

## CASE SUMMARY

R v **NO-F191**

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The circumstances of the case are set out below:

On 26 May 2004 the Child Abuse Investigation Unit (CAIU) received a referral from Newark Social Services Department in relation to a child named **NO-A394** (DOB **DPA** 1988). A brief description from the referral indicated that **NO-A394** had disclosed to a social worker he had been sexually abused by his foster mother 2 years earlier.

On 12 July 2004 **NO-A394** was video interviewed at Bingham Victim Suite. Throughout this interview **NO-A394** disclosed the following:

That he had been placed with **NO-F191 & NO-F194** when he was 8 years old and he remained there until he was 15. **NO-F191 & NO-F194** address was **DPA**

**NO-A394** disclosed that when he was 12 years old, he was in the house with **NO-F191** and they were in the living room. No one else was in the house on this occasion (**NO-F194** was out at work). **NO-A394** stated that he and **NO-F191** were watching a programme about masturbation on TV and, as he didn't understand what it was, he and **NO-F191** began to talk about it. When they had finished talking about it, **NO-A394** has stated **NO-F191** then told him to pull his pants down and to masturbate in front of her. **NO-A394** stated he said 'No' the first time, but **NO-F191** asked a second time and this is when he agreed although he did feel embarrassed. **NO-A394** stated he could not remember the specifics of any conversation he had with **NO-F191** but did remember that this incident took place on a weekday evening as he had been at school on that day. Upon this second request, **NO-A394** stated he then pulled his own pants down and started to masturbate. **NO-A394** described himself as standing up whilst masturbating in front of **NO-F191**, who was sitting down on a chair (they were facing each other). **NO-A394** described himself as masturbating for about 30 seconds and stated that he did get an erection, although he did not ejaculate. **NO-F191** did not touch **NO-A394** at any point. Afterwards **NO-F191** told **NO-A394** not to tell anyone about this because she would get 'locked away'. About 5 minutes after he finished masturbating, **NO-A394** stated **NO-F191**'s daughter, **Name Redacted** and her friend, **Name Redacted** came to the house. **NO-F191** told **NO-A394** not to say anything to **Name Redacted** and **Name Redacted** also. **NO-F191** never asked **NO-A394** to do this again, and they never talked about it.

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NO-A394 also stated that, upon her requests, he washed NO-F191's back on 3 or 4 occasions whilst she was bathing in the bath. NO-A394 stated he never touched NO-F191's skin when he washed her because he used a sponge. On these occasions NO-F191 used to cover herself with a towel so that he couldn't see the front of her body. No one else has ever seen him wash NO-F191's back. NO-A394 stated he could not remember the first time he washed NO-F191's back, but the last time was a year or so before his placement ended (05 March 2004).

NO-A394 then went on to talk about other children who had been cared for by the NO-F191 & NO-F194 and whom he had witnessed being mistreated in one way or another. NO-A394 named these children and they are as follows:

- Name Redacted
- Name Redacted
- Name Redacted
- Name Redacted
- Name Redacted
- Name Redacted

Subsequent enquiries conducted by social services, however, has concluded that these concerns will not be pursued (details are held with OIC).

NO-A394 also stated that he himself remembered being smacked on one occasion on his face by NO-F191. It was when he was little and going up the stairs, although not much detail is offered.

Finally, NO-F394 also stated that on one of the occasions when he was talking about sex with NO-F191 she asked him if he wanted to see her vagina. NO-F394 thought they were in the living room of the house on this occasion, and remembered saying 'No' twice to NO-F191. NO-F394 did not see NO-F191's vagina.

At 11.00am on 18 August 2004 NO-F191 was arrested at Newark Police Station on suspicion of gross indecency on NO-A394 between DPA 2001 (i.e. the period when NO-A394 would have been 12 years old).

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**NO-F191** was interviewed at Newark Police Station between 12.06pm and 12.41pm on the same day, whereupon she offered the following:

That the event **NO-A394** described as having happened was untrue, although she could recall one occasion that she thinks **NO-A394** must be confusing it with. On this particular occasion **NO-F191** described herself and **NO-A394** as being the only ones in the house and were in the living room. **NO-F191** stated they were not watching a TV programme, but somehow they began to talk about circumcision. **NO-F191** stated **NO-A394** wanted to know what circumcision was and so she explained to him what her understanding of it was. **NO-F191** stated **NO-A394** then stood in front of the fireplace where he took his trousers and underpants down to his knees. **NO-A394** then took hold of his penis and pulled his foreskin back and asked **NO-F191** whether or not he needed to be circumcised. **NO-F191** stated she was sitting on the sofa at this point, a distance of about 8 feet from where **NO-A394** was standing. **NO-F191** stated she then told **NO-A394** that he did not need to be circumcised, upon which he pulled his underpants and trousers back up and nothing more was said. **NO-F191** denied telling or asking **NO-A394** to masturbate himself, and stated that **NO-A394** did not masturbate at all.

In relation to the bathing incidents, **NO-F191** accepted that these did happen although she stated that **NO-A394** was a number of years younger when he washed her back. When asked if she thought this was appropriate behaviour on her behalf, **NO-F191** initially said that she thought it was as it was not something she wouldn't ask her own son to do. Indeed, **NO-F191** stated that she was encouraged by the Social Services Department to openly discuss sexual matters with the children she cared for, whenever the children raised any issues. However, **NO-F191** later changed her mind and agreed that it was inappropriate for her to ask **NO-A394** to wash her back.

When asked why **NO-A394** would disclose such serious allegations if they weren't true, **NO-F191** stated the only reason she could think of was because **NO-A394** wasn't very happy when she and **NO-F194** told him they were no longer going to foster and care for any children, including himself (the reason for this decision being because they had fostered children in excess of 20 years, and **NO-F194** was now 65 years old and so they wanted more time to themselves). **NO-F191** stated **NO-A394** was upset at being told this news, knowing that he would have to be placed with other carers. **NO-F191** stated that **NO-A394** had recently been making sexually inappropriate comments when talking with her (i.e. 'I like this girl but I get a hard-on' (or words to that effect)). **NO-F191** confirmed that **NO-A394** had never made any similar previous allegations against her or anyone else.

Finally, **NO-F191** denied ever asking **NO-A394** if he wanted to see her vagina.

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**NO-F191** was subsequently bailed 47(3)(b) to return to Newark Police Station at 3.00pm on 30 September 2004, pending the submission of an Advice File to CPS.

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