

F.A.C.T.

Falsely Accused Carers and Teachers

Fighting injustice – lobbying for change

The Road to Shieldfield - disturbing influences on the growth of allegations of child abuse

a two part article by Margaret Jervis

Part 1

“It sounds like Cleveland” commented perplexed media pundits in response to the Shield field libel victory. But there were key differences between the two scandals. In the 1987 Cleveland case parents grouped together to complain that they had been wrongly accused of sexual abuse on the basis of unsound medical evidence and fishy methods of “disclosure”. Within days the revelations caused a national scandal of broad political dimensions. Over a hundred children were returned to their families without a single criminal prosecution. A year later a judicial inquiry report(1) slammed the social worker and paediatrician involved and the term “Cleveland” became a byword for the dangers of welfare zealotry.

On the face of it, Shieldfield was just the opposite of Cleveland. The accusers were parents, while the accused were welfare employees. Despite the pre-trial acquittal in 1994, the media and the council backed the parents still “baying for blood” uncritically. Four years later when the Review Team’s report was published, the media joined the scrum without a blink of an eye. The false picture painted through the media campaigns around the case, and the Newcastle Review Team report, added momentum to the enacting of legislation that undermines the safeguards against wrongful convictions(2).

But although the Review Team’s report was, at the time, lauded as a victory for abused children and their families, in fact it endorsed the very types of suspect investigation that the Cleveland inquiry had criticised. This was no mere co-incidence. The full story of the journey from Cleveland to Shieldfield is astonishing in revealing the disproportionate influence of a handful of dedicated ideologues – and expose the fault lines in reforms that have undermined the probity of child protection and justice.

Two professionals were central to the Cleveland case. They were social worker Sue Richardson and paediatrician Marietta Higgs. In the aftermath, both women were blocked from statutory child protection work. Richardson lost her contract with the social services department and Higgs was barred from dealing with suspected child abuse cases. Consequently, they turned their energies to building a power base in the community. As members of a growing band of professionals and activists, who believed that widespread, undetected sexual abuse explained a panoply of individual and societal ills, they had a small but energetic band of supporters that included members of the local community health council.

Following the publication of the Butler-Sloss report on Cleveland in 1988, public meetings were held which included journalist Beatrix Campbell and the disgraced professionals. Campbell had taken a stand of supporting the professionals early on in the scandal of 1987. Rallying to their cause, she had monitored the inquiry and published the first

edition of her book *Unofficial Secrets* on publication of the report. As a feminist Marxist, who frequently wrote for the *Guardian*, Campbell was an influential propagandist with a large following among left-leaning, welfare professionals. Her platform, throughout the Cleveland saga and beyond, was not the traditional class warfare but the new politics of gender. This became translated into a theory where men were substituted for the capitalist ruling class as the oppressors, with women and children their captives. In this world vision, sexual abuse was posited as a universal means of control of women and children, with boys as well as girls abused by their fathers as a method of induction into patriarchy.

This perversion of dogma was not new. It had begun in the 1970s and became closely aligned with what would come to be known as “repressed memory” theory. This methodology of abuse “disclosure” became linked with the family dysfunction model of child sexual abuse (criticised by radical feminists in the early days as being modelled on conservative patriarchal lines) that had taken root in the UK in the early 1980s at Great Ormond Street Hospital, the Tavistock Clinic and the NSPCC. Gathering together under the banner of “children’s rights”, the Cleveland activists formulated a political strategy to promote their concerns. They set out to create a cross-community alliance of professionals, voluntary workers and mothers, whose children were thought to be sexually abused. Work with adult “survivor” groups and Rape Crisis Centres was critical to the strategy, as was the promotion of criminal injuries compensation for past abuse. The idea was that, instead of the professionals promoting their own cause, community pressure groups would become their voice and in so doing gain a wider media and social acceptance.

