

Part D – Abuse and Response

The questions in Part D should be answered in respect of abuse or alleged abuse relating to the time frame 1930 to 17 December 2014 only.

5. Abuse

5.1 Nature

- a) What was the nature of abuse and/or alleged abuse of children in foster care, for example, sexual abuse, physical abuse, emotional abuse?

Children in foster care for Stirling Burgh Council, Stirling County Council, Central Region Council and Stirling Council (hereinafter referred to as "the Authority") reported abuse and allegations of abuse that were physical, sexual and associated emotional abuse.

5.2 Extent

- a) What is the local authority's assessment of the scale and extent of abuse of children in foster care?

In preparation for this report, we have reviewed case files for children in foster care for the period from 1930 to 2014. We have identified that 62 children in foster care have reported abuse or allegations of abuse. As a result of this, our assessment of the scale and extent of abuse or allegations of abuse of children in foster care at the Authority is not extensive.

- b) What is the basis of that assessment?

The Authority undertook a review of social work cases which include cases of children in foster care, throughout 1930 to 2014. The Authority has identified a limited number of allegations of abuse and confirmed abuse.

We estimate that Stirling Council retain approximately 17,000 child care files in total to screen for admission to foster care between 1930 and 2014.

From the review of 2512 of which 880 were children's files and 40 were foster carers' files, 62 children reported abuse which equates to just over 2% of the total number of cases reviewed.

- c) How many complaints have been made in relation to alleged abuse of children in foster care?

From a review of 2512 files, the Authority has identified 88 reports of abuse and alleged abuse made by 62 children in foster care.

LAAC Records in *Appendix_Sec_D_01* attached at: Tab 1 table 1-5.2(c) provides further details in respect of alleged abuse.

Table 1 - 5.2 c) How many complaints have been made in relation to alleged abuse of children in foster care?		
	Values	
What was the nature of abuse and/or alleged abuse of children in foster care, for example, sexual abuse, physical abuse, emotional abuse?	No of Foster Children	No of Complaints
Emotional	1	1
Emotional / Physical	4	5
Physical	39	52
Sexual	10	12
Sexual / Physical	7	15
Sexual / Physical / Neglect	1	3
Grand Total	62	88

- d) Against how many foster carers have the complaints referred to at (c) above been made?

The Authority have identified alleged abuse and allegations of abuse have been made against 33 foster carers.

LAAC Records in *Appendix_Sec_D_01* attached at: Tab 1 table 2 5.2(d) provides further details of fosters carers where complaints referred to at (c) have been made.

Table 2 - 5.2 d) Against how many foster carers have the complaints referred to at (c) above been made?	
Relationship to Alleged Abuse of Foster Child	Total
Foster Carer	33
Foster Child	12
Foster Carers Children	7
Grand Total	52

- e) How many foster carers have been convicted of, or admitted to, abuse of children?

Three foster carers have been convicted of, or admitted to, abuse of children.

LAAC Records in *Appendix_Sec_D_01* attached at: Tab 1, Table 2-5.2(e) provides further details of foster carers that have been convicted of, or admitted to, abuse of children.

Table 2.1 5.2 e) How many foster carers have been convicted of, or admitted to, abuse of children?	
How many foster carers have been convicted of, or admitted to, abuse of children?	
Sum of Against how many foster carers have the complaints referred to at (c) above been made?	
Foster Carer	Total
EQM	1
Mr Charlie Miller	1
EQN	1
Grand Total	3

- f) How many foster carers have been found by the local authority to have abused children?

10 foster carers have been found by the Authority to have abused children.

LAAC Records in *Appendix_Sec_D_01* attached at: Tab 1 Table 2.1a 5.2(f) provides further details of foster carers that have been found by the Authority to have abused children.

Table 2.1a 5.2 f) How many foster carers have been found by the local authority to have abused children?	
How many foster carers have been found by the local authority to have abused children?	(Multiple Items)
Sum of Against how many foster carers have the complaints referred to at (c) above been made?	
Foster Carer	Total
EQO	1
EQQ	3
EQM	1
FRS-FRV	2
Mr Charlie Miller	1
EQP	1
EQN	1
Grand Total	10

- g) Against how many family members of foster carers have complaints been made in relation to alleged abuse of children?

Complaints have been made against 7 family members of foster carers.

