

## **Investigation into an allegation against Jimmy Savile by a patient at the former St Catherine's Hospital, Birkenhead**

A report for

Wirral Community NHS Trust (WCT) – legacy organisation for St Catherine's Hospital

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### **Final report**

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## Contents

1	Introduction	3
2.	Terms of reference	5
3.	Executive summary and recommendations	7
4.	Approach to the investigation	10
5	St Catherine's Hospital background information	15
6	Chronology of Jimmy Savile's association with St Catherine's Hospital	16
7.	The cultural context at the time	17
8	Access arrangements and privileges accorded to Jimmy Savile at St Catherine's Hospital	18
9	Policy, practice and procedures during the time Jimmy Savile's association with St Catherine's Hospital	19
10	Jimmy Savile's fundraising activities	20
11	How complaints were dealt with at the time of the incidents	21
12	Investigation of current activities	22
13	Current policies, practice and procedures	24
14	Overall analysis and conclusions	26
15	Recommendations	29

## Appendices

Appendix A	Investigation team biography	31
Appendix B	List of documents reviewed	32
Appendix C	List of those interviewed	33
Appendix D	Agreed written record (not verbatim) of interview with the victim	34 to 37

## 1. Introduction

This investigation was set up following an incident reported to the Metropolitan Police Operation Yewtree in November 2012, and first notified to Wirral Community NHS Trust (WCT) in December 2012. The incident was alleged to have taken place at the former St Catherine's Hospital, Birkenhead in 1964. At this time St Catherine's Hospital was one of Birkenhead's two main general hospitals, providing a range of in-patient services including female and male medical and surgical, gynaecology and paediatrics.

The allegation was recorded and considered by the Metropolitan Police as part of Operation Yewtree. The outcome of this process was shared with WCT, via the Department of Health (DH), for the purposes of its internal investigation only.

In consultation with other local health agencies, the Board of WCT agreed that it should be identified as holding the legacy for services formally provided at St Catherine's Hospital and lead on the investigation locally.

Kate Lampard was asked by the Secretary of State for Health to oversee the current investigations into alleged abuse by Jimmy Savile at Leeds, Stoke Mandeville and Broadmoor and to assure the Secretary of State with regard to the quality of the other 29 investigation reports, including the incident raised at St Catherine's Hospital. Kate Lampard wrote to WCT on 31 January 2013 asking the trust as far as possible to ascertain information behind the allegation and the circumstances that allowed any abuse to have occurred and, in so doing, to assure itself that similar events could not re-occur.

Wirral Local Safeguarding Children's Board (WSCB) has retained oversight of the investigation and has required all local health agencies, including WCT, to review their current policies and procedures around safeguarding to ensure fitness for purpose. This was done at individual organisational level, validated by the WSCB.

As lead agency involved and holding the legacy for services provided at the former St Catherine's Hospital, WCT carried out an initial internal investigation then commissioned Annette Laban, a management consultant, to undertake an independent review on its behalf.

The trust is required to produce a clear report of the investigation which sets out the methodology of the investigation and the evidence gathered on which any findings, conclusions and recommendations are based.

The investigation was initially concluded by the end of August 2013 and an initial report returned to the Department of Health (DH) on 30 August 2013. A revised report was concluded and returned to DH on 17 January 2014 reflecting further information that came to light, subsequent to the initial submission, from staff who had worked at the former St Catherine's Hospital at the time of the incident. The report has been signed off by the Board of Wirral Community NHS Trust.

## **2. Terms of reference**

### **Speaking out: Internal investigation into matters relating to Jimmy Savile**

The Board of Wirral Community NHS Trust (WCT) commissioned this investigation into an allegation of sexual abuse relating to Jimmy Savile's association with the former St Catherine's Hospital, Birkenhead, Wirral.

WCT worked with oversight from the Department of Health (DH) to produce a report that is required to:

- Examine thoroughly and account for Jimmy Savile's association with St Catherine's Hospital including approval for any roles and the decision making process relating to these.
- Consider the access arrangements and any privileges accorded to Jimmy Savile, the reasons for these and whether they were subject to usual or appropriate supervision and oversight. Consider the extent to which any such special access and/or privileges and/or lack of supervision and oversight resulted from Jimmy Savile's celebrity, or fundraising role within the organisation.
- Review relevant policies, practices and procedures which were in place during his association with St Catherine's Hospital and compliance with these.
- Investigate an incident concerning Jimmy Savile's behaviour at St Catherine's Hospital in 1964 including where the incident occurred, who was involved, what occurred, whether this incident were appropriately reported, investigated and addressed and, if not, the reasons for this.
- The investigation does not have the power to impose disciplinary sanctions or make findings as to criminal or civil liability. Where evidence is obtained of conduct that indicates the commission of criminal and/or disciplinary offences, the police and/or relevant employers will be informed.

