

**EMBARGOED 12.30 Wednesday 19 August 2009**

**Joint Press Release in relation to the Significant Case review and Independent Review for Chief Officers Group into the death of Brandon Lee Muir**

The Reviews into the role of the child protection authorities at the time of the death of Brandon Lee Muir on 16<sup>th</sup> March 2008 have concluded that in this instance the professionals involved had quickly responded to the emerging risk to the family as it was known, and had initiated appropriate steps to consider their needs. However some important weaknesses have been revealed which, at that time, undermined the effectiveness of Child Protection practice in Dundee.

Key points in the final days of Brandon;

- Brandon Muir and his sibling had been living with their mother at the home of her parents in Charleston for almost four months up until the point when Heather Boyd established a relationship with Robert Cunningham and moved back with him to her flat in Douglas. She removed Brandon from her parents' home to live with her and Cunningham on 26 February and his sibling on 1 March 2008.
- The grandparents immediately raised their concerns with Social Work.
- Social Workers who had a previous knowledge of Heather and her children through her office appointment in November 2007 and her attendance at the Family Support Centre, became concerned about her change of attitude, and convened an urgent meeting of child protection partners. (28<sup>th</sup> February 2008)
- The meeting concluded that an urgent case conference should be convened (set for 18<sup>th</sup> March 2008), but that there were no immediate grounds for removing the children at that time. There were a number of contacts and visits to the family by social work and health professionals in the intervening period, and Brandon was voluntarily brought by his mother to have his gait checked by the family GP. No significant medical concerns were identified or recorded.
- Brandon Muir died on 16<sup>th</sup> March 2008 following a violent assault by Robert Cunningham.
- The Review concludes that the assault on Brandon Muir by Robert Cunningham which proved to be fatal, could not have been predicted, and that in the short period when Brandon was living with his mother and Robert Cunningham there was little opportunity for the authorities to prevent the fatal assault on Brandon.

- Although it later became known that H had been taking drugs and had been involved in prostitution, this had never come to the attention of any of the agencies she was involved with.

However the Review revealed that there were a number of factors affecting the leadership, resourcing, and practice of child protection in Dundee at that time. Some of these matters were identified and addressed as a result of early internal review work, others have been identified and addressed in consequence of the Joint Inspection of Child Protection in Dundee. The Reviews however make a number of recommendations, and observations which, if addressed by the relevant authorities, will further strengthen the child protection arrangements.

Independent Social Work Consultant Jimmy Hawthorn, who conducted the Significant Case Review said “From my examination of all the relevant records in this tragic case, and through interviews of almost 50 members of staff, I have concluded that while the assault which we now know took place on Brandon and which proved to be fatal, could not have been anticipated, there were weaknesses in both interagency working and in practice at that time. That said, Dundee Child Protection inter agency guidance is comprehensive, and the improvements I have recommended should build upon this. My analysis of the information leads me to conclude that there needs to be a higher profile given to the impact on children of domestic abuse, and substance misuse. In this case, the sharing of information about Robert Cunningham, was hindered by time and resource pressures on health visitors, social workers and police, however that should not be read as a criticism of the commitment of staff which was evident throughout.”

Peter Wilson, who was commissioned by the Chief Officers of Dundee City Council, NHS Tayside and Tayside Police to conduct an independent review, said “The Significant Case Review has closely examined what was known by the authorities about Brandon’s family circumstances, the needs of his mother, and the past history of Robert Cunningham. It was not an examination of the evidence around the responsibility for Brandon’s death which has been considered and determined in the High Court.

“The Significant Case Review makes a number of recommendations which will lead to the necessary tightening up of procedures, and in my follow up work I will be keen to see how these have been implemented, in conjunction with the changes made in consequence of the HMIE joint inspection.

“There are also a number of strategic issues identified in my Review which are relevant to Child Protection in Dundee and nationally. Those charged with Child Protection across Scotland will recognise the challenges now being faced in dealing with the volume of cases being identified. The national ‘Getting it Right for Every Child’ policy creates an expectation that judgements can be made on every *individual* child, based upon properly collected, shared

and assessed information. In Brandon Muir's case - collecting, sharing and assessing all the information in the short time frame when he was at acute risk, was not helped by difficulties in accessing records, and evaluating information.

"My report calls for clearer visible leadership across the partnership to support the practitioners, participation in joint training by managers and staff, and for clarity of national standards in community nursing so that appropriate resourcing levels can be agreed"

Finally, I commend the Dundee authorities for their decision to publish both reports in full, providing not only transparency, but also enhancing the opportunity for others to share the understanding that has emerged from the review work."

Peter Wilson and Jimmy Hawthorn

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