

The Report of the Independent Inquiry into Child Sexual Abuse

October 2022



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A report of the Inquiry Panel
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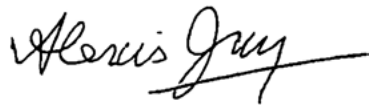
Foreword by Professor Alexis Jay OBE

In accordance with my statutory duty, I have delivered a copy of this report to the Home Secretary. It draws on the entirety of the Inquiry's work and makes important recommendations to protect future generations of children from sexual abuse.

I wish to express my sincere appreciation of the professionalism and commitment shown by all staff associated with the Inquiry.

In particular, I wish to thank my colleague Panel members – Professor Sir Malcolm Evans KCMG OBE, Ivor Frank, and Drusilla Sharpling CBE – for their invaluable assistance to me in my role as Chair. I am also grateful to John O'Brien, Brian Altman KC and Martin Smith, as Secretary, Lead Counsel and Solicitor to the Inquiry, respectively, for the advice and guidance which they have given to the Panel throughout the Inquiry's work.

Above all, I want to pay tribute to the many thousands of victims and survivors who came forward and told the Inquiry about the abuse they experienced. As Chair, I observed first hand the courage and bravery of so many who spoke candidly about the shocking acts perpetrated against them. I urge the UK government, the Welsh Government and all other relevant institutions to implement promptly the Inquiry's recommendations which are designed to protect children from sexual abuse in the future.

A handwritten signature in black ink, reading "Alexis Jay", with a long horizontal flourish extending to the right.

Professor Alexis Jay OBE

Executive Summary

Introduction

This report is the final statutory report published by the Independent Inquiry into Child Sexual Abuse (the Inquiry). In accordance with the Terms of Reference, it sets out the main findings about the extent to which State and non-State institutions failed in their duty of care to protect children from sexual abuse and exploitation and makes recommendations for reform. It draws on the Inquiry's 15 investigations and 19 related investigation reports, the *Interim Report of the Independent Inquiry into Child Sexual Abuse* and 41 other Inquiry reports and publications. The Inquiry has made 20 recommendations in this report. These final recommendations complement the 87 recommendations contained in the previously published investigation reports (including six which have been restated).

There are nearly 13 million children in England and Wales, each of whom needs and deserves to be protected from harm. Babies, toddlers and children are potentially at risk, with current estimates indicating that 1 in 6 girls and 1 in 20 boys experience child sexual abuse before the age of 16. In March 2020, the Office for National Statistics estimated that 3.1 million adults in England and Wales had experienced sexual abuse before the age of 16. Reflecting the guiding principle that the child's welfare is paramount, the Inquiry's recommendations are focussed on making England and Wales places for children to grow up safely and thrive.

The work of the Inquiry over the past seven years demonstrates that:

- child sexual abuse and exploitation takes many forms but can involve vile and painful acts such as vaginal and anal rape;
- children, particularly those who are sexually exploited, are often degraded and abused by multiple perpetrators;
- historically, inadequate measures were in place to protect children from the risk of being sexually abused – sometimes there were none at all;
- individuals and institutions often thought children were lying when they tried to disclose what was being done to them;
- victims were frequently blamed as being responsible for their own sexual abuse;
- within statutory agencies with direct responsibility for child protection there was too little emphasis on the complex and highly skilled work of child protection. Decisions about children were not unequivocally based on the paramount interests of the child;
- multi-agency arrangements still lack focus on child protection;
- there is still not enough support available to both child and adult victims and survivors;
- child sexual abuse is not a problem consigned to the past, and the explosion in online-facilitated child sexual abuse underlines the extent to which the problem is endemic within England and Wales;

- the devastation and harm caused by sexual abuse cannot be overstated – the impact of child sexual abuse, often lifelong, is such that everyone should do all they can to protect children; and
- this is not just a national crisis, but a global one.

At the heart of this report are the Inquiry's recommendations to help protect children. There needs to be a greater priority and focus, politically and across society as a whole, on protecting children from sexual abuse. The establishment of the Child Protection Authorities in England and in Wales, coupled with national public awareness campaigns, are designed to ensure that the spotlight remains directed at preventing child sexual abuse.

These recommendations will be reinforced by cabinet-level ministerial positions for children to provide senior leadership and increased priority within government. One of the aims of the public awareness campaign is to inform the public about the action they should take if they know or suspect a child is being sexually abused. This will complement the recommendation for a new law of mandatory reporting making it a legal requirement for those who work in regulated activity or work in a position of trust to report child sexual abuse.

The impact of past failures to protect children from sexual abuse and to support those who have been harmed is incalculable. To address this, the Inquiry considers that a redress scheme must be established to make some reparation for the harm suffered.

Background and context

The sexual abuse and exploitation of children is criminal and morally wrong. There is no excuse for those who perpetrate this crime. It has never been right or excusable whenever it occurred. To a significant extent, this also applies to those who knew about the abuse but did nothing, as well as to those who actively covered it up or contrived to assist a perpetrator in escaping justice or avoiding the scrutiny of the statutory authorities.

As the Inquiry progressed, the extent of the global crisis in child sexual abuse and exploitation became increasingly clear. This is manifested in one way by the number of national and institutional inquiries being conducted across the world – including in the US, Australia, Ireland, Germany, France, Spain and Japan. The extraordinary, soaring numbers of child victims of internet-based sexual abuse also confirm the scale of the problem, providing evidence that the sexual abuse of children cannot be conveniently committed to the annals of history. Millions of child sexual abuse images can be accessed within just three 'clicks', many of which depict young children and babies.

Nearly every one of the Inquiry's investigation reports concluded that the true scale of sexual abuse of children is likely to have been much higher than the actual numbers recorded, and this continues to be the case with current methods of data-gathering. Information collected by children's services shows high numbers of assessments where child sexual abuse and exploitation is identified as a risk factor, but the number of children placed on child protection plans under the primary category of child sexual abuse is comparatively low.

In surveys, girls were at least three times as likely as boys to describe experiences of child sexual abuse. Disabled participants were twice as likely to describe such experiences as non-disabled participants, and those who lived in a care home were nearly four times as likely to have experienced child sexual abuse. Those who had experienced childhood neglect were nearly five times as likely to have experienced child sexual abuse as those who had not.

While many may think that child sexual abuse is not a matter that affects them, the economic and social costs of child sexual abuse affect everyone. In December 2021, the Home Office published a study into the costs relating to children whose contact sexual abuse began or continued in the year ending March 2019. The estimated cost to society exceeded £10 billion.

Over decades, society's responses to child sexual abuse have reflected its attitude towards children. At worst, within some institutions, children have been treated as commodities at adults' disposal to do with as they wished. In the mid-20th century, child sexual abuse was not believed to be widespread. There was even a belief that there was such a thing as a 'seductive child'. The notion that child sexual abuse was 'not harmful' persisted into the 1990s and, in some professional spheres, responses to it were seen as 'over zealous' and characterised as a 'moral panic'. In the 2000s, some responses became more child-focused, but others continued to deflect blame away from perpetrators and institutions, especially in the area of child sexual exploitation. While some of these attitudes have been challenged, there remains an incomplete public understanding of child sexual abuse, exploitation and power dynamics. Children cannot consent to their own abuse, and questions of empowerment, inclusion and hearing children's voices are still not being fully addressed.

This report is the culmination of a public inquiry, the focus of which was the institutional responses to child sexual abuse in England and Wales 'in living memory'. Examining past failures across such a broad spectrum of institutions and organisations, coupled with the contributions of many thousands of Truth Project participants, has provided the Inquiry with a unique body of knowledge, enabling it to make recommendations to protect future generations of children.

Common themes across institutions

The breadth of the Inquiry's investigations across diverse settings has identified many common themes directly relevant to child sexual abuse. These themes have occurred across many different institutions.

The pain and suffering caused to victims and survivors often affected many aspects of their lives. Relationships – whether personal, familial or sexual – suffered. Physical, emotional and mental health was damaged, in some cases beyond repair. The institutional responses often involved insincere apologies and the inadequate provision of support and counselling, thereby compounding the harm.

The deviousness and cruelty of perpetrators was limitless. Children were threatened, beaten and humiliated. Those with disabilities or other vulnerabilities were often deliberately selected for that very reason. Offenders groomed victims and befriended parents in order to create a veneer of genuine affection which not only enabled the abuse to be committed but often inhibited the subsequent reporting of any disclosure.

The protection of personal and institutional reputations above the protection of children was a frequent institutional reaction. Statutory agencies were not informed, perpetrators were 'moved on' and there were failures by those in authority to thoroughly investigate allegations. Records about child sexual abuse allegations were not kept.

Some institutions had no child protection policies and procedures. Where policies and procedures were in existence, they were often inadequate or not complied with. Inspections of institutions were, at times, lacking. Recommendations made following internal or external reviews were infrequently implemented and sometimes ignored.

Online-facilitated child sexual abuse magnifies the risk to children both nationally and internationally. Escalating production and sharing of child sexual abuse material and the live streaming of sexual abuse affects children of all ages but particularly those aged under 13 years.

The scale and extent of child sexual abuse and child sexual exploitation are difficult to ascertain as data collection is poor. The available data present a confused and confusing picture, and there is no consistent approach to the recording of data, including by key statutory agencies such as the police and local authorities. The prevalence figures cited in this report cover all forms of child sexual abuse and there are no data which separate abuse which takes place within a family environment from that which takes place in institutions.

Problems in the criminal justice system included investigative and prosecutorial failures. Disruption tactics, which operate to prevent offenders from committing sexual offences against children, were underused. Delays in the system mean victims and survivors often have to wait years for the case to conclude.

The Inquiry also identified wider societal issues where responses to children's disclosures were characterised by embarrassment, fear and disbelief. There needs to be greater public awareness of the scale and scope of child sexual abuse and exploitation in order to improve our response to children who are abused.

Investigation reports

The following summaries set out the key issues to emerge from each of the Inquiry's 15 investigations. The summaries do not include reference to any subsequent developments, whether positive or negative.

The investigation into the **Roman Catholic Church in England and Wales** revealed a sorry history of child sexual abuse where abusive priests and members of religious orders and institutions preyed on children for prolonged periods of time. Between 1970 and 2015, the Church received more than 3,000 complaints against more than 900 individuals connected to the Church. In the same period, there were 177 prosecutions, resulting in 133 convictions. Millions of pounds have been paid to victims and survivors in civil proceedings. Since 2016, there have been more than 100 reported allegations of recent and non-recent child sexual abuse every year. The true scale of abuse over a 50-year period is likely to be much greater.

Responses to disclosures about child sexual abuse have been characterised by a failure to support victims and survivors – in stark contrast to the positive action often taken to protect perpetrators and the reputation of the Church.

The reactions of Church leaders over time were marked by delay in implementing change, as well as reluctance to hold individuals to account or to make sincere apologies. On occasions, they conveyed a grudging and unsympathetic attitude to victims and survivors. In order to shake off the failures of the past, real and lasting changes to attitudes are needed.

Although there have been some improvements to current safeguarding arrangements, more recent audits have identified weaknesses. The culture and attitudes in the Roman Catholic Church have been resistant to change.

During the Roman Catholic Church case study on the **Archdiocese of Birmingham**, the Archdiocese accepted that it was responsible “*for institutional failings which on occasion permitted the sexual abuse of children to continue when it might otherwise have been stopped*”.

The publication of the Nolan report in 2002 was a significant milestone for the Roman Catholic Church because it examined the Church’s child protection arrangements and made recommendations for structural and procedural reforms. The Cumberlege report was published in 2007 and was intended to identify further reforms. The recommendations of these reports set a clear and unequivocal direction for the Church and were intended as a springboard for major change. While some improvement has been noted in the Archdiocese of Birmingham since the publication of these reports, there were still significant gaps in their child safeguarding arrangements.

The Inquiry widened its understanding of the role of the Roman Catholic Church in education through the English Benedictine Congregation (EBC) case studies incorporating **Ampleforth and Downside Abbeys and schools** and **Ealing Abbey and St Benedict’s School**.

The Ampleforth and Downside case study heard evidence of appalling sexual abuse inflicted over decades on children aged as young as seven at Ampleforth and 11 at Downside.

Ten individuals – mostly monks connected to these institutions – have been convicted or cautioned in relation to offences involving sexual activity with a large number of children, or offences concerning pornography. Many perpetrators did not hide their sexual interests from the children.

Rather than refer a suspected perpetrator to the police, in several instances the Abbot of the particular school confined the individual to the Abbey or transferred him and the known risk to a different parish or other location. For much of the period under consideration by the Inquiry, the overriding concern was to avoid contact with the local authority or the police at all costs, regardless of the seriousness of the alleged abuse or actual knowledge of its occurrence.

Time and time again, the most senior clergymen in the EBC and in the two Abbeys, including past presidents of the EBC, admitted wrong-headed judgements and expressed regret at past failures to protect children.

Child sexual abuse was extensive at Ealing Abbey. Since 2003, two monks and two lay teachers have been convicted of multiple offences involving the sexual abuse of over 20 children between the 1970s and 2008. In 2016, the deputy head was convicted of offences relating to the possession of indecent images of children.

There was a culture of excessive corporal punishment. Physical abuse in many cases was used as a platform for sexual gratification and a means by which to instigate sexual abuse. Corporal punishment was used to punish boys who sought to protect themselves or others from sexual abuse.

It appeared that many in St Benedict's School and Ealing Abbey – teachers and monks alike – were aware of sexually abusive behaviour but were seemingly powerless to do anything about it. Gossip amongst boys and staff was rife and complaints, including from parents, failed to trigger any action from the school. On the rare occasion information was passed on to the authorities, little if any action was taken.

Headteachers and Abbots did little to improve child protection activity at St Benedict's School. Child sexual abuse was played down. When cases were reported to the police, investigative mistakes were made and, on the rare occasions allegations were referred to the Crown Prosecution Service, the analysis of the evidence was sometimes deficient. Not until much later in time were the named perpetrators finally brought to justice.

The **Anglican Church** investigation examined whether the Church of England and the Church in Wales protected children from sexual abuse. Current safeguarding arrangements were also considered. A total of 390 people associated with the Church of England from the 1940s to 2018 were convicted of sexual offences against children. In 2018, 449 concerns were reported to the Church about recent child sexual abuse, of which more than half related to Church officers. Latterly, a significant amount of offending involved downloading and possession of indecent images of children.

As with other religious organisations, the Anglican Church is marked by its explicit moral purpose in teaching right from wrong. In the context of child sexual abuse, the Church's neglect of the physical, emotional and spiritual well-being of children and young people in favour of protecting its reputation was in conflict with its mission of love and care for the innocent and vulnerable.

Safeguarding arrangements in the Church of England were under-resourced until 2015, when resources increased considerably. Changes were also made which aimed to ensure that the advice of safeguarding staff should not be ignored. Nevertheless, there were still some occasions when the advice was disregarded.

The Church of England failed to respond consistently to victims and survivors with sympathy and compassion, accompanied by practical and appropriate support. This often added to the trauma of those who had experienced child sexual abuse by individuals connected to the Church. While there have been important improvements in child protection practice, the Church of England still has more to do to rebuild the trust of victims and survivors. Some internal past case reviews were flawed and inaccurate, and there was a tendency to minimise offending.

In recent years, a number of clergy in the Church in Wales have been deposed from holy orders following sexual assaults on children, or for offences concerning indecent images of children. No precise data on actual numbers are available.

A Historic Cases Review, published in 2012, concluded that there was a need to improve compliance with existing safeguarding policies and adopt additional policies to improve child protection. Further improvements are still required, particularly in the area of record-keeping and the capacity of provincial safeguarding officers.

