

Witness Name: Alex Murray

Statement No.: 1

Exhibits: 62

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THE INDEPENDENT INQUIRY INTO CHILD SEXUAL ABUSE

WITNESS STATEMENT OF ALEX MURRAY

I, Alex Murray, will say as follows:-

INTRODUCTION

1. I am a Commander with the Metropolitan Police Service ('the MPS') and I make this statement in that capacity, in response to a Rule 9 request for a "corporate statement" that deals with a number of matters unrelated to specific investigations carried out by the MPS.
2. I have been a serving police officer for 23 years and have performed a number of roles at most ranks. I currently lead the Central Specialist Crime Operational Command Unit. It has seven functions, two of which are a) Vulnerability (including Child Sexual Exploitation and Operation Winter Key) and b) Online Child Sexual Abuse and Exploitation. Prior to 2019 I was Temporary Assistant Chief Constable in the West Midlands Police with overall responsibility for crime. This entailed leading all crime departments including the Public Protection Unit. This Unit had responsibility for child abuse, sex offences and domestic abuse. Prior to that, as a Borough Chief Superintendent, I built partnerships with Children's Social Care and was a member of the Local Safeguarding Children Board.
3. I am providing this statement in response to the Inquiry's specific questions as to:
 - a. the development of MPS policies and procedures in responding to allegations of child sexual abuse and child sexual exploitation; and

- b. the current approach taken by the MPS to allegations of child sexual abuse and child sexual exploitation.
- 4. I have been assisted in the preparation of this statement by officers working within Operation Winter Key. As mentioned, Operation Winter Key sits within Central Specialist Crime and is based at Cam Road in Stratford. It was set up in June 2015 to respond to requests for information from the Inquiry and to investigate allegations of non-recent child sexual abuse by people of public prominence or institutions where there have been repeated failings. The operation currently consists of approximately 80-85 officers, and is led on the ground by Detective Superintendent John Roch and Detective Chief Inspector Dan Setter.
- 5. The most recent Terms of Reference for Operation Winter Key were reviewed in March 2019 by DCI Setter and are exhibited as **Exhibit AM/1**. They are due to be reviewed in March 2020, but are expected to remain largely the same. They continue to include responding to all requests for information/documents made by the Inquiry. With regard to those historic child sexual abuse allegations which continue to be investigated by Operation Winter Key, the exact remit of the investigation is as follows:

“Investigate criminal allegations of non-recent child sexual abuse referred to the MPS through IICSA / Op Hydrant, or by other reports or referrals to the MPS, where the alleged abuse took place before 2012:

- a) by people of prominence in public life,
 - b) in the context of educational or religious organisations, where it would appear that there is repeated institutional failing
 - c) within Local Authority premises or within voluntary organisations, where it would appear that there is repeated institutional failing
 - d) within national and private service organisations (such as the BBC), where it would appear that there is repeated institutional failing, or
 - e) as otherwise agreed by Gold Commander.”
- 6. Operation Winter Key has also taken responsibility for investigating complaints and allegations of police misconduct arising from MPS investigations of, or responses to, non-recent child sexual abuse falling within the above criteria. Operation Winter Key will refer any such cases of alleged misconduct to the Independent Office for Police Conduct ('the IOPC'), where the referral criteria are met.

7. In order to deliver its stated goals, Operation Winter Key has a 'Major Incident Room' capability, which includes access to the 'Home Office Large Major Enquiry System' ('HOLMES'). Access to this management system allows Operation Winter Key investigations to identify potential links between investigations effectively (including possible non-MPS investigations).
8. By the end of 2019, Operation Winter Key had, in addition to responding to requests from IICSA:
 - a. received a total of 265 allegations of non-recent child sexual abuse (falling within the above Terms of Reference), made against 117 living individuals;
 - b. charged 87 individuals with non-recent child sexual abuse offences, resulting in the conviction of 79 individuals;
 - c. investigated 101 cases of potential police misconduct, of which 48 have been referred to the IOPC for a managed investigation and a further six have been referred to the IOPC but then returned to MPS for investigation.
9. I provide this statement in my capacity as the Commander with responsibility for Operation Winter Key.

GENERAL DEVELOPMENT OF POLICY AND PRACTICE BETWEEN 1963 AND 2016

1963-1988

10. The available information suggests that specialist child sexual abuse teams only began operating within the MPS in 1988, and there is very little information relating to the approach taken by the MPS to child sexual abuse allegations prior to this. It appears that child sexual abuse offences were dealt with by local 'CID' (Criminal Investigation Department) officers between 1963 and 1988. The Metropolitan Police Instruction Manual (1969, reprinted 1977) supports this conclusion insofar as it suggests that sexual offences, including those against

children, were to be dealt with by an "experienced CID officer". I produce an extract of this instruction book as **Exhibit AM/2**.

11. The Metropolitan Police Instruction Manual also mentions that statements from "women and girls under 21, and over this age if they or their relatives prefer, should be taken by a woman CID officer". The word "should" indicates that this was guidance and it was not a requirement (and indeed it would not have always been possible). There has never been a policy in the MPS to the effect that a statement must be taken by a police officer of the same gender. However, where a person prefers to give their statement to an officer of a particular gender, that request will be complied with so far as possible and unless to do this would prejudice the progress of the investigation. This accords with the guidance set out in paragraph 1.8 of the Code of Practice for Victims. I produce an extract of this guidance as **Exhibit AM/3**.
12. The CID is a local department that was historically based in each of the 32 London Boroughs, but today is based within each 'Basic Command Unit' (see below at paragraphs 52-58 for more detail). The CID generally deals with investigations that require protracted enquiries and additional investigative skills, often related to priority areas such as violent assaults, GBH offences and robbery.
13. As stated, historically the CID would also have dealt with serious violent and sexual offences, including child sexual abuse. In practice, this meant that an allegation of child sexual abuse would be investigated by officers from the local CID in the Borough where the alleged offence occurred. The investigating officers would not have had any specialist training for dealing with this type of offence, and they would have been investigating these offences alongside other, very different, types of offences such as those mentioned above.
14. Individual CIDs were self-contained. While each Borough would be subject to central MPS policies, and together all of the CIDs across London would form part of the MPS, the reality was that each department would develop their own operating procedures and working practices. The effect of this was that an allegation of child sexual abuse might be dealt with quite differently depending on the Borough where it was made.

1988-1999

15. This approach to the investigation of child sexual abuse allegations changed in 1988, when Child Protection Teams (known as 'CPTs') were introduced within the MPS. There does not appear to have been any one catalyst for the creation of these specialised Child Protection Teams, but the development is likely to have been implemented at least partly in response to Lady Justice Elizabeth Butler-Sloss's 1988 report on the Cleveland abuse scandal, the Home Office Circular 52/1988 which followed and the Children Act 1989 (which broadly came into effect in October 1991).
16. Home Office Circular 52/1988 provided guidance to police forces across the country as to what was expected in their investigation of child sexual abuse. It noted in particular that some forces had "*joint investigation arrangements with their local social services departments*" and suggested that other Chief Constables might wish to consider this approach in their area. The Circular also emphasised the importance of inter-agency working in dealing with child sexual abuse and suggested that police forces might consider giving training to officers dealing with such allegations. I produce a copy of this Home Office Circular 52/1988 as **Exhibit AM/4**.
17. The Children Act 1989 was an important milestone in the development of policing approaches to child sexual abuse. It provided for the first time a comprehensive framework for the care and protection of children. Crucially, the welfare of the child was enshrined in law and should be paramount for all agencies. It set out certain expectations and requirements around agencies' duty of care to children.
18. In light of the changes that the Children Act 1989 made to police powers in the area of child protection, the Home Office sent a circular out to all police forces in July 1991. It updated the police on provisions of the Act. This included reference to the new powers of the court and police to make emergency protection orders and/or to remove a child to suitable accommodation where a police officer had reasonable cause to believe that a child would otherwise be likely to suffer significant harm. I produce a copy of this Home Office Circular 54/1991 as **Exhibit AM/5**.

19. The new MPS Child Protection Teams were initially aligned to local Borough boundaries, in line with each Local Authority. This gave the Child Protection Teams clear ownership of child sexual abuse matters occurring within their associated Local Authority area and the opportunity to build professional working practices with the Local Authority. The fact that the same police officers and Local Authority employees were working together on a regular basis also helped to develop more consistent partnerships.

