



# Cambridge House, Knowl View and Rochdale

Investigation Report  
*April 2018*

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Investigation Report  
*April 2018*

Presented to Parliament pursuant to Section  
26 of the Inquiries Act 2005

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A report of the Inquiry Panel  
HC 954-III

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# Executive Summary

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This investigation report concerns child sexual abuse in Rochdale, relating to Cambridge House, Knowl View School and the late Cyril Smith. We are primarily concerned with the institutional responses of Rochdale Borough Council, the police and the Crown Prosecution Service.

Smith first came to prominence as a local councillor, then Mayor and later as Member of Parliament from 1972 until his retirement in 1992. He died in 2010.

Cambridge House was a hostel for working boys run by a voluntary organisation of which Smith was Honorary Secretary, and was open from 1962 to 1965. He had ready access to the boys living in the hostel, allegedly facilitating his sexual abuse of them under the guise of ‘medical examinations’ including, in most cases, of a boy’s private parts. He also administered punishment for truancy, illness or absconding, which included spanking a bare bottom. He told police in a written statement in 1970 that at all times he was acting ‘in loco parentis’ to the boys, but we found it inexplicable that he thought his role permitted ‘medical examinations’ when he had no medical qualifications. He had considerable control over which boys were admitted to the hostel and, in general, showed a strong, perhaps unduly detailed, interest in children in care as his political career developed. This interest appeared to go unchallenged by the Council.

Cyril Smith’s prominence and standing in Rochdale allowed him to exert influence on others locally – in particular, to put pressure on them to keep quiet about any allegations of abuse. Although the Lancashire Constabulary investigation into Smith pursued the allegations robustly and diligently, the Director of Public Prosecutions advised that there should be no prosecution. It has been suggested that Smith or his supporters may have exerted improper influence on the Director of Public Prosecutions, but there is no evidence to support such an allegation. Valuable opportunities were, however, lost in 1998 and 1999 to charge and prosecute Smith during his lifetime, and for the complainants of his alleged abuse to seek justice.

Smith’s standing in public life increased, and in 1988 he was awarded a knighthood for his political services. It is clear that there were some frank discussions at the highest political level about the rumours in circulation about him, with no obvious concern for alleged victims. Rather, the concern was about what would be fair to Smith and whether the honours system might subsequently be brought into disrepute. We concluded that this demonstrated a considerable deference to power and an unwillingness to confront the possibility that a person of public prominence might be capable of perpetrating sexual abuse.

Cyril Smith’s links to Knowl View School in Rochdale led the Inquiry to a wider investigation of that school and allegations of sexual abuse by other individuals of children who lived there. It was the sexual abuse of children by others that became

the focus of the Inquiry's investigation. We heard from complainants of sexual abuse who had been at Knowl View School in a period extending over 25 years, beginning in 1969.

The evidence demonstrated that the children who attended the school had a range of complex needs, including learning disabilities, autism and mental health. Many had also suffered from adverse experiences in their family life and had already been abused. We concluded that, far from taking additional steps to protect these children, the school and other institutions had come to regard their sexual abuse while at Knowl View as almost expected, or as something that could not be prevented. The children's experience of the school was extremely poor at the most basic level of the fabric of the building, which bore no resemblance to a homely environment. Nor was the school safe, secure, caring or therapeutic. It was supposed to offer education and care, but in reality it offered neither in any way that could be seen as adequate, let alone nurturing. The institution failed in its basic function to keep children in its care safe from harm and, in particular, safe from sexual harm, both within and outwith the school.

Child sexual abuse involving children from Knowl View occurred from its early years onwards. Within the school there was sexual abuse of boys by staff, and of younger boys by older ones. Sexual exploitation of some boys was also taking place in Rochdale town centre, in the public toilets and bus station, by men paying for sex. Some boys were also trafficked to other towns for that purpose. In a particularly shocking incident in 1990, Roderick Hilton, a known sex offender who had previously been convicted of sexually abusing a boy at Knowl View in 1984, gained access to the school and the boys over two nights, when he indecently assaulted at least one of them. Hilton was well known to the staff of the school, who did nothing over many years to deter him targeting the school. He was imprisoned in 1991 for a series of child sexual offences. Despite this, on his release from prison on licence, he continued to be a malign presence at the school, 'little' was done to stop Hilton's continued access to the grounds and buildings.

For most of the school's existence, staff were at best complacent but arguably complicit in the abuse they knew to be taking place, and they must take their share of the blame for what was allowed to occur. It was our strong conclusion that Knowl View staff simply treated the sexual abuse between boys as 'normal', without differentiating between what was experimentation and what was coercive and intimidating. There was little evidence that the school appreciated the profound harm that peer-on-peer sexual abuse could cause.

Sexual exploitation of children from the school at Smith Street public toilets was known about by the authorities from at least 1989. Indeed, some Social Services' staff could see the toilets from their offices, recognised some of the boys as children in care and were deeply suspicious of what was going on, although there was no apparent follow-up. The records of individual children convey a total lack of urgency on the part of the authorities to address the problem and treat the matters involved for what they were – serious sexual assaults. One boy's file recorded that he had contracted sexually transmitted hepatitis through 'rent boy' activities. We

concluded that no one in authority viewed any of this as an urgent child protection issue. Rather, boys as young as 11 were not seen as victims, but as authors of their own abuse.

Subsequent police investigations show that the police did not turn a blind eye to the sexual exploitation of boys in Rochdale town centre. They knew children were being exploited in Smith Street toilets, but did not obtain sufficient evidence to prosecute. There is evidence of a willingness on the part of police officers to investigate. Nevertheless, the records that survive do not provide any satisfactory answer as to why police did not charge anyone, despite knowing the names of men involved and obtaining some disclosures from the boys who were victims.

Later, Diana Cavanagh, the Director of Education, commissioned a report from Valerie Mellor on the sexual abuse at the school, but this report was unlikely to have prompted a police investigation due to its paucity of information and lack of rigour.

Following revelations in 1991, we were incredulous that Ian Davey, the Acting Director of Social Services, did not choose to pursue the child protection issues concerning the school through the formal child protection procedures. It was his decision alone; it was inexplicable, professionally indefensible and extremely poor judgment on the part of the most senior social work officer in the Council's employment.

Mrs Cavanagh disagreed with Mr Davey and attempted to bring about an independent review of child sexual abuse at Knowl View School by commissioning the Mellor report, then later the Hodge/Dobie report and, finally, in 1992, producing her own report on staff behaviour at the school. While some of this was useful, each of the reports was flawed in some respects, including factual accuracy. Worse, there appeared to be no urgency on the part of senior officials to address the problems of sexual abuse at the school. Matters were allowed to drift. All this occurred on Mrs Cavanagh's watch, made worse by a feeble Board of Governors who seemed unable to fulfil their governance responsibilities. Regardless of the Board of Governors, Rochdale Council was the provider of the facility and its external manager.

We heard nothing to demonstrate that there was effective liaison between the departments of Education and Social Services in Rochdale during the period under investigation. The necessity for this relationship to work well was enshrined in the 1988 'Working Together' guidance issued by the then Minister for Health. Indeed, some three years on from 'Working Together', the guidance had still not been implemented by the Council. There were no regular meetings between the two departments about child protection or any other matters of mutual concern. This reflects badly on the Directors of Education and Social Services at the time, and exemplifies some of their failures of leadership.

We heard evidence from Richard Farnell, who was Leader of Rochdale Council from 1986 until 1992. He denied being aware at that time of what was occurring at the school for which, ultimately, he had responsibility. In the light of other evidence we heard, we did not believe him. It defies belief that Mr Farnell was unaware of the events involving Knowl View School, especially within the context of a public scandal in 1990-91 about children in the care of Rochdale Council. We also reject

the notion that Mr Farnell was not alerted by the then Chair of Education, the late Mary Moffatt, about a further potential risk to the reputation of the Council, let alone its statutory duty of care towards abused children.

Regarding Mr Farnell's final statements at the hearing, it was shameful that he refused to accept any personal responsibility for the young lives blighted by what happened at the school while he was Leader. Instead, he laid all blame for what occurred at the door of the senior officials in Education and Social Services.

It was also the view of the Chair and Panel that Paul Rowen, Liberal Democrat Leader from 1992 to 1996, bore considerable responsibility for the school during his tenure. As with Richard Farnell, he was prepared to blame others without acknowledging his own failures of leadership, including his decision to give the school's problems low priority.

Finally, the Inquiry heard evidence about sexual abuse at other institutions in Rochdale. This included the convictions of four men – Thomas Mann, Dennis Leckey, Anthony Andrews and Raymond Cullens – on numerous charges of sexual abuse at schools and children's homes. This demonstrated that the police and the Council were capable of confronting allegations of child sexual abuse, and taking action.

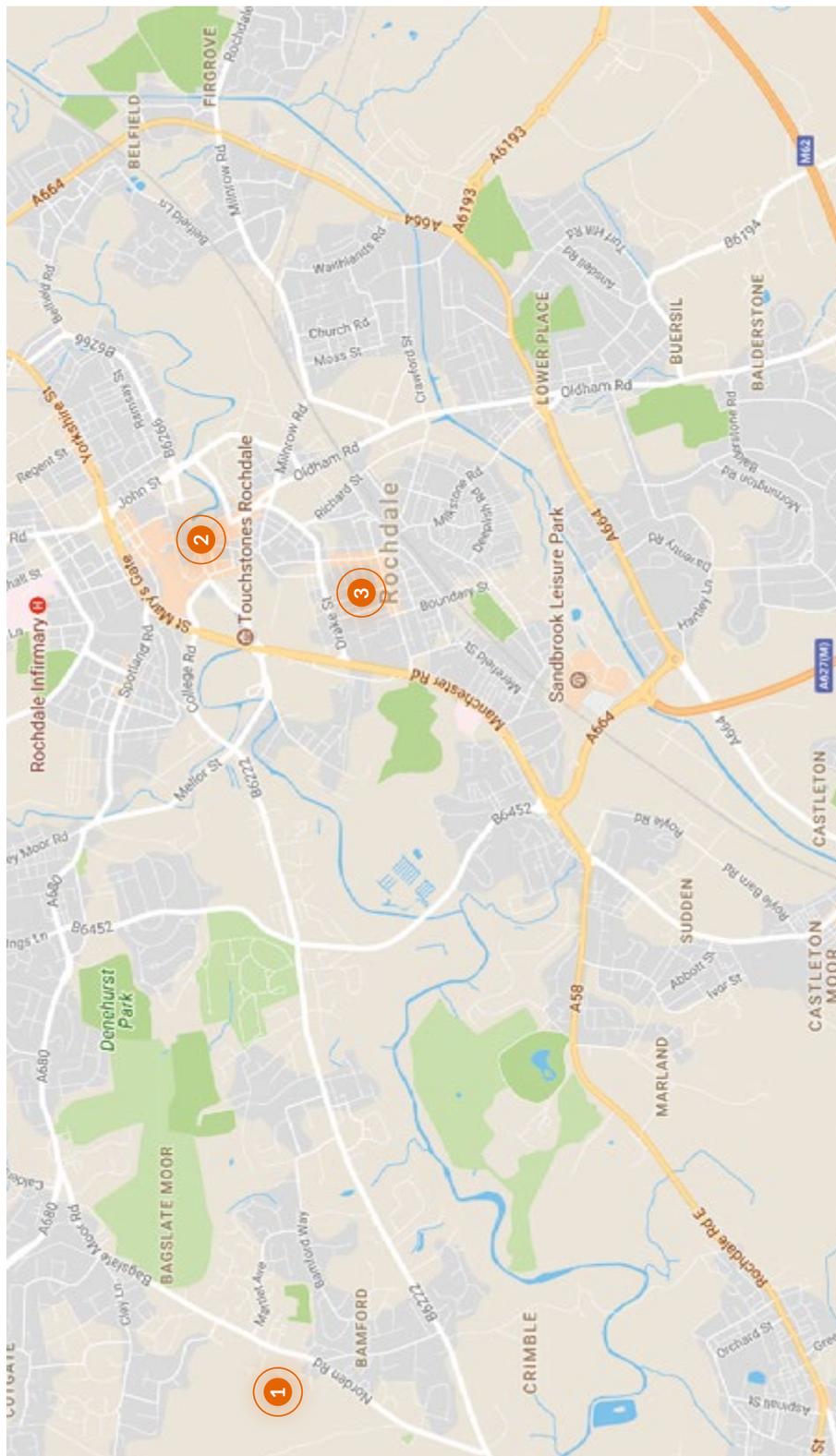
The Cambridge House, Knowl View and Rochdale investigation is one of three investigations that the Inquiry is currently undertaking that focuses on events within named local authorities. The other two investigations are Children in the Care of Nottinghamshire Councils and Children in the Care of Lambeth Council.

While the focus of the Cambridge House, Knowl View and Rochdale investigation has been on events covering the early 1960s to the mid-1990s, the issues that have come to light and the conclusions that we have reached in this report remain of potential relevance today. However, because we will be considering evidence that is relevant to the protection of children in the care of local authorities in the outstanding local authority investigations (as well as in some of the Inquiry's thematic investigations, such as Child Sexual Abuse by Organised Networks), we will be better placed at a later time to consider the making of overarching recommendations arising from this investigation and any or all of the related investigations.

For these reasons, we do not intend making any recommendations on the Cambridge House, Knowl View and Rochdale investigation at this stage in this report. We expect the local authority, and other public bodies, however, to reflect on this investigation report and make such changes to practice that are necessary to protect children in the future.

# Images, maps and plans

## 1. Map of Rochdale with key locations



| Key |   |
|-----|---|
| 1   | Site of Knowl View School   |
| 2   | Site of former RBC offices, Smith Street toilets and former bus station |
| 3   | Site of Cambridge House Boy's Hostel                                    |

## 2. Location of Smith Street toilets and former RBC offices



| Key |                              |
|-----|------------------------------|
| 1   | Site of Smith Street toilets |
| 2   | Former RBC offices           |



| Key |                            |
|-----|----------------------------|
| 1   | RBC current offices        |
| 2   | Site of former bus station |
| 3   | Site Smith Street toilets  |
| 4   | Site of former RBC offices |

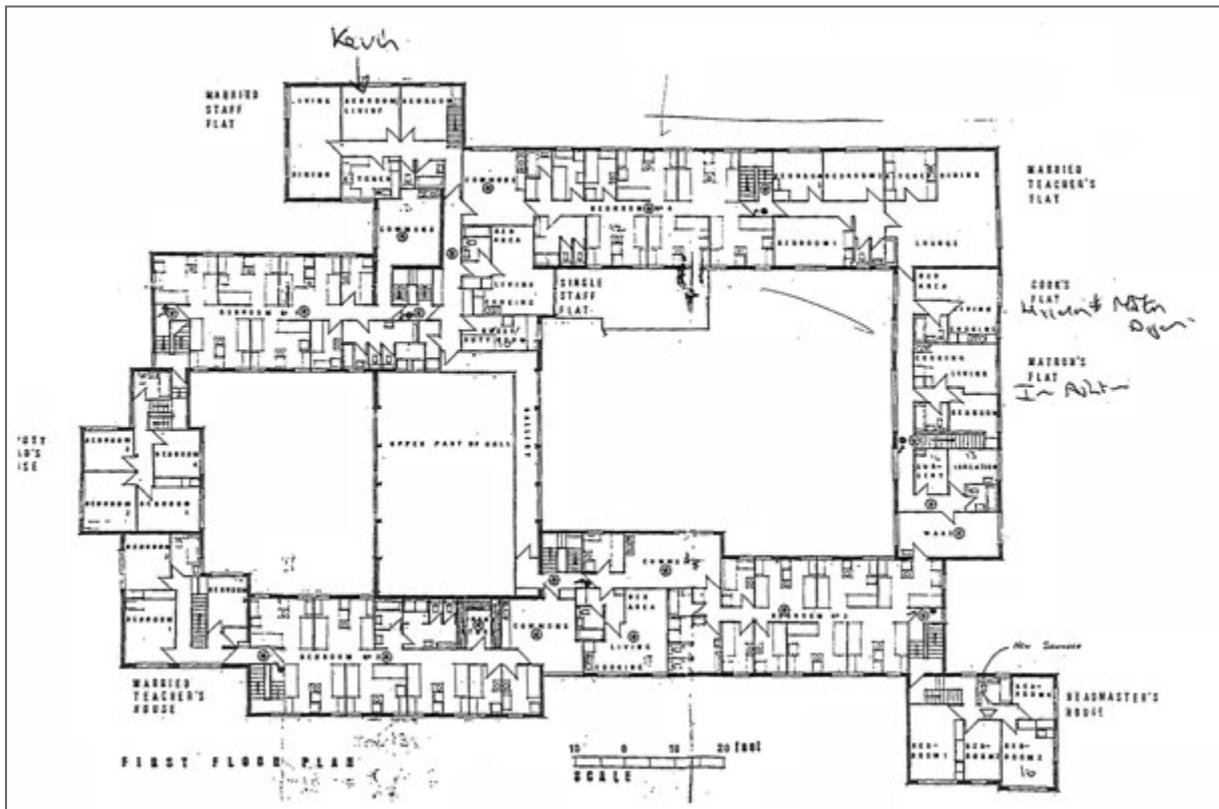
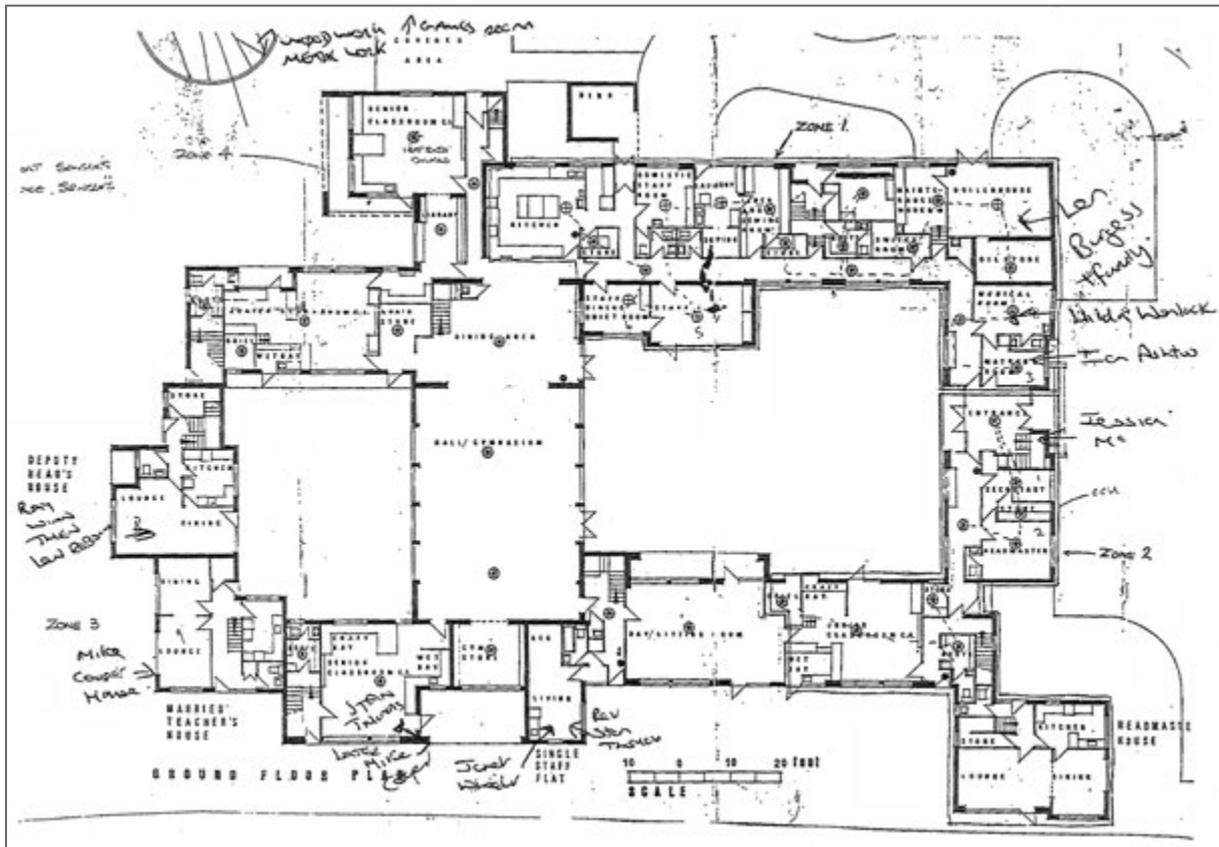
### 3. Site of Knowl View School



**Key**

- 1 Site of Knowl View
- 2 Copse

## 4. Floor plans of Knowl View School



Part A

# Introduction

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# Introduction

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## The background to the investigation

1. The local authority area of Rochdale<sup>1</sup> has been prominent in the media in the past few years for two principal reasons concerning the care of children. The first is Rochdale's association with child sexual exploitation as reflected in the *Report of the Independent Reviewing Officer in relation to Child Sexual Exploitation Issues in Rochdale Metropolitan Borough Council during the Period 2006 to 2013*,<sup>2</sup> and in Rochdale Borough Safeguarding Board's *The Overview Report of the Serious Case Review in respect of Young People 1, 2, 3, 4, 5 & 6*.<sup>3</sup> The second is Rochdale's association with Sir Cyril Smith (who for the sake of simplicity will be referred to in the rest of this report as 'Cyril Smith' or 'Smith') and allegations that he sexually abused vulnerable boys in the Rochdale area, particularly at the hostel known as Cambridge House.

2. In December 2013, the Rochdale Borough Safeguarding Board published its report *The Overview Report of the Serious Case Review in respect of Young People 1, 2, 3, 4, 5 & 6* concerning the treatment of sexually exploited children by a range of agencies. The report "... catalogued a widespread pattern of weaknesses and failures both in relation to agencies and to individual practice. These together acted to undermine the system's ability to protect and safeguard the young people over a period of years."<sup>4</sup>

3. Separately to this, 2012 saw publication of Simon Danczuk's book on Cyril Smith, *Smile for the Camera*, which generated further public debate about Smith and allegations that he had been involved in the sexual abuse of children in Rochdale and elsewhere.

4. In early 2014, the situation was regarded by Rochdale Borough Council as sufficiently grave, as regards its role in Knowl View School, to warrant the institution of its own formal investigation into its decision making in relation to it.

5. In light of the serious allegations which were then made in the media, Rochdale Borough Council decided, in April 2014, to widen the scope of its independent review beyond the Council's decision making in respect of Knowl View School. It appointed Neil Garnham QC (now Mr Justice Garnham) to conduct a review. This was to be:

*"....an independent review of all information available to the Council, which suggests that, during the period 1961-1995, sexual or physical abuse of children took place: a. at premises owned, managed or operated by the Council; and/or b. which involved pupils (or residents under the age of 18) attending establishments funded by the Council; and/or c. for which council officers or employees were responsible; and/or d. for which councillors were responsible; and/or e. for which school governors, appointed by the Council, were responsible."*

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<sup>1</sup> The local authority area was known as The County Borough of Rochdale between 1989 and 1974 and as Rochdale Metropolitan Borough Council from 1974 to date. From around 2013 the Council began using the name Rochdale Borough Council in the course of ordinary business but its legal name remains Rochdale Metropolitan Borough Council.

<sup>2</sup> [http://www.rochdale.gov.uk/pdf/2013-05-23-independent-reviewing-officer-report\\_into-csc-issues-v1.pdf](http://www.rochdale.gov.uk/pdf/2013-05-23-independent-reviewing-officer-report_into-csc-issues-v1.pdf)

<sup>3</sup> [http://www.rochdaleonline.co.uk/uploads/f1/news/document/20131220\\_93449.pdf](http://www.rochdaleonline.co.uk/uploads/f1/news/document/20131220_93449.pdf)

<sup>4</sup> *The Overview Report of the Serious Case Review in respect of Young People 1,2,3,4,5 & 6, Paragraph 4.9.2*

- 6.** The Garnham Review was also asked to identify whether there was a pattern to such abuse, whether the abuse of children was tolerated, facilitated or promoted by the Council or its officers or staff, and whether there was a culture at the Council that inhibited the proper investigation, exposure and prevention of such abuse.
- 7.** The Garnham Review's work ceased on 3 July 2014 at the request of the Chief Constable of the Greater Manchester Police (GMP). This was related to an overlap between the ongoing police investigation and allegations that Garnham was considering. On 1 August 2014, the Garnham Review submitted a draft interim report to Rochdale that recorded the Review's non-contentious analysis of the evidence as at that date. As far as the Garnham Review was concerned, it could not make any findings of fact, make criticisms, come to conclusions or make recommendations unless and until it could resume evidence gathering under the Review. The Garnham Review made clear, in its interim report, the importance it attached to the resumption of the Review and to the completion of the work it had started.
- 8.** The Garnham Review was a Rochdale Borough Council-commissioned inquiry into its own decision making and its treatment of children between 1961 and 1995. The evidence initially considered by the Independent Inquiry into Child Sexual Abuse (the Inquiry) demonstrated that a broader range of institutions played a role in the lives of children who lived in residential establishments in Rochdale.
- 9.** As part of its initial scoping exercise, the Inquiry considered the allegations against Cyril Smith, which, in turn, led to a consideration of Knowl View School and the sexual abuse of children at that school by other individuals (which appeared wholly distinct from the allegations related to Cyril Smith). While it was the allegations linked to Cyril Smith that first drew attention to Knowl View School, it was sexual abuse of children at the school by others that became the focus of the developing investigation. This was particularly so given the apparent vulnerabilities of the children who resided at the school. It raised a number of immediate questions, principally whether it was simply a coincidence that a prominent local politician was linked to a school where children appeared to have been the victim of other abusers. Knowl View School was still the subject of media speculation because of Cyril Smith, not because of the other sexual abuse of children who resided there. This gave rise to the question whether what happened to children there might have been unexceptional, or indicative of the type of risks that vulnerable children were exposed to in other residential schools and care homes.
- 10.** It appeared to the Inquiry that the sexual abuse of children at Knowl View afforded an opportunity to consider complex issues that were of potential relevance to all public authorities. The evidence demonstrated that the children who attended the school had a range of needs and vulnerabilities that put them at particular risk of sexual abuse. The issue that arose with acuity was whether, far from taking additional steps to protect those children, local institutions had come to regard their sexual abuse as almost inevitable, or as something that could not be prevented.

## **Cyril Smith**

- 11.** While Cyril Smith is not the exclusive focus of this report nor indeed central to the events as provided in the evidence heard during the investigation, he was nonetheless the starting point for the investigation. He was a prominent and influential local figure who was

central to local politics for many years. Following his election to Parliament, Smith cultivated an image of himself very much as a man of Rochdale who stood somewhat outside the machinery of Westminster (perhaps best demonstrated by his arriving at Westminster for the first time, following his election, with a train carriage of his local supporters).

**12.** His entry into local politics was early, and it dominated his life (earning him the moniker 'Mr Rochdale'). As a member of the Labour Party, Smith became a councillor in Rochdale in 1952 when he was 23 years old; he was the youngest councillor to have been elected in Rochdale. When he was appointed Mayor of Rochdale in 1966, his mother was his Lady Mayoress. Later, in 1966, Smith rejoined the Liberal Party (having been a member prior to 1950). When a by-election occurred in 1972, he was the Liberal candidate and duly won the seat. He was knighted in 1988. He remained the Member of Parliament for Rochdale until his retirement from Parliament in 1992. He died on 3 September 2010.

**13.** The investigation has examined Lancashire Constabulary's investigation of allegations made by eight men that Smith had indecently assaulted them as teenagers between around 1961 and 1966; six of them had been living in Cambridge House Hostel in Rochdale, a residential establishment for boys that Smith had been involved in setting up. The allegations were similar in nature; the assaults were allegedly committed during purported 'medical examinations' or punishment for misbehaviour.

**14.** A file was sent to the Director of Public Prosecutions, Sir Norman Skelhorn, in March 1970 but the advice was not to prosecute. That advice was reviewed by the Crown Prosecution Service in 1998 and again in 1999 when two further complainants were identified. Neither review led to Smith being charged and prosecuted. In a public statement made in 2012, the Crown Prosecution Service said that the decision made in 1970 would not be made today. The Crown Prosecution Service reviewed its 1998 and 1999 reviews in 2012, finding the advice that had been previously given could not be faulted (given the law and guidance in place at the time).

**15.** The investigation has considered the decision making by the Director of Public Prosecutions in 1970 and by the Crown Prosecution Service in 1998 and 1999 in order to see, in particular, if there were any evidence of establishment cover-up, undue deference towards Smith or misapplication of the legal principles that existed at the times the decisions were made.

**16.** Cyril Smith was directly involved in bringing Cambridge House Hostel into existence and he was involved in the establishment of Knowl View School. He appeared at the outset of the investigation to have involved himself in educational matters in Rochdale generally, and is understood to have served as a governor at some 29 or 30 schools.

**17.** The investigation has sought to understand whether this was a demonstration of a high-profile local politician orchestrating access to children and whether, by dint of his position, Smith was able to secure inappropriate contact with children. Of interest to the investigation has been what people knew of Smith at the time, whether they were suspicious of him and, if they were, why they did not act on those suspicions. Implicit in this is the question whether, by virtue of the power he yielded locally, Smith was able to sexually abuse children. A central question is whether the coming to light of allegations made in the Rochdale

Alternative Paper in 1979 prompted changes in attitude towards him or to the access that he had to children, or indeed whether consideration was even given to the risk he might pose to children.

**18.** This investigation has focused on Cyril Smith as a Rochdale politician and public figure. The investigation report does not consider any conduct by Smith alleged to have occurred in Westminster or elsewhere unless it directly relates to events in Rochdale.

## Knowl View School

**19.** As set out above, initial consideration of Smith's relationship with Knowl View School soon gave way to broader consideration of the sexual abuse by other men of children who resided at the School. Knowl View School was a residential school for boys with emotional and behavioural difficulties that opened in 1969 and, after a period of temporary closure, closed permanently in 1996. It was built and run by Rochdale Borough Council and had a Board of Governors. The school catered for boys across an age range of 7 to 16 years old. Cyril Smith was said to have been part of a local campaign to see it established and was present at its opening.

**20.** Early research identified that a report (only publicly available in redacted form) was written in 1991 by Phil Shepherd, an employee of the Rochdale AIDS Unit, who identified the fact that boys at the school were at risk of AIDS. The report (which became known to the Inquiry as the 'Shepherd report') detailed concerns about sexual activity at the school, including 'cottaging' in and around public toilets as well as boys being forced into sex with others. The report was sent to Rochdale's Director of Education, Mrs Diana Cavanagh. These events attracted press reporting in 1995.<sup>5</sup>

**21.** In 1995, the press reported that Mrs Cavanagh had asked Mr Shepherd not to circulate his report further. Press reporting also suggested that concerns about the children living at Knowl View had first been raised by a Dr Alison Fraser, a child psychiatrist at Rochdale's Birch Hill Hospital. There was also speculation in the press about a report (which did not appear to have been publicly available) by Valerie Mellor, a consultant clinical psychologist, which dated back to February 1992. It was reported that Mrs Mellor had said there was no doubt that up to a quarter of the pupils at the 48-place school had been involved in serious sexual incidents, the activity had continued over a very long period of time and it was difficult to believe that this behaviour had not come to the attention of at least some members of staff.

**22.** Again, according to The Independent newspaper, five months after this report was written, a pupil and a former pupil, both 14, were cautioned by police for soliciting in the town's Smith Street lavatories. The redacted Shepherd report and the press reports also referred to an intruder having entered the school and abused children. Press reports in the 1990s suggested that the person involved was a known sex offender. A 2014 press report suggested that the description of the intruder fitted the description of the Chairman of Governors, Harry Wild.<sup>6</sup>

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<sup>5</sup> See *Boys in special school were at risk of Aids*, The Independent, 9 September 1995

<sup>6</sup> BBC Report of 16 September 2014

**23.** In 2012, Knowl View School was once more the subject of media attention because of allegations about Smith's involvement in the sexual abuse of residents. Specifically, in November 2012, a former pupil at Knowl View stated publicly that he was sexually abused by Smith at the home when he was seven or eight years old (having been summoned from his bed during the night). In a report of 2 December 2012, the Manchester Evening News reported that the former head of care at Knowl View, Martin Digan, had said that he feared that Cyril Smith was among those abusing boys at the home, and that he had verbally reported his suspicions to the police and the Council.<sup>7</sup> Mr Digan had reported that, on his arrival at the school, he was given access to a dossier of abuse suffered by boys at the school. He referred to the files revealing that boys were being transported to Manchester to meet men who would pay to have sex with them. Mr Digan is reported to have handed the dossier to police and the Council's head of education (Mrs Cavanagh).

**24.** An allegation that MI5 were aware of Smith's activities at the school was later taken up by Channel 4's *Dispatches* programme. In a broadcast of 12 September 2013, it reported that former Special Branch detective Tony Robinson was contacted by MI5 requesting that he send them a file which was held about Smith, by special courier. The implication was that Lancashire police, Special Branch and MI5 knew about the allegations and that all connived to protect Smith.

**25.** The Manchester Evening News reported that an investigation into Knowl View (known as 'Operation Cleopatra') did not result in any convictions.<sup>8</sup> It reported that Operation Cleopatra was an investigation into abuse at Council-run care homes in south Manchester and that the investigation uncovered eight former residents of Knowl View in the late 1990s who said they had been abused by Smith. According to reports, witness statements had been taken but a decision was made to "shelve" only the Knowl View part of the investigation (thus focusing on Rose Hill and Broome House).<sup>9</sup>

**26.** On 10 October 2014, it was reported by the Manchester Evening News that an aide (named Deborah Doyle) to the Rochdale MP Liz Lynne was told by Ms Lynne to destroy a dossier containing evidence about Knowl View. This story appears to have originated in The Observer newspaper on 8 October 2014, and the document said to have been destroyed was three or four pages of notes that Doyle had made of a conversation with Martin Digan in 1996. It was reported that Mr Digan had contacted Ms Lynne's office in Rochdale as claims of abuse had begun to emerge about Knowl View.

**27.** Initial investigations demonstrated that many of the children who attended the school were already known to Social Services; some were already in the care of a local authority; some were believed to have been the victims of prior sexual abuse. A striking feature of the evidence initially disclosed was the extent to which the records appeared to emanate from the Education Department of Rochdale Borough Council as opposed to its Social Services Department. In other words, the sexual abuse of children in the school was regarded as a problem for the Education Department, as the overall manager of the school, rather than as

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<sup>7</sup> Manchester Evening News, *Files reveal the full horror of sexual abuse at Knowl View School*

<sup>8</sup> This was inaccurate as David Higgins, a former Knowl View member of staff, pleaded guilty to a number of sexual offences against children under Operation Cleopatra. He was imprisoned in September 2002

<sup>9</sup> 28 July 2014, Detective "*removed from major inquiry after raising fears about pervert MP*"

a matter for both the Education Department and the Social Services Department to address. The reasons for this (and any consequences of that delineation in responsibilities) are considered as part of this investigation.

**28.** Three main issues emerged from the disclosure of documents to the Inquiry by Rochdale Borough Council covering the period 1989 to 1994.

**29.** The first is the exploitation of boys who attended Knowl View (and possibly children who resided in children's homes in Rochdale) in public toilets and other places outside the school. Some of these children may have been very young indeed. The investigation considered it imperative to understand whether the exploitation of these children was tolerated over time or even regarded as inevitable and, if it were, to understand how children most in need of protection were subjected to this pernicious form of sexual abuse. In addition, the evidence raised issues as to how the police treated these children and whether they were treated as a nuisance, or even as deviant or criminal, as opposed to the victims of adult abusers.

**30.** The second issue that came to the fore was that the evidence confirmed that a known sex offender had gained entry to Knowl View School over the course of two evenings in September 1990 and sexually assaulted one child (and may have sexually assaulted others). While this incident was to precipitate changes at the school, the records suggested that it was not an isolated instance and that this individual had been targeting the school and its children for many years before. Again, whether this state of affairs and the risks this individual posed to children were simply accepted as a routine aspect of school life (and what conclusions might be drawn from that about the treatment of children at Knowl View by local institutions) was a matter that warranted further investigation.

**31.** The third issue that arose was the extent to which Knowl View School failed to protect children from other children who posed a risk to them. Again, the materials provided suggested that, in the early 1990s, the school's population was a complex mixture of children with a wide range of needs, some of whom could pose a risk to other children. The issue that arose was whether there had been failures to assess the risk these children posed and to take action to reduce any identified risk, and whether this was compounded by failures to supervise children at night or in the grounds of the school.

**32.** Additionally, inquiries uncovered the fact that children may have been sexually abused at other institutions in the Rochdale area or by staff employed at them.

**33.** On 16 September 2017, Stephen Rumbelow, Chief Executive of Rochdale Borough Council, made a public statement of apology on behalf of the Council for the "*significant failings*" in the way Knowl View was managed and in the Council's response to concerns about sexual abuse within and outside the school. Steven Ford QC read that statement again on the first day of the hearing in the course of his Opening Statement and clarified that its scope extended to Cambridge House and other institutions as well.<sup>10</sup> Mr Ford QC also provided some further clarification of Rochdale Council's apology in his Closing Statement to the Inquiry.<sup>11</sup>

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<sup>10</sup> Steven Ford QC 10 October 2017 43/10 - 44/11

<sup>11</sup> Steven Ford QC 27 October 2017 5/25 - 6/14

## Reasons for investigating Rochdale and issues considered

**34.** In summary, therefore, the reasons for investigating the sexual abuse of children who lived at Knowl View School and other residential establishments in Rochdale were multiple and compelling. It was not simply the contention that Rochdale's prominent Member of Parliament was involved in the sexual abuse of vulnerable children, but rather it was that contention in combination with a number of other significant facts. These included that children from Knowl View had been targeted for exploitation by men on the streets of Rochdale, that a known sex offender was able to gain access to the children at the school and that children there had been abused by other children. Finally, there was the allegation that children in other residential settings may also have been sexually abused, which justified historical consideration of the Rochdale area.

**35.** While this part of the investigation has necessarily been backward-looking and has been designed to throw light on events in the late 1980s and early 1990s, it has not lost sight of the criticisms made of Rochdale authorities in the much more recent past about the subjection of children to sexual exploitation, as identified in the reports referred to above. The investigation has had in mind throughout that previous exploitation and failures to protect children in the care of Rochdale might throw light upon more recent weaknesses in child protection and safeguarding.

**36.** Thus the Inquiry initially identified a number of issues that were to form the core focus of its investigation. They are broadly summarised as follows:

- a. Whether children who resided at Knowl View School were sexually exploited in Rochdale town centre by adult men who travelled to Rochdale for that purpose.
- b. Whether children who resided at Knowl View School were sexually abused by a known sex offender who was able to gain access to the school.
- c. Whether children who resided at Knowl View School were sexually abused by Cyril Smith.
- d. Whether children who resided at Knowl View School were sexually abused by staff at the school.
- e. Whether children who resided at Knowl View School were sexually abused by other children who resided at the school.
- f. Whether staff and officials from the Council may have been aware of this abuse before steps were taken to put an end to it.
- g. Whether residents of Cambridge House Hostel were sexually abused by Cyril Smith.
- h. Whether other children in Rochdale care homes were being sexually abused (including their being exploited in public toilets).

**37.** The issues the Inquiry has sought to address in this investigation, which it named *Cambridge House, Knowl View and Rochdale*, are derived from the definition of scope set by the Inquiry and by the Terms of Reference for the Inquiry set by the Home Secretary. The terms of the definition of scope for this investigation are:

- “1. *The Inquiry will investigate:*
  - 1.1. *whether boys who resided at or attended Cambridge House Boys’ Hostel and/or Knowl View School were the subject of sexual abuse, including by former Liberal Party MP, Cyril Smith;*
  - 1.2. *the extent to which children who resided at Knowl View School were subject to sexual exploitation outside the school premises;*
  - 1.3. *whether, during the same period, children residing at or attending other institutions (where their placement was arranged or provided by Rochdale Council) were also subject to sexual abuse;*
  - 1.4. *the extent to which Rochdale Council, law enforcement agencies, prosecuting authorities, the security and/or intelligence agencies, and/or other public authorities were aware of allegations of sexual abuse concerning children who resided at Cambridge House or Knowl View and failed to take appropriate steps in response to it;*
  - 1.5. *whether any public authority hindered or prevented the effective investigation of such abuse including whether there was inappropriate interference in law enforcement investigations and/or prosecutorial decisions in relation to the abuse.*
2. *Where a sufficient evidential basis exists, the Inquiry will make findings on:*
  - 2.1. *the nature and extent of the sexual abuse which took place at Cambridge House, Knowl View and at other institutions children were attending or residing at during the relevant period;*
  - 2.2. *the nature and extent of the failings of Rochdale Council, law enforcement agencies, prosecuting authorities, the security and/or intelligence agencies, and/or other public authorities or statutory agencies to protect children from sexual abuse;*
  - 2.3. *the extent to which children who were sexually abused may have had special educational needs and/or any other form of special need or vulnerability and whether that may have made them more vulnerable to sexual abuse;*
  - 2.4. *the adequacy of support and reparations offered to victims and survivors of child sexual abuse who were abused while residing at or attending Cambridge House and Knowl View School.*
3. *In light of the investigations set out above, the Inquiry will publish a report setting out its findings, lessons learned, and recommendations to improve child protection and safeguarding in England and Wales.”*

**38.** The process adopted by the Inquiry is set out in Annex 1 to this report. Core Participant status was granted under Rule 5 of the Inquiry Rules 2006 to eight victims and survivors and five institutions. The Inquiry held four preliminary hearings in March and July 2016, and May and September 2017. The Inquiry held its substantive public hearings in this investigation over 14 sitting days at its Hearing Centre in Pocock Street, London, SE1, between 9 October and 27 October 2017.

**39.** The Inquiry took evidence from a number of sources. Witnesses who gave evidence to the Inquiry included Complainant Core Participants, all of whom provided impressive and compelling accounts of the terrible sexual abuse they suffered. The Inquiry took evidence from corporate witnesses on behalf of Rochdale Borough Council, the Crown Prosecution Service, Lancashire Constabulary and GMP, and from various former Rochdale Council officers, teachers and care workers at Knowl View School. Evidence was also taken from a sociology lecturer who ran a local paper in Rochdale, as well as local politicians. The Inquiry heard an Opening Statement from Counsel to the Inquiry on 9 October 2017, and Closing Statements from all Core Participants (apart from the Department for Education) on 27 October 2017.

## Standards and terminology

**40.** We are conscious of not judging the approach taken to children at Cambridge House or Knowl View School with the benefit of hindsight or by the standards that prevail today. As a matter of common sense and fairness, it is right that we judge institutions having regard to the standards that applied at the time. In this report, we describe the sexual abuse of young boys in the public toilets (and other public places) in Rochdale as ‘sexual exploitation’. This was not a term that was in use at the time; such sexual abuse was then often described pejoratively or children were described as ‘rent boys’. We do not use that terminology in this report, except where we are repeating words used in a record. Regardless of its label, what happened to boys in public places in Rochdale by paying men constituted serious sexual abuse by the standards of the time. Similarly, we have used the term ‘grooming’ in this report, although it is not a term that would have been used at the time. Again, regardless of its description today, the establishment of an inappropriate relationship by an adult with a vulnerable child would have been regarded as wrong by the standards of the time.

## References

**41.** References in the footnotes of the report such as ‘RHC000111’ are to documents that have been adduced in evidence or posted on the Inquiry’s website. A reference such as ‘Hopper 10 October 2017 97/12-18’ is to the witness, the date he or she gave evidence, and the page(s) and line(s) reference within the relevant transcript. Hearing transcripts are also available on the Inquiry’s website.

Part B

# Cambridge House

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# Cambridge House

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## Background and Cyril Smith's involvement

1. Cambridge House was a 'hostel for working boys' that operated between 1962 and 1965 at 12 Castlemere Street, Rochdale.<sup>12</sup> Its main function was to provide accommodation for boys and young men aged 15 to 21 who had no home or were in the care of the local authority.
2. Cyril Smith was the Honorary Secretary of the Rochdale Hostel for Boys Association, the voluntary organisation that ran Cambridge House. The Association was founded in 1960 by Smith, Bill Harding (a Senior Probation Officer) and Albert Potter (the manager of the Trustee Savings Bank). There were other members of the Association's governing committee – Harry Halstead, Harry Howarth (leader of the local Liberal Party) and Reverend John Potter – but they appear to have played a much smaller role in the running of the hostel.<sup>13</sup>
3. The building that housed the hostel was owned by Rochdale Council, and the Council leased it to the Association with an option to purchase it outright at a later date (although the Association never did so). The Children's Committee of Rochdale Council made a grant of £150 to the Association in 1962,<sup>14</sup> shortly before the hostel opened its doors in February of that year, and on 19 November 1962 the Welfare Committee extended the lease.<sup>15</sup> Smith was a councillor at the time, but the Council was not involved in the day-to-day management of the hostel, nor did it have any role in the appointment of staff.<sup>16</sup>
4. The boys who stayed at Cambridge House came from various different backgrounds. One group of between six and eleven boys arrived from Glasgow to work in factories in Rochdale, after they were unable to complete their apprenticeships in Scotland. Several others worked for Cyril Smith's company, Smith Springs.<sup>17</sup> Others ended up at Cambridge House because of problems at home, through a process that remains unclear. RO-A1 told us, for instance, how he was living with a foster family in Lancashire and started rebelling after the death of his foster father in 1965. After one row with his foster mother, an officer from Lancashire Council, Mr Evans, came to the garage where he had an apprenticeship, told RO-A1 that his family no longer wanted him and took him straight to Cambridge House.<sup>18</sup> RO-A1 expressed how disorientating this was for him: *"I didn't know where I was going. I was upset. It was – everything was happening so fast. One minute, I've got a family, I've got a job. The next minute, I'm plucked and just taken away to another authority."*<sup>19</sup> He was aged just 16 when this happened.

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<sup>12</sup> INQ001312

<sup>13</sup> RHC002510\_11

<sup>14</sup> GMP000481\_1

<sup>15</sup> RHC002510\_12, paragraphs 4.8-4.9; Gail Hopper 10 October 2017 97/12-18

<sup>16</sup> Gail Hopper 10 October 2017 133/10-25; RHC000208\_4

<sup>17</sup> RHC000208\_4; RO-A1 10 October 2017 61/6-20; RO-A2 11 October 2017 20/16 - 21/3

<sup>18</sup> RO-A1 10 October 2017 53/17 - 57/20

<sup>19</sup> RO-A1 10 October 2017 58/17-20

5. RO-A4 initially had a less traumatic experience of Cambridge House. His parents had separated when he was 14 and he went to live with his mother. He was unhappy and not doing well at school. When he was almost 16, Cyril Smith turned up at his home and offered him the chance to stay at Cambridge House. RO-A4 did not know what contact Smith had previously had with his parents, or how Smith knew about him, but Smith made Cambridge House sound “great” and he “jumped at the chance” for some independence.<sup>20</sup> At first, RO-A4 did indeed have a good time and described the original houseparents, Mr and Mrs Wilson, as ‘brilliant people’. It was only later, when they were replaced by Mr and Mrs Saille, that the regime became more authoritarian.<sup>21</sup>

6. RO-A2 found himself at Cambridge House as a consequence of stealing a bicycle from school. He was given a two-year probation order. His probation officer suggested it would be better for him to be away from home, and found him a place at Cambridge House, which, he was told, would fulfil his probation requirements. Like RO-A4, he initially enjoyed his time at the hostel and thought the circumstances were far better than at home.<sup>22</sup>

7. It is likely that five of the boys at Cambridge House were in the care of Rochdale Council, and the Inquiry has seen records relating to three of them: RO-A69, RO-A79 and RO-A49.<sup>23</sup> The process for placing them there was simple. A child care officer wrote to Cyril Smith providing brief details about the boy in question and asked if a place could be made available. If Smith responded positively, then the placement was made. We have seen no evidence of any of the other members of the Association being involved in the decision.<sup>24</sup> With hindsight, it may appear unusual that Smith was the sole decision-maker, especially since he held no relevant child care qualification. He was the Secretary of the Association and at the time there was nothing to suggest that there was anything substantially wrong with this system.

8. However, Cyril Smith was also able to influence which boys were put forward by the Council for Cambridge House. The Cases Subcommittee of the Children’s Committee made decisions about where children in care were placed. Although a councillor of several years’ standing, Smith was not a member of that subcommittee in the early 1960s, but he nevertheless attended meetings and made suggestions about what should happen to certain children.<sup>25</sup> Moreover, he exercised influence over the timeframe within which boys were placed at Cambridge House.<sup>26</sup> In relation to RO-A79, for instance, the Child Care Officer suggested a potential admission to Cambridge House in several weeks’ time, to give him the opportunity to settle in his foster home instead, but Smith asked him to be admitted almost immediately because of the imminent summer holidays and this request was granted. Cyril Smith had, therefore, considerable control over which boys were admitted to Cambridge House, and when, including boys in care. This level of involvement does appear to have been beyond what would normally be expected or considered appropriate for a councillor.

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<sup>20</sup> RO-A4 11 October 2017 3/12 - 4/19

<sup>21</sup> RO-A4 11 October 2017 5/14-6/8

<sup>22</sup> RO-A2 11 October 2017 17/19 - 19/1

<sup>23</sup> Gail Hopper 10 October 2017 101/3-5

<sup>24</sup> RHC002517\_1-3; Gail Hopper 10 October 2017 101/14 - 104/21

<sup>25</sup> Gail Hopper 10 October 2017 105/15 - 106/5

<sup>26</sup> Gail Hopper 10 October 2017 106/6 - 108/12

**9.** Indeed, it seems that Cyril Smith continued to show a considerable, and perhaps unduly detailed, interest in decisions about children in care as his political career developed. Allan Buckley, who worked in Rochdale Social Services from 1971 to 1999, eventually becoming Assistant Director, told us that when he was an area manager in the late 1970s to early 1980s there were occasions when Smith's involvement in individual cases went beyond an appropriate level for an MP.<sup>27</sup> Even into the 1990s, we saw evidence of Smith having significant influence on residential placement decisions.<sup>28</sup>

**10.** There does not appear to have been any inspection of Cambridge House by the Council before the first child in care was placed there. It is right to acknowledge, as was pointed out by the Council in its Closing Statement,<sup>29</sup> that there was no specific statutory obligation on local authorities at the time to carry out such inspections, but as a matter of common sense and concern for children's welfare it was a basic and fundamental requirement and it should have happened.

**11.** Some monitoring of Cambridge House once boys were placed there does appear to have been done. Lyndon Price, who was the Council's Children's Officer in 1965, explained that children in care should have been visited every three months by their Child Care Officer and we have seen records showing that visits did take place approximately this regularly.<sup>30</sup> However, Mr Price recalled that when he arrived in Rochdale there were no proper records kept of who was in care and where children were placed. The Council accepted in its Closing Statement that this meant the monitoring requirements were not fully met.<sup>31</sup>

**12.** From the evidence, it is clear that until 1965 there were no reports of anyone at the Council being aware of any allegations about Cyril Smith's abusive behaviour towards certain of the boys at Cambridge House,<sup>32</sup> despite the likelihood that this had been going on for some time. We heard direct testimony about Smith's conduct at this time from three of the Complainant Core Participants.

**13.** RO-A1 described for us how on his second day at the hostel he was told by Mr and Mrs Saille, the houseparents, to have a bath and put on some clean clothes, then come to the 'quiet room' (which was the best room in the house, with armchairs and books).<sup>33</sup> When he got there he was introduced to Cyril Smith, who told RO-A1 he needed to be checked for nits. Smith instructed RO-A1 to take all his clothes off and face the wall with his arms outstretched. Smith started running his hands through RO-A1's hair, stroking the back of his head and along his arms, and then the side of his body. Then he asked RO-A1 to open his legs and bend over. When he did so, Smith ran his hands up and down RO-A1's legs in a sensual manner, took hold of his genitals and squeezed them. It was obvious RO-A1 was getting both aroused and upset, so Smith told him to get changed and said he would speak to him in a day or two. Even telling this story again to us was upsetting for RO-A1.

**14.** RO-A1 explained how he ran away the following day, but the police were called and someone from Cambridge House came to pick him up. When he was brought back to Cambridge House he was again taken to see Cyril Smith, who shouted at him and asked him

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<sup>27</sup> Allan Buckley 13 October 2017 12/16 - 14/24

<sup>28</sup> RHC002548

<sup>29</sup> Steven Ford QC 27 October 2017 7/13 - 8/22

<sup>30</sup> Gail Hopper 10 October 2017 109/19-24; RHC002509\_2

<sup>31</sup> Steven Ford QC 27 October 2017 11/3-15

<sup>32</sup> Gail Hopper 10 October 2017 118/10 - 120/8

<sup>33</sup> RO-A1 10 October 2017 63/1 - 67/18

to take his clothes off once more. This time RO-A1 said, “*You’re not touching me*” and Smith left him alone.<sup>34</sup> It was not the end of Smith’s involvement in RO-A1’s life, however, as when Cambridge House closed RO-A1 went to stay with a new foster family who were friends of Smith. From there he settled down, found work and got married, only to be shocked and angry when Smith turned up at his wedding (having been invited without his knowledge by his parents-in-law).<sup>35</sup>

**15.** RO-A2 was given a similar ‘medical examination’ by Smith on two or three occasions when he told Mr Saille that he was too ill to go to work. Each time this happened, Smith would appear at Cambridge House; indeed RO-A2 told us that, looking back, he believed Mr and Mrs Saille may have had a standing instruction to tell Smith when any resident of Cambridge House claimed to be ill. He would be taken into a room with Smith, who told him to drop his trousers and underpants and then fondled his bare buttocks and possibly his genitals (RO-A2 could not remember for sure).<sup>36</sup>

**16.** RO-A4 described how Cyril Smith assaulted him on three occasions at Cambridge House.<sup>37</sup> The first was a purported ‘medical examination’ when he was only 15 years old, which was similar to the experiences of RO-A1 and RO-A2 . The second occasion was after RO-A1 had missed work to ‘goof around’ in Manchester with a friend. When he got back to Cambridge House, Cyril Smith was waiting for him. Smith took RO-A4 into the quiet room, made him pull down his trousers and then spanked him. The third occasion was after RO-A4 ran away from Cambridge House; when he returned, Smith carried out another ‘medical examination’.