- Where complaints or incidents were not reported, or not investigated, or where no appropriate action was taken, consider the reasons for this including organisational culture and practices and the part played, if any, by Jimmy Savile's celebrity or fundraising role within the organisation.
- Consider Jimmy Savile's fundraising activities associated with St Catherine's Hospital and any issues that arose in relation to the governance, accountability for and the use of the funds.
- In the light of findings of fact in respect of the above, consider whether WCT's current safeguarding, complaints, whistle blowing and other policies and processes relating to the matters mentioned above are fit for purpose.
- Identify recommendations for further action.

### **3. Executive summary and recommendations**

The reported incident took place in the former St Catherine's Hospital, Birkenhead in 1964. The victim was a 14-year-old in-patient. The incident was reported to the Metropolitan Police by the victim on 2 November 2012.

In summary, according to the victim's account, the incident took place when Jimmy Savile came to the ward on which she was a patient, accompanied by the hospital matron and some other people. He pulled back the covers of her bed, jumped into bed with her and touched both the top of her thigh and her bottom. He quickly got off the bed and moved on. The incident caused amusement, according to the victim, among those present but no comment was made about it to her at the time or after.

The Metropolitan Police has considered the allegation, including interviewing the victim, and recorded a crime of sexual touching.

Wirral Community NHS Trust (WCT), as legacy organisation for the services provided in the former hospital, undertook an investigation into what happened and to assure itself that similar events could not happen now or in the future.

A detailed investigation of archive records was undertaken but identified no record of Jimmy Savile visiting the former St Catherine's Hospital. The conclusion that he visited in 1964 is based on the evidence of the victim, supported by limited evidence from two former members of staff. No written record was kept detailing this visit and there is no evidence to suggest any ongoing relationship with the hospital as a regular visitor, employee or fundraiser.

The victim, having been interviewed as part of the investigation, is judged to be both credible and convincing. She was questioned about the allegation and was able to describe considerable detailed context to her stay in hospital and the general context around the time of the incident. The evidence that she gave to the police is consistent with the account provided to this investigation. Her evidence suggests this was an opportunistic event at St Catherine's Hospital.

Details of the incident have appeared in the local, regional and national press in late 2012 and during 2013 but no other victims have so far come forward in relation to any other incidents at St Catherine's Hospital.

WCT carried out an initial internal investigation, then engaged Annette Laban as an independent investigator to validate its own review, to complete the investigation and to produce this report.

The investigation has been unable to locate any policies or procedures in operation in the hospital at the time of the event, nor was it initially able to identify any senior clinical or management staff working in the hospital at the time. At a later stage a number of staff who had worked in reasonably senior clinical positions at the former St Catherine's Hospital were identified and interviewed. Of those interviewed, two former staff members recalled Jimmy Savile visiting St Catherine's Hospital in either 1964 or 1965 but neither were able to shed further light on the specific incident under investigation.

St Catherine's Hospital closed and was fully demolished in 2012. Acute in-patient facilities had long since located to other sites, primarily Arrowe Park Hospital Wirral which is run by Wirral University Teaching Hospital NHS Foundation Trust. The new St Catherine's Health Centre, which provides a state of the art environment for the provision of community, mental health and GP services, has been built on the site of the former hospital and opened in 2012.

NHS Mental Health services in Wirral are provided by Cheshire and Wirral Partnership NHS Foundation Trust.

WCT, along with the other health agencies in Wirral, has reviewed all its policies and procedures related to safeguarding in the light of this investigation. This review of policies and procedures was approved by the Board of Wirral Community NHS Trust and has been shared and validated at an extra-ordinary meeting of the Wirral Local Safeguarding Children's Board in April 2013 ensuring endorsement from wider partners in health, local authority and police.

In undertaking this investigation, the investigator benchmarked these policies and procedures with NHS Trusts in Doncaster, Leeds, Manchester, Camden and Birmingham and found them to be robust and good practice.



The investigation has identified that, on the balance of limited evidence, Jimmy Savile visited the former St Catherine's Hospital in the summer of 1964. On what appears to have been a formal escorted visit, the crime of sexual touching was committed against the victim. The incident was not reported nor investigated at the time.

The investigation has concluded that the culture, policies and procedures now in place in WCT, and in the wider NHS, mean that the chances of a similar incident being possible now are remote and, in so concluding, provides the assurance required in respect of the quality of care in the legacy organisation, WCT.

The report makes a number of recommendations as set out below (see also Section 5):

1. A safeguarding declaration is produced and put on the WCT website.
2. Contact names and telephone numbers for appropriate safeguarding staff are placed on the website to make it feel more personal and approachable.
3. When policies are under review a date is added to that policy to indicate the date by which it will be complete, rather than simply recording "under review".
4. WCT should also continue regularly to review and update its policies and procedures, benchmarking with the best.
5. WCT should work across the Wirral health and social care community, sharing this report with partners in acute, mental health, primary and social care, so that they may assess their current policies and procedures in the light of what happened in 1964 to ensure that patients, particularly the most vulnerable, are safeguarded at all times.