20. Part of the above information has been obtained from the following sources: an MPS 'Child Protection Manual' guidance document from 2000 and the Martin Innes report commissioned by the Inquiry. I produce the relevant parts of these documents as **Exhibit AM/6** and **Exhibit AM/7** respectively.

21. The aim of the new Child Protection Teams was to investigate allegations or suspicions of child abuse, with investigations to be conducted within a "multi-disciplinary approach" i.e. jointly with social workers from the relevant Social Services departments or with representatives from other agencies. The terms of reference set for the teams were broadly to investigate, in co-operation with Local Authorities and other appropriate agencies, allegations of child abuse:
 - a. occurring within the family and extended family;

 - b. occurring in respect of children in care where the abuser was alleged to be the carer or an employee of the care organisation e.g. foster parents or any Children's Home employee;

 - c. where the victim was an adult but the abuse occurred while they were a child and under circumstances (a) or (b); or

 - d. which were connected to matters coming to notice during the enquiries by the Child Protection Team into (a)-(c) e.g. where an abuser within a family has also committed similar offences against another, unrelated, child.

The aims and terms of reference are set out in the 1995 'Child Protection Manual', an extract of which I produce as **Exhibit AM/8**.

22. The Children Act 1989 gave rise to the 'Working Together' guidance, produced by the Department of Health, Home Office and Department for Education. The first version of the guidance was published in 1988, on the same day as Lady Justice Butler-Sloss's report. The guidance underlined the importance of inter-agency cooperation in the protection of children from abuse and, most pertinently, widened the definition of child abuse to include sexual abuse. I produce as **Exhibit AM/9** an extract of the 1988 'Working Together' guidance.

23. The next version of the guidance, published in 1991, emphasised the need for inter-agency co-operation and communication in developing child protection policies. It recommended that 'Area Child Protection Committees' be established in each Local Authority area as a forum for the co-operation and communication between different agencies, with the intention that the joint committees could be used for "*developing, monitoring and reviewing child protection policies.*" I produce as **Exhibit AM/10** an extract of the 1991 'Working Together' guidance.

24. The Child Protection Team guidance available in the 1990s shows that the MPS was committed to ensuring that the police were represented on the 'Area Child Protection Committees'. The MPS's understanding of the role and responsibilities of these Committees was that they would:
 - a. establish, maintain and review local inter-agency guidelines on procedures to be followed in individual cases;

 - b. review significant issues arising from the handling of cases and reports of inquiries;

 - c. scrutinise arrangements to provide expert advice and inter-agency liaison;

 - d. review progress in work to prevent child abuse;

 - e. review work related to inter-agency training; and

 - f. produce an annual report.

The activities of the 'Area Child Protection Committees' are set out in the Child Protection Manual 1995, an extract of which I produce as **Exhibit AM/11**.

25. The 1999 version of the 'Working Together' guidance set out how all agencies and professionals should work together to promote children's well-being and safeguard them from significant harm. The guidance emphasised how agencies and professionals should work in partnership with each other and service users in order to plan comprehensive and co-ordinated children's services. More specifically, it advised relevant agencies to:

- a. be alert to potential indicators of abuse or neglect;
- b. be alert to the risks which individual abusers, or potential abusers, might pose to children;
- c. share and help to analyse information so that an informed assessment could be made of the child's needs and circumstances;
- d. contribute to whatever actions were needed to safeguard the child and promote his or her welfare;
- e. regularly review the outcomes for the child against specific shared objectives; and
- f. work co-operatively with parents unless this was inconsistent with the need to ensure the child's safety.

26. The 1999 update also referred to the need for all police officers, beyond just those working within child protection, to recognise their duties of safeguarding. A specific example given in the guidance is of police officers attending a domestic violence incident; in such a scenario, the guidance set out the expectation that the attending police officer *"be aware of the effect of such violence on any children within the household."*

I produce an extract of the 1999 'Working Together' guidance as **Exhibit AM/12**.

2000-2010

27. The 'Victoria Climbié Report', published by Lord Laming in 2003 following his inquiry into the death of 8-year-old Victoria Climbié, re-emphasised the importance of inter-agency working. The Report's extensive conclusions included a finding that that many of the organisations involved in Victoria Climbié's care were badly run. Lord Laming made a number of recommendations relating to child protection in England. The report led to the 'Every Child Matters' initiative, a Green Paper outlining the Government's proposals for the reform and improvement of childcare, and the eventual passing of the Children Act 2004. I produce as **Exhibit AM/13** an extract of the Victoria Climbié Report and as **Exhibit AM/14** an extract of the 'Every Child Matters' paper.
28. The Children Act 2004 amended the Children Act 1989 and encouraged partnerships between agencies by placing a duty on Local Authorities and their partners, including the Chief Officer of each police area, to co-operate in safeguarding and promoting the wellbeing of children and young people. The Act established 'Local Safeguarding Children Boards' as the key statutory mechanism by which agencies in each local area would agree how to safeguard and promote the welfare of children (with the requirement that each Local Authority would establish such a board by April 2006 as per the Local Safeguarding Children Boards Regulations 2006). It also increased accountability for child protection matters by placing a duty on Local Authorities to appoint one of their members as a "*lead member for children's services*" who is ultimately accountable for the delivery of services.
29. In around 2000, the MPS moved Child Protection Teams from Borough policing to a central command structure. This new structure involved moving child protection activity so that it was under the direction of a single Operational Command Unit ('OCU') of what was termed the Serious Crime Group ('SCG'). The new central unit was known as Specialist Operations 5 ('SO5') and overall responsibility for it rested with a Serious Crime Group officer of at least Commander rank. I produce a diagram showing the structure of SO5 as **Exhibit AM/15**.
30. The diagram shows that Child Protection Teams were split into three teams, each covering approximately 10-12 Boroughs and led by a Detective Chief Inspector who reported to the Commander of the Operational Command Unit (who was a Detective Chief Superintendent). Alongside these Child Protection Teams were

the Paedophile Unit Intelligence Portfolio and Major Investigation Teams, which respectively would have dealt with matters such as the making and distribution of indecent images of children and child homicides.

31. The reason for the change to the centralised structure of SO5 appears to have been to improve the MPS's consistency in dealing with child sexual abuse across London by providing centralised oversight. The benefit of this move for Child Protection Teams included the removal of possible inconsistencies between investigations conducted in different Boroughs and the focus of expertise in investigating child sexual abuse within a centralised MPS department. The new structure also provided for centralised quality assurance checks to be carried out on a regular basis by a centralised body.
32. At around this time, the MPS also introduced the Child Risk Assessment Matrix ('CRAM'). This is a risk assessment tool designed to assist officers when making welfare decisions in respect of vulnerable children. It was introduced following recommendations from a Serious Case Review and a Joint Area Inspection of Haringey. It forms part of the Crime Reporting Information System ('CRIS'). The risk assessment can be conducted when entering the details of the crime report. I produce as **Exhibit AM/16** a copy of the MPS intranet guidance on the Child Risk Assessment Matrix.
33. In 2002/2003, SO5 became part of the Specialist Crime Directorate known as 'SCD5'. I produce a diagram showing the structure of SCD5 as **Exhibit AM/17**. This new structure remained centralised and broadly split the Child Protection Teams according to their geographical location in North, South, East or West London. These Child Protection Teams were led by a Detective Chief Inspector and sat alongside related departments such as the Major Investigations Team (East and West), Paedophile Unit, Intelligence Unit, High Tech Crime Unit and Ports Safeguarding Team.
34. The Major Investigations Teams continued to deal with matters such as child homicides and large complex cases arising from the Child Protection Teams. The Paedophile Unit primarily dealt with individuals suspected of engaging in predatory behaviour towards children and child sexual offences where the victim and suspect were not known to each other. This included running proactive investigations, and sometimes conducting undercover operations. The

Intelligence Unit was a desk-based support unit which primarily dealt with intelligence tasks generated by the Paedophile Unit and Major Investigations Team. The High Tech Crime Unit in turn now dealt with the online production and distribution of indecent images of children as well as examination of devices seized from individuals suspected of these types of offences. The Ports Safeguarding Team was a very small team dealing with concerns relating to children either travelling out of, or into, the UK.

35. Overall responsibility for this specialist command remained with the Commander of the Operational Command Unit. Again, the position would have been held by an officer at the rank of Detective Chief Superintendent.