The key tenet of the campaign was the breaking down of “denial”. It was believed that abuse victims were locked into silence, so that they were often unable to acknowledge it even to themselves. Consequently, the abused child (i.e. the hypothetical “inner child” in either a child or adult) needed an adult professional advocate to become its voice and guide it into the external world. This was the view held by Sue Richardson, who was to become an “inner child” psychotherapist in Newcastle. In the 1991 book she edited, *Child Sexual Abuse: Whose Problem?*(3), Richardson describes the theory as applied to the 161 children caught up in the Cleveland fiasco. She states that “(a) high proportion of these children had not told of the abuse before the investigation. These children were either not old enough, or in our belief, psychologically ready to tell an adult what happened to them”. Thus Richardson appears to assume that all the children jettisoned into care over two months in Cleveland were sexually abused – even though the majority eventually went home and had no other dealings with social services and no suspicion of abuse.

In 1989, the first groups were set up to support the professionals. CAUSE in Cleveland and Justice for Abused Children (JAC), both run by people who were part of a network of believers and who would promote “recovered memory claims”(4). This resurgence coincided with publicity about the Nottingham case, held to be an example of “satanic” or “ritual” abuse. The cases would bind the Cleveland and Nottingham protagonists and Beatrix Campbell together. Nottingham social worker, Judith Dawson established contacts with the children’s charity National Children’s Homes (NCH). The respected Methodist children’s charity was at the time restructuring its services, moving away from residential child care into therapeutic services for sexual abuse victims. In 1992 Dawson, now Judith Jones, took charge of the first of these centres in Sunderland, the Kite project. Sue Richardson would later head a similar project in Glasgow.

Working through the northeast branch of the British Association for the Study and Prevention of Child Abuse Network (BAPSCAN), links were established between the emerging pressure groups, voluntary organisations and the statutory services. For example, a child abuse helpline Child Abuse Listening Line (CALL) was set up by Sharon Gray, who ran the Ashington Women’s Therapy Centre. Gray also teamed up with Jane Tait at the Newcastle NCH to put together a voluntary group training resource leaflet on

sexual abuse to distribute to the statutory agencies. Gray would also begin to work as a therapist with Sue Richardson, using “recovered memory” and “multiple personality disorder” theories. One of Gray’s “recovered memory” clients was a woman called Lynne Richardson (no relation to Sue Richardson). In 1992 her child attended the nursery school where a male nurse, Jason Dabbs, had been suspended following allegations of sexual abuse. At first it seemed only a small number of children were implicated. But anxiety spread and with Sharon Gray’s help, Lynne Richardson set up a parents’ pressure group, Parents Against Child Sexual Abuse (PACSA).

The children were examined by Dr Camille San Lazaro, the paediatrician who would play a central role in the Shieldfield case. Dr Lazaro, who trained in Newcastle with Cleveland’s Dr Higgs, (who had also returned to Newcastle) took an obsessive interest in diagnosing sexual abuse and had styled herself as a “forensic paediatrician” (though curiously she claimed in the libel trial she was unable to use a colposcope to take photographs for forensic purposes). Dr Lazaro was an eccentric figure with an unshakeable confidence in her own diagnostic powers in sexual abuse. Described by an observer as “a legend in her own imagination”, her characteristic speculative bias can be seen in a letter she wrote to the medical journal, the Archives of the Diseases of Childhood in 1990. In the letter she argues that a rare skin disease, lichen sclerosis, can be caused by sexual abuse(5). In fact signs of the disease can be confused with, but are distinct from, sexual abuse damage. It was a gross misdiagnosis of the disease by Dr Higgs in Cleveland in 1987 that laid the foundations of distrust in the police(6). Dr Higgs examined a six year old child four times over a period of four months – each time she diagnosed sexual abuse and each time a new perpetrator was indicated, including a foster carer. In the meantime, the painful skin condition itself was left untreated. It was a cautionary tale that ought to have given pause to the enthusiasts. Dr Lazaro however, was clearly of a mind to fit the square peg in the round hole by claiming – without any evidence – that the disease could be caused by sexual abuse. It is a clear indication that Dr Lazaro was determined to uphold the Richardson thesis of all the children involved in the Cleveland case being sexually abused(7).

