, with the approval of the Manpower Sub-Committee, an honorarium of £500 in respect of his services at Rosehill.

Comment

18.54 Miss Edwards was right to involve the Child Care Adviser in the investigation.

18.55 The investigation produced clear prima facie evidence of abuse and malpractice. In particular:

- the practice of unacceptable and abusive treatment methods both by Jane and by Mr Lincoln;
- the hitting of children both by Jane and by Mr Lincoln;
- an episode of physical abuse by Mr Beck;
- the inducement of CD by Mr Beck to withdraw an allegation of abuse;
- the introduction by Mr Beck of Jane, a teenage girl still in care at Ratcliffe Road, as a volunteer worker, with no explanation to staff of her status and no control over her conduct.

18.56 There was clear prima facie evidence of Mr Lincoln practising an unacceptable method of treatment. The conduct of Jane in similar activity provided a link with Ratcliffe Road, the obvious source of her 'treatments'.

18.57 Miss Edwards' understanding of treatment at Ratcliffe Road was that regression was not in any way forced. The occurrence of CD's complaint at the time of Mr Beck's involvement at Rosehill, together with the wealth of prima facie evidence illustrating the practice of unacceptable methods and the involvement of Jane, made a very strong case for questioning Miss Edwards' understanding, and for investigating what was going on at Ratcliffe Road.

18.58 The totality of the investigation raised, or should have raised, questions about the credibility of Mr Beck.

18.59 In any event, the findings of the Rosehill investigation alone called for management action in respect of Mr Beck and Mr Lincoln. That nothing occurred is consistent with management determination to protect staff above other considerations.

18.60 The Rosehill investigation of 1978 was the most thorough and most fully documented investigation carried out by Care Branch managers. Its thoroughness owes much to the determination and investigative ability of Mr Beddoe. It is regrettable that Mr Noblett did not take anything from it to other, later, investigations.

18.61 It is appropriate to notice that the investigation took place amongst a staff group who had no particular allegiance to Mr Beck and were not, and had not been, within his power of control. It took place after his temporary attachment to the home had ended, and it included interviews with the children in care.

PART 3

THE BEECHES
1976-1986

19
THE BEECHES, LEICESTER FOREST EAST
1976-1978

19.1 At the time that Rosehill Children's Home was undergoing transitional difficulty resulting from lack of management control, a similar scene was unfolding at The Beeches, Leicester Forest East.

Outline

19.2 The Beeches, 195 Hinckley Road, Leicester Forest East, was opened prior to 1974 and was described as a Community Home with Education (Reception) and later as an Observation and Assessment Centre. The house, once a private residence, was substantial and attractive with its own grounds of about 2 acres, and located in a good residential area of Leicester. For some years up to 1976, The Beeches had been in the kindly if 'traditionalist' hands of Mr Andrews, Officer in Charge, and his wife.

19.3 The Homes Adviser with immediate managerial responsibility for The Beeches between 1976 and 1978 was Miss Furness. Above her in the managerial hierarchy were Mr John Cobb (Principal Assistant), Mr Noblett (Principal Officer) and Mr Naylor (Assistant Director of Social Services).

19.4 In anticipation of the retirement of Mr and Mrs Andrews, a post of Deputy Officer in Charge had been created in August 1975 and filled by the appointment to it of Nr Nicholas Adjinka. The post of Officer in Charge was advertised and a job description prepared for that purpose in January 1976. The use in it of the words "a stimulating and therapeutic environment is to be maintained" conveys merely that the environment should be beneficial rather than anything more specific or specialised.

"LEICESTERSHIRE SOCIAL SERVICES DEPARTMENT

OFFICER IN CHARGE, THE BEECHES

"The Beeches is situated in a pleasant village on the outskirts of the city of Leicester. There is accommodation for 25 children of both sexes housed in two separate units. Although not purpose built the home has good children's accommodation with ample play space both inside the home and in the grounds.

"There is a school within the grounds with a staff of 3½ teachers which is under the control of the Education Authority.

"*AIM:* To create an environment conducive to the total care of individual children and young persons. To facilitate an assessment of their capacity to function as members of groups, and as individuals, of their attitude towards authority and their capacity for emotional and intellectual growth. A stimulating and therapeutic environment is to be maintained.

"*RESPONSIBILITIES:*- To develop a knowledge of the resources available and to assist in the appropriate placing of children which will best meet their needs.

1. Promote staff commitments to the tasks and facilitate good staff relationships. Support and counsel staff members. Develop good management practice within the Centre through delegation and regular staff consultation by weekly meetings.
2. Create appropriate links with the community in an effort to avoid the isolation of the residential Centre, the children and staff.
3. Maintain appropriate diet, medical care and clothing.
4. Facilitate effective methods and standards of accounting, staff returns and time sheets, ordering and budgeting.
5. Ensure maintenance of structure, furnishings and fittings, in addition to maintaining fire precautions including regular fire drills.
6. Maintain appropriate records of both children and staff.
7. Enable the development of good relationships with staff throughout the Department.

8. Foster staff training and development.
9. Promote student training where possible.
10. Develop good professional practice especially with regard to confidentiality and integrity.
11. To develop assessment facilities for clients on day care basis.

"*ACCOUNTABILITY:*- The Officer in Charge is accountable to the Director of Social Services through the Divisional Principal Assistant for the total task. Regular weekly meetings are held between the Officers in Charge of the three Assessment Centres and the Short Stay Unit chaired by a Senior Officer for the purposes of bed allocation, policy formation and the development of professional practice in Assessment.

7.1.76."

19.5 Mr and Mrs Andrews retired in June 1976. Mr Adjinka, the Deputy, filled the role of Officer in Charge.

Mr Tapson

19.6 A contemporary note shows that Mr Adjinka applied for the post of Officer in Charge, but at that stage Nr Naylor did not want him to assume control. In the result Mr Alan Tapson was appointed and took up the post in August 1976. Mr Tapson recalls being interviewed for the post of Officer in Charge of The Beeches by Mr Naylor, Mr Noblett and Mr Cobb and possibly one other. He was told the same day that his application was successful.

19.7 Mr Tapson had earlier experience of work in residential care and had been employed by Leicester (City Council and then County Council) as Superintendent in Charge of Westcotts Drive with his wife as Matron from 1969 to 1974. During that period Mr Tapson had had occasion to visit Mr Beck at The Poplars, Market Harborough to discuss the possible placement of a boy at The Poplars:

> "Whilst we were having discussions with Frank Beck one of the young boy residents at The Poplars, who I would estimate to have been between ten and twelve years of age, came into the room and walked straight over to Frank Beck. The boy had not knocked at the door and as he walked into the room he referred to Frank Beck by his first name only. The boy then went up to Frank Beck and stood alongside him and I remember quite vividly how Frank Beck placed his left arm around the rear of the boy and his hand came to rest on the boy's thigh who at that time was wearing short trousers. He was talking to the boy and as he did so he constantly rubbed the boy's thigh with his hand.
>
> "I was totally shocked by the action of Frank Beck which I disapproved of and my own background always required children to show respect by knocking at office doors before entering and not referring to their Social Workers using first name terms. In addition when I saw Frank Beck rubbing the boy's thigh in the way that he did my earlier training left me somewhat shocked and concerned because I could see the inherent dangers associated with such action by a Social Worker.
>
> "Following our visit to The Poplars I later spoke to David Barnard (a social worker) about Frank Beck's actions and also discussed the matter with Edwin Ross. As far as I can recall it was conveyed to me that Frank Beck had his own way of dealing with the children in his care and his methods were not questioned, although Edwin Ross was not too sure about things himself.
>
> "It is to my knowledge that there were rumours circulating within the Department that Frank Beck was homosexual and had male boyfriends but I certainly had no reason to suspect that this was true from the brief dealings that I had with him."

19.8 The 18 months following Mr Tapson's appointment was an unhappy period for The Beeches and its staff. It was Mr Tapson's perception that Mr Adjinka was disappointed at Mr Tapson's appointment - disappointed, indeed, to be Deputy at all. The working relationship between the two men was poor. Mr Tapson found The Beeches to be chaotic, and the majority of his staff "to be very inexperienced and had a noticeable lack of involvement with the children in their care". It was Mr Tapson's view that support for him from within the senior management was "virtually negligible" and that decisions were made with regard to The Beeches without reference to him.

19.9 Mr Adjinka thought that his working relationship with Mr Tapson "was good when it was allowed to emerge from under the negative atmosphere that pervaded his tenure. I endeavoured to sit on the fence between him and junior staff members, but every time the situation improved one of the parties either deliberately or unwittingly caused further exasperation".

19.10 Surviving contemporary documents give a flavour of the problems that arose at The Beeches and of the part senior managers played in addressing them. The problems included allegations by staff members that Mr Tapson was violent towards children. Those allegations were denied by Mr Tapson in his evidence to the Inquiry and were not supported by Mr Adjinka who said that he was unaware of any violence by Mr Tapson.

Miss Scaysbrook's Complaint

19.11 Miss Scaysbrook was appointed to the post of Third in Charge of The Beeches in August 1976. Miss Scaysbrook had been employed in Children's Homes in Leicestershire since 1970, and had during that time obtained a CQSW on secondment. Mr Cobb described Miss Scaysbrook to the Inquiry as someone who had "times when she managed very well and then there were times when things would get on top of her and she could not manage at all".

19.12 It is a criticism of management made by Mr Tapson that whilst that appointment was made shortly after his own appointment as Officer in Charge, he was not invited to take part in the interviews of applicants to the post to which Miss Scaysbrook was appointed.

19.13 Miss Scaysbrook thought that it was probably in March or April 1977 that she felt constrained to write to the Director of Social Services, Miss Edwards (with a copy to Mr Cobb). The copy letter that has survived is undated. It could as well have reflected the state of affairs at The Beeches in late August 1977. It is impossible to be certain when the letter was sent. The letter reads as follows:

> "Dear Miss Edwards
>
> "I feel I must inform you that I have just taken the unprecedented step (for me anyway) of taking four days annual leave just when as many staff as possible are needed at The Beeches. This action reflects the extent of my despair over the situation at the home which can only be described, generously, as non child care.
>
> "In the past I, and other staff, have expressed concern at some of things that have happened. This has been communicated to Care Branch who have given support and some direction - but I fear this is not enough.
>
> "I will list some of the factors that I feel have contributed to the present sad state of affairs.
>
> - the lack of direction to a young staff by senior staff (myself included).
> - the destructive critical supervision of staff instead of an encouraging approach.
> - threat of, and actual physical retribution of children by a member of staff and the ensuing problems for both staff and children.
> - the confused feelings of staff when they finally voice their disagreement with this member of staff's attitude.
> - the anger, frustrations and low morale of staff. At this point four have just given in their notice; two are 'on the sick' and others are close to it.
> - the inevitable reaction of the children over the weeks. There has been widespread bullying; flagrant manipulation; flaunting of any authority the staff had.
> - certain staff using the children in a kind of internal politics game against other staff.
>
> "All this has culminated in a situation in which staff are derogatively insulted and they and some of the children are exposed to the risks of serious injury.
>
> "Three incidents give an idea of the circumstances now prevailing.
>
> 1. Having intervened in a very physically aggressive argument between an older girl and an older boy, I was faced with the girl rushing in the direction of the boy (through other children) with a carving knife. I was only able to half hold her which was just enough to avert her throwing it with any strength. Police help was summoned when the girl broke away to get another knife. On duty in the home that night there was just myself and a domestic (who has given invaluable help in these situations).
> 2. A small boy of just turned nine - in voluntary care and in all probability due to return home - was discovered with a bigger boy on top of him threatening him with a sharp kitchen knife.
> 3. The entire group of older children in literally riotous mood chanting for one of the boys - who had just spat on me - to bash me in. This was taken up by another boy and I was only able to control the situation by openly calling this boy's bluff and receiving some blows (not very hard) before having the opportunity of showing the futility of such behaviour.

"It has been pointed out and accepted that such difficulties are bound to crop up in our work, but the regularity of these is an increasing strain and the possibility of similar incidents occurring is ever present.

"Personally, I am ashamed and also resent being part of such a travesty of child care. I wish I had the qualities necessary to have made a positive effort to break the depressing chain of events earlier, but I feel strongly enough now to pass on my protest to you at this late hour.

"I will return to work on Monday clearer in my mind and possibly revitalised for the task ahead, but I know that the shuffling around of children, beds and rooms as is intended cannot be the whole answer to the ills within The Beeches. We are in need of action by Care Branch to alleviate the immediate difficulties. The placement of some of the undisruptive children is essential for their wellbeing but this is proving to be insufficient in resolving staff's anxieties and helping them to cope with the remaining group of children.

"Finally, The Beeches is in need of massive injections of encouragement, incentive, motivation and practical help - elements that have been patently lacking and that I regret I have been unable to adequately supply myself."

Care Branch

19.14 Miss Scaysbrook received no written reply to her letter, although there was continuing contact with Miss Furness and Mr Cobb who were aware of some of the problems of The Beeches in 1977.

19.15 On 27th April 1977 Miss Scaysbrook met Miss Furness at County Hall by appointment and at Miss Scaysbrook's request. Miss Furness's note records the main points discussed. There is no record or surviving memory of any decision as to what steps, if any, were to be taken:

"Linda came in mainly to discuss Alan Tapson and the staffs' feelings. She didn't appear to be a delegated spokesman, but she had taken it upon herself to be so. She said that the staff group were extremely unhappy and listed the main points why.

(a) that Mr Tapson talks about staff to other staff members, usually in a derogatory way.

(b) that the staff are denigrated in front of the children.

(c) that staff are confused by being criticised if they initiate something and criticised if they do nothing.

(d) that Mr Tapson is physically violent with the children, i.e. that he bangs their heads against doors (Linda said that she personally had not witnessed this but had been told by children and staff).

(e) that Mr Tapson now works 9-5 Monday to Friday, therefore not giving right support."

19.16 On 5th May 1977 Miss Furness made a statutory visit (Community Homes Regulations) to The Beeches. Her report includes comments of importance to the wellbeing of the home:

"Not any perceptible staff cohesion or enthusiasm for delegated jobs. Mr Tapson has initiated many new forms to facilitate a better assessment procedure. Mr Tapson still feels a lack of staff involvement and commitment . . .

"Senior staff relationships are still very strained; some attempt at conciliation must be made if only to bring together staff loyalties.

"Kitchen problems are being dealt with but there is friction between domestic staff and care staff which is probably part of the general staff restlessness.

"The building doesn't lend itself to alteration or working in groups but Mr Tapson is trying to evolve a small group environment."

19.17 The report was seen by Mr Cobb, Mr Noblett and Mr Naylor. Mr Noblett and Mr Naylor endorsed their comments on it. Mr Noblett's comment "I commend Mr Tapson's initiative in introducing some new procedures" avoided the manifest staff problems altogether. Mr Naylor's comment was more apposite "whilst I accept difficulties in settling down I must express my concern about staff relationships. Officer in Charge has been in post 9 months and one wonders if it will ever work! What is being done about some of the issues raised in this report?"

19.18 Miss Furness had discussions with Mr Tapson on 13th June, mainly about Mr Adjinka:

"His attitude to his work, to his colleagues and to Mr Tapson. Alan thinks that Nick is deliberately trying to undermine the smooth running of the home and is working directly against Alan. Nick has denied the staffs' accusations but there has been no direct confrontation. Mr Tapson also showed concern regarding an incident concerning HI and his broken arm. Saw HI who said that Mr Adjinka had pulled him down from the window ledge.

"Mr Tapson asking for help in dealing with Nick Adjinka."

19.19 It is evident that Mr Cobb had discussions with Mr Tapson about staffing and the possible support that Care Branch could provide, probably on 15th June. Despite that, it was necessary for Mr Tapson to write to Mr Cobb on 16th June 1977:

"In view of our recent conversations about staffing and the support role of Care Branch, I am a little disturbed that you are querying the overtime claim forms submitted by care staff for the month of May.

"I am sure you are aware that we have been short of two care staff for four months, a total of 80 hours a week. The staff at The Beeches have coped most admirably, working many hours without claiming overtime. I have been promised additional staff from your department from time to time but which has never materialised and I fully understand the pressures that are on you from many establishments for staff.

"In addition we have had staff sickness and staff on annual holiday and I have had no alternative but to ask staff to work overtime.

"I trust that this explains why overtime has been worked and you will see your way clear to agree to payment being made."

19.20 On 11th August 1977 Miss Furness was called to The Beeches by Miss Scaysbrook because of a threatened staffing problem that night. When Miss Furness arrived

"the sleeping in problem had been resolved, but I expressed some concern re the staffs' lack of commitment to each other and their non caring attitudes. The whole staff group were incensed, especially N Adjinka. After 3½ hours of talking what mainly came across were the following points:

(1) loss of control of the children.

(2) loss of respect of A Tapson.

(3) breakdown of communication between the senior staff team and between the senior and junior staff.

(4) feeling of inadequacy amongst all staff.

(5) stated feeling that Care Branch couldn't do anything about it so they were all going to seek alternative employment.

(6) once again it was implied that A Tapson controls the children by hitting them.

(7) the staff maintained that the children react because A Tapson goes off duty.

"I agreed to try and organise a staff meeting when J Cobb returned from holiday. I also said that they should write their grievances down and send them to Care Branch."

19.21 Less than a week later on 17th August 1977 Miss Furness was again called to The Beeches by Miss Scaysbrook.

"A Tapson's violence was again an issue. L Scaysbrook said that she had heard two different members of staff had witnessed him thumping children. Lynn Tyers then told me of an incident when she had seen him thumping a boy and that she had turned and walked away. She said that she wasn't prepared to do anything about it as she was the only witness. I pointed out to her that she was condoning the act by doing nothing. I once again reiterated that the staff must be prepared to write down their grievances regarding these incidents. Linda once again said that the children react badly when A T is off duty because he keeps them completely suppressed whilst on duty."

19.22 Following Mr Cobb's return from holiday a meeting took place, not with staff as Miss Furness had envisaged, but between Mr Noblett, Mr Cobb, Mr Tapson and Mr Adjinka. On 7th September 1977 Mr Cobb made a note of it:

"A heated discussion took place re the present running of the Beeches. A number of incidents were recalled and discussed. Whilst there were faults on both sides Mr Adjinka did not come out of the discussions in a very favourable light.

"The complaints levelled at Mr Adjinka are as follows.

(a) that he was a clock watcher and stated quite categorically to us that if his time finished at 10.00 in the evening then he was to go home at 10.00 in the evening no matter what was happening within the establishment. He justified this by saying that after he had worked his 8 hours he was entitled to go home come what may because he had to consider his wife and his wife's feelings.

(b) that he did not give positive support to the Officer in Charge because there seemed to be a clash of philosophies and thinking between Mr Tapson and Mr Adjinka in the way the observation and assessment centre should be run.

"In clarifying what I mean by support it was felt if the Officer in Charge issued an order to Mr Adjinka to be carried out within the establishment Mr Adjinka would chose to ignore the order issued or alter the order issued or take a completely negative line, i.e. say to the staff this has been issued by Mr Tapson but you can do as you wish, in fact giving no guidance to the staff as to how the order should be carried out or support the Officer in Charge in carrying that order out.

(c) another complaint levelled at Mr Adjinka was that over the past 9 months Mr Adjinka has had full responsibility in ensuring that case conference papers and information relevant to a case conference were compiled and made ready for the case conference day so that everything would run smoothly, but 6 weeks ago Mr Adjinka chose to not continue with this process because he stated he had not been ordered by Mr Tapson to undertake these duties and until such time as he was told to do it he would not do it.

"Mr Noblett left no doubt in Mr Adjinka's mind that unless he was prepared to work with Mr Tapson the Officer in Charge and give him full support there would be no room for him within the Observation and Assessment Centre at The Beeches.

"Mr Noblett then gave Mr Adjinka 3 days in which to think over the problem and to let him know of his decision.

"As Mr Noblett and I were preparing to leave we received a deputation from the staff at The Beeches asking if we would talk to them. Mr Noblett said that he would but only to say that we had had discussions with senior members of The Beeches and that this wasn't the time or the place for them to air their grievances but that they would be given the full opportunity within the next few days to air their views. The staff seemed satisfied with this answer happy in the fact that they would be given this opportunity."

19.23 Miss Scaysbrook left The Beeches in the latter part of 1977, but Mr Adjinka stayed on. There is no good evidence that the intervention of Care Branch officers brought about any significant improvement.

19.24 On 14th September 1977 Mr Cobb took the opportunity, whilst visiting The Beeches on other business, to talk to the Head Teacher of the small school unit attached to The Beeches, Miss Williams:

"Whilst on my visit I spoke to the Head Teacher, Miss Williams, who was expressing some concern about the way the children were being cared for in The Beeches. She said that it was very difficult for the teachers to control the children because of the problems and the internal problems that came out of The Beeches. She felt that the children were not properly dressed and that they did not have their own clothes to wear, and that also during the day children would swap their clothes. There seemed to be no control whatsoever. The only time there seemed to be any control was when the Officer in Charge was on duty first thing in the morning when the children were placed into their lines and there was almost a regimental inspection, and the children seemed to be turned out reasonably well. But on the days that he was not there the children seemed to be turned out in anything and nobody seems to care.

"I tried to assure Miss Williams that work would now begin on an intensive basis within the home to improve standards of care, and that a meeting was to take place on Monday, 19th September, with all staff, where it could be deemed to discuss some of the problems that The Beeches are experiencing at the moment."

19.25 No record of the meeting of 19th September, which went over old ground, survived.

19.26 That there was no early improvement in provision for children at The Beeches is very strongly suggested by the circumstance that Mr Low, one of the teaching staff, took the strong line of making a statement of complaint to the NSPCC. He did that on 16th October 1977.

Mr Low's Complaint to the NSPCC

> "I make this statement of my own free will. I am a qualified teacher (pre-diploma, Diploma in Art and Design, post graduate education A.T.D). I have been at The Beeches for 1 year. Before that I spent 2 years teaching half time at the Towers Hospital School (Oakham House) and half time at The Holt Observation and Assessment Centre as a member of the child care team in the adolescent unit. I have taught as a further education teacher for 7 years.
>
> "My complaint about The Beeches covers two main aspects of the centre. Firstly, the standards of child care and the material needs of the children is deplorable. The clothing is inadequate and badly managed. In general it is ill fitting and in need of repair at most times although at times, usually after complaints from the school, this improves for a day or two. If we were a normal school we would refuse to have the children in class because they are badly dressed (e.g. shoes without socks, slippers in the rain and winter, no shirts). There is little or no personalisation, clothing is in a generally used pool for all the children. The provision for 'homely' amenities is absent. There is one TV room for 24 children aged 6-17 boys and girls. The 'playroom' is an empty area. The standard of hygiene is poor. Many children suffer from enuresis and it is apparent from the smell of one child at the moment that he is not being changed. Wet blankets are 'dried' over radiators in the bedroom, the stench is abominable when this is done. This may not be the everyday thing but I have seen this done this term. I have seen children carrying sheets for laundry from one building to the other which I suspect have been soiled overnight. Soap and towels are missing from the bathroom and locks missing from doors on toilets. I have had to inform care staff when girls have commenced monthly periods. The care staff in general find it difficult to relate to the children. Most of the younger ones go to the domestics for love and attention, the older adolescents do as they wish. The care staff have no control over the older children. This Monday morning the care staff could not get the children out of the house. I and the Head Teacher had to go and send the children out of the room which they had almost destroyed. There is a lack of supervision in the evening and out of school time. The vandalism is on an unbelievable scale. The school is broken into each weekend and ransacked. Chairs are broken, windows etc. At night I know that certain girls repeatedly slept with each other, certain boys slept together and some gave demonstrations of masturbation to 9 and 10 year olds and that certain adolescent boys and girls slept together. Bullying goes on at a dreadful rate. I have given Mr Moore a knife which I took from a 16 year old boy. Care staff knew he had it but told him to 'take it home'. It had a 4" spring blade. I took a knife from a 13 year old this week after a 9 year old was threatened. Care staff were unable to get it. It appears that several knives are missing from the kitchen. The younger children's lives are in constant danger physically and obviously emotionally. These events are 'daily' and we have not had a day this term without serious trouble. Each day brings increasing problems and there is no question that these children are deteriorating physically and emotionally whilst in care in this centre. When a nine year old has to be locked up with domestics for their own safety I must take steps to alter the situation. Mr Cobb of Leicestershire Social Services has specifically said to me to take whatever steps I think fit to relieve the children's problem. So I am making this statement. This statement is true and made of my own free will."

Care Branch

19.27 That series of complaints by Mr Low came to the attention of Mr Naylor who passed it over to Mr Cobb and Miss Furness under cover of a memo of 25th October:

> "This statement should not be divulged to any staff. Can I please have written comments about the 8 points and comment about removing a knife from the possession of a boy. Obviously, an early reply would be helpful."

19.28 Miss Furness looked into the complaint made by Mr Low and reported back to Mr Naylor.

"THE BEECHES O AND A CENTRE

"1 and 2 (clothing). Historically, the home has used a 'pool' system for the distribution of clothing, and although attempts to change this have been made during the past year, it was found to be extremely difficult as few of the children have personal areas (i.e. wardrobe or drawer space). Buying of clothes has also been done on an impersonal basis (with the exception of shoes) and very little clothing has been purchased in the first six months of this financial year (less than a third of the allowance used). The care and repair of clothing has previously been done by the night staff, but this appears to have lapsed recently and no one has responsibility for it.

"However, in recent weeks the staff have been instructed to ensure that all children have their own clothing and that shopping must be done with the child's involvement. This has now been implemented and hopefully, with the advent of a group system within the establishment, the clothing will be maintained at a better level.

"With reference to the incidents quoted regarding the children being badly dressed for school: one boy refused to wear any of the socks offered to him and did attend school one day with only shoes on; occasionally children have gone to school in slippers and have had to be brought back to change; new admissions have sometimes worn plimsoles until such time that the staff have been able to buy shoes, but these are isolated incidents rather than the general rule. I would point out that the children will avoid changing as they do not see the necessity of wearing outdoor shoes to walk five or ten yards to the school room.

"3 and 4 (Hygiene and Enuresis). The home does have a number of enuretic children and they are not seen to present a special problem, except on arrival when they may take a few days to adjust to bathing/showering regularly (usually morning and night). On a morning the wet beds are stripped and clean bedding issued and the soiled bedding is then taken straight to the laundry room and washed. It is dried out either in the tumble drier or outside on the line. I am assured that it is always washed and is *never* dried on radiators, either upstairs or down. I have been into the home many times and have never felt any qualms about the standard of hygiene and cleanliness within the home, nor have I ever encountered an 'abominable stench'.

"5) Vandalism - The schoolroom has been broken into and damage has been done. It does *not* happen weekly and the one window that was broken has been repaired. In one of the classrooms the fire exit has been damaged and it is possible for the children to 'fix' the catch so that they can re-enter, it is also possible for the teachers to unfix it when they lock up each afternoon.

"6) Sleeping Arrangements - The girls' and boys' dormitories are at opposite ends of a corridor with a fire door and the staff sleeping-in room in the middle. At odd times staff have caught children trying to visit each others bedrooms at night, this has been stopped and regular checks are made by the night attendants. At no time has it been reported by the night staff or the care staff (who wake the children) that children have shared the same bed. Some of the children may push their beds closer together, but they do not sleep together.

"7) Bullying - A certain amount of bullying has always occurred in the boys group with new boys usually going through a testing period. The staff feel that this is controlled and prevented most of the time. In the past few months however, the girls have joined in and encouraged the boys and at times the staff have not known how to cope with this, finding it difficult to understand the motivation and also how to intervene in this difficult type of physical aggression. With the removal of several of the key children involved, the bullying is less prevalent.

"8) Domestics - The incident relating to domestics being locked up has not been reported and none of the staff that I spoke to could remember such an incident. Presumably the nine year old boy referred to is seven year old DP, who, because of his age and size, has been 'protected' by the domestics since arrival. They have spent much time 'mothering' this boy, as have all the staff, but the domestics have specially encouraged him to spend time with them. This has created some resentment with the other children and the staff have at times had to protect him from abuse, much of it verbal and in fact directed at the domestics. If DP was locked up with the domestics it must have been the domestics locking themselves into their room and then letting themselves out, and apparently only informing Mr Low that this had been done.

"With many of the stated incidents, it would have been easier to comment if Mr Low had provided names and dates, and it is difficult to either confirm or deny that these things happened as stated. It would also have been easier to investigate and possibly take account if Mr Low had informed the Officer in Charge at the time of the incidents instead of, in some cases, many months later."

19.29 Neither surviving documents nor memory serve to show the extent of Miss Furness's investigation of the complaints. There is no indication of discussion with any of the children, nor with Mr Low or any of the teaching staff. Such evidence as survives leaves an impression of an investigation directed to responding to Mr Low's complaint rather than one determined to root out and correct the shortcomings in care at The Beeches.

19.30 Mr Naylor, with Miss Furness's report to him to hand, replied to Mr Moore, NSPCC Inspector on 4th November:

> "Dear Mr Moore
>
> *THE BEECHES OBSERVATION & ASSESSMENT CENTRE*
>
> "I would refer to our recent meeting when you very kindly let me have a copy of the statement made by a member of the teaching staff at The Beeches about certain situations at the above Centre.
>
> "I have had the matters raised in that statement investigated, and where this is possible made certain adjustments. This relates particularly to the arrangements concerning clothing. I am assured by members of my staff that the washing of bedlinen is dealt with in an appropriate way and that the sleeping arrangements of the children are satisfactory. At the moment incidents of damage being done by the children is present and a certain amount of bullying does occur, but I understand that both are within acceptable limits and is certainly controlled by a staff member whenever this is seen to occur.
>
> "I might add that it is difficult to investigate generalised incidents and whilst accepting that there have been and still are some difficulties at The Beeches, I am making every effort to resolve these.
>
> "Thank you very much for giving me the opportunity to meet you and discuss matters and may I assure you of my concern to achieve the highest possible standards of care for children within residential establishments in my Department."

19.31 There matters were left. The difficulties however continued. On 16th December 1977 Miss Furness went to The Beeches to check on Christmas staffing arrangements. Mr Tapson was out, and Miss Furness spoke to another staff member, Mrs Dowsing.

> "Mrs Dowsing was depressed and on enquiry stated that the situation at The Beeches was only better on the surface, that Alan Tapson was still hitting the children that he was still using fear to control. I asked if she had evidence of this and she said that mainly he took the children into his office. She did say that some days earlier she had seen him hit MF across the face twice. I asked about the circumstances and if any other member of staff was present. She said that Alan had been questioning several of the children about a missing key and had hit MF for being cheeky. Mr Adjinka was also present. I asked Alice what action she was prepared to take and if she was prepared to challenge Alan. She said that she was but she wasn't sure about Nick Adjinka's support.
>
> "I returned to the office and referred the problem to John Cobb, who in turned asked John Noblett for advice. JN felt that he and PN should see Alan about it."

19.32 Nr Noblett's evidence to the Inquiry was that he thought it likely that he saw Mr Tapson but he had no recollection of it and no notes survived. Mr Tapson had no recollection of such a meeting or of that allegation being raised with him. The likelihood is that Mr Noblett and Mr Naylor did not follow the matter up.

19.33 On 17th February 1978 Miss Furness had occasion to go to The Beeches because of rumours that staff were contemplating industrial action. She spoke to Mr Tapson:

> "Alan felt that he had no problems with staff at present except with Nick Adjinka who he said was 90% of The Beeches' problems. He did say that in the last two/three months Nick had put a lot of work into the projects that he was involved in (i.e. training and staff-room) but Alan felt that this was simply to impress Care Branch.
>
> "Alan appeared to feel that everything at The Beeches was going well so I didn't inform him of the strike rumours.
>
> "On the way out I offered Richard Wilson a lift and mentioned to him that I had heard some strike noises and he said that taking strike action had been discussed but at the moment the staff didn't know what to do as they felt unsupported. I pointed out that unofficial strike action could result in some of the staff losing their jobs. I asked if the staff were prepared to talk to A.T. but he said that they had lost all confidence in him. I suggested that one course of action might be to list their grievances and send them to Care Branch. He said that he would talk to the group about this."

19.34 That meeting was followed by a visit to Mr Tapson at The Beeches by Mr Cobb and Miss Furness on 6th March 1978, "to discuss communication with the Officer in Charge".

> "It had been brought to our notice that the staff at The Beeches had prepared a letter to be presented to the Director complaining about the leadership of Mr Tapson.
>
> "Mr Tapson said he was not aware of any letter from the staff, then he went on to say every time he has had time off the staff seem to get together and submit reports.
>
> "I asked Mr Tapson if he felt he had any communication problems, he said that he seemed to get on well with the staff with the exception of Mr Adjinka and Alice Dowsing. He said that he has never got on with Mr Adjinka because he could not trust him. Mr Tapson explained that over the past three months Mr Adjinka had worked hard for The Beeches but it was for his own end.
>
> "Mr Adjinka will not discuss with Mr Tapson any of the projects he is undertaking at present. He goes his own way. Each time Mr Tapson has tried to get through to Mr Adjinka he walks out of the room and will not communicate, and the same goes for Alice Dowsing there is little or no communication.
>
> "Mr Tapson said that he had a good relationship with the rest of the staff because only three weeks ago he had a heart to heart talk with Richard Wilson and Lynn Tyres his team leaders and everything seemed fine.
>
> "I suggested that the communication between H.Q. and The Beeches was not as good as it should be and Mr Tapson agreed and immediately said that he did not like the way Miss Furness had done things in his home without his permission, he mentioned that a carpet in one of the group rooms had been purchased without his knowledge and also coffee tables had been purchased and were not a priority item. Marie explained that all the items mentioned were on a list of requirements for The Beeches and because we were unable to get hold of Mr Tapson because of holidays, illness etc and that time was running out for ordering items for this years budget.
>
> "Mr Tapson did not like the easy access his staff had to the H.Q. staff, namely Marie Furness. I said that there is always access to Headquarters staff and if the staff couldn't communicate through the head of the establishment then this was their line of communication. I also asked Mr Tapson if he would pull the staff group together (bearing in mind that he has not done this over the past 18 months). He felt that it would be difficult while he had Mr Adjinka as his Deputy. I then referred to the letter that was being sent to the Director and suggested that when we receive it we should sit down and discuss in detail."

A complaint against Mr Adjinka

19.35 On 3rd April Mr Cobb was called to The Beeches with a report from Mr Adjinka that he had hit one of the girls resident there. A contemporary report by Mr Weids, an RCCO at The Beeches and witness to the episode, describes Mr Adjinka restraining the girl, who was suspected of theft.

> "She was struggling to get free from his grip and pulled right away at one point, muttering abuse to him under her breath as she did so. At this, Mr Adjinka grabbed hold of her with both hands and E became more fierce in her resistance, kicking him around the legs and bringing up her open hands into his face, in an attempt to scratch him. Her verbal abuse also became louder and more vehement. Mr Adjinka then hit E with his hand about her head. She still continued to resist and he hit her again. I am not certain of the number of blows struck, but it was not less than 2 and not more than 4. By the end of all this, E was sobbing and was sitting in the chair, her head in her hands. Mr Adjinka held her by the shoulder until he was satisfied she would resist no more.
>
> "I feel bound to add that during the course of the afternoon, Mr Adjinka appeared to be in a depressed and highly agitated state and that, in my opinion, his behaviour throughout was not that of an entirely rational person."

19.36 Mr Cobb found Mr Adjinka in a state of distress and saying "that he wanted to give his notice in as he had had enough of The Beeches and all that surrounded The Beeches".

Complaint from staff

Care Branch

19.37 It appears that within a few days of that episode, a letter of complaint about Mr Tapson was received at County Hall from the staff at The Beeches. Mr Tapson gained from Mr Noblett the clear impression (which may have been correct) that the letter was drafted, although not signed, by Mr Adjinka.

19.38 A meeting took place at County Hall between Mr Tapson and, as he recalls, Mr Noblett and Mr Cobb. There survives an undated manuscript note in Mr Naylor's hand which was probably prepared in advance of that meeting. Its existence suggests that Mr Naylor may have been at the meeting. The note reads:

> "Been here at The Beeches since August 1976.
>
> We have already spoken about difficulties and asked if he considered that he carry on.
>
> Difficulties do not appear to go and now we have a letter signed by eight staff expressing very much their position.
>
> This cannot continue.
>
> Disciplinary Sub-Committee.
>
> Can't keep blaming other people.
>
> Persistent complaints about him striking children."

19.39 There is no record of the meeting about the staff letter or any memory of what detail was discussed. The letter itself has not survived. Mr Tapson's resignation followed soon afterwards. Disillusioned by his experience of the Social Services Department, Mr Tapson did not look for any further post in social work.

19.40 In the light of Mr Tapson's resignation, Mr Cobb and Miss Furness returned to Mr Adjinka on 10th April 1978 to discuss with him his position at The Beeches in the light of his indication a week earlier that he would resign.

19.41 Mr Cobb's note:

> "I asked Mr Adjinka if he intended to stay or go. He said that now Alan was going he would like to stay. He thought that there was a good staff group at The Beeches with exceptions but he said that he could shake the staff into shape.
>
> "I then said that if he was staying I would like his cooperation in the running of The Beeches and that I was not asking him to take on the role of acting Officer in Charge (just his cooperation) and he then realised that he would not have sole responsibility for the running of The Beeches and asked what was in it for him. I told him that he need not apply for the position of Officer in Charge because he would be wasting his time.
>
> "He then said that if he cooperated with us what would happen when the new officer took over The Beeches. I told him only his position as Deputy at The Beeches.
>
> "He was very rude to myself and Marie Furness saying as he went through the door he would have to think about whether he was going to stay or not and that he might be better off if he went into insurance and slammed the door.
>
> End of interview."

19.42 In the upshot Mr Adjinka remained in post as Deputy until the end of October 1978. Mr Tony Stamper, the experienced Officer in Charge at The Holt was appointed to maintain oversight at The Beeches pending the appointment of a new Officer in Charge.

Comment

19.43 Whatever the skills and weaknesses as residential care officers of Mr Tapson and Mr Adjinka, it is absolutely clear throughout that they could not work together in harmony. Mr Tapson was appointed to a post in preference to the serving Deputy who was disappointed at not getting promotion. There was a divided staff group.

19.44 There was a clear parallel with events at Rosehill almost contemporaneously.

19.45 Although there is some evidence that the number of children at The Beeches was reduced in response to staffing and control difficulties, Care Branch managers spent considerable time in discussions but were unable to address the problems in an effective way.

19.46 In September 1977 Mr Adjinka was given a clear warning of the consequences of non-cooperation. Events were allowed to evolve over the following months in such a way as to lead to the departure not of Mr Adjinka but of Mr Tapson.

19.47 Mr Adjinka's wife was a part time teacher at Ratcliffe Road. She had mentioned to Mr Beck her husband's difficulties at The Beeches. Mr Beck spoke to Mr Adjinka. Mr Beck told the Inquiry "I went and saw John Noblett and sat down and discussed with John Noblett what I had been told and what I believed and at that stage my understanding was that Mr Adjinka was being accused of being the bad guy and he (Mr Noblett) changed over night. Whatever I had said had obviously hit a chord with John Noblett and Alan Tapson went and Mr Adjinka stayed".

19.48 Mr Noblett, whilst not able to contradict Mr Beck's evidence of such a discussion, told the Inquiry that any views of Mr Beck would have carried little weight.

19.49 Mr Beck was highly regarded in the County at the time, and, contrary to Mr Noblett's assertion, it is likely that Mr Beck's advice would have carried weight. It is a very real possibility that Mr Beck's advice was allowed to influence events at The Beeches.

19.50 Throughout the period of August 1976 to April 1978 there were episodes and allegations of episodes of heavy handedness towards children which were not investigated and of poor child care standards which did not receive full investigation and resolution. The staffing issue was predominant in the minds of Management Officers, although even that was allowed to drift.

20
THE APPOINTMENT OF MR BECK AND THE 'NEW' BEECHES 1978 - 1986

20.1 In 1978 The Beeches took on a new and multi-faceted role. Over the years its purpose became muddled. This chapter outlines developments at The Beeches and sets the scene for the complaints that were to follow.

20.2 In 1976 an idea had been floated in the Social Services Department for the establishment of a post for the purpose of providing intensive home support for children who would otherwise remain in residential care. Mr Loader, the Child Care Adviser, had suggested two rehabilitation officer posts to be attached to separate Children's Homes and answerable to the Officer in Charge for the support of a minimum of six children in their own homes but with weekend or day care provided by the Children's Homes where necessary.

20.3 A job description for a specialist social worker to carry out that kind of work was prepared by Mr Hesketh, Area Director, Area 2 in May 1978. At that stage it was envisaged that the specialist social worker would be located within Mr Hesketh's area but be based at Liberty Road Children's Home. It was proposed that "children may be directly placed in the home through joint agreement between the field and residential staff concerned . . .". The established procedure for placement through the placements officer at County Hall was to be bypassed.

Mr Beck's Application

20.4 On 10th June 1978 Mr Beck applied for the post of Officer in Charge of The Beeches. It is to be remembered that at that time he was Officer in Charge at Ratcliffe Road, and that Miss Edwards and Care Branch were dealing with, though not yet investigating, complaints that arose at Rosehill whilst Mr Beck was temporarily in charge there. Mr Beck's letter in support of his application shows that he knew something of Mr Loader's earlier thinking:

> "My reasons for this application are two fold; one, for my own development and experience. Two, I believe that the present day model in Social Services is one which determines roles for Residential and Field Workers which is not necessarily in the best interests of the child, or effective. A number of children could be assisted more effectively while in the care of O&A centres without the necessity for the child to be 'sentenced' to expensive and often long institutional care. Given intensive care and counselling based on small group living, and using the educational facility fully, a number of children and their families could be helped, the children being returned to his/her environment within six months or less.
>
> "I see the function of The Beeches as an independent co-ordinator of 'all' factors, i.e. family, education, environment, peer group and the child. I believe that a small team which includes the care worker holding the child, would have a greater ability to take account of the child as a 'total' person, incorporating all the above more professionally and effectively than the present system.
>
> "Therefore, although The Beeches (should I be offered the post of O in C) can if required do O & A, this would be only a small yet intensive part of the whole and that The Beaches should extend its activities to incorporate short term treatment. The staff should develop greater independence undertaking the key role which would include all the above.
>
> "I believe that given time to develop the staff group, The Beeches could and should fill the gap in Leicestershire Social Services by providing short term intensive treatment and break from the traditional models of Residential and Field Worker roles, thus providing more effective CARE for children."

20.5 Mr Beck's application was supported by a good - but cautionary - (undated) reference from Mr Ross, the Principal Assistant with line management responsibility for him at Ratcliffe Road:

> "Frank Beck has been employed as Officer in Charge at the 'specialist' establishment, The Poplars, for children since 1973.

"He has proved to be a very responsible and capable member of staff. His understanding of the needs of the individual child is reflected in his high standard of work. He is highly committed and expects the same commitment from his staff. He is a very independent person and he will expect to be in total charge of any establishment he controls. It would be useful to question this area, otherwise there could be some conflict in the future.

"He expresses a very strong dislike of bureaucracy and seems to totally reject any idea that 'those at County Hall' can be of some support and help.

"On the more positive side I cannot but help admire his skilful ability in relating to adolescents. This comes over very strongly when he is communicating with them whether it is by verbal means or physical touching.

"I was expecting him to leave The Poplars to undertake a further training course - he was very upset in having to withdraw from the place he had been offered in September 1978.

"It will be a sad day when Frank leaves The Poplars but there is a need for him to expand, and be stretched and that can only be done in the realm of training *or* a new position."

20.6 On 14th June 1978 Mr Cobb wrote a memo about staffing matters at The Beeches and added the suggestion that "we should tell applicants that have applied for the head of A and O job that there is a change and if they want to apply they can. I would like to see the post advertised and give others a chance of a new challenge."

Contemporaneous work at Rosehill

20.7 It was on 15th June that Mr Beck and Mr Lincoln were separately interviewed in the Rosehill investigation and on 16th June that Mr Beck wrote to Miss Edwards an indignant letter of protest at the handling of Mr Lincoln, and saying that his resignation would follow. On 19th June the Rosehill investigation was completed by the interview of children by Mr Beddoe and Miss Poole and on the same day Miss Edwards, not yet in possession of any findings of the investigation, wrote to Mr Beck "does this mean that you do not want to be considered for The Beeches? I should be very sorry if you decide to go elsewhere . . .".

Interview

20.8 Mr Beck was interviewed for the post of Officer in Charge at The Beeches on 26th June 1978. Of the four candidates interviewed, it is probable that he alone knew of the detail of the thinking that The Beeches was not to be a conventional Observation and Assessment centre. Unusually, the interviewing panel was chaired by Miss Edwards who made the following note:

"Of the four people interviewed, Mr Beck was the only one who could have been considered for appointment to this post (see notes on forms of others interviewed). Mr Beck can verbalise well, and has the sort of enthusiasm that could make a success of a Children's Centre. **We discussed the regression therapy he had been using at the Ratcliffe Road Unit, and he agreed that it would not be appropriate to use at a short stay centre, but said that he considered that warmth, and bodily contact, might well be needed for some children admitted to The Beeches.** He is anxious that he, and the rest of the staff acting as a team, should be involved in working with the families of the children admitted - it was agreed that further discussion would be needed on the case work supervision of the social worker in particular. Mr Beck questioned the idea of limiting the stay of the children to 3 months, saying that he thought some would need 6 months. It was agreed that the thinking behind The Beeches children's centre was in its early stages, and that no rigid decisions had yet been made." (Emphasis added).

Appointment and Purpose

20.9 Mr Beck was appointed to the post with effect from 1st July 1978. The as yet ill-defined purpose of The Beeches was to work towards prevention of long term reception into care by carrying the work outside the home and into the families of the children in difficulties. It was envisaged that an experienced field social worker would join The Beeches staff to lead the field work, and to provide instruction and guidance in that area to residential care staff who did not have expertise at working in families.

20.10 The home had attached to it a small school unit attended by some resident and some non-resident children.

20.11 The lack of prior planning is illustrated by a passage from the minute of a meeting between Mr Noblett, Mr Cobb and Mr Beck on 5th July 1978:

> "One important thing along with many we have to do at this moment in time is a Public Relations job with the areas. John Cobb expressed his concern about the various statements he was receiving from Social Workers, Area Directors and persons working in the field clearly indicates that they have had no discussions at all with the Department about the new role of The Beeches, i.e. social workers are saying 'I see you are moving Ratcliffe Road'. Statements like 'what will happen to Ratcliffe Road now that Frank is leaving it.' **Area Directors are expressing concern about the social work input, by stating that Frank never really allowed the social workers to get into Ratcliffe Road, and if this new scheme is to encompass social workers will he allow them to work within the role at The Beeches, because they are saying that he would not allow them to interfere with the work going on within the establishment!**" (Emphasis added).

Management Responsibility

20.12 It had been Mr Hesketh's proposal in May 1978 that the specialist social worker should remain within the Area and be accountable within the line management arrangements of the Area and of the Domiciliary Branch. It was without consultation with Mr Hesketh and contemporaneously with Mr Beck's application for the post at The Beeches that the plan was changed abruptly, and it is clear that the new arrangement was to place a specialist social worker within the management of Care Branch.

20.13 Nonetheless, the new role for The Beeches, which crossed the demarcation line of branch responsibilities, was liable to and did in fact over the years cause confusion about both case and managerial responsibility.

20.14 Prior to Mr Beck's appointment, the Management Officer with immediate line management responsibility for The Beeches and its Officer in Charge was Miss Furness. On Mr Beck's appointment, Miss Furness was relieved of that responsibility because, being on a lower salary scale than Mr Beck, her authority would not have been great enough. Line management responsibility passed up the line to Mr Cobb, Principal Assistant who was in turn responsible to Mr Noblett, Principal Officer.

20.15 However, Mr Beck, no respecter of hierarchy, told the Inquiry that he had no great regard for Mr Cobb and preferred to deal directly with Mr Noblett. At all events, the day to day management of The Beeches and of Mr Beck lay fairly and squarely with Mr Cobb and Mr Noblett.

20.16 It was surprising that in their preliminary written evidence to the Inquiry both Mr Cobb and Mr Noblett offered another perspective. Mr Cobb: "Miss Edwards wrote to Mr Alan Hesketh, an Area Director, asking him to provide some supervision for Mr Beck and to act in a liaison capacity and my understanding is that that is what happened. I was never part of the supervision process and did not see any reports of any supervision meetings." Mr Noblett: "As far as I am aware, Mr Hesketh continued to be Frank Beck's supervisor throughout his employment at The Beeches."

20.17 In later evidence, both officers resiled to an extent from that clearly stated position and acknowledged that management of The Beeches and of Mr Beck was a Care Branch responsibility. The overwhelming impression, however, that is left is that the idea of management of Mr Cobb and Mr Noblett was not much more than what might be called colloquially 'pay and rations' and did not encompass managerial responsibility for Mr Beck and his work.

20.18 Contemporary letters show the basis for Mr Cobb's and Mr Noblett's erroneous assertion and some of the management complications that were envisaged and never fully resolved.

20.19 On 16th June Mr Hesketh, Area Director, Area 2 wrote to Miss Edwards:

> "I am extremely concerned and disappointed that the Rehabilitation Officer post, intended to be lodged within Area 2, has now been so abruptly withdrawn. I trust that adequate consideration has been given to the considerable time and effort devoted to the preparations for this post, and to the effect on those concerned whose cooperation was so freely forthcoming."

20.20 On 6th July Miss Edwards replied to Mr Hesketh:

"I was very sorry that you were on leave when we met to discuss the appointment of the social worker to be attached to The Beeches, and I expect that Mrs Williams will have told you what happened. I can well understand your feelings when you heard that we had decided to divert the post from its original intention . . . It may well be that we shall be able to do something more specific about the post attached to your area in the future but, in the meantime, I had hoped that your team could have been involved in The Beeches project in a way that would have been advantageous to your area team as well as to The Beeches. I gather that the decision of the Group, including Mrs Williams, was that that was not likely to be easy to implement and, at any rate for the time being, the discussions relating to the post should be based entirely on The Beeches itself. Nevertheless I would very much like you to be involved in the new experiment and if you are able to spare the time to do this I should like to meet you, together with Frank Beck and John Noblett to discuss the matter further. My personal view is that if this new experiment is to be effective, it needs a very close involvement of the Domiciliary Branch as well as the Care Branch, and that we need to work out the case work supervision of those who are fulfilling a casework role, as well as, separate to this, the question of accountability. This will, of course, particularly relate to the Centre Social Worker who will be very much a part of The Beeches staff and, as such, accountable to Frank Beck, but who will, I believe, need casework supervision elsewhere. It could be argued that as Frank Beck is a qualified Social Worker he could give the casework supervision but in my understanding of what this sort of supervision means, it would need to be given by somebody not as closely involved as any of the staff at The Beeches. **Indeed, in my terms, Frank Beck himself would be helped by casework supervision, but this in no way detracts from the accountability which he has to the Care Branch staff. I recognise that this word 'supervision' is interpreted by different people in different ways and perhaps my view that it could even be done by somebody not employed within the authority would not be understood by many people. In fact, I wonder whether you personally would have the time and would be interested in this sort of consultative role.**

"Perhaps one of the most important requirements if The Beeches Childrens Centre is to be really effective is for it to be welcomed, accepted and encouraged by the Domiciliary Branch. I could ask Mr Wells to involve one of the Principal Assistants from this point of view but again my personal view is that it would be better for it to be done by an Area Director such as you. My guess is that a high proportion of the children will be coming from the city so that it should clearly be one of the City Area Directors. No decisions on anything of this sort have yet been made but I shall welcome your comments and, as I said earlier, would welcome a meeting with you and the others involved with The Beeches to have a preliminary discussion with Frank Beck, to whom I have sent a copy of this letter, before you reply to me. If you get in touch with Miss Ward she will arrange a meeting with me and the others on the earliest possible date." (Emphasis added).

20.21 Mr Hesketh discussed Miss Edwards' proposal with both Mr Wells and Mr Beck. On 10th August 1978 Mr Hesketh wrote to Mr Beck:

"Following our recent discussion concerning the future function of The Beeches Children's Home and our joint view of ways in which I may be able to assist, I have had a discussion with Mr Wells, Assistant Director, Domiciliary Branch, and he supports our proposal that my 'input' should be in the direction of:-

"(a) Providing an 'on demand' advice and guidance on any appropriate matter (e.g. procedures, child care law, fieldwork responsibilities and resources and etc.) and

"(b) Serving as a general link between yourself and the Area Directors' Group, although not in the context of any individual case matters, the responsibility for which must be that of the individual Area concerned.

"It was recognised that new procedures and understandings will be established in the light of experience. Mr Wells felt, therefore, that it would be appropriate for my role to be reviewed in, say, six months' time and that I would have a further dialogue with him on this.

"So far as I am concerned, therefore, there is now no impediment to our proceeding, Mr Wells having agreed to inform the Director of these proposals. I will be pleased to learn further from you of any more detailed way in which I should now become involved."

20.22 In the result Mr Beck did not call upon Mr Hesketh to exercise any consultative role.

Accommodation

20.23 Throughout Mr Beck's tenure of the post of Officer in Charge at The Beeches, the home had a planned capacity of 22 beds (in some documents, 24 beds). That is, however, no guide to the number of children for whom provision was made. As The Beeches developed, there were children coming in for odd nights, others staying mid week, others at weekends.

Staffing

20.24 The staff complement was 16.5 until the year from April 1985 to March 1986 when it was increased to 19. The figure of 16.5 was made up as follows:

	1978-80	1980-1986
Officer in Charge	Range	Grade 9
Deputy Officer in Charge	Range	Grade 7
3 Team Leaders	Grade 3	Grade 4
3 Deputy Team Leaders	Grade 2	Grade 2/3
7.5 RCCO	Grade 1	Grade 1/2
Social Worker	S.W. Scale	S.W. Scale

20.25 Staff increases in 1985-1986 were the addition of a Third in Charge (Grade 5), a fourth Team Leader at Grade 4 and a full time rather than part time RCCO bringing the total of RCCOs from 7.5 to 8.

20.26 Mr Beck inherited the staff serving at The Beeches including Mr Adjinka who resigned on 30th October 1978. Of the other 7 staff members inherited by Mr Beck, one, Miss S. Taylor, stayed on on a long term basis, one, Mrs Willett became a part time RCCO in May 1979, and 5 left within fourteen months.

20.27 In his first nine months in post, Mr Beck recruited 9 new members of staff who included:

- Miss Anne Midgeley, appointed with effect from 1.1.79, Deputy Officer in Charge in place of Mr Adjinka. Miss Midgeley was aged 26 on appointment, and had 5 GCE 'O'levels and a preliminary Certificate in Residential Care of Children and Young Persons. Miss Midgeley came from a post of Deputy Officer in Charge of a Children's Home in Suffolk and remained at The Beeches until June 1983 (with a secondment to a course in Residential Child Care at Bristol University from September 1980 to July 1981).
- Mr Neil Lumsden, aged 37, took up the post of specialist Social Worker at The Beeches on 23.10.78. He had appropriate qualifications for that task, including that of CQSW. Mr Lumsden remained at The Beeches until August 1984 holding the post of Deputy Officer in Charge after the departure of Miss Midgeley in June 1983. Mr Lumsden's role as a specialist Social Worker with primary responsibility for work with children and families in the community drifted over time. He became a fully involved member of the Beeches care staff. Mr Lumsden left in 1984.
- Mr George Lincoln, aged 26, appointed with effect from 13.9.78 as Team Leader, was well known to Mr Beck through Mr Beck's work at Rosehill earlier in 1978. Mr Lincoln left The Beeches in September 1981 to take a CQSW course and did not return to Leicestershire.
- Miss Nicola Clemo, was appointed with effect from 18.9.78 as an RCCO. Miss Clemo was aged 22 on appointment, had 5 GCE 'O'levels and 2 'A' levels and had worked as an RCCO in Cheshire for 4 years. Miss Clemo became Team Leader at The Beeches in August 1979 and left in January 1980.
- Miss Rosemary Unna came as an RCCO on 25.10.78 at the age of 21. Her academic background was 5 GCE 'O'levels and records do not suggest previous child care experience. Miss Unna left The Beeches in 1982 to qualify CQSW.

20.28 The remaining four appointees remained in post for no more than a year.

20.29 During Mr Beck's tenure as Officer in Charge from July 1978 until March 1986 upwards of 50 people worked there as residential care staff. They were predominantly young, single, with secondary or tertiary education and little or no experience in residential child care. Details have been furnished to Mr Norman Warner for the purpose of his Inquiry. To reproduce particulars would overburden this Report.

Evaluation of the work of The Beeches 1978 - 1980

20.30 The effectiveness of the operation of The Beeches between 1978 and 1980 was the subject of a number of letters and papers by Mr Beck and of an attempt at an objective evaluation by Mr Chris Beddoe, the Child Care Adviser, in 1979 and 1980.

Mr Beddoe's work:

20.31 On 25th July 1979 Mr Beddoe had occasion to write a memo to Mr Naylor:

> "I am most interested in Mr Beck's figures and subjective views on how The Beeches is providing an invaluable service. I am quite sure he is right. However with regard to the more objective approach and evaluation which I was asked to undertake we are having a little problem in obtaining evaluation sheets for all cases dealt with by The Beeches. I have obtained only 45 to date and as you will appreciate an evaluation should be not selective. I note Mr Beck refers to 105 cases dealt with. This week I wrote to Mr Beck again asking for relevant information. Should this not be forthcoming I am afraid I shall have to involve you."

20.32 Mr Beddoe also enlisted the help of Mr Hesketh in canvassing the reactions of all Area Directors to the work of The Beeches.

20.33 The robust telephone response from Miss V John was "would not place any child at The Beeches or Ratcliffe Road and has written to Director stating reasons." (Regrettably, Miss John's letter has not survived). That apart, the overall response from the Areas as to the concept and work of The Beeches was favourable although extracts from the responses indicate some of the working difficulties:

> "As you can see the overall opinion is favourable although I have heard it suggested that the staff can be too exclusively 'for' the child and that parents and field social workers find it difficult to establish their roles in the treatment exercise." (South Charnwood).
>
> "Generally, my views are extremely positive . . .
>
> "On the negative side, comments have been made that they are too casual to visitors and that there seems to be considerable variation in the quality of staff . . .
>
> "There may be, on occasions, difficulties regarding communication which leads to misunderstanding about roles - what does the Area Social Worker do, what do the Home Staff do? and this could tie up with the need for a clear definition of who does what . . ." (Hinckley and Bosworth).
>
> "There appears to be a generally positive impression regarding both the concept of The Beeches and its operation . . .
>
> "Whilst the principle of joint involvement was acceptable there was, nevertheless a need for clearer definition of areas of responsibility and decision making . . . An example of the need for clearer definition is that a child was discharged unilaterally by The Beeches from day care without any consultation with the area.
>
> "At times staff seem to be somewhat unreliable in maintaining visiting patterns, not turning up for planned home visits . . ." (N.W. Leicestershire).
>
> "Staff here are decidedly ambivalent about the role played by The Beeches and some concern has been expressed about the field workers being left out of the decisions. It is accepted that The Beeches work very well with the children although, indeed, there is an impression that the professional involvement with the child is often at the price of excluding the parents. It seems to a number of the staff here that the tendency is to over identify with the children against the parents and that the weaning process back to the family is not always as successful as has been alleged.
>
> "Concern was expressed that Social Workers' reports have been seen by the children and that the confidentiality of these reports were not always understood by the staff." (North Charnwood).

20.34 Mr Beddoe described to the Inquiry his object in conducting an evaluation as "an attempt to try and put some sort of structured thinking round an initiative that sounded a good idea". But he added "try as one may to get Mr Beck to adhere to or work with or provide or produce things, it became unbearably difficult . . . The admissions and discharge arrangements didn't go through the normal conventional arrangements in the department. Much of what Mr Beck did didn't go through the normal conventional arrangements".

20.35 Mr Beddoe left the Department in 1980 with the body of an evaluation report in draft but the task uncompleted through lack of cooperation by Mr Beck and the difficulty of collating necessary detail.

Mr Beck's Evaluation

20.36 During the period, Mr Beck wrote letters to senior management about the success of The Beeches, both in connection with proposals for regrading staff posts and in demonstration of the amount of money his work was saving the Department.

20.37 In January 1980 Mr Beck produced a long paper entitled "The Beeches Family Centre, An Effective Flexible Method Of Social Work Intervention". In it, Mr Beck dealt with (amongst many other topics) his idiosyncratic ideas about treatment, which would have impressed many readers, but not passed the critical examination of an expert in child care:

> "Because it is short term intervention there has to be a very high standard of care within the unit and we have discovered that the following useful, namely Limited Regression Therapy (by Bruno Bettelheim) based on developmental theories (by Eric Eriksen and D W Winnicott). Group work can be as varied as that practised by Carl Rogers using counter (sic) groups, although we have found this has to be more informal at present and spontaneous within the residential setting. More formal groups as practised as by Irbin D Yayom and of course the behaviour modification which has in this unit only short term gains and is incorporated more extensively within family group work as by such people as R Sears."

And, by way of summary:

> "To date the Beeches has provided and is providing an effective preventive and flexible service to meet the families in need. It has attempted to bridge the barriers between field and residential work by having the effective skills of both together as contracted partners in our work of assisting families to function more fully. In turn it ensures that the family itself is not devalued or that its responsibilities are moved from it and has effectively reduced the length of time a number of children have stayed in care, thus providing a more appropriate resource for the families in need of help."

20.38 Appended to Mr Beck's paper were statistics purporting to show that in the nine months prior to his appointment, The Beeches (as an O and A Centre) had admitted 61 children of whom 36 had been discharged to Children's Homes and Community Schools and 16 (including a family of 5) had been discharged home.

20.39 By contrast, Mr Beck's figures show that in the period April 1978 to October 1979 123 children had been admitted, of whom 73 had been discharged home and 25 received into care (the remaining 25 still being at The Beeches).

> "I estimate that the Beeches has contributed to a minimum saving of £103,563".

20.40 Mr Beck's paper prompted a response from Mr Naylor, writing over the Director's signature, on 23rd January 1980:

> "Dear Mr Beck
>
> "I have now had an opportunity to read your report 'An Effective Flexible Method of Social Work Intervention'. I believe John Cobb has already spoken to you and the Deputy Director, Mr Smith, has spoken to me about the report.
>
> "I expect you can guess my general reaction to your report. I have no doubt whatever that much of what you are doing is very worthwhile and that a substantial number of the children passing through the Beeches derive considerable benefit - as I am sure do their families. Indeed, the substance of the report expresses a concern for your method and its general application. I am not sure whether all the research that you were sharing with Chris Beddoe has been finalised but I could not see how such a report could be prepared until this had been analysed. It would seem to me that at that time, you could have shared in an evaluative exercise which would have highlighted the many good points in The Beeches project.
>
> "I am not clear about your method of distribution of the report but would hope that it was not made available to outside bodies, particularly publishers. No doubt, if you wish to review your report you will let me know."

Development of The Beeches

20.41 The Beeches was allowed to drift from its original and potentially valuable purpose. The Review of Residential Care, upon which Mr Smith worked throughout 1981 and reported in February 1982 noted "The Beeches is being used increasingly as a treatment centre for children with acute behavioural problems who need longer periods in care".

20.42 On 30th March 1982 Mr Beck wrote to Mr Naylor:

> "As The Beeches was set up under Miss Edwards and we now have a new Director who clearly has differing ideas, may I respectfully request clarification as to the present position relating to the above home.

"As you are no doubt aware, The Beeches has deviated considerably from the original concept, in as much as we are more flexible and in greater demand than was originally conceived. However without a mandate, I feel unable to continue without authorisation from someone senior, I therefore request with some urgency, clarification and until such time we will freeze all activities that are not in accordance with the original contract, which if you will forgive the reminder was to undertake short term i.e. three months intervention with families and children in an effort to prevent them being received into medium/long term care."

20.43 On 26th May 1982 Mr Beck wrote to Mr Noblett asking for a further member of staff and pointed out that there were 16 children resident who did not fit with the function of The Beeches as originally envisaged.

20.44 Available statistics show that in 1979 84 children were admitted as residents at The Beeches of whom 11 stayed for six months or more. Equivalent figures for subsequent years:

Year	Admitted	6 months or more
1980	82	21
1981	77	25
1982	54	26
1983	65	21
1984	39	16
1985	40	13
1986	41	5

20.45 Those figures did not include children attached to The Beeches for evening, day or weekend care or attending the school unit. Nor do they include children with whom staff from The Beeches worked in the community.

Comment

20.46 There is clear evidence that extremely troubled and difficult children were being admitted to The Beeches from 1981 and 1982. That trend continued. Those children included children who had been placed in secure accommodation out of County. It is not established that the decision in September 1982 not to open the secure unit at Polebrook House in itself added to the trend. However, the policy against the use of secure accommodation inevitably led to additional burdens being imposed on The Beeches as well as on other homes.

20.47 Equally, the closure of Polebrook House, decided in 1983 and completed in 1984, added to the call upon The Beeches, as it did in respect of other homes, to take difficult to manage children.

20.48 Neither development, however, caused the change of The Beeches from its original purpose which owed more to Mr Beck's preference for the 'challenge' of difficult children and the perception in the County that he was successful in that area.

Placement

20.49 Children at The Beeches in all categories were there either as a consequence of Court Order putting them in care (latterly Remand) or by voluntary arrangement - either reception into care (Section 1 Children Act 1948; Section 2 Child Care Act 1980) or by more informal arrangement outside the ambit of statutory authority.

20.50 No detailed thought was given by Management Officers to the implications of informal arrangements either in terms of the extent of the authority's statutory power to fund children in a residential setting by informal arrangement, or in terms of the authority's rights, duties and powers in respect of children so placed. A stark example arose in 1982 in relation to the application of the County Council's policy on methods of control.

20.51 In the main, placements at The Beeches did not go by the established process of allocation by the placements officer within Care Branch or, from 1984, the Child Care Resources Team (CCRT). Placements were arranged directly with the home. The Inquiry heard evidence of the great difficulty experienced at County Hall in knowing which children were at The Beeches at any one time.

20.52 The CCRT, with responsibility for placement from 1984, tried to introduce a measure of control. A notice was circulated through the staff bulletin to all social work staff in February 1984:

> "Please note that all requests for placements in children's residential units - including day care - should be made through Jean Carr, the Senior Administrative Officer for the Child Care Resources Team . . .
>
> "Under no circumstances should placements be negotiated directly with a children's residential unit."

20.53 In July 1984 Mr Beck wrote to Mr Naylor pointing out that the emergency prevention work of The Beeches, often leading to a short part-time involvement, did not fit with that placement procedure. Mr Naylor made a manuscript endorsement on Mr Beck's letter "I thought we had agreed that he could take children provided he let us know who went in".

20.54 In consequence of that, Miss Carr raised a memo for Mr Naylor:

> "I thought, following discussions in the CCRT meetings that The Beeches had to comply with the rest of the homes in accepting referrals through Placements Section . . .
>
> "I understood John Cobb had conveyed the wishes of the CCRT to Frank Beck and he had agreed to 'toe the line'.
>
> "However, recent evidence shows that they are going on in the same old way and when I spoke to Frank Beck it was clear he felt he couldn't comply, stating it upset his operational work.
>
> "We always had and still do not have much evidence of who goes in and who is refused by The Beeches. We do get the names afterwards and some feedback. Their weekly returns come in in batches 3/4 weeks at a time . . ."

20.55 On 16th August 1984 Mr Naylor spoke to Mr Beck and made a note. "Spoke to FB about this matter. He accepts letting placements have all movement of children including day/weekend care."

20.56 Mr Ashon, Principal Officer, CCRT told the Inquiry that he thought that he just about got Mr Beck to accept the placements procedure by 1986.

Treatment

20.57 From the outset, it was clearly understood between Mr Beck and Care Branch Management Officers that 'regression therapy' would have no place at The Beeches because it was quite inappropriate to the short-stay, intervention approach to be adopted there.

20.58 It is, however, clear from the evidence to the Inquiry of Miss Midgeley, from the evidence of people who were children at The Beeches and from the daily log that Mr Beck's belief in the value of ventilation of feelings, temper tantrums and 'paddies' brought on by provocative treatment was carried into his work at The Beeches from the earliest days. The message of the Warrendale film was carried on.

20.59 It is evident that 'limited regression' with emphasis on physical handling and baththime and bedtime routines also played a part in treatment methods from early days at The Beeches. The daily log contains references as early as 1979 and 1980 to children being given a dummy, a bottle at bedtime, being treated like a young child, being read a childish story.

20.60 An entry in the log in February 1981 refers to the "regression room" beds being changed. That entry may well coincide with an undated memo from Mr Beck to Mr Noblett: "Just to inform you that due to growing demands The Beeches has now developed a small regression wing for ten year olds and under". Mr Noblett's response was to talk to Mr Beck and make a note about it: "Told Frank he should not do this off his own bat. Agreed we should have a meeting after the holidays to discuss his proposals in general and in light of department needs." There is no evidence that such a meeting took place.

20.61 The use of 'regression therapy' at The Beeches in the intensive sense in which it had been used at Ratcliffe Road developed from about that time. It has to be stressed, however, that its use at The Beeches was not routine. It was used only in respect of some children and its development at The Beeches can be seen to coincide with the change of the type of children going there from about 1981. One witness spoke of Mr Beck using 'regression therapy' to "crack the really hard nuts".

20.62 The Inquiry has seen recurrent evidence in case papers of children being perceived to need, and being given, sexual counselling.

20.63 Miss Midgeley told the Inquiry that Mr Beck had a perception that his methods were mirroring Bettelheim, Erikson and the Warrendale film. She added, however, that the Inquiry would not find the work of Bettelheim reflected in the practice at The Beeches; and of Erikson: "Erikson was a very professional and clear, trained, qualified therapist and I think Frank thought he was. The difference is that Frank wasn't and Erikson was."

Methods of Control

20.64 The hitting of children was commonplace and, as earlier indicated, attracts in excess of 500 references in the daily log between 1979 and the end of 1985.

20.65 The log also makes a large number of references to children being required to change into their pyjamas, as a means of control and of punishment, and being confined for varying periods to "the television room".

Psychiatric Support

20.66 Mr Beck's early expectation that Dr Bhate would provide at The Beeches staff consultation as he had provided at Ratcliffe Road was not fulfilled.

20.67 At a meeting between Mr Naylor, Mr Noblett and Mr Beddoe on 15th November 1978:

> "it was established that current provision was based on the formal referral of a child to the Child Guidance Clinic or an informal arrangement based on personal relationships (with Dr Bhate) which provided only a crisis service. A fortnightly half day had also been informally negotiated for the Ratcliffe Road Adolescent Unit with Dr Bhate. The conclusion was that no specific psychiatric time is formally available to the Social Services Department at present."

20.68 It was Dr Bhate's evidence to the Inquiry that he did not do any work at The Beeches.

20.69 In July 1979 Dr Ivan Carter, Consultant Child Psychiatrist, began to have some participation in the work of The Beeches, and continued to do so until 1982 when he left to go to Canada. The Inquiry was told that Dr Carter has since died. It is probable the Dr Carter's role was predominantly one of staff consultation, the role taken up on Dr Carter's departure by Dr Lewis. Dr Carter may well have had closer involvement than that at times. He is reported to have thought highly both of The Beeches and of Mr Beck.

20.70 Following Dr Carter's departure for Canada, Dr Christopher Lewis took up an informal role in staff consultation at The Beeches. Dr Lewis normally visited on a Wednesday and was then available for members of staff to come and talk to him. In practice Dr Lewis had many conversations with Mr Beck, and little if any dealings with junior staff members until the latter part of 1985. He only saw children in a professional capacity very rarely.

20.71 Dr Lewis told the Inquiry that he was not aware that 'regression therapy' was used at The Beeches. He made Mr Beck aware that he found a regression approach unacceptable and that he based his work on maturation – helping children through adolescence to adulthood. Further, Dr Lewis regarded regression as a powerful technique with which untrained staff could easily get into problems.

20.72 Dr Lewis expressed the view to the Inquiry that contact between The Beeches and County Hall was very limited. Dr Lewis had no direct contact with management at all, and no executive power within the home.

20.73 In the latter part of 1985 Dr Lewis, at Mr Beck's request, chaired regular meetings of the junior staff group. That proved to be an important arrangement.

Management Relationships

20.74 Mr Cobb found Mr Beck to be arrogant, uncooperative and always seeming to want his own way. Mr Beck took every opportunity to try to avoid dealing with Mr Cobb and bypass him when he could, going to Mr Noblett or Mr Naylor.

20.75 Mr Cobb thought that Mr Beck was in good standing all round. He had widespread lecturing commitments. In 1980 Mr Beck was invited to join a Central Council for the Education and Training of Social Work (CCETSW) working party. Something of the work of The Beeches was shown in a BBC Television programme Brass Tacks in August 1981. In January 1983 an article about The Beeches appeared in Community Care.

20.76 Mr Cobb regarded Mr Beck as efficient. His books were always in order. His imprest account was always in on time. He had a year's chart for staff holidays, and an efficient duty rota. The children's files looked to be in order. "It seemed fine."

20.77 Mr Cobb thought that he, as line manager, was providing management to the home. "I was doing homes reports, I was visiting regularly, I was conferencing children, I was acquainting staff into The Beeches, I was appeasing neighbours, I was dealing with difficulties, I was doing the placements."

20.78 Mr Cobb told the Inquiry that he was unaware that specific treatment methods were used at The Beeches. He was unaware of any sexual counselling, beyond ordinary 'parental' advice. He was unaware of heavy handedness or hitting of children. Mr Cobb did not see himself as managing Mr Beck and his work, as distinct from the home itself, "because, in all truth, I couldn't manage him".

20.79 Mr Cobb did not think that Mr Beck was homosexual.

20.80 The Inquiry received abundant evidence of Mr Cobb as a normally conscientious, tirelessly willing, and cheerful man. Whilst recognising that he had a heavy workload, it has to be said that the evidence leaves serious doubts over his performance in relation to The Beeches. He was obviously no match for Mr Beck.

20.81 Mr Cobb told the Inquiry that he did the required statutory homes reports, sometimes late, but completed nonetheless. Such reports should have picked up information about treatments and methods of control. Despite the survival of a quantity of management paperwork in relation to The Beeches there is no homes report for the period from 1978 to July 1986.

20.82 Part of the statutory inspection called for examination of books of record. The daily log served as an incident book and as a sanctions book. It gave valuable insight into daily life in the home. Mr Cobb told the Inquiry that he had never seen it. The discovery of Mr Cobb's signature against an entry in June 1980 signifies that he saw the log on that occasion. But he did not look at it again on any occasion. That was, on any view, a most serious omission. It is not an overstatement that the candidly written log contained a wealth of material to inform and alarm Management Officers. It was available to Mr Cobb and others at any time.

20.83 Mr Noblett, who had management responsibility for Mr Cobb and his work, regarded Mr Beck as a difficult man and a difficult man to manage but told the Inquiry that he had no notion that Mr Cobb was not providing management of Mr Beck: "John Cobb in the office was a very outward sort of person . . . He came jumping in every morning . . . he always had a joke to tell you. He never gave the impression that he wasn't coping and maybe now, looking back, I was perhaps a bit naive in accepting that at face value."

20.84 There is good evidence that Mr Noblett held Mr Beck in high esteem. He had a "vague understanding" that 'regression therapy' came to be in use at The Beeches. He expected Mr Cobb to have detailed knowledge of what was going on in the home but did not satisfy himself that that was the case. Mr Noblett did not on any occasion look at the daily log, though he plainly became aware of its existence in the course of investigations he carried out at the home.