LAAC Records in *Appendix_Sec_D_01* attached at: Tab 1 Table 2.5.2(d) provides further details of family members of foster carers where complaints have been made in relation to alleged abuse of children.

- h) How many family members of foster carers have been convicted of, or admitted to abuse of children?

None.

- i) How many family members of foster carers have been found by the local authority to have abused children?

One family member of a foster carer has been found by the Authority to have abused children.

LAAC Records in *Appendix_Sec_D_01* attached at: Tab 1 Table 2.3a 5.2 (i) provides further details in relation to family members of foster carers that have been found by the local authority to have abused children.

Table 2.3a 5.2 i) How many family members of foster carers have been found by the local authority to have abused children?	
How many family members of foster carers have been found by the local authority to have abused children?	1
Sum of Against how many family members of foster carers have complaints been made in relation to alleged abuse of children?	
Family	Total
██████████	3
Grand Total	3

- j) Against how many other children placed in foster care in the same placement have complaints been made in relation to the alleged abuse of children?

Four children.

LAAC Records in *Appendix_Sec_D_01* attached at: Tab 1 Table 2.4a 5.2 (j) provides further details in relation to family members of foster carers that have been found by the local authority to have abused children.

Table 2.4a - 5.2 I) How many other children placed in foster care in the same placement have been found by the local authority to have abused children?	
How many other children placed in foster care in the same placement have been found by the local authority to have abused children?	(Multiple Items)
Sum of Against how many other children placed in foster care in the same placement have complaints been made in relation to the alleged abuse of children?	
Other Children	Total
████████████████████	2
██████████████	1
██████████	1
Grand Total	4

- k) How many other children placed in foster care in the same placement have been convicted of, or admitted to abuse of children?

None.

- l) How many other children placed in foster care in the same placement have been found by the local authority to have abused children?

One child placed in foster care has been found by the Authority to have abused children.

5.3 Timing of Disclosure/Complaint

- a) When were disclosures and complaints of abuse and/or alleged abuse of children in foster care made to the local authority?

Details in relation to when disclosures and complaints of abuse or alleged abuse of children in foster care were made are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column U-X.

- b) To what extent were complaints and disclosures made while the abuse or alleged abuse was on-going or recent?

Details as to what extent the complaints and disclosures were made while the abuse or alleged abuse was ongoing or recent are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column U-X.

- c) To what extent were/are complaints made many years after the alleged abuse i.e. about non-recent abuse?

Details where complaints were made many years after the alleged abuse are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column U-X.

- d) Are there any patterns of note in terms of the timing/disclosure of abuse and/or alleged abuse?

Details where there were any patterns of note in terms of the timing/disclosure of abuse or alleged abuse are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column U-X.

5.4. External Inspections

- a) What external inspections have been conducted relating to children in foster care which considered issues relating to abuse and/or alleged abuse of children?

There were no external inspections conducted in relation to children in foster care considering allegation of abuse or abuse of children.

For each such external inspection please answer the following:

- b) Who conducted the inspection?

Not applicable.

- c) Why was the inspection conducted?

Not applicable.

d) When was the inspection conducted?

Not applicable.

e) What was the outcome of the inspection in respect of any issues relating to abuse or alleged abuse of children in foster care?

Not applicable.

f) What was the local authority's response to the inspection and its outcome?

Not applicable.

g) Were recommendations made following the inspection?

Not applicable.

h) If so, what were the recommendations and were they implemented?

Not applicable.

i) If recommendations were not implemented, why not?

Not applicable.

5.5 External Investigations

a) What external investigations have been conducted relating to children in foster care which have considered issues relating to abuse and/or alleged abuse of children?

There were no external investigations conducted relating to children in foster care considering allegations of abuse or abuse of children.

For each such external investigation please answer the following:

b) Who conducted the investigation?

Not applicable.

c) Why was the investigation conducted?

Not applicable.

d) When was the investigation conducted?

Not applicable.

- e) What was the outcome of the investigation in respect of any issues relating to abuse or alleged abuse of children in foster care?

Not applicable.

- f) What was the local authority's response to the investigation and its outcome?

Not applicable.

- g) Were recommendations made following the investigation?

Not applicable.

- h) If so, what were the recommendations and were they implemented?

Not applicable.

- i) If recommendations were not implemented, why not?

