

**IN THE MATTER OF
THE SOUTHPORT PUBLIC INQUIRY
Before Sir Adrian Fulford PC**

CLOSING SUBMISSIONS ON BEHALF OF PRESFIELD SCHOOL

1. Presfield School (“Presfield”) is grateful for the opportunity to make written closing submissions at the end of the first phase of the Inquiry’s work.
2. These submissions focus on the role that Presfield and its staff played in the matters with which the Inquiry is concerned and do not stray into the broader concerns confronting the Inquiry. Presfield hopes that the Inquiry agrees it is best assisted by that approach but will readily respond to any invitation to make submissions of a broader nature.
3. In taking this approach, the submissions of Presfield can be relatively brief. These submissions address:
 - (i) **The failure properly to deal with the material relevant to the risk presented by AR; and,**
 - (ii) **The steps taken by Presfield to engage AR once he was on the school’s roll**
4. Taking each in turn:

(i) The failure properly to deal with the material relevant to the risk presented by AR

5. The school accepts that it failed properly to deal with the material sent to it by Acorns School on 21 March 2022 which was relevant to the risk presented by AR.

6. Although no risk information was given to the Presfield Head of Sixth Form, Mrs. Dawson, when she visited Acorns and spoke to Mrs. Allred (see statement of Mrs. Dawson PRES001807 and evidence of Lucy McLoughlin 27 October 2025, 20:24 to 21:7), relevant risk material was sent by Mrs. Allred via Egress email to the Presfield Designated Safeguarding Lead (“DSL”), Mrs. Cheryl Smith. Mrs. Smith did not open the email until September 2024 and did not request the relevant material through CPOMS. She also separately received information that, on 17 March 2022, AR had run away from home with a knife intending to use it to stab somebody but failed to pass that information on to the Senior Leadership Team. (23 October 2025 222:11 to 222:14). She accepted that her actions meant that Presfield had very little understanding of AR and the risk he posed to others.(23 October 2025 225:4 to 225:10) She also accepted that she should have informed senior staff of information that was subsequently brought to her attention (23 October 2025 236:9 to 236:13) such as the Acorns risk assessment of AR and accepted that if she had properly appreciated the material as to risk she had received, AR would have been handled

very differently; even to the point of considering a further Prevent referral (23 October 2025 238:5 to 238:11).¹

7. The Egress email was sent only to Mrs. Smith and not the Deputy DSL. Owing to sickness, Mrs. Smith was absent from Presfield from the date of the Egress email to 3 May 2022, although she tried to keep up with some work whilst absent. She was also dealing with the very serious, and ultimately terminal, illness of a close family member. Nevertheless, she apologised for her omission in her evidence and maintains her apology. Moreover, as the current Head Teacher, Lucy McLoughlin², readily accepted (27 October 2025 27:21 to 28:8) there should have been a process in place to ensure that Mrs. Smith's emails were checked when she was absent due to sickness or any other reason.

8. Recognising the importance of ensuring that material relevant to risk is properly managed, Presfield has put in a place a system to ensure that objective is achieved.

9. Lucy McLoughlin explained that her entire senior leadership team are now DSLs. They each have elevated access to CPOMS and thus are able to request the transfer of information. In case of any oversight, they have dates diarised in their calendars as reminders that the information must be secured and also have calendar reminders as to the key transfer dates; especially in respect of Year 7 starters and other starters. In addition, Presfield has regular team meetings to discuss children who are due to join.

¹ It is noted, however, that there was no fresh recorded incident whilst AR was on the Presfield roll that would have justified a Prevent referral. The incident on the bus on 17 March 2022 occurred whilst AR was on the Acorns roll and Lancashire Constabulary dealt directly with Acorns alone in respect of that incident. No Prevent referral was made by Acorns in a context where it had been encouraged to make further referrals if necessary.

² The Inquiry is aware that the Head Teacher at the time AR was on the Presfield roll was Mr. Tony Fay.

When considering a request for placement and addressing the issue of whether Presfield is able to meet the child's need, the team know the information that must be requested and discuss that information as a team, ensuring that it is not dealt with by one person alone. (27 October 2025 29:1 to 29:18). Presfield now has a much more transparent system of working to ensure the safety of everybody in the building.