In 1991 Dr Lazaro had become a member of the Newcastle Area Child Protection Committee (ACPC). This is the body responsible for interagency child protection training in the investigation of abuse. As a “forensic paediatrician”, Dr Lazaro was able to wield enormous power. Dr Lazaro’s examinations, together with the networking of information through PACSA, resulted in the numbers in the Dabb’s case rising to include children at a nursery he had worked in previously. Eventually over 60 children were said to have been abused. The parents, angry that abuse had been allowed to take place under the noses of the nursery staff, were mobilised by PACSA into a powerful force, able to shape the course of the social services investigation. Consequently, both CALL and the Newcastle branch of the NCH were given priority in providing therapeutic “disclosure services” for the children.

On 6th April 1993, Dabbs pleaded guilty to indecently assaulting nine children. It was a plea bargain. Three other charges were taken into consideration and charges against a further eight were withdrawn. Later in an enquiry report, Peter Hunt QC declined to speculate as to whether he was guilty of the remaining charges or whether he had abused other children. However, Mr Hunt noted with dismay, that he was not provided with a full prosecution bundle by the police but only a summary. This was written by WPC Julie Kinghorn, who worked closely with Dr Lazaro and took charge of the entire police investigation, interviewing both the children and Dabbs. Mr Hunt commented that the resulting videos were so poor, they would have been inadmissible as evidence had the case gone to trial(8).

Dr Lazaro’s and Sharon Gray’s comments about the Dabbs case, reported in the local press, indicate how allegations might be unwittingly, but systematically, inflated through suggestion. Sharon Gray told The Journal in Newcastle that CALL had helped around 30 of the families affected in the Dabbs case, adding “For some, listening to their children’s

plight brought back memories of abuse which had long been buried.” While according to Beatrix Campbell, “a paediatrician in the Dabbs case (Dr Lazaro) vindicated the power of the medical evidence, which took such a beating during the 1987 Cleveland case”. Campbell continued, “Medical signs of ‘penetrative trauma’ fortified the children’s testimony. Children had refused to speak altogether and broke their silence only when a paediatrician murmured ‘something has hurt you up there, hasn’t it.’ “ The Dabbs case would consolidate the power base of Dr Lazaro and her acolytes, setting off the train of extraordinary events, which would lead to the Shieldfield prosecution and finally, the “malicious” Review Team report.

Just as the Dabbs case was emerging in Newcastle, new networks were being planned by the child protection campaigners to counter an emerging concern about false allegations of sexual abuse. Of greatest concern was the newly coined term “false memory syndrome” to describe the effects of induced belief in non-existent, sexual abuse histories. In the US, a coalition of scientists, falsely accused parents and retractors in the False Memory Syndrome Foundation had begun to make a powerful impact on the media and public opinion. Outing the “recovered memory” method and its inherent assumptions also threatened to decimate what remained of the satanic abuse bandwagon. Since the days of the “satanic survivor” book, Michelle Remembers, in the early 1980s, campaigners had invariably turned to “adult survivors” as “proof” of the secret networks. With “recovered memory” theory and practice made explicit and found wanting, it was as if the workings of a brilliantly executed puppet show had been exposed.

In Britain in early 1993, “recovered memory” therapy was becoming common currency among therapists with the Courage to Heal established as the survivor bible. But the first signs of doubt were also emerging. In January 1993, Parents Against INjustice (PAIN), the organisation that played a key role in exposing the Cleveland and Orkneys scandals, warned that false allegations during adult “regression” therapy would become the “mental health issue” of the decade(9). The publication of articles about Roger Scotford’s experience of false allegations through “recovered memory” in the Daily Telegraph and the Independent in March and June 1993, respectively, opened the floodgates to a rush of complaints about similar problems. The helpline, Adult Children Accusing Parents (ACAP) was set up, leading to the founding of the British False Memory Society as a registered charity the same year.

