

Please reply to: Alison Alexander  
My reference: AA/ld  
Date: 11<sup>th</sup> April 2016

**Managing Director & Strategic Director  
for Adult, Children & Health Services**  
Royal Borough of Windsor &  
Maidenhead  
St Ives Road  
Maidenhead  
Berkshire SL6 1RF



18 APR 2016

Mims Davies MP  
House of Commons  
London  
SW1A 0AA

Dear Mims

**Mr Affleck, 2 Suffolk Green, Chandler's Ford – Berkshire County Council home**

Thank you for your letter dated 2 March 2016 regarding Mr Affleck.

This matter first came to the council's attention in 2002. At that time allegations were made by former residents of Greenfields Children's Home that they suffered sexual abuse whilst at the home. More claimants came forward as time went on and 21 claims were made in all. Mr Affleck's claim was notified to us in April 2007. The residency dates of the claimants were from September 1964 to December 1975 although the vast majority of claims related to incidents in the mid/late sixties.

Whilst the responsible authority for this home was Berkshire County Council, their powers were passed to the six Berkshire unitary authorities from 1 April 1998. The claims were therefore directed in the first instance at the Royal Borough of Windsor and Maidenhead as the authority who inherited the social care responsibilities. The separate insurance arrangements of the former county dealt with the matter and these were placed predominantly with Municipal Mutual Insurance "MMI". MMI instructed solicitors, Browne Jacobsen LLP.

Insurers settled the claims because their legal advice was a court would be persuaded on the balance of probabilities that abuse took place and that the County Council would be held negligent.

The first set of claims were settled in October 2006 and the last by April 2010. The total damages paid to the claimants was £772,500. The claimant's legal costs came to £847,500.

Mr Affleck's claim was settled with his solicitors around September 2008.

Normal legal process was followed in the course of settling these claims. This included attempting to make a recovery of any outlay where possible. All but one of the five named abusers were either dead or mentally incapacitated by the time of the allegations so there was just the one individual who could potentially be pursued. He was named as a Mr Gilbert-Smith. In October 2006, the claimant legal representatives recommended that their clients settle their claims with Berkshire County Council and then act as witnesses against Mr Gilbert-Smith in the insurer's attempt to recover some of their outlay. Mr Gilbert-Smith elected to settle these proceedings out of court in November 2006.

**Alison Alexander, Managing Director**

Royal Borough of Windsor & Maidenhead, Town Hall, St. Ives Road, Maidenhead, Berkshire SL6 1RF  
W: [www.rbwm.gov.uk](http://www.rbwm.gov.uk) E: [customer.service@rbwm.gov.uk](mailto:customer.service@rbwm.gov.uk) T: 01628 683800

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