

Witness Name: ANTHONY CHARLES FAY

Exhibits: [e.g. AF/01-AF/15]

Dated: 18th August 2025

THE SOUTHPORT INQUIRY

FIRST WITNESS STATEMENT OF ANTHONY CHARLES FAY

I, ANTHONY CHARLES FAY known as Tony Fay, will say as follows: -

INTRODUCTION

1. I am the former headteacher of Presfield High School having retired on 30th April 2023. I was the headteacher during part of the time being investigated by this Inquiry.
2. 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.
3. I have been provided with assistance by solicitors who have been instructed to represent Presfield High School during this investigation.
4. I would like to express profound condolences on behalf of myself and my former colleagues working at the school to the families of Elsie, Alice and Bebe and to all those who were injured or affected by the events of that day.

BACKGROUND

5. I began my teaching career at Shorefields Comprehensive School in Liverpool 8 in 1990 with a B Ed degree in Craft Design and Technology. I moved to Presfield High School following a series of promotions and transferred to Presfield High School as Deputy headteacher. I was subsequently promoted to the position of headteacher following interview in Jan 2016. I eventually retired on 30th April 2023 after 33 years in education.

6. Presfield High School is a specialist school which caters for the educational needs of children with diagnosis of Autism. The school provides education for children with such a diagnosis who may have been previously in mainstream education.

7. Children can enter Presfield at year 7 from many of the primary schools within Sefton or can be transferred from other local authorities depending upon the capacity of the school at the time of request. It is also possible to transfer into school at other year groups again depending upon capacity.

CHRONOLOGY

8. I have had the benefit of referring to a chronology prepared by the school in connection with my own and the school's involvement with AR. I attach a copy of this chronology to this statement ACF1 - PRE001795.

9. On 11th January 2022 a request was received from Lancashire County Council for a place at the school for AR. The intention was for AR to commence his education with the school in September 2022 joining the schools sixth form.

10. The school received a placement request together with an Education Health and Care Plan (EHCP) prepared on behalf of AR. As I have now retired, I no longer have access to the original plan that was received.

11. The school was being asked to consider offering a place to a pupil intending to enter the school at sixth form. Accordingly the consideration of this request would in the first instance be conducted by our head of sixth form who was at that time Hayley Dawson. The usual course of events would be for the head of sixth form, as in this case, or a member of the senior leadership team (Ms C Smith) would read the EHCP and assess if the school could meet need. Occasionally form tutors for other year groups may be required to consider the EHCP. A meeting with the pupils' school staff would be arranged and attended by one of the above staff. Information from this meeting and often observation of the student would inform the decision-making process in determining if Presfield could meet need. It would also be necessary to consider if the school had capacity to accommodate such a request as the school was consistently oversubscribed.

12. Assessing the pupil is a delegated task and accordingly the Head of Sixth Form visited Acorns School on 20th January 2022. Ms Dawson met briefly with AR and was able to speak with Maggie Aldred of the Acorns School. I understand that the meeting with AR and Ms Aldred went well and no concerns were raised regarding AR. This meeting would normally take place with an expectation that information would be shared with our school

representative should there be any concerns. As headteacher I would attend headteacher meetings on a termly basis with other Sefton headteachers and would often have discussions on a confidential basis with other heads regarding pupils who may benefit from a place at Presfields. This did not happen with Acorns School as they did not attend our Heads meetings.

13. Following the meeting with AR and Maggie Aldred, it was considered that the school could meet the autism needs of AR at that time, and an offer of a place was made to Lancashire County Council on 21st January 2022.

14. When a child joins a specialist school, especially a child with autism, it is often necessary to slowly transition the child from his old school to his new school. A series of visits was arranged until AR was formally enrolled at the school on 28th March 2022. It was apparent from the chronology that AR had not attended all of his arranged transition visits to our school.

15. During AR's transition, I met with him once, he was getting out of a car which had brought him to school, I said hello and noticed that he was quiet and withdrawn. We did not like to overload new starters to the school as the transition can be very daunting especially for students who have been out of education for a period of time. I left him in the care of another member of staff.