36. At around this time, Child Protection Teams were also re-formed into Child Abuse Investigation Teams (known as 'CAITs'). The terms of reference for Child Abuse Investigation Teams remained similar to those of Child Protection Teams, namely:
 - a. to record and investigate all suspicions or allegations of crime that fell within the scope of the term 'child abuse' (defined as including physical and sexual abuse) in co-operation with Local Authorities and other appropriate agencies:
 - i. occurring within the household (as opposed to a stranger attack);
 - ii. committed by a carer, where the victim was under 18 years of age;
 - iii. concerning children in care when the abuser was alleged to be the carer or an employee of the care organisation (e.g. foster carer or Children's Home employee);

 - b. to promote initiatives within and outside the MPS with the aim of preventing child abuse or reducing opportunities of abusers;

 - c. engaging with Children Act matters, assessments and inter-agency decision-making i.e. dealing with all matters arising under the Children Act and concerning children's safety (Child Protection) or welfare (Child in Need);

- d. performing a variety of liaison roles within and outside the MPS which might include offering support, advice and liaison with Local Authorities or other relevant agencies, representing the MPS on the Local Area Child Protection Committee, promoting the work of SCD5 both within and outside the MPS and developing best practice in all matters relating to children's safety or welfare;
- e. conducting specialised interviews of children and young people in accordance with the Achieving Best Evidence ('ABE') processes and advising non-SCD5 officers with regard to the interviewing of children; and
- f. developing intelligence about organised or persistent offenders (e.g. paedophiles) that come to their notice, disseminating that (relevant) intelligence to local, area and central databases, preparing information to be shared at Multi-agency Public Protection Panels ('MAPPPs') and initiating proactive assessment and tasking plans regarding identified suspects.

These terms of reference are set out in the SCD5 Standard Operating Procedures (2003), an extract of which I produce as **Exhibit AM/18**.

- 37. The 2003 Standard Operating Procedures also made clear that the primary purpose of the MPS's Child Abuse Investigation Teams was to "*safeguard and promote the welfare of children*" by way of crime prevention, crime detection and assisting in the assessment of the needs of children and their families. It was emphasised that this work was to be carried out "*within the context of information sharing and decision-making on a partnership basis with other statutory and voluntary bodies.*" This indicates that, by the early to mid 2000s, there was an understanding within the MPS of the wider responsibilities of police in investigating allegations of child abuse, beyond simply dealing with the criminal investigation, as well as the importance of working together with Social Services and other agencies involved in child care.
- 38. In 2004 'The Bichard Inquiry Report' was published. This inquiry was set up after the murders of Jessica Chapman and Holly Wells in Soham, and focused on issues around police forces' intelligence record-keeping, the sharing of information between agencies and vetting procedures for individuals working with

children. The Report, published by Sir Michael Bichard, made a number of recommendations with regard to enhancing national IT systems for recording and sharing police intelligence, improving existing systems such as the Police National Computer ('PNC') and ensuring that allegations of sexual offences against children be reported to police by Social Services as soon as possible (unless there are exceptional reasons for not doing so). This report had a major impact on the way in which all police forces, including the MPS, share intelligence and information. This is discussed in further detail below at paragraphs 131-133.

39. This period also saw the publication of updated 'Working Together' guidance, in 2006, 2009 and 2010, which continued to place emphasis on the need for agencies to work together when safeguarding children. The 2006 guidance also set out the first statutory guidance for Local Safeguarding Children Boards. I produce as **Exhibit AM/19** an extract of this part of the 2006 'Working Together' guidance.
40. In 2009, two documents were published to supplement the 2006 guidance. These were entitled: 'Safeguarding children and young people from sexual exploitation: supplementary guidance to Working together to safeguard children' and 'Working together to safeguard children: a guide to inter-agency working to safeguard and promote the welfare of children. Chapter 8: serious case reviews'. The latter replaced Chapter 8 of the 2006 guidance in order to reflect recommendations made by Lord Laming in a further report, entitled 'The Protection of Children in England: A Progress Report', published in 2009 in response to the death of Peter Connelly (known as 'Baby P'). I produce as **Exhibit AM/20** and **Exhibit AM/21** extracts of the updated 2009 guidance. I produce as **Exhibit AM/22** an extract of Lord Laming's 2009 report.
41. Lord Laming recommended increased training of frontline staff in matters relating to child protection. He also highlighted the need for the Home Office properly to resource police child protection teams in light of the reportedly low staffing levels across the country. The 2010 update on the overall 'Working Together' guidance broadly reflected many of the recommendations from Lord Laming. I produce as **Exhibit AM/23** an extract of the 2010 'Working Together' guidance.

2010 - 2016

42. There were relatively few changes to the MPS's approach to the investigation of child sexual abuse in this period, although in around 2014/2015 SCD5 was amalgamated with the Rape and Serious Sexual Assaults Command known as Specialist Crime Directorate 2 ('SCD2') to form the Specialist Crime and Operations, Sexual Offences, Exploitation and Child Abuse Command ('SCO17').
43. This was essentially a structural change and did not substantively change the work or remit of the Child Abuse Investigation Teams. In particular, those individuals with expertise in the investigation of child sexual offences continued to work primarily on these types of cases, while officers formerly based at SCD2 continued to work on sexual offences committed against adults.
44. The 'Working Together' guidance was updated during this period, in 2013 and 2015. Both documents reflected many of the principles stated in early versions including, for example, the need to take a child-centred approach to safeguarding and the duties imposed on Chief Officers by the Children Act 2004. Both guides noted the importance of all organisations having an information-sharing policy in place in order to ensure that employees understood when and how they should share information, and not allow their fears about sharing information to stand in the way of safeguarding children. I produce as **Exhibit AM/24** and **Exhibit AM/25** extracts of the 2013 and 2015 guidance.
45. Recent years have also seen the increased use of alternative policing tools, in the form of civil orders such as 'Sexual Harm Prevention Orders' and 'Sexual Risk Orders' (known as 'SHPOs' and 'SROs' respectively). These types of order have their origin in the Crime and Disorder Act 1998 (which provided for 'Sex Offender Orders') and the original provisions of the Sexual Offences Act 2003 (which provided for 'Sexual Offences Prevention Orders', 'Risk of Sexual Harm Orders' and 'Foreign Travel Orders' and was implemented in May 2004). SHPOs and SROs were implemented in their present form on 8 March 2015 (by amendments to the Sexual Offences Act 2003).
46. These orders are preventative measures to protect the public from individuals considered to pose a risk of sexual harm by placing restrictions on their behaviour. The key distinction between a Sexual Harm Prevention Order and a Sexual Risk Order is that, in the former the individual in question must have previously been convicted of a sexual or violent offence (as listed within Schedule

3 and Schedule 5 of the Sexual Offences Act 2003). The latter can be imposed on a person with no previous convictions but who has committed an act of a sexual nature and as a result it is considered that an order is necessary.

47. A further key distinction between these orders is that a Sexual Harm Prevention Order can be made both upon an independent application by the police to the magistrates' court as well as by a court of its own motion (usually the Crown Court) when sentencing a person who has been convicted of a sexual or violent offence. A Sexual Risk Order can only be made upon an independent application by police to the magistrates' court.
48. The MPS intranet contains numerous guidance documents for frontline police officers on the application process for these types of orders, some of which particularly emphasise the potential effectiveness of these tools as disruption techniques in dealing with child sexual exploitation. I produce as **Exhibit AM/26** and **Exhibit AM/27** copies of brief guidance on applying for each type of order. More recently, it has been recognised that Sexual Risk Orders have been underused across the MPS and attempts have been made to educate more officers about the availability of these particular orders. As of February 2020, the MPS is managing 48 active Sexual Risk Orders (including interim orders), with 22 more orders in the application process and one awaiting the result of an appeal.
49. While these types of civil orders are not a replacement for pursuing a criminal investigation and prosecution, they are a useful public protection tool.

CURRENT APPROACHES TO CHILD SEXUAL ABUSE AND CHILD SEXUAL EXPLOITATION: 2016 – Present

50. The National Police Chiefs' Council ('NPCC') sets out a joined up approach to child sexual abuse and child sexual exploitation in its National Child Sexual Abuse and Exploitation Prevention Strategy (produced as **Exhibit AM/28**). Notwithstanding this, the MPS has taken the tactical decision to distinguish between allegations of child sexual abuse and child sexual exploitation at the outset in order to ensure that investigations are conducted by officers with the most appropriate skill-set. I will set out below how the MPS initially approaches each type of allegation, before dealing with the investigative approaches common to both.