20.85 Mr Noblett told the Inquiry that he was aware of rumours of homosexuality in relation to Mr Beck, but formed no view of his own.

20.86 Mr Noblett impressed the Inquiry as a somewhat dour and unimaginative man.

20.87 Mr Naylor, described by Miss Edwards as rather woolly, made an affable witness at the Inquiry. Evidence suggests that as head of Care Branch Mr Naylor did not give leadership or clear guidance to his subordinate officers. But Mr Naylor's almost total failure of memory, perhaps contributed to by serious ill health in 1985 - 1986 and his continuing need for medication, made evaluation of his likely contribution in relevant areas in 1978 - 1986 exceptionally difficult.

20.88 All three Management Officers spoke well of each other and without criticism.

Sundry Complaints

20.89 There is set out in the following pages of this report such detail as can be found of complaints and malpractice that went to Care Branch, relating to the management and handling of children. The Inquiry also saw and heard evidence of lamentably poor domestic standards within the home and of periodic nuisances caused to neighbours.

20.90 Children, parents, social workers and Management Officers gave evidence about the poor domestic standards within the home. That state of affairs was undoubtedly exacerbated by Mr Beck's belief in the value of free-roaming animals. The Inquiry heard evidence of a goat and a gander both of which lived in and around the back door - the main entrance - of The Beeches and were allowed to wander into the home as well. There was also evidence of a plague of rats, apparently the descendants of white rats originally introduced as pets.

20.91 In June 1981 Mr Taylor, NUPE Area Officer, wrote to Mr Rice: "It would appear that a gander is allowed to roam throughout the grounds and, in doing so, there is gander excretion all over the yard. This, from time to time, is carried into the kitchens . . . It has been brought to my attention that, in the past, when such complaints have been raised at the establishment then the staff have been penalised for making the complaint".

20.92 In the following month a complaint was received from neighbours about a dog, hens escaping and scratching up the neighbours' lawns and the noise from motor bikes being ridden in the grounds of the home. Mr Cobb addressed all those matters. Part of his note is informative:

> "I have said to Frank that I don't think it is safe, children riding without crash helmets, riding three to a bike. Frank felt that he is in control of the situation and that the thin line comes into being. **I was unable to convince Frank that it was unsafe so until something happens I seem to be powerless to do anything".** (Emphasis added).

20.93 Mr Cobb told the Inquiry that the problem of domestic standards was a recurring one: "We were always asking him to keep the place tidy. It was a never ending task. He would get the place cleaned up. Sometimes it would last a whole week . . . and then it would go back again to where it was before . . .". "Nobody should have to walk on excreta from animals that is left lying in a corridor or a passage."

20.94 A further illustration of the recurrent nature of the lack of good order arose in April 1984. Neighbours again complained about the noise from motor bicycles, damage caused by roaming livestock (goats, rabbits and hens) as well as damage caused by children. Mr Rice made an unannounced inspection and wrote to Mr Beck about it. The noise was "too much to expect neighbours to put up with"; the animals were free to roam; the area outside the kitchen was fouled; fencing was insecure; general standards within the home were low. "You offer to help very difficult children and with the day care element, many children are in evidence but therapy must, to some extent, be tempered by normalisation and generally accepted standards . . ."

20.95 Mr Beck's response on 8th May 1984 was as petulant as it was characteristic:

> "Dear Mr Rice,
>
> "Thank you for your letter of 3rd May 1984. I fully accept if one considers The Beeches in the light of a relatively normal institution dealing with relatively normal children, all the comments made in your letter are fully justified and as the Officer-in-Charge, I accept full responsibility for the environment and the condition of it at The Beeches.
>
> "I offer no excuses at all and realise that I must accept the limitations placed upon me at The Beeches. To that end, I intend to reduce numbers dramatically and refuse to deal with any child that in my opinion is too disturbed to be able to function within this environment. It is clear that The Beeches is unsuitable as a therapeutic community and this probably applies to all the homes in Leicestershire. To that end and until such time as the numbers are reduced, I am placing a ban on all admissions without exception. Because of this, it would seem appropriate that you reconsider the present proposals being put forward to Manpower, as there would obviously be no need for an increase in staff.
>
> "From a personal view, I would like to point out that I cannot develop The Beeches into a miniature Polebrook House. The Beeches has developed to deal with what I believe to be the need of the children in Leicestershire. It is clear from the comments I have received and the lack of understanding for the work undertaken at The Beeches, that I am wrong to assume that this authority needed or wanted the sort of institution that I have developed. I therefore would hope for a discussion as to quite what you want and the standards you expect with your child care and whether this is in fact possible with a committee and management that would prefer a different point of view.
>
> "I would request most respectfully a discussion on these points at the earliest possible opportunity.
>
> "Yours sincerely
> FRANK BECK
> *Officer-in-Charge"*

20.96 Mr Stimpson, Assistant Chief Inspector, East Midlands Region made a joint visit to The Beeches with an HMI (Department of Education and Science) on 12th June 1985. It was the first meeting between SSI and Mr Beck.

20.97 Though the visit was prearranged, Mr Stimpson was met with hostility by Mr Beck and was required to produce his Department warrant card in order to gain access to the home. Throughout his visit, Mr Stimpson found a general atmosphere of uncooperativeness.

20.98 Mr Stimpson identified particular areas of concern:

- the lack of any effective control over the ways in which regression therapy was being applied to individual children;
- the lack of agreed and applied criteria in the selection process;
- the need for independent monitoring of the effectiveness of such intervention;
- the need for treatment to be part of the child's agreed care and treatment plan;
- the need for treatment to be conducted under skilled supervision;
- the lack of management accountability and control exercised by the Social Services Department over Frank Beck.

20.99 Mr Stimpson subsequently took those concerns to Mr Cobb and Mr Naylor. He found that "Mr Cobb understandably was very concerned about the situation and had been endeavouring for some time to exercise stricter control over Frank Beck but lacked effective support from senior colleagues". Mr Peter Naylor "took a more relaxed view and suggested that Frank Beck was doing a good and important job and that his methods were well supported in the department".

21
A COMPLAINT FROM A TEACHER AT IVANHOE SCHOOL FEBRUARY 1980

21.1 In November and December 1979 a 14 year old boy from Ivanhoe School spent some five weeks at The Beeches on the recommendation of an educational psychologist. That led to a complaint by a staff member at Ivanhoe School which made its way via the Principal of Ivanhoe School and the Director of Education to Mr John Noblett. The episode is illustrative of Mr Beck's wordy, vigorous, even aggressive response to complaints, and of the readiness of Care Branch to accept at face value whatever Mr Beck said.

21.2 On 14th February 1980, Mr Dunning, the Assistant Education Officer (Special) wrote a memo from the office of the Director of Education to Mr Noblett:

> "Further to our recent conversation, I am enclosing a copy of a letter forwarded by the Principal of Ivanhoe High School, Mr Killick.
>
> "It would be useful if you could supply some useful comment which could be passed back to the school."

21.3 The memo was endorsed by Mr Naylor with a note to Mr Noblett "suggest a letter from Director asking for a report with comment to Dunning along those lines".

Complaint

21.4 The letter enclosed was written by Mr Ward in the following terms:

> "Sir,
>
> "You know that we have been devoting a good deal of time, skill and energy to overcome the problems of IJ (aged 14) a boy with a poor home, marked defects, classified ESN, headstrong and at times foolish, he yet has an earnestness that makes you think he has a lot of good in him and a natural ability that points to intelligence if only it could break through. Here is a future self respecting (citizen) in a menial society. He has been the subject of much discussion by teachers, social workers etc, and in November the psychologist procured for him a five week stay at the Beeches, presumably to give him a break from his step-mother who looks on him as a nuisance.
>
> "Soon after he arrived at the Beeches, the step-mother reported to us that she was not very pleased to find that the boys were allowed to smoke and all had nude pin-ups by their bedsides.
>
> "Just before Christmas our teacher responsible for our ESN children paid a visit to him quite by chance on the evening of their Christmas party.
>
> "She was amazed by what she saw.
>
> "She already knew of the smoking and the nude pin-ups, but she did not expect to see children under 11 being allowed to drink beer and some very sick after it.
>
> "Nor did she expect to see couples wandering into the darkness outside.
>
> "I have been very disturbed by these reports and the more so as the result of IJ's attitude since returning to us. We are now trying to cope with the after effects of the Beeches and we are finding it difficult to put him on the right road again.
>
> "It seems fair to say that the boys home, poor as it is, is in many ways a better place for him than the Beeches.
>
> "Am I wrong in thinking that a stay should at least reinforce the standards we set in School and should endeavour to give an unfortunate child an insight into the attitudes of *good* family life."

Care Branch

21.5 Mr Ward's letter was sent by Mr Noblett to Mr Beck on 21st February:

"I attach a copy of a letter sent by the Principal of Ivanhoe High School to the Director of Education to which I have to reply. I shall be pleased if you will let me have a report on what happened at your Christmas party and your comments on the allegations made."

21.6 Mr Noblett did not, in fact, make clear to Mr Beck that the author of the letter, Mr Ward, was not himself the Principal of Ivanhoe School.

Mr Beck

21.7 Mr Beck's response of 29th February:

"Dear Miss Edwards,

Ref: The letter of complaint sent to you via the Director of Education from the Principal of Ivanhoe School.

"May I first express my surprise and doubt that the letter in fact was from the Principal of Ivanhoe School. I have discussed this letter with our Consultant Psychiatrist Dr Carter and we both find it difficult to believe the source of this letter, however assuming it is from the Principal, I shall comment on the various points listed:-

"(1) The Principal stated that in November the Psychologist arranged for him a five week stay at the Beeches, in fact the arrangements were made by a trainee social worker and at no time had we any contact with the Psychologist and the period of contract originally was only for weekend care. On a preparatory visit the step-mother and father requested that IJ should be with us Monday to Friday as the father is not around at that time but would be home at weekends.

"It was also requested by the step-mother that IJ should be home during the Christmas break to be like the remainder of the children. This in fact meant the period in care was from Monday 3rd December to Friday 21st (three weeks). It was also agreed at that meeting that any further admission into care would have to be renegotiated and it was not at that point thought desirable to re-admit IJ at a later date.

"The period of involvement at the Beeches was agreed to be three week residency with weekends at home with a follow up period of three weeks to help settle things down.

"(2) That both parents were visited and at no time did they complain to the family worker allocated to the case. It is also worth noting that a number of children smoke and all those children over the age of 16 also. The parents were shown around the house including a number of the children's bedrooms and in which there were some rooms with Playboy pin-ups. I do not intend to go into detail apart from to say that we considered all expression, particularly in relationship to adolescent sexual development, such things have a part to play. Our Consultant Psychiatrist also agrees.

"(3) Visit by one of their teachers to the school. Although I was present at the party I cannot remember a teacher visiting as no appointment had been made and thereby cannot comment as to what time the teacher apparently came as I received no complaint and in fact quite the reverse. I can only assume this teacher was misguided.

"At the Christmas Party of which there were 37 children in attendance and 27 adults, 17 of my care staff and three qualified teachers plus some social workers, I feel confident in saying that the children were well supervised. At the time of the party the Beeches only had three children under the age of 12 and needless to say it is difficult to provide a party for all ages. Nevertheless there was some beer and Pomagne being drunk, the beer being of the shandy variety as bought from Laxtons. Some of my staff and older children had supplied for themselves some beer. As for children being sick, there were in fact two children sick on this occasion and this was largely due to the excess of food rather than the excess of alcohol. No child had access to alcoholic drinks apart from already mentioned, as a senior member of staff was responsible for this particular area. This is not to say that some of the children did not sip from some adults drinks which is fairly normal in most families.

"(4) Couples wandering into darkness outside. Apart from this displaying the rather puritan mental state of the teacher, I can assure you that our children are more responsible and that we have not suddenly had an upserge (sic) of pregnancies following our Christmas party. It is worth noting that our party started at 3.p.m. in the afternoon and was completed by 7 in the evening.

"(5) I cannot believe that 14 days in any institution can be the sole cause of a child acting out. It was clear from IJ's short stay with us that this boy is exceedingly damaged and has been unable to act out probably due to the suppressing nature of his school as much as the interaction of the family and may I suggest a report from the social worker as to the emotional state of this family may assist. As to placing this child back on the 'right road' it is interesting from the social work point of view that he was admitted to us because he was already presenting strange behaviour.

"(6) We acknowledge that IJ's home has its difficulties and from my last report by social worker, it is more than likely that IJ will be received into long term care.

"(7) The reinforcement of standards set in schools. The Beeches does not intend and is not designed to reinforce educational standards. We are in the business of personality development and thereby encourage acting out. It was felt most strongly by the family worker that his boy had been severely rejected and that the family was prepared to sacrifice IJ rather than risk father loosing (sic) the step-mother (co-habitee). To my knowledge the situation at home has not improved and there is a strong possibility that the step-mother will leave Mr J. According to the step-mother's report, IJ's behaviour at home bordered on the extreme deprived type and one cannot expect this to change without extensive residential interaction."

21.8 Mr Noblett's response to Mr Dunning was merely to send to him a copy of Mr Beck's letter.

Comment

21.9 Reliance simply upon a report from Mr Beck as a means of 'fielding' a complaint was a feature that was to recur. The aggressive style of Mr Beck's response was unacceptable and should have been challenged. That, too, was a recurring feature.

21.10 The complainant, Mr Ward, was not seen or spoken to. His letter raised serious questions which were not otherwise addressed.

21.11 The quoted report of the teacher who visited at the time of the Christmas party echoes a style of party held in earlier years at Ratcliffe Road. There has survived a copy of a *pro forma* letter of December 1975 sent out from Ratcliffe Road:

"Dear

"As you probably realise, ____ has spent Christmas and New Year with us. May I take this opportunity on ____'s behalf to wish you a happy Christmas, with a pleasant New Year!

"We intend to have a party on New Years Eve, so that ____ will have the opportunity to get p . . . ! We would like to invite you to attend this party, which will start around eight thirty (or seven thirty) and finish around midnight (or when ____ falls over and has to be put to bed)!!!

"If you are unable to attend, is it possible for you to 'pop in' during the evening, if for nothing else, to help clean up ____'s s . . . after having had too much b . . . !

"If you are unable to get to Ratcliffe Road at all during the evening, expect to be charged to any meal you happen to attend during the coming New Year!

"We hope you have peace and joy at Christmas."

21.12 It is surprising that that style of celebration was not queried by managers.

22
MISS LAMBERT'S COMPLAINT
MAY 1980

22.1 In the latter part of May 1980 Miss Lambert, an RCCO at the Beeches, conveyed a complaint to Mr Noblett about mistreatment of a 15 year old girl, F, and the mishandling of the incident by senior officers within the Home.

22.2 Miss Lambert had been appointed to the post of RCCO on 1st October 1979, aged 28. She had an academic background of five GCE "O" and two "A" levels and a BA Degree in combined studies.

Complaint

22.3 Miss Lambert told Mr Noblett that she had come on duty on the afternoon of 20th May. She had seen an incident reported in the daily log of 19th May concerning F - "mouth bled". When F came in from school on 20th, Miss Lambert had seen that F had a bruise under her eye and had spoken to her about it.

Care Branch

22.4 Mr Noblett's undated note of his meeting with Miss Lambert is as follows:

> "Here are some notes I scribbled whilst talking to Miss Sue Lambert.
>
> F, *15*.
>
> Formerly The Holt.
>
> "19.5.80. Miss Sue Lambert came on duty the following afternoon.
>
> Report in day book 'incident with F - mouth bled'.
>
> "Saw F after school. She had a bruise under eye. F told her that Tony Caffrey had done it.
>
> "F said Geoff Fielding was also there. Geoff said that Tony had blown into a situation that he knew nothing about. He grabbed hold of girl by hair, took her downstairs. She called him numerous names. He struck her.
>
> "Miss P raised this at staff meeting as did Geoff Fielding and a student (Sansha). They were told the incident was to be looked into.
>
> "Miss P raised it again with Ann Midgeley. Said she did not think this was an isolated case. Too much heavy handedness. Told Tony was being kept an eye on but no proper discussion."

22.5 The people referred to in that note were Mr Tony Caffrey, RCCO aged 22, Mr Geoff Fielding, RCCO aged 28, Miss P, perhaps a noting error and a reference to Miss Lambert, or to a relief RCCO Miss Prior, aged 21, and Miss Midgeley, Deputy Officer in Charge.

22.6 Mr Noblett's only further action on Miss Lambert's complaint was to speak to Mr Beck about the need for investigation of such matters. Mr Noblett's undated note:

> "Discussed Sue Lambert's complaint (attached) with Frank Beck and made it clear that when his staff draw attention to matters they consider as malpractice these must be investigated and not swept under the carpet as would appear to have happened in this case. I asked him to make this clear to Ann Midgeley."

22.7 From such limited investigation as Mr Noblett made he learned:

- of the existence of the daily log (if he was not aware of it before);
- of an incident of violence by a member of staff resulting in a 15 year old girl for whom Care Branch had responsibility sustaining a cut lip and a bruise under her eye;
- of the concern of staff within the home that "this was not an isolated case. Too much heavy handedness".

22.8 There is no evidence that Mr Noblett took details of this episode to any other Management Officer, beyond lodging his two notes amongst Beeches management papers.

22.9 Mr Noblett told the Inquiry that he only became involved in the matter because "a member of staff had complained to me that they thought the thing was not being handled properly". "I assumed that the complaint about the child being hit was being handled by somebody else." Mr Noblett thought that Mr Beck investigated it but he did not receive, nor did he ask to receive, any report about the incident from Mr Beck.

Comment

22.10 There is no doubt, and Mr Noblett does not now contend, that he was otherwise than at fault in failing to investigate the allegation of violence.

22.11 Mr Noblett's failure to investigate not only allowed the assault on F to pass by, but left unexposed the general mishandling of children at The Beeches.

22.12 The Beeches daily log contains the following entry for 19th May 1980:

"G and F messing about. F clipped ear by Tony (lip bleeding).

"JK had bum smacked for messing about at bed time.

"JK was a real pain . . . got clipped ear."

22.13 A wider perusal of the daily log (the pages for 13th, 14th, 16th, 17th and 18th May have not survived):

"12th May. F being very loud and silly . . . got a clipped ear (G Lincoln).

"KL had a minor paddy after having smacked bottom from Richard (Loweth).

"15th May. KL . . . continued to play up in the bedroom - clipped ear from Andy (Whippey).

"20th May. LM given clipped ear and made to sit quietly for ½ hour.

"KL very stroppy all evening . . . swearing, given a tanned backside.

"G got clipped ear after being stroppy and locking herself in bedroom.

"KL disruptive (again) at bedtime. Clipped ear".

22.14 Inquiry by Mr Noblett of F's field social worker would have informed him further; and shown that the incident of 19th May 1980 was not the first occasion on which F had sustained bruising and had complained of assault by a staff member. The field social worker's running log contains the following entries:

"7.5.80 Home visit to F's parents. They were expressing some concern that F had returned from one weekend leave with bruises on her arm. F had claimed that a member of staff had done it . . ."

"22.5.80 Rang the Beeches . . . Sue Taylor informed me that on Monday 19.5.80 F had provoked a male member of staff to such an extent that it had got out of hand, and as a result F now had a cut lip and a bruised eye. In view of the fact that the parents had complained on a previous occasion it was possible that they will wish to take the matter further.

"I asked F . . . and she said that last Monday night she had gone up to her bedroom with another girl and a member of staff (Geoff) had told her to go downstairs. She had refused and a few minutes later another member of staff (Tony) had come into the room and told her to go downstairs. F had become argumentative and she claims he grabbed her hair whereby F started fighting back . . . I asked F why she had not explained all this beforehand . . . and F said she had not wanted to get the member of staff into trouble."

22.15 Mr Noblett's mind was plainly preoccupied with the question of whether someone had investigated, or would investigate. That was addressing a question of practice, rather than the substantive issue of child abuse. The substantive issue of violence towards F, and of heavy handedness towards children in the home generally, was something that Mr Noblett either failed to identify or to which he attached no great significance.

23
MISS V'S COMPLAINT
SUMMER 1980

23.1 Miss V, a foster mother recalls taking an anxiety about Mr Beck's treatment methods to Miss Edwards, the Director, in the early summer of 1980.

Background

23.2 In December 1979, Miss V took into her home as foster children H, a girl aged 11 and MN a boy of 9. Both had been in residential care for many months and both were described at the time as showing various forms of disturbed behaviour. In March 1980, at the suggestion of Miss V's social worker, Mrs McBoyle, The Beeches Children's Centre was asked, in the context of its extended role of working with families in the community, to give Miss V assistance in her management of the children.

23.3 Both Mr Beck and Andrew (not otherwise identified), a member of the care staff at The Beeches, paid a number of visits to Miss V and the children. It would be wrong to suggest that no possible benefit accrued to the family from the advice they gave, although some aspects of Mr Beck's approach might well have caused alarm.

23.4 Mrs McBoyle's running record shows that on 17th April 1980 Miss V told Mrs McBoyle that she felt that the children "were both rather frightened of Frank Beck as on separate occasions both had received a spanking from him and in each instance the child concerned had become extremely upset and cried a good deal".

23.5 The running record for 21st May 1980: "She (Miss V) finds it difficult to accept Frank's involvement and also Andrew's involvement with the children as both children have tried to manipulate the situation by saying how much they dislike Andrew and how frightened they are of Frank . . ." And, in discussion with Mr Beck "it was also agreed that H needed extra counselling and that Frank would undertake this task."

23.6 The running record for 3rd June 1980: "Telephone call from Miss V to say that she felt things had been going reasonably well from time to time until Frank had visited H last week. H's reaction had been extreme to the point where H begged Miss V to protect her from Frank. H has also reacted by having continuous disturbed nights and nightmares etc. And generally has ended up in Miss V's bed seeking reassurance. During this conversation Miss V told me that she felt that she had identified very strongly with H in this matter and that she too was feeling the strain of these counselling sessions. The immediate result of Frank's visit was H was extremely tired, the secondary result was that for 24 hours she had been extremely relaxed but it was only at the end of this period that the tension had begun to build up in the child."

23.7 The running record for 5th June 1980: "Both H and Miss V seemed rather tired on this occasion. I had an opportunity to talk to Miss V on her own and she said that she was feeling extremely tired as H had been screaming during her session with Frank. This session had not lasted very long. After Frank had left H had asked Miss V not to leave her with Frank on her own again as she was frightened of him. Miss V is now seriously questioning the use of these sessions if they are to result in hysterical uncontrollable outbursts by H. I pointed out to Miss V that these outbursts in fact were a healthy sign as it meant a lessening of H's cast iron control on the bad feelings that she had inside."

23.8 The running record for 26th June 1980: "Telephoned Miss V - no reply. Later arrived as per arrangement to find that Miss V was out and by the time she had arrived home Frank had also arrived. I apologised for not being able to inform Miss V that Frank would be visiting with me this afternoon. Miss V described in detail H's reactions to Frank's visits to Frank and said that in view of the extreme apparent distress of H before Frank's visits she would rather discontinue these for the time being."

23.9 The running record for 30th July 1980: *"Office visit Miss V* (with Joy Paterson).

> "Much of the discussion centred around the regressive behaviour and the difficulty of relating this to their chronological ages. Frank's sessions with H seemed to be having some substantial if uncomfortable impact both on H and Miss V."

23.10 Miss V's evidence to the Inquiry was:

> "Frank Beck decided that H was the most damaged child and therefore she needed regression therapy. It was explained to me that you would take the child back in time to talk about the past and they would then forget the past. Frank Beck would take H upstairs to her bedroom, he told her she was a horrible child, and did not deserve to be loved etc. He would always ask me to go out and told me that under no circumstances was I to come upstairs whilst the treatment was being perpetrated. I did not, however, leave the house and I could hear H screaming even out in the road. These sessions would last approximately 1 hour and I myself would be in a very bad state afterwards, shaking and upset."

23.11 No witness at the Inquiry contended that treatment that caused a child to scream and be profoundly upset could be justified.

Complaint

23.12 Miss V's evidence continued:

> "In 1980, I went to see Dorothy Edwards at County Hall. At this time the children were very difficult, they would hit and kick me and the situation was deteriorating. Frank Beck was coming at that time and he encouraged them to be violent. I complained to Dorothy Edwards about Beck, telling her of the screaming and yelling which so upset me when Beck visited. Dorothy Edwards told me that this was normal regression therapy."

23.13 It is highly likely that Miss V went to County Hall on the spur of the moment and in angry or anguished mood. Nonetheless her recall of a short meeting with Miss Edwards was clear. "I can remember talking to her about regression therapy and she said that this was normal, what was going on, and that Mr Beck was very good at his job, he was one of the best in the country and most experienced at regression therapy."

23.14 Miss Edwards had no memory of the meeting with which to assist the Inquiry. She expressed scepticism about the detail of Miss V's account, but did not doubt that that account represented Miss V's recollection 12 years after the event.

Comment

23.15 The evidence before the Inquiry leaves no sensible room for doubt that:

- Miss V was very upset at the distress caused to H by Mr Beck's 'counselling' of her;
- in a state of considerable anger or anguish, Miss V went to County Hall to see the Director of Social Services;
- as would any conscientious Director, Miss Edwards saw this distressed foster parent without prior appointment;
- the meeting took place in June or July 1980 and lasted for 10 or 15 minutes;
- Miss Edwards reassured Miss V about regression therapy and about Mr Beck's expertise;
- Miss Edwards treated the matter as at an end and did not make any further inquiry into the complaint.

23.16 Whilst Miss Edwards did not have sight of all the detail, her short interview with Miss V shows her confidence in Mr Beck and his professional skill.

23.17 This case is not the only example of a field social worker accepting physical chastisement of children as a justified element of treatment even although it was against the spirit of County Council policy.

23.18 The acceptance by the field social worker of Mr Beck's treatment methods demonstrates the standing Mr Beck had been allowed to acquire not just in residential work but in the area of responsibility of field social workers.

24
FL AND THE TRIAL OF MR BECK
1982-1983

24.1 In the early Summer of 1982, Mr Beck's approach to corporal punishment led to his being charged with an offence of assault. At his trial in 1983, Mr Beck was found not guilty. The acquittal followed the Court's decision that the County Council's policy on corporal punishment did not apply to the case and that Mr Beck's conduct fell within the ambit of reasonable parental chastisement.

24.2 On 12th May 1982 Mr Naylor, acting on behalf of the Director, sent out to Officers in Charge of Children's Homes in the County a letter and enclosure reflecting the decision of the Social Services Committee in April 1982 upon permitted methods of control. For the fullness of the narrative the whole letter is set out:

> "COMMUNITY HOMES REGULATIONS 1972
>
> You will be aware that at the last Social Services Committee, held on 28th April 1982, the above regulations were considered with particular reference to control. I am enclosing a copy of the item approved by the Committee which permits the use of a slap and gives some guidance to staff on the matter.
>
> "May I take this opportunity of reminding you that my correspondence to you in January 1977 on the general matter of the regulations still applies. The enclosed item is, of course, in addition to the correspondence of January 1977. Will you take this opportunity to discuss again with your staff the content of the correspondence of January 1977 and the latest method of control made available. If you require additional copies of any of the material, perhaps you will let me know.
>
> "If you are in doubt on any matter relating to the above regulations, would you get in touch with Mr P W Naylor, Assistant Director.
>
> *COMMUNITY HOMES REGULATIONS 1972*
>
> *COMMUNITY HOMES*
>
> *Control*
>
> "Control should normally be maintained on the basis of good personal and professional relationships between staff and the children.
>
> "The following are the only permitted additional methods of control:-
>
> (a) temporary loss of recreation or privileges (including personal allowance)
>
> (b) the use of a slap should not normally be necessary, but when this is considered to be in the younger child's interest it should be on the hand, arm or leg, and duly reported in the home's punishment book.
>
> "When considering the above, it should be noted that this method of punishment is limited to a slap. At such times staff should be thoughtful, and give due consideration to the needs of the child. A slap with the open hand must be applied on the hand, arm or leg only and the circumstances surrounding the incident and the punishment must be recorded in the punishment book. No age limit has been set but as a general rule, adolescents would fall outside this form of control.
>
> Staff should be reminded that cuffing and shaking a child is not permissable."

24.3 Those directions exactly reproduced directions that had been in force in the County since 1979. They were not new. It is not possible to be certain that Mr Naylor's letter of 12th May reached Mr Beck's desk by the morning of 15th May. If it did, it would have served as a reminder to him.

Complaint

24.4 On Saturday 15th May Mr Beck found it necessary to deal with a 10 year old boy, FL, for misbehaviour. The nature of the misbehaviour is irrelevant. FL was a regular weekend visitor to The Beeches by an informal arrangement with his family. He often stayed over Saturday night. Mr Beck put the boy across his knee and smacked him four or five times with his hand on the seat of the boy's running shorts. A little later in the same episode, Mr Beck put the boy across his knee again and smacked him three or four more times.

24.5 FL returned home on Sunday. Whether through oversight or otherwise, his mother was not told by The Beeches staff of the punishment. She learned about it from her son and reported the matter to the Police.

Care Branch

24.6 On 6th June Mr Naylor was interviewed by Police and gave a short witness statement exhibiting to it the County Council's direction on measures of control (and corporal punishment). At the time of making his statement Mr Naylor was shown "a black and white photograph of the bruising on the boy in question. The bruising was extensive in the area of the boy's bottom".

24.7 Mr Naylor discussed the position with Mr Rice, the Director, and "in view of the investigation still being carried on by the police and the length of service of F Beck without an incident of this nature it was judged that F Beck should continue in his present post pending a decision by the Police". The quoted passages are from Mr Naylor's file note of 8th June.

24.8 Within a matter of weeks the Police charged Mr Beck with an offence of assault occasioning actual bodily harm.

Mr Rice and Mr Fenney

24.9 Mr Rice sought advice about Mr Beck's position within the Department from Mr Fenney in the office of the Chief Executive. In his written evidence to the Inquiry, Mr Fenney recalled:

> "I was asked by the Director of Social Services, Mr Rice, for my views on whether the circumstances required Mr Beck to be suspended pending the outcome of the criminal proceedings. I believe that Mr Rice wished to be reassured that he was not obliged to suspend Mr Beck if he did not consider it appropriate to do so. My advice to Mr Rice was confirmed in a letter dated 13th July 1982 from myself to Mr Rice."

24.10 The letter prepared by Mr Fenney and signed by him on behalf of the Chief Executive:

> "13th July, 1982 *CONFIDENTIAL*
>
> Dear Rice,
>
> THE OFFICER IN CHARGE, THE BEECHES
>
> "This is to confirm the conversation between yourself and Fenney concerning the position of Mr Beck following his being charged by the Police for assault of one of the children at The Beeches.
>
> "The particular point in question was whether the circumstances required Mr Beck to be suspended. It seems to me that, in reaching such a decision, you, as Head of Department, must strike a balance between the duty you owe to the children in The Beeches and the obligations the County Council owes Mr Beck as a long serving employee.
>
> "Although assault is a criminal offence, nonetheless, given the particular circumstances of this case, it is unlikely that Mr Beck will repeat his actions at least until the present case has been disposed of. To that extent it is not necessary to suspend Mr Beck to protect other children at The Beeches from his activities. Equally, an employer, in reaching a decision about suspension, needs to pay due regard to the length of satisfactory service provided by the employee in the past. You were of the opinion that Mr Beck was entirely committed to the welfare of the children in his care. It seems to me, therefore, against this background and having regard to the particular circumstances of the assault, you are entitled to take the view that Mr Beck's actions could reasonably be regarded as involving a lack of judgment on his part and in respect of which, suspension is not warranted at this stage. I would suggest that, if you have not already done so, you should write to Mr Beck informing him that, as things stand at present, you do not propose to suspend him. However, that decision might be reviewed if further information comes to light and will be reviewed when any criminal proceedings have been completed.
>
> Yours sincerely"

24.11 Eleven members of the staff of The Beeches signed a letter to Mr Rice on 21st July 1982:

"Dear Mr Rice 21st July 1982

We would like to take this opportunity of putting into words our feelings concerning Mr Frank Beck our Officer in Charge. Some of us have worked for him for five years, some less, some of us have been with the department for ten years, all of us feel the need to express our backing of him in his child care work especially now at this time, as his methods and actions are being questioned at such a serious level.

"We would therefore like you to know that we fully support him and his methods and will continue to do so.

Yours sincerely,
Mrs J Nangreave - Team Leader
Peter Gilroy - Team Leader
S. Taylor Team Leader
K. J. Meakin
G. Akers
Patricia Austin
R. J. Erskine
Ken Shelton
R. Mallison
N. Akram
Jackie Hunt"

24.12 Two junior members of staff gave evidence to the Inquiry that the letter was prepared by a team leader and that they signed as asked. "We were told as staff that we had to sign . . . so you just, like everybody, like all the sheep, you just do what any body else does."

24.13 In the course of preparation for the trial of Mr Beck, his solicitor understandably sought character references, to which further reference will be made. The reference supplied by Mr Noblett, in his official capacity and on behalf of the Department, reflects his thinking in August 1982:

"5th August 1982

MR FRANK BECK

"Mr Beck joined the staff of this Department as the Officer in Charge of The Poplars Children's Home, Market Harborough, on the 1st September 1973. Prior to that, he worked as a Residential Care Officer in Northamptonshire after spending some time in the Royal Marines. Mr Beck is a qualified social worker who came to Leicestershire with very good references. In March 1975 he took charge of a new Children's Home in Ratcliffe Road, Leicester, and in July 1978 he was promoted to his present post as the Officer in Charge of The Beeches Children and Family Centre.

"During this time, Mr Beck has been a most devoted officer. At The Poplars and Ratcliffe Road he specialised in the care of very disturbed children. He was held in high esteem by the visiting Psychiatrist and his reputation was such that other local authorities asked if they could send their difficult children to him. At The Beeches he threw himself wholeheartedly into a new concept of providing residential care for children whilst at the same time working with their parents. He worked long hours, in some instances 70 hours a week, to make this a success. Although The Beeches is nominally a unit for 25 children, invariably there are in excess of 40 children being supervised by this unit. Since he commenced duty in Leicestershire, Mr Beck has cared for 440 children.

"Within the Department there has never been any doubt about Mr Beck's intentions towards any child in his care. Whatever he has done has always been for the benefit of the children entrusted to him. (Emphasis added)

J. Noblett
Principal Residential
Care Officer"

Social Services Committee

24.14 In September 1982 the newly constituted Social Services Committee had given further consideration to its policy on control in Community Homes. That was entirely unconnected with the FL episode at The Beeches and Mr Beck's pending trial. The decision of the Committee, which is fully set out in Chapter 4 was that there should be no corporal punishment of any kind in the County's Children's Homes.

Trial

24.15 On 23rd December 1982, Mr Fenney passed a note to Mr Millington within his Department asking Mr Millington to establish the precise charge against Mr Beck, and when the case was likely to come on; and when it did to arrange for somebody to attend to make a note:

> "Frank Beck is the Officer in Charge of The Beeches and the Director of Social Services is having to consider whether or not to refer his case to a Conditions of Service Sub Committee. This decision depends to a large extent on a forthcoming criminal case against Mr Beck at the Crown Court which alleges some form of assault on one of the children in his care."

24.16 Mr Beck's trial began on Monday, 22nd February 1983 before his Honour Judge Jowitt Q.C. and a jury. Mr Millington attended and made a note.

24.17 The trial began with a long and detailed argument over the status of FL at The Beeches. In short, the issue was whether FL's mother was handing her son over to Mr Beck as Mr Beck's guest and to be in Mr Beck's personal charge, or whether she was handing her son over to the care of the local authority in which event Section 2 Child Care Act 1980 would apply. If it were to Mr Beck personally, then he was '*in loco parentis*' and allowed in law to administer reasonable chastisement; if to the local authority, then the Community Homes Regulations (and the County Council's directions under them) applied.

24.18 Mr Millington's note shows that having heard evidence from FL's mother, the learned Judge indicated his view that FL had been at The Beeches as a guest of Frank Beck so that the question for decision by the jury was whether the degree of chastisement used was reasonable. Both prosecution and defence counsel agreed.

24.19 There was very little dispute about the facts. Mr Beck gave evidence that he had smacked FL as was alleged. Evidence of Mr Beck's good character was given by letters from Mr Noblett (above) and from Mr Ian Whitehead and orally by Mr Hesketh. The Jury found Mr Beck not guilty.

Further References

24.20 The references tendered to the Court, together with unsolicited references and references obtained by Mr Beck's solicitor but not used in Court, give a clear impression of the esteem in which Mr Beck was held by people from differing disciplines who knew something of his work.

References put before the Court

24.21 Mr Ian Whitehead:

> "23rd November 1982
>
> Dear Sir,
>
> MR F BECK - OFFICER IN CHARGE, BEECHES
>
> "I am pleased to be able to comment on the character and professional standing of the above.
>
> "I have known Mr Beck since 1975, when I was a Social Worker with Leicestershire County Council. Subsequently I have also had contact with Mr Beck through my present post as Lecturer in Social Work at Trent Polytechnic, and in connection with my position of Vice Chairman, Leicestershire Social Services Committee.
>
> "Mr Beck is one of those rare individuals whose commitment to his work is total. He is motivated by a desire to do his very best for the children in his care.

"I have always been particularly impressed by the quality of interaction between staff and children in establishments run by Mr Beck. This is due to his own outstanding skill in relating to young people, and also to his high expectations and the example he sets.

"Perhaps Frank Beck's most notable contribution to child care in Leicestershire has been his sense of vision. He has a remarkable flair for developing imaginative ways of working which will more effectively meet need. In particular, Mr Beck has always risen above the tendency to put the institution before the resident. All of the children in his care are individuals and treated accordingly.

"In conclusion, I would like to say that in my opinion Mr Beck is one of the most skilled and committed child care workers in Leicestershire. I look forward to many more years of his contribution to Leicestershire and to professional social work generally.

Yours faithfully,
I Whitehead, C.C.
Vice Chairman,
Social Services Committee."

24.22 Mr Alan Hesketh, an Area Director, gave oral evidence to the Court based upon a written reference he had prepared on 26th July 1982:

"I am pleased to be invited to offer opinion on Mr Beck who I have known since 1972 when he joined this Authority as Officer in Charge of The Poplars Children's Home at Market Harborough, an establishment which had become adapted to providing intensive and specialised treatment for children in care. His reputation for pioneering effort and success in this field led to his later transfer as Officer in Charge to the Ratcliffe Road Home for Maladjusted Children and, in 1978, as Officer in Charge of The Beeches Children's Centre which he transformed from an orthodox assessment establishment to a therapeutic unit catering for children with varying degrees of special needs.

"Throughout this time Mr Beck has provided intensive care and treatment to very many disturbed and disadvantaged children in the care of the County Council and, to my direct knowledge, has earned the respect and gratitude of many parents and colleagues from this and other Agencies, attitudes which I share unreservedly.

"Not only am I unaware of any past personal or professional impropriety on Mr Beck's behalf but have never known him to conduct himself towards any child or parent in other than total good faith and with complete integrity. It would be completely inconsistent with my experience of him that he would act towards children in his care in a manner less than appropriate to that of a good and reasonable parent.

"Mr Beck's patience and understanding of those children in the care of his dedicated staff and himself is necessarily balanced by an appropriate firmness and consistency of approach which combines to provide a constructive experience for them at crucial periods in their development and which has been shown on many occasions to arrest a deterioration to delinquency and other forms of undesirable behaviour.

"This Authority and the children it seeks to assist have been greatly enhanced by Mr Beck's decade of service."

References obtained but not put before the Court

24.23 On 11th August 1982, The Hinckley and Bosworth Area Office sent an apparently unsolicited reference signed by eight social work staff:

"Dear Frank,

I am writing on behalf of my team as we have recently learned of the legal proceedings which you have unfortunately become involved in.

"We appreciate how difficult and trying a time like this must be for you, and we simply wanted to let you know of our confidence in you both as a Child Care Practitioner, and also an innovator in the field of residential child care. Members of my team, and myself especially, have made extensive use of your facilities at The Beeches, we have enjoyed working with you and have no hesitation in expressing our confidence in your work.

"The team wanted you to know that their thoughts and support were with you at this difficult time, and we all sincerely hope for a favourable outcome to the affair.

With best wishes,

Yours sincerely,
Jon Whiting,
Senior Social Worker.
Peter Gray
Judy Munro
R Briggs
C Johnson
Jean Evans
Stella Warburton
Helen Mills"

24.24 A further letter of appreciation was sent by Leicester City Area 4:

"TO WHOM IT MAY CONCERN

Mr Frank Beck, Officer in Charge, The Beeches.

"As members of a team of social workers covering the Northfields area of the city, we wish to express our wholehearted support for Mr Frank Beck and the positive work he has done with and for the children in our area. Mr Beck has been instrumental in keeping a large number of children in the community by avoiding the need for long term residential care. One of the most valuable and unique features of The Beeches, under Mr Beck's direction, is the flexibility with which the resource can be used to meet the individual needs of particular children. This has only been possible because of the caring attitude and commitment of Mr Beck.

"Each child with whom Mr Beck works is offered individual attention and a tailor-made programme hinging on close and trusting relationships which are the major therapeutic tools used by Mr Beck and his staff. Their relationships operate at an intense level and **physical contact in all its aspects is part and parcel of the therapy.** (Emphasis added)

"We, the undersigned, who have placed a number of children with Mr Beck have found that in each and every case their experience has been positive, warm and rewarding and has stood them in good stead for their futures. There are a number of children who we feel would have failed in the community without Mr Beck, the resource he has built up and the staff he has gathered around him.

J Dilleigh, Senior Social Worker
W.T. Holynski, Social Worker
M.T. Quinn, Social Worker
Ms J. Hardman, Social Worker
A. Day, Social Worker
Mrs I. Briggs, Community Worker
Ms V. Coote, Social Work Assistant"

24.25 Mr W T Holynski, Social Worker and signatory to the letter from Leicester City Area 4, wrote a very long reference indeed addressed to the learned Judge. The following extracts convey the thrust of it. They are in parts very surprising:

"In my work as a social worker supervising delinquent boys, I frequently use The Beeches both in its residential provision and the day care facilities that if offers . . .

"I have mentioned that on occasions parents have actually requested Mr Beck to physically chastise their child. In addition to this, I feel that it is relevant to add that I, as the social worker, have also felt on occasions that the child who is involved with The Beeches has needed a physical punishment. On such occasions I have passed my views on to Mr Beck. I once had a case where a child had been returned home from The Beeches and went back to The Beeches only at weekends. . . . During one of my visits to his home, he had got his mother into a terrible state because of his behaviour and seemed to be enjoying this. I had talked to him about this several times previously and on this occasion felt that the only effective course of action would be physical chastisement. The boy in question saw Frank Beck in a father figure role. I telephoned the Beeches and explained the situation to Mr Beck

and asked if I could bring the child over to the Beeches so that Mr Beck could punish him for his actions. Mr Beck agreed to this and **I took the boy to the Beeches at 11 o'clock at night with the expectation that he would be physically punished**. On arriving at the Beeches, Mr Beck took the boy into another room to discuss his behaviour with him; in fact on this occasion, Mr Beck did not feel that the boy should be physically punished but he did verbally admonish him. This had the desired effect mainly because it was done in the context of Mr Beck's close relationship with the child. **On another occasion, Mr Beck did physically punish this boy** and again, because of the relationship that existed between them, the child responded to the punishment in the desired way.

"I have frequently seen Mr Beck and other members of staff engaged in working with the children. It is quite normal to go to the Beeches and see children being cuddled by staff members, and sat on the knees of staff perhaps with the children's arms round the workers' necks. This sort of physical contact is clearly enjoyed by the children and forms an integral part of the way in which relationships with children are established and maintained. I have frequently seen Mr Beck engaged in this sort of physical contact with various children at The Beeches.

"I am firmly convinced that the warm and loving relationship that is established at the Beeches is mainly responsible for the success of the work that is carried out there. Those children whom I have placed there and who have experienced physical chastisement, have in no way been harmed by this." (Emphasis added)

24.26 Dr Ivan Carter, the psychiatrist who visited the Beeches wrote a reference on 12th August 1982:

"I would like to write this letter in support of Mr Frank Beck who I have known and worked closely with for the past 3½ years. I understand that he is charged with the assault of a child who was in his care at The Beeches Children's and Family Unit where Mr Beck works.

"I have visited The Beeches Unit on a weekly basis for the past 3/3½ years and on those visits have consulted around children's individual problems and I have also had long discussions with Mr Beck around treatment strategy, group processes involved in the Unit and supervision of workers. During these discussions and during my personal observation of the way Mr Beck has handled children and the problems they create they have led me to have great respect for his professional judgement. I have also had extensive contact with a wide range of child care units and agencies throughout Leicestershire during my work as a Child and Adolescent Psychiatrist in this County and it is clear to me that on a professional level Mr Beck is the most outstanding child care worker in Leicestershire in his management programmes, nurturant, caring and appropriately controlling and arranges for supervisory assistance for all of his staff including himself. His 'family' is his work and his driving principles are those of care and concern.

"I have spoken to Mr Beck about the incident in question which has caused him much heart searching and great distress. He is amazed and shaken by what it appears that he may have done. My own understanding of Frank Beck, the man, makes it difficult for me to believe that the charges as made could possibly be true. However it is also true that Mr Beck smacked a child hard and there appears to be no other explanation for the injuries. I understand that photographs taken of the injuries show in addition that there are livid marks made by the elastic of the boy's underpants and this leads me to wonder whether if elasticated clothing makes such a prominent and persistent mark, then perhaps this child shows an excessive histamine skin response to relatively minor stimulus and a similar exaggerated response to an admitted firm slapping may make the whole event look more dramatic than it really is. This is the only way that I could understand the situation as it was related to me.

"Unfortunately I am leaving Leicestershire and returning to Canada and will not be available to speak personally for Mr Beck. I would wish to support Mr Beck in any way I can because I believe him to be a man of high integrity and a most valuable resource to children in this community. If I can be of help in any other way please make contact with me at this address before 27th August 1982."

Dr Carter's suggestion of an excessive histamine skin response was not a suggestion that featured in the criminal trial!

Management Approach

24.27 Pending the trial, the approach of Mr Rice, Mr Naylor and Mr Noblett to the charge against Mr Beck was that they were unaware of the detail of the allegation against him, smacking children in care was not allowed, Mr Beck had not been found guilty of anything, and that if Mr Beck had in fact smacked a child it was an isolated incident.

24.28 Two small incidents that occurred at the time of the trial might, or should, have alerted managers to look more closely at methods of control used at The Beeches. Management Officers did not respond to them.

24.29 On 24th February 1983, Mr Sadler, a Principal Officer in Mr Wells' Domiciliary Branch, wrote a memo to Mr Naylor recording a telephone conversation Mr Sadler had had on the morning of Sunday 21st February, the day before Mr Beck's trial:

> "J is in care following wardship proceedings and is to be transferred from her foster home to The Beeches. On Sunday *A.M.* I was asked by the liaison S/W to provide 'a written consent authorising The Beeches to chastise and restrain J as necessary'. I was informed no child will be admitted to The Beeches without this consent which will normally be signed by the parents.
>
> "I have no intention of providing this consent for several reasons but one of which is that it is against policy of committee. I thought you need to know as you may wish to take this up with the home."

That note went to Mr Naylor and from him found its way on to Mr Beck's file maintained by the Personnel Section.

24.30 In similar vein was a message telephoned by Mr Cobb at 9.00 a.m. on 28th February and taken and transcribed by a secretary. The message also found its way onto Mr Beck's file, as well as to Headquarters management files in respect of The Beeches. Mr Cobb's message was:

> "I rang The Beeches on Wednesday 23rd February and spoke to Ann Midgeley, Deputy. Asked her how Frank was and asked her also the outcome of the Court case. She said that Frank had been acquitted but they did not know what they were going to do now as they had had their sanction taken away from them. They did not know how they were going to control the children. I said if the only sanction they saw was chastisation, I was disappointed. She said if they had a child who they could not control, could they bring him/her up to County Hall. I said no, and said that at some stage in the next week I would come and talk to them."

24.31 There is no written record or other evidence of Mr Cobb talking to The Beeches staff as the message said that he would.

24.32 The only management reaction to the FL episode and information that came to light was to discuss the impact of the trial's outcome with Mr Fenney and thereafter to invite the Social Services Committee to make a further alteration to its policy on control, to make clear that it extended to all children regardless of the basis upon which they were in the local authority's hands.

24.33 The meeting with Mr Fenney was on 3rd March 1983 and was noted by him:

> "I discussed the outcome of the criminal case against Mr Beck with Brian Rice, Peter Naylor and John Noblett. I explained the distinction to be drawn between the criminal case and the contractual position which regulated the contract of employment between the County Council and Mr Beck. My advice was that the criminal case could not be regarded as driving a coach and horses through the Social Services Committee's policy on appropriate methods of maintaining discipline in Community Homes. The distinction drawn in the criminal case in order to secure an acquittal for Mr Beck was not necessarily relevant in the contractual relationship since the County Council could, if it wished, determine that the same methods of maintaining discipline should be applied to any child from time to time in any of its establishments irrespective of the precise legal basis upon which the child was there. What was required, however, was a specific instruction to this effect (which was lacking at present) to every member of the staff concerned and some indication on the document signed by the parent agreeing to the accommodation of the child of the basis on which discipline would be maintained.
>
> "They agreed to review all the circumstances under which a member of the Social Services Department might have responsibility for children and young persons (including intermediate treatment) with a view to issuing the necessary instruction to each member of staff concerned. This at least should prevent a recurrence of the acquittal and would strengthen any disciplinary action found to be necessary in similar circumstances. With regard to Mr Beck's position, it was agreed that in the absence of a specific instruction along the lines mentioned above it was unlikely that any formal disciplinary action was possible."

24.34 On 13th April 1983 the Social Services Committee passed a resolution adopting the Director's recommendations that the methods of control approved in September 1982 "should be extended to include staff who have the care of children in any setting whether or not The Community Homes Regulations apply".

Comment

24.35 It was not a matter of established practice in the authority that an employee charged with a criminal offence in respect of conduct in the course of his employment was automatically suspended. It should have been.

24.36 It is understandable that Care Branch managers did not pursue an investigation of their own in the period May 1982 to February 1983 in respect of this episode. To have done so would have risked accusation of interference with Police investigations or with the proper process of criminal trial. That is not to say that there can never be circumstances in which investigation (and, if appropriate, disciplinary action) may be appropriate pending a trial.

24.37 Managers, in particular Mr Rice and Mr Naylor with whom first responsibility lay, were wrong to make no investigation of their own at the conclusion of the trial. The approach taken that Mr Beck had been found not guilty and that that was the end of the matter was wholly unsatisfactory.

24.38 Mr Beck was acquitted, not because the evidence of the complainant child was found to be unreliable, but because Mr Beck's punishment was not unreasonable punishment of a child who was not, technically, in care. It was nonetheless conduct that defied the spirit, if not the letter of County Council policy. Mr Sadler's memo to Mr Naylor and the note of Mr Cobb's telephone call of 28th February made investigation all the more important.

24.39 So what were Mr Beck's practices about hitting children? What was the practice of staff at The Beeches? Were things going on at The Beeches of which management was previously unaware? If there were, what management weaknesses had led to that state of ignorance? Those questions were not addressed.

24.40 What would enquiry have shown? Mr Beck told the Inquiry of his understanding of the rules about corporate punishment:

> "In the very early days of The Poplars corporal punishment, to my understanding - and we are talking a long way back but my understanding of corporal punishment - was really any punishment which used a weapon, and primarily it was the cane and the discussion on corporal punishment nationwide was to do with caning versus non-caning. The slap was never at that stage, to my understanding anyhow, incorporated in the word corporal punishment; parental chastisement-type punishments like a slap were not considered in that bracket under the heading corporal punishment. This is my understanding of it. As the argument nationally enlarged, all forms of aggressive behaviour, shall we say, including that which a normal parent may well or may not use on its own child, were coming under the heading of corporal punishment . . .
>
> "We never were allowed to use corporal punishment in using of a weapon of any sort. Slapping of the children was allowed. Originally, there was no rule on it as such apart from corporal punishment but I stress that was based on a cane. Then the slapping of a child was brought into the argument and there was documents and discussions and meetings about care and control of children which included whether to slap or not to slap and where you could and could not slap. When that actually got taken out of the argument, I really am not sure. I am not sure whether that was still there right up to the end of Ratcliffe Road and was eventually taken out of the argument at The Beeches. I really cannot be sure.
>
> "I know when I went to Court over the FL affair, under the common law I was told that slapping was still permissible if it was controlling the child and the whole issue of corporal punishment was debated then."

24.41 That contrasts with the report of Mr Beck's own working party in 1977/78 (see Chapter 4).

24.42 The Beeches daily log contains upwards of 80 references in the calendar year 1982 to children being hit round the ear, face or head, being smacked, spanked, slapped, shaken, thumped, cuffed and given a good hiding.

24.43 If the case of FL by itself posed questions as to care practices and the state of knowledge of Mr Rice and Management Officers as to what was going on, the aggregation of episodes in the period May 1982 to March 1983 presented an overwhelming case for thorough investigation of Mr Beck and The Beeches and the suspension of Mr Beck whilst that was undertaken.

25
MRS SHIMELD'S COMPLAINT
MAY TO AUGUST 1982

25.1 In the Summer of 1982, Care Branch Managers investigated a complaint raised by a mature student social worker on placement at The Beeches. The complaint raised questions about treatment methods being used by Mr Beck's staff.

25.2 For a period of four months between March and June 1982, Mrs Irene Shimeld undertook a two day a week placement at The Beeches as part of her CQSW course at Trent Polytechnic. Mrs Shimeld worked with two children at The Beeches, though not as their primary worker. She also did family work with K, who was 14, and her family. K spent part of the week at The Beeches and otherwise lived at her own home.

25.3 Mrs Shimeld kept in close touch with K's field social worker, Mrs Gibbon, to discuss K's progress. Mrs Shimeld's supervisor at The Beeches was Miss Midgeley, the Deputy Officer in Charge.

Complaint

25.4 On 17th May 1982 Mrs Shimeld had a meeting with Mrs Gibbon which Mrs Gibbon recorded:

> "Irene told me that she had been very upset the previous week as a result of an incident with K and another member of staff. She explained that a method is used at The Beeches called 'counselling'. An attempt is made to make the child very angry deliberately. You then hold the child to prevent him hurting himself or anyone else. Eventually the child will cry and out of the crisis will feel able to talk about some of the problems. Unknown to Irene another member of staff had attempted this with K.
>
> "Irene said that a member of staff was attempting to annoy K in the garden - pulling her around the grass and into the rose bushes. K was becoming more and more angry and appealed to Irene to help her. Irene felt she could not interfere and went into the house. K somehow managed to get away from the member of staff and with two other children followed Irene into the house. The two other children held Irene's hands while K started to hit her in the stomach. Irene eventually managed to get K under control and called in the other member of staff from the garden.
>
> "As K was obviously very angry it was decided to continue with the counselling session. Usually this takes place with only a member of staff and the child but on this occasion Irene was also present.
>
> "The member of staff then made every attempt to annoy/upset K even further. He began calling her names and hitting her about the head. K became more and more upset, began to cry and seemed to have some difficulty breathing.
>
> "K did eventually admit that she was jealous of her younger brothers (she had never said this before) but denied that there were any other problems at home.
>
> "Following this incident K was very aggressive towards Irene and said that she hated her. K did not show the same aggression towards the other member of staff.
>
> "Irene was very worried about this incident and also K's attitude to her. She had not at this time had the opportunity to discuss the incident with her supervisor but planned to do so at the earliest opportunity. She stressed her own inexperience with residential work."

25.5 Mrs Gibbon took that complaint to her own line management from where it crossed to Care Branch and was taken up by Mr Cobb.

Care Branch

25.6 Mr Cobb had a meeting with Mrs Gibbon which clearly took place in the first half of June and probably in the first week of June. Mr Cobb's note of the meeting is undated:

"*THE BEECHES*

K - child in care at The Beeches.

"Irene Shimeld - Student at The Beeches on the CQSW - Trent Polytechnic. Her placement lasted for three months 2 weeks.

"Irene Shimeld is the co-worker with R Gibbon, social worker in the area for K.

"Irene and R Gibbon meet on a weekly basis to discuss the progress of K.

"It was expressed by the social worker that she felt that the student was honest and was very confused about her feelings in regard to the 'Treatment' of residents of The Beeches centre.

(1) The student was unable to sort out her feelings regarding the treatment of K by a member of staff at The Beeches. She had on a number of occasions tried to arrange a supervision session with Ann Midgeley, her supervisor, but had failed to do this.

(2) Irene Shimeld felt that she needed to discuss the incident and that as she could not find a supervisor at the home, Ruth Gibbon would fit the bill. Reports attached.

(3) The report is second hand I have not spoken to Irene Shimeld only the Area Director, Senior Social Worker and a Social Worker in the Area.

(4) Ruth Gibbon also said that The Beeches had suspended Irene Shimeld, student, because she had broken a confidence and spoken about the incident to an outsider.

(5) I have spoken to the Tutor, Mr Bough, of the student from The Trent Polytechnic who has made arrangements to see Frank Beck on 14th June '82 to discuss the problems.

(6) I have spoken to J Noblett and to P Naylor who are now to advise me of further action.

(7) The staff member named by the social worker is Ken (it is suggested that he was involved in making the child angry).

"*Questions*

1. Who is treating children and why?
2. Are trained staff or untrained staff, undertaking treatment?
3. Who supervises staff giving treatment?
4. What supervision is being given at The Beeches?
5. Placement of students and supervision of students.
6. Where is the treatment given and who is present?
7. Are records kept for information and continuity?
8. Are social workers and the Area privy to this information?
9. Are social workers involved in treatment?
10. Are parents involved in treatment and how?
11. Should we be worried about Student Social Workers placement?
12. From the report it is stating that a child was hit about the head (are records kept in the punishment book or in fact any records kept on this issue)?"

25.7 Mr Cobb's reference to "report attached" appears to refer to Mrs Gibbon's records set out above. The Area Director to whom Mr Cobb had spoken was Mr Ashon and the senior social worker was Mr Parker.

25.8 Mrs Shimeld was suspended from her placement at The Beeches for about a week for 'breaking a confidence' and speaking about the incident to an outsider. That appears to be a reference to the rule, carried over from the written rules of Ratcliffe Road "the confidentiality of information about individual children is to be maintained within the staff group". Mrs Shimeld's offence appears to have been her discussion of the incident with the social worker, Mrs Gibbon - a demonstration of the isolating effect the rule could have.

25.9 In his note, Mr Cobb refers to discussion with Mr Noblett and Mr Naylor "who are to advise me further"; and at the foot he poses 12 pertinent questions formulated in his discussion with Mrs Gibbon. Mr Cobb did not know the answers.

25.10 Mr Cobb's note was passed to Mr Noblett. Mr Cobb has no recollection of playing a further part in the investigation and no document suggests that he did. Mr Noblett did not know the answer to any of the questions posed by Mr Cobb. Mr Noblett told the Inquiry that the questions were fundamental ones to which Mr Cobb, as the officer with immediate line management responsibility for the home, should have known the answers. That is plainly right. Mr Noblett speculated that he would have told Mr Cobb to go away and find out the answers. That speculation was unjustified, and without any evidence to support it. The evidence suggests clearly that once Mr Cobb had passed the matter over to Mr Noblett, nothing more was done at that stage.

Further Complaint

25.11 The episode was brought alive again by a letter of 29th June to Mr Rice, the Director, from K's father.

> "Dear Sir, My daughter K has been receiving treatment at The Beeches Home, Leicester Forest East, for a period of five months.
>
> "She has recently complained that a member of staff made use of physical force against her and actually hit her about the head. While she has complained about this type of treatment over a period of time, I have previously been sceptical about the truth of the matter. Now it has been confirmed by an independent source that on one occasion physical force was used against her.
>
> "I am concerned that this type of treatment should be used against a young person in Council run establishments and the long term effects this may have on my daughter.
>
> "Apart from this treatment I can only offer praise to the staff of The Beeches knowing the difficult problems they face on a daily basis.
>
> Yours faithfully,"

Care Branch

25.12 Mr Rice passed that letter to Mr Noblett endorsed with a note "please discuss with me". The upshot of Mr Rice's discussion with Mr Noblett was that Mr Noblett began a series of inquiries, starting with an interview with Mr Beck and Miss Midgeley at The Beeches on 8th July 1982:

> "I interviewed Mr F Beck, Officer in Charge, and Miss A Midgeley, Deputy Officer in Charge at The Beeches on 8th July 1982, in connection with the allegations made by Irene Shimeld, Student on placement from Trent Polytechnic.
>
> "I suggested that we should look at the allegations in two parts:-
>
> (a) the method of treatment referred to as Counselling.
>
> (b) the allegations made specifically against Mr Ken Shelton.
>
> "I told Mr Beck that this case resembled very closely a case that was referred to us from Rosehill several years ago when he was the acting Officer in Charge. In both instances it was reported that staff deliberately provoked children to make them angry in the expectation that they would then talk about things they would not previously talk about. Mr Beck said that this description of the treatment was only partially true. He assured me that they did not deliberately provoke a child but if a child became angry in the normal course of events, in some instances the staff would encourage the anger rather than calm the child with the object of trying to get the child to talk about experiences and feelings they would normally have difficulty in talking about. I asked him whether young and inexperienced members of staff were allowed to carry out this form of treatment. He said that most of the staff were not prepared to involve themselves in this therapy because of the possible violent response the child might make. Miss Midgeley confirmed this and said she was often frightened when she got into the situation.
>
> "We then turned to the K incident. Miss Midgeley explained that this had been fully discussed at the staff meeting the same evening - a meeting Irene Shimeld had declined to attend preferring to go home. According to Miss Midgeley, Ken Shelton had been playing hide and seek or some other game in the grounds with several children including K. During the course of the game Irene came out to take one of the younger children in for a bath. The child refused to go and was supported by K who got angry and started to accuse Irene of being just like her mother and not liking her. It was shortly after this that K attacked Irene. She was in a rage and Ken had to help. They took K into one of the sitting rooms and had to restrain her on the settee. Irene held her legs whilst Ken held her across his chest. Ann Midgeley demonstrated how Ken held her. He had his right arm around her shoulders and the left arm across her body. Ken admitted slapping her with his right hand but the demonstration indicated that in no way could he have applied any pressure in slapping her.

"Copy of reports written at the time by Irene Shimeld and Jackie Nangreave are attached.

"At the time of my visit Ken Shelton was away on holiday and not available to be seen."

25.13 Mrs Shimeld had not in fact "declined to attend" the evening meeting. She had merely gone home having worked well in excess of her rostered hours and having been unable, as she had hoped, to have a talk with Miss Midgeley.

25.14 The written reports referred to by Mr Noblett as attached, were:

Mrs Irene Shimeld

"11.5.82. Counselling session with K, undertaken by Ken (primary worker to K).

"This session began with Ken and K outside the premises when K became extremely angry, at one point directing her anger towards me, saying I was just like her mother, I didn't do anything for her. This was because I was making sure one of the younger children had a bath and was not spending time with K. These were useful comments that K made as she was admitting her feelings and opened up a discussion session regarding her parents. A short while later Ken began counselling K after she had experienced a fit of rage and in this session I felt it necessary to stay with K while Ken undertook the counselling. I was not completely happy with the technique used but it was difficult to intervene without undermining Ken in front of K. Also, although I felt it necessary to stay throughout the session, it is not possible for two people to operate in a counselling session without it becoming an interrogation of the child. After a somewhat lengthy session K did in fact admit that she was jealous of her younger step brothers, feeling her mother loved them more than her, that she felt rejected. For further details of this session Ken should be approached."

Mrs J Nangreave

"11th May

During my supervision of the house on Tuesday evening I witnessed the student Irene and Ken in the long room with K. This was after supper and I was organising the bed times - which involves an adult getting a hot drink for the child and reading to him. Despite this I stayed close to the long room, partly to keep others out of the room, partly to observe and partly so as I could be near by if K overpowered the two adults. The long room was lit by subdued red lighting and the two adults, Irene and Ken, were sat on a sofa with K lay lengthways across their laps. Irene was holding K's legs and Ken had his arms around K's upper body and her head was resting on Ken's chest. Ken was talking softly to K and K appeared to be answering. At one point K started to play about and I saw Ken smack K somewhere between her shoulder and her ear. This did not appear to affect the situation and I saw Ken hold K close and talk loudly about the problem before K began to calm down. Following this there was a period when K was quiet and Ken was talking quietly to her. Then she became agitated again and Ken had to restrain her and shout at her until she quietened again. Following this there was a period of quiet discussion then Ken came out with his arm around K. I asked if everything was alright and K nodded and smiled at me and Ken said that K had dealt with some very difficult problems. Ken then got K a hot drink and some biscuits while K prepared for bed. Ken read her a story and K went to sleep. The whole period when K was in the long room with Ken and Irene extended for approximately an hour. Irene went home after K went upstairs and did not stay for the end of the evening meeting where we discussed the reasons for K's outburst and endorsed Ken's handling of K's obvious distress."

25.15 On 13th July Mr Noblett wrote to K's mother, on Mr Rice's behalf:

"I am very sorry your daughter had cause for complaint about her treatment at The Beeches. This matter is being fully investigated and I hope there will be no need for any further complaint."

25.16 In the light of the complaint, K was herself suspended by The Beeches staff from further attendance.

25.17 Mr Ken Shelton, a 23 year old RCCO with a degree in social sciences, but no child care training, and the primary worker in respect of whom the complaint was made, was seen by Mr Noblett on 20th July:

"I asked Mr Shelton to give me an account of what happened on the evening in question. He said that he, Irene Shimeld (the student) and some children were playing a game of chase in the garden. There was a lot of laughing and horse play. He caught K and pulled her along the grass, probably bumped her once or twice and it was all part of the fun. K then ran off. Later Irene came out and said K had hit her. When he found K she was very angry. He did not know what had made her angry and she was shouting out 'let me alone, leave me alone'.

"He thought that she would hit Irene again so he took her by the hand and led her into the sitting room. All the time she was saying 'let me go'. He said they sat on the settee and he had to restrain her. K sat between him and Irene. He was on K's left. He held her with his right arm around her shoulder and held her other arm with his left hand. K continued to be angry and struggled and he slapped her on the side of her face with his open right hand still round her shoulder. He did not consider it was a hard slap and K did not cry, but she calmed down. Mr Shelton asked her why she was so angry. She said she did not want to be at The Beeches and wanted to be at home with her parents. They then talked at some length about her parents and her feelings towards them.

"I asked Mr Shelton about the counselling sessions and whether he had deliberately provoked K. He said that he had not but had responded to her anger. He felt that it was important when a child had an outburst of anger like the one K had to try and find out the cause of the anger. He felt that this helped the child.

"I asked him had he deliberately tried to hurt K in the play session early in the evening. He denied this and said that although there might have been some rough play it was all part and parcel of the game and everyone seemed to be enjoying themselves. He denied dragging her through bushes as stated in the report. I also asked him if he could give an explanation of why K had hit Irene but he could not. I asked him whether anything that took place that evening could be regarded as planned therapy. He said nothing was planned. Everything had happened spontaneously one thing leading into another."

25.18 Mr Noblett told the Inquiry that he had accepted what Mr Shelton said.

25.19 On 26th July the papers went to Mr Naylor who considered them and wrote a note to Mr Noblett:

"I find the use of the word 'counselling' confusing in this situation.

"If K was as angry as is stated you could not leave her. So time was spent with her. What was said to her during that time could be challenged and only K and Irene know what was said. That could be called counselling but I am not sure I would use that word because I would want to spend that time usefully.

"Why did Irene find the experience distressing?

Why was she expelled from the Beeches?

What do we do with mother? Area Staff?

What are the conclusions??"

25.20 Mr Noblett is said to have tried, but failed, to contact Mrs Shimeld in order to interview her. How hard he tried is open to question. By mid-July the Summer vacation had started at The Trent Polytechnic, but Mrs Shimeld's address was there, as was a skeleton staff.

25.21 The only practical conclusions were two letters written by Mr Noblett on behalf of the Director on 4th August 1982. The first was to K's mother:

"Further to my letter of 13th July 1982 concerning the treatment of your daughter at the Beeches, this matter has now been fully investigated and all appropriate action taken.

"I understand the social worker will shortly be visiting you to discuss K's future and I hope it will be possible for her to return to the Beeches to complete the programme of care that was started.

Yours sincerely,"

25.22 The second letter was sent by Mr Noblett over the Director's signature on 4th August to Mr Beck:

"With regard to Mr Noblett's enquiries into the allegations made about a member of your staff, Mr Shelton, I am prepared to accept Mr Shelton's explanation of what happened and in the circumstances prevailing at the time to excuse his slapping K's face.

"With regard to the wider question of 'counselling' as referred to in this allegation, Mr Noblett has recorded his discussion with you but I would like us to be quite clear on this point. I cannot support any treatment plan that deliberately sets out to provoke a child to make it angry with the object of getting the child to talk about matters he finds difficult to discuss. As far as this Department is concerned, that is an unacceptable form of treatment.

"On the other hand, I can accept that if a child becomes angry in the normal course of events, staff may wish to use the occasion to talk to the child and discuss difficult problems and emotions, but even in that situation I could not condone any undue taunting or provocation.

"I hope I have made my position as clear as possible in this matter and to avoid any misunderstanding would be pleased if you could acknowledge this letter indicating your acceptance of this point."

25.23 Mr Beck, not taking even moderate criticism without a retort, replied on 29th August 1982:

"Can I assure you that it has not been, and never has been, the policy of myself or my staff to deliberately provoke a child. We do often raise matters with a child such as its family and its behaviour and thereby touch on subjects which are bound to be emotionally painful to the child. This obviously can cause a reaction, however this counselling is normally in response to a child's behaviour rather than objectively planned. May I make it perfectly clear that we do not taunt children at The Beeches.

"I must however stress that treatment of children is not all patting them on the head and whispering gentle words into heads. From an untrained persons eyes, to see a child in distress is difficult. We do not create the distress, it is already there. Our job is to be the vehicle for that child to express his or her feelings through. Clearly the greater the deprivation, the greater the problem. I must labour this point, as we at the Beeches are dealing with some extremely disturbed children and until this department is no longer responsible for the treatment of such children, we have to continue to work in, as I am sure you will agree, an extremely difficult and personally risky business.

"At this moment in time, I can assure you that I would like nothing better than for somebody else to take over the disturbed children which this department has placed at The Beeches or find a better way. Until such time, The Beeches will continue to do its duty and endeavour to remain within the very tight limitations placed upon us and I do assure you that The Beeches will endeavour to maintain the highest standards of child care possible.

"I would also like to point out that the higher degree of damaged children also equals the higher degree of risk, therefore such allegations and misinterpretations will no doubt occur from time to time. Those of us taking the risks can only hope for your understanding and hope for your support." (Emphasis added)

The Area

25.24 Mr Ashon, then Area Director for South Charnwood, the Area with social work responsibility for K, told the Inquiry that the Area staff felt that Mrs Shimeld's complaint was a serious one that should be looked into and that there was something more going on than Care Branch had uncovered. "We felt that something had happened and we could see no reason why the student should lie, and we were concerned about what had happened."

Comment

25.25 Mr Ashon was quite right, although there is little evidence that Area officers followed up their proper concerns.

25.26 There is no doubt that the provocation of the kind that had been commonplace at Ratcliffe Road was practised at The Beeches. In evidence to the Inquiry Miss Midgeley said "what I do remember is the children who were already angry, or fighting, or distressed being taken to one side and that anger being wound up so that [it became physical confrontation] and then you would contain the child by wrapping your body around them so they felt safe and talking them through that anger".

25.27 Mrs Shimeld's complaint was investigated by Care Branch officers who did not get to the heart of it. Mr Noblett was right to recall similarities with the 1978 Rosehill investigation but wrong not to pursue that further. Plainly, similar treatment methods were in use.

25.28 Mr Noblett's investigation was fuller than some others he conducted, perhaps because of the interest of the Director. It was, however, an omission by Mr Noblett not to ensure that he interviewed Mrs Shimeld, the key witness.

25.29 It should not have been necessary for Mr Cobb to raise the 12 questions he did raise early in June. He, and other responsible officers in Care Branch including Mr Noblett, should have known the answers.

25.30 The Shimeld complaint was investigated and left without any answers to most of the questions, and no clear answers to any of them.

25.31 Mrs Shimeld had left, K was no longer at The Beeches. The 'crisis' had passed.

26
OP'S COMPLAINT
SEPTEMBER 1982

26.1 In September 1982 Care Branch officers had occasion to investigate a further complaint of an episode of violence towards a 16 year old boy in care at The Beeches. The investigation produced evidence suggestive of the continued use of techniques that had been associated with 'regression therapy' as well as a hint that the boy had been prevailed upon to withdraw the allegation that he had made. The investigation, again, led to no clear conclusion.

Background

26.2 OP, a 16 year old boy, was a long term resident at The Beeches having been admitted on 17th February 1981. On 1st September 1982, he had difficulty in getting out of bed in the morning to go to work. Mr Richard Loweth, a 24 year old Deputy Team Leader, intervened.

26.3 Mr Loweth had gone to The Beeches in September 1979 aged 21 with an honours degree in history and politics but no training or qualification in child care. A very tall man, Mr Loweth had a "controlling" role at The Beeches. He told the Inquiry that, at The Beeches, corporal punishment meant "formalised corporal punishment" and that a smack or slap was allowed.

26.4 The Beeches daily log contains the following relevant entry for 1st September 1982:

> "OP woken a couple of times, complaining of feeling sick, very obviously untrue."
>
> The entry continues in Mr Loweth's hand:
>
> "OP thumped by Richard and told to get up and go to work. Dressed himself and disappeared down the fire escape, seen walking along Hinckley Road later on. OP is supposed to be working out a week's notice at the Water Works, and should present himself to work every morning at W/Works. He is not being thrown out by The Beeches but must go to work."

Complaint

26.5 OP did not go off to work but went instead to see his sister and told her what had happened. He then went with his sister and lodged a complaint about maltreatment with a firm of solicitors. OP returned to The Beeches later that day when he was seen by Mr Beck. The upshot of that meeting was a statement made by OP:

> "FRANK
>
> Wednesday
>
> 1 Sept 1982
>
> "Richard came in and told me to get out of bed for work. I didn't want to go so I told him that I felt bad but he didn't believe me because I had used the excuse before. Then he went out. When he came up again he insisted I go to work and I didn't want to go so Richard tried to make me get up and go to work but I resisted and we had a bit of a brawl so I ran off and told my sister only parts of it and she complained but really it was both our faults.
>
> "My sister has seen Frank about it and so have I and I don't think it should go any further because I like it at The Beeches even though I sometimes hate Richard.
>
> I wrote this of my own free will."

26.6 OP told the Inquiry:

> "I went back to the home in the afternoon and there spoke to Beck. He asked me not to take the matter any further, that is that I should drop the charges and that in return I could stay at my sisters during the week and just stay at the home at the weekends. Loweth was no longer to be my key worker. As a result, I made a further written statement which I took to the solicitors saying that the incident had been as much my fault as Loweth's. So far as I am aware no further action was taken after this."

26.7 In the knowledge that a complaint was in the air, Beeches staff took two defensive steps. First, Mr Loweth made a manuscript report of his account of the incident:

"WITHOUT PREJUDICE

The incident took place at 7.30 a.m. on Wednesday 1st September 1982. I was on night duty - on call - to cover the period 31st August / 1st September. OP who had returned two days previous from a camping holiday, had not returned to work on the Tuesday, and had spent that Tuesday evening playing football. He should have, after being woken at 6.30 by the night-duty sleep-in member of staff gone to work for 7.30 a.m.

