A report prepared by The Newcastle upon Tyne Hospitals NHS Foundation Trust.

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THE NEWCASTLE UPON TYNE HOSPITALS NHS FOUNDATION TRUST

Investigation into Jimmy Savile and any association with the Newcastle upon Tyne Hospitals NHS Foundation Trust – Response to a specific allegation received in October 2014

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1. INTRODUCTION

In June 2014, a number of reports were published by NHS organisations, which dealt with allegations of abuse and sexual abuse carried out by Jimmy Savile, in and around NHS location.

The Newcastle upon Tyne Hospitals NHS Foundation Trust (“the Trust”) published a report entitled, “Investigation into Jimmy Savile and any association with the Newcastle upon Tyne Hospitals NHS Foundation Trust”. This report is available on the Trust website. We refer to this as the “June 2014 Report” and we refer to Jimmy Savile as “Savile” throughout this report.

The June 2014 Report was the result of an investigation carried out at the request of the Department of Health. In November 2013, the Department of Health announced, that in addition to investigations already underway, in relation to Savile’s involvement with Stoke Mandeville and Broadmoor and Leeds and ten other NHS organisations, the Metropolitan Police Service (MPS) had identified 19 further NHS locations involving allegations against Savile. The Royal Victoria Infirmary (“RVI”), Newcastle, was identified as being one of the locations, after a former employee reported a historical sighting of Savile in the public area at the RVI in 1991.

Sir Leonard Fenwick CBE, the Trust’s Chief Executive, commissioned a full investigation and this was led by Elizabeth Harris, Head of Nursing (RVI) in conjunction with the Department of Health National Investigation.

The June 2014 Report was approved by the Trust Board and drew the following conclusions.

“The limiting factor in this investigation has been the passage of time and the recall of individuals associated with this. Despite publicity across the city in the press and within the Trust, very little evidence has been uncovered. None of the information obtained during the course of the investigation suggested any unsupervised access or indeed regular or planned visits”. Very little evidence existed in written format: conclusions were drawn from discussions with witnesses and organisational memory.

There were no allegations made of inappropriate or abusive behaviour carried out by Savile. From the information gathered during the investigation, it is likely
that during a 10-12 year period, Savile visited the RVI and Newcastle General Hospital (NGH) on two or more occasions.

The June 2014 Report concluded that whilst it was evident Savile did attend both the RVI and NGH sites; none of the witnesses who we were able to speak to suggested that he had either unfettered or unsupervised access to patients or staff, nor was he awarded any privileges.

Following publication of the June 2014 Report, the Department of Health received a further allegation involving Savile and the RVI. The allegation was made in October 2014 by a former patient, who had received treatment as a child in the RVI in August 1998. The Department of Health forwarded details of the allegation to the Trust to investigate. The individual who made the allegation is referred to in this report as W.

The Trust has been supported in this investigation, by the Savile Investigation Legacy Unit based at the Department of Health, Quarry House, Leeds. This report sets out the subsequent investigation into the allegation made and makes clear the findings and conclusions from the investigation.
Investigation into Jimmy Savile and any association with the Newcastle upon Tyne Hospitals NHS Foundation Trust – Response to a specific allegation received in October 2014

2. **TERMS OF REFERENCE**

From 1\(^{st}\) April 1998 the Royal Victoria Infirmary and Associated Hospitals NHS Trust was acquired by the Freeman Group of Hospitals (NHS Trust) and became part of The Newcastle upon Tyne Hospitals NHS Trust (which in turn became The Newcastle upon Tyne Hospitals NHS Foundation Trust with effect from 1\(^{st}\) June 2006).

The Board of The Newcastle upon Tyne Hospitals NHS Foundation Trust commissioned this investigation into an allegation made by an individual who had been a patient previously in the RVI. The individual alleged abuse by Savile, whilst a Day Case patient in the hospital in 1998.

The Terms of Reference for the original investigation (listed below) remain valid and therefore are essentially unchanged. This report will use previous investigation to align with current allegation, to:

- Thoroughly examine and account for any association between Jimmy Savile and Newcastle Hospitals and in particular, the Royal Victoria Infirmary Hospital and other hospitals/facilities under the control of Newcastle Hospitals or its predecessor bodies.

- Consider any access arrangements or any privileges which may have been afforded to Jimmy Savile, the reasons for these and whether he was subject to usual or appropriate supervision and oversight.

