

Operation Middleton 4th and final report

(All Wards/All Areas)

Item **5**

Executive portfolio: Social Services

Authorised for submission by: Assistant Chief Executive

225/03-04

Executive

13th October 2003

Executive Summary

The Operation has run successfully since November 1998 and following a full risk assessment a joint decision [between Lambeth and the Met Police] was taken to begin to cease the operation from 31.3.03. The Operation was finally ended on 31st July 2003. The operation has been a good example of joint working between Lambeth Council and the Met Police. There have been a number of successful trials and prosecutions and a large number of victims of child abuse have been supported through difficult times by the operation. Arrangements are now being put in place to ensure any future allegations of abuse can be dealt with effectively.

Recommendations

That the report be noted.

Funding

This report has no funding implications and the closure of the Operation will provide some limited savings in 2004/5.

Consultation

Name	Department/Organisation	Date Sent/Received	Date Cleared/Received	Comments included in report at para:
Internal				
Andrew Webster	EDSSH	12.9.03	13.9.03	2.8
Cllr R. Giess	Executive Member Social Services	20.9.03	25.9.03	
External				
Commander Howlett	Metropolitan Police at Strategy Meeting	31.7.03	31.7.03	
Helen Kenward	Consultant on child protection matters	31.7.03	1.9.03	2.4-2.5

Date consultation entered in Consultation and Events Diary: n/a

Report History

Decision type: Non-Key decision
Drafted on: July 2002 **Deadline:** 25.09.03 **Date sent:** 29.09.03 **Date Published:** 03.10.03
Report drafted by and contact for enquiries: Chris Lee, Asst C.E.
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1. Context

- 1.1 Operation Middleton was established in November 1998. It is a joint Metropolitan Police and Lambeth Council investigation into allegations of abuse of children in the care of Lambeth in residential homes under the control of Lambeth Social Services Department, or with other carers, between 1974 and when they were finally closed in 1995.
- 1.2 During the period under investigation Lambeth operated and used 35 Children's homes and 7003 children looked after were placed in care. The last of 35 Lambeth run children's home was closed in 1995. Whilst the investigation has concentrated on its original terms of reference it has inevitably and properly been drawn beyond them in the interests of ensuring that the continuing safety of children is at the centre of its work.
- 1.3 Due to the nature of the investigation Members and the public will understand that it is not possible to report in detail on the operation.
- 1.4 The Lambeth Council element of the Middleton operation, known as CHILE – Children In Lambeth Enquiry, was established in November 1998. Whilst the Team was appointed employed by Lambeth Council, apart from one seconded member of Lambeth's staff it consisted of agency staff and consultants who were independent of the Council. The Team was headed by a Consultant child care worker who is an acknowledged expert in the field and advisor to many Local authorities and Police forces. The Team consisted of carefully selected staff with a range of skills appropriate to the tasks.
- 1.5 The Team acted independently of Council Departments. It was established to report to the Chief Executive and the Director of Policy & Performance. The Team also reported to a Strategy Group which includes Senior Police Officers and a representative from the Social Services Inspectorate. Regular updates were also provided to the monthly tripartite briefings for lead social services members from all parties. The Team was provided with secure accommodation within the Town Hall and advertised a non-Council switchboard telephone number.
- 1.6 The operation was a true joint operation with joint working between Police and Child care staff facilitated on a daily basis in order to secure the most robust investigation. The operation also worked closely with the Department of Health Social Services Inspectorate and ensured that relevant information was shared with other childcare organisations and Local authorities to protect the safety of children

2. Detailed Analysis and Reason

2.1 Detail of work since the last interim report [January 2002] The Strategy Group monitoring Operation Middleton has been mindful of the need for an exit strategy since its inception. The fourth year [2001/2] has seen a reduction in staff as the nature of the inquiry changed from data/intelligence collection to a criminal investigation. Alongside, the CHILE team was increasingly involved in supporting witnesses, preparation for court hearings, disciplinary proceedings and safe care issues for Lambeth Social Services. The Police team, as part of the Metropolitan Police reorganization of their Child Protection Response, moved to Tintagel House and the CHILE team closed its office in the Town Hall and moved to Northamptonshire.

2.2 Facilities for interviewing and meetings have been negotiated on an ad hoc basis thus reducing costs.

2.3 In January 2003 a comprehensive risk assessment was carried out by Senior Officers in the Metropolitan Police, The Chief Executive of Lambeth Council, Interim Director of Social Services, Consultant head of the CHILE team and the Director of Policy and Performance. This assessment looked at the original terms of reference of the operation and assessed the risk outstanding of the terms and objectives of the Operation not having been met. The conclusion was that there remained a low and acceptable risk and that further work at this level was not warranted. It was agreed that the Operation would be closed from the end of the financial year 2002/3. All efforts were made to scale down the work by that date and the operation was eventually brought to a full close on 31st July.