**17.** It does not seem to have been Cyril Smith’s behaviour towards the boys that led to the closure of Cambridge House. By early 1965, the organisation appeared to be in financial difficulties. On 4 February 1965, the Rochdale Council Children’s Committee was asked by Smith to increase its annual donation to the Association. On 18 March 1965, the Committee met with Smith, Harding and Potter and agreed to increase the grant to £300 as well as to pay for boys in the care of the Council placed at Cambridge House at the same rate as that charged to other councils.<sup>38</sup> However, by 12 November 1965, the Association asked the Committee for further assistance to keep the hostel open, in light of unspecified ‘staffing problems’. This request was refused and Cambridge House closed shortly thereafter on 30 November 1965. It is not clear from the Council minutes why there was a sudden change of heart about supporting the Association.<sup>39</sup> It is possible that Lyndon Price’s concerns by that stage about the regime at Cambridge House (see further below) played a role, or it may have been solely a reluctance on the Council’s part to take on financial responsibility for the hostel. There is not enough information available to make a finding either way.<sup>40</sup> In any event, a further request by Smith for funding by the Association on 17 March 1966 also appears to have gone nowhere,<sup>41</sup> and by 19 September 1966 Cambridge House had been re-opened under the auspices of the Manchester Boys and Girls Welfare Society, with the lease being transferred to them.<sup>42</sup>

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<sup>34</sup> RO-A1 10 October 2017 68/1-23

<sup>35</sup> RO-A1 10 October 2017 71/21 - 73/16

<sup>36</sup> RO-A2 11 October 2017 22/13 - 25/11

<sup>37</sup> RO-A4 11 October 2017 6/9 - 8/20

<sup>38</sup> RHC002510\_15, paragraphs 4.35 - 4.37; Gail Hopper 10 October 2017 112/19 - 114/22

<sup>39</sup> Gail Hopper 10 October 2017 115/1 - 116/16; GMP000494\_1

<sup>40</sup> Gail Hopper 10 October 2017 129/15 - 131/4

<sup>41</sup> GMP000497\_1-2

<sup>42</sup> GMP000501\_1-2

## Allegations made to Lyndon Price in 1965

**18.** The first known suggestion made to anyone in authority that Cyril Smith might be acting inappropriately towards the boys at Cambridge House was in late October 1965, shortly before the hostel closed. Lyndon Price made a statement on 20 January 1970, as part of the Lancashire Constabulary investigation,<sup>43</sup> in which he explained that, following a referral from a child care officer, James Gavin, he had spoken to a 16-year-old boy, RO-A49, who said that Smith had spanked him on his bare buttocks as punishment for some wrong done by him. Mr Price was worried by this, although the boy himself did not complain about it. Several weeks later, Mr Price told Patrick Ross, the Chief Constable of the then Rochdale Police, about the matter. This approach was not as a formal complaint or request for the police to open an investigation, but solely to give Mr Ross the information.

**19.** In his later evidence to the Garnham Review in May 2014,<sup>44</sup> and his statements to Greater Manchester Police (GMP) dated 12 November 2014<sup>45</sup> and 26 February 2015,<sup>46</sup> Mr Price provided some further detail on this incident. He explained that, while corporal punishment was legal and commonplace in 1965, the description of what had happened to RO-A49 was shocking and troubling. This was because it seemed that there might be a sexual element to it and also because it was irregular and uncommon for the Secretary of the Association, rather than the houseparents, to be in charge of punishment.<sup>47</sup> Gail Hopper, Rochdale Borough Council's current Director of Children's Services, confirmed that in her view it would always have been considered unacceptable to remove a child's clothing in order to carry out corporal punishment (albeit that 1965 predated her professional experience).<sup>48</sup>

**20.** Mr Price also explained why he spoke to Patrick Ross rather than raising the issue through other channels. He explained that even in 1965 Smith was already a very powerful and popular figure in Rochdale, both in the Council and the wider community, so any attempt to discuss the matter with the Social Services Committee or his staff would likely have got back to Smith. He trusted Mr Ross, whom he knew personally as they attended the same church.<sup>49</sup> Mr Price recalled that in fact he spoke to Mr Ross twice. The first occasion was a week after he saw RO-A49, and Mr Ross said he would make further enquiries.

**21.** A week or so later, on a Sunday afternoon, Smith visited Mr Price at his house in a disturbed and agitated state. Smith said that he was upset about accusations flying around town about his method of discipline in Cambridge House, and that there was no truth in the rumours. He stayed at Mr Price's home for around two hours going over the same things, and made Mr Price feel very uncomfortable.<sup>50</sup>

**22.** Mr Price then saw Mr Ross two or three weeks later, after a Chief Officers' meeting at the Town Hall, and Mr Ross told him that it had been decided to take no further action. Mr Price's recollection is that he was surprised about this but did not ask for more detail. He speculated that Mr Ross simply had no hard evidence of any abuse by Smith, because he

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<sup>43</sup> RHC000104

<sup>44</sup> RHC000208

<sup>45</sup> GMP000120

<sup>46</sup> GMP000122

<sup>47</sup> RHC000208\_2

<sup>48</sup> Gail Hopper 10 October 2017 134/15-21

<sup>49</sup> GMP000120\_2

<sup>50</sup> GMP000120\_2

respected Ross as being a man of integrity.<sup>51</sup> In Simon Danczuk's book, *Smile for the Camera*,<sup>52</sup> Mr Price had been quoted as saying he wondered if Mr Ross had been "leant on". Mr Price clarified to GMP in 2015 that he did not think that at the time, it was only with hindsight, and he had no evidence to support it.<sup>53</sup>

**23.** Mr Price was still concerned enough about what he had heard from RO-A49 that he was relieved when RO-A49 and the other boys in care left the hostel and it closed down the following month in November 1965.<sup>54</sup>

**24.** In 1970, Lancashire Constabulary asked Mr Ross about the matter, but he could not remember being told about Smith. It does not appear that the police conducted any further enquiries in 1965. In the course of the 1970 investigation, Detective Superintendent Leach felt that Mr Price might be open to criticism for the way he responded to RO-A49's information in 1965 as he did not make a record of the steps taken.<sup>55</sup> However, we do not consider any criticism would be fair. Child protection procedures in 1965 were not as well developed as they are today, RO-A49 had not made any complaint about what had happened, Mr Price did not know anything about the extensive further allegations that the police had uncovered by 1970, and he did provide the information he had to the police. Moreover, Cambridge House closed within a month or so of his meeting RO-A49.

**25.** In 2014, the Lancashire Professional Standards Department (PSD) reviewed the suggestion that Mr Ross deliberately did nothing with the information from Mr Price or was involved in a 'cover-up', and could find no evidence of this.<sup>56</sup> Assistant Chief Constable Timothy Jacques said he would not have expected Mr Ross to start any kind of investigation. He noted that Mr Price told Mr Ross about RO-A49 "for information only" and that the allegation was not highly sexual in nature, albeit it was inappropriate behaviour. Mr Jacques would expect something to be recorded and the matter followed up, but he did not go so far as to be critical of the failure to make a record in 1965, particularly because Social Services did not make a record either.<sup>57</sup>

**26.** However, Mr Price's evidence regarding the 1965 matter demonstrates that even at that stage Cyril Smith had very extensive influence in Rochdale and was extremely popular and well known, making it difficult to question his conduct. It also shows that he was well informed and willing to attempt to persuade accusers to keep quiet.

## The Lancashire Constabulary investigation 1969–70

**27.** Lancashire Constabulary had responsibility for policing Rochdale between 1 April 1969 and 1 April 1974.<sup>58</sup> On 10 October 1969, an investigation was opened into allegations of sexual abuse by Cyril Smith in relation to Cambridge House. The investigation continued

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<sup>51</sup> RHC000208\_2

<sup>52</sup> Biteback, London 2014, page 53

<sup>53</sup> GMP000122

<sup>54</sup> RHC000208\_3-4

<sup>55</sup> CPS002701\_8

<sup>56</sup> GMP000158\_12

<sup>57</sup> ACC Timothy Jacques 11 October 2017 68/21 - 69/5

<sup>58</sup> ACC Timothy Jacques 11 October 2017 34/7-18; INQ000974\_6, paragraph 27

until 25 March 1970 when, following the advice of the Director of Public Prosecutions not to prosecute, Smith was informed by Detective Superintendent Leach that no further action would be taken.<sup>59</sup>

**28.** In her Opening Statement on behalf of the Complainant Core Participants, Laura Hoyano described the Lancashire Constabulary investigation as “*exemplary...thorough, fearless in the fact of threats, intimidation and obstruction by Cyril Smith and his political allies... [and] characterised by an enlightened understanding of the dynamics of the power/vulnerability imbalance which silences victims.*”<sup>60</sup> Having considered the report and statements compiled by the police at the time,<sup>61</sup> and having heard the evidence of Mr Jacques,<sup>62</sup> who explained both the actions taken in 1969–70 and the subsequent review of those actions carried out in 2014 by the Lancashire PSD, we are confident that this investigation was comprehensive and that at no point were the police improperly influenced by Cyril Smith or others on his behalf.

**29.** There were some questions that arose in the course of the investigation that were left unanswered. For instance, Detective Sergeant Brierley’s report of 31 December 1969 noted that there were suspicions about the association of Bill Harding (another of the Association’s trustees), Councillor Harry Wild and RO-F15 with young men and boys in Rochdale.<sup>63</sup> However, these leads do not appear to have been followed to any significant extent. There were also several individuals named by the complainants and other witnesses who did not provide accounts to the police.<sup>64</sup> Overall, though, we agree with Mr Jacques who did not think there were any “*gaping holes*” in the investigation and considered that Detective Superintendent Leach and his team carried out their work competently and professionally.<sup>65</sup>

**30.** Any suggestion that the police were improperly influenced by Smith is undermined by the report produced by Detective Superintendent Leach and sent to the Director of Public Prosecutions, which concluded in robust terms: “*It seems impossible to excuse [Smith’s] conduct. Over a considerable period of time, whilst sheltering beneath a veneer of respectability, he has used his unique position to indulge in a sordid series of indecent episodes with young boys towards whom he had a special responsibility. Prima facie, he appears guilty of numerous offences of indecent assault ... Should it be decided to apply for process a schedule of offences has been prepared.*”<sup>66</sup>

**31.** Given the care taken with the investigation and the forthright language in the final report, we consider that Detective Superintendent Leach and his team were probably disappointed by the Director of Public Prosecutions’ advice not to prosecute and, if anything, were antagonistic towards Smith. They appear to have been keen to press charges, to the point of having already drafted a schedule, and there is no hint of unwillingness to proceed against Smith because of his high-profile status in Rochdale. Indeed, David Bartlett of the Rochdale Alternative Paper (RAP) told us that Detective Superintendent Leach was one of the main sources for the story RAP published in 1979, and said that he was “*still angry*” at that time, more than eight years on, that there had not been a prosecution.<sup>67</sup>

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<sup>59</sup> INQ000974\_6, paragraph 28; CPS002712

<sup>60</sup> Laura Hoyano 10 October 2017 7/24 - 8/9

<sup>61</sup> CPS002701

<sup>62</sup> ACC Timothy Jacques 11 October 2017 31/22; INQ000974

<sup>63</sup> CPS002700\_5; INQ000974\_17, paragraph 54

<sup>64</sup> INQ000974\_32

<sup>65</sup> ACC Timothy Jacques 11 October 2017 64/14-23

<sup>66</sup> CPS002701\_13-14

<sup>67</sup> David Bartlett 12 October 2017 32/10-21

**32.** Despite the documents demonstrating a clear desire on the part of the investigation team to bring a prosecution, over the years since 1970 rumours have circulated that the Lancashire police were thwarted or influenced in some way by Cyril Smith, or were involved in some kind of cover-up. It is thus important for us to deal with these suspicions in more detail. In particular, the book, *Smile for the Camera*, put forward four distinct allegations, which the Lancashire PSD identified as follows:<sup>68</sup>

- a. Chief Constable Patrick Ross' lack of action in 1965 indicated that he was 'leant on'.
- b. Two unknown officers removed all the files relating to Cyril Smith from Jack Tasker, one of the investigating officers.
- c. MI5 officers removed all files on Cyril Smith from a safe at Lancashire's Hutton HQ.
- d. More generally, Cyril Smith's influence in Rochdale meant that he had 'the police in his pocket'.

**33.** We have already dealt above with the suggestion that Mr Ross was 'leant on'. In relation to the allegation that two officers took the files relating to Cyril Smith away from Jack Tasker, it is likely this did happen but that there was no sinister intention or motivation behind it. Detective Constable Tasker (as he then was) and Detective Constable Courtney initially handled the investigation into Smith and took 12 witness statements between 19 January 1970 and 18 February 1970. Detective Chief Inspector Wheeler and Detective Superintendent Leach then took over the investigation and continued to progress it. A further 12 statements were taken between 19 February 1970 and 9 March 1970, and a full report was sent to the Director of Public Prosecutions on 11 March. While it is not possible to say which two officers actually took the files from Tasker and Courtney, it seems that the investigation was simply transferred from them to Wheeler and Leach, probably because Smith was a senior public figure in Rochdale and so it was important that senior detectives dealt with the matter.<sup>69</sup> It may also have been out of a concern that Smith would attempt to interfere with the investigation and so the two detectives needed to be protected from any pressure or influence.<sup>70</sup> This explanation would fit with the reference in the original occurrence report sent by Detective Sergeant Brierley to the Lancashire Chief Constable on 31 December 1969 to 'the security risk involved' in the investigation,<sup>71</sup> which Mr Jacques interpreted as a concern about the profile and standing of Smith in Rochdale, and the need for the police to keep the investigation discreet.<sup>72</sup>

**34.** The importance of ensuring that the investigation was a tightly controlled one was highlighted by the attitude of Smith when he met with Detective Superintendent Watson and Detective Superintendent Taylor on 24 January 1970. The transcript of this meeting<sup>73</sup> shows that Smith tried to get information from the police about how the investigation was proceeding, and indicated that he had spoken to some of the complainants, prompting

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<sup>68</sup> INQ000974\_27, paragraph 104; GMP000158\_4-6, section 2

<sup>69</sup> ACC Timothy Jacques 11 October 2017 89/6 - 90/1; GMP000158\_012-013

<sup>70</sup> GMP000158\_13

<sup>71</sup> CPS002699

<sup>72</sup> ACC Timothy Jacques 11 October 2017 45/16-18

<sup>73</sup> CPS002703

Detective Superintendent Watson to accuse him of coming on a 'fishing expedition'<sup>74</sup> and to warn him about interfering with witnesses.<sup>75</sup> We now know that Detective Superintendent Watson's fears were justified because Smith did indeed try to get some of the witnesses to retract their allegations. RO-A1 told us that Smith visited him in early 1970 and tried to persuade him to drop his allegations, on the basis that Smith had done him various favours. RO-A1 refused.<sup>76</sup>

**35.** Whatever the precise reasons for the files being taken away from Detective Constable Tasker, it is clear that the motivation was not to thwart the investigation because it continued without pause<sup>77</sup> under the leadership of Detective Chief Inspector Wheeler and Detective Superintendent Leach, and culminated in the report to the Director of Public Prosecutions seeking support for a prosecution.

**36.** As for the allegation that MI5 officers removed files from Lancashire Constabulary HQ, Lancashire PSD spoke to Tony Robinson, a Special Branch Officer in the late 1970s, who recalled MI5 asking for any files relating to Cyril Smith. However, it was impossible to confirm whether the files were actually taken from Hutton HQ or simply copied. In any event, the files were not destroyed because the 1969–70 documents are all still available today, and there is nothing to suggest any cover-up. The timing of the request from MI5 is not clear. Mr Robinson remembered it as being in 1977 or 1978, but it may have been in response to the RAP article in 1979, in which case it would have been reasonable for MI5 to enquire as to whether there was any substance in the allegations at that time.<sup>78</sup>

**37.** Finally, the allegation that Cyril Smith had the Rochdale police 'in his pocket' is plainly wrong. If anything, the available documents suggest that Smith was not on good terms with the local police. The occurrence report by Detective Sergeant Brierley dated 31 December 1969 notes that Smith "*has never employed [sic, should perhaps be "enjoyed"] a good relationship with the police of the town*"<sup>79</sup> and the covering report by an unidentified Chief Superintendent commented, "*I know, to my cost on a previous occasion, of the strength of [Smith's] word in publications in the Rochdale Observer.*"<sup>80</sup> The police wanted to bring charges against Smith in 1970. It is apparent that it was the advice from the Director of Public Prosecutions' office not to do so that prevented a prosecution, not any improper influence Smith had on the police. It is that advice to which we now turn.

## The Director of Public Prosecutions

### The office and powers of the Director of Public Prosecutions in 1970

**38.** Gregor McGill, the Director of Legal Services of the Crown Prosecution Service gave evidence to the Inquiry.<sup>81</sup> He was asked about the creation of the office of the Director of Public Prosecutions. Mr McGill said that the Prosecution of Offences Act 1879 not only established the office of the Director of Public Prosecutions but also empowered the Director of Public Prosecutions to institute and conduct criminal proceedings for offences

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<sup>74</sup> [CPS002703\\_6](#)

<sup>75</sup> [CPS002703\\_2](#)

<sup>76</sup> [RO-A1 10 October 2017 76/2-13](#)

<sup>77</sup> [ACC Timothy Jacques 11 October 2017 88/23 - 89/21](#)

<sup>78</sup> [ACC Timothy Jacques 90/2-91/13; INQ000974\\_29; GMP000158\\_015-017](#)

<sup>79</sup> [CPS002700\\_2](#)

<sup>80</sup> [CPS002699\\_1](#)

<sup>81</sup> [Gregor McGill 11 October 2017 104/8 - 106/8](#)

prescribed in regulations under the Act. Mr McGill said that, as at 1946, those regulations also empowered the Director of Public Prosecutions to give advice to chief officers of police “as he may think right in any criminal matter which appears to him to be of importance or difficulty”, and that the chief officers of police had also to report to the Director of Public Prosecutions, among other offences, indecent offences upon a number of children or young persons.

## The decision of the Director of Public Prosecutions

**39.** Against that brief background, by letter dated 13 March 1970,<sup>82</sup> the Assistant Chief Constable (ACC) for Lancashire Constabulary sent to the office of the Director of Public Prosecutions the file regarding a number of indecent assaults alleged to have been committed by Cyril Smith. In the letter, the ACC stated that he was sending the file to the Director of Public Prosecutions “Because of the standing of SMITH in the public life of Rochdale and because of the lapse of time since the alleged offences were committed”, and he said he was therefore seeking the Director of Public Prosecutions’ advice on whether or not proceedings should be instituted. The letter was acknowledged by the Director of Public Prosecutions’ office on 16 March 1970.<sup>83</sup>

**40.** Both letters were signed by M D Hutchinson and are couched in the first person. In a second witness statement dated 18 October 2017 and provided to the Inquiry by Mr McGill after he had given evidence,<sup>84</sup> Mr McGill states that there is evidence that M D Hutchinson was an Assistant Director of Public Prosecutions in his London office in 1962. Eleanor Phillips gave evidence that she had joined the Director of Public Prosecutions’ office as a secretary from 1973, but had not heard of M D Hutchinson.<sup>85</sup> She added that Assistant Directors had the same powers as the Director of Public Prosecutions himself.<sup>86</sup>

**41.** The ACC was not inviting the Director of Public Prosecutions to institute or conduct criminal proceedings but was seeking advice as to whether Lancashire Constabulary should do so. Confirmation that the Director of Public Prosecutions’ office was to advise is found in the decision letter of 19 March 1970 from the Director of Public Prosecutions’ office, in which the author of the letter said he did not “advise” Smith’s prosecution.<sup>87</sup>

**42.** It is equally clear that, although in 1970 Lancashire Constabulary could have proceeded against Smith without the Director of Public Prosecutions’ blessing,<sup>88</sup> they heeded the Director of Public Prosecutions’ advice, informing Smith in a face-to-face meeting on 25 March 1970 that “it was not intended to take any further action in this matter”.<sup>89</sup> Having sought the Director of Public Prosecutions’ advice, the police were unlikely to disregard it.

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<sup>82</sup> [CPS002709\\_1](#)

<sup>83</sup> [CPS002710\\_1](#)

<sup>84</sup> [CPS002846\\_3](#), paragraph 3

<sup>85</sup> Eleanor Phillips 24 October 2017 121/21-24, 126/10-14

<sup>86</sup> Eleanor Phillips 24 October 2017 127/8-12

<sup>87</sup> [CPS002711\\_1](#)

<sup>88</sup> Today, and since its inception in 1986, it is the Crown Prosecution Service and not the police who make charging decisions

<sup>89</sup> [CPS002712\\_001](#)

**43.** It is most likely that the Director of Public Prosecutions, Sir Norman Skelhorn, did not provide the advice, but that M D Hutchinson, an Assistant Director, did. That might explain why, when a man claiming to be Sir Norman Skelhorn telephoned RAP in response to their letter to him of 25 April 1979 seeking information about the matter, he said he could not remember anything about such a case.<sup>90</sup>

**44.** We have to consider whether the statement of Detective Chief Inspector Glen Lloyd of the Metropolitan Police Service dated 20 October 2017 undermines that proposition. In his statement, Mr Lloyd informed the Inquiry that in May 1976 the Metropolitan Police Service commenced an investigation into André Thorne concerning allegations of blackmail, theft and handling stolen goods. The allegations involved Cyril Smith as well as others. Smith's solicitor informed the Metropolitan Police Service about the 1969–70 Lancashire investigation and that the Director of Public Prosecutions had taken no action against Smith. The Metropolitan Police Service confirmed those facts with the Director of Public Prosecutions' office. While it is clear that in 1976 the Director of Public Prosecutions' office was aware of the Lancashire investigation, Mr Lloyd's evidence does not demonstrate that Sir Norman Skelhorn was *personally* aware of it, and therefore that when he contacted RAP in 1979 he untruthfully stated he had no knowledge of the case.

**45.** In 1970, Cyril Smith was locally but not yet nationally prominent. His local standing explains why the police submitted the file to the Director of Public Prosecutions. We have been told by Mr McGill that there is information that on the very day of Mr Hutchinson's letter of advice (19 March 1970) a jury returned verdicts in a notorious case in Luton, suggesting that Sir Norman Skelhorn might have been otherwise engaged.<sup>91</sup> As we have said, it is reasonably clear that Sir Norman Skelhorn did not provide the advice. There is no evidence the Inquiry has seen that he even knew about the investigation into Smith.

**46.** We note that the advice was delivered to the police with curious speed. The Lancashire police file, comprising over 80 pages of material, was sent under cover of the letter of 13 March 1970, which was a Friday, and receipt of it was not acknowledged by Mr Hutchinson until Monday 16 March 1970. The advice was provided in writing within three working days on Thursday 19 March 1970. Although the events leading to the allegations had arisen some years previously, the ACC did not ask for the matter to be treated with any degree of urgency or expedition. Mr McGill acknowledged in his evidence that this had been a quick turnaround but could not say whether in 1970 that was uncommon.<sup>92</sup>

**47.** We are nonetheless troubled by the cursory nature of the analysis, and the speed with which the case was dispatched and Smith told of the outcome, particularly where he had pushed for a quick decision as he was seeking nomination to stand for Parliament at the time. This had serious consequences for the case in later years.

**48.** Mr Hutchinson relied on three features in order to arrive at his advice that Smith should not be prosecuted: (1) the charges were stale; (2) they were without corroboration; and (3) the character of the complainants would likely render their evidence suspect. It was notable that Mr Hutchinson did not refer to the nature of Smith's defence. In a voluntary interview of

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<sup>90</sup> David Bartlett 12 October 2017 24/15 - 26/9

<sup>91</sup> CPS002846\_3, paragraph 5

<sup>92</sup> Gregor McGill 11 October 2017 110/2-16

24 January 1970 with the police,<sup>93</sup> Smith accepted that the complainants were not conspiring together, saying “... *they are telling the truth as they see it*”. Then in a written statement made by him on 27 February 1970 (just ahead of his police interview under caution, in which he said he had nothing further to add), Smith denied any indecency but relied on the assertion that he was in loco parentis to the boys at the time, implying that his ‘medical examinations’ of the boys were justified.

**49.** In her Closing Statement to the Inquiry, Ms Hoyano argued that the decision as regards corroboration was wrong in law, in that the law on similar fact evidence at that time permitted the combining (and cross-admissibility) of separate complaints in cases of sexual offences against children by adults where there was evidence that the defendant was using a system, or in order to rebut a defence of innocent association.<sup>94</sup> Both system and a defence of innocent association were, Ms Hoyano argues, evident on the facts.

**50.** She argues that, in his evidence, Mr McGill retreated from his witness statement, in which he had said that “*it was difficult to see how [the Director of Public Prosecutions] would have come to any other conclusion, but that there was indeed corroboration of the complainants’ accounts, or at least a good arguable case that that was the position*”,<sup>95</sup> by saying that “*it is difficult to say it wasn’t a reasonable decision based on the confusion of the law at the time*”.<sup>96</sup>

**51.** In his Opening Statement at the public hearings, Brian Altman QC, Counsel to the Inquiry, posed two questions for our consideration regarding the Director of Public Prosecutions’ advice: (1) whether the decision appears to have been reasonable as judged against the requirements that then applied; and (2) whether the decision was an example of one member of the establishment protecting another for no better reason than he occupied a position of power.<sup>97</sup>

**52.** In his Opening Statement on 10 October 2017 to the Inquiry, Mr Edward Brown QC, counsel for the Crown Prosecution Service, argued that had the Director of Public Prosecutions come to the view that there was corroboration in law for the separate complaints, it is reasonable to suppose that he would and should have regarded more neutrally, and not as determinative, the other two factors (staleness and character), factors that were given more weight at that time.<sup>98</sup> In his Closing Statement, Mr Brown QC argued that the Director of Public Prosecutions’ decision was not legally unreasonable for its time, and that there was no evidence of inappropriate influence.<sup>99</sup>

**53.** We do not think it is right or appropriate for us to adjudicate on the difficult legal and countervailing arguments Ms Hoyano and Mr Brown QC made before us. Consequently, we do not make any finding as to whether the Assistant Director’s advice that there was “*no reasonable prospect of conviction*”<sup>100</sup> was or was not itself reasonable in all the circumstances.

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<sup>93</sup> CPS002703\_4

<sup>94</sup> Laura Hoyano 27 October 2017 30/12 - 35/1

<sup>95</sup> Gregor McGill 11 October 2017 123/18 - 124/1;

<sup>96</sup> Gregor McGill 11 October 2017 127/11-18

<sup>97</sup> Brian Altman QC 9 October 2017 45/3-14

<sup>98</sup> Edward Brown QC 10 October 2017 30/8 - 31/14

<sup>99</sup> Edward Brown QC 27 October 2017 63/17 - 69/17

<sup>100</sup> At that time the DPP had to be satisfied there was at least a prima facie case, a reasonable prospect of conviction (whether it is more likely than not that there will be a conviction), and that a prosecution would be in the public interest: Gregor McGill 8 September 2017 witness statement, CPS002813\_8, paragraph 23

**54.** However, the fact remains, as has been acknowledged by Mr McGill in his witness statement and argued by Ms Hoyano, there was an arguable case that there was corroboration in law, and therefore the other factors he brought into account should have been afforded less weight than they were. If the Assistant Director did make a mistake of law on the issue of corroboration, clearly it had a major part to play in the negative advice that was given to the police.

**55.** Mr Jacques gave evidence that Detective Superintendent Leach, whose report of 11 March 1970 had accompanied the file to the Director of Public Prosecutions' office,<sup>101</sup> had been so optimistic that charges would follow that he talked about preparing a schedule of charges.<sup>102</sup> When asked whether Lancashire Constabulary might have charged Smith despite the advice, ACC Jacques said that although he had not been a police officer at the time he felt it would have been unusual and unlikely for the police to have "*pushed back*" on advice from such a high authority as the Director of Public Prosecutions.<sup>103</sup> Mr McGill thought it was possible for the police to have charged Smith but, whether they would have done, given the advice, he did not know.<sup>104</sup>

**56.** The only evidence that the Inquiry heard relating to the possibility of improper influence of the Director of Public Prosecutions' decision was that of Eileen Kershaw, whose accounts were read to the Inquiry on 12 October 2017.<sup>105</sup> She had told a Channel 4 *Dispatches* programme,<sup>106</sup> aired on 12 September 2013, that Cyril Smith had turned to her and her husband, an old school friend of Smith's, when he learned that he had been reported to the police. Mr Kershaw had suggested involving Jack McCann, the then local Labour MP, who during a late night visit at the Kershaw home told Smith that he was going to go to the Director of Public Prosecutions and tell him "*they've either got to get on and prosecute because it's gone on for long enough, or they've to drop it*".<sup>107</sup> Mrs Kershaw told the programme that "*it got Cyril off the hook*", but in a witness statement she made on 5 March 2015 she said she regretted saying that as McCann was a man of integrity and what he did was to get the Director of Public Prosecutions "*to expedite the matter and resolve the situation, bringing it to a conclusion*".<sup>108</sup> She added she did not think the intervention influenced the Director of Public Prosecutions' decision.

**57.** A further piece of evidence, relevant to this topic, is found in the handwritten police report by Detective Sergeant Vincent Hill dated 2 December 1998, which was submitted as part of Operation Cleopatra. In it, Mr Hill spoke of his interview on 12 November 1998 with David Bartlett of RAP, which had exposed the allegations about Cyril Smith in May 1979.<sup>109</sup> Among the information Mr Bartlett appears to have given Mr Hill was that Bill Quinn, a former Alderman, since deceased, had spoken of Smith approaching the then MP Jack McCann "*who enlisted the help of the then Home Secretary Roy Jenkins in an effort to prevent the prosecution of Smith*". This is the only evidence the Inquiry has seen of an allegation of interference by the then Home Secretary. It is second hand and it cannot be substantiated.

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<sup>101</sup> [CPS002701\\_1](#)

<sup>102</sup> [ACC Timothy Jacques 11 October 2017 69/6-16](#)

<sup>103</sup> [Gregor McGill 11 October 2017 71/20 - 72/13](#)

<sup>104</sup> [Gregor McGill 11 October 2017 113/13-23](#)

<sup>105</sup> [Eileen Kershaw 12 October 2017 1/12 - 9/2](#)

<sup>106</sup> [Cyril Smith the paedophile MP: how he got away with it](#)

<sup>107</sup> [INQ001263\\_15](#)

<sup>108</sup> [GMP000978\\_2](#)

<sup>109</sup> [GMP001044\\_5](#)

**58.** RAP had written about the involvement of Jack McCann MP in its article of May 1979. In his evidence to the Inquiry, Mr Bartlett said that Eileen Kershaw had been his source of the information about Mr McCann's involvement, and that she had told him that Mr McCann had been in touch with the then Home Secretary, Roy Jenkins, not with the Director of Public Prosecutions.<sup>110</sup>

**59.** Mrs Kershaw's account in 2013 and 2015 is plainly inconsistent with Mr Bartlett's evidence about what she said to him in 1979. The question whether there was an approach by Mr McCann to the Director of Public Prosecutions or to the Home Secretary, and what the nature of any approach was, is unsatisfactory and incapable of resolution.

**60.** Although it appears that the Director of Public Prosecutions did not personally provide the advice on Smith, in his memoirs Sir Norman Skelhorn said the Director of Public Prosecutions would never refuse to prosecute someone simply because of the position he held, adding that he never felt he lacked independence to make his own decisions.<sup>111</sup>

**61.** On the material we have seen, it would be no more than speculation to say there was improper influence by those interested in the matter.

## The 1979 Rochdale Alternative Paper articles

**62.** As has already been mentioned, the allegations about Cyril Smith assaulting boys at Cambridge House re-surfaced in 1979 as a result of two articles being published in RAP. David Bartlett, who was one of the two founders of RAP, told the Inquiry that the objective of this community-based newspaper was to "*upset the establishment, challenge the powerful, and support and be the voice of the ordinary man*".<sup>112</sup> Mr Bartlett and his co-editor John Walker published approximately 112 editions of RAP between 1971 and 1983, with the peak circulation being around 8,000 copies.<sup>113</sup>

**63.** Mr Bartlett explained that he and Mr Walker had heard stories around Rochdale about Smith inappropriately touching boys at Cambridge House. In 1978, Smith had begun running a campaign for re-election as Rochdale's MP, which was based entirely on his personal qualities – the campaign slogan was 'Smith the man'. Smith had also been critical of Jeremy Thorpe, who at the time was embroiled in a scandal involving homosexual activity. Mr Bartlett and Mr Walker felt that Smith had made his character an election issue and had been hypocritical in criticising Thorpe, so that it was right to make the people of Rochdale aware of the allegations about Smith's own behaviour.<sup>114</sup>

**64.** Mr Bartlett took time to research the story thoroughly. He tracked down several men who had been resident at Cambridge House, two of whom had previously lived with him and his wife, and described how Smith had spanked or groped them. Mr Bartlett also obtained a statement from another man who as a teenager was spanked by Smith in his parents' home. Mr Bartlett asked these men to make sworn affidavits at a solicitors' office as he was very aware of the risk of a libel action and wanted to ensure that RAP had the best evidence possible to defend itself.<sup>115</sup>

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<sup>110</sup> David Bartlett 12 October 2017 34/23 - 35/6

<sup>111</sup> Gregor McGill 18 October 2017 witness statement CPS002846\_4-5, paragraph 11

<sup>112</sup> David Bartlett 12 October 2017 14/6-9

<sup>113</sup> David Bartlett 12 October 2017 13/20, 14/13-16

<sup>114</sup> David Bartlett 12 October 2017 15/1 - 16/22

<sup>115</sup> David Bartlett 12 October 2017 17/3-19

**65.** The first article was published in May 1979 and alleged that “during the 1960s Cyril Smith was using his position to get lads aged 15-18 to undress in front of him in order that he could then get them to bend over his knee while he spanked their bare bottoms or let him hold their testicles in a bizarre ‘medical inspection’”.<sup>116</sup> The article described the police investigation in 1969–70, set out the background facts about Cambridge House, quoted several extracts from the affidavits made by the men who had resided there, mentioned the involvement of Jack McCann and the Director of Public Prosecutions, and then explained why RAP had decided to publish the allegations.

**66.** A follow-up article was published in June 1979.<sup>117</sup> This raised questions about why the national press had not yet picked up on the story and suggested that it was the libel laws that prevented them from running it, despite the fact that RAP itself had not received any writ from Smith. Mr Bartlett told us that RAP had received a ‘pre-writ document’ (which would now be called a ‘letter before action’ or ‘letter of claim’) but a writ itself never materialised.<sup>118</sup>

**67.** No major national newspapers ever carried the story, either in 1979 or in the years following. Only Private Eye and the New Statesman published anything about the RAP allegations. Mr Bartlett told us that he talked with other journalists at the time but, although they were interested, none actually took the story any further. Mr Bartlett said he thought the national papers all “knew it already” and recalled that the Daily Mirror said that they were waiting for Smith to die before publishing.<sup>119</sup> This decision by the national newspapers not to get involved is puzzling; we would have thought a story about sexual misconduct by a high-profile national politician (as Smith was by 1979) would have been irresistible.

**68.** The Inquiry contacted all the major national newspapers to ask if they had any information in their archives or corporate memory that could shed light on this matter. Unfortunately, none was able to assist. Francis Whéen from Private Eye did provide a helpful letter, in which he informed us that he asked journalists from other papers why no one had picked up on the RAP story and they had all assumed it was because of “legal nervousness on the part of their editors”.<sup>120</sup>

**69.** We have not been able to establish what precisely the legal concerns were. One possibility is that the editors were afraid of a libel action, as the June 1979 follow-up RAP suggested, but this seems unlikely to be the whole explanation given the affidavits obtained by Mr Bartlett and Mr Walker, as well as Smith’s failure to start proceedings against RAP.

**70.** The suggestion has been made that there was some interference by the Government on security grounds. RO-A4 told us that a tabloid journalist (he was unable to say from which newspaper) contacted him some years after the RAP article, in around 1983, asked him to make another affidavit, and even gave him money to go to the seaside with his daughter to escape further press attention when the story broke. However, the journalist then telephoned him to say the story would not be published because a ‘D-notice’ had been put on it.<sup>121</sup> We have been unable to find any evidence to corroborate this and Mr Bartlett

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<sup>116</sup> [INQ000963\\_1](#)

<sup>117</sup> [INQ000963\\_2](#)

<sup>118</sup> [David Bartlett 12 October 2017 29/2-4](#)

<sup>119</sup> [David Bartlett 12 October 2017 29/9-21](#)

<sup>120</sup> [INQ001266](#)

<sup>121</sup> [RO-A4 11 October 2017 12/4 - 13/6](#)

heard no mention of it in 1979.<sup>122</sup> Moreover, the Inquiry has obtained a statement from Brigadier (retired) Geoffrey Dodds, the current Secretary of the Defence and Security Advisory Committee (DSMA). This makes it clear that, while a 'Defence Notice' system does exist to prevent inadvertent public disclosure of information that would compromise national security (and also existed in a slightly different form in the 1980s), it has always been a consensual arrangement between the press and Government and it should not have been relevant to any story about the allegations concerning Cyril Smith.<sup>123</sup> The Inquiry may explore the workings of the DSMA system, as well as allegations that it has been misused or wrongly applied, in further detail in the context of the Westminster investigation. For the purposes of this investigation, we do not doubt RO-A4's account that he was told something about a D-notice by a journalist, but the accuracy of this, or the possible implications, remain unclear.

**71.** Another possible explanation is set out in the book, *A Very English Scandal*, where the suggestion is made that George Carman QC, who was defending Jeremy Thorpe in his trial for conspiracy to murder in 1979, wrote to every national newspaper editor warning that if they repeated the RAP allegations about Cyril Smith they would prejudice the trial.<sup>124</sup> We have not been able to corroborate this assertion, and Mr Bartlett told us that none of the journalists he spoke to in 1979 mentioned this as a reason why they were not publishing the story.<sup>125</sup>

**72.** Another possibility is that the national press simply did not want to destroy Smith's reputation in 1979. By that time he had become a very well-known politician who regularly provided the press with blunt comments, gossip and stories. In short, he was good copy. It is conceivable that the RAP allegations were simply not considered serious enough to bring down the career of a man who was entertaining and helped to sell newspapers.

**73.** Finally, it is possible that the allegations simply got lost among all the other news of the day because the national newspapers did not consider it a significant enough story, particularly in the midst of an election campaign in May 1979.

**74.** Whatever the reasons for the unwillingness of the national newspapers to run the RAP story, the fact is that the story quickly faded from view and Cyril Smith continued to build his career and fame both locally and nationally. Indeed, even if the national press had picked up on the allegations, it may not have had a significant negative effect on Smith. In Rochdale, where the RAP article had been widely read, there was no real impact. Smith was re-elected in the May 1979 election with an increased majority. Mr Bartlett described this as 'depressing'. His best explanation for this was as follows:

*"One of the reasons that we believed at the time, and I still do, looking back on it now, was that Rochdale – if you can speak in a corporate sense at all – wasn't surprised. These stories had been circulating in most taprooms of the town for a very long time. There was nothing very new, apart from the fact it had been put into print. So a lot of people just shrugged their shoulder and relied on the man they thought they knew or the man they had known and, as you're aware, he was extremely prominent in the town and had*

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<sup>122</sup> David Bartlett 12 October 2017 42/9-25

<sup>123</sup> INQ000972, particularly paragraph 51

<sup>124</sup> John Preston, Viking, London 2016, page 266

<sup>125</sup> David Bartlett 12 October 2017 34/3-8

*a considerable impact in all kinds of areas of the town, and people didn't want to believe that someone they regarded as a hero was capable of these kind of things, but they had heard the stories.*"<sup>126</sup>

**75.** Mr Bartlett's analysis seems to be correct. It appears that people in Rochdale simply did not believe the RAP allegations and largely assumed they were merely unsubstantiated rumours, or did not care about the allegations even if they thought they might be true. One issue that we need to explore in further depth, however, is how much the refusal of the Director of Public Prosecutions to comment on the matter may have affected the public reception of the allegations.

## The Director of Public Prosecutions and the press in 1979

**76.** The May 1979 RAP article described a "*disturbing discrepancy*" at the heart of the story. Mr Bartlett had been told by the police that a file was sent to the Director of Public Prosecutions, but his attempts to confirm this with his office drew a blank. The article explained that on the first approach for information (Mr Bartlett confirmed that this was towards the end of the process of researching and writing the article, in April or May 1979, and thought the approach was made by letter)<sup>127</sup> the Director of Public Prosecutions' office initially agreed to make a search but then said no file could be found. A further approach (which Mr Bartlett thought was by telephone) brought an 'official statement' from the Director, quoted as follows: "*The DPP cannot trace such a case being referred to us, but cannot confirm or deny receiving it.*" Mr Bartlett told the Inquiry that following journalistic convention the quotation marks meant that this was exactly what he was told, although he could not remember whom he spoke to at the Director of Public Prosecutions' office or whether they were male or female.<sup>128</sup>

**77.** Mr Bartlett also sent a letter to Sir Norman Skelhorn care of his club, The Athenaeum, and received a phone call on 25 April 1979 from a coin box from someone claiming to be Sir Norman on holiday, who said he could not remember anything about a Cyril Smith file. For the reasons set out above, it is not possible to resolve whether or not this phone call was indeed from Sir Norman and, if so, whether he was telling the truth.

**78.** However, the Inquiry has seen a series of four file notes made by a legal adviser at MI5, the Security Service, recording telephone conversations with Sir Thomas Hetherington, who was the Director of Public Prosecutions in 1979. According to these file notes, Sir Thomas informed the MI5 legal adviser that the Director of Public Prosecutions' press officer had misled both RAP and the Daily Express by telling them that the Director of Public Prosecutions' office had no record of the Cyril Smith file from Lancashire Police, when in fact such a file did exist.<sup>129</sup> Specifically, the first file note, dated 24 April 1979, states that "*After consultations, the DPP's press representative had untruthfully told BARTLETT that they had no record of this case. In fact their file closely accorded with the details given by BARTLETT.*"<sup>130</sup> There is no explanation given in the file note for why this lie was told.

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<sup>126</sup> David Bartlett 12 October 2017 174/15 - 177/10

<sup>127</sup> David Bartlett 12 October 2017 22/10-23

<sup>128</sup> David Bartlett 12 October 2017 23/6-18

<sup>129</sup> INQ000975\_003-005

<sup>130</sup> INQ000975\_3

**79.** We heard direct evidence on the matter from Eleanor Phillips, who was the Director of Public Prosecutions' private secretary, Parliamentary clerk and press officer in 1979, and who is referred to by name in the third of the MI5 file notes.<sup>131</sup> However, her testimony was not consistent with the file notes and the RAP article in part, and so it simply gave rise to further questions.

**80.** In terms of context she told us that, before Sir Thomas was appointed, the Director of Public Prosecutions' office hardly communicated with the press, but he tried to modernise the approach and make it more open. There was no press policy, as such, and the office was, in Ms Phillips' words 'making it up as they went along' as they did not have any measure of the number or sort of press calls they would receive. She was clear that they would not mislead the press or lie, but did concede that the Director of Public Prosecutions' office might be "*economical with the truth*".<sup>132</sup>

**81.** Ms Phillips did remember press interest in Cyril Smith in 1979. She recalled that when the first telephone call came in about the matter she was out of the office and a secretary answered. The secretary checked with the registry and confirmed to the journalist (who was probably Mr Bartlett) that the Director of Public Prosecutions did have an archived file on Smith. The next day Ms Phillips was informed about the enquiry and asked Sir Thomas whether the file should be brought up from the archives. He said no. She got the impression that Sir Thomas knew about issues surrounding Cyril Smith, because he was generally curious and she thought that, if this was entirely new to him, he may have wanted to see it but he did not explain further.<sup>133</sup>

**82.** As a result of this enquiry, which was the first Ms Phillips was aware of about an archived file, a policy was adopted of only commenting on ongoing cases, and so her recollection was that she telephoned the journalist back and told him this. She then received phone calls from other journalists about the same story and gave them the same answer.<sup>134</sup>

**83.** When she was asked to comment on the MI5 file notes and the RAP article, Ms Phillips could not explain them. She did not think her memory was wrong, and remained adamant that she did not mislead the press, but rather gave a "*no comment except on ongoing cases*" response.<sup>135</sup> Nor would she accept the suggestion that there may have been a misunderstanding, such that what she thought was a 'no comment' answer came across to the press as 'we deny having a file', as the instruction from Sir Thomas had only been given, and the no comment policy formulated, a matter of hours before.<sup>136</sup>

**84.** On the other hand, Ms Phillips could not say whether or not someone else from the Director of Public Prosecutions' office may have spoken to the press in addition to her and the secretary.<sup>137</sup>

**85.** Ms Phillips' testimony appeared to us to be credible and her memory reliable. On the other hand, the documents from MI5 and the RAP article itself make clear that the press were erroneously told that the Director of Public Prosecutions had no file on

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<sup>131</sup> Eleanor Phillips 24 October 2017 121/8ff; INQ001301

<sup>132</sup> Eleanor Phillips 24 October 2017 123/16 - 124/22

<sup>133</sup> Eleanor Phillips 24 October 2017 129/8 - 131/18

<sup>134</sup> Eleanor Phillips 24 October 2017 131/19 - 132/25

<sup>135</sup> Eleanor Phillips 24 October 2017 133/10 - 137/19

<sup>136</sup> Eleanor Phillips 24 October 2017 138/16-24

<sup>137</sup> Eleanor Phillips 24 October 2017 137/20 - 138/15

Smith. The complete truth of what happened remains frustratingly out of reach, but the most likely explanation in our view is that between the secretary speaking to Mr Bartlett and Ms Phillips' return call with the formal 'no comment' position there was another communication that was misleading. Sir Thomas may well have been uneasy about it. Unfortunately, the precise details of those conversations we will never know and a question remains about why Sir Thomas felt it necessary to contact the MI5 legal adviser. However, the provision to the press of misleading information by the Director of Public Prosecutions' office could have contributed to the failure of the press to publish the story, which was ultimately beneficial to Smith.

**86.** What is clear is that the Director of Public Prosecutions' office's misleading of the press by saying there was no trace of a case on Smith fuelled rumours and speculation that there had been some kind of cover-up. That problem was anticipated by Lancashire Constabulary almost immediately, as the fourth file note from MI5 shows. This is dated 3 July 1979 and records a conversation between a Security Service officer and Chief Constable Laugharne of Lancashire Police at the Regional Association of Chief Police Officers' Conference on 23 June. Mr Laugharne had complained to the MI5 officer about the Director of Public Prosecutions having denied receiving a file about Cyril Smith, and "*pointed out that there was a danger of critics of the Lancashire Police drawing the conclusion that the report had not been sent to the DPP as part of a conspiracy to assist Mr SMITH*".<sup>138</sup> The danger identified by Mr Laugharne is precisely what did in fact happen over the subsequent years, partly as a result of the Director of Public Prosecutions' refusal to set the record straight. We hope that this might prove a lesson for any institution or public authority tempted to mislead the media over any issues relating to child sexual abuse or failures to address it.

## Cyril Smith's knighthood

**87.** The stark fact is that despite the RAP allegations in 1979, and whether or not partly as a consequence of the Director of Public Prosecutions' office's misleading statement about the matter, Cyril Smith's standing in public life grew ever greater. In 1988, his ascent to a position of considerable prominence and respect was marked by his being awarded a knighthood for his political services.

**88.** We have obtained various documents from the Cabinet Office that demonstrate that the Political Honours Scrutiny Committee (PHSC) considered the 1970 Lancashire Police investigation and the 1979 RAP articles in some detail, and yet still came to the conclusion that it was open to the then Prime Minister, Margaret Thatcher, to recommend Smith for a knighthood. The first document is a memorandum from Mrs Hedley-Miller, the Secretary to the PHSC, to Sir Robin Butler, the Principal Private Secretary to Mrs Thatcher, dated 28 April 1988. The memo attaches copies of the RAP article and the follow-up Private Eye article, and notes that these justified a 'warning of risk' letter to the Prime Minister. It records the Committee's view:

*"They feel that if there is fire under this smoke, they would probably not wish to sign a certificate giving their go-ahead...if it is all rather baseless then 'let the press do its worst', but the Prime Minister need not be prevented from giving an honour where this is due. They would accordingly wish (i) to see the Lancashire police report to the DPP; (ii) to know*

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<sup>138</sup> INQ000975\_6

*what lay behind the DPP's advice that there was no reasonable prospect of conviction. Did they mean that MR Smith was probably innocent? Or merely that he probably was not innocent but the evidence was nevertheless not such as to stand up in court?"*<sup>139</sup>

**89.** The memo attached a draft letter to the Director of Public Prosecutions requesting further information along the lines indicated. It also attached a draft letter to the Prime Minister, which comments in relation to the RAP and Private Eye articles that "*one may regret this kind of press reporting*". This draft letter noted that in 1982, following a break-in at the offices of The Sun, police enquiries revealed that the editor had a copy of the 1970 police report.<sup>140</sup> This information confirms that the national newspapers did know about the story, and had considerable detail about the underlying facts, but chose not to publish it for some unknown reason. The draft letter also commented, "*We consider that Mr Smith would be slightly unfortunate if this episode were to stand in the way of an award, and we would not wish to make a positive adverse report if, after considering what I have said, you yourself were minded to proceed.*"

**90.** A handwritten note on the memo, dated 8 May 1988, indicates that Sir Robin wrote to the Director of Public Prosecutions, at that time Allan Green. He did not have the full police file but did have the 1970 letter from the Director of Public Prosecutions' office and discussed it with Sir Robin, who told him that there was 'no reasonable prospect for prosecution' because of the problems identified in that letter. Sir Robin had asked what the PHSC would do if there had been a prosecution that resulted in an acquittal. He was told that in that case they would give the person the benefit of the doubt, and so he felt that this applied all the more strongly where there had been no prosecution.<sup>141</sup>

**91.** On that basis, Mrs Hedley-Miller wrote to the Prime Minister and her office on 11 May 1988 attaching a certificate that left to the Prime Minister herself the final decision whether or not to recommend an honour. The letter alerted Mrs Thatcher to the Private Eye and RAP articles, but commented that the PHSC "*dislike the risk of doing injustice on the basis of press reporting from such sources*". The letter said the PHSC "*noted Mr Smith was made an MBE in 1966, when an Alderman, for his political and public services in Rochdale, and that he subsequently became Mayor. He also became a Member of Parliament in 1972 after the police enquiries*", and passed on the view of Sir Robin (endorsed by the PHSC) that where there had been no prosecution Smith should be given the benefit of the doubt.<sup>142</sup> Clearly the Prime Minister took a similar view because Smith did receive a knighthood.

**92.** We have seen nothing to suggest that there was any cover-up or conspiracy in the way Smith obtained his knighthood. On the contrary, it is clear that there was some frank discussion at the highest level of British politics about the 1969–70 police investigation and the 1979 press articles. However, what is remarkable is the extent to which Smith was given the benefit of the doubt, a phrase that is repeated in the documents and appears to have been a general policy.

**93.** There are a number of striking aspects to this correspondence. It makes plain that the PHSC brought no independent judgment to bear upon the allegations made against Smith. Although the PHSC asked the Director of Public Prosecutions for further information

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<sup>139</sup> [CAB000008\\_012-013](#)

<sup>140</sup> [CAB000008\\_018](#)

<sup>141</sup> [CAB000008\\_13-14](#)

<sup>142</sup> [CAB000008\\_002](#)

(prompted by the 1979 press articles), when informed that the Director of Public Prosecutions' office did not have the full police file, the PHSC made no further effort to find it. This meant that it was unsighted on the substance of the allegations. The necessarily general comments by Mr Green about his predecessor's reasoning in the 1970 advice letter were thought to be sufficient and no further questions were asked about it. The decision not to prosecute was, of itself, regarded as all important. Had the PHSC known of the police view of Smith, or of the content of the allegations, it may well have been troubled by them. It is also clear from the correspondence that what was of most concern to the PHSC was fairness towards Smith and concern for the reputational risk to the honours system caused by adverse media coverage. Concern for those who may have been abused by Smith did not feature. Moreover, the documents show a marked tendency to take Cyril Smith's progress in local and national politics, along with his previous honour (an MBE in 1966), as evidence that the allegations were unlikely to be true. This demonstrates a significant deference to power and an unwillingness to consider that someone in a position of public prominence might be capable of perpetrating abuse. This matters because the conferring of a knighthood on Smith was to make him even more powerful.