## **4. Approach to the investigation**

### **Investigation into the events in 1964**

#### **a) Search for documentary and witness evidence**

The initial investigation by Wirral Community NHS Trust (WCT) was led by the then Director of Quality and Governance, overseen by the Chief Executive. It consisted of commissioning searches of the archives, locally and nationally, to identify the history of the hospital, any association that Jimmy Savile had with the hospital, policies and procedures in place at the time, and any individuals who might have held senior clinical or management positions in the hospital at the time.

A separate search of newspaper archives was commissioned to identify any media coverage of Jimmy Savile's association with the hospital.

WCT had difficulty retrieving any documentation of any real relevance relating to St Catherine's Hospital at the time of the incident.

Most staff who work in the current trust know of the hospital but no member of the current staff worked there at the time.

No policies or procedures could be found for 1964. The investigation was not able to identify specifically why nothing had been kept although current policies on health records only require documentation to be retained for a defined period. Patient health records are not retained as far back as nearly 50 years. WCT's current policy, which is consistent with national NHS Code of Practice, is to destroy under confidential conditions child health records after the child reaches the age of 25 and other health care records eight years after the conclusion of treatment. It is likely that similar policies would have been in place in predecessor organisations in the period since 1964.

WCT was able to produce photographs of the site and a list of the wards and block that constituted the hospital site.

The trust tried to identify any appropriate witnesses, for example staff employed in any senior positions at the former St Catherine's Hospital at the time, but with limited success initially. When the new health centre was opened in 2012 the trust ran a "Memories of St Catherine's" event encouraging ex-staff to come along and reminisce about the hospital. The trust has a list of stories and vignettes about St Catherine's Hospital. None mention Jimmy Savile or any celebrity visitors.

The investigation included contacting the local authority archive service asking for a search of Wirral newspapers between 1963 and 1965 to find any references to Jimmy Savile visiting Wirral and particularly any visits to hospitals or hospices. It included seeking to identify any other celebrity visits to Wirral hospitals during that year.

The local authority archives confirmed that they were unable to find any reference to any celebrity visiting St Catherine's Hospital during the period. The Birkenhead News Saturday Edition 1964 2 May (page 9) reported that the Rolling Stones had visited the local Clatterbridge Hospital and a number of celebrities were reported as visiting the area between 1963 and 1965. This information is included in this report only to evidence the generally limited media reference to celebrity presence in Wirral around the time.

The archives service was also commissioned to check the hospital records including minutes of relevant committees for St Catherine's Hospital from 1963 to 1979. They also checked records for Birkenhead General, and the Children's and Maternity Hospitals. They were unable to find a mention of any celebrities in the following records covering 1964.

- AHM/1/15 Minutes of the Hospital Management Committee, Sub-committee, individual House Committees
- AHM/3/15 Minutes and documents
- AHM/4/16 Minutes of individual hospital medical committees and boards
- AEC/1/8+9 Birkenhead Executive Council (Health Services) minutes of council and committee

Following publication of the Operation Yewtree Report by the Metropolitan Police in 2012, local, regional and national press reported on the possible association between Jimmy Savile and St Catherine's Hospital and, to date, no other allegations have been made.

**b) Review**

The external investigator was engaged to review WCT's initial investigation. As part of this, senior staff within the trust who had been briefed on the allegation and had had involvement with the search for documentary evidence were interviewed. In part this was on the basis of their current role rather than helping with the 1964 allegation, as a means of gaining insight to information and context.

**c) Evidence from victim**

The external investigator also arranged to interview the victim via a telephone call after:

- a) contact initially with her to seek permission
- b) speaking to her solicitor

The victim now resides, for part of the year at least, abroad.

The victim indicated she would be willing to speak about her experience and help in any way that she could. The interview took place on 23 July 2013.

Following a 45 minute interview, a written record of the interview was e-mailed to the victim who agreed with the content of the written record, confirming that it was factually accurate. The victim gave permission for this agreed statement to appear in its entirety in the investigation report.

The victim did not require further support or contact but understood that the report and its findings would be shared with her prior to publication.

With her permission, the victim's GP medical records were accessed to confirm the dates of her hospital admission in 1964. This permission was secured via a second telephone call on 21 August 2013.

**d) Staff employed at the hospital at the time of the incident**

Subsequently, information became available to WCT that led to the identification of a small number of former staff who had worked in St Catherine's Hospital around the time of the incident. In total, eight former members of staff were identified, contacted in person by the

trust Chief Executive, and agreed to be interviewed. One subsequently was unavailable for interview.

The other seven were interviewed by telephone. All were now retired. One had worked in nurse education in 1964, and two had been ward sisters in 1964. The others had all been ward sisters at St Catherine's Hospital at some stage during the 1960s but were in training or in more junior positions in 1964.

