

Monday, 27 October 2025

(10.00 am)

LUCY MCLOUGHLIN (sworn)

Questioned by MR BOYLE

SIR ADRIAN FULFORD: Please have a seat, Ms McLoughlin.

Yes, Mr Boyle.

MR BOYLE: Sir, just by way of background, as you know, we have some technical challenges this morning.

SIR ADRIAN FULFORD: Yes.

MR BOYLE: I think that means that we won't have a live transcript. Apologies for that.

SIR ADRIAN FULFORD: I understand.

MR BOYLE: Ms McLoughlin, could you give your full name please?

A. Yes, Lucy Elizabeth McLoughlin.

Q. Thank you very much.

Could we start, please, by having on screen

MERP001163. Thank you. I think this is the first

statement you gave to the Merseyside Police

investigation; do you recognise that?

A. Yes.

Q. Thank you. Can you confirm it is true to the best of your knowledge and belief?

A. Yes.

Q. Thank you. Then, could we have up MERP000931. I think

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teaching in the classroom throughout that time?

A. I have, yes.

Q. What do you teach?

A. So I teach a range of subjects. I teach GCSE English

and history but also I teach life skills, social

communication and some of the vocational subjects as

well, like personal social development.

Q. As Deputy Headteacher, which you were I think for at

least the first period that AR was at Presfield, what

level of involvement would you have in the management of

individual pupils?

A. So, it varied from kind of pupil to pupil. So we are --

it's only a very small school and we would kind of take

on different responsibilities for different children.

We had a Head of Sixth Form, who would oversee the Key

Stage 5 provision. I tended to oversee the Key Stage 4

provision and then we kind of shared the Key Stage 3

provision between us. If there was particularly tricky

students who had a higher level of challenge, some of us

would take on those students, regardless of the key

stage, and that would depend on who had the best

relationship with the child, the best relationship with

the parents and who had the most area of expertise in

what the particular difficulties that child experienced.

Q. Obviously, in terms of relationship with AR, he didn't

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you then came to give a more full statement to

Merseyside Police and do you recognise this as that statement?

A. Yes.

Q. Is it again true to the best of your knowledge and belief?

A. Yes.

Q. Thank you. Finally, PRE001808. Thank you. I think this is the statement you gave to the Inquiry. We can see it's dated 18 August 2025. Is that true to the best knowledge and belief?

A. Yes.

Q. Just last of all, can we have up the Presfield chronology, which is PRE001795. Again, can you confirm this is true to the best of your knowledge and belief?

A. Yes.

Q. Starting with your role, Ms McLoughlin, you have, I think, worked at Presfield High School since 2014, correct?

A. That's right, yes.

Q. You became Deputy Head in March 2020 --

A. Yes.

Q. -- and Headteacher in May 2023?

A. Yes.

Q. As you progressed to your current role, have you been

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come in very much?

A. No.

Q. Presumably no one had a particularly strong relationship with him?

A. No.

Q. How was the responsibility for him shared between the teachers and staff?

A. So because his level of attendance was so small it was

0.7 per cent. It kind of fell to the Designated

Safeguarding Lead because his main area of concern was

his attendance at that time. When he first came to us

it was the Head of Sixth Form who put in a range of

different procedures who try and engage AR but, when

they failed, it fell to the Designated Safeguarding

Lead. When they went out to do home visits and

unfortunately weren't able to see AR, we kind of then --

it would be who could -- who was available to go. We

did kind of escalate who went with a member of staff.

So it did appear that, over time, AR and his family

would kind of work through a hierarchy, if that makes

sense.

So to begin with, it was his form tutor that went

out. When he failed to see AR and the family wouldn't

let him in the home, we then asked the DSL to go, that

was like another level of seniority. When that failed,

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1 we asked the Safe Schools Officer to go with us. Then  
 2 it kind of fell to who was available in the senior  
 3 leadership team and that sometimes fell to me.  
 4 **Q.** So we have heard, obviously, from Ms Smith about the  
 5 efforts she made to get help and arrange the visits and  
 6 we'll come on perhaps to some evidence about Ms Dawson,  
 7 who was the Head of Sixth Form at the time of the  
 8 transfer.

9 Can I ask about your own level of involvement in the  
 10 safeguarding side of work at Presfield. Are you trained  
 11 in that area?

12 **A.** I am currently, yes.

13 **Q.** Were you at the time?

14 **A.** No.

15 **Q.** What about CPOMS, would you have access to the kind of  
 16 two-factor authentication level?

17 **A.** As Deputy -- and we've gone back and looked at this,  
 18 just to make sure -- I didn't have the same level of  
 19 access to CPOMS as the DSL because I wasn't a DSL at  
 20 that time. However, now I do have that access and so  
 21 does the whole senior leadership team.

22 **Q.** We have heard from Ms Smith but I think helpful to have  
 23 in your own words just a very brief summary of Presfield  
 24 School?

25 **A.** So Presfield School is a school for students with autism

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1 to delivering a curriculum and teaching children on the  
 2 spectrum in the best possible way: we have a number of  
 3 breakout spaces; we've got one sensory room that's used;  
 4 we have a huge sensory curriculum as well and each child  
 5 is really treated as an individual. So whilst we have  
 6 a number of curriculum pathways, there are children that  
 7 will go across the curriculums because they might need  
 8 a high level of sensory input but, for instance, they  
 9 might have a real skill in maths and we wouldn't to ever  
 10 put a ceiling on anyone's achievement. So they would  
 11 then go and access GCSE maths, for instance.

12 **Q.** Can I ask about the school's ability to handle pupil  
 13 who've previously been excluded or come from PRUs. Was  
 14 that commonplace for Presfield?

15 **A.** No, students coming from a Pupil Referral Unit is not  
 16 common at Presfield. Usually they will come from  
 17 a mainstream school or from a primary school with a base  
 18 attached to it. But that's not to say we've never had  
 19 a child from a Pupil Referral Unit, it's just not  
 20 commonplace really.

21 **Q.** Thank you. I want to ask, please, about the handover  
 22 that was between Acorns School and Presfield. You tell  
 23 us at your paragraph 8, that the process of handover  
 24 will begin with a request from a local authority for  
 25 a placement; is that right?

7

1 identified as their primary need. We go from the age of  
 2 11 through to 19, so there is a three-year sixth form,  
 3 and we deliver as much of the national curriculum as we  
 4 can but there are certain aspects disbanded. For  
 5 instance, we didn't deliver modern foreign languages but  
 6 if a child has a certain aptitude for that and a certain  
 7 interest in that, we will look to deliver that and buy  
 8 in tutors to deliver that as well.

9 We cater for many students on the spectrum, so we  
 10 have some students who have very limited language, and  
 11 they will follow a skills for life curriculum and their  
 12 intended destination might be supported living. We then  
 13 have other students who are extremely intelligent and  
 14 they'll go and they'll achieve really high grade GCSEs.  
 15 We have started to deliver some A-levels in our sixth  
 16 form as well and we have students who go on to  
 17 university, but we also cater for everybody in and  
 18 amongst there as well.

19 A huge part of our curriculum is life skills and we  
 20 look at how we can support a child's social and  
 21 communication and to help them to move on into  
 22 employment or further education.

23 We are a NAS, National Autistic Society, approved  
 24 school, advanced level as well, and we are going for our  
 25 Beacon Status, so everything in the school is geared up

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1 **A.** Yes, that's right.

2 **Q.** You say that, first of all, the EHCP will be considered  
 3 and the school will consider whether the need of that  
 4 student can be met, correct?

5 **A.** Yes, that's right.

6 **Q.** Is this right, you could be obliged to accept a request  
 7 for placement on the EHCP?

8 **A.** Yes.

9 **Q.** But, in practice, is there a process of discussion with  
 10 the local authority?

11 **A.** So we try where we can to have those discussions with  
 12 the local authority. So when a placement request comes  
 13 through, we have 15 days to respond to that request,  
 14 which sometimes makes it really difficult to be able to  
 15 go out and visit a child in their setting and in their  
 16 school and it is much easier if a child is in your local  
 17 authority because headteachers meet each other at  
 18 different meetings and we will have those discussions  
 19 around a child and whether we believe we can meet their  
 20 needs. Where it's across a local authority, we don't  
 21 have that same opportunity to do it.

22 When the placement request comes in it does go to  
 23 the headteacher initially and what happened in the case  
 24 of AR, because the placement was for a September start  
 25 within the sixth form, the placement request went to the

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1 Head of Sixth Form, who, at the time, did liaise with  
 2 the senior leadership team to say, "I think we can meet  
 3 the need, does everybody agree?" We looked at the  
 4 paperwork --  
 5 **Q.** Let's do that step by step. I first wanted to ask you  
 6 about the EHCP and you say that was received before the  
 7 replacement was offered?  
 8 **A.** Yes.  
 9 **Q.** Can we have that on screen, please. LCC000139.  
 10 Sir, just for the benefit of your note, we have seen  
 11 another version of this LCC000132.  
 12 **SIR ADRIAN FULFORD:** Thank you very much.  
 13 **MR BOYLE:** There are a number of versions of this EHCP,  
 14 which we'll come to. Is this the sort of front page  
 15 that you would normally see on an EHCP received from  
 16 Lancashire County Council?  
 17 **A.** From Lancashire, yes.  
 18 **Q.** Could we move to page 5, please?  
 19 **SIR ADRIAN FULFORD:** Could somebody from behind the screens  
 20 come and see if they can get this page up on my screen.  
 21 I just have a moving box that says "invalid format" but,  
 22 Mr Boyle, carry on for the time being.  
 23 **MR BOYLE:** Sir, if I read things then perhaps --  
 24 **SIR ADRIAN FULFORD:** It's fine. Carry on.  
 25 If we just zoom out. The reason I'm pulling up this

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1 did have some of the strike-through on there.  
 2 **Q.** Are you able to remember -- I know we're talking about  
 3 a point of detail from some time ago -- but do you have  
 4 any memory of what was actually on AR's EHCP, in terms  
 5 of the level of editing?  
 6 **A.** There was a lot of editing on there and, when  
 7 considering his placement, we did look at some of the  
 8 things that were taken out but you're not allowed to  
 9 consider that and for that to be a reason to kind of  
 10 change your mind on a placement. And from what I can  
 11 remember, there was actually very little information  
 12 regarding his history or regarding AR's kind of needs,  
 13 really other than communication and interaction.  
 14 **Q.** So you weren't involved in the process of editing; it  
 15 happened before it came to you?  
 16 **A.** Absolutely.  
 17 **Q.** But just as we have this on screen, we've previously  
 18 seen one version with some level of amendments but  
 19 I think, if we look at this copy, we can see quite heavy  
 20 redacting. For example, "He does not like perceived  
 21 injustice" has been struck out and corrected with:  
 22 "[AR] has a good sense of right and wrong, which  
 23 requires thought to work through scenarios where  
 24 an injustice may have occurred."  
 25 Then the next paragraph, I think the original

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1 page is it's the "Communication and Interaction" section  
 2 of the EHCP, and if we could then go over to page 6. So  
 3 we see the EHCP with quite a lot of editing in red,  
 4 struck through some wording in bold with dates and  
 5 others not. Can I ask what would you see when you got  
 6 an EHCP?  
 7 **A.** So, when I see an EHCP like this, with the striking  
 8 through, we're told we're not to really consider the  
 9 strike-through because when the final amended EHCP comes  
 10 through, that won't be on it. So that's to be deleted.  
 11 So this plan hasn't been finalised by the local  
 12 authority. When it would be finalised, it would come  
 13 through without the strike-through on there. So that  
 14 would be historic and then what's been put in as  
 15 a result in the bold and the red is what's to be  
 16 considered now.  
 17 **Q.** So is this then a document which is partway through the  
 18 process of editing?  
 19 **A.** Yes, it's not been finalised yet.  
 20 **Q.** I should add, it is signed and dated at the end --  
 21 **A.** Yeah.  
 22 **Q.** -- and perhaps we need to disregard that. So you  
 23 wouldn't see a version with editing like this when it  
 24 comes to you?  
 25 **A.** Not usually but sometimes we do. In the case of AR, we

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1 wording may have been the:  
 2 "The educational psychologist reports that [AR] does  
 3 not always make eye contact."  
 4 It's been changed to say:  
 5 "[AR] does not always find it easy to make eye  
 6 contact."  
 7 Looking at the next paragraph strikeout:  
 8 "It is also reported that if another pupil said  
 9 something he did not agree with he would ..."  
 10 Originally, it would have said, "struggled to  
 11 accept", and it's instead been changed to say:  
 12 "... in line with his ASD diagnosis, he can struggle  
 13 to accept ... other people ..."  
 14 We see in the next paragraph, "His thinking is very  
 15 black and white" is crossed out and "[AR] was unable to  
 16 let go of any form of perceived injustice", again  
 17 crossed out, as already mentioned above.  
 18 If we could go over the page, please. Then we see  
 19 at the top of this page a section we've already seen  
 20 struck through, where it originally said:  
 21 "There were concerns of occasions where [AR] would  
 22 say and do things which have been described as  
 23 'sinister'.  
 24 In the last version we saw, "sinister" had been  
 25 struck through and replaced with "inappropriate" and in

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1 this version that entire section has been crossed  
2 through and we see the "cold and calculating" reference,  
3 which I think had been struck through in the version we  
4 saw before.

5 Then going one paragraph below, the suggestion that  
6 "[AR] was unable to let go of any real or perceived  
7 injustice and his father believes that if [AR] is  
8 respected by others there will be no difficulties, but  
9 if something is said to him then he will react", that  
10 has been crossed out, and then it says AR, instead of  
11 "has difficulty":

12 "... can have difficulty managing when things go  
13 wrong."

14 Then "becomes angry" is struck out and replaced with  
15 "can become frustrated". So we see, I think, the  
16 wording Mrs Hodson used was toned down. I think we can  
17 see that here, can't we?

18 A. Yes, absolutely.

19 Q. Could we just go to page 11, please. We see added in  
20 red:

21 "He is no longer under the YOT team, parents request  
22 that this section is removed as not relevant. Has  
23 current involvement from CFWS."

24 We can see there was a section there on his  
25 involvement with the YOT and the suggestion seems to be

13

1 Q. Thank you. I think it does say that he has a tendency  
2 to strike out --

3 A. Yes.

4 Q. -- we've seen but we don't have any information about  
5 knives, I don't think, in this, do we?

6 A. No, and again, when you're looking at a child with  
7 autism and in our setting, everyone is Team Teach  
8 trained, which means we will hold a child if they're in  
9 crisis, might hurt themselves or hurt others. Striking  
10 out could be a gentle hit on the shoulder. It  
11 doesn't -- it's too ambiguous language for us to get  
12 a clear picture of how AR presented.

13 Q. So you might be able to meet the need of a child that  
14 was at risk of striking out?

15 A. Yes.

16 Q. How would that be different to a child that was at risk  
17 of carrying a knife?

18 A. Because if a child is striking out when they are in  
19 crisis there's no intent there --

20 Q. Sorry, let me put that question better: what would your  
21 response be to knowing that the child had a history of  
22 carrying a knife?

23 A. If a child had a history of carrying a knife, that's not  
24 something our setting would be able to meet the need of,  
25 particularly where there's intent to hurt somebody with

15

1 that AR's parents wanted reference to the YOT removed  
2 because he was not involved, it was no longer relevant.

3 From your perspective, if that edited information  
4 had not been -- let's just start again: was that edited  
5 information relevant to your assessment?

6 A. Yes, it is relevant to our assessment, absolutely.  
7 I think, even in the editing, the detail would have  
8 needed to have been clearer. I think it's important  
9 when you understand a student with autism and we talk  
10 about perceived injustice, that in itself is not  
11 detailed enough for us to make an accurate assessment.  
12 A perceived injustice could be someone pushing in front  
13 of you in a queue and not being able to let that go. So  
14 that, in itself, wouldn't be a reason for us to say we  
15 can't meet the need, in the kind of -- in AR's  
16 circumstances. The perceived injustice was much more  
17 elevated and that detail needed to be in there.

18 Q. So even without the edits, what is still missing from  
19 this document is detail about the previous incidents AR  
20 had been involved in, for example, going back to The  
21 Range with the hockey stick, carrying the knife into The  
22 Range, et cetera; is that right?

23 A. Yes, that's right. The sense of intent is not clear  
24 anywhere in the EHCP and that intent really needs to be  
25 made clear in there.

14

1 that knife. That's not my school and the children there  
2 are extremely vulnerable. If we'd have had that  
3 information, we would not have been able to meet AR's  
4 need.

5 Q. Thank you. Just one point on this, which I think is you  
6 say in your statement at paragraph 10 that you were  
7 aware of the knife incident at The Range High School.  
8 Maybe if we have, please, page 3, paragraph 10,  
9 PRE001808. You say:

10 "I was aware from reading the EHCP of the knife  
11 incident at Range School ..."

12 Having looked at that EHCP, it's not referred to.  
13 Do you know where you got that information?

14 A. Because there was a document that's -- when you get  
15 a placement request, you don't just get the EHCP, you do  
16 get some subsidiary documents as well. There was  
17 another document that came with that, that mentioned the  
18 knife incident at the Range. There was no mention in  
19 that document of the intent to use it and from what  
20 other people have said around AR's intent and how he  
21 then presented with it. That's the key missing piece of  
22 information for us, as to make a judgement of whether we  
23 can meet the need of a child. It is around the intent  
24 and the intent to use that.

25 Q. Thank you. I mean, you go on to say that the knife

16

1 incident -- "did not consider this in isolation to be  
 2 a reason for refusal". Do we take from that that just  
 3 carrying a knife wouldn't necessarily be a reason for  
 4 refusal but that, if you had known that he'd said, for  
 5 example, that he intended to use it, that would have  
 6 forced a rethink?

7 **A.** Absolutely. Yes, it is the intent in which they had to  
 8 use that weapon would make the difference in that, and  
 9 also the kind of knife they were carrying. So, at this  
 10 point, we had no idea what kind of knife that was but  
 11 there have been other occasions where a child might have  
 12 carried a butter knife and that's very different than  
 13 carrying a kitchen knife that you would use to chop  
 14 vegetables, for instance, and if a child is carrying  
 15 a butter knife for protection, it's very different than  
 16 carrying a knife used to chop vegetables in a kitchen,  
 17 with the intent of using it to harm somebody.

18 **Q.** Are you able to remember what the subsidiary  
 19 documentation was? Are we talking about a cover letter  
 20 or a risk assessment?

21 **A.** It wasn't a risk assessment. It was a table. I can't  
 22 really remember the entirety of it. I only briefly  
 23 glanced at it and it was just on there, and it stated  
 24 around the fact that his perceived injustice was around  
 25 him being bullied at The Range and it was racist

17

1 that's presented is down to the local authority. So as  
 2 a headteacher you will see a vast number of formats of  
 3 EHCPs. Where I have seen it previously would be in the  
 4 history and in AR's history. It's very short in the  
 5 EHCP, whereas in other provisions that comes right at  
 6 the front and it will outline an entire young person's  
 7 history, right from the time they got their Education,  
 8 Health and Care Plan to the current day, and I would  
 9 have expected, given such vast movement within AR's  
 10 education and significant incidents, that would be in  
 11 that history to allow us to see what AR has being  
 12 through and what we need to do, whether we can meet that  
 13 person's need in our school.

14 **Q.** So, just talking about the formatting of the EHCP, do  
 15 you see other formats which are better at passing this  
 16 information on?

17 **A.** Better than Lancashire, yes.

18 **Q.** Would it be helpful to have a kind of standardised  
 19 approach?

20 **A.** Absolutely. As a head teacher, when you are looking at  
 21 formats from Manchester, the Wirral, Knowsley,  
 22 Lancashire, Sefton, and they're all vastly different, it  
 23 makes it different and also the quality assuring of  
 24 those EHCPs, you are relying on different local  
 25 authorities then to quality assure an EHCP through the

19

1 bullying.

2 **Q.** Just in terms of the EHCP's role in passing on that risk  
 3 information: is it the purpose of the EHCP to allow you  
 4 to risk assess the risk that someone like AR presents to  
 5 other pupils?

6 **A.** Absolutely. That's the only information we can go off,  
 7 to say whether we can meet the need of that child in our  
 8 provision. Without that risk document in there and that  
 9 history of what that child has been through, I can't  
 10 ensure that my provision is appropriate or that I'm  
 11 putting in the right measures to ensure that they're  
 12 safe and everybody else in the building is safe.

13 **Q.** This isn't just about measures that you might put in  
 14 place to safeguard someone once they arrive, it's about  
 15 knowing whether you actually can put those measures in  
 16 place at all?

17 **A.** Yes.

18 **Q.** We heard some evidence from Mr Turner of Lancashire  
 19 County Council who said that, actually, in their EHCP  
 20 document, there wasn't really an obvious place to put  
 21 that sort of information. Have you seen EHCPs which do  
 22 include that information?

23 **A.** Yes. So each local authority has different formats for  
 24 an Education, Health and Care Plan, so whilst it's  
 25 mandatory to have sections A, B, C, et cetera, how

18

1 quality assurance panel, which I've sat on before and we  
 2 do quality assure for Sefton. If you had a standardised  
 3 format, you could then quality assure across local  
 4 authorities, which would then improve working together  
 5 across local authorities and close any gaps that might  
 6 be there.

7 **Q.** You could oblige when they are completed for risk  
 8 information to be included with a specific section for  
 9 that?

10 **A.** Yes. You could do, yes --

11 **Q.** Moving on then to AR's acceptance for his place at  
 12 Presfield. So we've had the EHCP. In addition to that,  
 13 there was a visit; is that right?

14 **A.** To AR at Acorns?

15 **Q.** Yes.

16 **A.** Yes.

17 **Q.** So Ms Dawson, Head of Sixth Form, I think, met AR and  
 18 Ms Allred, who we've heard about previously.

19 **A.** Yes, that's right.

20 **Q.** I think you say that is an opportunity to discuss the  
 21 student with the current teachers and ask what do we  
 22 need to know?

23 **A.** Yes, it is.

24 **Q.** I think you say that, actually, at the meeting between  
 25 Ms Dawson and Ms Allred, there wasn't a transfer of that

20

1 risk information?

2 **A.** No, there wasn't.

3 **Q.** That's at your paragraph 8. We have a statement from

4 Ms Dawson, who says at that meeting no concerns were

5 voiced.

6 Sir, that will be summarised later but, for your

7 note, it's PRE001807?

8 **SIR ADRIAN FULFORD:** Thank you.

9 **MR BOYLE:** The email that we see from Ms Dawson accepting

10 the place, says:

11 "I believe that we can meet [AR's] needs after

12 reading his EHCP and meeting [AR]."

13 So that was the information that was taken on board.

14 That's PRE000025.

15 **SIR ADRIAN FULFORD:** Thank you.

16 **MR BOYLE:** Continuing with the chronology, the formal

17 enrolment of AR was on 28 March 2020?

18 **A.** Yes.

19 **Q.** But we saw in evidence that, around that time, there was

20 a significant amount of information passed by The Acorns

21 to Presfield School, correct?

22 **A.** Yes, to the Designated Safeguarding Lead, yes.

23 **Q.** We went through this in evidence with Ms Smith but,

24 first of all, there was the discussion on 21 March,

25 which included the fact that AR had run away from home

21

1 the "Request" button.

2 **Q.** We also saw emails that Mrs Smith was copied into:

3 an attempt to get further information from CAMHS,

4 following the incident on the bus on 17 March. We know

5 from your evidence that, in April 2020, a risk

6 assessment profile was sent through by The Acorns, which

7 again we looked at in evidence with Ms Smith, correct?

8 **A.** Yes.

9 **Q.** We're not hearing evidence from Ms Dawson or Ms Allred.

10 Are you able to help us with the kind of paradox between

11 the fact that the suggestion that in January no

12 information was shared and then information we can see

13 was shared in March?

14 **A.** So, AR's original placement request was for the

15 September 2022, not for the March. So he was coming to

16 join us in the sixth form when his year 11 place had

17 ended at Acorns. In between that time, when his

18 placement was given in January, when Mrs Dawson said we

19 can meet the need in January, his attendance, we were

20 led to believe, dropped at Acorns because he had become

21 disengaged, due to wanting to start at Presfield.

22 Ms Allred got in contact with Mrs Dawson to say, "Is

23 there any way the placement can start earlier due to him

24 becoming further disengaged?" Mrs Dawson had a look.

25 We couldn't accommodate AR in year 11 because our year

23

1 with a kitchen knife with a plan to stab someone. There

2 was the sending of the CPOMS notes, which, as we covered

3 again with Ms Smith, included all the data that we know

4 is in there, and that was, I think, also transferred not

5 just by Egress but also on the CPOMS system, correct?

6 **A.** It could have been, it was never requested to be

7 transferred on CPOMS, so we didn't actually get that

8 information through the CPOMS system.

9 **Q.** I thought Ms Smith's evidence was it had been sent but

10 overlooked?

11 **A.** No, it had not been sent through CPOMS. It didn't get

12 requested until -- it had actually never been requested

13 on CPOMS, as in AR's information, because by the time

14 Mrs Smith realised it was there he'd left. It was

15 September 2024.

16 **Q.** Is that a mechanism in the software, whereby Presfield

17 actually requests the records?

18 **A.** Yes. So with CPOMS, it's quite clear, it's very user

19 friendly, in terms of requesting information.

20 A student's name comes up on the screen. Next to it is

21 a button that says "request transfer". You would click

22 that button. The other school then would click the

23 button on their system, which says "Authorise Transfer",

24 and it gets transferred straight through to your system

25 and you can see everything. Mrs Smith hadn't pressed

22

1 11's were doing -- on study leave, working towards their

2 GCSEs in March. It wouldn't have been appropriate to

3 put him in the year 11 class. They would also have left

4 at the end of June, along with many year 11's across the

5 country.

6 So Mrs Dawson looked whether she could accommodate

7 AR in the sixth form. She felt she could. So therefore

8 a placement -- we agreed an enhanced transition, which

9 is very, very unusual. It's not something we usually

10 do. An enhanced transition for AR was agreed to keep

11 him engaged and try and increase his attendance. So,

12 therefore, he would have come to sessions with

13 ourselves, whilst remaining on the roll of Acorns.

14 However, when that was agreed, Acorns asked -- did say

15 could he come on your roll and become part of your

16 school because that would be better for AR, he'd then

17 feel part of your community.

18 We looked at it and we agreed that he could take the

19 place in March. This was done very quickly. So,

20 therefore, that's why the information then got sent

21 because the placement was agreed to start earlier than

22 the original September.

23 **Q.** So there was an accelerated process?

24 **A.** Yes.

25 **Q.** But I think the information was shared around the time

24

1 that AR was officially enrolled?

2 **A.** Yes.

3 **Q.** So one thing I'm wondering about is the kind of

4 obligation on schools to share this sort of information

5 before an offer of placement is made?

6 **A.** There is no obligation in terms of safeguarding

7 information, that wouldn't usually come through until

8 a child is on your roll. You're not entitled to that

9 information.

10 **Q.** Can I just understand: when you say safeguarding

11 information here, would that include the risk that

12 a child presents to other pupils as well as the risk to

13 themselves?

14 **A.** Yes.

15 **Q.** I think we heard from Mrs Lewis that the practice is

16 that the safeguarding information normally comes after

17 the move happens. We'll hear from Ms Dixon but I think

18 the kind of requirements are that the common transfer

19 file must be transferred within 15 days of a pupil

20 ceasing to be registered; is that right?

21 **A.** Yes, that's right.

22 **Q.** Then the child protection file has to be transferred

23 within five years of an in-year transfer or within the

24 first five days of the start of the new term; is that

25 right?

25

1 **A.** Correct. Absolutely, it would be really helpful if, in

2 their EHCP, there was a level of understanding around

3 the safeguarding concerns around that child, whether

4 it's to them or what they pose to others. The EHCP

5 really is an integral document in ensuring everybody's

6 working together to make sure we are providing the care

7 the child needs but also safeguarding them and

8 safeguarding others.

9 **Q.** So, particularly for Presfield, where I assume most new

10 pupils, if not all, have an EHCP?

11 **A.** Every child in our school has an EHCP yes.

12 **Q.** But if we were to think about mainstream schooling or

13 PRUs, this is another way in which this safeguarding

14 information could be shared before transfer but there's

15 no obligation to do it, correct?

16 **A.** Yes.

17 **Q.** Do you know why that is?

18 **A.** I don't think you're entitled to that information until

19 they're on your roll. I'm not entirely sure why. I'm

20 not sure.

21 **Q.** Moving on to the Egress. We've covered, in evidence,

22 the oversight by Ms Smith but, of course, that occurred

23 at a time when she was suffering from ill health and had

24 some difficulties in her personal life. Shouldn't there

25 have been arrangements for covering her while she was on

27

1 **A.** Yes, that's right.

2 **Q.** But I think Ms Dixon says -- sir, it's her paragraph 38,

3 DFE000256 -- that since the Guidance on Keeping Children

4 Safe in Education 2018 onwards, it advised Designated

5 Safeguarding Leads to consider if it would be

6 appropriate to share any information with the new school

7 in advance of the child leaving. Is this right, there

8 is a discretion to share before but no obligation?

9 **A.** Yes, and that can't be shared on the CPOMS system. So

10 you couldn't ask for the CPOMS file early because you

11 can only request it once a child is on your management

12 information system, so that would happen when they're

13 enrolled. So you could have a conversation with

14 somebody. They could then pass you paper copies, if

15 they've got paper copies or they could download the

16 CPOMS and send it you securely but you can't request it

17 through the system until they're enrolled.

18 **Q.** That's maybe a technical barrier?

19 **A.** Yes.

20 **Q.** The guidance says that it can be done but doesn't oblige

21 that to happen?

22 **A.** Yes.

23 **Q.** We've obviously explored the EHCP route, that this might

24 be another way that the school could get information end

25 someone before they are transferred?

26

1 leave?

2 **A.** Yes, there should have been. We did have a Deputy

3 DSL at the time and I know his email was also sent to

4 Acorns but the information wasn't sent to him at the

5 time, it was just to Ms Smith.

6 **Q.** But I mean shouldn't there have been a process when she

7 went on sick for checking her emails?

8 **A.** Yes, there should.

9 **Q.** We also know that AR's CPOMS being missed was not

10 an isolated incident. There were 53 other children

11 who'd had that information missed?

12 **A.** Yes.

13 **Q.** I think Ms Smith said she'd asked for more training and

14 help when CPOMS was introduced but that hadn't been

15 provided. Were you aware of that?

16 **A.** So, actually, there was training provided for Ms Smith.

17 There are records of transfer training for her and --

18 along with evidence of her transferring files prior to

19 AR and after AR's attendance, and then that stopped

20 partway through 2022, she stopped transferring

21 information, but she did have that training and there's

22 evidence of her doing that.