16. It soon became apparent that AR had not engaged with his transition to our school and was failing to attend on a regular basis. Accordingly, the head of sixth form brought this to my attention and put in place various strategies to engage with AR and his family to help with his engagement. Feedback on progress made would be provided at regular leadership team meetings or as and when there were any developments.

17. In specialist education such as that provided by Presfield High School each child is considered to be vulnerable and accordingly it is important to have an understanding of each child's needs and abilities. Some children will have no understanding of the dangers in crossing a road for example. For this reason, it is necessary to have a Risk Assessment for each child. It is appropriate for the form tutor to conduct that assessment as they have the closest working relationship with the individual child and are best placed to understand the risks to that child. Unfortunately, due to the lack of attendance and opportunities to assess at the school the risks posed either to or from AR were not fully understood.

18. As indicated within paragraph 14 above, it soon became apparent that AR was not attending school, this became a concern for us as we considered him to be a vulnerable child, and we needed to ensure that he was safe, healthy and to understand the reasons for

his non-attendance. The school entered into communication with our contacts in Lancashire County Council regarding our safeguarding concerns and ensuring we had regular “eyes on”.

19. The school became aware from communication with parents that AR had stopped taking his prescribed medication and that his mental health had begun to deteriorate. This made it clear to us, that the diagnosis of autism was no longer the primary focus for AR. He needed to receive appropriate treatment for his failing mental wellbeing. Presfield does not possess the staff or the resources to deal with such treatment and accordingly it was decided that AR should receive that treatment from a different provider. We were unable to say whether this would be within a school setting or not. There was also doubt as to the wishes of AR as he had stated via his father that he no longer wished to attend school and had refused to attend.

20. I met with AR's father and explained that I did not feel we as a school could meet AR's need and if he agreed to the removal of AR then Lancashire County Council may be forced into action to support his mental health. I was concerned that keeping him on Presfield school roll might result in him being overlooked and isolated due to non-appropriate setting. I followed this meeting up with written communication to AR's father. I attach a copy of the email dated 5th September 2022 ACF2 - PRE000117

21. I subsequently had several conversations with Lancashire County Council staff who informed me I could not remove AR from the roll. It was and still is my belief if he became NEET (Not in Education, Employment or Training) Lancashire County Council would be required to put in place support to help him address his mental health needs.

22. When a child is to be transferred from another school setting, our usual practice was that following receipt of an ECHP, it would be read in order to ascertain if our school was the appropriate place for the needs of the child being considered. Notes of the consideration would be made on a shared document. If it was decided that we could meet the needs of the child and that we had sufficient capacity, a visit would be arranged to attend the transferring school and to meet with his or her current teachers and hopefully to observe the child in placement. Following this meeting a decision would be taken to offer the child a place and to inform the local authority of that decision. If the decision was to offer the child a place at Presfield, the local authority would be informed, and they would place the child with our school. Once the placement has been confirmed, the school parent support staff would arrange to meet with the family, and we would then receive confidential information relating to the child from his previous school. This confidential information is usually sent to the Designated Safeguarding Lead (DSL) and is not sent until after the placement is confirmed.

23. The tutor team of the student would then consider the EHCP which together with the information supplied by the previous school would form the basis of the risk assessment for that child. A learning support plan would also be created at this time. The risk assessment and the learning support plan are both living documents and are updated when new information comes to light.

24. I now understand that in this instance, as we had no previous interaction with Acorns School, an email was submitted to Presfield School asking for the identity of the DSL in order to disclose the confidential material. A response was supplied providing the contact details for both the DSL and the Deputy DSL. The response also suggested that the information could be supplied to Ms Debbie Davis a member of the senior management team. This was in part because the DSL had teaching duties in addition to her DSL duties. The confidential information was submitted via an egress system email the following day 22nd March 2022 to the DSL only. I have not been provided with a copy of the material but understand that the egress email enclosed the CPOMS information contained within document PRE001764.

25. I further understand that on 21st March 2022 the DSL had become unwell and required her to be absent from school. Her illness subsequently resulting in hospital admission. She returned to school duties on 19th April 2022. Unfortunately, the Egress email was not opened upon her return.