The **Anglican Church** investigation considered two case studies. The first was the **Diocese of Chichester**, where there had been multiple allegations of sexual abuse against children. Over 50 years, 20 individuals with a connection to Chichester Diocese, including four clergymen, were convicted of sexual offending against children. The responses of the Diocese were marked by secrecy, prevarication, avoidance of reporting alleged crimes to the authorities and a failure to take professional advice. Internal reviews failed to expose the nature and scale of the problem within the Diocese. Instead, they were used by Church leaders to act out their personal conflicts and antagonisms. The reviews ultimately came to nothing until 2011, when the Archbishop of Canterbury intervened by ordering a Visitation.

The second case study concerned **Peter Ball**, who was a bishop in the Chichester Diocese before becoming Bishop of Gloucester. In 1993, he was cautioned for gross indecency. In 2015, Ball pleaded guilty to further offences, including misconduct in public office and indecent assault in which he admitted that he had abused his position as Bishop of Lewes and Bishop of Gloucester to offend against 17 teenagers and young men. One victim, Neil Todd, was seriously failed by the Church and ultimately took his own life. At the time, the Church discounted Ball's behaviour as trivial and insignificant, displaying callous indifference to Mr Todd's complaints. The Archbishops' Council accepted that the Church had displayed "*moral cowardice*" in response to the allegations.

The Inquiry found failings in the response of Lord Carey, the then Archbishop of Canterbury, including showing Ball a degree of compassion which he did not extend to his victims and not disciplining Ball after he was cautioned. Other people of prominence also supported Ball but without any consideration of the experiences of Ball's victims.

The Inquiry also conducted a thematic investigation into **Child protection in religious organisations and settings**. In total, 38 religious organisations, including Buddhism, Hinduism, Islam, Judaism, new religious movements, non-conformist Christian denominations, non-trinitarian Christian denominations, Paganism and Sikhism, provided evidence to the Inquiry.

Respect for a diversity of beliefs is the hallmark of a liberal democracy but can never be used to justify harm to a child. There were significant barriers to effective reporting of child sexual abuse, including victim-blaming and notions of shame and honour. In some religious traditions and communities, children are not taught about sex or sexual relationships. The Inquiry was told by representatives of some faiths that in some languages there were no words for rape, sexual abuse or genitalia.

Not all religious organisations had adequate child protection policies, despite the advice readily accessible in the public domain. In some, safe recruitment practices were not always followed and there was limited uptake of child protection training offered by local authorities. While some religious organisations had effective systems in place for responding to child sexual abuse, this was not the case across the board. Very few had arrangements in place for the provision of counselling or therapy sessions for victims and survivors.

Some religious organisations provide education and services to children through supplementary schooling or out-of-school provision. There are also a number of unregistered schools providing full-time education. Serious concerns were expressed by Ofsted that a minority of out-of-school settings were putting children at risk by failing to adhere to basic child protection standards.

The **Cambridge House, Knowl View and Rochdale** investigation focussed on child sexual abuse in Rochdale and institutional failures to protect vulnerable boys in care. This included Cambridge House hostel for boys and young men where the Inquiry heard about the predatory activities of Cyril Smith. Between 1962 and 1965, Smith, who was not medically qualified, conducted 'medical examinations' on a number of boys, including of their genitalia. Smith's prominence and standing in Rochdale in the mid-1960s allowed him to exert pressure on others locally, in particular to keep quiet about any allegations of abuse. Years later, in 1998 and 1999, for reasons unconnected to Smith's position, the Crown Prosecution Service wrongly advised that Smith should not be charged.

Knowl View School was basic and bleak, providing neither care nor education. Staff were at best complacent, and at worst complicit, in the abuse they knew to be taking place.

Senior council officials in social services and education departments were at fault for failing to treat the problem of sexual abuse at Knowl View School with any urgency. In evidence, the council leader lied to the Inquiry when he denied all knowledge of the issues about child sexual abuse at Knowl View.

Police investigations into other individuals involved in the sexual exploitation of boys from Knowl View School in the town centre toilets also resulted in no charges being brought, despite the police knowing their identities and having obtained disclosures from the young victims. These failures, along with those relating to the allegations against Smith, deprived victims and complainants of the opportunity of seeing perpetrators being brought to justice.

For more than five decades, **Nottingham City Council and Nottinghamshire County Council** failed in their statutory duty to protect children in their care from sexual abuse, perpetrated primarily by predatory residential staff and foster carers. The Inquiry received evidence of approximately 350 complainants who made allegations of child sexual abuse from the 1960s onwards. In residential care, there were poor recruitment practices, low staffing ratios, few qualified staff and little training. In some instances, a sexualised culture prevailed, with staff behaving wholly inappropriately towards children, paving the way for sexual abuse. It was as if anyone could carry out the important work of being a substitute parent to damaged children. Residential care carried little priority with senior managers, even when they were aware of escalating numbers of allegations of sexual abuse.

From the mid-1970s to the 1990s, the picture was equally poor in foster care. Recruitment, assessment and support of foster carers, and supervision of children's placements, were inconsistent and almost casual. When allegations of abuse were made, Council staff were too willing to take the side of the foster carers and to disbelieve the child.

Neither Council learned from its mistakes, despite commissioning many reviews which made clear what changes were needed in their care systems to stop the sexual abuse of children. Nor did they have a satisfactory approach to addressing the issue of harmful sexual behaviour amongst children in their care.

It is hard to comprehend the cruelty and sexual abuse inflicted on children in the care of **Lambeth Council** over many years, by staff, by foster carers and their families, and by 'volunteers' in residential settings. By 2020, the Council was aware of 705 former residents of three children's homes examined in this investigation who had made complaints of sexual

abuse. Foster care was equally bad, with foster carers not adequately vetted or made the subject of criminal records checks. A review of criminal records checks in the late 1990s led to Lambeth Council's foster care placements being reduced by one-third.

In the 1980s, the culture of Lambeth Council was dominated by politicised behaviour and turmoil, as it took on the government of the day. In 1986, its stance in failing to set a council tax rate resulted in 33 councillors being removed from their positions. This preoccupation meant the majority of members were distracted from their primary task of providing good-quality public services, including children's social care. Despite what was claimed to be a 'progressive' political agenda, bullying, intimidation, racism, nepotism and sexism thrived, and were set within a context of corruption and financial mismanagement, which permeated much of Lambeth Council's operations. All of this directly impacted on the safety and protection of children in care.

With one or two exceptions, a succession of elected members and senior officials ought to have been held accountable for allowing the sexual abuse of children in their care to continue over decades. Lambeth Council was only able to identify one senior Council employee, over the course of 40 years, who was disciplined for their part in this catalogue of failures to address child sexual abuse. Many reports commissioned by Lambeth Council also described serious failures in services and staff practices which rendered children unsafe, often from the people paid to look after them. Nobody in relevant positions of authority during that time could truthfully have said they did not know about the abuse of children. The conclusion was therefore unavoidable that those who ran Lambeth Council for the most part simply did not care enough to prioritise the protection of children.

The investigation into **Child sexual exploitation by organised networks** examined six case study areas across England and Wales to obtain an accurate picture of current practice of police and local authorities, at a strategic level and by examination of individual cases.

The accounts of the victims and survivors in the case studies demonstrate the cruelty of perpetrators towards the children they exploit. It confirmed that the sexual exploitation of children by networks was not a rare problem confined to a small number of areas with high-profile criminal cases but was widespread.

There appeared to be a flawed assumption that this problem was on the wane. Data presented to the Inquiry at a national level and in the six case study areas were confused and confusing, marked by inconsistencies, unexplained trends and variations. In addition, the ethnicity of victims and alleged perpetrators was rarely recorded.

Children in residential care and those with a disability are at a heightened risk of being sexually exploited. There is a national shortage of suitable residential care placements for children who are at risk of or have experienced child sexual exploitation. This has resulted in some older victims being placed in unsuitable accommodation, without proper support or supervision, making them at increased risk of further exploitation.

The investigation on **the Internet** focussed on the rapidly growing problem of online-facilitated child sexual abuse. Increased access to and use of the internet have enabled a section of society to misuse it to distribute indecent images of children; to groom and manipulate children to commit sexual acts on-screen, often for the purpose of sexual exploitation; and to live stream the sexual abuse of children from around the world,

including from the UK. Those affected live in fear that images of them being sexually abused remain available on the internet indefinitely. The harm done to children and their families is incalculable.

In particular, there has been a recent, significant increase in child sexual exploitation online, including live streaming appalling abuse. For example, the sexual abuse of children was live streamed for money, at times at the direction of the person paying to view the abuse.

While most internet companies either prohibit or discourage children under 13 years from accessing their platforms, the Inquiry repeatedly heard evidence that under 13-year-olds easily accessed their services and that they were at significant risk of being groomed. Industry witnesses spoke of their companies' commitment to preventing online child sexual abuse, but action taken by industry was too often reactive and sometimes seemingly motivated by the desire to avoid reputational damage caused by adverse media reporting. Technology has been developed to detect online-facilitated child sexual abuse. However, there needs to be greater collaboration across the industry to demonstrate that the internet companies are doing more than paying lip service to their stated commitment to protecting children.

There remains the question of end-to-end encryption, and the stark debate between protection of privacy and protection of children. A technical solution is now overdue to assist the detection of online-facilitated child sexual abuse, and to make the internet safe for all children.

The investigation of the experiences of sexual abuse by **Children outside the United Kingdom** started with an examination of **Child Migration Programmes**. Over a period of many years before and after the Second World War, successive UK governments allowed children to be removed from their families, care homes and foster care in England and in Wales to be sent to institutions and families abroad without their parents. After the war, around 4,000 children were migrated, mainly to Australia.

The children lived in many settings characterised by physical and emotional abuse and neglect, as well as sexual abuse. The treatment of many of these children was akin to torture and had lifelong consequences. When they tried to report their experiences, the children were disbelieved and intimidated, often with violence. Some were lied to about their family background, and even about whether their parents were alive or dead.

While a number of organisations participated in child migration programmes, it was the overwhelming conclusion of the Inquiry that, after the Second World War, the UK government was primarily to blame for the continued existence of the programme. It was a deeply flawed policy that caused lifelong damage to many children, and immediate financial redress was required for surviving child migrants.

In phase 2 of the investigation, the Inquiry also examined the sexual abuse of children by UK nationals and residents outside the UK. The full scale of this offending was unknown but was undoubtedly extensive. Moreover, the sexual abuse of children abroad does not have to take place abroad. In 2018, the National Crime Agency estimated that some 80,000 people in the UK could pose a threat to children online, increasingly through live streaming.

The Inquiry was concerned by the under-use of civil orders, which can be used to restrict foreign travel. In addition, when these orders are made they can be circumvented by travelling to the restricted country via another route. The powers to prosecute offenders

in England and Wales for child sexual abuse offences committed abroad are now set out in section 72 of the Sexual Offences Act 2003. There have been a small number of prosecutions under this section – more needs to be done to raise awareness of these powers in police forces. Increased cooperation between law enforcement agencies internationally depends on raising the number of international liaison officers to work with partners in high-risk countries.

The operation of the Disclosure and Barring Service (DBS) caused some concern for employers in England and in Wales who were required to obtain a DBS certificate when seeking to engage staff to work with children overseas. Institutions based overseas cannot request a DBS check and must rely on an International Child Protection Certificate. There were some discrepancies between the two certificates and the system as a whole was confusing and capable of exploitation by offenders.

The **Westminster** investigation concerned institutional responses to allegations of child sexual abuse and exploitation involving people of public prominence who were associated with Westminster. It was unacceptable that at the time of the public hearing in this investigation (March 2019) some political parties had chosen not to put appropriate safeguarding and child protection policies in place.

Several cross-cutting themes recurred throughout the investigation, including undue deference by police, prosecutors and political parties towards politicians and others in public life; differences in the treatment of wealthy and well-connected individuals, as opposed to those who were poorer, more deprived and without access to networks of influence; failures to put children and their welfare first; and the prioritisation of reputation over the needs and safety of children.

Political parties showed themselves to be more concerned about political fallout than safeguarding and, in some cases in the past, the honours system prioritised reputation and discretion in making awards with little or no regard for victims of nominated persons.

There was ample evidence that individual perpetrators of child sexual abuse were linked to Westminster but, despite some assertions to the contrary, there was no evidence of an organised ‘Westminster paedophile network’.

The investigation concerning **Institutional responses to allegations involving the late Lord Janner of Braunstone QC** focussed on the institutional responses to allegations of child sexual abuse in circumstances where there had been no conviction or judicial finding of fact that the alleged abuse occurred. It was necessary to conduct much of the public hearing in closed session to protect the identity of complainants who are entitled to lifelong anonymity under the Sexual Offences (Amendment) Act 1992.

In two of the three police investigations into the allegations made by complainants, there were failures in the way Leicestershire Police investigated the allegations and, despite some isolated efforts by police officers to remedy the position, the complainants were not given sympathetic treatment. However, the Inquiry found no evidence that the police were unduly influenced or placed under improper pressure not to pursue the allegations.

In Operation Magnolia (2000 to 2001), statements containing two complainants' allegations relating to Lord Janner were not provided by Leicestershire Police to the Crown Prosecution Service when they should have been. This was a significant and unjustifiable failing. There was also strong suspicion that children in local authority care were not to be trusted and so complainants were ignored.

In Operation Dauntless (2006 to 2007), there appeared to be a reluctance to progress the police investigation and the Crown Prosecution Service advice about this Operation lacked detail and was strategically flawed.

More generally, Leicestershire County Council accepted that during the 1970s and 1980s it failed to take children's concerns about physical and sexual abuse seriously and admitted that its responses were inadequate.

Children in custodial institutions are some of the most vulnerable in society. At the time of the public hearing in July 2018, there were around 900 children detained by the criminal justice system in either a young offender institution (YOI), a secure training centre (STC) or a secure children's home (SCH).

This investigation concentrated on the period from 2009 to 2017, at the start of which over 3,000 children were in custody. Many of these children were engaged in regular offending, including violence and sexual abuse, following unhappy and disrupted childhoods. The accounts of adult survivors of child sexual abuse who were detained in custodial institutions in the earlier years were among the worst the Inquiry has heard. Recent inspection reports from Ofsted and HM Inspectorate of Prisons raised serious concerns about the safety of children in several units in the custodial estate.

Complaints of sexual abuse in YOIs and STCs were rarely investigated properly, with little evidence of involvement of the statutory authorities, signifying a failure to adhere to normal child protection procedures. Forms of control such as pain compliance techniques, approved by the Ministry of Justice, were particularly intimidating for children who had been sexually abused.

Throughout this investigation, the differences between the regimes in YOIs and STCs and those in SCHs became increasingly clear. The latter are more child centred, with better staff ratios and training requirements. These institutions are subject to similar standards of care to those applied by Ofsted to children's homes. A serious concern is the uneven availability of SCHs which accept children detained for criminal justice reasons, with none in London and the south-east of England.

Custodial institutions for children were under-resourced. Staff turnover was unacceptably high, not helped by structural change and instability, following attempts by various governments to provide an effective model of care and control.

The **Accountability and Reparations** investigation heard that many victims who sought reparations for child sexual abuse found the experience of the legal processes involved were sometimes hostile, baffling, frustrating and futile.

The redress available for victims and survivors included punishment of the perpetrator, compensation from an individual or institution, acknowledgement that the abuse occurred, an apology, an explanation of how the abuse was allowed to happen, an assurance of non-recurrence, and counselling or other support.

In the criminal justice system, a report to the police may lead to prosecution, conviction and imprisonment of the perpetrator and a compensation order being made. A criminal allegation must be proved to a high standard – so that the jury are sure (formerly beyond reasonable doubt) – but there is no time limit for the complaint to be made. A Criminal Injuries Compensation Authority award may be sought.

A complaint in civil law is, by contrast, usually for compensation from an institution which has legal responsibility for the perpetrator. A civil law complaint must be proved on the balance of probabilities but must usually be brought within three years of the abuse or by the 18th birthday of the complainant. However, very few victims and survivors of child sexual abuse bring their claims before the age of 21.

