



Agenda Item 5 (ix)

EAST AYRSHIRE CHILD PROTECTION COMMITTEE: 26 AUGUST 2009

SIGNIFICANT CASE REVIEW: BRANDON LEE MUIR

1. PURPOSE

- 1.1 To inform the Child Protection Committee of the release of the Significant Case Review report in to the death of Brandon Lee Muir in Dundee on 16 March 2008 and to advise of the initial action to be take in East Ayrshire.

2. BACKGROUND

- 2.1 Dundee Children and Young People Protection Committee released the Significant Case Review in to the death of Brandon Lee Muir on 19 August 2009. This report contains the details of two separate reviews that were undertaken. A significant case review was commissioned in line with national guidance to examine the particular circumstances surrounding the child protection issues, and the role of the various authorities involved. Separately, an independent review was commissioned by the Chief Officers Group to ensure validation of the Significant Case Review, but also to address wider issues which may emerge, not necessarily related to the death of Brandon.
- 2.2 Brandon Muir was born on 2 April 2006 and was only 23 months old when he died on 16 March 2008. He was killed by his mother's partner, Robert Cunningham, who was subsequently convicted of his culpable homicide and given a prison sentence of ten years. Charges against Brandon's mother (Heather Boyd) of his culpable homicide, assault and wilful ill treatment were withdrawn following the judge's determination that there was insufficient evidence to place the charges before the jury.
- 2.3 At the trial it was revealed that Brandon had died as a consequence of a ruptured duodenum caused by a blunt force trauma. In evidence, the specialist child pathologist who examined Brandon explained that he could have survived the injury if it had been recognised and treated in time. The pathologist also revealed that there was evidence of previous healing rib fractures of two to three weeks age found at the site of the injury.
- 2.4 The Significant Case Review concludes that the violence of Robert Cunningham towards Brandon Muir could not have been predicted. In the period of less than three weeks that Mr Cunningham became part of the family grouping with Heather Boyd and her two children, child protection staff had quickly embarked on a process of assessment and information gathering which would have led to a Case Conference on 18 March 2008.

2.5 The Significant case review made 23 recommendations and the Independent review for Chief Officers made 5 recommendations. The key areas highlighted in the recommendations are: -

- The evaluation and sharing of information
- The need for full background checks on all household members
- The need for continual assessment and care planning
- The conduct of initial referral discussions,
- The impact of domestic abuse and substance misuse on children
- The need for clear multi agency ownership and leadership of child protection
- The capacity of resources in the Child Protection Team
- The capacity and resilience of community nursing resources

3. PROPOSED ACTION

3.1 It is proposed that the Significant Case Review is remitted to the Performance and Audit sub group to provide a detailed report considering the circumstance and recommendations from the Significant Case Review and its implications for East Ayrshire.

4. RECOMMENDATIONS

4.1 The Child Protection Committee is asked to:-

- (i) remit the Significant Case Review to the Performance and Audit Group for action.

Susan Taylor
Chair of the Child Protection Committee
18 August 2009

Report prepared by Diane Burns, Child Protection Co-ordinator