23 **Q.** Are you able to address why that might have happened:

24 was it a workload issue?

25 **A.** I don't know why that happened. I would be assuming.

28

1 Q. Are there failsafe mechanisms in place now to prevent it  
2 from happening again?  
3 A. Absolutely. My entire senior leadership team are DSLs  
4 now. We all have elevated access to CPOMS, so everybody  
5 can request the transfer of information. We have  
6 calendar dates in there as reminders, just in case  
7 you're busy and things slip your mind. We have calendar  
8 reminders in there of when the key transfer dates are,  
9 particularly around our year 7 starters and new starters  
10 at the beginning of a term. But we've also got a number  
11 of us that are doing that now. We also have regular  
12 meetings as a team to discuss children coming through  
13 and when we're looking at a placement request and we're  
14 saying we can meet their need, we're then discussing it  
15 with the wider team, rather than keeping it in  
16 isolation, so that we know -- there's a number of us  
17 that know that information needs to be requested by this  
18 date.  
19 Q. Thank you. The other route of this risk information  
20 coming from The Acorns to Presfield was the risk  
21 assessment document --  
22 A. Yes.  
23 Q. -- that I took Ms Smith through. It's LCC000707. Now,  
24 that did refer to AR's history with knives, didn't it?  
25 It referred to The Range incident and the fact that he'd

29

1 Q. The risk assessment had more about AR's history in terms  
2 of him taking the hockey stick back to The Range,  
3 et cetera?  
4 A. Yes.  
5 Q. I think you have given some explanation of this in your  
6 statement. Could we have up on screen, please, page 5  
7 of that statement, PRE001808.  
8 You talk about a record here. Am I right, was this  
9 an investigation after the attack by Presfield, as to  
10 what had happened with information sharing?  
11 A. Yes.  
12 Q. You quote from it:  
13 "On a third occasion Acorns sent a summary risk  
14 assessment. This was opened and read. It gave the that  
15 [AR] had behaved without incident during the previous  
16 12 months and now presented low risk. However, the full  
17 implications of his previous history may not have been  
18 fully appreciated at Presfield.'  
19 "The summary risk assessment is the document  
20 referred to [above]. The document includes a scoring  
21 rating against various risks. The conclusion drawn by  
22 the Youth Offending Team was that AR was low risk. From  
23 a school perspective AR was not low risk and should not  
24 have been categorised as such."

You read through that risk assessment and you agreed

31

1 been bringing a knife into school, correct?  
2 A. Yes.  
3 Q. You tell us at your paragraph 11 that the document was  
4 printed off and taken to the headteacher for  
5 consideration, a copy was provided to Ms Smith as DSL  
6 and was uploaded to CPOMS the day after her return from  
7 work?  
8 A. Yes.  
9 Q. At that stage, Presfield did have, didn't it, the full  
10 information that it needed to assess AR's risk?  
11 A. We had the risk assessment from Acorns. We didn't have  
12 the CPOMS at that time, which went into a lot of detail,  
13 but there was a level of detail in the risk assessment  
14 that was passed to the previous headteacher and to  
15 Mrs Smith and, yes, there was enough information in  
16 there for us to make some changes to how we risk  
17 assessed AR.  
18 Q. So the CPOMS had quite a lot of information about AR's  
19 day-to-day behaviour at the Acorns --  
20 A. Yes.  
21 Q. -- mentioned the Prevent referrals --  
22 A. Yes.  
23 Q. -- him asking for a picture of a severed head in an art  
24 class, by way of example?  
25 A. Yes.

30

1 that "low risk" was not the message that Presfield  
2 should have been taking from that document?  
3 A. Absolutely. I read through the risk assessment in July  
4 2024, not at the time it was given us, but, absolutely,  
5 it should never have been considered as low risk from  
6 that risk assessment.  
7 Q. While that investigation was right to say that the YOT  
8 assessed AR was low risk, that's not really a true  
9 reflection of the document, is it?  
10 A. No, it's not.  
11 Q. We saw, by contrast, Presfield's risk assessments which  
12 have none of that risk assessment in, correct?  
13 A. That's absolutely right.  
14 Q. Sir, again, brought up in Ms Smith's evidence at  
15 PR001741.  
16 I think you accept, as Ms Smith did, that those risk  
17 assessments were inadequate against the background of  
18 those we see in The Acorns' risk assessment?  
19 A. Yes.  
20 Q. This was a third issue: we have the CPOMS transfer, the  
21 Egress, this was a third time where Presfield didn't  
22 take into account information that was being passed to  
23 it. Are you able to explain why that is?  
24 A. Whilst Acorns had sent the Egress, it hadn't been  
25 opened. We hadn't requested the transfer. The summary

32



1 risk assessment that had been sent had been read and  
 2 uploaded but hadn't been further shared. So when a --  
 3 every child in Presfield has a risk assessment, so it's  
 4 not unusual that risk assessments are written. Form  
 5 tutors are responsible for writing those risk  
 6 assessments, up until I became head, then children who  
 7 presented more of a risk have an enhanced risk  
 8 assessment that the senior leadership team write and  
 9 review and we co-produce that with parents.

10 Also, every child, whether it's the senior  
 11 leadership team or the form tutor that writes the risk  
 12 assessment, would co-produce it with parents and other  
 13 agencies that might be working with that child. So, at  
 14 that time, it would be the form tutor's role to write  
 15 the risk assessment for AR. They went off the  
 16 information that was in the EHCP that they were privy  
 17 to. They weren't privy to any of the other information  
 18 there.

19 **Q.** The Acorns' risk assessment was not properly shared  
 20 amongst Presfield?

21 **A.** No.

22 **Q.** Are you able to say why that was?

23 **A.** I don't know why that wouldn't have been shared. That's  
 24 not practice now at Presfield. At the time, the DSL was  
 25 wholly responsible for safeguarding. It did kind of sit

33

1 **A.** Yes --

2 **Q.** -- and that narrow professional curiosity --  
 3 paragraph 25. Was that the problem here. There was  
 4 a focus on the risk to AR not from him?

5 **A.** Yes, I think so. I think our professional curiosity was  
 6 narrowed because we were looking at him as a vulnerable  
 7 child and without having seen the information that was  
 8 in CPOMS and taken into consideration, the summary risk  
 9 assessment that not everybody had access to, we did  
 10 narrow our judgement and it was quite often people doing  
 11 the home visits who didn't have access to that  
 12 information, and we were looking at him as a vulnerable  
 13 child.

14 **Q.** Is there a risk that this sort of information is  
 15 deliberately kept as a kind of close hold because people  
 16 are worried about the sensitivity or worried about  
 17 sharing safeguarding information because it contains  
 18 personal details about a child. Did you have any sense  
 19 of that?

20 **A.** I think historically that would have been a possibility.  
 21 It's absolutely not now, and I trust my staff to have  
 22 that kind of professionalism to take into consideration  
 23 the risks that children pose as well as what is posed to  
 24 them.

25 **Q.** Can I ask you about the counterfactual. So if the EHCP

35

1 with one person. That has changed now. We have got  
 2 more than one DSL in the building and we've got a much  
 3 more transparent system of working to ensure the safety  
 4 of everybody in the building. I think it's a culture  
 5 shift.

6 **Q.** I think Ms Smith said that the information came to her  
 7 from Ms Dawson and she wasn't sure why Ms Dawson also  
 8 hasn't shared it, although she accepted her share of  
 9 responsibility for passing it on too.

10 Are there systems in place to ensure that these risk  
 11 assessments are properly shared now?

12 **A.** Absolutely. Mrs Dawson was following the process at the  
 13 time so, at the time, the process was pass that onto the  
 14 DSL, the DSL will then tell you what you need to know  
 15 and what you need to do with that. So Mrs Dawson  
 16 followed that process.

17 Now, that's not the process or the culture within  
 18 the school. It's got a very open culture, a very  
 19 transparent culture. We hold regular CPD sessions where  
 20 we talk about children on different plans with the  
 21 school body to make sure everybody knows what is --  
 22 what's needed to support the children at the time.

23 **Q.** Can I ask, you say, I think, quite candidly in your  
 24 statement that the school was looking at AR in terms of  
 25 the risks to him, rather than posed by him --

34

1 had contained the full risk information, if the CPOMS  
 2 had been accepted and processed properly and if the risk  
 3 assessment had had the same treatment, how would things  
 4 have been different at Presfield?

5 **A.** If we would have seen the information, we wouldn't have  
 6 offered a place to AR. We don't have the skillset to  
 7 manage that situation. That is beyond our skillset.  
 8 That's not a ASC provision that that person needed and  
 9 that's our area of expertise, not AR's behaviours. They  
 10 aren't our area of expertise, we would never have had  
 11 the skillset to support them.

12 **Q.** Just playing that forward slightly: say that he had been  
 13 given a place and then the CPOMS information had been  
 14 received, what would the response have been then?

15 **A.** It would have been completely different. We would have  
 16 been looking to meet with Lancashire as soon as possible  
 17 to talk about the fact that -- because we would still  
 18 have been in the situation where, if we'd have got it  
 19 afterwards, we would've thought we couldn't meet that  
 20 person's needs and we would have started the process as  
 21 soon as possible of finding a provision that could meet  
 22 AR's needs that would never have been us. We wouldn't  
 23 have had AR on our school site because of the risk he  
 24 would have posed to some of our extremely vulnerable  
 25 children in the building.

36

1 If he would've had to come on our school site, and  
 2 I really don't think he would've had to, we would've  
 3 absolutely been searching and wanting him to make sure  
 4 it was safe that he was coming into the building. But  
 5 we would've escalated the process of the annual review  
 6 to look at a suitable provision for him and that was not  
 7 Presfield.

8 **Q.** Obviously, if you'd taken him off the roll at Presfield,  
 9 it would have then been Lancashire's responsibility to  
 10 revisit the EHCP and consider where he should go. But  
 11 from your experience, do you have any idea about what  
 12 might have happened next?

13 **A.** The only way we could've taken him off our role would  
 14 have been to permanently exclude him and we wouldn't  
 15 have had a reason to permanently exclude him. I can't  
 16 permanently exclude him for what he's done previously.  
 17 So I wouldn't have been able to take him off our roll  
 18 legally without doing that.

19 **Q.** Sorry, let me rephrase that slightly. In your  
 20 discussions with Lancashire, once you knew this  
 21 information, you'd been looking for him to go elsewhere  
 22 because he wasn't suitable for Presfield, do you have  
 23 any idea where that might have been?

24 **A.** The provision that he would have gone to? No, I don't  
 25 know the provision that he would've gone to. I know

37

1 again with his form tutor, to build those positive  
 2 relationships.

3 When AR's father said the classroom was too busy, we  
 4 then took him out of the classroom and he was taught one  
 5 to one in a room. At first, we moved the room around  
 6 because it's very difficult to have a room dedicated to  
 7 one person in our provision. But when AR's father said  
 8 that wasn't working, he needed the same room, we did  
 9 dedicate the room to AR.

10 He also got specialist input from our speech and  
 11 language therapist and from our occupational therapist.  
 12 He would come in and play chess with our occupational  
 13 therapist in an attempt to build relationships so we  
 14 could look at increasing engagement and time in school.  
 15 In addition to this, we focused his curriculum around  
 16 his areas of interest, what he wanted to look at. So he  
 17 had a very bespoke timetable that didn't follow the rest  
 18 of the sixth form provision.

19 We also went out and picked him up at home and  
 20 brought him in when he wouldn't come in with his dad.  
 21 We then looked at the transport of coming in.

22 We offered to take him for walks in the local  
 23 community as another method of trying to engage and  
 24 build those relationships as well, and when those  
 25 attempts all failed, we then went down the home visiting

39

1 that we have worked with some children who have posed  
 2 a risk and they've gone to a secure educational  
 3 provision, whether that would have been appropriate for  
 4 AR is a possibility.

5 **Q.** Thank you. Very quickly on internet usage. AR,  
 6 I think, was provided with a Chromebook when he joined  
 7 Presfield --

8 **A.** Yes.

9 **Q.** -- but he never used it; is that right?

10 **A.** No, he didn't.

11 **Q.** Moving on to steps taken to re-engage or engage AR. As  
 12 you said, his attendance at Presfield was 0.7 per cent?

13 **A.** Yes.

14 **Q.** Is Presfield used to dealing with very low levels of  
 15 attendance?

16 **A.** No, not at all.

17 **Q.** In terms of methods that Presfield used to secure AR's  
 18 attendance, could you just briefly run through what  
 19 those were?

20 **A.** Yes, so we offered AR different slots to come into  
 21 school. So there were times that he came in and played  
 22 basketball, for instance, with his form tutor to get  
 23 a feel for the building, to build those positive  
 24 relationships. He would come in when it was his  
 25 favourite lunch. So he would come in and have pizza,

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1 route.

2 **Q.** So you conclude, I think, in your statement that you  
 3 tried everything to get him through the door and you  
 4 were certain that the steps taken to engage were more  
 5 than adequate; is that right?

6 **A.** Absolutely.

7 **Q.** Sir, paragraphs 39 to 40 of the statement.

8 In terms of the welfare checks, did you say that you  
 9 took part in some of the home visits?

10 **A.** I did, yes.

11 **Q.** Can you remember those?

12 **A.** Yes.

13 **Q.** Were you able to see AR?

14 **A.** No.

15 **Q.** Why was that?

16 **A.** Quite often, I couldn't get in the house. AR's mum  
 17 would say, "not today, no, you're not seeing him", and  
 18 kind of push us away from that. Sometimes there was no  
 19 answer at the door. One time, I managed to get into the  
 20 lounge, AR refused to come down and refused to be seen,  
 21 so there was no way to see him.

22 **Q.** Were you given reasons why you couldn't see AR?

23 **A.** Sometimes he was sleeping; sometimes he just did not  
 24 want to see us.

25 **Q.** You sought assistance from other agencies and we heard

40

1 Ms Smith's evidence on that. I think you say in your  
 2 statement that you didn't consider the response, for  
 3 example, from Lancashire Police to be adequate and we  
 4 have heard Mr Correy's evidence about the Right Care  
 5 Right Person -- sir, paragraph 42.

6 **SIR ADRIAN FULFORD:** Thank you.

7 **MR BOYLE:** At paragraph 44, you talk about the response from  
 8 Children Missing Education at Lancashire County Council  
 9 and an email which suggested that AR was above  
 10 compulsory school age and that he was on the school  
 11 roll, therefore, there was no action for them to take.  
 12 What was your view of that?

13 **A.** I think if a child's got an EHCP, whether they're above  
 14 statutory school age or not, there's a reason they've  
 15 got an EHCP up until the age of 25 and, therefore,  
 16 should be treated as though they're not above statutory  
 17 school age. They are a vulnerable person and therefore  
 18 they should be monitored in the same way a child of  
 19 statutory school age is, which is why we did continue to  
 20 do the home visits, even though you're not necessarily  
 21 required to do so.

22 **Q.** There was an attempt, I think, by your predecessor's  
 23 headmaster, Mr Fay, to take AR off the roll, correct?

24 **A.** Yes.

25 **Q.** Are you able to say what the motivation was for taking

41

1 much came from AR's dad. We didn't have very much  
 2 contact with AR's mum but his dad would provide the  
 3 narrative and would attend certain workshops that the  
 4 school put on for parents that focused on mental health.  
 5 So AR's dad, for instance, would come in for a sleep  
 6 workshop to look at how to support AR in his sleeping  
 7 pattern, all the while leading us to believe that he  
 8 needed much more support with his mental health than his  
 9 ASC.

10 **Q.** What about CAMHS: did you have any input from them in  
 11 that respect?

12 **A.** We did have some meetings with CAMHS -- very little  
 13 meetings with CAMHS. When we had meetings along with  
 14 AR's parents and other professionals, AR's parents  
 15 wouldn't allow school to be present when they were  
 16 talking about health or his mental health. They would  
 17 shut the meeting down.

18 **Q.** So you say in your paragraph 46 that AR's parents  
 19 positively prevented the sharing of information; is that  
 20 what you are referring to?

21 **A.** Yes.

22 **Q.** Did you see in this meeting evidence of a barrier to the  
 23 school receiving information from CAMHS?

24 **A.** Yes, absolutely.

25 **Q.** Is there any route for the school to get that

43

1 that step?

2 **A.** Because it was quite clear by that point that we weren't  
 3 going to be able to meet AR's needs. What AR's father  
 4 would talk to us a lot about was his anxiety and his  
 5 mental health and we are not a mental health specialist  
 6 school and, therefore, we wouldn't -- and the measures  
 7 that often an ASC provision take aren't in line with  
 8 what somebody with SEMH would need and, therefore, can  
 9 be sometimes counterproductive.

10 So, therefore, what Mr Fay was trying to do was  
 11 almost force Lancashire's hand to find a provision that  
 12 we felt at the time would be able to support AR.

13 **Q.** Thank you. AR was obviously risky at this time and  
 14 isolated?

15 **A.** Yes.

16 **Q.** What was the expectation of what would happen? So  
 17 you're saying LCC would -- that you wanted to force  
 18 their hands?

19 **A.** Yes, we wanted them to find an appropriate provision  
 20 that would be able to support AR and his family, so he  
 21 would be able to get the help he needed.

22 **Q.** The school's view was AR wasn't attending because of  
 23 mental health issues, who provided that message: did you  
 24 say that was from AR's parents?

25 **A.** Yes, very much -- the narrative around AR's needs very

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1 information, regardless of the parent's wishes?

2 **A.** So we did try to contact CAMHS. We tried to contact  
 3 them sometimes because we'd failed to see AR and we  
 4 wanted to know if they'd seen him to make sure he was  
 5 safe but the communication between ourselves and CAMHS  
 6 was not great. We didn't get very much information at  
 7 all.

8 **Q.** Aside from the issue of what the parents were giving  
 9 permission to share, do you know why that was?

10 **A.** No.

11 **Q.** Is that a common experience?

12 **A.** No, it's not really. We've got some really good  
 13 relationships with CAMHS that have been very, very  
 14 successful with other children but we usually have the  
 15 same CAMHS worker working with our children, so we can  
 16 reach out to them. You know, we're not afraid to reach  
 17 out and just ask the question and we've got those good  
 18 relationships. We'd never worked previously with the  
 19 CAMHS workers that were working with AR and that  
 20 relationship just wasn't there, we just didn't really  
 21 get that information back.

22 **Q.** Thank you. I just want to finalise AR's period at  
 23 Presfield. So we raised the issue of trying to take AR  
 24 off the roll and the engagement between Presfield and  
 25 LCC. There was a lot of correspondence between

44

1 Presfield and LCC; is that right?

2 **A.** Yes, there was and there was a lot of times when AR went  
3 from one SEN case worker to another and we hadn't been  
4 told. There's an email thread where people are asking  
5 to be removed from the email thread because they're no  
6 longer working with AR but we were desperate, in that we  
7 had no idea who was kind of responsible for his plan  
8 within the local authority, and I think, at one point,  
9 we were copying many people into the email just to try  
10 and get an answer.

11 **Q.** I just want to pull up one example of this, which is  
12 PRE000152. If we could go, please, to page 2. We just  
13 see at the bottom of that page, this is an email from  
14 Mr Fay, previous headmaster, to Sharon Rowland at LCC.  
15 If we could then go over the page, we see Mr Fay has  
16 tried to ring, and there appears to be some confusion  
17 "Re: [AR] and his place or lack of at Presfield".

18 If we could then go back to page 2 and follow the  
19 chain upwards. I think we need to go to page 1.  
20 Clearly, there has been a conversation here between  
21 Ms Rowland and Mr Fay:

22 "I appreciate that my response is a statutory  
23 response. The local authority view [AR] as on the roll  
24 as a year 12 student and Presfield School is named on  
25 his EHCP. I appreciate that you have stated ... to the

45

1 **Q.** Sir, just for your note, that letter is LCC000178, in  
2 which Mr Fay, in quite strong terms, (1) registers the  
3 need to take AR off the role; and (2) takes issue with  
4 the amount of engagement. That perhaps is consistent  
5 with the evidence that you've given today?

6 **A.** Yes.

7 **Q.** Thank you. Just to finalise this, so funding for AR was  
8 withdrawn on 20 March 2024?

9 **A.** Yes.

10 **Q.** That was appealed by AR's father, correct?

11 **A.** Yes, that's right.

12 **Q.** Is this right: have you seen correspondence in which  
13 there's a concern that removing AR from the roll would  
14 affect the family financially because it would impact  
15 their entitlement to benefits?

16 **A.** Yes, and they stated, as well that, if we could leave  
17 him on our roll but give the place to somebody else, so  
18 there was never intention that AR would step foot in the  
19 building, they just wanted him on our roll.

20 **Q.** Sir, is the reference for that email is PRE001298.  
21 Finally, AR was informed he was no longer on the  
22 roll on 12 June 2024 and formally removed on 27 June  
23 2024, correct?

24 **A.** That's right, yes.

25 **MR MOSS:** I don't have any further questions for you.

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1 local authority that you feel you cannot meet need."

2 Ms Rowland then asks for demonstration of this via  
3 annual review documentation and that would need to be  
4 evaluated.

5 If we go then, please, to the first page of Mr Fay's  
6 reply and just zoom into the body of that, he says that  
7 there was a review on 7 July when the placement being  
8 terminated was discussed. You'll see correspondence to  
9 Mr Calderbank informing him this was the case:

10 "You will see the amount of attempts to seek  
11 clarifications from Lancs, we tried. I am sure you will  
12 also understand the frustration we have felt with the  
13 SEN department and their lack of engagement."

14 He refers to calls and messages unanswered:

15 "While I appreciate staff turnover and poor  
16 communication between teams may have contributed to this  
17 situation, we have tried to be proactive in the best  
18 interest of [AR]. I don't believe I can say the same  
19 for Lancs."

20 He goes on to refer to the fact that there was no  
21 attendance at that review in 2022 and no response to  
22 a letter, which was back in July 2022, which I think was  
23 asking or saying that AR would be taken off the roll,  
24 correct?

25 **A.** Yes, that's right.

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1 I will just see if anyone else has.

2 **SIR ADRIAN FULFORD:** Yes, Mr Bowen.

3 **Questioned by MR BOWEN**

4 **MR BOWEN:** Just one very quick point. PRE001808, page 6,  
5 sir.

6 You mention an internal enquiry into the email at  
7 paragraph 28?

8 **A.** Yes.

9 **Q.** Has that internal enquiry been completed?

10 **A.** No, it's still on going.

11 **Q.** Do you know when it will be completed?

12 **A.** We are hoping it will be completed by the end of this  
13 year, by December. It had to pause for a period of  
14 time.

15 **Q.** So a process has begun?

16 **A.** It absolutely has begun, yes.

17 **Q.** Okay. Would you be happy to share that with the Inquiry  
18 as and when it's completed?

19 **A.** Yes.

20 **MR BOWEN:** Thank you.

21 **SIR ADRIAN FULFORD:** Thank you very much, Mr Bowen.

22 I'm very sorry --

23 **MR TEMKIN:** Forgive me interrupting.

24 **SIR ADRIAN FULFORD:** Not at all.

25 **Questioned by MR TEMKIN**

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1 **MR TEMKIN:** I'm grateful. I ask questions on behalf of the  
 2 families of the surviving children. Just three very  
 3 brief areas, please.  
 4 Home visits. It's perfectly clear that, despite  
 5 repeated efforts, you and your staff were very  
 6 frequently unable to see AR at home?  
 7 **A.** Absolutely.  
 8 **Q.** I just want to ask you about one particular occasion on  
 9 3 May 2022 and, for your reference, sir, it is  
 10 PRE000037.  
 11 **SIR ADRIAN FULFORD:** Thank you very much.  
 12 **MR TEMKIN:** On that occasion, did AR's form teacher, James  
 13 Berry, try to perform a home visit?  
 14 **A.** I think so.  
 15 **Q.** On that occasion, did AR's father open the door and give  
 16 Mr Berry a warning?  
 17 **A.** Yes, sorry, I know what you're talking about now.  
 18 **Q.** Was that warning that AR may become violent and may  
 19 attack Mr Berry if AR was forced to see him --  
 20 **A.** Yes.  
 21 **Q.** -- and that was reported back to you?  
 22 **A.** It wasn't. It was reported back to the DSL, I think,  
 23 and reported on CPOMS and, I think, subsequently, we  
 24 went out with the Safer Schools Officer after that, as  
 25 well.

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1 parents --  
 2 **A.** Yes.  
 3 **Q.** -- and, to quote from your statement, your concluded  
 4 view was that the support the school were getting from  
 5 Lancashire County Council was, your words, "virtually  
 6 non-existent"?  
 7 **A.** Absolutely, yes.  
 8 **Q.** So my third area is this, by June 2024, so that's  
 9 a month before the attack, AR was off Presfield's roll.  
 10 From that point, AR had no connection or association  
 11 with Presfield?  
 12 **A.** No.  
 13 **Q.** But before June 2024, AR was always at risk of a home  
 14 visit, wasn't he?  
 15 **A.** He was, yes.  
 16 **Q.** After that point, there was no risk that anyone from the  
 17 school would try to visit his home?  
 18 **A.** No, because he wasn't any longer on our roll.  
 19 **Q.** Did that mean that, from that point, June 2024, AR was  
 20 without the school's formal supervision and, therefore,  
 21 rather isolated?  
 22 **A.** I would argue he was isolated before because he still  
 23 wasn't engaging with ourselves or any other services.  
 24 So I don't believe that us not visiting him would have  
 25 made him further isolated.

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1 **Q.** Second brief area, we know from what you have said that  
 2 AR's parents seemed very reluctant to override AR's  
 3 wishes?  
 4 **A.** Well, we didn't know it was AR's wishes at the time, in  
 5 terms of he was asleep and we never got to have the  
 6 conversation with AR about AR's wishes. It was very  
 7 much what parents were telling us.  
 8 **Q.** Did you form the impression that the parents wouldn't  
 9 force him, for example, to see a teacher at the door?  
 10 **A.** Yes.  
 11 **Q.** Did you form the impression that AR's parents wouldn't  
 12 force him to go to school?  
 13 **A.** Yes.  
 14 **Q.** You say in your statement that the father appeared  
 15 reluctant to force him to go to school -- I'm going to  
 16 quote from your statement -- "due to the knock-on  
 17 effects at home"?  
 18 **A.** Yes. We had been made aware of a time when AR's father  
 19 had come in and asked us for some help to be referred  
 20 into Early Help, where AR had poured his dad's tea on  
 21 his head.  
 22 **MR TEMKIN:** The reference, sir, is PRE000134.  
 23 **SIR ADRIAN FULFORD:** Thank you.  
 24 **MR TEMKIN:** So there were serious limits to the level of  
 25 co-operation that you the school were getting from AR's

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1 **Q.** But at that stage, again from June 2024, was the bulk of  
 2 the responsibility now in the hands of his parents?  
 3 **A.** It would have been in the hands of his parents  
 4 previously because we couldn't inflict any change to  
 5 that situation but it meant they had one less  
 6 professional going to the house to knock on the door and  
 7 not see a child.  
 8 **MR TEMKIN:** Thank you very much. Thank you, sir.  
 9 **SIR ADRIAN FULFORD:** Very helpful, Mr Temkin. Thank you  
 10 very much.  
 11 Ms McLoughlin, I'm sorry you had to come back,  
 12 having originally been planned for Thursday and that was  
 13 very helpful. Thank you very much. You are now free to  
 14 go.  
 15 **A.** Thank you.  
 16 **SIR ADRIAN FULFORD:** Mr Boyle, I am conscious we are coming  
 17 up towards the 1.5-hour requirement for the stenographer  
 18 do you want to start the next witness now and then break  
 19 off.  
 20 **MR BOYLE:** Sir, I suggest we break now.  
 21 **SIR ADRIAN FULFORD:** And have a proper break now, rather  
 22 than five minutes?  
 23 **MR BOYLE:** Yes.  
 24 **SIR ADRIAN FULFORD:** I will sit again just after 11.30 am.  
 25 (11.16 am)

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(A short break)

(11.31 am)

**MR MOSS:** Sir, our next witness is Kate Dixon, who is the corporate witness on behalf of the Department for Education. The Department for Education is represented this morning by my learned friend Mr David Reader.

**SIR ADRIAN FULFORD:** Thank you very much.

**KATE DIXON (affirmed)**

**Questioned by MR MOSS**

**SIR ADRIAN FULFORD:** Thank you very much, please have a seat, Ms Dixon.

Yes, Mr Moss.

**MR MOSS:** Thank you, sir.

Just start by giving us your full name, if you would please?

**A.** It's Kate Dixon.

**Q.** Thank you, Ms Dixon, you're quite softly spoken, I can tell, so please keep your voice up, speak loudly into the microphones, thank you. If we can have on the screen, please, DFE000256. Ms Dixon, can you just confirm that this is your statement to the Inquiry, dated 5 September 2025?

**A.** Yes, that's correct.

**Q.** Are the contents of that statement true to the best of your knowledge and belief?

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**Q.** So you're familiar with that?

**A.** Yes.

**Q.** Information technology and risks associated with information technology, in relation to inappropriate material?

**A.** Yes, that's right.

**Q.** And risk assessment for pupils and security measures for classes?

**A.** Yes, that's right and it's worth mentioning that sort of, connected to information technology, I have responsibility for Keeping Children Safe in Education, which is probably one of the documents that you might ask me about.

**Q.** Which we'll come to, thank you.

I think in relation to the other policy areas, would this be right, in relation to, in particular, social care outside of those areas of your specialism, that's not an area in which you particularly specialise?

**A.** That's correct. I've worked in the Department's schools area, I have recently transferred into families who do Children's Social Care, so I'm learning about that and I have read up about it, but that's correct, it's not my direct responsibility.

**Q.** Thank you. So turning to paragraph 4 in your statement, still on page 2, please, just at the bottom of the page,

55

**A.** They are.

**Q.** Thank you. If we can turn to page 2 of your statement, you explain in paragraph 2 that, since 2017, you have had responsibility for national policy on safeguarding in education settings including countering extremism; is that right?

**A.** Yes, that's right.

**Q.** Your role is as Director of Strategy and Safer Streets at the Department?

**A.** Yes.

**Q.** Thank you.

Yours is a corporate statement, by which I think we can understand that, while some of the content of this statement is within your own areas of specialism, I think you've had the assistance of colleagues in certain other areas; is that right?

**A.** Yes, that's right.

**Q.** From correspondence with the Inquiry, should we understand that your areas of expertise, as it were, include Prevent and radicalisation work, within the Department for Education?

