

## News Times investigation

# Sexual predator's victim was failed at every turn

A young man's ordeal leaves care home firm and regulator facing troubling questions, **Andrew Norfolk** writes

At the junction of two quiet suburban streets stands a large, detached house that 20 months ago bore silent witness to a suspected sex crime.

Inside the north London property on a November afternoon in 2015 were six vulnerable adults with learning disabilities and two members of staff, employees of the private care company that

owned and ran the home. Until today, what a support worker saw when she walked into the room of a young, severely autistic man has remained a closely guarded secret.

Those in the know included a handful of local authority safeguarding professionals, police officers and staff from the Care Quality Commission.

Left in ignorance were the families whose loved ones have continued to live in homes across London that are run by the same company, Hillgreen Care.

An investigation by *The Times* has uncovered evidence that raises troubling questions about the company's operation and about the CQC's role as England's independent regulator of adult social care.

## ON THE DAY

At 5.30pm on a Sunday afternoon, a care worker saw JL go upstairs after smoking a cigarette in the garden. The member of staff later went to Tom's room to collect his laundry. When she opened the door, Tom was standing, facing her, naked from the waist down. JL was standing behind him.

Shocked workers immediately informed Hillgreen's senior management. They also photographed Tom's underwear, which had potential evidence of sexual activity.

Questioned that evening by two care assistants, JL, 28, initially denied any wrongdoing but then admitted that he went to Tom's room, pulled down his lower clothing and had sex with him.

In written statements seen by *The Times*, three Hillgreen workers said that Ross Dady, the company's regional manager, and Roger Goddard, its director of care, initially told them they should not contact police or any external authorities.

Mr Dady, who supervised the

In 2011, aged 19, Tom (not his real name) was living in a Hertfordshire care home, not run by Hillgreen, when another resident picked up a knife and in an unprovoked attack stabbed him more than 20 times in the head and upper body.

When JL arrived at Enfield in 2009, having been moved from another Hillgreen home in Tottenham, it was under court-imposed bail conditions. He was awaiting trial charged with the rape of an autistic woman but was later ruled unfit to plead.

Tom is unable to speak. In addition to his severe autism, he is epileptic, has been assessed as lacking the mental capacity to make decisions and needs specialist care.

JL, by contrast, has relatively mild learning disabilities and no mental disorder but a long history of sexual offending. Everyone at Hillgreen was aware of the risk he posed. Outside the care home he was permanently kept under supervision. Inside, despite many warnings, he was subject to no such restrictions.

The two to which the victim's mother has increasingly despaired of receiving answers are why a known, high-risk sex offender was allowed unrestricted access to her son, and why no one at Hillgreen has been publicly held to account for what happened.

## BEFORE

Care home placements for adults with complex needs are usually funded by the NHS, social services or a combination of both, according to the nature and severity of the mental or physical disability. Fees charged by care providers vary widely, but Hillgreen is typically thought to charge in the region of £2,000 per resident per week.

The predatory sex abuser, JL, and his suspected victim, Tom, were each moved to the Enfield home from other residential homes, but for very different reasons.

running of seven care homes operated by Hillgreen across four London boroughs in 2015, was said to have suggested it was possible that the sex was consensual.

In a statement, however, the manager of the Enfield home said he was "very angry and frustrated that we were not informing the police", who should have been asked "to come and investigate and collect evidence like the semen".

He added: "How would it be possible for [Tom] to consent to such an act [when] he cannot speak or express himself and suffers from serious learning difficulties?"

## AFTER

It was more than 24 hours before Tom's mother received a call from Mr Dady to inform her that her son had been "sexually assaulted by another service



the CQC, social workers and safeguarding representatives from various London boroughs. The picture of Hillgreen that began to emerge was highly disturbing.

The deputy manager of the Enfield home, Tadeo Binama, was revealed to be a convicted sex offender who no longer had permission to be in Britain because his visa had expired.