None of the processes associated with the remedies available adequately compensated victims and survivors for the distress and suffering brought about by their experiences of child sexual abuse. Many felt forced to give up rather than pursue a process that caused such distress and was often characterised by delay over many years.

The **Residential schools** investigation examined a broad range of educational settings and contexts in which staff had been convicted of the sexual abuse of pupils, or in which serious safeguarding concerns had arisen. This included residential specialist music schools, residential special schools and boarding schools, and other mainstream schools and was complemented by *Non-Recent Sexual Abuse in Residential Schools: An account submitted by Counsel to the Inquiry concerning eight closed residential schools*. The Inquiry found evidence of teachers and others exploiting their positions of trust to abuse children in all the various educational settings it considered.

The investigation report includes many deeply distressing cases of sexual abuse, the signs of which went unnoticed or were not responded to appropriately. Some staff were reluctant to report concerns, while some headteachers found it inconceivable that staff might abuse children. Many were also unaware of their roles in relation to safeguarding. Although some perpetrators have been brought to justice, many have not. Likewise, many in positions of authority and responsibility have not been held to account for serious failures of leadership and governance.

In the specialist music schools examined, the reputations of both the musicians and the schools were often seen as more important than their victims and potential victims when allegations were made or concerns were raised. The response was similar when concerns were raised about well-liked and generally respected members of staff in other school contexts, in both the independent and state sectors.

Despite 20 years of enhanced focus on safeguarding, schools are not as safe for children as they should be, and children's interests do not always come first when allegations or concerns of sexual abuse arise. The Inquiry identified many shortcomings in current systems of protection, regulation, oversight and enforcement, including the scope and practical operation of the DBS scheme, workforce regulation, inspection systems and standards. Statutory guidance is not always sufficiently precise and clear. Some staff were reluctant to report concerns, in part fearful of the consequences of doing so. When concerns were raised, they were not always referred to statutory authorities when they should have been. Where the threshold for formal referral was not met, there was confusion regarding what, if any, further steps should be taken, and by whom.

The thematic investigation about **effective leadership of child protection** built on the Inquiry's findings on leadership across its investigations. There was a mixed picture in many institutions. The worst examples involved people in charge of institutions who demonstrated indifference, even hostility, to victims, despite evidence or suspicion of wrongdoing by perpetrators. These attitudes were communicated as acceptable from the top of the institution through its various levels, leaving victims with few, if any, adults to trust.

There is no doubt that good leadership is essential to better outcomes for vulnerable children. Staff who are unclear about their role, lack confidence in their managers or leaders, and do not base their practice on the unequivocal primacy of the best interests of the child will not deliver good child protection, whatever the setting.

The public hearing identified several important dimensions to good leadership practice. These included embedding child-centred values, making child protection everyone's responsibility, creating strong governance and clear individual accountability, providing a visible role model of listening to children and involving them, ensuring diverse and inclusive practice, creating a 'speak up' culture, gathering good data and making best use of it, and learning from institutional failure.

This report

This final Report by the Inquiry comprises two parts.

The voices of victims and survivors

'Victims and Survivors' Voices' uses the words of those who have been sexually abused to describe what happened to them. Some of the content is therefore explicit, but these experiences and perspectives are at the heart of this Inquiry.

Each account represents a life fundamentally altered and affected by the abuse. The harm brought about by sexual abuse cannot be overestimated or ignored – education, familial relationships, sexual relationships, mental, emotional and physical well-being, job prospects can all be affected. In some cases it has driven victims to self-harm and even take their own life.

It is difficult to imagine what it feels like to be silenced or dismissed when trying to tell someone that you have been sexually abused. This happened so often to victims and survivors that many gave up trying to report what had happened to them. That is why the Truth Project – designed to enable victims and survivors to share their accounts in a confidential setting – was such a vital part of the Inquiry's work, and why 'Victims and Survivors' Voices' represents a cornerstone of the Inquiry's analysis and recommendations.

More than 6,200 victims and survivors contributed to the Truth Project – for some, it was the first time they had spoken about the child sexual abuse they had suffered. Across the Inquiry's work, victims and survivors recounted the barriers they faced when reporting abuse. Many felt a deep sense of shame about what had been done to them; they worried about the consequences of reporting the abuse. Some victims and survivors were too young at the time of the abuse to recognise that what had happened to them was abusive; some did not have the vocabulary to describe that abuse.

Accounts revealed how sexual abuse was often accompanied by physical abuse or neglect at home. Many of the acts perpetrated caused agonising physical pain, most often inflicted by an abuser who was known to the victim and whom they trusted. The Inquiry heard how difficult it was for many victims and survivors to report what was happening to them and how many were ignored or not taken seriously.

Many victims and survivors who contributed to the Inquiry's work were motivated to share their accounts in order to try to help prevent other children being abused. As a result, this report starts with the victims and survivors.

As well as the contributions made to the public hearings, victims and survivors assisted the Inquiry through the Victims and Survivors Consultative Panel and the Victims and Survivors Forum. Engagement was enhanced by discussions with young people, the LGBTQ+ community and specialist organisations assisting victims of child sexual abuse from ethnic minority communities. Each group described particular concerns, but common themes emerged that were reflected throughout the Inquiry's work: lack of trust in institutions that were supposed to help and a failure to understand and respond appropriately to the impact of the sexual abuse as well as cultural and other related issues.

The Inquiry's recommendations for change

'The Inquiry's Conclusions and Recommendations for Change' is derived from the evidence that was heard at the public hearings, the accounts given to the Truth Project and the work conducted by the Inquiry's research programme. It considers the institutional response to child sexual abuse allegations by examining the various ways in which institutions and organisations protect children, and investigate and respond to child sexual abuse. The accounts of victims and survivors of child sexual abuse and the institutions that were responsible for protecting children have led to the important recommendations and changes for improvement described in detail in this report.

Institutions, whether state or non-state, should not rely on children coming forward as the sole means of identifying and detecting child sexual abuse. Most statutory agencies provide simple information on their websites about how to recognise indicators of potential sexual abuse, and what to do if an individual suspects abuse has occurred. It is evident from these summaries that child sexual abuse came to the attention of people in authority in institutions in many different ways, at different times, and with widely varying responses, or none at all.

All institutions involved on a regular basis with children must be proactive and vigilant. If information about known or suspected sexual abuse is held by anyone in the institution, the information must be acted upon and proper investigation must take place, regardless of cultural, religious, educational or societal norms and beliefs. There should be no exceptions to this requirement.

While many of the investigations considered the response to non-recent allegations of child sexual abuse, Part J considers current and emerging challenges facing the institutional response. In particular, the much-anticipated regulation of the internet as set out in the Online Safety Bill is likely to be implemented after the publication of this report and so the efficacy of the new regime will not be properly understood for some time to come. Nonetheless, the Inquiry welcomes the introduction of both Ofcom as the online safety regulator and the *Interim Code of Practice on Online Child Sexual Exploitation and Abuse*.

Child protection must be given the priority it deserves and needs. To achieve this, and to counter the lack of responsiveness across many of the institutions and the individuals associated with them, the Inquiry has made 20 recommendations in this report. These recommendations are all designed to tackle systemic weaknesses in organisations and practices which have left children vulnerable to abuse, exposed them to harm or denied them access to justice.

Three recommendations form the centrepiece of the Inquiry's work.

The first relates to the introduction of a statutory requirement of mandatory reporting. In effect, it requires individuals in certain employments (paid or voluntary) and professions to report allegations of child sexual abuse to the relevant authorities. Failure to do so in some circumstances could lead to the commission of a new criminal offence of failure to report an allegation of child sexual abuse when required to do so.

The second concerns the establishment of a national redress scheme for England and for Wales, to provide some monetary redress for child sexual abuse for those who have been let down by institutions in the past. This is a fixed-term scheme with straightforward processes to ensure that, as far as possible, victims and survivors secure efficient access to the help they need. The redress scheme is not a substitute for criminal or civil justice systems and it does not replace the Criminal Injuries Compensation Authority. The government should seek contributions to the scheme from the institutions affected.

The third recommendation is intended to secure the long-term spotlight on child sexual abuse through the creation of a Child Protection Authority (CPA) in England and in Wales. The CPAs will have powers to inspect any institution associated with children. They will not replace current inspectorates in relation to the statutory authorities, but may require inspection of those authorities by existing inspectorates. The CPAs over time will become centres of expertise, and may extend their child protection functions to other forms of harm experienced by children. They will also, in due course, monitor implementation of the Inquiry's recommendations and report regularly on progress.

Other recommendations in this report include:

- a single set of core data relating to child sexual abuse and child sexual exploitation;
- the creation of a cabinet-level Minister for Children;
- a public awareness campaign on child sexual abuse;
- a ban on the use of pain compliance techniques on children in custodial institutions;
- amendment of the Children Act 1989 to give parity of legal protection to children in care;
- registration of care staff in residential care, and staff in young offender institutions and secure training centres;
- improved compliance with statutory duties to inform the Disclosure and Barring Service about individuals who may pose a risk of harm to children;
- extending the disclosure regime to those working with children overseas;
- extended use of the barred list of people unsuitable for work with children;

- more robust age-verification requirements for the use of online platforms and services;
- mandatory online pre-screening for sexual images of children;
- a guarantee of specialist therapeutic support for child victims of sexual abuse;
- a code of practice for access to records pertaining to child sexual abuse;
- removal of the three-year limitation period for personal injury claims brought by victims; and
- further changes to the Criminal Injuries Compensation Scheme.

As this report demonstrates, child sexual abuse has devastated the lives of children in England and Wales and continues to do so. The protection of children from these crimes requires an uncompromising commitment to the swift implementation of all the Inquiry's recommendations. The Inquiry expects the UK government, the Welsh Government and specified institutions to act upon its recommendations promptly and publish details of the steps they have taken within six months of the publication of this report.

I. Victims and Survivors' Voices

Part A

Introduction

Introduction

- 1.** 'Victims and Survivors' Voices' recognises the experiences of approximately 7,300 victims and survivors of child sexual abuse who participated in the Inquiry's work.¹ It reflects their accounts of child sexual abuse and draws on experiences recounted to the Inquiry of the institutional responses that followed.
- 2.** The language used to refer to individuals reflects the different ways in which victims and survivors engaged with the Inquiry. Pseudonyms have been used to protect the anonymity of victims and survivors who spoke to the Inquiry through the Truth Project or participated in the Inquiry's research. Ciphers (eg 'AN-A89') have been used for complainant core participants or other witnesses who provided evidence in the Inquiry's investigations. The real names of victims and survivors have been used where complainant core participants have chosen to waive their right to anonymity.
- 3.** Statistics are based on 5,862 victims and survivors who participated in the Truth Project between June 2016 and October 2021 and consented to their information being used for research purposes.² Figure A.1 provides an overview of the socio-demographic characteristics of those Truth Project participants.
- 4.** By describing the experiences of victims and survivors, the Inquiry aims to increase public and institutional understanding about child sexual abuse and the impact it can have on victims and survivors.

¹ The headings in 'Victims and Survivors' Voices' reflect the voices of victims and survivors. It is not possible to provide a precise figure for the number of victims and survivors who participated in the Inquiry's work, as many participated in more than one way (ie Truth Project, investigations, research), sometimes anonymously.

² The analysis that informed 'Victims and Survivors' Voices' only used the experiences and information of Truth Project participants who gave consent for their information to be published or, for the quantitative data included, used for research. Accounts provided by these Truth Project participants also had to be in scope of the Inquiry's research remit to be included. Some participants decided they did not want their experiences, information or views to be published or used for research – these have been excluded from the analysis. Findings cannot be applied to the general population of victims and survivors of child sexual abuse. The underlying data behind these statistics, including *n* values, are contained within the [data compendium](#) to this report.

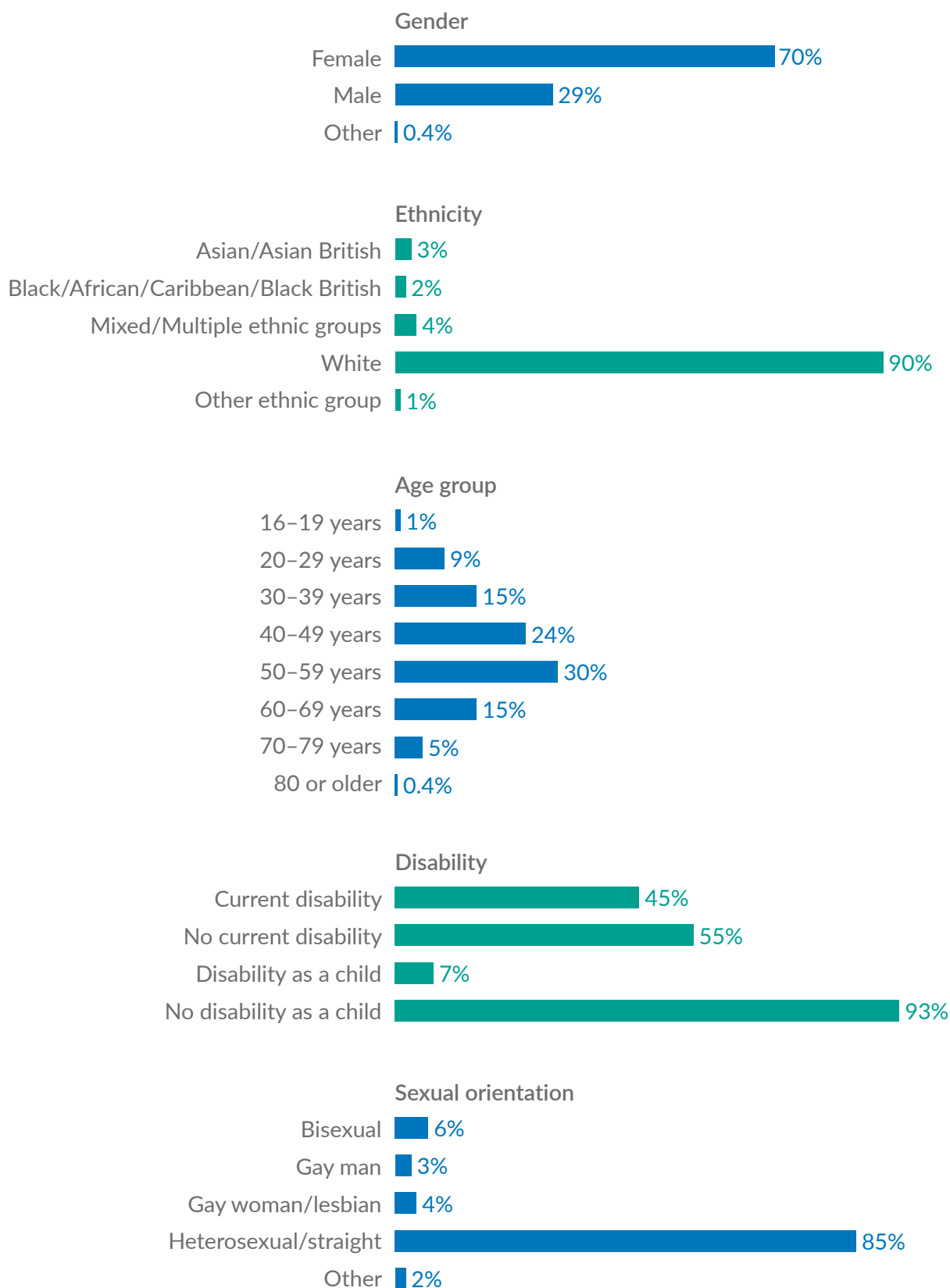


Figure A.1: Socio-demographic characteristics of Truth Project participants at the time of attending the Truth Project*

* The socio-demographic data of Truth Project participants were gathered by the completion of a voluntary monitoring form or through information shared with facilitators and assistant facilitators during Truth Project sessions. The groupings and terminology used to describe socio-demographic characteristics are based on those used by the Office for National Statistics: [Cultural identity](#) – Office for National Statistics.