**A.** Yes.

**Q.** Mental health and bullying?

**A.** I'm not responsible for that at the moment but I have been previously, yes.

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you set out there that the Department for Education is responsible for setting the framework for the delivery of education and children's services. Can you just give us an overview, in very general terms, of how it does that and the distinction with operational responsibility?

**A.** Yes, certainly.

May I, before I go into my evidence, take the opportunity to acknowledge the devastating attack that took place in July 2024. I wanted to express the bravery of the families and those involved in trying to learn lessons and I will do my best to help.

In response to your question, the Department sets the legislative framework for education and social care. It then produces both statutory and non-statutory guidance. An example of statutory guidance would be keeping children safe in education and that is something that operationally should or must be followed, unless there's very good reason. It also produces non-statutory guidance, which is best practice or there to support delivery of operational services but that is not a mandatory piece of guidance, and an example of that is the out-of-school settings guidance.

We also set some data collections that we monitor; we set national standards; we work with Ofsted, who

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1 inspect; and we also work very closely with stakeholders  
2 to both find out what's going on and also improve the  
3 guidance that we produce; but we don't do day-to-day  
4 operational oversight of individual cases, for example.

5 **Q.** I'm not here speaking of AR's own circumstances but, in  
6 the case of an individual pupil for whom there are  
7 perhaps extreme difficulties, even there, the Department  
8 wouldn't ordinarily step in and get involved  
9 operationally in the education provision to  
10 an individual child?

11 **A.** No, that's correct, we wouldn't.

12 **Q.** In terms of maintaining standards and ensuring that the  
13 framework of legislation, statutory guidance,  
14 non-statutory guidance is followed, you have mentioned  
15 Ofsted. Should we understand that the inspection regime  
16 to ensure that standards are being met and call it out  
17 when it's not being met falls to the relevant  
18 inspectorates and the Department doesn't do that  
19 directly either?

20 **A.** No, the department doesn't inspect. It will take  
21 information from the inspectorate, for example, Ofsted,  
22 through an annual report, which would highlight perhaps  
23 themes that have come up through the inspections,  
24 ministers also meet with Ofsted, as do individual teams,  
25 so there is a route back, but we would usually act on

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1 to do something different.

2 **Q.** Do groups of headteachers, perhaps at a regional level,  
3 have a direct line of communication into the Department  
4 to raise concerns, or not?

5 **A.** They do. So we have a regions group in the Department  
6 and we have teams of people who work with the regional  
7 directors, who oversee a patch of schools and they have  
8 avenues into teams and those directors to feedback  
9 information. That is a stronger system with schools but  
10 it has some responsibility for Children's Social Care  
11 input as well.

12 **Q.** Thank you.

13 You have mentioned the Home Office. If we could  
14 just look, Ms Dixon, please, at paragraph 12 of your  
15 statement, at page 5, please. I think in relation to  
16 the work on the Prevent duty, the Home Office is the  
17 lead Government Department; is that right?

18 **A.** That's right.

19 **Q.** But that is an area where, presumably, you have quite  
20 a bit of interface, not least because of the high  
21 percentage of referrals that go into Prevent that come  
22 from different educational settings?

23 **A.** Yes, that's right. I have a team that work very closely  
24 with the Home Office, both on the policy side and the  
25 guidance side but, also, if needs be, working with

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1 themes rather than individual cases, although if there  
2 was an individual case -- and we are seeing that here --  
3 that might well be something that we would change our  
4 system, processes, guidance in response to.

5 **Q.** So one of the areas I will ask you questions about in  
6 due course is in relation to the transfer of  
7 safeguarding information between schools. How would the  
8 Department become aware if there were vulnerabilities in  
9 that or if it wasn't going well?

10 **A.** So we would have a number of routes, I think. We would  
11 probably hear from Ofsted and they would make that clear  
12 in their annual report but, also, through earlier  
13 meetings with officials or ministers. They might ask to  
14 do some sort of thematic review. We saw that on  
15 peer-on-peer reviews, for example: Ofsted asked if they  
16 could do that and we commissioned that.

17 We might also hear from the National Safeguarding  
18 Panel, who do have a similar annual report. They are  
19 also looking at serious incidents and local safeguarding  
20 reviews and themes might come up through that.

21 We might also hear from stakeholders, that might be  
22 schools or it might be Children's Social Care, we might  
23 also -- part of my role involves working with the Home  
24 Office and the police across Government on Prevent -- we  
25 might also hear from those sources, that there was a job

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1 Regional Prevent Coordinators and with Prevent  
2 Educational Officers in local authorities to help  
3 support the delivery of Prevent and feedback to us where  
4 changes might need to be made.

5 **Q.** I think we have seen somewhere in the documentation that  
6 the figure is something in the region of 40 per cent of  
7 referrals coming from education; does that sound about  
8 right to you?

9 **A.** That's right. I think the Home Office said in their  
10 evidence, education is the biggest single referrer into  
11 Prevent.

12 **Q.** I want to move just briefly to the Department's  
13 involvement or rather lack of it with AR and his family  
14 specifically. Is this right, that consistent with the  
15 evidence you have just given Ms Dixon, although the  
16 Department has searched its systems for any relevant  
17 communication, you and those who have helped in the  
18 preparation of your statement have not been able to find  
19 within the Department any specific correspondence,  
20 submissions or similar relating to AR, beyond the sort  
21 of standard information from his schools in the form of  
22 ordinary data, which would include AR but which doesn't  
23 specifically name him or draw him to particular  
24 attention?

25 **A.** Yes, that's right. So, some of our national-level data

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1 collections will include him but nothing specific --  
 2 operational and we wouldn't look down into the  
 3 individual cases in that national data collection,  
 4 they're for trend purposes.

5 **Q.** Whereas the Inquiry has heard quite a bit of evidence  
 6 about the challenges in terms of AR -- initially being  
 7 at The Range and being excluded; and then going to The  
 8 Acorns, starting with good attendance, but that  
 9 attendance dropping off; and also at the start of the  
 10 time at the Acorns, a period where he wasn't attending  
 11 at all because of safety concerns; and then transferred  
 12 to Presfield; the EHCP and very poor attendance at  
 13 Presfield -- what may have been visible to the  
 14 Department, in relation to all of that, would just  
 15 perhaps be data on attendance records and perhaps  
 16 figures of the total number of EHCPs, matters of that  
 17 kind?

18 **A.** That's right.

19 **Q.** I want to turn to guidance issued by the Department and  
 20 you have touched on this already: the difference between  
 21 statutory and non-statutory guidance. Would it be right  
 22 that, in terms of statutory guidance, wherever in your  
 23 statement you've referred to "statutory guidance", that  
 24 guidance is really there to ensure that education  
 25 providers are complying with their legal duties and that

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1 social care and family support, does it only look to the  
 2 compliance with statutory guidance or does it take  
 3 non-statutory guidance into account as well?

4 **A.** It will take non-statutory guidance into account because  
 5 that is good practice.

6 **Q.** Thank you. Could we look, please, together at page 15  
 7 of your statement and paragraph 53.

8 We see, not least from the helpfully detailed  
 9 content of your statement but from the witnesses who  
 10 have given evidence so far, that there is a lot of  
 11 guidance and some of it, I think, you would concede  
 12 changes fairly frequently?

13 **A.** Yes. I mean, for example Keeping Children Safe in  
 14 Education, which I have responsibility for, we look at  
 15 annually. We tend to try and do a technical update one  
 16 year and a more substantive one the following year, and  
 17 flag differences between the two pieces of guidance but,  
 18 yes, that's one of many pieces of guidance the  
 19 Department produces.

20 **Q.** I'm not going to go through it all because you've set it  
 21 out clearly in your statement. Does paragraph 53,  
 22 however, summarise the different ways in which the  
 23 Department seeks to ensure that the guidance is brought  
 24 to the attention of education providers?

25 **A.** Yes, that's right.

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1 type of statutory guidance can be referred to as  
 2 evidence of what is expected in the performance of the  
 3 statutory duties?

4 **A.** Yes, that's right.

5 **Q.** Whereas in non-statutory guidance, would this be right,  
 6 that schools will still be expected to be aware of it,  
 7 still be expected to refer to it -- yes --

8 **A.** Yes, that's right.

9 **Q.** -- but not following that guidance wouldn't, of itself,  
 10 be evidence that the school was not meeting its  
 11 statutory obligations?

12 **A.** Yes, so it's often developed as our view on what might  
 13 be helpful or good practice but not requirement to  
 14 follow.

15 **Q.** There might be individual circumstances for individual  
 16 pupils or, indeed, local school level factors that might  
 17 mean that taking a different approach could be  
 18 justified?

19 **A.** Yes, that's right. It is worth saying in statutory  
 20 guidance, that is still possible. So it's possible that  
 21 a different local approach might be taken but that would  
 22 need to be for very good reason and it could be legally  
 23 challenged. So there is a distinction there.

24 **Q.** When Ofsted assesses educational providers, and indeed  
 25 when it is looking at, for children, the provision of

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1 **Q.** You also indicate, I think, that some schools rely on  
 2 third-party services, it's over the page at  
 3 paragraph 54. So, presumably, some of those are maybe  
 4 paid services to help bring the information together for  
 5 schools; is that right?

6 **A.** Yes, that's right. I suspect more schools are relying  
 7 on AI as well, now.

8 **Q.** Thank you. I think you make clear in paragraph 58 of  
 9 your statement, lower down on page 16, that your view is  
 10 that the guidance across the areas was appropriate and  
 11 adequate and was sufficiently visible. Does the  
 12 Department get adverse feedback about the sheer volume  
 13 of guidance or the changes in guidance?

14 **A.** Yes and no. So, again, I use the example of Keeping  
 15 Children Safe in Education because it's one I know.  
 16 That's quite a lengthy piece of guidance. There is  
 17 a requirement in it that Part 1 is read by everybody.  
 18 We get two bits of feedback about that guidance; from  
 19 some people that it is too long and they would like it  
 20 to be shortened; and from others that they use it as  
 21 a reference book, so they would like actually more in it  
 22 and that can often depend on the role that individuals  
 23 are -- for example in a school -- playing.

24 So some people who are dealing with safeguarding all  
 25 day, every day would like more support from it;

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1 a governor or a headteacher might prefer it to be  
2 shorter. So we tend to ask for feedback in the way that  
3 we consult on our guidance for those sorts of questions  
4 and then try and make the best judgement.

5 **Q.** I follow, thank you.

6 I want to turn next, please, to the question of  
7 exclusions, and I can take this, I think, in relatively  
8 short order. The Inquiry knows that AR was permanently  
9 excluded from The Range School after he admitted  
10 carrying a knife into school on a number of occasions  
11 and said that he was willing to use the knife.

12 I think, as a Department, you wouldn't have access  
13 to the full detail of that information; is that correct?

14 **A.** Yes, that's right.

15 **Q.** But from the evidence of which the Department is aware  
16 from disclosure in the Inquiry, does it appear that the  
17 school followed the statutory duties and the appropriate  
18 process for the exclusion?

19 **A.** Yes, it does.

20 **Q.** So questions about the transfer of information and how  
21 the risk was responded to is perhaps a different matter  
22 but, in terms of the public law decision or the  
23 educational decision to exclude AR, you are not aware of  
24 any concerns that that wasn't taken appropriately in  
25 terms of process and procedure?

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1 for children who aren't -- the "otherwise" here -- who  
2 aren't in school. At the moment, that is an area that  
3 we don't have registers for but our Bill going through  
4 at the moment will hopefully make that the case.

5 **Q.** I don't think it is necessary to go to the detailed  
6 provisions of the guidance but, in part, for the learned  
7 Chair's note, I think in 2019, the relevant guidance was  
8 School Attendance Guidance 2019; is that right?

9 **A.** Yes.

10 **Q.** Sir, that's DFE000096. Then, as you have referred to in  
11 your statement, in 2022 there was Working Together to  
12 Improve School Attendance; is that right?

13 **A.** Yes.

14 **Q.** Sir, that's DFE000097. If we look at paragraph 80 of  
15 your statement, page 24, I think you accept that the  
16 latter guidance, the 2022 guidance, was clearer on the  
17 expectations around severe absence; is that right?

18 **A.** Yes. Between 2019 and 2022, I think our guidance  
19 changed quite a lot. We learnt a lot on the basis of  
20 Covid, and then the return to education after Covid, and  
21 we have done a lot of work on attendance and the  
22 guidance is quite a lot improved, I think, from some of  
23 the things we've learned. I think quite a lot of that  
24 is relevant, although not -- it's relevant to the  
25 Inquiry but it was largely done because of Covid.

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1 **A.** No.

2 **Q.** Can I turn then to a more detailed topic, which is that  
3 of AR's attendance. If we look, first of all, at  
4 paragraph 67 of your statement, on page 20.

5 The starting point, is this right, is to recognise  
6 that it is parents who have a duty, first of all, under  
7 Section 7 of the 1996 Act, to ensure that their child of  
8 compulsory school age, that's to say between 5 and 16:  
9 "... receives an efficient full-time education  
10 either by attendance at school or otherwise."

11 Yes?

12 **A.** Yes, that's right.

13 **Q.** As you go on to explain in your statement, local  
14 authorities can issue now penalty notices where parents  
15 have registered their child at school but the child  
16 fails to ensure that they attend regularly; is that  
17 right?

18 **A.** Yes, that's right.

19 **Q.** In order to ensure compliance with this and no doubt to  
20 maintain standards, schools are legally required to  
21 maintain accurate admission and attendance registers to  
22 follow up on absences and to notify local authorities of  
23 irregular attendance, yes?

24 **A.** Yes, that's right. We're also, at the moment,  
25 legislating for a children not in school register, so

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1 **Q.** It introduced this concept of "severe absence". Can you  
2 help us with what that is and how it is defined?

3 **A.** Yes, there are two things: there's persistent absence  
4 and there is severe absence. Persistent absence is  
5 missing 10 per cent of educational sessions. In  
6 education, there is the session in the morning and  
7 a session in the afternoon and attendance is recorded at  
8 each of those points for each pupil. Persistent absence  
9 is missing 10 per cent in a year; severe absence is  
10 worse than that and that is missing more than 50 per  
11 cent of the sessions.

12 **Q.** Then bringing matters more up to date, I think, further  
13 guidance replaced it in 2024. Sir, for your note,  
14 DFE000103; is that right?

15 **A.** That's right and that guidance -- prior to 2024, the  
16 guidance was non-statutory and from 2024 it became  
17 statutory.

18 **Q.** I follow. We've heard evidence from Mr Turner from the  
19 local authority about the potential confusion caused by  
20 the fact that AR resided in Lancashire but went to  
21 schools in Sefton, in the Sefton Council area, so The  
22 Range and Presfield were both within Sefton Council's  
23 area.

24 On whom does the legal duty sit in those  
25 circumstances, in terms of local authorities and

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1 schools?

2 **A.** The legal duty for providing a suitable education rests

3 with the local authority in which the individual lives.

4 **Q.** So that was Lancashire?

5 **A.** That's right, that was Lancashire.

6 **Q.** How does that work in practice, though, if the school

7 that is maintaining registers and details of attendance

8 is in a different county council's area?

9 **A.** So the school will follow its process of collecting the

10 attendance data in the school, and so in Sefton, but for

11 issues and concerns, then the information should be

12 shared between local authorities, both at a trend level

13 and at individual level, where there is a threshold for

14 that concern. I think the local authority -- I think

15 Paul acknowledged in his statement that things hadn't

16 always gone the way that they should have done and this

17 is part of the issue, I think, that was highlighted.

18 **Q.** Is that a general problem, that the cross-border

19 attendance creates confusion and sometimes individual

20 cases aren't followed up as firmly as they should be?

21 **A.** I think the guidance is clear about where the duties

22 rest. The guidance refers to relevant local

23 authorities. It is definitely something that I picked

24 up in my reading for the Inquiry, whether there is

25 a case to be clearer there but I think the guidance does

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1 **Q.** The context -- perhaps we'll come back to in relation to

2 this -- in which you introduce that was the bail

3 conditions which appeared to prevent AR going to Acorns

4 School, until a satisfactory arrangement had been made,

5 essentially.

6 Would this be right, that brief disruptions would

7 not necessarily trigger the local authority's duty under

8 Section 19? So if there was a problem of short duration

9 with a pupil attending school, that wouldn't necessarily

10 mean that local authorities would be expected to step in

11 to exercise their duty under section 19?

12 **A.** Yes.

13 **Q.** But if at any point the local authority determines that

14 the provision is no longer suitable for the child, then

15 they should be taking prompt action to identify and

16 secure alternative settings; would you agree?

17 **A.** Yes.

18 **Q.** We've heard evidence that AR's attendance at the Acorns,

19 once he was able to attend, was reasonably good but then

20 worsened the longer he was on their roll, including

21 after the Covid lockdowns.

22 If we look at paragraph 79 of your statement, on the

23 previous page, you noted that quite a large percentage,

24 at times, of AR's attendance was marked as "other

25 authorised absence"; is that right?

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1 make clear where the different responsibilities lie.

2 I think the evidence you have heard is it hasn't always

3 worked as well as it should have done and I do note that

4 the local authority acknowledged that.

5 **Q.** My question was really against the background that, as

6 you correctly identified, there has been evidence to

7 this Inquiry, in AR's case, that that didn't work well.

8 Is that something that the Department is aware of

9 generally, not so much that the guidance isn't clear

10 but, at a local operational level, that's creating

11 issues?

12 **A.** I don't have experience that has been flagged to me.

13 I suspect it is always more complicated where two local

14 authorities are involved, but it hasn't been flagged to

15 me that that's a systemic issue.

16 **Q.** Thank you. If we look at paragraph 81 of your

17 statement, it starts on 24 but can we pick it up at

18 page 25, please, top half of the page. About four lines

19 down you make clear there that under, Section 19 of the

20 1996 Act, local authorities:

21 "... have a statutory duty to arrange suitable

22 full-time education for children of compulsory school

23 age who, for any reason, may not otherwise receive it."

24 Yes?

25 **A.** Yes.

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1 **A.** Yes, that's right.

2 **Q.** We've heard that that related to times when AR was

3 attending in a pattern of very part-time timetables. So

4 sometimes that might be as little as an hour a day. Why

5 were you flagging that up as a particular issue in

6 paragraph 79 of your statement?

7 **A.** So, I was flagging this up because I wanted to make the

8 point that, actually, the part-time timetable and the

9 way that it was coded actually could have masked the

10 difference between attendance and not attendance because

11 of the way it was coded in a bucket. So, what I was

12 seeking to say there was, actually, the attendance

13 changes we made to the attendance guidance now, would

14 make it more obvious if AR or another individual was

15 attending against a part-time timetable, whereas the way

16 that it was coded before didn't make a distinction

17 between whether AR turned up for the part-time timetable

18 or didn't turn up for the part-time timetable.

19 So, the concern is not me directing that at the

20 school. That is the concern that the way the coding was

21 set up in our guidance allowed the masking of that

22 attendance against a part-time timetable, which the

23 improvements we've made since would make it more

24 obvious.

25 **Q.** Thank you. So this wasn't a criticism of how Acorns

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1 were choosing to permit a restricted-hours timetable, so  
2 much as the way that that was being recorded on the  
3 systems at the time may have masked the fact that there  
4 was actually very poor attendance because it would look  
5 like it was authorised?

6 **A.** Yes, that's right. It appears to me, from the evidence  
7 that I've read and listened to, that Acorns did a very  
8 good job at trying to tailor their offer to AR and that,  
9 actually, his attendance was -- against the part-time  
10 timetable was probably better than an interpretation of  
11 the data might have suggested.

12 **Q.** You say that:

13 "... such a high rate of absence should have been  
14 seen as a risk factor and reported to the [local  
15 authority] via a statutory attendance return ..."

16 We have heard evidence that, because of the other  
17 issues that were in play, the local authority were, in  
18 fact, aware and on notice that this was happening. What  
19 would you have expected the local authority to do at  
20 a time when AR's attendance was limited to a very  
21 restricted timetable but there was a reasonable level of  
22 compliance with that very restricted timetable?

23 **A.** I would expect the local authority to be aware of the  
24 reasons behind that to satisfy themselves both against  
25 their duty of education and their duty of safeguarding.

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1 some change -- bail conditions don't -- are moving away  
2 from preventing attendance at educational institutions.  
3 I think that's right.

4 **Q.** Do you know how that's been communicated because that  
5 must be an issue for the local court service and also  
6 the CPS; do you know how that's been communicated?

7 **A.** Communicated to education or to ...

8 **Q.** No, to the CPS and to the courts, that placing a bail  
9 condition that a child shouldn't attend their own school  
10 is, in most cases, to be avoided?

11 **A.** I don't know how that's been communicated.

12 **Q.** Is that something you can check and update the Inquiry  
13 about?

14 **A.** Certainly.

15 **Q.** Thank you. The evidence which we heard from Mrs Hodson  
16 was that, really from the start, it was considered that  
17 Acorns as a referral unit should only be a short-term  
18 solution and there were problems, initially, with  
19 permitting any attendance because of matters in relation  
20 to a risk assessment but that, thereafter, there was  
21 really quite a lengthy period where AR remained enrolled  
22 at Acorns, with decreasingly good attendance, in  
23 circumstances where the EHCP had been concluded in a way  
24 that was suggesting that he should have mainstream  
25 schooling. Are you aware of that in general terms?

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1 **Q.** Once it then fell into AR having simply very bad  
2 attendance, full stop, what would you then have expected  
3 to happen?

4 **A.** I think, again, both of those duties come into play.  
5 So, seeking to understand how AR could be supported with  
6 education, which, I think from the evidence I have seen,  
7 there were lots of efforts, particularly from the  
8 school, to engage him in education, but it would be also  
9 be a risk factor and flag against his life, not just his  
10 education.

11 I think our view from the Department is education is  
12 good in itself, in terms of what you learn, but it is  
13 also a protective factor against risk and the absence  
14 from education would flag that risk.

15 **Q.** Before we go on to explore some of that a little bit  
16 longer, before we lose track of the bail conditions  
17 point, I think you tell us in your statement that,  
18 generally speaking, the Department would prefer that  
19 bail conditions shouldn't be set so as to prevent  
20 a child from attending their school.

21 It's paragraph 81, sir, for your note.

22 **SIR ADRIAN FULFORD:** Thank you.

23 **MR MOSS:** But you caveat that: that unless it's absolutely  
24 unavoidable; is that right?

25 **A.** Yes, that's right, and I understand that there's been

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1 **A.** Yes.

2 **Q.** We have heard evidence that the reason why mainstream  
3 schooling was set in the EHCP was that was AR's parents'  
4 own strong preference, whereas Mrs Hodson's evidence and  
5 her expressed view at the time was that it was  
6 unsustainable and not suitable to think that AR could go  
7 to mainstream schooling, given the two incidents that  
8 had happened: so the bringing in knives ten times  
9 leading to the permanent exclusion; and then the hockey  
10 stick attack and the charge of the criminal offence when  
11 he also had a knife.

12 Can you help in relation to that, from the  
13 Departmental overview policy position, as to how that  
14 position should have been resolved?

15 **A.** So, parents can express a preference in an EHCP but it's  
16 not only down to their parental choice. So, the process  
17 rests with the local authority and they can make  
18 a different decision, which I think they did, although  
19 after some delay.

20 **Q.** We know -- sir, the reference is the SEND Code of  
21 Practice, DFE000042 -- that there is a statutory  
22 presumption in favour of mainstream schooling and  
23 a statutory presumption in favour of parents' choice but  
24 also, as you've mentioned, the local authorities can  
25 refuse that choice where it's deemed to be unsuitable;

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1 is that a fair summary?

2 **A.** Yes.

3 **Q.** From the way in which you familiarised yourself with the

4 materials in this case, you've touched upon it, but

5 would the Department's view be that there was a delay by

6 the local authority before that was applied in this

7 case?

8 **A.** Yes.

9 **Q.** In fact, I think it's fair to say that, in due course,

10 what changed was eventually parents accepting that

11 mainstream schooling was not going to be possible,

12 rather than a formal override by the local authority; is

13 that your understanding too?

14 **A.** Yes, that's right.

15 **Q.** Again, one thing that I want to ask in relation to that

16 is whether that is a more general widespread problem, as

17 opposed to an operational decision or an operational

18 shortcoming, in AR's case. Can you help us with that?

19 **A.** Yes, my department is looking quite substantively at the

20 process of EHCPs and special educational needs

21 provision. It is not my area of responsibility and it

22 is being kept on a close list, so I don't know all of

23 the detail about that, but I do know that the direction

24 of travel is a greater assumption that mainstream

25 settings can do more for the growing number -- growing

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1 roll of that referral unit, when efforts should have

2 been being made to find more suitable alternative

3 provision?

4 **A.** Yes. However, Acorns did a really impressive job,

5 I think, in terms of trying to tailor their offer to AR.

6 They tried a number of different things and engaged him,

7 so I'd like to acknowledge the work they did.

8 **Q.** Understood, but not perhaps, with respect, an answer to

9 my question. He ended up spending over a year,

10 an additional year, at a referral unit, when efforts

11 should have been being made to find suitable alternative

12 provision and, for that period, it looks like no

13 attempts were made to find suitable alternative

14 provision.

15 **A.** Yes, I think there were -- there was a long delay in

16 getting the right information on the EHCP and working

17 with the parents and looking at alternatives, yes.

18 **Q.** The same critical analysis might point towards the fact

19 that, during that same time as the EHCP was being

20 formulated, there was a parent-led process, by which

21 information about the risk to others was being watered

22 down in the EHCP. Are you aware of the evidence to that

23 effect?

24 **A.** Yes, I may not be aware of every backwards and forwards

25 but, yes, in general.

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1 demand for EHCPs and the presumption that mainstream

2 education could and should be able to do better, and

3 that the rising parental choice around EHCPs is probably

4 an unsustainable direction of travel.

5 **Q.** That's the context of the EHCPs going up in number,

6 which is something which there is a good deal of

7 publicity and understanding about. The need for EHCPs

8 to be focused on the child and the interests of the

9 child and giving a strong voice to parents is no doubt

10 important and, in many cases, it may be right that they

11 are given priority, but is not one of the lessons from

12 this case that there may need to be a different approach

13 where the child presents a significant risk to others?

14 **A.** Yes, I think many witnesses and statements have

15 acknowledged that one of the difficulties here is the

16 difference between the system that looks to -- after the

17 individual as an individual, and Children's Social Care,

18 and having the risk based approach to the individual and

19 looking out for their risks, versus the risks that that

20 individual could pose on others. So, yes, I do think

21 that is a distinction.

22 **Q.** Because would you agree that a critical analysis of

23 what's happened in AR's case may be that, because of

24 an unrealistic parental preference, AR spent over a year

25 at Acorns with very low attendance, remaining on the

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1 **Q.** Appreciating that the Inquiry is fast moving and issues

2 are coming up, do you know if anything has so far been

3 done in terms of considering the need to ensure that

4 information about risk to others is not inappropriately

5 edited out of EHCPs?

6 **A.** I don't know. I guess I would like to say that -- and

7 we'll come onto information sharing, I think, possibly

8 later -- but to rely on an EHCP, for that to be the

9 place where the risk is put down, would be the wrong

10 thing to do. There are other parts of the process and

11 system where that risk should be written down and

12 transferred and those are the appropriate places.

13 **Q.** If that is going to be done and it's not going to be --

14 my words -- housed in the EHCP, it becomes all the more

15 imperative that a form of accurate, readily identified

16 and appropriately shared risk assessment is conveyed

17 alongside the EHCP; would you agree?

18 **A.** Yes, via the information-sharing process.

19 **Q.** Is there clarity about those divisions: if you are

20 saying, well, the EHCP perhaps doesn't need to go into

21 a question of risk to others because that's not the best

22 place for it, is there a clarity in policy about where

23 that risk assessment information should be and how it's

24 transferred between education providers?

25 **A.** I think it is in Keeping Children Safe in Education, so

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1 I think where there is risk that should be known to  
 2 a new school, then there's a detailed paragraph about  
 3 how that information should be shared and when.  
 4 **Q.** Because one of the concerns may be that one might get  
 5 the impression from the evidence, at least to this  
 6 Inquiry, that the EHCP in a sense is the lead document  
 7 and is sort of leading and dictating considerations of  
 8 which education provider would be most suitable. But  
 9 the stark information this morning, for example that you  
 10 may have heard from Ms McLoughlin, who became the head  
 11 at Presfield, was that they simply wouldn't have taken  
 12 AR had they known the risk to others information, in  
 13 circumstances where information had been edited out of  
 14 the EHCP.  
 15 **A.** Coming back to how information should be shared, I mean,  
 16 the EHCP serves a purpose. I think the -- as  
 17 I understand from reading the evidence about  
 18 safeguarding and risk transfer, that process didn't work  
 19 between Acorns and Presfield in the way that it should  
 20 have done and that is where that safeguarding  
 21 information should have been transferred.  
 22 **Q.** We'll come back to that perhaps in information sharing,  
 23 as you rightly predict. Looking at the Presfield School  
 24 period, we've heard incredibly poor attendance there of  
 25 0.7 per cent. The difficulty that that school has

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1 **A.** Correct.  
 2 **Q.** What about in relation to police assistance, we have  
 3 heard that, effectively, one force was able to offer  
 4 some assistance where the other wasn't and some of that  
 5 related to the police view in Lancashire that it didn't  
 6 fall to them because it wasn't a welfare concern,  
 7 effectively, of high enough concern of a risk to life or  
 8 very serious harm and, therefore, they weren't the right  
 9 agency. Again, is that a problem that you are familiar  
 10 with?  
 11 **A.** Well, again, the police have very difficult jobs and  
 12 a lot resting on them. They need to make the judgements  
 13 on individual cases and I think we would expect them to  
 14 make welfare judgements. They made a judgement in this  
 15 case and it would have been good to have had their  
 16 support for welfare checks.  
 17 **Q.** Particularly in relation to school pupils where there  
 18 are concerns about risk to others, it might be thought  
 19 that it's not an ideal situation whereby the capacity of  
 20 agencies beyond the individual school is constrained by  
 21 resource and funding amongst different agencies, so both  
 22 the local authority and the police, and there could be  
 23 such clear regional variations in that.  
 24 Is there any work in hand at departmental level to  
 25 look at that to bring greater clarity about who should

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1 described is a difficulty of getting any assistance from  
 2 the local authority, that's to say Lancashire County  
 3 Council, or any other agency, save to some extent from  
 4 Merseyside Police, in carrying out welfare checks.  
 5 What would be the expectation there in terms of  
 6 agencies who should be helping the school with welfare  
 7 checks?  
 8 **A.** Yes, I think both those agencies should be helping.  
 9 That would be the expectation.  
 10 **Q.** In terms of local authorities, is there a funding  
 11 resource problem, in reality, with them doing that?  
 12 **A.** I think we heard evidence from the local authority that  
 13 they felt that there was a capacity issue, as well as  
 14 acknowledging the failures. We do hear that they are  
 15 very stretched at the moment, yes.  
 16 **Q.** Is that just this local authority or others?  
 17 **A.** We hear, in general, local authorities are stretched in  
 18 terms of their resourcing.  
 19 **Q.** It doesn't perhaps make much sense to say, well, in  
 20 general terms, we would expect the local authorities to  
 21 help, if they're not funded and resourced to do it?  
 22 **A.** I think probably it's not for me to comment but, yes,  
 23 I have heard that too.  
 24 **Q.** So that, to some extent, is a systemic problem linked to  
 25 the difficulties of funding of local authorities?