With the puncturing of the “recovered memory” myth, the storm clouds gathered once again over the heads of the UK activists. At this time in March 1993, Sue Richardson attended an international child abuse conference in Padua, Italy. She was there to deliver a paper on the topic she had made her own, since she was toppled from her perch in Cleveland social services: mobilising the troops in the battle against the “backlash”, as she saw it. Already the community approach was bearing fruit through the power of PACSA set up through her co-worker, Sharon Gray, in the Dabbs case. Subsequent Shieldfield Review Team members, psychologist Jacqui Saradjian and Judith Jones, were also at the conference. Saradjian would present a paper on women as abusers, while Richardson would be elected the secretary of a new group – the European Network for Backlash Research (ENBAR). The “research” was aimed at preparing strategies to counter critics of the ideologically-driven child abuse methodologies that had driven Cleveland, the “satanic abuse” scares and “recovered memory”. A key collapse had also occurred through the discrediting of the McMartin day care case in the US and through the newly emerging research of psychologists Stephen Ceci and Maggie Bruck, which led to the successful appeal by Kelly Michaels in another “ritual abuse” nursery case.

In Europe, another discredited case involving young children was in Oude Pekela in Holland. The professionals involved in that case would also play key roles in ENBAR. Through conference networks, the professionals would learn that similar “day care” cases were emerging in Europe, including Munster in Germany and Bjugn in Norway. These allegations would finally result in acquittals, but they shared key similarities with

the development of the US cases, most notably that of the involvement of child abuse professionals with a special interest and belief in widespread hidden and “ritual abuse” in mundane settings.

When the professionals returned to Newcastle, the Dabbs case exploded in the newspapers. The next day the first mother complained about Chris Lillie in the Shieldfield case. His suspension, prior to any charges, reached the newspapers, prompting PACSA to offer their services. But links were already close, since one of the mothers at Shieldfield was a governor at the Dabbs school. Through the control of the child protection training programmes and influence of the voluntary groups, the views of Dr Lazaro and the Cleveland-Nottingham axis reverberated through the investigation as if in a vacuum. Despite the acquittal of Dawn Reed and Christopher Lillie, the seal on that closed world would hold for nearly a decade until the libel victory.
(To be continued)

References:

1. Report of the Inquiry into Child Abuse in Cleveland 1987, Cm 412, HMSO.
2. Youth Justice and Criminal Evidence Act 1999 s28.
3. Child Sexual Abuse: Whose Problem? Venture Press, 1991.
4. CAUSE founder, Hilary Cashman, a librarian and member of the local community health council, stated in her book Christianity and Child Sexual Abuse, (SPCK, 1993) “Dorothy dealt with the trauma of her niece’s rape by her father, still without remembering that she herself had been abused by him as a girl. Her body remembered before her mind – physical and psychosomatic illness were the precursor to memory, and was a long process.”
5. “These changes may relate to a local immune response to the recurrent presence of substances like semen, or contraceptive lubricant, both in adults and in children”. (1990; 65: 1184)
6. Cleveland report op.cit.: 8.8.23.
7. The Cleveland report did not come to a conclusion on the number of children correctly diagnosed. The claim, repeated in the media since 1989, that all or at least 90 per cent were correctly diagnosed has no scientific basis.
8. Given the defects in Dr Lazaro’s diagnoses and panoply of suggestive influences, the safety of the Dabbs conviction in whole or in part must now be in question since his confessions were made under the strong pressure exerted by WPC Kinghorn and the “incontrovertible” medical evidence provided by Dr Lazaro.
9. PAIN was a major target of the Cleveland abuse campaigners and was attacked in the Campbell Dabbs article for not ‘offering’ support to the parents making the accusations against Dabbs.