"On asking, when I came down at 7.30 a.m. of the night-duty sleep-in member of staff whether OP had gone to work I was told that OP claimed to be ill.

"I went up to OP's room and told him that I did not think he was ill and I expected him to go to work and, as arranged, hand in his notice. OP was then left - still in bed - to dress and come downstairs ready for work. He was warned that I would return in five minutes and find him ready.

"My return after a generous five minutes found OP still in bed. I pulled OP from the bed and spoke to him. His reply was less than polite and indicated his total refusal to fulfil his commitment of going to his place of employment. At this I raised my hand and grabbed at OP. He responded by striking me in the eye with his fist. **On past occasions of assaulting adults OP, when held like a small child having a tantrum, has calmed down. I tried to do this and a scuffle ensued.**

"OP and I fell onto the bed and upset the bed with us both falling on to the floor. He was holding onto my hair with both his hands. This made it difficult and very painful for me to attempt to hold his arms down and pacify him. **Realising that I would have to make him let go before I could successfully grab his arms I attempted to make him relinquish his hold and was forced to strike him. This method led to the boy releasing my hair and to my holding him down, much as one would hold a small child in a tantrum.** This produced a quietened, "calm" OP who could be now spoken to.

"OP was informed again that he was to dress and come downstairs ready for work. Again, he would have five minutes to do this. I left the room and went downstairs. When I returned OP had evidently dressed but was not on the premises. He was seen by a member of staff at 7.50 a.m. some distance down the road.

Richard H A Loweth"
(Emphasis added)

26.8 The second step taken was a letter from Mr Beck to the Director on 3rd September, anticipating the arrival of the solicitor's letter of complaint on Mr Rice's desk:

"Dear Mr Rice

"It is with regret that I have to inform you of an incident at The Beeches which occurred on the morning of 1st September 1982 between one of my staff a Richard Loweth (Deputy Team Leader) and a 16 year old boy OP.

"I have been led to believe that a letter complaining about the conduct of Mr Loweth will be arriving on your desk in due course. **I feel it is important that you should have some information so that you do not think that this is a reoccurrence of previous instances.** (Emphasis added)

"In brief, Mr Loweth was on night duty. The boy was expected to go to work but in fact refused to get out of bed, saying he was not well but also that he would not go to work in particular. Mr Loweth warned him that this was unacceptable, particularly as he had also been told that he could resign his job but that it was important that he should do it in a correct manner. Left the boy to give him an opportunity to get up, on return the boy still refused and Mr Loweth made to get up the boy forcibly. The boy stubbornly refused and shouted some abuse. As Mr Loweth again attempted to drag the boy from his bed, the boy assaulted Mr Loweth with a blow to the face with his clenched fist. Mr Loweth defended himself by at first pushing the boy away, from which the boy incurred a slight bruise to his side. There did appear thereafter to be a further scuffle when again both parties exchanged blows.

"It is fair to say that the boy has never particularly liked Mr Loweth and throughout the incident the child was continually abusive. The child eventually dressed and still saying he was not going to work left the Beeches.

"I was duly informed in very brief detail of the incident when I arrived on duty at 9.00 a.m but was not aware that either party had suffered blows. The child then went to his sister's home, he was hoping to go and live with her as he has no other parents, and informed her he had been attacked but neglected to tell his sister of his part in the disturbance. His sister, I believe, passed on the information she had received from her brother, informed the solicitor who advised that a letter of complaint should be sent to you.

"The boy has been with us 18 months and had always told his sister that he was very happy at The Beeches. Eventually, the sister decided that something was wrong and she should come and see me, which she did in the afternoon. Although I was not fully aware of the situation the boy did tell me a fuller version of the story and admitted that he had in fact provoked and basically lost control of himself. This I might add, is not the first incident the boy has assaulted somebody and at least on two other occasions at The Beeches he has seriously assaulted staff with no apparent provocation and he was in fact expelled from school for assaulting a teacher (female).

"The boy's difficulty was having told his sister half the story, he was then afraid to tell her all of it in case she refused to have him on leaving The Beeches. After a long discussion with all parties, the boy admitted his fuller part in the incident and his sister was able to accept the incident as a whole. Mr Loweth was at this point, keen to have the boy charged with assault and although this is his right I do not feel it will be in the best interests of anybody. The boy has written his own statement, of which I have a copy, explaining more clearly his part and in fact the sister no longer felt she had grounds to complain.

"The boy also feels that he was mainly in the wrong and also does not wish to make a complaint. The social worker has been fully informed and has seen the family and he also is content and feels this is merely another incident that causes us concern with this boy's behaviour. However, the letter from a solicitor was requested in the morning whilst everybody was not fully aware of the facts and this letter, one assumes, is somewhere now in the pipeline.

"To summarise, although both parties were slightly hurt, the incident is in character with the boy and very much out of character with the member of staff. It would appear from discussions with the lad and the member of staff that the boy pushed his luck and interpreted Mr Loweth's attempts to remove him from his bed as an assault which he retaliated and Mr Loweth defended himself and amongst the scuffle both parties were slightly hurt.

"The sister, the boy, the social worker are all now satisfied, Mr Loweth somewhat less so and I would respectfully request that this incident should not be allowed to be seen out of proportion.

Postscript - The boy is not under a Care Order and is in fact at liberty to leave at any time. In fact he has requested very forcibly to spending more time at The Beeches, not less, particularly as he is no longer working and if necessary will be available to explain himself to you or anybody else personally."

26.9 The solicitor's letter of complaint, sent on 6th September has not survived.

Care Branch

26.10 The Director was right not to leave the matter there, but asked Mr Noblett to investigate. Mr Noblett saw Mr Loweth at County Hall on 13th September and made a note of the interview:

"Mr Loweth informed me that on the morning in question he went to OP's bedroom to call him for work. OP refused to get up saying he did not want to go to work and that he was not feeling well. In the light of previous experience, Mr Loweth did not believe that the boy was poorly. He insisted that the boy should get up and said he would be back in 5 minutes. When he returned OP was still in bed and refused to get up. Mr Loweth then got hold of his shoulder to pull him out of bed but the boy hit him with his fist in his face. The scuffle ensued with the boy grabbing Mr Loweth's hair. He tried to free himself but without success. OP refused to let go and the only way Mr Loweth could extricate himself was by hitting the boy which he did in the face and body. They were both on the ground and when he had freed himself he was then able to restrain OP by putting his leg across the boy's neck and holding him in that position until he calmed down. Mr Loweth does not recall pulling OP's hair or punching him in the stomach. Mr Loweth then indicated that OP should go to work and left him to get ready. When he returned the boy had absconded down the fire escape. OP later returned with his sister and her boyfriend. He stayed for the evening but then returned to his sister's where it was hoped he would eventually live. He had attended at The Beeches on a voluntary basis each weekend since the incident.

"Mr Loweth described OP as a boy approximately 5' 7" tall, broad and strong, self indulgent, attention seeking, but likeable. Mr Loweth had the feeling that OP did not particularly like him. I asked Mr Loweth whether this was an isolated incident of assault. He told me that OP had hit him on previous occasions. He also told me that in March last he had to take OP to Leicester Royal Infirmary with a fractured hand after he had hit a teacher at The Beeches. He also mentioned that OP had been expelled from Ellis School for an assault on a teacher.

"Mr Loweth assured me that he had informed the Officer in Charge at the time of the incident and the matter had been recorded in the report book. I asked Mr Loweth was he fully aware that staff were prohibited from hitting children. He said he was but on this occasion he had used the minimum of force to defend himself and control the child. In retrospect he had examined and re-examined the situation but felt that he had taken the right course of action in the circumstances. We then discussed for a little while some of the alternative courses of action he may have taken. He might, for instance, have left the boy in bed when he refused to get up but neither of us felt that this would have helped the boy very much nor would this have done anything to maintain Mr Loweth's ability to exercise control in the future. I asked him how he felt a female member of staff would have dealt with the situation and he immediately replied by saying 'leaving it to me'. Apparently there was a female member of staff on duty on the morning in question but she had taken no action for arouse OP for work.

"Mr Loweth was obviously concerned about the position he found himself in. He was a little sorry the police had not been called and the boy charged with assault; the boy had in fact struck the first blow. Even at this stage Mr Loweth would not be too upset if the matter went to Court because he felt that a Court Hearing would be the best way of clearing his name.

"When asked about the other allegation which is alleged to have occurred approximately four months ago, he said he could make no comment without reference to the report book."

Comment

26.11 Nr Noblett's interview of Mr Loweth marks the limit of the management investigation. OP was not seen by Mr Noblett.

26.12 Mr Beck referred in his letter to a "reoccurance of previous instances" and Mr Noblett referred to "the other allegation which is alleged to have occurred approximately four months ago". Those references suggest that the conduct of Mr Loweth had come to the notice of Management Officers previously. There is no record or surviving memory of what that complaint (or complaints) was about, or of any investigation of them.

26.13 This episode bears resemblance to a scene in the Warrendale film of forcing a teenager out of bed, with predictable resistance. There is *prima facie* evidence that Mr Loweth was using unacceptable methods of control and had the full support of Mr Beck.

26.14 The Beeches daily log for 1982, which Mr Noblett did not take the trouble to inspect, showed two previous occasions on which Mr Loweth had given OP a "clipped ear" and fifteen other occasions in the first eight months of 1982 on which children had been given a "clipped ear" or hit in some other way by Mr Loweth.

[The Inquiry was informed that the expression "a clipped ear" meant one or more blows around the side of the head and with more or less force according to who administered it.]

27
MISS AKRAM'S COMPLAINTS
NOVEMBER 1982

27.1 In November 1982 Mr Noblett received from a Residential Child Care Officer at The Beeches a catalogue of specific and general complaints about the treatment of children and staff at The Beeches. The complaints were urgent and extremely important. Mr Noblett gave them scant attention.

27.2 Miss Nasreen Akram was engaged at The Beeches as an RCCO on 23rd March 1981. She was aged 22 and had an honours degree in Psychology and Pharmacology, as well as six months' experience working with disturbed children in a hospital setting. Miss Akram, who gave valuable evidence to the Inquiry on a number of aspects, was described in the most laudatory terms by all who knew her including Mr Cobb and Mr Beck. Miss Akram was an impressive witness.

Impressions of the Beeches

27.3 Miss Akram gave to the Inquiry her impressions of The Beeches Children's Home which make an important contribution:

- Mr Beck exerted autocratic power, staff and children holding him in awe and appearing afraid of him.
- The state of the Home was disgusting with animals, including a goat and a goose, having a free run of the house. Staff and children contracted scabies.
- Children and junior staff talked of the violence of Mr Beck, particularly towards children. Junior staff had to be very careful what they said. "The thing that was amazing was that whatever you said it always got back to Frank Beck."
- Miss Akram gave examples of violence including an episode in which Mr Beck was interrogating a small boy of about 10, "he had him on his lap and he had his index finger pressing into the temple of this little boy. He was explaining to the children quite calmly that this causes great pain in the person, that the beauty of it is that when you take the fingers away there is no physical evidence that you have touched the child."
- Senior staff were reluctant to talk about Mr Beck's methods. "Frank knows what he is doing, just leave things alone. You're just a junior member of staff, the senior ones who know Frank know what he is doing and your job is to give 100% commitment to your job and support Frank."
- Mr Beck's treatment methods were half baked "he had not really thought them through they were just half baked . . . a lot of these kids were very tough cookies, so he used different methods to crack the kid down". He had "neither the training nor experience" to attempt regression or confrontation. "He broke the child down, but you were supposed to take them right back, up to their normal age, and he didn't do that."
- Mr Beck encouraged homosexuality amongst boys, telling them to masturbate and play with each other, "he just explained it as the fact that most boys at 15 are homosexuals anyway, so this was a normal part of development of the boy and it should be encouraged".
- Anti-authority, Mr Beck would say in front of the children of police, teachers and so on " 'they're just a waste of time and you shouldn't respect them'. That was his attitude and, at that age, the kids loved that so that was his way almost of saying 'I am one of you, I believe what you do, let anarchy rule' ".

  If a child returned from school with a complaint "he would just turn round and say, in front of the kids, 'teachers are a waste of time, they don't know what they are talking about'. He referred to one member of staff as 'a fat cow' ".

- Similar treatment was accorded to members of The Beeches staff. "He used to call me names in front of the children such as 'black bitch', 'paki' and 'middle town wog'. I found those deeply offensive but I used to ignore them because to respond would have indicated weakness on my part, in which case he would have achieved his aim at my expense." An attractive young female member of staff was named by Mr Beck as "the blonde bombshell" - "he would get the boys to imagine sexual feelings about her and then take them away for one to one counselling".

  "This was the common way he used to refer to his members of staff. Of course the kids then didn't respect you. They knew that the only person who had power in that place was effectively Frank Beck."

- Mr Beck claimed power over others and immunity for himself. "He would regularly boast to staff that he had influence at high levels and could control their jobs. Frank would joke, but you knew he wasn't joking, that if you ever said anything nobody would believe you anyway. If any of the kids threatened to do anything it was 'you've got a police record, who is going to believe you?', and if it was a member of staff, 'I won't give you a reference, I will make sure that people think you are emotionally unstable, therefore you won't have a job and a future - who is going to believe you? You are just a junior member of staff'. During my time there three members of staff left without references because they were scared."

  "He used to let slip remarks the fact that nobody could get one over on him. I think this was quite common. Police, no matter what, I mean, he used to laugh at times 'well, no one is going to get me. I've got them in my pocket. I am well established. People respect me'. He used to go to Hendon College to actually train the police cadets on dealing with children who come from quite wayward backgrounds. He used to brag saying 'I am well established. I have got lots of people high up in my pocket. I have got things on them'. He would say that, so no matter what you said, 'I can pull strings'."

- All staff were intimidated by Mr Beck: senior staff were ineffectual against him.

- Dr Carter, the psychiatrist visiting The Beeches for staff consultation, did not spend time with junior staff members.

- The Beeches was "very, very isolated and Frank wanted it kept that way. He liked his members of staff not to know their rights, so that they gave full commitment to him". "It's a residential home. Its isolated from anywhere else so he had complete power . . . He had emotional power over everybody in there and he would do just what he wanted."

- "On the surface Frank appeared to be very successful. He contained these children. They (Managers) didn't look at how he contained them, as long as the problem was swept away from visibility, it was fine and so long as the home was ticking over and these kids were being contained, you were successful."

27.4 From those quotations and summaries from the detailed evidence of Miss Akram, it is clear that she had a close knowledge of the workings of The Beeches to take to Management Officers.

Complaint

27.5 On 22nd November 1982 Miss Akram went to County Hall intent on seeing Mr Rice, the Director, and making a formal complaint. She had not been able to discuss malpractice at The Beeches with a member of staff there. She knew that Mr Beck was on friendly terms with senior officers at County Hall. "I thought that by seeing Mr Rice, any potential problems for me would be alleviated."

27.6 Miss Akram saw Mr Rice's secretary and was told that she would have to go through normal formal procedures before she could speak to Mr Rice. Miss Akram expressed her determination not to leave County Hall until she had seen Mr Rice. Miss Akram told the Inquiry:

> "The secretary went away and returned shortly informing me that John Noblett, who I understood to be one of the Deputies within social services, would see me. I still insisted that I wanted to see Mr Rice but I was told that this was not possible and I was introduced to Mr Noblett. Initially I was cautious about what I told him in case he was also closely allied to Frank Beck. Eventually I listed my complaints and he made notes, following which he reassured me that something positive would be done. I also told Mr Noblett that I did not wish Frank Beck to find out that I had been to voice my complaints as I was still living within the grounds of The Beeches Home and I was concerned about what Frank Beck might do if he found out. Mr Noblett again reassured me that our conversation was confidential and Frank Beck would not find out at this stage that I had gone to make a formal complaint.

"I distinctly recall that before I left the meeting with John Noblett he told me that he was aware of Frank Beck, he was aware of what he was doing and was also aware of how he ran The Beeches Children's Home. He went on to say that there had been previous complaints from other staff about Frank Beck, obviously of a similar nature to my own and I became quite angry at this. I asked him that if this was the case why nothing had been done about it previously. He tried to justify the lack of any previous action against Frank Beck in the matter by saying that the children who were placed in the care of The Beeches directly under Frank Beck were particularly difficult children whom no one else within the structure of Leicestershire Social Services would be prepared to have under their control or be responsible for. He then went on to explain that if that authority, meaning Leicestershire, were unable to look after that particular child then the child would need to be transferred to another different authority and in this case this would be seen as a failure and detrimental loss on the part of Leicestershire County Council Social Services Department. I believe that Mr Noblett also mentioned the fact that if it was necessary to adopt this latter course of action there would also be a financial penalty from within the County."

Care Branch

27.7 On 24th November Mr Noblett made a note of his meeting with Miss Akram, which she described as just skimming the surface, "a broad outline of what happened in the meeting, there was a lot more said".

27.8 It is as follows:

"I saw Miss Nasreen Akram RCCO on 22nd November 1982, She arrived at County Hall hoping to see the Assistant Director. She told me that she had reached the stage when she found working at The Beeches very difficult. Some of the things that went on there she regarded as immoral.

"She talked about children being hit and threatened by the Officer in Charge and to a lesser extent by his Deputy and she also stressed the cunning way that these things were done so that they were never observed and that there would be no witnesses. Children had told her that they had been beaten by Frank and she had seen bruises. She had only actually witnessed one incident herself. She heard a boy screaming and on entering the room, found Frank Beck applying pressure to the boy's temples. The boy was QR, aged 10 years, who apparently was suspected of stealing £47 from the newsagent, Mrs Rice, in Kirby Muxloe. Frank was trying to get the boy to confess but failed to do so.

"She also told me about L, aged 15 years who had told her she had been beaten and that she had bruises on her tummy. Nasreen suggested to me that maybe Russell Mallison, now working at Queen's Park Way, may have witnessed the incident.

"Nasreen went on to question some of the treatment methods used at The Beeches especially regression. She said she knew of instances of young inexperienced staff being allowed to regress children and in her opinion there had been cases of children being left in a regressed state with no attempt being made to build them up.

"She suggested that the children and the staff were afraid of Frank. She referred to him as being very powerful with the ability to break down mentally, and emotionally, any member of staff who would not go along with him. She mentioned two members of staff in particular, a man called Jim and a young, attractive blonde girl called Sue, both of whom had been forced to leave. Sue had been christened the sex symbol of The Beeches and had been tormented about her sexuality. This label had now been passed on to Nasreen and she strongly objected to it. The Officer in Charge often referred to her as a 'middle class wog' and a 'paki' and she disliked this. She suggested that may be he was getting at her because she had questioned some of his views and even contradicted him. She has a degree in Psychology.

"She complained about The Beeches being dirty and in fact, positively unhealthy. She said that in the two years she had been there, she had contracted scabies on three occasions.

"She referred to the constant innuendoes at The Beeches about homosexual activities and queers. She told me about a young member of staff who spends most of his time at the Officer in Charge's home and who goes on holiday with the Officer in Charge. There had been much talk about PQ sleeping at Frank's. This is the child Frank was expecting to foster. Some children had even suggested that they had been propositioned by Frank. The children referred to his 'growth sessions' with individual members of staff as his 'grope sessions'.

"She told me of a young inexperienced member of staff, Kevin, who was finding the job rather difficult. Until recently, he himself had been in care at The Beeches.

"I wound up the session by telling Nasreen that she had been brave to come and talk to me but that it would be very difficult for me to take any action unless people who had actually been involved in any of these activities were prepared to come forward and make a statement and stand by it. She was obviously very concerned about her own position at The Beeches and I tried to assure her that we would not leave her high and dry. I undertook to see Russell Mallison at Queens Park Way and she said that she would let me have the names of anyone who was prepared to make a statement."

27.9 On her return to The Beeches from County Hall, Miss Akram found Mr Cobb with Mr Beck and Mr Beck looking grey and shaking. "John Cobb's just told me he's seen you making a complaint at County Hall." It is an open question whether Mr Cobb had said precisely that to Mr Beck, although he had seen Miss Akram at County Hall and had told Mr Beck of it.

27.10 On the following day Miss Akram telephoned Mr Noblett and told him the name of a former teacher at The Beeches school unit who may be able to give information. The teacher will be referred to as Miss T.

27.11 Within a few days of her first meeting with Mr Noblett, Miss Akram met him again by appointment but not at County Hall. She gave Mr Noblett further details and, in particular, complaints about the Deputy Officer in Charge, Miss Ann Midgeley. Mr Noblett made no note at the time and if he made one later it has not survived.

27.12 Miss T served as an assistant teacher at The Beeches school unit from April 1978 until July 1982. In May 1982 she arranged to leave the school at the end of the school term in July and take up another post in special education.

27.13 Witnesses at the Inquiry who had been in care at The Beeches spoke well of Miss T. It was plain that she was liked and trusted by the children. That is in contrast with other teaching staff who were seen as "Beck's people" and were suspected by children of passing on complaints or confidences to Mr Beck.

27.14 Miss T told the Inquiry that in the summer of 1982 she arranged to see Mr Dunning and, she thought, Mr Ramell, who were responsible for special education. She made a number of complaints to them about Mr Beck and The Beeches but did not feel that she was believed and was not asked to sign anything. Miss T recalled having been told that what she had said would be passed over to the Social Services Department. Miss T said that she was later confronted by Mr Beck who grabbed her by her clothing and pushed her around the office.

27.15 Some while later - it must have been 23rd November - Mr Noblett went to Miss T's home. "I can clearly remember walking down the road and seeing a man pacing up and down outside the house . . . The man was just parading up and down outside the house so I pretended not to be me because I was still . . . suffering from the repercussions of having worked at The Beeches. I asked him who he was, he was very pleasant, and he explained who he was after I told him who I was, and I invited him into the house." "He said he had come to see me because he had heard that I was unhappy about the situation at The Beeches and he wanted to hear my side of what had been going on." Miss T assumed that Mr Noblett had come to see her in consequence of the complaint she had made earlier in the year to Mr Dunning and to Mr Ramell.

27.16 Mr Noblett's note of his interview with Miss T was as follows:

"The following morning Nasreen telephoned and suggested that a former teacher at The Beeches, might be prepared to substantiate some of the information she had given me the previous day. I called to see the teacher the same evening. She immediately said she was not prepared to put her name to anything but was prepared to talk to me confidentially about The Beeches. She had left because Frank Beck had made it impossible to continue working there any longer. She accused him of making her neurotic and miserable to the extent she spent the evenings crying and unable to sleep. She reached the stage where she could not function normally or think rationally. She told me that he referred to her as a neurotic female and in front of the children called her names like a big fat cow. In her presence, he had told the children that teachers are idiots and they need not take any notice of them, teachers did not know what they were doing. Frank had encouraged the children to become anarchists and were told such things as the Queen should be shot, that Maggie Thatcher was absolutely useless and the only good government was in Russia. He had no time for women. The children were told that women were useless and that the only place they were any good was in bed or in the kitchen. The police were pigs and bastards. Frank found out that she attended Church regularly and tormented her over this. He told the children that Church was a load of rubbish and only idiots believed there was a God.

"The teacher told me that she had seen children being hit. On one occasion she witnessed RS being taken into the small office opposite her classroom by Frank, there was a lot of screaming and the child eventually returned to her classroom with black bruising on the side of his face. When I asked her why she did not report these things, she said "what was the point, Frank would deny them and say that the bruising was caused by the child falling over or walking into something". Everyone was afraid of him and no one would support her. She had in fact eventually complained in confidence to Mr Dunning, Education Department, and demanded a transfer from The Beeches which was granted.

"She also told me about the constant use of vulgar language, not only by the children but also by the staff. She complained of the unhealthy state of The Beeches and said that while she worked there she had contracted scabies and lice. She also referred to the Christmas party which she attended where young children were allowed so much drink that they vomited."

27.17 In her evidence to the Inquiry Miss T had two substantial comments to make about that note. The first was that it was by no means a full account of the conversation. The second was that she had not told Mr Noblett that she was not prepared to sign anything. On the contrary "I asked him two or three times whether he wanted me to sign what he had just written down as a statement, or whether the typed up report would be sent to me to sign and he just kept reiterating to me that it wasn't necessary, it wouldn't be necessary, and that was the last I ever heard from him".

27.18 Whether or not Miss T's recollection about that is accurate, it seems plain that Mr Noblett did not make clear to her that he had received a substantial formal complaint from a member of staff and that that was the context in which he was seeing Miss T. Management Officers failed to appreciate how isolated and vulnerable individuals felt about standing alone and how much more readily they would have come forward with information in an investigation if they had known that others stood with them.

27.19 Mr Noblett's next enquiry was of Mr Russell Mallison, aged 23, who had been an RCCO at The Beeches from 5th February until 30th September 1982. The interview with Mr Mallison was on 24th November, and though short, confirmed the tenor of Miss Akram's complaint:

"I called at Queens Park Way to see Russell Mallison concerning L. He told me that the incident Nasreen spoke about occurred in the T.V. room on Sunday evening. Some of the children were sat on the settee watching television. One of them, L was causing a disturbance by flicking cigarette ash over other children. Ann Midgeley, the Deputy Officer in Charge, tried to take L out of the room but L turned on her and attacked her. Russell had to intervene and restrain L. He told me that there was ill feeling between Ann and L. Ann then asked another member of staff called Sue to bring Frank Beck. When he came he grabbed L quite roughly by the ear and pulled her into the corner. Russell could not see what was happening but he heard Frank say 'how dare you attack my staff'. He heard slapping and clouting. L was screaming. She was then taken upstairs by Frank and Ann Midgeley sent Sue up after them. L returned to the Group later in the evening, her eyes all red with crying. The following day she showed Russell a bruise on her tummy which she said had been caused by Frank kicking her.

"Russell told me about another incident. This concerned a boy called OP.

"He misbehaved in the dining room. Frank grabbed him and took him into the T.V. room opposite. He left the door open and Russell was able to see him hit the boy several times quite hard across his face."

27.20 Mr Noblett told the Inquiry that he remembered his meeting with Miss Akram. "She impressed me.... I was quite impressed with the way she spoke to me and presented the case and talked sense." He took what she said seriously and had no reason to disbelieve her. He was not, however, able to recall what he did about it. He thought he would have "referred it up the hierarchy". His notes, or photocopies of them, went to The Beeches Headquarters management file.

Comment

27.21 Mr Noblett had noted allegations of violence to children, misuse of regression, fear of Mr Beck, Mr Beck's ability to break people emotionally, racial abuse, unwholesome conditions, and innuendo and suspicion of homosexuality. In short, he had good, clear, credible *prima facie* evidence of widespread abuse at The Beeches. Mr Mallison drew attention to physical abuse of OP, in respect of whom Mr Noblett had investigated a different complaint a little over two months earlier in September 1982.

27.22 By the end of November 1982, Miss T and Mr Mallison had left The Beeches. Miss Akram was to leave shortly after. The children, L, OP, QR and RS referred to in statements, had all left.

27.23 There is no evidence that Mr Noblett or any other managers in fact did anything on Miss Akram's complaint at all. Miss Akram, who left The Beeches on 31st January 1983, expected to be called back to a disciplinary hearing. She was not. She heard no more. Miss T heard no more. Mr Mallison heard no more.

27.24 Mr Noblett's lack of memory of action, though he remembered the complaint, and the absence of any document of any kind showing any follow up action inevitably lead to the inference and conclusion that no management action was taken.

The complaint relating to L

27.25 Mr Noblett heard from both Miss Akram and from Mr Mallison of abuse of L by Mr Beck. L, a 15 year old girl, had been at The Beeches off and on since 26th April 1982 and left on 5th November 1982. There is surviving written evidence of physical abuse of her, all of which would have been available on a proper investigation.

27.26 The Beeches daily log, which Mr Noblett did not inspect:

"1st June 1982	L saying very aggressively that she did not want a (bedtime) story . . . After I clipped her ear and told her to stop frigging about she started shouting (Mr Loweth).
"22nd June 1982	L had a good blow with Richard before teatime. Had been high with X and let off fire extinguisher. Blew when taken down to office. A 'good do' received clipped ear and possibly as a result nose bled . . . (Mr Loweth)
"1st August 1982	L . . . refused to use ashtray, flicking ash . . ., I tried to move her from the room but she was assisted by X, L kicked me in the mouth, Russell and I retrained her. Frank called out to deal with L."

27.27 The account given by L to her field social worker, Miss Jean Evans, at the time together with Miss Evans' own comments are contained in the running log Miss Evans maintained in 1982 and would have been available to Mr Noblett if he had asked:

> "On 12th October . . . L mentioned to me about two incidents when she said she was heavily handled by Frank Beck. One was on 28th July 1982 and the other was 20th August 1982. On both occasions L maintained that Frank Beck misunderstood what she said and hadn't given her a chance to explain herself. Because she had spoken to him rudely or looked at him rudely, he had physically punished her. On one occasion L said she was thrown on the floor, kicked in the stomach, dragged up the stairs, thrown on the bed and shaken by the shoulders very physically hard. She claimed she had bruises from these incidents but she did not show them to me and I have no way of verifying these stories. On another occasion apparently she had had her nose bloodied when her face was pushed into the wall; this occurred when another member of staff had tried to restrain her. Apparently she had been very quiet and they had riled her and made her lose her temper and then had tried to calm her down. L said that they have methods for releasing one's energy if one was being very quiet - they get you worked up and then you are supposed to expend your anger and energy, and then they calm you down. She said this is the way they get you to release your aggression and feelings and get you feeling better again. However she says she doesn't like this method of working - it makes her feel very shaky. L is also saying that Frank Beck said to her that if by chance she told anyone about these incidents nobody would believe her because he is the Officer in Charge and she is a child with a record. She also said he said to her that he could stop the fostering and make sure she goes to Polebrook House and 'down the line and inside and never get out again', never see her parents or anyone else again.
>
> "L has asked me not to take up these matters at The Beeches because she feels that if I do her position will be worse.
>
> "18th October 1982:-
>
> "I visited L. She had an oval shape bruise larger than a 10 pence piece on her left thigh. She had a long straight bruise on her right shin, this was somewhat faded now. She also had cuts near her ankle bones. They were not very deep, more like grazes with scabs forming on them. L said she got these various marks when the staff had tried to restrain her when she was trying to telephone me. L had told me on Friday morning that she was to be taken shopping by Sue that afternoon to buy some clothes and also to have her shoes changed. However, when Sue was ready to take her out, apparently she told L that she would think about buying her some clothes, not that it was definite. With this L had become very angry and had tried to telephone me. L said that they didn't want her to phone me and

had restrained her using a lot of force. They had thrown her against the cupboard and then had pulled her arms across her chest and held her very tightly and then she had been thrown on the floor and held down there. Apparently Sue then knelt on her shins. When this was happening the sole of her shoe got bent back and the buckle caught her ankle on both feet and caused her to have some cuts. She doesn't quite know how she got the large bruise on her leg but she said it was caused by the struggle that took place.

"I telephoned John Hollis (Senior Social Worker was away on holiday) and asked him if I could take L to The Beeches and ask the staff what had happened. John agreed.

"I took L to The Beeches and she and I and Neil had a discussion about what had taken place. Neil said that L was right, she had been asked not to telephone me and they had to use some constraint on her because she was so out of control. I explained to Neil that I was not there to act as referee obviously but that L could say how the bruising had occurred in front of The Beeches staff. What is not in dispute is that there was some sort of disagreement but what is questionable is the degree of severity used on L."

Comment

27.28 Mr Noblett's failure to carry out any proper investigation of Miss Akram's complaints is a blatant example of failure by a Management Officer to address questions of child care, indeed, child abuse at The Beeches. It represents negligence of the gravest kind. The evidence leaves no other sensible conclusion.

27.29 The gravity of Mr Noblett's failure is aggravated by the circumstances that Mr Beck at this time (November 1982) was already awaiting trial on a charge of assaulting a child at The Beeches, and that Mr Noblett had himself recently investigated the first complaint relating to OP and had substantially accepted Mr Beck's account of that episode.

27.30 It is difficult to avoid the conclusion that Mr Noblett was unwilling to challenge Mr Beck, no matter the apparent weight of the evidence demanding management action. (It is to be remembered that in August of 1982 Mr Noblett had written the most glowing reference for Mr Beck in the course of Mr Beck's preparation for his criminal trial.) Mr Noblett justified to Miss Akram his inaction on previous complaints by reference to Mr Beck's valuable contribution in taking difficult children.

27.31 There is no evidence that Miss Akram's complaint came to the notice of either Mr Rice or Mr Naylor.

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27.32 On 4th September 1984, a memo was passed to Mr Smith in the following terms:-

"Subject: Racist Remarks

In discussions with Frank Beck of The Beeches regarding an introductory visit by JT, he has on two separate occasions used the expression 'Paki git'. I mentioned this to David Oldershaw who felt that this should be brought to your attention."

27.33 Mr Smith passed that memo to Mr Naylor who spoke to Mr Noblett and endorsed on the memo a manuscript note:

"Spoke to JN who was at The Beeches. Read out the memo and asked him to speak to FB on the basis that the phrase is unacceptable and a repetition could lead to disciplinary action."

27.34 The Inquiry was told that members of the Social Services Committee were very alert to racist language or behaviour. The City of Leicester had a large population of people of Asian ethnic origin.

28
COMPLAINTS RELATING TO M
1982 - 1983

28.1 The Inquiry heard evidence and saw case papers showing examples of staff at The Beeches making unilateral decisions about children that were either contrary to review or other joint decisions or at least without consultation with the responsible field social worker. It was an axiom established by Miss Edwards that day to day case responsibility lay with the Area rather than with the residential care staff.

28.2 During Mr Beck's days at Ratcliffe Road, the specialised nature of the therapeutic work had been held out as justification for assumption by care staff of the right to run the case, with consequent confusion about case responsibility. That was not resolved by management then, and the same confusions arose at The Beeches. Most of the examples seen by the Inquiry were not brought to the attention of Headquarters staff, but were lived with as an irritant by Area officers. That is not to say that Headquarters managers were not generally aware of the problem.

28.3 The first plain example at The Beeches of such a case going to Headquarters management relates to a 16 year old girl, M. She had been received into care in March 1979, aged nearly 13, because of difficulties at home. She had had a troubled time both in Children's Homes and at school with consequent deterioration in behaviour and involvement in solvent abuse.

28.4 In May 1982 M went to Moorfields (secure unit) at Derby for a short "period of stabilisation" and went from there to The Beeches on 24th May. A week later M began work as a nursing assistant by arrangement with the Leicester Family Service Unit. M maintained contact with two of her sisters, one in Leicester and one in Portsmouth.

Complaint

28.5 On 7th September 1982, Mr Ennis, the Unit Organiser at LFSU wrote a letter to Mr Rice which is self explanatory:-

> "Dear Mr Rice,
>
> On 2nd June 1982, the Unit's Manpower Services Commission project at 93 Hand Avenue employed 16 year old M as a Nursing Assistant. At the time of interview and during the subsequent weeks, the staff at 93 were aware that M was in the care of the Local Authority and living at The Beeches. As M's attendance, behaviour and general work approach was all of a high standard, no direct contact with The Beeches was initiated and staff at The Beeches did not contact project staff.
>
> "On Friday 27th August, the Deputy Head of The Beeches arrived at the project and insisted on taking M back to the Home for an immediate interview with the Head of Home. He did not produce identification and apart from a vague reference to therapeutic necessity, simply ignored the fact that the project is a place of work. Two hours later he returned to 93 with M and insisted that as a condition of her continuing employment, I must pay her wages direct to him. Furthermore, he wanted the right to stop the project paying M directly on any future pay day, should he deem it appropriate. When I was unable to take away an employee's right quite that easily, he immediately terminated her employment.
>
> "I and my staff at the 93 project were dismayed at the heavy handed and insensitive way in which the Deputy Head conducted the whole episode. It would seem that M has needlessly lost a job which was working out well for her. She also lost a great deal of dignity in front of her workmates and clients of the project.
>
> "In view of the fact that the 93 project has in the past offered employment to several young people subject to Care Orders, I would appreciate your comments on the matter.
>
> Yours sincerely
> Jim Ennis
> UNIT ORGANISER"

Care Branch

28.6 Mr Rice passed that letter on to Mr Naylor who in turn passed it to Mr Noblett for investigation. Mr Noblett's only enquiry into the matters raised was by way of discussion with Mr Beck, and perhaps the team leader, Mr Gilroy, at The Beeches on 13th September:

> "I saw Mr F Beck at The Beeches on 13th September 1982 in connection with the letter dated 7th September 1982 from Leicester Family Service Unit.
>
> "He told me that the member of staff involved was Mr Peter Gilroy. All the staff at The Beeches were very concerned about M well known to the Department with a long history of severe glue sniffing and who had previously spent a period in the secure unit at Moorfield. She had been telling other children at The Beeches that she was going to run off to Portsmouth and the staff decided they must do everything possible to prevent this. They felt it would be helpful if they could stop her wages being paid to her for that particular weekend. Mr Gilroy telephoned Leicester Family Service Unit but they were not very happy with his suggestion that her wages should be paid to him. He told them that he would call to see them but they were still un-cooperative and consequently he decided to withdrawn M to prevent the wages being paid to her. Later the same day he returned with her to collect her money but since the Service Unit would not give an undertaking to pay her wages to him whenever it was thought necessary he terminated her employment. He told me that there were no other employees about when he withdrew her so that there was no loss of dignity in front of workmates as suggested in the Service Unit letter.
>
> "The Beeches insisted that everything was done for the benefit of M who had presented the Department with problems in the past. Whilst she was at Westcotes Drive for instance prior to her admission to Moorfield, she had been admitted to the Infirmary when her life was in danger because of glue sniffing. Mr Gilroy led me to believe that the Service Unit knew something of this girl's background and he felt they should have understood what The Beeches was attempting to do. **The Officer in Charge's attitude was that no-one should question what they were doing at The Beeches and the Department, who presents him with all these difficult kids, should give him unconditional support."** (Emphasis added).

28.7 Mr Noblett took the case no further. Mr Ennis's letter was replied to by Mr Naylor on behalf of the Director on 29th September 1982:

> "Dear Mr Ennis
>
> Thank you very much for your letter of 7th September concerning M resident at The Beeches. I have had the situation investigated and it would appear to me that The Beeches staff, who were responsible for M, considered that it was not in her best interests to continue working on the Unit's project at Hand Avenue. Staff at The Beeches considered that her past history and the problems being presented by her at the time were such that they had to take action as outlined by you. It appears that a decision had to be taken about her continuing employment on the project.
>
> I am sorry that I cannot be more helpful."

Comment

28.8 So far as M was concerned, the damage had been done. She had been withdrawn from a job which she was doing well and from which she derived benefit. In October 1982 she started a college course.

28.9 Mr Noblett plainly accepted Mr Beck's explanation and demand for unconditional support. What Mr Noblett failed to perceive or address his mind to was that this important step in M's already troubled life was taken peremptorily and without any discussion, negotiation or planning with the Area social work team or, particularly, with M's social worker within the team; nor apparently with M herself.

No improvement

28.10 That was not the end. There followed two episodes of M absconding over a weekend, returning on the second occasion the worse for solvent abuse. The Area was not informed on either occasion. There was then difficulty over whether or not M would spend Christmas with her sister in Portsmouth.

28.11 On 21st December 1982 Mr Copson, Area Director (Area 1) wrote about lack of communication and cooperation to Mr Beck:

"Subject: *M*

There been some recent developments involving this girl which have given the social worker involved some cause for concern:

"1) On two occasions she has absconded from The Beeches, i.e. the weekend 12-15th November and the weekend 3rd-6th December, without the social worker being informed. On the second occasion the social worker was informed by Braunstone police when she contacted them on another matter regarding M's sister.

"2) After M returned from her second weekend of absconding, she was found to be hallucinating and medically quite poorly due to constant solvent abuse. A doctor was called and there was some concern for her health. The social worker was not informed that she had returned, of her medical position, or any of the circumstances until she phoned to enquire on 10th December.

"3) Following a request from The Beeches, the social worker wrote to M's sister in Portsmouth to request a Christmas holiday for her. Upon receipt of a letter from Portsmouth on 20th December, the social worker phoned The Beeches to confirm travel arrangements. She was then informed that they (The Beeches) were not sure that M could go. On further discussion it materalised that M had been withdrawn from college and from her weekend visits to her sister (in Leicester) because of difficulties she was having with her solvent abuse.

"The social worker requested that the Christmas holiday be clarified and it was agreed that she would be contacted the next day with confirmation of what was happening. The Beeches worker phoned the next day (21st December) confirming that M would not go to Portsmouth for Christmas but would stay at The Beeches. It was then left for the social worker to contact the sister in Portsmouth (she has no telephone) to tell her M was not coming for Christmas.

"4) The Beeches are now requesting that M go to Portsmouth for a New Year holiday. It is now again up to the social worker to try to recontact M's sister to ask her if this is possible.

"Several issues arise from this series of events:

(a) Lack of communication between The Beeches and the social worker;

(b) that contrary to the conclusions of the last review The Beeches are making independent decisions about M's future, without involving the field social worker;

(c) that major decisions about M's future, e.g. moving to Portsmouth on a more permanent basis, are being made without any planning or discussion."

28.12 On 22nd December Mrs Daley, M's field social worker, spoke again to staff at The Beeches who now said that M was to be allowed to go to Portsmouth after all.

28.13 The unsatisfactory handling of M's Christmas arrangements and the general question of poor communication led to a meeting between field social work and residential staff on 12th January 1983. Mrs Daley and the senior social worker, Mr McCann attended, as did Mr Beck, Miss Akram and one other member of the staff at the Beeches.

28.14 Mr McCann made a record of the meeting which he passed to Mr Copson:

"Subject: *The Beeches*

Further to the earlier memo to you regarding unilateral decision making by The Beeches staff in respect of M, I today attended a meeting with Frank Beck and two of his staff members to discuss the matter.

"Our concern had been expressed verbally by SW Mrs Daley to Nasreen, the child's worker when the meeting was requested. She had responded by commenting that the Area SW had made insufficient visits to see M.

"The developments which caused our concern are detailed in the previous memo but are summarised as follows:-

1. M absconded on two occasions. The SW learned indirectly of these events, the first when it was mentioned by Mr John Cobb at a review held on M's younger sister, and the second when the SW telephoned The Beeches to discuss another matter.

   On neither occasion was the Area informed when the girl returned to The Beeches.

2. M was withdrawn from her full time course at college, a unilateral decision taken by The Beeches and with no liaison with the Area. The SW learned of this when telephoning The Beeches to discuss Christmas arrangements.

3. The Beeches postponed a planned Christmas stay with her elder sister in Portsmouth having earlier asked the SW to arrange this with the sister by letter. This decision was taken without liaison with the Area.

4. The Area SW was asked by The Beeches to notify the sister of this changed plan via Portsmouth SSD and was told that they had decided that the visit should take place at a later date.

"The meeting held today was arranged for 2.30 p.m. and commenced with Nasreen bringing M into the group. A brief time was spent with M talking about her apparently enjoyable stay with her sister and her wish to move to Portsmouth to live with her sister and family. Nasreen then announced that 'M wanted to say something'. After a prompt from Nasreen, M rather hesitatingly asked Mrs Daley why she had not visited her more often. Mrs Daley replied that she had not been made aware of problems which had arisen and she had been required to spend a good deal of time in dealing with M's sister and other members of the family.

"M herself did not present as particularly concerned about the issue and readily accepted the explanation given.

"Mrs Daley and myself were left with the clear impression that this was a rather obvious stage managed event in which the girl was being used to fire The Beeches bullets.

"Mr Beck joined the meeting at 3.00 p.m. after M had departed.

"(He repeated) the lack of SW visits and was dismissive of the concerns expressed by Mrs Daley regarding the total lack of liaison between The Beeches and the Area.

"Mr Beck's manner was domineering and ill mannered as he practically refused to allow the SW to speak. At this point I intervened and had to be somewhat forceful in insisting that I be allowed to state the Area point of view regarding the unilateral decision making. I particularly referred to the withdrawal of M from college despite a review decision taken on 23.11.82 that her attendance be encouraged and maintained. Mr Beck responded by saying that The Beeches did not have time to 'track down bloody social workers and keep having meetings'. I pointed out that I was not suggesting meetings but the common practice of telephone liaison.

"Mr Beck dismissed the point and justified the actions by stating that The Beeches accepted responsibility for any decisions taken by them.

"In this context I questioned the point of holding reviews given the attitudes being expressed.

"Mr Beck went on to state that he had originally accepted M into The Beeches as a 'special case' and a contract arrangement existed whereby the Area SW was expected to make weekly visits to M and therefore the contract had been broken.

"I pointed out that such frequency of visiting had never been mentioned, either by the previous SW, in the case papers, or by The Beeches.

"I reminded Mr Beck that I had particularly asked for clarification of the Area social worker's role and The Beeches expectations of the review held on 23.11.82. Mr Beck had stated that The Beeches saw themselves as working with M and the Area SW in dealing with 'the family'.

"During the remainder of the meeting, it became clear that Nasreen had made several visits to another of M's elder sisters, again with no liaison whatsoever despite the fact that information gained from this sister led to their decision to change Christmas plans.

"After these contentious issues had been aired we agreed to resume the working relationship with a 'clean sheet' and we were therefore able to turn our attention to the case in question.

"It was agreed that the Area SW will visit M on a fortnightly basis.

"Nasreen will visit M's sister in Portsmouth later this week as she is visiting that area, in order to gain an initial impression of the family's willingness and suitability to receive M on a trial basis.

"If M does move to Portsmouth she will be expected to return to The Beeches periodically for weekends.

"In conversation with Nasreen after the meeting, Mrs Daley learnt that she leaves The Beeches in three weeks, a fact not mentioned during the discussion.

"Conclusion

I have written this memo having reflected on the meeting described above and am left with several points of concern:-

1. The attitude expressed by Mr Beck, both explicit and implied, regarding his perception of the Area SW role and the concept of working co-operatively together.
2. The Beeches appear to have attempted to encourage some antagonism between M and her SW.
3. Given that Miss Edwards' policy statement is still operative i.e. the case responsibility rests with the Area, one is left to wonder if this is universally accepted."

28.15 The "earlier memo" referred to by Mr McCann was not available to the Inquiry. Mr McCann's memo reproduced above appears to cover the main points.

Further Complaint

28.16 Mr Copson passed Mr McCann's two memos and possibly his own of 21st December to Mr Beck, on to Mr Cobb. Mr Cobb, in turn, passed them to Mr Naylor on 18th January 1983 with a manuscript note:

> "Peter, I have received the attached from Len Copson and I would be grateful if you would let me have your comments and guidance as to how I should handle it."

28.17 Mr Naylor responded with a manuscript note on the same piece of paper on 25th January and the comment "J Cobb please see me". Mr Naylor's note to Mr Cobb was:

"1. How was this material received and what was expected of us?
2. Whatever FB thinks of the FSW clear v poor practice is evident by The Beeches - i.e. the holiday 'break down' and passing info. I don't think much of the bloody RSW's at The Beeches either.
3. If a 'contract' with an FSW breaks down I don't think The Beeches goes its own way. That isn't being straight.
4. The Beeches can't say we deal with the child, you deal with the family and then break that deal!
5. You can't have a case conference and then afterwards say the girl is coming home in three weeks (last para page 2)."

28.18 There is no record or memory of whether Mr Cobb had discussion with Mr Naylor. He probably did not. Mr Cobb did, however, pass to Mr Noblett the documents received from Mr Copson, together with Mr Naylor's comments. "John, I feel that you should see the letter from Len Copson and also see Peter's comments before we see Frank on Thursday." All those documents then went to The Beeches Headquarters management file.

Comment

28.19 Mr Naylor was right to recognise the exceptionally poor child care practice by The Beeches, and lack of communication and cooperation by Beeches staff with field social workers.

28.20 Failure of communication must be seen as attributable to the unresolved confusion over case responsibility between Beeches and field social work staff and the apparent determination of Beeches staff to override the established principle that case management responsibility lay with the Area. Nothing, however, was done about it.

A Parallel Issue

28.21 The reference by Mr Cobb to seeing Frank on Thursday arose from separate correspondence between Mr Beck and the Director of Social Services.

28.22 In December 1982 Mr Beck was under pressure from complaints. He was awaiting trial in relation to FL, he was aware that Miss Akram had recently taken complaints to County Hall. There had been at least two other complaints investigated by Care Branch in 1982. Further, Mr Beck had outstanding a fostering application.

28.23 On 21st December Mr Beck wrote to Mr Rice, with copies to Mr Naylor, Mr Noblett and Mr Cobb. Mr Rice's copy of the letter bears a note by Mr Rice "what is this all about?". Mr Naylor's copy "to discuss with Director":

"Dear Mr Rice,

May I draw to your attention a major change at The Beeches. A short time ago I informed you of the emotional strain and some of the problems that we were undertaking. Despite my own personal predicament, on this occasion myself and my staff are working well, but we have in the last six months increased the number of children who were referred to The Beeches for some form of therapy.

"I am very conscious that four years ago the department made me pledge I would not turn The Beeches into a Ratcliffe Road and apart from a short period when we regressed three little children, I have endeavoured to maintain my pledge. However, in the past 18 months there has been a growing demand for The Beeches to take damaged children mainly adolescents, this is normally as a result of a case conference where often The Beeches is not initially invited. As I see The Beeches is under the obligation where possible to accept such recommendations, we have in fact invariably agreed to take the child, having in all cases explained that The Beeches main function is not to undertake intensive long term treatment of children, however we have always accepted that a small proportion of the children would be quite damaged and see The Beeches as accepting responsibility for these children as right.

"We have as you know taken some girls directly from secure and have endeavoured to prevent others from going, which includes boys. We have recently been taking children from other institutions and at the present time of our 47 children of which 27 are resident, 21 of the total are here for some form of specialised treatment.

"At the present time we are managing, we are fully staffed and have now got our extra Grade 3. Apart from the expected deviant behaviour of the children, things are going very well, however, my concern is that the situation could deteriorate rapidly if things were mismanaged and I am drawing to your attention the fact that although The Beeches is working well, there is no guarantee that this can continue and it would be unfair, in fact unjust, for any of the staff at The Beeches, apart from myself, to be held responsible should things deteriorate. The Beeches has regrettably more than its fair share of damaged children and I am conscious that as a department you should be aware of this.

"I of course will make every effort to ensure the wellbeing of the children in our care as will my staff and I am not asking for any further assistance, the 21 damaged children are to say the least a handful and I feel it is necessary to keep you informed, particularly bearing in mind my original pledge not to turn The Beeches into a Ratcliffe Road, a pledge I assume the department wishes me to maintain.

Yours sincerely,"

28.24 Mr Naylor replied to that on behalf of the Director on 11th January 1983:

"Thank you very much for your letter of the 21st December and I apologise for the delay in responding to it. I note your comments with considerable interest, particularly your observation that you feel obliged to respond to a growing demand for The Beeches to take damaged children, mainly adolescents. Clearly, whilst you feel confident that you and your staff can manage damaged children, either individually or collectively, it concerns me greatly when you make statements such as 'it would be unfair, in fact unjust, for any of the staff at The Beeches, apart from myself, to be held responsible should things deteriorate'.

"In view of your comments I propose to ask Mr Noblett to visit you and discuss the situation with you. This will give me an opportunity to assess the position over all."

28.25 On Thursday 3rd February 1983, a meeting took place between Mr Noblett, Mr Cobb, Mr Beck and his Deputy Miss Midgeley. Mr Noblett made a record of it:

"The meeting was called to consider Mr Beck's letter of 21st December 1982.

"Mr Beck indicated that he wanted the department to be fully aware of the change in function of The Beeches. He recalled that when the new regime was set up, the function of The Beeches was to provide short term intervention of approximately three months, exceptionally six, to allow the staff at The Beeches not only to care for the child but also to work with the parents, the object being to reunite the child with its parents in its own home. Since then The Beeches has been asked by a variety of people, including the Director to take more disturbed children which of necessity meant that the child would have to remain at The Beeches for a much longer period of treatment than was ever envisaged initially. At the present time the staff and the school are coping with these additional

responsibilities but Mr Beck could foresee that perhaps this would not always be the case. Half the present children could expect to stay at The Beeches for a year or so. In other words the Home was slowly becoming a treatment centre which is quite contrary to what Mr Beck was asked to do when he was setting up The Beeches as a family centre. On the contrary, he was asked specifically not to establish a treatment centre on the Ratcliffe Road lines.

"Mr Noblett felt sure that senior staff at County Hall were fully aware that The Beeches were being asked to take some very damaged children but in any event he undertook to ensure that senior staff at County Hall did know.

"In discussion it became clear that children were being referred to The Beeches by various people including Area Directors, social workers, psychiatrists, Chairmen of Conferences, etc, and in most cases the prescribed admission procedure via County Hall was being by-passed. In the future an attempt will be made to protect The Beeches from some of this pressure and as a first measure children will not be admitted without a prior case conference. Quarterly reviews, to be chaired by John Cobb, will also be arranged.

"The workload that The Beeches accepts is well known. The home is always full, in fact it is always over full with two or three children above numbers. There is usually a waiting list - at the moment it stands at four. In addition there are always a large number of day care or weekend children attending. Despite all attempts to play down The Beeches as a treatment centre in the Ratcliffe Road image, it is nevertheless seen by many referring agencies as the one unit in Leicestershire that can provide adequately for the more damaged / disturbed youngster. It seems ironic when most of the homes are carrying many vacancies, some being less than half full, that The Beeches should be over numbers with a waiting list. I feel this point has some relevance in considering child care developments in the immediate future."

Comment

28.26 It is plain from that record that Mr Noblett's concern was to smooth any ruffled feathers. He did not see it as an issue for concern that The Beeches had been allowed (by management) to drift away from its original purpose so that of the 27 residents and 24 planned beds, 21 were outside the short stay criteria and receiving "specialised treatment". Nor did he take the opportunity to explore what the "specialised treatment" amounted to, an issue of significance in the light of the inquiry into Mrs Shimeld's complaint of the previous summer and the pertinent questions raised by Mr Cobb in respect of it.

28.27 The increasingly wide range of work being undertaken at The Beeches and the treatment approaches used there were left within the discretion of Mr Beck with the acquiescence of Management Officers who did not retain to themselves any effective control.

28.28 The decision not to open the secure unit at Polebrook House taken by the Committee in September 1982 may have reinforced in the mind of Management Officers the feeling that Mr Beck was of particular value as an Officer in Charge who would accept the more disturbed adolescents.

28.29 Mr Noblett failed to take up the questions of communication raised by M's case and the documents purposely passed to him by Mr Cobb to enable him to do so.

29
N'S COMPLAINT
JUNE 1983

29.1 Substantial allegations of mistreatment of children at the Beeches came to Care Branch managers again in June 1983. Management Officers made no independent investigation.

29.2 N, a girl then aged 14½, went to The Beeches on 21st May 1982. She remained there until 17th June 1983 when, having absconded, she was placed for 3 days at Westcotes Drive and then at Halifax Drive.

29.3 Westcotes Drive was a short stay Community Home where the Officer in Charge was Mr Nerini. There was a very high turnover of children coming for a few days at a time and being provided with a safe haven.

29.4 N absconded from The Beeches on 14th June 1983 and made her way to a family who had 'befriended' one of the other girls resident at The Beeches. On 17th June, N's field social worker, Mrs Patterson, spoke to Miss Taylor, a team leader at The Beeches, who repeated Mr Beck's feeling that N needed to be shocked out of her present behaviour and who suggested that The Beeches should refuse to have N back straight away. Mrs Patterson disagreed.

29.5 N was returned to The Beeches on the evening of 17th June where staff refused to admit her. There were telephone negotiations involving The Beeches, the social work emergency team, Mr Cobb and Mr Nerini. In the upshot N was admitted to Westcotes Drive.

Police

29.6 The following morning N was routinely visited at Westcotes Drive by WPC Moir of the Special Enquiry Unit. WPC Moir reported on her visit to her superior officers and suggested that a copy of her report go to Mrs Patterson, which was done.

29.7 WPC Moir's report:

> "Subject: N (26.9.67) c/o The Beeches Children's Home, Hinckley Road, Leicester.
>
> Sir
>
> "With reference to the above named I have to report that at 10.00 a.m on Saturday, 18th June, 1983 I received a message from PC Parkin at Braunstone Police Station saying that this girl had been missing from home since 14th June 1983 and had now returned and was in care at Westcotes Children's Home. He requested I visit Westcotes, verify the girl was there and find out where she had been during her absence.
>
> "At 10.30 a.m. the same day I went to Westcotes Children's Home where I spoke to the Duty social worker, Mike Nerini and N.
>
> "I found N to be communicative and well behaved (not at all like the usual response from missing from homes - sullen and insolent). She said she was fed up with living at The Beeches and did not want to go home to her mum and dad as she did not get on with them. I asked her what was wrong with The Beeches and **she said 'Frank', (The Head Warden at The Beeches), was forever hitting her and the other kids** and he wanted her to be girlfriend of one of the lads there who is a glue sniffer. She said because she refused, she was hit by Frank for not obeying him. She then said I had no idea of the sort of things that went on in the home but she would not enlarge on this statement. **Mr Nerini told me 50% of their intake at Westcotes were from The Beeches and he was surprised that nothing had been done about the children's repeated stories of ill treatment at The Beeches.** I, of course, had no proof of any 'goings on', at the Home, but N was adamant that no way was she going back there and if she was, she would simply run away again. I pointed out the uselessness of running away again, but she said she didn't care, nobody listened to her and just thought she was a trouble maker anyway and running away was the only way she could get people to see that she wasn't happy at The Beeches.

"Mr Nerini said since she had arrived at Westcotes she had been well behaved and helpful. She had been helping with the house cleaning before I arrived and was quite happy at Westcotes.

"It is unfortunate that N could only stay there until Monday 20th June 1983 when a decision will be made as to her future abode. Mr Nerini did not hold up much hope for a new placement but if this does not occur I am convinced N will be among the missing from home reports within the next few days and the Police will have to continue enquiries once again to trace her.

"N went missing from The Beeches from 5th to 17th May, this year. Again this was because she did not like her treatment at The Beeches but when she returned on that occasion she was sent back to The Beeches, where she did not settle and absconded again on this latest occasion on 14th June 1983.

"During her absences she had made her way to the W family.

"I visited Mrs W at 2.30 p.m. on Saturday 18th June 1983. Her house was very smart and clean and Mrs W was well dressed. She told me N had come to her when she had nowhere else to go, but each time she had turned up she had been quick to inform the authorities of her whereabouts. She said she felt sorry for N, she was a nice kid who had had a rough time with an alcoholic mother and bad home life and she felt she had a genuine grievance at the moment. Like me, she felt that if N was sent back to The Beeches she would only run away again but she assured me she would inform the authorities if she turned up at her house.

"I submit this report for your information and respectfully request that copies be forwarded to W/Inspector Buxton and Jane Patterson at The Fairway Social Services, who I understand is N's social worker."

The Area

29.8 Mrs Patterson received a copy of that report which she passed to her senior social worker and then to Mr David Evans, the Deputy Area Director (Area 2). Mr Evans recorded his reaction in a note back to the two social workers on 24th June 1983:

"I am concerned at the comments contained in this report regarding The Beeches. Of particular concern are the remarks attributed to the RCCO at Westcotes Drive. Is there sufficient ground for these comments to be made known to Care Branch? Please would you ring me to discuss. Thanks."

29.9 Mrs Patterson followed up WPC Moir's report and Mr Evans' memo by talking to N. Mrs Patterson made a note of her discussion and passed it to Mr Evans on 22nd July:

"I have talked to N about the allegations which she made against staff at The Beeches Children's Centre.

"N continues to be vague about specific allegations however maintains that what she said to the Police is true. She elaborated a little to me and talked of two incidents:

(1) Before Christmas a lad called ST, another resident The Beeches, was beaten up by Frank Beck and sustained bruising.

(2) That just after Christmas Frank Beck pushed her against a wall and hit her once because she refused to continue to go out with TU, another resident with whom she had just ended her relationship.

"N talked generally about children often being hit and said that another male member of staff would touch the girls on their thighs, that he did this to her once and she told him to stop it, got up and walked away.

"On 20th June whilst I was at Westcotes Drive to see N who had been placed there over the weekend, Mick Nerini told me about the allegations which she had made to the Police about her treatment at The Beeches. He commented to me that he wasn't surprised by the allegations and said that many of the children they had there from The Beeches had made similar accusations both recently and in the past. The substance of these allegations I understood to be of physical ill treatment.

"I understand from Wigston Police Special Enquiry Unit that no further action is to be taken on the allegations made by N because they are so vague and the Police consequently questioned her motive in making them. They will investigate further, however, if N wishes to make a statement giving more specific details. I have discussed this with N who is presently considering if she wishes to make such a statement to the Police."

29.10 Mr Evans responded by sending a copy of WPC Moir's report and Miss Patterson's note up his line of management to Mr Wells, Assistant Director, Domiciliary Branch. Mr Wells passed it across to Mr Naylor on 26th July with a note "Can you suggest how we might deal with this matter".

29.11 Mr Naylor wrote to Mr Evans two days later, on 28th July.

> "As I am responsible for The Beeches Children's Centre Mr Wells passed me your memorandum of 22nd July 1983 with enclosures. I have of course discussed the situation with him and in view of the fact that the Police are not proposing to investigate the complaint I propose that no further action be taken at this stage. In arriving at this decision I am mindful of the fact that the incident referred to occurred around Christmas time."

29.12 Documents show that a copy of that letter was seen by Mr Wells on 27th July. A note endorsed on a copy was addressed to Miss Furness, the Homes Adviser responsible for Westcotes Drive: "M Furness. For discussion with Deputy at Westcotes Drive, as agreed, then to file Beeches".

29.13 In her evidence to the Inquiry Miss Furness did not recall going to see Mr Nerini but did not dispute Mr Nerini's recollection. Mr Nerini had a clear memory of Miss Furness seeing him and asking him not to pass on "this sort of matter to the Police, but to route that through the system of line management so it would have gone to her and presumably to John Cobb and ever upwards".

Comment

29.14 The Area Team correctly identified the seriousness of Mr Nerini's remark to WPC Moir about repeated stories of ill treatment at The Beeches. That had also been repeated to Mrs Patterson.

29.15 Neither at Area or Care Branch level was significance attached to N's complaint of male staff touching the girls on their thighs.

29.16 Mr Naylor wrongly allowed himself to be guided by the Police decision to take no further action. He entirely ignored what Mr Nerini had said. His only response was to get Miss Furness to speak to Mr Nerini about the procedural aspect of the complaint. Mr Naylor told the Inquiry that he recognised that he had made an error of judgement.

29.17 The Beeches daily log shows upwards of 34 recorded occasions in the first six months of 1983 when children were hit or dealt with in a heavy handed way. There is an entry on 26th January 1983 "N caught pressurising TU for fags in his bedroom this morning. Frank sorted her out. She had a weep".

30
UV'S COMPLAINT
MARCH 1984

30.1 On an evening in March 1984 at least four boys were excluded from The Beeches, apparently as a lesson to them and others to curb a growing incidence of absenteeism and absconding. In the following two or three days, one of the boys made detailed allegations of physical abuse within The Beeches to Area social work staff.

Background - The First Complaint

30.2 The exclusion of the boys by Beeches staff and the very considerable trouble it caused is documented in a report of 19th March 1984. The report is neither signed nor initialled but was apparently made by Mrs Raynor, a member of the Department's Emergency Duty Team:

> *"19.3.84*
>
> At approx 9.30 p.m I received a call from two boys, UV and VW claiming to have been thrown out of The Beeches Children's Home tonight. Before ringing them back I contacted The Beeches to clarify the situation. I spoke to a person called Angela (?). She confirmed that the boys had been thrown out and that they could not return to The Beeches tonight. She said that she was sorry but SWET" [Social Work Emergency Team] "would have to sort something out for the boys for tonight. They were all playing games, running off was becoming like a disease at The Beeches and it had to be stopped now before it got any worse. She said that although one of the boys was on a care order, none of the other boys were 'in care' and so far as she was concerned they could all go home to their parents.
>
> "I rang UV and VW who were in a phone box in Hinckley. UV said that they had gone out for a couple of hours this evening and when they returned to The Beeches were told that they could no longer stay there. This presumably must have been at around 9.00 - not an unreasonable hour of the night. UV said he was given his bus fare to Hinckley and VW was with him. He said that his mother was not at home and that even if she was he could not stay there as she lived in a small bed sit and had been in trouble with the landlord before when he stayed overnight and she was threatened with eviction. Both boys claimed to have no money and nowhere else to go for the night.
>
> "From about 9.00 p.m. I had frequent messages from Air Call that two other boys WX and XY were ringing the emergency team from call boxes to say that they also had been thrown out of The Beeches and had nowhere to stay for the night. Unfortunately, when they rang I was either engaged on another call or out of contact and by the time I rang back they had moved on.
>
> "I rang back The Beeches and spoke to the same person who seems totally unsympathetic to the needs of these boys. She said that they knew what they were doing and that they would have to be responsible for their own actions. As far as she was concerned they were 'talking with their feet' and that in leaving the home they were indicating that they no longer wished to stay there. Under no circumstances would she allow them to return tonight. This applied to all four boys. I told her that I was not satisfied with this treatment of children in care and that I felt obliged to take the matter further.
>
> "Contacted B. Loader and then discussed the situation with him and on his advice I approached John Cobb, who in turn rang The Beeches and arranged that they should take these boys back tonight. I then rang The Beeches once again and asked them to contact UV and VW to arrange for their return this evening. Angela agreed to phone them but said that she would make no arrangements for their transport back to The Beeches. Both boys, she said were capable of walking back from Hinckley if they wanted to return.

"About one hour later I had a further phone call from UV and VW still in Hinckley. They said that they had waited in the phone box but had not been called back. Eventually they had rung The Beeches on a reverse charge call and the staff there had refused to speak to them. They said that they would go back to The Beeches or to VW's home in Syston if they could get transport. I told them that The Beeches were not prepared to make any arrangements for their transport back and that I would ring the Police to see if they could help. Meanwhile they would wait at the phone box. Rang Hinckley Police who were unable to help due to staff shortage because of the miners action. Rang back to UV and VW several times but could obtain no reply.

"At about 11.15 p.m. I had a call from Charles Street Police Station where WX and XY had arrived. Spoke to a PC Sandford at the Enquiry Desk who agreed to make arrangements for their return tonight to The Beeches."

Care Branch

30.3 That report went to Mr Loader, who was then a Principal Officer in the Domiciliary Branch. He, in turn, sent it on to Mr Naylor on 22nd March with an appropriate covering note:

"I attach a report received from Mrs J Raynor, a member of the Department's Emergency Duty Team, concerning the action of staff at The Beeches Community Home. One can fully sympathise with the problems of a staff group which is perhaps trying to deal with some very difficult adolescent behaviour. However, I do think that their action raises two important issues.

"Firstly, I would question the proposition that three of the four boys were not 'in care'. From my understanding of child care legislation, where a child or young person is not committed to the care of the local authority under some form of Order, the only authority for his or her accommodation derives from Section 2 of the Child Care Act 1980 and he is 'in care'. That being the case, a group of the Authority's staff cannot disown responsibility for a minor in its care until this is formally handed back to a parent or guardian. In this instance, moreover, one of the young persons concerned was said to be on a care order.

"In the second place, it is in my view not appropriate for The Beeches staff to handle a problem in such a manner that the Emergency Duty Team is left, and is expected, to pick up the pieces. I trust that matters can be sorted out so as to avoid a repetition of the events reported."

30.4 Mr Loader told the Inquiry that he had no recollection of receiving any response to that, nor did he really expect one. Experience had shown him "that if one makes a complaint and says I would like a response to this complaint what you get back is a whole load of rationalisations, why in fact it all should have been the way it was so I tended to adopt a philosophical position which was that, unless I wanted to pursue a matter particularly, I just said look I am bringing this to your attention it is jolly well up to you to get on with it". Mr Loader, of course, had no line management responsibility within Care Branch.

30.5 A passing reference in a later document suggests that Mr Cobb discussed Mr Loader's complaint with Mr Beck who did not support the actions of his staff.

Complaint by UV

30.6 Whilst Mrs Raynor's report was making its way to Mr Naylor, the Area team pursued its own enquiries with UV, who was 16 years old. Those enquiries culminated in a memo from Mr Charlesworth, Deputy Area Director (Hinckley and Bosworth Area) to Mr Cobb dated 22nd March 1984:

"Subject; Allegations of Assault by a Staff Member upon UV

"Further to my telephone conversation with you of the 22nd March 1984, I attach for your information a statement made by UV in the presence of myself, his social worker, and Jon Whiting the Senior Social Worker who has no direct knowledge or involvement with this boy. The statement was taken down by Jon Whiting, being the independent member of the group. This was undertaken at the request of UV.

"At no time was UV encouraged to make any comment which he did not wish to make, and was also given the opportunity to amend any of the written comments in the final typed form.

"Should you require any clarification as to the events regarding this allegation, perhaps you would contact me."

30.7 There is no evidence that Mr Charlesworth was contacted for clarification or, indeed, at all.

30.8 UV's statement, enclosed with Mr Charlesworth's memo was signed by UV and counter-signed by Mr Whiting on 22nd March:

"STATEMENT MADE BY UV (AGED 16)

The following statement was made in the presence of Mr E I Charlesworth, Deputy Area Director, Hinckley and Bosworth Social Services, Mr Jon Whiting, Senior Social Worker and Mr Peter Williams, Social Worker.

"I want to complain about the way the staff at The Beeches treat the kids. A number of times I have seen kids being hit by the staff. There is one boy - YZ - he started a fuss about something and Richard (staff member) got him on the floor and was banging his head on the floor - I saw this myself. I have seen Frank Beck hitting this girl P and I have heard from YZ and VW one day they had been glue sniffing and when they came in Frank started punching them around the room.

"A few weeks back Frank started punching me because I started swearing at him because he refused to let me go out and there was no reason why I shouldn't have gone because another lad was going to Hinckley. He punched me on the back, ribs and slapped me around the head. I did not make any complaint at the time. I did not bother because I thought he would get away with it. He (Frank) threw me out four times and I had to phone him up to see if I could come back. There has been times when I have missed the bus I have had to walk back because they wouldn't pick me up.

"One day I went out for a couple of hours without permission, when I got back I was told to leave The Beeches by order from Frank Beck - I went and another kid VW, came with me. We got to Hinckley and phoned up the Emergency Social Worker and The Beeches said I couldn't come back but VW could but he would have to make his own way back. We both of us had no money and there were no buses running at that time and The Beeches knew this and they refused to come and pick us up. We started walking about midnight and got back at 2.30 a.m. and Jackie Nangreve asked what I was doing back; I told her I had nowhere else to go. She said I could stay that night and see what they were going to do in the morning. In the morning (20.3.84) Frank gave me 50 pence for bus fare and said 'that's your bus fare to Hinckley, it's up to you to get your own money to get your own food, I don't want you back until the last bus leaves Hinckley at 10.10 p.m'. He said 'This would go on every day if you want to stay here'. So the next day the same happened. Then on Thursday (today) Frank was there in the morning and I was talking to another boy, AC, upstairs and Frank comes along and hits AC around the head. He asked AC 'what have you been doing?'. AC gets in a temper and says 'nothing' and goes to his room shouting a load of verbal at Frank and then starts throwing things around his room. Frank goes into AC's room and by now I know Frank he started hitting AC to stop him throwing things round the room and calm him down, I don't know whether he did or not because I was not in the room. I came down the stairs with AC not long after and Frank told me to go and get 50 pence from a member of staff, I told him that I wanted bus fare back and money for food as well, so he says 'you're not getting it', so I says 'I'm not going then'. So he comes up to me and I said to Frank 'you can hit me if you want'. He said 'I don't need to do that' and picked me up by my ears and took me to the door. I can't remember what he said but I said I was going to get him done about how he treats kids in that place. He put me out of the door and I started shouting a load of verbal at him. Then he comes after me because I was going towards the gate and he had me on the ground, hit me around the head and told me to say it to his face. I wouldn't say anything, he let go of me (he had been holding me down with his hand), he then went into the house and came out with 50 pence bus fare. He asked me if I wanted it and I told him I didn't want it. I waited outside the gates for a while and then I went back in because I decided I wanted the bus fare. So I walked back into the house and said to Frank I wanted the bus fare. He said I couldn't have it and then he said to me 'now I have even more suspicion that you had something to do with starting the fire at The Beeches'. He says 'I know you had a part in putting paint over the cars'. Then I told him, because he had told me, this place was all he had got and I told him he had better be careful because he would lose it because of the way he carried on. Then he says 'is that a threat?' and I says 'yes'. Then I started walking back outside and I said I was going to make a complaint. He said 'you'd better go to the Police but you had better explain yourself first'. He says 'so that's two threats you have made' and I said 'yes'. As I was outside the door by then he told me to come back and say it to his face. I said no because he probably wanted to hit me. Then I started walking up the road and hitched into Hinckley.

"After I had hit a member of staff one time, when I hadn't been there long, Frank got me round the throat and told me to calm down. I kicked him away and he got me round the throat again. There were some scratch marks on my neck. That is the only time I have noticed any marks, bruises or injuries."

30.9 Mr Cobb followed up UV's complaints by interviewing him at Liberty Road Children's Home in the presence of an RCCO working at Liberty Road. It is probable, though not established, that in the light of his complaints UV had been moved on from The Beeches. The record of the interview is undated. UV, evidently under some gentle cross examination from Mr Cobb, stuck to his account:

> "1. I interviewed UV in the presence of Dale Leighton a Care Officer in Liberty Road.
>
> "2. I questioned UV and asked him if he wished to change any of the statements he had made on his earlier report to the Area Officer. UV said that he did not want to change any of the statement and he confirmed that he saw Richard Loweth a member of staff at The Beeches holding YZ a resident at The Beeches down on the floor and was holding the boy by his hair and was banging his head against the floor. I asked UV if there was anyone else about who could also have witnessed the incident, he said no only him. I asked him did he say anything to any member of staff or children. He said no, I forgot about it.
>
> "3. UV said that he saw Frank Beck hit P and that P when he arrived at the scene was on the floor. He said he did not stay and watch he just walked by. I asked if there were any other witnesses, he said no I was walking by.
>
> "4. I asked UV to tell me about the incident when Frank Beck had held him by the throat and asked him why, UV said that he had just hit a member of staff in the face and that Frank had pulled him off and in doing so he had hurt my neck. I asked why UV had hit a member of staff and he said that the member of staff had refused him permission to go home to Hinckley so I hit him. I asked if there was anyone else present to witness the incident UV said no, only Frank Beck and the member of staff.
>
> "5. I asked UV if any of the members of staff were present when he made the allegation that Frank Beck had punched him on the back and in the ribs and slapped him around the head, he said no.
>
> "6. I asked UV to let me have information about the time AC a resident at The Beeches Centre was hit by Frank Beck and again was anyone around to witness the incident and UV said no only me. UV did say that after he had seen Frank hit AC, Frank took AC into a room and I did not see anything else.
>
> "7. I asked UV about the incident over him being picked up by Frank Beck by the ears. I said that if you were picked up by your ears didn't it hurt. He said well it would have done but I stood up. I asked if anyone saw Frank Beck picking him up by the ears and he said no.
>
> "8. I asked UV about the question of Frank accusing him of being involved in a fire that they had had recently at The Beeches. UV said that the boyfriend of a girl resident at The Beeches asked UV which was Frank Beck's car, UV said that it was the red Chevette. Later that evening the girl's boyfriend visited The Beeches in the middle of the night and threw red paint all over the car but UV had given the wrong information to the girl's boyfriend and instead of the boyfriend throwing paint over Frank Beck's car which was a red Carlton also a Vauxhall the Chevette belonged to another member of staff and this had made the member of staff very angry. UV said that he thought Frank believed he was involved in the fire because the paint store which contained the red paint thrown over the car was in fact the seat of the fire but he said he had had nothing to do with the fire.
>
> "9. I asked UV to give me any information that he could about the incident at the front of the house where he is accusing Frank of putting him on the ground and hitting him. UV said yes, Frank did do that, I asked were there any witnesses? He said no, oh, yes there were three children walking across the road but I don't know who they were but as far as he knew no other witnesses.
>
> "10. The question I asked now is where do I go from here? There were no witnesses to witness any of the incidents, some of the report that UV related is hearsay, the incident with Richard Loweth I believe we dealt with or in fact this was dealt with by Mr Peter Naylor and John Noblett. The only thing I could do now is interview children named on the list but I feel this will be a fruitless exercise. I think that we should now bring Frank Beck into County Hall and discuss the allegations with him thoroughly."

