

APPENDIX 3  
QUESTION 5.10

5.10 Civil Actions

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

*One that is ongoing.*

For each such civil action, please answer the following:

- b) Who brought the action?



- c) When was the action brought?

*It was raised in 2008; NFA does not know the exact date as it was not a defender to the action when it was raised.*

- d) Against whom was the action brought?

*Clackmannanshire Council. NFA was served with proceedings as a second defender in July 2022.*

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

*Sexual abuse over a period of two years.*

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

*David John Leggatt*

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

*Between summer 2010 and July 2012*

- h) How did the action progress?

*The action is ongoing.*

- i) What was the outcome?

*As above, the action is ongoing.*

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

*As above, the action is ongoing.*

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

*The insurer's solicitors have conduct of the proceedings.*

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

*Yes, PL insurance was placed by Markel.*

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

*As the proceedings are ongoing, and there are no final or complete court papers, NFA is seeking counsel's advice on whether the papers can be made available to the Inquiry.*