

BRITISH BROADCASTING CORPORATION

RADIO 4

TRANSCRIPT OF "FILE ON 4" - SCHOOLS

CURRENT AFFAIRS GROUP

TRANSMISSION: Tuesday 28th June 2005 2000 - 2040

REPEAT: Sunday 3rd July 2005 1700 - 1740

REPORTER: Fran Abrams

PRODUCER: Sarah Lewthwaite

EDITOR: David Ross

PROGRAMME NUMBER: 05VY3018LHO

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GORDON: Danielle was a happy go lucky child. She was always there to help you.

ABRAMS: Catherine Gordon had been worried about her granddaughter. But she had no inkling of the tragedy that was about to strike.

GORDON: The police came in, and they went, “We’ve found a body,” and they went, “It’s Danielle.” And I looked at them and I went, “No it’s not. No it’s not.”

ABRAMS: Danielle had been missing from school for nearly three months when her battered body was pulled from a canal. She was one of up to ten thousand children lost from the education system. Ministers say schools must work more closely with other agencies to ensure pupils and their teachers are safe. But File on 4 has discovered long-awaited reforms are stalling in the face of muddle, inertia and even open revolt.

SIGNATURE TUNE

MILLWARD: He didn't say anything to me. He just looked. He suddenly threw his book directly at me and started to rise, and there was just something in the way he moved that sounded some form of alarm bell, I don't really quite know why.

ABRAMS: Sharon Millward was used to dealing with difficult pupils. She'd been teaching boys with emotional and behavioural difficulties for ten years. And as this 13 year-old got slowly to his feet, she knew something was wrong.

MILLWARD: The next thing, there was a chair hurtling across the room. The chair hit me full force across the chest and the tops of my thighs. The next thing I knew was that the young man was towering above me, he was about six feet tall and he had two ceramic-tiled table tops that he was trying to smash on to my head. And at that point the learning support assistant arrived and yelled out his name, and he sort of froze. And she was able to take hold of him and start to escort him from the room. As he was going out through the doorway, he broke away from her and then turned, and with full force back-kicked me in the groin, and then he started to calmly walk away. And during all this time, he'd said not a word.

ABRAMS: The incident took place in a secure unit in Oxfordshire, where Mrs Millward taught one morning a week. Her physical injuries included severe bruising to the groin and marks on her arms and thighs. But they soon faded. The psychological scars went much deeper.

MILLWARD: The nightmares started first. These would be night after night. If I started screaming out, my husband tried to comfort me and I felt I was being attacked so I would get worse and fend him off. I would start crying for no apparent reason, frightened to go out on my own, wanted to lock the doors, not comfortable going in lifts on my own, doors closing round me. Little things like going to the optician, where someone bends over to examine your eyes, and suddenly the flashback starts and you're there with the boy in the classroom.

ABRAMS: She had to leave teaching, unable to face the prospect of returning to the job she once loved. She says at the special school, where she spent most of her time, she had plenty of information about her students. But at the secure unit, staff told her very little. And it was only after the attack, when she brought a compensation case against Oxfordshire County Council, that the full facts about this particular boy emerged.

MILLWARD: It turned out the young man had a history of violence - hitting, kicking, punching, throwing tables, throwing bricks, often without any warning whatsoever. And in some reports there was talk of a pattern of violence; especially frequently was the targeting of female staff. If I had known, then I wouldn't have gone into a classroom on my own with him alone, and I definitely would not have gone into a small classroom that was locked.

ABRAMS: Had you asked for information?

MILLWARD: I'd asked the head of the education unit there, had we got any new people in? And I was informed that this boy had arrived a few days earlier. And I had asked, is there anything in particular that I need to know, to watch out for, and I was told he'd been a frequent absconder and that was all.

ABRAMS: So no mention of any violent incidents in the past at all?

MILLWARD: No mention whatsoever.

ABRAMS: Last year a judge awarded Mrs Millward more than £100,000 in compensation for her trauma. He found the local authority liable for the attack, and said its procedures for informing staff about new pupils at the unit were inadequate. The social workers who ran its residential side should have liaised more closely with the teachers, he said. Mrs Millward's solicitor, Duncan Harman Wilson, says there were a number of failures.