Part 2

The criminal trial of Christopher Lillie and Dawn Reed was scheduled to begin in July 1994. It was to be the first case of its kind in the UK. The alleged victims were pre-school children and their evidence was planned to be their police interviews on video-tape in accordance with the measures introduced through the Criminal Justice Act 1991(10). The children were to be cross-examined through the live video link and it was no longer necessary for children's unsworn evidence to be corroborated(11). But before these arguments could be marshalled, the prosecution stalled. The quality of the evidence on the tapes was so poor, ruled trial judge Mr Justice Holland, that it could not be allowed into the trial. He could have left it at that and the trial would have collapsed without any comment on the innocence of the accused. They were formally acquitted. However, he went on to stress the lack of evidence against Dawn and Chris who were still standing in the dock. Enraged, groups of parents surged forward, grabbing hold of Chris and Dawn. After the trial concluded, the parents and their supporters marched to the city hall with banners proclaiming "We Believe The Kids" and with compensation solicitor Claire Routledge at the helm, the parents demanded a public enquiry.

Throughout, the image portrayed in the media was of abused children let down by the courts – and by implication the presumption that the two dangerous child molesters had "got off". Council officials and politicians, while seeking to exonerate themselves from blame, eagerly joined the fray in condemning the perceived injustice to the children. Dr Lazaro, the paediatrician who had played a leading role in the prosecution case, also spoke out. Children, she said, had a right to "tell their story" and be heard in the courts in the same way as adults, and this would be the message replayed in the media over the ensuing decade. Despite the relaxed measures allowing children to give evidence, their evidence of abuse was still not being heard, was the rehearsed mantra. That meant that thousands of paedophiles were getting away with child abuse with impunity. The collapse of the Shieldfield trial was seen as particularly grim because paedophiles, who might have assaulted older children might now "target the underfives".

Critical scrutiny of the case in the media was absent. Six years earlier, in neighbouring Cleveland, politicians and the media had led a storm of public outrage over the desecration of family life by the child abuse zealots. There had been no criminal prosecutions and the majority of the children, who were claimed to have been abused, eventually returned home. In this sense, in Shieldfield, the tables were turned with the professionals accused of abuse. They were not "abuse professionals", but their position as public service child carers anaesthetised popular sympathy. Even so, the similarity of this case to the well-publicised McMartin and Kelly Michaels cases in the United States, already exposed as fake, ought to have alerted more concern both in professional and media circles. The critical research on suggestibility, by Stephen Ceci and Maggie Bruck, had also been published(12) and publicised at this time, and the satanic ritual abuse fears had also been officially laid to rest(13).

But the climate had changed – and the means by which mistakes could be made. It started with the Cleveland inquiry which reported in 1988(14). While identifying key problems, the inquiry did not resolve the professional issues of accurate diagnosis. It was highly critical of play therapy methods to detect abuse and the presumptive use of the term "disclosure" in investigation. But the breakdown in the working relationship between the Police and the Social Services was to be settled by joint working and training. Key to this was the setting up of Area Child Protection Committees (ACPCs). These were the interagency bodies responsible for the child protection investigation and training. The panels interpreted Government guidelines and produced their own(15). The committees were co-ordinated by Social Services with members nominated by individual agencies, which included the police and medical services. In practice, members were chosen because of their interest in the field – which might include an ideological bias. Where the lead taken by Social Services was backed up by a powerful professional figure, such as paediatrician Dr Lazaro in Newcastle, there was a danger of creating an unaccountable, monolithic approach to training and practice. Nor had the Government

guidelines ensured safeguards against injustice with adequate checks and balances. Rather, it is arguable that they systemically fostered injustice, which continues to this day.

The guidelines, called Working Together, were issued by the Department of Health and the Home Office together with a Home Office Circular – thus reflecting the cross over between, welfare, diagnosis and crime. The first set, published in 1988, addressed procedures in domestic child abuse allegations – the kind of problems that had littered Cleveland. When the 1989 Children Act was implemented in 1991, they were revised, and addressed the emergence of new types of cases – organised and “ritualised” abuse. The introduction of these guidelines had two major flaws. Firstly, their purpose was hybrid because on the one hand, they were driven by the Children Act, which was concerned with protecting the welfare of children, and on the other, the criminal prosecution of serious crime. There was, therefore, an inbuilt bias towards regarding a child as a victim of abuse, once any suspicion was raised and it followed that there was a presumption of guilt regarding the accused. Secondly, they depended on a tainted knowledge base, ripe with rumour and misinformation. The public and social workers had contradictory perceptions as to what the measures were intended to achieve. Popular opinion at the time, horrified by the train of events in Cleveland, Rochdale and Orkney, was distrustful of social workers and the political message was that measures were a kerf to protect innocent families.