All seven people interviewed asked that their names and any identifiable personal details be withheld from the report.

One of the people interviewed recalled Jimmy Savile visiting St Catherine's Hospital in what she remembered to be 1965 but could not be completely certain. Her recollection of the visit was that she was working at the time on a male surgical ward and Jimmy Savile came to the ward accompanied by the matron. He visited a male patient with whom he spent 20-30 minutes and then left the ward accompanied by the matron. The interviewee did not know if Jimmy Savile left the hospital at this stage or visited another part of the hospital.

A second person interviewed recalled being aware of a visit by Jimmy Savile. She was not involved in the visit and she did not meet him personally. She felt certain that this was in 1964.

A third interviewee recalled a visit to the hospital by Jimmy Savile in 1968 or 1969 when he came on a very short visit, on a Saturday morning, to present a piece of equipment purchased, as she understood at the time, with money raised by Jimmy Savile.

None of the other four people interviewed had any recollection of Jimmy Savile having visited St Catherine's Hospital.

One of those interviewed was able to identify by name the hospital matron, the hospital secretary and an assistant matron in 1964. She was able to confirm that the hospital secretary and the assistant matron are now deceased, and thought this to be the case with the matron. One of the other people interviewed confirmed that the matron is now deceased.

## **Review of 2013 documentation**

All current WCT policies and procedures relating to safeguarding were reviewed by the Trust. This review was approved by the trust Board, as well as then being reviewed and approved by the Local Safeguarding Children's Board (WSCB)

In addition, a table top document review was undertaken by the investigator of all current WCT policies and procedures relating to safeguarding. This included policies on the website, WCT Board reports and the WSCB minutes and PowerPoint presentations.

Interviews were held with the trust's Director of Quality and Governance and Head of Safeguarding regarding current policies and procedures.

## **5. St Catherine's Hospital background information**

St Catherine's Hospital was a Victorian hospital, once one of Birkenhead's two main general hospitals. The old St Catherine's Hospital consisted of a series of blocks, with services ranging from paediatrics, gynaecology, ante-natal, special baby care unit, maternity, female and male medical and surgical, outpatients, laboratories, physiotherapy, x-ray and mental health services.

Over time, in-patient services were moved off the hospital site, particularly to the new Arrowe Park Hospital that opened in 1982. Blocks were closed and demolished in an iterative way as services moved, and to make way for the building of a new facility. A range of community and mental health services remained on the site until 2012, when these were located into the newly built St Catherine's Health Centre opened in June 2012.

This new state of the art health centre was commissioned between April 2009 and 2012, and opened in August 2012. The centre provides a range of services to the local community, including community and mental health services, and two GP practices. St Catherine's Health Centre has no in-patient facilities and is part of the estate and service provision of Wirral Community NHS Trust (WCT). WCT was established as an NHS organisation in April 2011, and provides a full range of community based NHS services, in people's own homes and out of a number of health facilities and clinics of which St Catherine's Health Centre is one.

## **6. Chronology of Jimmy Savile's association with St Catherine's Hospital**

Wirral Community NHS Trust (WCT) has undertaken an intensive search into Jimmy Savile's association with the St Catherine's Hospital, as set out in Section Four.

This has identified a limited chronology in relation to Jimmy Savile's association with the former St Catherine's Hospital, with witness recollections of what appear to be single visits by Jimmy Savile in 1964, possibly in 1965 and in 1968 or 1969.

Based on the evidence of the victim, supported by two former members of staff, this report concludes that Jimmy Savile did visit the hospital in 1964, the time of the alleged incident. There is a possible discrepancy between the dates recalled by the victim and one of these members of staff.

No further visits or association can be concluded from the detailed investigation.

There are no records to suggest that Jimmy Savile held any position or role at St Catherine's Hospital, nor that was he involved in any aspect of hospital care.



## 7. The cultural context at the time

By way of background, in July 1948 hospitals were placed under the control of 15 regional hospital boards. The history of hospital management in this area started with the Wirral Joint Hospital Board. This arrangement was in place in 1964. Within each region, hospital management committees were established to run each large hospital or group of smaller hospitals. Members of these committees were appointed by the regional board upon recommendation of the relevant local authorities, the Local Executive Council, medical staff of the hospital and other interested bodies.

Within the Wirral area of the Liverpool Regional Hospital Board there were three Hospital Management Committees each responsible for eight or nine hospitals. St Catherine's Hospital was one of nine which fell under the Birkenhead Hospital Management Committee, the HQ of which was at St James's Hospital, Tollemache Road. This is the committee of which the minutes were checked from the archives.

These minutes do not give a structure to the hospital management, merely an account of the day to day running including employment of staff under its care. Former staff of the hospital identified the matron, assistant matron and hospital secretary in post in 1964. These three individuals are known to be deceased.