WILSON: The relevant paperwork in relation to the lad simply hadn't arrived at the secure unit with the boy himself. There was a specific form that should have been completed at the time of his admission. It gave some details of some of his background and any particular risks he posed. Even that form hadn't been completed, let alone a file arrive. It all boils down to the fact that information about the risks posed by this particular lad hadn't been communicated to those members of staff who were required to teach him.

ABRAMS: But she was, after all, teaching a child in a secure unit, she must have been aware of the risks?

WILSON: She would have been aware that there was a possibility that some of these kids had got a violent background. What we have got here is a situation where a lad posed a very specific risk to women, this had been recognised in the past, and there was simply a complete failure to inform Mrs Millward of that fact, so that she could then approach her job in a way that she considered to be safe.

ABRAMS: Oxfordshire County Council didn't want to be interviewed, but said in a statement it accepted the court's finding. It's now made changes to ensure such failures of communication can't happen again.

READER IN STUDIO: No young person is admitted to a residential unit without full documentation regarding the young person's history and a careful assessment of the risks they might pose to themselves or others, including members of staff. In addition, the council recognises that it has a duty to share this information with all adults who might have contact with children in residential children's homes on a day to day basis.

ABRAMS: But it isn't only staff who can get hurt when pupils are out of control. Other children's education suffers too. Schools need the full facts – particularly when they take on students with problems.

ACTUALITY IN ART CLASS

TEACHER: You could perhaps think of a darker tone and then a lighter tone, so you pick other colours to be your light tones, you've got the light blue there

ABRAMS: There's a boy missing from this art lesson today. Fourteen year-old John – not his real name - likes art. It's his favourite lesson. But earlier this month he was permanently excluded from Fearnhill school in Letchworth. Its head teacher, Lynn Monck, says John proved impossible to manage.

MONCK: He would attack other students, he refused to settle down in a lesson. For instance, when the teacher asked them all to sit down, he'd just walk around and interfere with other people, and so it was absolutely impossible for the teacher to start the lesson. He stole, and then, when he was challenged he became abusive and aggressive. He would be extremely abusive to members of staff.

ABRAMS: How many times did you have to exclude him temporarily during his two years here?

MONCK: Well it's over thirty. He just refused to do as he was told, he walked out, he ran around the building so that we couldn't keep control over him, and in the end we felt it was a health and safety issue.

ABRAMS: Fearnhill wasn't the first school to exclude John. In fact, he admits his school career's been one long series of confrontations, with other pupils and with teachers.

JOHN: One infant school I got kicked out of that for assaulting a teacher and then there was the primary school, once again like fighting and assaulting another teacher, and then I went to high school, I used to get into fights and stuff. When I didn't get my own way I used to get angry and start smashing things up, start trying to hit people, I just can't stop myself. But now I'm on the tablets it's helping quite a lot. At home it's really helping, but at school it don't work really. I deserved to get kicked out. I've been so bad they should have kicked me out way before.

ABRAMS: John's problems started a long time ago. But when he arrived at Fearnhill two years ago, his full records didn't follow him. The school should have received details both of his school history and of his contacts with social services and other agencies. Lynn Monck says if they'd known all the facts they might have been better prepared.

MONCK: We had the background information that he had been placed in a children's home because of difficulties at home, and that was about the limit of our information. The boy was on the child protection register when he came to us; we were not notified of that. Later on he was taken off the child protection register without our knowledge at all. We would have very strongly opposed it and yet we were not involved at all in that decision.

ABRAMS: Would it have made a difference if you had had his full records when he arrived here?

MONCK: Yes, it would, because what we would have done would have been to stage his entry into the school. He could have come in just for particular lessons, we could have ensured that he had really experienced teachers to make sure that he was making a success of what he was doing when he first came into the school. Unfortunately this didn't happen, so the spiral started very quickly.

ABRAMS: What effect did that have on the rest of the school?

MONCK: It disrupts the other pupils' experiences, because when you have a student who is just out of control in the classroom, then clearly learning can't happen.

ABRAMS: John's now attending a centre for out-of-school children. They'll try to find another school for him, and see if next time he can stay out of trouble. His step-dad says Fearnhill really tried to keep him. But some of the other agencies working with him have been less well organised.

JOHN'S STEPDAD: He's only fourteen, he's been involved with social workers, young citizens' project, he's had drug and alcohol counselling, because when he was in local authority care he was introduced to drugs and alcohol. He's been involved with child and adolescent mental health service.