Part B

**“Why I chose to share
my experience”**

“Why I chose to share my experience”

B.1: Introduction

1. It can be extremely difficult for victims and survivors to speak about their experiences of child sexual abuse. Revisiting traumatic childhood experiences can cause significant distress. Prior experiences of being silenced, blamed or not taken seriously can discourage victims and survivors from disclosing child sexual abuse again. Despite these challenges, many victims and survivors chose to share their experiences with the Inquiry. For some, it was the first time they had ever spoken about being sexually abused as a child (Figure B.1).



Figure B.1: Proportion of Truth Project participants who told the Inquiry that participating in the Truth Project was the first time they had ever spoken about being sexually abused as a child

B.2: “To protect children”

2. Victims and survivors wanted to help protect children. Fifty-four percent of Truth Project participants shared their experiences of child sexual abuse to help prevent it from happening to someone else. Farida said: “I need to help other people so they don’t go through what I did”.³ Natalia described the sense of meaning that sharing her experience gave her: “I don’t want my life to count for nothing. I don’t want no other boy or girl to go through what I did”.⁴ RS-A299 said:

“I want to somehow represent people that didn’t have a voice, that weren’t considered ... I want to protect the people that it potentially could happen to in the future.”⁵

RS-A299, Residential schools investigation

3. Victims and survivors hoped that sharing their experiences would “educate people”, so that the public are “aware this goes on”.⁶ Alf said: “I just wanted to get my story out ... to illustrate how violence and sexual abuse can affect a child and what to look out for”.⁷ AR-A24 hoped things would change:

³ Farida

⁴ Natalia

⁵ RS-A299 20 November 2020 32/17-21

⁶ “People don’t talk about it”: Child sexual abuse in ethnic minority communities, IICSA, June 2020, p46

⁷ Alf

*“It may be too late for me, although I will never give up. I do, however, hope that the situation will change, particularly for those who have not yet disclosed. I hope that they will be listened to, properly supported during the disclosure process, and have access to thorough investigations”.*⁸

AR-A24, Accountability and reparations investigation

B.3: “To be heard”

4. Many victims and survivors wanted their experiences to be heard. Twenty-one percent of Truth Project participants wanted the opportunity to tell someone in authority about their experiences; 15 percent wanted their account to be believed. For some, this was because they had previously not been listened to or taken seriously when they disclosed that they had been sexually abused. Barbara said: *“I want my voice heard, I want it on record ... I am not the child in the police station”.*⁹ This point was often emphasised by deaf Truth Project participants, who particularly valued the opportunity to communicate about their experiences. Lysa is deaf and came to the Truth Project because she wanted to be listened to and believed.¹⁰

5. Victims and survivors said it was valuable for their recovery from child sexual abuse to be heard without judgement. Hollie said: *“I can now say I’m finally being heard, and can ... grieve for the person I might have been if I had not been a victim of child abuse”.*¹¹ Others spoke of waiting a lifetime to share their experiences:

*“I’m 65, and the Truth Project is the first support I’ve felt I’ve had in my whole life where I can actually tell a story. So I’ve waited a very long time”.*¹²

Ethnic minority communities research participant

B.4: “To seek closure”

6. Some victims and survivors, including 16 percent of Truth Project participants, wanted to seek some form of closure to being sexually abused as a child. Maddy said that participating in the Truth Project *“almost feels like an end to it”.*¹³ Corrine felt that she could now *“let it go”.*¹⁴ Participating in the Truth Project was described as symbolic for some victims and survivors. Sharon said: *“I am still alive, I came to the Truth Project because I could have been dead”.*¹⁵

7. Sharing their experiences with the Inquiry was also an opportunity for victims and survivors to take back some of the power that sexual abusers took from them. Janine said: *“I am doing this for five year old me”*,¹⁶ while Barny commented:

*“These monsters have taken enough from me; today little Barny is going to speak.”*¹⁷

Barny, Truth Project participant

⁸ AR-A24 (read) 27 November 2018 62/25-63/14

⁹ Barbara

¹⁰ Lysa

¹¹ Hollie

¹² *“People don’t talk about it”: Child sexual abuse in ethnic minority communities*, IICSA, June 2020, p82

¹³ Maddy

¹⁴ Corrine

¹⁵ Sharon

¹⁶ Janine

¹⁷ Barny

B.5: “To motivate others”

8. Some victims and survivors said that they wanted to encourage other victims and survivors to recognise that they are more than the sexual abuse they experienced. Lionel explained that he did not want being sexually abused as a child to define him. He felt it was possible for victims and survivors to overcome child sexual abuse: “*it’s not all doom and gloom, you can rise above it*”.¹⁸ Similarly, Clyde said that in addition to participating in the Inquiry’s work, he was writing a book about his experiences. He hoped that by sharing his experiences, others could learn that there is “*life after abuse*”.¹⁹

¹⁸ Lionel

¹⁹ Clyde

Part C

“What life was like for me”

“What life was like for me”

C.1: Introduction

1. Many victims and survivors who participated in the Inquiry’s work described themselves as having vulnerabilities that they felt sexual abusers exploited. Fifty-two percent of Truth Project participants spoke about experiencing at least one other form of child abuse and neglect, in addition to sexual abuse (Figure C.1). The proportion of Truth Project participants who reported other forms of abuse and neglect was higher amongst those who reported a disability (59 percent) than those who did not report a disability.

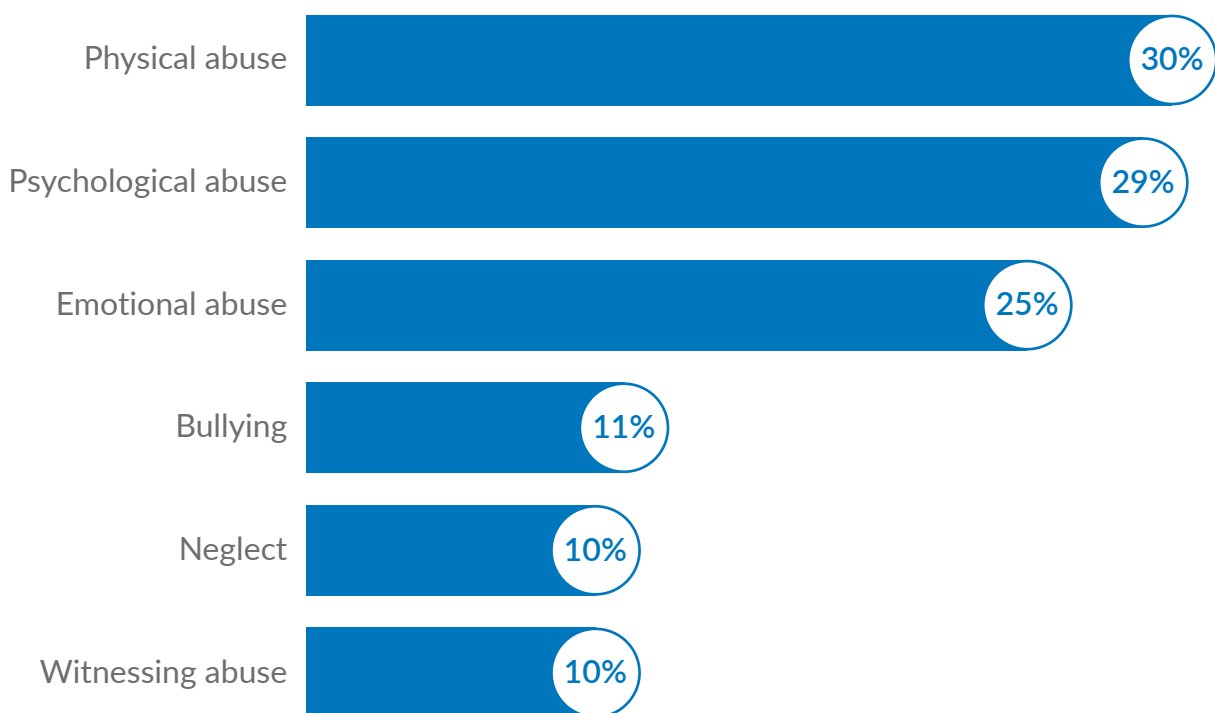


Figure C.1: *Proportion of Truth Project participants who reported experiencing other forms of child abuse and neglect**

* Please note that 48 percent of victims and survivors did not report experiencing any other type of child abuse and neglect. In addition, some victims and survivors reported experiencing multiple other types of abuse and neglect. Therefore percentages in this graphic do not sum to 100 percent.

2. These victims and survivors often felt failed by the adults and professionals around them, even before they had been sexually abused. William said his parents were “good manipulators” and neither the police nor social care seemed to take action to protect him from domestic violence and neglect. He felt badly let down and said that as a result, “my brain got broken a bit when I was young”.²⁰

²⁰ William

3. Not all victims and survivors spoke about adverse childhood experiences prior to being sexually abused. For many, sexual abuse was the only form of child abuse that they experienced. Some described a “happy”²¹ and “normal childhood”,²² or a “steady upbringing”.²³ Josiah spoke about enjoying school: “*I made friends and had a very happy life*”.²⁴ Victims and survivors sometimes reflected on the contrast between their childhood before sexual abuse and their life thereafter. Alistair described his childhood as “*idyllic*”, but after he was sexually abused he “*never felt like a normal child*” again.²⁵ Shauna said that she had a happy childhood and enjoyed school, but “*life changed dramatically*” when her secondary school teacher began grooming her.²⁶ Zachary said: “*I wish I could go back to the boy I was when I was eight. I was very happy*”.²⁷

C.2: “I became a punch bag”

4. Victims and survivors sometimes described growing up in violent environments in which sexual abuse accompanied, or was preceded by, physical abuse.

5. Some victims and survivors experienced violence at the hands of their parents. Eva described her family as seemingly “*respectable and middle class*”, but at home her father physically abused her from a young age.²⁸ She recalled trying to stay awake at night with her back against her bedroom door, as she believed that her father might kill her. As a very young child, Nico would hear his older sibling screaming from their parents’ bedroom. When he was five years old he found out why: “*I guess that my father felt five years was old enough to whip*”.²⁹ From that point, Nico was regularly violently beaten by his father: “*My only relief was when he was whipping my sibling, he wasn’t whipping me*”.³⁰

6. Others said that adults responsible for their care had “*free rein*” in institutions and appeared to be able to do as they pleased with the children.³¹ One Truth Project participant described being “*dehumanised*” by the heavy physical punishments administered at her children’s home in the 1960s.³² Another individual, CM-A2, recalled being wrongly punished for having stolen an apple from his orphanage’s apple tree in the late 1950s:

*“It was a ritualised punishment, dragged out in excruciating detail to maximise my panic and humiliation ... The pain from this beating made me nearly pass out.”*³³

CM-A2, Child migration programmes investigation

7. Victims and survivors often said that those abusing them appeared to derive pleasure from inflicting pain on children. Tayla recalled that her mother “*seemed to enjoy dishing out punishments*”.³⁴ RC-A154 described repeated physical abuse in the 1970s by a member

²¹ Monty

²² Dilan

²³ Ollie

²⁴ Josiah

²⁵ Alistair

²⁶ Shauna

²⁷ Zachary

²⁸ Eva

²⁹ Nico

³⁰ Nico

³¹ Spencer

³² *Victim and survivor voices from the Truth Project (June 2016–June 2017)*, IICSA, October 2017, pp61–62

³³ CM-A2 (read) 28 February 2017 74/23-75/5

³⁴ Tayla

of school staff “*known for his sadistic wrath*”: “*He would beat me every week, or every other week, for no reason at all ... He had no reason to dislike me*”.³⁵ CS-A371 said that the man who sexually exploited her was “*violent*” and that he would “*hit me and laugh about it*”.³⁶

8. Victims and survivors who grew up in violent environments reflected on how it influenced their perception of sexual abuse. The woman who ran the children’s home in which Deshawn lived was extremely violent. When he was first sexually abused, Deshawn said that he did not think of it as “*something terrible*” because his sexual abuser was less violent than the woman who ran the children’s home.³⁷

C.3: “I was abused emotionally”

9. Victims and survivors often described being emotionally abused as children. This included being threatened, insulted, deliberately excluded and emotionally manipulated. Orson said his mother regularly refused him food, locked him in cupboards, pulled his hair out and punched him while he was sleeping. He remembered social workers being “*in and out*” of his life, but said that little action was taken to protect him.³⁸

10. It was particularly common for victims and survivors to say that they were bullied by the person who sexually abused them. Adela described her family as outwardly respectable. However, behind closed doors, she was emotionally, physically and sexually abused by her father.³⁹ Other victims and survivors described an intimidatory culture in the institution in which they were sexually abused. RS-A1 described how children were made to feel demoralised in the competitive, bullying atmosphere at private music school: “*that is absolutely the ideal breeding ground for abuse to flourish*”.⁴⁰

11. Some victims and survivors were subjected to racism. LA-A456 was told by children’s home staff that they would make her “*clean and white*”.⁴¹ LA-A24 also experienced racist abuse while in care and said that being in his children’s home “*made my whole life hell*”.⁴² Malia said that racism was rife at her school. As a result, she felt that no one took any interest in her: “*You was black, no one gave a shit*”.⁴³ LGBTQ+ victims and survivors often described growing up in homophobic environments. One woman, who is a lesbian, said that as a child she thought it was “*disgusting*” to be gay due to her mother’s homophobia.⁴⁴

12. Some female victims and survivors described experiencing sexism as children. Binali said that she and her sisters were kept under tight control and not allowed out, but that the “*boys ... did pretty much everything they wanted to*”.⁴⁵ One 14-year-old girl said: “*My boy mates ... they make rape jokes, they make like sexist jokes, and they know it’s jokes but they don’t realise the effects*”.⁴⁶ A female member of the Victims and Survivors Forum reflected on the cultural messages girls receive, saying that female bodies are seen as “*both a temptation and a commodity*”.⁴⁷

³⁵ RC-A154 (read) 5 December 2017 6/13-18

³⁶ CS-A371 22 September 2020 79/19-22

³⁷ Deshawn

³⁸ Orson

³⁹ Adela

⁴⁰ RS-A1 1 October 2019 73/10-11

⁴¹ LA-A456 (read) 29 July 2020 157/17

⁴² LA-A24 (read) 6 July 2020 94/15-16

⁴³ Malia

⁴⁴ *Engagement with lesbian, gay, bisexual, transgender and queer/questioning + victims and survivors*, IICSA, May 2022, p20

⁴⁵ Binali

⁴⁶ *Learning about online sexual harm*, IICSA, November 2019, p70

⁴⁷ *Victims and Survivors Forum Consultation on Protected Characteristics: Summary Report*, IICSA, February 2021, p9

C.4: “I was neglected and surrounded by chaos”

13. Victims and survivors frequently described the environments in which they grew up as extremely chaotic. NO-A49 grew up in the late 1990s and 2000s. He described his cramped and “chaotic” upbringing: *“there were on occasion up to 23 people living in a three-bedroomed house”*.⁴⁸ Victims and survivors who grew up in tumultuous environments often said they were failed first by their family and then by professionals who did not take sufficient action to ensure their safety. Dillan said: *“All I wanted was some help ... maybe people didn’t know how to help then ... but these were professional people”*.⁴⁹

14. Some victims and survivors were raised by parents or carers who were not able to meet their basic needs or provide a supportive home. One Truth Project participant recalled not being fed properly and never being shown any affection: *“my parents never gave me cuddles, never said I love you, never tucked me in at night”*.⁵⁰ Some also spoke of poor physical conditions at home:

“My father lived in one room with no windows, no heating, no hot water and no working toilet. I lived there for many months and slept in his bed”.⁵¹

Truth Project participant

15. Victims and survivors who described chaotic upbringings often said that their parents left them in the care of unsuitable adults. Mairi described being regularly left alone with *“whoever was willing to look after me”*.⁵² In some cases, victims and survivors were placed at direct risk of sexual abuse. Jasmin was sometimes cared for by her mother’s ‘pimp’. He sexually abused Jasmin. She said: *“at first he was really nice. He put his arms around me, kissed my head and made me feel safe”*.⁵³

16. Neglect at home led to some victims and survivors being placed into local authority care. Some described initial feelings of relief and optimism at escaping their home environment. Leon’s mother struggled with mental health issues; he felt relief when he was first placed into care because he was able to get away from her unpredictable behaviour.⁵⁴ Another Truth Project participant described relief at escaping an unsafe home environment:

*“[The children’s home] was the most amazing place for me, initially; I was safe ... I felt, ‘I’ve got a safe place, I’m okay. I don’t have to watch my mum being beaten to a pulp; I don’t have to see all of that.”*⁵⁵

Truth Project participant

17. Some children who were placed into care were neglected by the institutions responsible for their care. Many victims and survivors who were sexually abused in children’s homes between the 1960s and 1990s described their placements as “cold”,⁵⁶ “frightening”⁵⁷ and

⁴⁸ NO-A49 5 October 2018 24/7-9

⁴⁹ Dillan

⁵⁰ Benicio-Dwayne

⁵¹ Truth Project Thematic Report: *Child sexual abuse in the context of children’s homes and residential care*, IICSA, November 2019, p32

⁵² Mairi

⁵³ Jasmin

⁵⁴ Leon

⁵⁵ Truth Project Thematic Report: *Child sexual abuse in the context of children’s homes and residential care*, IICSA, November 2019, p34

⁵⁶ LA-A305 (read) 6 July 2020 76/24

⁵⁷ LA-A308 (read) 6 July 2020 75/5-6

“uncaring”.⁵⁸ LA-A351 described how it was “normal” for her daily routine to involve stealing food.⁵⁹ Without this she would have had “nothing to eat”.⁶⁰ Foster care placements were described similarly. L46 was placed in foster care in the 1970s; she was physically and emotionally abused, including not being fed properly and “being treated like a slave”.⁶¹

18. Such care placements were sometimes described as worse than the homes from which children were removed. This cycle of harm was extremely difficult for victims and survivors:

*“You go into a children’s home already damaged, we’re already damaged before we get to that point; we’re not going there for a holiday ... it should’ve been a place of safety.”*⁶²
Truth Project participant

19. Neglect left victims and survivors feeling as though no one cared what happened to them. Adrienne said: “*In a life of chaos it’s like being a ghost – you are the last thing anyone thinks of*”.⁶³ Many felt that perpetrators exploited their vulnerability in the knowledge that no one was looking out for them.

C.5: “I was never in one place long enough”

20. Victims and survivors who were placed in residential care or custodial institutions often described being moved frequently. Morton said that he was sent to almost 20 different care homes.⁶⁴ A lack of warning and explanation exacerbated feelings of instability around placement moves. Victims and survivors thought that this made them more vulnerable to sexual abuse.

21. Some victims and survivors said that their frequent placement moves appeared to facilitate sexual abuse directly. Each time Donald moved to a new custodial institution, he was asked to hand staff a letter. Given how often these staff sexually abused him, Donald felt it was inevitable that whomever he handed the letter to was likely to be his next sexual abuser.⁶⁵

22. Victims and survivors who were not in care also described how significant life changes, such as moving schools or to a new place, destabilised them. Some victims and survivors felt that the negative impact of significant changes made them more vulnerable to sexual abuse. Charmaine said that her family moved house every year. She thought this transient lifestyle meant that her father could easily hide the fact that he was sexually abusing her.⁶⁶

C.6: “I had a deep sense of loneliness”

23. Some victims and survivors described a prevailing sense of loneliness in their childhood. As adults, victims and survivors reflected on whether loneliness made them more vulnerable to sexual abuse, as they lacked love and affection. Eliza said: “*I was looking for attention ...*

⁵⁸ LA-A321 1 July 2020 28/23

⁵⁹ LA-A351 6 July 2020 112/19

⁶⁰ LA-A351 6 July 2020 112/17

⁶¹ L46 (read) 5 October 2018 97/15-18

⁶² *Truth Project Thematic Report: Child sexual abuse in the context of children’s homes and residential care*, IICSA, November 2019, p4

⁶³ Adrienne

⁶⁴ Morton

⁶⁵ Donald

⁶⁶ Charmaine

for someone to want me”.⁶⁷ Reuben felt that the boys who sexually abused him exploited his loneliness: “I was lonely, not popular, at school ... I wanted to get friends and they took advantage of me”.⁶⁸

24. Loneliness was commonly experienced by victims and survivors whose parents were absent or not able to care for them. Olivia’s father worked long hours and her mother was preoccupied caring for her siblings. Although she understood why she was left to her “own devices”, Olivia said “I felt very lonely and abandoned”.⁶⁹ Beth spoke about being left alone to deal with her mother’s very poor mental health following the death of her father. When an older man approached her, Beth felt like she finally had someone who she could speak to: “He came across as very understanding and supportive ... I felt like I had someone I could turn to”.⁷⁰

25. Victims and survivors who grew up in institutions often felt lonely as children. LA-A158 said that she was “very isolated” at her children’s home in the 1950s–1960s.⁷¹ Conall described his boarding school in the 1960s as “a place of fear and loneliness” where children were strictly controlled.⁷² One Truth Project participant described their feelings about being placed in a custodial institution: “they might as well put you on Mars”.⁷³ Danni said that she was “homesick and lonely” at boarding school in the 1980s and felt that this made her more vulnerable to sexual abuse.⁷⁴ RS-A6 attended a residential special school in the 2000s and said that he felt “trapped”, “hundreds of miles away” from anyone he knew.⁷⁵

C.7: “I didn’t know that you can be sexually abused online”

26. Young victims and survivors spoke about how the internet and social media have increased children’s vulnerability to sexual abuse. Many described wanting access to the internet from a young age: “It’s your first year at secondary school, that’s where all the pressure really comes in – who’s got the most friends ... followers”.⁷⁶ One young engagement participant said: “No one wants to start social media when you’re 16. You want to start earlier. That’s when you grow your following”.⁷⁷ Morgan said that as an 11-year-old she accessed online teenage dating sites by lying about her age.⁷⁸ It was common to hear that children did not feel sufficiently informed about online-facilitated child sexual abuse. One young person said:

“When we were told about child sexual abuse, we always think about rape ... face to face. But I think with gaming as well, all of my friends play Xbox, sometimes you can get matched with 42-year-old [men] from America ... nothing like that was talked about.”⁷⁹

Learning about online sexual harm research participant

⁶⁷ Eliza

⁶⁸ Reuben

⁶⁹ Olivia

⁷⁰ Beth

⁷¹ LA-A158 (read) 29 June 2020 29/5

⁷² Conall

⁷³ Truth Project Thematic Report: Child sexual abuse in custodial institutions, IICSA, April 2020, p41

⁷⁴ Danni

⁷⁵ RS-A6 7 October 2019 133/2-12

⁷⁶ Learning about online sexual harm, IICSA, November 2019, p35

⁷⁷ Engagement with children and young people, IICSA, June 2021, p28

⁷⁸ Morgan

⁷⁹ Learning about online sexual harm, IICSA, November 2019, p45

27. In particular, sending ‘nudes’ was frequently described as commonplace: “*the whole Snapchat thing – and sending nudes on Snapchat – it’s just normal*”.⁸⁰ Many felt that their parents were not fully aware of the risks posed by the internet and “*being brought up around this sort of social media culture*”.⁸¹ Kiya said: “*my mum had no idea about it ... so by the age of about 10 or 11 I was probably speaking to people I shouldn’t be*”.⁸²

28. Some young victims and survivors felt that perpetrators sought out insecure and vulnerable children on social media. Concerns were raised about apps which functioned “*like Tinder for kids*” and others that promoted conversations between strangers.⁸³ Nola described an online game for teenagers which encouraged players to interact with each other. However, she said it became clear that adults used this website too.⁸⁴

⁸⁰ *Learning about online sexual harm*, IICSA, November 2019, p47

⁸¹ *Learning about online sexual harm*, IICSA, November 2019, p36

⁸² Kiya

⁸³ *Engagement with children and young people*, IICSA, June 2021, p29

⁸⁴ Nola

Part D

“I was sexually abused”

“I was sexually abused”

D.1: Introduction

1. This Part describes victims and survivors’ experiences of child sexual abuse. Their courage to speak about this abuse enabled the Inquiry to understand the full extent of the harm inflicted on children.

D.2: “The person who sexually abused me”

2. Victims and survivors said that there is no typical sexual abuser. One child challenged common assumptions: perpetrators “*are portrayed as evil, dirty villains and in reality they look like everyone else*”.⁸⁵ Melvin said: “*sometimes the friendliest, most personable people are the worst abusers*”.⁸⁶

3. The majority of victims and survivors were sexually abused solely by a man or by multiple men (89 percent of Truth Project participants). Isaac was anally raped by a male teacher in his school changing rooms. He has vivid memories of the pain of the assault: “*I can’t describe how awful it is*”.⁸⁷

4. A much smaller proportion reported being sexually abused by a man and a woman acting together (7 percent of Truth Project participants). Betsy grew up in the 1960s. Her parents sent her to live with another couple, who told her that they were going to teach her about sex. The couple sexually abused Betsy, including making her watch them performing sexual acts. Betsy was told off for “*telling fairytales*” when she told the police.⁸⁸ Fewer victims and survivors reported sexual abuse perpetrated solely by a woman (3 percent of Truth Project participants). In 2013, one child in a custodial institution stated that: “*a female officer touches my bum and dick and grabs me during searches*”.⁸⁹

5. Most victims and survivors described a single period of time during which child sexual abuse was perpetrated, although this could be prolonged and in most cases lasted for several years. Other victims and survivors reported being sexually abused on multiple, unrelated occasions throughout their childhood. Twenty-nine percent of Truth Project participants reported two or more periods of sexual abuse during their childhood. Between the ages of 5 and 10 years old, Nicole was vaginally, anally and orally raped by a series of older boys.⁹⁰ Later, when she was a teenager, her brother-in-law began to repeatedly rape her.

6. The majority of victims and survivors were sexually abused by people they knew. In particular, almost half of Truth Project participants described sexual abuse by family members (Table D.1).⁹¹ This was more common amongst female victims and survivors than

⁸⁵ *Engagement with children and young people*, IICSA, June 2021, p11

⁸⁶ Melvin

⁸⁷ Isaac

⁸⁸ Betsy

⁸⁹ *Sexual Abuse of Children in Custodial Institutions Investigation Report*, Pen portraits (HMYOI Werrington)

⁹⁰ Nicole

⁹¹ The Inquiry’s Terms of Reference required it to focus primarily on institutional failings. Many victims and survivors who participated in the Truth Project were sexually abused in their family home or outside of an institution, but otherwise failed by those in institutions.

male victims and survivors. Heidi’s father told her “*this is our little secret*” when he raped her.⁹² She was eight years old at the time. From the age of six, Humaira was sexually abused, including being raped, by her older brother. She believed her parents knew about the abuse because they eventually sent him away to live with a relative.⁹³

Table D.1: Who Truth Project participants were sexually abused by, by participants’ sex*

Relationship of perpetrator to Truth Project participant	Percentage of Truth Project participants		
	Female	Male	All
Family member	58	23	47
Another child, not related	14	16	14
Educational staff	8	24	12
Religious staff	3	12	6
Foster carer/family	3	2	3
Residential care worker	2	7	3
Health professional	3	2	2
Sports staff	1	3	1
Custodial institution staff	0	2	1
Defence forces personnel	0	1	1

* In this table, ‘staff’ refers to formally employed, contracted and voluntary or unpaid staff.

7. Other victims and survivors were sexually abused by adults they knew outside of their family. The majority of male Truth Project participants were sexually abused by someone outside of their family. This included school staff, those in religious organisations and those responsible for the care of children, such as foster carers and residential care staff (Table D.1). Such people were sometimes held in high esteem by their friends, family or community. One Truth Project participant described the man who sexually abused her as “*a cool teacher ... everybody loved him*”.⁹⁴ Victims and survivors often spoke about how the sexual abuser’s role or position enabled them to spend time alone with children. Howard was sexually abused by a nurse in hospital, “*a person of trust in the perfect job to abuse*”.⁹⁵

8. In more recent accounts, a number of victims and survivors reported being sexually assaulted by someone they met online. Jonny was raped by a man he met in a chatroom: “*I froze and didn’t fight back ... I had lots of bruising ... he hit and raped me*”. He said: “*From that point, my life fell apart*”.⁹⁶

9. Some victims and survivors were sexually abused by other children. In most cases, this happened either in the family home, in a school or in a children’s home. Oliver described being forced into violent “*sexual slavery*” by an older pupil when he was a young child. He said: “*I didn’t see it as abuse at the time; just something really, really terrible*”.⁹⁷ May was also

⁹² Heidi

⁹³ Humaira

⁹⁴ Truth Project Thematic Report: Child sexual abuse in the context of schools, IICSA, December 2020, p48

⁹⁵ Howard

⁹⁶ Jonny

⁹⁷ Oliver

sexually abused at primary school.⁹⁸ She described how, between the ages of five and seven, another child regularly sexually abused her by inserting objects and his fingers into her vagina. She now believes that the boy was being sexually abused and may have been mimicking what he had seen.

10. A minority of victims and survivors were sexually abused by those with whom they had no relationship or connection. Some described being sexually abused by a stranger on a single occasion. When Soraya was about 12 years old, a man exposed himself and masturbated in front of her and her friends.⁹⁹ Her friends ran away, and the man orally and anally raped Soraya. Alicia was raped in her bed by a man when she was eight years old. She said: *“He was a complete stranger. I’ll never know who he was ... it just happened”*.¹⁰⁰

11. Most victims and survivors were sexually abused by an individual perpetrator, although some were sexually abused multiple times by different perpetrators. Gerrard was regularly physically and sexually abused by *“a constant stream of men and older boys”*.¹⁰¹ CS-A372 said that when she was 14 years old she was forced to perform oral sex on more than 20 men.¹⁰² A few months later, she was abducted, held at gunpoint and again forced to perform oral sex on a group of men. Phoebe was forced into sex work and made to *“service”* scores of men each day. She said: *“I was like a little fish in a shark tank”*.¹⁰³

12. Victims and survivors who were abused by multiple perpetrators often described this as being organised. Some victims and survivors described being exploited by groups or networks of abusers. The Inquiry was told about one victim and survivor, Daisy, who in the early 2000s was sexually exploited and passed around for sex to between 100 and 150 men.¹⁰⁴ From the age of 11, Jodie was sexually exploited by four men, who were paid in return for offering her to other men for sex. On one occasion, one of the sexual abusers incited two teenage boys to rape her simultaneously. Jodie said about her experiences: *“I sometimes forget how big it is until I talk about it”*.¹⁰⁵

13. A small number of victims and survivors spoke about sexual abuse being organised within an institution. Hugh described a masked group entering his school dormitory at night to select children to be sexually abused.¹⁰⁶ Samuel was brought up in a religious organisation focussed on discipline, which he described as a cult.¹⁰⁷ Samuel said that the elders were extremely violent towards the children and sometimes raped them.