The visit by Jimmy Savile is presented by the victim as a relatively formal tour accompanied by the matron and by a number of other people. It is not possible to conclude whether these other people were hospital staff or visitors.

This investigation has not sought to establish in any measured way the wider cultural context at the time. It is generally accepted that there was greater tolerance for behaviours such as those associated with the alleged incident in 1964, and also a culture of people being less likely to challenge authority or people regarded as having "status". This is consistent with the description by the victim of the reaction of those present to what happened. Those in the tour party, according to the victim, laughed and joked with Jimmy Savile about him jumping into bed with the victim. Another patient on the ward is reported by the victim as finding nothing remarkable in Savile's action, except to express the view that he "had taken a shine" to the victim. The victim's parents were of the view that she must have misinterpreted the actions and were keen to not to make a fuss.

## **8. Access arrangements and privileges accorded to Jimmy Savile at St Catherine's Hospital**

In the context of the above, the only recollection of Jimmy Savile visiting St Catherine's Hospital is that provided by the victim and by three former members of staff. The investigation has been unable to identify any wider access arrangement or privileges accorded to Jimmy Savile at St Catherine's Hospital and consequently, on the balance of probability, has concluded that there are unlikely to have been any beyond those accorded as part of the identified accompanied visits.

## **9. Policy, practice and procedures during the time of Jimmy Savile's association with St Catherine's Hospital**

No details can be found suggesting Jimmy Savile established any kind of formal association with the hospital.

The investigation has also failed to identify any policy or procedure that existed for the hospital in 1964. None of the staff spoken to identified or made reference to a policy in respect of celebrity visitors.

Though not specifically related to the Jimmy Savile investigation, the victim did indicate "feeling vulnerable" on being placed in an adult woman's surgical ward at the age of 14. The decision made to place the victim on this ward was made, according to the victim, by the matron and doctor. The investigation was unable to interview the matron of the hospital at the time, who is deceased, and unable to identify the doctor in question so the context and rationale for this decision has not been examined.

The investigation has failed to identify any policies or procedure that existed for dealing with children on adult wards in 1964.

## **10. Jimmy Savile's fundraising activities**

In the context of the detailed search for documentary records described in Section Four, the investigation has found no written records to suggest that Jimmy Savile was associated with fundraising activities at St Catherine's Hospital. One former member of staff recalled Jimmy Savile visiting in 1968 or 1969 to present a new piece of equipment purchased she understood with funds raised by him.

## **11. How complaints were dealt with at the time of the incident**

No records have been identified to indicate how complaints were dealt with at the time.

In relation to the specific incident involving Jimmy Savile, no complaints were recorded in the minutes of the Hospital Management Board at the time.

The victim reported that she did raise the issue with her mother but not with anyone at the hospital and, in her statement, reports that the family did not take the matter further at the time. The victim's mother is no longer alive and had died prior to the incident being reported by the victim in November 2012.

## **12. Investigation of current allegation**

The allegation was first brought to the attention of the trust in December 2012, by the former Northwest Strategic Health Authority, with further details in a letter from the Department of Health (DH) in January 2013.

The Metropolitan Police consideration of the allegation was ongoing at the time and only minimal evidence was available to the trust at that stage, specifically in relation to the victim's name and when and where the alleged offence had been committed. Further details were made available verbally through contact with Merseyside Police, including the broad nature of the offence. Subsequently, on 4 February 2013, the name and brief contact details of the victim were made available by the Metropolitan Police.

On conclusion of the police consideration, the trust was informed that a crime of sexual touching had been recorded. At a later stage, on 23 April 2013, a brief written record of the police interview with the victim was made available to the trust via the DH.

During the period January to June 2013 the trust carried out an internal investigation, as set out in Section Four above, which involved researching the history of the hospital and the services provided there in 1964, searching the archives for relevant hospital records, and searching media archives for information on Jimmy Savile's connection with the hospital.

In parallel, and in the context of national and media attention to Jimmy Savile related allegations across the country, all trust staff were communicated with about any knowledge they might have of the allegation specific to St Catherine's Hospital and any concerns they might have about current patient risk in respect of celebrity involvement in Wirral Community NHS Trust (WCT). No issues were raised by staff. The trust also worked with the Local Children's Safeguarding Board to assess the fitness for purpose of the trust's current policies on safeguarding.

In June 2012, the trust engaged an independent investigator to review and validate the trust's internal enquiry and to interview the victim if she was willing to be interviewed.

The victim was contacted on Monday 22 July 2013 and agreed to be interviewed on Tuesday 23 July 2013. A full copy of the written record of the interview, which was agreed with the victim who also agreed to its full inclusion in this report, can be found at Appendix D.

The interview with the victim indicates Jimmy Savile came to the woman's surgical ward on which she was a patient, with the matron and a few more people. The investigation was unable to establish who any of these people might have been. He walked up one side of the ward and spotted the victim, pulled back the cover, jumped into her bed and touched both the top of her thigh and bottom.