ABRAMS: Do you think that they've worked well together?

JOHN'S STEPDAD: No, I don't think they talk to each other at all. They've wasted a lot of resources over a long long time.

ABRAMS: Even the simplest pieces of information don't seem to follow John from place to place. He finds himself answering the same questions every time he meets a new counsellor or support worker.

JOHN: They give me things to do on paper. They gave me a sheet with like an island on and I put who I liked on that island and I'd have the sea round it with sharks in. Who I didn't like I'd put in the sea with the sharks.

ABRAMS: Do you know how many times you've done that one?

JOHN: I've done that about four or five times.

ABRAMS: Different people each time?

JOHN: Yes.

ABRAMS: And when you meet somebody new from a different agency who's going to help you, do they usually know about your background and what's happened to you in your life?

JOHN: I don't know, but they ask me about it and I just say the same things to different people.

JOHN'S STEPDAD: Every time he's been seen by a different body, they all go through the same pattern of work with him, and he'd come home every time after seeing them and say, 'I had to do that effing island again.' He felt it was so repetitive and frustrating. You think what's the point, I'm just going to do all the same old rubbish again, so he tended to switch off or to mess about or to actually take the mickey out of some of them - to their faces sometimes as well.

ABRAMS: And yet Hertfordshire's considered to be one of the leading authorities when it comes to bringing children's services together. It was one of the first to merge its education and social services, into a new department of children, schools and families. The director of that department is John Harris. He accepts there've been some mistakes.

HARRIS: It's clear that when the boy transferred from one secondary school to another that information wasn't passed over in the way that we would expect. That being said, we do believe that the interventions from a range of agencies to support him and his family were the right ones, and that an effective service was provided.

ABRAMS: It wasn't just the records that didn't follow him from the previous school, but also the school say they weren't invited to meetings about his child protection issues.

HARRIS: Regrettably, a human error occurred in a delay in informing Fearnhill school that the boy was on the child protection register, and as a result of that, the school were not aware of the child protection conference that was due to take place. When we found out that the school hadn't been properly informed, we did ask the school to provide a report to the child protection conference, which they did.

ABRAMS: But we do have two examples in relation to this one boy. The head says this isn't isolated. Is it good enough?

HARRIS: It is not good enough if information is not passed on to all the agencies and if they're not invited to attend. And we, as with every other local authority, endeavour to get these procedures right and to ensure that they are consistently of the highest possible standard, but I do accept in this particular case that the communication was not as we would have expected.

ABRAMS: Two years ago, the government published a green paper called Every Child Matters. It promised a major reform of the way different agencies work with children. Schools, social services, voluntary organisations and the police would all work more closely to prevent abuse. A key part of that would be better communication, more sharing of information. But it wasn't the first such initiative – and the previous ones had made little difference. The Children's Minister, Beverley Hughes, says this time progress is being made.

HUGHES: Whilst there are still lapses, they are much smaller in number. But very often these are complex cases, people are working in complex organisations. Professionals act from good intentions and organisations want to do their best, and yet still we don't have a perfect system.

ABRAMS: But we've known this for a long time, haven't we? I mean, the government was publishing papers on better joint working as long ago as 1999 certainly, but there still seems to be on the ground failures of people just to talk to each other, don't there?

HUGHES: Yes, that is still happening occasionally, and that's precisely what we're concerned about. I think on the ground, in difficult cases, there's lots of pressures on people and therefore sometimes, yeah, things do go wrong and good practice isn't upheld.

ABRAMS: The Every Child Matters green paper was part of the Government's response to the death of Victoria Climbié, who died after months of neglect and abuse. Ministers had ordered a public inquiry headed by Lord Laming. It was given powers to scrutinise the whole child protection system, rather than just this one case. Lord Laming says the 230 witnesses who appeared before him painted a grim picture. And he thinks its time for change.

LAMING: Anyone who sat through the evidence will, I'm sure, have been as appalled as I was by the lack of effective means of communication, not only between the services but within the services. There were files that went missing, there were faxes that didn't get to the right place, there were faxes that couldn't be read because they were so poor, there were messages that were intended to go but never got there. And therefore not one of the services ever assembled anything like a full picture of Victoria's needs or what she was experiencing. And it was only after her death, sadly, when all of the services discovered that they each had played a part in her life, but not one of them knew what the others had been doing

ABRAMS: We're still seeing cases where people simply aren't talking to each other about individual children.