30.10 Mr Cobb told the Inquiry that he was inclined to believe what he was told by UV but was looking for corroborative evidence to support it.

30.11 Mr Cobb explained to the Inquiry the view he had expressed in writing that to interview the children "will be a fruitless exercise". "The two children named were children with learning difficulties and we would have gained little or nothing from them . . . P had a very low IQ and was not truthful . . . YZ was very difficult to manage within the home . . . he was a glue sniffer and he again was of low intelligence . . . cannot recall AC at all . . . probably they would fabricate something not necessarily a lie, but would fabricate the situation."

30.12 Mr Cobb passed on his own notes of interview, and almost certainly the documents emanating from Mr Charlesworth, to Mr Noblett. Mr Noblett wrote a manuscript note for Mr Naylor as he passed the papers on to him:

> "You should be aware of yet another allegation against Frank Beck.
>
> "There is some substance in John Cobb's comment that we never seem to get very far with these inquiries and before I ask him to pursue the matter further wonder if you wanted to make any comments. Clearly we still want to know why the boys were excluded from The Beeches and almost left to fend for themselves."

30.13 Mr Naylor's very surprising reaction to that was contained in manuscript at the foot of Mr Noblett's note and was probably made on 10th April:

> "No dates attached to any of the incidents in JC's report. Some incidents certainly happened many months ago. Bearing in mind the way some incidents experienced by UV have come out I doubt v much that there is anything that can be deemed to be 'abuse'.
>
> "From my discussions with JC I gather that in his discussion with FB that FB did not support the action taken by staff. Perhaps a warning to the staff who took the action would be appropriate - or is it too late?"

30.14 There is no evidence that any further step was taken in relation either to Mr Loader's complaint or to UV's complaint.

Comment

30.15 Mrs Raynor's account of 19th March demonstrates lamentably poor child care practice by The Beeches staff. It also illustrates the power that Beeches staff arrogantly thought they had in their attempts to override the Emergency Duty Team.

30.16 Mr Loader's evidence was echoed by other witnesses from both within and outside Care Branch. There are arguments to support a failure to respond to the person bringing forward a complaint in terms of time, administration and shortage of secretarial staff. Nevertheless, it should be regarded as good practice to respond to complaints, whether they come from within the Department, from other departments within the local authority or from outside agencies or individuals. The routine of making a considered response inevitably concentrates the mind on the substance of the complaint and should help to ensure that it is addressed.

30.17 Mr Cobb's answers about interviewing children stand beside the circumstance that throughout the series of complaints received by Care Branch, the interviewing of children was an extreme rarity; and beside the evidence of Mr Beddoe from the Rosehill investigation in 1978 that Mr Noblett held the view that children should not be seen in an investigation.

30.18 Mr Cobb's reference to "an incident with Richard Loweth . . . this was dealt with by Mr Peter Naylor and John Noblett" suggests yet another complaint reaching Care Branch and being investigated in some fashion. No document or memory survives so that the Inquiry has not had the opportunity to explore it. Mr Loweth remained in post at The Beeches until 16th January 1985. No disciplinary measures were taken.

30.19 Mr Naylor was unable to explain to the Inquiry how he concluded or could have concluded that there was doubt as to whether the episodes of violent treatment of himself and three other children recounted by UV "can be deemed to be abuse". Care Branch officers were united in their evidence to the Inquiry that any hitting was unacceptable and should have led to management action.

30.20 The Beeches daily log, with which Mr Cobb should have been familiar but was not, shows at least 30 recorded incidents in the six months to 31st March 1984 of children being given a clipped ear, hit, smacked, slapped, clipped round head, swung by the hair, grabbed and handled forcibly.

31
WORKING RELATIONSHIPS
BD'S CASE
APRIL TO NOVEMBER 1984

31.1 Lack of co-operation and failure of communication by staff at The Beeches was a recurring irritant to field social workers and in 1983, in the case of M, Headquarters managers had had it particularly drawn to their notice. An example of the problem arose again in stark form in 1984, the field social work staff making a determined but unsuccessful effort to get senior management to address the heart of the problem.

Background

31.2 In April 1984 a 13¾ year old boy BD was due to leave Polebrook House which was closing down. He was an exceptionally troubled person, with regular Court appearances and a history of solvent abuse. He had a close but ambivalent relationship with his mother. A plan was formulated and agreed that he should go home on trial, attending The Beeches school unit on a daily basis. He began at The Beeches school unit in May 1984.

31.3 BD's social worker, Mr Paul Bardsley, was on leave for the month of May. During that time, the plan for BD began to slip in that he was increasingly and by informal arrangement staying overnight at The Beeches.

31.4 A case review held on 6th June 1984, in anticipation of a pending Court appearance by BD on 21st June, agreed to explore BD's suitability for the Leicester Action for Youth (LAFY) Intermediate Treatment Programme with a view to recommending to the Court a supervision order with intermediate treatment. That review was attended by Beeches staff who did not raise a dissenting voice.

31.5 The following day, Mr Bardsley visited BD at The Beeches. He noted "BD refused point blank to talk and walked out of the room. No explanation given . . . spoke to Maggie Paige, BD's key worker, and his teacher. Both pleased with his progress . . . conclusion: I am unhappy about the approach taken by The Beeches. I do not think that BD particularly needs to regress and this approach is contrary to what I have tried to adopt to date - that of trying to treat him as an adult. The conflict of approach will be particularly apparent if/when BD joins the LAFY scheme when the emphasis will be very strongly on adult behaviour and accepting responsibility for one's actions as an adult. I feel very strongly that the danger is that BD will become totally confused by the different messages he is getting . . ."

31.6 On 13th June Mr Bardsley arranged to collect BD and Miss Paige in his car and take them to an appointment with BD's solicitor:

> "Arrived at The Beeches 2.45 p.m. to collect BD and Maggie Paige to take them both to BD's solicitors, only to be told that BD did not want to go with me. I do not know why but The Beeches staff seem to be setting themselves up against me, with themselves as the good guys and me (and, it seems, the rest of social services) as the bad guys. They readily agreed with BD's assertion and agreed to get him there by other means and come back on the bus rather than suggesting he is being unreasonable and perhaps ought to come in my car."

Later in the same note:

> "Travelled to solicitors separate from BD and Maggie Paige. Even more alarmed by attitude of Beeches. Repeated diatribe about in need of a loving father figure etc and secondary deprivation aired at case conference/review the previous week. They then went on to say that they felt that social services had over the past five years consistently messed up BD's life but they felt that they at The Beeches could put this right (strange, I always thought that The Beeches was part of the social services dept.). They didn't feel that IT involvement was appropriate at this particular time because of the contradictions in approach between themselves and LAFY (see my previously stated comments about this). I very much get the impression that they intended to stand up in Court and say this, which I feel will be far from beneficial."

31.7 Following intervention by Miss Rowberry, Area Director (Area 3), a further case review was arranged for 19th June. On 18th June, Mr Bardsley confirmed on the telephone that Miss Paige and Mr Beck "should be attending meeting at our office tomorrow p.m."

31.8 The meeting on 19th June was not attended by any representative from The Beeches. The decision was taken that Mr Bardsley prepare a Court report with a recommendation for a Supervision Order with IT, and that the meeting be reconvened on the following day with a further invitation to Mr Beck to attend.

31.9 The reconvened meeting began, as arranged, at 2.00 p.m. on 20th June. At 3.10. p.m. a junior member of The Beeches staff arrived. He came with no authority to concur with or dissent from any recommendation that was being made by the meeting. He "gave various explanations as to why they had not attended the previous day and stated that they felt it to be inappropriate for BD to receive IT sentence the next day". The meeting reaffirmed the recommendation of the previous day. A copy of Mr Bardsley's Court report was sent to BD to keep him informed.

31.10 BD attended Court on 21st June in the company of the same young, unqualified and inexperienced member of The Beeches staff who had arrived late for the previous day's meeting. That young RCCO made clear to BD's solicitor The Beeches' view that BD was too fragile to cope with Intermediate Treatment and that the Social Services Department had totally mishandled the situation. In the upshot, BD's solicitor, faced with a dissenting recommendation from The Beeches and seeing BD as being in danger of being sent by the Court to a Detention Centre, asked for an adjournment of the case so that a psychiatric report could be obtained as to BD's suitability for detention. Adjourning the case, the Justices ordered preparation of such a report, together with a written report from The Beeches.

31.11 On 25th June Miss Rowberry held a meeting with Mr Beck, BD's teacher, Mr Bardsley and the senior social worker Mr Robinson. It was agreed that BD should stay at The Beeches for the time being, and that he should attend the LAFY IT Group beginning on 19th August rather than the earlier date planned.

Complaint

31.12 On 4th July Mr Robinson and Mr Bardsley made formal complaint to Miss Rowberry about the "unprofessional practice" of The Beeches and called for an investigation:

> "We are writing to express our concern over the recent events and in particular over what we consider to be unprofessional practice of The Beeches in relation to BD's recent Court appearance."

31.13 Mr Robinson and Mr Bardsley then set out the background history of the 6th June review decision for Intermediate Treatment, The Beeches' subsequent disagreement with that plan and failure to communicate with field social work staff about it, the failure by staff from The Beeches to attend the case conference of 19th June, the presence of a junior staff member from The Beeches, only, at the reconvened meeting of 20th June, and the adjournment of BD's case on 21st June and the reasons for it. The formal written complaint concluded with these words:

> "We feel that as a direct consequence of the unprofessional actions of The Beeches, BD has been left for a further month in a state of uncertainty about his future and is, in addition, to be subject for diagnosis which will partly unsettle him.
>
> "We feel these matters should be drawn to the attention of those responsible for the supervision at The Beeches, as we feel that this series of incidents should not be allowed to pass without an investigation."

Further Developments

31.14 A further meeting was arranged to take place at LAFY on 18th July in order to discuss Court reports to be handed to the Court at the further hearing of BD's case the following day. Nobody from The Beeches attended.

31.15 At Court on 19th July The Beeches produced a report from Miss Paige recommending that "BD should be allowed to continue at The Beeches, so that we can put our full programme of work with him into operation". It contained no mention of LAFY or the Intermediate Treatment programme.

31.16 A report was also produced at Court on 19th July from Dr Lewis, the consultant psychiatrist who provided consultation to staff at The Beeches. The report was based on reading a report by Mr Bardsley, reading a report by BD's teacher, discussions with staff at The Beeches and a single interview with BD and his mother. The report, which did not discuss the question of Intermediate Treatment, supported Miss Paige's recommendation. Dr Lewis recommended "that BD remain at The Beeches for a period of time where he can get the appropriate help which will be necessary in order that he become a valuable member of society". Neither report was made available to Mr Bardsley prior to 19th July.

31.17 The Court made BD subject to a Supervision Order with an Intermediate Treatment condition. By separate negotiation it was agreed that BD should start the Intermediate Treatment programme on 3rd September.

Renewed Complaint

31.18 Mr Robinson and Mr Bardsley registered their reaction to the continued lack of cooperation by The Beeches staff. In a commendably moderate memo to Miss Rowberry on 7th August:

> "Further to our memo of 4th July we enclose a copy of the Court report presented by The Beeches on BD's behalf. You will note that it does not, as agreed at the meeting held on 25.6.84 between ourselves and Frank Beck, recommend or mention a Supervision Order with an Intermediate Treatment condition attached. We understand that the writer of the report, BD's key worker at The Beeches, was not aware that the meeting of 25.6.84 had taken place and had written the report in ignorance of this. The report was, however, passed by Frank Beck.
>
> "As you are aware, a meeting to discuss Court reports etc was held at LAFY Trust, King Street on 18th July. Once again no representative from The Beeches arrived.
>
> "We look forward to hearing from you further on this matter."

31.19 Miss Rowberry wrote to Mr Beck about it on 29th August:

> "I have received a memo from Paul Bardsley and Ian Robinson referring to a Court report prepared by Maggie Paige on 17.7.84.
>
> "The memo expresses concern that a Court report was prepared by Maggie which does not appear to be in accord with our Conference decisions of 25.6.84. Paul and Ian also state that as far as they are aware the writer of the report was unaware of the conference and its outcome. Also, that no representative of The Beeches attended a meeting at Leicester Action for Youth on 18.7.84 when Court reports and refinement of the contract between LAFY and us was discussed.
>
> "We are sincerely concerned to work with you and your establishment in BD's interests. However, it does seem that the management of this case continues to be confused, and such confusion is a source of concern in a situation where we need to be very clear about what we are doing and why.
>
> "I would be pleased to receive your comments on Maggie Paige's Court report and the meeting of 18.7.84."

31.20 On 4th September 1984 Mr Bardsley received a telephone call from Miss Paige of The Beeches to say that BD had not attended the LAFY Intermediate Treatment Programme on the previous day. Mr Bardsley wrote a file note:

> "4.9.84 - Telephone call from Maggie Paige from The Beeches. BD had not gone to LAFY as arranged the previous day. It had been arranged that Maggie would provide transport from The Beeches to LAFY but she had been told by Frank Beck OIC of The Beeches that she could not do this as they were short staffed yesterday. I feel that this is an acceptable reason. However, he further stated that The Beeches would not provide transport in future and that *I* would!!!! Maggie unsure when BD next due to go to LAFY, agreed I would phone James Fern to find out details and see if I could possibly provide transport (the chance of me being able to do this on a regular basis are however thin).
>
> "I am yet again concerned at the attitude of The Beeches (Frank Beck in particular). They have again unilaterally altered an agreed programme procedure without reference to myself or any of the parties concerned. I can only assume that having received K.R's memo re their Court report they are having a fit of pique, all very childish and I find it quite hard to believe that they can continue to get away with it."

31.21 Mr Beck replied by telephone to Miss Rowberry's letter on 5th September. Miss Rowberry digested that into a memo to Mr Robinson and Mr Bardsley:

"Following your memos to me regarding this boy and my letter to Frank Beck, Frank rang me to say the following:-

(1) he did not consider that what Maggie Paige said in her Court report departed substantially from what we had agreed.

(2) he did not see why we were so concerned as our preferred case work plan was being fully implemented.

(3) he did not see any reason for Maggie to have attended LAFY meetings as these arrangements were about BD 'in the community'.

(4) he did not know what Paul was currently thinking about BD as he had had no contact with him.

(5) he continued to be concerned about BD. He would have preferred him to stay at The Beeches, a view which he understands Dr Lewis to share and which Frank says was expressed by Polebrook staff and Rob Wade.

(6) He sent me a copy of Dr Lewis's report which he seemed to think I had seen previously but which I do not believe I have.

(7) He intimated that BD is exhibiting his continued need of The Beeches by sometimes staying there until 10.00 p.m.

"Frank has accepted our view of BD and his situation with reluctance, rather he is going along with it than accepting it. I do not think that it will profit anyone much to continue the debate about the events of June and July even though we may have concerns about this.

"What appears to be more of a live issue is the Area's relationship with Beeches staff at present and how far we can work with them to BD's benefit.

"In relation to this, could you let me have a note about:

(a) BD's progress at home.

(b) Progress at school.

(c) Your comments on Frank's inference that we are 'holding off' from contact with The Beeches and what contact has been made.

(d) What arrangements, if any, there are for a review with The Beeches' staff."

31.22 Mr Robinson and Mr Bardsley reported BD's non attendance at LAFY on 3rd September to Miss Rowberry by a memo of 6th September, and replied to Mr Beck's comments by a memo to Miss Rowberry of 7th September. In both, they called for a full investigation. In the first of those two memos Mr Robinson and Mr Bardsley made these remarks:

"We are concerned that yet again, despite numerous attempts on our part to elicit full co-operation from them The Beeches have unilaterally altered agreed arrangements. This has not only delayed the start of BD's participation in the Intermediate Treatment programme ordered by the Court, but will if unchallenged/unaltered for the duration of the programme of six months, cause considerable difficulties to ourselves and LAFY as we are now left with the problem of transporting BD from The Beeches to King Street.

"We understand that LAFY are very annoyed at this latest turn of events and that they are considering referring the matter to County Hall. We feel that their annoyance is justified and request that a full investigation of the actions of The Beeches in relation to this case be instigated.

"We look forward to hearing from you."

Mr Robinson and Mr Bardsley concluded their memo of 7th September:

"We enclose the case file for your perusal. We feel that until the matter vis-à-vis The Beeches is resolved there is little that can be achieved in this case. We feel particularly vulnerable being responsible ultimately for a case over which we have seemingly no influence.

"We therefore request that a full investigation into the case takes place."

31.23 On 7th September BD refused to attend LAFY, and on 12th September Mr Bardsley had a meeting with Miss Paige, BD's teacher, and a representative of LAFY. Mr Bardsley noted that "it was generally felt that BD had been unduly influenced into rejecting the IT scheme".

A Complaint from BD's Mother

31.24 On 13th September BD's mother added her robust complaint about The Beeches in a letter to Mr Rice, the Director of Social Services.

"Dear Sir,

I would like to complain about The Beeches family centre, as I would like to know how Frank can tell my son BD that he doesn't have to do *anything* he don't want to. He is saying BD is fragile and has a guilty complex and should be allowed to do as he likes because he is looking for punishment, which I believe is a load of rubbish. I know BD better than them and BD is just plain bad tempered, they are making things hard for everyone including BD with this attitude and how can he take over this completely and tell BD what to do and fill him with such fantasies as he does and not let me know anything about things, when BD is at home with me and only goes to school at their home BD has admitted to me that Frank would like him to stay there all the time. If BD is in a bad mood Frank sits him on his knee and loves him and treats him like a baby. This I have seen for myself because he did it in *my house*. BD is 14 years old not a baby. They are supposed to keep in touch with me, and discuss how BD is getting on but I never see them, now to top it all BD came home last night and tells me Frank is taking him to Syston Police Station Sunday to be charged with something, and they haven't even the decency to let me know, I don't even know what BD is to be charged with or anything. Surely no *one man* can take over my son like he has without something being done, I know from the things BD says Frank is trying to turn BD against me and I don't intend to sit back and let this happen as I love my son, and I am not letting a stranger or *someone like Frank* do this without fighting for my son. In my opinion he is very underhand he thinks he can ride roughshod over everyone and get away with it. You can show him this letter as I will tell him the same to his face if I see him. As I see it they are making BD believe he can do as he likes, and at the end of all this, it is BD that will have to suffer for it. I mean they can't be that interested in BD because they never hardly turned up at any of the reviews or meetings on BD to find out what is what. He thinks he can just do as he likes and wants to with BD which is very wrong, why should my BD be the one to suffer just because Frank wants to play God. If you find out the answers to these questions I would be interested to hear them.

Yours sincerely,

"P.S. I am sorry to going on like this to you, but I am so angry and disgusted at what is happening to my son and the way it is being done.

Surely something can be done for the way they are handling BD."

The Director's Response

31.25 Mr Rice acknowledged BD's mother's letter, "I am arranging to look into the complaints that you have made, and will write to you again". Mr Rice then passed BD's mother's letter to Miss Rowberry with a request for a report.

31.26 Miss Rowberry reported to Mr Rice on 25th September:

"Please find attached . . . the letter to you regarding her son BD.

"Following the closure of Polebrook House, BD was placed at The Beeches when his 'Home on Trial' was disrupted. He was subsequently returned to his mother's care, although he continues to receive education at The Beeches.

"The conduct of this case has been fraught with difficulties, many of which spring from the fact that BD's needs were assessed differently by the Area and by Frank Beck supported by Dr Lewis. The Area contention would be that we have tried to arrive at compromise in the management of the case, but that we are still in a very difficult and uneasy situation with The Beeches. At one point, a recommendation was made to the Juvenile Court that BD should be made the subject of a Supervision Order with a condition of IT. BD was to join a LAFY scheme.

"Following the acceptance of this recommendation by BD he subsequently rejected the scheme and the IT condition has not been able to be enforced. Frank Beck has stated that he was never in agreement with the IT recommendation, but 'went along with it' but also believes that BD was and is too fragile to cope with the LAFY programme. He has stated to me that the social worker was in opposition to The Beeches and that he (the fieldworker) was not doing his job. Frank has now withdrawn his key worker's intervention and threatened to withdraw educational support for the boy. He feels that the Area has mishandled the case and that he will stand by his assessment of this boy's needs.

"All of this is only to give you a flavour of the virtual breakdown in communications between us and The Beeches over this boy.

"When I rang Frank about BD's mother's letter he told me that we should tell BD's mother that what she was saying was rubbish. He considered the letter to be a manipulation on BD's part.

"In the circumstances I do not feel that it is appropriate for me to try and furnish you with a report that would furnish the basis of a reply to BD's mother.

"I feel that it would be wrong for me to have to explain Frank's practice when I do not have responsibility for it, and when I have been so closely involved in BD's case from an Area viewpoint. I hope that you will feel, as I do, that this matter should be dealt with by Frank's line manager. If you, or John Cobb, need more information then I would be happy to supply it."

31.27 Miss Rowberry's suggestion that Care Branch be asked to deal with the matter does not appear to have been taken up. It is certain that BD's mother received no substantive reply to her letter.

Mr Beck

31.28 On 26th September Mr Beck, no doubt having BD's mother's letter of complaint in his mind, sent a long and wordy letter to Miss Rowberry defending The Beeches' handling of the case:

"I feel it is necessary for The Beeches and myself to document the handling of this case. It would appear there are so many distortions and I am concerned that misrepresentation is being presented which needs to be rectified. I am forced to express concern over the handling of this family by the social worker Paul Bardsley of Raven Road.

"BD was referred to The Beeches via Rob Wade after a review at Polebrook House which did not involve The Beeches and that we were not invited. We have not received a report from that Review although it has often been quoted to me. Due to the absence of the social worker his senior Ian Robinson discussed BD with the Head Teacher of The Beeches. From this discussion and my conversation with Rob Wade, The Beeches agreed to place BD in our school on a day basis and offer support to the family and possible IT for the child should it be required. It was quite clear that there was little hope of BD returning to mainstream schooling for some considerable time, this meant at least a year. Also there was the possibility of BD failing at home and that we would be prepared to admit him should this be necessary.

"It is worth remembering the child is on a care order. Both mother and child with Ian Robinson visited and all parties were in agreement with the plan. Regrettably BD had a court appearance pending. There were also two case conferences arranged. Unfortunately due to a very sudden illness of The Beeches family worker, one was not attended and the other we were only able to send an observer. Although a court report from the social worker was given to a member of staff at The Beeches, the social worker sent a copy via the post to the child with no explanation or warning that he intended to do this.

"In that report, it stated that the child would return to mainstream schooling after the summer holidays. This was totally against what had been arranged originally, but we were told by the social worker that it had been agreed at the review at Polebrook, a review we had no knowledge of. The social worker also seemed incapable of communicating direct to the child and on one occasion when visiting The Beeches made no attempt to interact with BD, thereby heightening the difficulties. The social worker seemed determined that BD should be given IT as a court recommendation to be undertaken by LAFY. By this stage BD had committed further offences whilst at home and was obviously beyond his parents control and it was agreed reluctantly to admit him. This was done at the request of the social worker and of the child, it was not at the request of The Beeches.

"It has been clear to us that BD is an immature boy of what we would refer to as a fragile personality and we found that he responded and in fact demanded physical comfort from the staff and readily sat with staff to be comforted. He has a short span of concentration and is incapable of undertaking a full day at school even within The Beeches. We were therefore opposed to BD going to LAFY as this was more for growing adolescents and those children who are living in the community. Because of this The Beeches felt it was unable to support the social worker's report and his plan of action for BD, particularly as the two treatments would be direct opposites one i.e. The Beeches pampering to his immaturity and Leicester Action for Youth encouraging him to grow up and face responsibility. However, The Beeches agreed reluctantly that the social worker's plan would not be directly opposed.

"It was agreed that the child should be returned home as quickly as possible to allow the social worker's plan to be undertaken. This was achieved and despite some problem as to who was doing what BD was taken to LAFY and was delivered home to be picked up by them or whatever arrangements the social worker had made.

"BD had expressed some anxiety about going but had not been a problem at The Beeches and was willing to be there at the pick up time. At no point were we aware of any work being done by the social worker. At a time of such anxiety it would have seemed to us an important duty to help the child over his few visits. This does not appear to have been the case. After two attempts BD was told there was no point if he was not prepared to go inside the LAFY building. He claimed he was fearful of some bars that are on their building.

"The child reported to us that the field social worker had told him that if he did not go, he would be sent down and the only way he could avoid this is by claiming he was insane. As the social worker was in fact responsible for the IT this was not the case.

"At no time did The Beeches obstruct his attendance or openly object to it in the presence of the child. We have repeatedly said we do not believe the child can manage but we assumed that the child was available to be picked up from his home as agreed. The decision to withdraw him was that of the LAFY and the social worker.

"I enclose a full report from Dr Lewis who was asked to see the child. Dr Lewis is of the opinion that the child is damaged emotionally and that it is unwise for the child to be at home, that the proposed plan of the social worker was incorrect and states the child's needs would be better met at The Beeches. Despite this report, The Beeches has followed however reluctantly the case conference decisions.

"To try to avoid further complications we have ceased all contact with the family apart from transportation to and from school. In the past BD has requested to be received into care. Every effort was made to inform the parents and return the child home. Where possible we have kept the family informed, but we acknowledge on occasions we have asked the child to inform his mother. This has only applied once when the Police requested BD to be charged on a Sunday and we agreed to do the transporting.

"BD has now committed a further offence whilst at home in the form of arson on Sunday 23rd and he has now been charged.

"At The Beeches BD attends willingly and often requests to stay after school until about 5pm. He is always returned home directly.

"We are aware that there has been a lot of manipulation which is why I feel it is important to document a summary of events and criticisms of those involved. I am firmly of the belief that we are dealing with a damaged (emotionally) child who is not capable of being his true chronological age and therefore needs specialised handling if he is going to avoid custodial sentences.

"At the present time The Beeches is only responsible for his education and BD spends no time at The Beeches as a resident. We are undertaking no family work and no real treatment programme. The responsibility for this case is entirely that of the social worker who in my opinion is not spending any where near enough time with the child and is following a plan of action which is more fitting for a maturing young man."

31.29 Miss Rowberry replied to Mr Beck on 3rd October:

"Thank you for your letter of 26.9.84 regarding this boy. I feel that it would be invidious of me to begin to argue out the pros and cons of BD's management and supervision in correspondence. Recently I have taken the following action:

1. I have passed BD's mother's letter to the Director with a recommendation that the issues she raises are dealt with by your branch. I feel this is right in view of the fact that I do not have responsibility for The Beeches and your work.
2. As you mention Rob Wade in your letter I am sending him a copy of same.
3. I will also send a copy to John Cobb.

"I am filing your letter on BD's file. I do not think that we shall ever resolve some of the conflicts about the handling of this case, but I take your letter as your written statement of how you see the position.

"Following the death of Andrew Biggin I think that we do feel very anxious about a boy such as BD who is a glue sniffer and who is therefore vulnerable to the same kind of risks. I therefore feel that it is especially alarming that you and we are divided in the way that we are. For our part, we feel that we have tried to compromise and work with you, but that sometimes has been made difficult.

"I have asked Paul Bardsley to make at least weekly contact with BD and his family by home visits. Paul is in frequent contact with me about this case and is aware of our background fears. He, or Ian Robinson, would, I know, be in touch immediately if there are important developments at home. I trust that we would also expect communication from you if school staff become especially concerned in any way."

Renewed call for Investigation

31.30 Mr Robinson and Mr Bardsley received a copy of Miss Rowberry's reply of 3rd October 1984. This prompted a further detailed response from Mr Robinson and Mr Bardsley in which they met Mr Beck's points one by one, and concluded:

"We repeat that we respect the right of The Beeches to have a different opinion/analysis of this case than ourselves, but again emphasise that the procedures for resolving our differences have not been followed. If it was felt that BD would 'fail' a case conference should have been called and the matter dealt with. We are not dogmatists but pragmatists and would willingly amend any arrangements in the best interest of the child. We do not feel that it is in the best interests of the child for him to be allowed to fail to prove a particular theoretical point.

"We feel that this case raises many questions of lack of accountability and a general failure of the department to function smoothly and efficiently in the best interests of clients. We therefore request that a full investigation should take place."

Headquarters

31.31 Mrs Pat Hill, Principal Officer, Domiciliary Branch, was brought in to try to resolve the differences of approach and chaired a case meeting on 10th October:

"Eventually it was agreed that BD should attend The Beeches, but that, in order to gain maximum co-operation from BD's mother, it should be on a daily basis, with the opportunity for BD to stay overnight if he wanted it, and possibly with weekend residence. There was a discussion about the report for the Court.

"The question of responsibility for future case-work was discussed. Frank Beck eventually agreed to take full responsibility for BD whilst he was attending The Beeches, but wanted the Area to work with BD's mother. Eventually, a joint worker approach to the mother was agreed. Frank proposed to give the case to Jane Ashdown, a qualified social worker, recently from fieldwork, who would work well with the area social worker. Paul Bardsley agreed to this but said that he couldn't guarantee to agree with everything proposed by The Beeches."

31.32 On 15th October Mr Robinson repeated his request for an investigation:

"What is absolutely paramount in this case is what is in the best interests of the child. It has been shown that an eclectic approach comprising disparate elements does not work and that what is needed is a consistent approach. I believe our approach is a valid one, however, due to the lack of an alternative educational resource it is not possible to implement the same. It is therefore with reluctance but with the hope that a more consistent approach will benefit BD that I accept the implementation of The Beeches proposal. The total implementation of one scheme or the other is the only workable possibility in this instance and I feel that the agreement reached to implement The Beeches plan did achieve the compromise agreement sought at the conference.

"The truth is that you and I earlier in the year, Sue Davis and in the last six months, Paul Bardsley have all tried to assist this young person and his mother to the limits our time and resources would allow. The truth is that other forces from within the department, including from The Beeches, have run counter to whatever we have tried to do. Given all this I recommend that we have to agree that the total responsibility and the day to day handling of the case be handed over to The Beeches and that we communicate this agreement to Mrs Hill.

"Whilst the above proposal will resolve the difficulties in this particular case, I still feel that there should be a full investigation into the facts of the matter to try to prevent the same occurring in the future. On a personal level I feel Paul and I are being made to appear awkward simply because we have consistently stuck to fulfilling our responsibilities. You will appreciate that I (nor Paul) would want to have to deal with The Beeches in future. I still feel the Director should be formally asked for the matter to be fully investigated."

31.33 Within a week the plan broke down. On 16th October Mr Bardsley received a message from The Beeches that BD had not been responding well . . . and that The Beeches would not pick him up for school until his attitude changed. The Beeches also refused a request to admit BD.

31.34 The following day BD told Mr Bardsley that he refused to go to The Beeches. He was quite "adamant" that under no circumstances would he go to The Beeches either to the school or residential . . . "He did not like being treated like a kid . . . He would go to any other Children's Home, school or even detention centre rather than go to The Beeches". Mr Bardsley and BD's mother both felt that "something, we do not know what, has happened in the last week to sour BD's attitude to The Beeches".

31.35 On 24th October Miss Rowberry had occasion to send a message to Miss Hill. "I spoke to Jane Ashdown yesterday. Jane told me that Frank was taken aback that we thought he was taking responsibility for the case."

31.36 After further vicissitudes, BD was admitted into secure accommodation outside Leicestershire in November 1984. He had further short term placements at The Beeches in July 1985 and February 1986.

31.37 On 1st November Mr Rowberry against took up the question of an investigation in a memo to Mrs Hill:

"Over the period of the past few weeks, I have had a number of representations from Ian Robinson and Paul Bardsley that there should be an enquiry into the handling of this case.

"We now have the case file back on the Area, but I feel obliged to pass this request to you for objective feedback from a senior officer on the events of this case. If you feel that it is more appropriate, I would be glad if this request could be passed to the Director for action."

31.38 A decision was taken within Domiciliary Branch, however, that an investigation would be time consuming and should not be undertaken. Miss Rowberry recorded the Area's feeling about that in a memo to Miss Hill on 4th February 1985:

"Today, I reviewed BD will Paul Bardsley. At that review, Paul raised the question of the request which had been made on more than one occasion for an enquiry into the management of the case, with particular reference to the role of The Beeches.

"I explained to Paul that I had agreed with you that to undertake an enquiry at this stage would be very time consuming. However, as you have had sight of the file, I would expect that you have some knowledge of the various happenings in BD's case during 1984.

"Whilst I accept the reasoning behind not having an enquiry, I felt it only right to record the continued misgivings by Paul Bardsley and Ian Robinson about the events of the case and the way views about these events have been formed at Principal Officer level. The decision not to carry out a thorough investigation of the facts is accepted with reluctance and with a continued wish on the part of the area that an objective assessment of the data could be undertaken."

Comment

31.39 Mr Robinson and Mr Bardsley were right to pursue their request for an investigation. From their early involvement, The Beeches had decided on an approach to BD's problems by 'regressive therapy' which was not consistent with the appreciation of BD's needs made by the Area, nor with the Area's proposals to meet BD's needs. The Beeches' subsequent attitude to case meetings and reviews and decisions reached at them, to Court reports and even, by inference, to the order of the Court was highly unprofessional and did nothing to serve BD's wellbeing. The Beeches succeeded in frustrating the plans of those holding responsibility for the case.

31.40 There was unacceptable reluctance by Care Branch managers to confront Mr Beck and to redress bad practice. Indeed, the Inquiry saw no evidence of action by Care Branch. Care Branch certainly knew of the case: it had a high profile in the Department at the time.

31.41 Mrs Hill was brought in from Headquarters to assist in finding a workable compromise but there was an obvious need during the currency of the case for senior management to reassert the principle of where case responsibility lay and the essential need to follow good open working practices. That need was not met.

31.42 This was not an isolated case, though it was unusual in getting to Headquarters management with very strong requests for an investigation and it is unusual in the amount of documentation that has survived.

31.43 The difficulties of dealing with The Beeches were, however, well known and were simply not addressed.

Postscript

31.44 At his trial in November 1991 Mr Beck was convicted of offences against BD of buggery, indecent assault, and assault occasioning actual bodily harm.

31.45 Although not in strict sequence of events it is pertinent to refer to miscellaneous documents from management files referring to two further examples of lack of co-operation by staff at The Beeches. Both cases came by way of complaint to Care Branch managers.

CE

31.46 On 9th July 1985 a Senior Officer (Intermediate Treatment) sent a letter of complaint to Mr Beck with copies to, *inter alia*, Mr Ashon and Mr Cobb. Mr Ashon's copy was forwarded to Mr Cobb for him to deal with. The case concerned a boy, CE:

> "I am writing to express my strongly felt concern at the lack of cooperation between your staff and a member of my team in their work with the above named boy.
>
> "As a result of a Case Conference decision and a court adjournment, Bill Loach (Social Worker - IT) was requested to undertake an assessment of CE's current situation with a view to the consideration of a community based programme as an alternative to a custodial sentence. This assessment was to involve lengthy discussion with his social worker Mr Heaney and a series of interviews with CE and his family.
>
> "Following the Court appearance, Mr Loach phoned The Beeches on 21st June and arranged to see CE on 25th June. He arrived at the arranged time only to find that CE had gone camping for the week with staff members - something that was surely known on 21st June, and I would also question its appropriateness in view of his legal status and the need for a full assessment from ourselves. Mr Loach therefore arranged to see CE on his return from the camp on 27th June only to find that he had been glue sniffing to the extent that any conversation was impossible. A further appointment was therefore made for 28th June by which time regrettably, CE had absconded.
>
> "Following his return to care Mr Loach arranged a further appointment with a staff member to see CE on 4th July 1985 in the afternoon. In view of the previous problems, Mr Loach phoned in the morning of 4th July to remind staff and check that CE was on the premises. He duly turned up to see CE that afternoon only to find that he had been given permission to go out for the day and was not available to be seen.
>
> "As CE was due back in Court on 9th July, Mr Loach made a final, and this time successful, visit to see CE on Saturday 6th July, outside his normal working hours. A further adjournment has had to be requested to the Court due to our inability to have sufficient contact with this child.
>
> "I feel I must point out that this situation is not unique and similar situations have arisen with other children who have been resident at The Beeches and I would request that in the interests of all concerned, especially those Clients, that there is no repetition of this lack of cooperation by your staff with the work of the Central IT Team."

DF

31.47 On 26th July 1985 Miss Wright, the Area Director (Area 4) wrote to Mr Naylor about difficulties that had arisen over another boy at The Beeches, DF:

> "My Deputy Area Director, Mr Dilleigh, wrote to Mr Ashon a short time ago concerning the above named boy and the attitude and actions of Mr Beck, Officer in Charge, The Beeches, relating to DF's remand into care and decisions made at contract meetings.

"I attach for your information and action, a report from DF's field social worker, Ms Rose Kay, which concerns me considerably on two accounts:-

1. Mr Beck seems to consider himself totally independent of the Department's procedure regarding remands to the care of the Local Authority and of abiding by general decisions taken at contract meetings.
2. The personal and abusive remark made to Miss Kay in the presence of staff and children at The Beeches, which were totally uncalled for and for which I would expect an apology to Miss Kay from Mr Beck personally.

"I would be grateful if you could inform me what action is intended concerning this matter. Apart from the personal aspect of Mr Beck's behaviour, it does seem to me to make a mockery of any departmental procedure which is laid down and agreed to as policy, when one person is allowed to totally disregard this procedure, and there would seem to be little point, unless Mr Beck is prepared to acknowledge that there is a procedure and to abide by decisions made at contract meetings, to hold further such meetings regarding children placed at his establishment."

31.48 Miss Kay's report was dated 24.7.85 and read as follows:

"On 8th July following a period on bail from the Juvenile Court, DF appeared in the Magistrates Court having been charged with another offence. He was remanded in care and placed at The Beeches. A contract meeting was held on 12th July where it was decided that we should seek further remands in care and would review this at another meeting on 30th July. This was decided:

a) to give DF a chance to settle in his YTS job which started on 15.7.85.
b) because we felt that we could not support/and the Court would not think it realistic to allow bail as DF had been on bail when he allegedly committed the offence which lead to the remand in care.

"DF was remanded in care again on 16th July and Colin Raggett (from The Beeches) contacted me either that afternoon or the following day. He told me that the YTS were expressing concern that DF would miss out on his training if he had to miss half a day a week to be remanded in care. Colin suggested that we consider asking for bail with the condition of residence at The Beeches. I was unsure as to whether the Court could do this and was also under the impression that Colin was talking about this as a possibility for after the next contract meeting.

"I contacted John Dilleigh who had chaired the contract meeting, who said he felt that this would have to be discussed at the next meeting and also have to be approved by County Hall. I contacted The Beeches and left a message for Colin to this effect.

"On 22nd July, I contacted DF's solicitor to tell him that our Court Officer was trying to get DF's case on the following day so he would not miss more than 1½ hours work time. Mr Hart, the solicitor, said that he had been contacted by The Beeches and he agreed that we were asking for bail with a condition of residence at The Beeches. I explained that this had not been agreed at the contract meeting.

"I contacted The Beeches - Colin was not on duty - and spoke to Chris Savage, Deputy Officer in Charge. I explained that the contract meeting had agreed to further remands in care. I also contacted Peter Tempest of the Central IT team who had been at the contract meeting. He said he did not agree to bail with a condition of residence.

"Chris Savage from The Beeches rang back and agreed with me that we had to stick to the recommendation of the contract meeting.

"On 23rd July, after a conversation with Mr Hart and Colin Raggett before going into Court, the solicitor applied for and was granted further remand in care for DF.

"I returned DF to The Beeches and saw Mr Beck. He became very angry when I explained what had happened and why. He said that social workers (including me) were letting bureaucratic regulations come before the welfare of the child, that I had broken the Geneva Convention on Human Rights and he asked me whether if County Hall told me to wear swastikas and kill people, I would comply with the request.

"I pointed out that his staff and DF were at the contract meeting and had agreed with remands in care until the next meeting. Mr Beck asked if he could in future expect Area 4 to take such a rigid attitude. I suggested he take the matter up with County Hall, and he said he would.

"This entire exchange took place in front of several staff members and children, including DF. DF accompanied me to the car and was obviously fairly confused. He ventured the opinion that The Beeches in general don't know what they are doing."

Comment

31.49 There is no record or any other evidence that Care Branch addressed either complaint in any way.

31.50 In matters or professional practice as in other areas, Mr Beck was allowed by his managers to be outside their control.

31.51 Both these cases came to the notice of the Child Care Resources Team. The team did not have the management responsibility for Mr Beck or The Beeches but did have responsibility for IT centrally and for management of the Juvenile Justice Team.

31.52 Late in 1985 a "third draft" of a paper was circulated by the Child Care Resources/Juvenile Justice Teams with a wide range of proposals including a proposal that Children's Homes should no longer prepare their own separate reports for Court hearings but that their contribution should be incorporated in the social worker's report to the Court. That was a sensible and necessary alteration to practice.

31.53 The proposal attracted vigorous opposition from Mr Beck who wrote early in 1986 not only to the Director, but also to all Officers in Charge inviting their united opposition to it. In the event this was overtaken by Mr Beck's resignation.

32
EG'S COMPLAINT OF PHYSICAL AND SEXUAL MISTREATMENT JANUARY 1985

32.1 In January 1985 the Social Services Department received information from a former resident at The Beeches of physical and sexual mistreatment by Mr Beck. No further action was taken in respect of it.

32.2 EG went to The Beeches by a voluntary arrangement in April 1984. He was just 16 years old. He had decreasing contact with The Beeches over the summer months.

32.3 On 17th January 1985, EG went with a friend to the public enquiry desk at the Area 1 Grey Friars office, asking to see a social worker. He was seen by the duty officer Mrs Browse. EG wanted a letter of estrangement to give to the DHSS to help him in claiming benefits. He had left home and was staying with friends. He was studying for GCE 'A' levels at college. EG was anxious about going to the Social Services Department lest, at the age of 16¾, they would send him back to The Beeches.

Complaint

32.4 EG told Mrs Browse that while he had been at The Beeches in 1984 he had been physically and sexually assaulted by Mr Beck, and another boy had been sexually assaulted. Mrs Browse impressed on EG the seriousness of the allegations, but did not press him for details. EG did not want the matter taken any further. Mrs Browse thought EG to be clear thinking and intelligent.

32.5 Following that meeting, Mrs Browse discussed what EG had told her, which she regarded as very disturbing, with Mr Copson, Area Director (Area 1). The decision was taken that Mrs Browse should get more detail from EG, who should be told that there could be no promise not to take the information further.

32.6 It is Mr Copson's clear recollection that he then spoke to his senior line manager, Mr Wells, the Assistant Director, Domiciliary Branch. Mr Copson recalls passing on what he had learned from Mrs Browse. Mr Copson did not make a note of his discussion with Mr Wells at that time.

32.7 On 22nd January, Mrs Browse personally delivered the letter of estrangement to EG, for him to pass to the DHSS office at Norton Street, supporting EG's wish to live independently. She told EG that she had decided that she must take the information he had given her further, and obtained more detail from him. Mrs Browse then wrote a manuscript memo which she passed to Mr Copson:

> "Memo to Len Copson 22.1.85
>
> From Barbara Browse
>
> "When on duty on Thursday January 17th I interviewed a 16 year old boy, EG who had come to request a letter of estrangement from his family to submit to the DHSS. In the course of the interview he told me that he was at The Beeches for several weeks during 1984 and that whilst there he was illtreated by Frank Beck. He told me that he had been physically and sexually assaulted, and that another boy, FH had also been sexually assaulted. On this occasion I did not ask for any details. EG said he did not want me to take it any further, but I warned him that he had given me very disturbing information which I would have to think about. EG told the Clerk at Norton Street that he was afraid that by coming to us he would be put back in The Beeches and that he didn't want to go there because he had been ill-treated. The clerk volunteered this information when I telephoned to ask what they wanted stated in the letter of estrangement.

"Today I personally delivered the letter of estrangement to EG at the YMCA as it was important that he should have it to take to Norton Street tomorrow. I told EG that I had given a lot of thought to what he had told me and that I had decided that I must after all take it further. I asked him to tell me very briefly what had happened at The Beeches. He said that he thought Frank Beck had 'taken a fancy' to him, that he was sometimes very friendly, sometimes punitive and smacked him about his head and had squeezed his testicles and penis in his hand. He has been told by FH that he has anal intercourse with Frank, but is not complaining because he quite likes it. He says that a boy called GI was made to strip by Frank who looked at him but did not do anything to him.

"EG's view was that I should do nothing unless some other child complains, but that if that happened he would be prepared to give evidence in court. I did not in any way suggest that it would come to court. It was EG's own idea to say that.

"I have made no arrangements to see EG again. He is an 'A' level student at VI form college, and will be 17 in a few weeks time. I have not been able to trace any records of EG's admission to The Beeches, or of any Area 1 involvement other than an N.F.A. note on an index card, although Geoff Davis remembers that he attended a case conference on him last year. I have told Geoff what was said at the first interview but he does not know of my conversation with EG this afternoon.

Barbara Browse"

Mr Copson and Mr Wells

32.8 Mr Copson recalls that he sent that memo to Mr Wells. It was Mr Copson's normal practice to communicate with his superior officers in type script. On this occasion, he regarded Mrs Browse's memo as too sensitive to go to the typing pool and sent it in its original form. There is no record of Mr Copson sending a covering note with the memo, although he had, according to his recollection, spoken to Mr Wells very recently.

32.9 Undoubtedly, Mr Copson got no response from Mr Wells. On 14th February, prompted by Mrs Browse, Mr Copson telephoned Mr Wells and recalls being told by him that there was to be no further action unless EG made a formal statement of complaint. Mr Copson made a manuscript note that day. He attached it to Mrs Browse's memo which he had received back from County Hall and put the documents in a cupboard in his office. There they remained until the major police investigations in 1990, when Mr Copson arranged for the documents to be looked out and passed to County Hall from where they went to the Police.

32.10 Mr Copson's note of 14th February 1985:

"Subject: The Beeches
Message Date: 14.2.85

Attached information conveyed verbally to Mr Wells. Discussed finally with him on 14.2.85. N.F.A unless EG makes formal statement of complaint and if he follows this up by returning to department."

32.11 Mr Copson's note raises a question over the accuracy of his clear recollection of passing Mrs Browse's manuscript note to Mr Wells after speaking to him between 18th and 22nd January. It is, however, improbable to a high degree that having sought Mr Wells' advice, Mr Copson did not put him fully in the picture.

32.12 Mr Copson has a much less clear recollection that Mr Wells also told him that Police had investigated EG's complaint and had found insufficient evidence to proceed. It is quite clear that he is wrong about that, and may well be confusing his telephone conversation of 14th February with events of more than a year later. There was no police investigation in 1985 and Mr Wells did not make any such reference.

32.13 Mr Wells could bring to the Inquiry no recollection of this case at all. He would not, as a matter of practice, have been content with an oral report on a matter of this importance. He would have asked for a sight of the written material as well as a report from the Area expressing its views. He would have invariably expected such material to come before him in type script.

32.14 Mr Wells did not, however, seek to dispute Mr Copson's evidence in any way. He accepted that a failure to act on the information brought forward by EG was a grave error of judgement.

Comment

32.15 Both Mr Copson and Mr Wells are men of integrity who did their best to assist the Inquiry. They are both conscientious men.

32.16 The inevitable conclusion is that Mr Copson passed EG's complaint to Mr Wells. The police were not informed. Care Branch was not informed. Mr Wells made the decision that no further action should be taken. There is a possibility that Mr Wells' judgement was impaired by ill-health. Management inaction in this case, gravely serious though it was, falls outside the broad pattern of inaction by Care Branch managers.

32.17 It must be noted that because of the way the case was handled no reference to it found its way to Care Branch or their management files.

33
HJ'S COMPLAINT
AUGUST 1985

33.1 In August 1985 Mr Rice, the Director, received a complaint of violence towards children resident at The Beeches. The complaint was lost in management's wider concerns and preoccupations about the case and no action was taken.

33.2 On 6th August 1985 there was a violent scene at The Beeches which resulted in Mr Gibson, an RCCO, being rendered unconscious and requiring hospital attention.

33.3 There had been a great deal of trouble at The Beeches that day involving disorderly behaviour by a number of children resident there, including HJ and IK, two 15 year old boys. The day's troubles ended when HJ got Mr Gibson in an arm lock around Mr Gibson's neck and held that position until Mr Gibson passed out. HJ was arrested, charged and kept in police custody. Subsequently, a successful application was made to the Juvenile Court for a certificate of unruliness and HJ was remanded to the Youth Custody Centre at Glen Parva.

Investigation

33.4 An investigation into the events of The Beeches was conducted by Mr Cobb. The investigation took the form of asking staff members who were involved in the trouble to make written statements. Those statements were made, though some were neither signed nor dated.

33.5 The statements, although couched in terms favourable to the relevant members of staff, nonetheless suggested that Mr Gibson himself had had IK under some form of forcible physical restraint, and that HJ's intervention had been for the purpose, which he expressed, of forcing Mr Gibson to release IK. Mr Cobb's investigation did not include asking HJ or IK for their version of events.

33.6 Mr Cobb passed the result of his investigation to Mr Naylor, who in turn passed the information on to the Director on 13th August. Mr Naylor added his own manuscript note:

> "Attached 4 reports including one from J Cobb on the incident itself. It would seem that what ever else is said this is an example of an attempt by staff to deal with a potential conflict situation that went wrong - as they sometimes do!"

33.7 Mr Rice responded to Mr Naylor with a note of his own on 14th August:

> "Mr Naylor
>
> Chairman & Vice Chairman visited and received a verbal report from Mr Savage, Deputy. Other factors are relevant. Half staff either sick or on holiday. Those on duty having little experience call police before first asking for Deputy's advice and help etc. Reports should be signed and dated. BR."

33.8 Mr Naylor asked Mr Cobb to see Mr Savage about the Director's comments, which Mr Cobb did.

HJ's Complaint

33.9 HJ's social worker, Miss Main, kept in touch with him and visited him at Glen Parva on 20th August. Miss Main's discussion with HJ led her to report back to Miss Parry, Deputy Area Director, (Area 1). She then spoke to Mr Ashon who was then Principal Officer, Child Care Resources Team at County Hall. Mr Ashon asked for a report which Miss Main prepared and sent to him on 21st August, over her own signature and that of Miss Parry:

> "Further to your request for a report on the recent disturbance at The Beeches and HJ's assault on a staff member there, I write as follows. HJ was admitted to The Beeches Children's Centre on 26.6.85 following a disturbance at Westcotes Drive C.H with IK. At that stage, HJ was remanded to the care of the local authority.

"On 6.8.85, a disturbance arose at The Beeches. HJ alleges that a staff member there got IK, who by now was resident at The Beeches too, in an arm lock around the neck whilst another member of staff twisted IK's arm behind his back. HJ said that he told the staff members to let go as he could see they were hurting IK who was becoming red in the face. HJ said that the staff members refused to let go of IK, so he threatened to do the same to them as they had done to IK. This, in fact, is what happened. HJ now feels that he has not been treated particularly fairly and says that he intends to relay this information to his solicitor as he has been charged with actual bodily harm, following the assault.

"HJ said that he had no complaint about the regime at either Westcotes Drive Children's Home or Glen Parva and says that he has not been subjected to physical abuse at either establishment whereas what he sees as excessive physical chastisement is not uncommon at The Beeches. HJ said that Frank Beck was 'the worst' and 'was always beating kids up'. He said that Frank Beck had banged his head against another child's for giggling. Whilst I acknowledge that this is a delicate situation, with many facets, I would appreciate direction on whether you feel that HJ's case should be reappraised and the appropriate line to take with HJ's solicitor.

"My interview with HJ can be corroborated by Vera Blohm, SWA, who was present throughout." (Emphasis added).

Mr Rice

33.10 On 22nd August Miss Main went to see the Director for his signature to a further application to the Court for a certificate of unruliness. Having previously discussed with Miss Parry how to approach that appointment, Miss Main raised with Mr Rice the circumstances of the 6th August incident and gave him some account of HJ's allegation and version of events. Mr Rice told her that he thought it better not to mention those matters in the application, but that Miss Main should mention the two versions of events in the social enquiry report she would prepare for the Crown Court in due course.

33.11 There is no doubt that that is what Mr Rice said to Miss Main. The point arises whether it was proper to withhold from the Court at that stage reference to HJ's version of events. Mr Rice thought it was. "I was stating a fact that we were unable to cope with that child in the Community Home because he was too unruly. Now if I added the statement, as it seemed to me, that would confuse my request . . . Had we an alternative establishment, may be we could have done it but the request was on the basis that we were stating that he was too unruly for a Community Home open to us."

33.12 Miss Main has a vivid memory of Mr Rice also saying to her at that meeting that "we have to support the residential staff otherwise we would lose them". Miss Main told the Inquiry that she remembered that because she had felt quite dumbfounded by it; she had felt the wind had really been taken out of her sails.

33.13 As a result of the meeting between Miss Main and Mr Rice, Mr Rice asked Mr Ashon to make his own evaluation of the events at The Beeches on 6th August. Mr Ashon interviewed five members of The Beeches staff and reported to Mr Rice in writing on 29th August 1985:

"When you last signed the certificate of unruliness on HJ the social worker, Sue Main explained that the boy felt he was being unfairly dealt with as he had only been trying to defend his friend from the staff.

"I have now spoken to most of the staff involved at this incident although the injured member of staff is on holiday.

"According to The Beeches personnel, HJ's story is accurate to some degree. IK was being restrained although this restriction did not involve twisting his arm or holding him in a head lock. The force being used was the minimum necessary. He was at no point injured, or in danger of injury from our staff. Left unrestrained he would have caused further damage and perhaps injury to others.

"I am satisfied that our staff faced an explosive situation which they dealt with reasonably and that there is no foundation in HJ's suggestion that he had to 'rescue' his friend. The Beeches feel that there is no alternative to Glen Parva for HJ at this time with which I agree. The Beeches has been much calmer since the two boys left.

"My only concern is that HJ's solicitor in his plea of mitigation will produce his version of events making it appear that our staff were virtually assaulting IK and that he felt impelled to intervene. Ought we in these circumstances to consult with Mr Fenney to see if there are any steps we can take to alleviate such action?

"Additionally, as you can see in the marked paragraph of the social workers memo other allegations were made regarding the handling of young people at The Beeches. While I have shown this to Frank Beck I have not directly asked about it."

33.14 Mr Ashon enclosed Miss Main's memo of 21st August which is set out above. Whilst Mr Ashon made clear to Mr Rice that his "only concern" was an attack in Court on the conduct of a residential staff, Mr Ashon highlighted the penultimate paragraph of Miss Main's report which referred to HJ's allegations of "excessive physical chastisement". He did that to draw it specifically to Mr Rice's attention.

33.15 The "only concern" of Mr Ashon led to a comment from Mr Rice, which has been lost, which in turn led Mr Ashon to send a note to Mr Naylor "Will you be briefing County Secretary's department?"

33.16 Mr Naylor consulted Mr Fenney on 5th September:

> "Discussed Court appearance with R Fenney. His view is that we can do v little at this stage, not even as an observer. His assumption is that The Beeches will be well able to deal with any allegation of staff illtreatment and prosecution should be able to put record straight."

Comment

33.17 HJ's general complaint about violence at The Beeches was not addressed at all. Senior managers appear to have been concerned first, if not solely, with the desire to divert or at least 'field' a possible complaint against residential staff.

33.18 Neither Mr Cobb nor Mr Ashon saw fit to interview either HJ or IK or any other children. Their investigations were incomplete.

34
TWO ALLEGATIONS OF SEXUAL IMPROPRIETY BY MR BECK AUGUST AND SEPTEMBER 1985

34.1 In August 1985 allegations of inappropriate sexual conduct by Mr Beck towards two adolescent boys were investigated by the Police. No prosecution followed. Care Branch managers were aware of both cases. They made no investigation and took no action.

Background

34.2 JL, born in September 1969, had a background history which would have been of significance to any officer of the Department who had subsequently come to investigate the complaint he was to make.

34.3 JL was placed with a foster mother in May 1983 after a number of receptions into care due to family difficulties. The foster placement was not easy for JL or his foster mother. In July 1983 an arrangement was made for him to be a day time visitor to The Beeches during the coming summer holidays.

34.4 During August 1983, and at the suggestion of staff at The Beeches, JL's foster mother undertook regression work with him. Miss Seaby, JL's field social worker, who had no professional social work qualification, noted in her running log on 25.8.83 "JL has begun to regress, this had been suggested by Jackie but given the opportunity JL had regressed very quickly . . ." JL was then attending an education authority school.

34.5 On 8th September 1983 Miss Seaby made a further note, "I was surprised Jackie [Beeches] had removed JL from his school and he had begun at The Beeches that day. I rang and expressed my feeling to The Beeches at not being consulted".

34.6 By January 1984 the progress of JL and of the programme of regression was pronounced by Jackie Nangreave (The Beeches) to have been a success, "we feel that the majority of the work has been done, it only remains to reintroduce JL to secondary school".

34.7 In September 1984 Miss Rowberry, Area Director (Area 3) wrote to Mr Wells an application for an additional fostering allowance for JL's foster mother:

> "JL now has an excellent relationship with his foster mother. His behaviour, however, is still very difficult and demands a high degree of skill and patience on the part of his foster mother. JL remains enuretic, he is immature and often irresponsible and has a severe lack of social skills. Recently to give an example of the problems he causes, his irresponsible behaviour caused the foster mother's dog to need five stitches in the face. He is easily led and needs firm leadership from his foster mother. She is prepared to continue to offer a firm, stable and loving home to this very disturbed teenager. However her finances are being severely strained and additional support is necessary to maintain this placement."

34.8 Miss Seaby's records show that JL ran away for two short periods in October 1984 and that the foster mother then agreed to Miss Seaby's suggestion that she speak to Mr Beck who was prepared to see JL and try and talk through some of his problems. Miss Seaby's records go on to show that Mr Beck had expressed the view that JL was having normal problems of adolescence and that The Beeches would offer day care the following week (half term). The foster mother "was glad that it was just fairly normal problems connected with his sexual identity".

34.9 On 15th November 1984 Miss Seaby recorded a discussion at The Beeches:

> "Frank Beck suggested admission for 5 days as soon as possible so that work could be done with JL on his sexuality and trying to find the basis for his current problems. Frank suggested that JL was not running away from his foster home, he was running to find his father."

34.10 Miss Seaby's entry for 26th November records that JL was admitted to The Beeches for sexual counselling with Frank Beck.

34.11 JL's problems were not resolved. On 31st January 1985 Miss Seaby collected JL to take him to The Beeches "to talk about what the next step would be. I told him that I thought Frank Beck might be there. JL's immediate reaction was to say that he hated Frank Beck and did not intend to go if Frank was going to be there".

34.12 JL attended The Beeches school from January 1985 but had growing conflicts of loyalty between his foster mother and his natural mother with consequent profound turmoil.

34.13 In April 1985 Miss Seaby noted, "Frank Beck is JL's key worker at The Beeches and puts many of JL's problems down to a crisis with his sexual identity".

34.14 In May 1985 JL became resident at The Beeches. On 3rd June, Miss Seaby noted "JL maintained that he did not wish to live with his foster mother or any member of his family, that it was Frank who he was really looking to for a father. He said that he no longer wished for a mother figure and he wanted a father with whom he could share part of his life. No amount of reasoning could make him see through this".

34.15 On 17th June 1985, Miss Seaby and Mr Dallyn, Senior Social Worker, made a visit to Mr Beck for the purpose of making a fostering assessment. On 30th July they made a report, "both JL and Mr Beck are now totally committed to the idea of fostering, both accepting that it will mean a big change in their lives but are prepared for this ... I feel it would be a very positive step for JL to be fostered with Mr Frank Beck".

34.16 Meanwhile JL, who was still living at The Beeches, became involved again with his natural mother and on 2nd August Mr Beck, about to go off on two weeks holiday, reported to Miss Seaby that JL had become very involved with his mother and her new cohabitee again to the point where Mr Beck was doubting his commitment to fostering.

JL's Complaint

34.17 On the night of 8th to 9th August JL had a disagreement with his mother and as a result spent the night with neighbours. He apparently stayed with neighbours until 12th August when he was seen by Miss Seaby and Miss Maggie Paige from The Beeches. Miss Seaby recorded:

> "Maggie explained to JL that there was no alternative, he must return to The Beeches as he was on a care order. JL was very quiet and subdued and began to cry. Maggie got down and cuddled JL. The neighbour then returned. He was very upset at the situation and the fact that JL had to return to The Beeches. The neighbour then stated that he thought it disgusting that children should be treated in the way JL had been at The Beeches, I had no idea what he was talking about and I asked what he meant. He then went on to state that this Frank Beck had beat up JL and he had been interfering with him, I asked JL about this and he said that he had been beaten up at camp and that when JL had been initially admitted to The Beeches Frank put his hands down his trousers and that JL did not like this. JL then stated that this has happened on subsequent occasions. I stated that this was the first I had heard of these sort of allegations and stated that they would be dealt with as soon as possible."

34.18 JL was returned to The Beeches that day, but absconded later that night. Mr Beck was still on holiday in Russia. Miss Seaby reported to her Area Director immediately.

34.19 The following morning, 13th August, Miss Seaby informed Mr Cobb of what she had been told. Mr Cobb assured her that there would be no cover up if there was any truth in the allegations. Mr Cobb told Mr Naylor and Mr Ashon, Principal Officer, Child Care Resources Team. In turn, Mr Fenney was consulted and recommended that the Police be informed. Mr Ashon's note of 13th August shows that the Police were informed that day.

Police

34.20 JL was traced by the Police on 14th August and interviewed about his allegations against Mr Beck. He was then taken by the Police to The Holt Children's Home.

34.21 Inspector Glover, who interviewed JL, made a report to his superior officer on 15th August:

"The above named youth has been missing from The Beeches Children's Home for several days and was traced on 14th August 1985. Information had been received that JL was making allegations against Mr Beck, a member of the staff at The Beeches, of indecent assaults.

"On JL's arrival at Wigston Police Station I interviewed him about these allegations. The duty social worker was contacted and requested that JL be taken to The Holt Children's Home. She declined to attend so no statement was obtained about the assaults.

"JL is a quiet boy, well mannered and appeared to be truthful. He alleged that about 12 months ago Mr Beck assaulted him at The Beeches late one night in the long room. The room was in darkness and no one else was present. The assault consisted of Beck putting his hand down the front of his trousers, squeezing his private parts. JL resisted and Beck discontinued the assault. JL also alleges that on several occasions since then Beck has assaulted him by grabbing his private parts over his trousers whilst under the pretext of 'larking about' and although other members of the staff were present they did not know what was happening. JL made no complaint about these matters until a week ago when he told his social worker, a Miss Sue Seaby.

"I questioned JL about any other type of sexual assault that may have taken place and I am satisfied that nothing more serious than outlined above has taken place. JL did state that on one occasion he stayed the night at Beck's house but nothing happened. I asked him if he knew of any other boys at the home who had been assaulted by Beck and he states that a youth called GI may have been. JL stated that he had run away from the home on this occasion because he was unhappy at The Beeches because he did not get on with the other boys there and did not like the staff. The latest assault by Beck was several weeks ago and was not the reason for his running away. JL was later taken to The Holt Children's Home.

"Although this allegation is of a minor nature and it is unlikely that there will be sufficient evidence to bring before a Court, I suggest that it does warrant further investigation in view of Beck's position in relation to other boys in council care. Submitted for your instructions in relation to any further action."

34.22 Further Police inquiries were made and on 23rd September 1985 the Chief Superintendent sent a letter addressed to the "Senior Social Work Manager, Leicestershire County Council, County Hall":

"Dear Sir,

Frank Beck, Senior Social Worker - Beeches Children's Home

"On 1st August, 1985, it was alleged that the above named committed an act of indecent assault on a boy namely JL, The Holt Children's Home, Birstall.

"After a full investigation by the Police and a complete denial by Mr Beck it has been decided that there is insufficient evidence to substantiate a charge or prove that an offence occurred."

Subsequent events

34.23 The focus of management of JL's case had by then become a long and unseemly dispute - which did not involve The Beeches - about which Community Home would provide for JL.

34.24 On 7th November 1985 JL was at The Oaks and Miss Seaby made a running log entry:

"The Oaks then stated they had a delicate matter to discuss, JL had in fact stated his allegations regarding Frank Beck to the staff at The Oaks. The Oaks were requesting a meeting with John Cobb and Frank Beck so these allegations could be pursued further. I then explained to them the background to the allegations and explained to them that as far as I was concerned they had already been dealt with by Care Branch as I understood there was a lack of evidence to support these allegations. Quite a considerable time was spent discussing this, I asked that The Oaks would keep me in touch with what happened with regard to following the matter up with Care Branch. "

34.25 In fact, Care Branch made no inquiries at all.

Comment

34.26 The responsibility lay squarely with Care Branch. Mr Cobb knew of the complaint. It is clear from an entry in the senior staff log book at The Holt that Mr Noblett knew of it as well: "Discussion with John Noblett re Beeches. He has promised to find out how far the case had got and report back." Mr Naylor, too, knew of the complaint.

34.27 The information available to Care Branch was very limited. Care Branch had access to the background history, but did not go to it. They had Miss Seaby's oral report to Mr Cobb on 13th August. They had the Chief Superintendent's letter of 23rd September. Care Branch did not have Inspector Glover's report to his superior officer, and did not go to the Police for further detail.

34.28 Without making their own inquiries, Care Branch had insufficient evidence to enable them to arrive at an informed view of their own. Because they did not inquire, Care Branch were unaware of what JL had said about the other child, GI.

34.29 In the course of their inquiries into the complaints made by JL, Police interviewed GI to whom JL had referred.

34.30 GI, who was 15 years old, had had an extremely troubled life from the age of 9, when his parents separated. He had been in and out of Children's Homes and had been admitted to the Beeches on 30th April 1984 having been on that occasion received into care (Section 2 Child Care Act 1980). In September 1984 GI went to live with foster parents, and was still with them when he was interviewed by the Police on 17th August 1985. Indeed, the interview was conducted in the presence of GI's foster father. Mr Watts, Area Director (Area 5) was aware that GI was to be interviewed and had discussed it with Mrs Hill, Principal Officer Domiciliary Branch.

GI's Complaint

34.31 GI was interviewed by the Police Special Enquiry Unit and on 17th August his foster father wrote to Mr Watts the following letter and sent a copy to the Director of Social Services.

> "Dear Mr Watts,
>
> *Report on Police Interview (SEU) with GI*
>
> Today I sat in on an interview, as above, with your prior knowledge. An interview arranged because GI's name had been given by a young person, formerly at The Beeches, who had made a statement to the Police alleging that Mr Frank Beck, Officer in Charge, had indecently assaulted himself and he believed GI also had been assaulted by Mr Beck.
>
> "In summary GI made a statement to the Police saying that Mr Beck had not actually assaulted him in any sexual manner but alleged that before Easter 1984 Mr Beck entered a bathroom, in The Beeches home, where GI was. Mr Beck is alleged to have locked the door, sat GI on his knee and undressed him completely. After which Mr Beck spoke to GI and made a comment to the effect that 'everything's where it should be'. GI claims that he was in the bathroom for approximately ½ hour with Mr Beck present. GI stated to me that he felt embarrassed and worried, but did not tell the staff or young people. He felt that Beck was 'WEIRD'. GI also said other young persons had also said that Mr Beck was 'weird'. Later, as other young persons had spoken about Mr Beck, GI shared his experience.
>
> "GI is well aware of the seriousness of the statement concerning the incident involving Mr Beck and reiterated that he was not, nor would he, lying and that it happened.
>
> "The Police lady left, saying that she would hand the matter over to her senior officers."

34.32 Mr Watts passed that letter to Mrs Hill, with whom he had earlier discussed the Police intention to interview GI, together with a note, "please note that the SEU had in fact arranged to interview GI at the home of the foster parents which made their involvement more inevitable". Mrs Hill replied that she had no need to keep the foster father's report so was passing it to Mr John Noblett.

34.33 The Police took no further action.

Comment

34.34 Once again, Care Branch did nothing. Nor did the Director.

34.35 In his evidence to the Inquiry, Mr Rice readily accepted that, looking back, the complaints of JL and GI should have been handled differently. Mr Naylor recognised an error of judgement.

34.36 Mr Noblett gave fuller evidence, which showed what guided his thinking - and the thinking of Care Branch - at the time. Mr Noblett referred back to advice he thought he had received in the early 1970s that where Police were investigating, Care Branch officers should not make concurrent investigations: and that after an inconclusive Police investigation there was no call for Care Branch to make an investigation of their own. Mr Noblett added:

> "The advice was quite clear because if we were going to carry on with an investigation we were doing for one, well, the main reason was to bring about a disciplinary hearing against the person who had been accused, and if we did that, and the people defending that person could immediately say that this was heard by the Police, the Police said there was insufficient evidence, you would have no chance at all of getting your case substantiated, so in effect you are wasting your time."

34.37 The emphasis in the mind of Care Branch officers was on the staff issue - the prospect of making a disciplinary charge 'stick' before a Sub-Committee of elected members. No other management issues and, most importantly, no child care issues were recognised by those Care Branch officers with responsibility for ensuring good, safe child care practice in the County's Children's Homes.

34.38 There is no evidence that at this, or any other, stage Care Branch officers went back to Mr Fenney to clarify and review the long-standing advice by which they thought they were bound.

34.39 It is surprising that, even with the accumulating catalogue of complaints about Mr Beck and his staff, Care Branch officers did not reappraise their approach to complaints and make a detailed investigation of their own.

35
MR ALEXANDER'S COMPLAINT
DECEMBER 1985

35.1 In November 1985 a mature CQSW student took to the Director a number of serious points about practices at The Beeches. Investigation was at best cursory and the points were largely disregarded.

Mr Alexander

35.2 Mr David Alexander went to The Beeches on placement from a CQSW course at Trent Polytechnic for about three months between August and November 1985. Mr Alexander was then 35 years old. He had worked in a Children's Home in Leicestershire from 1973 to 1975, at a Reception Home for difficult adolescents in London from 1975 to 1976, and as Officer in Charge of three different Children's Homes in Nottinghamshire between 1976 and 1984. He had experience of work with children of the whole age range 0 to 18.

35.3 Whilst working in Leicestershire in the early 1970s he had heard that Mr Beck worked in unusual ways with very disturbed and difficult young people. Mr Alexander was interested in doing his placement at The Beeches because of that reputation and because he had heard that Mr Beck was "a charismatic leader who led from the front".

35.4 When Mr Alexander completed the placement in November 1985, he left with the impression that much of what Mr Beck was doing, far from being positive for the children, was negative, and with generally a very unfavourable view of The Beeches and of Mr Beck.

Complaint

35.5 Having left The Beeches, Mr Alexander very properly discussed his experiences and reaction to them with his course tutor and then, on 28th November 1985 wrote a serious and considered letter to Mr Rice:

> "Dear Mr Rice,
>
> I wish to inform you of my concern regarding some issues experienced during my recent placement at the Beeches.
>
> "The first concerns physical chastisement of a resident. Frank Beck in the first few weeks of the placement slapped a young person across the face. This was done because the young person, who was 15 years of age, had lost his temper, broken a window and needed to be physically restrained. Mr Beck took over from another member of staff to deal with the situation and used the slap to stop the pattern of behaviour. When I later spoke to him about this he defended his actions on two levels. Firstly, that it was expedient and a quick method of dealing with the incident, and secondly, that some young people need and require physical punishment.
>
> "My concern is that such practice should be perpetuated by a person in such a position which then demonstrates to junior staff that this is an acceptable method. Also because of the power of an Officer in Charge it is very difficult for a young person to make a complaint.
>
> "The second incident concerns the behaviour of a member of staff. This man (John) when I started was a C.S.V initially. While undertaking his duties he lost his temper with one of the residents (KM) who had goaded him and was thumped for his actions. No apparent action was taken on this matter. He was subsequently appointed as a residential social worker and while attempting to assist another member of staff to deal with the same young person he again thumped the boy, causing severe bruising to his nose. Again no apparent action was taken although the staff group did express their concern at a subsequent staff meeting. They were assured that management at County Hall had been informed and Frank Beck was dealing with the situation.

"I later discussed this with Frank who informed me that he had informed management at County Hall, but not of the full facts of the incident. He also told me that this was not, as I thought, the second time this young man had hit the young person but in fact the fourth time. This man was severely warned about his behaviour but not officially disciplined or dismissed. Subsequently he was dismissed for an incident unconnected with violence.

"My concern centres around the Officer in Charge playing his staff off against County Hall management, the rights and safety of the young person involved and any other young person who may come into contact with a violent staff member, plus the rights of the staff member involved. Lastly, that such a serious incident was dealt with so lightly with all the precedents being set for other staff and young people.

"Both of the above incidents concern the use of violence and it would appear to me that there is a danger of a precedent being set which legitimises violence. A question which may be asked is why it has taken so long for me to notify the authority of this practice? I did not do this earlier because of the vulnerability of students on placement and although I felt that Frank Beck would accept criticism, to make a complaint of this nature before receiving the placement report may have been foolhardy. I also felt it prudent to consult my tutor before taking this course of action.

A copy of this letter has been sent to Mr Beck.

Yours sincerely"

Response

35.6 Mr Rice passed Mr Alexander's letter to Mr Ashon (Child Care Resources Team) who replied to Mr Rice on 9th December, "Thank you for sight of this. I assume you will wish to discuss this with John Noblett. We will have to investigate?"

35.7 On 16th December the papers having been passed to Mr Noblett, he wrote on the Director's behalf to Mr Alexander a three line acknowledgement, "This matter is being investigated". He also wrote to Mr Beck:

"Dear Mr Beck, I have received a letter from Mr David Alexander making some serious allegations against you regarding incidents occurring at The Beeches whilst he was on student placement. I understand you have a copy of the letter.

"I am obviously concerned at what is being suggested and shall be glad if you will please let me have your comments in writing, as soon as possible."

Mr Beck

35.8 Mr Beck replied in his characteristically wordy style on 22nd November. His letter was highly defensive of himself and critical of Mr Alexander:

"Dear Mr Rice

SUBJECT: Letter of Complaint

I must express some concern as to what Mr David Alexander is getting at, but if I take each paragraph, hopefully it will clarify the situation.

"As indicated, I did administer a slap on the boy who was out of control, who had broken a window in the school, physically abused staff and other children and had thrown furniture across the school room. He was being forcibly moved into the house by a single member of staff whom he was attempting to thump, as well as shouting obscenities.