He quickly moved on, and no one said anything, apart from laughing and joking with him about his jumping into bed with the victim.

The victim told her mother and was told not to make a fuss and did not raise it with anyone at the hospital at the time.

The victim contacted the Metropolitan Police following the death of Jimmy Savile and the coming forward of other victims. This was in November 2012. The Metropolitan Police has recorded a crime of sexual touching and this information was passed to the DH and WCT.

In a subsequent conversation with the victim, on 21 August 2013, permission was granted to access her GP medical records to confirm dates of her hospital admission in 1964. The notes record that a GP referral was made to St Catherine's Hospital on 3 June 1964 requesting admission. No specific admission dates are recorded in the notes.

The victim wants lessons to be learnt from this incident, along with all the other investigations.

Interviews with former members of staff at the hospital have provided limited confirmation of a visit to the hospital in 1964.

### **13. Current policies, practice and procedures**

Following the letter from Kate Lampard dated 31 January 2013 and a follow up discussion with the Metropolitan Police, an extra-ordinary meeting of the Wirral Safeguarding Children's Board (WSCB) was held on Friday 1 March 2013.

The meeting was in response to the allegation of sexual abuse made against Jimmy Savile at St Catherine's Hospital and as part of the recommendations in the Kate Lampard letter to review all current policies and procedures around safeguarding, as listed in Appendix B.

It was agreed that the WSCB Policy Practice and Procedure (PPP) Committee would lead a process to review if Wirral's Community NHS Trust (WCT) safeguarding policies and procedures are sufficiently rigorous.

The PPP committee carried out this scrutiny, through a presentation and overview of WCT present policies together with an up to date report on all the policies and procedures on the WCT website, along with their current status.

The committee agreed these to be of a high standard and this was reported, at their April meetings, to both the WSCB and the WCT Board.

The investigator undertook a further exercise to benchmark these policies with a range of other NHS providers locally and across the country. These were chosen as representative of NHS trusts providing similar community based services and also providing bed-based services.

Other trusts that were benchmarked were:

- Rotherham, Doncaster and South Humber NHS Foundation Trust
- Leeds Community Healthcare NHS Trust
- Central Manchester NHS Foundation Trust
- Camden Community Services NHS Trust
- Birmingham Community Services NHS Trust



WCT policies and procedures were assessed as being at least as good as those they were benchmarked against. Some areas for improvement were identified:

- adding a formal safeguarding declaration on the trust website
- adding appropriate safeguarding contact names and telephone numbers on the website
- being clear, when policies are under review, by when this would take place (not just “under review”).

## **14. Overall analysis and conclusions**

### **What happened in 1964?**

Wirral Community NHS Trust (WCT) has undertaken an intensive search into Jimmy Savile's association with the former St Catherine's Hospital.

Local archive and searches have revealed no reference to Jimmy Savile having formally been to the St Catherine's Hospital between 1963 and 1965, or having been associated in any way with the hospital.

An allegation has been made by a victim of an incident that took place in 1964. The Metropolitan Police has considered the allegation and recorded a crime of sexual touching. Having interviewed the victim, through an independent investigator, WCT has concluded that Jimmy Savile did visit in the summer of 1964 to St Catherine's Hospital. This is based on the victim's account, supported by the recollections of two former members of staff at the hospital. No documentary evidence has been identified to substantiate this.

Local, regional and national press have reported the allegation and Jimmy Savile's possible visit to the St Catherine's Hospital. To date no other victims have come forward.

The answer to the question "What happened in 1964?" is, to the best of our ability to say, as the victim describes events. According to the victim's account, Jimmy Savile, on what appeared to be a formal, escorted visit to the ward on which the victim was a patient, got into bed briefly with the victim and touched her inappropriately. Again, according to the victim's account, this was done in front of hospital staff but done briefly and with pretend humour that misled staff into thinking nothing was amiss. The victim raised the issue with her mother but was dissuaded from reporting it formally or taking the matter further.

The conclusions of this report have been reached attempting to balance the assessed veracity and credibility of the victim against the lack of any other evidence. This conclusion is supported by the police recording a crime of sexual touching. In concluding that the incident occurred, we recognise that the investigation is limited due to lack of corroborating evidence.

The investigation has been unable to identify what safeguarding policies or complaints were in place in the hospital at the time. If there were policies in existence at the time, they would not specifically have been tested against this incident, as it was not raised or recorded as an incident at the time.

### **Could it happen today?**

WCT, along with its local partners, has treated the incident very seriously and in a most professional manner.

The trust applies in 2013 recruitment processes that are assessed as fit for purpose and potentially safer than what is assumed to have been in place in 1964 and has in place a range of policies in respect of safeguarding, complaints, raising concerns and incident reporting. When the information came to light WCT worked with the Wirral Local Children's Safeguarding Board and its appropriate committee to review all WCT policies and procedures in respect of safeguarding both children and adults. The independent investigator also benchmarked these with similar NHS organisations. The policies are robust, up to date and fit for purpose.

