

## Other Document

Priority: Low Class: URN **DPA**  
Title: DI DALES SIO REPORT RE **NO-A105**

### Senior Investigating Officers Report

#### Offence Recommendations

Complainant: **NO-A105**

#### Offence Background

The complainant in this case is **NO-A105** (NO-A105) dob (DPA /1967). (NO-A105) attended Oxclose Lane Police Station on the 15<sup>th</sup> July 2011 and requested to speak to officers about Beechwood Children's Home (BCH).

(NO-A105) provided a witness statement dated 7<sup>th</sup> September 2011. She states she was a former resident at BCH on two separate occasions the first being in 1983 when aged 14 years for a 6 week assessment and thereafter for approximately a year. (NO-A105) states that she was sent to BCH as she was sexually abused whilst in foster care.

(NO-A105) states that she was resident at Redcot, she recalls various members of staff but the person that she remembers most vividly was **NO-F192**. She states that one night when she had been there for approximately 8 months it was late at night and everyone had gone to bed...On this night she was in bed when **NO-F192** came bursting into her room, grabbed hold of her and pulled her out of bed. He then dragged her out of the room and downstairs to the main entrance area. He then opened the door and kept her there in the freezing cold for the rest of the night.

(NO-A105) states that she had been noisy the previous night and kept the residents awake and that **NO-F192** was shouting and screaming at her saying he was doing this due to her actions the previous night.

(NO-A105) states that she ran away frequently from the home despite being told not to do so.

She states that on one occasion the police returned her to the home and **Mr LOGAN** was waiting for her. As soon as the police left **LOGAN** grabbed her by the throat and picked her up off the floor and into a room...once in there he held her by the throat up against a wall so that her feet were off the floor...and when he grabbed her round the throat he ripped her chain off.

(NO-A105) states that **LOGAN** never hit her but would often restrain her if she did anything wrong, generally pushing her onto the floor and pinning her down with his own body weight.

(NO-A105) states that on another day she slapped **Child**, (DPA) around the head for head and knows that she shouldn't have done and doesn't know why she did.

**NO-F193** saw her do this and without saying anything hit her very hard in the head. ....she kept coming towards her, hitting, slapping her about the head and face numerous times.....somehow she ended up behind her, she doesn't know how or what she was doing and **NO-F193** deliberately head butted her with the back of her head., hitting her in the mouth. This caused extensive damage to her bottom teeth; she then bit (NO-A105) on her forearm. Hard enough to draw blood and make her arm swell up.



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[NO-A105] states that following this she and [NO-F193] was fine and were almost friends.

[NO-A105] states that a few weeks ago she believes that she spotted [NO-F193] in an elderly people's home and a member of staff informed her that [NO-F193] had dementia

[NO-A105] states that she was sent to BCH because she was sexually abused in foster care by a Robert THORPE, her foster carer's brother. She states that even though the staff at BCH were aware of this they still allowed THORPE to visit. **THORPE raped her at least three times when he visited her. This always happened within the grounds of the home. She states that one day she told [NO-F14] what was happening to her when THORPE visited and she remembers that he made notes about what she told him. THORPE was still allowed to visit even after she told [NO-F14] what was happening. She states that she cannot recall how many times THORPE visited after she told [NO-F14]**

[NO-A105] states that in 2009 THORPE was convicted of sexual offences and received 5 years imprisonment.

[NO-F192] dob ([DPA]/1951) was employed in Social Care between [DPA]/1982 and [DPA]/1995 it is not known when he worked at BCH.

[NO-F192] is not recorded on PNC.

[NO-A105] social care records show that she was resident at BCH from [DPA]/1981 for a six week assessment and subsequently admitted again on the [DPA]/1982 – [DPA]/1983.

The social records for the relevant period have been viewed and there is an entry on the [DPA]/1982 that states that [NO-A105] was removed from her bedroom because she wouldn't do as she was told. The entry states that [NO-F192] gave her the choice of going downstairs or stopping in bed and not making any noise. [NO-A105] decided to go downstairs and stand in the hallway. The entry goes on to say that after a long time of the pair talking she was sent to bed as she would not go herself. The entry is initialled [NO-F14]

There is also a handwritten note in her file that reads '[NO-F192] he nearly strangled me, I nearly died good job I didn't. Called me a cheeky cow when I called him politely to the phone when [NO-F14] asked me to'. The note is unsigned and undated.

DC GRUNDY submitted an officer's report in relation to visiting [NO-A105] on the 11<sup>th</sup> August 2011 and her initial disclosure. It is stated in this report that [NO-A105] states that she was punched and kicked by a member of staff a Mr LOGAN because she ran away. When she returned he made her strip and held her by the throat.

In September 2007, [NO-A105] provides a statement to Derbyshire Police detailing the sexual abuse and numerous rapes by a Robert THORPE at the family home address over a period of time. On page 7 of this statement she states 'the sexual abuse stopped when I was removed from [NO-F57]'s house and put into Beachwood Care home'.

The original file submitted by Derbys Police has been viewed. THORPE was never questioned in relation to any abuse of [NO-A105] at BCH, although he was asked if he had ever visited [NO-A105] at BCH and he agreed he had, although less frequently than the Social Care records suggest.

[NO-A105] provided a further witness statement on 21/12/2008 where she states whilst she was at BCH she informed [NO-F14] about the abuse. This is confirmed by her social care records.

[NO-A105]'s medical records have been viewed and nothing of evidential value noted.



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On 29<sup>th</sup> April 2013 Andris LOGGINS (aka Andy LOGAN) was interviewed under caution and denied any allegation of assault on [NO-A105]

[NO-F193] has not been interviewed and enquiries confirm that she did retire on the grounds of ill-health.

### Conclusions

[NO-A105] has not been entirely consistent in her accounts to the police. The statement in 2007 states that the sexual abuse with THORPE stopped when she was admitted to BCH, whereas the statement provided by [NO-A105] in 2011 states the abuse continued.

Records confirm that [NO-F14] was informed of the abuse by [NO-A105] in 2008 however there is nothing to indicate that [NO-A105] told anyone that the abuse by THORPE had continued at BCH.

Although THORPE was never questioned in relation to any abuse at BCH it is known that when interviewed he denied all the offences and was later convicted at Derby CC on 08.05.2009 of rape and indecent assault having pleaded guilty.

In view of the passage of time and the apparent inconsistencies identified to date, there would undoubtedly be a strong abuse of process argument if we were to proceed any further in relation to the allegations against THORPE.

The initial disclosure to DC GRUNDY and the statement that [NO-A105] provides in 2011 varies in that she states LOGAN did not hit her and makes no reference to being stripped by him.

Whilst there is an entry in the social care records of an incident involving [NO-A105] and Mr LOGAN there is no mention of any assault allegations.

The assaults at most would constitute a common assault and as such are outside the statutory timescales for proceeding.

[NO-A105] does have convictions which include offences of dishonesty.

There is no medical evidence available to corroborate the allegations.

### Recommendations

Having considered the circumstances and available evidence it is my decision that no further action is taken in respect of any of the above matters.

The evidential threshold test for a pre-charge advice file to CPS is not met.

Yvonne DALES  
Detective Inspector

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