"My staff do not make a habit of slapping children, far from it. Their self restraint has in recent months been rewarded by a number of physical assaults on them by children. Even when provoked beyond endurance, they have and the evidence is overwhelming to this fact, restrained from hitting children.

"I, as the Officer in Charge, however, do not see it as my duty to allow an assault if I can prevent it. The particular child was not in control of himself and it was, I believe, staff supporting and expedient to defuse the situation.

"The particular child, who in fact is a resident of Station Road Children's Home, has a history of assault on staff both there and at The Beeches. He also has a very limited intelligence amongst his many problems. To suggest that he was not capable of complaining is quite ridiculous, as he is not resident at The Beeches and has other residential staff in his own Children's Home readily available for counselling and any such complaints.

"From Mr Alexander's letter, it would appear he has not listened to the full discussion that took place in relation to corporal punishment and within the discussion that did take place, Mr Alexander explained his own differences in dealing with anger or aggression. To suggest that the action I took was a bad example is naive to the extreme. All the staff are regularly reminded of the limits relating to physical restraint. This has been more than demonstrated in the past few months to the point of one member of staff having almost been strangled and ending up in hospital and a number of assaults on staff, myself included when I received a black eye, a split lip and a broken tooth. My Deputy was recently assaulted and flung across a room and was lucky not to sustain substantial injuries - I can continue the list of assaults on my staff by children/young people.

"Although provoked to this degree, it is still a rare occurrence for any member of staff at The Beeches to retaliate. The staff's own frustration in fact has been expressed through illness and searching for alternative posts.

"I cannot believe that you would expect me or my staff to do nothing in these circumstances and I consider it very naive of Mr Alexander to believe he could manage the situation differently and in fact in one of his involvements with a child he provoked the child by refusing to restrain him into a physical and violent piece of behaviour.

"The second incident which refers to a junior member of staff called John. Mr Alexander was not present all of the time and in fact seems totally confused as to his statement in this area, i.e. who attacked who first. To suggest that no action was taken, is quite stupid to the extreme. I certainly did not make it a practice to discuss with a student in detail any actions taken when supervising, counselling or disciplining ones staff and in fact I followed the laid down procedure of investigation by receiving verbal and written reports by the staff concerned, interviewed John and the child and invited the child to ring the Police should he so wish. The course of action he chose not to take.

"In another incident involving KM the Police were called but chose to take no action.

"Mr Alexander may well have seen more, if he did so he did not report it to me and it is not a fact that the staff member referred to as John assaulted a young person four times. He was warned and subsequently dismissed but not for an incident involving violence. The person referred to as John was dismissed having followed the correct disciplinary procedures by myself within the powers allowed.

"It should be remembered that from sound advice given to me by John Cobb, the particular worker was only appointed on a week to week temporary contract, a fact that Mr Alexander seems to know nothing about. I find it quite appalling that Mr Alexander should highlight one temporary member of staff in isolation and as you are no doubt aware that Beeches was at the time expressing great difficulty with the handling of KM, a child I might add we are still dealing with.

"To suggest that I am playing staff off against County Hall management is a complete insult to the intelligence of my staff and more so to the Deputy of The Beeches. In the past few months I have personally invited a NALGO Steward to discuss matters with my staff as well as having a shop steward on the staff. Mr Cobb has made a number of visits and all the junior staff receive a weekly group meeting with Chris Lewis, Consultant Psychiatrist. All the staff receive individual supervision and are aware of the management structure at County Hall. I find it quite impossible to believe that should the staff feel that their rights are being undermined, they are more than capable of using the vehicles I have provided or their own initiative to receive support and advice.

"To suggest that I take any incident of violence to my staff or children lightly cannot be justified. As you are aware of a number of representations I have made to you personally, both verbally and handwritten.

"Mr Alexander would appear to suggest there is a danger that we would legalise violence. This very naive statement seems to be based on the misunderstanding that the children being received into care have no history of violent outbursts. This is quite clearly not the case.

"In Mr Alexander's final paragraph, I think it should be remembered that he could have requested a change of placement at any time. It is like suggesting that I could murder somebody but he was unable to tell until his ten week placement was over.

"His final paragraph I believe reflects Mr Alexander's deceitfulness. If he was truly a man of honour who cared for children, surely he would have made a complaint at the time, to suggest it could wait until he had secured a good report is beyond understanding.

Yours sincerely,"

Meeting at County Hall

35.9 On 7th January Mr Beck was seen at County Hall by Mr Rice, Mr Nelson and Mr Noblett. Mr Nelson, Senior Assistant Director with responsibility for Co-ordination and Personnel, was called in by Mr Rice to attend the meeting in the absence of Mr Naylor who was on sick leave. Mr Nelson had not had previous involvement with any complaint concerning Mr Beck or his staff.

35.10 If any record of the meeting was made it has not survived. On the following day, 8th January, Mr Nelson wrote to Mr Beck on the Director's behalf, a letter which, so Mr Nelson told the Inquiry, accurately reflected the content of the meeting and decisions made:

> "Dear Mr Beck,
>
> Following the meeting which I and Messrs Nelson and Noblett had with you yesterday, I confirm that your explanation of the circumstances in which a boy was slapped has been accepted. The Social Services Committee's ruling on corporal punishment acknowledges that distinctions have to be drawn between punishment and constraint and, in particular, that situations can arise where it is necessary to restrain a child by physical means. In the light of our discussion, I am satisfied that there was no deliberate rough handling or ill considered physical discomfort caused to the boy in the course of restraining him. I have also accepted your assurance that 'slapping' is regarded by yourself and your staff at The Beeches as a form of physical restraint which can only be justified in very exceptional circumstances. With this in mind, I have sought and have been given, your assurance that any future use of physical restraint in that form at The Beeches will be the subject of a written report to me without delay.
>
> "By way of acknowledging this letter, I should be glad if you would confirm that arrangements have been made for your assurance to be brought to the notice of both existing and all future staff members at The Beeches.
>
> "I have also noted the view of yourself and your staff that it might be helpful to staffs in our Children's Homes generally, for consideration to be given to the possibility of further guidance being issued regarding physical restraints. After further considering the matter with Mr Noblett and Mr Ashon I will let you know if it is considered that the present committee ruling might usefully be amplified.
>
> Yours sincerely,"

35.11 That was the end of the matter. The papers went to The Beeches management files. Nobody wrote to Mr Alexander.

Comment

35.12 Neither Mr Rice nor Mr Nelson contended at the Inquiry that this investigation had been properly handled. Mr Noblett, who had never met Mr Alexander and knew nothing whatever about him, thought it would "probably have helped" if he had interviewed Mr Alexander.

35.13 In short, no investigation was carried out beyond asking Mr Beck for his comments - with a predictable result.

35.14 Mr Rice's first reaction to the complaint was to refer it to Mr Ashon. Mr Ashon was not a Care Branch manager and his Child Care Resources Team had no management responsibility for Mr Beck or The Beeches. The step the Director took suggests muddle in his mind as to where management responsibility lay.

35.15 The only specific point apparently addressed at the meeting on 7th January was the allegation that Mr Beck had slapped a boy and explained it as "expedience". Management Officers were wrong to let it be thought that striking a child could form any part of legitimate and necessary restraint. Other important issues raised by Mr Alexander were not thought about.

35.16 Mr Alexander had some twelve years' senior experience of residential care both in Leicestershire and in other areas of the country. Managers failed to appreciate that, and the strong position of Mr Alexander in being able to speak of standards and practices at The Beeches.

35.17 Mr Alexander was able to give the Inquiry some further insight into Mr Beck's approach and the working of The Beeches. He referred to:

- Mr Beck's (unsuccessful) attempt, in a supervision session, to get Mr Alexander to sit on his knee, "he felt that . . . the way in which I worked was affected by the fact that I lost my father when I was very young . . . he was attempting to replace my father";
- Mr Beck's ability to explain things away and convince people by his explanation;
- favouritism by Mr Beck towards certain children;
- the impression Mr Beck conveyed that the Director's door was always open to him. "That keeps you all down where you ought to be";
- Mr Beck's practice of overturning decisions made by staff, and of discharging children home without consultation and without telling staff members;
- discrimination between male and female staff; female staff being made to feel unvalued and to believe they were "thought of as skivvies, people to do the washing, ironing, cooking and so on".

PART 4

FOSTERING

36
THE APPROVAL OF MR BECK AS A FOSTER PARENT

36.1 Mr Beck first applied for approval as a foster parent in 1982. He was approved to foster a specified teenager in 1983 and given general approval as a foster parent in 1984.

Relevant Legislation

36.2 *The Boarding Out of Children Regulations, 1955* [S.I. 1955 No 1377]

Regulation 2 - (Persons with whom children may be boarded out).

"A child shall not be boarded out except with -

(a) a husband and wife jointly, or

(b) a woman, or

(c) a man who is a grandfather, uncle or elder brother of the child."

36.3 *The Boarding Out of Children (Amendment) Regulations 1982* [S.I. 1982 No 447]

Regulation 1 (2) "In these regulations 'the principal regulations' means the Boarding Out of Children Regulations 1955.

Regulation 6 (Revocation). "Regulation 2 of the Principal Regulations (persons with whom children may be boarded out) is hereby revoked."

36.4 The 1982 Regulations came into operation on 30th April 1982. From that date children could be boarded out with a single male applicant.

Boarding Out, Fostering and Lodgings

36.5 Placement of children with foster parent(s) fell within the Boarding Out Regulations, called for intervention by specialist fostering workers, detailed inquiries and assessments, and approval by officers at a senior level or by members of the Personal Services Sub-Committee of the Social Services Committee. Apparently, there were no established criteria to determine in what circumstances the approval of elected members should be sought.

36.6 Placement in lodgings applied to children in care who had left school and required accommodation in the community. Such placements fell outside the Boarding Out Regulations and the strict evaluation procedures of fostering. The only approval needed was from the Area team of field social workers holding responsibility for the case.

Mr Beck's Application - LN

36.7 Very early in 1982 Mr Beck asked to be allowed to foster two boys LN and PQ. He also set in train applications necessary to enable him to take them on holiday to the Canary Islands in the Summer of 1982.

36.8 The Beeches daily log, which is not a complete record, nevertheless shows Mr Beck taking boys to his private home from early in 1981, on occasions having them stay overnight. Both LN and PQ were amongst those boys.

36.9 LN was born in June 1965 and first went to The Beeches in February 1981, when he was not yet 16 years old. Over the following eight months attempts were made to restore him to his family home but they failed and he was readmitted to The Beeches on a full time basis in October 1981. On 4th January 1982 LN started in a YOP scheme.

36.10 Late in January 1982 Mr Beck mentioned to LN's social worker, Mr Gallop, that he was interested in fostering LN. Mr Gallop did not pursue that because he was in the process of transferring the case to another social worker - Miss Brown - at another office.

36.11 Mr Gallop wrote in his transfer summary on 26th January 1982, "Frank Beck is seriously considering offering to foster him when the law makes this possible".

36.12 On 9th February 1982 Miss Brown telephoned Mr Beck to introduce herself and noted, "Frank requested that LN should be considered for a lodging situation. Lodgings being Frank's home, 10 Bidford Close. Also, holiday arranged for June to Canary Islands. LN needs a passport. Frank has all the forms and is forwarding them to me to take to his parents to sign".

36.13 Miss Brown's notes continue as follows:

"10.2.82 *Home visit to see LN's parents.* LN's mother at home and she flatly refused to sign the passport form. She felt that LN was being spoilt by having such an expensive holiday and did not deserve such treatment after committing offences.

Explained that she had every right not to sign but that the forms would be passed to Director B Rice and LN would more than likely still be able to go on holiday.

"15.2.82. Passport forms and memo sent to B Rice. Also visited Frank's home to look at the type of accommodation he would be offering to LN.

LN was at Bidford Close when I arrived and had stayed the weekend. LN had a shared bedroom with another boy. Each with their own bunkbed and space for clothes and belongings. [The other boy was PQ.]

He would share the kitchen, bathroom and living room.

The accommodation offered was quite adequate. Advised Frank to negotiate lodgings offer with his senior.

Frank apparently is against involving Care Branch as normally 'they do not care what happens to children over 16'.

"18.2.82. Phone call from B Rice wanting more details of the family.

(1) because mother is refusing to sign.

(2) more details of whom he is going on holiday with.

Gave details over the telephone.

"19.2.82. Discussion with T Watts (Deputy Area Director) and decided that it was O.K. to approve lodgings.

"25.2.82. Home visit to discuss LN's move from Beeches and the fact that Frank had offered lodgings. Neither mother or father opposed situation. LN's mother worried who would have the responsibility when LN left The Beeches.

"1.3.82. Informed Frank that lodgings were acceptable.

Apparent opposition from County Hall.

"11.3.82. Tim Watts notified Frank Beck that lodgings arrangements have to wait."

36.14 On 15th March 1982 Miss Wright, Area Director (Area 4) wrote to Mr Sadler, Principal Assistant, Domiciliary Branch in order to inform Mr Rice, in particular with regard to the passport application:

"I attach a copy of a transfer summary written by Les Gallop on 26th January 1982 concerning the above named boy. You will see from the recommendation the position regarding LN going to live with Frank Beck at that time. I have spoken to Les Gallop who has informed me that, in fact, Mr Beck simply mentioned that he was interested in fostering LN at that time and Mr Gallop did not pursue this as he was in the process of transferring the case back to a social worker at Beaumont Leys Office, Miss Brown. I have spoken to Miss Brown who made contact with Mr Beck early in February as LN's new social worker. At this point Mr Beck said that because of LN's age he had decided to offer him lodgings rather than apply to foster him. It was presented to Miss Brown somewhat as a fait accompli. However, she did visit Mr Beck at his home on 19th February to inspect the accommodation which would be available to LN and on 4th March 1982 she informed Mr Beck that the accommodation was satisfactory. As he is already employed by the Department as Head of the Children's Home, references were not taken up. I have also since spoken to Mr Beck who says that the intention is for LN not to move into the accommodation he is offering until after his seventeenth birthday in June.

"It does appear that such lodgings would be a satisfactory interim arrangement for LN as he moves towards becoming totally independent and to some extent I do not feel we have any other options but to let this go ahead as LN himself is not prepared to consider any alternatives. The only area I am a little unhappy about is that LN assumed this was going to happen before any discussion had taken place between Mr Beck and his field social worker.

"As far as the proposed holiday in Tenerife is concerned, neither his social worker nor myself have any objections to this.

"I hope that this information will clarify the situation for Mr Rice and I am of the opinion that it would seem to be in LN's best interest for the proposed plans to go ahead."

36.15 On 30th March 1982 Mr Beck, apparently upset about something, wrote to Mr Naylor calling for a fresh mandate to carry on his work at The Beeches in the circumstances that "The Beeches has deviated considerably from the original concept". He called for reviews on all children who fell outside the original three month intervention scheme. He included in that a review on LN. The review took place on 23rd April and approved LN's move to lodgings at Mr Beck's home.

36.16 LN remained in lodgings with Mr Beck for about a month. He then chose to return home late in May. He accompanied Mr Beck and PQ on holiday in the Summer of 1982.

36.17 The lodging and holiday arrangement for LN proceeded through the Domiciliary Branch at field and Area level but with knowledge (and approval) of it at Headquarters level. The reference on 1st March to "apparent opposition from County Hall" seems to have related to some unease at Mr Beck's desire to bypass Care Branch. Opposition was neither vigorous nor sustained.

Mr Beck's application - PQ

36.18 Running concurrently with that relatively straightforward lodging arrangement was Mr Beck's application to foster PQ.

36.19 PQ was born in November 1965 and first went to The Beeches on 29.9.80, on being placed in care by an order made under Section 7 (7), Children and Young Persons Act 1969. Over the following year, attempts were made to place him permanently in his family home which finally broke down at the turn of the year 1981/1982. PQ, then aged 16, intended to stay on at school and aim for a career in engineering.

36.20 On 28th January 1982 a meeting took place at The Beeches between Mr Beck, PQ's social worker Mrs Clarke, and her senior social worker Mr Neville. Mrs Clarke's summary:

"On the 28.1.82 David Neville, Frank Beck and I met at The Beeches to discuss PQ's future. Frank would like to foster PQ and his application is to be assessed by a social worker from Northampton. PQ is delighted at the prospect of having Frank for a surrogate father. He tells me he uses him in this capacity already and feels that he and Frank can have the kind of relationship he was unable to have with his natural father. Frank Beck is certainly a very positive influence in PQ's life at the moment.

"Frank, PQ and another boy are going on holiday to Tenerife in June, hopefully by that time the fostering application will be resolved."

36.21 The reference to assessment by a social worker from Northampton indicates that Mr Beck had probably already had discussions with fostering officers and the method of assessment had been agreed. It was all premature. The law did not, at that stage, allow single male fostering.

36.22 On 23rd March Mr Beck, wanting progress in his fostering proposal, wrote to Mr Hollis, Area Director (Hinckley and Bosworth), the Area with responsibility for the case:

"In January 1982, I made a request that I should be vetted for fostering as I had been informed that the law will soon be changed, thereby allowing me the opportunity to become a foster parent.

"Apart from some informal acknowledgement, we are now coming to the end of March and I have still heard nothing official and to my knowledge none of the procedures have begun.

"I obviously have a professional interest in the efficiency of social services when vetting potential foster parents. As you are aware there are a number of 15 / 16 year olds who desperately need to come out of our institutions. It would appear to me that nothing is happening.

"I would be grateful if you could spare some of your time to get this procedure off the ground so that the possibility of some children being removed from the expensive residential resource could be achieved.

I look forward to your reply."

36.23 On 25th March, Mr Hollis, presumably in receipt of Mr Beck's letter, sent to Mr Sadler, the Principal Officer in Domiciliary Branch where responsibility for investigating fostering applications such as Mr Beck's lay, a report by the social worker Mrs Clarke "outlining future plans for PQ and her thoughts on the fostering application and holiday abroad":

> "PQ has long used Mr Beck as a surrogate parent and role model. He respects him and feels they can have the type of father/son relationship he was unable to develop with his own father. I have discussed the proposed application with PQ. He expressed his wishes clearly and showed a very mature ability to consider both the advantages and disadvantages of having Mr Beck as a foster parent. PQ has already decided that he must live his life independent of his family. He still wishes some contact and needs to have an ongoing knowledge of them. In order to facilitate this he has already established brief contact with his father and sister and intends visiting his mother. PQ is a pleasant young man who has manifested some disturbance. He now appears to have overcome most of his difficulties and is trying to establish himself in adult life. I feel this can only be enhanced by the proposed fostering application.
>
> "The planned holiday abroad will give PQ an opportunity to see new places and cultures, as indeed would any such school trip. This holiday, however, has the added advantage of allowing three people, who propose becoming a family unit, to test and get to know each other, in relaxed and neutral surroundings. PQ will see the others in different roles, thus he can assess some of the stresses of joint living without the defusing effect of The Beeches. I feel the holiday provides an opportunity to lay the basis for future living in addition to the obvious pleasures of a trip abroad.
>
> "I am aware that changing Mr Beck's role in respect of PQ and LN could have reverbatory effects at The Beeches. This has been talked over with Mr Beck who feels any problems arising can be resolved and it is an aspect of the application which I am sure will be looked at closely by the fostering assessor.
>
> "In considering alternative care for PQ I have been unable to discover any placement which would give him the type of relationship and acceptance he already has with Mr Beck. Mr Putt, Divorce Court Welfare Officer, who is currently preparing a custody report on the family is aware of the current hopes for PQ's future and agrees its suitability."

36.24 On 29th March 1982 Mr Beck made formal written application to foster PQ. Mrs Clarke sent that on to Mr Sorrell, Principal Assistant (Family Placement Service), Domiciliary Branch on 31st March. Mr Sorrell's Principal Officer was Mr Sadler. Mr Sorrell replied to Mr Beck's application on 7th April:

> "I am writing to you in connection with your application to be considered as a foster parent.
>
> "As you know, there were proposals made last year to amend the Boarding Out Regulations to allow a single man to become a foster parent. These proposals have never actually been implemented and I understand that there is now little likelihood of them becoming law in the foreseeable future.
>
> "Because of this delay, there would seem little merit in pursuing any investigations at this time, because even if your application were approved, we would not be able to place a foster child in your care. Obviously, this matter can be reconsidered if the law is actually changed.
>
> I know you will be disappointed, but I hope you will be able to appreciate the reasons behind the decision."

36.25 Mr Sorrell was, of course, a little out of date with the progress of proposals to change the law. The 1982 amending Regulations had been made on 26th March to come into operation on 30th April.

36.26 On 7th May Mr Sorrell wrote to the Principal Officer, Substitute Care Unit, Northamptonshire Social Services Department, asking them to undertake the foster parent investigation on behalf of the Leicestershire Social Services Department:

> "I am writing to ask you if it would be possible for your Department to undertake a foster parent investigation on our behalf.
>
> "Mr Beck is the Officer in Charge of The Beeches, a Children's Centre specialising in intensive work with children, either for their return home or a fostering placement. He is a single man and is taking advantage of the recent change in legislation which allows single men to be approved as foster parents, and is particularly keen that his application proceeds as quickly as possible, as he hopes that, if approved, he will be able to take the foster child on holiday with him.
>
> "Mr Beck's application to foster is for a specific child, PQ, aged 16, who is currently placed at The Beeches. PQ's social worker is Ann Clarke of our Hinckley Area Office.

"As I am sure you will appreciate, the issue of single male foster parents raises many questions, particularly when the applicant is involved in caring for children as his job.

"Mr Beck is aware that we are making this approach to you, although his expressed view is that it should really be a foregone conclusion that he be approved, a conclusion with which we would not concur without a full investigation, needless to say.

"For your information, I am enclosing the foster parent application from Mr Beck. Please let me know if you wish us to take up the statutory references."

36.27 Mrs Brunton-Reid, Senior Social Worker, replied on behalf of Northamptonshire on 20th May, saying:

"It would be helpful if you could take up the necessary statutory references as suggested. I note that Mr Beck's application to foster is for a specific child, PQ, and I will be contacting his social worker in due course."

36.28 Statutory references were sought and produced no adverse information. No inquiry was made of Care Branch about Mr Beck's fostering application. It is, however, inconceivable that Care Branch was unaware of it.

36.29 At the end of May and into June 1982 the Police were investigating an allegation of assault by Mr Beck arising from Mr Beck spanking a 10 year old boy, FL (Chapter 24). In May, June and July Care Branch was investigating Mrs Shimeld's complaint that raised questions about treatment methods at The Beeches (Chapter 25). Mrs Brunton-Reid was not informed of either of those investigations.

36.30 On 21st June, PQ's father went to see Mrs Clarke at her office:

"PQ's father came to the office on 21st. He intended complaining about the Divorce Court Welfare Report but I would not discuss this as it was Colin Putt's area of responsibility. He then went on to make allegations about Frank Beck's sexual behaviour with a boy at The Beeches, claiming that a boy called MO has told him Frank Beck was 'bent' (homosexual) and that he had stripped and fondled him. PQ's father claimed he was therefore concerned about his son. At lunch on 17th PQ had informed me that LN had left Frank's home after two weeks. Taking this in conjunction with what PQ's father was telling me I was quite concerned.

"I contacted Frank Beck by phone and arranged to see him on 23rd. At this meeting I discussed at length and in depth with Frank the allegations that had been made, he told me the boy in question was NP. This boy had made similar allegations to Neil at The Beeches during Frank's holiday in January. Neil checked out the allegations, dates, times, etc., and could find nothing to substantiate them. Frank does take kids bodily upstairs if they do not go to bed as instructed and he admits to taking their clothes off if necessary but tells me there is no truth in the allegations of any sexual misbehaviour. Frank in company with a psychiatrist does involve himself in sexual therapy with kids at The Beeches but he is well aware of his vulnerability and goes to some length to ensure his protection. We went deeply into Frank's feeling for PQ and his own sexuality. I am satisfied with the answers. Frank Beck obviously has a very deep paternalistic affection for PQ but I formed no impression that there was any sexual connotations to this.

"PQ joined us and I asked him if he felt himself in moral or sexual danger from Frank, he said no. I drew the guidelines very firmly and made PQ aware of the legal aspects of homosexuality. We then widened the discussion and Frank expressed his unhappiness that such allegations had been made which could hurt PQ and throw any dirt at him. He told me he wanted PQ to have a normal i.e. heterosexual life and children.

"I later contacted Mrs Brunton-Reed at Northampton and made her aware of the allegations and the result of my interview with Frank. She will open up this area during her next visit. Frank Beck is aware of my contact with Mrs Brunton-Reed. The situation has also been discussed with Colin Putt to whom PQ's father had made similar allegations."

36.31 Mrs Brunton-Reed completed her interviews and made a report which was sent to Mr Sorrell on 23rd July, together with a note of a meeting. Mrs Brunton-Reed had considered the allegation of homosexuality passed on to her by Mrs Clarke and discussed that area with Mr Beck. Mrs Brunton-Reed told the Inquiry, however, that she had understood from Mrs Clarke that the allegation had been investigated and that Mrs Clarke had felt the allegation to be an attempt by PQ's father to jeopardise the placement with Mr Beck, which PQ's father had not wanted to go ahead.

36.32 In the course of a long and careful report, Mrs Brunton-Reed recorded:

"Mr Beck does not believe himself to be a homosexual, and has never had a homosexual relationship with another man. He is a man who is aware of and able to talk about his own feelings and emotions. The allegations have had quite a profound effect on him, causing him to examine his own feelings and motivation closely, and he has been able to share some of these thoughts.

"The choice of his first two jobs is probably significant. Having been mothered by four females in his childhood, he opted for two masculine occupations - farming and service life. He feels he was naive, although his life in the Marines soon remedied that. In the Marines, he came up against very blatant sexual activity between males, where there were different norms and taboos from his previous lifestyle. He was also able to observe the different expectations of male and female, and sexual roles and identities in the other cultures where he was stationed.

"More recently, in his employment as a residential social worker, Mr Beck has acknowledged the need to be aware of his own feelings when dealing with adolescents who can be sexually provocative. He honestly admits that he would have a breaking point, and feels that all professionals engaged in this area of work need to exert controls over their own feelings from time to time. He cannot, however, think of any situation of which he is ashamed, or would bear out any of the allegations made."

36.33 Mrs Brunton-Reid drew no conclusions of her own in her report but she annexed to it a note of a meeting between herself and two Northamptonshire colleagues, Miss Kitwood and Mrs Smith:

"14.7.82 Trio discussion - SEBR, EMK & PS

Generally felt no reason to return for further discussion with Mr Beck.

Areas discussed:-

1) Mr Beck's expectations of the future. He sees the task as parenting and envisages a long term relationship with PQ. Will he cope with disappointment if PQ 'uses' their relationship and then moves on?
2) Will Mr Beck want too much involvement in the running of PQ's life? He wants the responsibility of parenting - how easy will he find it to allow PQ to make decisions about his future career, choice of friends, social activities?
3) How will PQ feel about Mr Beck's own social life? He probably thinks he knows Mr Beck fairly well and is going to have to accept that there is another side to his life he has yet to meet. If either of them want to entertain friends, will they be able to give each other space? If Mr Beck develops a close relationship with a woman, will PQ tolerate this?
4) PQ seems to have an idealised picture of Mr Beck? How well will they cope with this image changing? Will the relationship become too intense?

"It was agreed that Mr Beck had given thought to all these areas. What his actual feelings will be, should any of the above come about, are hard to predict, but it was felt that he would have the strengths to work through them.

"Issues relating to PQ will have to be taken into consideration by PQ's social worker. It may be helpful for an objective outsider to be aware of these, and Mr Beck himself feels that the social worker will have an important role to play."

36.34 Mrs Brunton-Reed also appended a note of a discussion of the Northamptonshire fostering panel on 19th July:

"The Fostering Panel endorsed the issues discussed on 14.7.82.

It was felt that particular emphasis should be given to the intensity of such a relationship.

"Recommended that particular care be taken by PQ's social worker in preparing him for this placement, if approval is given by Leicester. At the moment he is motivated but does he really understand what fostering will mean, or is his picture idealised?

"It was also felt that consideration should be given to contact with natural family. Can PQ and Mr Beck cope with further attempts to jeopardise placement by PQ's father?

Mr Beck probably has personal strength to cope with the above. Additional support may be needed by PQ."

36.35 PQ's social worker, Mrs Clarke, made a report on 28th July in which she set out PQ's background history and then:

"Frank Beck has made an application to foster PQ. This is currently being assessed by Mrs Brunton-Reid from Northampton. There have been some difficulties in this because PQ's father made allegations of a sexual nature against Frank. This was fully discussed with Frank Beck and PQ when I met with them on 23.8.82 and I was satisfied with his answers. Mrs Brunton-Reed has been informed of these allegations.

"Whatever the outcome of the foster parent assessment it is unlikely that PQ will ever return to his parental home. He intends following a course of further education but tells me that he is not yet settled on any particular course and wishes to keep his options wide open. There has been some talk of a course in civil engineering and also the possibility that PQ might take up social work. Recently my supervision of PQ has taken place over lunch. These meetings have proved very productive. I feel that the future can be very bright for PQ in that he has resolved most of his personal problems."

36.36 On 30th July Mr Sorrell wrote letters inviting references from the two 'lay' referees put forward by Mr Beck. They were Dr Carter, the consultant psychiatrist who provided staff consultation at The Beeches, and Mr A Ratcliffe, a former member of Mr Beck's care staff at Ratcliffe Road.

36.37 Dr Carter wrote his reference on 12th August 1982, the same day as he wrote a reference for Mr Beck in the FL case (suggesting that the bruising to FL may be due to "an excessive histamine skin response to relatively minor stimulus"). The fostering reference was addressed to Mr Sorrell and was no less adventurous:

"12th August 1982

Dear Mr Rice *For the attention of Mr P Sorrell*

MR FRANK BECK, 10 Bidford Close Wigston

Thank you for your letter of 30th July 1982 about Frank's application to be a foster parent to a 16 year old boy.

"I have know Frank for the last 3½ years through my regular weekly consultation to The Beeches Children and Family Centre. I have been a resource to that Unit by consulting around individual problems of children and also by consulting around management processes and this has led me to have almost weekly discussions with Frank Beck about his attitudes and ideas and their application in practice. I have tried to help him to moderate his tendency to over commit himself to respond to the children's needs and instead devote more of his time to the supervision process. Through his contact I have found Frank to be well informed and confident in the area of child care, to be devoted and totally committed to the children in his care, innovative and flexible in his approach to problem solving and unusually aware of the therapeutic process and problems of transference and counter transference.

"When I first heard of Frank's application to foster this particular 16 year old boy I was initially concerned that this was a manifestation of Frank's tendency to over commit himself and questioned him about the possibility that he was taking on more than he could manage and was taking his work home with him. Having discussed his thoughts and intentions around this case it becomes clear that Frank sees this as a sensible response to a particular child's needs which cannot be appropriately met in another way and tells me that his application to foster is for this child only rather than a search for approval to foster on a repetitive basis. After discussion with him I find myself in general approval of his intention with this particular boy but I would not see it as a good thing if he were asking for approval for repeated fostering situations; this I would see as potentially problematic as he would in effect have no haven from the considerable stresses of his profession.

"It is quite clear that Frank has an excellent knowledge of children and an unusual ability to relate effectively with them so that he is a constructive and nurturant guardian. He also shows excellent common sense in the kinds of control he applies to children and is well experienced in managing the special problems of adolescents.

"It should be noted that in my other contacts with social services around the county I have heard field workers make comments which might suggest that Frank is a homosexual, an opinion probably derived around his single status at the age of 40, his nurturant attitude towards children and his occasional mannerisms and phrasing of words which are like music hall characterisations of homosexuality. I do not personally know of Frank's sexual orientation but my discussions with him have led me to realise that he is fully aware of the problems professionals experience around sexuality and he is without doubt responsible sexually and would not under any circumstances take advantage of a minor within his care. Thus while I feel it appropriate to mention and make explicit something which I have heard by rumour I feel that it in no way concerns me and should not rule out his approval as a foster parent.

"The other worrisome thing for Frank and also for the department approving him for fostering is the current prosecution which is occurring around the alleged assault of a child. My understanding of that is that Frank slapped the child's bottom as he occasionally does with children in his care at The Beeches and that subsequently the child's bottom was found to be bruised. Frank himself was stunned and shaken that he could have hurt the child in this way and I myself find actually hurting a child so out of character with the man that I know and have observed in action that I feel sure there must be an extenuating explanation. It sounds possible from my understanding of the facts that the child may show an excessive histamine skin response to injury and that the force exerted was not in fact excessive. Whatever the outcome you will clearly need to bear this fact in mind, but unless you deem it a serious enough episode to prevent him from looking after children professionally then I suspect it should not be seen as an episode which should rule out his management of a fostering situation.

"To summarise, I have a uniformly high opinion of Frank Beck and I believe that he would manage a fostering situation with this particular 16 year old boy in an appropriate and useful fashion and I would support this application. I would not necessarily support a general application for across the board fostering on Frank's part but could be convinced that he might occasionally use himself therapeutically in this way in the future on specific occasions.

I hope these thoughts will be useful to you.

Yours sincerely"

36.38 Mr Ratcliffe's reference:

"

9th August 1982

Dear Mr Rice,

Thank you for your letter regarding Mr Beck's application to be considered as a foster parent.

"I have know Mr Beck since 1974 when I worked with him at the Ratcliffe Road Adolescent Unit for a period of four years. Since then he has been a valued friend with whom I have kept in regular contact.

"I have no doubts that he is entirely suitable to foster a 16 year old boy; his integrity and commitment in his relationships with both adults and children being of the highest order. I am sure he will meet the challenge of single parenthood with his usual enthusiasm and ability to work through difficulties rather than avoid them.

"I am most impressed that your fostering policy now includes considering single men as foster parents and wish you success in this area.

Yours sincerely"

36.39 A note from Mr Wells, Assistant Director, Domiciliary Branch to Mr Sadler and Mr Sorrell on 16th September 1982, "We need to discuss this in some detail" demonstrates that, quite properly, Mr Beck's application received consideration at the highest level in the Department. However, no note or memory of how the discussion went has survived.

36.40 On 3rd November Mr Beck wrote a somewhat barbed 'chaser' to Mr Rice:

"A short time ago, I asked whether the fostering of the above by myself would be seriously considered by this department. I have been told that this department would not be prepared to take what they consider to be a risk in agreeing to the fostering.

"I was told unofficially that the department would prefer to wait until this boy is seventeen, remove the Care Order and allow the child freedom of choice.

"I am aware of the difficult predicament that I have placed this department in and can understand peoples reluctance to make what can only be considered in their eyes, a risky decision, however I was led to believe that my application would be considered officially and consider it deceitful of this department if they are only going through the motions and therefore formally request the ruling on the above.

"It would probably be easier for the department to make a decision bearing in mind my Court appearance, but I feel this facade and deceitfulness has gone on long enough. If the above is to be rejected, at least I request the department to be honest enough to tell me so.

"I am I believe, professional enough to understand the difficulties and bearing in mind the boy's age, do not feel it would be the end of the world for anybody.

"I would be most grateful if a very early decision could be made, so that at least the boy knows where he stands, as he is still of the opinion that social workers are honourable people.

Yours sincerely"

36.41 Manuscript notes on that letter show that Mr Rice asked Mr Sorrell to discuss it with him and a discussion took place on 11th November. Mr Naylor was to see Mr Rice about it on 15th November. It was also drawn to the attention of Mr Wells who wrote to Mr Beck, on the Director's behalf, on 24th November:

"Thank you for your letter dated 3rd November, 1982, regarding the fostering care of PQ.

I can understand your reaction to the delay which has occurred in deciding whether you will be allowed to become PQ's foster parent. However, I am sure you will appreciate that in view of the fact that you have been charged with an offence we have no option other than to await the outcome of your hearing before making a final decision. This is exactly as we would respond to any applicant seeking formal approval as a foster parent. It does not mean your application has been rejected but that the process of approval has been suspended until the charge against you has been settled.

"It is not my understanding that the Department would prefer to wait until PQ is seventeen and obtain a revocation but simply that it would be inappropriate to make a final decision at this stage.

"I hope you will understand that we have to treat all applicants in a similar manner in the interests of both prospective foster parents and children."

36.42 It is apposite to recall that it was on 22nd November that Miss Akram had gone to County Hall determined to see the Director. She had had to settle for an interview with Mr Noblett during which Mr Noblett noted:

"She referred to the constant innuendoes at The Beeches about homosexual activities and queers. She told me about a young member of staff who spends most of his time at the Officer in Charge's home and who goes on holiday with the Officer in Charge. There had been much talk about PQ sleeping at Frank's. This is the child Frank was expecting to foster. Some of the children had even suggested that they had been propositioned by Frank. The children referred to his 'growth sessions' with individual members of staff as his 'grope sessions'."

36.43 The evidence shows that Miss Akram's complaint to Mr Noblett did not lead to any sort of proper investigation by him. The information would, of course, have been relevant to the fostering application, of which Mr Noblett was plainly aware, but he did not bring it forward.

36.44 PQ was 17 years old at the end of November 1982. The next move in the case came in the form of an application by PQ himself for revocation of his Care Order. It was supported by a letter in PQ's own hand dated 13th February 1983:

"Hinckley Social Services Office,
Trinity Lane,
Hinckley,
Leicestershire

Dear Sue

"PQ here, I applied for a court date and received one for the 23rd February 1983 at 10.00 am.

"I am writing to you tell you that if you wish to oppose the application in any way you must express your case at the Hinckley Juvenile Court on the date of hearing.

"I have notified all other parties of my date and time of application hearing and that if they wish to oppose to turn up on the day at 10.00am.

Yours faithfully"

36.45 A copy of PQ's application went to Mr Sadler who passed it to Mr Bignell in the Chief Executive and County Clerk's Department on 17th February:

"I am enclosing a Notice served on me on 15th February by post.

PQ is 17 years of age and has made excellent progress at The Beeches and in normal circumstances the department would not be opposing his application. However, he is still at school, and therefore financially dependent, and also he intends to take up residence with a man who is awaiting trial on a charge of assault.

"The social worker concerned in this case is Miss Susan Taylor of the Hinckley Area Office and I understand she is arranging for PQ to be legally represented.

I should be grateful if you would represent the Department in this application."

36.46 PQ's application was not in fact dealt with on 23rd February. It was the day after Mr Beck's case had begun at the Crown Court when he was acquitted of the charge of assaulting FL. Following his acquittal, Mr Beck lost no time in pursing the question of fostering. He wrote to Mr Rice on 23rd February:

> "Dear Mr Rice
>
> SUBJECT: Fostering of PQ
>
> From our previous discussions about this matter, I was led to believe that it was only my pending court appearance that was holding up the go ahead for the above. As you are now aware I have been cleared of all offences and therefore would request you give the above your most urgent consideration and authority.
>
> Yours sincerely,"

36.47 Mr Rice endorsed a note on that letter, "Mr Wells - for chairman" and Mr Wells passed it to Mr Sadler, "please discuss with me". No document or memory could inform the Inquiry how those notes were followed up.

36.48 The response to Mr Beck's letter of 23rd February 1983 was sent to him on 5th May, sent by Mr Sadler on the Director's behalf:

> "Dear Mr Beck
>
> I am pleased to be able to let you know that your application to foster PQ has now been approved. I have informed Mr Hollis, the Area Director, and I am sure his social worker will be contacting you in the near future to make the necessary arrangements, which I hope will take place as soon as possible.
>
> "In view of your position within the department, it is felt that a senior member of staff should have the responsibility for supervising the placement, and Mrs Pauley, fostering development officer, has agreed to undertake this. PQ's social worker will be introducing Mrs Pauley to yourself and PQ as soon as it can be arranged.
>
> Yours sincerely"

36.49 There is a high degree of probability that the final approval for the fostering of PQ by Mr Beck was given by Mr Rice. The application did not go before the Personal Services Sub-Committee.

36.50 There was another small but relevant degree of slippage in the Social Services Department during 1982.

36.51 Mr L, who had been an RCCO at The Beeches from September 1978 to August 1979 had gone to The Holt Children's Home as an RCCO late in 1981. The experienced Officer in Charge was Mr Tony Stamper.

36.52 At some time during 1982, Mr L confided in Mr Stamper something of his experiences whilst at The Beeches. Mr Stamper was sufficiently perturbed by what he heard to telephone and then go to see Mr Terry Smith, the Deputy Director of Social Services.

36.53 Mr Smith's evidence to the Inquiry:

> "It would have been 1982, I think, when I received a telephone call from Mr Stamper who was the head of The Holt Children's Home, telling me that a member of staff who had not consented to his name being revealed, had indicated that, while he had previously worked under Mr Beck, he had had a homosexual advance from him and some homosexual behaviour had gone on between them. I do not know the nature of that behaviour. And he was very troubled by this and so Tony Stamper with his consent decided he should discuss the matter with me. So I arranged for him to come and talk to me at my office straight away.
>
> "It happened to be just at that time that I knew that Mr Beck was applying to become a foster parent and it seemed to me to have considerable relevance to that situation. So I said to Mr Stamper that I thought it was very important, if indeed this was true that we should have details of it and we should know the name of the person concerned. I asked him if he would talk to the person concerned and see whether he would agree to being interviewed, and he went away to do this.
>
> "I am almost sure I also spoke on the telephone to Mr Wells who I knew would be handling the question of the fostering arrangements, to warn him of what was in the air, and I arranged to contact him again when I had had a response from Mr Stamper. It would have been about a week later that I did get a response from Mr Stamper which was that the man wanted to drop the whole matter, he did not agree to his name going forward and he did not want to pursue it any further and I relayed that information to Mr Wells too. My memory is that he said that he felt that, on the basis of this withdrawal and the fact that . . . there was no suggestion of any impropriety with children from this man, that really it was not something we could take into account."

36.54 Mr Wells was not able to recall any of that to the Inquiry. There is, however, no reason to suppose that Mr Smith's memory is at fault. With hindsight, Mr Smith thought that he should have put pressure on Mr Stamper and, through Mr Stamper, on to the member of staff: "This is such a serious matter that even though you don't want your name to go forward and are withdrawing this, I would like to see you about it."

Comment

36.55 Mr Smith might well have taken the initiative himself to see the member of staff who had spoken to Mr Stamper.

36.56 Mr Smith might usefully have got Mr Stamper to make a written report or himself written a memo to be passed to Mr Wells for placement with the fostering application papers, but that was not done and the information was lost.

36.57 Mr Smith should undoubtedly have discussed what he had learned with Mr Naylor as head of Care Branch.

36.58 Assuming Mr Smith's recollection of the reaction of Mr Wells to be correct, Mr Wells was seriously at fault in allowing the information from Mr Stamper to be disregarded. It had, potentially, a highly significant bearing on the investigations made by Mrs Clarke and Mrs Brunton-Reed and the conclusion reached by Mrs Clarke about the allegation of homosexuality, as well as on the view expressed by Dr Carter in his letter of reference.

36.59 By May 1983, with PQ 17½ years old and approaching the end of his school days and Care Order, the approval of the fostering application was more a matter of form, and for Mr Beck a matter of principle, than of practical significance. It gave Mr Beck a toe in the fostering door, and a further token of approval by senior management to enhance his status within the County.

36.60 Moreover, it set an unwise precedent which might have been avoided if closer account had been taken of the risks inherent in conflict of interest. There was throughout a need for policies which clarified the boundaries between personal and professional interests and activities. It was fundamentally unwise to allow children resident in the home to stay or live in the private home of the Officer in Charge, as it would have been in the case of any other homes' staff.

36.61 There was along the line a series of failed communications, most significantly the failure to keep Mrs Brunton-Reid informed of the two subjects of complaint in the Summer of 1982; and Mr Noblett's failure to act appropriately on Miss Akram's complaint, the more serious in the light of his knowledge of the fostering application.

36.62 Whilst it was right in principle to place the fostering assessment out of County, it was a significant error of judgment to give Mrs Brunton-Reid only part of the task - that of assessing Mr Beck. To do the job properly she needed to have the whole task and to be kept fully informed of all the circumstances and developments.

36.63 It was unfortunate that Mrs Clarke thought it right to make her own investigation and to reach her own conclusion about the allegation of homosexuality made by PQ's father, rather than to pass it on to Mrs Brunton-Reed and allow Mrs Brunton-Reed to form her own independent opinion.

General Approval

36.64 LN was not the only child to be lodged with Mr Beck. Others lodged with him by local arrangement with the relevant Area.

36.65 On 6th January 1984 Mr Beck wrote to Mr Rice:

> "In the past you kindly allowed me to foster PQ, which I promptly did. My application originally was specifically for PQ, I therefore would like your approval to be a general foster parent.
>
> "As you originally approved my application, it is necessary for you to authorise the necessary proceedings if you agree. As a matter of interest, I have now had boarded with me three children, fostered one and have another child undertaking 4th form education boarded with me also.
>
> "I think I have demonstrated, particularly in the last six months, my ability to serve this department and look after my own private life without either suffering. I therefore request your authorisation for me to be registered for general fostering."

36.66 Mr Sadler was also aware of Mr Beck's application and sent a note to Mr Rice on 23rd January:

"In May 1983 you approved an application by Mr Beck to foster a particular child in care. It was agreed that Mrs Pauley from this section would supervise the placement.

"The particular youngster is now no longer a foster child, and Mr Beck has asked if he may be considered for 'general fostering'. I have attached a copy of Mrs Pauley's report on the placement.

"As you originally approved Mr Beck I have told him that it would also be for you to re-approve him. Whilst I do not believe that there is at present a particular child that Mr Beck is offering to foster, he is nevertheless keen for an early decision."

36.67 Mrs Pauley's attached report on PQ's placement:

"Following decision by Geoff Sadler, County Hall, that I should be involved in supervision of this foster home, I had long discussions with Hinckley Area and as it was considered that a change of social worker for the last six months of his period in care would not be in the best interest of PQ, agreement was reached that the social worker for PQ (Sue Taylor) would continue to be PQ's social worker and my role would be to supervise Frank as a foster parent and to provide additional support for him in the way that this is provided by the Special Placements Officers for foster parents who are Family Care Workers.

"I have paid two visits to Mr Beck's home; both of these visits were of considerable length and I had several phone calls with Mr Beck. During the first visit on June 9th 1983, Mr Beck had a need to talk about the difficulties of integrating a teenager into the family. The issues he raised are those which are common to all foster parents and it is interesting that despite the fact that he had known PQ for twelve months, he experienced many of the small problems common to foster parents, i.e. in establishing mutually acceptable behaviour within the family e.g leaving unwashed coffee cups about, untidiness.

"On the whole, I was impressed with Mr Beck's handling of various aspects. He encouraged PQ to have his own friends and he himself retained his outside interests e.g, local councillor, included PQ in appropriate social activities and also worked pretty hard at encouraging PQ in applications for various jobs.

"From the outset, Mr Beck considered that it would be more appropriate if there was another teenager living in the home but decided that he would prefer to take another teenager as a lodger. He was aware that it would be important that the two boys were compatible. Mr Beck makes a subtle distinction between fostering and the lodgings situation, with foster child carrying more responsibility for the foster parent. Following negotiations with Area 1, GN, d.o.b 4.11.66, was placed with Mr Beck as a lodgings situation on the 1st July 1983. I consider this a very appropriate move as there was some risk that PQ would become jealous if he went too long with undivided attention. I have seen both boys together; in common with many children who have spent a long time in residential care, they complained to some extent of lack of local facilities, but Mr Beck was encouraging them to become involved in youth activities at the local Winstanley Community Centre. PQ went on holiday with Mr Beck to Egypt in the summer and after applying for various jobs, has now got an apprenticeship.

"Both boys present as normal, reasonably intelligent teenagers.

"Despite the misgivings on the part of the department to approving Mr Beck as a foster parent, this would appear to be good fostering situation for PQ. I have been impressed by Mr Beck's awareness of the many issues involved, of his adjustment to having two young teenagers in the home and I think it was particularly appropriate that a second teenager joined the family to lessen any intensity of relationship and over the period I had been involved, had no adverse feelings or comments. As PQ reached the age of 18 at the end of November, I would not expect to be involved further."

36.68 Mr Beck's application does not seem to have been the subject of any further investigation. Nor was the reservation expressed by Dr Carter about the wisdom of the general fostering approval addressed in detail.

36.69 Mr Beck's application was put before the Personal Services Sub-Committee on 12th March 1984 without a recommendation. The author of the report has not been positively identified, although it is likely to have been Mr Sadler who was responsible to that Sub-Committee:

"On 30th April 1982, the Boarding Out Regulations were amended which resulted in single male persons being allowed to become an approved foster parent.

"Following this amendment, Mr F Beck, Officer in Charge, of The Beeches applied to become a foster parent to PQ, a boy in his care at The Beeches. Because of his position and role within the Department the investigation into his application was undertaken by an officer of the Northamptonshire Social Services Department. Although expressing some reservations the officer concerned recommended that Mr Beck's application to foster PQ be approved and PQ was placed on 15th April 1983. PQ attained the age of 18 years on 29th November 1983 and continues to live with Mr Beck.

"On 1st July 1983 GN, d.o.b 4.11.66, was placed with Mr Beck as a lodger. This was considered appropriate as there was some risk that PQ would become jealous if he went too long with undivided attention. This arrangement has proved satisfactory, and was particulary appropriate as it lessened any intensity of relationship between Mr Beck and PQ.

"Mr Beck has now applied to be considered for 'general fostering' and in view of his position and role within the department and in addition, the reservations of the original investigating officer and one of the referees to an application of this kind, it is felt his application should be discussed by this committee.

"It has been said that as far as PQ is concerned the fostering placement has been a success. The supervising Officer has been impressed by Mr Beck's awareness of the many issues involved and his adjustment in accepting a parental role set against his role at the Beeches.

"The Committee are asked to CONSIDER Mr Beck's application to become an approved foster parent for children in the care of the authority."

36.70 The decision of the Sub-Committee was that Mr Beck be approved as a general foster parent. No evidence was given to the Inquiry that members questioned the reference to "reservations" on the part of the original investigating officer or one of the referees: nor that officers advising the Committee gave details of the nature of the reservations.

PART 5

MR BECK'S RESIGNATION

37
THE DEPARTURE OF MR BECK

37.1 None of the complaints raised during the course of 1985 in any way weakened Mr Beck's position in the County, still less led towards his resignation. Mr Beck's departure from Leicestershire Social Services Department was precipitated by developments amongst members of staff at The Beeches over the preceding months, culminating in two formal complaints about Mr Beck from residential staff.

The key personnel:

Mr Clifford Savage

37.2 Mr Savage arrived as Deputy Officer in Charge at The Beeches in March 1985. He came with qualifications RMN (1971), SRN (1974), BA (Social Policy and Administration) (1979), CQSW (1984). He had experience of working with deprived and abused children in families, and in a Community Home in Manchester.

37.3 During his first three or four months at The Beeches, Mr Savage was occupied with settling in to his task and trying to build relationships with staff and children. He found an atmosphere of wariness towards him from other staff.

37.4 Mr Savage formed the view of Mr Beck that "publicly he was putting forward the view that he was running the establishment in a way that would meet the specialist needs of the children in a so-called therapeutic way, but in practice his own character was antipathetic to that particular task in hand. I consider that he ran the home as a dictatorship, and was an ego maniac who would not be challenged from any quarter (his own decision being final)".

37.5 With the passage of time, Mr Savage not only grew increasingly worried about the physical treatment of children, but picked up what he thought to be indications of wider abuse: signs of withdrawal in the children, absolute fear of Mr Beck, sexual precocity, age inappropriate bed wetting, and disturbed sleep patterns.

37.6 In conversation with Mr Beck about the arrest in 1985 of Mr Scott, Officer in Charge of Rosehill Children's Home, on charges of sexual malpractice with children, Mr Savage was, he said in evidence, shocked and amazed by Mr Beck's response that "there was nothing untoward with such behaviour, that children of that particular age knew no better, and that it formed part of their sexual development awareness".

37.7 Mr Savage had no confidence in Mr John Noblett. Mr Savage did not consider that Mr Cobb, his line manager after Mr Beck, had authority. He gave this evidence:

> "I recall one occasion when John Cobb visited The Beeches and I was in a room adjoining Frank Beck's office. When John Cobb walked into the room Frank Beck was verbally aggressive to him and during the conservation used words to the effect of 'if you can't provide what I fucking want, you might as well fuck off' or similar words. Without further comment, John Cobb turned on his heels and sloped away, rather like a school boy being told off. This general behaviour and attitude towards John Cobb by Frank Beck was not uncommon and he would regularly belittle him in front of other staff or even children at the home and so far as I was concerned highlighted the fact that John Cobb neither had the managerial control over Frank Beck nor the respect that his position demanded."

37.8 Mr Savage adopted the strategy of (a) trying to set an example of good child care practice, (b) winning over to himself the confidence of staff, and (c) looking out for episodes of abuse that he could substantiate against Mr Beck.

Mr B

37.9 Mr B, who qualified SEN in 1977, joined the staff at The Beeches as an RCCO in February 1985, having previously worked in nursing. He found much in the practice of The Beeches to cause him disquiet. He was the recipient of complaints (and confidences) from children. He took such a complaint to his supervisor who did not accept it. Later, he was supervised by Mr Beck and became the victim of a homosexual approach (in supervision) by Mr Beck. He felt unable to talk to any staff member about it.

37.10 In time Mr B went to Mr Savage:

> "I decided that I must make a complaint and told Chris Savage. He warned me that the complaint must be on a professional basis and must be well supported. He told me he did not know to whom he would take the complaint if it were made and we discussed the number of complaints and allegations which he knew had already been made in respect of children, but which had not been investigated. He felt that County Hall must have known about these.
>
> "He told me that I must make the complaint good and have sufficient support for it, that rumours were no good or single complaints, which had been made before and had been buried. It was at this point that I started to tell the staff that I had a complaint and asked if any of them wanted to complain too. People started to say yes."

Mr S

37.11 Mr S first went to The Beeches for a four week period in March 1985, as a community service volunteer. At the time he was nearing the end of a 12 month sentence of imprisonment for an offence of causing grievous bodily harm. Mr S struck up a friendship with Mr B.

37.12 Mr S was discharged from prison on 2nd May. Sometime after that - the dates are not available - he enquired of Mr Beck about the availability of a job at The Beeches and then made a formal application to Leicestershire County Council for employment as an RCCO.

37.13 Immediately before going into his interview by a panel of three, including Mr Beck, Mr S was assured by Mr Beck that he, Mr Beck, was in charge of who got jobs at The Beeches and Mr S would get the job.

37.14 Mr S was employed, and was accommodated in the attic room at The Beeches: "Beck was at pains to tell me that he had arranged both the job and the accommodation through his influence. He would also repeatedly stress that I was there on a trial basis because I would not normally be allowed there due to my criminal record and that he would be watching me closely . . . he would constantly say this to me in front of others."

37.15 Not very long afterwards, in Mr S's first supervision session with Mr Beck, Mr Beck used the context of discussion about "touching" to make a homosexual assault on Mr S. Mr S confided in Mr B, and later wrote out a formal complaint.

Dr Lewis

37.16 In the late summer of 1985, Mr Beck asked Dr Lewis, the psychiatrist who had been associated with the home since 1982, to run a group for the junior members of staff: "He felt that the junior staff needed a vehicle to let off steam." Dr Lewis held fortnightly meetings. The early reaction of staff was one of suspicion. There is no doubt that the junior staff at first suspected that Dr Lewis would report back to Mr Beck, that he was Mr Beck's spy.

37.17 The group was set up to talk about how individual case workers coped with their work and to enable them to talk about their feelings: "but as time went on it became a diatribe about Beck and also about social services generally." Dr Lewis did not see it as his task to take the diatribe to senior management, but to support the junior staff in getting themselves together as a group and doing something themselves about their complaints.

Conviction of Mr Scott

37.18 It was on 28th February 1986 that Mr Scott was sentenced to a total of 8 years imprisonment at the Leicester Crown Court. On Saturday 1st March the local press reported the case under eye catching headlines "Children's Home Sex Man Jailed", "House Of Horror", "I Was Lured For Sex At Home", "Video Told A Sordid Tale".

Complaints

37.19 On Monday 3rd March 1986 Mr S and Mr B took their written complaints to Mr Savage. Mr Savage made some informal enquiries about how best to carry forward those complaints and gained the impression that it would be a waste of time going to Mr Noblett or Mr Naylor. He was impressed to learn that Mr Nelson had a legal background, and telephoned that day to make an appointment to see Mr Nelson.

37.20 The complaints that Mr Savage had received, and that he took with him to Mr Nelson were as follows:

"2.3.86.

I Mr S hereby present a formal complaint against Mr Frank Beck, my Officer in Charge, concerning his treatment towards me at supervision.

"On the evening of 22nd February 1986 I was due for a supervision session with Mr Beck. This was held in a room in the attic of The Beeches.

"During supervision Mr Beck told me to sit on the bed and close my eyes saying that he wanted to talk closely with me. I did this without questioning the reason behind it although I thought it was a strange request.

"Mr Beck then sat beside me with his hand on my shoulder and told me to relax and let myself go 'trust me' he said over and over.

"He then asked me to look inside myself and tell him what I saw. I started to feel uncomfortable at this point as he had untucked my shirt and put his hand against my back. He slowly worked his way inside my shirt and was rubbing my back.

"When he could see that I wasn't responding he brought the subject up of homosexuality.

"He referred to a child in care that he has a close relationship to namely SU. He explained how SU 'dabbled' in being a homosexual.

"He explained to me that everybody should try a bit of both as it is only society that has made us attracted to the opposite sex only.

"I was worried because he was all the time feeling my back but didn't want to say anything because he after all was my Officer in Charge.

"He then said that if I ever wanted to understand the problems that these children face I would have to let myself go and feel the need to be close to a member of the same sex.

"I then expressed to Mr Beck that I didn't want to carry on this supervision along these lines.

"He changed his tactics and knelt in front of me putting his hands on my knees with a firm grip. He now had his forehead pressed against mine then he said 'you know I could always delve deeper by touching a more sensitive part'.

"He then moved his hands up my legs towards my upper thigh. It was at this point I stopped him. I couldn't bring myself to put up with any more of this apparent groping and brought the supervision to an end.

"He ended by saying 'I don't want to push you too quickly yet, just think about what I have taught you'.

"I feel that his conduct was a diabolical liberty and now I am over the initial shock of this experience I am prepared to stand up and voice my complaint.

Signed.

Mr S"

37.21 The second letter of complaint was from Mr B:

"It has been brought to my attention that staff are complaining about sexual harassment by Mr Beck under the guise of supervision.

"Staff are also concerned by some reports that children have been molested or physically beaten up.

"Many feel that Mr Beck's style of management precludes them from complaining about his conduct and attitude towards child group and staff alike.

"Many have lost faith in his ability to lead due to threats, breach of confidence, reduction in front of child group and sexism.

"Mr Beck is an extremely autocratic leader who has made it clear that he ascribes to nobody's views except his own.

"I feel I must voice this disturbing element I have both witnessed and heard to Mr Savage, even though disclosure severely compromises my situation.

Mr B 3.3.86"

Mr Nelson

37.22 Mr Nelson saw Mr Savage at County Hall at 3.30 pm on 3rd March. Mr Nelson received the two staff complaints and had photocopies of them made for Mr Savage to retain. The meeting lasted about half an hour, with Mr Nelson making notes. He then left the meeting to see whether Mr Rice was in. He was not. He had apparently gone with Mr Naylor to visit an establishment at Market Harborough and was due back at 5.30 pm. Mr Nelson suggested that Mr Savage should await Mr Rice's return and showed him to a waiting room. Mr Nelson dictated his note of the meeting which was immediately typed by his secretary.

37.23 Mr Nelson's note:

> "Mr Savage, Deputy Officer in Charge at The Beeches, called by appointment to see me at 3.30 pm on Monday 3rd March 1986. He had received two letters of complaint from members of staff at The Beeches (Mr S and Mr B). He emphasised that he was not speaking on behalf of the staff group at The Beeches but, in his view, staff confidence there was 'at rock bottom'. In particular, they had no confidence in their Officer in Charge and were likely to be saying so in the near future as a group. He emphasised that he was bringing the complaints to the notice of the management of the Department in his capacity as a manager. He wanted advice as to how he could respond. Members of staff had indicated that previous complaints against Mr Beck had not, apparently, been followed up by management. There was a feeling that the management of the Department was colluding in a cover up. In conversation with a NALGO representative, it had been suggested to him that instead of reporting the complaints to Mr Cobb or Mr Noblett, he should raise them with Mr Nelson.
>
> "Having read the letters of complaint from Mr S and Mr B dated 2nd and 3rd March (copies attached) I asked Mr Savage whether other members of staff had made any complaints to him. Oral complaints had also been made to him by Mr Gibson, Mr Jordan and, in confidence, a female member of staff whose name he did not feel able to reveal. The four members of staff mentioned had also indicated that Susan Taylor, Elisabeth Clark, Shirley Willett and a previous member of staff who had now left had all made allegations to them relating to molestation and/or physical violence towards children in the home. Mr Savage said he had no direct evidence of homosexual molestation of boys at the home but had been told by other members of staff of reports of Mr Beck having physically touched the private parts of boys in the home and of encouraging two boys to undress and 'explore each other' in a locked room while the door was 'guarded from the outside'. Both boys had complained to Mrs Willett and she had discussed the matter with the former Deputy but no action had apparently been taken. This incident had occurred approximately two years previously.
>
> "More recently, an incident had occurred involving JL which had resulted in his having to be transferred from The Beeches to another home. Mr Beck had been on leave at the time. Mr Savage understood that Mr Cobb had looked into the matter and, again, that the problem centred on sexual molestation, with the police having to be involved.
>
> "Two boys still at The Beeches (GI and SU) had also complained about sexual molestation. SU only the previous week had said 'I wouldn't be like what I am today if it hadn't been for Frank Beck. I hate the fucking bastard for what he has done to me'. This had been reported by Mr B to Mr Savage. The concern of the staff group over sexuality and violence in the home was the subject of a current series of group discussions with Chris Lewis, the psychiatrist, with Frank Beck not participating, on the understanding that Chris Lewis would feed back conclusions emerging from the discussion. On the subject of physical violence, Mr Savage had expressed his concern to Mr Beck. In reply to a question, he said he regarded himself as a good Deputy Officer in Charge who was willing to discuss disagreements concerning the care and control of children in a suitably professional way. He had personally seen children being 'slapped and thrown around, their arms twisted behind their back, their heads held between their knees until they cried out in pain until they submitted'. He along with the majority of the staff, felt that the level of force used by Mr Beck was excessive. Asked whether this implied that there was a minority of staff members who accepted that the level of force was reasonable, he replied that in fact, so far as he could tell, all the staff were of the same mind, with the exception of Mr Beck.
>
> "In reply to Mr Savage's query as to what action should be taken in the light of his report, I emphasised that the allegations made could be profoundly damaging to Mr Beck and that it was my job to act quasi-judicially. I would, therefore, be letting both Mr Rice and Mr Naylor know the substance of the allegations later that day when they returned from Market Harborough and envisaged that Mr Beck would be given the opportunity to comment on the following day. It would be for consideration whether further enquiries should be made before Mr Beck was advised of the allegations

and, in the meantime, I suggested that Mr Savage should do and say no more than the two letters of complaint had been handed in and discussed with senior management with a view to contact being made with the home tomorrow. At Mr Savage's request, a photostat copy of the two letters was made for his retention."

Mr Rice and Mr Naylor

37.24 On the return of Mr Rice and Mr Naylor at about 5.30 p.m., Mr Nelson saw them and showed them a copy of his note. Mr Nelson thought that both Mr Rice and Mr Naylor were shocked by what they read. It was arranged that Mr Nelson would see Mr B, Mr S and Mr Beck the next day, and Mr Rice gave Mr Nelson full authority to act on his behalf. Plainly, the question of suspending Mr Beck was in their minds, although Mr Nelson thought that he should not suspend Mr Beck before giving him a chance to answer the complaints.

37.25 Mr Nelson then returned to Mr Savage, told him that there was no need to wait any longer or to see Mr Rice, and told him also of the plan for the following day.

37.26 On the morning of 4th March Mr Nelson went alone to The Beeches. He was not accompanied by Mr Naylor who had a particular commitment at a Management Team meeting that morning. Mr Nelson interviewed Mr B at some length and Mr S briefly. The discussion had to be curtailed because Mr Beck was due to arrive at The Beeches at lunch time. Having formed a view that both Mr B and Mr S were credible witnesses, Mr Nelson considered that suspension of Mr Beck was all the more likely to be appropriate. He tried, but failed, to speak to Mr Rice on the telephone. That did not matter as Mr Nelson already had Mr Rice's full authority. Mr Nelson then telephoned Mr Whyment, the Personnel Officer, who agreed to the suspension of Mr Beck.

Mr Beck's suspension

37.27 Mr Beck arrived almost immediately, at 12.30 p.m. Mr Nelson told him of the nature of the accusations and told him that he had no alternative than to suspend. Mr Beck denied the accusations but took the suspension calmly. It was Mr Nelson's recollection that Mr Beck asked whether there was a possibility of criminal proceedings, and raised the possibility of resignation, inquiring as to the position that would obtain in relation to the giving of references. Mr Nelson's meeting with Mr Beck lasted about 20 minutes. Mr Beck left The Beeches and Mr Nelson returned to County Hall.

37.28 Immediately on his return, Mr Nelson dictated a note to Mr Naylor:

"Frank Beck took the suspension without argument. He vigorously denies any sexual abuse of the children but talks about betrayal and naivety with regard to the allegations in respect of staff. I have told only Mr Savage, Mr B and Mr S of the suspension of Frank Beck and have asked them not to discuss the situation at all with any members of staff or children pending a meeting of the full staff group (previously arranged) tomorrow at 1.30 p.m. I have said that I assume you will be accompanying me unless you have some other commitment. I have also said that we will aim to talk to other members of staff individually, following the announcement regarding anything they want to say to us, either in support of Mr Beck or the allegations.

"I have said I do not visualise speaking to children tomorrow and in the light of Frank Beck's comments to me regarding staff treachery, it seems possible that he may wish to tender his resignation to avoid going through disciplinary proceedings. It will be for consideration whether the allegations made in respect of the children need to be pursued, if necessary, with police involvement.

"In telling Mr Savage of the suspension, I have advised him that he will be regarded as Acting Officer in Charge for the time being.

"I will let you have a typed version of Mr B's allegations as soon as I have had an opportunity to dictate something to Elaine."

37.29 Mr Nelson then prepared a detailed note of the discussions he had had with Mr B and Mr S and, later, with Mr Beck that day, 4th March:

"Mr B, Deputy Team Leader, RCCO, grade 2/3 (born 1.7.58) started with the Department on 1st February 1985.

"Mr B confirmed that in addition to complaints he had received regarding sexual harassment by Mr Beck, he himself had been treated similarly over a period of six months or so. He had kept quiet about it because, to begin with, he thought he was the only one whose supervision sessions were being abused in this way but, more recently it had become apparent that others had been treated similarly. To begin with, other male members of staff had simply discouraged any discussion about supervision sessions but latterly they had made it plain that they regarded supervision with apprehension and more recently still had begun to complain about sexual interference. In addition to Mr S, Rod and Mick had both complained of sexual harassment by Mr Beck and had confirmed that they too had kept quiet because they thought that it was only them as individuals who were being treated in that way and that their word would never be believed against any denial made by Mr Beck. Mr B said that Mr Beck was generally regarded as an autocratic figure who was not prepared to accept disagreement on the part of his staff. Asked what form sexual harassment took Mr B confirmed that the experience of all the staff making complaints involved Mr Beck groping with testicles, kissing them and trying to undress them. It was now apparent to Mr B that suspicions of homosexual activities between Mr Beck and members of staff had been the subject of comment amongst the women members of staff, including the domestic staff, for some time previously. Mr Beck had been found in bed with a male member of staff during a supervision session by the cleaning ladies, who had confirmed the incident to Mr Savage only a few days ago. A female RCCO, Jill Lye, had waited for two hours whilst a supervision session was in progress between Mr Beck and Mr Walker and had finally gone to the room to obtain the pantry keys which were urgently needed when she had found Mr Walker with no shirt, shoes or socks on.

"Mr B said that he had felt a sense of guilt in not reporting his growing concern but said he felt he was almost in a blackmail situation. Mr Beck had begun by stressing that he was adopting an essentially Freudian approach to sex, suggesting that there was no specifically male or female sexual drive and that sex had to be seen out of the context of gender differences. It was only after this kind of build up that the groping started. Mr B did not believe what Mr Beck was saying and did not want to believe it, but was mindful that he was in his probationary period. In answer to a question, Mr B confirmed that there was no suggestion at any stage of encouragement by him of Mr Beck . . .

"Mr B also felt that Mr Beck had been unprofessional in his dealings with himself and with other members of staff and youngsters at The Beeches. When Mr B had begun to feel that he could no longer tolerate Mr Beck's supervision, he had told him that he was thinking of leaving The Beeches. Mr Beck's response had been to express anger and suggest that if Mr B thought he was indispensable he was mistaken. He had then gone on to say that he, Frank Beck, on the other hand, was indispensable and if he had to go, The Beeches would have to close.

"On another occasion, Mr Beck had told Mr B that another member of staff, Sue Taylor, had 'a brain tumour'. In Mr Beck's view, unless she could sort herself out she would have to leave. In response to a query, Mr B said he did not understand how anyone with a brain tumour was supposed to sort themselves out but, in fact, he understood that she did not suffer from any condition of that kind, although children at the home had been overheard by Shirley Willett talking amongst themselves to the effect that Mr Beck had also told them that that was what she was suffering from.

"Turning to the subject of sexual assaults on children, Mr B said that one child named PR had made a specific complaint to Mr B against Mr Beck in the presence of another member of staff (Margaret Paige). The child had complained that Mr Beck had touched him in a sexual manner. The description given by the boy was to the effect that Mr Beck had put his hand down the bedclothes and 'got hold of my bollocks'. The boy had described himself as being petrified.

"Another member of staff, Shirley Willett, had told Mr B that another boy, FH, had complained to her that Frank Beck had had sex with him. FH had the reputation of being an active homosexual when he came to the Beeches but another boy, QB, had complained that Frank Beck had confused him regarding his own sexuality. QB had alleged that he had been counselled by Mr Beck to encourage his homosexual tendencies and that, initially, Mr Beck had attempted to establish a homosexual relationship between QB and FH. At a later stage, Mr Beck had changed his approach and had suggested to QB that he should be interested in girls. The encouragement was not specific but generally took the form of innuendo, although Shirley Willett had told Mr B that on one occasion FH and QB had been encouraged to go into a bedroom together and 'get it out of their systems'.

"On another occasion Mr B had arranged for one of the children (RT) to visit a former resident with whom he had established a non-sexual relationship. The former resident had been transferred to the Glen Parva Unit and Mr B was concerned that the relationship which was helpful to both of them should be maintained. Mr Beck had refused permission for the visit, the only reason seemingly because the former client (DF) had not been amenable to Frank Beck's way of looking at things.

"Mr B said that neither GI nor SW had ever made any allegations in respect of Mr Beck to Mr B but DF had told Mr B that he had seen GI stood naked in a room and fondled by Mr Beck. Mr B also understood from other members of staff (Messrs Savage and Ragget) that DF had given them a whole string of similar instances. SU, a known male prostitute, visited Frank's house from time to time. Staff at the Beeches commenting on this practice and suggesting that it was inappropriate for a resident to visit a member of staff's private home had been told that if they tell SU's father they would be disciplined. Mr Beck had taken the view that the reason why SU visited his house was to see his brother who was being fostered by Mr Beck. This version was not believed by the staff at The Beeches since SU had been reported as saying 'I fucking hate that man' referring to Mr Beck.

"Mr B said that he had been threatened twice in the past week with suspension and/or dismissal. On the first occasion he had complained that, in his view, it was inappropriate for Frank Beck to describe a girl to her face as, variously, a slag, a bitch, a whore and a slut. Mr Beck had justified his action on the grounds that the girl needed to be 'reduced' in order that she could be helped. She had said to Mr B that she wanted to complain to Mr Cobb. Mr B had complained to Jane Ashdown that, in his view, there was no therapeutic basis for the way in which the girl was being treated, but Jane Ashdown had replied that there was nothing that she could do about it. When Mr B had taken it up with Frank Beck, Mr Beck had shouted at him at the top of his voice in front of children at the home that he, Mr B, was the weak link in the chain and that he would suspend him if necessary. Subsequently, the children who had overheard the comments had asked Mr B whether it was true that he was likely to be suspended.

"Mr B had also been threatened with suspension or dismissal if he persisted in taking RT to visit DF at Glen Parva. In consequence the visit had not been made.

"Regarding physical violence to children, Mr B said he had personally witnessed incidents of children being treated inappropriately. One child had even been rendered unconscious for a short time.

"At this point the interview had to be curtailed so that arrangements could be made for meeting Mr Beck who was shortly expected at the home, Mr B having expressed apprehension at the thought of being left in charge of the home with Mr Beck as the only other member of staff on duty.

"Subsequently, I saw Mr S briefly regarding his statement dated 2nd March 1986. In response to a query as to whether he had at any stage given Mr Beck any encouragement, he confirmed that the familiarities taken by Mr Beck were strongly resented and had not been encouraged in any way. Both members of staff were advised not to discuss the matter with any other member of staff or child at the home and to simply confirm that the intention would be for Mr Naylor and myself to visit the home to talk to the staff group as a whole at the meeting arranged for 1.30 p.m. on the following day on the understanding that the staff group would then take appropriate action to advise the children.

"When Mr Beck arrived shortly after 12.30 p.m, I referred to the written allegations and statements that had been made by members of staff and confirmed that, in the circumstances, I had no option except to suspend him so that the allegations could be followed up by enquiries being made to other members of staff and, if necessary, the children at the home. I emphasised that it was essential that those enquiries should not be prejudiced in any way by Mr Beck's presence at the home or by any approach on his part to any member of staff. In response to his query, I confirmed that the substance of the allegations related variously to sexual harassment of staff, sexual abuse of children and undue violence in the handling of children. I confirmed that specific allegations had been made by three members of staff and that I had been given to understand that another five members of staff were likely to support the allegations. Mr Beck asked whether there was any possibility of criminal proceedings in respect of the allegations regarding the children and I confirmed that this was a possibility. I suggested that he contacted his union representative or, failing that, a friend or solicitor. He said he was not in a union. He was totally dismayed by the accusations. He repeated many times that the allegations in respect of the children were entirely without foundation and he referred to his dismay as to what he described as the betrayal of staff and blamed himself for having been naive in the way in which he had handled them.

"I expressed sympathy for his position and stressed that until I had had the opportunity to make further enquiries I was in no position to reach any conclusion but I was conscious of the distress which he would be suffering over the next few days and would aim to complete enquiries amongst other members of staff and, if necessary, children at the home by the end of the week so as to give him the opportunity to know the full extent of the allegations against him and to give him the opportunity to comment. If, following discussion with his solicitor or whoever, he wished to have details of the allegations submitted to date, I would be prepared to let him have further information but I expressed a preference for defining the extent of the allegations as quickly as possible so that he would know the full extent of the issues needing to be considered.

"Mr Beck acknowledged that, in the circumstances, it would not be appropriate for him to stay for lunch as originally intended and he left the building after having a quietly spoken conversation with me lasting approximately 20 minutes.