Approach to Child Sexual Abuse

51. In June 2016 approximately 1,215 officer and staff positions were transferred from SCO17 to form the Child Abuse and Sexual Offences Command (known as 'CASO'). The Child Abuse and Sexual Offences Command worked to investigate allegations of serious sexual offences and offences against children, as well as supporting the victims of such offences.
52. In February 2019, the Child Abuse and Sexual Offences Command was moved into new local Basic Command Units (known as 'BCUs') and amalgamated with other local safeguarding elements. This was done as part of a broader transformation process of structures and operations within the MPS, and as an attempt to strengthen local policing as well as deliver the financial savings required in recent years.
53. The new BCU model is designed to:
 - a. ensure a more even division of demand and resources across the MPS, thereby making the best use of senior leaders and ensuring they are dealing with appropriate workloads;
 - b. make decision-making more straightforward and empower frontline officers to take more decisions;
 - c. simplify team and leadership structures across the MPS; and
 - d. allow officers to operate in a more consistent way, and with increased speed and flexibility, across all geographic areas of London.
54. There are 12 Basic Command Units across the MPS, which were drawn together from the 32 London Boroughs between 2017 and 2019. With regard to the investigation of child sexual abuse, the move to the BCU model specifically envisioned strengthening the protection of vulnerable people through transferring roles from the Child Abuse and Sexual Offences Command into BCU-based 'Safeguarding' teams, who would operate in partnership with local authorities in multi-agency hubs. Each Basic Command Unit has a dedicated 'Safeguarding'

strand, led by a Superintendent. This dedicated Safeguarding strand brought together the following functions:

- a. the Child Abuse Investigation Team ('CAIT');
- b. the Community Safety Unit ('CSU'), which previously dealt with domestic violence and hate crime;
- c. the Sapphire Unit, which previously investigated allegations of rape and sexual penetration offences that did not fall within the CAIT Terms of Reference;
- d. the MISPER (missing persons) unit;
- e. police officers who sit within the Multi-Agency Safeguarding Hub ('MASH') along with other statutory organisations (the MASH is an information-sharing and risk-assessing hub, comprised of Local Authority, police and other key partners); and
- f. the Mental Health team.

55. These amalgamated units, which form the Safeguarding strand within each Basic Command Unit, are now known generically as 'Safeguarding'. While the individual units listed above were disbanded, the following three broad units have been retained within each investigation team in a Basic Command Unit: the Domestic Abuse / Hate Crime team; the Sexual Offences team; and the Child Abuse team. There remains an expectation that cases will be referred to those officers in the Safeguarding strand who have the most appropriate and relevant experience. For example, if an allegation of child sexual abuse is referred to a Basic Command Unit today, it will be dealt with by the Child Abuse team. I produce as **Exhibit AM/29** a flowchart describing the structure of the Safeguarding strand within each Basic Command Unit.

56. The aim of the Safeguarding strand within each Basic Command Unit is to provide a coherent and victim-focused service to the public, including an integrated safeguarding service and improved partnership working. I produce a summary of these objectives as **Exhibit AM/30**. There is often crossover

between safeguarding matters such as domestic abuse, missing children and child sexual abuse/child sexual exploitation. Having all strands drawn together enables the MPS to deal with vulnerable children and safeguarding issues in a more effective manner.

57. A practical example of this more effective and joined-up approach to investigations might be where an allegation of domestic abuse is referred to the Domestic Violence/Hate Crime team of the Basic Command Unit and, in the course of their investigation into that matter, officers also receive an allegation of child sexual abuse. By virtue of being placed in the same investigation team within the Basic Command Unit, officers from the Domestic Violence team would be able to pass the allegation onto their colleagues in the Child Abuse team immediately and both teams could work together more effectively and efficiently to investigate the allegations alongside each other.
58. Child sexual abuse referrals to the MPS are processed through the Safeguarding strand of the relevant Basic Command Unit and can be made through a number of channels (though the most common referral is from Social Services). This is shown on the diagram at Exhibit AM/29 above. This diagram also shows that police staff dealing with child abuse referrals now sit directly with the Local Authority, whereas previously they would have sat with the centralised Child Abuse Investigation Teams. The new structure improves co-ordination between police and Social Services. It allows staff from both agencies to have immediate discussions face-to-face about a case when it comes in and ensures that they agree upon the most appropriate way to refer the case. Referrals are risk-assessed on a case-by-case basis and are allocated to the most appropriate individuals within the Safeguarding strand, having regard to the best interests of the child concerned.
59. Officers working within a Safeguarding strand have access to the Safeguarding guidance via the MPS intranet. This provides individual detailed guides on all safeguarding matters and includes numerous guides on the investigation of child sexual abuse, covering topics such as: initial case conferences; allegations against professionals; complex child abuse cases; creation of records on the Violent and Sex Offenders Register ('ViSOR'); disclosure of information; and information-sharing and management.

Approach to Child Sexual Exploitation

60. While the approach to child sexual exploitation has evolved over the years, it is clear that the MPS started to place greater emphasis on this aspect of child abuse following the publication of Professor Alexis Jay's 2014 report into child sexual exploitation in Rotherham (an extract of which I produce as **Exhibit AM/31**) and the high-profile investigations into incidents of wide-scale child sexual exploitation in Rochdale, Oxford and Derby. It was clear from the report that investigations of child sexual exploitation had the potential to slip through the gaps in services provided by Social Services and police, due in part to their complexity and a lack of professional familiarity with the issues arising in such cases.

61. Child Sexual Exploitation is defined in The London Child Sexual Exploitation Operating Protocol (June 2017) ('the London Protocol') as:

“... a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.”

I produce a copy of the London Protocol as **Exhibit AM/32**.

62. This London Protocol was first published in 2014 and was developed by a multi-agency team, which included senior police officers. In developing the protocol, the team made efforts to speak with national police partners and police in those areas that had seen wide-scale child sexual exploitation (Thames Valley and Greater Manchester). A key success of the London Protocol is the fact that all 32 London Boroughs have signed up to it, which was made possible by the involvement of the London Councils (a cross-party organisation representing all London Boroughs and the City of London) in its development.

63. Around the time of publication of this first Protocol, the MPS also started to look at developing tactics to fight child sexual exploitation. This included adding a new tag for child sexual exploitation on the Crime Reporting Information System

('CRIS') in 2013. This development aimed to ensure that any suspicion of such exploitation can be properly flagged and recorded, alongside any substantive crime reported, even when the child has not yet made an express allegation of child sexual exploitation.

64. Further policing tools developed to deal with child sexual exploitation and safeguarding children include the increased use of disruption and intervention tactics, such as the Sexual Risk Orders mentioned at paragraphs 45-48, as well as utilising existing police tactics previously used to fight serious and organised crime. This includes running intelligence-led proactive operations, targeting known child sexual exploitation offenders and using covert tactics such as surveillance to gather evidence and build prosecution cases.
65. Following publication of the Protocol, officers from the MPS were also involved (alongside other agencies) in the provision of training on child sexual exploitation to Local Authority care homes across London. This training recognised the fact that older children living in residential care homes are often particularly vulnerable to sexual exploitation and was aimed at helping residential care home workers recognise the signs of such exploitation.
66. Regarding the investigation of allegations of child sexual exploitation, the Central Specialist Crime – Vulnerability Strand ('CSCV') primarily deals with these reports in the MPS. This strand is a central team of officers and has three main units:
 - a. Modern Slavery and Child Exploitation (MSCE East and West). This consists of two geographical units dealing with wider specialist investigations. This might include modern slavery, child sexual exploitation, complex and historic sexual abuse and working with Basic Command Units to support and advise on relevant safeguarding issues. Cases are assigned according to the geographical area of London in which the incident has occurred.
 - b. Central Specialist Crime Command – Vulnerability Assessment & Partnership. This unit manages the referrals into the above Investigations teams.