## The decisions by the Crown Prosecution Service in 1998 and 1999, and the review in 2012

**94.** In about March 1998, RO-A1 contacted police in South Wales who were investigating physical and sexual abuse in residential establishments in their force area.<sup>143</sup> RO-A1 complained of being indecently assaulted by Cyril Smith between 1965 and 1968. The police in South Wales passed on the complaint to GMP,<sup>144</sup> who from 1997 had been investigating allegations of physical and sexual abuse in residential care homes in the Greater Manchester area. This investigation was known as 'Operation Cleopatra'.<sup>145</sup>

**95.** On 21 May 1998, Detective Superintendent Stelfox (the then Senior Investigating Officer on Operation Cleopatra) submitted the original Lancashire Constabulary file, with the addition of one further statement,<sup>146</sup> which had not been part of the original file, to the Crown Prosecution Service Branch Crown Prosecutor (BCP) in Rochdale with a request to advise whether there was sufficient evidence to support a prosecution, assuming those who had made complaints in the 1960s still wished to pursue them. He requested the Crown Prosecution Service to advise whether a prosecution was viable in light of the Director of Public Prosecutions' decision in 1970.<sup>147</sup>

**96.** Between 1970 and 1998, the prosecution landscape had changed. First, the Crown Prosecution Service had become responsible for making charging decisions. Second, in 1994, the Code for Crown Prosecutors introduced a two-stage test that had to be satisfied before

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<sup>143</sup> This was Operation Goldfinch: see [GMP000239\\_115](#)

<sup>144</sup> [GMP000239\\_114](#)

<sup>145</sup> Detective Chief Inspector Sarah Jones 13 October 2017 42/8 - 43/2

<sup>146</sup> Reverend Potter, a founding member of the committee which established Cambridge House Hostel, who stated that Smith was not responsible for medical examinations and was not given permission by the committee to punish boys beyond the normal administration of general punishment administered by a parent or guardian: [GMP001129\\_2](#)

<sup>147</sup> [GMP001129\\_1](#)

criminal proceedings could be commenced: the evidential test and the public interest test. That is to say, was there a realistic prospect of conviction<sup>148</sup> and, if so, was it in the public interest to prosecute?<sup>149</sup> Third, the old rules on corroboration had been swept away.<sup>150</sup>

**97.** In addition, it was of importance that by 1998 the doctrine of abuse of process was well established in relation, among other things, to prosecutorial promises.<sup>151</sup>

**98.** The BCP provided a draft Advice dated 10 June 1998<sup>152</sup> that he followed up on 17 June 1998 with a final written Advice,<sup>153</sup> which he sent to the Assistant Chief Crown Prosecutor, Mr Barker, under cover of a minute of the same date,<sup>154</sup> saying he had spoken to Chris Enzor at Crown Prosecution Service Headquarters in York, whom he had informed of the Advice out of courtesy, and that he had provided him with the brief details of it. The BCP revealed in the minute that Mr Enzor “*informed me that it was not necessary to refer the matter to Headquarters*”. Although the minute did not reveal why not, the BCP revealed in his final Advice that Headquarters had not wished to become involved in the light of his conclusions.<sup>155</sup> In other words, his conclusions were accepted as correct.

**99.** The BCP’s minute also revealed that he had spoken to Mr Stelfox about his Advice to whom, he said, it had come as no surprise. At the end of the minute, the BCP observed, “*I expect that my advice will conclude the investigation into the suspect for some time.*”

**100.** As for his advice on the substantive issues, the BCP said he was of the “*firm view*”, having regard to the nature and number of the complaints and how they came to be made, that there would be a realistic prospect of conviction in respect of a number of indecent assaults, which was based on the evidence taken at its highest.<sup>156</sup> In summary, he said, he had “*little hesitation*” in advising that there was sufficient evidence to proceed against Smith and a realistic prospect of conviction in respect of each of the complaints. Despite that prospect, however, it was not appropriate to proceed because Smith would be entitled to rely on the legitimate expectation that he would not be prosecuted by reason of what he had been told on 25 March 1970, reinforced by the lapse of 27 years.<sup>157</sup> In other words, it would be an abuse of the process to prosecute, leading to the stay of the proceedings.

**101.** In 1999, the police obtained statements from two additional complainants (RO-A4 and RO-A68), as a result of which the BCP was asked to advise further. He did so in a minute dated 21 May 1999.<sup>158</sup> The BCP came to the view that there was no realistic prospect of conviction based on the new complaints, and that he doubted also whether it was in the public interest to proceed with RO-A68’s complaint. Given that he did not complain that Smith had indecently assaulted him, there was no new evidence that would alter his view in relation to the original complainants. He alluded to the likely abuse of process arguments he had set out in his first Advice.

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<sup>148</sup> This was a change from the previous ‘reasonable prospect of conviction’ test

<sup>149</sup> Gregor McGill 11 October 2017 135/1-17; and 8 September 2017 witness statement CPS002813\_33-34, paragraphs 118-124

<sup>150</sup> Gregor McGill 135/19 - 136/25; and 8 September 2017 witness statement CPS002813\_18-20, paragraphs 69-73

<sup>151</sup> Gregor McGill 137/8 - 138/24; and 8 September 2017 witness statement CPS002813\_22-26, paragraphs 79-91

<sup>152</sup> GMP001129\_7

<sup>153</sup> GMP001129\_12

<sup>154</sup> GMP001129\_11

<sup>155</sup> GMP001129\_16, paragraph 14

<sup>156</sup> GMP001129\_14, paragraphs 10 and 11

<sup>157</sup> GMP00129\_15-16, paragraph 13

<sup>158</sup> GMP001129\_56-58

**102.** In 2012, a Senior Crown Advocate was asked to review the BCP's Advices in 1998 and 1999.<sup>159</sup> His view was that, had the original complaints been referred to the Crown Prosecution Service in 2012, it is likely that authority would have been given to charge. However, he added that the BCP's Advice, based on the law as it was then, "*cannot be faulted*".

**103.** In his witness statement of 8 September 2017,<sup>160</sup> Mr McGill remarks that, at that time, it would have been unusual for a Crown Prosecutor to make a decision whether or not to commence proceedings based in large part on an assessment made by him of the likely success of any application to stay the proceedings before such an argument could be fully litigated before a judge. He does point out that the factual matrix presented to the BCP was unusual and in Smith's favour. Mr McGill also says that the approach the BCP took to the issue of corroboration is "*open to criticism*" although he did advise that the evidential test was satisfied.<sup>161</sup> Insofar as the 1999 Advice goes, the BCP should have concluded that, although the new complaints did not pass the evidential test, they were nonetheless capable of undermining Smith's claim of innocent association with the other complainants.<sup>162</sup>

**104.** Of the 2012 review, Mr McGill did not agree that the Senior Crown Advocate's view that the BCP's Advice could not be faulted was wholly accurate, as there were criticisms that could be made of the approach the BCP adopted in 1998 and 1999. However, Mr McGill concluded that the approach regarding abuse of process was "*broadly correct*" and, while other lawyers might have opted to charge Smith and allow a judge to decide on any application by him to stay the proceedings, he was "*satisfied that there was a legal justification for his conclusions at that time*". In evidence, Mr McGill said the decision was "*not unreasonable*".<sup>163</sup>

**105.** In her Closing Statement,<sup>164</sup> Ms Hoyano criticises the BCP's decision making as "*unbalanced*" in that there was a failure to consider countervailing arguments that might damage public confidence in the criminal justice system by a refusal to prosecute Smith, as she put to Mr McGill in questioning.<sup>165</sup> In his Closing Statement, Mr Brown QC contended that "*unbalanced*" meant it was no more than a wrong "*judgment call*" on the unusual facts of the case.<sup>166</sup>

**106.** Mr Brown also set out for us the fundamental differences in approach to prosecutorial practice as exist nowadays. The first Code for Crown Prosecutors had gone through several revisions, all of which involved public consultation, which bear on the decision making made today in cases of alleged child sexual abuse. He outlined the many Crown Prosecution Service guidance documents there are for prosecutors dealing with such cases, as well as the Victim's Right to Review scheme. All this suggests a wholly different approach to allegations of child sexual abuse and the alleged victims of such abuse today.<sup>167</sup>

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<sup>159</sup> [GMP001129\\_65](#)

<sup>160</sup> [CPS002813\\_28](#), paragraph 104

<sup>161</sup> [CPS002813\\_29](#), Paragraph 105; and see [Gregor McGill 11 October 2017 142/20 - 143/16](#)

<sup>162</sup> [CPS002813\\_29](#), Paragraph 106; [Gregor McGill 11 October 2017 146/11 - 147/21](#)

<sup>163</sup> [CPS002813\\_029-030](#), Paragraph 108; and see [Gregor McGill 11 October 2017 142/3-19, 149/24 - 150/4](#)

<sup>164</sup> [27 October 2017 37/24 - 38/2](#)

<sup>165</sup> See [Gregor McGill 11 October 2017 162/6-13](#)

<sup>166</sup> [Edward Brown QC 27 October 2017 75/2-15](#)

<sup>167</sup> [Edward Brown QC 27 October 2017 77/16 - 81/22](#)

**107.** In the light of the evidence we have heard, we are of the view that the BCP, having come to the firm view that there was a realistic prospect of conviction in regard to the original complaints, about which he was asked to advise, ought in 1998 to have advised that Smith be charged. A judge should have been asked to decide on any application to stay the proceedings as an abuse of the process. We are sympathetic to Ms Hoyano's views that the BCP's advice appears to be "unbalanced", in that there was a failure to consider the countervailing arguments that public confidence in the criminal justice system might be damaged by a refusal to prosecute Smith.

**108.** Moreover, when he was asked to consider his Advice again in 1999 in the light of the new complaints, the BCP might have come to the view that, although they did not themselves pass the evidential test, nonetheless those complaints were capable of undermining Smith's defence of innocent association and lending further support to the case.

**109.** We conclude that a valuable opportunity was lost in 1998 and 1999, not only to charge and to prosecute Smith during his lifetime but also for the complainants to seek justice.

## The Greater Manchester Police investigation 1998–99

**110.** There are two aspects of the Operation Cleopatra investigation by GMP in 1998–99 that should be considered in more detail as they have given rise to further suspicions that there was an attempt to cover up abuse by Cyril Smith.

**111.** We had read to us evidence from Detective Sergeant Vincent Hill who worked on Operation Cleopatra. He recalled being asked at some point after 20 March 1997 by Detective Superintendent Bill Roberts (by then the Senior Investigating Officer (SIO) after Detective Superintendent Stelfox moved on) to review the 1970 Lancashire Police file on Cyril Smith. He did so and then interviewed RO-A1 on 21 October 1998.<sup>168</sup> He also interviewed David Bartlett and he then produced a report dated 2 December 1998, which he handed to Detective Chief Superintendent Keegan.<sup>169</sup> Detective Sergeant Hill was then asked to make further enquiries in early 1999, and he interviewed both RO-A4 and RO-A68, following which he produced another report. He said that his handwritten report had a final paragraph setting out his recommendation for further action. He had been instructed not to include any recommendations, but did so anyway. However, in the typed version of the report this final paragraph was removed.<sup>170</sup>

**112.** This amendment to Detective Sergeant Hill's report has, as with many other features of the police involvement with Cyril Smith, given rise to the suggestion that there was some kind of attempt to prevent further investigation. However, we have seen a copy of the original handwritten report and it simply read as follows:

*"My own view is that a further investigation would be merited now that the information has been made available to Operation Cleopatra. I feel that despite current priorities for the investigation, it would be better carried out sooner rather than later in order that the police be seen to be acting expeditiously and with due concern for those involved."*<sup>171</sup>

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<sup>168</sup> RO-A1 10 October 2017 78/1-25

<sup>169</sup> Vincent Hill 24 October 2017 19/6 - 20/3; GMP000097\_2

<sup>170</sup> Vincent Hill 24 October 2017 20/4 - 21/4; GMP000097\_2

<sup>171</sup> GMP001134\_11

**113.** This paragraph does not add anything material to the typed version that was submitted to the Crown Prosecution Service on 29 March 1999 and cannot have made any difference to the Advice of the BCP set out above.<sup>172</sup>

**114.** The second issue relating to Operation Cleopatra in 1998–99 is that Detective Sergeant Hill and Detective Sergeant Hough were removed from the investigation. Once again, the suggestion by Detective Sergeant Hill was that this indicated that incidents involving Cyril Smith were covered up.<sup>173</sup>

**115.** However, we had read to us evidence from Bill Roberts, who was the SIO on Operation Cleopatra at the relevant time. His opinion was that Detective Sergeant Hill was resistant to the idea of joint working with social workers, which was a key policy in Operation Cleopatra.<sup>174</sup> He also recalled that Detective Constable Hough and Detective Sergeant Hill were taken off the investigation as a result of refusing to take a social worker with them while conducting their enquiries and, in relation to Detective Sergeant Hill, submitting unnecessarily lengthy reports.<sup>175</sup> He was emphatically clear that there was no attempt by anyone to exert pressure on him or anyone in his team not to investigate Cyril Smith.<sup>176</sup>

**116.** We find Mr Roberts' evidence convincing, particularly because Detective Sergeant Hill did in fact submit a report on Cyril Smith, which was sent to the Crown Prosecution Service, and there does not appear to have been any attempt to stop this. It is clear that it was the BCP's Advice not to prosecute that led to no further action being taken against Smith in 1998 or 1999, not any pressure or undue influence from within or upon GMP. Mr Roberts' evidence was that, in the context of a large-scale operation that involves much more recent allegations of assaults including buggery and rape, the allegations against Cyril Smith from the 1960s were not serious enough to warrant further attention,<sup>177</sup> and we can understand why that was a reasonable assessment by the investigation team, particularly in the light of the BCP's Advice.

## Local rumours about Cyril Smith

**117.** It appears to have been common knowledge in Rochdale from at least the late 1970s that there were rumours that Cyril Smith had been involved in sexual activity with young men and boys. Allan Buckley told us that he had been involved in the Labour Party and rumours had circulated among party activists, although the only time he saw anything more than rumour and gossip was the article in RAP in 1979.<sup>178</sup>

## Allegations of a pact between Labour and the Liberal Democrats

**118.** The fact that Cyril Smith's public standing and professional career were never negatively impacted in any significant way by the suggestion that he was involved in child sexual abuse has given rise to considerable speculation that he was in some way protected

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<sup>172</sup> [GMP001129\\_024](#)

<sup>173</sup> [GMP000098\\_2-3](#)

<sup>174</sup> [Bill Roberts 24 October 2017 25/8-17; GMP001008\\_009-011](#)

<sup>175</sup> [Bill Roberts 24 October 2017 29/23 - 31/1](#)

<sup>176</sup> [Bill Roberts 24 October 2017 31/6-13](#)

<sup>177</sup> [Bill Roberts 24 October 2017 29/5-19](#)

<sup>178</sup> [Allan Buckley 13 October 2017 6/11 - 7/25](#)

by other politicians. We may consider the possibility that Smith was actively supported at the level of national politics or, at the very least, had a blind eye turned towards allegations against him, as part of the Westminster investigation.

**119.** However, there have also been persistent rumours of a pact or deal between the local Liberal/Liberal Democrat and Labour parties in Rochdale. The allegation was put in its most detailed form by Barry Cropper and Peter Evans, both former police officers who became involved in local politics (Mr Evans served as Mayor of Rochdale in 2007). They told Detective Inspector Muriel Buglass of GMP in 2008 that they had information to suggest that the Liberal Democrats had agreed not to make any public comments about a Labour councillor in return for the Labour Party keeping quiet about Cyril Smith, and gave the names of various other individuals whom they thought could provide first-hand evidence.<sup>179</sup>

**120.** Detective Inspector Buglass did in fact investigate the matter in 2008, but came to the conclusion that she could not substantiate the allegations relating to the Labour councillor, let alone the core allegation that there was a political pact as a result.<sup>180</sup> She told Mr Cropper this, but Mr Cropper and Mr Evans were convinced there was something in it and repeated the allegation to GMP in 2012, to Neil Garnham QC in 2014 and to the Operation Clifton team at GMP in 2015.

**121.** In November 2012, an email was sent to the online news outlet Breitbart.com making a similar allegation about a pact between the Liberal Democrat and Labour parties in Rochdale to cover up child abuse. The Breitbart journalist did not pick up the email in 2012 but only in 2014 and published a short story based on it at that time.<sup>181</sup>

**122.** Peter Marsh, formerly a Detective Superintendent at GMP, was the SIO in Operation Clifton, which looked at this matter in some depth. Mr Marsh was clear that his investigation found no evidence of any pact to cover up allegations of child abuse, having spoken to a number of people from the different political parties in Rochdale. He could not identify where the rumour had originally come from, but considered it was likely to be “*political mischief*”. He noted that Matt Baker, the co-author of *Smile for the Camera* who sent the email to Breitbart, told him it was a “*silly email that was looking to scope some research*” and effectively retracted it.<sup>182</sup>

**123.** We agree with Mr Marsh’s view that there is no substance to this allegation. We have heard evidence from Rochdale politicians from all three main parties, and their unanimous testimony was that a pact not only did not exist but could not have existed.

**124.** Richard Farnell, a Labour politician and Leader of the Council at the time he gave evidence to us, described the idea of a pact as “*absolute nonsense*” because the Liberals were the Labour Party’s “*bitter political enemies*” and because after the RAP article everybody in Rochdale knew about the Cambridge House allegations so there was nothing to cover up.<sup>183</sup>

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<sup>179</sup> [GMP000916\\_107-109](#)

<sup>180</sup> [GMP000916\\_108](#)

<sup>181</sup> [GMP000916\\_104-106](#)

<sup>182</sup> Peter Marsh 24 October 2017 182/12 - 184/3

<sup>183</sup> Richard Farnell 24 October 2017 105/17 - 106/4

**125.** Paul Rowen, a Liberal Democrat politician who was Leader of the Council from 1992 to 1996 and MP for Rochdale from 2005 to 2010, likewise considered the suggestion of a pact to be a “*total fantasy*”, because the Labour councillor who was alleged to be involved was no longer on the local political scene after 1992, and because Labour and the Liberal Democrats “*would fight each other tooth and nail*” and would never “*give any quarter*” on an issue like that.

**126.** We will return to Mr Farnell and Mr Rowen later when dealing with Political Accountability, but for present purposes it suffices to say that we were not impressed with either as witnesses: they were evasive at times and not clear in their evidence. Mr Farnell’s failure of recollection was unconvincing. However, on this issue we accept their evidence. It could be said that ‘of course they would deny it’ in relation to an allegation of a pact, but the practical points they made cannot be contested. There would have been no reason for the Liberal Democrats, in particular, to make a deal with Labour in relation to Cyril Smith about allegations that had already been put into the public domain in 1979. Nor would it make sense for Labour to make a deal in relation to a relatively low-profile Labour councillor in return for keeping quiet about Cyril Smith, who was far and away the most high-profile Liberal politician in Rochdale for decades.

**127.** Their evidence was corroborated by the long-serving Conservative politician, Ashley Dearnley, who told the Garnham Review that he knew nothing about any deal to cover up child abuse, and could not see any way in which a pact would have been possible, due to how polarised the Liberal Democrats and Labour were. In his evidence read to the Inquiry, Mr Dearnley also noted that the Labour councillor in question was not particularly significant.<sup>184</sup>

**128.** It was helpful of Mr Evans and Mr Cropper to bring to the attention of GMP and the Inquiry a full and detailed account of the alleged pact. However, we do not think that there was any such deal or understanding between the Liberal Democrats and Labour in Rochdale. We suspect that the idea of a pact gained credence because the alternative – that people knew about the serious allegations surrounding Cyril Smith, but chose to disbelieve or ignore them – was even more unpalatable.

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<sup>184</sup> [Ashley Dearnley 25 October 2017 89/10 - 90/17](#)

Part C

# Knowl View School

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# Section 1

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## Introduction to Knowl View School

1. Cambridge House Hostel had ceased to operate in 1965 under the auspices of the Rochdale Hostel for Boys Association, yet Smith remained heavily involved in Rochdale Council's provision of services to children including (in due course) leading the campaign for the establishment of Knowl View School.<sup>185</sup> By this time he had become even more powerful. In 1966, he was selected as the Mayor of Rochdale (for the Labour Party) and he was awarded an MBE "*for his services to youth*", as was later recorded by Superintendent Leach in his report in the Lancashire investigation in 1970.<sup>186</sup>
2. This part of the report focuses on Knowl View School. The school became of interest to the investigation because of Smith's involvement in its foundation. On closer examination, it became clear that he was far less involved in this school than he had been in Cambridge House. While Smith's involvement drew attention to Knowl View School, examination of it drew into sharp focus an institution that was supposed to care for vulnerable children in Rochdale, yet failed to act in the face of information that those children were being subjected to different kinds of sexual abuse. Knowl View School gave the Inquiry an opportunity to consider in some detail why an institution from the not too distant past was unable to confront the sexual abuse it knew children in its care were suffering.
3. We are grateful to the former pupils who provided evidence to the Inquiry about their experiences at Knowl View School. We appreciate the pain and the complexity of feelings that recalling these experiences invoked. That evidence made real the lifetime consequences that childhood experience of sexual abuse has, particularly upon vulnerable children. Much of what happened to children who attended Knowl View is not controversial. There are records showing that children were being sexually exploited in the town centre by men paying them for their services; Roderick Hilton was convicted in 1984 and again in 1990 of having sexually abused children from the school; and there are records from the time voicing concerns about coercive sexual activity between children. So, there was no shortage of information about the reality of what some children at the school were facing and the risks that other children were exposed to. Steven Ford QC for Rochdale Borough Council accepted in his Closing Statement that there was "*a wealth of evidence*" that children from Knowl View School were being sexually abused.<sup>187</sup> He also repeated the Council's apology for the "*frankly unforgivable*" failings in its management of Knowl View School and its response to concerns about the sexual abuse of children from the school.<sup>188</sup>

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<sup>185</sup> Gail Hopper 31 July 2017 witness statement, RHC002510\_ 017, paragraph 5.11

<sup>186</sup> [CPS002701\\_1](#)

<sup>187</sup> [Steven Ford QC 27 October 2017 6/5-14](#)

<sup>188</sup> [Steven Ford QC 27 October 2017 14/19-25](#)

4. We are concerned with why these failings occurred in the first place, and what sort of conditions in a supposedly caring environment permitted the sexual abuse of children or allowed them to be exposed to that risk. This part will to some extent consider Cyril Smith's role in the school, but will focus more closely on the experiences of children.

5. The original idea for Knowl View School appears to have been developed in 1963 as a joint undertaking among four local authorities (Lancashire, Bolton, Rochdale and Oldham) to establish a residential special school for 'maladjusted boys'. In April 1968, Cyril Smith was appointed the Chairman of the 'Special Sub-Committee Re Residential School for Maladjusted Boys'. This sub-committee was charged with making the practical arrangements for the setting up of this school. Just as he had been instrumental in bringing Cambridge House into existence, so too was Cyril Smith central to the establishment of Knowl View School. On 15 January 1970, powers related to the running of the school were transferred from the Special Sub-Committee to the Board of Governors. Cyril Smith was appointed a member of the Board in 1970.<sup>189</sup> He remained a member of the Board and chaired it until his election to Parliament in 1972.<sup>190</sup> It is important to note that Smith was on the Board of Governors of a number of other schools during the same period.<sup>191</sup> Cyril Smith joined the Board of Governors again in 1994. He and Harry Wild were Governors of Knowl View School at approximately the same points in time, which is further evidence of the longstanding nature of their association.<sup>192</sup>

6. The first pupils were admitted to the school, under the umbrella of 'maladjustment', on 8 January 1969.<sup>193</sup> It is clear that this term covered a range of different needs. Witnesses who gave evidence to us said that certain children who resided at the school would now be regarded as being on the autistic spectrum.<sup>194</sup> Gail Hopper confirmed in evidence her view that the pupils admitted had every social, emotional and mental difficulty conceivable.<sup>195</sup>

7. The school was intended to provide residential schooling for approximately 50 boys aged from 7 to 16 years of age. As will be seen later, accommodating children of this range of ages in one building was to expose younger children to a serious risk of sexual abuse by other children.

8. It also appears that, from an early stage, it was intended that children would live at the school during the week and at weekends. A statement of policy from 1977 specified that children did not automatically go home at weekends; rather each child should go home at least once per half term.<sup>196</sup> The policy also demonstrated an appreciation of the risk that residential schooling could isolate a child from his family by altering the dynamics of the family home. The imperative was therefore to support the child so that he could live within the family unit.<sup>197</sup> We note here that this mission appears to have changed over time in that the school began to accommodate children at weekends for the opposite purpose, that of removing them from very difficult family circumstances.<sup>198</sup>

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<sup>189</sup> [RHC002422\\_12](#)

<sup>190</sup> [Gail Hopper 12 October 2017 58/14-17](#)

<sup>191</sup> [Gail Hopper 31 July 2017 witness statement, RHC002510\\_17, paragraph 5.16](#)

<sup>192</sup> [Gail Hopper 12 October 2017 73/3-7](#)

<sup>193</sup> [RHC002510\\_029, paragraph 7.26](#)

<sup>194</sup> [Martin Digan 16 October 2017 21/20-25; Gail Hopper 12 October 2017 55/24 - 56/7](#)

<sup>195</sup> [Gail Hopper 12 October 2017 56/8-14](#)

<sup>196</sup> [LAC000036\\_1](#)

<sup>197</sup> [LAC000036\\_1](#)

<sup>198</sup> [Gail Hopper 12 October 2017 82/5-19](#)

**9.** That children did not go home at weekends was confirmed by Martin Digan, a residential social worker at the school from 1978 to its closure. He gave evidence that some pupils “*had to earn the right to go home*” at weekends and that other children lived at the school all the time save for school holidays.<sup>199</sup>

**10.** Children who come to live in residential schools do so because they have emotional, educational or behavioural needs. In his evidence before us, Stephen Bradshaw, who became the Head Teacher of the school in 1991, emphasised that the need for attention by children with emotional, educational or behavioural needs rendered them particularly vulnerable. It was part of the responsibility of a school to find positive ways of providing such attention.<sup>200</sup>

**11.** This was understood by those with responsibility for the school. According to Diana Cavanagh (then Director of Education), writing in 1994, children who were attending Knowl View School “... *have been unable to cope with mainstream and (often) their family circumstances. Many have a poor self-image, have been abused and are on the Child Protection Register, have not found it possible to make good relationships with other children. Some are extremely withdrawn, avoiding contact or relationships with others and running away if pressurised. Some are aggressive and violent towards their family, other pupils and staff, both posing a physical risk to others and disrupting other pupils’ education. Some manipulate or bully other children and constantly use inappropriate language or inappropriate sexual behaviour. They may be out of control and attention-seeking at home and school ...*”<sup>201</sup>

**12.** We quote this in full because it highlights a fundamental point about the ambiguous position that Knowl View School occupied. It was not a children’s home yet children could spend most of their time there (apparently at the direction of the school). Many of the children who lived at the school were vulnerable before they arrived and came from families with complex needs. Ms Hopper gave evidence that some children appeared to have been placed in the school as an alternative to being placed in care; others were already in the care of a local authority.<sup>202</sup> Ms Hopper also accepted that regardless of whether they were in care or not, and whatever their parents’ views, children who lived at such a school seven days a week were, in all but name, in care.<sup>203</sup>

**13.** Ms Hopper also commented that the placement of children at a residential school, rather than in care, may have been informed by financial pressures (such an arrangement would have been favourable to the Social Services Department because the costs would at least be shared with the Education Department, if not borne by it entirely).<sup>204</sup> She remarked upon how unusual it was to see references to financial pressures about the funding of residential placements in children’s individual records, yet they were referred to in records she examined.

**14.** Despite the fact that, in reality, Knowl View was home to many children over the years, it was not subject to the oversight that would apply to a children’s home. There is little evidence that the life provided for children outside the classroom had any of the comfort or warmth that ought to be a feature of residential care. For some of its pupils, Knowl View

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<sup>199</sup> [Martin Digan 16 October 2017 25/24-26](#)

<sup>200</sup> [Stephen Bradshaw 19 October 2017 28/10 - 29/10](#)

<sup>201</sup> [RHC001229\\_7, paragraph 8](#)

<sup>202</sup> [Gail Hopper 12 October 2017 88/21-24; 106/15-25](#)

<sup>203</sup> [Gail Hopper 12 October 2017 107/1-9](#)

<sup>204</sup> [Gail Hopper 12 October 2017 89/6-13](#)

School might well have provided conditions that were at least better than their own home but this only reinforces how important it was that the school provided them with the safe, secure and caring environment they may otherwise have lacked.

**15.** Terence Hopwood, the Head Teacher of Knowl View in 1977, recognised that “*Residential education must not be confused with residential care*”,<sup>205</sup> and that the school was not a residential home, and was not capable of providing the level of support that children in need of residential care required. It is apparent to us that over time the school lost sight of its primary purpose to educate children and instead became an institution for little more than their containment.

**16.** When he gave evidence to us, Mr Bradshaw said that the cold, institutionalised and inhospitable conditions at the school played their part in the children’s behaviour and that this, in turn, put them at risk of sexual abuse.<sup>206</sup>

**17.** At the very end of his evidence to us, Mr Bradshaw was asked to identify what he believed to have been so wrong with Knowl View School that enabled the sexual abuse of children to take place. His answer was that every part of it was wrong, “... *the place was wrong. The environment was not conducive to ... caring ... for children, it was very stark, so the environment was wrong. The people were wrong. They didn’t have any leaders. The governance was wrong. The curriculum was wrong...*”<sup>207</sup>

**18.** This part of the report will explore how that came about. It will consider how public authorities in Rochdale responded to children who were sexually abused by a man who targeted the school, children who were sexually exploited by men paying them for their services, and children who engaged in sexual activity with each other.

## Knowl View School: the early years

**19.** There is not a great deal of evidence about what life was like for children who resided at Knowl View School in its early years, but an important source is Father Michael Seed’s book *Nobody’s Child*, extracts of which were read out in the hearing. Father Michael was a pupil at the school between the years 1970 and 1974. He describes in graphic terms the exploitation of his fellow pupils in Rochdale town centre by “*kerb crawling*” men and how other pupils tried to recruit him into this.<sup>208</sup>

**20.** The evidence shows that exploitation of boys from Knowl View School (some very young) by paying men continued into the early 1990s. This exploitation of children was an enduring feature of school life from its beginning to its end.

**21.** Father Michael’s book also describes how, in this very early period, David Higgins, a Knowl View teacher, would wash boys in the showers and encourage some to masturbate. According to Father Michael, Higgins had the “*ingenious technique*” of taking children on hikes or potholing so that they needed to shower after. He would help them to wash and touch them in the process. He also got boys to masturbate. Father Michael thought this to be normal at the time, the sort of thing that happened in a boarding school.<sup>209</sup>

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<sup>205</sup> LAC000036\_2, paragraph 2

<sup>206</sup> Stephen Bradshaw 19 October 2017 20/2 - 22/8

<sup>207</sup> Stephen Bradshaw 19 October 2017 106/2-11

<sup>208</sup> Father Michael Seed 12 October 2017 114/12 - 115/25

<sup>209</sup> Father Michael Seed 12 October 2017 117/21 - 118/25

**22.** We were unable to hear oral evidence from Father Michael, but he spoke to the Garnham Review. When he was interviewed by Neil Garnham QC (now Mr Justice Garnham), he did confirm the accuracy of the information contained in his book.<sup>210</sup> The information in the book reflects other evidence that the Inquiry has considered and that demonstrates that boys from Knowl View were being sexually exploited at this time. A clear example of this appears in the witness statement of a social worker who had responsibilities for a pupil at the school. He describes collecting this pupil from the south of England (he had “*absconded*” from Knowl View School). He was covered in scabies and lice and said that he had been giving sexual favours for money. According to the social worker, he had a good talk to the boy on the way back to his parents’ home, and made him “*promise to be a good boy*”.<sup>211</sup> This is dealt with so matter of factly in the social worker’s statement that it supports the suggestion that, at that time, the exploitation of Knowl View pupils was thought neither shocking nor out of the ordinary.

**23.** David Higgins was appointed as a teacher to Knowl View School in 1969. He resigned on 31 December 1971 for reasons that are unknown.<sup>212</sup> One of the Core Participants (RO-A7) gave evidence that, when Higgins left the school, the rumour was Higgins left because he had raped a pupil (RO-B201).<sup>213</sup> Higgins was later convicted in 1976 and 1983 of the sexual abuse of children not related to Knowl View. However, he was also investigated as part of Operation Cleopatra, which was a wide-ranging investigation into the sexual abuse of children within children’s homes in the Greater Manchester area. In 2002, Higgins pleaded guilty to offences involving the sexual abuse of two pupils from Knowl View, for which he was sentenced to 12 months’ imprisonment.<sup>214</sup>

**24.** Detective Chief Inspector Sarah Jones of Greater Manchester Police (GMP) (the Senior Investigating Officer on Operation Jaguar<sup>215</sup>) confirmed that, some 30 years after he left Knowl View School, one of the children whom Higgins had been convicted of sexually abusing was RO-B201.<sup>216</sup> This is the boy RO-A7 said was rumoured to have been raped by Mr Higgins at the time he left the school.

**25.** RO-A7 gave evidence to the Inquiry despite his fragile health. He went to live at Knowl View School in February 1969. He was one of its first pupils and one of the youngest. He recalled the four dormitory names were Lilliput, Bliss, Nirvana and Valhalla. He recalled that some of the staff were good but he was sexually abused by others. He was also sexually abused by other children.

**26.** Like Father Michael, RO-A7 gave evidence that Higgins took children on camping or hiking trips. According to him, Higgins was “*always molesting him*”. This included abuse that took place on camping trips and at the school.<sup>217</sup> At the school, Higgins watched RO-A7 shower and instructed him how to masturbate himself.<sup>218</sup> Higgins would also take photographs of RO-A7 naked in the shower.<sup>219</sup>

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<sup>210</sup> Father Michael Seed 12 October 2017 123/15-25

<sup>211</sup> Robert Daniels 18 June 2014 witness statement OHY002390

<sup>212</sup> GMP000567

<sup>213</sup> RO-A7 16 October 2017 10/5-11

<sup>214</sup> Gail Hopper 31 July 2017 witness statement, RHC002510\_072, paragraph 13.7

<sup>215</sup> Operation Jaguar was a two-part investigation into criminal allegations made by former pupils at Knowl View School and into Cyril Smith

<sup>216</sup> Detective Chief Inspector Jones 13 October 2017 57/20

<sup>217</sup> RO-A7 16 October 2017 7/20 - 8/13

<sup>218</sup> RO-A7 16 October 2017 16 October 2017 7/25 - 8/4

<sup>219</sup> RO-A7 16 October 2017 16 October 2017 9/2-9

**27.** RO-A7 was also sexually assaulted by other boys. He described how a group of them would assault him, which included masturbating over him. Such assaults would take place inside and outside the school. He also described how a female teacher would bathe him and buy him clothes. She taught him how to 'French kiss'.<sup>220</sup>

**28.** RO-A7 also gave evidence that he was sexually abused by Cyril Smith. He described how he was called into the staff room on one occasion where he saw Smith, who shouted at him, but he did not know why. He recalled crying whereupon Smith took him on to his knee. While he was sitting on his knee, Smith put RO-A7's hand on his penis which was inside his trousers.<sup>221</sup> A member of staff came into the staff room and asked RO-A7 if he was okay. This, he said, enabled him to get away. RO-A7 recollected that the Head Teacher came to know about this and was very angry with him, accusing him of trying to ruin Cyril Smith's career, for which he was spanked by the Head Teacher in the gym in front of other boys.<sup>222</sup>

**29.** Excerpts from RO-A8's witness statement were read to the Inquiry. RO-A8 went to Knowl View School when he was 12 years old in 1969. He was one of the first to be admitted. To him, Knowl View seemed luxurious. Everything was new. The food, he said, was better than anything that he had eaten at home. He initially thought the place was fantastic but his feelings changed and in time he grew to hate the place.

**30.** RO-A8 also described Higgins enjoying walking and hill climbing, which he too enjoyed. When they came back from cross-country running, they would be filthy and would have to shower; Higgins always supervised them.<sup>223</sup> On one such hike, RO-A8 saw RO-B201 masturbating Higgins and saw too that Higgins had his hands inside the child's trousers. RO-A8 did not think that at the time he appreciated the enormity of what he had seen. He saw the same thing happen on a further occasion.<sup>224</sup>

**31.** Shortly after this, Higgins touched RO-A8 while driving him in a car.<sup>225</sup> On one occasion RO-A8 had to go to Higgins' flat. The door was ajar and when he went in he saw that there was a wallet on the table. RO-A8 was in the process of taking a £5 note from it when Higgins came in. RO-A8 began to cry and Higgins was initially very angry. He soon changed tack, rubbing RO-A8's back and telling him that he would have to tell the Head Teacher, the police or even RO-A8's father. He then began to fondle RO-A8's buttocks. RO-A8 pushed him forcefully, telling Higgins that he would tell his father what he had done to him. RO-A8 recollected taking the £5 note with him, and the incident was never mentioned again.<sup>226</sup>

**32.** RO-A8 also recounted an incident that occurred on the day of the school's opening ceremony. RO-A8 was given the job of directing cars where to park, supervised by Higgins. He got into trouble for directing one particular man to park his car with the others rather than closer to the school. It was, he told us, Cyril Smith.<sup>227</sup>

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<sup>220</sup> RO-A7 16 October 2017 13/13-25

<sup>221</sup> RO-A7 16 October 2017 10/14 - 11/24

<sup>222</sup> RO-A7 16 October 2017 11/25 - 13/12

<sup>223</sup> RO-A8 17 October 2017 20/22 - 21/21

<sup>224</sup> RO-A8 17 October 2017 22/17 - 23/25

<sup>225</sup> RO-A8 17 October 2017 25/16 - 27/2

<sup>226</sup> RO-A8 17 October 2017 27/4 - 28/17

<sup>227</sup> RO-A8 17 October 2017 28/18 - 30/25

**33.** After the opening ceremony, Higgins told RO-A8 to come up to his flat. He said that on his arrival Smith was with Higgins who said that RO-A8 had to be punished for telling Smith to park in the wrong place. RO-A8 said that he was pushed over the back of a chair by Higgins who also pulled down his trousers. RO-A8 said he could feel that Smith was behind him and he felt another hand reach round and grab his genitals. RO-A8 thought that this could only have been Smith. RO-A8 broke free and left, later telling Mr Turner, the Head Teacher, whom he considered to be a nice man. However, he quickly saw a different side to him when he slapped RO-A8 across the head and called him a liar.

**34.** In the 1970s, the Head Teacher referred children to Dr Simpson who saw boys from the school on a weekly basis.<sup>228</sup> The Head Teacher documented his reasons for referring certain children, which were wide-ranging and in some instances now appear dated, for example referrals for “*delinquency*” or “*effeminacy*”. Other behaviours were indicative of serious psychiatric conditions and of increased vulnerability.<sup>229</sup>

**35.** The records suggest that there was a therapeutic aspect to the care of children at Knowl View School during this period. Over the years any such ethos appears to have largely disappeared. Overall there appears to have been little by way of external professional involvement with individual children as part of a planned programme of intervention. Indeed, Consultant Psychiatrist Dr Alison Fraser gave evidence to the Inquiry that she stopped visiting Knowl View because there was so little interest in the services she was offering staff to help the children.

**36.** These records also demonstrate that pupils from the school were involved in sexual activity that was of concern in the 1970s and remained of concern in the 1990s. A report prepared in 1976 by Terence Hopwood (who succeeded Mr Turner as Head Teacher) documented the fact that five named boys had been found out of bed, and that there was evidence of “*sexual malpractice*” among them. The report concluded that this behaviour had been ongoing for a number of years. Even at this early stage in the life of the school, Mr Hopwood was to observe, “*It has become clear that this sort of behaviour has become a sub-cultural tradition.*”<sup>230</sup>

**37.** Other records about one boy RO-A137 (from 1976 and 1977 when he was aged 15) documented concerns that he had contracted pubic lice from homosexual contacts.<sup>231</sup> This boy is referred to in a note made in 1977 (by the then Deputy Head Teacher Mr Winn), which recorded that RO-A137 had been introduced to an “*undesirable element*” (older men) by another boy RO-A140 (also 15). RO-A140 was regarded by Mr Winn as “*using*” older men for alcohol and money. Mr Winn noted that RO-A140 was very much at risk and that he had also taken two boys from Knowl View School into very serious situations.<sup>232</sup> The extent of this risk was borne out by RO-A140 contracting a sexually transmitted disease.<sup>233</sup> Although it is not stated in direct terms, it is clear from these records that a reference to RO-A140

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<sup>228</sup> Gail Hopper 12 October 2017 77/2 - 78/4

<sup>229</sup> RHC002667

<sup>230</sup> GMP001064\_2

<sup>231</sup> GMP000421\_3

<sup>232</sup> GMP001065\_2

<sup>233</sup> GMP001065\_3

receiving money from adult men was a reference to his being paid to engage in sexual activity by adults. Dr Simpson thought that police should be involved, and he wrote to the Chief Education Officer to inform him of his concerns.<sup>234</sup>

**38.** Martin Digan said that when he started at Knowl View School in 1978 he found out things that were disturbing to him, which included him being told that prior to his arrival boys from the school were taking women's clothes off clothes lines and senior staff were, apparently, allowing them to dress in them.<sup>235</sup>

**39.** Further evidence about what the school was like during its early years emerges from Operation Jaguar. This was the recent investigation by GMP into allegations of sexual abuse at Knowl View. In her evidence to the Inquiry, the Senior Investigating Officer, Detective Chief Inspector Sarah Jones, confirmed that two complainants had given similar accounts about having been sexually abused by one former pupil. From the point of view of her investigation, she regarded it as significant that this former pupil had not only accepted being involved in sexual activity with other children at the school, but also had acknowledged it to be a common occurrence. According to the former pupil, such sexual activity had started when he first arrived at the school, and it continued. He believed it to be normal and a culture at Knowl View.<sup>236</sup>

**40.** In the course of Operation Jaguar, a number of adult men made allegations that they had been sexually abused as children by staff members at the school, including female staff. As evidence of this, on 27 December 1980, a female teacher, who had taken a pupil away for a night, was given a final warning on the basis that she had formed a "*personal and private friendship*" with one of the pupils, which she had not notified to the child's houseparent.<sup>237</sup> The nature of the supposed friendship does not appear to have been pursued as part of the allegation.

## Roderick Hilton

**41.** One of the most extraordinary aspects of what happened to children at Knowl View was that the school was targeted over a period of at least ten years by Roderick Hilton. He was to be convicted twice of the sexual abuse of children who lived at the school. He is also someone we know very little about, but he may have had his own vulnerabilities

**42.** We were struck by the evidence given by Detective Chief Inspector Jones, that one former Knowl View pupil (P16) believed himself to have been in a consensual sexual relationship with Hilton while he was at the school. Ms Jones confirmed that the former pupil was under 14 years of age at this time.<sup>238</sup> The fact that a child could carry on a 'relationship' with an adult sex offender, who frequented the school grounds and was known to staff, demonstrates the risks children were exposed to at Knowl View.

**43.** In 1984, Mr Hopwood, the Head Teacher, wrote a report dated 8 February 1984 about two pupils who had been sexually abused by Hilton. This abuse had occurred over the weekend of 27–29 January 1984.<sup>239</sup> The report captures the school's attitude to Hilton at

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<sup>234</sup> [GMP001065\\_004, 010](#)

<sup>235</sup> [Martin Digan 16 October 2017 27/9-15](#)

<sup>236</sup> [Detective Chief Inspector Sarah Jones 13 October 2017 55/1-25](#)

<sup>237</sup> [GMP000384\\_3](#)

<sup>238</sup> [Detective Chief Inspector Sarah Jones 13 October 2017 62/7 - 63/19](#)

<sup>239</sup> [RHC000028](#)

that time. He is portrayed as the victim of cunning children, and is described as a “*slow witted eighteen- year-old youth ... whom they knew had homosexual tendencies*”. The report describes the two pupils intending to trick Hilton or to “*rip off*” Hilton, in their words, by promising “*sexual favours*” for cash.

**44.** The reality of what happened is that three pupils from Knowl View were involved in bringing two other pupils to Hilton so that Hilton could sexually abuse them. There are a number of features about the record of this incident that are troubling, apart from its portrayal of Hilton as having been duped. The first is that it conveys no sense of the two boys who were sexually abused by him as being victims; there is simply a passing reference to them having been examined by a General Practitioner who “*declared them free of infection*”.<sup>240</sup> Second, it appears that a considered decision was made not to tell the parents of the children involved what had happened. Third, there appears to have been no investigation as to how Hilton was known to the three boys who brought the other children to Hilton or how they were able to bring them to him. Fourth, there is a passing reference to pupils from Knowl View School informing the Head Teacher that Hilton was drunk and making threats to come into the school with a knife (but there is no mention of how these threats came to be made).

**45.** The Head Teacher did involve the local police in this matter and Hilton was ultimately charged with one offence of sexual assault in respect of one child. The offence in respect of the other child was taken into consideration; in other words, that offence was not separately charged but it was considered at the time of sentence. The police correctly anticipated that Hilton would receive a small fine and probation, and that there would be minimum publicity. Hilton was ultimately sentenced to two years’ probation on 19 March 1984.<sup>241</sup> By then, Hilton had turned 19. A press article from the time reported the proceedings. According to the article, the boys (who were referred to by the prosecutor as “*entrepreneurs*”) were paid 50 pence for bringing the other boys to Hilton.<sup>242</sup>

**46.** Consideration was given by the police to charging all five Knowl View School pupils with offences such as blackmail and procuring in relation to the incident, but that was not pursued.<sup>243</sup> The records also make reference to Hilton being afraid of the children, and to his mother complaining to the police about his being threatened.<sup>244</sup>

**47.** There was passing mention in Mr Hopwood’s report to it having “*come to light*” that one of the boys who took one of the other boys to Hilton had masturbated and ejaculated over another sleeping boy. The records suggest that this was not made known at the time.<sup>245</sup>

**48.** This entire incident was an early example of the school’s failure to grapple with a very serious incident of child sexual abuse. It was a warning sign to treat Roderick Hilton as an obvious danger to children and it was a failure to appreciate the risk that children may pose to other children. It illustrates two emerging themes: the characterisation of children as though they were the authors of their own sexual abuse and, fundamentally, a failure to consider sexual abuse from the perspective of the child.

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<sup>240</sup> [RHC000028\\_4](#)

<sup>241</sup> [GMP000322\\_3](#)

<sup>242</sup> [RHC000028\\_5](#)

<sup>243</sup> [RHC000028\\_4](#)

<sup>244</sup> [RHC000028\\_5](#)

<sup>245</sup> [RHC000028\\_8](#)

**49.** The incident in January 1984 was to resurface in 2014 in the course of Operation Jaguar. One of the boys who had brought another boy to Hilton approached the police as an adult and gave an account that a teacher, who had sexually abused him, had instructed him to bring the boys to Hilton and that on two occasions he had received £15 for it. He describes one child who was his friend throwing bottles at Hilton so that he would leave him alone. The other one was a younger boy he did not like whom he left with Hilton.<sup>246</sup>

**50.** In her evidence, Detective Chief Inspector Jones confirmed that the former pupil said that he had not mentioned the teacher at the time of the incident because he felt threatened. There was insufficient evidence upon which to identify the teacher and the former pupil did not wish to support a prosecution.<sup>247</sup>

**51.** It is not possible for us to make any finding as to whether or not a teacher was involved in arranging for children to meet Hilton. In a functioning, well-run school it might seem improbable, but this cannot be said of Knowl View. Regardless of whether a teacher was involved or not, the fact that pupils received money from Hilton so that he could sexually abuse two of their peers was, on any view, extraordinary.

**52.** Six years later in 1990, Hilton was still very much a feature of school life. He was to sexually assault at least one other pupil, having gained entry to, and stayed two nights at, the school. That he continued to be part of school life and to sexually assault other children after 1984 demonstrates that the risk he posed was never taken seriously.

**53.** There is evidence that the school went into a period of decline in the years after 1984. Between 1980 and 1985, pupil numbers were consistently at around 40. From 1986, there was a dramatic reduction with numbers falling to an all-time low of 19 in 1989.<sup>248</sup> In his evidence, Stephen Bradshaw suggested that Rochdale's placement officer, Richard Flammer, had stopped placing children at Knowl View, preferring to send them out of the borough. Although careful to say that he did not know the reason why, Mr Bradshaw surmised that it was because Knowl View School was regarded as substandard.<sup>249</sup> If that knowledge was held within the Education Department, it should have been acted on decisively and thereby spared the children years of further abuse.

**54.** In 1988, the school moved from its arrangement with the other local authorities so that it became the sole responsibility of Rochdale Council.<sup>250</sup> This coincided with considerable instability in the management of the school. Mr Hopwood was absent (through illness) in 1988 and retired in 1989. Ian Ashton became the Acting Head in January 1989. Brett Andrews was appointed Deputy Head and then he became Acting Head in September 1989. In October 1990, it was proposed that Michael Poulton (who was the Head of another school) should be seconded to Knowl View. This was an immediate response to the incident with Hilton in September 1990. His secondment for one term commenced in December 1990. Mr Bradshaw was appointed Head with effect from April 1991.<sup>251</sup> Some witnesses who appeared before us regarded this as having created a vacuum in leadership until the

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<sup>246</sup> [OHY002480\\_62](#)

<sup>247</sup> [Detective Chief Inspector Sarah Jones 13 October 2017 59/20 - 60/19](#)

<sup>248</sup> [RHC000409\\_170](#).

<sup>249</sup> [Stephen Bradshaw 19 October 2017 5/3-24](#)

<sup>250</sup> [Gail Hopper 12 October 2017 52/19 - 53/11](#)

<sup>251</sup> [RHC001663\\_9](#)

appointment of Mr Bradshaw. We agree that there was a profound lack of leadership among staff at the school, which only the appointment of Stephen Bradshaw addressed, but this is not a complete answer to what went wrong at Knowl View School.

## Smith Street toilets

**55.** Smith Street toilets were public conveniences in the centre of Rochdale. They were situated near the bus station and overlooked by the town's municipal offices (known locally as 'The Black Box'). They were also, according to a record made at the time, where paying men (seemingly from all over the North West of England) went to sexually abuse Rochdale children.<sup>252</sup>

**56.** This was no secret. In her evidence to the Inquiry, the Child Protection Manager (Janet Weeks, also known as Bowyer) described how her office on the tenth floor (part of the Social Services Department) had a view of the toilets, from where she would regularly see boys sitting on the walls of the ornamental flower beds and following men inside the toilets. It was obvious to her and other staff who witnessed it that sexual activity was going on. She regarded it as a "*worrying pattern*". Staff who were aware of these activities included the administrative staff, two male officers who worked with Ms Weeks and her manager (whose name she could not recall). The police were contacted and they came to the office to conduct informal surveillance of the street. Ms Weeks learned that some of the boys were from Knowl View School.<sup>253</sup>

**57.** Ian Davey was Assistant Director of Rochdale Council's Social Services Department from 1989, became Acting Director at about the end of March 1991 and, finally, the Director of Social Services in December 1991. When he gave evidence, he told the Inquiry that while he was Assistant Director, in other words before the end of March 1991, he was personally unaware of boys being sexually exploited at Smith Street toilets, even though his office was also on the tenth floor of the municipal offices.<sup>254</sup> Later in the course of his evidence, he said it was not until the Shepherd report that he learned about the exploitation at the toilets.<sup>255</sup> He said for six months prior to the Shepherd report his attention was "*virtually entirely focused*" on the Middleton issues.<sup>256</sup>

**58.** The children who were being exploited were known to the authorities. In March 1989 there was a meeting of representatives from police, social services and education to discuss a group of children aged between 10 and 14 who gathered daily at 'Tasty Bite', a local food outlet, when they should have been at school. Twelve children were identified, five of whom were in the care of Rochdale. In due course, a number of these children came to be identified as being exploited by men who would pay them.<sup>257</sup>

**59.** The Inquiry considered in some detail the social care records of three particular children who were part of this original group and who were exploited in Smith Street toilets. They were also resident at Knowl View School. In order to protect the identity of these

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<sup>252</sup> [GMP000390\\_3](#)

<sup>253</sup> [Janet Weeks 17 October 2017 109/7 - 116/12](#)

<sup>254</sup> [Ian Davey 18 October 2017 11/4 - 12/16](#)

<sup>255</sup> [Ian Davey 18 October 2017 22/16 - 24/9](#); this refers to the Shepherd report of 20 March 1991 which was a report written by Phil Shepherd arising from information provided to him by staff at Knowl View School during a staff training day

<sup>256</sup> These were the allegations of ritual abuse which resulted in litigation before the High Court involving Rochdale Council in 1991

<sup>257</sup> [RHC002447\\_001-002](#)

individuals, this report will not refer to information that might reveal who they are. These were children who, between them, experienced considerable hardship, family breakdown, insecurity and trauma at an early stage in each of their lives.