T.A. Nelson
4th March 1986"

37.30 At 11.15 a.m. on Wednesday 5th March 1986 Mr Savage telephoned County Hall and left a message for Mr Nelson:

"Frank Beck has telephoned Shirley Willett at five to eleven this morning. He was talking irrationally about the work of his life and talking in terms of precipitating an accident. Mr Savage is concerned about FB's welfare. The Mercury have also been on to him."

37.31 A further message came from Mr Savage for Mr Nelson at 11.30 a.m:

"It would appear that he must have phoned Mrs Willett after speaking to you, he mentioned the fact of a statement being made in this afternoon's meeting. He spoke of 'disappearing' and 'an accident' and if anything happened would she look after his foster son."

37.32 Mr Nelson was engaged in a meeting at County Hall at 11.a.m. and does not recall having received those messages before going on from County Hall to meet the staff at The Beeches. The note of the messages found their way on to Mr Beck's personal file.

Staff Meeting

37.33 Mr Nelson and Mr Naylor had a meeting with all but two of the staff at 1.30 p.m. Those two were away on leave. Mr Nelson explained that there had been serious allegations made but did not refer to any detail lest that might 'contaminate' other evidence by suggesting a line of thought. Staff were told that Mr Beck had been suspended pending further investigation, and that Mr Nelson and Mr Naylor would be happy to talk with any of them, individually and in confidence. In confidence, so that in the event of reinstatement of Mr Beck, there would be no risk of recrimination. Arrangements for managing the home in the interim were outlined by Mr Naylor. Mr Nelson and Mr Naylor then withdrew, leaving the staff to talk amongst themselves.

37.34 Seven staff members then spoke individually to Mr Nelson and Mr Naylor, five of them broadly in support of the allegations made. Mr Nelson made notes of those interviews which he later had typed and then handed to Mr Offord (Personnel Section) so that they could be used as the basis for statements of evidence in future disciplinary proceedings. Copies of the statements did not go to Mr Beck's personal file.

37.35 Mr Savage had been asked to act as Officer in Charge, but Mr Nelson had not given consideration to possible morale problems amongst the staff and the need for them to be supported. Mr Nelson told the Inquiry that had he thought of that, he would have regarded it as something for Care Branch to attend to. Mr Naylor told the Inquiry that he believed that Mr Savage could manage the home "in the usual way". In the following days and weeks there were considerable difficulties for the Deputy and staff who were justified in their criticism of Care Branch for not appreciating their problems and giving them support.

Management Deliberation

37.36 Having concluded their interviews with staff members, Mr Nelson and Mr Naylor returned to County Hall and reported to Mr Rice. It was agreed that elected members and the Chief Executive should be told of the current position and Mr Rice undertook to do that.

37.37 At that point, Mr Nelson's thinking was:

- Normally, the complaints about Mr Beck's treatment of children would need to be referred to the Police.
- Although there might have been some suggestion of criminality, he did not think that the same applied to complaints about Mr Beck's treatment of staff.
- He was aware that on previous occasions, the Police decision not to proceed in respect of a complaint or complaints relating to children had precluded a disciplinary case being taken before a member Sub-Committee.
- Reference to the Police would mean that disciplinary proceedings would have to be delayed until Police had made their enquiries and any prosecution had been completed.
- Considering whether it was possible to separate staff issues and children's issues - so that, for example, allegations relating to staff could found disciplinary proceedings whilst allegations relating to children were investigated by Police - Mr Nelson formed the view that it was not.

37.38 Accordingly, Mr Nelson conceived the notion of interviewing the children for the purpose of disciplinary proceedings, rather than referring matters to the Police. He persuaded Mr Rice to agree to seek the Chief Executive's authority to proceed in that way. Mr Nelson was concerned to have a cast iron case for disciplinary proceedings.

Resignation

37.39 On 6th March 1986 Mr Beck's resignation was received in the post at County Hall:

10 Bidford Close
Leicester
5.3.86

"Dear Mr Rice,

I wish to resign my position as Officer in Charge of The Beeches from the above date.

I cannot say how sorry I am, even though the complaints against me have been overstated. I am aware it would be impossible for me to continue.

Yours with regret.
Frank Beck."

37.40 Mr Nelson thought that there was an issue to be considered whether Mr Beck's resignation should be accepted or not. So also, apparently, did Mr Rice. In reality, the resignation amounted to a unilateral termination of the contract of employment and there was in practice no option other than to accept that fact. Practically, no employee could be required to remain employed if he wished to resign. But that is not how it was seen. Mr Rice took the letter of resignation to the Chief Executive and to elected members, one of whom was not happy simply to accept it, preferring the matter to go to a disciplinary hearing.

37.41 An early decision was being demanded by the Treasurer's Department relating to the operation of the pay roll system. As a result it was agreed that the resignation should be acknowledged leaving open the option to write a further letter later indicating that the resignation had not been accepted. The thinking was that if no follow up letter was sent the acknowledgement could be construed as an acceptance. Accordingly, a letter was sent to Mr Beck on 7th March 1986:

"I acknowledge receipt of your letter dated 5th March 1986 and note that you have resigned from your position as Officer in Charge from that date".

37.42 The Treasurer was advised to stop Mr Beck's pay with immediate effect.

37.43 Mr Nelson gave the Inquiry his memory of his further thoughts in support of at least tacit acceptance of Mr Beck's resignation:

- A long delay in securing Mr Beck's departure would cause difficulties in relation to the running of The Beeches.
- Dismissal might not be approved by the Conditions of Service Sub-Committee. The evidence of staff and children to the Sub-Committee (a traumatic experience in itself and therefore best avoided) might fall short of their statements.
- Mr Beck's political connections.
- Mr Beck might pursue an application to an Industrial Tribunal, claiming constructive dismissal.

37.44 On the afternoon of 6th March Mr Nelson visited Mr Savage at The Beeches who agreed with the acceptance of the resignation on the basis that there would be no possibility of Mr Beck securing a post in child care in the future, because the Department would not provide him with a reference for such a position.

Police

37.45 Coincidentally, and quite separately from the complaints formulated by members of The Beeches' staff, the Police received a complaint from EG, who was 17 years 11 months old, about an indecent assault upon him whilst a resident at The Beeches some two years earlier. It was EG who had made a similar complaint to Mrs Browse a little over a year earlier when asking for a letter of estrangement (Chapter 32). Records show that Mr Beck was arrested at 5.35 p.m. on 5th March 1986 and that he denied the allegations. He was released on Police bail. That was the day after he had been suspended by Mr Nelson, and the day on which he wrote his letter of resignation.

37.46 On 5th and 6th March 1986 the Leicester Mercury carried short notices of Mr Beck's suspension and the Police became aware of it. It was probably on the afternoon of 6th March that Detective Inspector Pearce, investigating EG's complaint, spoke to Mr Rice. The officer made a note soon afterwards:

> "Frank Beck was interviewed by the O.S.T from Charles Street on tape, and he has denied the allegations outlined in the attached statement.
>
> "However, during the enquiries, and quite separately, staff at The Beeches had complained to Mr Rice, the Head of the Social Services, about misconduct of Beck towards staff and children. The misconduct fell within the discipline code of the Social Services, in that it revolved around unnecessary treatment of children, sexual harassment towards staff and other internal matters. Mr Rice explained to me that there were several innuendoes that Beck was indecently assaulting children or inciting them to indulge in minor indecent practices. I have spoken to Mr Rice expressing that I would like to have a copy of all the reports he had concerning Mr Beck, to see if there was any evidence that I could elicit to substantiate a criminal charge. Due to the political situation at the present time, Mr Rice was unable to supply me with these details without first consulting the individual chairpersons of each political party."

37.47 Mr Nelson recalls that it was at that stage that he and Mr Rice agreed that notes of staff interviews, given in confidence, should only be handed over to the Police if they pressed for them.

37.48 Later, on 7th March, Mr Rice sent to Mr Peter Sayer, a senior solicitor in the Chief Executive and County Clerk's Department, copies of the documents arising from the complaints of Mr B and Mr S, namely the notes made by Mr Nelson and Mr Naylor and Mr Beck's letter of resignation, and asked Mr Sayer's advice as to whether the documents should be released to the Police or whether the Department should first carry out further investigations. Mr Sayer's advice, in summary, was to give the Police everything. Mr Rice had consulted Mr Sayer because Mr Fenney was not available. Mr Sayer wrote a memo to Mr Fenney to keep him informed:

> "NOTE TO MR. R.J. FENNEY
> FROM PETER SAYER
>
> The Director of Social Services sent me the attached set of papers. A report of assault involving the subject had been under investigation by the Police but they have decided there was insufficient evidence. The Police now wanted to know whether we had evidence of other criminal offences. Mr Rice wanted to know whether to release the attached correspondence to the Police, or whether to carry out further investigations first. The Police wanted to know what we were doing quickly because they wanted to make a press statement.
>
> "I told Mr Rice that I doubted that there was anything the Police would want to do in relation to the alleged misbehaviour with members of staff. As to the allegations regarding the children, however, there did appear to be a prima facie case here and consequently I thought that all the papers should be referred to the Police with an offer that if the Police would like us to, we would carry out interviews with the children concerned. If we tried to carry out further investigations ourselves, without involving the Police, then the Police might accuse us of hampering their investigation. However, if there was any information already on our files, particularly information expanding on that contained in the attached statements, then clearly this should be included with any statements being sent to the Police.
>
> "Mr Rice is collecting all the papers together. There is no further action for us to take for the present until such time as we hear further from the Director of Social Services.
>
> 7.3.86"

37.49 It is clear from Detective Inspector Pearce's contemporary note that Mr Rice contacted him on Friday 7th March and said that the Police could have access to any documents the Social Services Department had. An appointment was made for the Detective Inspector to see Mr Nelson and Mr Naylor on the following Monday, 10th March.

37.50 It is Mr Nelson's recollection that it was on the afternoon of Friday 7th March that he learned that the plan to interview the children for the purposes of disciplinary proceedings had not been approved by the Chief Executive's Department. He also learned of the meeting arranged for Monday 10th March but Mr Nelson was resolute in his evidence to the Inquiry that he did not learn of Mr Sayer's advice to give the Police everything nor that that was Mr Rice's intention.

37.51 Mr Nelson and Mr Naylor met Detective Inspector Pearce and Detective Sergeant de Haven on 10th March. There is no doubt that Mr Nelson wanted to deflect the interest of the Police away from undertaking an investigation of their own. Staff had been seen in confidence, there was a risk (as Mr Nelson saw it) of Mr Beck withdrawing his resignation and contesting disciplinary action in the Sub-Committee, and there was a possibility, Mr Nelson thought, of embarrassment to members if, the resignation having been accepted, matters then went ahead to a successful prosecution.

37.52 Detective Inspector Pearce made a very brief note of the meeting:

> "On 10th March, I spoke to Mr Nelson and Mr Naylor at length and none of the information gathered over Mr Beck's internal discipline substantiated any criminal offence. The allegations against Mr Beck were clearly over his conduct towards staff and children, but with an innuendo of indecency in the background."

37.53 Mr Nelson made a very much fuller note which he had typed. In evidence to the Inquiry, Mr Nelson confirmed the accuracy of the note subject to two small alterations which are indicated below by the words in brackets:

> "Note of a meeting on 10th March 1986 between Mr Nelson, Mr Naylor, D/Insp. Pearce and D/Sgt. de Haven.
>
> "Mr Nelson said that the interviews which Mr Naylor and he had undertaken over the past week had related primarily to the prospect of disciplinary proceedings being taken against Mr Beck. The allegations which had been made against him covered a range of matters. These included physical violence to children, inappropriate professional conduct, e.g. making comments about staff in the presence of children, sexual harassment of male staff and some indirect evidence (innuendoes) of sexual abuse of children. The statements which Mr Naylor and Mr Nelson had taken were primarily concerned with the first three allegations and had resulted in Mr Beck being, in effect, told that there was sufficient strength in the allegations to justify his dismissal, whereupon he had resigned. The parts of the evidence relating to sexual abuse of children had been separated out in the statements made by staff but having gone through these carefully, the conclusion which Mr Naylor and Mr Nelson had reached was that they did not in themselves represent direct evidence of sexual abuse. They related to complaints made to third parties over a considerable period of time and account had to be taken of the fact that the children concerned were genuinely disturbed with many problems of their own. The allegations could not be accepted simply on their face value and would need substantiating. The only way in which this could be done would be talking to the children themselves and so far Mr Naylor and Mr Nelson had confined their enquiries to members of staff.
>
> "Mr Naylor emphasised that physical contact was an accepted part of the regime at The Beeches and other homes. The Department acknowledged that many of the problems experienced by children coming into the Department's care were the result of emotional deprivation at earlier stages in their development and that part of the accepted function of residential child care staff was to encourage acceptance by children of physical contact since this helped them to complete their development.
>
> "D/Insp. Pearce and D/Sgt. de Haven both confirmed that they accepted that there was a thin line between proper and improper physical contact by residential child care staff. They had received many allegations over the years. These had been investigated but in every case it had been impossible to say whether the line had been breached. Mr Beck himself had been most cooperative in answering their questions and the Police fully appreciated that children who were being subject to care of the kind described could, from time to time, feel as though affection and support was being withdrawn and in consequence reacted by making unfounded allegations against members of staff. They were not anxious to press charges against Mr Beck unless they were satisfied that he had behaved improperly in a criminal, as distinct from a professional or disciplinary sense. They were satisfied that the Department had dealt with those aspects adequately and they were not wishing to press charges, particularly if there were likely to be evidential problems in terms of proof in a court hearing. But they were concerned that the local press were taking a continuing interest and if they were to drop the matter they wanted to be in a position to indicate to the local press that they would not be justified in taking the matter further.

"Mr Nelson said that (subject to talking to Mr Savage which the Police could leave us to deal with) the various statements which he and Mr Naylor had taken were available if required by the Police but suggested that, in the first instance, it might be preferable for D/Insp. Pearce to discuss the situation with the acting Officer in Charge, Mr Savage. D/Insp. Pearce confirmed that he would find this helpful and it was left that Mr Nelson would arrange for Mr Savage to be available that afternoon for D/Insp. Pearce to see him. He stressed that if, following that interview, D/Insp. Pearce required any further information Mr Naylor and he would be pleased to give whatever further help was needed. On this basis the interview, which had lasted approximately half an hour, was concluded.

T.A. Nelson
Senior Assistant Director"

37.54 Mr Pearce did not, in evidence to the Inquiry, accept the accuracy of that note. There is no evidence, however, that the Police officers pressed Mr Nelson for the documents that Mr Rice had said they could have.

37.55 The two Police officers saw Mr Savage on 11th March 1986 and formed a view that Mr Savage was unable to supply any information which would indicate that Mr Beck had committed a criminal offence. The Police did not investigate further.

37.56 By letter of 20th March 1986 Mr Rice was informed by the Police of their conclusion in respect of EG's complaint: "Enquiries have been carried out by my officers and there is insufficient evidence to substantiate a charge of indecent assault against Mr Beck. Accordingly, no further Police action will be taken."

37.57 Mr Beck did not seek to withdraw his resignation or challenge the termination of his employment. After a period of unemployment, he obtained work for a security firm supported by a reference written by Mr Nelson. Mr Nelson thought it entirely proper to give a reference since the work was not in any way related to child care. Mr Beck then tried to set himself up as an independent counsellor and therapist in conjunction with Mr Adjinka (The Beeches 1976 - 1978) who was to deal with the paperwork. The venture was not successful.

Comment

37.58 The effectiveness of the investigation conducted by Mr Nelson is in stark contrast with Care Branch investigations over the years. It was a shortcoming on the part of both Mr Rice and Mr Naylor that the assistance of Mr Nelson, who had responsibility for Personnel within the Department, had never been called upon by them in relation to the investigation of any of the complaints which have been considered by the Inquiry.

37.59 It is probable, although not accepted by Management Officers, that the very recent publicity about Mr Scott, which was adverse to the Department, influenced them into taking a course of action which would present the least risk of further adverse publicity.

37.60 Mr Naylor's belief that Mr Savage could manage the Home as Deputy "in the usual way" was of a piece with the neglectful approach adopted by Care Branch in relation to The Beeches in 1976-78 and Rosehill in 1977-78, in not recognising the very real stress and difficulties which inevitably arose for the Deputy, staff and, indeed, children in such circumstances.

38
THE CONSULTANCY LIST

38.1 The Department of Health operates a consultancy service on an advisory basis whereby Local Authorities and voluntary bodies can check the suitability of those whom they propose to employ in the child care field. Mr Beck's name was not referred to it.

38.2 Prior to 1955 there existed a service solely to assist the then Home Secretary to make assessments of the suitability of people to be employed in approved schools, for which he had statutory responsibility. With the passage of time use of the information recorded centrally on a register was made available to external agencies to help them in decisions about the suitability of staff they wished to appoint to work with children.

38.3 The consultancy service, in its current form, dates from 1955 when, by way of a Circular, its use was formally extended to local authorities and voluntary organisations to assist them in the appointment of staff of Children's Homes or similar residential establishments. The Circular stressed the importance of references and pointed out that the information held by the Department was in no sense complete.

38.4 A review of the service was undertaken in 1963. No change to the arrangements was considered necessary but a fresh Circular was issued (Home Office Circular: 250/1964):

> "1. I am directed by the Secretary of State . . . to say that he thinks it right to remind employing authorities of the importance of taking up references (whether or not testimonials have been submitted from all relevant employers) before appointing anyone to a post in a children's home or hostel, or in a remand home or approved school, or to any post in the child care service in which the applicant would be directly concerned with the care of children . . .
>
> 2. Employing authorities considering applications for employment in one of the posts mentioned in the preceding paragraph have continued to consult the Home Office on the question whether any information is available pointing to the undesirability of employing the person in child care work . . .
>
> 3.
>
> 4. The Secretary of State would also be glad if local authorities would send to the Home Office particulars of any person who, because of the commission of a criminal offence ceases to be employed by them on work connected with the care of children or similar work."

38.5 There was room for doubt as to whether the words "commission of a criminal offence" were limited to circumstances in which there had been a conviction. The practice varied.

38.6 Because of the sensitivity of a government department offering a service of that kind, together with the fact that at that time those recorded on the register had not been made aware of such registration, there appears to have been emphasis on a voluntary service which was delicately handled in a way not to give it an unnecessary degree of public exposure. Nevertheless, the service was well known to local authorities in the business of employing people to work with children. An inquiry was made of the service by Leicestershire County Council at the time of Mr Beck's appointment in 1973.

38.7 The operation of the service was next reviewed in 1985, and a further Circular (HOC (86) 44 : LAC (86) 10) was sent out on 17th July 1986, four months after Mr Beck's resignation. Annex A of that Circular dealt specifically with the DHSS consultancy service. Passages material to this Report were contained in paragraphs 1 and 7(b):

> "1. The Department of Health and Social Services operate a consultancy service on an advisory basis whereby local authorities and voluntary bodies can check the suitability of those they propose to employ in the child care field. The service
>
> (a) notes convictions against those who (at the time of conviction) are or were in child care work; **it also notes the names of persons formerly in such work who have been dismissed or who have resigned in certain circumstances (see paragraph 7 below)** (emphasis added)
>
> (b) at the request of local authorities or voluntary organisations, provides a check against this register when child care employment or involvement is being sought

(c) alerts local authorities/voluntary organisations if the check is positive."

"7. The information held on the DHSS register comes from three sources:

(a) police reports . . .

(b) local authority/voluntary organisation reports. Local authorities and voluntary organisations tell the DHSS when a member of their staff is dismissed or **resigns in circumstances which might suggest that children would be put at risk if the person were again appointed to a position involving responsibility for children's welfare. There need not be police proceedings for such reports to be made.** (emphasis added)

(c) DES reports . . ."

38.8 The addition in the 1986 Circular of provisions relating to dismissal or resignation reflected a practice that had evolved; but it was the first time that it had been spelled out in a Circular.

38.9 There have been subsequent developments in relation to the consultancy service which are not relevant to this part of this Report.

Mr Rice and Mr Stimpson (Social Services Inspectorate)

38.10 On 5th March 1986 Mr B E Stimpson, Assistant Chief Inspector, East Midlands SSI (DHSS) became aware of Mr Beck's suspension from a notice in the Leicester Mercury of that day. On 6th March Mr Stimpson received a telephone call from Mr Rice informing him about the incident and saying that Mr Beck's resignation had been received. Mr Stimpson understood that Mr Beck was being questioned further by the Police concerning a number of allegations of sexual malpractice, mainly involving other members of staff but which were also believed to involve certain children resident at The Beeches.

38.11 An internal DHSS communication written by Mr Stimpson on 21st April 1986 shows that Mr Stimpson had been told by Mr Rice that "the Police are not proceeding with a prosecution" of Mr Beck. Mr Stimpson adds, "However in view of the circumstances I have arranged to have a further discussion with Mr Rice, concerning the circumstances of Mr Beck's resignation and whether in fact there are any grounds to include Mr Beck's name on the Department's consultancy service list". Neither records nor memories served to show whether Mr Stimpson had an early discussion with Mr Rice about the consultancy service list.

38.12 On 5th September 1986, however, Mr Stimpson and Mr Jeal of the SSI had a long meeting with Mr Rice and Mrs Pat Hill covering a wide range of topics. Mr Stimpson's detailed report of the meeting contains the following passage about discussion as to whether Mr Beck's name should be referred to the consultancy service:

> "In view of the circumstances of Frank Beck's resignation, the issue was put to the Director as to whether his name should be entered on the special list maintained by DHSS. In the circumstances it is difficult to substantiate such a proposal since he has not been convicted of any offence concerning children. On the other hand if he were to apply to another local authority or indeed a voluntary organisation for employment, it would be important for that agency to consult with the Director in Leicestershire before confirming any appointment involving work with children. It is understood that Mr Beck has set himself up as a 'consultant' in family therapy and has recently advertised in Northampton newspapers".

38.13 At first reading, that passage appears to suggest that Mr Rice and Mr Stimpson had overlooked the 17th July 1986 Circular and had agreed that, in the absence of a conviction, entry of Mr Beck's name on the list would not be appropriate. On the other hand, Mr Stimpson stressed in his evidence to the Inquiry that the passage was a note and not a verbatim record; that he made clear that it was up to the Social Services Department to make their own investigation of the circumstances of Mr Beck's resignation (which, in Mr Stimpson's view, had not been done in a thorough way); and to make their own decision whether to refer Mr Beck's name to the consultancy service list in the light of information available. It was a matter for the Director of Social Services to decide, not for Mr Stimpson. In the result, Mr Beck's name was not referred to the consultancy service list.

Comment

38.14 Mr Beck was known to the Social Services Inspectorate. Mr Stimpson had met him in June 1985.

38.15 Mr Stimpson was kept informed by Mr Rice of Mr Beck's suspension and resignation in the face of allegations. The question of referring Mr Beck's name to the consultancy service list was discussed between them. Keeping Mr Stimpson informed was not sufficient to have Mr Beck's name put on the list. That could only be achieved by application in the prescribed manner.

38.16 The failure to make such application, particularly after the 17 July 1986 Circular, was an error of judgement on Mr Rice's part. It may have been contributed to by an interpretation of the discussion on 5th September that differed from Mr Stimpson's understanding.

38.17 There is room for criticism of the failure of the Leicestershire Social Services Department to carry out a thorough investigation in the wake of Mr Beck's departure but it cannot be said that Mr Rice tried to keep the SSI in the dark.

38.18 The effect of putting Mr Beck's name on the list would have been that a further prospective employer, checking with the consultancy service, would have been advised to go to the Leicestershire County Council for a reference and explanation. The list is an alerting mechanism.

38.19 The real burden of responsibility lies in the references that were supplied.

39
REFERENCES

39.1 In January and March 1987, about a year after Mr Beck's resignation, Mr Rice furnished two references which enabled Mr Beck to obtain further work in the field of child care.

39.2 In the late Summer of 1986 Mr Beck was occupied working for a security firm in Leicester and, with Mr Adjinka, trying to establish a private counselling business. At about the same time, Mr Beck resumed by correspondence an old acquaintance with Sandra Seale (Mrs Alexandra Seale-Waithe). At the turn of the year and probably at the suggestion of Mr Adjinka, Mr Beck applied for his name to be put on the books of a social work agency in London, Reliance Social Care.

39.3 It appears that Mr Beck gave the names of referees, including Miss Midgeley (The Beeches 1979 - 1983) and Mr John Noblett.

The first reference

39.4 On 6th January 1987, Reliance Social Care wrote to Mr Noblett inquiring as to the suitability of Mr Beck. Mr Noblett had left the Department, as had Mr Nelson and Mr Naylor, and the letter was passed to Mr Rice for him to deal with. The letter from Reliance Social Care:

"Dear Mr Noblett

Concerning: Mr Frank J BECK
Principal - Young Persons Unit
Leicester Forest East
1978 - 1986

"The above-named has applied to be placed on our register of temporary social workers. The register is for Residential and Field social workers who are available, at short notice if necessary, for Homes and Hostels maintained by Local Authorities and Voluntary Organisations for those 'in care'.

"We would be grateful if you would inform us whether, in your opinion this person is suitable for taking on this kind of responsibility, is in good health and has a reliable, trustworthy and stable personality. If this person has worked for you, would you please supply the exact dates of employment.

"We should be pleased to have any other comments, particularly whether this person has the ability to work in close co-operation with others, and whether you know of any reason why his/her application should not be considered.

"As this agency is often asked by Social Services Departments to cover urgent vacancies, your early attention to our requests would be very much appreciated.

"We would like to thank you for your help and enclose a stamped addressed envelope for your early reply, which will be treated in complete confidence.

"In writing your reference, please will you note that, in order to protect the public, this application is exempt from Section 4(2) of the Rehabilitation of Offenders Act 1984, by virtue of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975.

"It is not therefore in any way contrary to the Act to reveal any information you may have concerning convictions which would otherwise be considered as 'spent' in relation to this application and which you consider relevant to the applicant's suitability for employment.

"Any such information will be kept in strict confidence, and used only in consideration of the suitability of this application for a position for which such an exemption is appropriate.

RELIANCE SOCIAL CARE"

39.5 It is probable that in order to prepare a reply Mr Rice sent for the files on Mr Beck held by the Personnel Section. Those files contained the letters of complaint by Mr B and Mr S. They did not contain the voluminous notes made by Mr Nelson in March 1986. They did contain a statement made by the Department (probably Mr Nelson) to the Department of Employment in April 1986 in relation to Mr Beck's claim for unemployment benefit:

> "Mr Beck's resignation followed allegations made against him by various members of his staff. When he was advised of the allegations and told that it would be necessary for those to be the subject of investigation and, in due course, disciplinary proceedings, Mr Beck preferred to offer his resignation. In consequence, the need to arrange a disciplinary hearing did not arise."

39.6 The letter that Mr Rice prepared and sent to Reliance Social Care on 15th January 1987 was as follows:

> "Dear Sir,
>
> Thank you for your letter of the 6th January requesting information with regard to the personality, experience and suitability of Mr Frank Beck to be placed on your register of temporary social workers.
>
> "As Mr Beck will have informed you he was in employment of this authority from 1973 until his resignation in March 1986. Mr Beck will also have informed you that he served as Officer in Charge of the Poplars Children's Home in Market Harborough, the Children's Homes in Ratcliffe Road in the City of Leicester and The Beeches Children's Centre in Kirby Muxloe, Leicester, during the period of service with the County Council.
>
> "Each of these establishments were used as accommodation for children and young people with emotional and behavioural problems, frequently of an acute nature. A considerable proportion of the young persons cared for in these establishments had appeared before the Courts having committed offences. Mr Beck developed a personal approach to the care of children and young persons which was reflected in the regime of his Home. However, he was able to demonstrate the effectiveness of his methods and was successful in modifying the more acute behavioural problems demonstrated by many young people.
>
> "At The Beeches Centre following the closure of Polebrook House, the county's only Community Home with Education on the premises, Mr Beck and his staff provided care for a number of young people who would formerly have been placed in that establishment. With regard to his reliability and trustworthiness, these were above questioning although being a person who was willing to express his views most strongly, he evoked varying responses from his colleagues although many recognised his strengths and gave him their full support. In his relationships with his staff Mr Beck found it more easier to sympathise with those residential care officers who adopted his style of operation and were able to identify themselves with his methods. He devoted much time to developing in his staff an appreciation of what he was attempting to achieve. Undoubtedly the willingness with which he was prepared to commit himself to the interests of young people in a wholehearted manner was acknowledged throughout the Department.
>
> "Mr Beck may have explained to you the reasons for his resignation. However, you may wish to discuss these with him as he undoubtedly found the constrictions of the authority's policy difficult to accommodate himself to on occasions.
>
> Yours faithfully,
>
> *BRIAN F. RICE*
>
> Director of Social Services"

The second reference

39.7 On 17th February 1987 Mr Beck applied for a post in residential care at the Woodcock Hill Children's Home in the London Borough of Brent. He gave his present employments as:

"Armaguard Limited Security Officer Aug 1986 to Feb 1987

AND	Confidential Personal Consultancy	Consultant	March 1986 to date
AND	Reliance Social Care	S.W.	Feb 1987 to date"

39.8 He gave his last previous employment as Principal, Leicestershire Social Services. Mr Beck gave to the London Borough of Brent the name of two referees Mr Adjinka, "Director, Confidential Personal Consultancy", and Miss Ann Midgeley. Mr Beck was appointed on that day, 17th February, on a three month contract.

39.9 On 19th February 1987 Mrs K Best, an officer in the Personnel Section, London Borough of Brent, took an oral reference from Mr Adjinka. That was followed up by Mr Adjinka's written reference on 22nd February, "I unreservedly recommend him to you". An internal document of the London Borough of Brent dated 23rd February 1987 indicates that Mrs Best had obtained satisfactory references and a DHSS check. That looks to have been premature.

39.10 On 11th March, the DHSS, Alexander Fleming House, wrote to the Director of Social Services, London Borough of Brent, "We are currently making detailed inquiries as to Mr Beck's suitability to work with children or young persons and shall be writing to you about him in due course".

39.11 A note written by Mrs K Best on 13th March shows that she spoke to Reliance Social Care and learnt that there was no reason why Mr Beck should not be employed. Reliance had references from the Director of Social Services, Leicestershire, Mr Adjinka and Miss Midgeley, "Leicestershire say there was a difference of opinion over management". The note appears to add that Mr Adjinka's reference was not accepted by Brent and that a reference from Leicestershire was required.

39.12 On 16th March 1987 Mrs Alexandra Seale-Waithe, Principal Officer, Residential Child Care, London Borough of Brent, wrote to Mr Rice:

> "Re: Frank John Beck
> 10 Bidford Close
> Braunstone
> Leicester
>
> Dear Sir
>
> "Further to the recent appointment of Frank John Beck on a short term contract, the Department as per normal procedure contacted the D.H.S.S. for check to be made as to his suitability to working with children and young persons. They have referred us to you as they claim to be undertaking a detail inquiry into his suitability.
>
> "As he is currently employed on a short-term contract, I would appreciate clarity as to the reasons for the D.H.S.S. investigations in order that I may deal with this matter appropriately. Please consider this matter urgently.
>
> Yours faithfully
> Alexandra Seale-Waithe
> P/O Residential Child Care"

39.13 Mr Rice replied on 19th March, enclosing a copy of the reference he had sent to Reliance Social Care on 15th January:

> "Dear Ms. Seale-Waithe,
>
> Thank you for your letter of 16th March regarding your recent appointment of Mr Frank John Beck on a short-term contract to your Department.
>
> "Perhaps the most appropriate way for me to deal with your enquiry is to enclose details contained in a reference provided earlier this year on behalf of Mr Beck. Mr Beck resigned from this Authority in March last year following difficulties which arose in relationships with members of his staff leading to a loss of confidence on both sides.
>
> "Mr Beck may have explained to you the reasons for his resignation but you may find it helpful to discuss these with him as he undoubtedly found himself at odds with this Department from time to time and certainly at the time of his departure.
>
> Yours sincerely,
> BRIAN F. RICE
> Director of Social Services"

39.14 Mr Rice's letter, received by Brent Social Services Department on 23rd March, came to have a manuscript note endorsed upon it, apparently in Mrs Seale-Waithe's hand:

> "Spoke to Olive James [DHSS] on 25.3.87 who advised that their query was as a result of an article in Social Work Today. Agreed to clarify situation with her superior. Later returned call, apologised for inconvenience and stated that DHSS had no observation and would put it in writing".

39.15 The DHSS wrote on 31st March 1987: "This letter confirms that the Department has 'no observations' on the inquiry concerning Mr F J Beck. I apologise for the delay in advising you of this". That letter reflected the circumstance that Mr Beck's name was not on the consultancy service list.

39.16 Mr Beck's three month engagement at Woodcock Hill was extended on 18th May 1987.

39.17 On 29th May Mr Beck and Mrs Seale-Waithe were married at Braunstone, Leicester. The marriage was not a success.

39.18 On 15th June 1987, Mr Beck was appointed on a two month contract as Deputy Officer in Charge of the 71 Kingston Lane Children's Home in Brent. He left the employment of the London Borough of Brent on 15th August 1987. He continued in social work with another authority.

Comment

39.19 Mr Rice's failure to refer to Mr Beck's suspension in the face of allegations made against him was a very great error, as Mr Rice himself acknowledges, "I don't wish to make excuses and stand by the fact that I made a mistake."

39.20 There was sufficient material available to Mr Rice to refresh his memory of past events and to enable him to ensure, as he should have done, that Mr Beck did not get employment in the field of child care and was not in a position to expose children to risk.

39.21 Despite the passage of some ten months since Mr Beck's resignation, Mr Rice had had detailed discussion with Mr Stimpson as recently as September 1986.

39.22 However, it may not be inappropriate to recapture a little of the atmosphere in January 1987:

- The view that the County was well rid of Mr Beck was not a unanimous view. Not all the staff at The Beeches had held that view, nor had everybody within the Department.
- Mr Beck had not, in fact, been convicted of any offence and no findings of fact had been made against him. With the passage of time, the salient feature of his departure had seemed to be issues with staff. Allegations relating to children had lost the sharpness of their focus.
- During 1986 Care Branch had lost its responsibility for Children's Homes which had passed to the Child Care Resources Team. Mr Nelson, Mr Naylor and Mr Noblett had gone. The Department had been substantially reorganised. These were new times.

None of that, however, begins to excuse Mr Rice's negligence.

39.23 It is unfortunate that Mr Smith, who happened to see and read a carbon copy of Mr Rice's letter of reference on a secretary's desk, probably soon after the letter was sent, did not take any action about it.

39.24 The Inquiry explored the question whether Mr Beck's departure from Leicestershire was influenced by any sort of deal, whether of a financial nature or by way of a promise to give him a reference to enable him to stay in social work on condition that he resigned from Leicestershire County Council. There is no reliable evidence of any discussion on those lines and it is absolutely clear that no such deal was struck.

39.25 Mr Nelson, the Senior Assistant Director, was at the centre of the events surrounding Mr Beck's resignation. He is by every account and by his own presentation at the Inquiry manifestly a man of integrity.

39.26 Mr Nelson's thought processes were at times convoluted. But it was his determination that Mr Beck should go and that nothing, even Police investigation, should encourage Mr Beck to withdraw or challenge his own very prompt resignation of 5th March 1986.

PART 6

OTHER CASES

40
TV'S COMPLAINT 1979

40.1 Less than a year after the Rosehill investigation (Chapter 18), Care Branch received a further complaint about treatment methods. It related to a 13 year boy at Ratcliffe Road where Mr Jaynes was the acting Officer in Charge. It received cursory attention and the response to it was dismissive.

Background

40.2 TV, a 13 year old boy, was admitted to Ratcliffe Road in November 1978. Mr Beck was no longer there, but his treatment methods lived on in the hands of the staff he had left behind. Mr Jaynes, Deputy Officer in Charge in Mr Beck's time, was acting Officer in Charge pending appointment to the post of a replacement for Mr Beck. Contemporary social work records show that Ratcliffe Road staff had an expectation that TV would regress and that TV was resistant to it.

40.3 TV's field social worker, Mr Beak, made a running record which contains these extracts:

> "27.11.78
>
> He complained bitterly in the main about being treated as a child. Also that he was forced to do things which he did not want, e.g. sit on laps.
>
> On the whole I judge what is happening is that the pressure is beginning to be put on him (he mentioned teasing and reference to his mother not loving him) and TV finds that hard to take.
>
> "5.12.78
>
> TV's parents 'raised the question about TV being pressed that his mother did not love him'.
>
> "4.1.79
>
> . . . when TV showed me his Christmas presents most remained unopened and unused as he said that these are really for six year olds.
>
> "22.1.79
>
> In discussion between Mr Beak and TV's parents 'the main themes were
>
> (i) TV's objection to implied 'pansy' habits at Poplars, being cuddled and having everything done for him was offensive;
>
> (ii) he was concerned re lack of schooling'."

40.4 In February, TV's parents took their concern about 'regression therapy' to the schools psychological service who passed it on to Mr Ashon who was then Area Director (South Charnwood) with a request that the parents be reassured. The parents were not reassured. They were later to go to their Member of Parliament.

40.5 Attempts to get TV to regress continued. In a report prepared by Ratcliffe Road staff for a case review on 28th March 1979 it was observed:

> "He decided when he arrived that he was going to fight any relationship he was offered . . . he has fought our methods of regression and generally all the rest of the maternal aspects of the unit."

40.6 In his note of the review of 28th March 1979 Mr Beak recorded, "it was quite firmly stated that regression was seen as the only way to effect the required change."

Complaint

40.7 Following a telephone call to Mr Ashon's office of 2nd April 1979, Mr Michael Latham, M.P. wrote to Mr Ashon in the following terms:

"*FROM MICHAEL LATHAM M.P.*
HOUSE OF COMMONS
LONDON SW1A OAA

2nd April 1979

Dear Mr Ashon

TV, aged 14

"The mother and grandfather of this boy came to see me at my Advice Bureau last Saturday morning with the boy himself. He is currently in care at The Poplars, Ratcliffe Road, Leicester. He is clearly unhappy there and has absconded on several occasions, the most recent being last week. I understand he has been in trouble with the Police and was put into care following a breach of probation.

"The parents complain that he is not being treated well at The Poplars. In particular, they say that he is being treated like a small child. For example, they allege that he has on several occasions been given a dummy to suck, and playing things for a 3 year old, such as teddy bears. He is not allowed to play snooker or darts with the other boys because these are considered too old for him, and it is also alleged that he has been assaulted by the staff who have banged his head against the floor and told him 'your mother hates you'. The parents wonder whether it is possible to move him back to Maplewell at Woodhouse Eaves. I understand that he was there when he was 11 but disliked it at the time because he thought he was treated as being mentally deficient.

"It was quite evident to me listening to his mother and grandfather that there must be a long history of problems here -his father was not present at the interview, apparently because he was 'away'. You may prefer to speak to me about this case.

Yours sincerely,"

40.8 Mr Ashon sent a formal reply to Mr Latham on behalf of Miss Edwards on 5th April 1979:

"Dear Mr Latham

Re: TV (15.1.1965)

Thank you for your telephone call and letter concerning the above young man.

"There are a number of points that need clarification before I can make a detailed reply to you. As soon as I am able I will write again giving you the facts as we understand them. If at this point there are other matters to be discussed Mr Ashon will telephone you.

Yours sincerely,"

Care Branch

40.9 Mr Latham's letter was passed to Care Branch and taken up by Mr Naylor. My Naylor telephoned Mr Ashon on 6th April and told Mr Ashon that he had promised to Mr Latham an investigation of the complaint. Mr Ashon's note of that conversation:

"Mr Naylor asked me if I felt or if Mr Beak had any reason to suppose that TV's complaint was factual. I stated that we had no evidence to support his allegation."

In the light of existing documentation, that was a somewhat unhelpful response to Mr Naylor.

40.10 On 11th June 1979 Mr Naylor replied on behalf of Miss Edwards to Mr Latham's April letter:

"Dear Mr Latham,

Re TV

I would wish to refer to earlier correspondence concerning allegations that were made by the relatives of the above named boy and having looked into the situation am now able to respond. It is, I think, important for me to say at the outset that both the field and residential social workers have seen the parents and have given a comprehensive explanation of the two issues that were raised.

"I asked my Assistant Director for Residential Provision to enquire into matters at Ratcliffe Road and am satisfied that at no time was the boy hit or punished. I would, however, say that this child, as with other children at Ratcliffe Road, behaves in extreme ways and this includes temper tantrums which are extremely difficult to control. The only instance that can be recalled of this boy hurting himself was during one of these episodes when he was being 'controlled' by a member of staff and they fell to the floor and almost certainly on that occasion the boy, in falling, bumped his head.

"Again, from my enquiries, I am satisfied that at no time was this boy ever asked to say 'my mother hates me'. It is apparent that during discussions the residential staff have with the individual children at Ratcliffe Road, the children are brought to an awareness of their situation which may well make it abundantly clear to the child that the relationship between child and parent is less than satisfactory. I am assured that at no stage is it envisaged that a child should be made to make a statement such as 'my mother hates me'. Indeed, an essential feature of the care given at Ratcliffe Road is for the return of the child to its own home.

"I understand that there were indeed difficulties concerning the boy's education. Apparently, the part time teacher at Ratcliffe Road was ill and the education department were only able to provide a relief teacher for two afternoons per week. This was not satisfactory and in view of the boy's earlier educational experience, it did not seem appropriate to send him to normal school, pending a resolution of education at Ratcliffe Road. I am pleased to say that the teacher is now back at work.

"I would confirm that a child psychiatrist visits Ratcliffe Road on a regular basis but, under normal circumstances, does not examine the children. His major role is to support the staff group who are working with extremely difficult and disturbed children and, of course, to ensure that if behaviour demonstrated by an individual child warrants psychiatric help, to advise the home that they should, in fact, be seeking this help through the normal channels.

"I would say that the boy has been case conferenced recently and is being admitted to Polebrook House, a Community Home with education on the premises, provided by my Department.

"Finally, I hope that the parents are much less anxious about the situation, and that the boy will receive the help that is considered most appropriate for him.

Yours sincerely,"

Comment

40.11 Mr Naylor had no recollection of this episode to offer to the Inquiry. Contemporary documents suggest, however, that his investigation took the form of a discussion with Mr Jaynes. That, on any view, was inadequate.

40.12 The complaint, coming as it did by letter from a Member of Parliament, would have come to Miss Edwards' attention, although she had no recollection of it.

40.13 The complaint about "your mother hates you" bore a striking similarity to practices uncovered by the complaints and investigations at Rosehill in 1978. That investigation had been ordered by Miss Edwards and Mr Naylor knew of it.

40.14 It is almost beyond belief that Mr Latham's letter stirred no memory of Rosehill the previous year in the mind of either Miss Edwards or Mr Naylor.

40.15 Miss Edwards told the Inquiry that she recognised that the Department was at fault in its handling of the complaint about TV:

> "We have always said, and things that came out from what Beck said, that there was no forced regression. This case makes it clear that there was forced regression and it certainly should have been picked up at that stage."

40.16 TV's complaint, taken with the Rosehill complaint and investigation, made an overwhelming case for detailed investigation as early as 1979 of the practices at Ratcliffe Road and by implication of the influences, bona fides and credibility, as a therapist and Officer in Charge, of Mr Beck.

40.17 The problem arose because TV's complaint was approached in isolation and addressed in isolation. A response was obtained from the Officer in Charge. The child was moved on.

40.18 Whilst either Miss Edwards or Mr Naylor might have been expected to take an overview and see the complaint in context rather than in isolation, neither did so.

40.19 That would, however, have been in part a task of memory. There was no machinery in place to monitor any pattern of complaints. No one officer was charged with responsibility for investigation and monitoring. No system existed for the documentary compilation of complaints.

41
MR DAVIES 1980

41.1 In 1980, a Residential Child Care Officer at The Woodlands Observation and Assessment Centre was faced with an allegation of sexual interference with a child in care. On his initial denial of the complaint, he was not suspended from duty. About a week later, following his arrest, he resigned. He was subsequently re-employed by the County Council in work with the elderly.

41.2 Mr Davies was employed as Residential Child Care Officer at The Woodlands Observation and Assessment centre in 1975. He was then aged 35, and single. Mr Davies had applied for the job having seen it advertised in the local newspaper. He had no personal contacts in social work, nor had he any experience of the work.

41.3 Mr Clark, the Officer in Charge at The Woodlands, explained the nature of the home and of the job to Mr Davies on an introductory visit. Mr Davies was later called to interview and was notified that he had been successful by letter about ten days later.

41.4 For the first six months of his employment, Mr Davies had a bed sitting room at The Woodlands. He then returned to live with his mother at their home in Leicester.

41.5 Mr Davies described the regime of The Woodlands in the early years of his employment as Victorian and repressive. He said that other staff agreed. Discussions with the Officer in Charge failed to achieve change. The Officer in Charge was given free rein to run the home as he thought fit. In due course The Woodlands was reorganised by division into three units. Mr Davies was appointed head of Unit 2.

Complaint

41.6 On 6th March 1980 Mr Davies was seen in the office at The Woodlands by Mr Clark and Mr Noblett and confronted with allegations of sexual interference made by two boys at The Woodlands. Mr Davies' instinctive reaction was to deny the allegations, which he did. He was told that there would have to be a Police investigation. Mr Davies was not suspended from duty. He continued to work as usual over the following days, or perhaps a week, whilst Police inquiries proceeded.

41.7 It was about a week after he was first confronted by Mr Clark and Mr Noblett that Mr Davies was arrested and taken to Wigston Police Station. He made a full confession to five offences. He was not charged then, but on a later day. He was released on Police bail.

Resignation

41.8 Before leaving the Police Station, Mr Davies was seen by Mr Noblett. It is Mr Davies' clear recollection that Mr Noblett gave him a choice between resigning and being sacked. Mr Davies resigned in writing there and then. Mr Noblett's evidence to the Inquiry was based on what he thought he "would have done" rather than any actual recall of what he did. He thought that when he saw Mr Davies at the Police Station "he would have discussed disciplinary proceedings and told him he was being suspended": he would not have given him a choice between resigning and being sacked.

41.9 Whilst Mr Davies' actual recollection of events is to be preferred to Mr Noblett's evidence, it is not the main point. There is no doubt that Mr Davies resigned as he said he did, but what is left without satisfactory explanation is why Mr Noblett came to the meeting with Mr Davies and Mr Clark without authority to suspend Mr Davies there and then, or why he did not seek that authority immediately.

Offences

41.10 On 18th July 1980, at Leicester Crown Court, Mr Davies pleaded guilty to four charges of gross indecency and to one of indecent assault. He was sentenced to 12 months imprisonment. All five offences related to boys in care at The Woodlands. Three were committed at The Woodlands. Two were committed at Mr Davies' private home. Five boys were involved, one of 13, three of 14 and one of 15. The offences spanned the period July 1978 to February 1980.

Reemployment

41.11 Mr Davies recalls that towards the end of his sentence he wrote to Miss Furness, the Homes Adviser who had had responsibility for The Woodlands, about the possibility of employment by the County Council on his release. He further recalls that Miss Furness replied that there was no reason why he should not apply for a job. Miss Furness had no recollection of such an exchange. The conflict does not have to be resolved.

41.12 It is not in dispute that in July 1981 Miss Furness advised Mr Davies to get in touch with Mrs Birch, the matron in charge of an Old People's Home. Mrs Birch was temporarily short of staff. Mr Davies was taken on as a Care Assistant, initially for two weeks in July 1981. His employment continued on, after the end of the two week period, into a permanent job. In September 1981 he was advised to fill in a formal application for his job, to regularise the informal way in which his employment had come about.

41.13 In completing the job application form, Mr Davies declared his previous employment at The Woodlands 1975 to 1980, he gave as one of his two referees the name of Mr John Cobb, and left blank the space at the end of the form where applicants were invited to declare any convictions: "Any failure to disclose such convictions could result in dismissal or disciplinary action by the Authority."

41.14 There was no attempt at deceit by Mr Davies in leaving that space blank. Mrs Birch, Miss Furness, Mr Cobb and Mr Noblett all knew of the convictions. Mr Davies explained that Mrs Birch had told him to leave that part of the form blank in case the form was left lying around on the desk.

41.15 Mrs Birch made her own note on Mr Davies' formal application:

> "Employed by say so of C/Hall."

Postscript

41.16 In April 1992 Mr Davies was redeployed into other work. That followed an interview with senior officers (Mr Kelly and Mr Ashon) on 13th December 1991.

41.17 Mr Davies was upset at being called to that meeting (and at what followed). Three days before the meeting he wrote to the Director of Social Services:

> "May I please point out that although I will be attending this meeting I feel that you should know, I do realise I did wrong when I was working at The Woodlands 12 years ago and I was sent to prison for my mistake and for this mistake I paid dearly, I did not get my job at the old people's home through the back door it was all arranged through the right channels and everybody that was involved knew about it and who I was and I have been doing my work now for 10½ years and if I am right there has not been any complaints at all during that time."

41.18 Nevertheless, a matter of principle was at stake and the Director was unwilling to leave Mr Davies in post. In preparation for the meeting of 13th December, Mr Kelly prepared for himself an aide memoire:

> "1. Not a disciplinary interview.
>
> 2. Sensitive issue - at present time/Beck trial.
>
> 3. He was mentioned on TV programme. Media aware of his employment (although not by name).
>
> 4. Public inquiry on the horizon - all decisions being raked over, intense media interest resulting in pressure - inevitably on you personally.
>
> 5. BW (Mr Waller) would not have allowed his re-engagement in 1981 and there is no doubt that the D would prefer that you were not employed in this dept. now.
>
> 6. With that in mind, we would wish to explore alternative options with you - including employment in another dept. or early retirement."

Comment

41.19 At the time of, and following Mr Davies' arrest, no investigation was undertaken by Mr Noblett or other Care Branch officers. There were obvious questions to be addressed: any known history or suspicion of overfamiliarity with boys; how arrangements at The Woodlands failed to protect the children over a period of 20 months; the failure of management inside and outside the home to pick up anything of Mr Davies' criminal activities; Mr Davies' practice of taking boys to his private home. (Mr Davies gave accurate evidence to the Inquiry that no advice was given to staff about taking children home, or about the separation of professional and private life.)

41.20 In short, no questions were asked: no weaknesses in care or management practice were identified; no lessons were learned.

41.21 Mr Davies had asked Management Officers for character references for production to the Crown Court. The request was refused.

41.22 It is very doubtful whether it was wise to appoint Mr Davies to another post in residential work after his conviction, even though it was with old rather than young people. Nevertheless, Mr Davies remained in the same job until he was redeployed into manual work in April 1992 (without financial loss).

42
MR BLOXHAM 1981

42.1 Events at Camden Road Children's Home, culminating in the discovery in April 1981 that the Deputy Officer in Charge had been sexually abusing girls resident there, raise a difficult question about the employment and management in residential child care of a person thought, but not proved, to present a risk to children.

Background

42.2 Mr Colin Hawley was appointed Officer in Charge of East Park Road Children's Home in the City of Leicester in 1967 in a joint appointment with his wife. At the time, Mr Hawley was known as Superintendent of the home and Mrs Hawley as Matron. In the early 1970s staff and children were moved to a new purpose built home at Camden Road, Braunstone. It was a Community Home with 18 beds. The children ranged in age from 5 to 14.

42.3 In the latter part of the 1970s the post of Deputy Officer in Charge at Camden Road was created, as part of the managerial move away from the two senior positions in homes being occupied by husband and wife. It was proposed to Mr Hawley that Mr Ron Bloxham, then working at The Woodlands Community Home, be appointed to the new post.

42.4 There is no doubt that Mr Hawley was unhappy with that suggestion. He told Care Branch management that he was not happy about it and asked that Mr Bloxham's references and employment record be double checked. Mr Hawley put in words to the Inquiry the nature of his unease:

> "It was just one's inner feelings, you know within, you know how you get an impression about a person . . . that was it, I can't elaborate.
>
> "They knew that I was somewhat apprehensive about taking Mr Bloxham as my Deputy and, you know, the things that one hears along the grapevine, although one shouldn't take much notice of those things in many respects, you know, it just made me a bit sceptical and of course I asked for everything to be gone into and checked and this was apparently done and I was reassured that everything was above board and naturally one accepted him."

42.5 Mr Bloxham was appointed to the post, probably by Mr Edwin Ross. Mr Bloxham became resident at Camden Road, having his own room there.

42.6 Miss Tyrell an RCCO at Camden Road in 1977 and 1978, told the Inquiry that on two occasions in that period she had reported to Mr Hawley episodes of girls emerging from Mr Bloxham's private room in distress. On the first of those occasions, as Miss Tyrell recalled, the child had said that Mr Bloxham had asked her to pull her knickers down for him. Miss Tyrell was assured by Mr Hawley that the complaints had been passed on to County Hall.

Care Branch

42.7 Mr Hawley's evidence to the Inquiry was that he frequently spoke to his line management about his unease over Mr Bloxham, "we had no positive proof at that particular time at all, and it was always mentioned that unless one had proof then one couldn't do very much about it".

42.8 Miss Purnell, the Homes Adviser with immediate line management responsibility for Camden Road, confirmed to the Inquiry that Mr Hawley often spoke to her of his unease about Mr Bloxham, "it was an issue that cropped up all the time and I talked to Mr Bloxham about it myself".

42.9 Miss Purnell knew of reports of Mr Bloxham taking children into his private rooms and being "far more friendly and intimate than probably Mr Hawley himself would have been". She knew, too, of reports of Mr Bloxham's habit of going into the girls' bathroom:

> "I approached the matter by saying that being a single man, there were always people looking, you know, in his direction to see how he behaved in relation to the children. He said that he was aware of that and that his relationship with the children was a purely innocent one. He felt the children needed more physical and emotional support than they did have sometimes from Colin [Hawley].
>
> "There was a question mark there but the answers that he gave did not seem to be unreasonable and there was no hard fact to go on. But Mr Bloxham was a strange man. He was not a man who put himself forward to offer you anything. You always had to talk to him and make the first approach. He never came to me and said he was concerned about his position. I had to ask him if he was."

42.10 Miss Purnell wrote up her discussions on appropriate forms and lodged them on Camden Road management files, which have not survived the closure of the home in 1986. She also discussed the problem with Mr Noblett who "felt that I was tackling it in the way that it should be tackled, in as much as there was no hard evidence. It was a matter of talking to Mr Bloxham and to the Hawleys and to other members of staff but there was no actual fact that one could take any action on".

42.11 The only practical expedient adopted was to alter duty rosters to reduce the time that Mr Bloxham was on duty on his own, and to try to ensure that when Mr Bloxham was in charge, in the absence of Mr Hawley, an experienced member of staff would be on duty. That did not, of course, address the underlying problem nor was it remotely satisfactory, nor indeed possible, to provide constant monitoring of the work of a Deputy Officer in Charge.

Police

42.12 In April 1981 Mr Hawley became aware that there may have been interference by Mr Bloxham with "one or two youngsters", so he spoke to an officer at the local Police Station at Braunstone with whom Mr Hawley had a good working relationship. The officer said, "we must take it further". Mr Hawley recalls Police officers coming to Camden Road to discuss the situation with him.

42.13 Social Service (field) records show that on 7th April 1981 the Police took a statement from one of the girls; and that Mr Bloxham had resigned and "would be appearing in Court next Wednesday".

42.14 Mr Bloxham was arrested and admitted sexual offences against five girls at Camden Road. Those offences included sexual intercourse. Whilst on Police bail, Mr Bloxham took his own life.

42.15 The field social worker's record continues on 8th April: "Mr and Mrs Hawley seen and spoken to. Still absolutely stunned by the events. However, they said that they had always felt uneasy about their Deputy and had put this in writing to County Hall, but because they hadn't any concrete evidence, nothing could be done".

RCCOs

42.16 Mrs Jordan and Miss Ballard, who had been young RCCOs at Camden Road at the time, emphasised to the Inquiry that they had not had anywhere to take their own worries about Mr Bloxham, or any other matter, other than to Mr and Mrs Hawley. Mrs Jordan: "I felt very isolated. There was no forum for me to properly voice complaint and I believe that if a proper procedure had operated I would have been able to take more positive action at an earlier stage".

42.17 Mrs Jordan and Miss Ballard also expressed to the Inquiry their dissatisfaction that, not only had the Social Services Department provided no support and counselling to the abused girls, but had not offered any support to the other children or the staff in the wake of the shocking catalogue of events: "It was treated as if it had never happened."

Comment

42.18 There was no management investigation into the events at all.

42.19 The case of Mr Bloxham, following within a year of the conviction of Mr Davies, raised very similar questions relating to the practice of residential care staff taking boys and girls into their private living quarters. The case for looking into, and stopping, that practice was overwhelming.

42.20 The difficult question of the employment in residential child care of a person attracting the level of unease that Mr Bloxham attracted was not addressed. The issue is simply stated as the balance between employment rights and safe child care. It is clear that, throughout the period particularly considered by the Inquiry, the staffing point was allowed to outweigh other considerations. Child protection was not seen as the first and foremost requirement.

43
MR PAY 1982

43.1 It appears from records that in the period 1973 to 1986 only two cases involving residential care staff in Children's Homes were prepared for disciplinary hearing by the Conditions of Service Sub-Committee. One concerned a young woman who was convicted of possession of prohibited drugs (in circumstances unconnected with her work); the other concerned Mr Pay.

Background

43.2 Mr Pay was appointed Officer in Charge of Brookfield House Children's Home, Melton Mowbray, in January 1979. It was a Community Home for 15 children aged 3 to 16. The picture painted to the Inquiry by a volume of evidence covering the period 1979 to 1982 was of a series of complaints to Mr Wilmott (Homes Adviser) and to Mr Noblett about Mr Pay's excessive drinking, bad language and his favouritism of some children. Complaints commonly resulted in Mr Pay being spoken to, a temporary improvement, and then a return to previous problems.

43.3 Mr Donovan, an RCCO at Brookfield House from 1979 to 1981, recalled an occasion when he had complained to Mr Noblett, and more than one occasion when he spoke to Mr Wilmott. He told the Inquiry his clear memory of talking to Mr Noblett who said to him: "Down every street you get good and bad fathers" and that he would speak to Mr Pay. Mr Donovan also recalled advice he received from Mr Wilmott: "To do the same as he had to do in a similar situation: to do my job and turn a blind eye and eventually Mr Pay would move on and I could do things my own way". Mr Wilmott did not recall that exchange.

Complaints

43.4 On 28th April 1982 Mrs Meadowcroft, a part time RCCO, wrote a letter of complaint to Mr Wilmott:

> "Dear Mr Wilmott,
>
> With deep regret and a conscience torn between loyalty to my O/C and the children in our care, I make a formal complaint that on the evening of Tuesday, 27th April 1982, Mr C Pay, O/C of Brookfield House Children's Home, returned to Brookfield House at 9.30 p.m. in a severely drunken state. Although he was not on duty, I feel professionally duty bound to report this instance because he had with him one of the children in care, UW, who, I understand, had been at his home since the late afternoon.
>
> "Mr C Pay could not balance properly, his speech was deeply slurred, his general behaviour was of a person strongly under the influence of alcohol, argumentative and aggressive, and his breath smelt strongly of alcohol. He had driven his Land Rover, with UW in it, in this state.
>
> "I also understand that Mr Pay had visited a public house (or club) in the Melton area, to receive a donation of money collected for Brookfield House. I do not know whether he had taken UW with him.
>
> "This is not an isolated incident of Mr Pay being under the influence of alcohol. He has come on duty many times smelling of alcohol and sometimes obviously under its influence, and I feel I cannot keep silent on this issue any longer, as I fear there will be an accident involving the Home and/or children in care eventually.
>
> Yours sincerely,"

43.5 In early May 1982 Care Branch received a further complaint, this time from the Deputy Officer in Charge, Mr Pellew. It was along the same lines as those that had gone before.

Care Branch

43.6 The first response of Care Branch was to interview members of staff, and Mr Noblett and Mr Wilmott undertook that task on 11th May 1982. A full note was made:

"Following a complaint made by the Deputy Officer, Mr Graham Pellew, and a letter from another member of staff, Mrs J Meadowcroft, it was decided to interview all available staff of Brookfield House concerning the allegations made. This was done by Mr J Noblett and Mr J Wilmott on Tuesday 11th May. The following staff were seen:-

Mrs H Ferguson RCCO 1

"Mrs Ferguson told us that she was on duty on Thursday 6th May from 2.00 to 10.00 p.m. At about 2.30 p.m. Mr Pay returned to Brookfield House having been away for some time. He smelt heavily of drink, his speech was slurred, he was talking loudly and he stumbled whilst in the kitchen. Mrs Ferguson also said that he dropped some bread and lettuce. He was referring to himself as 'Mr Pray' and swearing profusely. He referred to 'my fucking Deputy, straight from college, cannot do a bloody thing right, turned the braised steak into stew'. Mrs Ferguson went on to say that she was afraid of him. Some workmen in the building commented to her about Mr Pay's shouting.

"At approximately 3.15 pm R, aged 16, one of the children returned to the home from school. Mrs Ferguson said to her quietly 'don't take off your coat, I want you to come with me to meet the younger children from school'. R said 'oh, I am tired of walking'. Mr Pay overheard the conversation and shouted at R thumping the dresser with his fist. The girl was terrified. He shouted at her 'do what you're bloody well told, this is not a three star hotel, and shut your big fat mouth and get off your fat arse and get moving' and then he said 'I am the fucking officer in charge here not Graham Pellew'. R was very distressed and frightened and left the kitchen. Mrs Ferguson said she found her with her heard resting on her arm up against the wall by the boys' toilets. She was crying, her shoulders were shaking and she could not speak. I whispered to her 'come with me' and I led her out through the back door. Mr Pay saw us and rushed out of the kitchen and shouted 'don't take her I haven't bloody well finished with her yet'. I then walked away leaving R. I felt guilty, I did not know what to do. I thought I must be a poor child care officer to walk away. However, I went to meet the young children from school. About five minutes later, R shouted after me, she was crying, she said 'he hates me, he has always hated me, he is drunk, he hates girls'. She was very distressed. I took her with me to school to collect the little ones. We then returned to Brookfield House about 3.55 pm. I told R to go upstairs to her room. Soon afterwards, VX, aged 14, came into the kitchen. He asked Mr Pay 'can I' but he was not allowed to finish the sentence. Mr Pay shouted at him 'why are you not grovelling at my feet'. I got on with what I was doing and cannot say what happened afterwards.

"At about 4.30 pm Jean Howson, Social Worker arrived to see LT. I took her into the kitchen and gave her a cup of tea. S (R's sister) came in and said 'Mr Pay has been boozing again. He could get done for that'. She was followed by T who said much the same. At 5 pm Mrs Meadowcroft came on duty. Mr Pay had taken UW and WY down to a local store to buy some clothes. R was sent with Mrs Meadowcroft into the office to discuss recent events.

"We asked Mrs Ferguson whether she thought Mr Pay was fit to drive on 6th May and she said she did not think he was.

"We also asked Mrs Ferguson whether she had ever witnessed Mr Pay drunk on previous occasions. She said she had, but never as bad as on 6th May. She also told us that Mr Pay had favourites, especially UW. She said the situation was now so bad that the other children had turned against UW because of the favouritism shown to him.

Sally Routen RCCO 2

"Mrs Routen told us that she was on duty on 27th April 1982 from 2.00 to 10.00 pm and sleeping-in duty for that night. Mr Pay was on duty until 3 pm. When she arrived on duty, Mr Pay was not in the building and he had left a note to the effect that UW would be accompanying him in the evening to collect a raffle prize from the Cherry Tree public house and he would return UW at approximately 9 pm. Mr Pay did in fact return at approximately 9.20 pm with UW. She said he smelled heavily of drink, speech was slurred, he was acting strangely and was unsteady on his feet and 'he frightened me'. Also on duty at the time was Joan Meadowcroft, another child care officer and Mr Pay had an argument with her about a recent incident where she had allowed a child to leave the premises at the time their social worker had arranged to visit. He thumped the desk with his fist and shouted 'you must read the pad' repeatedly. All the time he was swearing and using foul language. He said to Sally 'don't you ring Graham'.

"At about 10 pm when Mrs Routen was due to take over on sleeping in duty, she was concerned about being left in the building with Mr Pay and encouraged him to leave which he did, but before leaving he again reminded her 'don't phone Graham'.

"Mrs Routen told us that Mr Pay was in the habit of using foul language to the older boys and to the staff.

Ted Borda RCCO 1

"Mr Borda told us of an incident that occurred whilst the staff and children were on holiday in Wales from 9th-17th April 1982. Apparently two boys had been making a lot of noise and Mr Pay decided to reprimand them in front of the other children and some of the staff. Mr Borda described the situation as one which might very well take place in an army billet. He said Mr Pay used words like 'fucking, bastard, etc.' quite liberally. He said that he had not previously seen such behaviour from Mr Pay.

"We asked him whether he had ever found Mr Pay drunk whilst on duty. He said he would not consider him to have been drunk but on two occasions he had smelled drink on Mr Pay which had caused him to be concerned.

"He also mentioned to us that Mr Pay had strong favourites amongst the client group, especially UW. He told us that the games room had been specifically prohibited for use for repairing bicycles and that a spare room had been specifically set aside for this purpose. However, Mr Pay had made an exception as far as UW was concerned and Mr Borda found him repairing his bicycle in the games room. He also told us that £30 had been spent from the comforts fund on UW's bicycle. Mr Borda questioned the amount of money being spent on UW's bike and was told by Mr Pay 'he deserves it'. According to Mr Borda, UW often goes to Mr Pay's house for meals and at other times during the day.

Barbara Lewis RCCO 2 Part Time

"Mrs Lewis told us that she was on duty on Christmas Day with Mr Pay. She said that he had had a fair amount of drink and was 'happily drunk'. She was more concerned, however, at the amount of drink that was freely available in the sitting room and quite accessible to the children. She wondered where the money had come from to pay for all the drink. We asked Mrs Lewis if she had any other area of concern and she identified two. These were XZ, in whose case she considered Mr Pay to be very unfair and almost victimised the boy. The other case was that of UW who, she considered, enjoyed favour with Mr Pay, particularly in areas such as clothing, a £30 billiard cue, and a geometry set that Mr Pay had given him.

Mrs Joan Meadowcroft RCCO 1 Part Time

"See Mrs Meadowcroft's letter dated 28th April 1982 attached.

Mrs Meadowcroft confirmed what she had written in her letter. She described Mr Pay as being 'stoned'. He smelled very heavily of drink, his speech was slurred, didn't talk normally, could not stand up, walked into the desk, he tried to write something on the pad but could not coordinate properly. She was concerned that he had driven his car to Brookfield in this state whilst having one of the children with him. She told us that he often came into the home smelling of drink. Mrs Meadowcroft told us that the argument she had had with Mr Pay was because of a mistake she had made the previous day when she had allowed VX to leave the building when his Social Worker, Tim Dight, had arranged to meet him. The time of the Social Worker's visit had been recorded in the diary and Mrs Meadowcroft admitted she had failed to read this. She had subsequently apologised to both Mr Dight and Mr Pay for this oversight.

Graham Pellew - Deputy Officer in Charge

"Mr Pellew told us that he was on duty on 6th May until 3 pm. He said that Mr Pay returned to the home at approximately 2 pm after leaving at about 10.30 am. He thought he had gone to buy some chickens and had taken LT with him. Mr Pellew said that when Mr Pay returned he smelled heavily of drink, he was aggressive, he was swearing and continuously using foul language. He told us that Mr Pay tried to pick an argument with him but he turned away. Nothing further happened between then and his leaving the building at 3 pm.

"Mr Pellew also raised the question of preferential treatment, in particular towards UW. He said that something like £40 had been spent on his bike and a lot of money had already been spent in this financial year on clothing for UW. He said that there was a rule in the house that all the children wore white or grey shirts for school but an exception was made for UW who was allowed to wear a black shirt without any consultation with the rest of the staff.

We then decided to see R, aged 16. She said to us:-

"Last Thursday, when I came in from school, I went into the kitchen to talk to Helen and she said to me, 'come with me and we will go and collect the young children from school'. I said to her it is not fair, I have done enough walking. Chris then started shouting at me and said 'if you take your coat off you can wash the saucepans, if you don't you can go and fetch the children'. He started shouting at me banging his fist on the table he said 'you do fuck all in this house, if we ask you to do something you tell us where to get off, you treat staff like dirt. I am the boss in this house, not fucking Graham Pellew'. I ran out of the kitchen then to the boiler room. Helen came to me and asked me to go with her to school and as we were about to leave, he started on me again, saying 'don't take her, I haven't finished with her yet' then I got it again.

"She went on to say that Mr Pay had been drinking and did not really know what he was doing. She told us that he often calls her a cow and a slut but he had not used those words on the Thursday. She said that she had not answered back, she was too frightened because he might hit her. He often called her names, not only when he was drunk. She told us she was finally able to leave the house and ran to catch up Helen and later returned with the children from school.

"Whilst we were at Brookfield House we took the opportunity to look at the clothing and comforts fund records. The clothing records showed that in the current financial year £52.80 had been spent on UW. The next highest amount was £19 - NR then £16.50 - LT."

Mr Pay

43.7 Mr Noblett and Mr Wilmott interviewed Mr Pay at County Hall on 2nd June 1982. Mr Noblett made a note of the meeting:

"Mr Wilmott and I saw Mr Pay at County Hall on 2nd June 1982. He did not bring a trade union representative with him.

"I acquainted him with the allegations made against him concerning drinking, foul language and preferential treatment of one particular boy at Brookfield House. He acknowledged that he had a drink problem, possibly because of troubles at home, but felt that he had got over it. He also accepted that he used foul language. He was not so accepting however of the preferential treatment allegation. We talked in particular about the incidents on 27th April and on 6th May 1982 and he agreed that these happened as stated.

"I told him that the Director had been acquainted with these allegations and that in his view this conduct was not acceptable for an Officer in Charge of a Children's Home. Mr Pay then asked what would happen next. I told him that the agreement of the Manpower Services Officer would be sought for him to be suspended from duty and in due course he would be asked to appear before a disciplinary sub-committee. I explained what this meant and how the sub-committee work. He said that he felt things seemed to be 'stacked up against him' and he wondered whether it was all worth while. May be he would resign. I suggested he should first go away and think about it and get some advice before actually tendering his resignation. He said it would probably be better to resign than get sacked. I pointed out that this was one of the factors he would have to take into account in reaching a decision but the best advice I could give him was to go away and consider the matter carefully and consult with his trade union. I gave him Mrs Grady's name and address.

"Later in the day I telephoned him to confirm that he had been suspended from duty forthwith on full pay. He asked if I would arrange for his mail and his typewriter to be sent to his home address from Brookfield House. Graham Pellew, Deputy Officer in Charge undertook to do this."

Suspension

43.8 Following that meeting Mr Noblett saw Mr Offord the Manpower Services Officer in the Personnel Section who sanctioned Mr Pay's suspension from 2nd June. Mr Offord wrote to Mr Pay on the Director's behalf the same day:

"Dear Sir

Further to your interview today with Mr J Noblett (Principal Residential Care Officer) and Mr J Wilmott (Principal Assistant Residential Care) concerning incidents at Brookfield House and your subsequent telephone conversation with Mr Noblett, I would now confirm that under the County Council's Grievance and Disciplinary Procedures (copy attached) you are suspended from duty as Officer in Charge at Brookfield House from today's date.

"Your period of suspension will be at full pay.

I have to advise you that your suspension will be reported to the appropriate Conditions of Service Sub-Committee or to the Chairman thereof. You will have the right to be represented by your trade union representative or some other person of your choice at any meeting of the Sub-Committee. In the event it being adjudged that you are not blameworthy, the suspension will be terminated and details will not be recorded on your personal file. Details of the Sub-Committee hearing will be sent to you in due course by the County Clerk.

"During your suspension you must not enter Brookfield House and you are not to enter into any communication either verbally or otherwise with other members of staff or the children.

Yours faithfully,"

43.9 It was Mr Pay's recollection that it was after his meeting at County Hall on 2nd June that he went on holiday, and that the letter of suspension arrived at his home in Melton Mowbray whilst he was away. On 3rd June 1982 Mr Noblett asked Mr Fenney to arrange for a Disciplinary Sub-Committee to be called. A 'charge' was prepared supported by a statement by the Director. A Sub-Committee was called for a hearing on 29th July. Mr Pay was informed of the date by letter of 25th June.

43.10 The Director's statement:

"In the light of complaints, Mr Pay was interviewed on 2nd June 1982, regarding allegations of drunken behaviour, use of foul language and preferential treatment of one particular boy at Brookfield House. Having acknowledged a drink problem and his use of foul language, Mr Pay was suspended from duty for gross misconduct with effect from 2nd June pending consideration by the Social Services Sub-Committee.

The Sub Committee is asked to consider whether Mr Pay has a future with the Social Services Department."

43.11 Pending the date for the hearing by the Sub-Committee, Mr Pay looked out for other jobs. He received an offer.

43.12 Early in July Mr Pay had a further meeting at County Hall, although he does not recall who saw him. He reported his intention to resign rather than go to the Sub-Committee, and recalls being told that a request had been received for a reference in relation to his new job and would be replied to. Mr Pay's resignation naturally led to cancellation of the Sub-Committee meeting.

43.13 Mr Pay went from Leicestershire to work in a privately run therapeutic community for disturbed adolescents at Haverhill in Suffolk.

Comment

43.14 The investigation undertaken on 11th May by Mr Noblett with the assistance of Mr Wilmott was very much more thorough than other investigations undertaken by Mr Noblett alone in his dealings with The Beeches, and was the only recorded occasion on which Mr Noblett included an interview with one of the children in care.

Mr Pay was not suspended from duty at that stage.

43.15 It is surprising that no further progress was made upon the complaints and material gathered by Mr Noblett and Mr Wilmott until 2nd June 1982. It is conceivable that Mr Pay was not available to be seen by Management Officers, but there is no management record or memory to that effect and it does not accord with Mr Pay's recollection.

43.16 On the other hand, it is part of the overall picture painted to the Inquiry that there was a lack of understanding on the part of Management Officers of the very great difficulty residential care staff found in bringing forward complaints and of the stress they felt in awaiting a supportive response from Management Officers.

43.17 No record survives of a reference having been prepared in support of Mr Pay, nor any memory of one. It is, however, probable that his new employer would have asked for one and probable that a reference was supplied in terms that did not militate against Mr Pay's employment in work with young people.

44
MR GASSON 1983

44.1 A complaint unrelated to The Beeches and arising at Ratcliffe Road in the second half of 1983 cast further light upon the approach of Management Officers to the question of suspension in the face of criminal prosecution. As Mr Beck was not suspended in 1982, so Mr Gasson remained in post pending the outcome of criminal proceedings for assault in 1983.

Complaint

44.2 On 31st July 1983 YA, a boy of 16, made a complaint and a statement to Police about an assault upon him by a Residential Child Care Officer at Ratcliffe Road, Mr Paul Gasson. YA's statement contained this passage:

> "I had a fight with ZB and as a result of this I was told I had to go to my room. I went there straight away. About 15 minutes later Mr Paul Gasson, who is a residential social worker, came to my room. He asked me what had happened concerning the fight with ZB. At this time I was lying on my bed. I then sat up on the edge of my bed and told Mr Gasson what had happened. Then Mr Gasson punched me in the face with his fist and I fell back onto the bed. I then tried to move towards the headboard of my bed and tried to cover my head with my arms. Mr Gasson then punched me on the back of my head. I then turned over onto my chest and he hit me on my back. I did not see how I was hit but I think it was punches. The attack then stopped. I started to get up as Mr Gasson walked to the door. At this time I saw Jane Priest standing in the doorway, she is also a residential social worker. I said to Jane 'can't you tell him to leave me alone' at this time Mr Gasson walked back up to me and hit me again on my back. I think this was a slap. I think Jane must have seen this. During the first attack I was shouting 'Leave me alone' but he was just hitting me more. They then both left the room. I went to the sleeping in room upstairs and telephoned the police. I then went back to my room. Jane came in to see me. I told her that I had phoned the police and she said 'Can't you phone them back up and tell them not to come'."