D.3: “I was groomed and manipulated”

14. Victims and survivors, including 24 percent of Truth Project participants, reflected on how sexual abusers ‘groomed’ or manipulated them.¹⁰⁸ For many, this was something that they only understood later in life. Neve said: *“I can see that over the years he did things that I would now describe as grooming”*.¹⁰⁹

⁹⁸ May

⁹⁹ Soraya

¹⁰⁰ Alicia

¹⁰¹ Gerrard

¹⁰² CS-A372 21 September 2020 17/2-10

¹⁰³ Phoebe

¹⁰⁴ Daisy 21 September 2020 20/14-15

¹⁰⁵ Jodie

¹⁰⁶ Hugh

¹⁰⁷ Samuel

¹⁰⁸ Although the term ‘grooming’ has come into more general usage in recent years, the use of emotional manipulation in order to sexually abuse children was observed throughout the time periods examined by the Inquiry.

¹⁰⁹ Neve

15. While common, not all victims and survivors were groomed before being sexually abused. NO-A5 described a member of staff at his children’s home taking him to the laundry room in the middle of the night and “*out of nowhere he spun me around, put me over that table, and he raped me*”.¹¹⁰ NO-A5 said that there was “*no grooming beforehand*”.¹¹¹ When he was 11 years old, Mick was raped by his optician. He remembered being given a glass of water beforehand which made him feel sick and dizzy; his next memory was of lying face down on the floor, in excruciating pain as the optician raped him. The optician said: “*it’s your own fault, you’re so beautiful*”.¹¹²

16. Others described how their circumstances meant that there was no ‘need’ for grooming, and said that perpetrators had absolute power over them and could sexually abuse them at their will.¹¹³ Becca said that when she was a very young child her father was able to get into her bed to sexually abuse her.¹¹⁴ Katie described inescapable sexual abuse in a children’s home:

*“I was running away, trying not to get raped. I had a single room; the night staff would come in and I would scream and shout.”*¹¹⁵

Katie, Truth Project participant

“I didn’t realise what had happened to me”

17. Many victims and survivors described being groomed and manipulated into sexual abuse. Often perpetrators gave children a huge amount of attention, making them feel “*special*”.¹¹⁶ Alyssa was sexually groomed online from the age of 10. She said that the men who sexually abused her flattered her and made her feel good: “*I was getting the attention online that I never got elsewhere*”.¹¹⁷ Alyssa said: “*I didn’t realise what happened to me online was sexual abuse until I was 18 years old*”.¹¹⁸ CS-A12 said that the men who sexually exploited her pretended that she was “*part of their family*”:

*“They gave me somewhere where I felt like I belonged and somewhere where I felt like I was wanted”.*¹¹⁹

CS-A12, Child sexual exploitation in organised networks investigation

18. It was common for victims and survivors to tell the Inquiry how, as children, they thought that sexual abuse was an expression of love or affection. Janine said she thought sexual abuse was “*how daddies showed love*”.¹²⁰ Amanda described being told by the man who raped her that he was “*teaching her to love*”.¹²¹

19. Other perpetrators led victims and survivors to believe that sexual abuse was normal. This was commonly described by victims and survivors who were sexually abused as very young children. When Margaret was nine, she was told that sexual acts were “*what women*

¹¹⁰ NO-A5 2 October 2018 162/3-5

¹¹¹ NO-A5 2 October 2018 162/14

¹¹² Mick

¹¹³ *Truth Project Thematic Report: Child sexual abuse in healthcare contexts*, IICSA, December 2020, p35; *Truth Project Thematic Report: Child sexual abuse in custodial institutions*, IICSA, April 2020, p37

¹¹⁴ Becca

¹¹⁵ Katie

¹¹⁶ Leila

¹¹⁷ Alyssa

¹¹⁸ Alyssa

¹¹⁹ CS-A12 22 September 2020 18/14-17

¹²⁰ Janine

¹²¹ Amanda

do”.¹²² From the age of seven, Lathika was sexually abused by her uncle. When she was later sexually abused by two other adult men, she “*just presumed it was normal*” because of the earlier abuse.¹²³ Young female victims and survivors reflected on the ‘normalisation’ of online child sexual abuse: “*I have to deal with it every day ... it’s kind of like a normal thing for girls now*”.¹²⁴

20. Some victims and survivors were manipulated to believe that they were in a consensual sexual relationship as children. Michelle said she thought she loved the teacher who sexually abused her and that “*their relationship was a romance*”.¹²⁵ She said: “*he made me trust him, made me believe he had the same feelings for me*”. Stuart was groomed into an “*inappropriate relationship*” with a man in his choir, who was about 20 years his senior. Stuart said that many people knew but, despite him being below the age of consent, “*no one did anything to stop it or spoke to me about it*”.¹²⁶

21. As adults, many victims and survivors reflected on these ‘relationships’ and felt a sense of betrayal when they realised that they were sexually abused. Isla-Rose described feeling unsure of what had happened: “*I felt as if I was in love with him, but now I see this as a result of his manipulation*”.¹²⁷ RS-A301 said that looking back he could see that “*it was inappropriate, really*”.¹²⁸

22. Some children were made to think that they were playing games during sexual abuse. From a very young age, Aryana’s older brothers made her play a ‘game’ in which the boys punished their sisters with sexual acts.¹²⁹ Macy was sexually abused by two girls at school during “*truth or dare*” type games.¹³⁰ She was forced to perform oral sex and was penetrated by various objects. Macy was seven years old at the time. She sometimes bled as a result.

23. A number of victims and survivors said that they were given drugs and alcohol to facilitate child sexual abuse. This was particularly common in the context of child sexual exploitation. When CS-A373 was 12 years old, she was given cannabis before being raped and forced to perform oral sex.¹³¹ Gracie was trafficked to different locations, where she would be raped by multiple men she did not know. The man who arranged this plied her with alcohol and often spiked her drinks: “*I never drank so much in my life*”.¹³²

24. Victims and survivors of child sexual abuse who were groomed online were often deceived by perpetrators. Perpetrators commonly lied about their age and identity to sexually abuse children. When Amy was a child she began chatting online to a male she thought was 18 years old. He turned out to be a much older teacher and he sexually abused her multiple times.¹³³

¹²² Margaret

¹²³ Lathika

¹²⁴ *Learning about online sexual harm*, IICSA, November 2019, p5

¹²⁵ Michelle

¹²⁶ Stuart

¹²⁷ Isla-Rose

¹²⁸ RS-A301 18 November 2020 141/23

¹²⁹ Aryana

¹³⁰ Macy

¹³¹ CS-A373 21 September 2020 17/24-18/1

¹³² Gracie

¹³³ Amy

“I couldn’t make it stop”

25. The vast majority of victims and survivors were sexually abused over many years. Amongst experiences shared by Truth Project participants, the average period during which sexual abuse took place was four years. This was longer for girls than for boys (five years and three years, respectively). It was common for victims and survivors to describe being manipulated so perpetrators could keep sexually abusing them. RS-A3 was told by her violin tutor that he would kill himself if she told anyone he was sexually abusing her.¹³⁴ Fazeen’s teacher threatened to harm himself if she ended their ‘relationship’ or reported it.¹³⁵

26. Victims and survivors often lived in fear. The man who raped Zoe showed her videos of other girls crying as he held a weapon. She said: “*If he hadn’t been arrested I don’t know how I would have escaped it ... I was terrified*”.¹³⁶ The male teacher who sexually abused Tasmin had a “*fierce*” emotional hold over her: “*I did feel trapped*”.¹³⁷ Ciar described how, for a long time, she felt unable to stop communication with the man who sexually abused her online:

*“When I tried to disengage, he threatened to screenshot our messages and show everyone how disgusting I was for seeing the things he’d sent ... I was terrified and felt trapped.”*¹³⁸
Ciar, Truth Project participant

27. In some cases, sexual abusers exploited a child’s poverty. Lysa’s older brother gave her money after sexually abusing her; she said her family were short of money and the children were often not given dinner money.¹³⁹ Lorna, who lived in the Philippines, was forced to perform sexual acts that were live-streamed online for foreigners to watch. She did these “*shows*” three times a day and was paid US\$6.¹⁴⁰ She used the money to buy food. Others described how they were manipulated into sexual acts in return for food. One Truth Project participant said that the person who sexually abused him exploited the fact that as a child he “*never had sweets or treats ... because we had nothing*”.¹⁴¹

28. In other accounts, victims and survivors described perpetrators deliberately undermining their credibility to continue sexually abusing them. Dana said that her father started sexually abusing her when she was seven; he would steal possessions from other family members and blame her. Dana thought that this was an attempt to stop her family trusting her, so they saw her as a “*bad child*”.¹⁴²

D.4: “I was just a child”

29. Most victims and survivors described being sexually abused from a young age. Seventy-nine percent of Truth Project participants said that they were aged 11 or under when they were first sexually abused (Figure D.1). Victims and survivors who were abused as infants or toddlers often could not recall when exactly the abuse started. Donna said her father sexually abused her from as far back as she could remember.¹⁴³ Victims and survivors

¹³⁴ *Residential Schools Investigation Report*, Pen portraits (RS-A3)

¹³⁵ Fazeen

¹³⁶ Zoe

¹³⁷ Tasmin

¹³⁸ Ciar

¹³⁹ Lysa

¹⁴⁰ *Children Outside the United Kingdom Investigation Report*, Pen portraits (Lorna)

¹⁴¹ *Truth Project Thematic Report: Child sexual abuse in sports*, IICSA, June 2020, p30

¹⁴² Dana

¹⁴³ Donna

who were sexually abused at a very young age sometimes described the physical difference between them and the sexual abuser. Mary-Beth simply said: “He was so big and I was so little”.¹⁴⁴

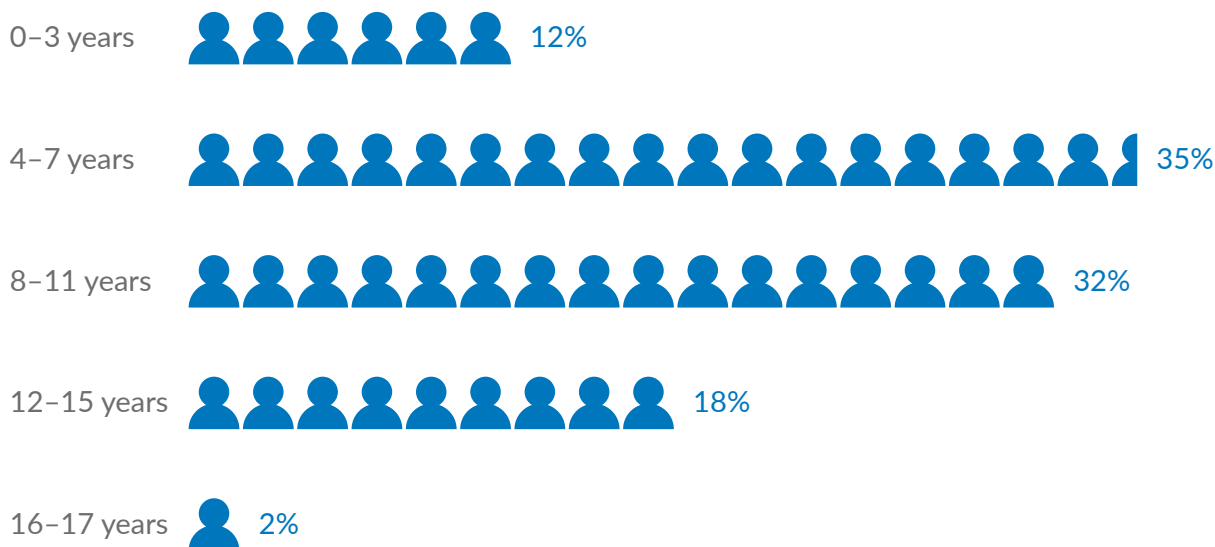


Figure D.1: Age at which child sexual abuse began for Truth Project participants

30. Other victims and survivors were first sexually abused as teenagers. Those who were sexually abused after they had turned 16 were sometimes made to feel that they were not experiencing sexual abuse, as they were above the legal age of consent. One Truth Project participant recalled that shortly after his 16th birthday, the woman who sexually abused him said “well, at least you’re legal now”.¹⁴⁵

31. More female than male victims and survivors talked about experiencing sexual abuse beginning at a very young age (Figure D.2). Fifty-four percent of female Truth Project participants and 32 percent of male participants were first sexually abused when they were under the age of eight. By contrast, the majority of male Truth Project participants (68 percent) reported sexual abuse beginning when they were aged eight years or older.

¹⁴⁴ Mary-Beth

¹⁴⁵ Truth Project Thematic Report: Child sexual abuse in the context of schools, IICSA, December 2020, p40

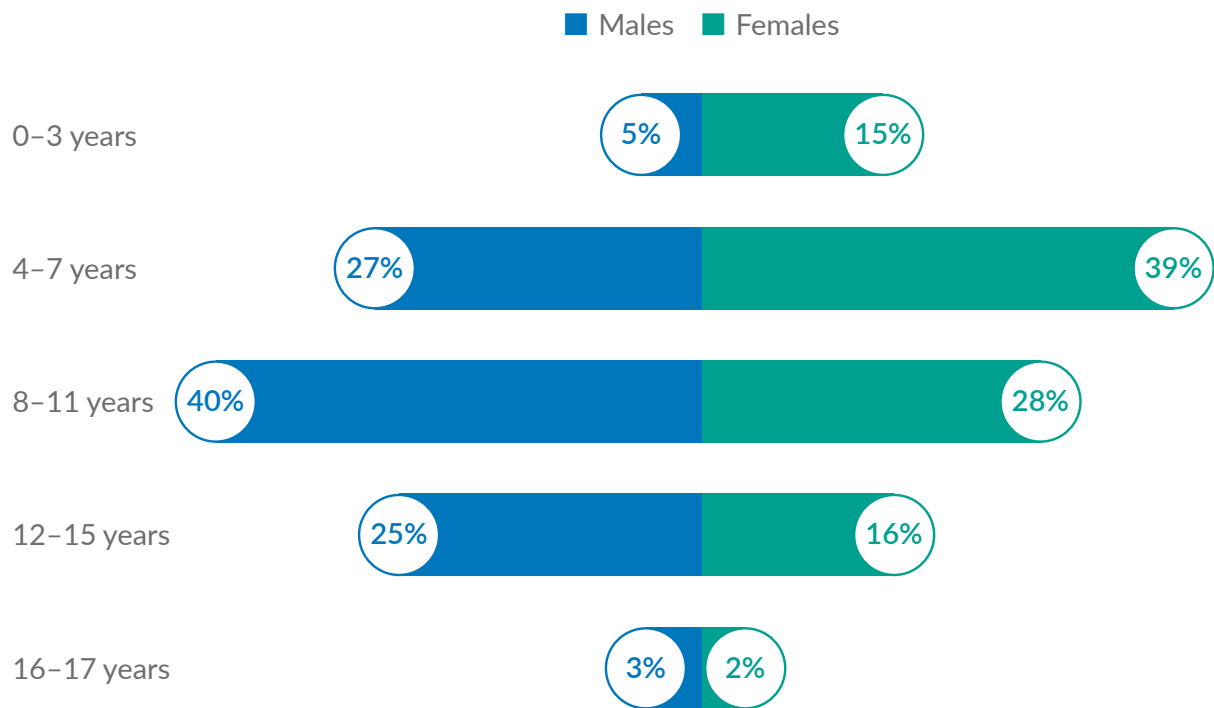


Figure D.2: Age at which child sexual abuse began for Truth Project participants, by sex

32. Victims and survivors sexually abused by a family member, foster carer or member of their foster family reported sexual abuse beginning at a younger age than those abused by staff in institutions such as residential care or schools (Figure D.3). Ninety percent of Truth Project participants who were sexually abused by a family member and 78 percent of those abused by their foster carer said that the abuse began when they were aged 11 or younger. Elspeth’s earliest recollections of being raped by her father are from before she started primary school.¹⁴⁶ Joyce was raped by her older brother from as far back as she could remember.¹⁴⁷