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1 provide assistance to schools in welfare checks when  
 2 there are higher risk cases?  
 3 **A.** I don't know the specific answer to that question. What  
 4 I do know is that I've been involved in a piece of work  
 5 which has involved different agencies across Government,  
 6 and including the police and social care, on looking at  
 7 Prevent and our better, evolving understanding of  
 8 violence fixation. So I do think that we do need to get  
 9 better to understand what we're asking different local  
 10 agencies to look for in terms of helping them with that  
 11 risk, which I think is relevant in this case.  
 12 **Q.** The number of cases that may be within the Prevent  
 13 sphere, though, potentially is very small indeed. Is  
 14 this not risking being a wider problem?  
 15 **A.** I guess what I'm saying is the piece of work and  
 16 thinking that we're doing at the moment is exactly about  
 17 that wider problem.  
 18 So Prevent is a very defined system, but what we are  
 19 understanding more about is the risks of those that have  
 20 an interest or fixation with violence that fall outside  
 21 of the Prevent thresholds, and the questions that we are  
 22 asking ourselves and trying to work on a solution is how  
 23 do you extend a system, where in the local systems that  
 24 exist should that be picked up and what are -- what do  
 25 we mean -- what is violence fixation, what's the

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1 behaviour that's being displayed, and I think we don't  
 2 yet have an answer but that is a very pertinent and  
 3 difficult question.

4 **Q.** Could I possibly ask you to include that in an update,  
 5 any update that is available, by the end of November?

6 **A.** Yes. I think it might be a question to a number of us,  
 7 not just me.

8 **Q.** Yes, a corporate response.

9 **A.** As in across different Government departments.

10 **Q.** Yes, and if you can do any necessary liaison and provide  
 11 a response, that would be appreciated, thank you.

12 Some two years with AR at Presfield with that  
 13 attendance level very poor. He would only have been  
 14 within compulsory school age for the first few months  
 15 and so thereafter ordinarily, from a school attendance  
 16 point of view, it wouldn't be an issue. But of course  
 17 on an EHCP, the position was different; would you agree?

18 **A.** Yes. EHCPs go up to 25.

19 **Q.** So, from an overview departmental policy point of view,  
 20 what should have been happening in that two-year period  
 21 when Presfield were doing what they could in terms of  
 22 welfare visits and had done what they could, as we heard  
 23 this morning, in terms of early attempts to introduce AR  
 24 to the school, but he simply wasn't attending, what more  
 25 should have been happening in that really quite lengthy

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1 **Q.** Given that Lancashire County Council had improvement  
 2 notices in 2016, but has had another one as recently as  
 3 June of this year, do you know what the current position  
 4 is in relation to monitoring the necessary improvements?

5 **A.** I don't. I only understand the system of having  
 6 an action plan and monitoring, which I presume follows  
 7 very quickly after the inspection but then the  
 8 monitoring -- it would be logical to have some time  
 9 before improvements might be seen.

10 **Q.** Thank you.

11 There is a section of your statement, perhaps we can  
 12 just pick it up at page 34, starting at paragraph 121 at  
 13 the bottom of the pages, that notes, and I'm going to  
 14 take this relatively shortly:

15 "... the SEND Code of Practice has not been updated  
 16 since 2015 ..."

17 It does have material, as you candidly acknowledge,  
 18 that's out of date; is that right?

19 **A.** Yes, that's right.

20 **Q.** Then, as we see in paragraph 133, at page 37, the  
 21 alternative provision guidance has been updated in 2025  
 22 to give more emphasis to best practice but the updated  
 23 document gives greater focus on early intervention,  
 24 addressing children's needs in mainstream school.

25 But I think there have been no major changes in the

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1 period?

2 **A.** It's not my area of expertise, but I think conversations  
 3 with the parents, conversations with AR, which I know  
 4 were tried to happen, and the local authority to pick up  
 5 its duty.

6 **Q.** Yes, and would it be right that ultimately the duty, in  
 7 terms of providing a suitable education provision to  
 8 meet what was required in the EHCP, fell to the local  
 9 authority?

10 **A.** Yes.

11 **Q.** That attendance of 0.7 per cent made it abundantly clear  
 12 that the arrangement at Presfield was, by a very long  
 13 way, not working?

14 **A.** Yes.

15 **Q.** We know that the County Council had improvement notices  
 16 in May 2016 and, more recently, in June 2025; is that  
 17 right?

18 **A.** Yes.

19 **Q.** In this area. If matters are not improving, what is the  
 20 Department able to do?

21 **A.** So, the Secretary of State is able to write an  
 22 intervention -- I think it's called an intervention  
 23 notice. It often comes from a senior civil servant,  
 24 suggesting areas of action. She is also able to send in  
 25 different management support as part of her duty.

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1 legislation in this area since, is it, 2016?

2 **A.** That's correct. There haven't been changes.

3 **Q.** You say, we don't perhaps need to flick, I'm taking this  
 4 from several different passages in your statement, but  
 5 you say in paragraph 170 that there's widespread  
 6 consensus that reform is needed in the SEND system to  
 7 strengthen the support that children and young people  
 8 receive and to make the system more financially  
 9 sustainable, yes?

10 **A.** Yes, I said a little bit about that earlier.

11 **Q.** The big driver behind that, is that the same point, that  
 12 there's such a rapid increase in the number of EHCPs and  
 13 not the resources to deal with it?

14 **A.** Partly that. I think there is also a view that actually  
 15 children staying in mainstream settings is better for  
 16 them as individuals, where that is possible, and that  
 17 there's work to do with the mainstream school system to  
 18 support them to be able to be flexible and respond to  
 19 our growing understanding of special educational needs,  
 20 whether they meet the EHCP threshold or not.

21 **Q.** Paragraph 126, the top of page 36, please. Speaking of  
 22 the need for reform in this area, you indicate there the  
 23 Department will be setting out a proposal for  
 24 significant reform of the SEND and AP system in a White  
 25 Paper in the autumn of 2025.

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1 I think, bringing matters up to date, there was  
 2 an announcement, is this right, last Wednesday that that  
 3 was now being delayed until the new year; is that  
 4 correct?  
 5 **A.** That's correct, yes. And I think that announcement also  
 6 made it clear that we wanted to work with families more  
 7 closely on those ideas.  
 8 **Q.** Is that the reason, to have more consultation time with  
 9 families?  
 10 **A.** Yes, that's correct.  
 11 **Q.** Would it be right, therefore, that there's no prospect  
 12 of an update in that area by the end of November because  
 13 it's really going to start taking shape in the new year?  
 14 **A.** Correct.  
 15 **Q.** Thank you.  
 16 I'm going to turn to a different topic now, which is  
 17 information technology. If we could look at  
 18 paragraph 310, please, of your statement. It is at  
 19 page 80. I think this is back into areas which may be  
 20 more directly immediately familiar to you.  
 21 Since 2016 you set out there that the guidance  
 22 Keeping Children Safe in Education. I think you're  
 23 responsible for the annual publication; is that right?  
 24 **A.** That's right, yes.  
 25 **Q.** But since 2016 it's had provision about ensuring

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1 explained that they were a small school, that they  
 2 didn't have their own IT department as such, and were  
 3 reliant upon the software which they had used at the  
 4 school.  
 5 Do you recognise that problem?  
 6 **A.** Yes, and I think it will -- filtering will never be  
 7 perfect, which is why our guidance speaks to both  
 8 filtering and monitoring. So filtering is using  
 9 a system to block out content, but monitoring is looking  
 10 at what is and isn't blocked out to see if it is doing  
 11 the job appropriately. So both of those things are  
 12 necessary.  
 13 Both with the infallibility of a system but also  
 14 with the fact that the online world operates at such  
 15 pace, and I think also with AR's search terms, he was  
 16 looking for different ways to get access to the  
 17 material. So, he was looking sometimes either for  
 18 mainstream sites or for those connected with medical to  
 19 get access. So both of those things are massively  
 20 important. You can't do one without the other.  
 21 **Q.** With the work that you do in this area and having  
 22 looked -- it sounds as though you've looked at the  
 23 browser history. Have you looked at the --  
 24 **A.** I haven't looked at it all but, no, I understand some of  
 25 what was there and what wasn't.

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1 appropriate filtering and monitoring systems are in  
 2 place for online in schools, and it's regularly reviewed  
 3 to limit exposure to harmful content, yes?  
 4 **A.** Yes.  
 5 **Q.** You set out in paragraph 311 that that's been  
 6 strengthened since, including in the 2020 publication,  
 7 and in 2023 -- also in paragraph 311 -- I think for the  
 8 first time statutory guidance has been introduced in  
 9 this to strengthen it yet further; is that right?  
 10 **A.** Yes, that's right.  
 11 **Q.** Some of the evidence in relation to this in relation to  
 12 the Acorns School, we have the internet browser history  
 13 for 15 November 2019 and the indications in relation to  
 14 that are that in relation to the American school  
 15 shooting, that was on a mainstream news site (so the  
 16 Daily Mail).  
 17 But he was also searching for repeatedly images of  
 18 degloving injuries and, so far as I think the Inquiry  
 19 has been able to take it from the internet browser  
 20 history download, there seem to be some occasions when  
 21 searching for degloving injuries was blocked but others  
 22 when it tended to get through.  
 23 Mrs Hodson's evidence about that, I think it would  
 24 be fair to say that she was surprised on viewing the  
 25 browser history that some of it got through but she

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1 **Q.** For the summary, yes.  
 2 Is there any sense in which the Department, or  
 3 somebody on the Department's behalf, is able to be more  
 4 proactive in that area in terms of giving guidance on  
 5 the best products or quality assuring the software  
 6 because, obviously, month by month there are new  
 7 challenges in terms of online material?  
 8 **A.** So, quite purposefully, we don't make that our role to  
 9 QA systems. As we explained right at the beginning, the  
 10 Department's role is in setting out what is expected  
 11 rather than exactly how to deliver it.  
 12 However, through our stakeholder groups and through  
 13 contact with people who are designing the systems, we  
 14 have some good relations with people in the sector. So,  
 15 the UK internet's -- safer centre for internet use, we  
 16 could certainly flag some of these evolving challenges  
 17 so that the software designers can respond and better  
 18 build their systems.  
 19 As a Government Department, we also talk to those  
 20 responsible for the Online Safety Act. I think you're  
 21 calling a witness in that area. So, as we understand  
 22 the evolving harm to children and young people, we have  
 23 got avenues to influence, if not directly the way that  
 24 you're suggesting.  
 25 **Q.** Can I probe that in this way: the general arrangement

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1 whereby the Department sets standards but gives a good  
2 deal of autonomy to local schools is perhaps both  
3 understandable and beyond the terms of reference of this  
4 Inquiry.

5 But on something as important as online safety,  
6 isn't there a case for having the best possible system  
7 available on a nationwide level with the very best  
8 standards and the best brains applied to it that is then  
9 made available for all schools? Why is that something  
10 which is suitable for individual autonomy if there is  
11 a risk that some systems may not be as good as others?

12 **A.** I think my response would be that we wouldn't be agile  
13 enough, we wouldn't be fast enough to be responding to  
14 every new threat, and knowledgeable enough. So actually  
15 setting out the scope of what we do know, and the bit  
16 links to the piece of work that you have asked for  
17 an update on, on violence fixation, the best way we  
18 could influence the system and help the experts build  
19 the right filtering systems would be to share what we  
20 understand to be the risk factors in such a way that  
21 they could use their expertise to build those systems.

22 **Q.** I'm not suggesting that IT experts within the Department  
23 should themselves design this and try to keep on top of  
24 it, but isn't there a case for identifying the best  
25 possible IT provider to do this and then have that at

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1 seen elsewhere.

2 **A.** Yes.

3 **Q.** You set out at 246 that, in addition to the Home Office  
4 materials in relation to this, the Department for  
5 Education publishes its own non-statutory guidance on  
6 the Prevent duty; is that right?

7 **A.** Yes.

8 **Q.** You have a system of Regional Prevent Coordinators,  
9 which you've dealt with at 254. Just help us with their  
10 role, in summary.

11 **A.** Yes. So they have quite a varied role. They can  
12 support in terms of the preventative and education.  
13 They are also able to feedback to us a knowledge of  
14 what's happening in a local area and what has been asked  
15 for by partners on the ground. They also have  
16 a response function. So, the events of this Inquiry and  
17 then the riots afterwards, they had a role in supporting  
18 the local area. Again, when different things happen  
19 across the country, they have that sort of a role.  
20 There are, I think, eight of them, so they cover quite  
21 broad areas.

22 **Q.** Thank you. Would their role extend to supporting  
23 an individual school if that school thought that its  
24 voice wasn't being listened to in an individual case?

25 **A.** Unlikely but possible.

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1 a nationwide level, so that individual schools are not  
2 susceptible to variations in standards and then it would  
3 be easier, would it not, to monitor the effectiveness of  
4 the control mechanisms in schools across the whole  
5 country?

6 **A.** I understand your point. I just don't think that's the  
7 way that our system would operate.

8 **Q.** Because?

9 **A.** Because we give autonomy to individual schools.

10 **Q.** Even if it is not in the individual area a good idea?

11 **A.** Our system is set up to give autonomy to individual  
12 schools.

13 **Q.** Thank you. Turning to Prevent. Your statement, if we  
14 can look at page 61, please, paragraph 244. You set out  
15 some of the basics. There's a helpful recap, perhaps at  
16 the very bottom of page 60, first of all. You deal with  
17 what the Prevent duty is and then the top of page 61.

18 244:

19 "Education settings that are subject to the Prevent  
20 duty ... should understand the requirements of the duty  
21 as part of their wider safeguarding and welfare  
22 responsibilities. This is particularly important, given  
23 that education accounts for approximately 40 per  
24 cent ..."

25 Again, I think you've given that figure that we've

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1 **Q.** Unlikely because?

2 **A.** Unlikely because they cover a larger area and that is  
3 not what they're set up to do. Possible because if it  
4 linked back to a particular incident that had happened,  
5 that is a role that those coordinators can play.

6 If something was highlighted significantly up to the  
7 Department as a problem, then we might use them to go  
8 and find out a bit more about it or intervene but,  
9 aligned to what I've said about local autonomy, that  
10 would not be our normal operating model.

11 **Q.** If we look at paragraph 256, page 64, please. You  
12 explain that that regional coordinator network has  
13 developed a "universal training" offer launched in  
14 September 2024, so we know post attack. You say it is  
15 designed to:

16 "... help build a minimum level of capability in  
17 Prevent implementation across education settings in  
18 England."

19 What does that mean in plain English?

20 **A.** So, I talked about how we'd been working with the Home  
21 Office and they set out a number of their different  
22 changes. Our role is to help education institutions  
23 understand the different thresholds and what they mean.  
24 So our coordinator network and the work that we do in  
25 this area is to support education and to deliver against

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1 the changes that happen from Prevent. We do that  
2 through this. We do that in various other ways. We've  
3 got a website called "Educate Against Hate". We publish  
4 blogs and different resources. We're always seeking to  
5 try and respond to changing incidents and requests from  
6 the sector where we can.

7 **Q.** Prior to September 2024, what would the source of  
8 Prevent training have been? Would that be that one  
9 person within a school typically would train themselves  
10 with online materials and then inform others or how did  
11 it work?

12 **A.** So local authorities have in the past had, and some  
13 still do have, Prevent education officers. They are --  
14 some of them are funded by the Home Office in particular  
15 hot spot areas. They have often delivered the training  
16 to educational settings. There is a requirement for  
17 staff in a school to understand Prevent. That might be  
18 through a local Prevent education officer coming into  
19 a school and delivering a presentation.

20 We have tried to align Prevent responsibilities with  
21 Keeping Children Safe in Education responsibilities  
22 because the education sector understands that  
23 safeguarding document very well, "Keeping Children Safe  
24 in Education", and because Prevent is an important but  
25 rarer occurrence in a school, but often sources local

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1 Prevent system doesn't play a role in the  
2 decision-making process, though they may be approached  
3 for additional information. Yes?

4 **A.** Yes.

5 **Q.** One of the points that emerges out of the  
6 Prevent-related evidence in this Inquiry is the sense  
7 from The Acorns School in particular that there was, in  
8 their view, as Mrs Hodson put it, a lack of  
9 triangulation. I think by that she meant that there  
10 wasn't a process whereby Counter Terrorism Policing  
11 really verified its assessment or its thinking in any  
12 way with the school.

13 Two of the ways in which that may have been of  
14 benefit were as follows: first of all, there was a sense  
15 that the school had worked very closely with AR and  
16 Ms Allred in particular was a designated resource and,  
17 knowing AR as she had got to do, she did have very  
18 significant concerns about the extent to which he may be  
19 open to radicalisation, even though her view was he  
20 wasn't active at the time.

21 The second sense in which it may have been  
22 beneficial was that there was information that was known  
23 to schools and to Acorns that may have put a different  
24 light on Prevent's assessment. There would be a number  
25 of factors to that but one was the whole account that AR

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1 authority Prevent education officers.

2 **Q.** Mrs Lewis, the safeguarding lead for Acorns, said that  
3 she thought that refresher training in Prevent should be  
4 made mandatory in education at least for safeguarding  
5 leads. Is anything happening in that sphere?

6 **A.** No and I did see that. So, again, our guidance, both on  
7 Prevent and in Keeping Children Safe, puts the  
8 expectations and duties out to schools. It doesn't say  
9 exactly how they should be delivered. Keeping Children  
10 Safe does say that -- our recommendation is it is  
11 refreshed annually and often schools use the first INSET  
12 day in September to focus on Keeping Children Safe in  
13 Education.

14 I would probably suggest that if the consensus is  
15 that a greater focus on Prevent in all schools would be  
16 important that probably that came through the link with  
17 Keeping Children Safe in Education, which -- and  
18 therefore we look at whether actually there's a bit of  
19 strengthening of the cross-reference between the  
20 documents to put the emphasis in Keeping Children Safe  
21 in Education, rather than on mandating Prevent refresher  
22 training every year.

23 **Q.** All right. When it comes to individual referrals, as  
24 you state in paragraph 267 of your statement at page 67.  
25 Once a referral has been made, the referrer in the

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1 was saying that he had been bullied was viewed with, to  
2 say the least, a very large degree of scepticism by  
3 Acorns School whose evidence, I hope I summarise it  
4 fairly, was that they had a very large degree of  
5 oversight of all of their pupils but particularly  
6 someone like AR who was on restricted timetable with  
7 restricted access to the wider classroom and, indeed,  
8 had directly witnessed some of the events about which AR  
9 complained and his father complained and that they were  
10 completely being exaggerated and were not objectively  
11 accurate.

12 The second was a sense in which AR's family were  
13 themselves minimising and diminishing some of the  
14 seriousness of what was going on.

15 Against that background, can you help as to any  
16 resolution of that tension, whereby, as you say,  
17 accurately in terms of the process, the referrer, even  
18 if it's a professional like a school, doesn't play any  
19 role in the decision-making but, on one view of the  
20 facts here, that may have made a real difference if  
21 Prevent had got closer to the school's thinking?

22 **A.** I did hear the evidence. I think, on the one hand, the  
23 Prevent system and how decisions are taken is  
24 a responsibility of the Home Office. On the other hand,  
25 from listening to the evidence, and obviously it is

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1 a little bit mixed up with the fact that none of the  
2 Prevent referrals were accepted, I think, but I can see  
3 that a better dialogue between the school and the police  
4 making decisions about those Prevent thresholds would  
5 have been helpful, and I think the general conclusion is  
6 that they would have been taken through to Channel and  
7 should have been.

8 I can also see from Acorns' point of view that they  
9 would have found it helpful to understand why the  
10 referral wasn't getting through and to have been able to  
11 add to that.

12 I mean, as I understand it, the process of being  
13 able to put in the information is available to the  
14 school but I can also see on a kind of human level as  
15 well, when you don't get any feedback you don't quite  
16 know whether you are doing right or wrong. So that is  
17 a useful point to reflect and, again, as we do that  
18 thinking piece about the wider piece of work about what  
19 doesn't fall into Prevent, what falls just outside or  
20 significantly outside, that greater dialogue about what  
21 that risk is and how people have come to that conclusion  
22 and what should be done instead would be a helpful  
23 process.

24 **Q.** If we look at the top of your page 68, please, Ms Dixon.  
25 It is part of your paragraph 268. You say about six

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1 is not possible at the individual school, to CT police,  
2 to be able to collect those themes and feed that back.  
3 **Q.** What about nationwide, in terms of Home Office, Prevent  
4 to DfE? Is this not something that requires national  
5 consideration rather than being left to the discretion  
6 of the regional coordinators?

7 **A.** Yes, sorry, I was trying to give you an example of how  
8 it would operate on a more local level.

9 Absolutely, yes. You know, we talk. We're often in  
10 meetings discussing these sorts of things and, as I've  
11 talked about, the wider cohort of what doesn't fall into  
12 Prevent and working out what those thresholds should be  
13 and what the feedback loops should be, and what we are  
14 looking for in order to be able to give better guidance  
15 locally as to what we mean by these different risks so  
16 that, you know, a more automatic process can be taken  
17 forward. So, yes.

18 **Q.** So discussions about that but is anything actually going  
19 to eventuate from it? Is anything in the pipeline do  
20 you know?

21 **A.** Well, this is very wrapped up in the work that we're  
22 doing on violence-fixated individuals because it's  
23 a spectrum of the problem. So I will give you the best  
24 answer that I can by the end of November. Is that when  
25 you asked for it by?

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1 lines down that the Department:

2 "... recognises that when cases are not adopted into  
3 Prevent there has been inconsistency in the onward  
4 signposting either back to the referrer or on to  
5 additional local services, and the Department has raised  
6 this concern with partners previously."

7 So we're looking at what may be thought to be an  
8 acute example but this is not, to you, a new problem;  
9 would that be fair?

10 **A.** Yes, that's right and we talk about our regional network  
11 being able to feed that intelligence back as we do -- as  
12 we work with the Home Office, yes.

13 **Q.** Again, things are complicated because the Prevent  
14 process is already quite a complicated one but is there  
15 any prospect of any formal change in the interface  
16 between schools and Prevent to give schools a greater  
17 voice, not decision-making powers, but to seek to ensure  
18 that they have a greater voice and that if decisions are  
19 taken not to take them on, that they are treated to  
20 a greater extent as professionals to whom feedback  
21 should be given and potentially that feedback might, in  
22 some cases, lead to a review as to whether the original  
23 decision was correct?

24 **A.** Yes, and, again, using the local authority Prevent  
25 education officer as a conduit, if actually the volume

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1 **Q.** Please, yes.

2 **A.** I doubt it will be the final answer but I will give you  
3 the best answer that we've got so far about what we're  
4 thinking about and where it's going.

5 **Q.** Thank you.

6 Sir, there's further information about this at  
7 paragraph 459 on 460, just for your note.

8 **SIR ADRIAN FULFORD:** Thank you very much.

9 **MR MOSS:** Thank you. That takes us then to the information  
10 transfer between schools, including in relation to risk  
11 assessment.

12 Again, if I can just try to summarise it. I am sure  
13 you're broadly familiar with it. In relation to the  
14 transfer of information between The Range School and  
15 Acorns, there was a short delay, it seems, in the  
16 safeguarding information which at the Range was kept on  
17 a housekeeper's log, rather than on CPOMS at the time.  
18 But it was a short delay in that material being  
19 provided. As soon as Acorns specifically requested the  
20 information, The Range School provided it.

21 The evidence from Mr Turner of the local authority  
22 was that he would expect that to have been done school  
23 to school. The evidence from Mr Cregeen from The Range  
24 School was that he would agree normally, but this was  
25 a case where AR had been permanently excluded and they

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1 didn't actually know to which school or referral unit AR  
2 would be sent, and he believes that the information was  
3 provided to the local authority with the expectation  
4 that they would send it on.

5 So that's the first example of a problem arising.  
6 Before I ask you anything about that, in terms of Acorns  
7 to Presfield, you would have gathered we heard some  
8 evidence about that last week, in particular from  
9 Ms Smith, and more this morning from Ms McLoughlin, and  
10 it seems that the system was open to individual failure  
11 in the sense that the information was transferred by  
12 Egress email but there was a failure by the DSL, which  
13 she admits, she was away at the time, to obtain that  
14 information upon her return.

15 As we've heard, the latter failure of communication  
16 was particularly significant because had all of the  
17 information been known, Presfield in fact wouldn't have  
18 taken AR on at all because of his risk profile not  
19 meeting.

20 Now, what is the general position of the Department,  
21 first of all, in terms of the expectations of how  
22 safeguarding information should be referred from school  
23 to school?

24 A. So, Keeping Children Safe in Education talks about the  
25 transfer of information as soon as possible, certainly

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1 to be a Designated Safeguarding Lead available at all  
2 times. So I think one of the learnings was that,  
3 actually going to an individual's email rather than  
4 a group email for safeguarding was also a useful extra  
5 change that would have made the process less likely to  
6 fail.

7 Q. Would you agree with this, that first of all, there is  
8 a need to ensure that where the safeguarding information  
9 relates to the pupil presenting any kind of significant  
10 risk to other pupils, that should be a mandatory earlier  
11 sharing of information?

12 A. Yes, I think my reading of the paragraph in Keeping  
13 Children Safe in Education does say that. So there  
14 should be consideration of advance sharing where that  
15 risk is necessary to protect the people in the school,  
16 but I do think we could make it clearer having listened  
17 to what happened. I don't know if it would make any  
18 difference but we could make it clearer.

19 Q. Secondly, guidance to ensure that schools understand  
20 that there shouldn't be single points of failure, such  
21 as a single email who is the recipient; would you agree?

22 A. Yes.

23 Q. Thirdly, should consideration be given, linked to the  
24 second point, to some sort of failsafe mechanism,  
25 whereby there has to be a standard check done at some

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1 within five days, but it also has a statement in there  
2 that says if it's relevant to pass it on in advance,  
3 then consideration should be given to that.

4 I think all of the words are there, that if they had  
5 been followed, then it would have worked. I understand  
6 all of the -- I've seen and heard the evidence of why it  
7 didn't. This was, when I was doing my preparation, one  
8 area where I did wonder whether we could be a bit more  
9 descriptive about examples of when actually in advance  
10 might be appropriate or maybe make more of the emphasis  
11 on "as soon as possible", rather than people assuming  
12 the backstop of five days is okay.

13 We are running a consultation for the changes to  
14 Keeping Children Safe in Education for 2026. So that  
15 was one thing that I thought we could take away and look  
16 at in addition, although I think that's the most  
17 relevant bit. The common transfer file is 15 days.

18 I think the other bit that I would reflect on is, it  
19 was in terms of -- two things. It probably is right  
20 that the local authority is the backstop. So if you  
21 don't know where a child is going, then that seems  
22 an acceptable place to send the information.

23 Then the last thing I wanted to say was there has  
24 been an acceptance that the email went to the DSL and  
25 they were on sick and didn't pick it up, but there needs

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1 fixed time that the safeguarding information has been  
2 seen, that's confirmed to the senior leadership of the  
3 school, without which the placement shouldn't be  
4 continuing?

5 A. That's certainly one way of doing it. The other bit in  
6 Keeping Children Safe is it does say: acknowledge  
7 receipt. Again, I think that is open to interpretation.  
8 What does that mean? Does that mean you have got an  
9 email? We know it got sent; we don't know if it was  
10 opened. Was it received by the right person? Did it  
11 get to the right place?

12 So, your idea is a good way of doing it. Without  
13 having talked to a number of different people about how  
14 you might operationalise it, there might be a similar  
15 but better way of doing it. But, yes, the point about  
16 knowing that the information has got to where it needs  
17 to get to and has been seen by an appropriate person is  
18 a very good one.

19 Q. The awful events, unspeakable events, of July 2024 but  
20 if one postulates what would have happened had there  
21 been an attack by AR on another pupil in Presfield when  
22 this risk information hadn't actually been received,  
23 hadn't been viewed, and AR would have been judged not to  
24 be a suitable pupil for Presfield, just thinking about  
25 that underlines how significant a risk and a problem

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1 that could have been. Would you agree?  
 2 **A.** Yes.  
 3 **MR MOSS:** Sir, would that be an appropriate moment? We're  
 4 making good progress but perhaps 45 minutes?  
 5 **SIR ADRIAN FULFORD:** Certainly. I will sit again at  
 6 1.50 pm.  
 7 (1.07 pm)

(The short adjournment)

9 (1.50 pm)  
 10 **SIR ADRIAN FULFORD:** Yes, Mr Moss.  
 11 **MR MOSS:** Thank you, sir.  
 12 Ms Dixon, I would like to turn now to information  
 13 sharing between agencies. Can we start, please, with  
 14 paragraph 178 on page 47 of your statement.  
 15 It comes to this, doesn't it, that you explain there  
 16 that the Department recognises that poor and ineffective  
 17 multi-agency working, including information sharing, is  
 18 effectively a perennial issue and a key factor where  
 19 child protection activity fails to keep children safe?  
 20 **A.** Yes, that's right. In the majority of reviews, that is  
 21 flagged as an issue.  
 22 **Q.** So one that you see coming up in different contexts in  
 23 a number of different ways but is a constant problem?  
 24 **A.** Yes, or a constant point of failure, I suppose.  
 25 **Q.** Sir, for your note, paragraph 191.