**60.** One of these children was RO-A9. By the time that he was 11 years old (in February 1989), there was already concern that he was part of a network of boys involved in criminal activities as well as sexual activity. It was decided to place him in a residential school. He started at Knowl View a short time later, on 14 April 1989.<sup>258</sup> On 22 August 1989, he was remanded into care. On 28 August 1989 (when he was only 12) concern was raised that he was involved in 'prostitution' and was being called a 'rent boy' by other children.<sup>259</sup>

**61.** The information about RO-A10 points to him having profound and complex difficulties; he too was taken into care. In 1989, RO-A10 was 11 years old. A note of 6 April 1989 in RO-A10's social care file recorded the fact that there was reliable information from Police Constable Dunning that he was involved in "*inappropriate sexual activities*" at Smith Street toilets.<sup>260</sup> A file note of 7 April 1989 by RO-A10's social worker throws further light on this and demonstrates how serious his situation already was. The information from PC Dunning was that RO-A10 had approached a man, asking the man for 50p and if he wanted to play with him. RO-A10 had approached the same man in the bus station and had asked him the same question, saying that it was alright as he got £5 the week before and could get £5 or £10 any time that he wanted.<sup>261</sup> That RO-A10 was involved with adult men was also a matter of concern to his family who reported that he had been seen around town with a man.<sup>262</sup>

**62.** Like RO-A9, RO-A10 was admitted to Knowl View out of concern for his welfare and as a direct response to the concern that he was involved with adult men in Smith Street toilets.<sup>263</sup> A meeting was arranged with the Acting Head Teacher of Knowl View (then Mr Ashton) to discuss RO-A10's admission and the admission of another family member (RO-A24) to Knowl View School. This is of relevance later in this report when considering what staff at Knowl View School knew about these children at an early stage. RO-A10 was to start at the school on 11 May 1989. A record of the same day by RO-A10's social worker noted his self-abusive behaviour as possibly being linked to his sexual activities at Smith Street toilets.<sup>264</sup>

**63.** At a meeting of 5 May 1989 between RO-A10's social worker and Knowl View staff, the social worker informed school staff about RO-A10's 'rent boy' activities around the bus station, putting beyond doubt the fact that staff at Knowl View were well aware of RO-A10's vulnerabilities and the risks he faced just days before he was admitted.<sup>265</sup> There is reference to RO-A10 cutting his arms and legs with glass.<sup>266</sup> Not only did his exploitation continue after RO-A10 was placed at Knowl View, he was also being exploited out of the area. A social care record of 8 September 1989 documents an account by RO-A24 of going to Salford with other children (including RO-A9) to watch pornography. RO-A10 went into a bedroom with a man and got £5. Another incident was documented whereby RO-A10 went into a shed with

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<sup>258</sup> [RHC002625\\_043](#)

<sup>259</sup> [RHC002429\\_1](#)

<sup>260</sup> [RHC002506\\_1](#)

<sup>261</sup> [RHC002504\\_001](#)

<sup>262</sup> [RHC002507\\_001](#)

<sup>263</sup> [RHC002504\\_4](#)

<sup>264</sup> [RHC002372\\_2](#)

<sup>265</sup> [RHC002504\\_6](#)

<sup>266</sup> [RHC002504\\_011](#)

a man and masturbated him while RO-A24 watched.<sup>267</sup> The consequences of this exploitation remained a year later, because in September 1990 RO-A10's social worker had to write to the police in Manchester asking that RO-A10, who was subject to an Attendance Centre Order in Salford, be allowed to attend an alternative centre to carry out the order owing to his past sexual involvement with men from Salford.<sup>268</sup>

**64.** Of even more concern is that RO-A9 and RO-A10 were both children who, during this period, were living at Knowl View School during the week and in children's homes at the weekend or in the holidays.<sup>269</sup> Gail Hopper confirmed that this was poor practice even in 1990, and would have been considered to be "*confusing and inappropriate*".<sup>270</sup> That this was bad practice was also accepted by Ian Davey in his evidence to the Inquiry. He denied that he knew this practice was taking place. However, he accepted that it was a failure overall by Rochdale Council's Social Services Department not to inform him of the practice.<sup>271</sup>

**65.** RO-A10 also provided information about what was happening to him. On 14 August 1989, he saw his social worker with Dave Carter (from his children's home) and told them about a man he was involved with at the bus station. This man was in his thirties and RO-A10 got money from him for doing "*naughty things*". He had gone to a hut with him. There was information that other boys were involved. Mr Carter and the social worker emphasised to RO-A10 that he was not to blame for what had happened to him.<sup>272</sup> While we are sure their intentions were good, we find it hard to understand why this appears to have been the limit of anyone's intervention with this boy. Indeed, on 24 August 1989, RO-A10 and his social worker spoke to a police officer, and RO-A10 confirmed that he had been involved in sexual activities at the toilets.<sup>273</sup>

**66.** At a review of RO-A10's case, which took place at some point prior to 3 March 1990 (at which staff from Knowl View and representatives from Social Services were present), it was recorded that the "*department*", which is assumed to be a reference to Social Services, was "*tackling the set up at Rochdale Bus Station*". The bus station was next to Smith Street toilets. Gail Hopper assisted us with the locations of the toilets and the bus station in the course of her evidence.<sup>274</sup> The reference to "*tackling the set up*" appears to be a reference to tackling child exploitation,<sup>275</sup> but there is no evidence as to what steps were taken. It is clear that the exploitation of children in Rochdale town centre continued, regardless of whatever action, if any, was taken.

**67.** Information was also provided to Knowl View School not just from Social Services but also from the police. A record of 9 March 1990 demonstrates that PC Bottomley was in direct communication with Knowl View School about organised 'rent boy' activities going on in Smith Street toilets involving RO-A9 and RO-A10. This involved 14 children from various children's homes who had been organised into a ring and were "*extracting money in return for sexual favours*". This was organised by an older boy (although he was just 13 years old). It is important that we record here part of the note made by a Knowl View staff member: "PC

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<sup>267</sup> RHC002505\_004

<sup>268</sup> RHC002503\_1

<sup>269</sup> RHC002505

<sup>270</sup> Gail Hopper 12 October 2017 84/22 - 87/13

<sup>271</sup> Ian Davey 18 October 2017 24/10 - 27/4

<sup>272</sup> RHC002505\_1

<sup>273</sup> RHC002505\_3

<sup>274</sup> Gail Hopper 25 October 2017 60/6 - 62/20; INQ001314

<sup>275</sup> RHC002382\_2

*Bottomley reported that vast numbers of men from all over the North-West had been attracted to the toilets, indeed they had interviewed people from as far away as Blackpool! Clearly, both boys are at risk and are in a highly vulnerable situation, which will require close monitoring”.*<sup>276</sup>

**68.** A Knowl View record of 21 May 1990 documents the fact that four boys from the school, including RO-A10, were involved. RO-A10 and the others were known to have masturbated one man in Smith Street toilets and another boy masturbated another man. They were also alleged to have stolen items such as toy cars, chocolates and biscuits. When they returned to school, two boys admitted that they had masturbated a local man.<sup>277</sup>

**69.** These records suggest a lack of anxiety on the part of those who had responsibility for these children. There is no suggestion that their being exploited for money raised an urgent child protection issue or that there was any appreciation that these children were being exposed to much greater risk. On 15 June 1990, the head of care at Knowl View School (Steven Cohen, since deceased) reported to one boy’s social worker that he had hepatitis, which was thought to have been contracted through ‘rent boy’ activities.<sup>278</sup> We are struck by just how casually and matter of factly the belief that the boy had sexually transmitted hepatitis was alluded to. It appears to have had no bearing upon the approach by Knowl View School staff to the boy or to any other exploited child.

**70.** A record, which was made of a meeting that took place on 4 March 1991, suggests that, in July 1990, DC Goggins was aware that RO-A10 was “*offering services*” at Smith Street toilets and going off in cars with men. Staff at Knowl View were very concerned but felt there was little they could do as it was not a “*lock up school*”.<sup>279</sup>

**71.** In July 1990, RO-A10’s social worker recorded a meeting that took place with Paul Davies of Knowl View School. He noted RO-A10’s attitude towards his exploitation: “*He does not want to be involved in it again and is angry at the men who were involved...*”<sup>280</sup> While the tone of the note was sympathetic to RO-A10’s plight, it nonetheless gives the appearance that ending his exploitation was a matter for RO-A10 (and was contingent upon his will to end it).

**72.** On 15 November 1990, Mr Andrews, the then Acting Head of Knowl View, wrote to the Director of Social Services describing RO-A10 as being in grave moral danger. The only way the school could guarantee his safety was to remove his shoes and outdoor clothing. First, the Acting Head was clearly alive to the risks that RO-A10 was exposed to. Second, the letter indicates a familiarity on the part of the Director of Social Services with RO-A10’s circumstances.<sup>281</sup>

**73.** Knowl View staff prepared a report for Brian Williams, who was the Assistant Education Officer and Special Needs Advisor in the Education Department. The report, which is dated 27 November 1990, said that RO-A10 absconded regularly from Knowl View and his care home, and when he went missing his whereabouts were largely unknown. He had been picked up in Smith Street toilets and when he returned voluntarily he always had money. The report put forward the view that RO-A10 should not return to Knowl View. The report

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<sup>276</sup> [GMP000390\\_3](#)

<sup>277</sup> [GMP000390\\_25](#)

<sup>278</sup> [RHC002809\\_1](#)

<sup>279</sup> [GMP000358\\_027](#)

<sup>280</sup> [RHC002498\\_3](#)

<sup>281</sup> [RHC002502\\_1](#)

added that all the boys on his house unit knew of his activities and that RO-A10 had had “a draining and demoralizing effect” on all of them that term. We mention this because it is important to point out that this was a particularly sensitive time for Knowl View. In September 1990, Roderick Hilton had been able to spend two nights in the school and sexually assault at least one boy. The Education Department had conducted an investigation into what had happened, and Brian Williams was obviously aware at about the very same time that RO-A10 was being exploited at Smith Street toilets. Although not directly referring to these matters, the report also appears to indicate knowledge on Mr Williams’ part about these issues.<sup>282</sup>

**74.** We note that a social worker later recorded that Mr Bradshaw (the Head Teacher who took over after RO-A10 had left Knowl View School in December 1990) told the social worker that the boy had been scapegoated by Knowl View staff.<sup>283</sup> This fits with the tone of the Knowl View School staff report to Mr Williams.

**75.** RO-A10’s social worker’s optimism that he would (or could) stop being exploited proved unrealistic. According to a further report of December 1990, his progress was “extremely backward” and he had “no sense of physical or moral danger”.<sup>284</sup>

**76.** RO-A10 left Knowl View in December 1990. He was only 12 years old. The position as regards RO-A9 is less clear. It appears from the records that he ran away from Knowl View School for long periods of time. However, he remained a Knowl View pupil well into 1991. On 6 February 1991, RO-A10’s social worker spoke to DC Goggins in an attempt to clarify the details of RO-A10’s involvement in sexual activity at Smith Street toilets; there was confusion between Knowl View School and the social worker about it. According to the note, it was clear that RO-A10 had been approaching men and getting 50p for masturbating them. DC Goggins felt there had been incidents in March 1989 and a number of them between January and May 1990.<sup>285</sup>

**77.** Much later, on 25 October 1991, information about RO-A9 being involved in organised abuse was passed from the police to Social Services. According to RO-A9’s social care records, the police provided the names and addresses of three men with whom it was suspected RO-A9 (and other boys) were involved.<sup>286</sup> As regards RO-A9, an internal Social Services memorandum dated 31 October 1991 notes that his attendance at the school had been poor since the start of the autumn term and that he had been missing from home for approximately one month. During this time he had been seen at three addresses in Manchester, which appeared to be part of a network where boys were being harboured, and where abuse was occurring. Rochdale was also referred to as a “picking up point” for boys to go to Manchester. This report expressly refers to Knowl View School seeking a meeting to review RO-A9’s place on account of his attendance.<sup>287</sup>

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<sup>282</sup> [RHC002501\\_2](#)

<sup>283</sup> [RHC002507\\_30](#)

<sup>284</sup> [RHC002382\\_1](#)

<sup>285</sup> [RHC002499\\_1](#)

<sup>286</sup> [19 October 2017 55/12](#)

<sup>287</sup> [GMP000410\\_003-004](#)

**78.** RO-A9 was the subject of a letter dated 11 February 1991 (sic) from Chief Inspector Berry (now deceased) of GMP to Roger Graham, an Area Manager for Rochdale Council Social Services.<sup>288</sup> The letter explained that there had been police enquiries about RO-A9's brother in the Greater Manchester area and that RO-A9 had been found at an address that had been entered by warrant. The Chief Inspector refers to the "*strange suspicion*" that RO-A9 had been involved in regular clandestine meetings with adult men over a prolonged period of time. It is also clear from this letter that Chief Inspector Berry had hoped that there would be closer links between Social Services and the police so as to assist in this "*sordid matter*" but that "... *for the record it seems that very little progress had been made*". The Chief Inspector went on to say, "*I see a clear distinction between family sexual issues and those which seem to be on an organised scale involving several young men. It is therefore in relation to the latter category that I would welcome your views as to how the police and social services can develop a joint strategy.*"

**79.** The records make clear that from 1989 onwards the police, Rochdale Council's Social Services Department, its Education Department and staff from Knowl View School were all aware that children from Rochdale (including pupils from Knowl View) were being subjected to sexual exploitation for money in public toilets in Rochdale. There is clear evidence that the police and social services knew that a group of children were in the clutches of organised abuse in Manchester.

**80.** We conclude that no individual, nor any institution with responsibility for them, took decisive action to address what was happening to these exploited children. Individual social work entries often convey sympathy, but little sense of real action to address the abuse suffered by them. The police were well aware of the issues around the toilets but seemed inert, and unable or unwilling to tackle it. Overall, the records convey lassitude and a lack of focus and direction; the issue simply drifted.

**81.** RO-A9 who gave evidence before us was not entirely sure when he was sent to Knowl View School, but he thought it was between the ages of 12 and 14. To begin with, he thought that the school was alright but this changed when he was sexually assaulted by a member of staff late one evening. He ran away in his pyjamas from the school to his home, which was some 2 to 3 miles away, but his mother called the police and they took him back to Knowl View. There was a further incident involving the same member of staff.<sup>289</sup> RO-A9 was exploited by one particular man, Anthony Whitehead, for about two years. In 2017, RO-A9 gave evidence at trial regarding a series of serious sexual offences committed by Whitehead against him, of which Whitehead was convicted. RO-A9 also ran away from Knowl View as he was homesick.<sup>290</sup> RO-A9 was also exploited by other adult men.

**82.** We are entirely satisfied that the exploitation of children in Rochdale was widely known about. Such efforts as were made by the authorities to address the problems were scant and ineffective.

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<sup>288</sup> [RHC002363\\_1](#); the letter was incorrectly dated 11 February 1991. It is clear from the date of the receipt stamp on it that it should have been dated 11 February 1992

<sup>289</sup> [RO-A9 17 October 2017 6/19 - 9/14](#)

<sup>290</sup> [RO-A9 17 October 2017 12/10 - 15/24](#)

## Peer-on-peer abuse at Knowl View School

**83.** Sexual activity between children at Knowl View was not a new issue. As we have noted already, by 1984, Mr Hopwood considered that sexual activity between boys was already an ingrained part of the culture. Records in the years thereafter suggest that the culture persisted. This is borne out by a report of 9 March 1992, which Mr Bradshaw wrote and in which he observed that there had been a number of incidents of a sexual nature dating back as far as 1981, logged and mentioned, but never resolved, with seeming indifference to it.<sup>291</sup>

**84.** These records are not now available but records that have survived provide some idea as to the incidents recorded. A logbook entry of 11 December 1987 records boys masturbating and wiping semen over other boys.<sup>292</sup> Another record of 9 March 1990 notes that children were overheard talking about one child who masturbated and wanted another child to watch.<sup>293</sup>

**85.** We approach this issue on the basis that there may be consensual sexual experimentation between children of a similar age who live in residential schools, and the need to approach this issue with sensitivity. What we have been struck by in our consideration of Knowl View School, however, is the wholesale lack of concern that sexual activity between children can also be coercive, bullying, frightening and ultimately damaging. Even among older children who might agree to engage in sexual activity with each other, it raises issues about the appropriateness of such conduct and whether children understand the risks and feelings that such sexual activity might give rise to. Yet what we have heard and what we consider in this report is far from being informed sexual experimentation between older children.

**86.** Until the arrival of Mr Bradshaw in 1991, it appears that there was little if any sex education at the school. This was well documented in the investigations that followed the Hilton incident in September 1990. In an institution that was failing to protect children from sexual abuse, far from equipping children with the information they needed about how to keep themselves safe or the risks they faced, no sex or relationship education was provided.

**87.** An incident that occurred in 1989 illuminates how Knowl View responded to the possible sexual abuse of one child by another child. In a letter of 18 April 1989 from Mr Ashton, the then Acting Head Teacher, to the Chief Education Officer, but addressed for the attention of Brian Williams, one boy had reported two incidents: oral intercourse and attempted anal intercourse on him by another boy. This was an attempted anal rape by the other boy. The boy reported that the attempt had been repeated.<sup>294</sup>

**88.** The letter shows that Mr Ashton had his doubts about the truthfulness of the allegation on account of the unpopularity of the child identified as having assaulted the other. This boy was interviewed in an apparent attempt to get him to admit what he had done. Both children were also interviewed together (involving the complainant giving his account in front of the boy he said had tried to anally penetrate him). The notes record that Martin Digan (the houseparent who interviewed the boys) was of the view that a serious sexual assault had

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<sup>291</sup> [GMP000360\\_3-4](#)

<sup>292</sup> [GMP000273\\_3](#)

<sup>293</sup> [GMP000412\\_3](#)

<sup>294</sup> [RHC001080\\_1-3](#)

taken place. Mr Ashton's view was that it was best not to overreact and to view the incidents within the context of emotionally disturbed boys experimenting while having problems in making relationships.

**89.** There are further examples within the records that suggest that violence might have played a part in coercing children into sexual activity. RO-A11's account from December 1990 points not only to the complicated experience of children at Knowl View School, but also to the reality that violence might have been a factor in his engaging in oral sex.<sup>295</sup> This sort of activity was observed by staff, in one instance by the school keeper, who had also been given a care role (despite his lack of suitable qualifications).<sup>296</sup> Other children also reported what they saw.<sup>297</sup>

**90.** Other records demonstrate the cynicism with which children were treated. RO-A11 was one of the children who was involved in the incident in September 1990 when Hilton spent two nights in the school. He disclosed to staff that he was involved in a sexual relationship with an adult male. When he retracted this a month later, staff simply accepted it. Duncan Eaton was RO-A11's houseparent at Knowl View School and thus played a central role in his care. In a report of 31 January 1991, Mr Eaton said of RO-A11 that "*He believes that due to his stay at Prestwich hospital he has numerous psychiatric difficulties. It is my belief he has no more emotional and social problems than any other child in this school.*"<sup>298</sup> RO-A11 had been an inpatient in a psychiatric hospital prior to his admission to Knowl View. A psychiatric report on RO-A11 indicated that there was no evidence of formal mental illness, but he exhibited emotional immaturity, delayed social development, relationship difficulties and attention deficit.<sup>299</sup>

**91.** RO-A11's request for an AIDS test, regardless of the fact that he might well have been at real risk, was regarded as a "*shock tactic*". The concern recorded was that such a test might have repercussions such as for insurance.<sup>300</sup> There was no exploration as to why RO-A11 thought he was at risk or whether this was something that was weighing on his mind. The fact that he was sexually involved with other children does not appear to have entered the equation. One boy at the school had contracted hepatitis believed to be from sexual activity; there is no evidence that this prompted any concern for the health of other children. RO-A11's request for an AIDS test certainly did not do so.

**92.** It appears to us that the records about RO-A11 suggest staff antagonism towards him; they did not want to believe him. Records relating to other children suggest they fared little better. On 14 January 1991, two members of staff visited the home of RO-A12 specifically to discuss a communication from his mother that he had been sexually assaulted by other boys.<sup>301</sup> One of the members of staff sent to deal with this disclosure was the school keeper who, as noted above, had a care role, despite having no qualifications.

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<sup>295</sup> [GMP000357\\_4-6](#)

<sup>296</sup> [GMP000357\\_16](#)

<sup>297</sup> [GMP000364\\_3](#)

<sup>298</sup> [RHC000150\\_77](#)

<sup>299</sup> [RHC000150\\_96](#)

<sup>300</sup> [RHC000150\\_104](#); [RHC000150\\_105](#)

<sup>301</sup> [GMP000377\\_3-4](#)

**93.** On 15 January 1991, RO-A12, who was only 13, did not report inappropriate experimentation, but he disclosed of his fellow pupils, *“They made me suck them off and they told me to let them bum me. If I didn’t let them do it, they would batter me up.”*<sup>302</sup>

**94.** The involvement of the Education Welfare Officer, Hilary Marsh, in RO-A12’s disclosure that he had been sexually assaulted does not provide any comfort that his allegation was dealt with properly. A report by Ms Marsh of 21 January 1991 suggests *“school will investigate and counsell (sic) the sexual abuse boys...”*<sup>303</sup>

**95.** RO-A12’s disclosure raises another issue that ought to have been a source of the highest concern at Knowl View School, which were the risks that younger children were being exposed to. There is evidence that far younger children were involved in sexual activity with older children within the school. In the course of his evidence to us, Mr Bradshaw, who became the Head Teacher in April 1991, confirmed there was information that one of the youngest children at the school had been found in bed with an older boy, that he had played games in the toilets late at night with older boys and was encouraged onto another boy’s bed after lights out.<sup>304</sup> It is of note that children from the school were also suspected of having sexually touched, or having had sexual activity with, much younger children outside school, such as foster siblings.<sup>305</sup> We will consider this further in this report when we look at the documentation compiled by Mr Bradshaw.

**96.** Another record from August 1992 noted that RO-A18 had not been back to the school since April 1991, save for one day, because of bullying, he having witnessed fellow pupils being sexually abused by other pupils.<sup>306</sup>

**97.** As soon as staff at Knowl View School were aware that pupils were being exploited outside the school and reporting coercion by other pupils within the school, they ought to have been alive to the risks posed to the youngest children in the school. It does not appear that they were. By contrast, there was a wholesale lack of curiosity or concern on the part of staff at Knowl View about what might be happening to children in their care at Knowl View at the hands of other pupils. There is no evidence that it prompted any concern about why it was happening in the first place.

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<sup>302</sup> [GMP000392\\_19](#)

<sup>303</sup> [GMP000392\\_20-21](#)

<sup>304</sup> [Stephen Bradshaw 19 October 2017 45/5-23; GMP000358\\_4](#)

<sup>305</sup> [GMP000406\\_5](#)

<sup>306</sup> [RHC001345\\_002](#)

# Section 2

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## The Hilton incident

1. Section 1 sets the scene for events that occurred in September 1990. At that point in time, a number of children from the school were being sexually exploited by adult men, and children at the school were engaged in sexual activity with each other. Both issues had been allowed to drift. In this section, we explore what brought matters to a head, and what (if anything) made Knowl View School reflect on what was happening to the children it ought to have been protecting. As we have seen, some of those involved in the care of individual children expressed concerns about them, which were communicated to Rochdale Council officers, but there was little action. It is against this background that we turn to Roderick Hilton's intrusion into the school in September 1990.

2. Earlier in this report, we referred to the fact that Roderick Hilton had been convicted of sexually assaulting a Knowl View School pupil in 1984. There is a good deal of evidence that he had become a permanent fixture at the school, someone whose presence was tolerated, someone who was himself in need of help and understanding, rather than the clear and present danger he was to children at the school. This was neatly encapsulated by Duncan Eaton, a member of Knowl View School care staff, who told the Inquiry that the then Acting Head of the school, Mr Andrews, had invited Roderick Hilton into his house, which was on school premises, for refreshments and was "... trying to do a bit of social work with him. He got a very sympathetic audience".<sup>307</sup>

3. On Tuesday 11 September 1990, Graham Hutchinson (Acting Deputy Head) recorded in the school communication book that Hilton was in the area and that staff should be vigilant. The undisputed facts are that Hilton gained entry into the school that night and slept under a boy's bed.<sup>308</sup> On the next day, Wednesday 12 September 1990, he gained entry to the school again and sexually assaulted at least RO-A14, a vulnerable boy whose personal circumstances before joining Knowl View School had been a source of concern. RO-A14 was suspended the day after he was sexually assaulted, because he had physically assaulted another boy from the school.

4. The records about this incident and how it came to light are a cause of separate concern. A record of 11 October 1990 noted that on 17 September 1990 a Knowl View School staff member, Paul Davies, had overheard Hilton saying that he had been into the Norden Unit (the unit where Hilton had stayed overnight), and this prompted Mr Davies to interview the boys from that unit, apart from RO-14 who had been suspended and one other boy.<sup>309</sup> It was at this point that boys disclosed that Hilton had spent the night in RO-A14's room.

5. This sits uneasily with a note made three days earlier, on 14 September 1990, in which Mr Hutchinson described how on the Tuesday morning it had been reported that Hilton was in the vicinity, and that on the Thursday night (in other words, 13 September 1990) he

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<sup>307</sup> [Duncan Eaton 16 October 2017 151/11 - 152/16](#)

<sup>308</sup> [RHC001233\\_3](#)

<sup>309</sup> [GMP000388\\_002](#)

was seen with one of the pupils at 9.30pm (at the door of the Norden Unit), and was told to leave, but was seen on a further three occasions that night with the same boy. According to the note, the police were informed about this but did nothing. The note goes on to record that at 10.35pm a group of boys were speaking to Hilton who told them to let him inside. At 11.15pm he was seen by a member of staff on the roof and was dealt with. The note states that two boys told staff that Hilton had stayed the night under RO-A14's bed on the Tuesday and Wednesday night, and concludes with the words "*Rod has given RO-A16 £1 and we believe that Rod will want his pound of flesh rather than a £1 coin...*"<sup>310</sup>

**6.** The truth was that Hilton had already obtained his pound of flesh. Despite staff being told that Hilton had spent two nights in the boy's room, RO-A14 was not asked about what had happened until he returned to school on 21 September 1990.<sup>311</sup>

**7.** A further note of 18 September 1990 records that a staff member contacted Hilton's probation officer who informed him that Hilton was in breach of a probation order. With telling understatement, Hilton's probation officer was of the view that, as Hilton was a Schedule 1 sex offender, it was "*not unreasonable*" that he be kept away from premises where there were children.<sup>312</sup>

**8.** Returning to the immediate aftermath of the Hilton incident, RO-A14 provided an account to the NSPCC on 21 September 1990. This was short and lacked any detail as to the surrounding circumstances. Mr Eaton is recorded as having said that the police position was that there was nothing they could do while children were inviting Hilton into the school (because he was not breaking in). It appears that the NSPCC thought the matter ought to be handled by the police.<sup>313</sup>

**9.** It is hard to conceive of a greater failure on the part of a school to provide protection for its pupils than the ability of a convicted child sex offender to spend two nights on the premises and to sexually abuse at least one child. Having heard all of the evidence, we have concluded that no one who dealt with this incident at the time appears to have treated it with the significance and urgency it demanded.

**10.** There was an obvious imperative to get to the bottom of the incident quickly and to ascertain precisely the nature of the involvement of the other pupils in the events of both evenings. There was, at the very least, a pressing need to find out if other children had been abused.

**11.** There is no evidence to suggest that the children on the Norden Unit were properly interviewed to ascertain what had happened and whether any other children had been abused by Hilton. This is despite early suspicion that there was more to this incident, and that others might also have been abused. There are no records of interviews and there are no references in any accounts to the contents of interviews. While it appears that Mr Davies spoke to boys from the Norden Unit at some point around 17 September, there is nothing to suggest that this was documented or anything more than an informal conversation with a single member of staff.

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<sup>310</sup> [RHC001296\\_1](#)

<sup>311</sup> [GMP000388\\_6](#)

<sup>312</sup> [RHC001296\\_1-2](#)

<sup>313</sup> [RHC002337\\_2](#)

**12.** We do know that Hilton appeared before the Magistrates' Court on 7 December 1990 and pleaded guilty to indecently assaulting RO-A14.<sup>314</sup> The matter was adjourned until 4 January 1991 for reports, with a condition of bail that he not enter the school grounds. On 22 February 1991, he was sentenced to 2 years' probation.<sup>315</sup>

**13.** Had he been alive, we would very much have wished to hear from RO-A14. Sadly he died in 1996. According to Mr Digan, RO-A14 told him that the school keeper had let Hilton into the school.<sup>316</sup> We cannot say whether this is accurate but we are satisfied that Hilton was perfectly able to sleep on the school grounds on occasions. Regardless of the exact position, what is beyond doubt is that Hilton was able to get into the school with ease, to stay in a child's room wholly undetected by staff and that children were able to move about the school at night (with Hilton) with apparent freedom.

**14.** Staff at Knowl View School did inform the Education Department at Rochdale Council about the incident but not until 21 September 1990. Mr Hutchinson informed Brian Williams (the Special Needs Adviser in the Education Department) who came to the school that day. It appears that staff were interviewed about what had happened on 24 September and then interviewed again on 11 and 12 October 1990. According to Diana Cavanagh, Mr Williams informed the Chair of the Education Committee, Councillor Mary Moffat, before informing her on 24 September 1990 about the events.<sup>317</sup>

**15.** Those staff interviews also afforded staff at the school an opportunity of bringing the issues about child exploitation directly to the attention of the Education Department. We have considered the records of staff interviews carefully. Paul Davies considered that they could not have prevented Hilton from entering the school to abuse children.<sup>318</sup> The Acting Head, Brett Andrews' response is of particular note: *"Nothing could have been done to prevent the intruder getting in, in this way!"*<sup>319</sup> This was a view echoed by the then Head of Care (Steven Cohen).<sup>320</sup>

**16.** Mr Davies described Hilton's night at the school on 11 September as a *"night of pranks"* while also saying that, although Hilton had slept under RO-A14's bed, boys were exposing themselves to him.<sup>321</sup> There are references to the pupils feeling sorry for Hilton.<sup>322</sup> The school keeper hinted that there was more to Hilton, that he was vindictive when intoxicated, and abusive, and had threatened to burn down the school keeper's house.<sup>323</sup>

**17.** Martin Digan (then a houseparent) said that he had spoken to Hilton, whom he had known for eight years, and he had confirmed what had happened. Mr Digan also mentioned that Hilton had engaged in sexual activity with pupils from the school some seven years before.<sup>324</sup> This is in keeping with the fact that Hilton was convicted of indecently assaulting a Knowl View boy in 1984.<sup>325</sup> Mr Digan seems to have been the only member of staff to

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<sup>314</sup> [GMP000386\\_4](#)

<sup>315</sup> [GMP000322\\_4](#)

<sup>316</sup> [Martin Digan 16 October 2017 50/21 - 51/20](#)

<sup>317</sup> [Diana Cavanagh 20 October 2017 30/10 - 31/6](#)

<sup>318</sup> [GMP000388\\_7](#)

<sup>319</sup> [GMP000388\\_9](#)

<sup>320</sup> [GMP000388\\_45](#)

<sup>321</sup> [GMP000388\\_6](#)

<sup>322</sup> [GMP000388\\_40](#)

<sup>323</sup> [GMP000388\\_35](#)

<sup>324</sup> [GMP000388\\_11](#)

<sup>325</sup> [GMP000322\\_3](#)

have mentioned this. He also said that the member of staff who had been on duty on 11 September had been the Acting Head but that he had slept in his own house, so there were no staff on duty on the senior side of the school.<sup>326</sup>

**18.** Duncan Eaton (also then a houseparent) described the boys as having had a party with Hilton on the first night that went on until 5 or 6am. Mr Eaton was recorded as having said that the school had sailed close to the wind with staff sleeping in their own houses.<sup>327</sup> We took this to mean that staff who ought to have been sleeping in stayed in their own homes instead.

**19.** When Mr Eaton gave evidence to the Inquiry, he initially gave the impression that Hilton's entering the school on 11 and 12 September was somehow linked to the recent admission of RO-A11, who had only arrived that week. Mr Eaton went on to correct this impression but commented on RO-A11's admission being inappropriate because he was in a relationship with an adult male.<sup>328</sup> We have no doubt from what we have heard and read that Hilton's targeting of the school and its pupils had been going on for years by the time of the September 1990 incident. The admission of RO-A11 raises separate issues given his psychiatric background and his disclosure that he was in a relationship with an adult, but he cannot be regarded as having caused a change in the behaviours of other children.

**20.** What the staff interviews ought not to have done was give Rochdale Council any reassurance about how the school was being managed. Not only was there a defeatist attitude among some staff members about how they could have stopped Hilton getting into the school and abusing children (as he done in the past), but also there was a distinct lack of clarity among them about the proper 'sleeping in' arrangements at the school. In fact, there were no waking staff at night and there were references to staff who should have been on 'sleeping in' duty not always sleeping in the duty rooms.<sup>329</sup> There was a clear indication that Mr Andrews, the Acting Head, was one of those who ought to have been on duty on one of the nights Hilton got in but was not. In due course, it was to emerge that part of the reason why staff were not aware of incidents at night was because of their own sexual activity with each other. This did not surface during the October 1990 enquiries.

**21.** No member of staff mentioned in October 1990 that a number of children from the school were being sexually exploited at Smith Street toilets. In addition, there was no meeting of all the staff to discuss what had happened after the Hilton incident.

**22.** It is at this point that Diana Cavanagh features in the events at Knowl View School. She had been made the Acting Chief Education Officer for Rochdale in September 1990 (on the retirement of Neville Naylor). Mrs Cavanagh thought that she took up her acting role at the same time as the Hilton incident.<sup>330</sup> She went on to be appointed Director of Education in early 1991.

**23.** She was a very important witness in this investigation. Her first involvement in Knowl View School was to write a brief report, *Serious Incident at Knowl View School*, dated 24 October 1990.<sup>331</sup> In that report, Mrs Cavanagh observed that the Hilton-type incident was

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<sup>326</sup> [GMP000388\\_11](#)

<sup>327</sup> [GMP000388\\_41](#)

<sup>328</sup> [Duncan Eaton 16 October 2017 149/7 - 150/25](#)

<sup>329</sup> [GMP000388\\_7](#)

<sup>330</sup> [Diana Cavanagh 20 October 2017 2/1-20, 9/20 - 10/4](#)

<sup>331</sup> [RHC001233](#)

not unknown in residential schools but that should not lead to the incident being trivialised or treated with complacency. There is no indication in the report that she was aware of any wider background to these incidents. The report was intended to be a starting point for discussion by the school governors.

**24.** Her report refers to the police having interviewed boys involved in the Hilton incident. Mrs Cavanagh confirmed in evidence that she had not seen any such interviews. She understood the school to have carried out interviews.<sup>332</sup> As noted above, the investigation found no records of any recorded interviews by the school.

**25.** Setting to one side that the staff interviews did not refer to the sexual exploitation of Knowl View School children, they ought to have prompted anxiety on the part of the Education Department about the welfare of Knowl View School pupils. A passing reference to children having exposed themselves to Hilton on 11 September raised the realistic prospect that there had been a far more sinister aspect to that night.

**26.** As we have said, Mrs Cavanagh's report was intended for the Board of Governors who met with Mrs Cavanagh on 25 October 1990. The Board had refused on 17 October 1990 to hear from Cliff Bentley (the Special Adviser) about the events of 11 and 12 September as a special item on their agenda. In her evidence, Mrs Cavanagh explained that she believed this to be defensiveness on their part and borne of a concern that the Education Department would be critical of the governance.<sup>333</sup> The Governors wished to meet again in order to formulate their response.<sup>334</sup> The Board duly met on 7 November 1990. The fact the Governors' meeting took place almost two months after the event does not suggest any sense of urgency on their part either.

**27.** Hilton, despite being on bail and awaiting sentence, remained very much part of the scene at Knowl View School. On 8 December 1990, pupils reported that he was at the shops drinking and had a gun.<sup>335</sup> On 21 December 1990, Mr Andrews sent Hilton what might, in the circumstances, be regarded as an extraordinarily polite letter asking that he stay away from the school. He telephoned Mr Andrews on 9 January 1991 to take issue with it.<sup>336</sup>

**28.** This was to prove characteristic. One of the most alarming aspects of the Hilton incident is that even after his convictions in 1984 and 1990 for sexually abusing Knowl View School pupils, he continued to target and harass the school and the pupils effectively unimpeded. We agree with the evidence Mr Bradshaw gave that the latter event represented the most serious sort of incident that any residential school could face,<sup>337</sup> yet, apart from interviewing staff, there is little evidence that this provoked the anxious concern or decisive action it so plainly called for. It did not even appear to have prompted investigation as to whether the Acting Head had neglected his duty by not being on the premises.

**29.** The Hilton incident also did not provoke wider consideration about the other sexual abuse issues that were affecting the school. Mrs Cavanagh's evidence was that no one mentioned to her in September/October 1990 that certain pupils were being sexually exploited. She had no memory of learning about this until early 1991. Her memory about

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<sup>332</sup> [Diana Cavanagh 20 October 2017 10/5 - 12/23](#)

<sup>333</sup> [Diana Cavanagh 20 October 2017 16/1 - 19/9](#)

<sup>334</sup> [GMP000386\\_8](#)

<sup>335</sup> [GMP000401\\_3](#)

<sup>336</sup> [RHC002048](#)

<sup>337</sup> [Stephen Bradshaw 19 October 2017 8/15 - 9/5](#)

peer-on-peer sexual activity was that she did not come to understand its seriousness until February/March 1991, and before then any activity she had heard about had been characterised as “horseplay”.<sup>338</sup> So, according to her, the whole picture did not emerge for a number of months.

**30.** In terms of tracing the response to the Hilton incident, there was a Governors’ meeting on 7 November 1990.<sup>339</sup> The minutes of the meeting demonstrate that improvements to the security of the school remained outstanding. They also record Mr Andrews saying that when he arrived at the school some staff thought it appropriate to drag pupils by the hair and to throw them against the wall, but there was much less violence now. Superintendent Marshall also attended this meeting. He is recorded as having said that the police could only take action if Hilton was mentally disturbed or committing a breach of the peace.

**31.** However, action was taken to appoint Michael Poulton, a temporary Deputy Head Teacher from Oulder Hill (a ‘mainstream’ secondary school). He took up this post in December 1990, despite initial reluctance on the part of Governors.<sup>340</sup>

**32.** The immediate actions Mrs Cavanagh took were appropriate for someone occupying her role.

## The involvement of Dr Alison Fraser

**33.** Dr Alison Fraser was a consultant psychiatrist who led the Child and Adolescent Unit at Birch Hill Hospital. She took up this role in November 1986. In or around 1987, she began to visit Knowl View School once every fortnight. The purpose of these visits was to offer support and advice to staff, but she stopped going to the school because staff simply did not use the service; she felt there to be little value in her visits continuing.<sup>341</sup> This contrasted with the attitude at a day school for children with emotional and behavioural difficulties that she visited (Brownhill School).

**34.** Dr Fraser appears to have become involved in the school once more after the Hilton incident as a number of boys from Knowl View were referred to her for therapy.<sup>342</sup> Her recollection was that the referrals concerned boys hanging around Smith Street toilets, sexualised behaviour by the boys and someone breaking into the school. What she heard led her to call Mrs Cavanagh directly in December 1990.<sup>343</sup> The purpose of Dr Fraser’s call was to inform Mrs Cavanagh about the boys from Knowl View who had been referred to her and who had very serious problems. What is unclear is how much further the conversation went and specifically whether the exploitation of pupils at Smith Street toilets was discussed. With the passage of time, Dr Fraser could not remember what was discussed. Mrs Cavanagh said in evidence that the call was about referrals to her from the school, they did not discuss the Hilton incident and they did not go into any detail about Smith Street toilets or peer-on-peer abuse.<sup>344</sup>

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<sup>338</sup> Diana Cavanagh 20 October 2017 37/20 - 39/22

<sup>339</sup> GMP000386\_9

<sup>340</sup> Diana Cavanagh 20 October 2017 60/14 - 61/11

<sup>341</sup> Dr Alison Fraser 17 October 2017 86/15 - 89/16

<sup>342</sup> Dr Alison Fraser 17 October 2017 89/17 - 91/17

<sup>343</sup> Dr Alison Fraser 17 October 2017 92/12-25

<sup>344</sup> Diana Cavanagh 20 October 2017 68/9 - 70/2

**35.** Christine Scarborough, who was the senior social worker at the Child and Adolescent Unit and worked with Dr Fraser, provided us with some of the context to the phone call. She explained that the exploitation of pupils from Knowl View School had been mentioned in referral letters that had been sent about the boys a few months after the September incident.<sup>345</sup>

**36.** Mrs Scarborough explained that she was concerned why young boys were allowed to go down to Smith Street toilets in the evening and why they were not being protected. She wanted to know how it was that someone had broken into Knowl View School and had been there for two nights. She wanted to know how that had been allowed to happen and where the staff had been. Making a referral to provide treatment to the boys was “*totally inappropriate*” before the abuse was stopped; the children had to be protected first.<sup>346</sup> Mrs Scarborough explained that she and Dr Fraser were concerned about the referrals and attempted to raise their concerns towards the end of 1990. She described trying to find out what Social Services involvement was with the boys was but that “*...nobody was seeing it as any kind of serious incident.*”<sup>347</sup>

**37.** She confirmed to us that it was obvious that the feeling from Social Services was that it was not their problem and that it should be addressed by the Education Department.<sup>348</sup> According to her, this is what prompted Dr Fraser and her to write to Mrs Cavanagh. She described this course in her evidence as the “*nuclear option*” as it was not usual to go directly to a director of another service.<sup>349</sup> She also remembered having been told by someone in the Education Department that there had been a review of Knowl View School and that it was not seen as a problem.<sup>350</sup> Mrs Scarborough’s recollection was that the letter was probably sent between Christmas 1990 and 4 March 1991 (the date of a meeting that was eventually to take place among staff at the school, Dr Fraser, Mrs Scarborough and representatives of Rochdale Council).<sup>351</sup>

**38.** Dr Fraser could not recall the call to Mrs Cavanagh but confirmed the existence of the letter. She also confirmed that there had been concerns about peer-on-peer sexual activity at the school but that there had been a view among certain social workers that it was what boys did. Her team thought it could be coercive behaviour, but were regarded as “*prissy and middle-class*”.<sup>352</sup> When asked what in her view distinguished what was going on in Knowl View School from the ‘norm’, she pointed out that a large number of boys were in a residential setting for whom the authorities were responsible, her concern about the level of supervision, and the fact that this behaviour was going on inside and outside the school.

**39.** Dr Fraser evidently regarded having direct contact with the Director of Education as a highly significant step for them to have taken. We have no doubt that Dr Fraser and Mrs Scarborough had real concerns about the boys who had been referred to the unit and saw, at once, the obvious issues that those referrals raised. Dr Fraser and Mrs Scarborough have the distinction in this investigation of having recognised the urgent need to address what was happening to the boys, and they sought the involvement of the other agencies.

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<sup>345</sup> Christine Scarborough 17 October 2017 38/17 - 41/8

<sup>346</sup> Christine Scarborough 17 October 2017 45/10-24

<sup>347</sup> Christine Scarborough 17 October 2017 42/6 - 43/8

<sup>348</sup> Christine Scarborough 17 October 2017 49/7-9

<sup>349</sup> Christine Scarborough 17 October 2017 50/14 - 51/6

<sup>350</sup> Christine Scarborough 17 October 2017 51/7-25

<sup>351</sup> Christine Scarborough 17 October 2017 54/1-14

<sup>352</sup> Dr Alison Fraser 17 October 2017 97/4-9

However, despite Dr Fraser's and Mrs Scarborough's clear concerns and their contact with Mrs Cavanagh in December 1990 and afterwards, there was no meeting about Knowl View School until 4 March 1991. It would appear that others did not share their sense of urgency.

## The meeting of 4 March 1991

**40.** The meeting of 4 March 1991 highlights how much the various institutions knew about the sexual abuse of Knowl View pupils at this point. According to the minutes of the meeting,<sup>353</sup> it had been arranged by Social Services, but it appears likely that it took place at the instigation of Dr Fraser and Christine Scarborough who attended. Other attendees were Janet Weeks (then known as Bowyer) (Child Protection Officer at Rochdale Council), Brian Williams (the Assistant Education Officer), and five members of staff from the school (Duncan Eaton, Bill Roberts, Martin Digan, Janet Wheeler and Hilda Wenlock). Steven Cohen was listed as having attended but he did not in fact attend.

**41.** The typed minutes of the meeting referred to the detail of the sexual exploitation of four pupils at Smith Street toilets (RO-A10, RO-A9, RO-A13 and RO-A12). One of these children was referred to as having been sexually abused at the age of nine. As regards the Hilton incident, the minutes refer to there having been a party on the first night that involved boys drinking cider with Hilton but no sexual contact. On the second night, the minutes record Hilton sexually assaulting RO-A14 but there were suspicions that another boy had been sexually assaulted. We have seen no evidence to suggest that recorded accounts were actually taken from all of the boys involved in this incident.

**42.** According to the minutes, staff felt that something had to be done about the Norden Unit as a matter of urgency to solve the issue of ongoing sexual activity between the children (only one of whom was not involved). In addition, this meant that no children were being placed on the Norden Unit, which resulted in children being placed on other units regardless of their age.<sup>354</sup> There was also reference to RO-A11's request that he have an AIDS test.

**43.** A handwritten note of the same meeting demonstrates that other issues were discussed. Annotations include "*Poppers from a sex shop...*" and "*negligence ... HIV*".<sup>355</sup> The reference to poppers was a reference to RO-A10 being found in possession of poppers (amyl nitrate) that he said he had bought from a sex shop in Bury.<sup>356</sup>

**44.** This note also refers to the first night Hilton stayed in September 1990 as involving the children "*flashing touching*" and that the boys engaged in mutual masturbation without involving Hilton.<sup>357</sup> There is also a margin note beside the name of the second boy suspected to have been sexually assaulted by Hilton: "*needs to be interviewed*".<sup>358</sup> This supports our conclusion that the boys whom the note listed as having been involved in the Hilton incident were not asked to give recorded accounts about the events over the course of the two nights.

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<sup>353</sup> [RHC001617\\_10](#)

<sup>354</sup> [RHC001617\\_11](#)

<sup>355</sup> [GMP000375\\_4](#); [GMP000375\\_8](#)

<sup>356</sup> [GMP000358\\_5](#)

<sup>357</sup> [GMP000375\\_6](#)

<sup>358</sup> [GMP000375\\_6](#)

**45.** Moreover, this was the first occasion on which the three different aspects of the sexual abuse of children at Knowl View School had been discussed openly between the professionals charged with the care of Knowl View pupils and Council officers who had oversight of their protection. The question is why it had taken so long.

**46.** The meeting of 4 March 1991 was swiftly followed by a multi-agency meeting of 8 March 1991. This was the first multi-agency meeting to take place. Present were representatives of the Education Department (including Diana Cavanagh), Greater Manchester Police (GMP), Social Services and Knowl View School. Brief typed minutes of the meeting noted that the level of abuse was “*way above*” that which you would find in a male boarding school.<sup>359</sup>

**47.** A chronology of events that was prepared within the Social Services Department described this meeting as “*very difficult*”.<sup>360</sup> The identity of the author of the chronology is not certain but it is probable that it was Janet Weeks.<sup>361</sup> The chronology records that Cliff Bentley (Chief Adviser) and Marilyn Simpson (Special Needs Adviser) considered that the sexual behaviour being described was “*normal*” within a boys’ school. The chronology also referred to the police not wanting to be involved in any action. It went on to state that an impasse was reached with the Education Department, with staff saying that they did not consider the behaviour to constitute abuse.<sup>362</sup>

**48.** Ms Simpson denies that she or Mr Bentley described the behaviour as “*normal*”. A separate handwritten record of the meeting on 8 March 1991 (believed to be Brian Williams’ note) refers to her as saying that she “*doesn’t minimise the activity but not unusual in an all boys community*”.<sup>363</sup>

**49.** The handwritten minutes of the 8 March 1991 meeting record Diana Cavanagh saying that she reported on the September incident but had no knowledge of wider problems until the call from Dr Fraser who suggested there was a wider problem.<sup>364</sup>

**50.** A clear point emerges about these minutes. There is no clear reference to the sexual exploitation of boys at Smith Street toilets, only an oblique reference to “*Other group of boys involved in stranger abuse*”.<sup>365</sup> The main issues for discussion were the Hilton incident and the sexual activity between pupils at the school. It is significant that, at the first multi-disciplinary meeting to take place, the issue that most needed urgent addressing was only mentioned in passing. This is further evidence of not confronting child sexual abuse. This was expressly accepted by Rochdale Council in its Closing Statement to the Inquiry. Mr Ford QC on the Council’s behalf conceded that there was at times a complete failure to treat child exploitation and sexual activity between children with anything like the significance and seriousness they deserved, and to see them as normal behaviour.<sup>366</sup>

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<sup>359</sup> [GMP000392\\_30](#)

<sup>360</sup> [GMP000392\\_32](#)

<sup>361</sup> [Janet Weeks 17 October 2017 157/19](#)

<sup>362</sup> [GMP000392\\_33](#)

<sup>363</sup> [RHC001617\\_6](#)

<sup>364</sup> [RHC001617\\_1](#)

<sup>365</sup> [RHC001617\\_6](#)

<sup>366</sup> [Steven Ford QC 27 October 2017 20/14-18](#)

**51.** In her evidence before us, Mrs Cavanagh described this meeting as “rather woolly”.<sup>367</sup> After 8 March 1991, the position appears to have been left that there would be a follow-up meeting. Mrs Cavanagh confirmed her belief that Social Services and the police were to see if further enquiries and interviews should take place. The emphasis in the Education Department was to be on therapy and settling the situation.<sup>368</sup> This is not consistent with the note of the outcome of the 8 March meeting in the chronology of events, which recorded that no action was to be taken by the police or the Social Services Department at that time; rather, the Education Department was to collate their information and obtain statements from relevant care staff, and to contact other agencies when it was available.<sup>369</sup>

**52.** The chronology of events shows there was then a change in direction on the part of the Education Department in that on 18 March 1991 a decision was taken that the behaviour in the Norden Unit was considered to constitute “*child to child sexual abuse*”, and so the Education Department asked the Social Services Department to conduct protocol interviews in relation to the relevant boys. However, because the Easter holidays were about to start, no action was taken to interview the children concerned.<sup>370</sup>

**53.** Collective judgment was poor and there was a lack of urgency.

## The Shepherd report

**54.** It took the intervention of another outsider to prompt action on the situation at Knowl View School. This was Phil Shepherd. He had been a nurse in the local area who developed an interest in education and care regarding HIV and AIDS. This was at the time a developing field. In or around 1988, Rochdale Health Authority set up a small team of workers dedicated to health promotion work around AIDS and HIV, and the counselling of those who had either condition. A report entitled *AIDS – The challenge to Local Authorities* noted that there was a local incidence of HIV, that drug users in Rochdale constituted a risk of transmission and that many drug users in South Manchester were known to be HIV positive.<sup>371</sup> Mr Shepherd was a member of that team.

**55.** On Friday 15 March 1991, he and a colleague attended Knowl View School to provide education to the care staff at the school. It was organised by Kath Widdowfield of the Education Department. Mr Shepherd was unable to give the training. In his evidence to the Inquiry, he explained that the care staff wanted instead to vent their frustration, anger and their worries about the boys in their care.<sup>372</sup>

**56.** Mr Shepherd said he was completely shocked by what staff reported to him.<sup>373</sup> It prompted him to write a report dated 20 March 1991, which he sent to Ms Widdowfield, Mr Poulton (Acting Head Teacher of Knowl View School), Dr Bullough (the Director of Public Health), Brian Williams, Marilyn Simpson and Diana Cavanagh. He confirmed to us what he said in the report that in the few days that had elapsed since his visit to the school he had attempted to clarify what action, if any, had been taken by various agencies involved with

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<sup>367</sup> Diana Cavanagh 20 October 2017 90/16 - 93/11

<sup>368</sup> Diana Cavanagh 20 October 2017 95/19 - 96/12

<sup>369</sup> GMP000392\_032-033

<sup>370</sup> GMP000392\_33

<sup>371</sup> GMP000742\_4-9

<sup>372</sup> Phil Shepherd 23 October 2017 102/2-15

<sup>373</sup> Phil Shepherd 23 October 2017 107/5-8

the boys, but that those attempts had been fruitless.<sup>374</sup> This echoes the evidence given by Dr Fraser and Christine Scarborough about their initial attempts to raise issues about the school within the Social Services Department.

**57.** Mr Shepherd's report is the first written record that we have seen documenting specific information from staff about what was happening to children at Knowl View School. Mr Shepherd noted that five of the junior boys were said to have been, or were, involved in "*cottaging in and around public toilets*" and that men from all over the north of England were coming into Rochdale for this purpose. He also noted that one of the children being exploited at the public toilets was an eight-year-old. In evidence, Mr Shepherd said that he thought, although he could not remember precisely, that this child came from Knowl View School.<sup>375</sup> He also referred in his report to having been told that some boys were "*forced*" to have sex with others.<sup>376</sup>

**58.** Among the staff concerns was that they felt that important information was not shared with them. Mr Shepherd was told that they had not been informed about the Hilton incident in September 1990 for a number of days and not informed about the background social histories of the children they cared for.<sup>377</sup> He confirmed to us that he was informed that anyone could be left to supervise the children, and that on one of the units, where most problems occurred, the caretaker and other casual staff worked back to back with a team leader.<sup>378</sup> This was the same caretaker who had been one of two people sent by the school to deal with the family of a child said to be experiencing peer-on-peer sexual abuse.

**59.** Mr Shepherd's overwhelming sense of the school was one of abandonment. The boys had been abandoned, no one was looking after them and focusing on them. The staff seemed abandoned. In his words, "*They'd just been left to their own devices.*"<sup>379</sup>

**60.** Mr Shepherd concluded in his report that the difficulties encountered by him in attempting to speak to agencies outside the school led him to believe that, although many people knew bits of information about children in Knowl View School, no one was pulling this information together. He added that symptoms were being treated without the real problems being recognised. He considered that if he was wrong in this belief, communication between staff groups was "*certainly abysmal*".<sup>380</sup> Mr Shepherd's view was that all staff involved in any way with children in Knowl View School should meet urgently to collate information. It appeared to him that, even within the school, the education and care staff never met.<sup>381</sup>

**61.** Given his background in sexual health, Mr Shepherd was asked for his view about the evidence that one of the boys at Knowl View School who had been sexually exploited (and who would only have been around 11 or 12 years old) had hepatitis B (something he did not know about at the time). His evidence was that this was of "*enormous*" significance because of the possibility of the transmission of other infections, as well as their potential

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<sup>374</sup> Phil Shepherd 23 October 2017 104/14-25; RHC001614\_5

<sup>375</sup> Phil Shepherd 23 October 2017 105/8-20

<sup>376</sup> GMP000387\_15

<sup>377</sup> GMP000387\_16

<sup>378</sup> Phil Shepherd 23 October 2017 109/25 - 110/9

<sup>379</sup> Phil Shepherd 23 October 2017 109/2-10

<sup>380</sup> GMP000387\_17

<sup>381</sup> Phil Shepherd 23 October 2017 113/8 - 114/4

lifelong consequences. He agreed that the implications of one boy having hepatitis in an environment where children were involved in sexual activity with each other was serious and required urgent address.<sup>382</sup>

**62.** Mr Shepherd thought that by sending his report he might galvanise the authorities into action. He thought that the AIDs Unit might play some role in addressing the situation. The reply that he received from Diana Cavanagh was not to that effect; rather, Mrs Cavanagh assured him that concerted professional action was being taken and asked that he not circulate his report any further or take any independent action.<sup>383</sup>

**63.** We have had to consider whether this was an attempt to suppress the information that had not emerged in such a clear way before, or whether it might have been a legitimate concern about such events being passed to the press. Mr Shepherd's view was that he was being told "*Keep your mouth shut and don't go anywhere else with it*", which he said he had no intention of doing.<sup>384</sup> By contrast, Mrs Cavanagh's evidence to us about it was that there were now very few pupils at Knowl View School; they would be very readily identified in the press, especially if it was indicated that they were on the Norden Unit. She regarded this as potentially very harmful.<sup>385</sup> Mr Shepherd's reply to Mrs Cavanagh was that what was of greatest concern to him was that staff were still approaching other professionals to "*get something done*".<sup>386</sup>

**64.** While we understand that the potential leak of this information could have been damaging to the pupils remaining at the school, equally we understand Mr Shepherd's perception that he was being told to 'shut up'. The tone of the letter to Mr Shepherd was we think high-handed, and it showed little appreciation of his concerns. We also found Mrs Cavanagh to be unduly critical of staff who spoke to Mr Shepherd, when she said in a witness statement, "*The details they gave were the same that Mr Poulton had obtained by interviewing all staff members, yet some of them saw fit to repeat these complaints to a stranger who had attended to deliver some training.*"<sup>387</sup> More importantly, we cannot agree that by this time decisive action was being taken to address the problems afflicting Knowl View School.