10. The school has also fundamentally reorganised the process of formulating risk assessments relating to pupils within the school. Until Ms. McLoughlin became Head Teacher, a pupil's form teacher was responsible for the formulation of such an assessment in all cases. Ms McLoughlin explained that the new system in place requires that children who present more of a risk are subject to an enhanced risk assessment. The senior leadership team write and review the risk assessment and consult the child's parents and other agencies that may be working with the child on its contents.
11. In addition to failure to deal with the Egress mail of 21 March 2022, there were other problems associated with information relevant to the placement of AR at Presfield that the Inquiry may wish to also consider.
12. The process of amendment of the EHCP prior to AR joining Presfield so as to remove or downplay material which was plainly relevant to risk may trouble the Inquiry. Mrs. Hodson (23 October 2025, 91 to 209) gave evidence of the process underlying the amendments that were made, including the unjustifiable objections she was faced with when seeking to accurately report AR's risk within the EHCP.

13. Some of the detail of the excision of concerning material from the EHCP was addressed with Ms. McLoughlin in evidence (27 October 2025, 9:17 to 13:23). Ms. McLoughlin said that if material had not been excised – especially the history of carrying knives – Presfield would have considered AR’s placement differently. As she said (27 October 2025, 16:1 to 16:4) “*[Carrying knives is] not my school and the children there are extremely vulnerable. If we'd have had that information, we would not have been able to meet AR's need*”. She went on to say that if they had received the full picture about AR through CPOMS, relevant risk assessments and the EHCP they would have known that they did not have the skillset to support AR (27 October 2025, 35:25 to 35:35)
14. Dr. Oonagh Killen suggested that all relevant risk material should be within an EHCP, especially when a pupil is changing schools (20 October 2025 181:12 to 182:3). Ms. McLoughlin was of the opinion that it would be beneficial to adopt a standardised format to EHCPs (rather than the system of differing localised practices which prevails now) and require the EHCP to include risk material, so that the school considering whether to agree to a placement was aware of the risk the pupil presented prior to taking the pupil onto its roll. (27 October 2025, 19:18 to 20:10 and 27:1 to 27:20 . As Ms. McLoughlin said “*the EHCP really is an integral document in ensuring everybody's working together to make sure we are providing the care the child needs but also safeguarding them and safeguarding others*”. (27 October 2025; 27:4 to 27:8).
15. The Inquiry may reach the conclusion that any and all material relevant to risk must be accurately and honestly identified within every EHCP.

16. It is also of note that the parents of AR were able to insist that Presfield was excluded from any CAMHS meetings where the physical or mental health of AR was discussed (27 October 2025, 43:10 to 44:7). The Inquiry might take the view that such exclusion of the involvement of a specialist school for pupils with autism spectrum disorder in a meeting focusing on mental health issues makes no sense. It is precisely the type of meeting from which a school such as Presfield should never be excluded if risk is to be properly managed.

(ii) The steps taken by Presfield to engage AR once he was on the school's roll

17. Once AR was on Presfield's roll, the staff did all in their power (and arguably more by persuading Steve Baker of Merseyside Police to go into another force area to assist them with AR) to engage AR and meet his needs. They were not assisted by Lancashire County Council in their efforts.

18. Presfield agreed to take AR for the Sixth Form, starting in September 2022. Acorns subsequently expressed the view to Presfield that AR had disengaged from their referral unit and asked if Presfield could take him earlier than planned. Presfield acceded to that request and AR formally came onto Presfield's roll as part of an enhanced transition at the end of March 2022 in order that he could become part of the school community as soon as possible (27 October 2025, 23:14 to 25:2).

19. Lucy McLoughlin explained the efforts made by the school to welcome AR. She said (27 October 2025 38:20 to 40:4):

"... so we offered AR different slots to come into school. So there were times that he came in and played basketball, for instance, with his form tutor to get

a feel for the building, to build those positive relationships. He would come in when it was his favourite lunch. So he would come in and have pizza, again with his form tutor, to build those positive relationships. When AR's father said the classroom was too busy, we then took him out of the classroom and he was taught one to one in a room. At first, we moved the room around because it's very difficult to have a room dedicated to one person in our provision. But when AR's father said that wasn't working, he needed the same room, we did dedicate the room to AR. He also got specialist input from our speech and language therapist and from our occupational therapist. He would come in and play chess with our occupational therapist in an attempt to build relationships so we could look at increasing engagement and time in school. In addition to this, we focused his curriculum around his areas of interest, what he wanted to look at. So he had a very bespoke timetable that didn't follow the rest of the sixth form provision. We also went out and picked him up at home and brought him in when he wouldn't come in with his dad”.