- c. Online Child Sexual Abuse and Exploitation ('OCSAE'). This unit targets online child sexual abuse and child sexual exploitation offences. The work of this department broadly subsumes the work of what were called the Paedophile Intelligence Portfolio, the Paedophile Unit and the High Tech Unit, in that it investigates, proactively and reactively, allegations of online child sexual abuse and exploitation, runs undercover operations and forensically examines devices as needed.
67. The Central Specialist Crime – Vulnerability Strand ('CSCV') was established in 2019 and brings together a number of previously disparate teams into three safeguarding strands: online investigations; non-online investigations; and non-recent investigations. In doing so, the Central Specialist Crime – Vulnerability Strand contains police officers and staff who possess distinct skills and experience to better support victims and target those who prey on others. For example, many of these officers will have a background in this type of work and/or have undergone the specialist training set out below in paragraphs 97-105.
68. There are currently 313 people working within Central Specialist Crime – Vulnerability Strand. Approximately 87 of these individuals work within the Online Child Sexual Abuse and Exploitation unit, 92 across the MSCE East and West units and 39 in the Vulnerability Assessment & Partnership team. Operation Winter Key (described in detail at paragraphs 5-8) also currently forms part of the Central Specialist Crime – Vulnerability Strand, with approximately 80-85 people working in this department.
69. Where an allegation of child sexual exploitation has been made, it is reviewed by the Central Specialist Crime Command – Vulnerability Assessment & Partnership team. A decision is made as to whether it should remain with the Basic Command Unit or be transferred to the MSCE unit.
70. In making the decision as to where a particular allegation should be referred, the Vulnerability Assessment and Partnership Team is required to consider the category of child sexual exploitation that has been alleged. There are three categories (*per* the London Protocol) as follows:

- a. Category 1: concerns that a vulnerable child/young person is being targeted and groomed for child sexual exploitation but no evidence of any offences.
- b. Category 2: evidence that a child/young person is being targeted for opportunistic abuse and likelihood of coercion and control is significant.
- c. Category 3: evidence that a child/young person is being habitually sexually exploited and this is being carried out by multiple perpetrators.

Where a case falls within Category 1, it will usually remain with Basic Command Unit investigators. If the case falls within Category 2 or 3, however, it is likely to be transferred to be dealt with by the MSCE team.

- 71. Localised Online Child Sexual Abuse and Exploitation teams are now in all Basic Command Units. This is in part due to concerns raised by Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services ('HMICFRS') (more detail of which is outlined below) and in order to ensure that the MPS can respond robustly to allegations of online child abuse and reduce the risk posed to children by such activities.
- 72. Each local Online Child Sexual Abuse and Exploitation team will be made up of one Detective Sergeant and eight Police Constables or Detective Constables, and officers working in this team will undergo a specialised two-week 'OCSAE' investigators course. The Basic Command Unit safeguarding Superintendent will oversee these teams to ensure a co-ordinated approach between the response to this crime-type and other safeguarding-related investigations. I produce a copy of an internal MPS article describing these changes as **Exhibit AM/33**.
- 73. In deciding whether a case should be dealt with by the centralised OCSAE team in Central Specialist Crime or the localised OCSAE team in the Basic Command Units, the MPS has adopted the 'Kent Internet Risk Assessment Tool' ('KIRAT') to assess and prioritise all cases. Each case will be graded as 'Very High', 'High', 'Medium' and 'Low', and referred as follows:
 - a. The centralised OCSAE team will be responsible for those cases graded as 'Very High' or 'High', as well as all cases which have public interest

considerations (e.g. where the alleged perpetrator is a person in a position of trust, such as a teacher) and all cases which involve intelligence that has come from covert intelligence held by the centralised OCSAE. The centralised OCSAE team will also be responsible for all cases involving child sexual abuse material shared online through peer-to-peer offending and all covert online investigations being conducted.

- b. The localised OCSAE team in the Basic Command Units will be responsible for all cases graded as 'Medium' or 'Low', except cases where a child has been identified at a specific address. In all cases where a child is identified at an address, the BCU Safeguarding team will lead on the investigation.

Approaches taken to both Allegations of Child Sexual Abuse and Child Sexual Exploitation

74. Whenever an officer has a concern that a child may be the subject of sexual abuse or sexual exploitation, even if no substantive crime has been alleged or committed, that officer must create a Missing Persons and Related Linked Indices ('MERLIN') report. The MERLIN electronic database is used to store information on children who have become known to the police and share that information with Social Services (the paper-based system that existed prior to this being known as the 'Form 78' notification form). As mentioned above, if the concern is related to child sexual exploitation, a child sexual exploitation report will be added to flag the concern. I produce as **Exhibit AM/34** an extract of the MPS' MERLIN online training for officers.
75. If the officer has a concern that child sexual exploitation has occurred and/or there is a specific allegation of a crime, a crime report must be created on the Crime Reporting Information System ('CRIS') in accordance with Home Office Crime Counting Rules (a copy of which I produce as **Exhibit AM/35**), which direct when matters should be recorded on CRIS. The child sexual abuse/child sexual exploitation allegation must be flagged.
76. The requirement to record any allegation received, whether of sexual abuse or sexual exploitation, means that it is unlikely that a case today would fall between the gaps and not be investigated. In particular, even if an allegation is wrongly

categorised at the beginning of an investigation, this would simply be corrected later in the investigation by re-categorising the complaint as needed. Developments over the years in policing practice have meant that there is now supervision of investigations. It would be very difficult for an officer simply to drop or forget about an allegation once it has initially been recorded in line with the above requirements.

77. More generally, where any allegation of sexual abuse / sexual exploitation is made by a child (whether that be a child in care or otherwise), the following approach should be taken by MPS officers and staff as a minimum standard:
- a. While the manner in which an investigation is conducted should have regard to the particular facts of the individual case, it is the welfare of the child that is paramount and is at the heart of all decision-making.
 - b. Throughout the investigation, a record should be kept of: the views of the child; the impact of the issues in the case; and the child should be kept appropriately informed throughout the investigation.
 - c. Once an allegation is made, the investigating officer should obtain an initial account from the child (independently of parents/other adults, if possible). Early engagement with the complainant is key.
 - d. If the child is alleging sexual abuse/assault, forensic evidence must be secured as soon as possible and clothing/other items seized if appropriate. Obtaining this type of forensic evidence might also include the child attending a special centre such as 'The Haven', which specialises in treating people who have been raped or sexually assaulted and can carry out urgent Forensic Medical Examinations if needed. Police would retain any forensic samples recovered.
 - e. Any potential witnesses (e.g. parents, guardians, siblings, friends, schools) should be contacted as soon as possible and spoken with by police. This might include assessing any behavioural concerns/issues. Officers are expected to take formal written statements from any relevant witnesses.

- f. Suspects to be identified early in the investigation, with a view to conducting intelligence checks and to see if the suspect presents a current safeguarding risk or has already been flagged with regard to child sexual abuse/child sexual exploitation.
 - g. If a suspect is known, any relevant safeguarding steps should be taken and, if relevant grounds exist, arrest enquiries should be pursued as soon as possible. Depending on the circumstances, potential forensic opportunities from the suspect might also be considered.
78. When relevant, a referral will also be made to the Local Authority Designated Officer ('LADO'). The LADO position has been created in line with policies of the London Safeguarding Children Board (now known as the London Safeguarding Children Partnership) and in order to deal with allegations against people who work with children. The LADO is responsible for managing all child protection allegations made against staff and volunteers who work with children and young people (for example in schools or children's homes) and to consider whether there are any organisational failings that should be addressed. The LADO will conduct an independent investigation, which runs concurrently with that of the MPS, and each organisation should benefit from the sharing of information between them (where the law permits).
79. In line with the most recent 'Working Together' guidance (published 2018) the investigating officer should also engage with Children's Social Care to secure evidence and to gain intelligence and information. An initial strategy discussion will always take place to share, discuss and consider the information known, and agree safeguarding actions. Depending on the circumstances and urgency of the allegation received, this discussion might be held at a meeting or by telephone, with the welfare of the child remaining the priority. Any initial telephone call would, however, be followed up by further, more in-depth, strategy meetings.
80. Part of the initial strategy discussion will involve consideration of whether a "section 47" enquiry is required. Section 47 refers to the Children Act 1989. A section 47 enquiry requires Children's Social Care to carry out an investigation when they have "*reasonable cause to suspect that a child who lives, or is found, in their area is suffering, or is likely to suffer, significant harm*". This enquiry will involve an assessment of the child's needs and the ability of those caring for the

child to meet them. It aims to decide whether any action should be taken to safeguard the child.