**65.** The Shepherd report was passed to Councillor Pamela Hawton who was Chair of the Rochdale Health Authority. It caused her to write to then Acting Director of Social Services, Ian Davey, suggesting that an independent investigation should be carried out under the auspices of the Social Services Department.<sup>388</sup> She had been to see him the day before her letter.<sup>389</sup>

**66.** Ian Davey joined Rochdale Council in 1987 as the Assistant Director of Operation in the Social Services Department. He was made Acting Director of Social Services at the very end of March or the beginning of April 1991. His appointment was due to the resignation of the then Director, Gordon Littlemore, in the wake of the judgment in the Middleton cases.

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<sup>382</sup> [Phil Shepherd 23 October 2017 122/11 - 123/4](#)

<sup>383</sup> [GMP000387\\_006-009](#)

<sup>384</sup> [Phil Shepherd 23 October 2017 117/21 - 118/4](#)

<sup>385</sup> [Diana Cavanagh 20 October 2017 122/12-21](#)

<sup>386</sup> [GMP000387\\_4](#)

<sup>387</sup> [Diana Cavanagh 20 October 2017 114/5-9](#)

<sup>388</sup> [GMP000387\\_13](#)

<sup>389</sup> [GMP000392\\_33](#)

Mr Davey was to be appointed Director of Social Services on 4 December 1991. In his evidence to us, he confirmed his surprise that he had been appointed to the Acting role given that he too had been the subject of criticism in the Middleton judgment.<sup>390</sup>

**67.** Mr Davey told us he did not think he had been aware of the exploitation of children in Rochdale town centre before he received the Shepherd report.<sup>391</sup> He also said that he was unaware that Social Services were using Knowl View School as an alternative to taking children into care, or that there were children who were living between a children's home and Knowl View School.<sup>392</sup> In a memorandum of 28 May 1991, however, Freema Taylor (since deceased) expressly referred to the difficulty in keeping contact via RO-A10's placement at Knowl View School and his children's home.<sup>393</sup> Although Mr Davey told us he did not believe that he had seen this note,<sup>394</sup> given his role, we fail to understand how he could have been unaware of the fact that some of these children were in care. Also, we find it hard to accept that he could have been unaware of the exploitation that was taking place at Smith Street toilets just opposite Rochdale Council's offices.

**68.** Ian Davey wrote to Councillor Hawton in a letter of 16 April 1991. He told her that, following consultation with staff and with the appropriate parents, a number of boys would initially be interviewed by police officers and social work staff. Depending on the outcome of those interviews, he added, further joint investigations might need to be undertaken.<sup>395</sup> Mr Davey gave evidence that the situation as conveyed to him by Dr Bullough and Councillor Hawton raised the level of concern and anxiety about the school and "*the need to "... make sure that something was happening"*". He agreed that meant he was effectively taking the lead in this.<sup>396</sup>

**69.** Janet Weeks confirmed from the chronology of events document that a meeting took place on 11 April 1991 that she, Cliff Bentley, Marilyn Simpson, Richard Flammer, Mansoor Kazi, Brian Williams, Duncan Eaton and Stephen Bradshaw (the new Head Teacher of Knowl View School who had just taken up his post) attended.<sup>397</sup> Stephen Bradshaw and Duncan Eaton were charged with finding one or two victims to initiate the process of protocol interviews.

**70.** The same entry goes on to state that Stephen Bradshaw had identified RO-A14, RO-A11 and RO-A15. The chronology continues "*However these are not considered to be victims. Knowl View to prepare relevant information for SSD*".<sup>398</sup> Yet RO-A14 had been sexually assaulted by Roderick Hilton, RO-A11 was a child who had been a psychiatric inpatient and had disclosed he was in a sexual relationship with an adult male, and there was information dating back to February 1991 that RO-A15 had engaged in sexual activity with another boy.<sup>399</sup> Janet Weeks had no hesitation in saying that even boys who might be viewed as perpetrators were still victims.<sup>400</sup>

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<sup>390</sup> [Ian Davey 18 October 2017 40/20 - 43/14](#)

<sup>391</sup> [Ian Davey 18 October 2017 23/7 - 24/9](#)

<sup>392</sup> [Ian Davey 18 October 2017 19/1 - 20/2, 25/12-15](#)

<sup>393</sup> [GMP000371\\_003-004](#)

<sup>394</sup> [Ian Davey 18 October 2017 118/1 - 119/6](#)

<sup>395</sup> [GMP000287\\_2](#)

<sup>396</sup> [Ian Davey 18 October 2017 104/22 - 105/21](#)

<sup>397</sup> [Janet Weeks 17 October 2017 159/20 - 160/6; GMP000392\\_33](#)

<sup>398</sup> [GMP000392\\_34](#)

<sup>399</sup> [RHC001670](#)

<sup>400</sup> [Janet Weeks 17 October 2017 163/1-19](#)

**71.** Despite that, these children were not interviewed to ascertain whether they had been sexually abused.

**72.** Ian Davey was asked in evidence for his view of the decision that these children were not ‘victims’ and what he regarded as the correct approach to be taken to vulnerable children engaging in sexual activity with other children. Regrettably, Mr Davey was unable to provide a satisfactory answer to this. He said that he had taken the advice of Freema Taylor and the other staff involved, and that this was a conclusion that he had “supported”. He accepted that it was not the right conclusion.<sup>401</sup> And we agree.

**73.** On 7 May 1991, Chris Spankie, a Principal Social Worker, wrote to Janet Weeks about conducting interviews with boys about sexual abuse. The suggestion in his letter was that they had earlier agreed that it would be “impossible” to conduct an interview with any of the boys until there was some clearer and more detailed information available, “not least because there was some uncertainty as to whether any sexual abuse had actually taken place”. The letter went on to state their concern that “the first interview(s) should take place with victim(s) of abuse rather than alleged perpetrators or victim/perpetrators”. On that basis, Mr Spankie recorded his view that it was not appropriate to interview RO-A11 because the evidence whether any sexual abuse took place was inconclusive.<sup>402</sup> The idea that a child should not be interviewed about sexual abuse in the absence of some degree of certainty that sexual abuse had occurred was not a view unique to Freema Taylor.

**74.** A memorandum of 20 May 1991 from Diana Cavanagh to Mansoor Kazi and Brian Williams referred to the concern of David Shipp (Deputy Town Clerk) about the lack of progress of the investigation into the events. The memo referred also to the Social Services Department questioning the need for an investigation at all and suggesting it might be done by the Education Department, if required.<sup>403</sup> Social Services were quite prepared to abdicate the responsibility for any investigation on to the Education Department.

## The appointment of Stephen Bradshaw

**75.** It was in this context that Stephen Bradshaw arrived to take over the headship of Knowl View School. Mr Bradshaw was recruited from a background working as the Deputy Head of a residential school like Knowl View in order to help stabilise Knowl View School. He was Head Teacher between April 1991 and July 1994. He went on to have a distinguished career in the provision of education to children with social, emotional and mental health needs.<sup>404</sup> He was in a position to see first-hand how the school operated. He went about documenting the abuse of Knowl View pupils soon after his arrival. He was the only witness from whom we heard who was in a position to compare Knowl View School with similar schools. His evidence has allowed us to gauge the risks Knowl View pupils were facing when he joined the school, and what, if anything, was being done in the post-Hilton period.

**76.** The physical conditions at the school were dismal. In a report Mr Bradshaw wrote to Mrs Cavanagh on 17 April 1991, he described the living areas of the school as “cold, institutionalised and inhospitable”.<sup>405</sup> The bedrooms and bathrooms were open plan; there was

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<sup>401</sup> Ian Davey 18 October 2017 93/15 - 94/16

<sup>402</sup> GMP000392\_28

<sup>403</sup> RHC001612

<sup>404</sup> Stephen Bradshaw 19 October 2017 1/18 - 4/13

<sup>405</sup> RHC001235

no privacy. There were ablution blocks for showers (not individual cubicles or even curtained areas). Soft furnishings had been removed from the children's living area and replaced with plastic chairs. There was fluorescent strip lighting. There was nothing to make the children's living space homely or comforting; there were no toys or games. Doors had been ripped off the wardrobes and never replaced.<sup>406</sup>

**77.** The physical condition of the school was a stark reflection of the level of care the children were given, and of their worth. As Mr Bradshaw put it, these children were not at Knowl View School to be punished but to be cared for and educated, adding, "*they deserved more than this*".<sup>407</sup>

**78.** Mr Bradshaw's evidence also demonstrated that the Hilton incident had not even prompted any improvements to the security of the school. There were no lights around the outside of the school. There was no front gate. There were 12 different entrances to the school. There was no door access system. There were no alarms.<sup>408</sup> Mr Bradshaw was asked directly what he understood to have changed after the Hilton incident. He said that nothing had happened, it was exactly the same.<sup>409</sup> This confirms that the Hilton incident had not been regarded as the profound breach of responsibility (which undoubtedly it was), and that it had not prompted any real or constructive action to protect pupils.

**79.** Mr Bradshaw also confirmed that there was no proper system for the recording of significant events and incidents within the school. He agreed that the school lacked the basic infrastructure for the protection of children.<sup>410</sup> He later explained that he was also concerned that men, other than Roderick Hilton, had been targeting the school.<sup>411</sup>

**80.** As regards staff culture, Mr Bradshaw said that there were some staff who were very good but that the general culture was macho and as though the world owed those staff a living. There were very high rates of absenteeism and staff claiming payments for work that was not done –in short, a culture of taking from the school as opposed to contributing to it.<sup>412</sup>

**81.** The culture was not to educate but to "*contain and entertain*".<sup>413</sup> Mr Bradshaw did not think that the problems at Knowl View School lay in the complexity of its pupils' needs; this was an average school of its type and its children were no more difficult than any other group of children he had provided care and education to.<sup>414</sup> One of the primary functions of the school was, however, to provide children with boundaries and guidance as to what was appropriate and inappropriate.<sup>415</sup>

**82.** Mr Bradshaw's perception was that there was an awareness of the exploitation of the pupils at Smith Street toilets, like Roderick Hilton's involvement with the school, but no one grasped the nettle that it was an area of concern. When asked the direct question whether

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<sup>406</sup> Stephen Bradshaw 19 October 2017 20/13 - 21/24

<sup>407</sup> Stephen Bradshaw 19 October 2017 21/19-24

<sup>408</sup> Stephen Bradshaw 19 October 2017 12/12-24

<sup>409</sup> Stephen Bradshaw 19 October 2017 13/22 - 14/5

<sup>410</sup> Stephen Bradshaw 19 October 2017 16/22 - 18/15

<sup>411</sup> Stephen Bradshaw 19 October 2017 42/12-15

<sup>412</sup> Stephen Bradshaw 19 October 2017 22/9-15, 24/9 - 25/4

<sup>413</sup> Stephen Bradshaw 19 October 2017 23/7-8

<sup>414</sup> Stephen Bradshaw 19 October 2017 25/4-25

<sup>415</sup> Stephen Bradshaw 19 October 2017 29/12 - 30/14

that meant at the time that staff did not regard the exploitation of children at Smith Street toilets as sexual abuse, his response was to say *“That’s a difficult one, but I would probably say yes”*.<sup>416</sup>

**83.** Returning to the chronology, by 10 May 1991, Mr Bradshaw had already written to Janet Weeks (Bowyer) highlighting his increasing alarm at the length of time that it was taking to initiate child protection procedures at Knowl View School, and pointing out that he still had children at risk in the school.<sup>417</sup> In his evidence, he recalled people saying such as *“Well this is just normal behaviour”*, with which he disagreed. In his view, this was not normal behaviour.<sup>418</sup>

**84.** On 17 May 1991, Mr Bradshaw did something that no professional involved in the school had done to date: he set about documenting the factual matters that were contained within boys’ files, as well as allegations that he regarded as *“hearsay”* –in other words, abuse that was verifiable and that which was then unverifiable. He described this document as *“who is doing what to whom”* and sent it to Freema Taylor in the Social Services Department.<sup>419</sup> Mr Bradshaw told us that it seemed logical that someone should put together all available information.<sup>420</sup> His document is important in this investigation as it confirms the records that were available at the time. Its importance also lies in the fact that it appears to be the first systematic attempt by anyone to bring all the information together.<sup>421</sup>

**85.** Mr Bradshaw’s documentation of the sexual abuse to which Knowl View boys were subjected makes very grim reading; it demonstrates the reality of what some children at the school were experiencing. His report documents as fact that one of the very youngest children in the school had been found in bed with an older boy.<sup>422</sup> One of the children who was being exploited at Smith Street toilets was friendly with a convicted child abuser. Some of these children frequented the homes of abusers. Another child who was being exploited at Smith Street toilets had been sexually abused by a neighbour. A different child who had been exploited at Smith Street toilets had been involved in sexual activities with a male friend while babysitting a girl of four. It confirmed that there was group masturbation among boys and that some were forced into sexual activity. One child had engaged in sexual play with young children within his foster family. The report also documents as fact that a second child was sexually assaulted by Roderick Hilton on 12 September 1990, and that other boys had engaged in group masturbation in the presence of Hilton.

**86.** This is the information which was provided to Freema Taylor of Social Services in a clear and unvarnished way at the precise point in time the Social Services Department was considering what action it should take in respect of the school.

**87.** In fact, on the very day Mr Bradshaw sent the report to Freema Taylor (which was 17 May 1991), Diana Cavanagh met with Ian Davey, John Pierce (Chief Executive Officer) and David Shipp. The meeting, which is revealed by a memorandum from Ian Davey to Diana Cavanagh of 30 May 1991, was to discuss the concerns about Knowl View School.<sup>423</sup> Mrs Cavanagh’s account to us was that Mr Davey arrived at that meeting with a predetermined

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<sup>416</sup> Stephen Bradshaw 19 October 2017 39/5 - 40/24

<sup>417</sup> GMP000392\_26

<sup>418</sup> Stephen Bradshaw 19 October 2017 40/25 - 41/7

<sup>419</sup> GMP000358\_3

<sup>420</sup> Stephen Bradshaw 19 October 2017 43/9-24

<sup>421</sup> GMP000358\_4-24

<sup>422</sup> Stephen Bradshaw 19 October 2017 45/10-22

<sup>423</sup> RHC001236

view that the incidents at Knowl View School did not fall within child protection guidelines.<sup>424</sup> She considered that this was not a view he could have taken and maintained without the support of Mr Pierce.<sup>425</sup>

**88.** Mr Davey's evidence was that he attended the meeting on the basis of the stance that Freema Taylor was taking (that is, that the children identified fell outside the child protection guidelines) and that Mr Pierce asked that he reconsider this in light of the clear difference of opinion.<sup>426</sup> Mr Davey was asked whether all the facets of the sexual abuse of children at Knowl View School were discussed at this meeting or whether it was limited to sexual activity between children. Although claiming he had no memory of the meeting, he appeared to think that only the peer-on-peer sexual activity between children was discussed.<sup>427</sup> He added that the intruder incident was not a subject for the meeting, and the activity at Smith Street toilets was Freema Taylor's role.<sup>428</sup>

**89.** A memorandum of 28 May 1991 initialled "FT/AMS" (almost certainly a reference to Freema Taylor and her document) sets out what appears to be a check of the information contained in the Shepherd report. It suggests that 'cottaging' was taking place Monday to Friday while four named boys were at Knowl View "*but now definitely not the case though it is thought it continues weekends and holidays*".<sup>429</sup>

**90.** The Social Services response to all this (as foreshadowed at the meeting on 17 May) was encapsulated in the memo of 30 May 1991 from Ian Davey (who was still the Acting Director of Social Services) to Diana Cavanagh.<sup>430</sup> Mr Davey concluded that the peer-on-peer allegations that had emerged about children at Knowl View School since March 1991 neither fell within the Child Abuse Guidelines nor the definition of sexual abuse between children.

**91.** We consider Mr Davey's conclusions bewildering. First, he only refers to the three boys who had been considered for interview (RO-A14, RO-A15 and RO-A11) but who had not been interviewed. According to Mr Davey's memo, RO-A15 was being dealt with by Manchester Social Services, RO-A14 was "*a perpetrator rather than a victim*" and RO-A11 was "*a willing partner ... quite able to see off unwanted advances*". RO-A14 and RO-A11 did not fit within the definition of sexual abuse between children. Mr Davey added in the memo that consideration had been given to whether one further child fell within the definition but that more information was needed. Second, the memorandum is limited to considering the position from the perspective of sexual abuse between children. It says nothing about the exploitation of Knowl View boys by paying men or any of the other matters documented by Stephen Bradshaw.

**92.** Mr Davey confirmed the guidance document he turned to on "*Child to Child Sexual Abuse*".<sup>431</sup> It included a list of factors that provided guidance in assessing situations in which sexual contact between children may be suspicious and abusive. The guidance stipulated that "*Particular regard must be paid to the nature of the incident, age, maturity and intent.*"

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<sup>424</sup> Diana Cavanagh 20 October 2017 138/2 - 140/20

<sup>425</sup> Diana Cavanagh 20 October 2017 140/25 - 141/22

<sup>426</sup> Ian Davey 18 October 2017 124/25 - 127/7

<sup>427</sup> Ian Davey 18 October 2017 127/8-23

<sup>428</sup> Ian Davey 18 October 2017 128/1-16

<sup>429</sup> GMP000371\_3-4

<sup>430</sup> RHC001236

<sup>431</sup> Ian Davey 18 October 2017 121/10 - 122/21; RHC001771\_2

**93.** Mrs Cavanagh was asked why the 30 May 1991 memorandum only considered the position through the lens of sexual activity between children. She said that she “*surmised*” at the time that the exploitation of children at Smith Street toilets was not mentioned in the memorandum because the police had said that there was no more activity there following their surveillance.<sup>432</sup>

**94.** Mrs Cavanagh also told us she felt it a misjudgment by Ian Davey to ignore other boys who had been subjected to peer-on-peer abuse within the school, and it was a misjudgment by him to have ignored the activity at Smith Street toilets. Even if it had ceased, in her view, he should have continued the investigation into it.<sup>433</sup>

**95.** Ian Davey was asked in evidence whether an interview would have illuminated whether or not it was a fair assumption that RO-A14 was a perpetrator rather than a victim of sexual abuse. In answer to that question, Mr Davey said “*Yes, I do now*”.<sup>434</sup> He was challenged as to how it was that anyone was not of that view at the time. His response was that “*obviously*” the view that RO-A14 was a perpetrator was the view taken by the staff and also by Freema Taylor.<sup>435</sup> He was referred to what he had said during the Garnham Review, in which he had claimed “*some significant sense of disappointment*” that the matter was not being pursued in the way he had expected. In evidence he said “*unease*” was the better word to express his feelings about Freema Taylor’s advice. He accepted that he could have overridden her advice, but did not do so, and he conceded that ‘the buck stopped with him’.<sup>436</sup>

**96.** The response was seriously flawed professionally. Had his decision been different – that is, to proceed within the formal child protection procedures – children in Knowl View School might have suffered less abuse both at Smith Street toilets and within the school itself.

**97.** In her evidence, Janet Weeks highlighted the fact that the two social workers that Ian Davey named as having been involved in this decision (Freema Taylor and Annie Dodd) had not been brought in as child protection specialists (which Ms Weeks was). Ms Weeks had not been involved in the decision and did not agree with it. She felt that the recourse to Ms Taylor and Ms Dodd was to marginalise her.<sup>437</sup>

**98.** Freema Taylor provided evidence to the Garnham Review but unfortunately she died thereafter. In evidence to the Garnham Review, her response, when asked what view was taken from a child abuse perspective about boys being exploited at Smith Street toilets, was that it could be viewed as “*the function of the damage to the lads*”. When asked about an adult intruder coming into the school, she responded “*It’s a hard one that ...*”<sup>438</sup> In a statement she made on 19 September 2014, she said that child-on-child sexual abuse would be dealt with by Social Services’ child protection procedures unless it was deemed to be consensual or experimental, in which case the Education Department would deal with it.<sup>439</sup> She did not say how anyone could form a view about which it was without making a full assessment of the situation, including careful monitoring of the child or children concerned.

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<sup>432</sup> Diana Cavanagh 20 October 2017 145/12 - 147/10

<sup>433</sup> Diana Cavanagh 20 October 2017 147/11-25

<sup>434</sup> Ian Davey 18 October 2017 132/7-10

<sup>435</sup> Ian Davey 18 October 2017 132/11-15

<sup>436</sup> Ian Davey 18 October 2017 149/5 - 151/22; RHC000261\_26

<sup>437</sup> Janet Weeks 17 October 2017 177/4-16 - 177/7, 180/5-15, 182/16 - 183/11

<sup>438</sup> RHC000244\_18-19

<sup>439</sup> OHY002444

**99.** There were some voices in the other direction. Christine Scarborough gave evidence to the Inquiry that she had a major row with Freema Taylor about her view that the issues at Knowl View School did not fall within child protection, because child protection only applied to children in families, not educational establishments. The row erupted because Christine Scarborough could not believe that Social Services (of which she was a part) had made that decision.<sup>440</sup>

**100.** We have concluded that the approach to children in Knowl View School up to this point, the decision whether they should be interviewed, and the ultimate decision not to interview the children as the activity of concern did not fall within child protection guidelines, demonstrates just how blinkered and confused Rochdale Council officers (from its Chief Executive to its Acting Director of Social Services as well as to individual social workers) were about child protection. Yet it goes far beyond this. Stephen Bradshaw's "*who is doing what to whom*" report could hardly have put in any plainer terms what had happened to children in Knowl View School, and to children with whom Social Services were already involved. He provided Rochdale Social Services Department with all the information. The idea that any or all of this activity did not fall within the framework of child protection is incomprehensible.

**101.** All of the focus was ultimately on the allegations around sexual activity between children. We have concluded that this was because of a general attitude to child sexual exploitation that it was not really sexual abuse at all.

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<sup>440</sup> Christine Scarborough 17 October 2017 72/9 - 73/19

# Section 3

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## The Middleton case

1. The Middleton case (also referred to as ‘the Langley case’) was a high-profile case in which Rochdale Social Services Department was found to have seriously mishandled the taking into care of children from the Langley Estate in Middleton, Greater Manchester, whom it was believed had been subjected to ritual abuse. Rochdale Social Services had removed twenty children from six families. Interim care and control was granted to Rochdale and access to their families suspended. Rochdale applied for the permanent removal of all the children from their families.
2. On 18 September 1990, the Minister for Health requested that the Social Services Inspectorate conduct an immediate inspection of Rochdale Social Services. This request was made in response to the publicity surrounding the Middleton case. The resulting report referred, among other points, to Rochdale Social Services still working to guidelines on child abuse that had not been updated to reflect the 1988 ‘Working Together’ guidance.<sup>441</sup> In her evidence before us, Gail Hopper expressed surprise that some three years down the line ‘Working Together’ still had not been implemented by Rochdale Council.<sup>442</sup>
3. In the course of his evidence, Mr Davey was asked whether there were regular liaison meetings between the Education and Social Services Departments on matters of mutual concern of a strategic or operational nature (which would have included child protection). He could not recall any particular liaison meetings.<sup>443</sup> This reflects badly on the Directors of Education and Social Services, and exemplifies some of their failures of leadership.
4. The cases went before the High Court. The judgment of Mr Justice Douglas Brown, handed down on 7 March 1991, was damning.<sup>444</sup> He found, in particular, that the interviews of the children involved were of very poor quality and failed to comply with the recommendations or essential requirements of the Cleveland report published in 1988. The interviews had not been videotaped, and advice from a psychiatrist or psychologist had not been obtained before the children were removed.
5. Following the judgment, on 11 March 1991, the Social Services Committee noted the resignation of Gordon Littlemore, the Director of Social Services. Ian Davey, who had been the Assistant Director, was made the Acting Director of Social Services at around the end of March 1991.
6. The question is whether the High Court judgment impacted on how Social Services were protecting children in Rochdale, and, if so, to what extent. A number of witnesses considered that it did have an impact. By way of example, Janet Weeks (formerly Bowyer) believed

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<sup>441</sup> RHC000133\_048

<sup>442</sup> Gail Hopper 12 October 2017 98/2-17

<sup>443</sup> Ian Davey 18 October 2017 50/24 - 53/8

<sup>444</sup> *Rochdale Borough Council v. A and others* [1991] 2 FLR 192

that it created a pressure not to overact and encouraged managers to keep a low profile.<sup>445</sup> Christine Scarborough considered that Rochdale went from being an interventionist authority to one that made it very difficult to get children into care.<sup>446</sup>

**7.** The only witness we heard from who did not think Middleton impacted on Social Services' approach to children at risk was Ian Davey. He was firmly of the view that concerns about Social Services having become overly cautious after the Middleton judgment related only to intervention in families – that is, to children who were living with their families. The issues about Knowl View School were, in his view, clearly different.<sup>447</sup>

## The Mellor report

**8.** The judgment in the Middleton case certainly had an indirect impact on events at Knowl View School in that it led to the involvement of Valerie Mellor. Mrs Mellor, a consultant psychologist at Booth Hall Hospital, had given expert evidence in the Middleton proceedings about the nature of ritual abuse and the proper approach to be taken when interviewing children to establish whether or not they had been abused. It was because of this that she was identified as an appropriate person to conduct a review about what had happened at Knowl View School.

**9.** Diana Cavanagh said that she disagreed with Ian Davey's decision (as set out in the 30 May 1991 memorandum) not to pursue an investigation into the abuse of children who resided at Knowl View School, but was powerless to change it. She therefore needed to find a new strategy. It was decided that this was to be an investigation by an outside agency, and it was David Shipp (Deputy Town Clerk and Director of Legal Services) who recommended that Mrs Mellor be invited to conduct it.<sup>448</sup>

**10.** This underscores the perplexing nature of the Social Services Department's judgment on how to proceed. It also raises the question why Mrs Mellor was considered the correct person to conduct such an investigation. She may have been a qualified and indeed experienced psychologist with expertise in interviewing and treating children in respect of sexual abuse. However, she had no formal background in education as she made clear in her report.<sup>449</sup> It was quickly decided, in any event, that she would not interview any children. Her appointment may in part have been a defensive action in other words, one by which no one could criticise Rochdale if it brought on board the very expert whose opinion had been used to devastating effect in the Middleton case.

**11.** On 4 June 1991, Diana Cavanagh introduced Mrs Mellor to a meeting of the key individuals involved in Knowl View School. This included Mr Bradshaw, Mr Shipp, Mr Bentley and Ms Simpson. The record of the meeting makes clear that Mrs Mellor's role was to provide advice as to how best to proceed with an enquiry into the activities of boys at the school.<sup>450</sup> It was suggested that Mrs Mellor's consultancy should provide an impartial

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<sup>445</sup> Janet Weeks 17 October 2017 180/25 - 1811/23

<sup>446</sup> Christine Scarborough 17 October 2017 76/9 - 77/15

<sup>447</sup> Ian Davey 18 October 2017 46/18 - 47/2

<sup>448</sup> Diana Cavanagh 20 October 2017 149/9-15, 151/14 - 152/15

<sup>449</sup> RHC001599\_10

<sup>450</sup> Diana Cavanagh 20 October 2017 156/18-24; RHC001271\_9

response to three questions: (1) was the school providing education appropriate to the needs of the pupils at Knowl View; (2) were staff able to deal with the problems identified; and (3) what should be provided?

**12.** At this meeting, Mrs Mellor asked if a video recorder could be used when children were interviewed in case they disclosed abuse. Mr Bentley and Ms Simpson had reservations about this course of action. Mrs Cavanagh explained that Mr Bentley and Ms Simpson thought it would be unnerving for the children but that in any event Mrs Mellor did not insist on it.<sup>451</sup> Mr Bradshaw, by contrast, thought that people “... *wanted this to go away*” or that some individuals considered that such interviews would make a greater deal out of the incidents than was warranted.<sup>452</sup>

**13.** Mrs Mellor was not asked within her terms of reference to establish what had actually happened to the children who lived at the school. When asked about this point, Mrs Cavanagh told us that she did not want Mrs Mellor to undertake the job of police and social services. Mrs Cavanagh wanted Mrs Mellor to tell her about the school: was it safe for the pupils; did they feel well educated and well cared for; did the sexual activity stop; and what else could be done to enhance the experience of children or improve it?<sup>453</sup>

**14.** There was a further meeting of the same individuals on 25 June 1991, by which point it is apparent that Mrs Mellor had been able to make some enquiries. Mrs Mellor informed the meeting that she had spoken to Detective Inspector Henderson of Greater Manchester Police (GMP) who told her that there were no ongoing concerns about the town centre toilets.<sup>454</sup>

**15.** She also indicated her tentative view that it would neither be right nor necessary to interview boys at the school because: (1) it was too long after the event; (2) too many changes had occurred; and (3) it would be dredging up facts from which the boys had moved on. She said that there was no indication that inappropriate sexual behaviour was taking place in the school.<sup>455</sup>

**16.** Mrs Mellor highlighted her concern that one child had been placed in the school having been an inpatient in a psychiatric hospital prior to his admission (this was RO-A11) and that one seven-year-old was placed with older children.<sup>456</sup>

**17.** Mrs Mellor should have been asked to talk to the children sensitively to find out what their experience of living in Knowl View School was like, and to comply with her terms of reference. In the course of doing so, what had happened to them may have emerged. It was a significant mistake attributable to the Local Authority not to expressly ask her to do so.

**18.** Mr Bradshaw’s evidence was that he considered Mrs Mellor’s focus had been on the Hilton incident: first, how it had occurred and what could be learned from it; and, second, whether there was a culture of continuation of sexual abuse and coercion. Mrs Cavanagh agreed with that view.<sup>457</sup>

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<sup>451</sup> Diana Cavanagh 20 October 2017 159/2-11

<sup>452</sup> Stephen Bradshaw 19 October 2017 63/2-25

<sup>453</sup> Diana Cavanagh 20 October 2017 159/12 - 160/1

<sup>454</sup> RHC001271\_13

<sup>455</sup> RHC001271\_14

<sup>456</sup> RHC001271\_17

<sup>457</sup> Stephen Bradshaw 19 October 2017 68/1-24; Diana Cavanagh 20 October 2017 171/12-21

**19.** There was then a further meeting of 12 September 1991, by which time Mrs Mellor had yet to produce a report. She expressed the opinion that Roderick Hilton had not been regarded as external to the school but rather very much a part of school life. Mr Bradshaw observed that there had been “agency sympathy” for Roderick Hilton rather than the school. He expressed concern about the security of the school and the possible availability of duplicate keys.<sup>458</sup> Mr Bradshaw was asked about this in his evidence to us and he confirmed that, prior to his arrival, Roderick Hilton had been regarded as “part of the furniture” of the school.<sup>459</sup> He also said that staff had been aware that Hilton had slept in the school minibus and on school premises and had not stopped him.<sup>460</sup>

**20.** Mr Bradshaw also said that the concern that outsiders to the school had keys was a real one and that there were occasions when he had a feeling that people had access to the school; he changed the locks in response to this.<sup>461</sup> There is evidence from May 1991 of a male prowler trying to gain access to the school around this time.<sup>462</sup>

**21.** In Autumn 1991, Mr Bradshaw recorded that the school had been rock-bottom when he started and that the Mellor inquiry made the ‘Pindown Experience’ look like a day at the seaside. Nonetheless, he recorded that he was sick of writing memos that were totally ignored.<sup>463</sup> It appears he was not being taken seriously.

**22.** In the interim, concerns were mounting at the length of time that Mrs Mellor was taking to produce her report. It was not produced until February 1992. This was the same month that Chief Inspector Berry of GMP wrote to Mr Graham, an Area Manager for Rochdale Social Services, saying “very little progress had been made” in relation to RO-A9.<sup>464</sup> There were concerns that he had been subjected to ‘network’ abuse on an organised scale. None of this information appears to have been made available to Mrs Mellor.

**23.** The Mellor report, when it was eventually delivered, was not a comprehensive or detailed document.<sup>465</sup> It was ten pages long and accompanied by an appendix that set out information about the sexual abuse of certain boys. The appendix is almost identical to the “Who is doing what to whom” document Stephen Bradshaw had produced in May 1991. It confirmed that there was a high incidence of sexual abuse among boys prior to their entry to the school, although this is information that must have been readily available since September 1990 or before.

**24.** Mrs Mellor sounded a note of caution in her report, observing that she had no formal background in education and had avoided making any recommendations that properly should have come within the province of education officers. The report noted that there was a history of sexualised behaviour at the school but this was not detailed. It referred to boys meeting Roderick Hilton in a copse on school grounds in 1987 and 1988. It did not refer to Hilton’s conviction in 1984 for sexually assaulting a Knowl View School pupil.

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<sup>458</sup> [RHC001956\\_3-4](#)

<sup>459</sup> [Stephen Bradshaw 19 October 2017 70/24 - 71/8](#)

<sup>460</sup> [Stephen Bradshaw 19 October 2017 71/19 - 72/6](#)

<sup>461</sup> [Stephen Bradshaw 19 October 2017 72/7-21](#)

<sup>462</sup> [RHC001755\\_1](#)

<sup>463</sup> [GMP000359\\_4](#)

<sup>464</sup> [RHC002363\\_1](#); the letter was incorrectly dated 11 February 1991. It is clear from the date of the receipt stamp on it that it should have been dated 11 February 1992

<sup>465</sup> [RHC001599\\_1](#)

- 25.** The report also referred to information received from the police in the summer of 1991 that surveillance at Smith Street toilets was taking place and there was “*no longer any homosexual activity going on there*”,<sup>466</sup> which was based on an unchallenged assertion by Detective Inspector Henderson made at the meeting of 4 June 1991.
- 26.** The report mentioned differences of opinion between care staff about how to approach what was happening to children. Some staff members felt that it was not being taken sufficiently seriously; other staff members considered that it was behaviour that was normal for boys within an institutional setting. The report does not explore that issue and how it impacted on the care given to children.
- 27.** Mrs Mellor had met with the families of two boys who had attended the school but who refused to return because they had been frightened by sexual approaches made to them by older boys.<sup>467</sup> One boy (from ‘family X’) had been sexually abused prior to starting at Knowl View. He had been subjected to threats of physical violence at Knowl View if he did not agree to participate in oral and anal sex. Mrs Mellor was unable to obtain any information from ‘family Y’ save that the boy was still in fear of one particular child who was still at the school.
- 28.** Mrs Mellor also obtained information about Roderick Hilton from the school keeper or caretaker, Andrew Found, according to whom Hilton had threatened to set his house on fire and had threatened to give him AIDS. Importantly, Mr Found described many incidents of Hilton having been on school premises before the September 1990 incident, none of which was recorded in the school log book.
- 29.** Mrs Mellor concluded that a quarter of the pupils at Knowl View had been involved at some stage in serious sexual incidents. Boys had participated in gross sexual activity with each other involving coercion and violence. Some boys had sold sexual favours for money at Smith Street toilets, and some boys had participated in gross sexual acts with Hilton both in the school grounds and within the school itself. The involvement of children with Hilton quite clearly went further than the September 1990 incident but this was not explained further. In fact, none of Mrs Mellor’s conclusions on sexual activity were particularised further.
- 30.** Mrs Mellor also concluded that it was very hard to believe that this sexual activity had not come to the attention of staff, and that the danger that Hilton posed to boys must have been obvious to those working at the school, yet many incidents were not recorded in children’s notes. Mrs Mellor referred, obliquely, to staff views of sexuality affecting their reactions to incidents. This is not explained further. Mrs Mellor ended her report by recommending that there be a review in six months (that is, from February 1992).
- 31.** This was a first attempt by anyone to lift the lid on what was going on at Knowl View. We acknowledge the fact that Mrs Cavanagh commissioned the report, but the terms of reference were insufficient to enable the matter to be considered fully.
- 32.** Mrs Cavanagh ensured that the Mellor report was considered by those individuals with relevant responsibilities across the political spectrum. She convened a meeting on 13 March 1992 at which Councillors Moffat (Labour), Hawton (Conservative), Beasley (Conservative)

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<sup>466</sup> [RHC001599\\_5](#)

<sup>467</sup> [RHC001599\\_6](#)

and Sarginson (Liberal Democrat) were present together with Mrs Mellor, Mr Bradshaw and others from the Education Department.<sup>468</sup> The report was not hidden from the view of any local political party.

**33.** There was a further meeting on 27 March 1992 at Knowl View School in order to present the report to the staff; it was chaired by Mrs Moffat.<sup>469</sup> The version of the report presented to staff differed in two respects from the original report that had been prepared. First, the version of the report that staff saw did not contain the appendix with the information about individual children. Second, the report omitted a section on the school keeper that had originally appeared on page seven of the Mellor report. Staff were permitted to read the report but not to retain it.

**34.** Mrs Cavanagh explained that staff were not provided with the appendix because Mrs Mellor was extremely nervous about the dissemination of that information.<sup>470</sup> Mrs Cavanagh also explained that the omission of the information about the school keeper was because Mrs Mellor feared it was libellous.<sup>471</sup> Mrs Mellor's account provided to us in a witness statement of 18 May 2015 was that Mrs Cavanagh had asked her to remove the identification of the pupils and the part about the school keeper. She took legal advice about the circulation of her report to prevent it being circulated in an unrestricted way.<sup>472</sup> That accords with Mrs Cavanagh's evidence about Mrs Mellor's anxiety about the appendix. A memorandum from Mrs Cavanagh to Mr Pierce (the Chief Executive) said the references to the school keeper were deleted from the second version of the report because of advice that distribution of that information might prejudice any possible prosecution of him by the police.<sup>473</sup>

**35.** We accept that there was no deliberate attempt to cover up the role of the school keeper and that the removal of the section concerning him in the second version of the report was because of the implications of sharing views about him with other staff. Having noted that, there is very little in the first version of the report to suggest that Mr Found may have been assisting Roderick Hilton.

**36.** Mrs Cavanagh also circulated the report to senior officers of the Council. By letter dated 23 March 1992, she invited, among others, the Director of Social Services, Chief Superintendent Houghton and the Chief Executive to a meeting on 9 April 1992 at which the Mellor report would be presented.<sup>474</sup> Mrs Cavanagh also gave evidence that she had hand-delivered the report to a number of these invitees.<sup>475</sup>

**37.** The extent to which the report was circulated is important, given later allegations that it had been suppressed. We are satisfied that by April 1992 the Mellor report had been appropriately circulated to key Council officers and elected members in relevant leadership positions.

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<sup>468</sup> [RHC001665](#)

<sup>469</sup> [RHC001474](#)

<sup>470</sup> [Diana Cavanagh 23 October 2017 5/14-17](#)

<sup>471</sup> [Diana Cavanagh 23 October 2017 7/8 - 8/11](#)

<sup>472</sup> [GMP001110\\_5](#)

<sup>473</sup> [RHC001484\\_1](#)

<sup>474</sup> [RHC001471](#)

<sup>475</sup> [Diana Cavanagh 23 October 2017 10/9-11](#)

**38.** It is worth noting here that despite the picture painted by the Mellor report and despite the acceptance by the Education Department that Mr Bradshaw faced an enormous task in turning the school around, the evidence points to him not always being supported by the Council and to the school not receiving the funding and management input it required. In a memorandum to Mrs Mellor of 11 March 1992,<sup>476</sup> Mr Bradshaw described himself as “*totally shell shocked from the battering*” that he was taking from Rochdale Council.<sup>477</sup> He considered that, while he was given emotional support, when it came to the crunch about resources that was much more difficult.<sup>478</sup>

## Her Majesty’s Inspectorate report

**39.** There had also been external scrutiny of Knowl View School in October 1991, when Her Majesty’s Inspectorate of Education (HMI) inspected the school. The focus of this report was largely on the provision of education rather than on the experience of children outside the classroom.<sup>479</sup> A number of points are of note. First, HMI regarded the care side of the school to have been generously staffed. Second, the HMI team was amazed at the levels of absenteeism and that this was tolerated. Third, the curriculum was found to be inadequate. Fourth, there was a seven-year-old in the school with no immediate peer group (the next youngest boy was 9½ years old), which was unacceptable. Fifth, efforts were needed to overcome the “*mistrust and inertia evident among the staff*”. Sixth, there were children at school who had been abused or were abusers.

## Further investigations

**40.** If it was hoped that the Mellor report would be definitive about what had happened at Knowl View School and provide a basis for moving forward, that hope was misplaced. The report would have done little to assuage concern that the problems that led to the sexual abuse of children in the first place had been addressed, that such abuse had stopped or that culpable staff had been held accountable for the evident failings in the management of the school. Mr Bradshaw was certainly disappointed that the responsible staff had not been named.<sup>480</sup> While he spoke highly of Mrs Mellor, the report did not tell him anything that he did not already know and his feeling was that it did not go far enough. It was of use by virtue of the fact that it was an external document that contained recommendations that could be followed.<sup>481</sup> Mrs Cavanagh also considered that Mrs Mellor’s criticisms, although clear, were general in nature and not a sufficiently precise basis on which to take action.<sup>482</sup>

**41.** Mr Bradshaw undoubtedly took steps to reduce the risks children were exposed to, and appears to have been the first to do so. Among other measures, he addressed the physical risk factors around the school premises, set up proper systems of recording, formulated statements of policy around child protection and took a holistic approach to the protection of boys in the school.<sup>483</sup>

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<sup>476</sup> RHC001731\_6

<sup>477</sup> Stephen Bradshaw 19 October 2017 96/16 - 97/15

<sup>478</sup> Stephen Bradshaw 19 October 2017 95/25 - 96/15

<sup>479</sup> RHC001897

<sup>480</sup> Stephen Bradshaw 19 October 2017 77/7-16

<sup>481</sup> Stephen Bradshaw 19 October 2017 79/21 - 80/16

<sup>482</sup> Diana Cavanagh 23 October 2017 33/13-23

<sup>483</sup> Stephen Bradshaw 19 October 2017 49/8 - 51/16

**42.** By focusing on matters internal to the school, the approach of the Education and the Social Services Departments was too narrow. The impact of these limitations must have been obvious. Mr Bradshaw confirmed that he was unaware of information held by the Social Services Department in May 1991 that, while boys had ceased ‘cottaging’ during the week, it had continued at weekends and holidays.<sup>484</sup> He also confirmed that he was unaware of information in October 1991 that one pupil was thought to be the victim of network abuse in Manchester. Mr Bradshaw had begun tracking when pupils were missing from school.<sup>485</sup> He should have been given this information.

**43.** In a report dated 26 March 1992 (which had been written for the purpose of a Governors’ meeting) Mr Bradshaw further detailed his views as to the culture of the school prior to his arrival.<sup>486</sup> It is worth reflecting on his observations as in some respects they go further than the observations set out in the Mellor report. It was in this document that he noted that there had been incidents of a sexual nature dating back to 1981 that had been logged but rarely ever resolved. This included incidents of sexual bullying. The regime had been repressive and male orientated, and coercion had been the main form of control. Mr Bradshaw explained that restraint had been the first form of control of children at Knowl View, not the last as it ought to have been.<sup>487</sup>

**44.** He also pointed to the inward-looking perspective of the school; appointments were kept to Rochdale-based friends or partners. The staff group was factionalised, “*The curriculum as a whole did not exist*”. He pointed to the unwillingness of staff to adapt. Importantly, this report also confirmed that staff had been letting children from the younger units into Rochdale unsupervised, despite staff knowing that they were involved in Smith Street toilets. He also observed that, despite Roderick Hilton having been charged with sexual offences against pupils, he was known to stay around the school grounds and that children were allowed to smoke in an area that Hilton was known to visit regularly.

**45.** In another document, also prepared for the purposes of a Governors’ meeting, Mr Bradshaw referred to staff not being on site when they should have been sleeping in.<sup>488</sup> He confirmed in evidence that children were spending the nights in units completely alone before he came to the school.<sup>489</sup>

**46.** This document went further, referring to Hilton as “*encouraged, or at least not discouraged from visiting Knowl View*” and noting that he had on a number of occasions been allowed to sleep in the minibus, in the school and in the club room with the knowledge of staff. Mr Bradshaw said in evidence that it was not that staff were inviting Hilton in, rather that they knew this was happening and did not stop it.<sup>490</sup> As regards the actual incident in September 1990, Mr Bradshaw was able to obtain a clearer account of what had happened. On the first night, Hilton and the pupils went to the club room where there were “*sexual games*”. On the second night, Hilton slept under RO-A14’s bed, sexually abused RO-A14 and “*anyone else that was available*”. In the course of his evidence, Mr Bradshaw was asked the direct question whether there was information that other children *had* been sexually

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<sup>484</sup> GMP000371\_3-4

<sup>485</sup> Stephen Bradshaw 19 October 2017 55/12 - 57/23

<sup>486</sup> RHC001340\_1-6

<sup>487</sup> Stephen Bradshaw 19 October 2017 82/10-20

<sup>488</sup> RHC002408

<sup>489</sup> Stephen Bradshaw 19 October 2017 84/23 - 85/9

<sup>490</sup> Stephen Bradshaw 19 October 2017 86/5 - 87/5

assaulted by Hilton. He confirmed that this information had been provided anecdotally by staff but that there had been no investigation into it nor any accounts taken from the other children.<sup>491</sup> Mr Bradshaw went on in his report to explain that, after the Hilton incident, children in the Norden unit had a “*routine*” of mutual masturbation and oral sex. Children in Ashworth had a “*routine*” of sexual games in toilets as a way of earning extra cash. Mr Bradshaw thought that the Hilton incident had “*upped the ante*” of the types of behaviours within the school towards the more extreme end.<sup>492</sup>

**47.** Councillor Hawton was not content to let the matter rest. She informed Ms Cavanagh that she still had very considerable anxiety that the situation was ever able to reach the point that it did.<sup>493</sup> She wrote Mrs Cavanagh a letter (dated 16 March 1992) informing her that she still retained a strong feeling of concern about the whole matter. The fact that all the incidents described took place and the atmosphere of the school existed as described raised a question for Mrs Hawton as to why far more action to get Knowl View on an even keel had not taken place before the Mellor investigation. She considered that far more work was needed.<sup>494</sup>

**48.** Shortly after this, in a letter of 7 April 1992, a staff group wrote to Mrs Cavanagh stating that they felt that the matters arising from the various incidents that had taken place within the last two years had been left unresolved. The staff wrote of more information having come to light that left them with “*total unease*” and a “*lack of confidence*”. They felt very strongly that there was a need for a full and immediate inquiry initiated by the staff and not forced on them by the press coverage they considered they were to likely to face at some point.<sup>495</sup>

**49.** According to Martin Digan, the information that had come to light was that staff had not known of the involvement of the caretaker and the suggestion that he had possibly let Hilton into the school.<sup>496</sup> The language of the letter would suggest that it was more than this, but what else it could have been is not clear from the evidence we have heard.

**50.** Mrs Cavanagh received a third letter of 8 April 1992 from the Chair of the Board of Governors. He had considered matters further and felt strongly that a further enquiry should be undertaken into the role staff played. He considered that this investigation should take into account any dereliction of duty by staff and consider disciplinary action.<sup>497</sup> It is not clear why the Board of Governors did not seek such accountability from the outset. The Mellor report, far from being determinative, simply begged more questions from a number of sources.

**51.** Mr Pierce, the Chief Executive of Rochdale Council, continued to be updated as to progress. On 1 May 1992, he asked Diana Cavanagh for a statement as to what action had been taken as regards Knowl View so that he could be in a position to advise the Leader on these matters as soon as possible.<sup>498</sup>

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<sup>491</sup> Stephen Bradshaw 19 October 2017 87/6 - 88/8

<sup>492</sup> Stephen Bradshaw 19 October 2017 89/5-19

<sup>493</sup> [RHC001476\\_3](#)

<sup>494</sup> [RHC001476\\_3](#)

<sup>495</sup> [RHC001472\\_2](#)

<sup>496</sup> Martin Digan 16 October 2017 91/18-21

<sup>497</sup> [RHC001472\\_1](#)

<sup>498</sup> [RHC001484\\_5](#)

**52.** On 8 May 1992, Mrs Cavanagh provided Mr Pierce with a detailed memorandum as to all the actions that had taken place since the receipt of the Mellor report. The focus of the memo in the main seems to be on actions after “*the September 1990 incident*”, in other words the Hilton incident, and not so much the wider problems.<sup>499</sup>

**53.** By 5 May 1992, it is clear that a decision had been made to conduct a further investigation. In a letter of this date, Mrs Cavanagh wrote to Mr Bradshaw that there was to be an enquiry into the role played by staff in events at Knowl View School in 1990.<sup>500</sup> She referred to having consulted the union representatives, the Chair of the Education Committee and Mr Bradshaw about the nature and purpose of this enquiry. Mrs Cavanagh recommended to Mrs Moffat that the enquiry should be conducted by the Local Education Authority (LEA) as part of its response to Mrs Mellor’s report. The purpose of the enquiry was to clarify any residual areas of concern about the level of care or management exercised by teaching and non-teaching staff in the months leading up to the incident in September 1990.

**54.** It was put to Mrs Cavanagh in the course of her evidence that this enquiry was entirely geared towards the Hilton incident. She initially agreed that this was how her letter reads.<sup>501</sup> She later explained this, saying that it was her understanding that the September 1990 incident was “*the culmination of a number of things*”.<sup>502</sup>

**55.** As part of this new investigation, staff were to be interviewed by Dr Selwyn Hodge, then the Chief Adviser, and Liz Dobie of the Education Department. This would be the third investigation into events at Knowl View and Mrs Cavanagh considered that it was important that any residual anxieties were addressed so that the school could move on.<sup>503</sup>

**56.** The interviews took place in May 1992 and the manuscript notes of the interviews were retained.<sup>504</sup> Some points that had been made by staff two years before were reiterated. Despite the fact that staff had been interviewed on a number of occasions by this point, what emerged much more clearly was the extent to which sexual activity on the part of staff either impacted on their duties or informed their responses to children. We will not set out the detail of these interviews, but rather highlight some further information that may not have emerged clearly before. The purpose of these interviews was to focus on the position prior to the Hilton incident in September 1990.

**57.** One manuscript note of 8 May 1992 reads “*Ashworth (junior) block involved in Smith Street toilets - ‘keep quiet.’*”<sup>505</sup> Another manuscript note of an interview with a female member of staff has a section crossed out about staff sexual activity being out of the norm. The member of staff said she had heard the words “*orgy*” and “*bed-hopping*” while staff were supposed to be on duty but the note goes on to record the interviewee saying that this behaviour had “*definitely changed*”.<sup>506</sup>

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<sup>499</sup> RHC001523

<sup>500</sup> RHC001480

<sup>501</sup> Diana Cavanagh 23 October 2017 26/14 - 28/9

<sup>502</sup> Diana Cavanagh 23 October 2017 31/2-24

<sup>503</sup> Diana Cavanagh 23 October 2017 32/21-23

<sup>504</sup> RHC001487

<sup>505</sup> RHC001487\_1

<sup>506</sup> RHC001745\_7

**58.** In his interview, Duncan Eaton reported that two boys had said the school keeper allowed Roderick Hilton to sleep under the canopy of the craftwork area.<sup>507</sup> The note records Mr Eaton “*has had it put to him that RH had access to the school on weekends when the school was closed*”; also there is mention of fire doors at the back of the club room being left open one morning.<sup>508</sup> According to Mr Eaton, the hold that Hilton had over the school keeper was evident.<sup>509</sup> He referred to staff being “*disgusted*” that the Acting Head slept in his own house rather than in the school.<sup>510</sup> A different member of staff said that teachers were aware of the Smith Street toilet issue and were kept informed about it; this information came out at staff meetings and was discussed on numerous occasions over a protracted period.<sup>511</sup> Martin Digan raised the question of whether children should be tested for HIV, and expressed his uncertainty whether any testing had actually taken place.<sup>512</sup>

**59.** Mr Poulton (the Acting Head Teacher who was seconded to Knowl View in December 1990 in response to the Hilton incident) confirmed that there was an acceptance that some boys had been involved in ‘cottaging’. He was not convinced that the Hilton incident was general knowledge or that everyone understood its implications.<sup>513</sup> He thought that the former Acting Head may have occasionally spent nights as far away from the school as Sheffield.<sup>514</sup>

**60.** In his account, another staff member, Paul Davies, said that Roderick Hilton had for years been inveigling pupils and that this amounted to sexual abuse.<sup>515</sup> However, “*nothing had been done to stop*” Hilton.<sup>516</sup> He described the school as the most “*institutionalised and stultifying*” place he had ever seen.<sup>517</sup> There was a brief reference in his interview note to Hilton having been in the building before and that “*it had certainly happened before*”.<sup>518</sup> Kids he said were “*incidental*”.<sup>519</sup>

**61.** The then Head of Care, Steven Cohen, said of Hilton that “*staff privately feared the amount of incidents*”, and that staff had been reporting concerns to line managers and were surprised nothing had been done.<sup>520</sup> He described one male member of staff as “*brutal*”, saying that children were frightened of him and that one child said that he had been hit by him across the legs with a cricket bat.<sup>521</sup>

**62.** In June 1992, following the interviews with staff, a report was produced by Dr Hodge and Ms Dobie.<sup>522</sup> The report concentrated on three main areas: the culture of the school, the style of leadership and management within the school, and relationships within the school.<sup>523</sup>

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<sup>507</sup> RHC001745\_23

<sup>508</sup> RHC001745\_29

<sup>509</sup> RHC001745\_29

<sup>510</sup> RHC001745\_25

<sup>511</sup> RHC001745\_41

<sup>512</sup> RHC001745\_60

<sup>513</sup> RHC001745\_84

<sup>514</sup> RHC001745\_86

<sup>515</sup> RHC001745\_94

<sup>516</sup> RHC001745\_97

<sup>517</sup> RHC001745\_99

<sup>518</sup> RHC001745\_102-103

<sup>519</sup> RHC001745\_104

<sup>520</sup> RHC001745\_116

<sup>521</sup> RHC001745\_118

<sup>522</sup> GMP000373\_3

<sup>523</sup> GMP000373\_3

**63.** According to the report, it was intended to be a final scrutiny of past events and to terminate speculation once and for all. The report provided information to support the conclusion that the incident with Hilton in September 1990 was not spontaneous and that boys knew to let him in.<sup>524</sup> It found that the LEA bore responsibility for making inappropriate appointments at the school.<sup>525</sup> In our view, this was only a very small part of the responsibility that the Education Department bore for the circumstances that came to exist over a period of many years at Knowl View.

