

# Councils are held liable for abuse in foster care

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Councils are responsible for abuse suffered by children at the hands of foster carers, the UK's highest court ruled yesterday. The Supreme Court said that Nottinghamshire county council must pay damages for the physical and sexual abuse inflicted on Natasha Armes by her foster parents.

Ms Armes, 40, from Nottingham, yesterday demanded more transparency in how abuse complaints against foster carers were handled. She had been placed in the council's care during the 1980s and lived with two sets of foster parents, the Allisons and the Blakelys.

Her lawyers argued that she was physically abused by Glenys Allison and sexually abused by Mark Blakely, a finding upheld by a High Court judge. They argued that the abuse had occurred through the negligence of the local authority, or that the council was liable under the vicarious liability.

Yesterday five Supreme Court justices agreed that the council was liable for the actions of Ms Armes's foster parents while she was in their care.

Bilhar Uppal, of Uppal Taylor Solicitors, said: "This landmark judgment clarifies the position of foster children and foster parents to have recourse to the law." A civil claim for compensation will now go ahead.

Ms Armes said it was a "personal journey" for truth and justice but also a campaign to protect other children who had suffered in foster care.

Peter Garsden, of law firm Simpson Millar, the president of the Association of Child Abuse Lawyers, said: "Without doubt, we will see a groundswell of this type of case. Local authorities have for many years argued that they could not be held responsible for the wrong done by foster carer, despite that fact that these are contracted, paid, trained and supervised by them. If abuse was committed by a care worker in a children's home, the local authority would always be held responsible. This is entirely illogical and the Supreme Court has finally recognised that."

Colin Pettigrew, of Nottinghamshire county council, said the council accepted the ruling. He added that a judge had previously found that there was no negligence on the part of the social workers or local authority and this was "acknowledged by the Supreme Court".