But many social workers, on the other hand, still had an obdurate belief in the existence of widespread, ritual abuse paedophile rings. They believed these shadowy organisations had been in their reach but failed their grasp through the negative publicity engendered by the “dawn raids”, which had put pressure on the courts to return the children back home short of any criminal prosecutions. Thus they saw the guidelines as a means of trapping the “rings” through a protracted harvesting of evidence and interagency planning. At an early stage, the Crown Prosecution Service (CPS) was party to the meetings. So instead of the Police and the Crown providing a check on the speculative enthusiasms of the social workers, they became party to the execution of a crusade.

Influential in creating this approach had been the Department of Health Committee on Child Abuse Networks (COCAN). Formed at the height of the satanic network scares, Nottingham’s Judith Dawson Jones was a member. COCAN ran a series of training workshops for Area Child Protection Committees between 1991 and 1992(16). The general message was that the networks were so powerful, that the investigating agencies had to organise and operate with stealth to break their hold on the silenced victims(17). In other words, it needed a conspiracy to break a presumed conspiracy. The blurring of roles was further compromised by the introduction of video-taped interviews with children. Because the recordings were intended to become the child’s courtroom evidence-in-chief, the junior police and social workers conducting the interviews assumed the role of the Crown Court prosecutors.

Graphic evidence of the false sense of security engendered by the guidelines emerged in the Pembroke ritual abuse case, which was tried in the eight months prior to the Shieldfield case in 1993 and 1994. The skeleton of the case going on trial was virtually a parody of the mythology built up around the “satanic cults” and was strongly influenced by the COCAN counter-conspiracy strategy. There were thirteen defendants – eleven men and two women(18). This was supposed to represent the make-up of the coven. Although the picture built up through the preparation for the trial included alleged ritual orgies littered with snake pits and a panoply of gruesome special effects and costumes, together with the obligatory camcorder, none of these objects were ever discovered in the barns, farms and beaches where the abuse was alleged to have occurred. However, they did bear a close resemblance to the teachings of the self-styled satanic abuse “experts”, around at that time, who similarly could provide no concrete evidence(19).

Instead, starting with a disturbed boy who was put into voluntary care, social workers mined what they assumed to be the hidden “memories” of abuse in a range of children

and mothers. They then cross-matched the results by passing information from case workers to foster parents, children and adults implicated. The resultant "story" would prove to be a roughly-sewn patchwork full of holes. But, as with the naked emperor, it looked like a finely woven tapestry of truth to the investigators, as they prepared to take the case to trial. Indeed, at this stage in the summer of 1993, Dyfed Social Services were already trumpeting success in the social work magazine *Community Care*. Commending themselves on their procedural correctness following the new interagency guides, they confidently asserted: "Our credibility was checked and doublechecked. You have to believe the child. If you do, it has results."

The euphoria was short lived. Children and adults were shown to have been coerced into making untrue claims fed to them by the social work interrogators. As the trial began to collapse, the more extravagant prosecution claims were trimmed back and eventually only five of the thirteen were convicted. One of the convictions was overturned on appeal and the others are still widely regarded as a gross miscarriage of justice. Moreover, when the child care cases were heard in the Family Court later in 1994, the presiding High Court judge, Mr Justice Connell, made stringent criticisms of the social workers' methods. "The children were praised when they confirmed a 'disclosure' or made a fresh one. It is very difficult for an adult to whom such information has been confided by a child to stand back and view it objectively. The understandable reaction of such an adult is invariably to believe what he or she has been told, so that when on a further occasion the child does not confirm what has been alleged earlier, the child is described as 'returning to denial' or as 'blocking'. An alternative solution, rarely considered, unhappily, is that the allegation may have been untrue or significantly exaggerated in the first place. The impression left with the court is that those involved on behalf of the local authority were too ready to accept what the various children had to say, even some time after therapy had begun, without really testing its reliability or attempting to challenge or disconfirm it"(20).