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1 concerns about a child.  
 2 Can you just explain just a little bit more what the  
 3 Bill will actually change, what its purpose is, what  
 4 will be different because the sceptical view might be  
 5 that should all be clear already?  
 6 **A.** I think it's a bit of both, really. So, the Bill will  
 7 seek to clarify exactly what you have just set out  
 8 really, so that the safeguarding duty overrides any  
 9 misconception that there is confidentiality around data  
 10 protection, that that's the overriding imperative to  
 11 share, that the duty exists to share but also gives the  
 12 right to request, and then multi-agency child protection  
 13 teams are a slightly different point but that is also in  
 14 the Bill and that is strengthening those arrangements.  
 15 They have, you are right, been strengthened over  
 16 successive years and also in response to -- I worked on  
 17 the response to the Victoria Climbié Inquiry and there  
 18 was a big point of strengthening and a number of similar  
 19 issues, in terms of information sharing, came up then.  
 20 They will bring education expertise into the discussion,  
 21 in a way that they haven't been to date, ensuring that  
 22 education is represented in some way on these  
 23 multi-agency partnerships.  
 24 Both the information sharing and the multi-agency  
 25 working does exist but the Bill is seeking to strengthen

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1 Also, Ms Dixon, I think you say there:  
 2 "Poor information sharing has contributed to serious  
 3 child safeguarding incidents over a long period."  
 4 Is that right?  
 5 **A.** Yes, that's right.  
 6 **Q.** Thank you. Taking matters shortly, your statement deals  
 7 with the guidance that's in place and you set out, in  
 8 particular, the concern that the data protection  
 9 legislation shouldn't be standing in the way and acting  
 10 as a barrier to appropriate sharing because, as  
 11 professionals who are immersed in the detail will  
 12 appreciate, there are appropriate exceptions that permit  
 13 the sharing of information, where it is necessary and  
 14 appropriate to do so, in relation to risks of self-harm  
 15 and risks of attack to other people; would you agree?  
 16 **A.** Yes.  
 17 **Q.** Having briefly set out a summary of what you say the  
 18 problem is, from your statement, you say in  
 19 paragraph 152 at page 42 that the Department is  
 20 currently taking the Children's Wellbeing and Schools  
 21 Bill through Parliament, which further enshrines this  
 22 multi-agency approach to keeping children safe. This  
 23 includes the establishment of new multi-agency child  
 24 protection teams and a new duty to require multi-agency  
 25 information sharing between partners when there are

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1 the arrangements and give them greater prominence and  
 2 importance.  
 3 **Q.** You tell us in paragraph 194, it's page 51, please, that  
 4 the Children's Wellbeing and Schools Bill will introduce  
 5 a provision to enable the specification of an SUI,  
 6 a single unique identifier, for children in education;  
 7 is that right, first of all?  
 8 **A.** Yes, that's right.  
 9 **Q.** How is that going to help in appropriate information  
 10 sharing?  
 11 **A.** I think it helps but it doesn't solve the whole problem.  
 12 So there are two issues, there is culture and people,  
 13 and there's a mechanism and a process, and this is the  
 14 latter. So, it will be helpful because it will allow  
 15 different systems to speak to each other, it will join  
 16 data up. What it won't solve is people needing to input  
 17 the right data and share them and have the discussions  
 18 and talk to each other and clarify information, and just  
 19 what you were asking me about before lunch: the feedback  
 20 mechanism between schools and Prevent. It won't solve  
 21 that, so that's why we are trying to do more and both  
 22 things.  
 23 **Q.** Obviously, information sharing is important in the area  
 24 of safeguarding risks, risks of people doing harm to  
 25 children and risks of children doing harm to themselves

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1 but I obviously want to focus, for this Inquiry's  
 2 purposes, on the risk from children to harm to others.  
 3 For the cohort of children in this sphere, who either  
 4 it's not a Prevent type issue or they are referred to  
 5 Prevent for violence issues but are not taken on; the  
 6 challenge perhaps is this, even with the strengthening  
 7 of this Bill, are these sort of multi-agency  
 8 arrangements really fit for purpose? Given the  
 9 perennial difficulties that have been encountered, are  
 10 they, in fact, ever going to meet the requirement for  
 11 effective management of children's risks to others,  
 12 where the risk is of causing death or very serious harm?

13 **A.** So, a bit of the work and thinking that I've done on  
 14 violence fixated individuals, I think has flagged not  
 15 the problem with people getting together to talk but  
 16 knowing whose responsibility it is and what to do. So  
 17 I think the measures in the Bill will help to bring  
 18 people together. I think the question that is more  
 19 difficult, and I don't know the answer and I'm sure that  
 20 this is also part of what you are trying to find out and  
 21 make recommendations about, is what happens when  
 22 an individual system partner's intervention isn't the  
 23 right -- deemed to be the right one for the  
 24 individual -- what happens when they fall out of  
 25 everybody's intervention thresholds or offers?

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1 certainly the ones I know most about, the education and  
 2 child care systems -- with the response being risk to  
 3 individual rather than risk from individual, and that is  
 4 the piece of work that we've been doing across  
 5 government to both better understand each other's  
 6 systems but also take some examples to work them through  
 7 the system.

8 So I don't know but I have, and my Department has,  
 9 a reasonable degree of confidence that the individuals  
 10 who are a risk to others are probably already in some  
 11 intervention in the system, either in education or  
 12 Children's Social Care, but working through the  
 13 individual cases of those will give us more information  
 14 about whether that's right to be confident about or  
 15 wrong and what we would need to do.

16 **Q.** Which agency has the lead responsibility for those  
 17 cases, if they're not taken on by Prevent?

18 **A.** So, the local authority has the backstop duty around  
 19 duty to safeguard and I think the police have the  
 20 security duty of populations and communities.

21 **Q.** So is one agency clearly in the lead or not?

22 **A.** I don't think so, no.

23 **Q.** Is that itself a problem?

24 **A.** Yes.

25 **Q.** Has thought been given because of the difficulties of

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1 Actually, what more do we need to know about what  
 2 interventions are successful, for what risks and issues,  
 3 and to make sure that there is either a backstop or more  
 4 collective responsibility when people don't fit into the  
 5 individual silos. So I'm sure that's part of your  
 6 questioning and thinking. It is also part of the work  
 7 that we are trying to do to work out who captures, where  
 8 does the responsibility sit and what critically are the  
 9 evidence based interventions that help, and I don't  
 10 think we have the answers yet.

11 **Q.** So, if we look at page 68, it's the very last part of  
 12 your paragraph 268, you refer there to being aware that  
 13 the Home Office:

14 "... is currently piloting a more structured  
 15 approach to cases which are not suitable for Prevent but  
 16 with demonstrable high risks and anticipate learning  
 17 from this pilot to inform our support to the education  
 18 sector on such instances."

19 Where has that reached?

20 **A.** It's still learning and is still a work in progress.

21 I think there are two points to make: one is trialling  
 22 of cases and individuals that have been flagged as risks  
 23 and, you know, that's good to work those through the  
 24 system. I think the other sort of systemic question is:  
 25 in the majority, our individual systems are set up --

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1 information sharing -- despite Government attempts to  
 2 encourage it, and not to see GDPR as a barrier, has  
 3 consideration been given in this area to a board, such  
 4 as MAPPA, having to be established, so that there is  
 5 a structure to bring it together, rather than to rely on  
 6 individual agencies, so that there is greater formality  
 7 to it and a clear board?

8 **A.** Yes. The work that we have been doing has been looking  
 9 at the different kinds of structures that exist in  
 10 different areas. They're not always the same and they  
 11 don't always meet in the same format or regularity, so  
 12 we have looked at the Multi-Agency Safeguarding Hubs,  
 13 we've looked at the duties in the bill about  
 14 multi-agency protection teams, we've considered  
 15 MAPPA's -- the piece of work hasn't finished and I think  
 16 what we have discovered is different places operate in  
 17 slightly different ways. I suppose the other bit that  
 18 is worth saying -- probably you well know and probably  
 19 has been said by other people -- is mandating  
 20 a structure doesn't always guarantee the relationships  
 21 are good. So there's something about the culture behind  
 22 that, that is important as well.

23 **Q.** So, having a structure in place doesn't guarantee good  
 24 practice or that the culture is right but it certainly  
 25 requires consideration; would you agree --

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1 A. Yes, it does.

2 Q. -- if the current position is the lead agency isn't

3 clear?

4 A. Yes, well, lead agency is having different leads for

5 different things, don't they, that's part of the issue.

6 Q. Paragraph 455 of your statement, please. You mentioned

7 the MASH and, in paragraph 455, you say that post-Lord

8 Anderson's report, you indicate that work has been done

9 on the front-door approach to Multi-Agency Safeguarding

10 Hubs, the MASH.

11 Again, for cases that involve risk to others, at the

12 moment, is the MASH approach working: isn't it more

13 focused on the risks to the child?

14 A. That is how it has been set up. I think what I was

15 trying to explain was we feel reasonably confident that

16 those individuals are probably being picked up in one

17 way or another by the system. Without having finished

18 the piece of work that follows all of those through to

19 see if that is the case, I can't be sure, but if we

20 consider the kinds of interventions that would be

21 offered through those different systems, they are often

22 fairly similar interventions.

23 So attending school is a massive protective factor;

24 having some sort of engagement or belonging to

25 something, if school isn't either working for that

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1 people and giving them interventions that work, it

2 doesn't matter that it is inconsistent because every

3 individual is different and probably as long as -- well,

4 the ideal is that the system is working to give the

5 appropriate oversight intervention, catch the individual

6 and give them what they need, rather than needs to be

7 the same everywhere.

8 Q. Does the mounting evidence in AR's case not dent that

9 sense of confidence that you have, that the right

10 interventions are probably being done?

11 A. It does dent my confidence, yes. I mean, I think it is

12 very clear that he was offered different interventions

13 because that's what the different services had available

14 and he did or didn't meet the threshold, but also that

15 they weren't -- that they didn't succeed, did they?

16 I suppose the other point, which I was going to save

17 until the end, is the point about voluntary engagement.

18 So the vast majority of those interventions require some

19 sort of co-operation or voluntary input of the

20 individual. Even if they are the right ones and they

21 will only work if the individual wants to engage, until

22 you get to a criminal line.

23 Q. Right. That's an important potential stage in the

24 chronology of agencies dealing with AR. You'll be aware

25 there was an incident where he was found on a bus with

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1 individual or isn't giving that sense of belonging; we

2 might come onto talk about the out-of-school setting

3 sector but that can often be an intervention; various

4 other interventions, obviously Children's Social Care is

5 an intervention at different levels; there are police,

6 custodial and criminal interventions; mental health

7 interventions, all sorts of different ones.

8 I think we feel like those interventions probably

9 are the right interventions and, probably, individuals

10 who are risks to others are in contact with the system

11 somehow, but to do the piece of work to see if that is

12 the case, by mapping a lot of case studies and then

13 seeing if it is the joining of services or the absence

14 of any service that's the gap.

15 Q. There's also a risk of inconsistent treatment, if they

16 might be dealt with by different agencies in different

17 ways because then your evidence is really, "We think

18 they're probably being picked up somewhere in the system

19 but it may be picked up in different ways, but overall

20 we think the interventions are probably along the right

21 lines"?

22 A. Yes. I agree with the thinking, it's definitely the

23 risk that we need to be sure. In terms of the

24 inconsistency point, yes, probably, but probably

25 appropriately. If the system is picking up the right

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1 a knife, saying to the police that he had the knife

2 because he intended to stab someone and referring to the

3 police officer to poison, either having had thoughts of

4 poison or possibly having tried to make poison.

5 Can we have on screen PRE000357, at page 2. If we

6 look at the bottom email, the Op Encompass referral had

7 actually meant that Acorns School were alerted to this

8 incident but they had been trying to find out more, both

9 from AR's father and from CAMHS, in part because they

10 were conscious that, although AR wasn't attending Acorns

11 School by this stage because of the poor attendance,

12 that they felt an obligation to understand the risks but

13 also to pass them on to Presfield School, to which AR

14 was later going to be attended.

15 Ms Allred, as you can see here, emailed CAMHS

16 saying:

17 "Can you let us know how the meeting with [AR] went

18 on Friday and clarify what were the issues that caused

19 [AR] to act the way he did on Thursday?"

20 So that is a reference to him going missing:

21 "Please give as much information as possible so we

22 can update our safeguarding and risk assessments.

23 "It would also be useful if you can liaise with

24 Presfield School, are you happy for me to forward your

25 details to them?"

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1 That reference to "so we can update our safeguarding  
2 and risk assessments", there couldn't be, would you  
3 agree, a clearer indication that this was necessary  
4 information because this was AR's school making the  
5 request to be put in the picture about what they needed  
6 to know about risk information, yes?

7 A. Yes.

8 Q. If we go to the top of the page, notwithstanding that,  
9 on the evidence, it seems that they did have information  
10 about the incident on the 17th, the response from CAMHS  
11 was:

12 "Good morning Maggie, [AR] came to session and  
13 engaged well. From what he shared I can let you know  
14 that he does not want to return to Acorns to say  
15 goodbye."

16 So, on the face of it, what the Chair will have to  
17 consider is whether it was a deliberate withholding of  
18 risk information on the basis that -- well, on the face  
19 of this, perhaps he wasn't going to come back to that  
20 school. Your view of that?

21 A. And this is from Health. I mean, I think this speaks  
22 a bit to the point we were talking about, the duty to  
23 share for safeguarding purposes overriding  
24 confidentiality reasons. So, there are cultural  
25 differences probably between agencies about how much

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1 there was any restrictions on the police information and  
2 whether Health felt that that wasn't their information  
3 to share or --

4 Q. One understands that but, in a sense, there wasn't  
5 a restriction on the police information --

6 A. There was or there wasn't?

7 Q. -- because through a different route police had already  
8 shared the information. I take this email as an example  
9 but it does illustrate that the size of the challenge;  
10 would you agree?

11 A. Yes, I think it does.

12 Q. Thank you.

13 Could we turn next, please, to the different subject  
14 of guidance for out-of-school settings, and in  
15 paragraph 388, page 99, you helpfully set out that the  
16 Department is the central Government Department that has  
17 the policy responsibility for safeguarding in  
18 out-of-school settings, yes? DFE000256, please, 388.

19 This comes within your area of responsibility?

20 A. It does, yes.

21 Q. We see from 389, a little lower down the page, that, in  
22 overview, it says that:

23 "The [out-of-school settings sector] is a large,  
24 broad and diverse sector which is unregulated under  
25 education and child care law."

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1 they share and -- I'm not talking from my expertise, I'm  
2 talking from broadly what I know in life, I think --  
3 Health holds some information as private but I think  
4 what we're talking about and in our changes in our Bill,  
5 we are seeking to make it clearer that the duty of  
6 safeguarding overrides those concerns.

7 It is similar -- I work across the -- not just the  
8 Prevent but the Contest space in the Home Office.  
9 Actually, quite often the challenges of our different  
10 agencies working together do come quite quickly up  
11 against the different cultural expectations around  
12 sharing information. That's more on a security side  
13 than a Health side but I imagine it's a similar culture.

14 Q. While one speaks about cultural understandings -- and,  
15 of course, everyone will have some experience of what  
16 you mean about health care information received in  
17 confidence and an understandable reluctance to share  
18 patient information unless it's appropriate -- where the  
19 information is that a youth has been found with a knife  
20 and that request is coming from the school to the mental  
21 health services, that is a plain breach of the duty to  
22 share risk information, isn't it? It's not cultural;  
23 it's just getting it really badly wrong.

24 A. Obviously it would be better that the information was  
25 shared. I don't know all the ins and outs of whether

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1 Is that right?

2 A. Yes, that's right.

3 Q. The definition includes commercial and charitable or  
4 individuals who are providing tuition, training,  
5 instruction or activities to children in England without  
6 their parents' or carers' supervision but then are not  
7 schools, colleges, and so on. It's almost a definition  
8 by exclusion. It's everybody else who's providing that?

9 A. It is, yes.

10 Q. There would be great variation within that from one-off  
11 children's events through to classes that take place  
12 inside to outdoor activities, outdoor pursuits, matters  
13 of that kind; would you agree?

14 A. That's right. It's a very broad and very varied sector.

15 Q. Your statement explains that there was guidance  
16 published, first, I think, in October 2020, under the  
17 title of "out-of-school settings safeguarding guidance  
18 for providers in October 2020". Had there been some  
19 earlier guidance, before the 2020 guidance, with  
20 a different type of title?

21 A. I don't believe so, no.

22 Q. Then it was updated in September 2023 and a further  
23 version was published at that time. If we look at 392,  
24 taking the helpful summary from your statement. You say  
25 that -- 392, page 100, please, middle of the page -- it

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1 is:  
 2 "... aimed at helping OOSS providers run safe  
 3 settings and ensure the welfare of children ... It sets  
 4 out the policies and procedures [that you] would expect  
 5 ... to have this place to meet their legal duty of care  
 6 ..."  
 7 It also helps them to understand, because it makes  
 8 clear legal requirements that they may need to meet  
 9 under different legislation, for example, Safety at Work  
 10 Act and the Regulatory Reform (Fire Safety) Order, yes?  
 11 **A.** Yes.  
 12 **Q.** Thank you. Since the Southport attack -- sir, just for  
 13 your note, it's paragraph 408 -- I think that e-learning  
 14 has subsequently been published -- is that right -- in  
 15 May this year?  
 16 **A.** Yes, it has been published.  
 17 **Q.** So if we look at the version that was contemporaneous at  
 18 the time, it is DFE000254, and if we could go to  
 19 page 34, there is one aspect of this that I would like  
 20 to pick up with you but it involves going to a couple of  
 21 different pages.  
 22 So, we can see here you are responsible for health  
 23 and safety regardless of your setting, whether it's for  
 24 the classroom, youth centre, and so on:  
 25 "You should as a minimum annually review and update  
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1 and safety risks; keep a first aid kit in your home;  
 2 know what to do in case of emergency; be able to explain  
 3 to parents the steps you have taken to reduce the health  
 4 and safety risks."  
 5 So for small providers, of which the dance class  
 6 involved here would have been one, do you see that that  
 7 reference to "emergency plan" and "a fire safety  
 8 evacuation plan" seems to have been elided into knowing  
 9 what to do in case of emergency?  
 10 **A.** Yes.  
 11 **Q.** Would you agree that that could be clearer, if there was  
 12 an expectation that they should have an emergency plan  
 13 and a separate assessment for fire safety and  
 14 an evacuation plan, that that could have been made  
 15 clearer in this guidance?  
 16 **A.** Yes.  
 17 **Q.** Then at page 37, an example is given and what's said  
 18 there is that there is a suggestion about writing your  
 19 own risk assessment. But again would you agree that it  
 20 doesn't go on to specify any duty to write or  
 21 specifically address an emergency plan? Just take  
 22 a moment to read it. It's under "Our advice":  
 23 "Still carry out our own risk assessment even though  
 24 the hall owners have got a generic one."  
 25 **A.** Yes, the fire risk and in case of emergency is all in  
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1 your risk assessments, treating them as living documents  
 2 ... You should have active arrangements in place to  
 3 monitor whether your controls for managing risks are  
 4 effective and working as planned. You should also have  
 5 an emergency plan in place to help you and any staff  
 6 respond effectively to an emergency ..."  
 7 Then it says:  
 8 "All providers must have a fire safety and  
 9 evacuation plan."  
 10 So that seems to be risk assessments and emergency  
 11 plan and the fire safety and evacuation plan; would you  
 12 agree?  
 13 **A.** Yes.  
 14 **Q.** If you go to page 35, it makes clear that, if you are --  
 15 top of the page -- a provider with five or more staff,  
 16 then you need to have a written health and safety  
 17 policy, including a risk assessment section, yes.  
 18 **A.** Yes.  
 19 **Q.** If we go to page 36, we see that a section headed, "If  
 20 you have fewer than 5 employees", can that be  
 21 highlighted, the bottom section, please:  
 22 "... you do not have to write down your health and  
 23 safety policy."  
 24 It gives an example. Then it says:  
 25 "We would expect you to: have assessed the health  
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1 one line. Yes.  
 2 **Q.** Again, if the intention of this was to have  
 3 a requirement for an emergency plan, do you see how  
 4 a small provider may not have picked that up, even  
 5 trying to follow this guidance?  
 6 **A.** Yes, I do.  
 7 **Q.** Over the page, on page 38, it makes clear that there is  
 8 a requirement for a fire safety management policy and  
 9 evacuation plan. So that's the sense of the fire  
 10 related evacuation plan, which we've seen earlier. But,  
 11 again, no reference then to what we saw earlier on about  
 12 some concept of an emergency plan that was separate from  
 13 a fire safety and evacuation plan; would you agree?  
 14 **A.** Yes.  
 15 **Q.** So there is, within that guidance that was issued at the  
 16 time, would you agree, especially for small providers,  
 17 different terms being used, not perhaps as clearly as  
 18 they could have been?  
 19 **A.** Yes.  
 20 **Q.** What is apparent, and I won't go through it to prove the  
 21 negative, but what's apparent is that there was no  
 22 specific guidance on protective security. So there was  
 23 nothing about locked doors, keypads, video phone entry,  
 24 intercoms, magnetic lock release doors. Do you know why  
 25 that was? Was that deliberate?  
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1 **A.** Yes. So, we have talked about this sector being very  
 2 large and varied. The voluntary codes that we put  
 3 together were seeking to increase the awareness and  
 4 responsiveness of out-of-school settings but without the  
 5 backing of a statutory legislative duty or regulation  
 6 behind it: a set of best practice. Schools have quite  
 7 a detailed piece of guidance around school security and  
 8 premises security. The out-of-school sector is made up,  
 9 as you said, of very small providers through to very big  
 10 providers and, in our approach to the question that we  
 11 are asking ourselves of regulation, we're trying to seek  
 12 a proportionate approach that ensures we don't stifle  
 13 that sector but encourages providers to think about the  
 14 safety, amongst many other things, that they think about  
 15 of the setting, and also the personnel that are  
 16 involved, and I think about one in ten adults are  
 17 volunteering with an out-of-school setting. It's a big  
 18 workforce and one that relies on voluntary  
 19 contributions.

20 So, I -- it doesn't have as many sets of rules  
 21 around it, and I think, as has been seen in some of the  
 22 evidence so far, the expectation of the risk has been  
 23 far more on the fire side or, for example, we ran some  
 24 pilots around out-of-school settings when we were trying  
 25 to work out what the next approach should be in 2016,

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1 a system of regulation of the settings; is that right?

2 **A.** Yes, that's right.

3 **Q.** The Government response to that, in the end, was that  
 4 there shouldn't be regulation of the OOSS area, but what  
 5 there was was a focus on giving the local authorities  
 6 information and powers and encouragement to monitor and  
 7 take action against poor providers who were poor at  
 8 safeguarding.

9 **A.** Nearly, I suppose. So, the Government decided not to  
 10 regulate at that time, didn't rule it out completely and  
 11 then set up some pilots to try and work out, in some  
 12 local areas, whether the existing powers that were  
 13 across different bodies, so, for example, that would  
 14 include the health and safety, the fire, but it also  
 15 included, for example, powers of the Charity Commission.  
 16 The pilot sought to try and find out what the gap was  
 17 because --

18 **Q.** What was the result?

19 **A.** The result was that there wasn't a clear consensus on  
 20 what the gap was, it wasn't clear what the way forward  
 21 was. As I mentioned, quite a lot of the risks that came  
 22 up there were around people risks, so physical or sexual  
 23 abuse risks, rather than premises risks. However,  
 24 I don't think we or anyone thinks we have cracked the  
 25 problem. So we are, again, running a call for

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1 about regulation of the sector and the risks that came  
 2 through that were not in the protective security space.  
 3 They were more about people, abuse risks and things like  
 4 that.

5 I can stop or tell you about the call for evidence,  
 6 if you would like.

7 **Q.** All right. I'm going to come back to the issues that  
 8 you raise but another factor that we see is, absent from  
 9 this guidance in the 2023 version, is any reference to  
 10 supervisory ratios for adult to children, and the  
 11 Inquiry has seen that there is some best practice  
 12 guidance from the NSPCC suggesting that there should be  
 13 two adults present and one adult to six children, where  
 14 those children are aged between four and eight years  
 15 old. Now, that's that organisation's recommendation or  
 16 guidance but neither that suggestion nor any other  
 17 guidance as to ratios appears in the September 2023 OOSS  
 18 guidance. Again, was there a reason for that; is it the  
 19 same thing?

20 **A.** It is the same thing and it was thought about but, on  
 21 the proportionality balance, we decided against ratios.

22 **Q.** So, you've referred to the 2015/2016 exercise and I'm  
 23 just going to see if I can summarise it in this way:  
 24 I think there was a call for evidence that looked at  
 25 current practice and whether there should be introduced

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1 evidence --

2 **Q.** All right. I'm going to come onto that. But at the  
 3 time, what changed as a result of that exercise in  
 4 2015/2016: a call for evidence, a decision against  
 5 regulation at that stage, not completely ruled out?  
 6 I think we have seen reference in your evidence to  
 7 an emphasis on those organisations who might have poor  
 8 safeguarding and -- my words -- cracking down on them.  
 9 Was that one thing that did arise from that?

10 **A.** Yes, in terms of the using the powers that already  
 11 existed.

12 **Q.** Then, onto the current call for evidence. So, you  
 13 started to talk about that. There's been a DfE  
 14 publication "Call for evidence".

15 Sir, DFE000084 is the reference, we needn't bring it  
 16 up.

17 I think the deadline for responses has been pushed  
 18 back a month; is that right?

19 **A.** Yes, it's now closed though.

20 **Q.** 21 September --

21 **A.** Yes.

22 **Q.** -- was, I think, the pushback date. Ms Dixon, for the  
 23 purposes of the questions that follow, could we try to  
 24 separate out the question of formal regulation as to  
 25 whether this should be a regulated sector and the

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1 potentially different aspect of whether there might be  
2 some best practice guidance or, at least, guidance, even  
3 if it doesn't amount to regulation?

4 In the area of security provision, appreciating that  
5 some of these settings will be outdoors -- sport  
6 instruction outside and other outdoors activities --  
7 looking at provision for children's classes that are  
8 indoors, what's the Department's current thinking, if it  
9 has a view on this, as to whether there should now be  
10 introduced some sort of guidance, perhaps short of  
11 regulation, but giving guidance as to the desirability  
12 of, for example, magnetic locked doors, rather than open  
13 doors that still allow you to get out in the case of  
14 fire but don't allow you in from the outside?

15 Does the Department think that some guidance might  
16 or should be published in that area; can you help?

17 **A.** Yes, I can help, I think. Obviously, we have not taken  
18 a proposal to ministers so this is not with ministerial  
19 decision involved in it. I suspect, though, the  
20 mandating of anything in this sector won't happen unless  
21 it is done by sort of proportionality of activity of  
22 risk. So, I don't think that we would be mandating or  
23 highly recommending magnetic doors or --

24 **Q.** In what circumstances might it come into play on  
25 proportionality, based on the risk and size?

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1 encouraging it would mean that providers would  
2 disappear. Of course, one understands funding pressures  
3 but isn't there a case, given the benefit?

4 **A.** I think it's unlikely. I did have one idea, however,  
5 which was, in the same way that we have used a number of  
6 different principles in the Voluntary Code Guidance,  
7 both for providers and for parents and for local  
8 authorities, whether there was -- and we've used the  
9 basis of other documents where there is a mandatory  
10 responsibility -- whether, actually, there was anything  
11 we could do from the Protective Security Guidance to  
12 schools that we could include a paragraph or two in the  
13 Voluntary Sector Code to give some more ideas or  
14 examples of the sorts of considerations.

15 That's in no way saying that you need to have  
16 magnetic doors but, actually, it might make a difference  
17 in choosing your community venue when you were picking  
18 between the two, if that was what the provider thought  
19 was an appropriate response to that risk.

20 **Q.** It's a hugely sensitive issue in this Inquiry because,  
21 on the one hand, for some of the victims, they look at  
22 AR's access to the venue and feel that there should be  
23 change. At the same time, for other victims that there  
24 wasn't any guidance in place at the time, that the fire  
25 escape routes had to be kept clear, and there may be

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1 **A.** Sorry, my point would be if it aligned with, say, the  
2 Martin's Law regulations around size of venue or number  
3 of people or, perhaps, if you try and segment the  
4 out-of-school settings sector into different kinds of  
5 activities, then that might more likely follow the risks  
6 that we saw in the pilots or it might be, for example,  
7 overnight activities were more risky than those that  
8 were taking place in the day, or extreme sports  
9 activities might require a different set of expectations  
10 than those that didn't have such high-activity risk.

11 On the point of magnetic doors and security, I can  
12 see, in this very new, tragic case why that might come  
13 into question. I think what we are seeking to balance  
14 is the diversity of the sector and the availability of  
15 it. So, actually, if we put those sorts of rules in  
16 place, I think it would be highly likely that a number  
17 of activities and providers, a large proportion of them,  
18 would not continue to offer services or carry on, which  
19 I think the balance for us would be around available  
20 opportunities for children and young people versus  
21 absolutely secure, 100 per cent safety.

22 **Q.** Given the potential widespread benefit of small local  
23 providers, is there a case for funding being made  
24 available on a grant basis to improve security? You say  
25 there would be a concern that mandating it or

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1 a concern that it might have been even worse if there  
2 had been even magnetic locked doors.

3 But, in part, bearing in mind the intensity of those  
4 sensitivities arising in this Inquiry, would you agree  
5 that anything that can be done, even if it is by way of,  
6 for example, consider this, consider what is provided in  
7 schools and pointing the way to options, would be better  
8 than the current, being blunt, silence in the guidance;  
9 would you agree?

10 **A.** Yes, sir, and I think that's what I was offering.

11 **Q.** Thank you. One moment.

12 Chapter 6, Ms Dixon, of your statement provides  
13 reflections and some indications about areas of  
14 potential recommendations. I have touched on those that  
15 I think are more central. Is there anything that you  
16 wanted to add?

17 **A.** I think you have covered all of the things I think  
18 I wanted to say. I guess two additional thoughts.  
19 I think part of the changes in my role have most  
20 recently been trying to bring together some of these  
21 high-harm risks to individuals and where they are at  
22 risk to others and have my role facing the Home Office  
23 to improve the ways that we work together, both in the  
24 Homeland Security Group, which is the Prevent/Contest  
25 bit, but also the Public Safety Group, where violence,

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1 knife crime, violence against women and girls, misogyny,  
2 is taking place. So I definitely take the reading that  
3 I've done and the questions that you have asked me back  
4 into that role.

5 Then I think the other is: I don't know if you've  
6 talked to the Youth Offending Team yet but I think there  
7 might be something for me to take back into the role  
8 around violence fixation and individual risk to others  
9 around the voluntary nature of interventions and youth  
10 diversion activity.

11 So that's definitely given me a bit of a thought and  
12 I will follow your evidence on that and see if there's  
13 something that I can think about in advance. I think  
14 that's all.

15 **MR MOSS:** Thank you.

16 I am going to turn to my left and see if anybody  
17 other than Mr Bowen has questions.

18 May I indicate, sir, in relation to Mr Bowen the  
19 question in pro forma was completed in relation to  
20 certain topics and, on this occasion, some questions  
21 were posed about social care thresholds and permission  
22 was refused on the grounds that there are witnesses to  
23 come who are better placed. My learned friend,  
24 Mr Bowen, with his usual courtesy has asked if I would  
25 ask those and I have declined because I'm not sure they

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1 **SIR ADRIAN FULFORD:** All right, I understand that, Mr Bowen.