Care Branch

44.3 Documents show that Care Branch (Mr Wilmott) was aware of the incident by 2nd August.

44.4 On 23rd September 1983 WPC Moir telephoned Mr Naylor and gave information on behalf of Detective Inspector Congar. Mr Naylor made a note for the attention of Mr Wilmott, the Principal Assistant responsible for Ratcliffe Road Adolescent Unit:

> "Mr P Gasson RCCO Ratcliffe Road
>
> A child in RRAU brought a charge of assault on the A/N member of staff on 31st July 1983. A doctor has examined the boy and found 'bruising on the forehead likely to be caused by a blow of the fist'.
>
> Gasson was seen and admitted that he did 'strike' the boy.
>
> The Inspector has all the papers and before arriving at a decision would like a verbal/written comment on the Department's view of this member of staff's performance. This will help him decide how he should process the next step.
>
> Later I was informed by Detective Inspector Congar that there is every prospect of a prosecution."

44.5 Mr Wilmott raised, and answered, two questions which he noted at the foot of Mr Naylor's message:

> "1 Has he a habit of striking? - No
>
> 2. What has been his performance?
> Very high order has committed himself to very difficult boys."

44.6 There follows a brief manuscript note recording management decisions on the question of suspension:

"Wait
then dates etc
Boys statement
Not suspend reserve judgement to a later day."

44.7 A fuller minute prepared by Mr Naylor on 7th October 1983 sets out the course of events:

"On the 4th October Inspector Smith telephoned the Assistant Director indicating that the police intended to prosecute Gasson and the Director of Social Services was acquainted with this piece of information.

"The Assistant Director consulted with Mr Fenney, Senior Assistant County Clerk, to consider what steps should be taken.

"It was noted that Gasson was appointed Residential Child Care Officer, grade 1/2 at Ratcliffe Road on the 1st February 1982. His two references were in order and clearance had been obtained from the DHSS, Social Work Services, the six month probationary report dated the 27th October 1982 indicated a satisfactory performance and Gasson was therefore confirmed as a permanent member of staff.

"At the time of the incident on 31st July 1983 it was considered inappropriate to suspend the member of staff. Mr Fenney's considered view was that in the light of all the material available that Gasson should not be suspended at this stage. The following action was recommended - that the Department wait for the police to institute proceedings to prosecute and at that stage the police be approached concerning the date of the hearing with a request that a copy of the boy's statement be obtained. The member of staff Gasson should then be seen and informed that he would not be suspended but that the Director reserves his judgment to a later stage.

"The Assistant Director discussed the position with the Director of Social Services who agreed with the recommendation not to suspend at this time."

44.8 On 13th October Mr Wilmott conveyed that decision to Mr Gasson and learnt from Mr Gasson that he had that day been charged with an offence of assault occasioning actual bodily harm. Mr Gasson had been bailed to appear at the Magistrates' Court on 22nd October. Mr Wilmott passed that information to Mr Naylor who in turn passed it on to Mr Fenney.

44.9 At the hearing on 22nd October the case was adjourned until 25th November with a view to it going to trial at the Crown Court in due course. Mr Gasson was granted bail. It transpired at the hearing that Mr Gasson had a previous conviction or convictions. Mr Naylor made a file note on the same day:

"Man appeared in Court.

Result. Trial by indictment. To appear on 25th November.

Two factors of note.

1. The man had previous convictions.
2. The boy may be changing his mind concerning the allegation."

44.10 On 27th October YA made a further statement to police, largely but not entirely retracting his allegation of assault.

44.11 There was a further development on 3rd November when Mr Naylor received a telephone call from Detective Inspector Smith. Mr Naylor noted:

"This man came across as quite truculent and was generally critical of the supposed unhelpfulness of the Social Services Department. His main concern however was with the continued presence of Gasson at Ratcliffe Road and the effect this might have. And a particular concern about this man's previous conviction for assault.

It is note worthy that Gasson did not declare his past 'record' on his application form".

44.12 Mr Naylor discussed the up to date position with Mr Fenney on 11th November, and later with the Director of Social Services. He summarised those discussions in his file note of 15th November 1983:

"Detective Inspector Smith of Wigston telephoned on 3rd November expressing concern about the continued employment of Gasson at Ratcliffe Road. In order to satisfy his concern I promised to make further enquiries.

"On the 11th November I discussed with Mr Fenney, Chief Executive's office, the general position and it was agreed that in view of Gasson's general satisfactory work performance and his continuing good relationships with the children in the home, the decision that has been made previously to allow him to continue the work at Ratcliffe Road and finally the fact that Gasson has not been proved guilty, that he should remain working at Ratcliffe Road adolescent unit.

"I discussed the above with the Director of Social Services who agreed with the approach adopted that Gasson remain at Ratcliffe Road."

44.13 The outcome of the case was that YA did not sustain his allegations against Mr Gasson and the case against him was dismissed.

Comment

44.14 The approach of Management Officers, acting with the benefit of Mr Fenney's advice, to Mr Gasson's case demonstrates that the failure to suspend Mr Beck in 1982 when he was charged with an assault was not an isolated decision based just on Mr Beck's standing within the Department.

44.15 The decision not to suspend Mr Gasson, like the failure to suspend Mr Beck, was based in part - in the main part it must be said - on the record of past performance.

44.16 Inaction in respect of the information that Mr Gasson had a previous, undisclosed, conviction, which was itself a ground for suspension, makes it all the more plain that Management Officers were determined not to suspend if they could avoid it.

44.17 There may have been more than one motive for YA's retraction of his allegation of assault but there must be the suspicion that YA's position within Ratcliffe Road whilst Mr Gasson was still working there was extremely difficult for him and that a retraction was likely.

44.18 It was Mr Fenney's position as he stated it to the Inquiry, that "it was their decision to make about suspension not mine. It was my job to supply advice and their job to take decisions." It may be that Mr Fenney underestimated the weight that his advice carried with Mr Naylor and Mr Rice. However Mr Fenney may have seen himself as purely a legal adviser, he was also the Chief Executive's representative.

44.19 The decision of Mr Naylor and of Mr Rice not to suspend Mr Gasson did not represent clear thinking and was a wrong decision, something that they both now recognise.

45
MR SCOTT 1985-1986

45.1 In July 1985, Mr Scott, the Officer in Charge of Rosehill Children's Home was arrested and charged with serious sexual offences against boys in the Home.

Mr Scott

45.2 Following the departure of Mrs Ashdown-Herbert early in 1978 the post of Officer in Charge at Rosehill was advertised. In the meantime, Mr Beck acted as Officer in Charge on a part time basis (Chapter 18).

45.3 Mr Scott applied for the post in response to the advertisement, rather than through any personal contact. A single man aged 26, Mr Scott had a background in residential child care work in the private sector and was currently employed in a private Children's Home in Norfolk. He had had the benefit of a CCETSW in-service training course.

45.4 Mr Scott was interviewed by, as he recalls, Mr Naylor, Mr Noblett and Mr Beck (acting Officer in Charge). He did not know any of them. There was no suggestion that the selection process was particularly influenced by Mr Beck.

45.5 Mr Scott was appointed to the post from 1st May 1978. He was newly in the job at the time of the 1978 Rosehill investigation by Care Branch and Mr Beddoe. He gained a reputation as a very competent Officer in Charge.

Arrest

45.6 On 29th July 1985 Mr Scott was arrested on a charge of indecency with a teenage boy. Mr Scott resigned his post immediately.

45.7 Mr Scott's arrest was a direct consequence of criminal activity by one of the boys in care at Rosehill who had, amongst other misconduct, broken into Mr Scott's home and taken a video recorder. When Police viewed film on the recorder, they saw scenes of sexual activity involving Mr Scott and one or more boys. At Mr Scott's home, Police found a suitcase containing pornographic books, mainly involving children.

45.8 On the day of his arrest, Mr Scott made a written statement of confession to offences of buggery and indecency with two adolescent boys and indecency involving masturbation with a third. Mr Scott took indecent polaroid and/or video film of the boys. The offences occurred at Rosehill, on holiday and at Mr Scott's private home between 1982 and June 1985.

45.9 Mr Scott's statement to Police includes these passages:

> "I have been working with children for about 12 years and I like my work. Over the past two or three years I have become over emotionally involved with three children in my care."
>
> "I want to say that the sexual connection I have had with the boys was built up over a long period. Initially it started by my helping to bath them, and walking into their bedrooms when they were getting dressed and it just progressed from there."
>
> "I have never hurt these boys and if they had not been willing would never have took them sexually."
>
> "The Police have taken into possession from my home a suitcase containing pornographic books mainly of children. These books have all been purchased by me from my visits to Amsterdam and they are all for my own use."

Conviction

45.10 Mr Scott was in due course charged upon indictment with two offences of buggery and three offences of gross indecency all relating to the same three boys whose ages ranged from 14 to 16. He was kept in custody until February 1986 when he pleaded guilty to all five charges and was sentenced to a total of eight years imprisonment.

45.11 At the time of Mr Scott's arrest, there were five children resident at Rosehill (out of a total possible complement of 16).

Responses

45.12 Rosehill Children's Home was closed on 31st July 1985. Mr Sydney Jones (lately of Polebook House and by then in a supernumerary management post) did careful work with the children in discussing with them their views of the future and in making arrangements for their moves elsewhere. Mr Nelson, Senior Assistant Director, did equally careful work with staff members about their redeployment.

45.13 Contemporary documents held on DHSS archives show that Mr Rice, the Director, kept the Social Service Inspectorate (East Midlands) informed of events. He spoke to an Inspector, Mr Jeal, on 31st July 1985 and had several telephone conversations in the following days with Mr Stimpson (Assistant Chief Inspector). Mr Rice and Mr Stimpson met on 7th August.

45.14 On 8th August Mr Rice reported events to the Social Service Committee:

> "The Director of Social Services informed the Sub-Committee that an incident had occurred at Rosehill Community Home as a result of which the Officer in Charge had been charged on 31st July 1985 and remanded in custody. The home, which had been scheduled for closure in due course, had been closed on that day and alternative arrangements made for the five children still in residence. The other members of staff had been interviewed concerning their future.
>
> Members thanked the Director of Social Services for giving them early information about the situation."

45.15 In the early days after Mr Scott's arrest an internal investigation was conducted by Social Services Department officers at the order of the Director to ascertain whether there had been any earlier evidence or suspicion of Mr Scott's criminal activity. The primary object of that was clearly to see whether any blame could attach to the Social Services Department. The conclusion of the investigation was that there had been no prior indication of criminal behaviour.

45.16 The only documents that have been available to the Inquiry that appear to reflect that investigation are set out below in full. The first is Mr Noblett's note of an interview with Mrs Brisley, an RCCO at Rosehill. There may have been other staff interviews of which records have been lost:

> "When I visited the home on Tuesday, the 30th July, Mr Wall, Mrs Brisley and Mrs Pope were on duty. I informed them of the present situation and asked Mr Wall to notify other staff as they came on duty.
>
> "Mrs Brisley asked to see me privately. She indicated that she had had suspicions of inappropriate activity between Mr Scott and some of the boys for several years. In particular, she remembered some two years ago questioning the propriety of a nine year old sleeping in Mr Scott's bedroom. She discussed the matter with the then Deputy Officer in Charge, Miss Stella Tomlin who was not very interested and said that if she felt very strongly about it she should talk to Mr Scott himself. This she did. Mr Scott said that the boy was disturbed and needed affection and cuddling and it was for this reason that he had the boy in his room. If Mrs Brisley felt strongly about it, he would discontinue this approach but if as a result anything happened to the boy, it would be her fault. Mrs Brisley was made to feel guilty and not being a qualified person or a person who had any training, she felt somewhat inadequate amongst professional people. Some time later she also indicated to Mr Scott that she did not think it appropriate that he should be taking two boys to his house for the night. Again Mr Scott became angry. Did not take the boys with him and did not speak to her for a fortnight.
>
> I have also asked G Linnett to visit Rosehill to check the administrative and financial arrangements today."

45.17 The second document is a statement made by Mrs Purnell, the Homes Adviser responsible for Rosehill:

"I was first introduced as the Senior Officer Residential Care to Rosehill in December 1979 and continued to visit, supervise and support the home until September 1984.

"My visits were, on average, once a month and were unannounced unless I wished to see a particular member of staff.

"During this period I attended the children's reviews, these meetings were chaired by the Area Director, Miss John, until her retirement when I took over that responsibility.

"I was well received in the home by all the group. Mr Scott welcomed my visits and always gave me a detailed report on happenings since my previous visit. I enjoyed visiting the home and was always impressed by the warm caring atmosphere between staff and children.

"Mr Scott appeared to have excellent relationships with the children, both boys and girls. They responded to him well and seemed happy to be in his company. Mr Scott realised that the female staff were more able to help the girls with physical problems and ensured that they were available to do so.

"Liaison between Mr Scott and local teachers was very good and they worked closely together in the children's interest. Schools were always represented at reviews. Social workers at reviews usually expressed satisfaction with the care of the children, although Mr Scott complained at times that social workers' visits to the children were too infrequent.

"Mr Scott's most difficult problem was staff management and he sometimes had misunderstandings with the older staff members. However, he recognised this problem and there was some improvement. We often discussed Mr Scott's need for training but he kept putting this off, although he did say he would apply for the CQSW if Rosehill closed.

"Mr Scott gave a lot of his off duty time voluntarily to encourage activities, outings and exciting holidays for the children. He also made good community contacts with local organisations who supported the home with fund raising. At no time was there evidence to be seen or reported by staff that would suggest his relationship with the children was anything but proper. The children did use Mr Scott's sitting room in order to watch colour TV, but this seemed a perfectly open and natural event and any child or member of staff could walk in.

"There was a close connection between Camden Road and Rosehill due to the placement of children from one family between both homes and in 1981 following an investigation at Camden Road and the tragic death of Ron Bloxham, Mr Scott and I discussed the implication of a single man in charge of young children and the safeguards one should take. Mr Scott expressed his concern about the events of Camden Road and seemed well aware of how he should conduct himself. When his Deputy, Sylvia Tomlin, a single woman, purchased a house, she started to invite individual children to her home. This was discussed with her and Mr Scott and the practice discontinued.

"I have always believed the care of children at Rosehill to be good and in the four years I was involved with the home, I would have had no hesitation in placing a child there."

Mr Rice and SSI

45.18 On 18th October Mr Rice wrote to Mr Stimpson, with whom he had kept in touch. Mr Rice was aware, through his discussions with Mr Stimpson, that the SSI was concerned that Leicestershire should investigate fully all aspects of the Scott episode:-

"Dear Mr Stimpson,

Following our conversation with regard to the allegations relating to the Officer in Charge at Rosehill Children's Home, I feel it would be helpful to explain to you the course of action which has been followed by this Department to elucidate the facts. An inquiry has been undertaken at Officer level. In the circumstances of a senior residential care officer undergoing court proceedings, the opportunity to determine all the facts is restricted, nevertheless, other staff who have been involved in the management and running of Rosehill Childrens Home have been interviewed with a view to determining the extent of their knowledge of the allegations of sexual abuse.

"At this stage it would appear that senior homes staff had no reason to believe the illegal activity was taking place as the Officer in Charge always presented himself as a professional residential child care worker who understood fully the problems associated with the care of children. In fact it would seem that when an incident of this nature was referred to between the Officer in Charge and the Homes Officer, the matter was discussed in a most professional way, leaving the senior member of staff in no doubt that such behaviour was reprehensible.

"In personal interviews with other members of staff it has been impossible to gain any other impression that the Officer in Charge had behaved in a perfectly appropriate manner throughout his management of the Children's Home. I am sure you will appreciate that the police have been undertaking their investigations which are confidential to them, but I have no reason to believe that the information they have obtained from staff differs in any way to that which has been made available to my own staff. Results of these inquiries are being retained as confidential material within my Department and in discussions with the Chief Executive I have sought his opinion on further action that might be appropriate at this stage, whilst the officer is awaiting his Crown Court appearance. The opinion which has been expressed is that no further steps should be taken to enquire into the allegations at this stage.

"I gather that your own Department is expressing concern and I feel it would be helpful if you were to appraise them of the position which has been reached with regard to internal inquiries within the authority. However, if you have further thoughts on the manner in which the matter should be dealt with no doubt you will contact me.

Yours sincerely"

45.19 Mr Stimpson replied to that letter on 12th November setting out in detail the kind of wider inquiries that it was thought would be appropriate and that the Social Services Department was implicitly invited to make:-

"Dear Mr Rice

ALLEGATIONS CONCERNING MR SCOTT: FORMER OFFICER IN CHARGE OF ROSEHILL COMMUNITY HOME, MARKET HARBOROUGH

"Thank you for your letter of 18th October and arising from our discussion and your letter I was interested to learn of the steps taken to enquire further into the circumstances leading to Mr Scott's resignation. As you are aware the matter has evoked some concern within the Department and has been the subject of several discussions and exchange of correspondence with Children's Division. Arising from these discussions several points have emerged which you may find of some assistance in your current deliberations. For ease of reference they are identified as:-

1. The enquiry into Mr Scott's resignation so far has been undertaken by officers at an informal level. It is apparent that this enquiry has been confined to the narrower field of whether or not the staff involved in the management and running of Rosehill Children's Home were aware of what was happening. What is important now is that senior officers and the Committee should satisfy themselves that the system and framework of the management of this home was satisfactory and that within the particular framework which operated there was a clear line of accountability from the home to senior management.
2. In this context it might be helpful to reflect on the conclusions of the Community Homes Inspection report on the subject of monitoring; a copy of which is attached. Further you might also find it helpful to obtain a copy of the Leeways report.
3. The stage has now been reached for the Authority to ask certain questions. These include:-

(a) Was the structure for the management of the home effective?
(b) Is there a policy document on residential child care available within the Authority?
(c) Are the aims and objectives of each home clarified and were they stated for this particular home?
(d) What kinds of visits have been undertaken by senior staff and Committee members and what time has been spent in the home? Were the children present when visits were made?
(e) What was the system of reporting of visits and who saw the reports?
(f) What supervision and advice was offered to Mr Scott and at what frequency and how was this recorded?
(g) What supervision was provided for the rest of the staff and what reports were made?

4. A further area for consideration would be the frequency of visits by social workers to individual children especially to the boys who were involved in the incidents which led to Mr Scott's resignation.

5. Are you completely satisfied as to the effectiveness of the system of making staff's views known to management and whether there is a realistic complaints procedure for both staff and children?

6. Were the usual background enquiries made when Mr Scott was appointed?

"These points have been raised in an effort to clarify the present position both for yourself and your Committee as to whether management might be improved, whether the present monitoring system is effective and if found not to be, what steps need to be taken and action effected. Apart from satisfying yourself that all reasonable steps have been taken you might find it advisable to be prepared for any adverse reaction arising from Mr Scott's prosecution when it comes to court. In particular you might be in a better position to prepare a report, if requested, for the Judge outlining the steps taken by the Local Authority including any recommendations arising from its own internal enquiry into events and circumstances leading to Mr Scott's resignation.

Yours sincerely".

45.20 Mr Stimpson's advice was not followed and the matters he listed were not systematically addressed.

Further enquiries

45.21 There is evidence that, shortly before Mr Scott was due to appear at the Crown Court, Mr Wells, Assistant Director (Domiciliary Branch) asked one of his staff, Mr Sadler, to read children's case papers. Mr Wells also had a chronological list prepared of all visits made to Rosehill since Mr Scott's appointment. The list showed the frequency of visits by management staff, with five only by the Homes Adviser in 1984 (one to chair a review on a child, two in relation to summer holidays, one to introduce Mr Bevington for discussion on possible closure and one to make a statutory homes report). There was one visit in 1985, to introduce Mr Sydney Jones for discussion over closure and staff cover.

45.22 The list also shows visits by Mr Wilmott (Principal Assistant) in July and November 1979, and June 1980; Mr Shaw (Homes Adviser until the end of 1979) in July 1978 and in March, April, June, July, September, October and November 1979; Mr Eglington in May 1982 for a case discussion and to inspect the home; Councillor Williamson in February 1980 and January 1981.

45.23 An undated note by Mr Wells to Mr Rice made in February 1986 summarised the state of thinking at the time:

"Attached are chronological notes of visits made to Rosehill after Scott's appointment. Quick appraisal shows that quite frequent visits took place but reports in some instances very brief. Main departmental persons involved were Tony Shaw (now at North Charwood), J Wilmott, J Purnell, R Eglington. Visit reports refer from time to time to problems of various sorts which were discussed - would suggest that Scott was able to raise matters of concern.

"G Sadler and P Hill have scrutinised several written records of children residing during crucial period. Although some files still to be found - so far no written record indicated concern on the part of field social workers or their clients.

"After a brief exchange last Friday, R Fenney and I both recommend that the best approach would be simply to respond to any public report from the Court about the Department's perception of the situation, *only* if this becomes necessary, i.e dependant on what is said in Court and what is published. The response may take the form of a brief press statement or something similar. D Morgan will be only County Council person present in Court to observe matters unless you decide a Care Branch representative is also needed.

All the papers are now with P Naylor."

45.24 Mr Scott appeared at the Crown Court and was sentenced on 28th February 1986.

Committee

45.25 On 16th April 1986 Mr Rice made a report to the Social Services Committee:

"RESIGNATION OF MR K A SCOTT

1. Following Mr Scott's resignation as Officer in Charge and the closure of Rosehill Community Home (reported to the Social Services Subcommittee on the 8th August last), criminal proceedings were brought against him in the Leicester Crown Court on the 28th February 1986. Mr Scott pleaded guilty to five counts of offences under the Sexual Offences Act 1956 in respect of three children residing at the home at various times between July 1982 and July 1985.
2. Written records of the frequent visits made to the house by supervisory staff from County Hall confirm that he had ample opportunity to raise matters of concern. Neither the reports of visiting personnel nor the written records of children residing at the home during the period in question indicate any cause for concern on the part of the supervisory staff, field social workers or their Clients.

RECOMMENDATION

3. The Committee is ASKED TO NOTE the report."

Further correspondence

45.26 Mr Scott's case having been adjudicated by the Court, Mr Stimpson again took up with Mr Rice the question of an investigation about which the SSI continued to feel concerned. Mr Stimpson wrote to Mr Rice on 27th May and Mr Rice replied in general terms on 30th May 1968.

45.27 Mr Stimpson's letter:

"Dear Mr Rice 27th May 1986

ROSEHILL COMMUNITY HOME, MARKET HARBOROUGH

I expect you recall our previous correspondence and conversations concerning this home and in particular the circumstances leading to Mr Scott's resignation. I am not clear whether you still propose to conduct an internal inquiry now that the case is no longer *sub judice*. In my letter of 12th November 1985 you will recall that I drew attention to a number of aspects which we considered should require further examination. No doubt in your own internal reviews you would have taken note of these and instituted appropriate new procedures to reduce the possibility of similar occurrences in the future. I would be grateful for your assurance that all necessary steps have been taken to this end and that you are completely satisfied that effective monitoring arrangements are in force and will be maintained.

Yours sincerely"

45.28 Mr Rice's response on 30th May 1986:

"Dear Mr Stimpson

ROSEHILL COMMUNITY HOME - MARKET HARBOROUGH

Thank you for your letter of 27th May referring to our correspondence regarding the resignation of Mr Scott, the former Officer in Charge at Rosehill Community Home.

As I have explained previously, an internal inquiry has been undertaken on the circumstances of this resignation. I have reported the outcome of the inquiry to the social services committee at its meeting on 16th April. Members gave consideration to a report which I provided although the details were not for publication. This report informed the committee that my inquiries among members of staff and former members of staff of the home had led to the conclusion that the events which took place could not have been foreseen.

However, as you will appreciate, the implications of this matter have been the subject of very serious consideration within the department and will have a bearing on the nature of monitoring arrangements in the future.

Yours sincerely"

Comment

45.29 There is not, in fact, any evidence that any inquiry or investigation was made within the Department beyond the internal inquiry made in the latter part of 1985. Some further correspondence was exchanged upon the topic between Mr Stimpson and Mr Rice, in which Mr Rice indicated that questions of management and the supervision and support of staff were bound up with the development of the Child Care Strategy and the enlargement of the Child Care Resources Team, to take on responsibility for the residential child care resources.

45.30 The statement given to Mr Noblett by Mrs Brisley on 30th July 1985 showed that there had been earlier cause for concern by a member of staff about Mr Scott's conduct, a fact that Mr Rice did not pass on to Mr Stimpson or to the Social Services Committee.

45.31 Mrs Brisley's statement also highlighted the weak position of junior, unqualified staff who had legitimate worries about the home in which they worked. There was no effective "system of making staff's views known to management" (para 5, Mr Stimpson's letter of 12th November 1985).

45.32 Mr Rice was unable to give to the Inquiry any clear explanation as to why an investigation on the lines indicated by Mr Stimpson was not carried out. It is, however, of a piece with the failure of the Director and his Department to address issues raised by complaints or evidence of abuse beyond what was necessary as an immediate fire fighting response or to guard the reputation of the Department.

46
MR DIXON 1986

46.1 On 14th January 1986 Mr Clarkson, Officer in Charge of Ratcliffe Road, received a report from a member of his staff that a child in care had reported that she and another girl had seen Mr Dixon, an RCCO, masturbating whilst watching a video film in the middle of the previous night. Care Branch became involved. The upshot was the redeployment of Mr Dixon to another Children's Home.

46.2 Mr Dixon, then aged 24, had been employed as an RCCO at Ratcliffe Road since February 1982, having gone there unqualified at the age of 20.

46.3 A report of Mr Dixon's misconduct came to Mr Clarkson on 14th January. Mr Clarkson had taken the necessary action to investigate the complaint and had reported it to Mr Cobb. On 16th January Mr Dixon was given a final warning. He was allowed to remain in post.

Care Branch

46.4 The management decision to leave Mr Dixon at Ratcliffe Road was far from satisfactory. Late in January - probably on the 30th -Mr Clarkson wrote a detailed memo and sent it to Mr Cobb:

> *"Incident at Ratcliffe Road - 13th January at approximately 12 midnight*
>
> "When on night duty, Mr Dixon had taken the unit's video machine into the small lounge area used when members of staff sleep in. He inserted the film, previously recorded a few nights before. At about midnight, Mr Dixon was seen by two of the residents (two girls) kneeling on the floor, masturbating in front of the television.
>
> "The video was on pause at this time and a nude woman visible on the screen. The two girls above, were able to see this act because of three reasons.
>
> a. One of the girls' bedroom windows overlooks the central yard and the lounge area previously mentioned is easily visible from that room.
> b. The lounge was in the process of being decorated and all curtains had been removed.
> c. One of the girls had gone into the next bedroom and asked her friend to come into her room to see what was going on.
>
> "Miss Lewis was also on night duty that night and at the time of the incident was in an adjoining room, speaking to Miss Priest (Team Leader at RR).
>
> *Reporting of the incident*
>
> "The incident was first reported on the 14th January at 7.00 p.m. One of the girls asked to see her primary worker (Mr Westlake) and proceeded to inform her worker of the previous night's events. Miss Priest later became involved and supervised and monitored the interview throughout.
>
> "When the information was discussed with me I instructed Miss Priest to interview the other girl to see whether or not the information was correct.
>
> "Accounts from both girls agreed.
>
> "On Wednesday the 15th January I interviewed Mr Dixon and asked if the information was true. He replied that it was. Mr J Cobb was then contacted by me and given a full account of the incident.
>
> *Effects on the children*
>
> "Because of the delay of a full day before the incident was reported, possibly all the children at Ratcliffe Road are aware of what happened.
>
> "Since then, there has been a somewhat strained atmosphere, especially when Mr Dixon has been on duty. Several children have had to be counselled by both myself and other members of staff. Because of their previous experiences of a sexual nature and having often been abused in that way themselves, many of the children have been confused and very unsettled.

"One of the two girls concerned, and another child, have clearly refused to go anywhere near Mr Dixon.

"The other girl concerned recently absconded for two days. Although her absconding doesn't seem to be related to the incident, she would almost certainly have discussed what went on with friends outside.

"Another child also reported to his primary worker (Mr Thomas) that on his way to the toilets in the early hours of the same morning, he had seen Mr Dixon masturbating in the downstairs sleeping in room. It is not certain as to whether or not this is true or in fact the child is confusing a further incident with the incident already reported.

"Not wishing to create too much interest in the affair no further investigation has taken place involving children.

Effects on the staff group

"During the last two weeks, several members of staff have had to carefully work with children on this specific issue. It is usually understood by our children that as carers in such a specialised establishment, we set ourselves above any form of anti social behaviour which could emotionally damage our children.

"The staff group feel that an element of the special trust created between ourselves and our children has been dissolved and that needless distress has been caused.

"For the last two weeks, the staff group have worked extremely hard in the attempt to repair as much of the damage as possible and to maintain a settled, controlled atmosphere.

"All staff consider the incident to be somewhat bizarre and certainly there could be unknown fears for the future.

Effects on Mr Dixon

"On the 16th January Mr Dixon received a final warning from Mr J Cobb at Ratcliffe Road. I was also present.

"He said that he regretted the incident and he should keep such activities to the sleeping in room.

"It was made very clear by me that no activities of a sexual nature must ever happen on the premises that the sleeping in room is always available to children in case of illness or emotional distress.

"Mr Dixon has not mentioned the incident since, indeed, he does not appear to appreciate the seriousness of the incident. His attitude has been as if it had never happened, although he has accepted that a number of children do not want to be near him.

N.B

"I feel it would be inappropriate of me not to bring to your notice that the following incident, although happened some three years ago, has just been brought to my notice by Mr Ladd (senior member of staff).

"He mentioned that during a night when Mr Dixon was on night duty, two boys came to the sleeping in room, not able to sleep. They apparently saw Mr Dixon masturbating, didn't disturb him and went back to bed.

"Mr Ladd, when hearing about the incident, felt it was maybe untrue. The children concerned are no longer resident at Ratcliffe road."

46.5 It would entirely accord with Mr Cobb's style of work to have sought advice from his superior officers - Mr Noblett and/or Mr Naylor - and it is likely that he did so in this case.

Delay

46.6 A suggestion was made that Mr Dixon go to The Beeches, but that was not, on reflection, thought to be appropriate. No early action was taken on Mr Clarkson's memo to Mr Cobb. On 12th February, in the course of a letter about various matters, Mr Clarkson tried to put on pressure for action to be taken:

"The situation with Mr Dixon, at Ratcliffe Road continues to present tension to both staff and children.

"Whilst I agree completely with him not being placed at the Beeches under the conditions indicated, there is a need to act fairly speedily, for both ours and his sake. I would ask you to finalise a placement within the next few days, so as to prevent the situation escalating."

46.7 A further four weeks passed before Mr Dixon, having in the meantime been interviewed by Mr Stamper, Officer in Charge of The Holt, was called to County Hall for interview by Mr T Nelson, the Senior Assistant Director with a responsibility for personnel, and Mr Cobb. Mr Nelson made a full note of the meeting of 12th March:

> "Mr Dixon called by appointment and Mr Cobb joined the discussion at an early stage. Mr Dixon said that he was not clear why it was that management were pressing him to move to another establishment and doubted whether such a move was now necessary. I recalled that we were concerned to give him the chance to re-establish his own self confidence and self esteem following the incident six weeks ago, that bearing in mind his wish to go on CQSW training next September, if possible, we did not think it was realistic for him to assume that he could restore working relationships with other members of staff and the children at Ratcliffe Road in time to recover his standing with them before he hoped to go for training, that a better course for him would be to transfer to another unit where he would not have the complications of soured working relationships and where, from the start, he could make a valued contribution on the basis of his past three or four years practical experience. In that way, by the Autumn, he could have recovered his self confidence and, at the same time, have widened his professional experience which, in itself, he needed to do having regard to the very limited range of experience he had at Ratcliffe Road, as his only social services job to date.
>
> "Mr Dixon said, even so, he doubted whether it was necessary for him to move, since the two children for whom he was the primary worker had both expressed concern that he might be going and his working relationships with other members of staff were now satisfactory.
>
> "I told him that his Officer in Charge, Colin Clarkson, had telephoned to let me know his assessment of the current situation. Mr Clarkson had also agreed that I might convey the information to Mr Dixon. In Mr Clarkson's view, the situation was not significantly different to what it had been when Mr Dixon and I had discussed the outcome of the incident six weeks previously. Mr Clarkson had confirmed that there was still a feeling of lack of confidence on the part of members of staff and himself and Mr Dixon was not being allowed to undertake sleeping in duties on his own. Mr Dixon had seen Chris Lewis, the psychiatrist, on one occasion only but appeared now to be denying that he had any problem to discuss. Instead of dealing with it, he seemed to have buried it. Although he had told his wife, it was not clear how far she had been fully involved in the problem. Mr Dixon, in Mr Clarkson's view, had been able to get by so far, but Mr Clarkson continued to be very anxious about the situation.
>
> "Mr Dixon's response was to the effect that when he had discussed the situation with Mr Clarkson last Thursday and had said that he wished to remain at Ratcliffe Road, Mr Clarkson had lost his temper and had said that if he, Dixon, stayed, Mr Clarkson himself would have to leave.
>
> "Asked how his interview with Tony Stamper had gone regarding the vacancy for an RCCO at The Holt, Mr Dixon said that Mr Stamper had indicated that although he was prepared to help Mr Dixon, he was not seen as likely to fit in with the existing team. At this point, it was agreed that Mr Dixon should withdraw to enable Messrs Cobb and Nelson to confer.
>
> "On enquiry to Mr Stamper by telephone, he confirmed that Mr Dixon's understanding regarding the vacancy at The Holt was correct but said that he also had a vacancy in prospect in his team responsible for emergency reception and community based work. The vacancy would probably not arise until July or August but he would be prepared to take Mr Dixon on a supernumerary basis in the interim and thought he would be suitable for inclusion in that team.
>
> "On Mr Dixon's return, he asked for time to consider Mr Stamper's suggestion and this was agreed on the understanding he would let Mr Nelson have an answer by Friday. He was, however, concerned that he should not forfeit his rights under his existing contract of employment. In particular, he did not wish to have to serve a fresh probationary period at The Holt if that meant he could be summarily dismissed before the period expired. Mr Nelson confirmed that he would be prepared to let Mr Dixon have a sight of a draft letter of appointment containing appropriate safeguards before any redeployment arrangement was finalised."

46.8 Mr Nelson sent a copy of that note to Mr Naylor and followed it with a further note concerning Mr Dixon's proposed redeployment at The Holt. Meanwhile, Mr Dixon went on annual leave.

46.9 Mr Clarkson remained less than happy about Mr Dixon and anxious about his move to another Children's Home. On 24th March 1986 he wrote to Mr Stamper.

> "As you know, Mr Dixon is coming to join your staff group at the beginning of April. Although he hasn't officially left here, he is now on annual leave and his last official day with us is the 4th April.

"I felt I ought to mention to you that Mr Dixon's departure from here has been far from pleasant and that he tends to hold me responsible for him having to move. Certainly, as far as I am concerned, he has never fully dealt with any consequences of the incident which happened here in January and although he has seen Dr Chris Lewis on one occasion, still almost denies it ever happened and strongly objects to my saying that he, may be, has a problem which needs to be explored.

"Some time ago Mr Dixon was accepted for a CQSW course, to start in September 1986. I have recently completed a reference for him and had to indicate my personal fears, although not going into any detail. I'll be glad to discuss the situation further, in confidence, should you feel it is necessary."

Comment

46.10 The decision to allow Mr Dixon unconditional redeployment to another Children's Home was a generous one. He remained at The Holt for some 18 months, leaving in October 1987.

46.11 The difficulties that arose prior to his move and outlined in Mr Clarkson's memo to Mr Cobb at the end of January 1986 were all predictable but were not foreseen by Care Branch managers.

PART 7

MISCELLANEOUS

47
THE RETIREMENT OF MR RICE

47.1 The Inquiry heard evidence that from as early as 1982 the Labour Group members of the Social Services Committee, and to some extent the Liberal Group members, had had a mistrust of Mr Rice. They thought that he was not always forthright with them in presenting the full picture on policy matters for their decision and was slow to implement decisions with which he did not agree.

47.2 There is some evidence that from 1986 (if not earlier) the Labour Group wanted "to do something about Mr Rice".

Mr Roberts

47.3 Councillor James Roberts became the Labour Group spokesman on the Social Services Committee in 1986, succeeding Dr Alex Strachan.

47.4 Mr Roberts recalled to the Inquiry that, following his appointment in 1986, he spoke to Dr Strachan and to other members who expressed their disquiet with the management of the Social Services Department. Mr Roberts then spoke to Mr Swift, the leader of the Liberal Group on the Committee who, as Mr Roberts recalled, agreed that the management style of the Director left a good deal to be desired and agreed to support Mr Roberts in an approach to the Chief Executive. Mr Roberts accordingly saw Mr Sam Jones, Chief Executive, in March 1987.

Chief Executive

47.5 Mr Jones was aware that Mr Rice, in common with other Chief Officers, had found the task of dealing with politicians in a hung council from 1981 to be highly demanding. It was Mr Jones' view that as time went on Mr Rice demonstrated that he was not coping as well as other Chief Officers. Mr Jones told the Inquiry:

> "I think, getting to the root of the problem, it is my belief that Brian Rice was demoralised by certain politicians and could not cope fully with the highly charged political atmosphere. I mean, I must emphasise that it was not pleasant working in this atmosphere. There was some viciousness and ruthlessness on the part of certain politicians, and I believe that Brian withdrew into a shell because of this incessant pressure, particularly in the Social Services area . . ."
>
> "The only way he could have survived with certain of the members at that time would have been to have accepted everything they said."

47.6 Mr Jones had, on occasion, given Mr Rice such support and encouragement as he could, advising him "you have got to really do your best and stand up to people".

47.7 Following Mr Roberts' complaint to Mr Jones, Mr Jones took initial soundings from other members of the County Council from which he formed the impression that members would need convincing that there were grounds in the complaint. Mr Jones was of the same mind. Mr Jones thought that it was only the Labour Group who were carrying out what Mr Jones described to the Inquiry as "a vendetta", and that the other two political Groups were really saying to him "you must establish that there is something in all this".

47.8 Mr Jones saw Mr Rice who did not accept the criticism of his management and management style. Following that meeting Mr Jones wrote to Mr Roberts and to the other two Group leaders on the Social Services Committee, Mr Hanger and Mr Swift:–

> *"PERSONAL* 24th March, 1987
>
> I have discussed with the Director of Social Services, Mr. B.F. Rice, the concern of members about his performance in his post. He is not prepared at this stage to consider early retirement but would prefer me to undertake a preliminary investigation under the Conditions of Service for Chief Officers. This investigation would enquire into his capability to fulfil the duties and responsibilities of his post. He would like at any time during the course of this investigation to retain the option of early retirement should he feel that his position has become untenable.

"I intend to initiate the procedure, but I must, of course, be specific regarding the complaints being made against him. The complaints would seem to be:–

(a) a general loss of confidence by members of all parties in Mr Rice's capability as a Chief Officer.

(b) unease amongst senior staff in the Social Services Department concerning Mr Rice's ability to lead and direct the Department whilst retaining the support of his senior management.

"It is necessary for me to have examples of situations causing particular concern to you, or your Group, in relation to (a) above. Also, if you are aware of any senior officer in the Social Services Department who is prepared to be interviewed by me in relation to (b) above, perhaps you will let me know."

Investigation

47.9 Mr Jones then set about making a preliminary investigation under the Conditions of Service for Chief Officers. He spoke to ten senior officers in the Department and made detailed notes of what was said. Extracts from the notes:

***"A J Cook* (Assistant Director, Resources)**

– Passes problem.
– Either complete confidence or ineptitude.
– Gone beyond delegation.
– Left a vacuum – have to get on and do it ourselves.
– Expect him to look – criticize.
Goes to members – get the feeling he hasn't even read it – can destroy a report by speaking to another issue altogether.
– Lack of ideas/direction.
– Lack of personal insight.
– All the major innovations would have happened without Brian – member led basically.
– No change in his personality/character in last seven years – not sick – out of depth.
– Not up to the job – has not allowed his Deputy to do a Deputy's job.

***L Copson* (Divisional Manager, Leicester East)**

– Known him for seven years.
– Obvious one year ago that there was division of opinion – want no part in factionalism.
– Popular with grass roots – availability – approachability.
– Why hasn't senior staff spoken to him.
– Too gentle/generous with Team.

***D Hindes* (Assistant Director, Operations)**

– Failed effective leadership.
– No commitment to planning of services.
– Doubts own philosophical approach.
– Inability to deal promptly and effectively with major management issues.
– Hasn't developed Management Team.
– Doesn't lead in a positive and constructive way –stifles initiatives.
Doesn't draw conclusions for action.
Doesn't prepare agendas properly or give sufficient thought.
Difficult to get constructive dialogue going.
– No strategic plans on mentally handicapped, mentally ill, elderly. Children – led by members.
Department not taking initiative.
Failed to use his Deputy.
Lost seven years.
No commitment or drive.
– More residential homes – instead of using voluntary sector. Audit commission say we have overprovided – instead of home help, community care, mobile meals. His belief in large day centres is against the trend. If try to argue – gets very angry.

– Classic e.g. restructuring – didn't take off until 85/86 – driving force Mick Wells almost inspite of Director.
Literally on side lines.
Don't know what is expected of them – don't know where they stand.
Unless get leadership won't forge ahead.

***J Ashon* (Divisional Manager, Leicester West)**

– Very kind person – has always been helpful and given time.
– As Area Director, Director didn't impinge on him.
– Directors have difficult if not impossible task – must have superhuman qualities.
– Unprepared – doesn't always seem to have the facts – blurs the issue.
– Management Team – squabbles – should bang their heads together.
– Individual issues – OK – whereas he is more difficult when go to committee – looking for policy and direction – something lacking.
– No major criticism.
– Undoubtedly poor on committee – imprecise – doesn't read papers.

***Mrs Hill* (Divisional Manager, Leicester East)**

– General atmosphere – senior staff did not seem to have a high regard.
– Individual point of view – have appreciated a free hand – no problems – but in child abuse doing own thing. Specialised subject – felt I was expert.
– No leadership to Management Team – discuss and drop subject, no decision – didn't have a grasp of the abilities of the senior staff – indecision.
– Not a Director who gives leadership.
– Been in departments where fared much worse – worried – no doubt internal strife.

***Mick Wells* (Second Deputy Director, Operations)**

– Extremely difficult to manage a department.
– Ability to listen (hear) absorb/consider/analyse lead to conclusion which gives sense of direction.
– Something got to be resolved quickly – is known to department – needs pulling together or will get worse.
– Under stress – reacts emotionally rather than in a reasonable and sensible way – not an illness.
– Probably a slight deterioration over the last seven years.
– Have approached him individually and as a group with alleged shortcomings.

***Mr Watts* (Divisional Manager, Leicestershire South West)**

– As a person – approachable – pleasant.
– Not a lot of direct contact – surprised leadership has not been more effective.
– Hasn't clarity of thinking one might expect.
– In committees – performance not persuasive – vague.
– Problems in Management Team – symptomatic of leadership.

***Mr G Cobbe* (Divisional Manager, Health Service)**

– Personal 1 to 1 basis – patient, gentle, trusting and understanding – but really seeking clarity, sharpness and a perception higher than my own – usually not there.
– Continual criticism from Health Service on mental illness and handicap – lack of strategic position – BFR's position is that you can't do it – should do better especially with coterminosity.
– Things not understood at the top. Inconclusive – things left and fudged.
– Importance of matters do not seem to be appreciated.
– Generous, kind, considerate, tolerant – but would rather work for a slave driver – benign vagueness.
– Doesn't understand what I am doing and doesn't make it his concern.

***T S Smith* (First Deputy Director, Resources)**

Restructuring – temporary situation for five years – TOOK NO INITIATIVES.
First attempt failed – LACK OF LEADERSHIP.
Final attempt – MINIMAL CONTRIBUTION.

Child Care Strategy

Ended up with strategy which was available when BFR arrived – in end came out as a Labour party document. Central Resource Group – Principal Officer leading a team but actual responsibility rested with Naylor – muddled – lack of accountability. DHSS report on our homes – appalling – no one maintaining the standards. BFR quite prepared to take credit.

Relationship with members

Failed to relate to the Labour members in first hung situation – lost rapport – didn't go to Child Care Strategy in end.

Personal Services Sub – Registered Homes – BFR didn't put in an appearance.

Performance in committee – hasn't prepared or written any papers or delegated properly. Hasn't read papers – confessed this. Yet he introduced.

'Job being to confuse members.'

'Talk as much as you can – I don't want members to say too much'.

Lack of Leadership

Doesn't have policies – nor create policies – no strategy. Re–active style.

Doesn't grasp policy issues.

Budget – no response on minimum requirements – private meeting at Mick Wells' and presented to BFR.

Inability to chair meetings – get a monologue – no decisions – no consensus. Won't accept a majority argument – just gets angry and discussion becomes impossible.

Doesn't make clear what decisions are – just move onto next item.

Lack of Professional Integrity

Beck – reference by BFR made no reference to salacious conduct with boys.

Robinson – Principal Day Care Officer – early retirement – phone call to BFR for reference – 'never had any reason to question his managerial competence'.

Egglington – wrote to other internal applicant saying 'E best candidate for job'. Others better qualified. Should have come clean.

***Mr Kershaw* (Divisional Manager, Leicester North West)**

Management Team doesn't function well.

Decisions are not clearly reached and adhered to.

Doesn't get through range of items.

Individual situation – not unsupportive – really overall direction and issues need to be dealt with corporately."

47.10 Having conducted those ten interviews, Mr Jones saw Mr Rice again and told him in a general way that the senior officers had been seen and that Mr Rice must be left in no doubt that there was serious criticism of him. Mr Jones recalled that Mr Rice's reaction was one of disbelief.

Retirement

47.11 In the light of the criticism of him and lack of confidence in him within the Management Team and amongst senior officers, Mr Rice opted to take early retirement. The provisional arrangement was that Mr Rice would remain on the pay roll until his 58th birthday in June 1988 but would effectively vacate his office on 31st March 1988.

47.12 Mr Jones wrote to party group leaders of the County Council on 4th June 1987:

"Director of Social Services

I have completed my initial discussions with the ten senior staff of the Social Services Department, and have been left in no doubt that there is very serious criticism of the Director's capability.

"I have conveyed this to Mr Rice who, in all the circumstances feels that his best course would be to take early retirement, rather than insist on a formal enquiry or pursue any tribunal hearings.

"In situations of this nature concerning a Chief Officer who has served the authority for a good number of years, I feel that matters should be arranged to avoid any suggestions of outright dismissal. Mr Rice would like to carry on until his 58th birthday in June 1988. I would suggest that he announces his intention to retire in August of this year, and that although remaining on the pay roll until June 1988, he effectively vacates his post on 31st March 1988. This would be on the basis of awarding two extra years pension rights to make up his 40 years service.

"The appointments panel for his successor could then be nominated at the September Council Meeting with a view to the new Director taking up the post on 1st April 1988 or slightly earlier.

May I proceed on this basis please?"

47.13 There was then further discussion between Mr Jones and Mr Rice as to the timing of Mr Rice's retirement. Mr Rice did not fully accept the criticisms made of him, and Mr Jones was not satisfied that, if the matter had gone to the full enquiry stage, there was necessarily a cast iron case against Mr Rice. Furthermore, Mr Jones appreciated that Mr Rice wished, after a long career, to go with some dignity. In the result it was agreed (and approved by members of the County Council) that Mr Rice should retire with effect from 1st September 1988, the date of completion of eight years of service to the County Council and that his retirement should be on the basis of 40 years of pensionable service in teaching and local government. That period had in fact begun in June 1948 but had included two non–contributory years 1949–1951 when Mr Rice was undertaking National Service.

47.14 Mr Brian Waller, the present Director, took up his appointment in October 1988. Mr Terry Smith, who, as First Deputy Director, had applied unsuccessfully for the post of Director, took early retirement.

48
SPECULATION AND FACT

48.1 In an opening address, Counsel to the Inquiry made this statement:

> **"As often happens where such scandals are exposed, there is a range of speculation about what lies at the heart of the whole business. We are aware that there are those who think that the influences of Freemasonry have led to a cover-up. Some believe that there was a wide-ranging paedophile ring working in the county and involving people in positions of responsibility. Yet again, others believe that political considerations distracted those in authority from their overriding duty to safeguard and promote the well-being of children in residential care."**

Freemasons

48.2 Reference has been made earlier in this report to a passing but unfounded suspicion in the mind of Mr Smith in 1980 that Mr Rice may have been appointed to the post of Director in preference to himself because of a Freemasonry connection.

48.3 The Inquiry also became aware of suspicions held over the years by some members of the Labour Group that Freemasonry, which had members amongst the Conservative Group and amongst others in the County Council, may have played a role in Council affairs generally. Those suspicions were aired publicly before and after the 1989 elections.

48.4 Freemasonry could only have been of any conceivable relevance to the matters with which the Inquiry was primarily concerned if it were the case that Mr Beck and Management Officers with responsibility for him were themselves Freemasons.

48.5 Accordingly, correspondence was exchanged between the Inquiry and Commander M.B.S Higham RN, Grand Secretary, United Grand Lodge of England, Freemason's Hall, London. Commander Higham's responses must be regarded as authoritative. He was able to confirm from his records that Mr Rice became a Freemason in 1978, joining a Lodge in Gloucester. He joined a Lodge in Leicester in 1984, resigning the membership in March 1989. In the same month Mr Rice joined a Lodge meeting in Cheltenham.

48.6 Mr Nelson was formerly a Freemason. He joined a Lodge meeting in Grimsby in 1962 and resigned his membership in 1978.

48.7 Both Mr Rice and Mr Nelson volunteered to the Inquiry the extent of their membership of Masonic Lodges independently of the enquiries of Commander Higham.

48.8 Commander Higham informed the Inquiry that there was no record of present or past membership of Mr Terence Smith, Mr Michael Wells, Mr Peter Naylor, Mr John Noblett, Mr John Cobb or Mr Frank Beck.

48.9 Speculation that Freemasonry played any part in management failures in relation to Mr Beck is, therefore, without foundation.

Political Considerations

48.10 In the middle of 1982 a debate was being carried on in the County about whether or not the secure unit at Polebrook House should be opened.

48.11 Mr Beck approached Mr Kaufman, the Liberal spokesman on the Social Services Committee, and explained his view that it was inappropriate to put children into secure accommodation. Mr Kaufman told the Inquiry that at Mr Beck's suggestion he invited Mr Beck to attend a Liberal Group meeting to explain his philosophy on child care with reference to the Polebrook House question. The Liberal Group also heard from Mr Sydney Jones, the Officer in Charge at Polebrook House. It was Mr Kaufman's evidence that the Liberal Group found Mr Beck to be the more persuasive and impressive of the two and that figures produced by the Labour Group appeared to show that secure accommodation for children was bad. In those circumstances the

Liberal Group decided to agree with Mr Beck and to oppose the opening of the secure unit and voted against it at the decisive meeting of the Social Services Committee in September 1982, which reversed the decision taken in the previous May.

48.12 From 1982 onwards Mr Beck was an informal adviser on child care matters to the Liberal Group on the Social Services Committee and was well regarded by the Group.

48.13 On 23rd November 1982 Mr Ian Whitehead, the Labour Vice-Chairman of the Social Services Committee wrote a reference for Mr Beck: "Mr Beck is one of the most skilled and committed child care workers in Leicestershire. I look forward to many more years of his contribution to Leicestershire and to professional social work generally." That reference was put before the Court at Mr Beck's trial in February 1983.

48.14 On 5th May 1983 Mr Beck was elected a Liberal councillor on the Blaby District Council. He held that office for the rest of his time in the employment of the County Council.

48.15 There can be no suggestion that Mr Beck was protected by politicians. But his own political office and the regard in which he was held by some politicians in the County surely enhanced his status and are likely to have affected the mind of Management Officers in some degree.

48.16 This is illustrated by one episode in April 1985. Mr Beck wrote to Mr Naylor objecting to some strategy proposals to modify the future use of The Beeches. Mr Naylor passed that letter to Mr Ashon, Principal Officer, Child Care Resources Team. Mr Ashon's reply to Mr Naylor ends:

> "Finally, Mr Beck's letter makes clear that he rejects all aspects of the report as they apply to The Beeches and one assumes from the statement 'I will be putting my views to the appropriate quarter' that County Councillors are to be again used by Mr Beck in this debate. I wonder if in these circumstances we ought to brief the Director? If Mr Beck is able to substantially alter the proposals this will obviously effect other units or thereafter the whole plan."

48.17 There is, however, no evidence that Management Officers were influenced in their approach to complaints by knowledge of Mr Beck's political connections.

Paedophile Ring

48.18 The Inquiry was alert for any evidence that Mr Beck or his associates may have been members of a paedophile ring, that is to say an association of people, however loose and informal, for the purpose of introducing children to each other (or to others) for sexual purposes.

48.19 During the period 1973 to 1986 there was an alarmingly high number of child sexual abusers at work in Leicestershire Children's Homes. Reference has already been made in this Report to convictions recorded against Mr Beck, Mr Jaynes, Mr Davies (1980) and Mr Scott (1986). Mr Bloxham took his own life on discovery of his offences (1982).

48.20 The Inquiry was also made aware of three offences of indecent assault of teenage boys by Mr Hunt, a part time voluntary worker at the Woodlands Remand Centre in 1976. It appears that the boys concerned were or had been at the Woodlands and that the offences occurred at Mr Hunt's house.

48.21 In 1982 the Deputy Officer in Charge of a Children's Home in Sileby, Leicestershire was put on probation by the Court for an offence of indecency against a 13 year old boy who was not a child in care. The offence was committed outside the context of the man's work. He resigned his post.

48.22 Mr Beck and Mr Jaynes worked together at Ratcliffe Road. Mr Beck was one of three people who interviewed Mr Scott for the post of Officer in Charge of Rosehill Children's Home in 1978. Mr Scott applied for the post as a result of advertisement of it and not as a result of any personal contact. He had not previously met Mr Beck. Subsequently, contact between Mr Scott and Mr Beck was minimal. The offences to which Mr Scott pleaded guilty in 1986 all related to boys at Rosehill and took place between 1982 and 1985.

48.23 A common link existed between Mr Davies, Mr Bloxham and Mr Hunt (part time volunteer) in that they all worked at some time at the Woodlands. But there the link ends; and Mr Bloxham's offences were committed later whilst he was Deputy Officer in Charge of Camden Road Children's Home.

48.24 The Inquiry found no evidence from any source implicating any Management Officer in any sexual malpractice with children.

48.25 The evidence does not tend to support a paedophile ring theory.

48.26 In addition to those three areas identified by Counsel to the Inquiry, some consideration has had to be given to two other particular areas of speculation.

Deaths of children

48.27 A Central Television documentary programme "Betrayal" (1991) broadcast the assertion that during 13 years "more than 20 children in care died".

48.28 The Inquiry was informed of the tragic death of three children: (1) Simon O'Donnell to whom reference is made in Chapter 15. (2) Andrew Biggin who died on 27th April 1983 aged 15 years 10 months from the inhalation of lighter fluid. Andrew Biggin, who had a range of difficulties including solvent abuse, attended The Beeches and died some ten minutes walk away. His death was by misadventure. (3) Darren Bradshaw died on 7th September 1983 aged 17 years 9 months in a crash whilst driving a stolen car. Darren Bradshaw had been resident at The Beeches for eighteen months to June 1983 and at the time of his death was living semi–independently in a bungalow in the grounds of the home.

48.29 Details were given to the Inquiry of six others who at some time attended The Beeches and who have since died.

1. Born 18.9.67. Attended The Beeches November 1981 to November 1982 (weekends only from February 1982). Suicide June 1985.
2. Born 7.8.66. Attended The Beeches from February to August 1982. Suicide April 1986.
3. Born 4.1.68. Attended The Beeches for one month in 1980. Died from Insulin overdose May 1986.
4. Born 29.5.65. Attended The Beeches from June to December 1978. Suicide 1990/91.
5. Born 27.12.67. Attended The Beeches for three months from January 1984 (resident February 1984 only). Suicide 1991/92.
6. Born 26.2.69. Attended The Beeches from June 1983 to April 1984. Later (date unknown) died from Aids related disease.

Missing Papers

48.30 Papers were available to the Inquiry in a haphazard fashion. The work of the Inquiry and, earlier, the work of the Police, was made more difficult by the absence of material documentation. Suggestions have been made both publicly and to the Inquiry that a sinister interpretation should be put on the non–availability of certain papers.

48.31 Missing papers fall broadly into two categories. The first category relates to children's files; the second to homes management files.

48.32 Field social work files relating to children were maintained by the social worker with case responsibility and kept in the appropriate Area office. As a matter of policy, files relating to children who had died were generally destroyed after two years. Adoption files had to be kept for seventy five years.

48.33 With those exceptions, there was no policy in relation to the retention of any children's files after the child in question had left care. The main determinant was storage space which, in most offices, was limited. As storage space became congested so old 'closed' files were turned out and destroyed.

48.34 Thus, whilst the Inquiry had access to relevant children's files from the 1980s it was not surprising that some of the files from the 1970s had gone and were available to neither the Police nor the Inquiry. This disposal was not sinister.

48.35 Children's Homes kept, or were supposed to keep, a separate file in relation to each child. Again, there was no policy as to their retention when a child left residential care. They were not routinely married up with Area files. In those circumstances, destruction of 1970s children's files from the homes is not surprising.

48.36 Homes management records were maintained by staff within the home and included papers kept for accounting purposes as well as a variety of daily records. There should have been maintained:

admission and discharge records;
accident and incident books;
sanctions or punishment records;
a daily log (not kept in all homes);
appointment diaries;
complaints register;
visitors book;
health and safety, fire inspections and alarm tests;
staff rotas;
notes of staff meetings;
training records;
individual children's records;
financial transactions involving residents (pocket money etc);
domestic accounts;
homes inspection reports.

48.37 There was no identified policy for the retention of any homes records. In practice, papers not in current use appear to have been stored in a haphazard fashion within the home and destroyed upon closure of the home.

48.38 It is likely that all records from The Poplars, Market Harborough went to Ratcliffe Road at the time of the move in 1978. No records have survived from Ratcliffe Road where Mr Beck was Officer in Charge from 1975 to 1978 and which was closed in December 1989.

48.39 A quantity of records have survived from The Beeches where Mr Beck was Officer in Charge from 1978 to 1986 and which was closed in January 1991. A great deal of it was stored in the loft. Documents of particular interest to the Inquiry were:

- appointment diaries;
- a visitors book which was used to record visits of dignitaries, but which was not fully kept up;
- the daily log. The daily log appears to have been kept on loose leaf pages in a folder, the pages being removed and stored from time to time to make space in the folder for more.

  The log contains manuscript entries by staff members recording details of daily life in the home. It served also as a sanctions book and as an incident book. The record for the years 1979 to 1986 is full, but not complete.

  In a few instances a page is devoted to an episode or episodes about an individual child. It is not clear whether that formed part of the same log or another one. It if were another one, very little has survived;
- children's files. A few miscellaneous files were available to the Inquiry. They were, for the most part, thin and poorly maintained.

48.40 Homes management records were also maintained by Care Branch staff at Headquarters. No such files have survived in relation to The Poplars or Ratcliffe Road with the exception of a thin file of papers known as The Poplars Replacement File which was concerned with plans to replace The Poplars. Headquarters records are likely to have been destroyed in the normal course when Ratcliffe Road was closed.

48.41 The disappearance of the records maintained at Ratcliffe Road was the subject of evidence to the Inquiry.

48.42 Miss Carr, an officer of the County Council, had the task of assisting the Police during their 1990 investigations by locating and producing relevant documentation to them. Paucity of records from Ratcliffe Road led Miss Carr to speak on several occasions to Mr Colin Clarkson, the Officer in Charge of Ratcliffe Road at the time of its closure in 1989. Miss Carr's clear recollection of those conversations was that Mr Clarkson told her that when he had taken over as Officer in Charge he had put all old papers in a filing cupboard and when the home was closed he had been instructed to burn them, and did so. It was Mr Nerini who, as his line manager at the time, had told Mr Clarkson to do that.

48.43 Miss Carr's enquiry of Mr Nerini revealed that Mr Nerini could not recall telling Mr Clarkson to burn any papers, but thought that he may well have done so. It was a not uncommon practice that when homes closed down the children's files, order books and material relevant for accounting purposes would be removed and, after checking, destroyed whilst all odd bits of paper and unwanted material would be burnt in order to maintain confidentiality.

48.44 In his evidence to the Inquiry Mr Nerini did not dissent from the version given by Miss Carr. On the other hand, Mr Clarkson, who gave frank evidence to the Inquiry, denied burning any papers. It was Mr Clarkson's recollection that he was told by County Hall to put all papers in black bin sacks for collection. The papers occupied about ten sacks which went off to County Hall, destined to go on to Nottingham for shredding. Broken furniture and other rubbish was put into two skips. Mr Clarkson had no recollection of a fire.

48.45 Mr Clarkson himself took some miscellaneous papers home and they were stored in his loft. Those were in due course recovered by Police, save for one small file of no great consequence which the Inquiry found still in the loft.

48.46 The likelihood is that all confidential and sensitive material from Ratcliffe Road was sent away with Headquarters records to be shredded. That would have been normal practice. The evidence does not support a conclusion that there was deliberate weeding and destruction of documentary records for the purpose of concealing incriminating evidence or of obstructing investigation.

48.47 It is an unhappy coincidence (though no more than that) that two files relating to Ratcliffe Road maintained by the Social Work Service of the DHSS (and later the SSI) from 1975 onwards were sent to SSI archives in 1989 and have also disappeared. The Archive has no record of their receipt nor of their destruction.

48.48 Headquarters management records in relation to The Beeches have survived but were poorly maintained and were incomplete. Miss Carr told the Inquiry that such Beeches records as she found were inaccurately filed; that the filing was "abysmal" and that the Care Branch system of documentation was "a mess".

PART 8

POST 1987

49
APPOINTMENT OF BRIAN WALLER AS DIRECTOR OF SOCIAL SERVICES AND SUBSEQUENT MANAGEMENT ACTION

49.1 Mr Brian Waller, the present Director of Social Services, took up his appointment on 3rd October 1988. He gave early attention to the management structure of the Department and secured member agreement to organisational changes in 1989 and to a more radical restructuring in 1991.

49.2 Following the arrest of Messrs. Beck, Jaynes, Lincoln and Fiddaman in 1990, the Director took the lead in coordinating a wide-ranging review of management and practice in Children's Homes. The Social Services Inspectorate carried out an inspection of all homes in 1990 and the Leicestershire Commission was set up in 1991. The Social Services Department's response to the recommendations of these independent bodies will form the basis of child care policy for the future.

Departmental Restructuring

Management Team changes 1989

49.3 In April 1989 Mr Waller presented a report to the Social Services Sub-Committee recommending changes to the structure of the Department's Management Team. The post of First Deputy Director had been unfilled following Mr Smith's retirement earlier in 1988 and this created an opportunity to clarify the roles and responsibilities of the remaining managers. The aim of the new arrangements was to enhance the strategic planning function by creating the post of Assistant Director (Planning), to strengthen the role of the remaining Deputy Director as head of the Operations Branch and to clarify the responsibilities of the Resources Branch. The new structure was approved unanimously by the Sub-Committee and by the Social Services Committee on 12th April.

Departmental Restructuring 1991

49.4 The new Director worked with elected members and senior officers on proposals for a more radical departmental restructuring which was seen as necessary to meet a number of legislative, political and professional priorities.

49.5 Legislation passed in the 1980s affecting the delivery of social services to people with mental illness, physical or learning disabilities and children and their families required an increasing level of specialist knowledge and skill from Social Services staff. The generic social work teams in Leicestershire were not well placed to provide this high quality specialist service.

49.6 *The National Heath Service and Community Care Act 1990* emphasises the need for social care services to be user rather than service led. Local authorities are also required to establish arms-length inspection units to provide independent quality assurance monitoring of both their own and independent residential homes and other services. This emphasis on the needs and views of service users matched the aspirations of Social Services Committee members who agreed the following objectives (set out in the Director's report, The New Structure November 1991):

"– Services should be of high quality, user rather than organisation centred, and reflect the expressed views of users.

– Services should be sensitive to the needs of people from all racial and cultural backgrounds.

– Points of contact and for referral should be general and respond positively to all requests for service.

– Services, by concentrating on specific areas of need and activity, should build up knowledge, skills and experience in order to address particular needs and problems.

– Services should be planned and managed effectively and in collaboration with other departments and agencies."

49.7 The 1991 restructure created three separate but complementary branches within the Department. The number of geographical divisions in the Operations branch was reduced from five to four and a fifth countywide division was created to manage specialist services including residential Children's Homes. Within the geographical divisions, a management layer was deleted to simplify and strengthen managerial accountability for the new client focused services.

49.8 A Quality and Inspection Branch was established to meet the requirements of the N.H.S. and Community Care Act and to lead on customer care initiatives. The Resources Branch absorbed the planning responsibilities to become, in effect, the strategic purchasing arm of the department.

49.9 The Director gained full support for the new structure from the Social Services Committee, and the Assistant Director, Quality and Inspection, was charged to evaluate the changes with the assistance of a research officer from Leicester University.

Comment

49.10 Following his appointment, the new Director acted promptly to create a clear management structure for the Department.

49.11 Elected members were fully involved in setting policy objectives which underpinned the new structure in 1991.

49.12 An evaluation of this major restructuring has been put in hand.

Action following The Arrest of Beck, Jaynes, Lincoln and Fiddaman in 1990.

49.13 In his written statement and oral evidence to the Inquiry, Mr Waller made it plain that it was several months following the arrests in 1990 before the full seriousness of the situation emerged. As the picture became clearer, a number of decisions and actions were taken.

Assistance with the Police investigation

49.14 Miss Jean Carr was appointed as liaison officer within the Social Services Department to assist the Police to carry out their investigation. Her duties included tracing files, staff records and other relevant documentation, arranging interviews and liaising with other County Council departments.

Child Protection

49.15 All social workers and residential managers talked to residents and former residents of Children's Homes about their treatment in care. When the Police released to the Department names of children still under the age of 18 who had been dealt with by Beck and his former colleagues, individual case reviews were set up under the Child Protection procedures. The Area Child Protection Committee embarked upon a general review of Child Protection procedures in respect of children in residential care in Leicestershire.

Independent Investigation into Management Practice

49.16 In view of the seriousness of the allegations about the treatment of children in the care of Leicestershire, the Director decided to ask an independent consultant to carry out an investigation of management practice in the Department during the period of Beck's employment. The Social Services Inspectorate, East Midlands Region, helped Mr Waller to draw up the terms of reference for the investigation and suggested suitable consultants. Mr Newell, former Deputy Director of Nottinghamshire Social Services Department carried out the investigation and produced a report which was made available to the Inquiry.

Inspection of Children's Homes

49.17 The Director asked the Social Services Inspectorate to carry out a formal inspection of the Department's Children's Homes. Mr Waller told the Inquiry, "I was concerned to know whether our homes were still safe. That was the long and the short of it. I had high hopes that our homes were safe . . . , but it seemed to me to be important to know whether there were still any residual practices that might be concerning or indeed whether there were any children who themselves were still being abused . . ."

49.18 The Inspectorate's report "Safe from Abuse" was published after the criminal trial and the general conclusion confirmed the Director's hope that there was no prima facie evidence of abuse of residents within the homes. The inspectors reported that "the overwhelming response of residents and their parents was that Community Homes were safe places in which to live, the staff interviewed were aware about safety and were well motivated to protect the young persons in their care."

49.19 The report does, however, contain 25 specific recommendations addressing perceived deficiencies in procedures and management and care practice. A number are relevant to the Inquiry's terms of reference. These concern the need for readily available guidance for all staff on policies and procedures, a comprehensive management monitoring system, improved training for residential child care staff, policies for recording practice in residential homes and the maintenance and storage of documents, clarification of the Complaints Procedure for children and the introduction of child protection procedures for residential homes to ensure independent investigation of allegations of abuse. Mr Waller told the Inquiry that the Department had given the highest priority to responding to the Inspectors' recommendations. The Inquiry received copies of a number of reports and documents confirming that significant progress has been made on key areas. The Social Services Inspectorate has indicated that a further inspection of Children's Homes should take place in 1993.

NSPCC Helpline

49.20 An independent telephone helpline was set up by the NSPCC at their regional base in Leicester as part of the County Council's preparation for the publicity surrounding the trial of Mr Beck and his co-defendants in 1991.

49.21 The helpline, funded by the Social Services Department, offered a confidential telephone counselling service to people directly or indirectly affected by the trial and attendant media interest. A number of people also received face to face counselling help. The helpline was planned to operate for three months but remained open for six months and dealt with about 220 calls. The line will reopen for a time-limited period when this Report is published.

The Leicestershire Commission

49.22 In addition to requesting the Social Services Inspectorate to carry out a formal inspection of existing Children's Homes, the Social Services Department obtained Committee approval for a joint initiative with the National Children's Bureau to undertake a broad review of Leicestershire's services to children in need who are accommodated by the local authority, with particular emphasis on residential care settings. Leicestershire engaged the NCB as partners in this exercise because of their national and international contacts and extensive research and knowledge in child care practice. The hope is that the Commission will offer ideas and models of practice to meet the care needs of the kind of children that Leicestershire, and other authorities like it, are being asked to look after both in the wider context of children's services and in residential care.

49.23 The Director presented a progress report on the work of the Commission to the Child Care Strategy Sub-Committee on 22nd June 1992. The report described the early work of the NCB consultants in familiarising themselves with service patterns and statistical information and interviewing field social workers and residential staff. An evaluation exercise involving other agencies (Health, Education, Probation) was planned.

49.24 A number of themes were identified even at this early stage of the Commission's work:

- Children in residential care require the most skilled help and care.
- A multi–disciplinary approach to care and treatment is needed.
- Control and containment issues need to be addressed.
- Residential workers need a broad range of skills to work successful with children, their families and in partnership with field social workers.
- Good planning and coordination are essential.
- Children should be involved in all decisions that affect their lives and future.
- Leicestershire has not invested adequately in the past in training for residential care staff.

49.25 The Commission was due to produce a final report in September but there has been some delay. The work is not yet complete.

Comment

49.26 Followings the arrests in 1990, the Department's first priority was to ensure, as far as was possible, that children accommodated by the local authority were safe from abuse.

49.27 Considerable time and effort by members and officers has been, and is being, devoted to the development of policies, management procedures and training programmes in response to the recommendations of the SSI Inspection of Children's Homes. Training for residential care staff should be accorded a high priority.

49.28 The NSPCC helpline has offered valued assistance to victims of abuse who needed confidential counselling independent of the Social Services Department.

49.29 The conclusions and recommendations of the work of the Leicestershire Commission will provide further guidance on the provision of quality child care services for the Department.

The Children's Rights Service

49.30 Leicestershire was one of the first local authorities to establish a Children's Rights Service in 1987. The service, first conceived in 1982 and established in 1987, developed over the following years in parallel with other initiatives. The service provides information to children about their rights and legal status, supports children in planning meetings and reviews if they request this, helps to solve problems relating to other agencies, and assists children to use the Complaints Procedure. The role of the Children's Rights Service in responding to complaints changed with the development of a departmental Complaints Procedure. Following departmental restructuring, the service is managed by the Assistant Director, Quality and Inspection.

49.31 Evidence presented to the Inquiry relating to complaints made by children about treatment at the hands of Mr Beck and other staff in Children's Homes, showed that most were unaware and ill-informed about their right to a safe, caring environment and were uncertain or fearful about making any sort of complaint. Even when children did complain, they did not know how to present their complaint convincingly or how to follow things through if they felt their voice was not being heard. The Inquiry therefore regarded information about Leicestershire's Children's Rights Service as an important part of the picture of management of children's services since 1986.

Objectives of the Children's Rights Service

49.32 Mr Wells reminded the Inquiry in his written evidence that the Children's Rights Service was initiated by elected members who agreed the primary objectives as:

- the promotion and development of the rights and interests of children in care in all aspects of child care policy, planning and practice;
- the provision of advice and assistance to professional staff, foster parents and other relevant persons on practice issues relating to children in care;
- the distribution of information and advice to children in care on their rights and responsibilities;
- the investigation and reporting on concerns/complaints raised by children in care on rights issues.

49.33 In a report to the Child Care Strategy Sub-Committee on 18th November 1991 the Director rehearsed the many achievements of the service which had successfully raised the profile of children's rights across the Department, improved the quality of care planning for children by ensuring their participation in meetings and reviews and enabled children in care to have clear and independent routes to express their concerns/complaints.

Complaints Procedure

49.34 New legislation – the Children Act and the NHS and Community Care Act – requires local authorities to have in place well publicised complaints procedures for all service users.

49.35 The development of a formal Complaints Procedure for children changed the role of the Children's Rights Service which had been acting regularly, and without challenge, as the investigator of complaints raised by children rather than these being routed through line management.

49.36 In his evidence to the Inquiry, Mr Waller pointed out that the new Complaints Procedure, which is closely monitored by the Complaints Section and by six monthly reports to elected members, has the necessary checks and balances to ensure fair and thorough investigation of complaints by line management. The important role of the Children's Rights Service in the complaints process is that of assistance, support and advocacy for children.

49.37 To ensure the continued independence of the Children's Rights Service and to emphasise its value as part of the Department's quality assurance systems, the service was transferred from the management of the Deputy Director (Operations) to the Assistant Director (Quality and Inspection) in the departmental restructuring in 1991.

49.38 There is a separate procedure for dealing with allegations of abuse made by children looked after in residential care and the Inquiry was told that a procedure to deal with allegations, made by children, of abuse by other children in residential or foster care homes is being written.

Comment

49.39 The Children's Rights Service contributes importantly to the creation and maintenance of a safe, good quality residential care service.

49.40 The departmental Complaints Procedure should be well publicised, monitored and reviewed by officers and elected members to ensure its effectiveness.

49.41 Training for residential staff will cover helping children to use the Complaints Procedure and Children's Rights Service appropriately.

PART 9

CONCLUSIONS

CHAPTER 50
CONCLUSIONS

50.1 This chapter sets out my main conclusions upon the whole of the evidence which was voluminous, in places unclear and in places controversial. Some of the comments made in previous chapters are repeated but many are not. The comments in the Introduction (paras 1.44 and 1.45) are particularly important.

50.2 The task of the Inquiry has been to investigate how management responded to complaints and other prima facie evidence of abuse and malpractice or other related matters in Leicestershire's Children's Homes between 1973 and 1986, as well as any other relevant management or personnel management matters during the period or subsequently.

50.3 Although the Inquiry has not been confined to homes in which Mr Beck worked, the period 1973 to 1986 coincides with Mr Beck's employment in Leicestershire. The Report contains an account of a series of complaints which, taken together, establish that in Mr Beck's successive homes there was a regime of physical, sexual and emotional abuse.

50.4 Whilst other pertinent matters are considered in the body of this Report, the main questions that the Inquiry has addressed include:

1. How Mr Beck came to be appointed and to assume a powerful and unchallenged position;
2. Why the many complaints did not prompt effective action;
3. Where management responsibility lies for the circumstances that arose.

How Mr Beck came to be appointed and to assume a powerful and unchallenged position.