Not applicable.

5.6 Response to External Inspections/Investigations

- a) What was the local authority's procedure/process for dealing with external inspections and/or investigations relating to abuse, and/or alleged abuse of children in foster care?

Not applicable.

- b) What was the local authority's procedure/process for responding to the outcomes of such external inspections and/or investigations?

Not applicable.

- c) What was the local authority's procedure/process for implementing recommendations which followed from such external inspections and/or investigations?

Not applicable.

5.7 Impact

- a) What is known about the impact of abuse on those children in foster care who were abused, or alleged to have been abused?

Following abuse or allegations of abuse in foster care, there is evidence of foster placements ending and children being moved to alternative fostering or residential placements.

Whilst an attempt was made to keep siblings together, there were examples of children being separated from siblings when moved from placements as a result of abuse or allegations of abuse.

The Authority would undertake a risk assessment and, in some cases, children were moved and returned to existing foster placements. There are also examples of children remaining in the foster placements following risk assessments.

Additional support was provided for some young people, which including psychiatric services. The Authority also undertook that additional visiting to young people where there were allegations of abuse or had been abused.

There are instances where the move from the foster child's current placement has a detrimental impact of a child and in one instance, a suicide attempt was recorded.

Criminal Injuries Compensation has been awarded a young person following abuse in foster care.

- b) Where does the local authority's knowledge/assessment of that impact come from?

The Authority's knowledge/assessment of impact comes from a review of social work records, disclosure by children who were abused and details from criminal injuries compensation award for a young person following abuse in foster care.

- c) What is known about the impact of abuse on the families of those children in foster care who were abused, or alleged to have been abused?

There are examples of foster carers being deregistered and a foster carer's adoption assessment was halted as a result of allegations of abuse.

Reassessments of foster carers were commonly undertaken with additional risk assessments in respect of the child or other children in the foster placement. Additional training was required as part of the reassessment of some foster carers.

Subsequent to police investigations, some foster carers were charged, and one foster carer was convicted. A child of a foster carer was cautioned by the police as a result of allegations of abuse.

A Foster carer's marriage ended and there were implications for the care of their own children as a result of allegations of abuse.

Foster carers would regularly comment to the Authority that the foster carers were "struggling" with allegation of abuse being made against them.

- d) Where does the local authority's knowledge/assessment of that impact come from?

From a review of social work records and corporate memory.

5.8 Known Abusers and Alleged Abusers

- a) Does the local authority know of specific abusers, or alleged abusers, of children in foster care?

Details in relation to specific abusers or alleged abusers of children are produced in to LAAC in *Appendix_Sec_D_01* attached at: Tab 2, column Y-AH.

- b) If so, what are the names of the abusers, and/or alleged abusers?

Details in relation to the names of the abusers or alleged abusers are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column Y-AH.

c) For each of these persons, please provide as much as possible of the following information:

- the period (dates) during which they are known or alleged to have abused children in foster care

Details of the dates during which they are known or alleged to abuse children are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column Y-AH.

- if they were foster carers, or if not, their relationship with the foster carers or what other role they had during the period of abuse and/or alleged abuse

Details of relationship with the foster carers are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column Y-AH.

- the knowledge sought or received about them by the local authority at the point of approval/registration of foster carers and thereafter

Details of knowledge sought or received by the Authority at the point of approval or registration of foster carers are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column Y-AH.

- any information (including regarding abuse or alleged abuse) sought by, or provided to, third parties or future employers at any point after the allegation of abuse was made,

Information sought or provided to third parties or future employers are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column Y-AH.

d) Were known abusers, or alleged abusers, of children permitted to continue as foster carers?

Details in relation to known abusers or alleged abusers of children continuing as foster carers are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column Y-AH.

- e) If so, why was this considered to be appropriate

Details of why this was considered to be appropriate are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column Y-AH.

- f) If so, what process of monitoring/supervision followed?

Details in relation to monitoring and supervision are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column Y-AH.

5.9 Specific Complaints

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

Details in relation to specific complaints of abuse of children in foster care are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column AI-AW.

For each specific complaint, please answer the following:

- b. Who made the complaint?

Details of who made the complaint are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column AI-AW.

- c. When was the complaint made?

Details of when the complaint was made are produced in to LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column AI-AW.

- d. Against whom was the complaint made?