¹⁴⁶ Elspeth
¹⁴⁷ Joyce

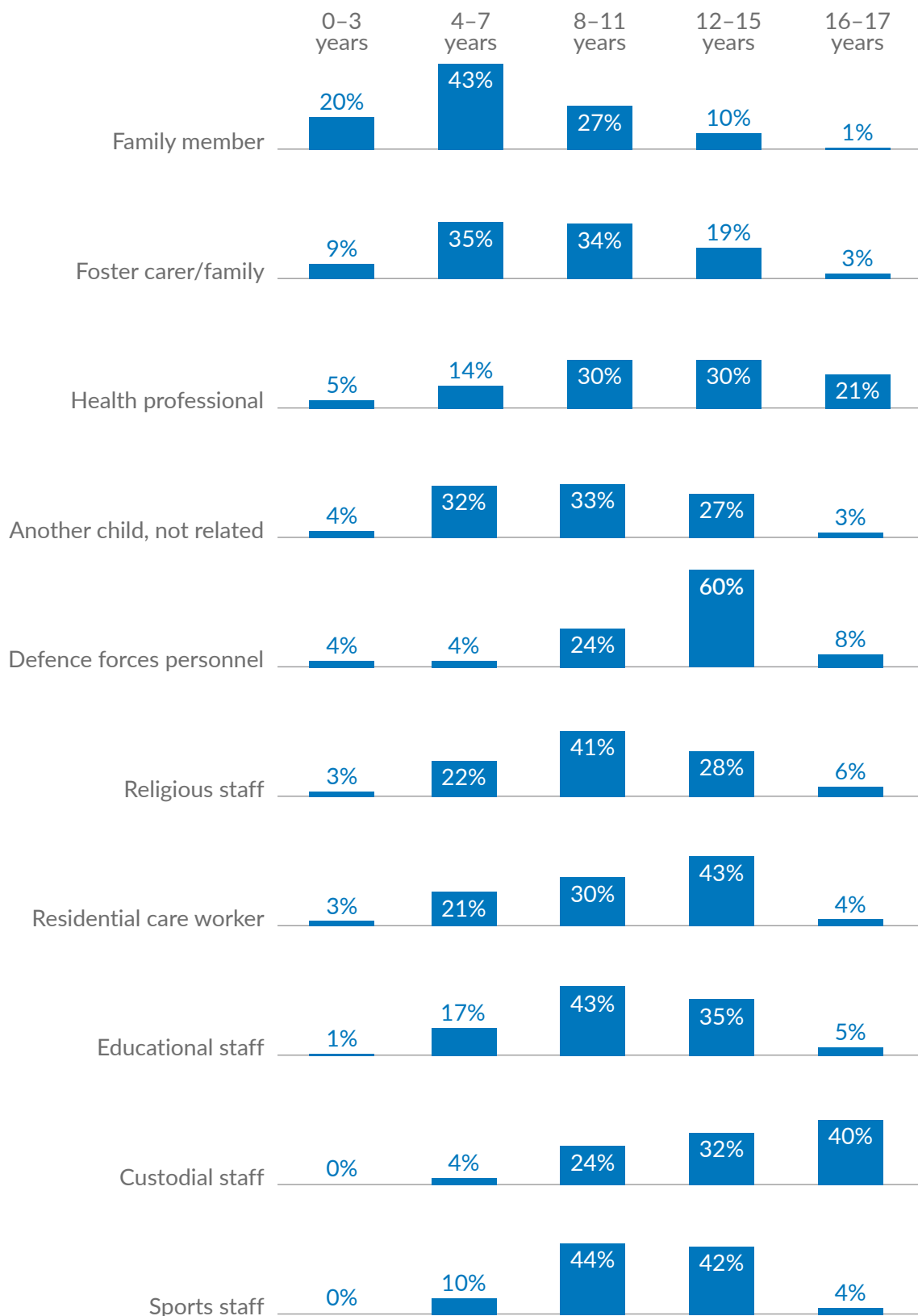


Figure D.3: Age at which child sexual abuse began for Truth Project participants, by who the perpetrator was*

* In this figure, 'staff' refers to formally employed, contracted and voluntary or unpaid staff. Some of the data in this figure are influenced by the age at which children were likely to have had contact with individuals. For example, it is unlikely that a child under the age of 10 would be abused by someone in a custodial institution as the Youth Custody Service is responsible for children aged 10-17 years old.

D.5: “I was sexually abused”

33. Victims and survivors described different types of sexual abuse. Eighty-one percent of Truth Project participants spoke about some form of contact sexual abuse, such as oral, vaginal or anal rape. Guy’s father orally raped him as a young child. He said: *“I couldn’t breathe”*.¹⁴⁸

34. Many victims and survivors described multiple forms of contact sexual abuse. Often child sexual abuse began with touching and later involved penetrative acts. Maddy was sexually abused by a school caretaker from the age of eight. The caretaker befriended Maddy by giving her sweets and praising her schoolwork. Initially, he forced her to touch and kiss his penis. The caretaker then began to orally and vaginally rape Maddy.¹⁴⁹ Another victim and survivor described the effect of a perpetrator moving *“step by step”* towards sexual abuse: *“Because the transition was so gradual, I didn’t even actually see it as ... abnormal, because of the process, if you like”*.¹⁵⁰

35. Other victims and survivors described non-contact sexual abuse, such as being forced to watch pornography, watch sexual acts, or take and share sexual images. Around one in five Truth Project participants (22 percent) reported being exposed to adult sexuality. Victims and survivors who reported non-contact sexual abuse often said this was accompanied by contact abuse. Katherine’s father regularly made her watch and then re-enact pornography with him.¹⁵¹ This included oral rape. She was five years old when the abuse began. When Heather was six or seven years old, her foster brother made her copy and perform *“really horrible, horrible things”* from the pornographic magazines he showed her.¹⁵²

36. Sometimes, victims and survivors said that sexual abusers took explicit images of them, or showed them explicit images of others. One victim and survivor, who was sexually abused in the 1970s, was shown sexual magazines and books by a teacher at his school.¹⁵³ Daran’s mother took photographs of her boyfriend masturbating and raping her son.¹⁵⁴ Victims and survivors also described instances in which they were photographed or filmed while naked. RS-A345 described his distress at finding out that his boarding school housemaster had secretly filmed him, including in the shower and while masturbating.¹⁵⁵

37. Younger victims and survivors described being asked to exchange explicit images online, often after a period of sexual grooming. Morgan described how she was groomed into sending explicit pictures and videos online aged 11.¹⁵⁶ Nola was subjected to years of online sexual abuse by a man who took photos of her. She recalled: *“If I played along he was OK, but if I ever pushed back the threats got worse. It was a never ending spiral as he had worse and worse pictures of me”*.¹⁵⁷

38. Some victims and survivors described how perpetrators used the cover of ‘normal’ activities, such as medical examinations or sports coaching, to sexually abuse them. One Truth Project participant was sexually abused while swimming: *“he would ... do stuff under the*

¹⁴⁸ Guy

¹⁴⁹ Maddy

¹⁵⁰ Truth Project Thematic Report: Child sexual abuse in sports, IICSA, June 2020, p33

¹⁵¹ Katherine

¹⁵² Heather

¹⁵³ Jack-Bob

¹⁵⁴ Daran

¹⁵⁵ RS-A345 17 November 2020 22/3-25-23/1

¹⁵⁶ Morgan

¹⁵⁷ Nola

water, acting like he's teaching me to swim".¹⁵⁸ The youth group leader who sexually abused Billy touched his genitals and explained that he was "*checking to make sure it was ok*".¹⁵⁹ RO-A1 was told that he needed to remove his clothes to be checked for nits and to see whether he had washed himself "*properly*".¹⁶⁰

39. The physical experience of sexual abuse was often described by victims and survivors as full of terror. Dehenna was regularly sexually abused by her grandfather from the age of five. She was not able to breathe because of "*the weight of him*" and would beg him to stop.¹⁶¹ Philida-May described struggling to breathe when the man who sexually abused her was on top of her.¹⁶²

40. The horror and cruelty inflicted on victims and survivors during child sexual abuse was often extreme. Jonah described being subjected to "*choreographed*", "*humiliating*" and "*sadistic*" sexual abuse by two men. He said: "*I thought they were going to kill me ... I still can't comprehend how he could do what he did*".¹⁶³ Jonah was just 10 years old at the time.

41. Victims and survivors described feeling demeaned during child sexual abuse. AN-A117 described being "*terrified*" and "*humiliated*" by the bishop who forced him to masturbate in front of other boys.¹⁶⁴ Oscar described the headmaster of his preparatory boarding school as "*sadistic beyond comprehension*". Oscar described how another teacher's "*idea of entertainment*" was to strip him naked and make him recite verbs. Sometimes the teacher beat his penis with a hairbrush. Oscar said that on one occasion he passed out from pain.¹⁶⁵

42. Victims and survivors often said that perpetrators laughed at their suffering. Kiara was once locked in a bathroom with a gang member so he could rape her, as the other members of the gang cheered outside. She cried and begged him to stop.¹⁶⁶ RC-A30 was sexually abused by a male teacher at a boarding school over a number of years, who "*humiliated*" her:

"He would always have this really kind of quite creepy but very fixed smile on his face, like it was a joke that I somehow wasn't getting. I felt very awkward and uncomfortable ... he was laughing and smiling".¹⁶⁷

RC-A30, Roman Catholic Church investigation

43. Victims and survivors frequently described being "*frozen with fear*" during sexual abuse.¹⁶⁸ Bryn recalled feeling that he could not move due to his shock at being sexually assaulted.¹⁶⁹ Mabon said that he was so fearful while being anally raped that he "*could not scream*".¹⁷⁰

44. Many victims and survivors said that they felt confused after they were sexually abused. Children often did not understand what had happened to them. After Lucie was raped, aged five or six, she found "*sticky stuff*" inside her.¹⁷¹ She had no idea what had happened to her.

¹⁵⁸ *Truth Project Thematic Report: Child sexual abuse in sports*, IICSA, June 2020, p32

¹⁵⁹ Billy

¹⁶⁰ RO-A1 10 October 2017 65/24-25-66/1-5

¹⁶¹ Dehenna

¹⁶² Philida-May

¹⁶³ Jonah

¹⁶⁴ AN-A117 23 July 2018 119/4, 124/10

¹⁶⁵ Oscar

¹⁶⁶ Kiara

¹⁶⁷ RC-A30 29 November 2017 107/6-11

¹⁶⁸ Horrence

¹⁶⁹ Bryn

¹⁷⁰ Mabon

¹⁷¹ Lucie

Part E

“I kept trying to tell them”

“I kept trying to tell them”

E.1: Introduction

1. Victims and survivors often said that the adults around them failed to notice that they were being sexually abused as a child, despite clear signs. Many described significant and often insurmountable hurdles to telling anyone what was happening to them. Sixty-seven percent of Truth Project participants did not tell anyone that they were being sexually abused at the time of the abuse.¹⁷² A higher proportion of Truth Project participants of Asian ethnicity (73 percent) than of white (66 percent), black (68 percent) and mixed (65 percent) ethnicities did not disclose that they were being sexually abused at the time of the abuse.¹⁷³
2. Experiences shared with the Truth Project indicated that over time there has been a gradual increase in children disclosing that they have been sexually abused (Figure E.1). Despite this, victims and survivors’ reasons for not disclosing sexual abuse when they were children were broadly similar, no matter when the abuse took place.¹⁷⁴

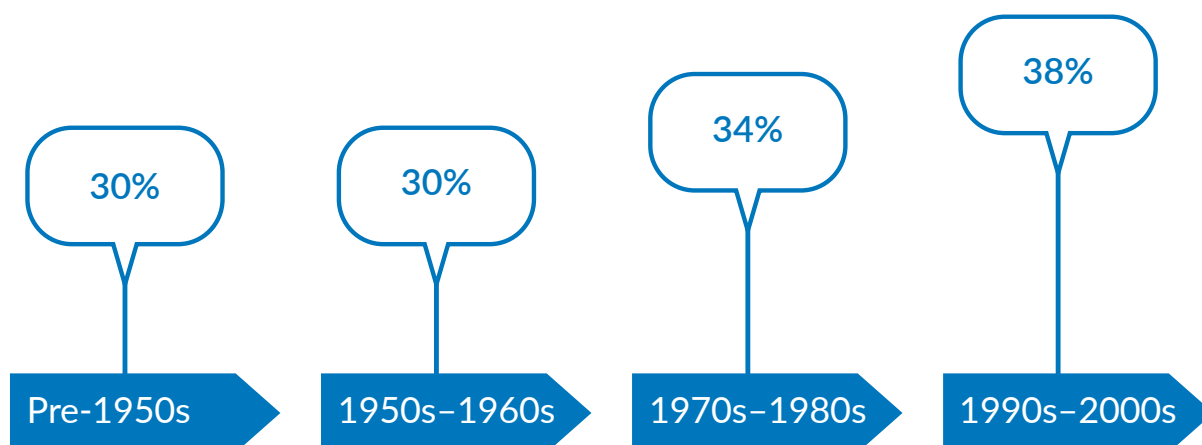


Figure E.1: Proportion of Truth Project participants who disclosed child sexual abuse at the time of the abuse, by the time period in which they were sexually abused

E.2: “The signs were all there”

3. Victims and survivors spoke about changes in their physical health and behaviour as a result of being sexually abused as a child. Behavioural changes were sometimes described as an attempt to communicate that they needed help. Many struggled to believe that physical or behavioural changes went unnoticed or were not questioned. One Truth Project participant said: “I think it’s odd ... to think that all of that can happen and nobody can notice

¹⁷² An additional 7 percent of participants only disclosed some incidents of sexual abuse, but not every incident.

¹⁷³ Groupings and terminology used to describe ethnicity are based on those used by the Office for National Statistics: Cultural identity – Office for National Statistics. Asian refers to people who identified as being from Indian, Bangladeshi, Pakistani, Chinese or other Asian backgrounds. Black refers to people who identified as being from Black, African, Caribbean, Black British or other Black backgrounds. Mixed refers to people who identified as being from mixed or multiple ethnicities. Percentages represent Truth Project participants who did not disclose any incident of child sexual abuse at the time; a small additional group of victims and survivors disclosed some incidents of sexual abuse at the time, but not all.