**64.** Most significant, for the purpose of this report, was Dr Hodge and Ms Dobie's findings that sexual relationships between staff bore upon the moral tone of the school and bore a relationship with events of September 1990. It is worth quoting the key finding:<sup>526</sup>

*"Set against all of this was evidence of relationships of a sexual nature in homo, hetero and bisexual liaisons which appeared to have had little regard for any moral tone that was being set within the school or for the model that was being given to the pupils, some of whom were well aware of what was going between staff. The long term involvement of a peripheral nature by "the intruder" with the school, combined with pupils' ability to read whether the incident in September 1990 was merely the culmination of a series of events leading up to it. The combination of both pupils' encouragement of the intruder and vice versa, given an apparent lack of supervision, the physical situation of Norderm Unit in relation to the rest of the school and the wooded area were disastrous in their total contributory effect"*

## The Cavanagh Report June 1992

**65.** Diana Cavanagh produced her own report on staff behaviour at Knowl View.<sup>527</sup> Mrs Cavanagh was asked in the course of her evidence what the purpose of this report was, given all that had gone before. Her view was that the Shepherd and Mellor reports had been general and that, although Mrs Mellor had made her criticisms clear, they were not precise. The purpose of Mrs Cavanagh's own report was therefore to convey that, if the staff at Knowl View School could not sign up to the new regime and follow the procedures that Mr Bradshaw was instituting, then they should go elsewhere.<sup>528</sup>

**66.** Mrs Cavanagh's report drew from all the previous reports and the responses that had been received from outside agencies up to that point. It accords with the culture as described by Mr Bradshaw: for example, the claiming of expenses that were not owed, and a culture of lessons and activities described as "*macho*" and which sometimes spilled over into violence and aggression.<sup>529</sup>

**67.** The report discussed the Ashworth Unit (for boys aged 11 to 13) and noted that several pupils from it were involved in homosexual activity at the Smith Street toilets "*up to Spring 1990*". Mrs Cavanagh reported "*Information from the Police and Social Services was not*

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<sup>524</sup> [GMP000373\\_8](#)

<sup>525</sup> [GMP000373\\_10](#)

<sup>526</sup> [GMP000373\\_7](#)

<sup>527</sup> [RHC001663](#)

<sup>528</sup> [Diana Cavanagh 23 October 2017 33/12-23](#)

<sup>529</sup> [RHC001663\\_002-003](#)

*communicated to the school/Health Authority*". She went on to state that those supervising the boys in the evenings appeared either not to notice that they were missing or not to communicate their observations about them.<sup>530</sup>

**68.** As regards the Norden unit (for boys aged 15 to 17), Mrs Cavanagh wrote that pupils from this unit were involved in homosexual activity and abuse on the premises, including on two recorded occasions when Roderick Hilton was allowed into the building by the boys. She observed that this abuse took place over an extended period. Again she noted that staff who were on night supervision appeared either not to notice the behaviour of the boys or to communicate any observations to other staff.<sup>531</sup>

**69.** As for children who were subjected to sexual exploitation at Smith Street toilets, Mrs Cavanagh recorded that information about this was known to both police and social services, and that the period of activity seemed to have ended by the summer of 1990 "*when Police surveillance failed to detect any activity at that site*". She further observed that "*there is no record of this information being passed to the Education Service, either the Education Psychological Service, the school or the Department.*"<sup>532</sup> There is sufficient evidence in what we have said so far to show that this was incorrect.

**70.** In her report, Mrs Cavanagh posed the question "*Why did Knowl View staff not report what was happening?*"<sup>533</sup> She went on to give two examples of incidents that staff had reported. This included the discovery of two boys in bed together engaged in sexual activity, and finding a used condom in one of the dormitories. She notes that a report of these incidents by staff within Knowl View did not lead to any action, with the "*obvious inference that 'it was unimportant'*".

**71.** Mrs Cavanagh also concluded that some staff were not on the premises when they were supposed to be on duty, and that staff on duty were engaged in activities that made it unlikely that they would be alert to what was happening in the dormitories. Some of these on-site activities were sexual.<sup>534</sup> In other words, staff were engaged in sexual relations when they were supposed to be supervising pupils. In her evidence before us, Mrs Cavanagh said that she thought this related to teaching staff.<sup>535</sup> Similarly, in her report, Mrs Cavanagh considered that a reason why there was no coherent sex education policy was that pupils were aware of a considerable level of sexual activity among certain staff on the school premises that may have inhibited proper discussion between pupils and staff.<sup>536</sup> Ultimately, she concluded that there had been "*a catastrophic failure of leadership*".<sup>537</sup>

**72.** Neither the Hodge/Dobie report nor the Director of Education's report in 1992 prompted any further action by the Education Department. While staff had not been forthcoming about the problems affecting the school when they were first interviewed, the Education Department could have taken action then to ensure the accountability of staff

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<sup>530</sup> [RHC001663\\_3](#)

<sup>531</sup> [RHC001663\\_4](#)

<sup>532</sup> [RHC001663\\_6](#)

<sup>533</sup> [RHC001663\\_6](#)

<sup>534</sup> [RHC001663\\_7](#)

<sup>535</sup> [Diana Cavanagh 23 October 2017 42/21-22](#)

<sup>536</sup> [RHC001663\\_7](#)

<sup>537</sup> [RHC001663\\_10](#)

who had been at fault as regards the Hilton incident. Far more could have been done at the outset to get to the truth. There is little to suggest that the Board of Governors played any role in seeking greater accountability at an earlier stage.

**73.** The Hilton incident appeared to be treated in isolation rather than the manifestation of a more profound and enduring problem. This was ultimately to put children at risk for longer than was necessary.

## Second Mellor review

**74.** One of the recommendations that Mrs Mellor made in her February 1992 report was that there should be a further review of the school in six months' time. She attended a Governors' meeting on 20 January 1993 at which her remit for this review was discussed. It was intended that she would spend time with all the pupils in the classroom and residential units. The suggested remit was to include evaluating the mental health of pupils, considering whether the approach of the school as regards its pupils was a healthy one, the needs of the pupils, the level of staffing, and observing the happiness of the pupils. Mrs Mellor said that she would bear those requests in mind but would also pursue her own remit. Her review was designed to help determine if the school had a future.<sup>538</sup> It was intended that she would spend a week there.<sup>539</sup>

**75.** Ms Mellor did eventually return to the school to carry out her review, but not for many months later. The delay was evidently a cause of concern to Diana Cavanagh who wrote to Mrs Mellor in May 1993 stating that she was rather anxious that they close the chapter of Knowl View School.<sup>540</sup> Mrs Cavanagh later confirmed that Mrs Mellor would visit for two days on 23 and 24 June 1993, and that the Education Department's own report to the Council on school development issues would rely heavily on her report on progress since her last report.<sup>541</sup>

**76.** There was no written report of her review but verbal feedback instead, which was noted in a meeting of 28 June 1993. The notes of the feedback show Mrs Mellor's feedback to have been glowing in its terms, and that it even went so far as to say the school compared favourably with similar schools and had the potential to become a centre of excellence.<sup>542</sup> In her evidence to us, Mrs Cavanagh agreed that the conclusion was too uncritical.<sup>543</sup>

**77.** Children were still being exploited at Smith Street toilets well into 1992. Social care files of two of the boys record that in August 1992 they were "*offering their bodies for sale/offering to masturbate any man who might fancy it*".<sup>544</sup> Consideration was given to cautioning them as a means of dealing with their exploitation. These were children who had been the known victims of exploitation since 1989. Regardless of whether these boys still attended the school or not, this demonstrates that the risk of exploitation was still very real and that there was a need for vigilance.

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<sup>538</sup> [RHC001522\\_1-3](#)

<sup>539</sup> [RHC001524\\_2](#)

<sup>540</sup> [RHC001524\\_1](#)

<sup>541</sup> [RHC001572](#); [RHC001519](#)

<sup>542</sup> [RHC000113\\_4](#)

<sup>543</sup> [Diana Cavanagh 23 October 2017 72/8-21](#)

<sup>544</sup> [RHC002487\\_1](#)

**78.** Children at the school were still vulnerable to sexual abuse outside the school itself. A log of 9 June 1994 recorded that the police had investigated a male at whose flat three pupils from Knowl View School had spent the night. He was noted not to be a Schedule 1 offender, but that “*child protection ... have had they say ‘dealings with him for enticing young boys into his flat’*”.<sup>545</sup>

**79.** Staff relations do not appear to have ever really been placed on an even keel at Knowl View despite the best efforts of Mr Bradshaw. There were ongoing serious staff incidents from 1992 onwards.<sup>546</sup> These included in July 1992 the school attracting embarrassing publicity in the local press due to the ‘sex in a tent incident’, which involved two members of staff having drunken sex in close proximity to where pupils were camping in a French campsite.<sup>547</sup> There were also a number of allegations of assaults by staff against pupils that gave rise to disciplinary procedures. Mr Bradshaw confirmed that he had taken disciplinary procedures against three staff for the use of inappropriate, excessive force.<sup>548</sup> There were even disciplinary measures taken against two members of staff who did not have the qualifications they claimed to have had.<sup>549</sup>

**80.** There were industrial tribunal proceedings against the LEA that demonstrated that a copy of the Mellor report was in circulation among staff (when it ought not to have been). A listening device was also found to have been planted in a staff meeting.<sup>550</sup> Mr Bradshaw’s view was that there had been a battle against the staff culture for two years but that it had improved thereafter.<sup>551</sup> A letter to Liz Dobie in October 1992, signed by some members of staff, referred to their working alongside colleagues in whom they had no confidence. This appears to relate to the ‘sex in a tent’ incident, and confirms the “*battle*” Mr Bradshaw described.<sup>552</sup>

## Ongoing issues with Roderick Hilton

**81.** Roderick Hilton was sentenced on 20 August 1991 to two and a half years’ imprisonment for the sexual abuse of children who were not pupils of Knowl View School.<sup>553</sup>

**82.** Staggeringly, despite his conviction in 1984 for the sexual abuse of a Knowl View School pupil, the fall-out from the incident in September 1990, his related conviction for the sexual abuse of RO-A14 and the August 1991 convictions, Hilton was to prove a near constant presence at Knowl View following his release. According to Mr Bradshaw, the day he was released from prison, Hilton was spotted with a tent on the footpath by the school.<sup>554</sup> An overview of some of the correspondence from this time demonstrates Hilton’s persistence and an apparent lack of will on the part of the Council to tackle the risk he posed. A letter dated 8 December 1992 from Adele Bebb (Assistant Director of Education) to Chief Superintendent Cantrell pointed to Hilton having been released from prison and camping

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<sup>545</sup> [GMP000415\\_3](#)

<sup>546</sup> [RHC001677\\_1-3](#)

<sup>547</sup> [RHC001727\\_1](#)

<sup>548</sup> [Stephen Bradshaw 19 October 2017 82/22 - 83/6](#)

<sup>549</sup> [Stephen Bradshaw 19 October 2017 93/12-17](#)

<sup>550</sup> [Stephen Bradshaw 19 October 2017 93/24 - 94/7](#)

<sup>551</sup> [Stephen Bradshaw 19 October 2017 94/9-16](#)

<sup>552</sup> [RHC001583](#)

<sup>553</sup> [GMP000322\\_5](#)

<sup>554</sup> [Stephen Bradshaw 19 October 2017 98/7-11](#)

out on land at the rear of Knowl View. This letter asserted that Acting Borough Solicitor (Mr Lawley) had applied for an injunction against Hilton but sought assistance and advice from the police as to how to deal with the situation.<sup>555</sup>

**83.** Chief Superintendent Cantrell replied to the effect that Hilton had found accommodation in a different area and ought not to be a problem. Mindful of the concerns about this, he said that the area officer would continue to monitor the situation.<sup>556</sup>

**84.** A manuscript note, from around this time, appears to record a report from Mr Bradshaw that there had been four incidents in one night with Hilton. He was approaching children and saying that he would be coming into the school that night. It was also noted that Hilton had moved his tent nearer to the school and that there had been *"little action from police"*.<sup>557</sup>

**85.** On 17 December 1992, by letter to the parents, Mr Bradshaw excluded a boy from the school because he had been in conversation with *"a local known sex offender"* and was encouraging him to visit the school putting the lives of other children at the school *"in moral and physical danger"*. The local known sex offender is assumed to be a reference to Hilton.<sup>558</sup>

**86.** A memorandum of 11 January 1993 from Mr Bradshaw to Mrs Cavanagh summarised the position at the end of the previous term. Hilton had been arrested for a breach of the peace, having waited at the end of the school drive for children to leave the school. He was camping on the land at the back of the school. Mr Bradshaw had spoken to numerous people and understood that Mr Lawley was going to pursue an injunction so that Hilton could not go within 100 yards of the school. Mr Bradshaw considered it imperative to pursue the injunction despite the fact that Hilton had been rehoused.<sup>559</sup>

**87.** His anxiety does not appear to have been shared by others. In her reply, Mrs Cavanagh said that it had been agreed that an injunction would not be pursued because Hilton, having been rehoused, was not posing a threat, but that if this was to change an injunction would be pursued.<sup>560</sup>

**88.** Rehousing Hilton did not change anything. Mr Bradshaw confirmed to Mrs Cavanagh on 1 February 1993 that Hilton still visited the area and was often seen outside the school at a bus stop. He considered that Hilton would always be attracted to the school and that it was unacceptable to have to wait for him to become a threat to take action.<sup>561</sup> Mr Bradshaw's concerns proved to be well founded. On 7 May 1993, he wrote to Adele Bebb (noting that he seemed to have written this letter *"numerous times"*) to confirm that Hilton was once again living in a tent in the area and had already stopped two Knowl View children going to the shop *"to have a friendly chat"*.<sup>562</sup> This appears to have prompted Adele Bebb to contact Mr Lawley, saying that this was *"a disaster waiting to happen"*.<sup>563</sup>

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<sup>555</sup> [RHC001558\\_1](#)

<sup>556</sup> [RHC001505\\_7](#)

<sup>557</sup> [GMP000256\\_3](#)

<sup>558</sup> [GMP000361\\_3](#)

<sup>559</sup> [RHC001654\\_1](#)

<sup>560</sup> [RHC001563](#)

<sup>561</sup> [RHC001654\\_002](#)

<sup>562</sup> [RHC001505\\_3](#); 20 October 2017 63/10-64/2

<sup>563</sup> [RHC001505\\_2](#); 20 October 2017 64/3-6

**89.** In his evidence to us, Mr Bradshaw confirmed that no injunction was ever applied for. This was a matter of great concern to him, not simply because of the pupils but because his own young children also lived on the school premises.<sup>564</sup> No one ever explained to him why an injunction was not obtained. Mrs Cavanagh confirmed in her evidence that it was “*inexplicable*” to her at the time why no injunction was applied for.<sup>565</sup>

## Harry Wild and Cyril Smith

**90.** As already discussed, Mr Bradshaw had real concerns when he took up his post that other men besides Hilton might have been targeting the school. There had been the May 1991 incident when a prowler had attempted to gain access to the school. Mr Bradshaw noted that the police had been alerted but took a long time to respond.<sup>566</sup> In a further letter to the police, Mr Bradshaw pointed to the sensitivities, given that a child had previously been sexually abused at the school by an intruder.<sup>567</sup> He confirmed in evidence to us that this further intruder was not Hilton.<sup>568</sup> While the security of the school was undoubtedly much strengthened, other incidents were later recorded. A record of 6 July 1994 stated that an alarm had gone off and a child (found in the dining area having tried to enter the staff room) reported that a man had walked past his bed.<sup>569</sup> On 19 July 1994, a staff member disturbed a man inside the foyer of the school at 9.30 at night.<sup>570</sup> On 10 October 1994, an adult male was spotted at the front door at midnight.<sup>571</sup>

**91.** We mention these incidents because a further question that arises in this investigation is whether Cyril Smith or his long-term associate, Harry Wild, may have entered Knowl View School at night for the purpose of sexually abusing children.

**92.** Harry Wild is undoubtedly an individual of concern in this investigation. He was a longstanding associate of Cyril Smith who featured in the Lancashire Police investigation into Smith’s abuse of boys at Cambridge House. As we mentioned earlier in this report, Wild and Smith were governors of Knowl View at the same points in time.

**93.** Harry Wild was later to be the subject of an investigation by GMP called Operation European.<sup>572</sup> On 9 July 1999, he wrote to the Chief Constable of GMP seeking support for his Rochdale and District Youth Fitness Foundation. Discreet inquiries were carried out to ascertain whether Wild was a fit and proper person to be involved with young people. The outcome of these inquiries was described as “*somewhat disturbing*”. It transpired that Wild had been investigated in 1997 in respect of his conduct towards young male prisoners detained in HMP Buckley Hall (a local prison). Allegations had been made against Wild in his capacity as a member of the Board of Visitors. The 1999 report was to consider this further.

**94.** This report points to Wild’s self-aggrandising behaviour. It appears that he added ‘St John’ to his surname as a form of self-promotion. A number of individuals had the impression he had been a ranking officer in the Household Cavalry and a former director of ICI prior to

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<sup>564</sup> Stephen Bradshaw 19 October 2017 99/14 - 100/7

<sup>565</sup> Diana Cavanagh 23 October 2017 64/18-22

<sup>566</sup> RHC001755\_1

<sup>567</sup> RHC001755\_2

<sup>568</sup> Stephen Bradshaw 19 October 2017 39/1-3

<sup>569</sup> GMP000416\_3

<sup>570</sup> GMP000417\_3

<sup>571</sup> GMP000418\_3

<sup>572</sup> GMP001021\_2; GMP000145

his retirement. Neither of these claims was true. He had always been a close friend of Cyril Smith. He received an MBE in 1997 for services to the community and it was believed that Smith had been his sponsor.

**95.** Wild was on the Board of Visitors of HMP Buckley Hall from 1995 until 1997. He resigned following an allegation that he indecently assaulted a prisoner by slapping him on the backside. Important insight into Wild was provided by a prison governor at HMP Buckley Hall. He described Wild as an overbearing bully and predatory. He was very concerned about Wild's excessive visits. Other staff members expressed concern about his conduct towards prisoners, his inappropriateness, his excessive visits and his support for applications by prisoners that was abnormal for a Board of Visitors member. Another member of staff was so concerned about meeting Wild at a railway station with a young man he falsely claimed to be his son that he submitted an intelligence report about it.

**96.** A matter of note is that Councillor Pamela Hawton was spoken to in the course of Operation European. She told police that she had become aware that Smith and Wild had become involved with Knowl View School in the early 1990s and had advised the then Director of Social Services, Lyndon Price, to close it down. Lyndon Price was also spoken to by the GMP investigation team and confirmed that Wild had been the Chair of the Social Services Committee, which meant that he could visit children's homes. Lyndon Price was uneasy about this but had no evidence that Wild had acted in an improper manner towards children.

**97.** Operation European post-dated Wild's involvement in Knowl View School but it raises very real questions as to whether Wild had a predilection for grooming young boys.

**98.** There is evidence to suggest that Wild may have used his role at Knowl View to facilitate inappropriate contact with pupils. A compelling example of this is evidence that was provided by Helen Woodward who had been a residential care worker at Knowl View in 1994. She came across a man she believed to be Wild in a boy's bedroom at Knowl View. She stated that she found it strange and wanted to get the boy out of the bedroom so she asked him to help her do the laundry.<sup>573</sup>

**99.** Martin Digan gave an account in a witness statement that on 6 September (sic) 1994, while he was on duty, he found a boy screaming at night and how other pupils described a man at the scene who matched the description of Wild. In his evidence to us about it, he said it was something he would never forget.<sup>574</sup> Although Mr Digan had thought the incident had been in the September of that year, it appears to be the incident logged on 6 July 1994, which did not refer to Wild nor to any description of any man but noted only that the police had been informed.<sup>575</sup> A different person gave a witness statement account apparently about the same incident, which suggested that it was Cyril Smith who was involved. Michael Tuck was a residential care worker at Knowl View School in 1993 and 1994. He stated that he was on duty at night and he found a boy standing outside the door to his room screaming uncontrollably. Mr Tuck said that as he approached he could see a large figure in the distance. Mr Tuck saw a car outside that he recognised to be Cyril Smith's Mercedes. He put

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<sup>573</sup> [GMP001018\\_5](#)

<sup>574</sup> [Martin Digan 16 October 2017 100/14 - 103/5; GMP000084\\_2](#)

<sup>575</sup> [GMP000416\\_3](#)

two and two together that the man he had seen was Smith.<sup>576</sup> However, when asked about this episode, in a witness statement Mr Bradshaw said he was not told of this happening and said that it would be unusual for him not to be aware of such an incident.<sup>577</sup>

**100.** Wild was obviously a bully and capable of manipulation. According to Mr Bradshaw, Wild threatened him that if he did not support Wild to become the Chair of Governors of Knowl View, he would become an enemy of Wild's and would not last long. Mr Bradshaw took this threat seriously.<sup>578</sup> He also had a gut instinct, but no hard evidence, that Wild had an interest in children that was not entirely professional, and so he was careful to ensure that Wild was escorted when he visited the school.<sup>579</sup> Donagh McKillop, who had been a deputy house manager at Knowl View from 1991 to 1994, also said that he felt uncomfortable in Wild's presence when he visited.<sup>580</sup>

**101.** Cyril Smith was a Member of Parliament until 1992 and he became involved in Knowl View again in early 1993. He wrote to Mrs Cavanagh informing her that "*his good friend*" Harry Wild had spoken to him three or four times during December 1992 about his deep concern and worry for the school. He conveyed Wild's view that the best course would be to close the school and sell the land.<sup>581</sup> Smith on the other hand voiced his own view that an enquiry was called for, he having read the confidential papers about the school from the previous two years.

**102.** We note that this was an example in 1993 of Smith having access to information that touched on deeply private matters relating to children that he had no right to see. He had no role as regards the school and he was no longer the local MP, yet it is clear that it was simply accepted that he was allowed access to such information. A letter from Mrs Cavanagh to Smith, dated 27 January 1993, thanked him for having spent time with the Education Department on 20 January 1993 to discuss Knowl View School.<sup>582</sup>

**103.** Smith subsequently rejoined the Board of Governors in July 1994 prior to the temporary closure of the school in December 1994. Knowl View did not admit pupils again. Mr Bradshaw had left the school in the summer of 1994 and the Head of Care left around the same time, as did the Deputy Head. According to Mrs Cavanagh, the school became "*completely vulnerable*" and the situation was uncomfortably close to the circumstances that had existed in September 1990. Out of fear of history repeating itself, she recommended its emergency closure.<sup>583</sup>

**104.** As detailed above, RO-A7 gave evidence that he had been forced to sit on Cyril Smith's knee and made to put his hand onto Smith's crotch in the early days of Knowl View School. Other witnesses gave accounts of having been sexually assaulted by Smith at Knowl View at a later point in time.

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<sup>576</sup> [GMP001014\\_4](#)

<sup>577</sup> [GMP000994\\_1](#)

<sup>578</sup> [Stephen Bradshaw 19 October 2017 100/16 - 101/25](#)

<sup>579</sup> [Stephen Bradshaw 19 October 2017 102/1-21](#)

<sup>580</sup> [GMP000200\\_6](#)

<sup>581</sup> [GMP000263\\_3](#)

<sup>582</sup> [RHC001567](#)

<sup>583</sup> [Diana Cavanagh 23 October 2017 82/3 - 83/19](#)

**105.** RO-A5 provided a statement to the Inquiry that described an incident when he woke up to find a fat man sitting on his bed. He said this man had his finger in his anus and that was what had woken him up. He told the man to “get off”. The man asked where RO-A5’s friend was and looked across at his bed, then got up and left. RO-A5 states that he was scared to death after this happened and slept under another pupil’s bed. He did not tell Martin Digan why he was there because he was too scared. Some time later he was with another pupil on Spotland Road and saw the same man. The other pupil told him it was Cyril Smith.<sup>584</sup>

**106.** RO-A5 described a second incident when a staff member (whom he cannot identify) woke him from his sleep and took him to a room. He told us that Cyril Smith was in the room and he sexually assaulted and raped him.<sup>585</sup> He also said that there was a further similar incident with Cyril Smith some time later. RO-A5 then described a third incident in which he recalled a man raping him while Smith looked on and laughed.<sup>586</sup>

**107.** RO-A6 started at Knowl View School in 1982.<sup>587</sup> He provided evidence to the investigation that he had been assaulted on seven occasions while at Knowl View. He alleged that one of these was a sexual assault by Cyril Smith. RO-A6 said that he was woken from his sleep by a member of staff (whom he was unable to identify). He was taken to a room in one of the flats in the school. Another pupil was in the room along with three adults. One of these was a fat man whom RO-A6 later said was Smith, whom he said had sexually assaulted him.

**108.** RO-A6 also said that a female member of staff would come into his room and stroke and tease him in a way that he regarded to be wrong. On another occasion, RO-A6 describes a fellow pupil attempting to sexually assault him. RO-A6 also stated that the school keeper was letting Roderick Hilton into the school; RO-A6 said there were many occasions when Hilton was in the TV room at the bottom of the Ashworth and Bamford dormitories, sometimes watching films with boys.

## Concluding remarks

**109.** We heard evidence of child sexual abuse in a variety of forms involving Knowl View children from its early years onwards. Inside the school, staff committed acts of sexual abuse on boys, and older boys sexually abused younger ones. Some boys were sexually exploited in Rochdale town centre, in the public toilets and the bus station, by men paying them for sex. Some boys were trafficked to other towns for the same purpose. In September 1990, Roderick Hilton, a known sex offender, who had previously been convicted of sexually abusing a boy at Knowl View in 1984, gained access to the school and the boys over two nights, indecently assaulting at least one of them. Hilton was well known to the staff of the school who did nothing over many years to deter him targeting the school. He was imprisoned in 1991 for a series of child sexual offences. Despite this, on his release from prison on licence, he continued to target the school, but nothing was done to stop his continued access to the grounds and the school buildings.

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<sup>584</sup> RO-A5 16 October 2017 120/6 - 122/15

<sup>585</sup> RO-A5 16 October 2017 122/16 - 124/22

<sup>586</sup> RO-A5 16 October 2017 125/20 - 126/2

<sup>587</sup> RO-A6 24 October 2017 2/3 - 7/14

**110.** Knowl View School staff complacency, if not complicity, means that they must share the blame for what was allowed to happen at the school. Staff treated the sexual abuse between the children as 'normal' without making any differentiation between experimentation, and coercion and intimidation. There was little indication that the school understood the profound damage that peer- on-peer sexual abuse could cause later in life.

**111.** The authorities met the problem of child sexual exploitation at Smith Street toilets with a total lack of urgency. These were serious sexual assaults but boys, some as young as 11, were seen not as victims but as responsible for their own abuse. While the police did not turn a blind eye to the sexual exploitation of boys in Rochdale town centre, they did not obtain sufficient evidence to prosecute. The surviving records provide no satisfactory answer why no one was ever charged.

**112.** Ian Davey, the Acting Director of Social Services, chose not to pursue child protection measures, a decision that was professionally indefensible and extremely poor judgment on his part. Diana Cavanagh, the Director of Education, commissioned reports and produced her own report. While some of this was useful, each of the reports was flawed in some respects, including factual accuracy. There was no urgency on the part of these senior officials to address the problems of sexual abuse at the school, and matters were left to drift. There were no regular meetings between the departments about child protection or other matters of mutual concern, exemplifying some of their failures of leadership.

Part D

# Police Investigations

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# Police Investigations

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1. The preceding parts of this report have demonstrated how Lancashire Police were involved in responding to the allegations made about Cyril Smith in 1969 and that, far from constituting any sort of cover-up of Smith's activities, their investigation was a thorough and searching examination of the allegations against him. The police officers who submitted reports on the investigation were plain in their view that Smith ought to be prosecuted. It was the Director of Public Prosecutions who took a contrary view.
2. The purpose of this part is to consider the role of the police thereafter. Is there any evidence that police officers were party to the suppression of evidence against Cyril Smith *after* the Lancashire investigation? More broadly, did police officers fail in their duties to protect pupils at Knowl View School from sexual abuse?
3. There are two points to make clear about this part. The first is that we are not considering the actions of police outside the Rochdale area. This investigation is limited to considering police actions in Rochdale or in respect of children who resided in Rochdale in residential accommodation like Knowl View. As regards Cyril Smith, this investigation is concerned with the police investigation of him in respect of conduct alleged to have taken place in Rochdale. It is not within the remit of this particular investigation to consider allegations against Smith alleged to have occurred elsewhere (for example, in his capacity as a Member of Parliament). The second is that Lancashire Constabulary ceased to have responsibility for the policing of Rochdale in April 1974, and thereafter it became part of the area covered by Greater Manchester Police (GMP).
4. Another point that must be borne in mind is that there are very few surviving police records about the investigation of child sexual exploitation at Smith Street toilets or investigations relating to Knowl View up to the early 1990s. This has impacted on our ability to analyse the actions that the police took in respect of the exploitation of children in Rochdale town centre from the late 1980s to 1994 and the outcome of any investigations that took place.<sup>588</sup> What information there is has been gleaned from Rochdale Council records from the time, which refer, for example, to surveillance having taken place, or to social workers having contact with police officers.

## Police involvement in Knowl View School

5. GMP officers *did* investigate and prosecute Roderick Hilton in both 1984 and 1990 in relation to the sexual abuse of children at Knowl View. A distinct issue that arises is the role that the police took in the investigation of other types of sexual abuse at Knowl View in the late 1980s and early 1990s: the exploitation of boys in Rochdale town centre and coercive sexual activity between children at the school.

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<sup>588</sup> Retired Temporary Detective Superintendent Peter Marsh 24 October 2017 148/7 - 149/17; Retired Detective Superintendent Martin Bottomley 23 October 2017 132/4-10

**6.** We start with the sexual abuse of children from Knowl View by the men who frequented the town centre toilets at Smith Street and other locations. The children who were to become involved in this exploitation were already on the radar of both Rochdale Council and GMP in early 1989, and known to gather at the 'Tasty Bite' café during the school day. It would appear from the record of a meeting on 17 February 1989 that the concerns were related to their very young ages (10 to 14), and that they were already known to the Council and were becoming involved in criminality.<sup>589</sup>

**7.** Between April 1989 and August 1992, there are numerous entries in the Social Services files of RO-A10 that show police awareness of ongoing involvement in sexual activities with men in Smith Street toilets. However, RO-A10 appears to have been reluctant to repeat any detailed allegations to police officers.

**8.** It appears that throughout the summer and autumn of 1989, GMP was receiving information about RO-A10 and other boys being exploited but there was insufficient evidence to charge anyone. For example, there was information that between 13 and 27 September 1989, RO-A10 was involved with a man around Rochdale Bus Station and received £5 for masturbating him; there was also information that RO-A10, RO-A24, RO-A9 and RO-A106 were going to an address in Salford to watch pornography. As a result of this, Detective Constable Bentley visited the bus station but could find nobody who fitted the description of the man given by RO-A10. He considered that there was not enough information to charge any of the individuals identified.<sup>590</sup>

**9.** There was a flow of information from the police to staff at Knowl View. On 9 March 1990, Police Constable Bottomley (a Rochdale officer) had direct contact with the school about organised 'rent boy' activities going on at Smith Street toilets.<sup>591</sup> PC Bottomley is recorded as having reported that this involved a ring of 14 children ("*all absconders*") from various children homes who were "*extracting money in return for sexual favours*". The record named two boys from Knowl View as being part of the ring.

**10.** The same note records PC Bottomley describing a police raid on 8 March 1990 in response to complaints from the public about young boys who were importuning in the men's toilets in Rochdale town centre. It is this record that refers to the "*vast numbers of men from all over the North West*" who had been attracted to the toilets, and that the police had interviewed men from as far away as Blackpool.

**11.** An entry of 9 March 1990 in RO-A10's Social Services record showed that RO-A10's social worker contacted PC Bottomley. In addition to the information about the ring, the social worker recorded that police had concerns that boys were going in cars with adults, and police were monitoring the situation. PC Bottomley emphasised, however, that there was "*no concrete evidence as yet*".<sup>592</sup>

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<sup>589</sup> [RHC002447\\_1](#)

<sup>590</sup> [Martin Bottomley \(Retired Detective Superintendent\), Greater Manchester Police Force Review Officer, 23 October 2016, 136/4-20](#)

<sup>591</sup> [GMP000390\\_3](#)

<sup>592</sup> [RHC002497\\_6](#)

**12.** On 21 May 1990, there was information that RO-A10 and three other boys had visited Smith Street toilets. They had masturbated men at the toilets. On their return to Knowl View, they disclosed to an unknown member of staff that they had masturbated a man (whose name they gave) for money. The boys were also charged with theft arising out of the same visit to Rochdale town centre.<sup>593</sup> A corresponding Knowl View record confirms this.<sup>594</sup>

**13.** No charges were brought against any adult committing offences against these boys despite a name having been given. Another entry in RO-A10's Social Services record of 24 May 1990 referred to the police intention to keep investigating the incidents at Smith Street in the hope that they would catch the men involved; they were going to interview RO-A10 in more detail about this.<sup>595</sup>

**14.** There was further contact between the police and RO-A10's social worker. On 7 June, there was a meeting at Rochdale police station between RO-A10's social worker and Police Sergeant Goggins. Police Sergeant Goggins took RO-A10 and RO-A24 to Salford to identify where they had gone with certain named men but they were unable to locate them.<sup>596</sup> In July, there was a police investigation of an incident at Smith Street toilets involving RO-A10 and other boys, but it was decided that no further action could be taken.<sup>597</sup>

**15.** On 7 December 1990, there was a planning meeting in respect of RO-A10 and it was agreed that police would be contacted to assess his involvement in possible sexual activities in the toilets. Detective Constable Goggins (as he was now) was seemingly not contacted until February 1991.<sup>598</sup>

**16.** Evidence suggests that Dr Alison Fraser and Christine Scarborough had become alarmed by the referral of Knowl View pupils to Dr Fraser in the autumn of 1990, and that Dr Fraser spoke to Diana Cavanagh in December 1990 about these referrals. There was a meeting on 4 March 1991, which was almost certainly arranged as a result of Dr Fraser and Mrs Scarborough pressing their concerns about these boys. The police did not attend the meeting on 4 March, but a note of the meeting records, in respect of Smith Street toilets, "*No further action could be taken in relation to Smith Street toilets, other than making their parents aware of the risks*".<sup>599</sup> It is not known who made this comment.

**17.** We have already considered the record that was made of the multi-disciplinary meeting held on 8 March 1991, which Superintendent Henderson and Detective Sergeant Sterndale attended. A note of a meeting that took place on 15 March 1991 refers to Mrs Cavanagh's misgivings about the passivity of the police.<sup>600</sup> Later, in June 1991, Mrs Cavanagh was to note of the 8 March 1991 meeting that police felt that they should not be involved and that consideration should be given to investigating the alleged activities under the Council's child protection procedures.<sup>601</sup>

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<sup>593</sup> Martin Bottomley 23 October 2017 137/24 - 138/10

<sup>594</sup> GMP000390\_25

<sup>595</sup> Martin Bottomley 23 October 2017 138/12-17; RHC002497\_1

<sup>596</sup> RHC002497\_2

<sup>597</sup> Martin Bottomley 23 October 2017 139/9-13

<sup>598</sup> Martin Bottomley 23 October 2017 140/16 - 141/4; RHC002499\_1

<sup>599</sup> GMP000392\_32

<sup>600</sup> GMP000916\_20

<sup>601</sup> RHC001271\_10

**18.** When the overall content of a manuscript note of the meeting on 8 March 1991 is considered, the police reaction is not surprising. What was discussed at that meeting were the issues of sexual activity between children and Hilton’s sexual assault of RO-A14 (which the police had already dealt with). There is only a passing reference to “*stranger abuse*” in the handwritten notes of the meeting. According to the note, Superintendent Henderson “... *agreed that children need to be told that what they are doing is wrong! An investigation would probably only lead to conclusions that MP had already arrived at.*”<sup>602</sup> ‘MP’ is a reference to Mike Poulton (the temporary Acting Head). Detective Superintendent Henderson did not recall anything about the meeting of 8 March 1991 when, in 2014, he was spoken to by Operation Clifton. However, he said that, had matters of a sexual nature been reported to him, he would have ensured that they were investigated, but if the information had been more general, without any specific allegation or identified victim, then his advice may have been for the Council to investigate and report any identified concerns.<sup>603</sup>

**19.** The police officers present at the 8 March meeting do not appear to have pressed the point that the exploitation of children ought to be looked at as part of the whole picture of what was happening to children from Knowl View but nor did any of the other agencies represented, all of whom were well aware at this stage of what had happened.

**20.** In May 1991, the Social Services Department decided that the incidents at Knowl View did not fall within the ambit of child protection and that it had no role to play in investigating what was happening to children at the school. It was for this reason that the Education Department decided that it would embark on its investigation (to be carried out by Mrs Mellor). The police did not play a role in the Social Services Department’s decision as it was sexual activity between children and the Hilton incident (so far as the police were concerned) had been investigated. As explained by Peter Marsh in evidence, the police could have played a part in a multi-disciplinary approach, but they would not have gone into Knowl View and unilaterally commenced a criminal investigation absent an evidential basis on which to do so.<sup>604</sup>

**21.** The meetings that were convened by Mrs Cavanagh during Mrs Mellor’s investigation were not attended by police or Social Services’ representatives. Mrs Mellor did, however, have contact with GMP. As discussed in Part 3, it appears from the notes made of the meeting of 25 June 1991 that Mrs Mellor communicated to the meeting that she had spoken to Detective Inspector Henderson to find out if there were any ongoing police enquiries about children at Knowl View School. According to Mrs Mellor, there were none, “... *nor were there any ongoing police concerns about activities related to Town Centre toilets*”. Mrs Mellor also reported to the meeting that the police had not pursued enquiries with individual pupils as they had no grounds to suspect criminality and they wanted to avoid upsetting pupils (this appears to be a reference to sexual activity between children). Detective Inspector Henderson promised to keep Mrs Mellor informed.<sup>605</sup>

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<sup>602</sup> [RHC001617\\_6](#)

<sup>603</sup> [GMP000135\\_4](#)

<sup>604</sup> Peter Marsh 24 October 2017 161/2-18

<sup>605</sup> [RHC001610\\_1-2](#)

**22.** This representation was extremely unfortunate as it appears to have led Mrs Mellor and the Education Department to assume that the exploitation of children had stopped. It is also of concern because, as is plain, the exploitation was not limited to Smith Street. It had already been documented that pupils were meeting adult men to watch pornography and engage in sexual activity at other locations.

**23.** In her February 1992 report, Mrs Mellor said that, although there had been surveillance at Smith Street toilets during the summer of 1991, there was no longer any homosexual activity going on there, certainly none involving any Knowl View boys. She added, at that time, that the police had no intention of pursuing any further line of enquiry involving Knowl View boys, but were prepared to become involved if new information came to light.<sup>606</sup> Information from Rochdale police had been the source of assurance that that exploitation had indeed stopped.

**24.** In his evidence, retired Detective Superintendent Martin Bottomley, now a Force Review Officer, agreed that the appearance given by the records was that there had been monitoring of the toilets rather than full-scale surveillance.<sup>607</sup> He provided some assistance as to what surveillance or monitoring of the toilets might have amounted to at that time. He had been a plainclothes police officer in North Manchester in the early 1980s. His experience was that if complaints had been made by members of the public or the Education Department, plainclothes police officers would conduct a surveillance operation on the toilets. That did not mean that they would be there every day, all day, with cameras. It would probably mean that if, for example, there had been a complaint that from 4pm to 6pm men were congregating at the toilets (with a view to importuning young boys), plainclothes police officers might sit in an observation point in a Council office overlooking the toilets or sit in a car 50 to 100 yards away. If they saw any suspicious activity, they would make the necessary arrests.<sup>608</sup>

**25.** The suggestion that child sexual exploitation at Smith Street toilets had stopped was, however, a false comfort. In October 1991, Moss Side CID were aware of a number of children (including RO-A9) being involved with three adult males at their addresses (at which other adults would visit).<sup>609</sup> This was described at the time as “*part of a network where young boys are abused*”. It appears that Rochdale Social Services was aware that RO-A9 was subject to observation at these addresses. It is important to reiterate that this is information that was available while Mrs Mellor was in the process of preparing her report but that she was not party to it. Neither the Social Services Department nor the police were attendees at the meetings held at Diana Cavanagh’s office in the autumn of 1991.

**26.** A further Social Services record of December 1991 confirmed that CID were watching a number of addresses where men were believed to be luring young boys to engage in sexual activities.<sup>610</sup>

**27.** As set out in the previous part, there was an important communication from Chief Inspector Berry to Mr Graham from the Young Offender Team at Social Services that appears critical (and possibly exasperated) about the communication between the police

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<sup>606</sup> [RHC001599\\_5](#)

<sup>607</sup> [Martin Bottomley 23 October 2017 141/13-19](#)

<sup>608</sup> [Martin Bottomley 23 October 2017 141/20 - 142/19](#)

<sup>609</sup> [Martin Bottomley 23 October 2017 145/14 - 146/21](#)

<sup>610</sup> [Martin Bottomley 23 October 2017 146/22 - 147/2](#)

and Social Services in relation to RO-A10 and RO-A24. It referred to sexual abuse on an organised scale involving several young boys. It was in respect of this that Chief Inspector Berry welcomed views as to how the police and Social Services could develop a joint strategy.<sup>611</sup>

**28.** That Smith Street toilets was still a venue for exploitation was borne out by RO-A9 and RO-A10 being picked up there in August 1992 for “importuning an adult male”.<sup>612</sup> It would appear that the police used this as an opportunity to take statements from RO-A9 and RO-A10 (on threat of prosecution). RO-A10 was to visit the police station for a decision as to whether he would be charged or receive a caution.<sup>613</sup> RO-A10 was also discussed at a cautioning panel; although the police were going to charge the man involved with the boys at the toilets, they were “unsure” about what to do about the boys. The concern appeared to focus more on RO-A9 than RO-A10. The final recommendation was that RO-A9 be cautioned.<sup>614</sup>

**29.** In his evidence, Peter Marsh stressed two points. The first was that it would be a last resort for the police to seek to charge or caution a child who had been found importuning. The second was that the decision to caution RO-A9 in this instance was a decision by a multi-disciplinary panel.

**30.** A number of police officers who are named in the records as having been involved in the investigation of child sexual exploitation at Smith Street toilets were approached as part of Operation Clifton.<sup>615</sup> This was to see if they had any memory of investigating what was happening to boys from Knowl View School or any memory about GMP’s response to child sexual exploitation. None of the officers spoken to had any memory of carrying out specific surveillance at the toilets.

**31.** Detective Superintendent Henderson (since retired) recalled attending the multi-disciplinary meeting on 8 March 1991, but could not recall the others present or the nature of the meeting. He said that, had offences or issues been raised, such as sexual abuse, which warranted investigation, he would have instigated such an investigation.<sup>616</sup> Detective Sergeant Sterndale (also retired) provided a written statement to Operation Clifton in which he stated that he had had no direct dealings with any investigation involving staff, pupils or any other officials at Knowl View School. He remembered an incident at the school when a male called Hilton was released from prison and began to frequent the school grounds. He believed that the Council was going to take out an injunction against him.<sup>617</sup>

## Investigations after the Mellor report

**32.** As we have described in Part 3, the Mellor report was circulated to individuals from across the political spectrum of the Council. It was also circulated to Chief Superintendent Houghton on or around 9 April 1992 and the issue raised of whether there should be further police enquiries. Chief Superintendent Houghton in turn wrote to Mrs Cavanagh

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<sup>611</sup> Martin Bottomley 23 October 2017 142/20 - 143/20; RHC002363\_1

<sup>612</sup> Martin Bottomley 23 October 2017 147/11-19

<sup>613</sup> RHC002487\_1 and 3

<sup>614</sup> Peter Marsh 24 October 2017 152/18 - 157/15

<sup>615</sup> Martin Bottomley 23 October 2017 148/5-15

<sup>616</sup> Martin Bottomley 23 October 2017 151/25 - 152/16

<sup>617</sup> GMP000088\_4

to say that the police had been unable to contact Mrs Mellor to discuss this further. If Mrs Mellor was prepared to discuss the matter, the officer dealing with it was Detective Sergeant Sterndale.<sup>618</sup>

**33.** In his evidence to Operation Clifton, then retired Chief Superintendent Houghton said his view was that the Mellor report would require further investigation but that he retired in August 1992 and did not take this further. He suggested that he would have passed it on to Detective Superintendent Henderson (his successor).<sup>619</sup> This was put to Detective Superintendent Henderson, but he could not recall that he had ever seen the Mellor report.<sup>620</sup>

**34.** In fact, a press report from July 1996 suggests that Detective Superintendent Henderson had seen the Mellor report. He was responding to suggestions at that time that there had been a cover-up at Knowl View School and referred to his having seen a 'dossier' of documents provided by Martin Digan. He is reported to have told the Rochdale Observer: *"I have examined the issues raised in connection with the school and nothing in the documents or the information requires further investigation by the police. All the issues involved at the school were discussed and investigated at the time by a number of agencies and necessary action was taken then. I do not believe there has been any cover-up at the school and nothing in the documents indicates that."*<sup>621</sup>

**35.** Detective Sergeant Sterndale was also asked whether he had conduct of an investigation into Knowl View after the Mellor report was produced. He said he had no recollection of any such investigation.<sup>622</sup>

**36.** However, Mrs Cavanagh confirmed in her evidence that she had met with Chief Superintendent Houghton after the Mellor report was produced on 14 April 1992. The purpose of this meeting was to consider the position of the caretaker at Knowl View. Chief Superintendent Houghton explained that there were three possible outcomes from the investigation and that this decision would be communicated to the Education Department.<sup>623</sup>

**37.** It seems that there was some consideration of the position of the caretaker (or 'school keeper' as he was often referred to) but there was no investigation of any role he might have played in the Hilton incident. Operation Clifton did not find any evidence that there was any specific police investigation into information that had come via the Shepherd, Mellor or Cavanagh reports.<sup>624</sup> This is, in our view, entirely in keeping with what had happened to date. The Hilton incident had been investigated (with only a residual issue raised as to the role of the caretaker). The issue of sexual activity among children was not regarded as a matter for the police. The issue of child sexual exploitation was being considered separately, as and when information came to light about individual children, and in any event a number of the children named in the records had been moved on to other institutions by this stage.

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<sup>618</sup> Peter Marsh 24 October 2017 164/16 - 165/11

<sup>619</sup> Peter Marsh 24 October 2017 166/11-20

<sup>620</sup> Peter Marsh 24 October 2017 167/12-25

<sup>621</sup> Peter Marsh 24 October 2017 168/16-23

<sup>622</sup> Peter Marsh 24 October 2017 171/6 - 172/4

<sup>623</sup> Diana Cavanagh 23 October 2017 23/19-25

<sup>624</sup> Peter Marsh 24 October 2017 172/5-10

**38.** For the same reason, we do not consider that there was any sort of cover-up of the reports generated about Knowl View. The reality is more prosaic. The reports were circulated (quite widely in the case of the Mellor report) but not regarded (save for the misgivings expressed by Councillor Hawton) as requiring any wholesale investigation to get to the truth of what happened.

## Roderick Hilton

**39.** Before leaving the period 1990–92, we ought also to address Roderick Hilton’s reappearance at the school (having been released from prison in 1992).

**40.** After it became known that Hilton had spent two nights at the school in September 1990, the police took a statement from RO-A14 and a prosecution was commenced. Following his arrest, Hilton was subject to a bail condition that he did not enter the grounds of Knowl View School.<sup>625</sup> Superintendent Marshall attended the Governors’ meeting on 7 November 1990 and it was arranged that a Crime Prevention Officer would visit the school to advise on security arrangements. Hilton appeared before the Magistrates’ Court and pleaded guilty on 7 December 1990 to the indecent assault of RO-A14.

**41.** On 22 February 1991, Hilton was placed on probation for two years. However, on 22 August 1991, having committed further offences against children, he was sentenced to two and a half years’ imprisonment and would have been released after he had served half of that period (some 15 months). This corresponds with his being seen camping close to Knowl View in November and December 1992.<sup>626</sup> This activity was almost certainly in breach of his licence requirement that he reside at a particular address. The breach would have been a matter for the Probation Service.<sup>627</sup>

**42.** As described in Part 3, Mr Bradshaw was concerned from the outset of his time at Knowl View that men other than Hilton were also attempting to access the school. For example, on 14 May 1991, Mr Bradshaw wrote to the ‘Officer in Charge’ at Rochdale police station about an incident that had occurred the previous night when a man had tried to get into the school. Mr Bradshaw referred to “*previous occasions*” when an intruder had sexually abused one of the children, and the sensitivity of the issue to the school. His concern was that the police had been called at 12.15am but had not arrived until 1.05am (following a second phone call), although he noted that, when they did arrive, both officers were “*very helpful and supportive*”.<sup>628</sup>

**43.** Despite the background, when Hilton was released from prison, he appears to have been a near constant presence at Knowl View. This prompted a great many pleas from Mr Bradshaw that the Council apply for an injunction to prevent him from coming close to the school but, as discussed in Part 3 this never happened.

**44.** Mr Bradshaw gave evidence that he had liaised with the police as regards Hilton’s release from prison and regarded their response to his pitching a tent by the school as “*excellent*”.<sup>629</sup> Mr Bradshaw said that he “*pestered*” the police and considered that they

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<sup>625</sup> Martin Bottomley 23 October 2017 175/18 - 176/2

<sup>626</sup> Martin Bottomley 23 October 2017 177/5-22

<sup>627</sup> Martin Bottomley 23 October 2017 179/16 - 180/4

<sup>628</sup> RHC001755\_2

<sup>629</sup> Stephen Bradshaw 19 October 8/4-14, 99/19 - 100/4

improved their response to the school as time went on; he wanted to normalise a police presence around the school.<sup>630</sup> Mr Digan also described the response of the police to Hilton as “excellent”.<sup>631</sup>

**45.** Mr Bradshaw’s evidence suggests that the police were responsive to his concerns, and did what they could in the absence of any injunction to move Hilton on. In this regard, at the end of his evidence, Mr Bottomley was asked whether, by his continued presence near the school and by approaching school boys in the town centre, Hilton was committing an offence or offences under section 5 of the Public Order Act 1986, such as “*using words or behaviour ... within the hearing or sight of a person likely to be caused harassment, alarm or distress thereby*”. Mr Bottomley did think that Hilton might have been arrestable under the Act, but pointed out that he had been arrested for breaching the peace in 1992.<sup>632</sup>

## Operation Cleopatra

**46.** Knowl View School stopped admitting pupils in 1994. As we have seen, by 1996 there were already allegations in the public domain that there had been a cover-up of the sexual abuse of children who had resided at the school. The source of these allegations appears to have been the Digan ‘dossier’. This dossier comprises documents that were copied by Mr Digan in 1994, prior to his leaving his employment at Knowl View. He believed there to have been a cover-up, because he and other staff members had only ever seen the second version of the Mellor report. As previously discussed, the version shown to staff omitted a section on the school keeper and the appendix that detailed information about individual children. The documents, which are understood to have formed the core of the Digan dossier, are the unredacted Mellor report, the Shepherd report and the Cavanagh report.<sup>633</sup> One aspect of Operation Clifton was to investigate whether there had been any other reports that had been suppressed and that were part of the dossier, but according to Mr Marsh the only documents Operation Clifton ever identified as having been part of the dossier were those three reports.<sup>634</sup> The decision in 1992 not to show staff the version of the report that referred to the school keeper or the appendix with information about individual children was not sinister, but rather a reflection of concerns about confidentiality and possible prejudice. Mr Shepherd sent his report to a number of individuals whom he regarded as the appropriate people to see it. Mrs Cavanagh’s concern was that it should not travel further than this, but there is no suggestion that she ever tried to conceal its existence or that of the Mellor report. Even if these concerns were misguided, that does not equate to a deliberate attempt to conceal the existence of these reports.