26. I have been asked if I was aware of any previous incidents regarding AR and in particular the following: -

i. The fact that AR admitted, in October 2019, that he had brought a knife into the Range High School on 10 occasions to “stab someone”;

ii. That he had made a comment at the Range High School that “that’s why teachers get murdered” in September/October 2019;

iii. An incident at the Acorns School on 15/11/2019 whereby AR was found to have been searching for school shootings in America during an ICT lesson;

iv. An incident at Acorns School on 03/12/2019 whereby AR said, during an art lesson, “why can we have these with guns but can’t look at guns on the internet” and “can we have a picture of a severed head then”;

v. An incident at the Range High School on 11/12/2019 whereby AR attacked a student with a hockey stick whilst in possession of a knife in his backpack;

vi. An incident whereby AR was sharing social media posts relating to Colonel Gaddafi in early 2021;

vii. An incident in April 2021 whereby AR was observed during a lesson to be conducting searches in relation to the London Bridge terror attack and he then spoke in detail about the Israel and Palestine conflict and the IRA;

viii. That AR had been referred to Prevent on three occasions: 05/12/2019, 01/02/2021, and 26/04/21;

27. I understand that the above information was contained within the Egress email submitted by Acorns School to our DSL, however as that email had not been opened during the time that I was headteacher, I do not recall being made aware of any of the above information.

28. In connection with the following incident: -

ix. An incident on 17 March 2022 where AR went missing from home and was found on a bus in possession of a knife and AR stated that he wanted to stab someone and that he had tried to make his own poison;

I do not recall being made aware of the details of this incident but am aware that incidents such as this where there is a police involvement, would usually involve receipt of an Operation Encompass report. The report would provide basic details of the incident and indicate whether the subject of the report was involved or witnessed the incident.

29. Had the school been made aware of the incidents identified above, a senior leadership team meeting would have been convened to discuss those incidents with a view to ascertain if we still could meet the needs of AR. If we had known that AR had been referred to PREVENT as recently as April 2021 and there had been no further incidents until 17th March 2022, we may have taken no further action in relation to a further referral. That decision would have relied upon any further investigations that may have been taken. However, taken in totality, it is likely that a further referral would have been made. Further action would have been taken in relation to updating risk assessments for the risks posed by AR to both other students and the staff of the school.

30. I would have expected to receive details of the above information and for that information to be shared with staff overseeing transition and producing the initial risk assessment. The transition staff were also tasked with deciding if we could meet need. As safeguarding DSL was an important part of the transition staff, I would expect her concerns to be raised with

me if there were any. The incidents are significant and should have warranted a safeguarding conversation at the very least.

31. As soon as the school had become aware of the information, further conversations with staff that worked with AR should have taken place to ascertain if we could “meet need”. Sometimes students with autism make critical mistakes which may be a one off brought about by a situation they were facing at the time of the incident. We would want to look into the individual situations to ascertain if this was the case. Staff may have been directed to follow up with staff from Acorns School to gather further information such as techniques used to deal with stressful situations.

32. I am not aware of any additional risk assessments undertaken by the school in addition to exhibit ACF3 –PRE001741 , and the elements of AR’s Learning Plan that touch on risk factors (PRE001742).

33. As stated above, risk assessments are living documents and are updated as and when new information comes to light or when there are new developments. In all cases a review process takes place annually. When a student first arrives at Presfield an initial Risk Assessment is undertaken using the known information. Once staff become more familiar with the student the risk assessment is updated. The annual reviews are undertaken by the tutor team best known to that student.

34. I am unaware of any additional risk assessments being undertaken in the specific case of AR. This was to some degree because of the lack of attendance as there were limited opportunities to gather information. However, the failure to consider the information contained within the unopened email dated 22nd March 2022 was a missed opportunity to consider updating risk assessments and to consider if Presfield was a suitable setting for AR.

35. The risk assessments undertaken were clearly based upon the information available to staff compiling those assessments and were not a true reflection of the potential risks posed by AR to students and to staff.