- Investigate any past and current complaints and incidents concerning Jimmy Savile’s behaviour at Royal Victoria Infirmary or any other hospitals under the control of Newcastle Hospitals or predecessor bodies, to establish:
  1. Where the incident(s) occurred and what occurred.
  2. Who was involved.
  3. If the incident(s) were reported at the time, whether they were investigated and appropriate action taken.

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 potential commission of criminal offences, the Police will be informed. Where such evidence indicates the
potential commission of disciplinary offences, the relevant employer will be informed.

- Where complaints or incidents were not previously reported or investigated, consider the reasons for this, including Savile’s celebrity and/or any fundraising role he may have had within Newcastle Hospitals and/or predecessor organisations.

- Review Newcastle Hospitals’ current policies and practice in relation to the matters mentioned above, including Safeguarding policies for children and adults, access to patients (including that afforded to volunteers and celebrities) complaints and whistle blowing. Ensure safeguards are in place to prevent a recurrence of any matters identified by this investigation and identify matters that require immediate attention.

- Identify any Recommendations for Further Action.

The Chief Executive, Sir Leonard Fenwick, has commissioned Mrs Elizabeth Harris, Head of Nursing at the Royal Victoria Infirmary to undertake this investigation, with legal advice provided by David Firth, Capsticks Solicitors.

The relevant findings from this investigation will be discussed with the Newcastle Safeguarding Children’s and Adult Board.
3. EXECUTIVE SUMMARY

The Trust received information in October 2014, from the Department of Health that a former patient had reported via email, an allegation of abuse by Savile whilst a Day Case patient on a Childrens Ward at the RVI in August 1998. The individual who made the allegation is referred to in this report as W.

The Trust was asked to investigate this allegation, once Northumbria Police had concluded their investigations. Northumbria Police have informed us that on a number of occasions they have attempted to contact W to interview him but have been unable to do so. It is our understanding that W did not wish to be interviewed.

The Trust commissioned a full investigation. This investigation drew upon the background, evidence and facts established in the original investigation and the June 2014 report.

W’s clinical records were accessed as well as Operating Theatre records.

Managers who were responsible for the Childrens Ward and the Theatres at the time were also consulted.

We were able to trace relevant members of staff from W’s records. We believed they would be able to help us establish an understanding of process, procedure and policy in 1998. Three staff were traced who had been involved in this patients care in August 1998. They were all able to recall their role in August 1998 and verify their presence on the Children’s Ward on the cited date. All were clear that they had not been involved in, or known about, any celebrity visits, and specifically were very clear that Savile had not visited the RVI in August 1998, or indeed anytime they were aware of.

Managers who we were able to speak with, who were in post in August 1998 similarly did not recall any celebrity visits in this or indeed any year which involved Savile. The recollections of those we spoke to as part of this investigation, are entirely consistent with the findings of the previous investigation.

The June 2014 Report should be read in conjunction with this report. In total fourteen witnesses contributed evidence as part of the previous investigation.
The June 2014 report concluded it was likely that Savile had visited the RVI and Newcastle General Hospital sites on two or more occasions over a period of 10-12 years. The dates given by witnesses for sightings of Savile in the RVI or NGH were varied and in most cases non-specific. Witnesses often cited a date range rather than a particular year. None of the fourteen witnesses had reported seeing Savile in either location in 1998.

The conclusion from this investigation is that no evidence has been found to substantiate the allegation made by W.
4. APPROACH TO THE INVESTIGATION AND METHODOLOGY

The Terms of Reference governed the aims of this investigation. At the outset of the investigation, a number of potential sources of information and activities which could help inform the investigation were identified. These included:

- Conversations and discussion by telephone and face to face with current and former members of staff.
- Review of locally held clinical and medical records.
- Information from Northumbria Police.

This investigation could not conclude until Northumbria Police had carried out its own investigation into the allegation. The Lead Investigator identified a number of members of staff, who had worked at the RVI in August 1998, either on the Children’s Ward or in the Theatres. Of 13 individuals identified:

One staff member had subsequently died.
Seven had left the Trust.
Five were traced and still work within the Trust.

All five current members of staff personally met with the Lead Investigator and all discussions were summarised into file notes and statements. The information was analysed, compared and summarised. The witnesses have each been anonymised by letter allocation, Witnesses “A”, “B”, “C”, “D” and “E”. All are current staff. Statements were transcribed from meetings or submitted by witnesses via email.