The east African was one of several Hillgreen workers with dubious immigration status. Analysis of the company's recruitment records revealed a failure to obtain references and incomplete checks on employees' criminal records and entitlement to work in the UK.

Seven "SVA [safeguarding vulnerable adults] alerts" were identified at three Hillgreen homes in north London, all "linked to sexual activity" and a "culture of inappropriate sexual behaviour".

The Metropolitan police, meanwhile, were conducting a criminal inquiry into the suspected rape. Officers took statements from six members of staff, spoke to Tom's mother and attempted to interview JL, who answered "no comment" to every question.

A file was eventually sent to the Crown Prosecution Service, whose reviewing lawyer ruled there was insufficient evidence for a rape charge.

Factors in the decision were the lack of DNA evidence, Tom's inability to describe what happened, the likelihood that JL's admission would be ruled in-

admissible in court and the fact the only witness, the care worker, did not see an act of penetration.

The police chose not to investigate the senior management of the Enfield home for the criminal offences of wilful neglect or attempting to pervert the course of justice. With their decision to drop the case, it was left to the CQC to decide what action to take against Hillgreen.

It had the power to bring criminal charges against the company or the senior individuals responsible for its running. Instead, it chose a much quieter, less public course of action.

The Enfield home no longer has any vulnerable adults in its care. It is one of four Hillgreen homes that have ceased to operate since November 2015 because the CQC identified, and publicised, lesser problems in their operation.

In the case of the home where Tom was allegedly attacked, the commission's website carries the report of a 2016 inspection that was published in October last year. It rated the facilities as inadequate and unsafe, but not because a high-risk sex offender was allowed unsupervised access to the bedroom of a defenceless, highly vulnerable resident.

Instead, the report criticised the home for failings that included storing mops and buckets in the garden and having overflowing bins, scuffed skirting boards, loose handles on kitchen drawers and a broken dishwasher.

The report noted the recent promotion of a senior care worker to deputy manager but chose not to reveal that the vacancy was created by the exposure of her predecessor as a convicted sex offender.

Multiple regulation breaches identified by CQC inspectors were sufficient

to lead to the closure of the Enfield home but Hillgreen continues to own and run three London care homes, in the boroughs of Hackney, Haringey and Greenwich.

No one has told the residents of those homes, or their families, what happened at the Enfield home in November 2015.

It is almost a year since anyone spoke to Tom's mother about the attack.

From the CQC, from Enfield council, which had a safeguarding responsibility for the Hillgreen home, and Haringey, which placed her son in the company's care, she says she has heard nothing.

JL's assault and its aftermath have tested and finally shattered her faith in the public bodies that have a responsibility to protect the vulnerable and to hold to account those who fail in their duties.

She said: "You put your son in their care and you trust them, because they had a duty of care to keep him safe from harm, but I had no idea about [JL]'s history and that [Tom] was there with such a high-risk man.

"When they eventually told me what happened, I drove for two hours to take him to hospital and I was shaking the whole way, but I trusted the experts — the police and CQC — to do their job in investigating it."

Tom's mother said she "was gutted" to be told the police were not bringing charges against JL. That Hillgreen and its executives have thus far escaped prosecution by the CQC is, she believes, scandalous.

"When people are known to be repeatedly making blunders and ignoring and not rectifying their mistakes, then their company isn't fit for purpose. I can't believe it hasn't been closed down."

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user". She told police: "I started screaming down the telephone at Mr Dady, asking how was this possible. Mr Dady kept apologising to me."

Her shock and dismay increased, she said, when the manager told her that Tom had not yet been taken to hospital and that JL had not been arrested because "[Tom] may have consented to it".

There is some disagreement as to how swiftly, and by what means, the various safeguarding authorities became aware of the incident but by the time the police were involved Tom's underwear had already been put through the laundry.

Next began a series of meetings, investigations and inspections involving

## THE REGIONAL MANAGER