

Witness Name: JAMES JOSEPH BERRY

Exhibits: JJB1

Dated: 13th August 2025

THE SOUTHPORT INQUIRY

FIRST WITNESS STATEMENT OF JAMES JOSEPH BERRY

I, JAMES JOSEPH BERRY, will say as follows: -

1. This witness statement is made to assist the Southport Inquiry (the "Inquiry") with the matters set out in the Rule 9 Request dated 29th July 2025.
2. I have been provided with assistance by solicitors who have been instructed to represent Presfield High School during this investigation.
3. I would like to express profound condolences to the families of Elsie, Alice and Bebe and to all those who were injured or affected by the events of that day.

INTRODUCTION

4. I am James Joseph Berry and was at the time relevant to this Inquiry employed by Presfield High School as a teacher. I have had previous teaching experience in mainstream education in both a secondary including Post 16 and a primary setting. I was a teaching assistant at Presfield from 2017/18 and a teacher from September 2018 until present.

FACTUAL NARRATIVE OF INVOLVEMENT

5. I first met AR on 14th March 2022 when he attended for a transition visit at Presfield. He was accompanied by his dad and both seemed happy upon hearing of the provision details to be provided. AR looked around the sixth form building and was introduced to myself as his form tutor. We had discussions around what subjects he would take and how his timetable might look would follow.

6. AR did not attend on the next scheduled visit date, but this is not uncommon for students who join mid academic year, so there were no immediate concerns and a date was rearranged. I was later informed that he had not attended because he had run away from home that day. During the next visit on 21st March 2022, AR seemed happy, he completed some GCSE Maths work unprompted and then enjoyed playing some basketball with myself. This was an opportunity to develop a positive relationship and then this activity continued with the form teaching assistant so that I could return to teaching a lesson.
7. AR had a very poor attendance record following the commencement of his transition, accordingly I made numerous visits to his home in an attempt to encourage attendance and engagement with the school. I would be happy to provide the Inquiry with a complete list of dates for those visits should that be required.
8. I did not receive any information directly from The Acorns School. I was passed on via the Head of Sixth Form at the time, some exercise books, which were very incomplete and didn't paint much of a picture regarding academic ability. I was able to access AR's Educational Healthcare Plan as his form tutor and this historic document didn't create much of a concern. As with all students, EHCP documents, given their historic nature, are not always an accurate and current reflection of a student so as a professional we try not to make judgement based on this information.
9. AR whenever he was in attendance always presented in a very reserved and reluctant manner, he looked as though he was always in deep thought or processing his surroundings. AR would never initiate conversation and would only give simple responses when asked questions. He would work in isolation and staff would proactively go to him to check that he understood a task and to provide feedback to work completed, as he would not initiate these interactions.
10. I had multiple conversations regarding strategies to support and engage AR with his father via telephone and email, as well as in person during home visits. Sometimes Dad's demands were not always something that we could offer, specifically a specialist tutor to work with AR 1:1 and in his own room. But where we could provide some 1:1 sessions we did enable his timetable to reflect these opportunities.
11. I was aware that there was a summary of a risk assessment from The Acorns School but I was not allowed to see this as it was confidential. I was told that in his previous setting

AR was 'wanded' on arrival and his bag searched and this was because at his previous school he had brought a knife into school. Given that the Head Teacher at the time and the Head of Sixth Form at the time had made the decision to grant a place at the provision, there was no need to pursue any further information as this can taint the perception of the student prior to arrival; everybody deserves a fresh start.

12. As a member of the form team, I led on the production and updates of his Presfield High School Learner Support Plan (LSP) and Risk Assessment (RA). Both the LSP and RA documents were produced upon his arrival and updated termly based on observations and conversations with the student; a more Post 16 approach to supporting AR. However, by April 2023, which was the most up to date version of the document that we have, this contained very limited information in comparison to other students at the provision, but this was because of the significantly low attendance.
13. Any concerns that I had were documented via email or where appropriate recorded on Arbor or CPOMS to be picked up by the Designated Safeguard Lead (DSL).
14. I had no involvement in the decision to remove AR from the school's roll, but in my position at the time, I agree that this was the right decision due to his non engagement and significant lack of attendance. From his lack of engagement, limited use of conversational skills, and non compliance with home visits it was apparent that AR did require a more mental health focused provision with specialist mental health professionals. This was not catered for within our setting.

STEPS TAKEN TO ENGAGE/RE-ENGAGE AR

15. There were a lot of adjustments made to support AR accessing Presfield, and at times it did give the feeling that these adjustments were then going too far and away from what the provision could offer long-term. This then meant that it needed to be looked at whether we were suitable for meeting the need for AR. But yes, I believe that the steps taken to engage/re-engage AR with his education at Presfield Sixth Form were more than adequate for AR. Unfortunately, I believe that given his parents stance on not wanting to push him into attending against his wishes, these efforts were redundant. Similarly with home visits, without AR engaging and actively being a presence in the family home, outside of his bedroom, it was incredibly difficult to

engage in positive relationships with AR and develop a desire to attend Presfield. Upon request to see him with his parent's supervision and being denied these opportunities, it again was very difficult to form any rapport with AR and encourage engagement with education. It was clear upon a home visit with PC Andy Richie, that AR would only respond positively to authority, which was consistent with prior information shared by dad.

16. On 4th May 2022, I produced a record of my interaction with AR's father. I attach a copy of that record as JJB1 – PRE000359. Within that record, it is recorded that AR's father was concerned that AR might get angry and attack me.
17. The information recorded was factual, as is always the expectation, but I did not feel particularly threatened or concerned that I was in any danger. This may be due to the fact that I had not seen these behaviours from AR directly, given his always 'relaxed' demeanour whenever I have had eyes on him, but also given the nature of the provision it is not uncommon to be 'attacked' by students with complex learning needs. As a consequence no positive action was taken.
18. My role within the school did not require me to have involvement with other relevant agencies.
19. I am not aware of anyone within the school considering a referral to PREVENT. From my perspective, there were no signs or evidence that I had witnessed, to prompt such a referral to PREVENT.
20. Due to my role, I am not aware and was not aware of any information that would have been acted on to prompt a referral to Prevent at the time.

REFLECTION ON EVENTS

21. From the information that I have, I do not believe that Presfield could have done more or done things differently when dealing with supporting AR.
22. I consider the guidance and training in place at Presfield were adequate for my requirements.

23. I am not a member of a leadership team and as a consequence would not necessarily be made aware of any changes or improvements made to school processes as a consequence of this atrocity.

Dated this 13th day of August 2025

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signature

Signed

James Joseph Berry