No broader investigation took place because the contextual information from the June 2014 report remains current and relevant and was used to inform this investigation. This included:

Where individuals who had sight of Savile on Trust premises mentioned others who were present at the time, the other potential witnesses were traced where possible.

Also, taking into account Savile’s celebrity status, the local press archive was searched in order to identify any press coverage, including photographs, which
Savile’s visits may have attracted at the time. Contact was made with local newspapers, as well as BBC TV and Radio Newcastle.

No previous relevant corporate documentation was available and indeed it was not possible to review relevant policies, because those records are no longer in existence. Policy records are only formally held for ten years.

We were able to speak with current and previous staff in relation to policy and organisational arrangements for celebrity visitors. The culture and organisational responsibilities of the relevant times were discussed with relevant current and former members of staff and the pertinent information is included in chapter six and analysis and conclusions.

List of current policies reviewed.

- Child Protection and Safeguarding Children (March 2013).
- Safeguarding Adults Policy and Guidelines (January 2014).
- Safeguarding Adults – Guidance on Handling Allegation/Complaints of Abuse made against employees (January 2014).
- Visitors Policy (October 2012).
- Whistleblowing Policy (September 2013).
5. **ALLEGATION**

The Trust received one piece of information from the Department of Health in October 2014. This was an email from W, who had been a patient in the Trust in 1998. He reported he had been abused by Savile whilst recovering from an anaesthetic as a Day Case patient as a child on a Children’s Ward.

The initial interview was conducted by Northumbria Police as appropriate with allegations for historical abuse.

The June 2014 Report concluded that Savile had visited the RVI on one or two occasions. Due to the passage of time, many of the witnesses who gave evidence to the previous investigation were uncertain of dates. However, none of the witnesses mentioned 1998 specifically or included that in a range of dates when Savile might have visited.

Of those interviewed as part of the previous investigation, none said they had witnessed Savile behaving inappropriately with patients and there were no suggestions or claims of any unsupervised access to any Trust areas by Savile. During the course of the previous investigation, no patients or former patients came forward to complain of Savile’s behaviour towards them.

All five current members of staff who gave evidence as part of this current investigation were all asked the same questions, which included their recollection of celebrity visits. All were clear that celebrity visits happened during their time in the organisation, but all such visits were organised and notified in advance. None of these witnesses had any recollection whatsoever of Savile visiting the RVI and specifically not so in 1998.
6. FINDINGS

Witness A was a Staff Nurse on the Children’s Ward at the RVI in 1998. Witness A was directly involved in the care of the individual (W) who made the allegations. Witness A was unable to recall W, which is unsurprising given the timelines, but described in some detail contemporaneous practice for this type of patient and case – of which there were many. Witness A was very experienced in this type of procedure.

Witness A told us that Day Case procedure patients (children) were admitted to the Ward early in the morning and would always be accompanied by their parent. The Witness was unable to recall many instances where a mother or indeed a parent, or family friend, had not stayed throughout the day with the child.

Due to the passage of time, none of the staff were able to recall the specific patient but confidently discussed and outlined a “typical” patient journey for this routine Day Case procedure.

The area in the ward where the children were cared for was a 6-8 bedded area, which was always full and had clear access and supervision by the nursing staff on the ward. The children were taken to theatre by a nurse, usually accompanied by the mother, who stayed with the child until they were anaesthetised. The Theatre Team then took over. Again, usually the parent would return to Theatre with the nurse to collect the child and accompany the child back to the ward and stay until discharge. Under usual circumstances, the child was in theatre for 2-3 hours and back on the ward for 3-4 hours. This typical account is in keeping with the timings in W’s medical records.

Witness A was very clear about 1998 generally and could recall certain personal facts which orientated the year. The Witness was very clear that occasionally celebrities visited but always with pre-arranged notification. The Witness had no recollection whatsoever of Savile ever visiting the RVI site and was very clear there was no such visit.