LAMING: The biggest concern that I had was that many authorities had a very narrow preoccupation with child protection, they didn't relate to children, they didn't react until there was some evidence of abuse to the child. We need to ensure that early signs are reacted to at an early stage.

ABRAMS: These early signs can be particularly important when it comes to detecting sexual abuse in small children.

ACTUALITY OF CHILD PLAYING

ABRAMS: Annie's playing happily today, but her mother says she's a deeply traumatised little girl. Soon after she started school, two years ago, her mother became worried she was being bullied. Then the situation took a more sinister turn.

MOTHER: She was coming out with phrases, I bet you would be sexy in bed, it's okay to touch your private area, and to let anyone else touch it as well. I felt that these phrases was not quite natural for a five year-old to be coming out with, and I felt that was far too sexual for a child of that age to know something like that.

ABRAMS: And how was this affecting your daughter?

MOTHER: She was showing signs of being very aggressive at home, and she went from quite a normal little girl to someone who seemed to be so aware of sexual things, doing all these gestures and stuff like that, and I felt this was not right for her age.

ABRAMS: What did you do? Did you raise it with the school?

MOTHER: I went and spoke to her class one teacher on my very first appointment with her and brought the issues regarding what my daughter was coming up with, the sexual phrases, and told her my concerns, and she told me that she would pass them on to the head teacher.

ABRAMS: She says she spoke to the school - a Catholic primary in the Southwark Diocese - several times, but nothing was done. She then wrote a letter to the head listing the phrases Annie – not her real name - had repeated, and named another small girl who'd said these things. The school promised to monitor the situation. But it didn't pass her concerns to social services. Government guidelines make clear such inappropriate behaviour can be a sign of abuse. Angered by the lack of response, Annie's mother contacted the local council, who immediately informed social services. Just a few days later, in October last year, Annie told her mother and sister something much more serious had gone on.

MOTHER: She then actually came out and told us that this particular child had sexually interfered with her. It first started in the classroom where the teachers would actually leave the classroom and the child would actually come over and put her hand under my daughter's uniform and touch her private area, and then the more serious events seemed to be the two incidents that happened in the playground, where the child put her hand near my daughter's private area and touched her there.

ABRAMS: So what did you do?

MOTHER: I took her straight down to our doctor, where she was examined. My doctor was very very shocked. I felt so terrible, I really did. I mean, I knew there was something, but to be honest with you, I really didn't think that such a sexual thing like that would happen to her in a school. You know, I would have thought that would have been the safest place for her to be. And that's what really really hurt me.

ABRAMS: The doctor, like the local council, took immediate steps to ensure social services were informed. But Annie's mother felt if the school had acted sooner, the assaults might have been prevented. She removed her daughter from lessons and engaged a solicitor. Robert Eckford's now pursuing a formal complaint on her behalf.

ECKFORD: When a child is coming out with very explicit sexualised language and behaviour, alarm bells should have been ringing. This is something that went on for a considerable amount of time with our clients repeatedly bringing these concerns up.

ABRAMS: Might the school not have felt this is the sort of thing that children will share and talk about in the playground, that it might have been normal childish behaviour?

ECKFORD: This is highly sexualised language and highly sexualised behaviour. We are talking about very young children here, five and six, and the types of language that was being used, I would suggest that it's not something that could simply be brushed off as children being children. And as it turns out, it clearly wasn't just children being children, and the evidence was there.

ABRAMS: What should the school have done when these concerns were raised with them?

ECKFORD: The immediate response of the school in a situation where there are child protection concerns should be to make an immediate referral to social services.

ABRAMS: And is there any evidence that they did do that in this case?

ECKFORD: There's no evidence they did this at any stage in this case.

ABRAMS: Social services investigated the case, but after several weeks they decided to take no further action. The school, in its response to the complaint, disputed Annie's mother had reported her concerns as early as she claimed. It told us in a statement it always took such matters seriously.

READER IN STUDIO: The school takes a very different view of events from the one put forward by the parent. We are sorry that the parent doesn't feel we acted properly. However, we believe everything possible was done to ensure the welfare of all children concerned, that all procedures were followed correctly.