Details against whom the complaint was made are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column AI-AW.

- e. What was the nature of the complaint?

Details of the nature of the complaint are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column AI-AW.

- f. When/over what period was the abuse alleged to have taken place?

Details of when/over what time period the abuse was alleged to have taken place are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column AI-AW.

- g. What was the local authority's process and approach in dealing with the complaint?

The Authority's process and approach in dealing with a complaint is detailed within LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column AI-AW.

- h. What was the local authority's process and approach for investigating the complaint?

The Authority's process and approach for investigating complaints is detailed within LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column AI-AW.

- i. What was the outcome of the complaint following that investigation?

Details in relation to the outcome of the complaint are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column AI-AW.

- j. Did the local authority provide a specific response to the complaint?

Details of the Authority's response are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column AI-AW.

- k. If so, what was the form of response e.g. apology, redress, pastoral response or any other type of response?

Details of the form of response are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column AI-AW.

- l. If there was no response, why not?

Details where there was no response are produced in AAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column AI-AW.

- m. Was the information/content of the complaint passed to police?

Details of instances where the information/content of complain was passed to the police are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column AI-AW.

- n. If not, why not?

Details of instances where no information or content of complaint was passed to the police are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column AI-AW.

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?

One civil action has been brought against Central Regional Council in relating to abuse or alleged abuse of a child in foster care. This action is being progressed by Falkirk Council as the date of complaint is from a time period prior to disaggregation. There is an agreement between Stirling Council, Falkirk Council and Clackmannanshire Council that any civil actions brought for allegations made during the period of Central Regional Council is handled by Falkirk Council. As a result, Stirling Council does not hold any information on this case in relation to civil actions.

For each such civil action, please answer the following:

- b) Who brought the action?

Not applicable.

- c) When was the action brought?

Not applicable.

d) Against whom was the action brought?

Not applicable.

e) What was the nature of the abuse, or alleged abuse, to which the action related?

Not applicable.

f) What were the names of the persons said to have, or alleged to have, committed abuse?

Not applicable.

g) When/over what period was the abuse said, or alleged, to have taken place?

Not applicable.

h) How did the action progress?

Not applicable.

i) What was the outcome?

Not applicable.

j) Was the action settled on a conditional basis of confidentiality?

Not applicable.

k) Who was/were the local authority's legal representative(s) in relation to the civil action?

Not applicable.

l) Did the local authority carry insurance for meeting civil claims at the time the action was live?

Not applicable.

m) How/where can copies of the court papers relating to the civil action be made available to the Inquiry?

Not applicable.

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. There have been two awards of criminal injuries compensation in respect of abuse or alleged abuse of children cared for in foster care.

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

Details of criminal injuries compensation can be found in refer to LAAC Records in *Appendix_Sec_D_01* attached at: Tab 3.

5.12 Police

- a) How many complaints of abuse of children in foster care have been made to the police?

50 Complaints of abuse of children in foster care have been made to the police.

LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column AX-BD provides more information on the number of complaints of abuse of children in foster care have been made to police.

In relation to each known complaint to the police, please answer the following questions:

- b) Who was the alleged abuser or abuser?

Details of alleged abuser or abuser are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column AX-BD.

- c) Did the police conduct an investigation in relation to the complaint?

Details of police investigations in relation to the complaint are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column AX-BD.

- d) If so, who conducted the investigation and when?

Details of who conducted the investigation are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column AX-BD.

- e) What was the outcome of the police investigation?

Details of the outcome of the police investigation are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column AX-BD.

- f) What was the organisation/establishment's response?

Details of the Authority's response are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 2, column AX-BD.

5.13 Crown

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

The Crown has raised proceedings in respect of allegations of abuse of children in foster care on two occasions.

For further information, please refer to LAAC Records in *Appendix_Sec_D_01* attached at: Tab 4.

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?

Name of persons against whom proceedings were raised are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 4.

- c) What was the nature of the charges?

Details of the nature of the charges are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 4.

- d) What was the outcome of the proceedings, including disposal/sentence if there was a conviction?

Details in relation to the outcome of proceedings are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 4.

- e) What was the local authority's response to the proceedings and outcome?

Details of the Authority's response to proceedings are produced in LAAC Records in *Appendix_Sec_D_01* attached at: Tab 4.