81. If it is decided that a section 47 enquiry is required, a social worker and police child protection officer will be sent immediately to speak with the family. The initial strategy and deployment of police officers will be managed by a sergeant within the relevant Safeguarding unit. I produce as **Exhibit AM/36** an extract of the 2018 Working Together guidance.
82. Throughout the MPS investigations, a child living in the care system will remain in the care of the Local Authority (unless the Local Authority or a Court decides otherwise). The child and Local Authority will be kept informed of the progress of the investigation. In circumstances where there is an immediate risk of significant harm, the child may be taken into police protection for a short period. Investigations into the sexual abuse of children are treated with equal seriousness whether the child is in the care system or not.
83. The Domestic Abuse, Stalking and Harassment and Honour Based Violence ('DASH') Risk Identification, Assessment and Management Model also has some relevance to child protection. The DASH risk assessment model was developed in 2009 by a Criminal Behavioural Psychologist on behalf of the Association of Chief Police Officers ('ACPO'). It was developed as a standard for all police services along with other partner agencies, so that for the first time there was a common checklist for identifying and assessing risk with regard to domestic abuse.
84. The DASH checklist is designed to identify risk to an adult victim of domestic abuse, but it is recognised that children who are living with and witnessing domestic abuse are also at risk of suffering significant harm. DASH is not designed as a risk assessment tool for children per se, but it is very likely to identify children who are at high risk of harm and who should be in receipt of additional support. In the DASH model there are nine questions in total (questions 3, 7, 9, 10, 11, 12, 17, 21 and 26) that relate specifically to children. I produce as **Exhibit AM/37** a copy of a DASH form.
85. Every practitioner who completes the DASH risk assessment in relation to an adult victim, and who is aware that there are children in that household, must

make a referral to ensure that the children are safeguarded. In the MPS this referral process is managed by the MASH.

86. Finally, the MPS maintains various guidance documents and policies for officers working in the areas of child sexual abuse and child sexual exploitation in order to ensure that all officers are working to the same standards and with the same principles in mind. This is reinforced by regular training and professional development. This approach aims to ensure that investigation of child sexual abuse across London remains consistent and that there are no differences in the service provided depending on which area a victim lives in.

RESPONSE TO HM INSPECTORATE OF CONSTABULARY INSPECTION 2016

87. In 2016, Her Majesty's Inspectorate of Constabulary ('HMIC') carried out an inspection of child protection services in the MPS (as part of their programme of single-agency inspections of child protection work in all police forces in England and Wales). HMIC made a number of criticisms of the MPS arrangements and processes, notably:

- a. the lack of a single chief officer with overall responsibility and accountability for all child protection matters across the force;
- b. the inadequate use of MPS-wide police and partnership data analysis of child abuse and other related offence types to track incidents, interventions and outcomes for children;
- c. the lack of connection among the IT systems, databases and spreadsheets that the MPS uses to record such analyses, which has exacerbated the problem and sometimes resulted in information on victims, offenders and risks being kept in isolated pockets across the force; and
- d. the limited searches conducted to link new reports of child protection cases with previous records and the generally poor use of information held by partner organisations (such as Children's Social Care).

I produce an extract of the relevant HMIC report as **Exhibit AM/38**.

88. HMIC made various recommendations to the MPS in its report (which I produce in extract as **Exhibit AM/39**), all of which were accepted by the MPS. In response to the recommendations the MPS has revised its approach to the investigation of child sexual abuse and child sexual exploitation. Steps taken include:
- a. developing a framework with the aim of promoting effective, tiered engagement with police and partners at national, pan-London and local levels;
 - b. appointing an Assistant Commissioner as the MPS Management Board Safeguarding Lead and creating the new position of 'Head of Profession for Safeguarding' at Commander rank;
 - c. establishing new governance structures to support improvements in operational practice and provide oversight of performance; and
 - d. introducing child protection and vulnerability Lead Responsible Officers ('LROs') supported by Tactical Policy Advisers ('TPAs').
89. I produce a diagram of the current MPS structure in respect of safeguarding as **Exhibit AM/40**.
90. Following the 2016 inspection, the HMIC (now known as Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services ('HMICFRS')) published a series of four reports over the course of 2017 in order to monitor the progress made by the MPS in improving its practices. In the fourth of these reports (published February 2018), HMICFRS concluded that progress had been made in some important areas but that this had not translated into consistently good outcomes for children in London. A re-inspection was planned for 2018. This was carried out between 8 and 19 October 2018, and the results published in March 2019.
91. The March 2019 inspection reported that, while the MPS had taken significant steps to improve its safeguarding practice for vulnerable children and had made some important changes such that there is now senior-level oversight in place,

there remained significant concerns. I produce an extract of the 2019 inspection report as **Exhibit AM/41**.

92. While there have been some improvements in the MPS approach to safeguarding, and recognition that the MPS has taken significant steps to improve its safeguarding practice, I acknowledge that there remains much work to be done. While there is a long-term plan in place for the improvement of safeguarding practice, it is accepted that the MPS needs to progress its safeguarding improvements at pace and work remains ongoing to achieve this aim. A further HMICFRS inspection report is expected in 2020.

TRAINING OF OFFICERS INVESTIGATING CHILD SEXUAL ABUSE / CHILD SEXUAL EXPLOITATION

Overview of General Training

93. Since at least 2005, all new police officer recruits have received training on child protection and safeguarding. Documents reviewed show that, since then, all officers have received training on specific topics including: Every Child Matters protocols; child cruelty and police protection; sexual offences; and child abuse.
94. Since 2015, new police officer recruits have received training on the following: safeguarding children (which includes training on their responsibilities under the Children Act 2004); child sexual exploitation; and missing persons. This training aims to enable new police officers joining the MPS to: take appropriate and proportionate action when they identify a safeguarding issue; recognise child sexual exploitation and respond effectively to reports of child sexual exploitation; and effectively investigate and report cases where a person has gone missing. In 2016, Special Constables within the MPS also started to receive training on safeguarding and children.
95. General training on child sexual abuse / child sexual exploitation is also provided to detectives joining the CID. This has been in place since around 2009. Historically, it has included training on the following subjects: the Child Abuse Investigation Team terms of reference; the Children Act 1989; preparing child witnesses for court; and dealing with registered sex offenders. The current training for new detectives covers topics such as child protection awareness and

child sexual exploitation, as well as training on the issues of Female Genital Mutilation ('FGM') and child abuse linked to faith or belief. These new areas of training were respectively introduced in 2015, 2016 and 2018. I produce as **Exhibit AM/42** a sample of these more recent training documents.

96. Most Local Safeguarding Children Boards (now re-named London Safeguarding Children Partnerships) also provide their own multi-agency training, which is in addition to the training received centrally from the MPS. For example, the tri-Borough London Safeguarding Children Partnership (made up of the former police Boroughs of Westminster, Kensington & Chelsea and Hammersmith & Fulham) has its own training programme for social care, health and the police. Local police officers have undertaken this training. Going forward, peer reviews and shared training will be implemented as part of the new reforms introduced through the change from LSCBs to London Safeguarding Children Partnerships.

Overview of Specialist Training

97. Prior to 1988 children and vulnerable people were treated the same as adult witnesses in the criminal justice system, in that they had to attend court and provide live evidence. The Criminal Justice Act 1991 permitted for the first time video recordings of earlier interviews taken with children to be played to the court as the child's evidence-in-chief. A Memorandum of Good Practice Guidance ('MOGPG') was published in 1992 and adopted by all police forces. I produce an extract of the MOGPG as **Exhibit AM/43**. This was guidance only and was introduced by the MPS in the form of a one-week course that was available to all officers.
98. The one-week training course covered subjects such as: memory; child development; the Cleveland Report; listening, questioning, planning and interviewing; legal constraints; child witnesses at court; points to prove in sexual offences; grooming; and sex offenders.
99. The next record of specialist child sexual abuse/child sexual exploitation training for officers appears in 2001 and relates to a joint child protection investigators' course entitled 'The Importance of Working Together – Joint Investigations'. It contained training from both Social Services and the police and covered topics

on: child protection legislation; sexual offences legislation; physical abuse; and the understanding of the roles of police and Social Services in child protection.