36. AR did not engage with the school during either his transition or when he was formally enrolled. I believe that the staff worked extremely hard to engage with AR, often at the expense of other students. Weekly visits were conducted to his home, taking staff away from supporting other students. We tried several changes to his daily routine and used basketball and pizza as an inducement for attendance. Our goal was to get AR to attend because I believed fully in the skill and professionalism of the staff attempting to support him. I felt that if he attended, we could develop relationships and challenge his perception of school and enthuse him. This was something that we had previously been successful with. However,

once we knew of his worsening mental health, we knew that autism was not AR's primary need and we ceased to be the appropriate setting for AR to attend. We tried unsuccessfully to persuade Lancashire County Council to address his mental health which was now his primary need.

37. A meeting took place with Samantha Steed (CAMHS at Alder Hey Children's Foundation NHS Trust) and Dr Ramasubramanian Consultant Psychiatrist on 14th June 2022 ACF5 – PRE001784. At that meeting concerns were raised about AR's father intimidating women and being verbally aggressive toward Dr Ramasurbramanian. It was also recorded that AR's father had called the police after AR put his laptop in the bath and had poured his dinner over his father's head. The meeting notes record that "*Sam Steed stated that school referring to early help (at Dad's request) is useless and would like school to escalate to social care*"

38. When considering an escalation such as the one requested, the task would be one for the DSL usually following discussions with myself. As a school we had not seen such behaviours from AR. If those professionals had been aware of such behaviours, they themselves could have referred the issues raised with Social Care. We would be looking to foster positive relationships with the family and would not escalate without evidence, particularly when the request to escalate could have been undertaken by Sam Steed or Dr Ramasurbramanian.

39. On 21st March 2023, I wrote an email to Lancashire County Council ACF6 –PRE000214. Within that email I asked in terms for Lancashire police to conduct a welfare check on AR. The school had had no contact with AR, and his parents were refusing to allow us to see him. We owed AR a duty of care and were attempting to ensure that AR was safe and well and accordingly requested a police welfare visit. As AR was a Lancashire student it was appropriate for Lancashire Police to conduct the welfare check. The school internal email chain dated 21st March 2023 ACF7 – PRE000223 demonstrates our frustration at the situation.

40. Following the email described in paragraph 37, I suggested a Multi-Agency Safeguarding Hub meeting as a possible way of resolving the impasse that the school found itself in. This was only a suggestion to the DSL and not an instruction. I am unaware if such a referral was made.

41. I have been asked if consideration was given to a PREVENT referral at any stage by anyone within Presfield School. I am only able to answer from the knowledge that I had up to

the time of my retirement. I would have thought that no such referral would be contemplated as the school did not knowingly have information to warrant such a referral.

42. With the benefit of hindsight, a further referral to PREVENT should have been made. However, as three previous referrals had been made, I am unsure if the further referral would have reached the required threshold for any intervention. His lack of attendance since his enrolment at Presfield resulted in no further evidence to support such a referral.

43. Reflecting upon my knowledge of AR and his time at Presfield High School, I felt that Lancashire County Council were a barrier to AR getting the mental health support that he needed. I did not consider his autism to be his primary need. I was concerned that Lancashire County Council were looking at him simply as a piece of data. He was on roll at Presfield and accordingly not a NEET student and therefore not affecting Lancashire County Council figures. I was frustrated by the amount of staffing changes at Lancashire County Council in the teams that were to support AR. I presented AR's needs to Lancashire County Council to attempt to ensure that he received an appropriate setting/support. I was confident in my assessment that Presfield could not meet his needs. In the event that AR was able to overcome his mental health issues and gain confidence to attend school, I do believe that we would have been able to support him.

44. On 24th June 2022 I wrote an email to Cheryl Smith our DSL ACF8 – PRE000052. Within that email, I questioned “*If he is year 11 can he not be a leaver.*”? In this email I was asking if his year status was an option for us to end AR's enrolment. As AR had been absent from formal education prior to joining Presfield, we offered AR an extended transition period. He was joining our sixth form in September, but we wanted AR to join the sixth form early to develop his confidence and resilience and to become comfortable in the school environment. So, despite being a year 11 student we started him into the sixth form. We considered that a slow transition before the formal lessons started in September would be beneficial. We had successfully achieved this with other students. As this had not been a success with AR and he was not yet of sixth form age, I questioned whether we could end his placement at the end of year 11.