2.4 Summary of work of the Operation over the whole of its life

Operation Middleton investigated over 120 allegations of sexual abuse / assault and was successful in bringing a number of perpetrators to justice. 3 perpetrators were imprisoned for periods of between 18 months and 10 years. The Operation also assisted a number of other Police forces in completing investigations and bringing charges, including Merseyside Constabulary in the case of David Carroll who was imprisoned for 10 years in 1999.

2.5 The following factors hampered further successful prosecutions against alleged perpetrators:

- 16 alleged perpetrators died either before or during the Operations life [including 1 suicide during trial in March 2003]
- 11 cases where the Crown Prosecution Service decided no further action possible
- 19 cases where the alleged perpetrators could not be identified
- 1 case where the victim died before being able to give evidence

2.6 A further 4 cases were fully referred to other forces since the case was outside the parameters of the Operation but are being handled elsewhere.

2.7 It would be unreasonable to judge the success of the Operation solely on the basis of the number of successful prosecutions. The Operation has provided a range of additional functions and tasks including the following:

- Long term support and counseling to 49 victims of child abuse – This assisted these individuals to better come to terms with the abuse they had suffered and to enhance their life chances
- Creation of database of children / childrens homes and staff to enable victims and alleged perpetrators to be more easily identified.
- Creation of archive and handover to Social Services as Records Management Unit
- Liaison with Insurers to more effectively manage Lambeth's insurance liabilities in relevant cases
- Review and improvement of child protection arrangements
- Investigation and involvement in 14 staff disciplinary investigations and at 5 disciplinary hearings.
- Review and report on foster carers arrangements leading to improvements in police checks and reduced risk to adopted children

2.8 Residual arrangements

Residual arrangements have been established to ensure that any future allegations can be swiftly investigated and dealt with and to ensure that the good work of the Operation is built upon:

- The database of children, children's homes and staff will be maintained in the social services archive, which has itself been overhauled as a result of the operation;
- The data on allegations and investigations will be held in a sealed archive managed by the Executive Director of Environment & Law with a clear protocol governing access for any future criminal investigation;
- All the data held by the team will be secured or destroyed to minimise risk;
- Claims against the council and liaison with the council's insurers will continue to be handled by the specialist advisors retained for this purpose;
- Telephone calls to the CHILE number will be redirected to the Social services complaints officer and continue to be the subject of direct oversight by the Head of Children's Services and the Executive Director;
- The option of calling on the services of experts from the CHILE team to assist with future work remains available to the Council;
- Further information and lessons learned from the operation will be considered by the Social Services tri-partite meeting in the coming months.

3. Financial implications

- 3.1 In the last financial year a total budget of £0.35 million was allocated to the CHILE project. And expenditure has been contained within that budget. A small residual budget has been established for 2003/4. This budget of £0.05m has been overspent by 0.05m in 2003/4 due to additional work having to be undertaken during the close down of the Operation, This overspend will be contained within the overall budget of the Office of the Asst. Chief Executive. It is not possible at this point to quantify the cost of potential claims on the Council insurance policy. However a number of claims are currently being processed and more may be expected.
- 3.2 No budget for Operation Middleton will be required in 2004/5 providing a saving of £0.038m net of recharges.

4. Legal implications

- 4.1 By virtue of section 23 of the Children Act 1989, it shall be the duty of a local authority looking after any child to safeguard and promote their welfare. In view of the duty of care which is owed by local authorities and the potential for the Council to be held to be liable in damages for the actions of its current and former employees it has been, and will continue to be, necessary to notify the Council's insurers of the situation.

5. Consultation feedback

- 5.1 Scrutiny views – n/a
- 5.2 The Metropolitan Police and Social Services Inspectorate have been fully involved and consulted on all strategic decisions in connection with Operation Middleton including the final closure of the Operation.

6. Other implications

- 6.1 **CPA recovery plan** – This Operation is not included in the Recovery Plan.
- 6.2 **Risk management** – A full risk assessment was carried out before reaching the decision to close the Operation. The residual arrangements described in the report are designed to deal with any outstanding low level risks. There are no outstanding medium or high level risks.
- 6.3 **Equalities** – There are no specific equalities issues

6.4 **Crime and Disorder implications** – This Operation was a joint Met Police and Lambeth Council operation specifically established to investigate and bring to justice allegations of child abuse. Any further allegations will be dealt with through normal processes

6.5 **Environmental implications** – None

6.6 **Staffing and Accommodation implications** - none

6.7 **Impact on Front Line services** – None

6.8 **Area Implications** – None

6.9 **Any Other implications** – no other implications

7. **Timetable for Implementation and Success Criteria**

7.1 The Operation has already closed and the residual arrangements are in place

8. **Appendices**

No appendices

9. **List of background documents**

1st, 2nd and 3rd interim reports to former Policy Committee.
