

5.9 Specific Complaints

- a. **How many specific complaints of abuse of children in foster care have been made to the local authority?**

For each specific complaint, please answer the following:

- b. **Who made the complaint?**
- c. **When was the complaint made?**
- d. **Against whom was the complaint made?**
- e. **What was the nature of the complaint?**
- f. **When/over what period was the abuse alleged to have taken place?**
- g. **What was the local authority's process and approach in dealing with the complaint?**
- h. **What was the local authority's process and approach for investigating the complaint?**

Allegation of Abuse against a Foster Carer

- i. **What was the outcome of the complaint following that investigation?**
- j. **Did the local authority provide a specific response to the complaint?**
- k. **If so, what was the form of response e.g. apology, redress, pastoral response or any other type of response?**
- l. **If there was no response, why not?**
- m. **Was the information/content of the complaint passed to police?**
- n. **If not, why not?**

With respect to 5.9 a, b, c, d, e, f, g, h, i, j, k, l, m and n, the Inquiry's Guidance for Completion stated: "*10. Responses to Part D questions 5.8 - 5.10 and 5.12 - 5.13 should be provided in separate appendices to the report*".

Responses to 5.9 have been provided in a separate appendix to the report (Annex 5.9 Specific Complaints) and detailed information about complaints can be accessed there. 56 complaints were made relating to the period from 1936 to 2014. The complaints were in relation to neglect and emotional, physical, psychological, and sexual abuse. More particularly the complaints covered behaviour such as rape, sexual assault, physical assault (e.g. cigarette burn, punching, hitting with a rolling pin, belting, pulling hair), chastisement, inappropriate touch, sexualised language, menacing and aggressive behaviour, use of racist language, not feeding the child adequately, leaving the child to lie in a wet bed, showing favoritism.

5.10 Civil Actions

- a) **How many civil actions have been brought against local authority relating to abuse, or alleged abuse, of children in foster care?**

For each such civil action, please answer the following:

- b) **Who brought the action?**
- c) **When was the action brought?**
- d) **Against whom was the action brought?**
- e) **What was the nature of the abuse, or alleged abuse, to which the action related?**
- f) **What were the names of the persons said to have, or alleged to have, committed abuse?**
- g) **When/over what period was the abuse said, or alleged, to have taken place?**
- h) **How did the action progress?**
- i) **What was the outcome?**
- j) **Was the action settled on a conditional basis of confidentiality?**
- k) **Who was/were the local authority's legal representative(s) in relation to the civil action?**
- l) **Did the local authority carry insurance for meeting civil claims at the time the action was live?**
- m) **How/where can copies of the court papers relating to the civil action be made available to the Inquiry?**

With respect to 5.10 a, b, c, d, e, f, g, h, i, j, k, l and m, the Inquiry's Guidance for Completion stated: "10. Responses to Part D questions 5.8 - 5.10 and 5.12 - 5.13 should be provided in separate appendices to the report".

Responses to 5.10 have been provided in a separate appendix to the report (Annex 5.10 Civil Actions) and detailed information about civil actions can be accessed there. 21 civil actions have been brought relating to the period from 1963 – 2004. The civil actions related to physical, psychological, and sexual abuse.

5.11 Criminal Injuries Compensation Awards

- a) **Has any criminal injuries compensation been awarded in respect of abuse, or alleged abuse, of children cared for in foster care?**

Yes

- b) **If so, please provide details if known.**

Due to the small number of such cases and the consequent need to avoid identifiability the Council has provided full responses in a separate appendix (Annex 5.11 Criminal Injuries Compensation Awards).

5.13 Crown

- a) **To what extent has the Crown raised proceedings in respect of allegations of abuse of children in foster care?**

In relation to each time the Crown has raised proceedings, please answer the following questions:

- b) **What is the name of the person(s) against whom the proceedings were raised?**
c) **What was the nature of the charges?**
d) **What was the outcome of the proceedings, including disposal/sentence if there was a conviction?**
e) **What was the local authority's response to the proceedings and outcome?**

With respect to 5.13 a, b, c, d and e, the Inquiry's Guidance for Completion stated "10. Responses to Part D questions 5.8 - 5.10 and 5.12 - 5.13 should be provided in separate appendices to the report".

Responses to 5.13 have been provided in a separate appendix to the report (Annex 5.13 Crown) and detailed information about Crown proceedings can be accessed there. 6 people have been convicted of offences against children. The charges included sexual assault, lewd, indecent or libidinous practices and behaviour, assault and physical abuse. Across these cases there were a range of outcomes – convictions, acquittals and charges being dropped.