

Not the last word: point and counterpoint

Nearly the end of the beginning of a never-ending story

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The abuse of children in residential care has been one of the major scandals of the 1990s. This paper examines the largest child abuse inquiry ever held in Britain, the public inquiry into abuse of children in Children's Homes in North Wales. The story, it is suggested, is almost too large to comprehend and too scandalous to absorb. One major lesson to be considered is that hundreds of victims each had his or her own story to tell but few people were prepared to listen.

Some stories are so large and overwhelming it is hard to know where to begin. The Royal Commission held by Justice Wood in New South Wales is a good example. It is hard to work out exactly where the events that led to the Royal Commission started. According to the *Sydney Morning Herald* special report (available on the Internet: www.smh.com.au) it all 'ended' with 442 sitting days, 640 witnesses, over 4000 exhibits, more than 45,000 pages of transcripts, 20 million words, up to 170 staff, more than 1000 suppression orders and about \$70 million spent. Oh yes – and 82 police dismissed.

Last year, while in Britain, I spent some days observing another inquiry, a public inquiry into child abuse in Children's Homes in North Wales. The inquiry was initiated in June 1996 by William Hague, then Secretary of State for Wales in the John Major government. The North Wales inquiry, under the chairmanship of Sir Ronald Waterhouse, sat throughout 1997.

The inquiry is being held in the village of Ewloe, small enough to be omitted from the map provided by the hire car company I used. This small, rather non-descript village close to Chester, was chosen because the modern Flintshire County Council offices are no longer used after yet another local government reorganization.

I stayed in Chester, a picturesque town of black and white Tudor houses and shops that we, as children, called 'maggie' houses. The inquiry, for a stranger to the area like me, was hard to find. The directions I got were confusing: 'It's near Mold... Take the Buckley road, left at the lights, across the common, down the hill to Liverpool Road... you can't miss it.' Any directions that include 'you can't miss it' can only mean one thing: I will miss it.

When I eventually found the building, the setting was much as I expected it to be. A sombre atmosphere was created by lots of people in dark suits, rows of grey computers, security guards, dark wooden panels, and closed circuit television. The solemn importance of a great deal of money being spent.

I would like to express my gratitude to David Norbury, Press Officer at the North Wales inquiry. Without his help, this article would not have been possible.

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The stories that have unfolded are extraordinary, even to the cynical observer. The tribunal has heard allegations of activities by child molesters over more than 20 years in Children's Homes. More than 300 men and women have come forward and accused 150 people of being abusers. Those accused, predominantly men, include not just the staff of the children's homes but also others in responsible positions, including police and social workers as well as other prominent public figures who have not as yet been named (Davies, 1997).

The background papers I was given run to hundreds of pages. The section listing the allegations of abuse alone runs for 60 pages. So where does this awful story begin?

The background papers start one story in the 1970's with a 'seemingly endless series of allegations of the abuse of children emanating from the former counties of Clwyd and Gwynedd' (Background papers, p.1). On page 119A a simple list entitled 'Number of complainants per home' is provided in alphabetical order:

Arn Hal	1
Bersham Hall	41
Berwyn College	7
Bryn Alyn	96
Bryn Estyn	138

(Background papers, p.119A)

The list continues:

Upper Downing	12
Y Gwyngyis	18
Ynys Fechan	4
Ysgol Talfryn	19
Ystrad Hall	39

(Background papers, p.119A)

Almost as an afterthought, at the end of the named homes there is 'Foster care 30'. In total nearly 800 complainants are listed.

Later in the background papers, there is a section entitled 'Child abuse concerns and convictions: 1974-1991' (Background papers, pp.120-180). Some brief excerpts will give the sense of what was going on. These are some of the stories of those accused:

X was employed as a gardener/handyman at Y. He was the subject of an allegation of indecent assault by a girl, A, at some stage before April 1975. Even though it appears that X did not deny the allegation, no action was taken. A similar allegation by another girl, B, was not followed up either. Then another girl, C, alleged rape and indecent assault in March 1976. The police were immediately involved and X was suspended on 8th March and dismissed for gross misconduct the following day. He brought proceedings for unfair dismissal, and was successful, although his compensation was reduced by 50% due to his contributory conduct.

(Background papers, pp.120-121)

W was appointed as a housefather at L in 1974. In July 1997 he was discovered to have permitted a boy, B, aged 15, stay in his bedroom overnight. He was suspended on 15th July, and was convicted of indecent assault, gross indecency, and attempted buggery and sentenced to 15 months' imprisonment by the Chester Crown Court on 22nd December 1977. He was dismissed on 19th January 1978.

(Background papers, p.121)

D who was officer in charge of T until 1990, was investigated on 3 occasions by the North Wales Police in connection with allegations of widespread physical abuse of children in care in Gwynedd, and also allegations of sexual abuse. No prosecution resulted, although the decision not to prosecute caused considerable public concern, and the matter was raised in Parliament by 2 MPs.