2 **MR BOWEN:** So that's the point.

3 **SIR ADRIAN FULFORD:** I understand that but I would be very  
4 much against doing this twice with two witnesses. So  
5 you have to choose your terrain and live with the risk  
6 that goes with that.

7 **MR BOWEN:** I agree but this, from the perspective of the  
8 bereaved families, is fundamentally important, sir.

9 **SIR ADRIAN FULFORD:** Fine.

10 **MR BOWEN:** So I would ask for a little latitude.

11 **SIR ADRIAN FULFORD:** I will give you a little latitude but  
12 I don't want excessive duplication.

13 **MR BOWEN:** I'm grateful. I will be as quick as I can.

14 **Questioned by MR BOWEN**

15 **MR BOWEN:** It's a huge document, Keeping Children Safe in  
16 Education. You obviously didn't write it but you are in  
17 charge of its continuing development and are familiar  
18 with its content?

19 **A.** Yes, reasonably so.

20 **Q.** Okay. Just for your note, sir, the particular  
21 paragraphs of the guidance, 14, 60, 61, 62, and that's  
22 where -- we don't necessarily even need to --

23 **A.** That's fine, I'm just writing it down in case it's  
24 something for me to take away.

25 **MR BOWEN:** I can give you the reference number, sir. 14 is

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1 are for this witnesses. But I think Mr Bowen wishes to  
2 ask the question.

3 Sir, we are in your hands. It may be that it would  
4 be helpful to see what the questions are and see how the  
5 witness is placed and whether she feels she is able to  
6 do them but that's the position we've reached.

7 **SIR ADRIAN FULFORD:** Yes. Mr Bowen, I'm very reluctant to  
8 have a witness who isn't well placed being asked  
9 questions, who is then going to be followed by a witness  
10 who is well placed to answer the questions. So, if you  
11 want to start, do, but anticipate an intervention by me  
12 fairly early on if the answers aren't as satisfactory as  
13 we would like them to be.

14 **MR BOWEN:** I would entirely agree with that, sir, but I have  
15 a fundamental issue which is that, whilst Mr Moss in his  
16 response to my Rule 10 accepted the interaction between  
17 education and social care, it's become very clear  
18 listening to this witness, and I confess looking again  
19 at Keeping Children Safe in Education, that there are  
20 long sections in that guidance which is directly the  
21 expertise of this witness. So I want to ask it from the  
22 perspective of the educationalists, not Lancashire  
23 County Council, who, of course -- one of the things that  
24 they will be justifying is they didn't carry out  
25 a Section 47.

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1 DFE000019, page 9; 60 to 61 is page 19 to 20 -- that's  
2 60 to 62.

3 **SIR ADRIAN FULFORD:** Thank you.

4 **MR BOWEN:** Let me just put a little context into why I'm  
5 asking this question. I don't know whether you were  
6 here when we heard the evidence from Mrs Hodson?

7 **A.** From Acorns, yes.

8 **Q.** She talked in terms of her reluctance ever to pass the  
9 risk on by way of permanent exclusion --

10 **A.** Yes.

11 **Q.** -- that she was very, very clear on the extreme  
12 safeguarding risk, as she saw it, almost from the  
13 beginning of her involvement in the case. Now, what we  
14 know, and I'm not asking you here to adjudicate upon the  
15 correctness or otherwise what the local authority did,  
16 we know they didn't carry out ultimately a Section 47  
17 because at all periods they didn't think -- I would say  
18 bizarrely -- that the threshold for significant harm was  
19 met. Okay? So that's the background.

20 So you've got this teacher "holding the baby", as  
21 she put it: what does she do? We know what she says she  
22 can't do: exclude. Given what it says in those  
23 paragraphs, which is essentially explaining how the  
24 system works in terms of what Section 17 is, ie you  
25 support the child with services under Schedule 1 to the

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1 Children's Act, if he or she is going to suffer harm?  
 2 **A.** Yes.  
 3 **Q.** But if a child either is suffering significant harm --  
 4 which we know here is the case with AR, because he is  
 5 out of school, that in itself arguably is significant  
 6 harm -- what is the educationalist, if anything, given  
 7 the content of those paragraphs which explains the  
 8 process and the difference between 17 and 47, what is  
 9 the teacher or the senior leadership team supposed to do  
 10 instead of just continuing to hold the baby and sort of  
 11 just hoping that nothing awful happens?  
 12 **A.** So, those two things are referenced in Keeping Children  
 13 Safe in Education but they are referencing other  
 14 Children's Social Care documents. I don't necessarily  
 15 think that being out of school meets the threshold of  
 16 Section 47.  
 17 **Q.** Okay.  
 18 **A.** I would imagine there were different factors and other  
 19 factors that would meet the Section 47 threshold, which  
 20 there may have been or may not have been, but I wouldn't  
 21 rely on just being out of school being one of them.  
 22 I think, though, the local authority has the  
 23 ultimate duty of safeguarding and promotion of welfare,  
 24 so, the overriding duty, in safeguarding terms, does  
 25 rest with the local authority.

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1 we have a child, whom we are very reluctant to  
 2 permanently exclude, is either themselves suffering  
 3 significant harm or is in danger of causing somebody  
 4 else significant harm, why are you not carrying out  
 5 a Section 47 assessment" -- what they caused to call  
 6 a "Core Assessment" -- "because, if you don't, we are  
 7 going to give you back the baby, we are going to exclude  
 8 this child, which is wholly against everybody's  
 9 interests but you are not doing what you should do".  
 10 Now, I know that's a huge ask for an educationalist  
 11 but should there be something in the guidance to deal  
 12 with this problem?  
 13 **A.** I guess two points to make on that: one, there was  
 14 nothing to stop Acorns making a safeguarding referral  
 15 back to the local authority and I think in many ways  
 16 they felt like they were highlighting that risk.  
 17 I don't know whether they did anything more formal, as  
 18 if they were just a member of the public putting in  
 19 a safeguarding referral.  
 20 To your point about permanent exclusion, my reading  
 21 is that they -- they probably could have done that but  
 22 they didn't want to because they didn't see what the  
 23 alternative was. I think she said something like,  
 24 "I just don't know where he would go".  
 25 **Q.** But that's not her problem, is it, ultimately, that's

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1 I think as I said before, I think Acorns did do  
 2 a very good job of trying to find lots of different ways  
 3 to engage AR and offer him, through education and their  
 4 pastoral care, support and I applaud them for that.  
 5 There were lots of other agencies involved in trying to  
 6 offer appropriate interventions and I think the local  
 7 authority has acknowledged its role in the backstop and  
 8 not meeting that.  
 9 **Q.** Sorry, it is my fault. I'm not asking for  
 10 a justification for what they did or didn't do. Just  
 11 assume for the purpose of my question that there is  
 12 a situation where a child is suffering significant  
 13 harm --  
 14 **A.** Yes.  
 15 **Q.** -- which, reading between the lines, is pretty much what  
 16 Mrs Hodson was thinking. Is there literally nothing,  
 17 apart from permanent exclusion, that they can do because  
 18 I have an idea I'd like to put to you.  
 19 **A.** Okay.  
 20 **SIR ADRIAN FULFORD:** Why don't you put your idea, Mr Bowen.  
 21 **MR BOWEN:** I was. I was just giving her a chance, to see if  
 22 she had one as well.  
 23 They could just formally request that the guidance  
 24 therein, in keeping safe, those paragraphs in the  
 25 guidance, that they actually write saying, "We believe

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1 the local authority's problem?  
 2 **A.** It wasn't her problem but she was bigger than that --  
 3 **Q.** Well --  
 4 **A.** -- wasn't she?  
 5 **Q.** Exactly, but what the Inquiry is doing is looking  
 6 beyond, at what teachers should do in those  
 7 circumstances, when considering a social care question  
 8 because, inevitably, we are not in silos here, they  
 9 interact.  
 10 **A.** Well, they should refer a social care problem to the  
 11 social care people, which is the local authority, no?  
 12 **Q.** So there should be no reluctance, they shouldn't be shy  
 13 in really bashing the ball back to a local authority?  
 14 **A.** Well, I think there's a difference between making  
 15 a referral and extricating yourself from the problem,  
 16 isn't there?  
 17 **SIR ADRIAN FULFORD:** I think you have your answer, Mr Bowen.  
 18 **MR BOWEN:** Very well, there is one other tiny point, and  
 19 this is in my Rule 10 and it's this: at paragraph 187,  
 20 there is a reference to rapid reviews and you explain  
 21 a little about the problems with sharing information,  
 22 presumably --  
 23 **A.** Yes --  
 24 **Q.** -- and why the local safeguarding partnership objected  
 25 to sharing their rapid review beyond the DfE and the

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1 Secretary of State. Could you tell us a little more  
2 about that?  
3 **A.** I can't tell you all the ins and outs but what I can  
4 tell you is that was a problem and we did get over it in  
5 the end and we have made changes going forward to make  
6 sure that that is more freely shareable.  
7 **Q.** Is that rapid review available to the Inquiry?  
8 **A.** I don't know, I'm afraid. Sorry. That, I can find out,  
9 probably. If you haven't got it, it probably isn't but  
10 I can find that out for sure.  
11 **Q.** Because it would be good to see it. Is it within your  
12 power to --  
13 **A.** It's not mine. So this is Children's Social Care and it  
14 is the panel's, I believe. So, no, it's not within my  
15 gift.  
16 **Q.** I'm almost done, sir. One last one: are you able to  
17 tell us whether the reluctance to share that information  
18 was all about reputation salving and covering of backs?  
19 **A.** I can't tell you, sorry, I don't know.  
20 **MR BOWEN:** Thank you, sir. I'm very grateful for you  
21 allowing me to ask those questions because I am, in  
22 fact, in breach of one of your Protocols. We should  
23 have given notice and I apologise for that.  
24 **SIR ADRIAN FULFORD:** Thank you for the confession, Mr Bowen.  
25 **MR MOSS:** AHCH000165 is the rapid review.

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1 some idea as to when you are, at the very least, going  
2 to be able to share a good idea of your direction of  
3 travel, subject of course to Ministerial approval,  
4 before my recommendations get anywhere close to being  
5 put before the Home Secretary.  
6 **A.** Thank you. Yes, I was anticipating this problem too.  
7 I don't know whether you have already thought  
8 whether you are going to give recommendations after  
9 Phase 1. But, if you are, then I suspect you will be  
10 quicker than a number of the things that I have talked  
11 about. So, for example, the out-of-school settings call  
12 for evidence, I imagine you will get to your  
13 recommendations at the end of Phase 1 quicker than  
14 I will get to Ministers with mine.  
15 The Bill is probably fairly straightforward. The  
16 violence-fixated individuals work, I will give you the  
17 best update that I can, but I think you will move faster  
18 than we will on that. So, I guess really happy to share  
19 as much as possible. If you think you are going to give  
20 recommendations at the end of Phase 1, perhaps we ought  
21 to have another -- are we allowed to meet?  
22 **SIR ADRIAN FULFORD:** We are.  
23 **A.** We should have another meeting.  
24 **SIR ADRIAN FULFORD:** Yes, I mean, just taking the example of  
25 violence-fixated individuals, that is, for the most

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1 **A.** Thank you.  
2 **SIR ADRIAN FULFORD:** It's actually in the statement?  
3 **MR MOSS:** Yes.  
4 **Questioned by THE CHAIR**  
5 **SIR ADRIAN FULFORD:** You have outlined quite a lot of work  
6 that's going on at the moment --  
7 **A.** Yes.  
8 **SIR ADRIAN FULFORD:** -- that there have been calls for  
9 evidence, there are Bills going through Parliament,  
10 there is a variety of different pieces of work, which  
11 are going on in response to what happened on 29 July  
12 last year.  
13 One concern I have is that we will do our work and  
14 we are going to be writing at speed, once the hearings  
15 finish at the end of next week. You are going to be  
16 doing your work and there is going to be a complete lack  
17 of synchronicity between the two and I think it would be  
18 unhelpful to Ministers for them to receive one set of  
19 recommendations from me and an entirely different set of  
20 recommendations from you, when neither of us know in  
21 what direction our thoughts are going. Now, what do we  
22 do about that?  
23 **A.** Talk.  
24 **SIR ADRIAN FULFORD:** Indeed. I would quite like to know at  
25 what speed you anticipate travelling, so that I can have

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1 obvious reasons, an area of particular concern to me and  
2 I would be very reluctant indeed to come up with a set  
3 of recommendations at the end of Phase 1 and at the  
4 moment that is something that I would like to do at  
5 least to make solid recommendations as to what needs to  
6 go into Phase 2.  
7 **A.** Yes.  
8 **SIR ADRIAN FULFORD:** But I would be against doing that if  
9 you are doing a parallel piece of work and I do not know  
10 where you're heading with that.  
11 **A.** Yes.  
12 **SIR ADRIAN FULFORD:** Well, now may not be the right time to  
13 come to any firm conclusions about this but I'm going to  
14 ask you and those who are advising you to go away and  
15 think about this, so that we can do this in a structured  
16 way, which means at the outcome of this Inquiry is of  
17 the greatest possible assistance to the Home Secretary.  
18 **A.** Thank you that would be very welcome.  
19 **SIR ADRIAN FULFORD:** I'm very grateful for your long  
20 statement and for your evidence today. You are now free  
21 to go.  
22 **A.** Thank you very much.  
23 *(The witness withdrew)*  
24 **Remarks regarding disclosure by MR MOSS**  
25 **MR MOSS:** Sir, thank you. May I deal please with some

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1 procedural matters at this stage?

2 **SIR ADRIAN FULFORD:** Yes.

3 **MR MOSS:** Sir, we have come, effectively, to the end of the  
4 education evidence and, with two exceptions, we have  
5 also reached the end of the evidence in relation to  
6 mental health and psychiatry.

7 There are two presentations from counsel to the  
8 Inquiry, one in each of those areas. Sir, given the  
9 pressure on the timetable today, we would propose to  
10 seek to deal with those probably on Wednesday, possibly  
11 with a 9.30 am start but not today.

12 The update, I should indicate, in relation to the  
13 evidence on mental health and psychiatry is this: so,  
14 first of all, there is still possibly the evidence of  
15 Dr Imran to come, you will remember, who was the  
16 co-author of the statement with Ms Brown. It may be  
17 that we can deal with that matter satisfactorily by  
18 written evidence and there was a process of consulting  
19 the Core Participants about that, but there is still  
20 some potential for evidence for her.

21 The second exception to the evidence on psychiatry  
22 and mental health being closed is this, sir, that, as  
23 you know, last week at an appropriate venue, my learned  
24 friend Ms Wakeman, as junior counsel to the Inquiry,  
25 conducted a pre-recorded interview with Ms Morris. We

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1 Lancashire County Council chronology and were not in the  
2 disclosed care notes either.

3 He emailed leading counsel for the County Council  
4 and that set in train enquiries which revealed that both  
5 the social care notes and the Early Help records for AR,  
6 that have been disclosed to the Inquiry, are incomplete.

7 It seems that Ms Ashworth was working off her own  
8 printed bundle of records, which was more extensive than  
9 the records that had been disclosed to the Inquiry.

10 Sir, as you know, this was communicated to the  
11 Inquiry legal team during the course of Friday morning.  
12 As a result, with your guidance and supervision, sir,  
13 the Inquiry legal team required that a signed disclosure  
14 statement be provided by 4.30 pm on Saturday. That  
15 statement, signed by Heloise MacAndrew, Director of Law  
16 and Governance of Lancashire County Council, was  
17 received on Saturday within the timeframe and has been  
18 disclosed. Could we just have it on screen, please, it  
19 is LCC002303.

20 Sir, I bring it up so its correct reference is  
21 known. I'm not going to go through it.

22 Ms MacAndrew, together with the Chief Executive of  
23 the local authority attend today. In this statement,  
24 Ms MacAndrew acknowledges, on behalf of the council,  
25 that this is a serious failing and it is one which she

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1 hope to be in a position to circulate that to Core  
2 Participants and the accredited media. We may be able  
3 to do that today but certainly the early part of this  
4 week. Sir, that was done because she was not fit to  
5 give evidence in public in the usual way. So, sir, all  
6 of that has been done and is in hand.

7 Sir, we turn next in the Inquiry's themes and topics  
8 to deal with the social care evidence but there is  
9 an important procedural matter here which I need to put  
10 on the record.

11 Last week, in the lead up to the social care  
12 evidence from the County Council and the witnesses that  
13 we will be hearing from this week, there were various  
14 instances of additional disclosure from the County  
15 Council. While late, these were not unduly concerning  
16 in the context of a fast-moving Inquiry and the  
17 material, for the most part, was not specific to AR;  
18 much of it was after the event.

19 However, starting on Thursday of last week, matters  
20 became more concerning. My learned friend Mr Goss, as  
21 junior counsel to the Inquiry, in the course of  
22 preparations for this week, noticed that the statement  
23 of Ms Ashworth contained detailed references to, in one  
24 instance, WhatsApp messages and, in the second, separate  
25 text messages from Alphonse R that were not in the

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1 says she has personally investigated in order to  
2 understand what has occurred and why.

3 The working hypothesis, sir, that's set out in this  
4 statement is that, because the records have been locked  
5 down for security reasons in the aftermath of the  
6 attack, security clearances had to be issued to enable  
7 the data records team to access the records in order to  
8 provide copies to the authorities' legal team and, in  
9 authorising their access to these records, the data  
10 records service has been given authorised access to AR's  
11 records, and later to Dion R's records, without being  
12 made aware that their parents were also associates on  
13 the Liquidlogic system. Sir, that's the software  
14 regulating, as we understand it, the notes.

15 As is set out in this statement, the apparent impact  
16 of this was that, when the records came to be exported  
17 from the system -- and we were told in August 2024,  
18 April 2025 and May 2025 -- they did not capture all the  
19 associated entries linked to AR's parents in the  
20 recording. So that's the working hypothesis that has  
21 been set out as to why the disclosure was incomplete.

22 From an update that was received yesterday evening  
23 and from further communication received today, sir, we  
24 understand that this remains a working hypothesis but  
25 the ongoing work that's been done, it has to be said, in

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1 fairness to the legal team involved, urgently over the  
2 weekend, is tending, as I understand it, increasingly to  
3 suggest that this working hypothesis is correct and, as  
4 we understand it, that, effectively, permissions in  
5 relation to records linked to the parents were set in  
6 a way that meant that they didn't get captured when the  
7 records were put together.

8 Sir, there are, however, a number of concerns which  
9 I need to place on record. The first is that the  
10 original explanation that this was an artifact of  
11 records that were produced in August 2024, April 2025  
12 and May 2025 seems odd, given that the only version of  
13 the records the Inquiry is aware of is the August 2024  
14 version of the records. From the update that was  
15 received last night, it appears to indicate that, whilst  
16 further searches of AR's social care records were  
17 undertaken in April 2025, and of DR's records in May  
18 2025, the authority has now established that no  
19 additional requests were made for the original  
20 Liquidlogic records at that time. So that may suggest  
21 we are just dealing with one sets of records, dated  
22 August 2024.

23 But, sir, we need still to be clear about exactly  
24 what searches were done at each stage and why it is that  
25 the incompleteness was not spotted at those different

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1 of complete notes with highlighting to show what is new.  
2 We are not speaking here of only one or two omissions.  
3 They are extensive and run to a number of pages.

4 Fifthly, while some of the new material reflects  
5 what is on other records, so it is effectively  
6 Lancashire County Council's version of meetings that  
7 were attended by others, such as Acorns, CAMHS, FCAMHS,  
8 the schools, and some of them do reflect meetings that  
9 we're aware of already, others are entirely new and  
10 significant. Let me give one example. There is  
11 a reference to a home visit by Mrs Lewis on 4 October  
12 that reads, in part, as follows:

13 "Parents signed registration form. They asked about  
14 consent and what it meant. Worker explained that CFW  
15 work with various agencies and signing the form will  
16 allow information to be shared with agencies to identify  
17 correct support for them as a family. This prompted  
18 [AR] to share his opinion on consent and information  
19 sharing and felt that anybody can access his information  
20 and he didn't want this. It was explained that only CFW  
21 can access any information on the system but information  
22 can be shared with other agencies if there are concerns.  
23 He went on to say that MI5 and MI6 can access this if  
24 they want. This led on to him beginning to be vocal on  
25 politics, American Government and Taliban."

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1 stages.

2 Second, the corollary of the council's explanation  
3 is that the records that have been provided to the  
4 Inquiry were the same that were provided to Merseyside  
5 Police for their criminal investigation and, therefore,  
6 that the information provided for the criminal  
7 investigation to the police was also incomplete.

8 Sir, whilst our own preliminary assessment is that  
9 the missing material does not change the overall picture  
10 on, for example, the lack of any clear terrorist  
11 ideology, the missing material would, in parts, we  
12 think, perhaps have been of interest to the prosecution.  
13 So that magnifies the sense of concern that the correct  
14 records have not been disclosed or that the records,  
15 I should say, are incomplete.

16 Thirdly, there is the fact that one of the  
17 witnesses, and a senior one in Ms Ashworth, did have  
18 access to this material, was referring to it in  
19 an interview providing her witness evidence, yet that  
20 was not picked up, either by her or by the local  
21 authority, the council, or, it seems, by the legal  
22 representatives acting for them.

23 Fourthly, the omissions are extensive. Assisted,  
24 again diligently, over the weekend by the legal teams  
25 concerned, we have seen unredacted versions of both sets

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1 So, sir, a record that we have not seen before, that  
2 AR was vocal in his interest in MI5, MI6 and political  
3 issues around the US Government and the Taliban, is of  
4 obvious relevance and we would have wished to have  
5 raised that with previous witnesses dealing with  
6 Prevent, to see if that information would have made any  
7 difference, for example.

8 Sixthly, as a matter of concern, while these records  
9 do raise issues for forthcoming witnesses starting this  
10 afternoon, the material is also relevant to AR's parents  
11 and the Inquiry legal team has not been able to include  
12 this material in the detailed request for statements  
13 that went to AR's family members and they have not had  
14 a chance to address it. So it's disruptive in that way.

15 Seventhly, sir, while the impact is obviously  
16 greatest on others, we do note that this has an impact  
17 on the County Council's own witnesses, who are about to  
18 give evidence. In places, there are issues about poor  
19 record keeping, notes of meetings not being made and,  
20 while some of those issues remain, part of the reason  
21 why witnesses have been saying, "Well, I think there  
22 should have been a note of this meeting but I can't  
23 explain why there isn't one", is that there was, in  
24 fact, one but their own employer had not disclosed it  
25 properly.

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Eighthly, it is a matter of concern that this matter has only come to light because of the forensic analysis done by my learned friend Mr Goss in preparing work for witnesses this week. If he had not asked the question, these records, we are concerned, would never have come to light.

Ninthly, there is the disruption to the Inquiry, which is considerable. We have done our best to redact this information. Some of it was circulated yesterday and more this morning, so we have managed to get it around, but it has been a considerable disruption to the Inquiry team in terms of our preparations for this week but, sir, in a sense, that does not matter so much.

At the forefront of our minds is the other Core Participants and, most especially of course, the victims and their legal teams. It is a disservice to them that the disclosure hitherto from the local authority has been materially incomplete, we suggest.

Sir, these are serious matters. On the evidence and explanations given, there does not appear to be any basis to consider that this material has been withheld in bad faith and we make that clear but we are concerned that this is a serious and significant disclosure error, which is suggestive of a failure in the duty to ensure that the duty to disclose to the Inquiry is full and

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relation to this unfortunate set of events and, of course, I accept those apologies unreservedly. There is clearly some work yet to be done as to precisely what went wrong and I would be grateful, please, if the final position could be communicated to counsel to the Inquiry as soon as it is available.

Can I make one observation of my own and that is, looking to the future for other court proceedings, tribunals or other inquiries, that clearly something happened in relation to the way in which the information was "locked", which meant that, although Ms Ashworth had access to all of it, everyone else, including this Inquiry, didn't and there must, I would have thought, be something profoundly wrong with the system in the way that it is currently configured that can possibly allow that to happen. But I am sure you are fully aware of that and it doesn't really need for me to repeat it in any greater detail.

Unless there's anything else that you would wish to say about it now, I would propose that we simply get on with the evidence but having, as it were, been put on the spot, I will, of course, give you the opportunity to say anything at this stage that you would wish to.

**MS JOHNSON:** Sir, no, simply to repeat the apology ...  
(unclear due to having no microphone)

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complete.

Sir, I merely note, other than putting these important matters on records, that the explanation and investigations are not yet complete and they are ongoing. We have had full co-operation from the local authority's legal team since this matter came to light on Friday and, although I think they are nearing a fuller understanding, it's likely that they are going to need some time before providing perhaps an update to this statement to explain the position more completely.

Sir, procedurally, we intend to proceed as best we can with the evidence this week. We will do the best that we can with the disclosure and we will need to make allowance for the fact that my learned friends for other Core Participants have not seen this material, save in the last 24 hours, and there may be some need for some supplementary Rule 9 statement requests to be made in individual cases of the local authority's own witnesses and perhaps in individual cases of witnesses who have already given evidence.

**SIR ADRIAN FULFORD:** Thank you very much indeed, Mr Moss.

Ms Johnson, I know that this has been a source of considerable embarrassment to both you and those who instruct you. I am grateful for the unreserved apology that has been offered on more than one occasion in

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**SIR ADRIAN FULFORD:** Shall we have a break? 15 minutes. We will sit before 3.30 pm.

(3.13 pm)

(A short break)

(3.29 pm)

**SARAH CALLON (affirmed)**

**Questioned by MR MOSS**

**SIR ADRIAN FULFORD:** Thank you very much. Please have a seat.

Yes, Mr Moss.

**MR MOSS:** Thank you, sir. Just start by giving us your full name if you would.

**A.** Sarah Callon.

**Q.** Thank you, Ms Callon. If we could have on screen, please, first LCC001712.

Do we see that this is your first statement to this Inquiry, it is dated 21 August 2025 and are the contents of that statement true to the best of your knowledge and belief?

**A.** They are.

**Q.** Thank you. Then could we have next on the screen, please, LCC002134. This is a second statement you made to the Inquiry. It is dated 10 October and are the contents of that second statement true to the best of your knowledge and belief as well?

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1 A. Yes.

2 Q. Thank you. Can we go back to your first statement,  
3 please, so that's LCC001712, just have on screen the  
4 first page of the statement. Just by way of  
5 professional background, you tell us, is this right, you  
6 qualified as a social worker back in, was it, 1999?

7 A. Yes, that's correct.

8 Q. You've specialised in youth justice and you have worked  
9 for various local authorities in the probation service  
10 in your past career?

11 A. Yes, that's correct.

12 Q. You have worked in various management roles in  
13 Lancashire Youth Justice Services, from 2008 to 2019, if  
14 we just go over the page?

15 A. Yes, that's correct.

16 Q. You were a Service Manager for Blackpool Youth Justice  
17 Service from April 2019 to April 2021?

18 A. I was, yes.

19 Q. You then returned to Lancashire, I think, as the senior  
20 manager of the Youth Justice Service from April 2021 to  
21 the present day?

22 A. Yes, that's correct.

23 Q. So, Ms Callon, we should note, first and importantly,  
24 that you weren't in the post of the senior manager of  
25 the Child and Youth Justice Service at the time that AR

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1 referral orders. You have given quite a lot of detail  
2 there. Can you just give an initial overview of what  
3 a referral order is and what its aims are?

4 A. Okay, so when a child appears before the court on the  
5 first occasion, for the first conviction, the outcomes  
6 are either a referral order or a detention and training  
7 order, so a period in custody.

8 At that point, it is the court decision. If they  
9 are looking at a period of custody, they ask for  
10 a pre-sentence report. But if they're happy that the  
11 child meets the criteria for a referral order, then that  
12 is given by the youth court at that point. If the child  
13 then comes into the Youth Justice Service, we do  
14 an assessment and they become open to us for a period of  
15 time whilst we undertake intervention with that child.

16 Q. The duration of them, I think, a minimum of three and  
17 a maximum of 12 months; is that right?

18 A. That's correct, yes.

19 Q. Overseen by a panel: who sits on the panel?

20 A. So the panel, we have a range of community volunteers on  
21 the panel. So we advertise locally for panel volunteers  
22 and they apply, they are members of the local community.  
23 We train those panel volunteers. They sit on the panel  
24 and they are presented with a referral order report to  
25 then set the contract of work that that child needs to

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1 had his referral order, you came into post after that?

2 A. That's correct, yes.

3 Q. But you're the current incumbent and you have made your  
4 statement based on, no doubt, a detailed scrutiny of the  
5 records and your familiarity with the systems; would  
6 that be fair?

7 A. Yes, it would.

8 Q. Thank you.

9 You help us in your statement -- if we could turn to  
10 page 3 -- with a little bit about the corporate  
11 structure and responsibilities. You have set out the  
12 statutory framework first of all, looking at paragraph 5  
13 and you explain there that the principal aim of the  
14 youth justice system is to prevent offending by  
15 children; is that right?

16 A. That's correct.

17 Q. Everyone has to have regard to that aim, yes?

18 A. Yes.

19 Q. Local authorities are obliged to have a Youth Offending  
20 Team, which coordinates the provision of youth justice  
21 service and I think that's where your team comes in?

22 A. That's correct, yes.

23 Q. Thank you.

24 Also, in your statement, if we look at paragraph 10  
25 on page 4, you have set out a helpful summary of

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1 undertake during the duration of the order.

2 Q. So this is different to a judicial role but they would  
3 have a report in front of them and they would, on the  
4 basis of that report, agree a contract of work that  
5 should be done during the referral order by the child in  
6 question?

7 A. That is correct, yes.

8 Q. I don't think that panel would have any sentencing  
9 powers itself but, is it right that, if the child does  
10 not abide by the terms of the contract, they can be  
11 referred back to the court?

12 A. Yes. So what would happen was, if the child failed to  
13 comply, the practitioner working with the child would  
14 refer the child back to the panel, the panel would then  
15 review the progress that the child had made and, if  
16 deemed necessary, the panel would then refer the matter  
17 back to the Youth Justice Service to breach the child,  
18 in essence return them to court.

19 Q. In those circumstances, that could lead, potentially, to  
20 the term of the referral order being extended, although  
21 not, I think, beyond the maximum of 12 months; is that  
22 right?

23 A. That's correct.

24 Q. But, potentially, more seriously for the child, they  
25 could be re-sentenced for the original offence, yes?

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1 A. That is correct.