50.5 Although the appointment of Mr Beck as Officer in Charge of a Children's Home in 1973 is understandable having regard to the circumstances prevailing at the time, in particular the shortage of applicants and Mr Beck's professional qualification CQSW, his apparent suitability did not extend to specialist therapeutic work.

50.6 The method of selection in use at the time, by written application, single interview and two written references, was not likely to have shown up significant defects of personality. It is, however, noted that it has transpired that one of the references hinted at possible reservations felt by the referee. A discussion with him by Mr Naylor might well have alerted management. The second referee did not appreciate that Mr Beck had proposed that he do therapeutic work.

50.7 Mr Beck made known at the outset his intention of establishing a therapeutic community and, within a few days of taking up his post, at the latest, that he was going to subject children to 'regression therapy'.

50.8 Notwithstanding the search in the 1970s for innovative approaches to the care of difficult children and experimentation in Children's Homes with that in mind, it was not satisfactory or reasonable to give Mr Beck a free hand to practise, unchecked, his own treatment techniques.

50.9 At the time of his appointment and of his arrival at The Poplars, the Social Services Department was in possession of wise advice from its own Child Care Adviser as to the setting up of a therapeutic community (on the basis of the more widely recognised "planned environment therapy") including "it may well be that consultation from outside the authority is essential if the appropriate knowledge and skill in this field is to be drawn upon". That advice was simply ignored.

50.10 Furthermore, professional literature contained material by highly experienced doctors and psychotherapists describing their delicate and specialised work with disturbed children, including the use of regressive processes, and Miss Edwards had a general familiarity with the literature. Nevertheless, none of the Management Officers responsible for Mr Beck took the trouble to find out from available expert sources either the proper use of regressive processes, or the essential requirements in terms of expertise, staffing, supervision and support by relevant agencies of a specialised therapeutic community for children.

50.11 There was no inherent objection to a Social Services Department providing specialist treatment resources or programmes for very damaged children. It was, however, necessary, as the Child Care Adviser had indicated, that they be carefully planned. It was also essential that there be qualified specialist senior staff who were in turn closely supervised, and given agreed and defined support by senior staff in Health, Education and other appropriate agencies.

50.12 Mr Beck was not qualified by training or experience to undertake specialised therapeutic work. Nonetheless, he was regarded by Management Officers from his earliest days in the County as an expert in this field.

50.13 Management Officers knew that specialist treatment resources out of the County were extremely expensive. Their naivety in believing that Mr Beck had established a local specialist resource 'on the cheap' and without meeting any of the necessary criteria is astonishing, but is part and parcel of the shortcomings of Care Branch as a whole. Mr Beck's treatment methods, the product of untutored and ill-digested study of therapeutic theories, were the antithesis of good child care and were fundamentally abusive.

50.14 The characteristics of the homes run by Mr Beck militated against effective monitoring and management by Care Branch officers who did not recognise the dangers inherent in that state of affairs. In particular:

- They were staffed by a small tightly knit group of young workers caught up in their own misguided enthusiasm for Mr Beck's methods. The 'specialist' nature of their work was Mr Beck's pretext for their being unavailable for relief work in other homes. There was very low uptake of in-service training courses, Mr Beck regarding them as valueless. The staff were isolated and kept out of touch with good child care practices elsewhere.
- The staff were subject to a rule of confidentiality (or secrecy) which forbade discussion about treatment methods or programmes for individual children outside the immediate staff group which did not extend to field social workers. Information about the work of the homes was closely controlled by Mr Beck.
- At The Poplars and Ratcliffe Road in particular there was protection from possible outside scrutiny by control of visits. In the main, visits by parents, field social workers, and Management Officers had to be by appointment. The pretext for that was that informal visiting might interfere with intensive therapeutic work. Management Officers were wholly wrong to tolerate restriction on their right, indeed duty, to visit the establishment on their own terms.

50.15 The absence of a policy framework for child care managers based upon principles of openness and of good child care left them without a bench mark against which the style of the home and child care practices within it could be tested.

50.16 The management of Children's Homes was the responsibility of Care Branch, led by the Assistant Director, Mr Peter Naylor. The management style within Care Branch was woolly. Issues were not clearly identified and addressed in a methodical way. Communication within the Branch was casual. Record making and keeping was at best slipshod and haphazard. There was no impetus for change and improvement within the Branch which appeared to operate in 1985 as it had in 1975.

50.17 Even allowing for the large number of residential and day units being managed by the comparatively small staff within Care Branch, the Inquiry has identified significant areas of weakness:

- To the extent that Care Branch was overstretched, there was a failure to resist diminution of the Headquarters officers complement in 1979, and a later failure to press for its reinstatement.
- The roles and purposes of homes were not defined, even after the introduction of the Child Care Strategy and despite Government advice in 1984/85.
- There was no strategic approach to the provision of residential care for children. That was of particular significance in relation to The Beeches which was allowed to drift from its purpose set in 1978 (to provide short term intervention) to become, increasingly, a specialist treatment resource for disturbed children.
- The function of allocating children to places in homes was abdicated to some of the Officers in Charge, especially in the case of Mr Beck.
- There was abdication to Officers in Charge of responsibility for determining the regime within the homes.
- There was no structured supervision of Headquarters staff with the responsibility for overseeing homes. That became of increasing significance in the 1980s.

- There was a failure to support middle and junior staff and children through difficult periods.
- Inadequate attention was given to training issues. There was no planned approach to the training of residential staff, and no effective control was exercised over the content and quality of induction of new staff which was in the hands of the Officer in Charge or his Deputy and which was very variable.
- There was failure to provide effective monitoring of regimes of care and child care standards, and to obtain a clear picture of what was going on 'on the ground'.

50.18 The system of monitoring Children's Homes was ineffectual:

- Emphasis was placed on practical matters to do with the physical state of the buildings, book keeping and staffing arrangements. Care regimes, treatment approaches and child care standards (including the appalling physical state of The Beeches) were not effectively identified, monitored and controlled.
- Monitoring appeared to stop 'at the office door'. Officers in Charge were seen but there is no impression that serious discussion was had with middle and junior staff or with children.
- Warning signs were not heeded. In addition to specific complaints there were indications, entries in the daily log book and other pieces of information, that, for example, the County Council's policy on methods of control was being persistently disregarded.
- Inspection reports, when completed, were seen by senior managers but there was no effective system for ensuring that inspections were carried out when due or for monitoring the quality of the inspection work carried out.
- Despite the survival of a quantity of management papers relating to The Beeches between 1978 and 1986, no homes reports have survived and there is room for doubt whether regular management inspections were made.
- Management Officers were not justified in placing reliance upon psychiatrists, who visited Children's Homes to provide staff support, to exercise any monitoring role. Mr Naylor's evidence that child psychiatrists were "deliberately chosen to provide checks and balances to the establishment" was inaccurate and without foundation.

  The staff support role of the psychiatrists was an informal arrangement and did not and could not extend to any other purpose in the absence of agreement clearly defining other responsibilities and establishing appropriate formal links with Management Officers.

50.19 The weaknesses of Care Branch left a management vacuum within which abuse and bad practice, generally, could flourish. As well as his readily accorded expert status, Mr Beck had the misplaced confidence and support of Miss Edwards, the Director from 1973 to 1980. Moreover, Mr Beck's willingness to take on the care of the most difficult children and his ability to contain them made him, in contrast with other Officers in Charge who were reluctant to take such children, an especially valuable resource to the Department. Added to all that, a forceful, manipulative and, at times, petulant personality and a ready facility for plausible self justification made Mr Beck a man whom Management Officers were afraid to challenge.

Why the many complaints did not prompt effective action.

50.20 The responsibility for investigating complaints in Children's Homes lay with line management within Care Branch.

50.21 Many of the complaints that came to be made arose directly from the violence of Mr Beck's confrontational approach and intimate handling and, for some, the humiliation of forced regression. Others fell outside that group but lent themselves to spurious explanation by reference to the treatment processes. Others, of gross sexual offences, were plainly in a different class altogether. The Inquiry also heard evidence of complaints relating to bad child care and bad professional practices.

50.22 Complaints particularly came to the notice of Care Branch from children, parents and foster parents, teachers, field social workers, students on placement and residential care staff. They were all potential 'whistle blowers'. The value of reports from teachers and field social workers with a legitimate professional interest in child care standards and a valuable degree of independence and objectivity, was not accorded significant recognition. The pressures on middle and junior care staff not to be seen to 'rock the boat' with adverse consequences for themselves, made it all the more important to take very seriously such concerns or complaints as they expressed. The special position of students on placement, often having some other social work experience, not being absorbed into the culture of the home, not being vulnerable to sanctions from the Officer in Charge, and having the opportunity of discussion with tutors outside the authority, was not explored or recognised.

50.23 Relevant Management Officers are to be criticised for a range of attitudes and circumstances which adversely influenced their approach to complaints:

- The failure of Management Officers to perceive the likelihood that a complaint might well raise child care and management issues that needed to be addressed and their concentration on whether a disciplinary outcome could be sustained before members.
- The failure to draw a distinction between, on the one hand, Police investigation and its purpose and, on the other, their own responsibility to ensure the maintenance of good child care practices and standards. The result was that in no instance did Management Officers make any investigation of their own when Police had investigated, regardless of the outcome of the Police enquiries.
- The failure to formulate any guidance or framework for the investigation of complaints.
- A general predisposition not to believe children. There was an assumption that children either had an ulterior motive for complaint or would be likely, for whatever reason, to fabricate.
- The ready acceptance that the move of the complainant, and/or the child or children central to the complaint, away from the home relieved Care Branch of the necessity for any further action.
- Mr Beck's reputed status as a child care expert and the perception that, being willing to take on the most difficult children, he was indispensable. "I have to place hard-to-place kids and here is someone who will take them without asking too many questions. I dare not upset him."
- It is difficult to escape the conclusion that relevant Management Officers, who failed to make any attempt to evaluate how Mr Beck apparently managed to contain children in a way that eluded other Officers in Charge, took an 'out of sight, out of mind' attitude and did not interest themselves with the means by which the ends were achieved.
- Management Officers were unwilling to stand up to Mr Beck or to hold firm the lines of authority which he repeatedly challenged.

50.24 Critical comment about the handling of complaints arises in the context of preparation, investigation, decision and accumulation.

50.25 Preparation

- In most instances, there was failure to explore with the complainant the detail of his or her concerns and to record it in a methodical manner in order to establish a firm base from which to pursue an investigation.
- In most instances, there was failure to identify key issues raised by the complaint. There are repeated examples of attention being paid to part only of the matters that should have been causing concern.
- There was failure to identify those people who would be likely to contribute to an investigation of the key issues, whether care staff, field social work staff, parents, children or others.
- There was failure to consider the use of suspension pending investigation or to appreciate the value of suspension of the person complained about in order to enable others to speak freely.

50.26 Investigation

- Key adult witnesses were not interviewed.
- In almost every case, there was a failure to talk to those children who would be likely to be able to speak specifically or generally to the complaint.
- In some instances, there was failure to recognise the sense of vulnerability felt by junior staff and the need for reassurance that they were not standing alone.
- There was failure to recognise the hopeless inadequacy of an investigation confined, or largely confined, to obtaining, and accepting the account of the person complained about.

50.27 Decision

- In most cases there was, according to the evidence, no process of thorough consideration by senior officers as to whether the investigation had been conducted satisfactorily (and, if not, what further investigations were appropriate), of the quality and gravity of the evidence and of the management action that was appropriate in respect of it. Such a process should invariably take place and a full record should be made and kept of the decisions taken and the reasons for them.
- There was a repeated failure over the years to inform the complainant of the outcome.

50.28 Accumulation

- Despite a substantial volume of complaints, not confined to the field of child care, Care Branch did not develop any standard approaches to investigations. Mr Naylor and Mr Noblett did not address their minds to that.
- Notwithstanding the accumulation of complaints and Mr Cobb's expressed concern that "we never seem to get very far with these inquiries", no steps were taken to seek advice outside the Branch or the Department as to the approach to investigations or as to the conduct of them. The involvement of Mr Beddoe, Child Care Adviser (Rosehill 1978) and of Mr Nelson (March 1986), neither of them on the initiative of Care Branch, shows that there was elsewhere within the Department an understanding of how investigations could be conducted effectively.
- It has to be recognised that some matters brought to management will be more in the nature of a concern than of a complaint. Some complaints may not be of sufficient particularity to lend themselves to a formal process of investigation. Further, the investigation of a complaint may lead to no clear conclusion.

  It is the responsibility of officers, as a management rather than a personnel matter, to note and be alert to the possible accumulation of such instances. The management record should then inform management of its dealings with the establishment or team concerned and may even prompt a broadly based investigation. The Inquiry received no evidence of such thinking in the minds of Care Branch officers.

50.29 There has been undue delay in the revision of Grievance and Disciplinary Procedures in the County Council. Of particular relevance were:

- The requirement that a grievance about an immediate supervisor must be taken in the first instance to the very person complained about. Staff should have an alternative first point of reference for a grievance.
- The failure to appreciate that suspension on full pay is a neutral act rather than in itself a disciplinary step. The procedure does not make that sufficiently clear.
- The provision for expunging records of warnings does not make a clear distinction between the classes of warning, and does not pay regard to the nature of the offence for which the warning was given. Nor does the procedure recognise the special considerations that should be applied in the field of child care and protection and in other comparable work.
- The cumbersome and potentially lengthy procedure reserving to members the power to dismiss officers.

50.30 Management Officers stressed to the Inquiry the difficulty, as they saw it, of persuading members to find blameworthiness in disciplinary procedings. The totality of the evidence to the Inquiry and the specific cases relied upon by Management Officers (which were of a different nature and order) did not establish that members required an inappropriately high standard of proof generally, nor that they would have done so in child care cases.

50.31 In fact, the inadequacy of the handling of complaints by Management Officers meant that they had no or no substantial basis on which to present an effective disciplinary case. By the same token, the inadequacy of investigation left Management Officers without the foundation to make use of the warning procedure in an attempt to exert management control and as a preliminary step in the disciplinary process.

Where management responsibility lies for the circumstances that arose.

50.32 The officers within Mr Naylor's Care Branch who have been of particular relevance to the work of the Inquiry were:

Mr Edwin Ross	Principal Assistant (The Poplars from 1974 and Ratcliffe Road from 1975)
Mr John Cobb	Principal Assistant (The Beeches 1976 to 1986)
Mr John Noblett	Principal Officer

None of those three officers had any background or expertise in child care.

References in this Report to Care Branch are, in the main, references to Mr Naylor and those three officers.

50.33 ***Mr Edwin Ross***, who has since died, had line management responsibility for Mr Beck and Ratcliffe Road from March 1975 and probably for The Poplars from April 1974. There is evidence that Mr Ross thought well of Mr Beck. However, there is other evidence that Mr Ross was not at all sure about Mr Beck's methods and that he did not find Mr Beck easy to manage. In 1978 Mr Ross wrote in a reference for Mr Beck, " . . . he will expect to be in total charge of any establishment he controls . . . he expresses a very strong dislike of bureaucracy and seems to totally reject any idea that 'those at County Hall' can be of some support and help". Nothing was done to address that dangerous state of affairs.

50.34 Mr Ross's management of Ratcliffe Road did not inform him of the detail of care practices within the home. Miss Edwards did not have a high regard for Mr Ross's abilities.

50.35 ***Mr John Cobb***, who had line management responsibility for Mr Beck and for The Beeches from 1978 to 1986, was usually conscientious, willing and cheerful but he was out of his depth. He does not appear to have been well regarded by Mr Beck who not only abused him orally and publicly but did his best to bypass Mr Cobb.

50.36 Mr Cobb's management of The Beeches was chiefly directed to physical and financial aspects of the home rather than child care standards and practice. His energies were directed to management of the home generally rather than to management of Mr Beck and his work. Mr Cobb told the Inquiry that "in truth, I couldn't manage him".

50.37 To the extent that Mr Cobb was involved in the investigation of complaints in the period 1978 to 1986, the evidence shows that he invariably took the proper course of passing the result of his investigation to Mr Noblett or Mr Naylor, inviting guidance and advice which he did not always receive. Complaints did not 'get stuck' with Mr Cobb.

50.38 Mr Stimpson (SSI) gave the Inquiry an accurate picture of Mr Cobb when he said that in June 1985 he found that "Mr Cobb understandably was very concerned about the situation and had been endeavouring for some time to exercise stricter control over Frank Beck but lacked effective support from senior colleagues".

50.39 The effectiveness and, indeed, the frequency of statutory inspections of The Beeches by Mr Cobb is open to substantial doubt. No reports now exist, even if they were made at the time. Inspections should have included inspection of books of record. It was a serious omission on Mr Cobb's part that he apparently only looked at the remarkably candid daily log on one occasion – in 1980; and could not recall to the Inquiry that he had ever seen it at all. If he had seen and studied that record he must surely have begun to appreciate the scale of violence towards children, and other unacceptable care practices.

50.40 ***Mr John Noblett*** was a middle manager with a large workload and without positive leadership from Mr Naylor. He was, however, a professionally qualified social worker (CQSW).

50.41 Mr Noblett failed to appreciate and address the problem of Mr Cobb being unable to manage Mr Beck.

50.42 Mr Noblett's performance epitomises Care Branch's approach to and investigation of complaints generally. Mr Noblett appears to have been dangerously influenced by the supposed indispensability of Mr Beck. Mr Noblett was surely aware, from what he was told, that there was heavy handedness towards children at The Beeches but he did nothing to intervene. He was a poor, unenthusiatic and unimaginative investigator, he did not recognise child care issues and he failed to perceive and address the importance of the inter–relationship between a succession of complaints. His approach was a 'fire-fighting' one.

50.43 Mr Noblett must bear a heavy burden of responsibility for his own inadequate handling of complaints. In particular, his failure to address the extremely important complaints of Miss Akram (Chapter 27) in November 1982 constitutes serious managerial negligence.

50.44 ***Mr Peter Naylor*** gave an impression at the Inquiry of benign affability, but his almost total loss of memory of the past made it exceptionally difficult to assess the man who was at the centre of events in the period 1973 to 1986.

50.45 Mr Naylor must, however, bear responsibility for the performance of Care Branch as a whole. He had no strategic approach to the task of Care Branch. He did not 'fight his corner' over staff resources. He had responsibility for first line and middle managers and he gave poor leadership. He took no initiatives for change and improvement.

50.46 There is evidence that Mr Naylor took a particularly relaxed view about Mr Beck, regarding him as doing a valuable job. He gave uncritical acceptance to Mr Beck's jargon and explanations and appears to have retreated in the face of Mr Beck's forthright and aggressive manner.

50.47 Contemporary documents tend to show that the majority of complaints got stuck at the Naylor/Noblett level and that in dealing with complaints Mr Naylor relied upon Mr Noblett but did not give him a clear lead.

50.48 Notwithstanding the accumulation of complaints, Mr Naylor took no steps to introduce procedures for handling them. Nor did he introduce any system for monitoring the work of officers in the Branch generally.

50.49 Mr Naylor recognised to the Inquiry a series of errors of judgement on his part. In the area of complaints, Mr Naylor's failure to investigate the complaint of sexual assault by BC in 1977 (Chapter 13) potentially had wide ranging consequences.

50.50 ***Mr Michael Wells***, as Assistant Director with responsibility for Domiciliary Branch, had an exceptionally heavy workload with an inappropriate and unreasonable span of control. Despite those extensive demands upon him, Mr Wells made a valuable contribution to the work of the Department. He made, with Mr Smith, constructive attempts to bring about restructuring of the Department but was frustrated in his efforts.

50.51 Mr Wells did not play a central part in the events particularly scrutinised by the Inquiry although his failure to respond adequately to the complaint by EG in January 1985 (Chapter 32) represented a serious error of judgement which may have been contributed to by ill health. Mr Beck's fostering application (Chapter 36) was dealt with by officers in Mr Wells' Branch and there is some evidence that Mr Wells overlooked a possible allegation of homosexual behaviour by Mr Beck which might have been significant.

50.52 ***Mr Terence Nelson***, the Senior Assistant Director, was responsible throughout the period for coordination. To the extent that that included coordination between the Branches of the Department it was not effective. From 1980 Mr Nelson assumed responsibility for Personnel within the Department and his skills were put to good use when the Child Care Strategy led to extensive staff redeployments.

50.53 Although Mr Nelson represented the Department in disciplinary cases, responsibility for investigation and decision rested with line management. The Inquiry has not had evidence that Care Branch felt that it would be helpful to seek the guidance of Mr Nelson in their handling of complaints or to involve him in their investigations.

50.54 There can be no substantial criticism of Mr Nelson's initial handling of the complaints which led to Mr Beck's resignation. Suggestions that Mr Nelson should have suspended Mr Beck that day, rather than the following morning, were ill founded in the circumstance that Mr Beck was off duty.

50.55 The acceptance of Mr Beck's resignation was justified and Mr Nelson had cause to believe that his objective of removing Mr Beck from social work and ensuring that he could never enter it again would be realised: responsibility for the failure to achieve that objective lies elsewhere.

50.56 The contorted reasoning which led Mr Nelson to try to pursue his enquiries in a particular way and misguidedly resist the involvement of the Police was based on a desire to avoid prompting Mr Beck into withdrawing or challenging his resignation. Mr Nelson may also have been inappropriately influenced by recent adverse publicity arising from the trial of another former Officer in Charge.

50.57 ***Mr Terry Smith*** was, by the account of Miss Edwards to the Inquiry, a helpful Deputy to her. There is, however, some evidence that Mr Smith played a passive role over the preparation of the Rules and Prospectus for Ratcliffe Road in 1977 (Chapter 14). Such passivity did not befit the Deputy Director and was both surprising and unsatisfactory.

50.58 Even though Mr Smith was disappointed that Mr Rice had obtained the post of Director in preference to himself, it is unfortunate that Mr Smith seems to have allowed himself to be sidelined in the crucial position of Deputy Director.

50.59 Mr Smith was the officer architect of the new child care policy, he had been an advocate with Mr Wells of departmental restructuring and he was a longstanding and experienced member of the Management Team. It soon became known within the Department and the Committee that the relationship between the Director and Deputy was poor and that must have affected the operation and effectiveness of the Department as a whole.

50.60 Mr Smith had no involvement in the handling of complaints from the residential child care services. He did, however, receive information in 1982 or 1983, at the time of Mr Beck's fostering application, suggesting that Mr Beck may have made a homosexual approach to a former care officer. Mr Smith passed that on to Mr Wells but might well have made a more positive response himself.

50.61 It is unfortunate that Mr Smith, having fortuitously seen a copy of the reference written by Mr Rice for Mr Beck in 1987, albeit probably after the letter was sent, did not bring his concerns about it to Mr Rice's attention. That is also indicative of the unsatisfactory relationship between them.

50.62 Both ***Miss Edwards*** and ***Mr Rice***, as Directors, bear responsibility for the inadequacy of Care Branch.

50.63 ***Miss Dorothy Edwards***, the Director of Social Services until the end of August 1980, had a background and profound interest in child care work. She was the only child care specialist in the Management Team and sought to maintain her professional and personal interest in that area. In common with many in a similar position elsewhere, Miss Edwards did not find it easy to move into the strategic management role of the head of a large new generic Social Services Department.

50.64 There is no doubt that Miss Edwards was disposed to be impressed by Mr Beck. On the face of it Mr Beck was positive, in contrast with some others, and 'professional' in his interest in child care matters. Without having the time or skills to evaluate the evidence which might have tempered it, Miss Edwards developed an unwarranted faith in Mr Beck and his methods, as a result of his persuasive advocacy, his (mainly unsubstantiated) claims of success, and her own judgement. Miss Edwards failed to recognise the significance of the warning signs in the incidents of which she became aware.

50.65 Although she was poorly served by them, Miss Edwards loyally refrained from criticising Care Branch and, in particular, Mr Naylor, in her evidence to the Inquiry. She must, however, have been aware of their inadequacies.

50.66 Towards the end of her Directorship, Miss Edwards introduced six monthly appraisal of the work of Management Team officers.

50.67 Miss Edwards' expertise in child care and her 'leadership from the front' may well have influenced Care Branch officers not to question her judgement about Mr Beck and, indeed, to support it, taking the lead from her; and to that extent resile from their own management responsibilities. That should not have been the case.

50.68 Given Miss Edwards' confidence and support, Mr Beck was able to build for himself a powerful position in the Department during Miss Edwards' Directorship. It was during that period that he was Officer in Charge at The Poplars and at Ratcliffe Road and became established in his work at The Beeches.

50.69 The preponderance of the views expressed about ***Mr Brian Rice*** by the senior officers of the Department to Mr Sam Jones in 1987 (Chapter 47) reflect the impression gained by the Inquiry that the leadership given by him in the Management Team and generally from 1980 until 1987 was poor. He did not address the need to restructure the Department in the early 1980s as was plainly needed and as Mr Smith and Mr Wells advocated. He did not address the absence of child care expertise in the Management Team following Miss Edwards' retirement nor the absence of such expertise at senior and middle management level within Care Branch. No steps were taken to strengthen the weak Care Branch nor, until major reorganisation in 1986, to rearrange responsibility for residential and day care services.

50.70 The basis for the new child care policy was produced by Mr Smith in 1981 and 1982. Mr Rice's failure to be seen to give it effective support and momentum led to the impetus for its implementation being seen to come from Labour and Liberal/Alliance members.

50.71 Whatever may have been Mr Rice's strengths as Director they appear to have been unhinged by what followed the change in political make-up of the Council and the Social Services Committee in 1981, less than a year after his arrival. Whilst many Chief Officers struggled to meet the demands of working with a Council in which no party had overall control, and in which some members took a more vigorous part in policy formation than had hitherto been the case, Mr Rice had neither the experience nor the skills for the task. From the autumn of 1982 Labour and Liberal/Alliance members came to lose confidence in the Director of Social Services.

50.72 Mr Rice's failure to address important departmental issues together with the loss of confidence in him by senior officers and influential members, were the ingredients that set the poor climate within the Department during his Directorship.

50.73 Whilst the evidence shows that Mr Rice was not made aware of all the complaints that went to Care Branch officers, he had sufficient information available to him in March 1983, following the acquittal of Mr Beck on a charge of assault, to require him to call for a thorough investigation of Mr Beck and The Beeches. At the very least, Mr Rice, who discussed with Mr Fenney the acquittal of Mr Beck, might have been expected to seek Mr Fenney's advice as to how best to deal with the problem of accumulating complaints.

50.74 Mr Rice's participation in the events surrounding Mr Beck's resignation does not attract significant criticism. He kept the DHSS informed of events in a reasonable way.

50.75 Precisely what transpired at the meeting between Mr Stimpson (SSI) and Mr Rice on 5th September 1986 is unclear, but either Mr Rice should have referred Mr Beck's name for inclusion on the DHSS consultancy service list in accordance with the guidance contained in the Circular of July 1986 or he should have caused the circumstances to be investigated further to establish whether notification was appropriate. That neither was done is culpable.

50.76 That Mr Rice wrote the reference for Mr Beck that he did to Reliance Social Care in January 1987 is inexcusable. The fact that officers who had been closely involved in Mr Beck's resignation had retired was immaterial. Given the high profile Mr Beck had enjoyed, the fact that his departure had only been some ten months earlier and that Mr Rice had had detailed discussion with Mr Stimpson as recently as September, Mr Rice must have been well aware of the circumstances. In any event, he had access to Mr Beck's personal file. There is no evidence in the hands of the Inquiry to suggest that Mr Rice was other than grossly negligent in writing the reference.

The Chief Executive and Mr Fenney

50.77 Mr Jones, as Chief Executive and head of the paid service in Leicestershire County Council during the material time, told the Inquiry that even amongst a generally beleaguered set of Chief Officers, Mr Rice was coping conspicuously less well in the post 1981 political situation. Mr Jones was available to Chief Officers who needed his help but what he could offer in the circumstances was limited. There was evidence of only one approach from Mr Rice as a result of which Mr Jones advised him "to stand up to the members".

50.78 Mr Jones, other than as a result of any judgement he might himself form or what he might be told, did not have reason to believe that Mr Rice was an inadequate manager of his department. Mr Smith had aired his dissatisfaction about his Chief Officer but Mr Jones saw that as a personality clash.

50.79 Mr Jones saw Mr Fenney as 'his eyes and ears' in Committee and expected to, and indeed did, hear from him of Mr Rice's difficulties with members. Mr Fenney, who was in day to day contact with the Department over the period, declined to proffer to the Inquiry his views of the effectiveness of the Social Services Department's Management Team but they can hardly have been universally favourable. Whilst his is in no way a prime responsibility, particularly in view of Mr Jones' limited perception of his role, it is surprising that at no stage did Mr Fenney, as the Chief Executive's representative, apparently see it as appropriate to step outside that perceived role to warn Mr Jones of the ineffectiveness of management, particularly of Mr Rice and Mr Naylor.

Elected Members

50.80 Ultimate responsibility for provision of Children's Homes and standards within them rests with the members.

50.81 Although the Social Services Committee considered presentations relating to Ratcliffe Road in 1975 and 1977, and are thereby claimed by some to have endorsed Mr Beck's regime, their substantial influence on and involvement in policy and the operation of the Department began following the May 1981 Council elections.

50.82 Two aspects of the Child Care Strategy have caused concern to the Inquiry. There is some evidence that, although it was in line with thinking elsewhere at the time, emphasis on community initiatives and the closures of homes in the 1980s had an adverse impact on the already shaky morale of residential care staff. That, however, is peripheral to the problem of Mr Beck.

50.83 Secondly, the Inquiry has considered whether decisions taken in 1982 and 1983 about the secure unit at Polebrook House and about Polebrook House itself, the only substantial policy issues on which the political Groups differed, had a relevant impact on the categories of children going to The Beeches. The evidence to the Inquiry makes clear, however, that The Beeches had begun to receive particularly difficult children from as early as 1981 and that that was primarily due to Mr Beck's readiness to receive them.

50.84 It is clear that members were not made aware at the time of the complaints going to Care Branch about Mr Beck and The Beeches. That that was the case was a matter of considerable concern to members who gave evidence to the Inquiry.

50.85 Whilst the serious loss of confidence in Mr Rice on the part of Labour and Liberal/Alliance members appears to have stemmed from his handling of the secure accommodation issue in September 1982, this was against a background of a general expectation that Conservative control would resume in 1985 and that, accordingly, implementation of their policies was an urgent priority. Mr Rice, in that and other matters, was seen by them to be dilatory and obstructive.

50.86 Whilst it is arguable that the discomfiture of Mr Rice, by the members of the Labour Group in particular, whether justified or not on the basis of his performance, was influential in destroying his self-confidence (for example, increasingly he stayed away from Sub-Committee meetings) and accordingly contributed to his management failures, there is no evidence that members were in any way directly responsible for any of the neglect in the handling of complaints about Mr Beck or others.

APPENDIX 1

REPRESENTATION

REPRESENTATION

Miss Anna Pauffley	-	Counsel to the Inquiry
Miss Kate Thirlwall	-	Leicestershire County Council (Members and serving officers of the County Council, including Mr M Wells until 7th April 1992, and Mr J Cobb)
Miss Mary O'Dwyer	-	Miss D M Edwards
Miss Jane Sullivan	-	Mr B F Rice
Mr David Monk	-	Mr P W Naylor and Mr T A Nelson
Mr James Blood **(Messrs Woolley Beardsley & Bosworth)**	-	Mr T Smith
Mrs Barbara Connolly	-	Mr J Noblett
Mr Brian Dodds **(Messrs Marron Dodds & Waite)**	-	Complainants
Mr Christopher Plunkett	-	Mr M Wells from 7th April 1992
Miss Dewinder Birk	-	Cllrs. Middleton, Roberts & Whitehead on 28th April and 23rd and 24th June 1992
Mr Oliver D'Sa **(Messrs Greene D'Sa)**	-	Mr F Beck on 1st and 8th June 1992
Mr David Thomas **(Messrs Hawley and Rodgers)**	-	The Chief Constable of Leicestershire on 22nd January and 30th June 1992
Mr Robert Aitken **(Solicitor, Department of Health)**	-	Department of Health on 25th June 1992

APPENDIX 2

EVIDENCE

The Inquiry received oral or written evidence from 42 witnesses who had been in residential care in Leicestershire in the period 1973 to 1986 and from 12 family members. For the sake of confidentiality, their names are not included in the following lists.

ORAL EVIDENCE

1. Witnesses who were members of the County Council in the period 1973-86.

A. CRUMBIE M.B.E., J.P.
H. DUNPHY
N. HANGAR J.P.
J. KAUFMAN
S. MIDDLETON
A. O'BRIEN
A.C.M. PULLEN
J.M. ROBERTS
M. RYAN
D. TAYLOR
I. WHITEHEAD

2. Witnesses who were officers of the County Council in the period 1973-86.

N.L. ADJINKA
D. AIKEN
N. AKRAM
T.F. ANKERS
J. ASHDOWN
L.J. ASHON
MR B
J. BALLARD
P.W. BARDSLEY
R.J. BEAK
F. BECK
C.J.M. BEDDOE
R. BEVINGTON
R.E. BOND
A. BRISLEY
B.R. BROWSE
P.N. CAMPBELL
P.J. CARR
E. CLARKE
C.T. CLARKSON
N.J. CLEMO
J.T. COBB
L.H. COPSON
M.E. DALEY
R.F. DALLYN
B. DAVIES
D.M. DONOVAN
C.M. DRUCE
D.M EDWARDS
L.E. ENGLISH
D.G. EVANS
K. EXTON

R.J. FENNEY
M. FURNESS
J.C.S. HAWLEY
F.A. HEANEY
A. HESKETH
D. HINDES
W.T. HOLYNSKI
J.M. HOLLIS
G.M JAMES
P.A. JARRAM
H. JETHWA
SAMUEL JONES
SYDNEY JONES
J. JORDAN
W.E. KETTERINGHAM
MR L
S.W. LATCHEM
A.P. LAVENDER
D. LAYTON
J. LIGHTFOOT
G.C. LINCOLN
M.J. LINDSAY
B.E. LOADER
R.H.A. LOWETH
N.C. LUMSDEN
S. MAIN
R.N. MALLISON
P. MARTIN
M.J. McCANN
A. MIDGELEY
S.J. MORTON
J.M. NANGREAVE
P.W. NAYLOR
S.G. NELSON
T.A. NELSON
M.P. NERINI
J. NOBLETT
D. OLDERSHAW
R.C. PARKER
J.E. PATERSON
E.A. POOLE
K.J. PRATT
J.F. PURNELL
J. RATHBONE
B.F. RICE
K.B. ROWBERY
MR S
C.R. SAVAGE
L.M. SCAYSBROOK
S.M. SEABY

R.G. SHARP
D.J. SHAW
A.L. SMART
T.S. SMITH
M.L. SPENCE
J.A. STAMPER
J.M. SWIFT
A. TAPSON
C. THOMAS
T. THOMAS
R.T. VALLANCE
J.R. WADE
B. WALLER
C.E. WALSH
T. WATTS
M. WELLS
J. WHITING
S. WILLETT
J. WILMOTT
R.J. WOODS
B.M. WRIGHT M.B.E.
A.D. YOUD

3. Witnesses in other relevant positions in the County in the period 1973-86.

Doctors
DR. S.R. BHATE MB, BS, DPM, FRC Psych
DR. K.D. HOPKIRK LRCP, MRCS, DPM, MRC Psych
DR. C. LEWIS Bsc, MB, ChB, MRC Psych

Teachers/Education Department
N.T. CHILTON
J.M. DUNNING
R.D. GORDON
S.E.C. GRIFFITHS
MISS T
G.A. TULLY

Student Social Worker
D. W. ALEXANDER
I.J. SHIMELD

Police
D. PEARCE
G. PEENE

Foster Parents
MRS J
MISS V

NALGO
P. GUNBY

4. Other witnesses

S.E. BRUNTON-REED	Northamptonshire County Council, Social Services Department
B. R. GRAHAM	NSPCC
G. VANN	NSPCC
G. JANNER Q.C., M.P.	
B.E. STIMPSON	Department of Health
P.J.B. WILSON	Psychologist

WRITTEN EVIDENCE (SELECTED)

Member of the County Council

J.W. TALBUT

Officers of the County Council

R.E. CHAPMAN
P. DIXON
G.E. GREENSMITH
K.F. HAWKER
K.P. HILL
S. OLBRICH
J.F. REID
G. SADLER
P. SAYER
K.A. SCOTT
A.J.C. SHAW
P. SORRELL
A. TYRELL
J.R. WHITEHOUSE

Other Witnesses

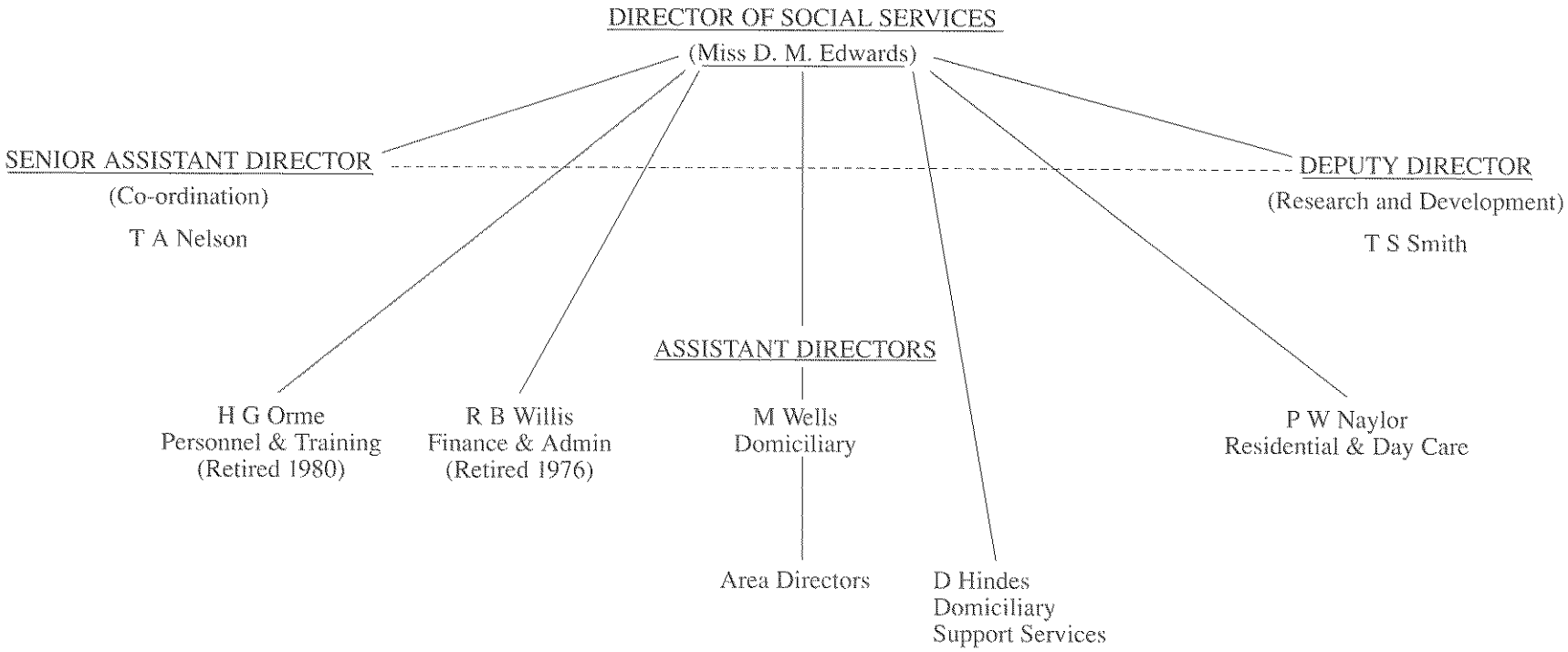
M. CHARMAN	H.M. Coroner
MRS B	Foster Parent
MR Y	Foster Parent
B. BIAMONTI	Student Social Worker
C. CLARKSON	Lay
A. SEALE	Lay
B BUXTON	Police
A.J. DE-HAVEN	Police
B. SEATON	Police
T. STURGES	Stevenage College of Further Education
DR. J. WHYTE, MB, ChB, DPM, MRC Psych.	Doctor
COMMANDER M.B.S HIGHAM	United Grand Lodge of Freemasons
MISS G CORSELLIS	Department of Health
DEPARTMENT OF HEALTH	
MINISTRY OF DEFENCE	

The Inquiry received evidence on 78 days.

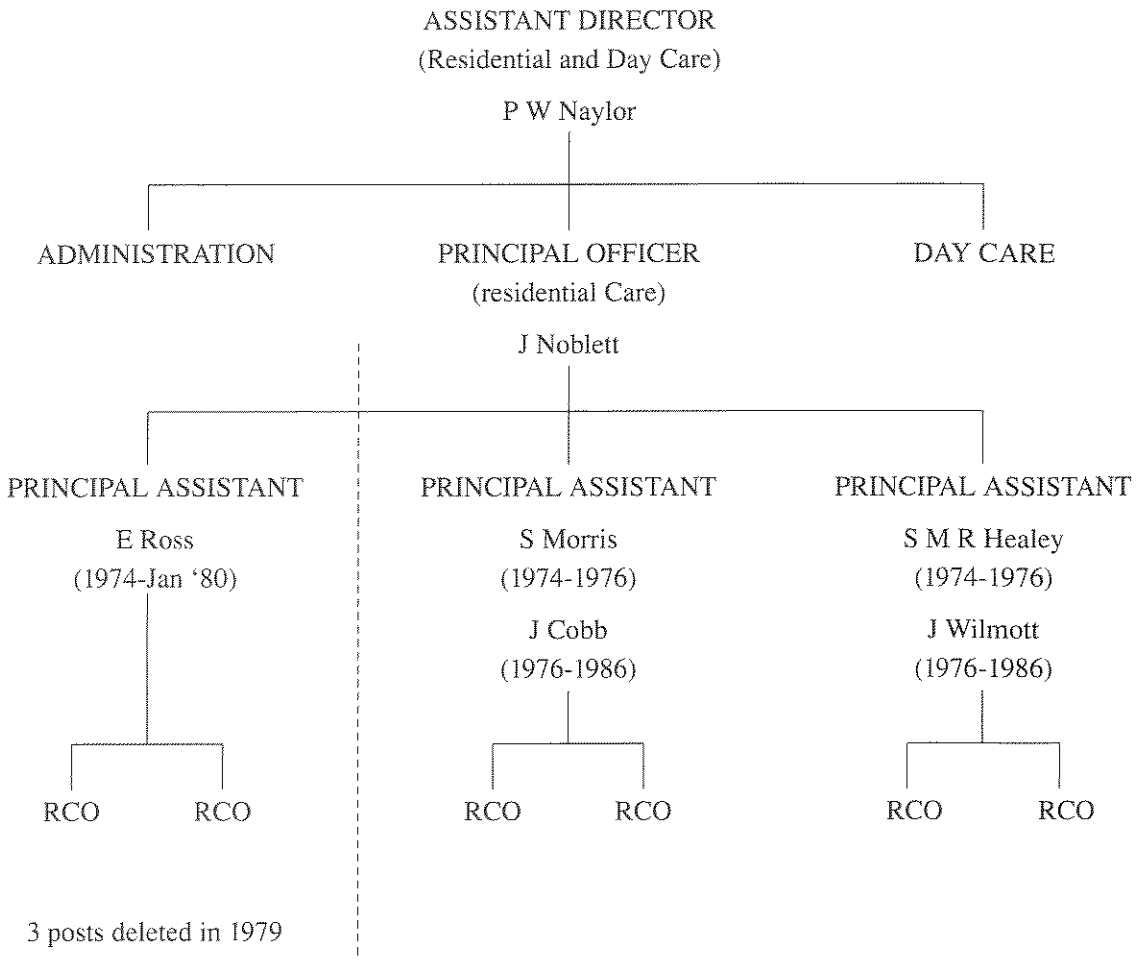
APPENDIX 3

STRUCTURAL DIAGRAMS

Following Local Government Reorganisation in 1974 the management structure of Leicestershire Social Services was as follows:



CARE BRANCH 1974-1986



APPENDIX 4

GRIEVANCE AND DISCIPLINARY PROCEDURES (EXTRACTS)

LEICESTERSHIRE COUNTY COUNCIL
GRIEVANCE, DISCIPLINARY AND APPEALS PROCEDURE
A.P.T. & C. STAFF
(EXTRACTS)

General

★ ★ ★

Criminal Liability

If an alleged indiscipline or misconduct appears to involve criminal liability the Head of Department shall inform the County Solicitor. If the County Solicitor considers that a criminal offence has been committed he shall refer the matter to the Chief Constable. (Where suspected irregularities affect cash, stores or other property, the County Treasurer must also be informed).

★ ★ ★

GRIEVANCE PROCEDURE

★ ★ ★

1. Where an officer is aggrieved on any matter (other than the grading of his post) he should discuss the matter initially with his immediate superior, (e.g Senior Clerk or Section Head).
2. The immediate superior shall reply orally to the grievance as soon as possible and in any case within 7 days. Alternatively arrangements may be made for the person concerned to see the Head of Department or a senior nominated officer within 7 days.
3. If the complainant is dissatisfied with the reply he should report his grievance to his staff (or trade union) representative who may then raise the matter with the Head of Department (or other senior nominated officer). Where an officer is not in membership of a trade union or staff organisation he should be allowed personally to make representations to his Head of Department (or other senior nominated officer).
4. The Head of Department (or other senior nominated officer) should reply to the complainant as soon as possible and in any case within 7 days.
5. If the complaint is not satisfactorily resolved at this stage, the complainant or his Trade Union may appeal to the Conditions of Service Sub-Committee of his employing committee.
6. The matter to end at employing authority level except where it is agreed between the parties that an important issue of principle arises which could be considered through the conciliation machinery.

DISCIPLINARY PROCEDURE

1. *Warnings*
   (a) Where an officer's work, conduct or omission are such as to warrant disciplinary action, the appropriate supervisor should give a verbal warning to the officer. The officer must be advised that the warning constitutes the first formal stage of the disciplinary procedure.
   (b) The further commission of a similar act, or of a subsequent but different offence will result in a written warning indicating that a further offence will be referred to the Conditions of Service Sub-Committee of the appropriate employing committee, which may result in suspension or dismissal. The officer may ask that his trade union official be notified of the written warning.
   (c) No disciplinary action beyond a verbal warning should be taken against a trade union official until the circumstances have been discussed with a senior trade union representative or full-time official.
   (d) Details of warnings should be recorded on the officers file and shown to, and initialled by, the officer when warned.
   (e) If after the issue of a warning, the officer's conduct remains satisfactory for a period of 12 months, the record of the warning will be expunged from the officer's personal file.

2. *Suspension*

A Head of Department, in consultation with the Chief Executive and County Clerk, may suspend an officer for gross misconduct, or to enable allegations of such misconduct to be investigated. Such action shall be reported forthwith to the appropriate Conditions of Service Sub-Committee or the Chairman thereof. The officer shall be informed accordingly and notified of his right to be represented by his trade union representative or some other person of his choice at any meeting of the Sub-Committee. In the event of it being adjudged that the officer was not blameworthy, the suspension shall be terminated and details would not be recorded on the officer's personal file.

An officer suspended from duty is entitled to receive full pay.

Gross misconduct is misconduct of such a nature that the authority is justified in no longer tolerating the continued presence at the place of work of the officer who commits such an offence.

Examples of offences of gross misconduct which may warrant suspension leading to dismissal include:

An admitted criminal offence or one which can be conclusively proved by direct evidence.

Gross insubordination.

Acts likely to cause or causing major damage to Council property.

Gross disregard for the safety/well-being of any person.

Unauthorised removal of the authority's property.

Offences of dishonesty.

Sexual offences and sexual misconduct at work.

Violence on duty and physical assault.

Falsification of time sheets, subsistence and expenses claims etc.

Theft.

This list is neither exclusive nor exhaustive and each case will be considered individually. In addition there may be other offences of a similar gravity which would constitute gross misconduct.

3. *Appeals*

When notified of the decision of the Sub-Committee, the officer must be informed of the grounds for the action taken, his rights of appeal to the Appeals Committee of the Council, and to an Industrial Tribunal in the event of dismissal. Notice of appeal to the Appeals Committee must be sent to the County Solicitor within 10 days of the receipt of the notification of the disciplinary decision.

4. *Appeals to Industrial Tribunal*

An employee may wish to appeal against dismissal to an Industrial Tribunal. He must be informed that the appeal should be lodged within 3 months from the effective date of termination of employment. The applicant should request that his appeal to the Tribunal should be held in abeyance until his rights under the procedure of appeal as set out above have been exhausted.

COMMITTEE PROCEDURES

GRIEVANCE AND DISCIPLINARY PROCEDURES

1. *General*

(a) Each Employing Committee of the County Council shall appoint a Conditions of Service Sub-Committee with terms of reference as follows:-

(i) To act as final arbiter in settling a grievance of a manual worker or an officer.

(ii)

(iii) To investigate allegations of misconduct, indiscipline or inefficiency made by a Head of Department against an officer and, where appropriate, to impose punishment.

The Sub-Committee will comprise not less than five members of the County Council (three to form a quorum).

January 1978

APPENDIX 5

1973 REFERENCES

Hertfordshire County Council

STEVENAGE COLLEGE OF FURTHER EDUCATION

MONKSWOOD WAY, STEVENAGE, SG1 1LA

Principal: G. Lighton, M.A., B.Sc. (Econ.), M.I.L.

Head of Department of Social Science:
C. BRICE, D.P.A. T. Cert

My Ref.: TS/JK
Your Ref.:

Telephone:
Stevenage 2822

9th August 1973

Miss D.M. Edwards,
County Hall,
Glenfield,
Leicester. LE3 8RL

Dear Miss Edwards,

Mr. Frank Beck - Application for post of Officer in Charge

Mr. Beck joined our two year social work course in September 1971. As you will know he had quite a bit of residential experience beforehand, and it has been very evident that during the course he has developed and deepened his knowledge and ideas about working with deprived and damaged children. Returning to a post in this field has I think been his unwavering commitment throughout the course.

Despite a limited educational background he has impressed us as a man of very sharp intelligence and critical ability and it has also become plain that he has a gifted understanding of emotional development. He has obtained very satisfactory reports in both his field work placements, he has a good sense of humour, a great deal of energy and dedication and will without question throw himself wholeheartedly into a job which he feels to be important. On this last point it does need to be said that he has very high ideals, and I suspect that if he disagreed with a programme of treatment or with the approach of other members of staff, he would make this very plain. Hopefully this would be a valuable and constructive reaction, because his strong principles and ideals are to be cherished.

He has, as I have indicated, talents and personal qualities to contribute to social work, but I feel that his success in a post like this will crucially depend upon a successful and consonant interaction with other staff in the establishment; given that he and they feel they can work well together. I believe he has a very great deal to offer to the profession of social work with children and adolescents and he is certainly worth serious consideration for your post.

Yours sincerely,
T Sturges.
T. Sturges
Senior Lecturer in Social Work

(Reproduced uncorrected from original manuscript)

Dear Sir

Mr Beck worked at 77 Grassecroft for some ten months, of which I was the Officer in Charge. This is part of Highfield House Childrens Center. A treatment center for 30 desturbed or deprived children.

Mr Becks inthusiasun and openmind approtch to education (in the full sence of that word) enabled us to involve the children in activities they never dreamped themselves caperbal of this could also be said of some of the staff he made contact with too.

Though Mr Beck left some two years ago we have had considerable contact with him over that period. As on several occasions, when we have found ourselves seriously short-staffed he has offered his able assistance. Whilst he was imployed there his emperthy and understanding enabled him to form close meaningful relationships with our disturbed youngsters. His college experience has given him a broader theretical knollege, which I see now as bringing to a fuller maturity his enate capasity to understand and be of meaningful use to others.

If I can be of further assistance please do not hesertate to contact me.

Yours sincerely

W Rowell

APPENDIX 6

PSYCHOTHERAPY AND REGRESSION
MR PETER WILSON B.A.

The Leicestershire Inquiry

Psychotherapy and Regression

Peter Wilson

March 16th, 1992

Introduction

I have chosen to focus this paper on the psychological process of regression and its relationship to psychotherapy rather than write specifically about "regression therapy". The term "regression therapy" is one that is not familiar to me. To my knowledge, there are no major publications with any recognised professional credibility that specifically refer to regression therapy as such. What I am familiar with is the process of regression as an essential component of most forms of psychoanalytic psychotherapy. (I should add that the term "regression therapy" is used to refer to a therapy based on the revival of "past life" experiences. This activity falls outside the n.mainstream of established psychotherapy and is not, I believe, the subject of interest in this enquiry.)

In this paper I make frequent reference to psychotherapy and to psychotherapy based on psychoanalytic principles. I do so as a basis for understanding the practice of therapy or treatment in therapeutic communities and residential settings which have a treatment aim. In this paper I use the term "therapist" in a broad sense to include practitioners in the residential field who are engaged in close working relationships with young people and who are trying to help these young people. Many may not have formal psychotherapeutic training.

The Concept of Regression

Regression is a term that is commonly used in the field of psychoanalytic psychotherapy. The literal meaning of the word is to walk back or retrace steps - and it is in the broad sense of a reversion or a retreat that the term is most frequently used. The conceptual context for regression is a developmental one. It is axiomatic in all psychoanalytic theories that past childhood experiences have a powerful influence on personality development. Childhood experiences are seen to reside at the core of all later development - development that is seen to proceed sequentially through a series of phases (early childhood, latency, adolescence) until adulthood is established. Implicit in this developmental view is the observation that psychological and emotional growth is characterised by a constant oscillation of two innate forces and influences - the progressive and the regressive. This is unlike the situation of physical growth which may be said to proceed generally in a straightforward progressive line; in mental development there is an additional set of influences which work in the opposite direction - and these are what are commonly referred to as regressive phenomena.

It is clear from the foregoing that such phenomena of themselves are not abnormal. It is in the nature of emotional growth that there will occur both forward and backward moves in the various developmental phases. Regression is essentially adaptive - insofar as it allows the individual the opportunity to rest and replenish before embarking on new initiatives. It also serves the function of defense - in the sense that when the individual is faced with anxiety, conflict and various unpleasant experiences (such as separation, death, assaults, major disappointments and so forth), he is likely to take recourse to earlier more familiar modes of behaviour in retreat from the difficulties being faced. In both respects - adaptative and defensive - regression functions to maintain a state of normality. The issue of regression as an abnormal phenomenon only arises where the regressive trends lose the temporary and spontaneous reversible qualities that characterise normality and become permanent and fixed over time, with a consequent deleterious effect on the individual's capacity to function or to continue to make adaptive and developmental gains in his later life.

Various writers have emphasised different models of childhood development. The Child Psychoanalyst, Anna Freud has written most clearly about the relation of progressive and regressive forces in child development and has described a number of major developmental lines that characterise normal development. These include the following:

The line from dependency to emotional self-reliance and adult object relationships.

The line from suckling to rational eating.

The line from wetting and soiling to bladder and bowel control.

The line from irresponsibility to responsibility in body management.

The line from egocentricity to companionship.

The lines from the body to the toy and from play to work.

The concept of developmental lines addresses the fact that development is a very complex process, proceeding in different ways in relationship to different concerns and perspectives. In the beginning phases of development, an individual life is generally less structured and differentiated and more swayed by impulses and self preoccupations than in later stages of life. The way the child relates to the world, the manner in which he manages himself and his body and the kind of preferred pleasures and satisfactions he has are strikingly different from those for adults.

So it is for example that a young child is more dependent than the adult, and when faced with stress of frustration, is inclined to behave in an increasingly passive, clinging and demanding way. Young children too are more inclined to resort to primitive bodily pleasures such as sucking and biting and become more insistent and greedy in relationship to food. Bladder and bowel control is not securely established in childhood and can easily be impaired in states of anxiety; it is not unusual for children to wet their beds when afraid or agitated. In general, early childhood is characterised by a limited capacity or readiness to take responsibility for bodily care and by a predominant ego centricity, whereby others are not seen in their own right with needs and lives of their own. Finally the child's abilities to control his behaviour, to think logically and to have a clear sense of his identity and of the difference between inner and external reality and to hold a coherent set of moral standards, all are less advanced and established than in later life.

It is in the nature of regression, whether temporary or permanent, that individuals return to aspects of these childhood states. It can be seen that in certain extreme forms of childhood disorder, such as schizophrenia or borderline conditions, the scope of regression is quite extensive. In most cases, however, regression is generally more circumscribed, less global and the form it takes quite variable according to an individual's particular history and general coping abilities.

Psychotherapy and Regression

Psychotherapy can take many forms. Many therapists focus solely on behaviour c,r on current difficulties whether in individual, group or family context. The majority of psychotherapies that are based on psychoanalytic understanding, however, place emphasis on the influence of past experiences on present problems and on the importance of attending to these past experiences. In general terms, the current difficulties which an individual is enduring are seen as being significantly caused by traumatic childhood experiences - i.e. experiences in which the individual as a child has been essentially overwhelmed. In the light of this, it is thought that the key to any significant therapeutic endeavour must therefore be to reach back to those experiences.

It is invariably the case that anybody who enters into a therapeutic situation will be inclined to regress both behaviourally and in general ways of relating. The simple fact of the individual being in a state of confusion and distress and seeking help and relief from someone else with perceived authority and power help creates a situation of dependency which in turn leads to regressive behaviour. Moreover, many such individuals who enter psychotherapy are failing to function adequately and maturely anyway - their difficulties reflecting strong regressive tendencies in their personalities.

It is widely accepted that in psychoanalytic psychotherapies, these regressive forces need to be fostered and encouraged. Central in such therapies is the use of the transference that is to say the understanding of how the individual repeats and transfers his past experience in the here and now relationship with the psychotherapist. Implicit in the notion of transference is the process of regression - the individual reliving and re-experiencing his past in his current relationship. The psychotherapeutic situation offers the individual the chance to go back and go through again his past traumatic situations. Some psychotherapists have taken this idea further and established particular formal procedures to ensure the re-enacting of certain past trauma. "Primal therapy" for example (Janov) seeks to facilitate the individual re-experiencing very early infantile trauma. "Release therapy" as described by David Levy, systematically sets about to recreate the traumatic situations which an individual has had to go through in the past and allows the individual to vent his feelings that belong to those particular experiences.

For the most part in psychoanalytic psychotherapy the overriding aim is to enable the individual to re-experience and see the roots of his problems and to thereby better understand them and to come to terms with his past misfortunes. If, for example, the individual's difficulties emanate from the failure of his parents to love him sufficiently and meet his early needs, the aim of psychotherapy can be said to enable the individual to re-experience in the psychotherapeutic relationship something of this early experience and the related feelings of loss and anger and help the individual work through his feelings about not having the love that he missed.

This no doubt remains a legitimate and realistic aim for all psychotherapists. However in the face of individuals and especially children who have suffered considerable maternal deprivation or other unfavourable family conditions in the past, there are many therapists who have argued for and practised a form of psychotherapy that actively seeks to make up for the early inadequate provision - and not only to understand it. There is a long line of eminent psychoanalytic psychotherapists who have taken this position beginning perhaps with Ferenzi and including Alexander, Balint and Winnicott.

The basis of this position is that the most important factor responsible for the mental health of all individuals is the provision of basic good enough parenting from the beginning and appropriate parental provision in daily family life- that is to say the giving of love and affirmation, the provision of safety and protection, the provision of emotional and intellectual stimulation and so forth. Where such provision is missing, the argument is that development becomes arrested. With this is mind, the aim of therapy is to seek to reach back and remedy the early parental deficiencies. The essence of psychotherapy in this sense is to provide an environment that will actively seek to give the unconditional love and meet the primary needs of the individual that had earlier not been met. Alexander, for example referred to the importance of providing a "corrective emotional experience". Balint referred to the need to reach back to "the basic fault" of the individual's personality and seek to meet the individual's earliest relationship needs. And Winnicott emphasised the need for the individual to go back to the "point of failure" at which the environment had failed the individual as a child. With some patients, Winnicott designed a technique known as the "Winnicott regression" in which such individuals were kept at home, absolved of all responsibilities, cared for and allowed to experience their feelings and resentments of what they had missed.

Many of these ideas have had particular appeal to practitioners who have worked with children from emotionally and socially deprived backgrounds - very often in residential centres. One particular practitioner is Barbara Docker Drysdale who was strongly influenced by the work of Winnicott and who in turn has had considerable influence on others in the field generally. In her writings, she emphasises the therapy of provision of emotional provision of what she calls "primary experience". In her work, she seeks to provide to children whose infancies have been fraught with all manner of disturbing deprivations and disruptions, a sound and nurturing individual and cultural environment which can serve as the basis for enabling the child to achieve better integration. Her attempt is to get as close as possible to recreating something of an elemental mother/child unity through the personal involvement of the therapist with the child. Through regression the aim is to get back to .the point when the child's mother had been unable to meet the infant's needs. In her work, Barbara Docker Drysdale stresses the importance of finding ways of adapting to a child's needs through direct gratification and various forms of symbolic communication.

Comment

The rationale for such an approach is thus clear - to reach back, through encouraging regression, to the traumatic childhood experiences that originated the current disturbance and to then work through again these experiences and find new solutions and opportunities for different developments. It is important to emphasise that in the light of this thinking regression is not seen as an end in itself but as a means of releasing new forward progressive trends. Implicit in this approach is a faith in the individual's capacity to achieve a new synthesis of his experience through review and the reliving of the past.

The undertaking of such an approach in psychotherapy, especially as conducted in residential settings with children and young people is highly ambitious. To some extent it may be unavoidable in view of the already regressed nature of many of the young people - and in some cases it may well be a desirable, highly sensitive and remarkably efficacious approach. It can well be said that for many of the troubled children who need help, there is in fact no other way if there is to be any substantial attempt to heal these young minds. However, there are considerable dangers attached to such an approach. Regression in short, may no longer be a beneficent factor in psychotherapy but a pathogenic.agent, fostering permanent states of regression.

In the interests of trying to reach back to the crucial early disturbing experiences, it is important to remember what is being involved. Individuals, children and adolescents, are basically being allowed to behave and respond as small children or as babies - in some or all of the various ways that have been outlined in the first section of this paper, e.g. to be dependent, passive, clinging, demanding; to be impulsive, seeking bodily pleasures, needing to be fed and cuddled to be put to bed to be read to and allowed to be confused and silly. Moreover, in so doing, these young people are being encouraged to re-experience past experiences that were essentially painful, whether because of frightening and bewildering loss and betrayal or because of feeling overwhelmed by parental violence and sexuality. It is worth emphasising that early childhood experiences are

especially powerful. A child's hunger, rage, bodily excitement and fears have a particular intensity, unmodified as they are by maturity or by a more grown up sophisticated comprehension and ways of handling. To encourage troubled adolescents to regress to these earlier states and conditions is very often particularly hazardous - not only does such a regressive force undermine the normal progressive momentum of adolescent life (ie.to grow up, to leave behind parental attachments, to assume individual responsibility)- but it can also augment the adolescents new physical energy and power with infantile passions - often with very destructive consequences. In my view, psychoanalytic psychotherapy with troubled young people that includes a strong regressive component should be undertaken with great care and take into account three major considerations:

The psychological and emotional state of the individual child and adolescent.

The psychological and emotional state of the therapist.

The theoretical level of understanding and professional accountability of the therapist.

1) In so far as it is central to the therapeutic function of regression that it should be seen as essentially temporary and leading on to progressive development, it is important that the young people who are being allowed to regress have the capacity to, as it were, "regress and rebound". This may not always be the case - the young person preferring to stay put in a passive dependent position or to simply indulge in the gratification of his needs and demands. Many young people may lack the innate progressive force and the capacity to integrate experience. They may also lack the capacity to keep in bounds their regressive behaviour whilst at the same time being able to function adequately in other settings of their lives such as school. Where this is the case, i.e. where there are limited capacities in these respects - there is the danger of what Balint termed "malignant regression" - i.e. the individual languishing without any requirement to think or change in the unrestrained realm of self-gratification. Balint regards this as being different from what he called "benign regression" which seeks to fulfil the individual's needs for a growing relationship.

The danger in all this is that the young person may become evermore impulsive, disordered in his thinking, unconcerned for other people and chronically dependent. Regressive processes moreover, may undo whatever adaptive resources the child has managed to accomplish, however inadequate. It is thus very important, for children to be assessed for their suitability for such therapy. It may well be advisable particularly with especially vulnerable children, for example those who are bordering on childhood schizophrenia, to reinforce the adaptational achievements rather than to foster regression at all.

2) There can be no doubt that anyone embarking on psychotherapeutic work which encourages regression will be placed under considerable emotional pressure from the young people involved. What is implicitly required is that the therapist, in responding to the regressed state of the child, be prepared to "enter into the regression" with the child. This may mean being ready to comfort, protect, to bear the weight of the child's helplessness and dependency, to be ever available and reliable, to feed and physically contain and care, to be receptive to his terrors and to endure his rage, frustration and attack. The requirement in short is that the therapist enter into a full "personal involvement" with the child. This of course is a tall order and careful consideration needs to be given to assessing the therapist's emotional state of mind, both in choosing to do this kind work and in sustaining themselves whilst doing it.

It may well be that there are some who enter into this field of work without full awareness of the implications of what they are taking on - and without an emotional preparedness to adequately respond. In some cases it may be that they are drawn to this kind of work out of a wish to rescue children from their distress or indeed to repair aspects of their own deprived and unsettled background. Others may be excited by the prospect of the importance attaching to such therapeutic work or by the power of the role itself. What may well not be recognised by many who enter into this work the powerful and disturbing impact that such regressive behaviour can have on therapists both at a conscious and unconscious level. There is much in the nature of a child's helplessness and needy dependency for example that can arouse in the therapist both great sympathy and its opposite - an antipathy that can border on hatred and sadism. Many children who have been deprived and abused tend, by virtue of the familiarity of their experience, to expect and indeed provoke similar experiences of rejection and abuse in their relationships with therapists. The sheer pain, moreover, of a child's experience can invoke comparable painful memories in the therapist which the therapist may at times be only able to deal with through rejection and punishment of the child.

These may seem unexpected responses in people who enter into therapeutic work to help children. What is important to recognise, however, is the primitive levels of anxiety that are involved in the intimacy of regressive processes and the unconscious nature of the human experience in general. Unless these unconscious forces are thought about and integrated within the therapist, they are very likely to be split off from consciousness and acted out in inappropriate, impulsive and essentially untherapeutic ways.

It is thus incumbent upon anyone who presumes to act as a therapist in a form of psychotherapy with children that encourages regressive processes - to take whatever steps are necessary to gain insight and ensure their own emotional well being and integrity. This is essential and is the practice of the. best practitioners in the field. Personal psychotherapy or consultation is to be strongly recommended in this respect.

3) Psychotherapy especially psychoanalytic psychotherapy, is a complicated process involving close and intimate relationships which touch upon painful and primitive feelings and anxieties. As indicated above, a fundamental prerequisite for anyone undertaking to do this kind of therapy must be personal self-awareness. Of equal importance is a clear conceptual framework which can serve as a basis for orientation and direction in the face of what can be confusing and bewildering work. There are of course many such conceptual frameworks, but an essential understanding of unconscious processes, of the influence and complexity of developmental factors (including regressive and progressive forces as described earlier) and of transference and counter transference are crucial. To undertake therapeutic work involving regressive processes with troubled young people, without a firm sense of how the young people are basically transferring their past experiences in their therapeutic relationships, militates against the therapist presetting a necessary degree of therapeutic distance and a capacity to think about the child and help the child understand his predicament and the meaning of his behaviour. With good, sound, conceptual knowledge, the danger of regressive phenomenon will also be better understood - leading to the therapist becoming professionally better equipped to secure appropriate boundaries in his relationship with the young person and devising means whereby the regression can be adequately controlled, properly managed, "localised" and where possible elevated into the realm of "symbolic communication".

Conclusion

To my knowledge, regression therapy as such does not stand in professional circles as a distinct and credible therapy. I am not familiar with the use of the term and it may be that the term has been used in partial understanding of the processes of regression that are an essential but not a total component of established psychoanalytic psychotherapy.

There is no doubt that regressive processes are encouraged in many forms of psychoanalytic psychotherapy and form an integral part of the overall therapeutic experience of children and adolescents in some therapeutic establishments. There is a clear rationale for encouraging regressive phenomena and, when conducted with adequate safeguards, can be a very human and efficacious response to the tragedies of many troubled children and adolescents. It is of course difficult to find hard evidence to support claims of the efficacy of such work in view of methodological difficulties, the many variables involved and the questions relating to measures of successful outcome.

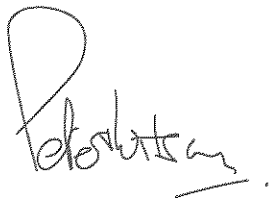
The undertaking of psychotherapeutic work that involves a significant regressive component is however an ambitious and potentially dangerous one. It can lead to very primitive and dangerous behaviour emerging in troubled children, especially adolescents, whose newly developed energy and strength is still precariously under control. It can lead too to chronic dependency and the undermining of adaptive and progressive strivings. It also has powerful emotional effects on therapeutic staff who are necessarily closely involved in responding to such regressive behaviour. These effects can undermine the therapist's capacity to think and to enable the child to make sense of his environment.

It is essential that such therapeutic activity be conducted with caution and with due safeguards. It is important for example that

a) children and adolescents are assessed by suitably qualified child psychiatrists, child psychologists or psychotherapists to ascertain whether or not they have the sufficient capacities to make use of therapy that requires regression.

b) therapeutic staff are
   properly trained in psychoanalytic understanding and principles of psychotherapy.
   in receipt of personal psychotherapy and consultation.
   are required to participate in multi-disciplinary discussion of their work.

In a field of activity concerned with the emotional disturbance of the troubled lives of young people, it is necessary that encouragement be given to therapists who are prepared to undertake what can be very exacting work and indeed to experiment with new therapeutic approaches - primarily in the interests of better treatment of the children concerned but also in advancing our knowledge of emotional disturbance and mental health. It is important that therapists have the freedom to be creative in their work. However, it should always be a source of concern if therapists are resistant to discussing their work with colleagues, preferably in a multi-disciplinary context. Moreover therapists and practitioners in the field need to be properly trained, professionally accountable in terms of their ethical and clinical conduct to a professional bodies and properly vetted and supervised by their management body. It is important that management bodies include members or have access to consultants, who have professional knowledge of the kind of therapeutic work that is being reviewed. Management bodies should satisfy themselves too that therapists are undergoing adequate personal psychotherapy and consultation for themselves.



APPENDIX 7

RATCLIFFE ROAD PROSPECTUS

AIMS AND OBJECTIVES OF UNIT

1. To provide a stable residential environment for adolescents with very severe emotional disturbances.
2. To provide within this environment specialised forms of therapy and care.
3. To meet the emotional, physical, and academic needs of the children in care, allowing freedom to express themselves emotionally.
4. To help children work through their inner conflicts and accept their feelings, expressing their 'true selves', and work through all negative feelings and past experiences which have damaged them.
5. To help children understand and manage the complexities of modern living, with its vastly differing standards and demands.
6. To help develop the children's full personalities.
7. To work towards independence and eventual discharge into society, ensuring a placement in a suitable setting and offering after-care.

EDUCATION

Education is provided for children on the premises during the early part of their stay. A full educational curriculum is undertaken, plus remedial teaching, by a teacher provided by the Education Department.

Upon admission the child will be schooled within the Unit and not at the local school, although, as the child responds to treatment, he will be re-introduced to normal schooling at a later date.

ADMISSION PROCEDURES

1. The Social Worker contacts the Unit direct to assess vacancies and explain reason for concern.
2. Officer in charge indicates whether this is likely to be a suitable placement.
3. The Social Worker supplies all available reports, including Case File to Unit, and Green Form to Care Branch Headquarters.
4. Unit staff inform Care Branch Headquarters of application.
5. The Social Worker visits the Unit to assess suitability for placement.
6. A member of the staff of the Unit visits child in present environment.
7. Child and Social Worker visit Unit.
8. Social Worker, Child and Unit arrive mutually at agreement for admission.
9. Social Worker informs parents.
10. Officer in Charge informs Care Branch Headquarters.
11. Child admitted.

FAMILY INVOLVEMENT

The Social Worker informs the parents of possible admission after the Social Worker has visited the Unit to assess suitability of placement.

Unit staff will visit parents if requested before admission.

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FAMILY CONTACT WITH CHILD AND UNIT

No limit on mail or telephone calls.

No visit or week-ends at home for first four to six weeks (to facilitate settling).

Parents to visit Unit with Social Worker after settling-in period. Thereafter visits and week-ends subject to treatment programme, but normally not more often than every four weeks in the first nine months. Visits and week-ends increase as child responds to therapy. The **contact** with family increases toward the end of the treatment programme.

Parents and Social Workers are encouraged to contact the two workers involved with the child, rather than contacting the Officer in Charge to gain information about the child's responses etc.

Parents are requested not to spend money on large gifts or expensive clothing or send money direct to the child. All children receive pocket money sufficient to their needs, as well as having all their physical requirements met. However, small items direct to the child are always welcome. The Unit staff are always available to discuss such matters with the parents and would welcome parents phoning for regular progress reports

METHODS USED IN UNIT

Within the Unit tolerance and temporary encouragement of emotional expression or regressive tendencies takes preference over the encouragement of academic progress and conformity to society's demands. Orderliness, cleanliness and polite conversation yield to emotional honesty, and the need of the adolescent to express himself freely including his anger, his sorrow and sexual feelings.

The main methods used in the Unit are regression therapy, group work and play therapy. Behavioural therapy is used to a minimum extent No corporal punishment is used. Medication is not used to control behaviour.

Regression Therapy: This is based on developmental theories and allows the child to return to previous emotional ages (often below the age of five years) where the child's deprivation left unfulfilled needs. This entails considerable one to one involvement by staff and physical contact as expected with a small child.

Two adults are involved with each child, one as the worker the second as a back-up adult to ensure the protection of the primary worker-child interaction.

Within the Unit the children's needs are catered for and they are not expected to undertake domestic duties during their treatment.

Group Work: Mainly informal Group Work based on Carl Rogers' Encounter Groups.

Play Therapy: A full range of play material is used to facilitate self-expression through play and hobbies.

Behavioural Therapy: Limited use of negative and positive reinforcement is used in the early months of admission to reduce extremes, such as excessive smoking and compulsive eating.

ACTIVITIES

A wide range of activities are undertaken by the Unit, including the use of a full range of play material, short camps, educational visits, day trips, an annual holiday at a seaside resort, some outward-bound activities (canoeing, walking, camping etc.) social outings (cinema, disco's, youth clubs, swimming etc.), evening classes.

SOCIAL WORK INVOLVEMENT

The Social Worker's responsibility is to liaise between the family and the Unit and, as the child nears the end of the treatment and discharge is envisaged, to become more involved with the child, so as to support him within the environment to which he is discharged.

Case reviews are organised direct with Social Workers, normally five-monthly. The importance of communication with Social Workers at these times and at their normal visits to the Child cannot be overstressed. Regular contact between the Unit and outside agencies for up-to-date information must be a continuing commitment by both parties. Regular information passing between the Unit and Social Workers about family movements and the progress of the child is essential.

DISCHARGE

The final six months of the child's stay is primarily orientated towards preparing the child for discharge. This may be to parents, foster-parents or into lodgings, subject to discussion with all parties concerned, taking particular note of the child's wishes.

FOLLOW- UP

The Unit provides a back-up service that is tailor-made to suit the individual's requirements, and also designed to ascertain the effectiveness of the treatment.