Witness B was also a Staff Nurse on the same Children’s Ward in August 1998 and was involved in W’s care. This witness had no recollection of the specific month or patient, but when asked to describe contemporaneous practice in 1998, Witness B recalled very similar facts to Witness A. On the date in question, this witness was one of two Staff Nurses allocated to care for the Day Case patients on the Children’s Ward.
Witness B told us that typically for this procedure children would be admitted around 8.00am and would come to the ward having not eaten in preparation for anaesthetic. They were always accompanied by a parent, at least one, usually their mother. Routine observations were taken and a review by the Medical Team, including consent took place. The parent had to be present to give consent because all the patients were children. The parent usually stayed with the child throughout all of the day and waited on the ward whilst they were in Theatre. The Mother would accompany the child to Theatre until they were asleep and then wait on the Ward. The parent usually returned to Theatre to collect their child with the nurse. They did not tend to be gone from the ward for very long, probably a couple of hours. W was a morning Theatre case and it is very likely Witness B collected W from Theatre. It was not possible to tell, where on the Ward W had been cared for, but Witness B was clear that children were not left unattended especially post-operatively whilst recovering from anaesthetic. The ward doors were locked, staff visibility was high and the children usually had parents present. Witness B worked on the Ward from 1996 to 2004 and could remember football stars visiting at Christmas but no other celebrity visits, certainly not Savile.

Witness C was a Staff Nurse in Theatre on the relevant day. Like Witnesses A and B, she could not recall W specifically, but she did recall practice on the ward at the relevant time and was able to describe typical care for this type of procedure.

Documentation from the operation told us that Witness C was present throughout W’s operation. Witness C recalled that patients arrived with a Ward Nurse into Theatres, accompanied almost always by their parent, usually their Mother. They were met and welcomed by the Theatre Nurse, introductions were made and safety checks took place. The parents stayed throughout all of this. The patient was then taken into the anaesthetic room and induced to anaesthesia, and again, the parents remained.

Once the child was asleep, the parent would leave and usually go back to the Ward and the child would be moved into the Operating Theatre. The parent would be away from the child usually less than an hour; it was a very short procedure. A Nurse would be with the patient all the way through the procedure to ensure continuity. Witness C was emphatic in her recollection that there would never be a time where a patient was unsupervised and visitors were not allowed in Theatres.

When asked about celebrity visitors, Witness C had no recollection ever of visitors to either Theatres or indeed the RVI site.

Witness D was in post as the Manager of Operating Theatres in August 1998 and Witness E was in an Educational Lead role in Childrens Theatres (based within
management team). Neither had any recall of a visit by Savile and were very clear about this.

Northumbria Police have informed us that on a number of occasions they have attempted to contact W to interview him but have been unable to do so. It is our understanding that W did not wish to be interviewed.
7. **CONCLUSIONS & RECOMMENDATIONS**

Clearly a factor in this investigation once again, has been the passage of time, availability and recall of individuals associated with this. It is important to recognise that despite the publicity across the city earlier in 2014, very little evidence had been uncovered and none of the witnesses we were able to interview said that Savile had unsupervised in any area of the RVI. His visits were opportunistic, supervised and probably spontaneous. No one has reported a visit by Savile in either investigation in 1998.

In relation to the allegation made by W, three clinical staff were traced who were directly involved in his care and two managers, responsible for Children’s Services and Theatres respectively. All emphatically deny a visit by Savile and have provided rationale in evidencing the patient journey. No evidence has been uncovered either by Northumbria Police, or by this investigation to substantiate that Savile was a visitor on the RVI site in 1998 or would have been able to carry out the abuse described by W.

The conclusion of this investigation therefore is that we have found no evidence of a consistent pattern of visits by Savile or a connection with the Trust and we were unable to find evidence to substantiate W’s allegation.

The recommendations made in the report in June 2014 were as follows:

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<td>The Trust to develop a “Celebrity” Visitor Policy/framework to replicate and formalise the local guidance in place in the Great North Children’s Hospital and reflect the good practice and Trust central co-ordination of Celebrity visitors.</td>
<td>Safeguarding Operational Group</td>
<td>July 2014-Completed.</td>
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<td>The findings and recommendations of this report will be shared with the Trust Safeguarding Committees and Newcastle Safeguarding Children’s and Adult Boards to provide assurance and ensure responsibility for on-going action.</td>
<td>Nursing and Patient Services Director</td>
<td>In line with report publication-Completed</td>
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<td>Any further allegations received shall be thoroughly investigated with the same rigour.</td>
<td>Chief Executive and Head of Nursing (RVI)</td>
<td>On-going</td>
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This second investigation does not change the recommendations and there is no requirement to add to these.