ABRAMS: The need to act swiftly on early signs of abuse was just one of more than a hundred recommendations in Lord Laming's report on Victoria Climbié. He also said the government should set up a national database to ensure children weren't abused or lost from the system. The government accepted his recommendation and set up a number of pilot projects. Lucy Ruddy's in charge of one such project in East Sussex. She's set out to build an index containing a name and basic details on every child in the area.

ACTUALITY WITH DATABASE

RUDDY: Now I'm going to log on to the children index. It's held on a secure website. So I can log on using my own high level of security access. And then I get the child's record, which tells me basic information about their name, address, date of birth, where they go to school, who their doctor is, and whether any other services are involved, including the contact phone number. People say that at last they can see quickly who else is involved, they can make contact quickly, they can lift the phone instead of taking what can be a couple of days sometimes, even a social worker can take a couple of days to find out who else is involved and who to talk to. Now they can do it very quickly.

ABRAMS: But it hasn't all been plain sailing. Some of the agencies working with young people in the area – particularly the youth service – have been reluctant to share information. And the pilot was supposed to cover the whole of Sussex. But the East and West halves of the county couldn't agree on what type of system they wanted. So they set up two different ones. Lucy Ruddy says it's hard to ensure the information she does have is accurate.

RUDDY: We believe there are 135,000 children in East Sussex, but our current system holds quite a few more than that. I think we've counted a lot of children twice.

ABRAMS: How many records do you have on the system?

RUDDY: At the moment I think it's about 180,000, which is a huge amount, but that sounds a lot worse than it is.

ABRAMS: At the moment you've apparently got 45,000 children who don't officially exist.

RUDDY: The reason we have duplicates is because the records are held differently in so many different systems. If I looked up John Smith and I found there were two children, John Smith, the same date of birth, a very similar address, I would know that was the same child.

ABRAMS: Do you think there still are some children missing from the system altogether?

RUDDY: Oh, without a doubt. I think there are an awful lot of children that we don't know about and I think that's a disgrace. Areas that we're concerned about are children where the families deliberately are trying to hide them, transient children, travellers, recent immigrants who have a reason not to trust the authorities and who have children.

ABRAMS: But surely these are some of the most vulnerable children?

RUDDY: Yes, they may well be. But as things stand at the moment, it's extremely hit and miss whether anybody will ever find out about them.

ABRAMS: One group of children who'd be targeted by a national database would be those who've gone missing from the system. Children who've stopped going to school, or who've lost contact with vital services such as health care. When that happens, there can be tragic consequences.

GORDON: Danielle was a happy go lucky child. She was a wee old woman, you would call her. She had to be helping in the house, helping you in the kitchen. Or if you're hanging out washing she had to go round and look for any clothes pins that was lying on the ground and everything for you, she was always there to help you.

ABRAMS: Catherine Gordon often used to find herself looking after her granddaughter at her home in Inverness. She says her daughter Tracy, pregnant at 19, hadn't taken with any great enthusiasm to motherhood. She'd disappear for days on end, she drank and took drugs, and she often neglected her daughter's needs.

GORDON: She wasn't feeding the bairn, and she would lie in her bed and the bairn would come over to me in the morning to go to nursery. It used to annoy me. I mean, a young lassie with a bairn going to nursery and her lying in bed and not always on her own, in front of the bairn. I didn't think it was right. Danielle was staying at her auntie's one night and her auntie gave her son a kiss goodnight, and Danielle turned round and says to her auntie, can I have one of them, my mummy never gives me one. It just hit you right in the stomach. How could any mother not give her bairn a cuddle and a kiss when they're going to bed? Me and Tracy had a shouting match many a time about it, but Tracy used to tell me 'Shut up Mum, it's my bairn. I'll do what I like.'

ABRAMS: And what happened then? I think you did try to raise some concerns with the authorities?

GORDON: Yeah, well, the first time I didn't give my name. I just phoned and alerted them and they checked up at the nursery and found there was a close knit family, that's what the health visitor said, so they never bothered.

ABRAMS: That close knit family was soon to be fractured. Tracy took up with her sister's boyfriend, Lee Gaytor, causing a major row. The rest of the family lost contact with her and Danielle. Catherine tried once or twice to phone Tracy, but says she received an earful of abuse. She gleaned what snippets of information she could about Danielle.