(Background papers, p.120)

E was employed as deputy officer in charge of L in 1976. M alleged that he was engaged in a sexual relationship with her, and he was also seen to behave in an over-familiar manner with her at the Christmas disco. She was interviewed by staff on 09.01.78 and then withdrew her complaint. She then reaffirmed her original allegation and the matter was referred to the North Wales Police. E was suspended on 11th January 1978 and asked to attend a meeting to discuss the allegation 13.01.78. The DPP decided to take no further action, and E was then the subject of disciplinary allegations, which were later reduced to eliminate any suggestion of sexual abuse. He admitted the lesser charges and received a written warning. It appears that the matter had been the subject of a 'plea bargain' under which E agreed to resign his employment. He was later to receive a satisfactory reference from Clwyd C. C.

(Background papers, p.121)

The story of police involvement is summarized very succinctly. An extract follows:

Other police enquiries

In addition to the above, there were various enquiries carried out by the North Wales Police into allegations of criminal offences committed against children in care:

- Late 1970s : members of staff of C - indecent assaults
- 1984 : member of staff at T - physical assault
- 1986 : G at Y - physical assault (note that other residents later stated that this was a false complaint, deliberately manufactured to secure the dismissal of G)
- 1986-7 : foster carer - sexual assault
- 1988 : member of staff at H - rape
- 1988 : member of staff at B - physical assault
- 1988/9 : member of staff at C - physical assault
- 1989 : teacher at T - physical assault
- 1989 : members of staff at G - physical assaults
- 1989 : officer in charge at P - indecent assault

(Background papers, p.127)

So the list goes on. In 1992, for example, there were at least six separate police investigations into allegations against individuals or groups of individuals at Children's Homes.

More detailed stories of particular individuals follow. The head of Bryn Estyn appointed a man called Peter Howarth in 1973, making him deputy head in 1976. Howarth used his position to commit offences 'of the gravest kind' against boys in his care (Background papers, p.135). This is the story of Peter Howarth:

Howarth's convictions

Howarth, a bachelor lived in a flat in the main school. There was easy access to this flat from the dormitory area. Howarth invited chosen boys to his flat after they had changed into their pyjamas. Although different boys were selected, there was a hard core of 'favourites'. The boys were forbidden to wear underpants for these visits. This 'Flat list' was used around 4 times per week, and was well known amongst both boys and staff. During the sessions in the flat, there would be some horseplay, during which boys might pull down each other's pyjamas, or the boys might watch television or a video. Howarth would provide biscuits, sweets, and a hot drink. At the end of the session, Howarth would ask one boy to remain behind, ostensibly to clear up the mess. That was the prelude for an indecent assault. The following is a summary of the offences of which Howarth was convicted on 8th July 1994, and sentenced to a total of ten years' imprisonment.

M, resident at Bryn Estyn for 21 months in 1975-7 when aged 14-15, was asked to remain behind after these sessions, and having cleared up, he was asked to sit on Howarth's lap. Howarth talked kindly to the boy, before starting to touch, and then suck the boy's penis. On other occasions, Howarth told the boy that if he wanted to go home, the boy would have to suck his (Howarth's) penis. On other occasions, Howarth inserted his finger into the boy's anus.

C was at Bryn Estyn for 10 months in 1976 when aged 13-14. He rapidly discovered that he would be granted home leave if he got onto 'the List'. After some weeks without incident, Howarth started to rub the boy's penis with his foot whilst the other boys were absorbed in a television programme, and then asked the boy to remain behind. When they were alone, Howarth sucked the boy's penis, and this was the first of many such encounters, in which Howarth orally and manually masturbated the boy, who persistently refused to suck Howarth's penis.

D was resident at Bryn Estyn for over 4 years between 1980 and 1984 when aged 9-13. He was the victim of one incident of sexual abuse, in which Howarth masturbated the boy, and then made the boy masturbate him, both manually and orally. Immediately after this incident, the boy ran away from Bryn Estyn in his pyjamas.

E was resident at Bryn Estyn for 15 months between 1981 and 1982 when aged 14-15. He was an effeminate boy, and within weeks of his arrival, was told to follow Howarth to the latter's flat. Howarth undressed and told the boy to suck his penis. This became a regular practice, witnessed on one occasion by another boy, F. Howarth was convicted of one indecent assault upon the boy (a sample count representing the conduct set out above), and acquitted on one count of indecent assault (allegedly committed with Paul Wilson), and one count of buggery upon this boy. (There were extraordinary allegations by E that on a canoeing trip to Llangollen, Wilson had pushed a crowbar into E's anus. Some time later, he went to Howarth's flat, and was sexually assaulted by Howarth and Wilson (dildo in anus and forced oral

sex). Both Wilson and Howarth were acquitted of involvement in these alleged incidents). E maintained sexual relations with Howarth after leaving Bryn Estyn.