100. Please note that the above information relating to training courses has been taken from sample records of training courses retained by individual officers who undertook this training.
101. By 2002, a three-week bespoke MPS Child Protection Investigators' Course was introduced for Child Protection Team officers. This was provided in addition to the joint training mentioned above and covered: aspects of crime and legislation; note and statement-taking; interviewing techniques; disclosure; family liaison; investigation strategies; use of Early Evidence Kits; the role of Forensic Medical Examiners and paediatricians; joint agency working; and specific child protection subjects such as child abduction, shaken baby syndrome, Munchausen's Syndrome and Forced Marriage.
102. By 2003, Achieving Best Evidence in Criminal Proceedings guidance ('ABE training'), published on behalf of the Home Office, had been introduced into the MPS. I produce a copy of the relevant ABE guidance as **Exhibit AM/44**. It was expected at the time that every Child Abuse Investigation Team officer would have received this particular training (see reference to this within the SCD5 Standard Operating Procedures 2003, an extract of which I produce as **Exhibit AM/45**). ABE training replaced the Memorandum of Good Practice Guidance as the method by which police investigators are able to obtain and present the evidence of children and vulnerable people in court; it covers not only Video Recorded Interviewing ('VRI') but also the range of special measures that are available.
103. The Specialist Child Abuse Investigators Development Programme ('SCAIDP') was introduced in the MPS in 2006 (having been developed by the National Centre for Policing Excellence) and would have been attended by officers joining Child Abuse Investigation Teams (which were, at the time, part of SCD5). I produce as **Exhibit AM/46** extracts of the relevant modules covered in the initial 2006 training. National accreditation for this course was introduced by the College of Policing in 2012/2013.

104. The SCAIDP continues to be used by the MPS and includes modules on the following topics: defining and identifying child abuse; multi-agency working framework and processes; investigating child abuse; post-arrest suspect management; and post-investigation case management. I produce as **Exhibit AM/47** extracts of the relevant modules covered in the more recent training. As of December 2018, all officers joining a Safeguarding unit on a Basic Command Unit must complete the following courses as part of the SCAIDP:

- a. an initial 5-day Safeguarding Induction Course; and
- b. two further 10-day courses entitled 'Specialist Safeguarding Course' and 'Specialist Witness Interview Course'.

These courses were introduced in response to the 2016 HMIC report and an internal staff survey commissioned by the MPS following that report.

105. The new training programme covers topics such as: risk assessments; child sexual exploitation and trafficking; working with others; disclosure; forensics and packaging; understanding sex offenders (typologies, characteristics and behaviours); offences against children; theories of child development; expected child development and brain development; trauma and memory; sexualised behaviour; social media; disability; the role of the paediatrician; attitudes and feelings; allegations against professionals; investigation of child abuse - the challenges; online offending; rape myths; victims' perspective (loss and gains); consent; information-sharing; unsupported prosecutions; use of intelligence; special measures; intermediaries; communication with children; language / body parts; conducting the interview; children with disabilities; and reluctant / hostile witnesses. This training remains subject to continual review.

106. The specialist training programmes offered to police officers is subject to continuous review and improvement. The MPS is currently in the process of adapting the above specialist training in response to feedback from BCU Safeguarding teams and in order better to meet the needs of officers working within these teams.

Children with Complex Needs and/or Communication Difficulties

107. In addition to providing guidance on the practicalities of introducing evidence from children into the criminal justice system, the above-mentioned 1992 Memorandum of Good Practice Guidance gave guidance on the handling of complaints from children with complex needs or disabilities, for example, speech, hearing or learning difficulties (see at paragraph 2.10). There do not appear to be any documents providing guidance on how to deal such complaints prior to this (or at least it has not been possible to find any such guidance).
108. As set out above, by 2003 the Memorandum of Good Practice Guidance was replaced by the ABE guidance. This also updated the guidance on how to handle complaints made by children with complex needs and/or disabilities. The most recent edition of 'Achieving Best Evidence in Criminal Proceedings', published in 2011, provides updated guidance on how such complaints should be handled. I produce an extract of this guidance as **Exhibit AM/48**.
109. There is also a training course available to police officers that is designed to assist them in conducting interviews with very young children and children or vulnerable adults with complex needs and/or communication difficulties. This training was introduced in 2006 and is effectively an advanced ABE course. The training enables a police officer to act as an "advanced ABE interviewer".
110. In situations where a person with complex needs/disability is being interviewed by such an interviewer, the use of a registered intermediary should be considered. A registered intermediary is a communication specialist who helps vulnerable witnesses and complainants to give evidence to the police and to the court in criminal trials. Where used, such an intermediary would complete an assessment with the child with a view to identifying their needs and agreed communication style. The intermediary would then conduct / facilitate a Video Recorded Interview with the police officer and child.
111. Finally, the MPS is currently trialling a Forensic Interview Psychology Service. This service allows for Video Recorded Interviews to be conducted by an ABE-trained clinical psychologist, instead of a police officer or social worker. The psychologist would have the benefit of a registered intermediary when interviewing children under the age of 5 and/or who have communication difficulties. A police officer will still be involved in monitoring the ABE interview, so as to ensure the best evidence is achieved.

112. The Forensic Interview Psychology Service is part of 'The Lighthouse Project', a two-year pilot initially set up in October 2018 which aims to provide a dedicated service to young victims of sexual abuse and their families. The innovation of this project is that it enables all relevant services, from all of the relevant agencies, to be provided to a victim in one location. This pilot has recently received more funding and will be extended until September 2021. I produce as **Exhibit AM/49** and **Exhibit AM/50** a copy of the Lighthouse Project Annual Report 2018-2019 and an article explaining the background to the project.

SHARING OF INFORMATION REGARDING CONVICTED AND/OR SUSPECTED ABUSERS

113. There is little information relating to MPS policy prior to 1988 on the sharing of information regarding convicted or suspected abusers. The only documents that we have found indicate as follows:

- a. A Police Order dated 21 December 1954, which provides insight into what was in place at that time. It states that, in relation to convictions of teachers, youth leaders and ministers of religion, their details are to be sent using four copies of the 'Divisional Form 112' to the appropriate branch at the Commissioner's Office for onward transmission to the Home Office. I produce a copy of this Police Order as **Exhibit AM/51**.

- b. A Police Order dated 9 February 1968, which provides guidance on the sharing of information about convicted teachers whose offences would make them unsuitable to teach or care for children. It states that, upon request from the Department of Education and Science, a full report of the details of the conviction was to be forwarded, in quadruplicate, to the 'Under Secretary of State, Home Office (Children's Department)' through the MPS and for the attention of the Department of Education and Science. The Order suggests that this was to be in addition to the 'Form 112' that had already been submitted on conviction of the individual (the Form 112 has been discontinued as an MPS form and is no longer used). I produce a copy of this Police Order as **Exhibit AM/52**.

114. I am also aware of the Home Office 'List 99'. This was essentially a list of individuals who were barred from working from children. This system was overhauled in around 2002 and there now exists the 'Children's Barred List' (created under the Safeguarding Vulnerable Groups Act 2006). The Children's Barred List is maintained by the Disclosure & Barring Service ('DBS') and the criteria for a person's inclusion on this list are set out in the Safeguarding Vulnerable Groups Act 2006. The term "a List 99 check" is sometimes still used to describe a search on this list to confirm whether or not an individual is or is not barred from working with children. It is against the law for anyone who is barred from working with children to be employed in a role where children are involved.
115. Since 1988, a number of other MPS and national information-sharing tools have been developed.

Police National Computer ('PNC')

116. While the MPS has had access to the Police National Computer ('PNC') since its establishment in 1974, this system was initially only a database for stolen vehicles and had the sole purpose of record keeping. It has, however, developed slowly over the years to encompass an extensive electronic information system that now provides police with a significant investigative tool.
117. The Police National Computer today can provide police with real-time checks on people, vehicles, crimes and property. It also now links in with the European-wide IT system called 'Schengen Information System' that enables all participating member states to share real-time information on persons and objects of interest via a series of 'alerts' (although the continuation of this particular aspect of the PNC will depend on the UK's ongoing negotiations with the EU). It is also used to facilitate investigations and share information of local and national importance, and is used extensively by all police forces in the UK.
118. I produce as **Exhibit AM/53** a summary of the PNC from the College of Policing.

Crime Reporting Information System ('CRIS')

119. The electronic Crime Reporting Information System ('CRIS') was introduced on a phased basis to the MPS in 1992. The CRIS system allows users to create,

update and view any crime report. It was created in order to replace the paper-based crime reporting system used in the past. It is likely that Child Protection Teams in 1992 would have had access to the CRIS system and that, with the further roll out and increasing usage of this system, officers investigating child sexual abuse would accordingly have had increased capabilities to more easily access and link information on suspected abusers.