The trust has a strong record of handling complaints and concerns from patients and relatives, and of responding to incidents and concerns raised by staff both responding to and acting on the immediate issue raised, and ensuring lessons are learnt and disseminated. This has been assessed and validated by the Care Quality Commission and by the Trust Development Authority.

The trust has in place a policy for volunteers and other non-staff visitors who may at any time be present in the trust. This applies to celebrity visitors although, in its two year existence, the organisation has not hosted a patient focusing visit from any celebrity. Awareness among staff, not least because of the spotlight on past incidents over recent months, is such that any celebrity visitor would always be part of a planned visit and accompanied at all times. WCT does not have inpatient beds.

In short, a combination of robust policies, staff training and awareness, and close supervision of any non-staff visitors allows the trust, to the best of its ability, to conclude that the chances are remote of an incident similar to that which occurred in 1964 happening

today and provide the assurance required in respect of the quality of care in the organisation.

If there have been missed opportunities by previous organisations WCT is now doing all it can to make its procedures for safeguarding open, transparent and clear to both staff and the public. WCT has the appropriate policies and procedures in place to ensure that a similar set of circumstances could not occur now.

## Recommendations

These recommendations are made acknowledging that Wirral Community NHS Trust (WCT) has undertaken a thorough investigation into the allegation at St Catherine's Hospital, reviewing records and information available for 1964, interviewing the victim and ensuring that current policies and procedures are robust.

It is also acknowledged that, over the last 50 years the NHS and, during its existence. WCT, have made huge progress in protecting patients from harm and ensuring there are robust processes that staff adhere to and that patients are safeguarded by and feel comfortable with. On the specific issue of children placed on adult wards, there are now strict national policies and procedures, and monitoring returns to ensure compliance.

In addition, as part of the review into current policy and practice, WCT policies and procedures were benchmarked against a number of other community and acute trusts to identify any potential areas for improvement.

In this context, it is recommended that:

1. A safeguarding declaration is produced and put on the WCT website.
2. Contact names and telephone numbers, for appropriate safeguarding staff, are placed on the website to make it feel more personal and approachable.
3. When policies are under review a date is added to that policy to indicate the date by which it will be complete, instead of simply recording "under review".
4. WCT should also continue regularly to review and update its policies and procedures, benchmarking with the best.
5. WCT should work across the Wirral health and social care community, sharing this report with partners in acute, mental health, primary and social care, so that they may assess their current policies and procedures in the light of what happened in 1964 to ensure that patients, particularly the most vulnerable, are safeguarded at all times.

WCT has committed to learning not only from the experience of this investigation but also from the wider lessons drawn from other related investigations when concluded across the country.

### Investigation team biographies

Annette Laban is a Director of Laban and Associates, accompany working within the public sector to support and deliver management capacity to organisations along with carrying out independent reviews for organisations.

Annette is an experienced recently retired ex-Chief Executive and board member, with over 35 years working in the public sector.

A successful track record of delivery in the management of complex systems solutions within and across the health and social care systems.

Extensive experience of negotiating and verbal reasoning along with working with clinicians, managers and patients.

A visible leadership style but with the ability to adapt a diverse and appropriate approach for differing circumstances.

Relevant skills for the investigation include, a trained CEDR and ACAS mediator, along with being a foundation practitioner in coaching as well as having a high level of political understanding of the environment at local or national level.

## Appendix B

### List of documents reviewed

- All e-mails relating to the Jimmy Savile investigation from Wirral Community NHS Trust (WCT) to partners along with e-mails and documentation from the Department of Health (DH) and Metropolitan Police investigation teams.
- WCT Board reports
- Wirral Local Safeguarding Children's Board reports
- Wirral LSCB Policies Practice and Procedures Committee 1 March 2013
- WCT website
- WCT policies and procedures (see below)
- Serious incident investigation report template
- Feedback from Wirral local authority archives, search documents which included minutes from the individual hospital boards and local newspaper trawl
- Memories of St Catherine's Hospital attendees and vignettes of their stories
- Drawings of the old St Catherine's Hospital along with the outline of the services provided and wards within the blocks

#### WCT policies and procedures:

- Concerns and Complaints policy (GP1)
- Declaration and Registration of Interests Receipt of Hospitality and Gifts Outside Employment policy (GP7)
- Safeguarding Adults policy (GP12)
- Media policy (GP16)
- Volunteers policy (GP22)



### List of those interviewed

- Simon Gilby, Chief Executive, Wirral Community NHS Trust (WCT)
- Director of Quality and Governance, Wirral Community NHS Trust (as at April 2013)
- Four members of staff of WCT with responsibilities across Safeguarding, Communication and Estates who had been involved in the initial investigation January to April 2013
- The victim (telephone interview)

In addition seven former members of staff at the former St Catherine's Hospital were interviewed. All asked not to be named in the report. (The employment status in 1964 of those interviewed, as recalled by the individuals, is included in bracket).