45. In my emails dated 14th July 2022 ACF9 –PRE000067 and 5th September 2022 ACF10 – PRE000117 a decision was taken to withdraw AR's placement at Presfield. This decision was taken as AR was not attending school, we considered that his primary need was mental health, and we did not have the skill set to support that need. As an oversubscribed school we were also fully aware that while AR was on roll, we could not support another student who may have benefitted from our environment as the place was blocked.

46. On 6th September 2022 I wrote an internal email to the school office copying in Hayley Dawson and Debbie Davis ACF11 – PRE000075. From the content of that email, there appears to be some confusion regarding AR's placement with the school. As indicated earlier, I had written to AR's father informing him that AR would be removed from the roll. Unfortunately, Lancashire County Council refused that request and informed me that I could not remove AR from the roll. I was very frustrated with the lack of collaboration from Lancashire County Council and their seeming reluctance to look beyond Presfield for the needs of AR. Following the review meetings that we had completed during the previous academic term, I informed the parents that I was taking AR off roll. I was of the opinion that Lancashire County Council would then be forced to intervene and provide AR the support his mental health if he was a NEET student as he would become a priority. This was a further attempt to try and obtain the support that AR needed. Presfield could not provide this as his primary need in my view was his mental health.

47. This decision had no impact on the provision of education to AR as he continued to be a non attender and would not engage with our staff. As Lancashire County Council refused to accept that he should come off roll, we continued to try and communicate with the authority to obtain the support that AR may have benefitted from. The place at our school remained blocked.

48. On 14th October 2022 our Head of Sixth Form emailed Lancashire County Council ACF12 – PRE000087. The email had no effect as AR remained on roll and Lancashire County Council refused to remove him. I was in full agreement with the assessment made by Ms Dawson as we had attempted to engage AR with our Occupational Therapist who was a mental health specialist. AR was already under the care of CAMHS, however, I do not believe that AR was engaging with them either.

49. On 10th November 2022 I wrote a further internal email to the school office ACF13 – PRE000091. Within that email, I expressed my view that "Lancs were not playing". My expression was in no way intended to down play the significance of the situation but was an expression of my frustration. I had attempted to remove AR from our roll but the authority had refused to allow this to happen. I did not see the need to have an EHCP review for a student who was no longer on our roll in my opinion but required Lancashire County Council to confirm this so as to avoid AR from progressing into a worse mental health position. I felt that the authority were not acting in a way that met AR's needs.

50. I had many conversations/ email exchanges attempting to get AR the support I felt he needed from Lancashire County Council by taking him off the roll and into a setting that could best meet his needs. Follow up emails were sent and telephone conversations took

place. I felt that the authority were avoiding talking directly about what was in the best interests of AR.

51. An email exchange took place with the local authority over several days beginning on 3rd February 2023 regarding “*re Axel and his place or lack of at Presfield*”? ACF 14, 15 and 16 – PRE000144, PRE000146 and PRE000152. It was my belief that as headteacher of Presfield High School, I could remove AR from our roll as he had not formally commenced his education in sixth form. I was frustrated that messages were not being dealt with or answered and there was a lack of consistent workers available to contact throughout the week. My view was that there was not a place for AR and the view from the local authority was different. Multiple telephone calls, emails and meetings were arranged following from this exchange. Eventually the EHCP was rescinded on 20th March 2024 stating that the plan was withdrawn as AR had not attended school for two years.

52. I have been asked to comment on an email exchange ACF17 –PRE001691. I cannot comment on why the DSL would suggest that I was the main point of contact. I certainly led on trying to get AR the support that could meet his needs at the time as I was headteacher. I am not able to comment on any Children Missing Education referral as the email chain was after my retirement other than to state that this was another organisation saying that the problem was not their responsibility. It was all very frustrating.

53. I have no doubt that the DSL would have followed up this email to the Inclusion Team at the local authority, however this may have been completed after my retirement. I am aware however of contact being made between our DSL and Janet Fazakerly of MASH (Multi Agency Support Hub) who advised that contact had been attempted with the parents of AR by phone and letter requesting that the parents contact MASH

54. On 7th July 2023 a decision was taken to rescind AR from the roll at Presfield High School. It had become apparent that the attendance of AR was not what we had expected and it was also clear that autism was no longer the primary need for AR. His mental Health had become his primary need. AR never left the roll during the remainder of my tenure at school. I have detailed the reasons for this decision above.