GORDON: People were telling me that they would see Tracy, but no-one ever seen Danielle. A friend had told me that Danielle was supposed to be away at an uncle, and I go, but she's not, I go, what uncle? And then it was a friend of mine, she was up the town and she seen her buying bags of stuff. I said was there anything for the bairn? Was there any sweeties or juice or any of that that the bairn takes? She goes, I don't know. And I said, what did she say about the bairn, and she goes, she says her boyfriend's got the bairn. And then I go, there's something really funny. Why are you always seeing her but never seeing the bairn? So that's what concerned me.

ACTUALITY OUTSIDE SCHOOL

ABRAMS: Tracy's family didn't know she'd taken Danielle out of her classes here at Crown Primary School. She told the teachers she was moving to Manchester. But she never did. Staff here should have obtained details of Danielle's new school, and they should have raised the alarm when no request came for her records. But three months went by and no one seemed to know where Danielle was. Catherine contacted social services again. They went to Tracy's house, but no one was in. Then Catherine had a visit.

GORDON: The police came in, there was three of them. And they went, we've found a body, it's Danielle. And I looked at them and I went, no it's not. No, it's not. All I know is they'd dragged the canal, they dragged the canal and found her body. I mean me, I was that silly, I even asked the police would Danielle's clothes have been wet. I just wasn't thinking. Was her clothes wet? Later on I thought my God, what in

ROBERTSON: I think what this case demonstrated was that accepted practice across the United Kingdom was not adequate. This case demonstrated that the system had some pretty much fatal flaws and we needed to act on it, so I very swiftly introduced a system into Highland. If that school hasn't made a request for the pupil details within ten school days, we will trigger a social services inquiry.

ABRAMS: So what you're saying is that the system in the rest of the United Kingdom is still inadequate?

ROBERTSON: Yes, I think that professionals would agree that we need to introduce a system that is tighter, that tries to minimise risk as far as possible.

ABRAMS: If Danielle's details had been held on a database, her disappearance might have been flagged up. In February this year, Margaret Hodge, then the Children's Minister, told a House of Commons committee she'd decided to go ahead with a national system. It'd help not just the neediest children, but all children to access services. But her successor, Beverley Hughes, sounds less sure about the project.

HUGHES: Obviously there's a lot of issues to consider, and whether or not we actually do go forward with this. What we're doing at the moment is the preparation and the exploration of the problems - and they're not inconsiderable problems - that would need to be solved in order to make sure that this idea is a viable idea on all kinds of criteria - cost, feasibility, and you know, will it work in terms of the extent to which professionals will communicate with each other better in some of these difficult cases?

ABRAMS: It sounds a little as if you're backing away from the idea.

HUGHES: No, not at all. I just want to say very genuinely that we really are in a process of exploration. Personally I feel quite strongly that the idea is a sound one and would add, I think, a great deal to the potential for us not to have communication breakdowns in the future, but I don't underestimate the range of problems that need to be overcome, and so that's where we are. We'll evaluate all of that evidence as we get it.

ABRAMS: The government's wrestling with a whole raft of objections to the project from people who think the idea may breach children's civil liberties. They say there could be problems with confidentiality, even with paedophiles hacking into the system. But Lord Laming argues it's essential we should have a database - and he believes the time has come. He fears we may see yet another tragedy before the gaps in the system are closed.

LAMING: There are large numbers of children that do go missing in our society, and if we're content with that, well so be it. I, for one, am not and I believe it is important that we use new technology to ensure that we can track children through the system. And each time one of these tragedies occur, it is no use our wringing our hands and saying how awful, people didn't exchange information, unless we actually will the system to enable them to exchange information.

ABRAMS: Is the government doing enough? After all, they accepted your recommendation, it had a time limit on it of two years. They've not met the deadline, have they?

LAMING: I do hope that soon we will have an indication from the government as to how they're going to establish much better and more effective communication between services. Now of course there are difficulties to be overcome, but are we going to sit and wait for another tragedy like Victoria to happen before we actually grasp the nettle? We should not wait until there is a disaster before people then come together and say, if only I had known. 'If only I had known' is too late.

SIGNATURE TUNE