

S. BOSS

DETAILED BACKGROUND INTO THE SETTING UP OF THE FORMAL ENQUIRY INTO THE ALLEGATIONS BY [LA-A26's parents] THAT THEIR DAUGHTER [LA-A26] WAS SEXUALLY ABUSED BY [LA-F12] [DPA] [DPA] AT IVY HOUSE

INTRODUCTION

1. On December 6th 1986 [Father] made a complaint to the effect that their 15 year old profoundly mentally handicapped daughter had been sexually abused by [LA-F12] [DPA] of Ivy House. [LA-F12] was immediately put on special leave pending management investigations which took place on the 10 December 1985. These management investigations were carried out by Don Thomas Senior Childrens Homes Officer, Pauline Lawrence Personnel Officer and Pat Salter Childrens Homes Officer and focussed on whether or not some kind of sexual abuse had taken place during the course of [LA-A26] [DPA] stay at Ivy House between the 26 November and the 2 December 1985. The panel concluded that they could find no reason to substantiate charges for disciplinary action and the police subsequently indicated that they could find no evidence to indicate further investigations and told [LA-F12] that they would not be proceeding with the matter. It is important to emphasise that the Social Services Directorate conducted management investigations in response to a very serious allegation of child sexual abuse against a member of staff. This course of action did not amount to an enquiry.

2. A FORMAL COMPLAINT BY [Father]

By letter of 10.1.86 the Childrens Legal Centre for the [family's] on behalf of [LA-A26] made a formal complaint and demanded a full enquiry and that the worker should be suspended pending its outcome. There followed further correspondence and at a meeting with Councillor Boateng the former Chair of the Social Services Committee on 26 March 1986 attended by [Father] and his representative it was agreed to establish a formal enquiry into the allegation. Councillor Boateng also instructed that the named member of staff should be suspended from duty but this instruction was not confirmed by Councillor Inyang the former Chair of the Management Services Committee.

The decision to establish a formal enquiry was taken for two main reasons:-

- 1. The inadequate composition of the panel of officers who conducted the management investigations into the original allegation of 5 December 1985; the limited focus of their investigations concentrating on [LA-A26]'s last visit to Ivy House and not interviewing her or her parents. The particular inadequacy of the panel of officers was that it lacked a Race Relations Adviser and also someone with specialist knowledge of child sexual abuse.
2. Although no additional evidence was provided the meeting was impressed a the strength of feeling & concern expressed by [father] and his legal adviser and a play therapist who was present and had worked with [LA-A26], that child sexual abuse to her had occurred.

3. THE SETTING UP OF THE ENQUIRY INCLUDING TERMS OF REFERENCE

The composition of the panel was to include two Social Services managers, a Personnel Officer and Race Relations Adviser and an independent adviser with specialist knowledge of child sexual abuse. There followed correspondence and meetings with representatives of the NSPCC who eventually agreed that

3. contd...

Mrs. Ann Banister acting in a consultative capacity and working with the [family] would report to the panel.

To turn to the Terms of Reference I am starting by quoting them -

"To investigate the allegations made by [parents] that when resident at Ivy House, their daughter [LA-A26] was sexually abused by [LA-F12] [DPA] and also to consider any other explanation or the possible involvement of other persons in this matter".

In considering the Terms of Reference I had two main considerations. There was no doubt in my mind that the [parents] were even more strongly maintaining their allegation against [LA-F12] and that to achieve credibility his name should appear in the terms of reference. At the same time I was particularly concerned that the enquiry panel should undertake wider enquiries and be directed to consider other explanations or other persons who were known to [LA-A26] or had contact with her. My principal intention was that the panel should undertake a rather more wide-ranging brief and consider those other occasions when [LA-A26] was resident at Ivy House and the possible involvement of other persons known to her.

4. THE WORK OF THE INQUIRY TODATE

The panel commenced work on the 24/26 June 1986, went into recess while Waverney Williams was on leave and recommenced on the 29 July 1986. They started by hearing evidence from [Parents] and will receive a report from Mrs. Bannister and then wish to hear from other include witnesses, [LA-F12] and other members of staff at Ivy House. There is credibility to the [Parents] in the panel and in the terms of reference. There was no intention to draw particular attention to [LA-F12] whose evidence will be considered together with [contributions] from various other people including those from outside organisations. There may with hindsight have been merit in more generalised terms of reference as now suggested by Nalgo and there was no earlier consultation or discussion about them. There was a clear case for a more formal enquiry to include the involvement of the Race Relations Adviser and adviser of specialist knowledge of child sexual abuse. The point of difference appears to be [LA-F12] s name included in the terms of reference.

There is a clear need for the establishing of agreed procedures to cover issues such as the difference between suspension and special leave, and management investigations and more formal enquiries so that difficulties of this kind can be minimised for the future.

R.N. Osmond
Director of Social Services

29 JULY 1986