**47.** In 1992, Mrs Cavanagh ensured that the Mellor report was circulated to politicians from different parties within the Council, to the Health Authority and to the police. When, in 1996, Detective Superintendent Henderson told the press that the issues involved at the school were discussed and investigated at the time by a number of agencies, this was correct. It might be thought that these investigations and any action taken thereafter were inadequate, but this does not mean that there was any cover-up.

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<sup>630</sup> Stephen Bradshaw 19 October 42/3-11

<sup>631</sup> Martin Digan 16 October 2017 58/6-11

<sup>632</sup> Martin Bottomley 23 October 2017 180/5 - 181/20

<sup>633</sup> Peter Marsh 24 October 2017 169/14 - 170/11

<sup>634</sup> Peter Marsh 24 October 2017 170/12-22

**48.** Operation Clifton investigated six occasions on which Mr Digan presented his dossier to an individual and considered that he had not received an adequate response. These six occasions were with the following people: (1) Diana Cavanagh in 1994; (2) Rochdale police in 1994; (3) Liz Lynne MP in 1996; (4) Lorna Fitzsimons MP in 1998; (5) Colin Lambert and Jim Dobbin in 2000; and (6) the Chief Whip in 2000.<sup>635</sup>

**49.** Mr Digan believed that there had been a deliberate withholding of information from staff. The fact remains that the information set out in those reports had been shared between organisations at the time. The real issue does not appear to us to be one of cover-up but, as we have indicated, rather the inadequacy of the response at the time. The three reports had been seen by numerous people, they had been referred to in the press and they had been widely discussed. They were not concealed and there was no evidence to suggest that there was any other report in existence that has not come to light.

**50.** Operation Clifton found evidence to suggest that individuals like Liz Lynne MP and Jim Dobbin MP had passed information on or sought to raise the matter with others. Ms Lynne was able to point to press reports in 1996 that referred to her having received information from Martin Digan and to what she intended to do with the information (which might be regarded as inconsistent with any suggestion that she was trying to conceal knowing anything about the allegations).<sup>636</sup> Similarly, there was independent evidence that Jim Dobbin and Colin Lambert had contacted officers from Operation European (specifically Detective Superintendent Huntbach) with information provided to them about former Knowl View pupils.<sup>637</sup>

**51.** Operation Cleopatra itself was a substantial investigation by GMP that ran between 1997 and 2002. It had three phases. In its first phase, it was a specific investigation into allegations against Eric Butterworth, a member of staff at the Rosehill Assessment Centre in Manchester. In its second phase (from January 1998), it became broader and considered all 'historic' allegations that related to residential care homes in the Greater Manchester area. This expansion in its remit saw Operation Cleopatra provided with greater resources and moved to the police station at Grey Mare Lane in Manchester. In its third phase (from August 1998), social workers became part of the investigation and worked alongside the investigating officers.<sup>638</sup>

**52.** The first phase resulted in Butterworth being charged with 12 offences related to children at Rosehill Assessment Centre and Foxholes Children's Home in Rochdale. On 3 May 1999, all charges against him were discontinued on the basis that he was medically unfit to stand trial.

**53.** On 20 April 1991, Operation Cleopatra opened its investigation into David Higgins (a teacher at Knowl View from 1 September 1969 to 21 December 1971). He had by that stage been convicted of the indecent assault of one boy and two girls (known to have been aged eight and nine). These convictions were in 1976 and 1983 respectively.<sup>639</sup> On 2 May 2002, he was charged with ten counts (ten counts of gross indecency and five counts of indecent assault) in respect of three former pupils from Knowl View. Higgins ultimately pleaded guilty

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<sup>635</sup> Peter Marsh 24 October 2017 169/14-176/19

<sup>636</sup> Peter Marsh 24 October 2017 177/13 - 178/4

<sup>637</sup> Peter Marsh 24 October 2017 180/10 - 181/3

<sup>638</sup> William Roberts 24 October 2017 24/13-22

<sup>639</sup> Martin Bottomley 23 October 2017 160/3-20

to eight counts of gross indecency and three counts of indecent assault. Two allegations that Higgins had indecently assaulted the third pupil were left to lie on the file. On 19 September 2002, he was sentenced to imprisonment for 12 months.<sup>640</sup>

**54.** A point to note is that Operation Cleopatra did not consider allegations of peer-on-peer abuse. A policy was applied during the currency of the operation to the effect that allegations of abuse by former pupils against other former pupils did not fall within its terms.<sup>641</sup>

## Operation Jaguar

**55.** In addition to Operation Clifton, the other police investigation relevant to Knowl View in recent times was Operation Jaguar. Operation Jaguar had two distinct elements. The first part was an investigation into allegations made by pupils who had been at Knowl View during the period it was open. The second part of the investigation related to allegations made against Cyril Smith. In summary, Operation Jaguar's terms of reference were to investigate allegations of abuse, both physical and sexual, made to GMP by former pupils from Knowl View following publicity surrounding Operation Yewtree and abuse allegedly committed by Smith. It was also to document allegations of abuse made against Smith that fell within the remit of GMP.<sup>642</sup>

**56.** That included taking evidential accounts from each identified witness, despite Smith being dead. Detective Chief Inspector Sarah Jones explained to us the rationale for investigating allegations against Cyril Smith. First, it enabled complainants to feel they had had the opportunity of providing a full and evidential account. Second, this enabled Operation Jaguar to establish if any other individual who was still living had committed any offences. The investigation did not extend beyond taking such an account where it was alleged that Smith had acted alone. However, in Operation Jaguar, a number of complainants alleged that Knowl View staff members were involved in Smith's sexual abuse of them and these persons were the subject of further investigation.<sup>643</sup>

**57.** The focus of Operation Clifton, by contrast, was the investigation of whether there had been a cover-up by GMP or by the Council in relation to the allegations of child abuse at Knowl View. This investigation was particularly concerned with whether there had been any concealment of the reports generated by the Council about Knowl View in or around 1991 or 1992.

**58.** Operation Jaguar did not 'trawl' for complainants. In other words, it did not seek out former pupils about whom it had no information or intelligence to suggest they had been abused. That said, Operation Jaguar had access to the materials that the Council held in relation to Knowl View. Those materials enabled Operation Jaguar to identify former pupils who may have been abused on an intelligence-led basis. That Cyril Smith was the subject of investigation also meant that Operation Jaguar generated a great deal of publicity.<sup>644</sup>

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<sup>640</sup> Martin Bottomley 23 October 2017 116/5-14

<sup>641</sup> Martin Bottomley 23 October 2017 168/4-13

<sup>642</sup> Detective Chief Inspector Sarah Jones 13 October 2017 39/16 - 40/25

<sup>643</sup> Detective Chief Inspector Sarah Jones 13 October 2017 82/2-24

<sup>644</sup> Detective Chief Inspector Sarah Jones 13 October 2017 43/19 - 47/4

**59.** The purpose of Operation Jaguar was not to reinvestigate the entirety of Operation Cleopatra. However, Operation Cleopatra had not investigated allegations of abuse made by former pupils against other pupils and so it was determined that Jaguar would investigate those.<sup>645</sup>

**60.** In short, Operation Jaguar considered allegations that pupils made against former staff at Knowl View, allegations against Cyril Smith and allegations made by former pupils against their peers. Those peer-on-peer allegations were complicated by the fact that a number of those pupils identified as having sexually abused fellow pupils in turn made allegations that they themselves had been sexually abused by other pupils.

**61.** We have, at points in Part 3, referred to some of the specific allegations that were investigated as part of Operation Jaguar. These included allegations by former pupils that they had been sexually abused by other pupils. What was of note was the acceptance on the part of one individual, accused of child sexual abuse by two different former pupils, that sexual activity had taken place between boys but that this was a normal part of school life. Detective Chief Inspector Jones explained that some cases of peer-on-peer sexual abuse had been referred to the Crown Prosecution Service but that they did not proceed because of the 'doli incapax' presumption, which applied at the time of this alleged conduct. The presumption was that a child aged not less than 10 years but less than 14 years was incapable of committing a crime.<sup>646</sup>

**62.** The presumption could be rebutted, but only if the prosecution proved beyond reasonable doubt that the child did the criminal act with 'mens rea', and additionally appreciated that the particular act was not only naughty or mischievous but seriously wrong.<sup>647</sup> This is just another example of the complexities that an investigation like Operation Jaguar faced.

**63.** Detective Chief Inspector Jones confirmed that David Higgins is currently serving a 14-year sentence in respect of child sexual abuse unrelated to Knowl View.<sup>648</sup> In the course of Operation Jaguar, three former pupils came forward to make allegations against Higgins. Only two felt able to proceed and Higgins was charged in respect of the sexual abuse of both. One complainant then withdrew his complaint. The Crown Prosecution Service decided not to proceed to trial in respect of the third complainant. This decision related to the third complainant having provided an account during Operation Cleopatra that varied in some respects from the account given in Operation Jaguar.<sup>649</sup> The fact that witnesses may have given different accounts, many years apart, about their sexual abuse is a difficulty inherent in the investigation of non-recent child sexual abuse. There may be entirely understandable and wholly innocent reasons why complainants' accounts change over the years, but it is nonetheless a matter that the Crown Prosecution Service will take into account in determining the prospects of a prosecution being successful.

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<sup>645</sup> [Detective Chief Inspector Sarah Jones 13 October 2017 48/8-19](#)

<sup>646</sup> It was abolished by section 34 of the Crime and Disorder Act 1998 but continues to apply to conduct predating the commencement of that provision

<sup>647</sup> [Detective Chief Inspector Sarah Jones 13 October 2017 52/7 - 54/1](#)

<sup>648</sup> [Detective Chief Inspector Sarah Jones 13 October 2017 56/24 - 57/1](#)

<sup>649</sup> [Detective Chief Inspector Sarah Jones 13 October 2016 59/13-19](#)

**64.** On the other hand, there was a successful prosecution of Anthony Whitehead in 2017 for the sexual abuse of RO-A9. As we have explained in Part 3, this conviction demonstrates the risks that children who resided in Knowl View faced. Whitehead had no links to the school yet was able to abuse RO-A9 while he was a pupil there. Whitehead, who had a previous conviction for a similar matter, was sentenced to nine years' imprisonment. The previous conviction was admitted into evidence at the trial.<sup>650</sup>

**65.** Detective Chief Inspector Jones explained further difficulties that Operation Jaguar faced (as compared to an investigation of recent allegations) because of the strands of evidence that were inevitably not available. This included telephone evidence that might show contact between individuals and the nature of that contact, or demonstrate where individuals were physically located. Similarly, CCTV footage was not available. Non-recent sexual abuse cases often rest therefore entirely upon the account of complainants or other witnesses who have come forward. In Operation Jaguar, some of the allegations dated back 30 years. Accounts of sexual abuse and surrounding circumstances need to be detailed but that becomes more problematic with the passage of time, as does the risk of inconsistency. Moreover, social media and publicity in general may contaminate the independence of a witness's account as might alleged collusion between complainants.<sup>651</sup> These were all challenges faced by Operation Jaguar.

## Operation Clifton

**66.** The focus of Operation Clifton was to examine whether there had been action or inaction by GMP or Rochdale Council in relation to the investigation of child sexual abuse at Knowl View School, and whether any action or inaction revealed cover-up, corruption or other criminality such as misconduct in public office. The investigation was not concerned with broader issues such as whether child protection standards had been met at the time.<sup>652</sup> A Professional Standards investigation was carried out alongside Operation Clifton and was closely linked to it. The Professional Standards investigation was ultimately concerned with the professional performance of specific police officers (Chief Superintendent Houghton, Detective Superintendent Henderson and Detective Sergeant Sterndale) and the role that they played in responding to allegations of child sexual abuse.<sup>653</sup>

**67.** Ultimately, Operation Clifton did not identify any criminality that would permit it to seek to charge any individual. No individual was cautioned because there was insufficient evidence on which investigating officers could form a belief that any individual had committed a criminal offence. The Senior Investigating Officer sought (and attached some importance to) the provision of interim investigative advice from the Crown Prosecution Service because it permitted some independent scrutiny of the investigation prior to its conclusion.<sup>654</sup>

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<sup>650</sup> Detective Chief Inspector Sarah Jones 13 October 2017 67/18 - 68/9

<sup>651</sup> Detective Chief Inspector Sarah Jones 13 October 2017 72/12 - 74/24

<sup>652</sup> Peter Marsh 24 October 2017 143/13 - 144/19.

<sup>653</sup> Peter Marsh 24 October 2017 145/21 - 148/6

<sup>654</sup> Peter Marsh 24 October 2017 185/21 - 187/6

Part E

# Political Accountability

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# Political Accountability

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## Richard Farnell

**1.** In 1980, Richard Farnell was elected on to Rochdale Council as a councillor for Newbold Ward. In 1985 he became Leader of the Labour Group and in the following year, when Labour took control of the Council, Mr Farnell became Leader. In 1992, Labour lost control of the Council and Mr Farnell lost his seat. It is noteworthy that Mr Farnell who was born in 1958 was in his late twenties when he became Leader and he left the Council when he was still in his early thirties. Following a gap of some 22 years, in 2014, Mr Farnell was re-elected as Leader of Rochdale Council, and when he gave his evidence to the Inquiry on 24 October 2017 he was still in office.

**2.** Mr Farnell, who did not seek Core Participant status, and was legally represented when he appeared at the hearing, said to us in evidence that part of his role during his first term as Leader was to chair the Policy and Resources Committee, which met about twice during a six-weekly cycle.<sup>655</sup> This would be a meeting of committee chairs with opposition members included. There was a 'Chairs' Panel', which was a panel of all the various committee chairs including Education, Social Services, Development Services etc., who would also meet around twice during the same cycle. It was he, Mr Farnell said, who established the panel so that councillors could talk through "*the big issues*" together. It was a forum to discuss major manifesto issues, but major contentious issues could be brought to the meetings also. The Chief Executive would be in attendance, who at that time was John Pierce.<sup>656</sup> He also described informal 'leadership meetings' attended by the deputy, the Chief Executive and the Head of Legal Services, at that time David Shipp.<sup>657</sup>

**3.** Mr Farnell explained to the Inquiry that there were essentially four ways in which serious issues could be brought to his attention: at the informal leadership meetings; a report could be made to the Policy and Resources Committee; the matter could be raised at the Chairs' Panel meeting; and directors of Council departments could seek a direct meeting with him. He added that matters could also be brought to his attention informally.<sup>658</sup>

**4.** In the course of his evidence, Mr Farnell was asked about his close colleague, and the chair of the Education Committee throughout his period of time as Leader, Mary Moffat (since deceased).<sup>659</sup> He said he had known that Mrs Moffat had an office in the Education Department of the Council, and he said that she had been Mr Farnell's deputy for about a year during the first half of his period as Leader.<sup>660</sup> Mr Farnell told the Inquiry that they were on a number of committees together.

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<sup>655</sup> Richard Farnell 24 October 2017 36/11-25

<sup>656</sup> Richard Farnell 24 October 2017 37/1 - 38/18

<sup>657</sup> Richard Farnell 24 October 2017 38/19 - 39/9

<sup>658</sup> Richard Farnell 24 October 2017 39/21 - 40/14

<sup>659</sup> Richard Farnell 24 October 2017 35/13 - 36/10

<sup>660</sup> Richard Farnell 24 October 2017 39/10-20

5. However, Mr Farnell told the Inquiry that, despite being his close political colleague and erstwhile deputy, and despite the fact that, in about March 1991, Rochdale Council was mired in a scandal on both a local and national scale – the fallout from the Middleton satanic abuse cases – and could ill-afford another public scandal, he “*had no recollection*” of Mrs Moffat ever bringing to his attention the allegations of child sexual abuse and child sexual exploitation that had afflicted Knowl View School during the time Mr Farnell was Leader.
6. Mr Farnell agreed that it was hardly something he would have forgotten, so he agreed that when he said he “*had no recollection*” of Mrs Moffat raising such issues with him, what he really meant to say was she did *not* bring them to his attention.<sup>661</sup>
7. The evidence we have heard was that Mrs Moffat was well-versed and well-briefed in the issues affecting Knowl View. She was the first to be told about the Hilton incident in September 1990.<sup>662</sup> She was present at a meeting two years later on 13 March 1992 when Mrs Mellor presented her report to opposition party education spokespersons as well as advisers and Knowl View School’s Head Teacher,<sup>663</sup> and she chaired a meeting on 27 March 1992 at which the report was also presented to the school staff.<sup>664</sup>
8. Mr Farnell denied being informed about the result of a strategy meeting that took place on 11 April 1991 by anyone, despite the fact that Diana Cavanagh had written in a note of 4 April 1991 that he was to be informed about it.<sup>665</sup> In her evidence to the Inquiry, Mrs Cavanagh said she could not say that Mr Farnell *had* been provided with the minutes of the strategy meeting or the actions required to be taken. However, she thought it was “*likely*” because, according to her, he was already aware of some of the difficulties at Knowl View as there were financial consequences to the appointment of an interim Head Teacher and a permanent Head Teacher, which would go through the Policy and Resources Committee of which Mr Farnell was chair. She added that there had been an amendment to the budget at a Policy Committee meeting in October or November 1990 to accommodate the expense, so, according to Mrs Cavanagh, Mr Farnell was “*already in the loop ... in knowing that Knowl View was of concern*”.<sup>666</sup>
9. When he came to give his evidence to the Inquiry, Mr Farnell said that Mrs Cavanagh’s evidence about this was incorrect. Having heard her evidence on Friday 20 October 2017, he said he went to the reference library to dig out the minutes of the Policy and Resources Committee meeting she was referring to and found a meeting of 26 November 1990, in which he said there was no mention of any amendment to the budget or to Knowl View. The only thing he said came close was a resolution that the responsibility for the appointment of Head Teachers be delegated to the Chief Education Officer after consultation with the chair and vice-chair of the Education Committee. In any event, he said that if there had been sensitive issues around Knowl View they would not have been raised on the public agenda, and they were not raised with him by any other means.<sup>667</sup>

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<sup>661</sup> Richard Farnell 24 October 2017 44/2 - 45/23, 49/17-23, 53/20-25

<sup>662</sup> Diana Cavanagh 20 October 2017 31/1-18

<sup>663</sup> Diana Cavanagh 23 October 2017 1/16 - 3/9; minutes of meeting of 13 March 1992 RHC001665

<sup>664</sup> Diana Cavanagh 23 October 2017 3/10 - 4/6; minutes of meeting of 27 March 1992 RHC001474

<sup>665</sup> Richard Farnell 24 October 2017 56/18 - 62/18;

<sup>666</sup> Diana Cavanagh 20 October 2017 128/17 - 135/15

<sup>667</sup> Richard Farnell 24 October 2017 68/11 - 71/11

**10.** When it came to the joint commissioning of the Mellor report in early 1991 by the Education Department and Legal Services, Mrs Cavanagh told the Inquiry in her evidence that the report was commissioned on behalf of the Leader, Richard Farnell, and on behalf of Mary Moffat, the Education Committee chair. She said that she could not imagine that the report could have been commissioned in the Leader's name without him knowing, not least as there were financial consequences to commissioning the report: Mrs Mellor had to be paid and Mrs Cavanagh said that the Education Department did not pick up the bill; she assumed it was Corporate Services, which reported to the Policy and Resources Committee of which Richard Farnell was chair.<sup>668</sup>

**11.** Given the joint commissioning of the Mellor report, which was dated 18 February 1992,<sup>669</sup> in light of the fact that Mrs Mellor had expressed the report to be "*confidential to the Directors of Legal Services and Education, their properly delegated officers and such members of the council as the chair of the same as advised by the said directorates shall decide*",<sup>670</sup> and given that it was to be circulated to leading members of the political parties (among others), Mrs Cavanagh said she had "*no doubt*" that Mr Farnell got a copy of it.<sup>671</sup>

**12.** By contrast, Mr Farnell, when giving evidence to the Inquiry, insisted that it was unusual for a report by an external adviser to be commissioned in the Leader's name, as was Mrs Cavanagh's account. Mr Farnell said external advice was sought by chief Council officers under delegated powers, and if the Education Department did not pay for the report then he presumed it was the Legal Department that did.<sup>672</sup>

**13.** As for the confidentiality section of the report, Mr Farnell refuted the suggestion that the term "*the chair of the same*" was a reference to him. Instead, he said he had looked the point up and there was "*a very clear legal definition*" that "*the chair of the council*" meant the Mayor of Rochdale. Whether or not Mr Farnell found a legal definition to suggest this, we firmly conclude that Mrs Mellor, a child psychologist, whose words these were, did not have in mind the ceremonial office of the Mayor of the town rather than the Leader of the Council when she wrote them. To suggest otherwise, as Mr Farnell did, is risible.

**14.** Thus, Mr Farnell continued steadfastly to adhere to his account that not one of his political colleagues, neither his Chief Executive Officer nor any Council officer, had ever brought to his attention the facts of the September 1990 Hilton incident, and he denied that he had ever read about the incident in the local press. Moreover, in the teeth of the evidence, he denied seeing any report or knowing that child sexual abuse and exploitation had been occurring in and outside Knowl View School 'on his watch', as it were.

**15.** After many years in local politics, in 2012, Peter Joinson was elected to Rochdale Borough Council for Labour. In the following year, he became Labour's chief whip.<sup>673</sup> On 8 June 2014, Mr Joinson became aware of press articles, one in the Manchester Evening News, and the other on Rochdale Online,<sup>674</sup> which were in relation to Mr Farnell's then

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<sup>668</sup> [Diana Cavanagh 20 October 2017 149/4 - 153/8; GMP000111\\_9](#)

<sup>669</sup> [RHC001599](#)

<sup>670</sup> [RHC001599\\_1](#)

<sup>671</sup> [Diana Cavanagh 20 October 2017 187/7 - 188/21](#)

<sup>672</sup> [Richard Farnell 24 October 2017 78/5 - 82/12](#)

<sup>673</sup> [Peter Joinson 25 October 2017 2/2 - 3/4](#)

<sup>674</sup> [GMP000164](#)

appointment as Leader of the Council and his public claim that when he was in office between 1986 and 1992 he was unaware of allegations about sexual abuse at Knowl View School.

**16.** Three days later, on 11 June 2014, Mr Joinson had a meeting with Mr Farnell. Mr Joinson's account of the principal reason for the meeting was that he was the Labour Group's chief whip. There had been a change of leadership but, prior to Mr Farnell taking control, his job was to send out to all Labour Group members the potential Group positions that they would have wanted for the following municipal year. There were, he said, many minor positions on various subcommittees and various panels that needed filling, and he had the documentation for that so arranged a meeting with Mr Farnell.

**17.** A secondary reason Mr Joinson wished to speak to Mr Farnell was as a result of the press articles, because, as chief whip, one of his jobs was to ensure that no action brought the party or Council into disrepute, and so he wanted Mr Farnell to clarify his statement to the press for party records.<sup>675</sup>

**18.** According to his evidence, the meeting took place in the Riverside offices in Rochdale. It lasted around 20 minutes. They sat at a table in Mr Farnell's office and Mr Joinson made some handwritten notes from which he made a faithful, typed copy, probably the next day, he thought.<sup>676</sup>

**19.** Mr Joinson referred in evidence to his typed note, in which he had recorded Mr Farnell's reaction to Mr Joinson raising the press articles with him. According to Mr Joinson, Mr Farnell told him that he had received a report from Councillor Hawton's senior officer that had been written by a sexual health worker employed by the health authority,<sup>677</sup> as a consequence of which the Council was preparing a report. Mr Farnell told him that this had been between about March and June 1992. Mr Farnell also said that he had only seen a draft report and the full report was not complete until June, by which time he (Farnell) had lost his seat and ceased to be Council Leader. Mr Farnell added that the full report was presented to Councillor Rowen who had taken over leadership of the Council. The report Mr Farnell told Mr Joinson he had received must have been the Shepherd report. Mr Farnell seems also to have mentioned a report that was produced in response to the Shepherd report. This could only have been the Mellor report.

**20.** As a result of what Mr Farnell had told him, Mr Joinson took the matter to the Deputy Leader of the Council, Peter Williams, and he sought advice from the regional Labour Party who referred him to a senior officer of the Party in London who referred him back to the regional director. By this time, Operation Clifton had commenced and the regional director advised that the police action should take its course.<sup>678</sup>

**21.** Mr Joinson said he contacted the police in light of their appeals for information.<sup>679</sup> Mr Joinson spoke to the police first on 30 October 2014 and then again on 7 April 2016. It was in his 2016 police witness statement that Mr Joinson said that Mr Farnell had actually named the sexual health worker as "Shepherd" and he had said that there were allegations

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<sup>675</sup> Peter Joinson 25 October 2017 4/15 - 6/8

<sup>676</sup> Peter Joinson 25 October 2017 6/9 - 8/17

<sup>677</sup> Councillor Hawton was the Chair of Rochdale Health Authority and Leader of the Conservative Group

<sup>678</sup> Peter Joinson 25 October 2017 8/18 - 15/25; Operation Clifton was GMP's criminal investigation into how previous reports of child sexual abuse were handled or allegedly covered up

<sup>679</sup> Peter Joinson 25 October 2017 18/4-11

of sexual abuse in the draft report he had seen. Although he had not noted them at the time, Mr Joinson told the Inquiry that he recalled those facts following his meeting with Mr Farnell.

**22.** Mr Farnell was asked about Mr Joinson's allegations. He said that the meeting had been very brief, and Mr Joinson had only popped his head round the door to ask him whether he was aware of anything to do with Knowl View, to which he said he responded "*I was not aware of the incidents at Knowl View*". That, Mr Farnell said, was the sum total of the conversation.

**23.** Mr Farnell was shown Mr Joinson's typed note. He said there was no discussion about various Group positions as he had already dealt with them, so there was no need to meet about them and he said Mr Joinson took no note. Mr Farnell claimed that Mr Joinson had invented the content of his typed note. He said that Mr Joinson's reasons for doing so was that he had run Colin Lambert's campaign during the leadership election in 2014. Mr Farnell was challenging Mr Lambert as Labour Group Leader and there was, he said, a nasty campaign to smear him along the lines that Mr Farnell had been Leader at the time of Knowl View, that he had known about it and covered it up. So this was nothing more than an invention to damage him politically and undermine him since becoming the new Leader.

**24.** However, Mr Farnell was forced to agree that Mr Joinson did not in fact deploy the note to damage him politically, and he agreed that it only surfaced when Mr Joinson first spoke to police in October 2014, several months after the election.<sup>680</sup>

**25.** Following Mr Joinson's evidence, the solicitors for Rochdale Council brought to the Inquiry's attention minutes of the annual meeting of the Council of 4 June 2014, at which, among others, Mr Farnell and Mr Joinson were both present. The solicitors wrote "*This is the annual meeting at which the Council appoints elected members to committee positions on the Council. Our understanding is that the appointment recommendations from the Party Leaders would have gone to the committee clerks on either the 2nd or 3rd June 2014.*" The implication from this is that the minutes show that the appointments Mr Joinson said he was meeting Mr Farnell to discuss on 11 June 2014 were actually made on 4 June. However, the minutes do not support any suggestion that all appointments were made by the 4 June 2014 meeting, as it is clear from the minutes that there were still several appointments to be made and it would be normal for a Council to make more minor appointments on a phased basis following an election.

**26.** In his Closing Statement, Steven Ford QC argued that the evidence about this meeting was unsatisfactory, that the minutes show Mr Joinson cannot have been right because the issues were resolved the week before, and so it was unnecessary for us to make any findings of fact, but, if we proposed doing so, we should bear in mind the unsatisfactory nature of the evidence.<sup>681</sup>

**27.** By contrast, Ms Hoyano for the complainant Core Participants argued that Mr Farnell's evidence that he was ignorant about Knowl View during his time in office between 1986 and 1992 was "*extremely implausible*".<sup>682</sup> She asked us to prefer the evidence of Mr Joinson and accept it as the truth for a number of reasons. First, there is no dispute that a meeting did

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<sup>680</sup> Richard Farnell 24 October 2017 106/7 - 115/15

<sup>681</sup> Steven Ford QC 27 October 2017 17/24 - 19/18

<sup>682</sup> Laura Hoyano 27 October 2017 45/3 - 48/1

happen on 11 June 2014. Second, Mr Joinson says he took notes, whereas Mr Farnell did not. (As we know, Mr Farnell denied that Mr Joinson took any notes during their meeting.) Third, despite being political enemies, Mr Joinson never did use the information for his own political purposes, but informed the regional office and then London as directed, in keeping with his position as chief whip. Fourth, Mr Joinson did not disclose the information to anyone other than Labour Party officials and the police in due course. Fifth, and peripherally, Ms Hoyano argued that the minutes of the annual meeting of the Council on 4 June 2014 did not undermine Mr Joinson's account of the principal reason for the meeting with Mr Farnell a week later on 11 June.

**28.** Ms Hoyano argued that it is open to us to find that Mr Farnell did not give truthful evidence to the Inquiry that he did not know about endemic child sexual abuse at Knowl View; and that, if he did not know, then he must have been *"wilfully blind"*.

**29.** Finally, she argued that contrary to Council officers who had no personal motive to conceal such damaging information about the school from Mr Farnell, he, on the other hand, had *"a motive of deniability"*, because it was arguably helpful to him to ensure that he did not know *"inconvenient truths"*. If that was the case, then that was wilful blindness and amounted to a cover-up at the level of the leadership of the Borough Council.

**30.** Mr Joinson gave his evidence the day following Mr Farnell and with very little notice, as he had only been asked to do so in light of Mr Farnell's claim that Mr Joinson had invented Mr Farnell's admissions to knowing about child sexual abuse at Knowl View during his time in office. When asked whether the effect of his evidence was that Mr Farnell had lied to the Inquiry, he answered carefully, *"I don't like using that word but I would say he's probably not telling the truth."*<sup>683</sup>

**31.** Towards the very end of the investigation hearings in October 2017, Rochdale Council provided to the Inquiry the name of Councillor Stephen Moore. One of the solicitors to the Inquiry made contact with him on 27 October 2017, which was in fact the last day of the hearings and on which Closing Statements were being made by Core Participants. Among other things, Mr Moore told the solicitor in the course of a telephone discussion on 27 October that elected members were kept away from child protection issues and so he *"was not surprised when Farnell said he was not aware"*.

**32.** On 15 December 2017, Rochdale Council sent the Inquiry a letter<sup>684</sup> dated 26 October 2017 from Mr Moore, which predated by one day the final day of the public hearings in this investigation and the Inquiry's contact with Mr Moore. According to the Council, Mr Moore had been in touch with them and had attached the letter by email. It seems Mr Moore had first sent the letter to other Rochdale Council officers as well as to Mr Farnell. The letter states in stark terms, *"Richard Farnell is telling the truth. Former Rochdale Councillor Stephen Moore believe (sic) Council Leader Richard Farnell told the truth about Knowl View School in his evidence to the Child Abuse Enquiry (sic)."*

**33.** In his letter, Mr Moore goes on to say that leading councillors were given precious little information about what was going on and, given his own experience, had *"no doubt that Cllr Farnell is telling the truth when he says he was not informed as to what was going on"*.

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<sup>683</sup> Peter Joinson 25 October 2017 20/10-15

<sup>684</sup> INQ001096

**34.** On 19 December 2017, the Inquiry also received information from Gail Hopper who told us about a phone call she received on 30 November 2017 from Councillor Peter Williams who told her he could corroborate Mr Joinson’s evidence, as he was aware of the meeting between Mr Joinson and Mr Farnell before it took place and he saw the note Mr Joinson made afterwards. This is the same Peter Williams to whom Mr Joinson first took his concerns.<sup>685</sup>

**35.** In a letter dated 7 December 2017<sup>686</sup>, which Mr Williams has sent to the Inquiry, he confirms that Mr Joinson had told him in advance of his arrangement for the 11 June 2014 meeting with Councillor Farnell, and that there were two reasons for it: sorting out some minor appointments for Council committees and to raise his concerns about Mr Farnell’s public statements. Mr Williams adds that Mr Joinson showed him a copy of the typed note Joinson made of the meeting about a week after doing so.

**36.** Mr Williams says also that between the meeting with Farnell and being shown the note, he, Williams, had a phone conversation with Mr Farnell about the new Cabinet Business Skills and Employment portfolio Farnell had wished Williams to fulfil. Mr Williams says he took the opportunity during the call of asking Farnell what he knew about Knowl View in the 1990s. According to Mr Williams, Farnell told him that he *“was aware that Education and Social Service officers were working on a report about the Knowl View issues and that when it was finalised it was eventually passed to Cllr Rowen the new Leader from May 1992, and he (Cllr Farnell) never saw the final version of the report”*.

**37.** Moreover, by reference to the Council minutes of 4 June 2014, Mr Williams clarifies that 11 minor changes were made to Labour appointments between the 4 June Council meeting and a 23 July meeting, supporting Mr Joinson’s account of the principal reason for the meeting with Farnell on 11 June.

**38.** Finally, Mr Williams emphasises that problems at Knowl View were well known among the Labour Group in 1991–92; Mr Williams had been advised by Councillor Moffat in 1991 about the nature of some of the concerns about the activities of boys at Knowl View in a general sense. Mr Williams could not understand why Councillor Moffat would advise him but not the Leader of the Council, and to him it was inconceivable that the issue would not have been discussed, not least because Councillors Moffat, Farnell and Jim Dobbin (who was a Labour councillor from 1983 to 1997 and then the Labour Party Member of Parliament for Heywood and Middleton from 1 May 1997 until his death on 6 September 2014) were political allies and friends at the time.

**39.** On 23 January 2018, Neil Emmott sent the Inquiry a letter<sup>687</sup> saying that in the early 1990s he had been a Rochdale Labour councillor. He said not only was he a close political colleague of Mary Moffat, but also he was a close personal friend of hers – much closer than Mr Farnell ever was – yet she never spoke to him about the child sexual abuse at Knowl View.

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<sup>685</sup> [RHC003292](#)

<sup>686</sup> [RHC003291](#)

<sup>687</sup> [INQ001109](#)

**40.** We have received a letter<sup>688</sup> from Mark Bramah dated 23 January 2018. Mr Bramah says he was employed as a policy officer by Rochdale Council from August 1989 until September 1992. His responsibilities included providing political support and assistance to the Leader, then Richard Farnell, as well as his deputy, Jim Dobbin. He adds that he also worked closely with Mary Moffat, the Education Chair. As such, he says he was probably closer to the leadership of the Council than any other serving officer. He says that during his time he attended meetings and informal briefings involving the Leader and his Deputy and the issue of Knowl View School was never raised at any meeting while he was present, neither did any report to his knowledge come before the leadership during that time. Thus, he says it is “*completely misleading*” to say that Mr Farnell knew about Knowl View School or indeed ever received a report about it. He continues to say that, had it been brought to the attention of the leadership, it would have been reported to the relevant committee or subcommittee and, to his knowledge, was not.

**41.** David Moffat, Mary Moffat’s husband, wrote to the Inquiry<sup>689</sup> on 12 February 2018, saying that as a leading councillor and a member of the Policy and Resources Committee and the Chair’s Panel, he was unaware of the abuse and exploitation of children at Knowl View. Moreover, he says that his wife never mentioned the issues at Knowl View to him and, had she been made aware of the extent and seriousness of events at Knowl View, and been concerned about Education Department failings, she would have done something about it. Thus, he asserts that Mrs Cavanagh’s evidence to the Inquiry that Mrs Moffat was kept fully informed about events at Knowl View is incorrect or untrue.

**42.** The Inquiry has received a letter<sup>690</sup> of 23 February 2018 from Vernon Earnshaw who was an elected councillor for Rochdale between 1984 and 1992. He tells us that he was on the Education Committee for some nine years, and that during his years in office he never heard or was told about any problems at Knowl View. He adds that he knew Mary Moffat quite well and she never told him about Knowl View.

**43.** On 25 February 2018, we were emailed by Robin Parker<sup>691</sup> who was elected as a Rochdale councillor for the Labour Party in 1987. Mr Parker says that he became a more prominent member of the Labour Group over the next five years, which involved him participating in meetings with senior members of the group including Mr Farnell. Mr Parker states that he can say “*without a shadow of a doubt*” that issues about Knowl View were never mentioned or came to light in any of the meetings he attended. He adds that Mary Moffat ran Education as her “*personal fiefdom*”, and it is quite likely she would have wanted to deal with Knowl View in house, which might explain why it was only once Labour lost the Council in 1992 that the new Liberal Democrat regime became aware of a report.

**44.** While we are grateful for the information from Mr Moore and Mr Williams, Mr Moore’s opinion is of no weight evidentially because it does no more than state his personal belief about the credibility of a witness who gave evidence directly to the Inquiry. For that reason, we could not have taken evidence from him in the course of the hearing. It is ultimately for us to judge the credibility of witnesses from what we make of them and the other evidence before us.

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<sup>688</sup> [INQ001098](#)

<sup>689</sup> [INQ001146](#)

<sup>690</sup> [INQ001122](#)

<sup>691</sup> [INQ001097](#)

**45.** As for Mr Williams, the fact that he was aware of the meeting beforehand and saw the note afterwards cannot confirm what happened at the meeting and the reasons for it. His account that Mr Farnell had told him he was aware that Council departments were working on a report about Knowl View School, by itself, does not help us determine whether in fact Mr Farnell saw any draft report, and Mr Williams' views about Councillor Moffat add little to what the Inquiry has already learned about her.

**46.** We have carefully considered the letters received from Mr Emmott, Mr Bramah and Mr Earnshaw. The fact that Mary Moffat did not raise the issue of Knowl View with Mr Emmott does not mean that she did not raise it with Mr Farnell, who, after all, was the Council Leader at the time. All Mr Bramah can say is that the issue of Knowl View School was never raised at any meeting or informal briefing at which he was present. It is this that has informed his view. What he cannot do is vouch for the times he was not present or in Mr Farnell's company. His certainty that no report was ever received by Mr Farnell is inconsistent with the evidence we have heard. Mr Bramah cannot realistically vouch for Mr Farnell's every action while he was policy officer. Mr Parker's information suffers from identical difficulties. Mr Earnshaw's letter takes the matter no further.

**47.** We have considered with care Mr Moffat's letter to the Inquiry. However, we heard evidence that Mrs Moffat, who was Chair of the Education Committee, was informed in September 1990 about the Hilton incident, even before Mrs Cavanagh herself. The Inquiry also heard evidence that Mrs Moffat attended the meeting of 13 March 1992 at which the Mellor report was presented to local politicians, the Head Teacher and others in the Education Department, and she chaired a meeting of 27 March 1992 at which the Mellor report was presented to Knowl View staff. Also, in May 1992, Mrs Moffat was informed by Mrs Cavanagh of her proposal that the Local Education Authority (LEA) conduct an enquiry as part of its response to the Mellor report. So, quite clearly, Mrs Moffat was fully informed of the extent and seriousness of events at Knowl View, despite the fact that she did not share the information with her husband.

**48.** We should add that we have been sent two other letters of relevance to the dispute between them: the first is an open letter dated 30 January 2018 from Burton Copeland solicitors on behalf of Mr Joinson who has instructed them.<sup>692</sup> The second is a letter dated 8 February 2018 from Mr Farnell himself.<sup>693</sup>

**49.** The Burton Copeland letter sets out in great detail why, in effect, we should favour Mr Joinson's account over Mr Farnell's. The letter refers to evidence received by us during the course of the hearing. We have considered the letter. It does not provide any new evidence. Much of the evidence referred to was relied on by Ms Hoyano in her Closing Statement. We have carefully considered all the evidence referred to within the letter in reaching our conclusion on this issue.

**50.** Mr Farnell's letter seeks to bring to our attention several matters: first, that Mrs Mellor was commissioned to report to the Council due to a dispute between the Social Services and Education Departments as to who was responsible for tackling the issues facing Knowl View, which, says Mr Farnell, is one reason he was not informed about them. He says not only was it their responsibility to inform him about the situation, but also to set out how they were

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<sup>692</sup> [INQ001099](#)

<sup>693</sup> [INQ001100](#)

to deal with it, which they were unable to do because of the “*destructive stand-off*” between them. It was, he says, only following Mrs Mellor’s findings that her report was presented to senior Education members, adding that, by the time the June 1992 Council report (by which we think he means the Cavanagh report) was prepared, he was no longer a member of the Council. He says also there was a rule, which he calls the ‘Chief Executive’s Rule’, that officers were not permitted openly to disagree in front of the members of the Council, hence one reason for his claimed state of ignorance. Second, he says that Council officers sought to exclude elected members until such time as a matter had been dealt with and resolved, or a clear set of actions agreed upon. He claims it is clear from the evidence to the Inquiry that the only member who was kept informed about the issues at Knowl View was Mary Moffat. Finally, he raises the conflict between him and Mr Joinson, saying it would be useful for the Inquiry to be aware of the extreme political divisions within the local Labour Group at the time of his conversation with Councillor Joinson in June 2014.

**51.** We have read Mr Farnell’s letter with great care. However, the fact remains that we have had the considerable advantage of seeing both Mr Farnell and Mr Joinson give evidence to us. We have no hesitation in preferring the evidence of Mr Joinson over that of Mr Farnell. Mr Joinson came across as mild-mannered and meek, whereas Mr Farnell, who has been described as a person who “*bullied and browbeat people*”<sup>694</sup> (denied by Mr Farnell himself),<sup>695</sup> came across to us as bullish, self-opinionated and unyielding.

**52.** In our view, the minutes of the annual meeting is the only extent to which the evidence might be said to be unsatisfactory but, as Ms Hoyano argued and we accept, they are peripheral and do not prevent us from arriving at a firm conclusion. Likewise, nothing Mr Farnell has raised with us in his 8 February 2018 letter undermines what Mr Joinson says Mr Farnell told him in June 2014.

**53.** That a meeting took place on 11 June 2014 is not disputed. The reasons for it and what took place are very much disputed. There is documentary evidence that Mr Joinson typed notes of the meeting. It is difficult to see why Mr Joinson should have invented an account and produced notes of that account, according to Mr Farnell to damage him politically, only for Mr Joinson not actually to use them for that purpose. We must also bear in mind that Mr Joinson did not keep the account to himself but contacted the Deputy Leader, the regional and then the London offices of the Labour Party for guidance, by which time Operation Clifton had commenced. He also brought his concerns to the attention of the police, which, in our view, substantially undermines the charge that he invented the account about Mr Farnell. As Counsel to the Inquiry suggested to Mr Farnell, there is no grey area. One of them was lying.<sup>696</sup>

**54.** In our view, Mr Farnell lied to the Inquiry in the course of his evidence. We do prefer the evidence of Mr Joinson whose demeanour and caution impressed us. We simply did not believe Mr Farnell. We find that Mr Farnell said the words Mr Joinson attributed to him at the meeting of 11 June 2014.

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<sup>694</sup> Allan Buckley witness statement 3 December 2014: GMP000093\_3; in 1987 Mr Buckley was Deputy Director of Social Services and in about 1992 he became the Assistant Director for Adults

<sup>695</sup> Richard Farnell 24 October 2017 101/2-4

<sup>696</sup> 24 October 2017 114/20 - 115/3

**55.** Even though there is no documentary evidence to show Mr Farnell's state of knowledge, Mr Joinson's evidence supports other evidence suggesting that Mr Farnell must have known at least about the generality, if not the detail, of the issues of child sexual abuse at Knowl View, including the outcome of the strategy meeting of 11 April 1991, as well as the subsequent commissioning of Mrs Mellor's report and the reasons for it. Mr Joinson's evidence suggests that Mr Farnell had seen a report (probably the Shepherd report), knew about the Mellor report and knew about the existence of serious allegations of sexual abuse.

**56.** Our concluded view in light of everything we have heard and seen is that the idea Mr Farnell was not only unaware of the events involving Knowl View School, but also was left exposed by his political colleagues to another public scandal at the very time when Rochdale Council was beset by scandal and besieged by the press in the spring of 1991 because of the Middleton cases, is literally incredible; it defies belief.

**57.** While Mr Farnell washed his hands of Knowl View, some of Rochdale Council's beleaguered officers were left to sort out its many problems. We agree with Ms Hoyano that Mr Farnell was at the very least wilfully blind to Knowl View School during his time in office, and has a motive of deniability.

**58.** As his final question, Counsel to the Inquiry asked Mr Farnell whether he accepted responsibility for the lives blighted by what happened at Knowl View while he was Leader. It was in our view shameful and a dereliction of his responsibility as Leader at the time that Mr Farnell not only refused to accept any personal responsibility, but also was perfectly prepared to lay the blame on the Directors of Education and Social Services as well as the Chief Executive Officer for his claimed state of ignorance.<sup>697</sup> In so doing, Mr Farnell sought to shirk his responsibility and render himself totally unaccountable for the ills of Knowl View and the children who suffered. This is the opposite of honest, dutiful and responsible leadership.

**59.** Before leaving Mr Farnell, we note that, on 8 December 2017, several news agencies reported that he had resigned as Rochdale Council Leader owing to the political fallout from his evidence to the Inquiry.<sup>698</sup> We add that in correspondence with the Inquiry of 19 March 2018, Mr Farnell told us: *"As Council Leader during the period of 1986-92 I unreservedly accept political responsibility for the actions of the Council and its staff and in this case its lack of care and failure to act to protect children, which occurred under my leadership."*

## Paul Rowen

**60.** Paul Rowen was a Liberal Party councillor from 1983. He said in evidence to the Inquiry that he was a member of the Education Committee and the Further Education Subcommittee *"probably most of the time that it actually existed"*.<sup>699</sup> He agreed with the suggestion that that meant from the time he started on the Council in 1983 until about 1992, and he said he was Leader of the opposition in the years 1990 to 1992. In 1992, Mr Farnell having lost his

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<sup>697</sup> Richard Farnell 24 October 2017 115/22 - 118/12

<sup>698</sup> Go to: <http://www.manchestereveningnews.co.uk/news/greater-manchester-news/richard-farnell-resigns-rochdale-council-14014394>; <http://www.bbc.co.uk/news/uk-england-manchester-42288371>

<sup>699</sup> Mr Rowen later informed the Inquiry that, in fact, having checked the public records, he had not been on the Education Committee after April 1990; see below

seat in the election that year, Mr Rowen became Leader of Rochdale Council in a Liberal Democrat/Conservative coalition. Mr Rowen remained Leader until 1996. He became the Member of Parliament for Rochdale in 2005 and was in Parliament until 2010.<sup>700</sup>

**61.** Insofar as Cyril Smith was concerned, Mr Rowen recalled the RAP article in 1979, which was some years after he had joined the Liberal Party as a 17-year-old but before he became a councillor in 1983.<sup>701</sup> He said that he did not believe what had been written by RAP and took it “*with a pinch of salt*”.<sup>702</sup>

**62.** He said he had heard no rumours about Smith when he was involved in the Liberal Party and he did not know about the investigation into Smith between 1969 and 1970 until a few years ago.<sup>703</sup> While he had heard that David Steel had interviewed Smith about the allegations, he was unable to say what the local Liberal Party had done about RAP’s allegations as he was not living in Rochdale at the time. He suspected there had been no Liberal Party investigation and, in the years that followed, he said he had heard no more rumours about Cyril Smith.<sup>704</sup>

**63.** David Bartlett, who gave evidence to the Inquiry, told us that following the publication of the RAP article in 1979, Smith was returned to Parliament with an even greater majority. His reason for this was that Rochdale was not surprised by the allegations because the rumours had been “*circulating in most taprooms of the town for a very long time. There was nothing very new ...*”<sup>705</sup> Mr Rowen for his part said the fact that Smith increased his majority in 1979 showed that people did not believe the allegations, and his view was that Smith was innocent until proven guilty.<sup>706</sup>

**64.** Insofar as Knowl View School is concerned, Mr Rowen told the Inquiry that he had become aware of the Hilton incident by what was printed about it in the Rochdale Observer. In the course of his evidence, Mr Rowen was asked whether, as a member of the Education Committee and, having read about it, he brought it to the attention of anyone within the Education Department or whether he spoke to anyone about it.<sup>707</sup> His response was to say that in 1990, as an opposition councillor, it was difficult to get information about anything, and it was not “*top of [his] radar*” as there were other pressing issues about finance; he said he did not recall “*anything coming to Education*”.

**65.** When asked if he had asked about the school, he said that Neville Taylor who was then the Director of Education was not the sort of person to have a direct, easy conversation with; he said he might have asked one of his other deputies, but could not remember; he said he did not raise the issue with the Education Committee because, as an opposition councillor, you did not set the agenda: the agenda was set by the committee chair and, at that time, there was no possibility of raising issues within the committee. He said they had

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<sup>700</sup> Paul Rowen 19 October 2017 161/15 - 163/5

<sup>701</sup> Paul Rowen 19 October 2017 164/21 - 168/7

<sup>702</sup> Paul Rowen 19 October 2017 170/1 - 171/8

<sup>703</sup> Paul Rowen 19 October 2017 169/1-23

<sup>704</sup> Paul Rowen 19 October 2017 174/15 - 177/10

<sup>705</sup> David Bartlett 12 October 2017 41/3 - 42/8

<sup>706</sup> Paul Rowen 19 October 2017 173/5-21

<sup>707</sup> Paul Rowen 19 October 2017 177/11 - 178/15

to “fight for every little bit of information about anything”, and that if an opposition councillor wished to raise concerns he would have to go to the media. He said the same issue applied to the Policy Committee of which he was a member.<sup>708</sup>

**66.** Mr Farnell was asked about Mr Rowen’s evidence on this issue when he came to give evidence later, and he said that what Mr Rowen had said was untrue. He said that any member could ask for an item to go on to the agenda; no one had to fight for information; and members had the right to see any document held by the Council provided they could demonstrate a need to know that was understood by the officers who would provide the information.<sup>709</sup>

**67.** Mr Rowen told the Inquiry that once he took over in 1992 he was asked in a phone call by Bill Lawley (the Borough Solicitor) if he wished to see documentation about Knowl View, but because he had been given to understand that “the school had stabilised and the issues had been sorted” he declined, as it would be “just going over old ground ... it was not relevant to where the school was now”. He added that because of the many issues and problems he had to deal with once in power, he had to prioritise, and because he was under the impression that everything was alright with Knowl View, it was low down on his priority list.<sup>710</sup>

**68.** Mr Rowen said he did not recall seeing the Mellor report right away after he had taken over, but much later. He agreed that he could not be satisfied from having read it that there were not still very serious issues of child protection in Rochdale, but said that he understood that matters were being progressed by Councillor Hawton, chair of the health authority and Deputy Leader, who was taking the lead on it, and she had discussed it with Ian Davey, the Director of Social Services. Mr Rowen said his style of administration was to operate differently from that in the past, and he said he expected Council officers to find solutions to the problems they were presented with.<sup>711</sup>

**69.** Mr Rowen said he had only become aware since then that Social Services had declined to become involved because the issues did not fall within child protection procedures or guidelines, and that, he said, appalled him.<sup>712</sup> He told the Inquiry he was unaware that the reason the Mellor report had been commissioned was because Social Services had decided not to become involved.<sup>713</sup> He said that when reading the Mellor report he must have missed the fact that Social Services had not investigated, but that did not prompt him to make any enquiry as it was his understanding that the school was improving.<sup>714</sup>

**70.** He agreed that Knowl View raised its head again in 1994 when Harry Wild was chair of the governing body. Mr Rowen recalled that at this time Wild had concerns about the building.

**71.** Mr Rowen said he had no reason to doubt Cyril Smith’s integrity or honesty when he became a governor of the school in 1994; he said Smith had just retired from Parliament, adding “one thing I did learn with Cyril was it was important to keep him busy. So this was an

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<sup>708</sup> Paul Rowen 19 October 2017 178/23 - 181/1

<sup>709</sup> Richard Farnell 24 October 2017 102/23 - 103/11

<sup>710</sup> Paul Rowen 19 October 2017 182/14 - 185/16

<sup>711</sup> Paul Rowen 19 October 2017 185/18 - 188/15

<sup>712</sup> Paul Rowen 19 October 2017 188/16-21

<sup>713</sup> Paul Rowen 19 October 2017 189/13-23

<sup>714</sup> Paul Rowen 19 October 2017 191/13-22

*important job that came up and I thought his experience ... would be valuable to the school*", and he would strengthen governance at the school. The past rumours about Smith did not come to mind when Mr Rowen recommended him for appointment.

**72.** Finally, he told the Inquiry that the only time they had a real discussion about the serious issues in and around the school was when they were taking the decision to close the school, and not before that.<sup>715</sup>

**73.** On 8 November 2017, almost three weeks after he gave evidence to the Inquiry (on 19 October 2017), Mr Rowen sent the Inquiry a letter in which he said he regretted not agreeing to see the report into incidents at Knowl View School when given the opportunity to do so within 10 days of becoming Leader of the Council. He said that this was a snap decision during a telephone call while he was at work and during a period when he was just becoming aware of the burden of responsibility his new role entailed.

**74.** The explanation that he made a snap decision seems to be inconsistent with his evidence, which suggests a reasoned decision to decline to see the report as it was *"just going over old ground"* and was low down on his priority list.

**75.** He accepted that Rochdale Council as *"corporate parent"* failed the young people completely. He said that, as an elected member in a senior position during the period up to his assuming leadership of the Council, he *"was not made directly aware of the unfolding events at the school"*. He said they were not reported to the Education or Policy Committees of which he was a member.

**76.** This was not quite the same as his account in his oral evidence, when he said he had asked no questions because the then Director of Education was not a person to have an easy conversation with, that it was difficult to get information about anything when in opposition, and that he had been unable to raise questions with the Education Committee because in opposition he could not set the agenda; and that the same went for the Policy Committee.

**77.** He said that Councillor Hawton had told him informally what she was asking the Social Services and Education Departments to do, and he relied on her judgment and expertise, rather than challenging officers himself directly, particularly in relation to the Mellor report.