120. I produce as **Exhibit AM/54** a summary of the CRIS.

Criminal Intelligence System ('CrimInt')

121. In 1994, the MPS created the Criminal Intelligence System ('CrimInt'). This is an internal MPS database which collates, evaluates and develops intelligence. Officers use CrimInt to gather and search intelligence, plan operations as part of the intelligence cycle and to identify individuals or groups of individuals in an effort to anticipate, prevent, or monitor possible criminal activity.

122. I produce as **Exhibit AM/55** a summary of the CrimInt.

The Form 111

123. A Child Protection Team manual published by the MPS in 1995 suggested that officers use a 'Form 111' to report convictions (and in some cases cautions) of people in various professions or occupations to the "appropriate authority". This 'Form 111' was entitled 'Notification of Conviction/Caution (of a Professional Person)' and was to be signed by a Chief Inspector and a copy retained with the relevant case papers. SCD5 appeared to have continued using the 'Form 111' to disclose convictions into the early 2000s, but it was discontinued by the MPS in 2009. I produce an extract of the 1995 CPT manual as **Exhibit AM/56**.

Multi-Agency Public Protection Arrangements ('MAPPA')

124. In 2001, the Multi-Agency Public Protection Arrangements ('MAPPA') regime was introduced. MAPPA is a mechanism through which the police and HM Prison and Probation Service work together with other agencies to manage the risks posed by violent and sexual offenders living in the community in order to protect the public. Data sharing within MAPPA is dealt with under the 'MAPPA Information

Sharing Agreement', which is in place for each London Borough, and necessarily involves the sharing of information relating to convicted offenders who fall within its remit.

125. In the MPS, those offenders subject to MAPPA are managed by the 'Jigsaw' team. Jigsaw teams across the MPS use a variety of different tactics to manage those on the Sex Offenders Register and/or deemed dangerous due to violent behaviour. These tactics might include the use of civil orders, such as Sexual Harm Prevention Orders (mentioned at paragraphs 45-48) and Violent Offender Orders ('VOOs'), both of which place conditions on offenders relating to their behaviour and conduct. Under the new Basic Command Unit model, Jigsaw teams remain part of CID and do not form part of Safeguarding (although there is flexibility if a Basic Command Unit wishes to incorporate Jigsaw due to local demands).
126. I produce as **Exhibit AM/57** an extract of the 2004 MAPPA Guidance (which describes when and how MAPPA was introduced), along with an extract of the most recent 2019 MAPPA Guidance as **Exhibit AM/58**.

Violent and Sex Offenders Register ('VISOR')

127. In 2005, the MPS began to use the Violent and Sex Offenders Register ('VISOR') system to monitor sex offenders electronically. The Violent and Sex Offenders Register is a confidential national database that was developed to support the management of MAPPA and Lifetime Offender Management offenders. The impetus for this system was the Criminal Justice and Court Services Act 2010 that placed a joint responsibility on police and probation services to improve the way these types of offenders were managed. Incidents such as the murders of Sarah Payne and Milly Dowler contributed to the pressure to improve the police's ability to access quality, national intelligence.
128. The Violent and Sex Offenders Register system started being built in January 2003, and was subsequently rolled out to a number of pilot sites in 2003 and 2004. The system is now used by all 45 geographic police forces in the UK, HM Prison and Probation Service and other agencies to manage and share information about sexual and violent offenders within the UK. Again, this involves the sharing of information relating to convicted individuals.

129. In the MPS, the Violent and Sex Offenders Register is managed by the above-mentioned 'Jigsaw' team.

130. I produce as **Exhibit AM/59** a summary of ViSOR from the College of Policing.

Police National Database ('PND')

131. In 2004 the Bichard Inquiry made numerous recommendations relating to the improvement of policing approaches to information-management and information-sharing between police forces. These recommendations resulted in a new focus on these issues and there have been numerous developments in this area of policing since the report.

132. The Impact Nominal Index ('INI') computer system was developed in around 2006. This system enabled UK police forces to establish whether any other force held information on a person of interest. Users then had to submit a request to the appropriate force to access this information.

133. This system has since been replaced by the Police National Database ('PND'), which was rolled out across all UK police forces in 2011. This database is available to all police forces and wider criminal justice agencies throughout the UK. It allows the police service to share local information and intelligence on a national basis. It is not a replacement for the Police National Computer but instead captures data from over 200 different systems and 51 contributing police forces and law enforcement agencies. The system currently holds over 3.5 billion searchable records.

134. I produce as **Exhibit AM/60** a summary of the PND from the College of Policing.

Disclosure and Barring Service ('DBS')

135. The Disclosure and Barring Service ('DBS') forms part of the MPS's current arrangements for the sharing of information on suspected / convicted abusers. Specifically:

- a. Where a person applies for a job that involves access to children and/or vulnerable adults, they will be required to obtain an Enhanced DBS check. Upon receiving an application, the DBS will search the applicant's details against the Police National Computer as well the Police Local Cross Referencing System ('PLX'). The latter system contains potentially relevant police intelligence (i.e. non-conviction information). If an applicant is mentioned on one of these systems, and the matter is within the jurisdiction of the MPS, the application will be forwarded to the MPS Character Enquiries Centre ('CEC') for consideration and action as appropriate.
- b. In respect of those convictions and cautions recorded on the Police National Computer, these will be disclosed unless they appear on a list of filterable offences and comply with certain other conditions. This is under review following a ruling by the Supreme Court and it is likely that more offences will be filtered in the future.
- c. With regard to relevant information stored on intelligence systems (for example, the non-conviction information that might still be relevant to the issue of protection of children), the threshold for disclosure of such intelligence increased with the Protection of Freedoms Act 2012 and has also been affected by numerous court cases on this issue. Information is now assessed by way of a balancing exercise, considering the rights of the applicant as against the rights of children / vulnerable adults. The Home Office published 'Statutory Disclosure Guidance' in August 2015, setting out a number of principles which chief officers should apply when deciding what information to disclose on an Enhanced DBS check. These principles include only disclosing information that is reasonably believed to be relevant.
- d. If the MPS Character Enquiries Centre decides to disclose information (whether conviction information or non-conviction information) on the DBS certificate, the employer will still have the final decision as to whether or not to employ an applicant.

Common Law Police Disclosure ('CLPD')

136. The Common Law Police Disclosure ('CLPD') replaces Home Office Circular 006/2006 regarding the Notifiable Occupations Scheme for police forces. I produce as **Exhibit AM/61** a notice from the NPCC to this effect.
137. Common Law Police Disclosure ensures that where there is a public protection risk, the police can and will pass information to the employer or regulatory body to allow them to act swiftly to mitigate any danger.

Current Approaches to Information-Sharing

138. Where there is an allegation of an offence today, and as mentioned above, a MERLIN report and CRIS record will be entered by the first responding officer or investigating officer. Where there has been no specific allegation of an offence, but there is concern for a child, a MERLIN record and CrimInt intelligence report will be created. The CRIS and MERLIN records are reviewed by officers within the Safeguarding strand who are attached to the Multi-Agency Safeguarding Hub. These officers take on the responsibility and oversight of assessing the relevant incident from a child welfare perspective and making a decision as to whether information should be shared with external statutory agencies and/or relevant individuals.
139. Another process available to the police, particularly in circumstances where a person has not been convicted of a sexual offence but allegations have been made against them, is to disclose the allegations to the LADO at a LADO meeting (which may also include other appropriate professionals). There should, however, always be a clear distinction between: an allegation; a complaint; and/or a concern about the quality of care or practice.
140. An allegation may relate to a person who works with children who:
- a. has behaved in a way that has harmed a child, or may have harmed a child;
 - b. has possibly committed a criminal offence against or related to a child; or
 - c. has behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

141. Local Authorities should have designated a particular officer, or team of officers (either as part of multi-agency arrangements or otherwise), to be involved in the management and oversight of allegations against people who work with children. Any such officer, or team of officers, should be sufficiently qualified and experienced to be able to fulfil this role effectively, for example, a qualified social worker.
142. Local Authorities should also put in place arrangements to ensure that any allegations about those who work with children are passed to the designated officer, or team of officers, without delay. Local Authorities will also be expected to provide advice and guidance to employers and voluntary organisations as to how to deal with allegations against people who work with children. In completing these tasks, Local Authorities will arrange for effective liaison with the police and other agencies to monitor the progress of cases and ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process. I produce as **Exhibit AM/62** a multi-agency meeting guidance sheet available to MPS officers on the intranet.

STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true.

Signed: _____

DPA

Dated: _____

23/4/2020