2 Q. If we could have on screen, please, paragraph 19,  
3 page 6. You deal with it in paragraph 19 -- sir, I put  
4 it on screen for you -- but just give us a flavour of  
5 some of the kinds of things that can be a feature of the  
6 referral order, so what the child is required to do?

7 A. It's very much based on the needs of that individual  
8 child. I think over time we've come to develop our use  
9 of referral orders within the Criminal Justice or the  
10 Youth Justice Service to make sure that they are very  
11 child-first and specific to the needs of that child.  
12 So, as mentioned in my statement, there is unpaid work,  
13 so some form of reparation to the community and/or to  
14 the victim; we ask them to participate in and undertake  
15 specific interventions, so it may be around offending  
16 behaviour work; it could be specific to anger  
17 management; it could be specific around education.  
18 There's a variety of different programmes that we  
19 can ask a child to complete with our social workers or  
20 youth justice workers within our service.

21 Q. You say in your answer there that it could be very  
22 specific to the needs of the child. You will understand  
23 that this is an Inquiry that is focusing on the risks  
24 that AR posed to others. When you speak in your  
25 managerial responsibility for the Child and Youth

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1 approach, which may not be a bad thing, but there are  
2 rights of others involved, as well as the child, where  
3 there is violence against others that has been  
4 perpetrated; would you agree?

5 A. Yes.

6 Q. How is that balance struck?

7 A. We try and balance that through developing that  
8 intervention plan with the child. So whilst we are  
9 a trauma-informed, child-first restorative service, we  
10 balance that with the needs of the child, alongside  
11 protection of the public and risk management. So whilst  
12 we may do an intervention around anger management, for  
13 example, so very much focusing on the way the child  
14 deals with their emotional behaviour, how then that  
15 would then impact their behaviour, say, for example, in  
16 the community or it could be in terms of sort of  
17 attendance at school, encouraging the child to attend  
18 school, because if we get a child back into school or  
19 a child is working closely with school, it then reduces  
20 the risk of them being out in community and reduces the  
21 risk of them re-offending.

22 Q. One can understand that the needs of the child and the  
23 need to address that child's risk of perpetrating  
24 violence on others may align but starting, in a way, at  
25 the end, looking completely at the intervention of your

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1 Justice Service about the specific needs of the child  
2 being key to a referral order, does that include the  
3 need to take action in relation to that child's risk to  
4 other people?

5 A. Do you mean in terms of assessment?

6 Q. No, in terms of dealing, during the referral order, not  
7 with what the needs of the child are but in terms of the  
8 needs of society to try to address and mitigate the risk  
9 of further offences of violence against others?

10 A. Part of the interventions that we would do as a service  
11 address the needs of that child, which should be taken  
12 from the assessment, which forms the basis of the needs,  
13 safety and wellbeing of the child but also risk of  
14 serious harm to others. So those assessments which are  
15 done -- the assessment is done of the child at the start  
16 of the order and at various points throughout that  
17 order -- should inform the assessment and the  
18 interventions.

19 Q. All right. Even in the language that you've used in  
20 that answer, you started -- it's not a criticism of you  
21 but I wish to explore it -- you said "Part of the  
22 interventions that we would do as a service address the  
23 needs of that child, which should be taken from the  
24 assessment" and then you go on to say that can include  
25 the risk to others. It may suggest a very child-centric

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1 service with AR, do you think that there was sufficient  
2 attention to the risks that he posed to others, to  
3 members of the public, to other children.

4 A. It is very difficult to see because I wasn't obviously  
5 there at the time. However, having reviewed the  
6 assessments and the record for AR, the practitioners in  
7 post at the time would appear to have followed the Youth  
8 Justice Board guidance, in terms of risk management and  
9 risk assessment. There was clear guidance in place for  
10 the AssetPlus assessment in 2014, which, from reviewing  
11 that against the assessment, it would appear that  
12 those -- that that worker and the managers have worked  
13 in, sort of, in line with those pieces of guidance.

14 It is a professional judgement from that worker at  
15 that point and that manager and, therefore, it is quite  
16 difficult for me to comment in terms of that  
17 professional judgement that they've made at that point.

18 Q. We'll come back to that. I think national oversight is  
19 provided by the Youth Justice Board; is that right?

20 A. That is correct.

21 Q. I'll deal with that -- sir, for your note, in  
22 paragraphs 24 to 27. We are going to hear from them in  
23 due course. In short, although they provide guidance  
24 and will pick up themes, I don't think that they would  
25 get involved in individual cases; is that right?

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1 A. That is correct.  
 2 Q. Thank you.  
 3 You have mentioned AssetPlus already. We know that  
 4 that's a key part of the guidance. Just explain briefly  
 5 what AssetPlus is?  
 6 A. So AssetPlus is the intervention, the assessment tool  
 7 that the Youth Justice Service use to assess all  
 8 children coming into the service on statutory or out of  
 9 court disposals. It is a lengthy document which  
 10 provides a holistic oversight and view of that child.  
 11 We would expect a social worker in Lancashire to  
 12 complete that assessment on the child and that  
 13 assessment is used to inform the intervention plan for  
 14 that child moving forward.  
 15 Q. Holistic oversight: what does that really mean?  
 16 A. So to complete the assessment, it would be my  
 17 expectation that the worker would speak to the child,  
 18 speak to the family, parent/carers to inform that  
 19 assessment and also speak to partner agencies. So if we  
 20 have partner agencies involved with the child, it would  
 21 be my expectation that that practitioner speaks to those  
 22 agencies to do research, to find out what their views  
 23 are of the child, working relationships, gather that  
 24 information in one place to be able to inform that  
 25 assessment, to then inform the intervention plan.

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1 Q. What information is that?  
 2 A. In relation to the carrying of a -- there was  
 3 information around knife, carrying of a knife in school;  
 4 is that correct? I would need to refer to my notes,  
 5 sorry.  
 6 Q. You'll forgive me but I'm asking you because I started  
 7 my questioning, in a way, by asking about, overall, the  
 8 effectiveness of that and you say they followed practice  
 9 and policy, and I said I'd come back to it and I have  
 10 taken you to the fact that the assessment of risk can  
 11 surely be only as good as the obtaining of information,  
 12 and I asked if you thought information had been  
 13 adequately obtained by the Child and Youth Justice  
 14 Service, recognising it was not your personal  
 15 responsibility, but whether your corporate assessment of  
 16 that has looked at the detail of it.  
 17 A. I think -- there is evidence that we have collected some  
 18 information, in terms of that risk management. I think,  
 19 from my professional opinion -- obviously I wasn't there  
 20 at that time -- whether all information is used and  
 21 analysed appropriately within that risk assessment,  
 22 there may be different views and opinions on that.  
 23 I think it is clear from that risk assessment that they  
 24 did follow that procedure, in terms of -- with the Youth  
 25 Justice Board they explained to us to look six months in

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1 Q. As you rightly identify in paragraph 65 of your  
 2 statement on page 19, good quality assessment is the  
 3 foundation of effective youth justice practice, yes?  
 4 A. Yes.  
 5 Q. Good quality assessment, presumably, in turn, is  
 6 dependent upon the Child and Youth Justice Service  
 7 sucking in as much information as it reasonably can to  
 8 inform the assessment?  
 9 A. Yes, that's correct and then analysing it as well. Not  
 10 just putting it down on paper, it needs some of the  
 11 analysis behind it as well.  
 12 Q. Again, recognising that you weren't in place at the time  
 13 and are coming to this corporately, has the Child and  
 14 Youth Justice Service looked very carefully at the  
 15 totality of information that could have been available  
 16 to see whether the assessment of risk was fully and  
 17 properly informed in AR's case?  
 18 A. I think there is clearly information missing from that  
 19 risk assessment, in my professional opinion.  
 20 Q. What information?  
 21 A. In terms of some of the information we have read since,  
 22 some of the information that has been shared with me as  
 23 part of this Inquiry, in terms of some of the  
 24 information that happened prior -- I think it was prior  
 25 to our involvement.

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1 advance and consider the information at the time. So we  
 2 did consult with school, consulted with CFW, spoke to  
 3 points and obviously spoke with the child and the risk  
 4 assessment is done for that period of six months.  
 5 The case manager -- or the social worker, sorry, who  
 6 was actually doing the risk assessment at that point,  
 7 would have looked at previous offending behaviour, sort  
 8 of previous offences, whether they have been known to  
 9 services previously, and all that information should  
 10 then inform that risk assessment.  
 11 Q. We will come onto the detail.  
 12 Sir, for your note, the AssetPlus guidance is  
 13 LCC001732?  
 14 **SIR ADRIAN FULFORD:** Thank you very much.  
 15 **MR MOSS:** I think, within that, we're going to look at some  
 16 of the outputs from that but I think -- can you help us  
 17 just with some key concepts -- so the AssetPlus is  
 18 looking, amongst other things, is this right, at the  
 19 assessment of the risk of serious harm?  
 20 A. That's correct.  
 21 Q. Serious harm, I think, for these purposes -- sir, for  
 22 your note, LCC001738, at page 5 -- is defined as:  
 23 "Death or injury, either physical or psychological,  
 24 which is life threatening and/or traumatic and from  
 25 which recovery is expected to be difficult, incomplete

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1 or impossible."  
 2 Yes?  
 3 A. Yes.  
 4 Q. So that's a specific meaning, the risk of serious harm.  
 5 Then there are bandings, aren't there, that run from  
 6 "low" to "very high", yes?  
 7 A. Yes.  
 8 Q. "Low", I think, has a technical definition of:  
 9 "No evidence at present to indicate likelihood of  
 10 serious harmful behaviour in future."  
 11 A. Yes.  
 12 Q. "Medium" is:  
 13 "Some risk identified but young person is unlikely  
 14 to cause serious harm unless circumstances change."  
 15 A. Yes.  
 16 Q. "High" is:  
 17 "Risk of serious harm identified, the potential  
 18 event could happen any time and the impact would be  
 19 serious."  
 20 Yes?  
 21 A. Correct.  
 22 Q. Then "Very high":  
 23 "Imminent risk of serious harm identified. The  
 24 young person will commit the behaviour in question as  
 25 soon as the opportunity arises."

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1 Q. In reality, as you've mentioned in passing, that's  
 2 treated as being for the next six months, yes?  
 3 A. That's correct.  
 4 Q. Thank you.  
 5 Sir, there is associated guidance that's dealt with,  
 6 which I don't think it's necessary for me to go to but  
 7 may I just put on record the references. So the  
 8 Referral Order Report and Contract Guidance, LCC001741;  
 9 adjustments made to the referral order process because  
 10 of the pandemic, LCC001745 and LCC001749.  
 11 Then, Ms Callon, you helpfully in your second  
 12 witness statement, which we don't otherwise need to turn  
 13 up, dealt with the effective case management oversight  
 14 framework. Just tell us very briefly what that is?  
 15 A. So we developed -- or Lancashire developed, I wasn't in  
 16 post at the time -- an effective case management  
 17 oversight framework which puts in place expectations  
 18 from the practitioners and also from managers in terms  
 19 of oversight of the work of the practitioners within the  
 20 service.  
 21 Q. Thank you.  
 22 Sir, you have the April 2019 version at LCC002002;  
 23 you have the October 2021 version at LCC002003. Those  
 24 are all references that are set out in the statement,  
 25 which I'm not going to take you to but they are helpful

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1 Are those, again, the technical definitions of the  
 2 risk bandings?  
 3 A. Yes.  
 4 Q. I'm looking at this, for reasons you'll understand,  
 5 about the risk to others but I think there are similar  
 6 provisions in terms of risk to the child's own safety  
 7 and wellbeing but I'm not going to go to those, but they  
 8 are dealt with within the AssetPlus guidance, yes?  
 9 A. Yes.  
 10 Q. Then there is also a Youth Offender Group Reconviction  
 11 Scale. Perhaps we don't particularly need every detail  
 12 in relation to that. That is effectively getting a sort  
 13 of actuarial calculation, based on the information  
 14 that's been obtained, on the likelihood of re-offending  
 15 within two years, yes?  
 16 A. Yes, that's correct.  
 17 Q. There will be an element of professional judgement in  
 18 that but there's quite a lot of inputs that lead to  
 19 a score?  
 20 A. Yes, they're based more on static factors.  
 21 Q. Thank you. Then you've touched on this already but, if  
 22 we just look at it in your statement, paragraph 72,  
 23 page 22, please, Ms Callon. These assessments are meant  
 24 to be looking to the near future; is that right?  
 25 A. Yes, six months.

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1 to have those available.  
 2 **SIR ADRIAN FULFORD:** Thank you very much.  
 3 **MR MOSS:** Can we turn to just understanding a little bit,  
 4 having looked at the framework and the tests and the  
 5 guidance, at how it worked in Lancashire, please, in  
 6 terms of where the Child and Youth Justice Service fits  
 7 in.  
 8 If we look at paragraph 28 of your statement, it's  
 9 right, isn't it, that the Child and Youth Justice  
 10 Service and the Youth Offending Team sat within the  
 11 wider Children's Social Care structure?  
 12 A. Yes.  
 13 Q. So if we look at LCC001762, reminding ourselves that  
 14 this is part of the overall Children's Social Care team  
 15 in the local authority, we see there the Head of Service  
 16 Grade at the top. So where do they sit; what are they  
 17 controlling and overseeing?  
 18 A. At that time, it is in my statement but I think Barbara  
 19 Bath, as the Head of Service, was Head of Fostering and  
 20 Adoption, the Youth Justice Service and Residential  
 21 Services in Lancashire.  
 22 Q. So a panoply of responsibilities. Then, within that,  
 23 you've got the Youth Justice Senior Manager -- yes --  
 24 A. Yes.  
 25 Q. -- Carolyn Entwistle, yes?

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1 A. Yes.

2 Q. Was she your predecessor?

3 A. No, there was a restructure in 2021, which is when

4 I applied for the post and came back to Lancashire.

5 Q. We then see a number of team managers and, on the

6 right-hand side, we can see that there are a number of

7 Practice Managers for Operations and I think that the

8 Youth Offending Team, who had practical contact with AR,

9 were in the operations team, yes?

10 A. That's correct.

11 Q. Can you help us, just briefly please, with the teams

12 that we see on the left-hand side, in terms of those who

13 are described as being in prevention teams. Can you

14 help with that?

15 A. In terms of explaining the difference?

16 Q. Yes. What sort of work they would have been involved

17 in, just so we get a feel on it. We are going to

18 concentrate on operations but I just to understand what

19 they would have been involved in?

20 A. So the Prevention and Diversion side of the service

21 focused very much on the Prevention offer that

22 Lancashire were developing and had started to develop.

23 Also, the Diversion part of the service. So children

24 coming into the children for out of court resolutions,

25 those lower level interventions, they would primarily be

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1 A. Yes, it mainly is on an individual level.

2 Q. On the Operations side, the case workers at ground

3 level, what would their qualifications be: would they be

4 social workers, probation officers by background,

5 a combination of both?

6 A. We have social workers mainly and there is -- we do have

7 an allocation nationally of two seconded probation

8 officers but the rest are social workers. We do have

9 some unqualified or not social work qualified support

10 workers also in post, to work alongside social workers.

11 Q. If we just bear in mind the Prevention and Diversion

12 parts of that diagram, that can come down from the

13 screen but I don't want to forget about that altogether.

14 Go back to your statement, please, and look at page 12,

15 LCC001712, page 12, top of the page. Paragraphs 38 and

16 39, you say that:

17 "Our role can start prior to conviction and

18 sentencing."

19 Paragraph 39:

20 "In AR's case, CYJS had no role prior to his

21 conviction."

22 Is that right?

23 A. That's correct.

24 Q. We know that, in general terms, the involvement of the

25 Youth Offending Team in AR's case followed the referral

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1 picked up by the Prevention and Diversion part of the

2 service, whereas the Operations part of the service

3 dealt with more statutory court orders.

4 Q. So we know that AR went to court, was dealt with through

5 the criminal justice and received a sentence of

6 a referral order. So he came to the Operations team.

7 If it had been a less serious offence and it had not

8 gone to court for prosecution, there could have been

9 a diversion and it would have been the YOT, working in

10 the Diversion team, who might then have worked for him;

11 would that be right?

12 A. Yes, that would be correct.

13 Q. So that's Diversion. Then Prevention, is that more

14 community work projects to avoid offending in the first

15 place?

16 A. Yes, it is. So it's developed quite a lot over the

17 years. We have a variety of referral pathways in place,

18 in terms of social care, Children's Social Care, police,

19 CFW who can refer into our service for a specific pieces

20 of work for children who they deem at risk or

21 potentially at risk of coming into the more formal

22 criminal justice route.

23 Q. That could be at an individual level, if there was felt

24 to be a need to engage in prevention work with

25 an individual?

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1 order, yes?

2 A. Yes.

3 Q. But prior to that, there had been the October 2019

4 involvement with AR and knives, where he'd phoned

5 Childline, he'd admitted that on ten occasions he'd

6 brought a knife to school and made disclosures, some of

7 which included an intention to use that knife against

8 somebody who he perceived to have been bullying him.

9 Do you know why the Diversion or Prevention team

10 from the Child and Youth Justice Service weren't engaged

11 at that stage?

12 A. It is difficult for me to say because I wasn't in post

13 at that point. However, as I just mentioned, the

14 referral routes are through from the police, Children's

15 Social Care, CFW, so for us to start working with AR,

16 that case would have to have had a referral through for

17 us to become aware of him.

18 Q. So far as you are aware, was there no such referral?

19 A. Not as far as I'm aware.

20 Q. Do you think that may have been something of a missed

21 opportunity for Youth Offending Team workers to get

22 involved slightly earlier than they did?

23 A. Potentially, it could have been if a referral had come

24 through, we could have done a screening, spoken to

25 partner agencies who were involved, and then made

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1 a decision in terms of what intervention, if there was  
 2 a role for the Youth Justice Service at that point.  
 3 Q. Would that not be a reasonably classic sort of case  
 4 where there would have been a role for Diversion or  
 5 Prevention?  
 6 A. It's very difficult to say. We get referrals from our  
 7 partner agencies for a variety of different children and  
 8 their needs. Potentially, it could have been, yes.  
 9 Q. Thank you.  
 10 We know that there were two strategy meetings  
 11 involving AR, one on 17 December 2019, one on 6 January.  
 12 I don't think that the Child and Youth Justice Service  
 13 was invited to either of those, were they?  
 14 A. No, they weren't.  
 15 Q. Again, by that stage, there has been the commission of  
 16 the hockey stick incident with the knife. So you have  
 17 then got two separate involvements with knives, one with  
 18 the actual commission of a serious offence, and  
 19 appreciating that the Youth Offending Team got involved  
 20 at the sentencing stage, again there might have been  
 21 a role earlier, at those strategy meetings, to get  
 22 involved early; would you agree?  
 23 A. Yes.  
 24 Q. Do you know why that wasn't done?  
 25 A. No, sorry.

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1 Q. Is it possibly or is it just good practice to do so?  
 2 A. It's good practice to make sure that we would have  
 3 a full CPS pack.  
 4 Q. We'll leave out the "possibly"; should that have been  
 5 done?  
 6 A. Yes.  
 7 Q. Do you know why it wasn't done?  
 8 A. I don't, sorry, I wasn't in service at the time.  
 9 Q. Because that would have opened up the previous  
 10 concerning behaviour in October 2019, that would have  
 11 been available from that material, yes?  
 12 A. I can't say whether it would or not because I don't know  
 13 whether that would have actually formed part of the CPS  
 14 bundle of documents that we would have been provided.  
 15 Q. We don't need to go to it to establish this but I think  
 16 that evidence would have been available from the  
 17 Merseyside Police investigation, that there had been  
 18 earlier instances of bringing knives to school and that  
 19 certainly would have been relevant to the assessment of  
 20 risk, not just that it had happened but that he had done  
 21 it on ten occasions; would you agree?  
 22 A. If it was available, it perhaps would raise the question  
 23 why the police didn't provide us with it at the time  
 24 when they provided the other documents.  
 25 Q. As you explain in paragraph 77, the first direct contact

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1 Q. So, in fact, the first involvement of the service --  
 2 I think paragraph 49 of your statement on page 15 -- was  
 3 when the youth court made the referral order, which was  
 4 imposed, I think, on 19 February 2020; is that correct?  
 5 A. That's correct.  
 6 Q. Thank you. You explain -- paragraph 73 of your  
 7 statement at page 22 -- that initially the service was  
 8 provided with a set of documents from the CPS.  
 9 Sir, your note for these is LCC000021.  
 10 Is that correct?  
 11 A. That's correct.  
 12 Q. I'm not going to go through those documents in full but  
 13 would you agree -- I know you will have looked at  
 14 them -- that they were quite limited, providing just the  
 15 initial details of the prosecution case, yes?  
 16 A. Yes, I'd agree.  
 17 Q. There was one witness statement from the arresting  
 18 officer. From your analysis of the file, were any steps  
 19 taken at that stage to obtain the remaining material  
 20 collated by Merseyside Police's investigation of the  
 21 hockey stick incident?  
 22 A. I couldn't see any evidence on AR's case record that  
 23 that had happened.  
 24 Q. Would that not have been good practice to obtain that?  
 25 A. Possibly, yes.

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1 between AR and his family and your service was on  
 2 26 February, with an assessment meeting at the family  
 3 home by Anna Croll and Ms Croll, I think, was the  
 4 allocated case worker for the early months, yes?  
 5 A. Yes.  
 6 Q. I'll come onto the handover to another case worker. If  
 7 we look at LCC000488, page 31, second entry. What do  
 8 you make of that as a record of the assessment meeting?  
 9 A. Poor quality. I would expect further information within  
 10 that contact.  
 11 Q. It does nothing but record, really, the fact that it had  
 12 happened and one of the other people attending?  
 13 A. That's correct.  
 14 Q. What's the purpose of an initial assessment meeting?  
 15 A. So the initial assessment meeting is start to gather the  
 16 information for the initial AssetPlus assessment. By  
 17 the looks of the limited information we have in this  
 18 contact, that it took place in the family home. One  
 19 could presume that the child would have been there, the  
 20 parents, carers, potentially, would have been there and  
 21 that meeting would be to start to collate together the  
 22 information to inform that initial assessment.  
 23 Q. It should be recorded --  
 24 A. It should be.  
 25 Q. -- and it's not?

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1 A. Correct.

2 Q. There was then a multi-agency strategy meeting on

3 4 March. So far as the notes of this are concerned, if

4 we just go to the top of the same page, please, one sees

5 that there. The first two lines are taken up with just

6 recording who is there, and then the only notes are that

7 it is closed to the Criminal Justice Liaison and

8 Diversion Service, Mersey Care:

9 "School were sending work home but it isn't being

10 returned. Either too easy or too hard. School didn't

11 know the risks therefore, educated at home."

12 What do you make of that as a record?

13 A. It doesn't tell us very much in terms of that

14 multi-agency meeting. I would expect a fuller contact

15 when a professional is meeting -- a multi-agency meeting

16 has taken place.

17 Q. Again, if the risk assessments are only going to be as

18 good as the information that's obtained, this was not

19 a very good start?

20 A. No.

21 Q. If we look at LCC001346, please, this is the record that

22 Acorns made, page 58. The contrast in level of detail

23 is quite striking, would you agree?

24 A. I would.

25 Q. I won't go through this line-by-line but it does record

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1 Q. "It was further established that although his needs were

2 being met by parents at home ... there were no

3 safeguarding concerns within the family, it was unclear

4 the level of risk in other environments."

5 So there was an openness there to some unknowns at

6 that stage about the extent of the risk in other

7 environments; would you agree?

8 A. Yes.

9 Q. There, you see, immediately thereafter:

10 "Education staff maintained that AR could not attend

11 the school premises or an alternative venue with staff

12 until all professionals had completed a multi-agency

13 risk assessment in line with Working Together to

14 Safeguard Children."

15 A. Yes.

16 Q. So your service was on notice about how concerned Acorns

17 were about the risk?

18 A. Yes.

19 Q. Because they were refusing to educate him at school or

20 anywhere else, until there had been a proper assessment

21 of risk, yes?

22 A. Yes.

23 Q. There's then further information, including school's

24 indication and concern about the extent to which he was

25 fixated on individual staff and pupils, and father not

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1 Ms Jameson opening the meeting by setting out the

2 findings of their C&F assessment, and that Prevent were

3 not going to take further action and CAMHS hadn't

4 identified any further mental health issues.

5 So, your service -- again whenever I say "your

6 service", one appreciates you weren't in post at the

7 time -- were put on notice by that that there had been

8 a Prevent referral?

9 A. Yes.

10 Q. Then there is reference to an email that had been

11 received by Alphonse R, AR's father and that's been

12 looked at a number of times but it included reference to

13 the fact that AR is:

14 "... a good boy, modest and respectful, he's not

15 a risk to himself or to others."

16 From this record, it's fair to say, isn't it, that

17 Acorns disputed the views of AR's father and were

18 concerned about the risk posed by AR and that it was

19 being minimised by his parents, yes?

20 A. Yes.

21 Q. We see in this note, at about the middle of the page, we

22 see Anna Croll's input is noted there and we see that

23 she said that AR was presenting as medium to high risk,

24 yes?

25 A. Yes.

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1 accepting what school staff were saying, and his refusal

2 to engage with Acorns or, indeed, with Early Help,

3 regarding those concerns and the hockey stick attack.

4 At this stage, would you agree that there was

5 an obvious need for the case worker, Ms Croll, to obtain

6 as much information as possible about the earlier

7 incident, so the hockey stick incident, and the earlier

8 incident in October --

9 A. Yes.

10 Q. -- and, in particular, about AR's intentions with the

11 knife, in relation to both of those events?

12 A. It would have been part of her information gathering

13 I would have expected, in terms of to inform that

14 assessment to gather a full picture.

15 Q. We do not see anything, as we have looked at on the

16 Child and Youth Justice Service's account of this

17 meeting to show that that was done and, from this more

18 detailed note from Acorns, there doesn't seem to have

19 been recorded any probing by Ms Croll as to the detail

20 of the circumstances of the earlier events.

21 A. There's no evidence that she did that on the record.

22 Q. If we look, please, at a different document, which is

23 LCC000452. This is the initial panel report and, if we

24 go to page 2, please, and then on to page 3, we see

25 reference to "Background Circumstances". We see

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1 summarised that:  
 2 "[AR] has previously attended The Range School in  
 3 Formby but was expelled in October 2019 after it was  
 4 discovered that [AR] was taking a knife into school due  
 5 to bullying. [AR] was then educated at Acorns School  
 6 ... until this incident and after that he had been  
 7 educated from home. [AR] is described as academically  
 8 able", and so on.  
 9 There's reference to the school describing his  
 10 behaviour as disruptive, saying he didn't like Acorns  
 11 School. At the moment, the school won't allow him back  
 12 until the risk assessment has taken place.  
 13 Then seeing Forensic CAMHS, in the next paragraph:  
 14 "Now awaiting this for an explanation of a diagnosis  
 15 of ASD."  
 16 Doesn't have a history of children services  
 17 involvement:  
 18 "[AR] was referred to children's services in October  
 19 2019. However the matter was referred to Child and  
 20 Families Wellbeing Service but it was reported that  
 21 there was little engagement."  
 22 Reference to what happened after the offence was  
 23 referred to:  
 24 "The family have closed to children's services and  
 25 will be receiving support through Child and Families  
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1 him as he wasn't in school that day.  
 2 At this point, AR is described as taking a hockey  
 3 stick out of his coat and attacking a group of year 9  
 4 pupils, struck one of those, causing reddening to his  
 5 hands and arms. Restrained and taken to the  
 6 headteacher's office. Asked if he'd had previously had  
 7 any trouble with the young persons who he attacked,  
 8 which he denied. When asked about his actions, AR  
 9 stated they were wrong as the young person hadn't done  
 10 anything to him. AR told police that, due to the  
 11 teachers following him, he decided to attack the other  
 12 person as he knew he'd get into trouble, so may as well  
 13 do something to get into trouble for.  
 14 Now, that was concerning, would you agree, that last  
 15 aspect?  
 16 A. Yes.  
 17 Q. "When [AR] was stopped and taken into the school office,  
 18 it was discovered that he had a knife in his bag. [AR]  
 19 informed the police that he'd taken the knife with him.  
 20 [AR] told me that he wasn't sure why he had had the  
 21 knife as he hadn't planned to use it. He did admit to  
 22 wanting to assault [the other young person] who was not  
 23 in school. [AR] does appear to recognise that his  
 24 actions were wrong."  
 25 In fact, at the time of the hockey stick attack, AR  
 191

1 Wellbeing. Does not have good positive uses of his  
 2 time. [AR] enjoys watching TV and going on his computer  
 3 but he appears very socially isolated ... not having  
 4 many friends and now he is not in school he will have  
 5 limited opportunities [for that].  
 6 "... parents would like to get him involved in clubs  
 7 but [AR] is reluctant to do this as he reports that he  
 8 has not been allowed to do this before. Prior to this  
 9 incident, [AR] has not had any involvement in the  
 10 Criminal Justice System."  
 11 Then if we go over the page:  
 12 "Offence information."  
 13 Interviewed about the offence and co-operated:  
 14 "[AR] describes that he had been bullied for  
 15 a number of weeks at his previous school. At this time  
 16 [AR] was attending Acorns School in Ormskirk."  
 17 He took a taxi to the former school at the Range,  
 18 got to the school and enters the premises. Teacher sees  
 19 him, and on. AR describes that the teacher was chasing  
 20 but him but he did not stop. Took a hockey stick from  
 21 underneath his jacket and struck another person. AR  
 22 said that he'd gone to school to confront a young person  
 23 who'd been bullying him. He states that he told adults  
 24 about the bullying but they hadn't done anything about  
 25 it. AR looked for the young person but couldn't find  
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1 gave indications that he would have been prepared to use  
 2 the knife and, on some of his accounts, both in relation  
 3 to October 2019 and December 2019, he appears to have  
 4 accepted that his intention was to kill the victim or to  
 5 at least cause very serious harm, and that he would have  
 6 been prepared to use the knife if the hockey stick  
 7 hadn't done the job. Yes?  
 8 A. That isn't reflected in our contacts. So I'm -- without  
 9 going back through the initial assessment I'm unsure if  
 10 we were aware of those specific details, in terms of --  
 11 I'm aware that we were aware that he carried a knife  
 12 but, just in terms of the mention of him wanting to kill  
 13 other people.  
 14 Q. To kill the intended subject, the person he perceived to  
 15 be a bully. That was fundamental, wasn't it, to the  
 16 assessment of risk?  
 17 A. Yeah, but I'm not sure if we were aware of that specific  
 18 detail.  
 19 Q. No. It would be very odd if Ms Croll was aware of that  
 20 detail, if she hadn't mentioned it in the report to the  
 21 board; would you agree?  
 22 A. Yes.  
 23 Q. But that is the difficulty, I suggest, Ms Callon, not  
 24 against you personally, but against the service, in  
 25 terms of not taking adequate steps right at the start to  
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1 pull the relevant information in?