- Retired nurse (Ward Sister)
- Retired nurse (Student Nurse)
- Retired nurse (Student / Staff Nurse)
- Retired nurse (Nurse Education)
- Retired nurse (Ward Sister)
- Retired Nurse (Student Nurse)
- Retired Nurse (Staff Nurse)

## Appendix D

### Agreed written record (not verbatim) of the interview with the victim

Interview with victim (name withheld) Tuesday 23 July 2013, 2.00pm English, 3.00pm local  
Annette Laban, Director, Laban and Associates for Wirral Community NHS Trust (WCT)

Annette started by thanking the victim for being prepared to take part in the interview. Annette stressed that the interview would be private and confidential. The victim subsequently agreed that this full agreed statement should be included in the investigation report.

Annette described her role.

She had been asked by Wirral Community NHS Trust (WCT) to undertake a piece of work under instruction from the Department of Health (DH).

A barrister, Kate Lampard was leading the work for the Department of Health regarding the allegations around Jimmy Savile and any contact he had had with hospitals.

An allegation had been made about a hospital, St Catherine's Hospital, a now demolished hospital but on the site of the new St Catherine's Health Centre.

Therefore the trust had to undertake a series of things:

- Try to ascertain Jimmy Savile's involvement with the hospital and the context around the time of the allegation
- Interview the victim(s) if possible
- Ensure that today there are robust policies and procedures that are adopted in order for this not to happen again.

All of these details need to be brought together in a standard template and sent to the Department of Health by the end of August 2013. The idea is for Kate and her team to look at all the reports and identify common themes and lessons learnt for the future. Linking also the investigation at the BBC and the overall Operation Yewtree.

Annette asked the victim if, with this in mind, she was happy to discuss the allegation. The victim agreed to speak about it.

Annette stressed she knew how difficult this would be for the victim as she had already spoken once to the police and again to her solicitor.

The victim started by stating her name and date of birth, 13 October 1949.

Annette said "I understand that you had an experience with JS. Do you want to describe what happened?"

The victim said she had been in hospital for several weeks due to what the hospital thought may be suspected appendicitis. Because of her age they were not sure whether to put her on a children's ward or adults. She was quite mature for her age and the hospital made the decision to put her on an adult ward. The ward was woman's surgical.

They were not sure whether to take the appendix out and ended up doing several tests and investigations, with several doses of Senecot.

The victim said that in the end it was not appendicitis but a lazy bowel, however the pain was in that area.

The victim remembers being a lot younger than everyone else on the ward and can especially remember a very old lady with gangrene who had lost her leg.

Because of her illness she was more mobile than the other patients and sometimes helped the staff in terms of helping with meals and teas etc.

I asked the victim if she could remember what date it was or could she remember any staff names. She could not but feels it was not winter so probably spring or summer of 1964.

She could remember the matron's daily round.

Every day when Matron came round, everyone had to get into bed and cover themselves with their sheets until Matron had done the rounds.

The day Jimmy Savile came everyone was told that someone was coming round and they had to get into bed.

When Jimmy Savile arrived in the ward with the matron, the victim remembers that there were more people than normal.

They arrived into the ward at the far side from where the victim was, they walked slowly up the ward on the opposite side to the victim not really speaking to anyone.

At the top of the ward, Jimmy Savile turned around and saw the victim on the opposite side.

He said "What have we got here then?" He then made a bee line for her.

Very quickly he whizzed the covers off her bed and jumped in, pulling the covers back over them both as he did it.

Everyone thought it was funny and there was lots of laughing. The victim was shocked and embarrassed. She was sitting up in bed in her nightgown.

Jimmy Savile then put his arm around her shoulder, on the left side of the bed. With his other hand under the sheets he touched the top of her thigh and her bottom, but not her vagina. Everyone was still laughing at him and with him.

He quickly jumped back out and moved on, not stopping at anyone else's bed.

One elderly patient said "he has taken a shine to you".

The Matron and everyone else then moved out of the ward. There were no photos or any other conversation.

The victim told her mum that evening. The victim said her parents are very trusting, simple, hard working people. Her mum said "are you sure" and could not believe a famous person could behave that way. They did not want to make a fuss and said "don't let it get out of hand".

Annette finally asked the victim what were her impressions of Jimmy Savile. The victim thought he was very clever, knew full well what he was doing had not got any kind of illness and finally had abused his fame.

Annette asked the victim if she anything more to add and she said no.

Annette thanked the victim once again for taking part in the interview and asked the victim how she wanted the record of the interview to be sent in order for her to check the detail. The victim agreed it could be sent via e mail to her home address.

The interview ended.