**78.** Insofar as his 1994 recommendation of Cyril Smith as governor goes, he insisted that he would not have recommended him had there been any suggestion of sexual misconduct. He accepted being aware of the 1979 RAP article but *"given the passage of time, denial and lack of further information, it was not on my radar when I suggested his appointment"*. He added he was confident that at no time during his time as Leader did Cyril Smith engage in any inappropriate behaviour.

**79.** In further correspondence of 14 March 2018 with the Inquiry, Mr Rowen informed us, contrary to what he had said before, that, having had an opportunity to check the public records, he ceased to be a member of the Education Committee after April 1990 and, in support of this, he sent the Inquiry a minute of 10 May 1990 showing that he was not elected on to the Education Committee on that date. Thus, he said, he was not a member of the Education Committee when the Hilton incident happened in September 1990 and the subsequent events that followed.

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<sup>715</sup> Paul Rowen 19 October 2017 191/23 - 196/20

**80.** Clearly, Mr Rowen intended his letter of 8 November 2017 to mitigate his position, but in our view it aggravated it. We think that Mr Rowen bore considerable responsibility for the school as Leader. We felt, just like Richard Farnell, that he was prepared to blame others for their faults without acknowledging his own failures of leadership.

**81.** At best, he was insufficiently inquisitive about Knowl View School when the evidence that he knew about was that serious problems persisted there, which would not be resolved quickly; at worst, he turned a blind eye to the very serious problems that were in his judgment low down on the priority list.

**82.** Although he boasted that the style of his administration was to be a departure from the past, his misplaced reliance on Council officers allowed him to sidestep his own responsibility, and blame others when he never made any or any sufficient enquiry either about the really serious problems that affected the school and its children or the efforts to deal with those problems while he was Leader. This demonstrated a lack of judgment and a failure of leadership.

## Culture

**83.** We reject any suggestion that there was a culture on the part of Rochdale officers of shutting out politicians from incidents that were sensitive or potentially difficult or embarrassing for them to deal with. The evidence that we considered as regards Knowl View School pointed in the opposite direction. There are three examples of this. First, in the immediate aftermath of the Hilton incident in September 1990 (which was potentially highly embarrassing), Brian Williams, an Assistant Education Officer, telephoned Councillor Mary Moffat of the Education Committee to inform her of the incident before he telephoned Mrs Cavanagh who was the Director of Education.<sup>716</sup> Indeed, Councillor Moffat had an office in the Education Department.<sup>717</sup> Second, Mrs Cavanagh invited representatives of the main political parties to the meeting on 13 March 1992 at which she introduced the Mellor report.<sup>718</sup> Third, on 1 May 1992, the Chief Executive of Rochdale Council (Mr Pierce) asked Diana Cavanagh for a statement as to what action had been taken as regards Knowl View so that *“he might be in a position to advise the Leader on these matters as soon as possible”*.<sup>719</sup> Mrs Cavanagh thought that Mr Pierce wanted this memorandum because the local elections were due to be held (on 7 May 1992), and he was preparing for a new Leader (who would in due course be Paul Rowen).<sup>720</sup> On 8 May 1992, Mrs Cavanagh provided Mr Pierce with her memorandum detailing the actions that had taken place since the receipt of the Mellor report.<sup>721</sup> These examples demonstrate that far from there being a culture that excluded politicians from understanding the position at Knowl View School, officers regularly sought to ensure that councillors were briefed about the school and understood the problems there.

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<sup>716</sup> [Diana Cavanagh 20 October 2017 31/1-18](#)

<sup>717</sup> [Diana Cavanagh 20 October 2017 135/6-15](#)

<sup>718</sup> [Diana Cavanagh 23 October 2017 1/16 - 3/8](#)

<sup>719</sup> [RHC001484\\_5](#)

<sup>720</sup> [Diana Cavanagh 23 October 2017 17/1 - 18/18](#)

<sup>721</sup> [RHC001484\\_001-004](#)

## Elizabeth Lynne, Lorna Fitzsimons, Colin Lambert and Detective Superintendent Huntbach

- 84.** Martin Digan who gave evidence to the Inquiry said he had been a residential social worker at Knowl View School from 1978 until 1994 when he became joint head of care at about the time before the school closed temporarily.<sup>722</sup>
- 85.** He told us that one night in 1994 when he was on sleeping-in duty and checking the security of the school building, he found the then Head Teacher's door unlocked and open with the light on. The Head Teacher should have been on site but was not. Mr Digan said he went into the office and turned the light off. He said he found in the office a file that was open, containing, among other things, Mrs Mellor's report. He said he helped himself to the file, and then worked through the documents, which have become known as his 'dossier'.<sup>723</sup>
- 86.** In a witness statement Mr Digan made to the police on 29 October 2014, he gave some more detail about finding the dossier. He said he had been looking for the Head Teacher when he found a box file of documents in his office which he read through. He was astonished by discovering a difference between the Mellor report he had read during a meeting to present it in March 1992 at which he was present, and what he was now reading, and so he decided to copy the documents.<sup>724</sup> Mr Digan said that he sought to make contact with Diana Cavanagh, the police and then the press as regards the dossier.
- 87.** Germane to this section of the report, Mr Digan told us that he had spoken once to the sitting Liberal Democrat Party Member of Parliament for Rochdale, Elizabeth ('Liz') Lynne, who was in office between 9 April 1992 and 1 May 1997. She agreed to meet him, but then cancelled the appointment. Mr Digan said he spoke to Ms Lynne's PA, Deborah Doyle, whom he said had been instructed to destroy the documentation he had given her. He said he did not mean by that destruction of the dossier, but destruction of the evidence of the communications he had had with Ms Lynne.<sup>725</sup>
- 88.** Mr Digan said that he had also been in contact with Lorna Fitzsimons who succeeded Liz Lynne as the Labour Party Member of Parliament for Rochdale from 1 May 1997 until 5 May 2005. Mr Digan told us that he had provided her with the dossier but never heard back from her.<sup>726</sup>
- 89.** Finally, Mr Digan told us that in about 1999 or 2000 he had seen Colin Lambert (who had been Education Chair and then went on to become Leader of Rochdale Council) with Jim Dobbin. Mr Digan said that Mr Lambert had made contact with him, and he gave him and Mr Dobbin a full copy of the dossier. Mr Digan said they had told him they were going to deal with it, but again nothing happened.<sup>727</sup>
- 90.** We did not hear live evidence either from Deborah Doyle, Ms Lynne's erstwhile PA, or from Liz Lynne. Extracts of the accounts they gave were read to the Inquiry.

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<sup>722</sup> [Martin Digan 16 October 2017 18/11 - 23/19](#)

<sup>723</sup> [Martin Digan 16 October 2017 78/13 - 79/7](#); the 'dossier' is MDG000001

<sup>724</sup> [GMP000084\\_2-3](#); the evidence was that a section had been removed about the caretaker due to perceived sensitivity about it

<sup>725</sup> [Martin Digan 16 October 2017 85/21 - 86/23](#)

<sup>726</sup> [Martin Digan 16 October 2017 86/24 - 87/7](#)

<sup>727</sup> [Martin Digan 16 October 2017 87/8-25](#)

**91.** Deborah Doyle said she was employed by Ms Lynne in about late 1995. She said that Ms Lynne took her to see Cyril Smith for his approval to the appointment. Ms Doyle said she recalled a time in 1996 when Martin Digan phoned. Ms Lynne was away on holiday, she recalled. She said that Mr Digan told her he was a former social worker at Knowl View. He said he had been sacked by Rochdale Council, that he knew things were going on and he talked about abuse, albeit without specifying what kind. He told her Cyril Smith had his own keys and would wander about. He told her about others coming and going, and that the boys were vulnerable.

**92.** She found Mr Digan's language garbled and he seemed to her to be "*strung out*". During the conversation, Ms Doyle made notes and, on Ms Lynne's return, she handed her the notes she had made and went through everything Mr Digan had told her. She told Ms Lynne that Mr Digan wanted a meeting with her, to which Ms Lynne said "*I'm not meeting him. This is all the Cyril Smith things again. I've heard it all before*". According to Ms Doyle, Ms Lynne added it was "*political mischief*" and she knew that Mr Digan was suing the Council and she did not want to become involved. According to her, Ms Lynne made clear she did not want her to ring him and if he called back she was to put him off.

**93.** Ms Doyle said she asked Ms Lynne if she should file the notes she had made. Ms Lynne's reaction was to tell her to get rid of them and, because of their content, not to put them in the bin. Ms Doyle recalled putting the notes, which were in her notebook, on her wood burner at home but, because she felt it important, she kept Mr Digan's details in her 1995–96 Filofax. Ms Doyle never spoke to Ms Lynne about Mr Digan again.<sup>728</sup>

**94.** Liz Lynne said in a witness statement dated 30 October 2015 that Deborah Doyle's account of Ms Lynne taking her to see Cyril Smith for his approval to her (Ms Doyle's) appointment is untrue.<sup>729</sup> She described her account about her advice to destroy the notes she had made of the conversation with Mr Digan as "*ludicrous*". She said she refuted any suggestion that she covered up allegations of child sexual abuse and felt the allegation against her was malicious.

**95.** She described a Guardian newspaper story about the claim she had covered up the allegations as devastating. She said she did not recall Mr Digan asking for a meeting but if he had wanted a meeting all he had to do was to attend her surgery in the town hall, which, she says, is what she and her office would have suggested, rather than arrange a separate time and place for a meeting.

**96.** She stated that she was in receipt of a Rochdale Observer press cutting of 6 March 1996,<sup>730</sup> which reported that she had written to Mr Digan and to Valerie Mellor. So even though she had no recollection of it, the fact that she was being reported as having had communication with Mr Digan, and had acted on it by writing to Mrs Mellor, she felt vindicated her.

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<sup>728</sup> Deborah Doyle 25 October 2017 72/23 - 78/9; Deborah Doyle 22 November 2014 witness statement GMP000089

<sup>729</sup> GMP001020\_4

<sup>730</sup> GMP001020\_5

**97.** The police who took her witness statement also showed her an earlier Rochdale Observer article of 19 July 1995<sup>731</sup> that suggested she had been given documents by Martin Digan, but she said she had no recollection of it, and, if she had indeed received them, what she had done with them.

**98.** We have only heard Mr Digan's side of the story about Lorna Fitzsimons and so we cannot arrive at any conclusion about his account of her alleged inaction. Equally, although we have heard accounts read to us by Ms Doyle and Ms Lynne, we feel we cannot make any findings of fact, not least because there is some information (albeit second hand) to suggest that Ms Lynne may have written both to Mr Digan and acted on his information by writing to Mrs Mellor. In light of the fact that we have not sought live evidence either from Ms Doyle or Ms Lynne, we cannot make, and it would be quite unfair to make, any findings about the truth or accuracy of either's account.

**99.** Colin Lambert was not called to give evidence and his witness statements were not read or summarised to the Inquiry in the course of the hearings. Out of fairness, however, we feel it right to summarise what Mr Lambert had to say in witness statements he made to the police on the Digan claims insofar as the dossier goes. In a statement he made on 6 July 2015,<sup>732</sup> Mr Lambert said that he was elected to the Council on 9 October 1997, taking the seat previously held by Jim Dobbin. According to him, he first had contact with Martin Digan in 2000 when he attended a meeting with him and Jim Dobbin at his Parliamentary office in Heywood. Mr Digan was not one of their constituents and so it was unusual to be contacted by him, but he felt that they could do something. Mr Lambert felt he might have been contacted because he had just become Education Chair and had recently launched the NSPCC 'full-stop campaign'. When they met, Mr Digan told them he had been a social worker at Knowl View and had been trying to get a story out about abuse. Mr Lambert said that Mr Digan handed them "*snippets of information and allegations about Knowl View School*" and Mr Lambert read a couple of pages of the Shepherd and Mellor reports, but Mr Digan did not hand over the full reports. Cyril Smith was not mentioned, as he recalled it.

**100.** Jim Dobbin took the decision as an MP to review the information Mr Digan had provided and to go straight to the police. Mr Dobbin contacted Greater Manchester Police (GMP) and Detective Superintendent Robert Huntbach came over and took away the paperwork. It was three weeks later, according to Mr Lambert in this statement, that Mr Huntbach arranged a meeting with him and Mr Dobbin, when he informed them that "*there was very little given and nothing new*". At that stage, Mr Dobbin decided they could go no further with it. Mr Lambert has a distinct recollection of informing Mr Digan of the outcome by phone.

**101.** In a second statement made the very same day,<sup>733</sup> Mr Lambert described the material Mr Digan handed over. He estimated it contained around 10 to 15 pages of paper but could not be described as a dossier. He said it was possible they photocopied the material. As far as he recalls, Mr Digan took away his original bundle of material. It was, he said, about four to five days later (as distinct from three weeks later) that Mr Huntbach informed them that he had viewed the papers and there was nothing new in the material and no further investigation would take place. He thought the papers might have been returned to them.

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<sup>731</sup> [RHC000409\\_106](#)

<sup>732</sup> [GMP000997\\_1-2](#)

<sup>733</sup> [GMP000998\\_1-2](#)

**102.** It is hard to understand how, on the very same day but in two different witness statements, Mr Lambert changed his account from it being three weeks after Mr Huntbach's meeting with them that he informed them there was nothing new in the material to it being a mere four to five days later that he did this.

**103.** As for Mr Huntbach, he made a statement on 22 September 2015.<sup>734</sup> He retired from GMP in March 2001. He recalled an occasion in 2000 when he went to Jim Dobbin's office in Heywood but this, he said, was pursuant to his enquiries on Operation European.<sup>735</sup> He recalled only ever seeing Colin Lambert on one occasion, when he characterised him as a "*bag carrier for Jim Dobbin*". He recalled going to the office with Detective Inspector Waller. He could not recall Mr Lambert giving him any documents about Smith or Wild, which was the reason for them being there.

**104.** Detective Inspector Waller made a witness statement on 19 October 2015.<sup>736</sup> He was involved in Operation European. He retired from GMP in October 2002. He was asked if he could recall any visit to the office of the late Jim Dobbin MP. He said he had no recollection of the visit, or being handed any dossier. Mr Waller said he did not even know the names of Mr Lambert and Mr Dobbin.

**105.** We cannot say whether in the case of the police officers this is a failure of recollection or not. It is remarkable, however, that both Mr Lambert and Mr Huntbach recall a meeting with the late Jim Dobbin at his office, but both Mr Lambert and Mr Huntbach have entirely different recollections about its purpose and outcome, whereas Mr Waller does not recall any meeting at all. The only possibility is that they are talking about two different meetings with two different purposes, but this is pure speculation.

**106.** Like the differences between the accounts of Ms Doyle and Ms Lynne, we are of the view that the evidence is so unsatisfactory that it is incapable of resolution; consequently, it is safer and fairer not to attempt to resolve it. It is, however, beyond dispute that Mr Digan did bring his concerns to the attention of Deborah Doyle (Ms Lynne's PA) as well as to Colin Lambert and the late Jim Dobbin.

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<sup>734</sup> [GMP001010\\_5](#)

<sup>735</sup> Operation European was an enquiry into Harry Wild's character and background

<sup>736</sup> [GMP001021\\_5](#)

Part F

# Other Institutions

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# Other Institutions

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1. The focus of this investigation was on Cambridge House and Knowl View School, since these were the institutions to which the vast majority of the evidence and the most serious allegations of institutional failures related. However, the scope of the investigation was wider than this and encompassed other institutions – schools as well as care homes – in the Rochdale area.
2. Paragraph 1.3 of the definition of scope provided that the Inquiry would investigate “*whether ... children residing at or attending other institutions (where their placement was arranged or provided by Rochdale Council) were also subject to sexual abuse*”. Paragraph 2.1 provided that, where a sufficient evidential basis exists, the Inquiry would make findings on the nature and extent of sexual abuse at Cambridge House, Knowl View “*and at other institutions children were attending or residing at during the relevant period*”.
3. This short part of the report deals with the evidence obtained in the course of the investigation that related to other such institutions.

## Foxholes Children’s Home

4. Thomas Mann was the deputy officer in charge of Foxholes Children’s Home in Rochdale between 1979 and 1983, when he was dismissed for gross misconduct after an allegation was made against him by a girl of 14 that he had sexually abused her.<sup>737</sup>
5. Mann subsequently pleaded guilty to two offences of indecent assault against a girl under 16 committed between 4 October and 4 December 1983. The Court conditionally discharged him for two years but he was summarily dismissed from his position at Foxholes. He appealed against his dismissal but later withdrew the appeal.<sup>738</sup>
6. There is no evidence of any pattern of abuse at Foxholes, although Anthony Andrews was also on the staff there for a period of time (see further below), and the allegations against Mann were dealt with swiftly and decisively by the Council. This contrasts with the situation at Knowl View School as it shows that the Council was capable of prompt action in response to allegations of child sexual abuse, yet it simply failed to grasp the situation at Knowl View.

## Dennis Leckey

7. Dennis Leckey was employed by Rochdale Borough Council between 6 November 1989 and 10 September 1997. Initially, he was employed as a Senior Education Welfare Officer but, in November 1992, following a disciplinary procedure for alleged professional misconduct in relation to an unrelated matter, he moved, at his own request, to a vacant post

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<sup>737</sup> Gail Hopper 25 October 2017 34/2-16

<sup>738</sup> Gail Hopper 25 October 2017 34/17 - 35/4

of Education Welfare Officer.<sup>739</sup> In October 1995, a 17-year-old boy alleged that Leckey, who had been working with the boy, had committed an act of gross indecency on him when he was staying overnight at Leckey's home.<sup>740</sup>

**8.** The police were informed of the complaint, and the boy was willing to tell them what had happened but not willing to make a witness statement or support any prosecution.<sup>741</sup> Leckey was interviewed in November 1995 and denied the allegation but admitted he had had a friendship with the boy. Following this, the Council held a strategy meeting at which the police said that they could not take any further action without the boy's cooperation, and so it was decided to deal with the situation as a matter of unprofessional behaviour and carry out a formal investigation under the Council's disciplinary procedures.<sup>742</sup>

**9.** The account given by Leckey in the course of the disciplinary investigation was that he had had very little contact when the boy was a school pupil and had befriended him after he left school in 1995. However, the investigation revealed other evidence that showed this to be untrue.<sup>743</sup> Despite Leckey's account being demonstrably false, it was decided that he would not be dismissed even if the allegation of unprofessional behaviour was found proved, and he remained in post throughout the disciplinary process.<sup>744</sup>

**10.** Gail Hopper noted in her evidence to us that it appeared the view was reached that the relationship between Leckey and the boy was consensual, and there was no appreciation that there may have been a grooming process.<sup>745</sup> There also seemed in her view to be a failure to appreciate that the boy had made a very serious allegation, and that, even though a criminal prosecution had not been commenced, the allegation still stood. Ms Hopper said she was shocked by the approach.<sup>746</sup>

**11.** A disciplinary hearing was held in July 1996 at which four allegations of professional misconduct were found proved – that Leckey had failed to follow accepted reporting procedures in relation to his contact with the boy, that he had 'befriended' the boy while he was a pupil and concealed this from others, that in developing and continuing the relationship Leckey put himself and the Service at risk of complaint, and, finally, that the behaviour was inappropriate for an Education Welfare Officer. As a result, Leckey was given a first and final warning but did not lose his job.<sup>747</sup>

**12.** However, on 8 July 1996, the same day as the disciplinary hearing, the boy's aftercare worker visited him at home, and he reported that he was having nightmares and flashbacks about being raped by Leckey and wished to pursue a complaint. A statement was taken two days later.<sup>748</sup>

**13.** On 25 July 1996, Leckey was arrested by police and charged with sexual offences against children. The charges related not just to the boy Leckey had 'befriended' but also to the children of two families in an area where Leckey had worked some 10 to 15 years earlier.

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<sup>739</sup> RHC002510\_99-100, paragraphs 18.21-18.32

<sup>740</sup> Gail Hopper 25 October 2017 37/2-14

<sup>741</sup> Gail Hopper 25 October 2017 39/1-17

<sup>742</sup> Gail Hopper 25 October 2017 39/23 - 40/17

<sup>743</sup> Gail Hopper 25 October 2017 40/18 - 41/7

<sup>744</sup> Gail Hopper 25 October 2017 41/8-20

<sup>745</sup> Gail Hopper 25 October 2017 41/21 - 42/15

<sup>746</sup> Gail Hopper 25 October 2017 42/22 - 43/21

<sup>747</sup> Gail Hopper 25 October 2017 44/1-24

<sup>748</sup> Gail Hopper 25 October 2017 45/2-15

There were 13 counts of buggery, indecent assault and the taking of indecent photographs. When police searched Leckey's home, they found material that indicated he had been committing similar offences for more than 20 years. Among other items seized were diaries that contained sexual fantasies about children and indicated planned, systematic abuse and a warped personality. He was suspended from duty the following day.<sup>749</sup>

**14.** By October 1996, the number of charges against Leckey had increased to 19.<sup>750</sup> His criminal trial began in September 1997. He contested the allegations and was eventually found guilty and sentenced to 18 years' imprisonment. He was immediately dismissed by the Council.<sup>751</sup>

**15.** The fact that such a prolific child sex offender had not been dismissed by the Council at an earlier stage (and had only been prevented from continuing in his post because of the coincidental timing of the police investigation and arrest) was acutely embarrassing for the Council. Linda Richardson, a Child Protection Officer at Lancashire County Council, was instructed to carry out a review of Rochdale Council's procedures.<sup>752</sup>

**16.** Her report was produced on 6 September 1998. It appears at one point to conclude that the Council's approach to Leckey in 1996 had been appropriate, and that disciplinary action might not be indicated.<sup>753</sup> Ms Hopper was surprised about this conclusion; she commented to us in her evidence that the kind of allegation made against Leckey was such that "*it has never been anything other than grossly unacceptable*". Her view was that Ms Richardson was not assessing what had been done by Rochdale Council but rather describing the process that had been followed.<sup>754</sup> However, Ms Richardson's conclusions were largely positive. She found that the action taken worked well and there was good evidence of inter-agency collaboration. There had been no obvious indications that Leckey was abusing children before the 17-year-old boy made his complaint, but when that allegation was made it was responded to appropriately and in accordance with the procedures.<sup>755</sup>

**17.** Leckey should have been dismissed as a result of the proven allegations of seriously unprofessional conduct against him, even leaving to one side the absence of a criminal prosecution at that point in time. What this suggests is that even a number of years after the events at Knowl View, institutions in Rochdale were at the very least uncertain about how to proceed in the face of serious allegations of child sexual abuse.

## Anthony Andrews

**18.** On 30 January 1980, Anthony Andrews was appointed as a houseparent at Foxholes Children's Home. On 1 July 1983, he became residential social worker, and by 25 April 1988 he was acting assistant officer. He then moved to Elmfield Children's Home in March 1989 when Foxholes closed.<sup>756</sup>

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<sup>749</sup> Gail Hopper 25 October 2017 46/8-15, 47/14-23, 48/10-24

<sup>750</sup> Gail Hopper 25 October 2017 49/17-22

<sup>751</sup> Gail Hopper 25 October 2017 50/6-20

<sup>752</sup> Gail Hopper 25 October 2017 51/1-11

<sup>753</sup> RHC000939\_25

<sup>754</sup> Gail Hopper 25 October 2017 53/7 - 54/13

<sup>755</sup> Gail Hopper 25 October 2017 56/20 - 57/10

<sup>756</sup> Gail Hopper 25 October 2017 57/12 - 58/2

**19.** In November 1989, Andrews was appointed deputy in charge at Furness Road Children's Home, where he remained until 9 January 1991 when he was suspended following allegations of sexual abuse made by two resident children at Furness Road. He denied the accounts but following an investigation he was dismissed on 4 March 1991.<sup>757</sup>

**20.** In 2000, during Operation Cleopatra, a number of individuals came forward to police to allege that they had been abused by Andrews at Foxholes. He was subsequently arrested and charged with numerous sexual offences. He was convicted in 2003.<sup>758</sup> Former Detective Superintendent Martin Bottomley dealt with the investigation and prosecution of Andrews in the course of his evidence.<sup>759</sup>

**21.** As in the case of Thomas Mann, the way in which Andrews was dealt with shows that Rochdale Council did have the ability to confront allegations of child abuse, investigate them quickly and thoroughly, and take decisive action.

## Raymond Cullens

**22.** The Inquiry also received evidence about Raymond Cullens who records show was a teacher at Bullough Moor Primary School in Rochdale from 1985 to 1992. According to Gail Hopper, as a result of a complaint made in February 1992 that Cullens had sexually abused a pupil at a Rochdale school in 1984, a police and social work investigation began that indicated other children had been involved. Cullens was arrested a week later and admitted sexual offences against four children. In June 1992, Cullens was convicted of five offences of indecent assault and one of gross indecency, and sentenced to 30 months' imprisonment.<sup>760</sup> Rochdale Council's handling of this case throws into sharp relief its handling of the situation at Knowl View School.

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<sup>757</sup> [Gail Hopper 25 October 2017 58/3-16](#)

<sup>758</sup> [Gail Hopper 25 October 2017 58/19 - 59/13](#)

<sup>759</sup> [Martin Bottomley 23 October 2017 157/10 - 159/24](#)

<sup>760</sup> [Gail Hopper 25 October 2017 59/14-17; RHC002510\\_113-115](#)



Part G

# Conclusions

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# Conclusions

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## Cambridge House and the involvement of Cyril Smith

- 1.** Cyril Smith had considerable control over which boys were admitted to Cambridge House and when, including boys in the care of the local authority. He showed considerable, perhaps unduly detailed, interest in the decisions of children in care as his political career developed. There does not appear to have been any inspection of Cambridge House by the Council before the first child in care was placed there. Although there was no specific statutory requirement to do so, common sense and a concern for children's welfare should have prompted some inspection activity. In addition, monitoring requirements were not met.
- 2.** There were several accounts by witnesses that Smith had sexually assaulted them on the pretext of 'medical examinations'. Smith said to the police in a written statement made by him in February 1970 that at all times he was acting 'in loco parentis' to the boys, bearing the implication that his 'medical examinations' of them were justified, yet he denied any indecency. It is difficult to understand why Smith thought that his role permitted 'medical examinations' when he was not medically qualified.
- 3.** There was some evidence concerning allegations that Smith removed a child's clothing in order to mete out punishment. Rochdale's current Director of Children's Services confirmed that it would have always been considered unacceptable to remove a child's clothing in order to carry out corporal punishment.
- 4.** The first known suggestion made to anyone in authority that Smith might be acting inappropriately towards the boys at Cambridge House was in late October 1965, shortly before the hostel closed. Lyndon Price told the then Chief Constable of Rochdale about the allegation but no further investigation was carried out. The Inquiry did not find evidence, however, that the police had been 'leant on'.
- 5.** The Lancashire Constabulary investigation in 1969–70 was comprehensive and at no point were the police improperly influenced by Cyril Smith or others on his behalf. The police wanted to bring charges against Smith and said so in a report to the Director of Public Prosecutions in 1970. That report was most likely considered by an Assistant Director, rather than the Director of Public Prosecutions personally who advised against prosecution.
- 6.** We do not think it is right or appropriate for us to adjudicate on the difficult legal and countervailing arguments we heard. Consequently, we make no finding whether the Assistant Director's advice that there was no reasonable prospect of conviction was or was not itself reasonable in all the circumstances. There is, however, an arguable case that the evidence submitted to the Director of Public Prosecutions contained corroboration (a factor that was a legal requirement of the time), and that the other factors contained in the advice should have been afforded less weight than they were.

- 7.** It has been suggested that Smith or his supporters may have exerted improper influence on the Director of Public Prosecutions but, on considering all the evidence in this investigation, it would be speculation to say that improper influence was brought to bear on this decision by those interested in this matter.
- 8.** In 1979, the Director of Public Prosecutions' office was asked whether it had received a file concerning Cyril Smith. It is clear that the Director of Public Prosecutions office's failure to confirm that a file on Smith had been received in 1970 fuelled rumours and speculation that there had been some kind of cover-up. That failure to set the record straight also fuelled the rumours that there had been a conspiracy to assist Smith.
- 9.** From 1997 onwards, Greater Manchester Police (GMP) investigated allegations of physical and sexual abuse in residential care homes under Operation Cleopatra. The Lancashire Constabulary file concerning Smith and a further witness statement were submitted to the Crown Prosecution Service in 1998. Two additional statements were submitted in 1999. In 1998, the Crown Prosecution Service Branch Crown Prosecutor advised that Smith should not be charged, despite coming to the view that there was 'a realistic prospect of conviction'. His review of that advice in 1999 did not consider that those new complaints were capable of lending further support to the case. A valuable opportunity was, therefore, lost to prosecute Smith during his lifetime, and for the complainants to seek justice.
- 10.** The fact that Cyril Smith's public standing and professional career were never negatively impacted in any significant way by the suggestion that he was involved in child sexual abuse has given rise to considerable speculation. There were persistent rumours of a pact or a deal between the local Liberal/Liberal Democrat and Labour parties in Rochdale. GMP's Operation Clifton looked at the matter in some depth.
- 11.** We have also considered whether there is evidence of such a pact and have come to the conclusion that there is not. The idea of a pact gained credence because the alternative – that people knew about the serious allegations surrounding Cyril Smith but chose to disbelieve or ignore them – was even more unpalatable.
- 12.** We have noted that Cyril Smith's standing in public life increased and in 1988 his ascent to a position of considerable prominence and respect was marked by his being awarded a knighthood for his political services. The Political Honours Scrutiny Committee considered the 1970 police investigation and various press articles. They concluded that it was open to the then Prime Minister, Margaret Thatcher, to recommend Smith for a knighthood. The Inquiry saw nothing, however, to suggest that there was any cover-up or conspiracy in the way Smith obtained that knighthood. On the contrary, it is clear that there were some frank discussions at the highest political level. While there was never any expression of concern for boys who had made allegations against Smith, there was considerable discussion about whether it would be fair to Smith to refuse him a knighthood, and worries about the potential reputational risk to the honours system. There was little further investigation into the allegations against Smith by the Political Honours Scrutiny Committee, demonstrating a considerable deference to power and an unwillingness to consider that someone in a position of public prominence might be capable of perpetrating sexual abuse.

## Knowl View School

**13.** Knowl View School was originally set up in 1969 to provide residential education and care for up to 50 boys aged from 7 to 16, with a wide range of needs and adverse experiences, usually grouped under the umbrella of ‘maladjustment’. Such schools were not unusual at the time, but it was later recognised that the combination of ages and complexity of need rarely led to positive outcomes for the pupils, and also exposed younger children to risk of harm, both physical and sexual.

**14.** We concluded that there was little evidence that Knowl View School provided physical conditions that bore any resemblance to a homely environment for the children. Over time, the school’s living areas for the children deteriorated, and no one in the school or the Education Department seemed to bear any responsibility for getting repairs done and securing improvements to make the school more comfortable and less institutional in appearance. Nor was the school safe, secure, caring or therapeutic. It was supposed to offer education and care but in reality it offered neither. The institution failed in its basic function to keep its children safe from harm, and, in particular, safe from sexual harm both within and outwith the school. It was only when Mr Bradshaw arrived as headmaster that these issues began to be tackled.

**15.** Child sexual abuse involving children from the school occurred from its early years onwards. Within the school, there was sexual abuse of boys by members of staff, and of younger boys by older ones. Sexual exploitation of some boys was also taking place in Rochdale town centre by men paying for sex. Some boys were also trafficked to other towns for that purpose. This was allowed to continue over a period of 20 years and was all well known by staff members, some of whom worked at the school for much of the period. Although some concerns were raised from time to time, members of staff were at best complacent, and in some instances arguably complicit in the abuse that they knew to be taking place. They must take their share of the responsibility for what was allowed to occur.

**16.** We concluded that Knowl View staff simply treated the sexual abuse among the boys as ‘normal’ without differentiating between what was experimentation and what was coercive and intimidating. There was little to indicate that the school appreciated the profound damage that sexual abuse by a peer could cause in later life.

**17.** School numbers began to fall in the mid-1980s, and we heard a suggestion in evidence that Rochdale Council’s Education Placement Officer, a psychologist, had stopped placing children at Knowl View, preferring to send them elsewhere despite incurring additional cost. If any knowledge of the school being below standard was held in the Education Department at that time, as we suspect it was, it should have been acted on decisively.

**18.** Sexual exploitation of Knowl View children at Smith Street toilets was known about from at least 1989. The records of individual children convey a total lack of urgency on the part of the relevant authorities to address the problem and treat the matters involved for what they were – serious sexual assaults. This remained the case even in the face of clear evidence of the risks to children’s health. The file of one young boy at Knowl View recorded that he had contracted hepatitis through ‘rent boy’ activities. We concluded that no one in authority viewed child sexual exploitation as an urgent child protection issue. Rather, boys as young as 11 were not seen as victims, but as authors of their own abuse.

**19.** Within the hearing, little was heard of the role of the Board of Governors and how they pursued their governance responsibilities. We heard of tensions between the Board and the Education Department, from which it did not seem as though the two acted cooperatively in the best interests of the children. It does not appear that the Board took an active, independent role in scrutinising the school's protection of its pupils.

**20.** Roderick Hilton is a convicted sex offender. An indecent assault by Hilton (who was then aged 18) of a Knowl View boy in 1984 was an early example of the school's failure to grapple with a very serious incident of child sexual abuse. The incident was a warning sign to treat Roderick Hilton as an obvious danger to children. In September 1990, Hilton gained access to the school and indecently assaulted at least one boy. We agree with the evidence Mr Bradshaw gave that the 1990 Hilton incident represented the most serious sort of incident that any residential school could face, yet, apart from interviewing staff, there is little evidence that it provoked the anxious concern or decisive action it so plainly called for, or provoked wider consideration about the other sexual abuse issues that were affecting the school.

**21.** We concluded that there was no deliberate cover-up by the authorities involved, but rather a careless and wholly inadequate response to the serious sexual abuse of children at Knowl View School. Despite press releases by Rochdale Council in 1992, we saw no transparent public reporting through Council committees of any of the troubles of the school until 1994. It is accepted that victims' anonymity must be protected, but the public had a right to know what was being done in their name by their elected representatives on the Council. The absence of such reporting may have given rise to a perception of collusion and cover-up.

**22.** We found it inexplicable, professionally indefensible and extremely poor judgment on the part of a senior officer that Ian Davey did not choose to pursue the child protection issues involving Knowl View in 1991 through the formal child protection procedures. It was his decision alone.

**23.** Diana Cavanagh disagreed with Mr Davey and attempted to bring about an independent review of child sexual abuse at Knowl View by commissioning the Mellor report, then later the Hodge/Dobie report and finally producing her own report on staff behaviour at Knowl View in 1992. While some of this was useful, each of the reports was flawed in some respects, including factual accuracy. Worse, there appeared to be no urgency on the part of senior education officials to address the problems of sexual abuse at the school. Matters at Knowl View were allowed to drift. All of this occurred on Mrs Cavanagh's watch. While there was a Board of Governors, the school remained the responsibility of Rochdale Council as provider and external manager, which the Director and senior officials failed fully to discharge.

**24.** Residential settings for children or adults will be most effective when there is a strong culture of appropriate beliefs, values and attitudes, led by well-trained and empathetic people who set the tone for how things are to be done. In Knowl View School, we heard of rivalries between teaching and care staff, and widely varying attitudes as to how to approach their common purpose of improving the children's lives. Some of their views were punitive and seemed to blame the children for their challenging behaviour, rather than understanding and working with it. In the midst of all this, there was an absence of skilled leadership, which

should have nurtured a positive culture of care. This persisted over many years. Only when Mr Bradshaw arrived was there evidence of a leader who had the necessary experience, skill, and empathy to address properly the needs of the children.

**25.** One of the fundamentals of effective child protection is good communication and cooperation between public agencies. This was clearly enshrined in the 1988 'Working Together' guidance issued by the then Minister for Health. We heard nothing to confirm that there was effective liaison between the departments of Education and Social Services in Rochdale Council concerning Knowl View School. Indeed, some three years on from 'Working Together', the guidance had still not been implemented by the Council. There were no regular liaison meetings between the departments of Education and Social Services on matters of child protection or other matters of mutual concern. This reflects badly on the directors of Education and Social Services at the time, and exemplifies some of their failures of leadership.

## Police investigations

**26.** The remit of this Inquiry investigation is different from that of Operation Clifton in that our primary consideration is not whether the institutional responses to child sexual abuse provide evidence of criminality, but rather the appropriateness, quality and effectiveness of those responses. We have, however, considered throughout this investigation whether there is any evidence that any individual member of the organisations concerned inappropriately concealed information about the abuse of children who resided at Knowl View or who were allegedly sexually abused by Cyril Smith.

**27.** We concluded that the police did not turn a blind eye to the sexual exploitation of boys in Rochdale town centre. Such records that are available suggest that the police knew children were being exploited in the town's public toilets but did not obtain sufficient evidence to prosecute. There is evidence of a willingness on the part of police officers to investigate. The records that survive do not, however, provide any satisfactory answer as to why, despite some disclosures on the part of boys and despite knowing the names of some men, police do not appear to have charged anyone with the sexual abuse of Knowl View boys in Rochdale town centre. Police officers did, though, pass information to Social Services and Knowl View.

**28.** Child sexual exploitation was dealt with in isolation by the police as and when it was detected. From the records we have seen, child sexual exploitation featured far less prominently than the Hilton incident.

**29.** The paucity of detailed information in the Mellor report was such that it was unlikely to have prompted a police investigation, while a more thorough report might have initiated a fuller response from the police.

## Political accountability

**30.** We concluded that Richard Farnell, who was Leader of Rochdale Council from 1986 until 1992, lied to the Inquiry in the course of his evidence. We preferred the evidence of Peter Joinson, who supported other evidence suggesting that Mr Farnell must have known at least about the generality, if not the detail, of issues about child sexual abuse at Knowl View.

**31.** In light of everything we have heard and seen, it defies belief that Mr Farnell was unaware of the events involving Knowl View School, especially within the context of the public scandal involving children in the care of Rochdale Council arising from the Middleton cases. We also reject the notion that Mr Farnell was not alerted by the then Chair of Education, the late Mary Moffat, about a further potential risk to the reputation of the Council, let alone its statutory duty of care towards abused children.

**32.** Regarding Mr Farnell's final statements at the hearing, it was shameful that he refused to accept any personal responsibility for the young lives blighted by what happened at Knowl View while he was Leader. Instead, he laid all blame for what occurred at the door of the senior officials in Education and in Social Services.

**33.** We concluded that Mr Rowen bore considerable responsibility for the school as Council Leader from 1992 to 1996. As with Richard Farnell, he was prepared to blame others without acknowledging his own failures of leadership. At best, he was insufficiently inquisitive about Knowl View School, despite having knowledge of the serious problems that persisted at the school; at worst, as Council Leader, he turned a blind eye to these problems and chose to give them low priority.

**34.** It is beyond dispute that Mr Digan, a former member of care staff at Knowl View, brought his concerns to the attention of Ms Lynne's PA, Deborah Doyle, as well as to the attention of Colin Lambert and the late Jim Dobbin MP. We have not sought live evidence from Ms Doyle or Ms Lynne, and so we cannot make, and it would be quite unfair to make, any findings about the truth or accuracy of either's account. Likewise, the differences in recollection of Mr Lambert and Detective Superintendent Huntbach about the meeting with Mr Dobbin make it impossible to form any definite view.

## Other institutions

**35.** We heard evidence about sexual abuse at other institutions in Rochdale. This included information about the convictions of four men – Thomas Mann, Dennis Leckey, Anthony Andrews and Raymond Cullens – on numerous charges of sexual abuse at schools and children's homes. A more thorough internal investigation should have been carried out into the complaints made against Dennis Leckey, but otherwise the evidence about these other offenders showed that the police and Rochdale Council were capable of confronting allegations of child sexual abuse, investigating them quickly and thoroughly, and taking decisive action. This served to highlight the failures at Knowl View School all the more.

## Recommendations for local authorities

**36.** The Cambridge House, Knowl View and Rochdale investigation is one of three investigations that the Inquiry is currently undertaking that focuses on events within named local authorities. The other two investigations are Children in the Care of Nottinghamshire Councils and Children in the Care of Lambeth Council.

**37.** While the focus of the Cambridge House, Knowl View and Rochdale investigation has been on events covering the early 1960s to the mid-1990s, the issues that have come to light and the conclusions that we have reached in this report remain of potential relevance today. However, as we will be considering evidence that is relevant to the protection of children in the care of local authorities in the outstanding local authority investigations (as well as

in some of the Inquiry's thematic investigations, such as Child Sexual Abuse by Organised Networks), we will be better placed at a later time to consider the making of overarching recommendations arising from this investigation and any or all of the related investigations.

**38.** For these reasons, we do not intend making any recommendations on the Cambridge House, Knowl View and Rochdale investigation at this stage in this report. We expect the local authority, however, to reflect on this investigation report and make such changes to practice that are necessary to protect children in the future.

# Annex

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Overview of process and evidence obtained by the Inquiry

# Annex

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## Overview of process and evidence obtained by the Inquiry

### 1. Definition of Scope for the Case Study

An inquiry into allegations of the sexual abuse and exploitation of children residing at or attending Cambridge House Boys' Hostel, Knowl View School and other institutions where their placement was arranged or provided by Rochdale Borough Council.

#### *Scope of investigation*

1. The Inquiry will investigate:
  - 1.1. whether boys who resided at or attended Cambridge House Boys' Hostel and/or Knowl View School were the subject of sexual abuse, including by former Liberal Party MP, Cyril Smith;
  - 1.2. the extent to which children who resided at Knowl View School were subject to sexual exploitation outside the school premises;
  - 1.3. whether, during the same period, children residing at or attending other institutions (where their placement was arranged or provided by Rochdale Council) were also subject to sexual abuse;
  - 1.4. the extent to which Rochdale Council, law enforcement agencies, prosecuting authorities, the security and/or intelligence agencies, and/or other public authorities were aware of allegations of sexual abuse concerning children who resided at Cambridge House or Knowl View and failed to take appropriate steps in response to it;
  - 1.5. whether any public authority hindered or prevented the effective investigation of such abuse, including whether there was inappropriate interference in law enforcement investigations and/or prosecutorial decisions in relation to the abuse.
2. Where a sufficient evidential basis exists, the Inquiry will make findings on:
  - 2.1. the nature and extent of the sexual abuse which took place at Cambridge House, Knowl View and at other institutions children were attending or residing at during the relevant period;
  - 2.2. the nature and extent of the failings of Rochdale Council, law enforcement agencies, prosecuting authorities, the security and/or intelligence agencies, and/or other public authorities or statutory agencies to protect children from sexual abuse;

- 2.3. the extent to which children who were sexually abused may have had special educational needs and/or any other form of special need or vulnerability, and whether that may have made them more vulnerable to sexual abuse;
  - 2.4. the adequacy of support and reparations offered to victims and survivors of child sexual abuse who were abused while residing at or attending Cambridge House and Knowl View School.
3. In light of the investigations set out above, the Inquiry will publish a report setting out its findings, lessons learned, and recommendations to improve child protection and safeguarding in England and Wales

## 2. Counsel to this investigation

|                    |
|--------------------|
| Brian Altman QC    |
| Clair Dobbin       |
| Alasdair Henderson |

## 3. Core Participants and legal representatives

### *Complainant Core Participants:*

|           |                                    |
|-----------|------------------------------------|
| A1        |                                    |
| A2        |                                    |
| A4        |                                    |
| A5        |                                    |
| A6        |                                    |
| A7        |                                    |
| A8        |                                    |
| A9        |                                    |
| Counsel   | Laura Hoyano                       |
| Solicitor | Richard Scorer (Slater and Gordon) |

### *Institutional Core Participants:*

| <b>Rochdale Borough Council</b>         |  |
|---|--|
| Counsel                                 | Steven Ford QC   |
| Solicitor                               | Chris Webb-Jenkins and Chaitali Desai (Weightmans LLP) |
| <b>Greater Manchester Police</b>        |  |
| Counsel                                 | Anne Studd QC  |
| Solicitor                               | Sian Williams (Greater Manchester Police)              |
| <b>Lancashire Police</b>                |  |
| Counsel                                 | Alan Payne   |
| Solicitor                               | Nitin Borde (Lancashire Legal Department)              |
| <b>Crown Prosecution Service</b>        |  |
| Counsel                                 | Edward Brown QC and Fraser Coxhill                     |
| Solicitor                               | Alasdair Tidball (Government Legal Department)         |
| <b>Secretary of State for Education</b> |  |
| Counsel                                 | Cathryn McGahey QC                                     |
| Solicitor                               | William Barclay (Government Legal Department)          |

#### **4. Evidence received by the Inquiry**

| <b>Organisations to which requests for documentation were sent</b> |
|--|
| Rochdale Borough Council   |
| Greater Manchester Police  |
| Lancashire Police  |
| Crown Prosecution Service  |
| Security Services  |
| Defence and Security Media Advisory Committee                      |
| The Cabinet Office   |
| Hempsons (Solicitors to the Garnham Review)                        |
| Lancashire County Council  |

#### **5. Disclosure of documents**

|  |        |
|--|--------|
| <b>Total number of pages disclosed</b> | 19,669 |
|--|--------|

## 6. Public hearings including preliminary hearings

| Preliminary hearings        |                      |
|-----------------------------|----------------------|
| 1                           | 16 March 2016        |
| 2                           | 27 July 2016         |
| 3                           | 10 May 2017          |
| 4                           | 20 September 2017    |
| Substantive public hearings |                      |
| Days 1 - 5                  | 9 - 13 October 2017  |
| Days 6 - 10                 | 16 - 20 October 2017 |
| Days 11 - 13                | 23 - 25 October 2017 |
| Day 14                      | 27 October 2017      |

## 7. List of witnesses

| Surname   | Forename  | Title | Called / Read | Hearing Day |
|-----------|-----------|-------|---------------|-------------|
| A1        |           |       | Called        | 2           |
| A2        |           |       | Called        | 3           |
| A4        |           |       | Called        | 3           |
| A5        |           |       | Called        | 6           |
| A6        |           |       | Read          | 12          |
| A7        |           |       | Called        | 6           |
| A8        |           |       | Read          | 7           |
| A9        |           |       | Called        | 7           |
| Andrews   | Brett     | Mr    | Read          | 7           |
| Bartlett  | David     | Mr    | Called        | 4           |
| Bottomley | Martin    | Mr    | Called        | 11          |
| Bradshaw  | Stephen   | Mr    | Called        | 9           |
| Buckley   | Allan     | Mr    | Called        | 5           |
| Cantrell  |           | CS    | Read          | 12          |
| Cavanagh  | Diana     | Ms    | Called        | 10, 11      |
| Colley    | Raymond   | Mr    | Read          | 12          |
| Davey     | Ian       | Mr    | Called        | 8           |
| Dearnley  | Ashley    | Mr    | Read          | 13          |
| Digan     | Martin    | Mr    | Called        | 6           |
| Dobie     | Elizabeth | Ms    | Published     | 10          |
| Doyle     | Deborah   | Ms    | Read          | 13          |
| Eaton     | Duncan    | Mr    | Called        | 6           |

| Surname     | Forename   | Title | Called / Read | Hearing Day |
|-------------|------------|-------|---------------|-------------|
| Farnell     | Richard    | Mr    | Called        | 12          |
| Fraser      | Alison     | Dr    | Called        | 7           |
| Galpin      | Janet      | Ms    | Read          | 4           |
| Green       | Martyn     | Mr    | Read          | 4           |
| Henderson   |            | DS    | Read          | 12          |
| Hill        | Vince      | Mr    | Read          | 12          |
| Hodge       | Selwyn     | Dr    | Called        | 9           |
| Hopper      | Gail       | Mrs   | Called        | 2, 4 and 13 |
| Houghton    |            | CS    | Read          | 12          |
| Jacques     | Timothy    | ACC   | Called        | 3           |
| Joinson     | Peter John | Mr    | Called        | 13          |
| Jones       | Sarah      | Ms    | Called        | 5           |
| Kershaw     | Eileen     | Ms    | Read          | 4           |
| Lawley      | William    | Mr    | Published     | 10          |
| Lynne       | Liz        | Ms    | Read          | 13          |
| Marsh       | Peter      | Mr    | Called        | 12          |
| McGill      | Gregor     | Mr    | Called        | 3           |
| McKillop    | Donagh     | Mr    | Published     | 10          |
| Mellor      | Valerie    | Ms    | Called        | 12          |
| Morrissey   | Tony       | Mr    | Published     | 10          |
| Pierce      | John       | Mr    | Published     | 10          |
| Phillips    | Eleanor    | Ms    | Called        | 12          |
| Price       | Lyndon     | Mr    | Read          | 2           |
| Roberts     | Bill David | Mr    | Read          | 12          |
| Rowen       | Paul       | Mr    | Called        | 9           |
| Scarborough | Christine  | Ms    | Called        | 7           |
| Seed        | Michael    | Mr    | Read          | 4           |
| Shipp       | David      | Mr    | Published     | 10          |
| Simpson     | Marilyn    | Ms    | Published     | 10          |
| Shepherd    | Phil       | Mr    | Called        | 11          |
| Tuck        | Michael    | Mr    | Published     | 10          |
| Waller      | Andrew     | DI    | Published     | 12          |
| Weeks       | Janet      | Ms    | Called        | 7           |
| Woodward    | Helen      | Ms    | Published     | 10          |

## 8. Restriction Orders

On 15 August 2016, the Chair issued a Restriction Order under s.19(2)(b) of the Inquiries Act 2005, granting general anonymity to all Core Participants who allege that they are the victim and survivor of sexual offences (referred to as “Complainant CPs”)<sup>761</sup>. The Order prohibited (i) the disclosure or publication of any information that identifies, names or gives the address of a Complainant CP who is a Core Participant; and (ii) the disclosure or publication of any still or moving image of a Complainant CP. The Order meant that any Complainant CP within this investigation was granted anonymity, unless they did not wish to remain anonymous.

On 24 October 2017, the Chair issued a Restriction order under s.19(2)(b) of the Inquiries Act 2005<sup>762</sup>, prohibiting the disclosure or publication of the name of any individual whose identity has been redacted and/or ciphered by the Inquiry in connection with its investigation into Cambridge House, Knowl View and Rochdale and referred to during the course of the evidence. This includes, but is not limited to, the identities of individuals ciphered within the documentation or referred to in the transcripts published in the following ways:

- a. On the ‘hearings’ and ‘documents’ pages of the Cambridge House, Knowl View and Rochdale section of the Inquiry’s website.
- b. In any report of the Inquiry published in connection with this investigation, and any documents published with it.

## 9. Broadcasting

The Chair directed that the proceedings would be broadcast, as has occurred in respect of public hearings in other investigations. For anonymous witnesses, all that was ‘live streamed’ was the audio sound of their voice.

## 10. Redactions and ciphering

The material obtained for the investigation was redacted and, where appropriate, ciphers applied, in accordance with the Inquiry’s Protocol on the Redaction of Documents.<sup>763</sup> This meant that (in accordance with Annex A of the Protocol), absent specific consent to the contrary, the identities of complainants, victims and survivors of child sexual abuse and other children were redacted; and if the Inquiry considered that their identity appeared to be sufficiently relevant to the investigation a cipher was applied.

Pursuant to the Protocol, the identities of individuals convicted of child sexual abuse (including those who have accepted a police caution for offences related to child sexual abuse) were not generally redacted unless the naming of the individual would risk the identification of their victim in which case a cipher would be applied.

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<sup>761</sup> [https://www.iicsa.org.uk/key-documents/791/view/restriction-order-15-august-2016\\_2.pdf](https://www.iicsa.org.uk/key-documents/791/view/restriction-order-15-august-2016_2.pdf)

<sup>762</sup> <https://www.iicsa.org.uk/key-documents/3233/view/2017-10-19%20Restriction%20Order%20re%20documents%20published%20on%20the%20Inquiry%20website%20during%20the%20Cambridge%20House%2C%20Knowl%20View%20and%20Rochdale%20public%20hearing%20.pdf>

<sup>763</sup> [www.iicsa.org.uk/key-documents/322/view/inquiry-protocol-on-redaction-of-documents\\_2.pdf](https://www.iicsa.org.uk/key-documents/322/view/inquiry-protocol-on-redaction-of-documents_2.pdf)

The Protocol also addresses the position in respect of individuals accused, but not convicted, of child sexual or other physical abuse against a child, and provides that their identities should be redacted and a cipher applied. However, where the allegations against an individual are so widely known that redaction would serve no meaningful purpose (for example, where the individual's name has been published in the regulated media in connection with allegations of abuse), the Protocol provides that the Inquiry may decide not to redact their identity.

Finally, the Protocol recognises that while the Inquiry will not distinguish as a matter of course between individuals who are known or believed to be deceased and those who are, or are believed to be, alive, the Inquiry may take the fact that an individual is deceased into account when considering whether or not to apply redactions in a particular instance.

The Protocol anticipates that it may be necessary for Core Participants to be aware of the identity of individuals whose identity has been redacted and in respect of whom a cipher has been applied, if the same is relevant to their interest in the Case Study. Therefore, the Inquiry varied the Restriction Order and circulated to certain Core Participants a key to some of the ciphers.

## **11. Warning letters**

Rule 13 of the Inquiry Rules 2006 provides:

- “(1) The chairman may send a warning letter to any person –*
- a. he considers may be, or who has been, subject to criticism in the inquiry proceedings; or*
  - b. about whom criticism may be inferred from evidence that has been given during the inquiry proceedings; or*
  - c. who may be subject to criticism in the report, or any interim report.*
- (2) The recipient of a warning letter may disclose it to his recognised legal Representative.*
- (3) The inquiry panel must not include any explicit or significant criticism of a person in the report, or in any interim report, unless –*
- a. the chairman has sent that person a warning letter; and*
  - b. the person has been given a reasonable opportunity to respond to the warning letter.”*

In accordance with rule 13, warning letters were sent as appropriate to those who were covered by the provisions of rule 13, and the Chair and Panel considered the responses to those letters before finalising the report.