2 **A.** Yes, I would agree and that's the importance of -- you

3 know, youth justice teams are a multi-agency team. We

4 do have a variety of partners and there is that

5 expectation in terms of gathering that information to

6 inform that initial assessment.

7 **Q.** Yes, but that only goes so far because there's also the

8 duty to be professionally curious and to pull the

9 information in and, in circumstances where she was

10 an attendee at a meeting where the schools were present,

11 one would expect that to be probed. But what seems to

12 have happened is the opposite, that Ms Croll has taken

13 at face value and reported to the board -- to the panel,

14 I should say -- an account that he hadn't planned to use

15 it.

16 **A.** I think the quality of the information within the

17 report, whilst there is some elements of it which are

18 correct and explains the situations, there are clearly

19 elements missing from the report.

20 **Q.** Well, there are fundamental issues missing, aren't they?

21 **A.** There are.

22 **Q.** Which would have been very significant in colouring and

23 grading the assessment of risk because it's one thing

24 for a boy, in a misguided sense, perhaps, of bravado or

25 even self defence, to carry a knife but it's quite

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1 recorded on their records?

2 **A.** I would have expected or it would be my expectation now

3 that the social worker or case worker would go and speak

4 to people, you know, other professionals, that the child

5 is open to and gather that information. So there is

6 a reliance on other partners, professionals working with

7 a child, to share that information with ourselves to

8 enable us to become aware of it, to put it in our

9 assessments.

10 **Q.** Thank you.

11 So moving on, the referral order contract that

12 resulted in the initial assessments. If we look at

13 paragraph 82, on page 24 of your statement, the initial

14 panel meeting, I think, was on 24 March 2020?

15 **A.** Yes.

16 **Q.** Conducted by telephone?

17 **A.** Yes, that would appear so.

18 **Q.** Would that normally have been in person, were it not for

19 Covid?

20 **A.** Yes, that is correct.

21 **Q.** You say that the terms of contract would have been

22 explained to AR and to Alphonse. Then in paragraph 161

23 at page 58, I think because of a later file migration

24 system in 2023, the referral order contract itself is no

25 longer available to you and, therefore, not available to

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1 another to do so on ten occasions and then a few months

2 later to carry a knife again and to make an admission,

3 which he did, that he carried it in part with the

4 intention to use it?

5 **A.** I think the information that we're aware of hasn't been

6 reflected adequately or appropriately within the

7 assessment.

8 **Q.** You'll understand now why early in my questioning I took

9 you to what your investigations and your corporate

10 overview had shown because it may be that looking, on

11 the face of the CYJS records, that it is reasonable

12 comment to say, as it did, 10 or 15 minutes ago, "Well,

13 they seem to have followed process and policy", but

14 actually they were missing key early information; would

15 you agree?

16 **A.** Yes, and I think when we've had the opportunity to look

17 through the record and to dig deeper, there is clear

18 parts of information which haven't made it through,

19 haven't been researched, haven't been gained from the

20 work at the time and then haven't then gone through to

21 the assessment, to the report and been shared in terms

22 of the intervention plan.

23 **Q.** Important aspects of this risk information was available

24 to the local authority through the Early Help Team and

25 the social care teams, who had been involved, and were

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1 the Inquiry?

2 **A.** That's correct. We moved case management systems, as it

3 says, in 2023. It's not clear whether, even though we

4 did the youth acceptance testing and the migration was

5 overall complete, whether that became unable to be

6 pulled off the system as a result of that migration or

7 if the case management supplier said that it could have

8 been corrupt before the migration of the data.

9 **Q.** In fairness, that wouldn't have had an impact at the

10 time because the contract would have been visible but

11 would you agree that's a significant systems

12 information -- or information systems failure later on

13 because it makes it harder for the Inquiry to understand

14 how the referral order was managed and why?

15 **A.** It does. However, in some of the detailed contacts,

16 there is information that we have managed to pull when

17 we look at all the contacts in terms of what that

18 initial referral order panel member had said at the

19 initial telephone referral order panel, in terms of what

20 that contract should include.

21 **Q.** So we can have a fair idea by piecing it together. So

22 work on anger management, risk of knives, we can see

23 some of that work being done, I think, later by

24 Mr Fitzpatrick and, from that, you can work back, to

25 some extent?

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1 A. There is a contact on the child's record which actually  
2 details the feedback from the referral order volunteer,  
3 which says -- details what work she would like him to  
4 do.

5 Q. I follow, thank you.

6 I think in relation to the feedback, that focused,  
7 didn't it, on his isolation, seeking for him to join in  
8 clubs in the local community, exploring impact of  
9 bullying and his coping mechanisms and to continue  
10 engaging in education. Do you want to have a look at  
11 this, it's page 26. LCC000488. I think it's the bottom  
12 entry. Is that what you were referring to?

13 A. Yes.

14 Q. You've said in your own statement that the objectives  
15 were very generic and lacked specific focus; do you  
16 think that's right?

17 A. Yes, I do. Specifically, there is some focus in terms  
18 of she -- the referral order volunteer asks for the  
19 child, for AR, to look for things in the local  
20 community. But some more of the generic suggestions  
21 within this contact would suggest reparation, a story  
22 board, there isn't -- you know, around bullying, there  
23 isn't very much -- or, sorry, knife crime or assault,  
24 for example. They work around consequences of his  
25 actions. It is more generic than potentially we would

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1 have got examples where children within service have  
2 done pieces of reparation work, tools and resources that  
3 we can then use with other children as part of their  
4 intervention programme.

5 Q. Thank you. Could we have next LCC000452 on the screen,  
6 please. If we go back to the final page of this,  
7 page 4, the final page we were looking at before. This  
8 did aver to the previous expulsion from The Range but  
9 all of this was putting matters down to bullying, would  
10 you agree, as his motivation?

11 A. That's from what I have read on the case record, that's  
12 what -- yes, I understand.

13 Q. Again, have you seen anything on the Child and Youth  
14 Justice Service records that reflects the fact that both  
15 the Range and Acorns were clear in their thinking that,  
16 objectively speaking, there hadn't been bullying?

17 A. I've not seen it clear on the youth justice system.  
18 Through the assessments that I've read and the  
19 information such as this referral order report, it does  
20 all make reference to bullying.

21 Q. If we go over to page 5, please, it indicates there that  
22 AR's parents appear "to feel disappointed about what  
23 happened. They feel that bullying has pushed [AR]  
24 towards his actions", and that his father had written in  
25 saying that he thought The Acorns School had contributed

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1 look for now. We would expect them to be more specific.

2 Q. The expectation -- I don't think we need to bring it up  
3 but, sir, for your note, LCC001752, page 45 -- is that  
4 the referral order guidance at page 133 envisages that  
5 the panel should be looking up to draw a package of  
6 interventions including positive activities tailored to  
7 the individual case. This is much more generic and  
8 nebulous than that, isn't it?

9 A. It is, yes. We were at the start of the pandemic.  
10 Again, at this stage, when this discussion was taking  
11 place, nobody knew what the future was going to look  
12 like, no matter -- a couple of weeks, a couple of months  
13 forward. I think it was a challenge at that point for  
14 the referral order panel volunteers to know how specific  
15 they can be, in terms of making some of those  
16 requirements as part of that contract.

17 Q. One must bear in mind Covid but, according to the  
18 guidance, for a ten-month order, there should have been  
19 a minimum of 30 hours of reparative work within the  
20 contract, and that doesn't seem to have been allowed for  
21 at all, does it?

22 A. No, there's mention within that contact that we were  
23 just looking at, around choosing some sort of story  
24 board for a game relating to knife crime or assault, for  
25 example, as part of a piece of reparation work and we

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1 to the offence, yes?

2 A. Yes, that's what I can read.

3 Q. Section 5:

4 "[AR] has supportive parents who provide prosocial  
5 values."

6 If, in fact, what was happening was that AR's father  
7 was, to some extent, blaming the school for having  
8 contributed to the offence and suggesting that AR had  
9 been pushed to carrying knives by bullying, and that  
10 AR's father was writing in to professionals to make  
11 these points, how does that tie in with a protective  
12 factor being identified that AR had supportive parents  
13 who provide prosocial values: the father was minimising  
14 and deflecting blame, wasn't he?

15 A. It is difficult in terms of that social workers'  
16 professional judgement and opinion at that time, in  
17 terms of -- she's obviously made that statement within  
18 this report. I don't know how she came to that  
19 conclusion for this report. I presume -- one would  
20 think from the completed assessment from the people and  
21 professionals who she's been speaking to. However,  
22 given what you have just referenced, one view could be  
23 that that was -- his parents possibly not providing  
24 prosocial values in terms of the items, the areas that  
25 you've just mentioned.

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1 Q. We see at the bottom "overview of likelihood of  
2 re-offending", is mentioned, if we go over the page.  
3 The assessment of "medium" at that time, he reacted to  
4 a situation that he could not manage appropriately:

5 "On the occasions that we know about, when [AR] has  
6 carried weapons, this has been in response to a certain  
7 perceived threat. Although this doesn't justify his  
8 actions it does provide some insight into when [AR] may  
9 engage in offending behaviour."

10 In light of the additional information about the  
11 number of times that he had previously carried knives,  
12 and his intention to use the knife, does the risk of  
13 re-offending being at medium now seem right to you?

14 A. Sorry, which part of the document were you just  
15 referring to there?

16 Q. I was reading from the top:

17 "When considering risk of re-offending I have  
18 assessed [AR] as medium at this time."

19 Then she reports that he reacted to a situation he  
20 could not manage. When he has carried weapons, it has  
21 been in response to certain perceived threats, doesn't  
22 justify it but gives insight into triggers.

23 With the additional information that schools didn't  
24 believe he was being bullied at all and the seriousness  
25 of the weapon carrying previously, does this now call  
201

1 all: it was planned, deliberate, calculated?

2 A. I'm not sure if that information in terms of him booking  
3 the taxi the night before I was aware of -- I'm not sure  
4 if that was in --

5 Q. That's, in a sense, the point --

6 A. -- in terms of that premeditation.

7 Q. With that information, this was an underestimate of the  
8 risk of re-offending; would you agree?

9 A. Again, potentially. This is the social worker's  
10 professional judgement at that time.

11 Q. Ms Callon, I understand that it is their professional  
12 judgement at the time but you are a senior manager who's  
13 here in a corporate capacity, so help us. With that  
14 additional information, had that been known and  
15 established, the risk of re-offending should not have  
16 been assessed at "medium", should it?

17 A. Potentially not. Potentially it should have been  
18 assessed higher.

19 Q. Why "potentially"?

20 A. Because, at this stage, we don't know -- we look at  
21 offending behaviour, that information, in terms of --  
22 when we are doing at our risk of re-offending, we're  
23 look at convictions, out of court disposals, that sort  
24 of information that's coming through with the police.  
25 This was the first offence/conviction that had come  
203

1 into question the risk of re-offending being assessed at  
2 medium?

3 A. Again, it's difficult for me to comment. Obviously, the  
4 social worker has made -- Anna has made that judgement  
5 based on her professional opinion, at the time the  
6 information she has gathered. One could possibly say  
7 that he would have been high. I would have expected her  
8 to be using the Youth Justice Board guidance in terms of  
9 risk of re-offending levels that we discussed earlier.  
10 It's very difficult for me to comment based on her  
11 professional judgement in making that risk level.

12 Q. When you look at the second paragraph:

13 "When considering risk of serious harm there's no  
14 doubt that AR may have caused serious harm if he had  
15 found his intended victim or if he had continued to  
16 attack ... The fact that AR was carrying knives is ...  
17 of concern but I note that he did not use them and there  
18 is no intelligence to suggest he has taken them in the  
19 community ... lack of antecedent history", and so on.

20 Quite apart from the issue of the stated intention  
21 to use the knife, if necessary, if he couldn't cause  
22 harm with the hockey-stick, it was also a carefully  
23 pre-meditated attack, wasn't it? He booked a taxi the  
24 night before to go to a school that wasn't his own, to  
25 go back to his old school. It wasn't spontaneous at  
202

1 through. In terms of that information, the other  
2 information they'd shared, it's whether it would be  
3 useful to look at the risk judgements again, to see  
4 where it sits in terms of that imminence, and the risk  
5 of serious harm and where that sits again, it's useful  
6 just to refer back to that, I think.

7 Q. But although you say this is the first offence, it is  
8 admitted, from his own admission, there are two separate  
9 occasions, the criminal justice has only acted in  
10 relation to the December one, but there were the ten  
11 carrying of knives leading up to the call to Childline  
12 in October and then the pre-meditated attack in  
13 December.

14 A. It's whether it was --

15 Q. I'm just wondering why "potentially" comes into it when  
16 you look at that picture and the seriousness and the  
17 pre-planning of the attack?

18 A. Yes, and it clearly is serious. What I would -- it's  
19 trying to balance all the factors, all the information  
20 that we would receive, for example, from school, that  
21 we've discussed, from the police and, yes, it may have  
22 resulted in a risk -- a high risk of re-offending.

23 Q. Medium risk means there is some risk identified but the  
24 young person is unlikely to cause serious harm unless  
25 the circumstances change. With all of that information,  
204

1 that description wouldn't fit, would it?

2 **A.** No.

3 **Q.** If the risk had been "high", what difference would that

4 have made in terms of the involvement of the service?

5 **A.** We would have had more contacts with him, so instead of

6 being seen sort of -- we'd the scaled approach level at

7 that point. So he'd have been seen at an intensive

8 level, which is the higher level in terms of number of

9 appointments per week, and then that would then be

10 reviewed every three months, and potentially reduced

11 depending on those levels of risk moving forward.

12 **Q.** Would concern have been raised by your service, do you

13 think, if it was high risk of re-offending -- we'll come

14 onto harm but I'm going to suggest high risk of harm as

15 well -- would concern have been raised by your team

16 about the proposal to step AR down from Children's

17 Social Care to CFWS?

18 **A.** Yes, we would have -- I would have hoped that we would

19 have then been part of some of those discussions and

20 those meetings, although I think they would have

21 probably taken place before we came -- we started --

22 **Q.** Then, in the AssetPlus, that wasn't, of course, the

23 AssetPlus assessment. That's the preliminary report but

24 if we go to the AssetPlus assessment, LCC000447. Just

25 to identify the document first, I'm not going to go

205

1 appears Ms Croll hadn't obtained, there are a whole host

2 of factors here pointing to areas of concern and I'm

3 going to list them by reference to the AssetPlus

4 guidance itself, without turning that up, but there was

5 weapons, yes?

6 **A.** Yes.

7 **Q.** Deliberate targeting of victim?

8 **A.** Yes.

9 **Q.** Concerns over AR's ability to recognise the impact and

10 the seriousness of his offending?

11 **A.** Yes.

12 **Q.** There was at least a degree of equivocation on the part

13 of his parents about the severity of the offence?

14 **A.** Yes.

15 **Q.** He was using, would you agree, unduly sophisticated

16 methods for his age, so he adapted the hockey stick, he

17 booked a taxi the night before, those were all very

18 concerning --

19 **A.** Yes.

20 **Q.** -- for a boy of AR's age --

21 **A.** Yes.

22 **Q.** -- at that time. On one view, this could have been

23 practice for more serious offending: the carriage of the

24 knives could be interpreted in that way?

25 **A.** Yes.

207

1 through the detail of this, but that's the AssetPlus

2 record itself?

3 **A.** Is that the start AssetPlus, sorry? Yes.

4 **Q.** Yes. So the reason why I'm not going to go through that

5 is you very helpfully for us summarised it in your

6 statement, the key aspects to it. You may have a full

7 copy of your statement available but, if we just look at

8 your statement at page 29, please, paragraph 93 onwards,

9 you would agree that the assessment, the initial

10 assessment, was a detailed one, yes?

11 **A.** Yes.

12 **Q.** Looking overall based on -- I'm taking your statement as

13 a whole here, as well as the AssetPlus assessment -- the

14 factors that were being relied on to justify medium risk

15 were lack of opportunity?

16 **A.** I'm just ...

17 **Q.** I'm trying to take it from the summary?

18 **A.** Yes.

19 **Q.** If we go to paragraph 116. It's probably the most

20 helpful paragraph to have out in front of you.

21 Lack of opportunity and some equivocation from AR

22 about whether he intended to cause serious harm. That

23 was the rationale; would you agree?

24 **A.** Yes.

25 **Q.** But especially with the further information that it

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1 **Q.** Under patterns and attitudes in the guidance, he thinks

2 that certain motives justify him, so his perception of

3 bullying, he thinks, justifies his actions?

4 **A.** Yes.

5 **Q.** He thinks that the victim deserved it, not the actual

6 victim who he chose to attack but the original victim he

7 was going for?

8 **A.** Yes.

9 **Q.** Other behaviours of particular concern, well, October

10 2019 he's carried a knife ten times previously into

11 school, yes?

12 **A.** Yes.

13 **Q.** So, although there is no forensic history, in that

14 sense, in terms of previous offending behaviour known to

15 the courts, he was known to have carried knives

16 previously?

17 **A.** I'm not sure if the court would have been aware of that.

18 **Q.** There was no court action in relation to that.

19 **A.** Sorry, no.

20 **Q.** But in terms of the assessment of risk, other behaviours

21 of particular concern, page 104 of the guidance, he has

22 a history of threatening aggressive behaviour because he

23 has carried knives to school previously on ten

24 occasions?

25 **A.** Yes. Whether he has used them to threaten, I wasn't

208

1 aware of that.

2 **Q.** A young person has said, indicated or threatened that he

3 might cause serious harm to others: that was met in this

4 case?

5 **A.** Yes.

6 **Q.** Indications of planning or preparing to commit the

7 offences: definitely met?

8 **A.** Mm-hm.

9 **Q.** Behaviour driven by obsessions, fantasies or other

10 problematic interests: well, by this stage, there was

11 information from Acorns that suggest a pattern of

12 concerning behaviour, internet activity, school

13 shootings, terrorist attacks being looked at,

14 an interest in weapons, those were met too?

15 **A.** Yes.

16 **Q.** When you then add on the information that doesn't appear

17 in Ms Croll's records but was knowable, in relation to

18 a serious intent to use the knife, the assessment of

19 risk at medium was wrong?

20 **A.** Yes, I would agree.

21 **Q.** Ms Callon, you have provided a lot of information in

22 your statement and it includes sections on reflections

23 and lessons learned and they are helpful but nowhere in

24 your statement do we find that acceptance that you have

25 just given in answer to me.

209

1 **Q.** Would you agree that, in terms of some of the meetings

2 that were attended, so the team around the family

3 meetings, for example, that were attended, that CYJS

4 again didn't take good minutes of those, they were

5 depending on the notes taken by others?

6 **A.** Yes, they were. We would usually expect a contact to be

7 put on the system to give an overview of the meeting and

8 then with the meeting notes to follow and to be

9 attached.

10 **Q.** In general terms, I think what's recorded at this stage,

11 with Covid impacts taken into account, is that Ms Croll

12 was having weekly contact with the family and

13 challenging conversations around AR's behaviours, it was

14 difficult to complete work over the phone?

15 **A.** That's --

16 **Q.** Is that right?

17 **A.** Yes, I'm not sure what those challenging conversations

18 were because I think the details of the contacts aren't

19 clear and aren't detailed.

20 **Q.** It's recorded in the 19 May 2020 interaction that there

21 was an agreement to share a summary of the report

22 completed on risk. That would have been a reference to

23 the AssetPlus assessment that we've been looking at,

24 yes?

25 **A.** Yes.

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1 **A.** Yes, no.

2 **Q.** Why not?

3 **A.** I think, having looked at it in line with sort of the

4 further information -- you know, when we reviewed the

5 assessment, we were reviewing it very much in terms of

6 against the guidance, I think looking at perhaps the

7 bigger picture, having some more information available

8 to review it would make me think that that risk

9 assessment should have been high.

10 **Q.** One understands that but, as recently as 10 October this

11 month, you provided a second statement. Again, it is

12 helpful and I'm not criticising it as a statement but

13 there was an opportunity to say on behalf of the County

14 Council and on behalf of the Child and Youth Justice

15 Service that "I need to add to my first statement

16 because, with the information that we now have, I would

17 accept that the service got the assessment of risk

18 wrong"?

19 **A.** Yes, I apologise.

20 **Q.** Thank you. If we turn then to matters during the

21 referral order. There were dealings in April and May

22 between Ms Croll and AR. They were by telephone and

23 I think you would agree that, on a fair assessment, that

24 Covid there made matters difficult, yes?

25 **A.** Yes.

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1 **Q.** Thank you. Within that, there is also reference to the

2 involvement in the meeting with Dr Ramsey, an

3 educational psychologist, who was in attendance at the

4 same meeting on 19 May. Do you know what the purpose of

5 that was --

6 **A.** Not off the top of my head --

7 **Q.** -- the attendance by Dr Ramsey?

8 **A.** Sorry, no.

9 **Q.** If we look at LCC001018, please. If we could just look

10 at page 2. This is the 19 May meeting. So this is Anna

11 Croll's reference. We see there, "No role for Prevent,

12 deemed as no risk", at the bottom.

13 Do you know how that arose in discussions and

14 looking at the chronology that -- one accepts it's not

15 a verbatim note but "deemed as no risk", for Prevent,

16 might be thought to not properly capture what had

17 happened with the first referral to Prevent?

18 **A.** Can I just clarify, are these Anna's notes?

19 **Q.** No. I don't think they are her notes. I think they are

20 notes that are taken of the meeting by 19 May but they

21 are not her notes, but they are recording her

22 contribution at the meeting.

23 **A.** It is difficult to see what that means. If that's

24 somebody else's perhaps interpretation of what she said,

25 she might have said that but it doesn't give me any

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1 information of what that might mean or why she said that  
 2 in the meeting, if she did say it.  
 3 **Q.** All right. Summarising quite a lot of information from  
 4 the chronology and taking it as shortly as I can,  
 5 following that meeting, we know that Mrs Hodson  
 6 contacted Ms Croll, as well as Ms Fontaine, to express  
 7 concerns about the level of risk that AR posed and the  
 8 failure of AR's father to challenge or confront the  
 9 risk. Are you familiar with that in general terms?  
 10 **A.** Yes.  
 11 **Q.** In terms of what happened for the Youth Offending Team,  
 12 for the CYJS, you deal in your statement, at  
 13 paragraph 124, page 39, that she responded by sharing  
 14 a summary of the April 2020 AssetPlus assessment that we  
 15 have been looking at; is that right?  
 16 **A.** Yes, that is right.  
 17 **Q.** Thank you. What is your reflection now on the fact that  
 18 only the summary was shared with the school, rather than  
 19 the entirety of the assessment?  
 20 **A.** I think the AssetPlus, as you will have seen, assessment  
 21 as a whole document, is quite a large document. I think  
 22 what may have been useful would have been to -- perhaps  
 23 for all partners to have sat down together to look at  
 24 the risk assessment because I know this was to help  
 25 inform risk assessment, wasn't it, for school and  
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1 "Risk assessment concludes AR cannot be in  
 2 a classroom or school environment, it may be beneficial  
 3 to discuss this with AR and Alphonse", and so on.  
 4 Then it moves into the summary, which is lifted from  
 5 the AssetPlus.  
 6 One difficulty in relation to this is that, by only  
 7 sharing the headlines, rather than the document itself,  
 8 it may have meant that Acorns were not able to feed into  
 9 your service what they knew about the earlier events.  
 10 So that the missing information that I have been  
 11 challenging you about, in a sense they wouldn't know  
 12 that that was missing because there was a refusal to  
 13 provide the whole of the risk assessment?  
 14 **A.** I'm not sure if it was a refusal. However, I think  
 15 what -- as a service, we didn't use to provide the whole  
 16 of assessments with schools. Sometimes it would be  
 17 victim information in there, personalised sort of  
 18 information but we wouldn't usually share. However,  
 19 what we would do is encourage practitioners to share  
 20 relevant information from that risk assessment, rather  
 21 than sending them the document, it's around having that  
 22 discussion, having that meeting to share, rather than  
 23 just putting it over in an email, which I don't think --  
 24 **Q.** But Acorns had been pressing for a detailed risk  
 25 assessment to be done. One hadn't been done by FCAMHS  
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1 whether it would have been useful for all agencies to  
 2 sit down with all the information they have to help the  
 3 school to have collated and developed that risk  
 4 assessment. I think what I would expect case managers  
 5 to do was to pull out information which would be useful  
 6 for the school and I know Anna has tried to do that,  
 7 hasn't she, with the risk information and the  
 8 re-offending, and the serious harm safety and wellbeing  
 9 information, and share that with school.  
 10 I think sometimes it is better, rather than via  
 11 email, to have it via a meeting, via a discussion. It  
 12 gives an opportunity for people to ask questions and to  
 13 clarify points. I'm not sure that -- I know it was  
 14 during Covid -- but sharing this sort of information via  
 15 email is always that helpful.  
 16 **Q.** One can see on this page that Ms Croll was saying that:  
 17 "Although I would agree that there is an increased  
 18 opportunity to commit offences ..."  
 19 I think that's because, by this time, there is  
 20 consideration of AR being at school more:  
 21 "... I do not assess that this would push him into  
 22 the realms high risk ... However, should new information  
 23 come to light our risk assessments are reviewed  
 24 regularly ..."  
 25 If we go over the page:  
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1 and, in a sense, this was the most detailed risk  
 2 assessment that was done. The school disputed that it  
 3 was medium risk, but it still wasn't shared in its  
 4 totality.  
 5 **A.** But again, I think, you know, whilst we're one agency  
 6 and we have done the risk assessment, it's useful to  
 7 have those discussions on a multi-agency basis. So  
 8 FCAMHS could have shared their information, the police  
 9 could have shared their information in terms of risk and  
 10 concerns, which would have all helped the school to  
 11 develop a succinct risk assessment.  
 12 **Q.** But one consequence of the failure to disclose the  
 13 totality of the risk assessment and the information, as  
 14 I put to you, was that the shortcomings in your  
 15 services' assessment of the risk didn't come to light?  
 16 **A.** Possibly, yes. Yes.  
 17 **Q.** In circumstances where AR was not going out very much  
 18 outside school attendance at all, which organisation was  
 19 carrying the actual risk of matters occurring? Where  
 20 was the risk likely to be greatest, in terms of an  
 21 adverse event happening?  
 22 **A.** When he wasn't at -- before he went back to school, do  
 23 you mean?  
 24 **Q.** No, at this time.  
 25 **A.** So this was when he wasn't at school?  
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1 Q. This is when he's contemplating going back to school, so  
 2 lockdown has been eased at this time and they are trying  
 3 to get him back into school but he's not going out  
 4 otherwise in the community.  
 5 A. So I suppose, if he went back to school, the risk would  
 6 be highest at school. Is that -- am I understanding  
 7 your question correctly?  
 8 Q. Yes.  
 9 A. And at which point, within the assessment, the social  
 10 worker says, if the situation has changed, that that  
 11 risk assessment should be reviewed and updated, in terms  
 12 of if he did go back to school.  
 13 Q. In a sense, it may be my fault, but perhaps you are  
 14 missing the point of the question.  
 15 A. Sorry.  
 16 Q. The place where the risk was most likely at this time to  
 17 eventuate was his school --  
 18 A. Yes.  
 19 Q. -- the organisation who had been asking for the risk  
 20 assessment but for whom your service was not wishing to  
 21 share the totality of the risk assessment, the detail of  
 22 the risk assessment, only the headline conclusions?  
 23 A. We did share. There's quite a bit of information in  
 24 there. Whether there's been -- again -- it is sometimes  
 25 more useful to have a discussion and some of those

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1 things forward and coordinate some of these activities  
 2 that need doing?  
 3 Q. One difference is that your team did have some element  
 4 of compulsive powers at this time, in the sense that, if  
 5 there had not been co-operation, you could have reported  
 6 that to the panel and gone back to court?  
 7 A. Yes, that's correct.  
 8 Q. Should we take it from your answer that you are  
 9 accepting that there was a lack of clarity about who the  
 10 lead agency was?  
 11 A. There was, yes. I have not seen anything within the  
 12 record. There doesn't seem to be one agency who was  
 13 taking the lead in terms of, sort of, overall  
 14 coordination of, for example, a risk assessment.  
 15 MR MOSS: Thank you. Just pause there.  
 16 SIR ADRIAN FULFORD: I am just conscious of the  
 17 stenographer.  
 18 MR MOSS: It's an hour and a half. I'm exactly two-thirds  
 19 of the way through, but we are not going to finish this  
 20 witness. There has been a lot to do. May we pause  
 21 there and I am hoping that we may be able to continue  
 22 first thing in the morning with Ms Callon.  
 23 SIR ADRIAN FULFORD: Most certainly. What time tomorrow?  
 24 Do you want to sit earlier?  
 25 MR MOSS: I think, unless 9.30 am is inconvenient for

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1 multi-agency meetings would be the ideal place, where --  
 2 not just Youth Justice but other partners who have  
 3 information regarding risk and risk management can share  
 4 that information together. So the school have got  
 5 a thorough risk assessment using a variety of partners.  
 6 You know, Prevent would have had information at that  
 7 stage, FCAMHS would have had information at that stage.  
 8 Everybody needed to share that information with school  
 9 to enable them to get a succinct risk assessment in  
 10 place.  
 11 Q. Who, apart from you, was actually going to do the risk  
 12 assessment: not the sharing of information but the  
 13 assessment of the risk?  
 14 A. It should have been a multi-agency risk assessment.  
 15 Q. Yes, but somebody has to collate it together and do an  
 16 assessment of what that actually points to.  
 17 A. That comes down to a question around lead agencies and  
 18 who perhaps, at this stage, was the lead agency, which  
 19 again is a challenging question because Youth Justice  
 20 had statutory responsibility in terms of the court  
 21 order, school could have been the lead agency because  
 22 they were seeing the child or would have had the child  
 23 in school, CFW had responsibility of the TAF, and it's  
 24 difficult, isn't it, in terms of establishing who is  
 25 that lead agency, who's that agency that's going to take

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1 anybody or for Ms Callon, is 9.30 possible?  
 2 A. Yes.  
 3 SIR ADRIAN FULFORD: Sorry. Tomorrow morning then at  
 4 9.30 am.  
 5 (5.02 pm)  
 6 (The Inquiry adjourned until 9.30 am the following day)  
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205/15 206/5 206/7 206/8 206/12 209/22 209/24 213/12 213/17 215/9 216/14 217/7 217/20 219/3 219/8</p> <p><b>Yours [1]</b> 54/12</p>
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