20. Despite all those efforts, AR’s attendance was extremely poor – just 0.7% during the time he was on the Presfield roll. Presfield tried to visit and speak to AR on many, many occasions. Lucy McLoughlin explained that AR’s form tutor was the first to attempt a home visit. When he failed to see AR and the family would not admit him to the house, Mrs. Smith visited as did other members of the Senior Leadership Team. They were often told to go away by AR’s parents in terms such as “Not today, no, you’re not seeing him” or they would simply not answer the door. (27 October 2025, 4:22 to 4:26 and 40:16 to 40:24).

21. Mrs. Smith sought assistance from a number of sources in her attempts to get AR into school. She ensured Sefton Council's First Day Support Response Team visited even though he lived in Lancashire. They were turned away by AR's mother. Lancashire Children's Champion told her it was not a good use of his time to go and see AR. Lancashire Children Missing Education Team refused to visit AR. Asked Robert Correy of Lancashire Constabulary – refused to visit AR. To his credit Presfield submits, Steve Baker from Merseyside Police did assist with a visit to AR even though AR's home was in Lancashire.

22. Mrs. Smith's efforts were all to no avail, however. Her frustration was encapsulated in the email exchange found in PRE000223. After Ms. McLoughlin had astonishment that there were still no "eyes on" AR, Ms. Smith explained:

"Doesn't meet threshold for police welfare check as we can't say we think a crime is committed/emergency risk to him. Sefton Welfare Team tell us to do the above. Lancashire SEN tell us to ring police (who won't go) and Lancashire Social Care might say he doesn't meet their remit. Short of breaking in I don't know how to see this kid."

23. It was not just with getting AR into school that Presfield sought assistance to deal with the problems presented by AR. AR was taking up a valuable and costly place in the school that should have been used by a child that Presfield could meet the needs

of. Presfield tried to fundamentally address that issue but Lancashire County Council gave no help to them in their efforts.

24. Lancashire took the view that AR was above school age and they therefore had no responsibility in respect of his educational needs (27 October 2025, 41:7 to 41:21). The Head Teacher at the time AR was on the roll at Presfield, Mr. Fay, tried to remove AR from the roll in order to force the hand of Lancashire County Council. He reasoned that by doing so AR would then be NEET (Not in Education, Employment or Training) and Lancashire would be obliged to come up with a plan to deal with AR. An appeal by AR's parents saw him restored to the roll. (Statement of Mr. Fay PRES001809)

25. In effect, Lancashire ignored Presfield's pleas in their numerous communications to the County Council. In an email to Mr Calderbank at Lancashire (PRE000152), Mr. Fay observed that *"You will see the amount of attempts to seek clarifications from Lancs, we tried. I am sure you will also understand the frustration we have felt with the SEN department and their lack of engagement."* He continued by detailing calls and messages that went unanswered and said that whilst Presfield had tried to be proactive in the best interests of AR he did not believe the same could be said for the County Council.

26. Ms. McLoughlin explained there were numerous occasions when AR was moved from the responsibility of one SEN case worker to another without Presfield being informed. Recipients of emails at Lancashire County Council would ask to be removed from a distribution list because they were no longer working with AR. Presfield were so desperate to establish who was responsible for AR's plan within the

local authority that they copied a large number of people into an email in their best effort to get an answer (27 October 2025. 45:2 to 45:10).

27. Lancashire even failed to attend educational review meetings for AR.

28. Mr. Turner from Lancashire County Council accepted in evidence that no response of substance was provided to the school's many requests for assistance (22 October 2025, 163:2 to 163:5). Presfield was let down by Lancashire County Council in its efforts to address the needs of AR.

Conclusion

29. Presfield School has tried its best to assist the Inquiry with its work and hopes it has been able to do so. Presfield remains ready to help the Inquiry with any requests it may have.

Tim Moloney KC

Doughty Street Chambers

24 November 2025

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