Mr Justice Connell's observations echoed those of the Nottingham Joint Enquiry Team(21) (JET), whose 1990 analysis of the way in which satanic abuse allegations had been woven, had been suppressed by the social workers involved. The Social Work Team Leader, Judith Dawson Jones, also a member of the COCAN working party that had shaped and implemented the guidelines, as mentioned previously, would go on to be a member of the ill-fated Shieldfield Review Team. Misinformation about the Nottingham case caused by the suppression of the JET report had therefore a direct effect on skewing the guidelines and the code for video interviewing, called the Memorandum(22). When employed by determined ideologues, these defective instruments accommodated the systematic prosecution of the tainted cases of Pembroke and Shieldfield among others.

Then in January 1995, a further episode of this cracked legacy occurred in Bishop Auckland, a short distance from Newcastle in County Durham, In a bizarre inflation of a dispute between neighbours where a teenage boy admitted to abusing a child, the interagency investigation team conjured up the spectre of a satanic ring operating unseen in a middle-class street. David Robson, QC representing the Crown, harboured severe doubts about the reliability of the evidence from an early stage. But the CPS, backed by the police, social workers and Dr Lazaro, insisted it go to trial. Eventually, just days after Mr Justice Connell had delivered his stinging Pembroke ruling in December 1994, there was a flurry of meetings and the CPS and joint agencies backed down. This time it was the prosecuting counsel David Robson, who delivered the death knell. Describing the case as reminiscent of Salem, he too criticised the way social workers had encouraged the children to make increasingly bizarre allegations. But he went further in suggesting that the protocol for interviewing, the Memorandum, was itself flawed in dealing with multiple allegations.

With four accused couples exonerated, there was a blaze of publicity but little enduring interest within the media. The criticism of the Memorandum codes and the echoes of Pembroke and Nottingham were barely understood. In fact, they were interpreted by

child abuse ideologues as a criticism of the restrictions imposed by the Memorandum, and so became part of the campaign to relax the rules of evidence in relation to sexual abuse allegations. Times had changed. Although the satanic bandwagon had been halted, the same processes and expectations had been transmuted into “organised abuse”. It was a category that covered the search for “rings” operating secretly in children’s homes. And it was the same Working Together guidelines, together with a diminution of the quality of evidence required to convict, which ushered in the epidemic of compensation linked, retrospective children’s home charges.

Public and media prejudice against the teachers and care workers, who were mistakenly viewed as “social workers”, precluded widespread sympathy with this target group. Nor was it appreciated how the same mistakes identified in preceding key cases were being reproduced in the interviewing protocols – though the means of production would be veiled by the method of taking written statements, which obscured the forms of interviewing. The rich seam of retrospective allegations mined from the care homes for young delinquents became the dominant application of the Working Together organised-abuse guidelines. “Cooked” criminal cases involving very young children were rare because, following Shieldfield, courts were more ready to rule out tainted video recordings.

There were though, a number of cases involving multiple defendants and alleged victims woven together through strategies similar to that used in Pembroke, but with a greater reliance on adult “recovered memory” narratives. An intergenerational case in South Devon in 1998 was the most notable and resulted in ten convictions including a now septuagenarian grandmother (and octogenarian grandfather - editor) still in prison protesting her innocence, as do the others. By this time, many of these cases were subject to reporting blackouts until the end of the trial. Consequently, embarrassing revelations of the process of production of the allegations, as had happened in the Pembroke trial, were avoided. When there were convictions, as in the Devon case, press reports simply précised the prosecution story. If there were acquittals, press interest was minimal. And with strict bans on identifying the alleged victims, which usually precluded the identification of those accused and the whereabouts of the alleged crimes, the cases carried an air of grotesque unreality, that was nigh impossible for outsiders to research.