55. I see from the chronology provided to me that funding for AR was withdrawn when his EHCP was cancelled. The school was notified of this decision on 20th March 2024 upon the grounds that he had not been in education for two years.

56. I am unable to confirm when AR was officially removed from the roll, but would anticipate that this would have occurred within a very short timescale.

57. During my time as headteacher, we tried to act with the best interest of AR at the centre of our thinking. We wanted to give him the best opportunity that we could to re-engage in education as many before him had successfully done. I cannot say with any certainty if I had been aware of any of the incidents he had been involved in, I would have not offered him a place at the school. We would have discussed it at length. We believed in the skill set of our staff to support change. Shaping futures, changing lives was not a simple tag line for us, but was something we believed in and had great success with. I do consider requesting staff to visit AR's home each week was a potential error in hindsight. Staff being alone, we now know, were potentially at risk although I was unaware of that at the time requests were made.

58. In hindsight, would I have submitted a PREVENT referral if I was aware of the previous incidents is a difficult question to answer. I am uncertain as there had been three referrals submitted non of which reached the threshold for involvement and as a school we did not witness any behaviours within the limited exposure that we had with AR. I would expect PREVENT as a specialist organisation to have a better understanding of the information presented than I.

59. I would not have requested staff to visit the home on their own and would have sought additional funding from Lancashire County Council to cover the cost of those staff. Two staff members would have been taken away from supporting our students which would have seriously impacted on their anxieties and progress. I inadvertently placed staff in a potentially dangerous situation for which I apologise.

58. I cannot say with any certainty that had AR engaged with us he would have responded to his anger and frustrations in another way. This is unknown. However, I do not believe that any of our actions/inactions contributed to the vile act that was carried out and my heartfelt and deepest sympathy goes out to all of the families affected.

60. From my perspective the issues around resources should not be about if they were adequate, the question should be whether they were adequate and supportive of AR. I suggest that the balance sheet and a fear of a poor set of NEET figures influenced decision making at Lancashire County Council. The resources we had could not meet his primary need as that was to become mental health. This was disclosed on several occasions. The available resources should have been directed towards AR's mental health and not be used to keep him on a school roll where it was known that those needs could not be met.

Improvements

61. I am aware that a Safeguarding email now exists which enables access to several members of staff with safeguarding accreditation. This ensures that emails are not missed during a period of absence.

62. I am asked to set out any improvements that could be made relevant to my own area of involvement that would be practicable and make an effective difference. I set these out as follows:-

(1) Why if a child does not attend a CAMHS appointment on two occasions are they removed from the list? Surely they should be followed up as lack of engagement will exacerbate their needs.

(2) My understanding is Prevent is about radicalisation and the news reports AR was not radicalised but obsessed with violence not with political slant. Should those obsessed with violence not have a referral process?

(3) When organisations are judged by data and impacted by financial constraints the actual people in need become figures on a spread sheet and not real people with wants and needs.

(4) When a student is not taking medication, not attending CAMHS or school what is the LA responsibility to call a relevant strategy meeting and then ensure outcomes are acted upon and revisited creating a level of accountability.

(5) Occasionally it appears that those working with young people with SEN choose to explain away need through a diagnosis instead of attempting to get the crux of the matter. This maybe because of workload or financial considerations. For example, "their behaviour is because of their autism" without speaking to specialist who may totally disagree with that statement and believe the behaviour has nothing to do with their diagnosis.

(6) When multi agency meetings occur, it is often the case that professionals are looking for other professionals to lead. This is a resource and workload issue but can mean people falling through gaps as no one want to take up the lead.

Dated this 18th 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.

Signed

Anthony Charles Fay

Signature: **Signature**
Tony Fay (Aug 26, 2025 19:16:01 GMT+1)

Email: **DPA**






Tony Fay Final (3)

Final Audit Report

2025-08-26

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