W was resident at Bryn Estyn for 6 months in 1981 when aged 13. He went to Howarth's flat one evening and there was mention of home leave. Howarth then forced the boy to have oral sex. There were further incidents of masturbation, and the boy also alleged buggery against Howarth. At his trial, Howarth was convicted of a sample offence of indecent assault, and acquitted of buggery. Howarth paid the boy 4 pounds or 5 pounds for his sexual favours.

P was resident at Bryn Estyn for 3 months in 1981 when aged 14. One day on a walk, Howarth effected to console the boy, who was missing his mother, but then placed the boy's hand on his penis. Nothing further happened, but some days later, again on a walk, Howarth told the boy to accompany him to a shed, where he assaulted and then buggered the boy. At his trial, Howarth was convicted of one offence of indecent assault, and one of buggery.

(Background papers, pp.136-137)

There are other appalling stories from this one Children's Home. In the words of the inquiry team, 'they reveal sexual and physical abuse on an almost unimaginable scale ... an environment in which systematic violence was permitted ...' (Background papers, p.140).

I will return to the inquiry and its findings (expected later this year) on another occasion. At this time I would like to draw out a few of the lessons that I have learned from reading the material and attending the inquiry.

Sir Ronald Waterhouse, in his opening address, suggested the vital questions that need to be answered by the inquiry: What happened? Why did it happen? Why was it allowed to continue? How can such terrible abuse be prevented?

As I have suggested elsewhere (Goddard, 1997), one of the many tragedies of these events is that we already know the answers to at least some of these questions. North Wales is about as far from Australia as one can go, but there are striking similarities to events here.

In North Wales, and in Australia, the habitual response to such serious complaints is to hold an internal inquiry and never release the findings. It was largely the efforts of one social worker, the 'whistle blower', and the resultant media exposure that made the North Wales inquiry inevitable.

Children's voices are rarely fully heard. Children in the care of the state or other institutions, perhaps already 'groomed' as victims of abuse, are too easily silenced by uncaring or abusive caregivers.

If a child, in Britain or Australia, is abused by a parent, the abuse is investigated by the police or protective services or both. If a child is abused whilst in the care of the state or another institution, we still regard it as acceptable to allow the state or that institution to carry out an 'investigation'. Those responsible for the abuse are allowed, very privately, to investigate the abuser.

Thorough, entirely independent and publicly accountable inquiries are the minimum requirement for investigating such abuse. There is anecdotal evidence that such inquiries into abuse in care are urgently needed here in Australia. Only through such mechanisms can we hope to demonstrate that we really care for children in need.

A second lesson I have learned from the inquiry, connected to the first, is that the odds against children's voices being heard are even greater than I thought. The noise created by larger, more powerful bodies whose sole objective is silence is very effective in silencing children.

When the seemingly endless, private internal inquiries were held, pressure was brought to bear by insurance companies seeking to limit any possible claims. Financial interests were seen as more important than the protection of the vulnerable.

The insurance companies' correspondence is quoted at length in the background papers. Some excerpts follow:

If it were at all possible, we would prefer that the Report should not be published...

As soon as it is made public, the newspapers will print the usual lurid and alarmist articles...

...we expressed our grave concern that the council has decided to conduct an internal inquiry...

Every inquiry is a further dress rehearsal for claimants and a further incentive to the bandwagon syndrome...

We are concerned to avoid stirring up claimants, particularly as two of the ring leaders have given up...

We expect to see a draft of the Report before publication to make comments. Please confirm this will be done...

(Background papers, pp. 207-209).

There are many other lessons to be learnt from the North Wales inquiry. Perhaps the most chilling is the lengths to which those accused will go to gain access to vulnerable children. Those not charged often moved to other jobs 'caring' for the vulnerable. They are often given references. One was reported to be learning braille in prison.

At the heart of the inquiry lies a growing public realization that those who wish to abuse children are prepared to make greater efforts than those who are supposed to protect them.

This public inquiry into abuse in Children's Homes in North Wales is yet another story that is so large and overwhelming that it is hard to disentangle. This large story is made up of literally hundreds of apparently smaller stories told by smaller people, the child victims. Very few people were prepared to listen to those children's stories. As a result the story, and the damage done, grew even larger. It is hard to imagine where the story will end, or if it ever will.

The price of this enforced silence is almost too high to contemplate. At least ten of the victims are reported to have committed suicide. Some of those might still be alive if they had been allowed to speak and more people had listened. □

References

- Davies, N. 1997, 'Abusers of power', *The Guardian*, 15th October.
Goddard, C. 1997, 'Young voices silenced', *The Age*, 27th August.
North Wales Child Abuse Inquiry 1997, 'Background papers'.