Public anxiety about sex crimes against children escalated – although there was a world of difference between genuine cases, notably those involving the murder of young children, and the investigative and therapeutic induction cases, where no evidence of the crimes existed outside retrospective, uncorroborated statements. So it would in fact be the Shieldfield case, which would place the greatest pressure on Government to introduce reforms which would relax rather than tighten up existing loopholes. An emotive Childline conference in 1999, led by Esther Rantzen, chaired by Cherie Booth and addressed by Hillary Clinton, resulted in the then Home Secretary Jack Straw, who also attended, capitulating to critical amendments of the Youth Justice and Criminal Evidence Act, then going through Parliament.

These measures, which allow for the pre-recorded cross examination of the child, and “intermediaries” to “interpret” young children, are now in the process of being implemented. Meanwhile, the reasonably compact Memorandum has been replaced by a vast sprawling document on “Best Evidence”, though there is as yet little evidence that the defects in the original protocol will be cured. As the new measures are implemented, the prospect of a new variant of bogus case construction not only cannot be ruled out, but can be reasonably predicted. All the signs are that, as with other judicial warnings and reports, the sage dissection of Shieldfield by Mr Justice Eady has been misinterpreted. In social work circles, the word is simply that the team were punished for freedom of judgement. “Misguided zealots the inquiry panel may have been, but they did take up the cause of children”, sympathised Community Care(23) and getting it exactly wrong. For what the long and continuing saga of empty cases and wrongful

convictions tells us is that the welfare of children has been compromised by the obsessions of the interrogative adults – and sanctioned by fractured guidelines.

References

10. Amending Criminal Justice Act 1988 s.32A.
11. Criminal Justice Act 1988 s.34.
12. Ceci, S.J. and Bruck, M. (1993) The suggestibility of the child witness: A historical review and synthesis, *Psychological Bulletin*, 1
- 13, 403-439.
13. La Fontaine, J. (1994) *The Extent and Nature of Organised and Ritual Abuse*. HMSO.
14. Report of the Inquiry into Child Abuse in Cleveland 1987, Cm 412, HMSO.
15. Some ACPCs such as Derbyshire, introduced discrete ritual abuse guidelines and others, such as Newcastle, ones concerning adult disclosure.
16. *Child Abuse Review*, Winter, 1993, Editorial.
17. See for instance “Breaking the Web” by COCAN chair, Peter Bibby, *Social Work Today*, 3.10.91, 17-19.
18. One of the female defendants was to be tried separately and was a coerced prosecution witness in the main trial. She was among those retracting her statements in the witness box.
19. See for instance “Satanic Cult Practices” by psychiatrist and Ritual Abuse Information Network and Support (RAINS) chair, Dr Joan Coleman in Sinason, V. (ed) *Treating Survivors of Satanist Abuse*, Routledge, 1994.
20. Connell, J. Re: The South Pembrokeshire Cases, 19.12.94. High Court, Family Division.
21. www.users.globalnet.co.uk/~dlheb/Default.htm.
22. Home Office with the Department of Health (1992), *Memorandum of Good Practice on Video Recorder Interviews with Child Witnesses for Criminal Proceedings*, HMSO.
23. Editorial, 8-14 August 2002.

This article, by Margaret Jervis taken from the British False Memory Society's Newsletter, (Vol. 10, No. 1 – October 2002) was originally entitled 'The Road to Shieldfield Nursery'. We are grateful to BFMS for allowing us to publish it. The article, by no means dated, goes beyond Shieldfield to examine the ideological battleground after the Cleveland crisis and analyses the way ideology shaped Government guidelines and legal reforms. It shows just how important it is to lobby to have child abuse investigation methods, used in Care Home cases, regulated and radically reformed.