¹⁷⁴ See data compendium to this report.

it happening”.¹⁷⁵ Failures to detect physical and behavioural changes left children feeling trapped. Nora said: “*I remember saying a little prayer not to wake up in the morning as I really did not want to be there ... there was no way out*”.¹⁷⁶

“They missed all the physical signs”

4. Victims and survivors repeatedly said that there were clear physical signs that they were being sexually abused as children. They reported bleeding, swelling and pain. Often no one appeared to notice these visible signs or recognise that they could indicate sexual abuse. May was sexually abused in the 2000s and the 2010s. One day at primary school she told a staff member that she was bleeding from her bottom and that a man had hurt her. The staff member cleaned May up but did not take any further action.¹⁷⁷

5. Some victims and survivors had contact with healthcare services as a result of injuries sustained through sexual abuse. When she was primary school age, Rach’s father raped her so violently that her mother took her to hospital: “*this was one of the only occasions my mum held me*”. Rach had stitches and was admitted to hospital. Her mother told staff that her daughter had fallen on a stick. No one at the hospital appeared to question this and Rach was returned home, where her father continued to vaginally and anally rape her.¹⁷⁸ One research participant described a GP visiting her at home:

*“A GP was called ... I was examined and he said he could find nothing. I’d been raped. There was blood on the bed. Yes. There was blood on the bed. I was five years old. The GP couldn’t find a problem.”*¹⁷⁹

Child sexual abuse in ethnic minority communities research participant

6. Some victims and survivors said that medical professionals failed to identify clear signs of child sexual abuse. Between the ages of four and seven, Tiffany saw her family GP almost a dozen times with symptoms associated with urinary tract infections, but this sign of sexual abuse was apparently not recognised.¹⁸⁰ Female victims and survivors sometimes started to take the contraceptive pill as children. Eve-Marie was sexually abused in the 1990s. As a child, she regularly attended a sexual health clinic with sexually transmitted infections. Aged 12, she was prescribed the contraceptive pill. No one appeared to recognise these physical signs of sexual abuse. Eve-Marie said: “*nobody cared*”.¹⁸¹

7. In some cases, female victims and survivors became pregnant during childhood after being raped. Professionals sometimes failed to recognise that this indicated sexual abuse. Henrietta described giving birth aged 12 after being violently raped by her father. A social worker was aware of the pregnancy but failed to take action after Henrietta’s parents “*concocted a story*”.¹⁸²

¹⁷⁵ *Victim and survivor voices from the Truth Project (June 2016–June 2017)*, IICSA, October 2017, p15

¹⁷⁶ Nora

¹⁷⁷ May

¹⁷⁸ Rach

¹⁷⁹ “*People don’t talk about it*”: *Child sexual abuse in ethnic minority communities*, IICSA, June 2020, p75

¹⁸⁰ Tiffany

¹⁸¹ Eve-Marie

¹⁸² Henrietta

“It was a cry for help”

8. Victims and survivors were often frustrated that no one picked up on the warning signs evident in their own behaviour. One Truth Project participant said: “*there’s so many moments ... where I was genuinely crying out to people and there was nothing, no one to listen to me*”.¹⁸³ Zachary said that his behaviour deteriorated so much that he was excluded from school, yet still no one considered what was behind this change. He said: “*I wanted someone to notice ... a teacher, or someone*”.¹⁸⁴ One Truth Project participant felt that his behavioural issues contributed to him being placed into care: “*The care system had always made me out to be this awful child, but really ... I was just acting out from what had happened to me*”.¹⁸⁵

9. Many victims and survivors felt that they became more withdrawn as a result of being sexually abused – but no one asked them if anything was wrong. Savannah was sexually abused by a teenage babysitter. She remembered trying to create time on her own with her teacher by asking to stay behind and tidy the classroom at playtime, yet her teacher never asked her if she was okay.¹⁸⁶ Ruben found out that social workers frequently described him as “*withdrawn and troubled*”.¹⁸⁷ Despite this, Ruben said that his records do not show that there was any exploration of why this might have been.

10. Victims and survivors often said that their attendance at school suffered as a result of having been sexually abused, yet this was not recognised as a warning sign. Natalia grew up in the 1970s and 1980s. From the age of about three, she was sexually abused by her grandfather. She did not feel safe outside of her home and regularly missed school. One year, Natalia missed more than 200 days of school before anyone contacted her parents: “*that’s how insignificant I was, no one noticed I was missing for a year*”.¹⁸⁸ Breen did not attend school at all during the four years in which she was sexually abused during the 2010s. Although social services were involved with the family, Breen said that they took no action in response.¹⁸⁹

11. Victims and survivors sometimes felt that the adults around them seemingly did not explore child sexual abuse as a possible reason for the deterioration in their mental health as children. Tonia was raped by her mother’s boyfriend for several years up until the age of seven. She was referred to children’s mental health services for anger management training. Despite this, and attempts to tell people what was wrong, she said that nobody explored why her mental health deteriorated so significantly.¹⁹⁰ Adrienne was raped multiple times by groups of men as a child and saw a counsellor and a psychiatrist during this period. She said that she was labelled an “*attention seeker*”.¹⁹¹ She described her frustration at the assumptions made about the changes in her mental health: “*I was ‘crazy’, because I was traumatised*”.¹⁹²

12. Some victims and survivors felt that racism led to the adults around them ignoring changes in their behaviour, such as poor performance or attendance at school. One research participant felt that professionals saw him as a “*difficult black boy*”, which resulted in a failure

¹⁸³ Truth Project Thematic Report: Child sexual abuse in healthcare contexts, IICSA, December 2020, p45

¹⁸⁴ Zachary

¹⁸⁵ Truth Project Thematic Report: Child sexual abuse in sports, IICSA, June 2020, p54

¹⁸⁶ Savannah

¹⁸⁷ Ruben

¹⁸⁸ Natalia

¹⁸⁹ Breen

¹⁹⁰ Tonia

¹⁹¹ Adrienne

¹⁹² Adrienne

to recognise that he was “a vulnerable person ... who was actually crying out for help”.¹⁹³ Alvita, who is of African-Caribbean heritage, experienced sexual abuse from the age of 7 until she was 14, during the 1990s and 2000s. As a result, she struggled at school and “never handed in a piece of work”. She said that “the teachers didn’t care ... I used to think that if I was a different colour, brown, lighter, white, I would have been treated differently”.¹⁹⁴

E.3: “Telling someone about what had happened to me”

13. Victims and survivors who were sexually abused as children faced complex hurdles to telling anyone what was happening to them (Figure E.2). For many, telling someone felt impossible and they only felt able to disclose later in life.

“There was no one I could go to, no one to tell”

14. As children, some victims and survivors felt they had no one to tell that they were being sexually abused. Brinda said that she came from a “very traditional family” and did not feel that she could tell her parents that she had been raped: “The expectation was I would have an arranged marriage. Sex before marriage was not a ‘thing’”.¹⁹⁵ One child victim and survivor described feeling trapped with no one to tell:

*“It’s kind of a trap really, you don’t know what to do because you don’t know what the options are; it’s like telling somebody to get outside of a room when you can’t see any windows or doors in a way.”*¹⁹⁶

Learning about online sexual harm research participant

15. It was especially common to hear that victims and survivors who grew up in residential institutions felt that they had no one to whom they could disclose sexual abuse. RS-A6 said there was no one outside of his residential school who he could speak to about sexual abuse perpetrated by older pupils: “They’ve put you in a home that’s essentially hundreds of miles from anyone you know”.¹⁹⁷ In particular, victims and survivors described staff in children’s homes and custodial institutions as “coming and going on different shifts”, which prevented them from building trust and feeling able to disclose.¹⁹⁸ Some also said that being moved frequently had an impact on their ability to disclose:

*“I never stayed in one place long enough to feel like I had any one adult who I could trust to report what had happened to me at the time.”*¹⁹⁹

A76, Children in the care of the Nottinghamshire Councils investigation

¹⁹³ “People don’t talk about it”: Child sexual abuse in ethnic minority communities, IICSA, June 2020, p66

¹⁹⁴ Alvita

¹⁹⁵ Brinda

¹⁹⁶ Learning about online sexual harm, IICSA, November 2019, p53

¹⁹⁷ RS-A6 7 October 2019 130/23-25

¹⁹⁸ A76 (read) 5 October 2018 115/20-21

¹⁹⁹ A76 (read) 5 October 2018 118/21-23



Figure E.2: Reasons why Truth Project participants did not disclose child sexual abuse at the time of the abuse*

* Truth Project participants often gave multiple reasons for not disclosing child sexual abuse, therefore the percentages in this figure do not sum to 100 percent.

“I was so young, I didn’t know what was going on”

16. Some victims and survivors said that when they were children they did not recognise that they were being sexually abused. Victims and survivors abused as very young children often described having a sense that what was happening to them was “*bad*”, but they did not know it was sexual abuse.²⁰⁰ As a result, they did not know that they should tell anyone what had happened. Malika’s stepfather regularly sexually abused her from the age of about eight, but Malika said “*I was so young I didn’t know what was going on*”.²⁰¹

17. Victims and survivors who were frequently sexually abused from a young age sometimes said that they became “*normalised*” to the abuse.²⁰² This was described as a very powerful barrier to disclosure. Conall was physically and sexually abused by his headteacher in the 1960s; the abuse included being beaten while naked with heavy implements. Conall said that, at the time, he did not recognise this as sexual abuse, thinking it was just “*a normal form of discipline at a boarding school*”.²⁰³ Ethan said that he did not tell anyone that he was being sexually abused because it had become normalised for him and society did not speak about child sexual abuse.²⁰⁴

18. Some sexual abusers appeared to show children love, affection and kindness. Victims and survivors said that, as children, this meant that they did not know they were being sexually abused or that they should tell anyone. CM-A22 described her confusion after being sexually abused by a man in the family she was sent to live with:

*“Because it was done in the guise of a loving father’s behaviour, I was completely confused about whether it was right or wrong and to say something about it – and actually it was normal? How could I say anything, not knowing ... you don’t even know that you should report such a thing.”*²⁰⁵

CM-A22, Child migration programmes investigation

19. Young victims and survivors highlighted particular difficulties in recognising and reporting online-facilitated child sexual abuse. One 16-year-old said:

*“I was with my friends and saw messages, it was like, ‘Get your tits out’, we were just laughing about it ... we didn’t see it as, ‘Oh my gosh, this man wants to see my boobs’”.*²⁰⁶

Learning about online sexual harm research participant

“I felt deeply ashamed”

20. As children, many victims and survivors felt deeply ashamed about being sexually abused. Dewi said simply “*as a child, I was ashamed*”.²⁰⁷ Shame often prevented children from feeling able to tell anyone what had happened to them. Shame was more commonly cited as a reason for not disclosing at the time by men (22 percent of male Truth Project participants) than by women (15 percent of female Truth Project participants).

²⁰⁰ “People don’t talk about it”: Child sexual abuse in ethnic minority communities, IICSA, June 2020, p34

²⁰¹ Malika

²⁰² Evonne

²⁰³ Conall

²⁰⁴ Ethan

²⁰⁵ CM-A22 8 March 2017 22/17-23

²⁰⁶ Learning about online sexual harm, IICSA, November 2019, p53

²⁰⁷ Dewi

21. Some men described being ashamed that they felt unable to fight back while being sexually abused. Drew said he felt ashamed that he did not “resist” being sexually abused by a maintenance man at school.²⁰⁸ Men who were sexually abused by women often felt ashamed because of this. August had “so much shame” about being sexually abused by a female staff member at his school. His schoolmates thought it was just “a bit of a laugh”.²⁰⁹

22. Female victims and survivors often described shame related to sexist stereotypes. In particular, some girls felt that they would be viewed negatively for having “allowed” the sexual abuse to happen.²¹⁰ Miyanna reflected on this: “It’s like everything is always the woman’s fault”.²¹¹ When Kiya was 12 years old, she was raped by a man who groomed her online. Her friend called her a “slag” and, as a result, Kiya felt “trapped ... I couldn’t tell anyone what had happened”.²¹² Sally was raped on her way home from school as a teenager. She was sure that she would be blamed if she told her family and thought of herself as a “slut”.²¹³

23. Other victims and survivors said that they did not disclose child sexual abuse because of the shame it would bring to their family and community. Maksud felt deeply ashamed that he had been sexually abused by an imam while reading from the Quran. He said he found it impossible to tell anyone what had happened.²¹⁴ Ebrah never reported that she had been sexually abused to the police. She felt deeply ashamed, and worried that her mother would not be able to cope with the community knowing her daughter had been sexually abused.²¹⁵ Some female victims and survivors in South Asian communities described a fear that child sexual abuse would damage their prospects of getting married:

“For a child sexual abuse to take place would basically [mean to] have sex outside of marriage, ... so it’s like this whole stigma attached to you as well as being damaged goods.”²¹⁶

Child sexual abuse in ethnic minority communities research participant

“I was too terrified to say anything”

24. Many victims and survivors did not tell anyone that they were being sexually abused as a child because they were scared of what would happen if they did. Linda described her childhood fears: “Would I be taken away? Would I be moved away from the school? Vilified? Would he hunt me down and kill me?”²¹⁷ Many feared being taken into care. Lorena was sexually abused by her adoptive father and brother, but did not tell anyone because “I knew I would end up in a children’s home and that could be worse”.²¹⁸ Some LGBTQ+ victims and survivors said they were terrified that their sexuality would be found out if they disclosed child sexual abuse. One member of the Victims and Survivors Forum said that this “was such a threat in my mind that everything had to be kept quiet”.²¹⁹

²⁰⁸ Drew

²⁰⁹ August

²¹⁰ Dot; Cindy

²¹¹ Miyanna

²¹² Kiya

²¹³ Sally

²¹⁴ Maksud

²¹⁵ Ebrah

²¹⁶ “People don’t talk about it”: Child sexual abuse in ethnic minority communities, IICSA, June 2020, p38

²¹⁷ Linda

²¹⁸ Lorena

²¹⁹ Engagement with lesbian, gay, bisexual, transgender and queer/questioning + victims and survivors, IICSA, May 2022, p21

25. Often victims and survivors were threatened by the person who sexually abused them. LA-A25 said that the housefather in her children’s home threatened that “*he’d kill me ... he said he could get me locked up and no-one would believe me, and I’d be away forever*”.²²⁰ Threats silenced victims and survivors. Many described feeling frightened, powerless and trapped, unable to escape the sexual abuse:

*“I was on my own in the sick bay and [the head of house] proceeded to anally rape me. I thought I was going to die from the pain caused by the rape. During the course of the rape, [the head of house] said to me: ‘Say that I’ve been here and I’ll kill you’. I was 11 years old at the time.”*²²¹

Colin Watson, Children in custodial institutions investigation

“I asked myself, who’d believe you?”

26. Some victims and survivors did not tell anyone that they were being sexually abused as they were worried that no one would believe them:

*“I thought people wouldn’t believe me. I might get in trouble. My friend wouldn’t want to be friends with me anymore.”*²²²

Kerry, Support services for victims and survivors of child sexual abuse research participant

27. Often this fear stemmed from being explicitly told by perpetrators that they would not be believed. Sharan’s stepfather used to say: “*you tell your mother and she’ll believe me over you*”.²²³ Perpetrators’ power and status also led to a fear that victims and survivors would not be believed:

*“I believe that a man who is a padre was a man of God and being in the army he was a higher rank than my father and so I didn’t think anyone would believe me.”*²²⁴

AN-A15, Anglican Church investigation

28. Many victims and survivors reflected on the inherent power imbalance between adults and children. Cultural attitudes towards children were seen to enhance this imbalance. Victims and survivors worried that they would be assumed to be lying if they said they were sexually abused. Hurriya was sexually abused by her primary school teacher in the 1970s. She did not tell anyone about the abuse at the time because “*nobody really believed children back then*”.²²⁵ LA-A154 said: “*the message I received repeatedly, including from schoolteachers, was that they believed adults, not kids*”.²²⁶

“I didn’t have the words”

29. As children, some victims and survivors did not know how to describe sexual acts and so felt unable to tell anyone what was happening to them. Aruna grew up in the 1970s. She was sexually abused by a male family friend when she was around six years old. She said: “*I knew what he was doing was wrong, but I didn’t tell anyone. At that age, I didn’t know how to even*

²²⁰ LA-A25 6 July 2020 59/11-14

²²¹ Colin Watson (read) 10 July 2018 34/1-6

²²² Support services for victims and survivors of child sexual abuse, IICSA, August 2020, p36

²²³ Sharan

²²⁴ AN-A15 6 March 2018 5/24-6/2

²²⁵ Hurriya

²²⁶ LA-A154 29 July 2020 174/19-175/1

say it".²²⁷ Often this was connected to not understanding what constituted sexual abuse. Isla-Rose grew up in the 2000s. She described the boundaries in her house as "skewed"; she was not allowed any privacy and her father regularly walked around naked. Isla-Rose did not know when her father began raping her. She only understood that it was rape aged 13, when she attended a talk on sexual assault at school: "*I had been trying to tell people for years, but I couldn't because I didn't understand what it was that was exactly wrong. I didn't have the words for it*".²²⁸

30. Others felt unable to describe what was happening to them because they did not think they were allowed to speak about body parts or sexual acts. Aniyah was raped by her neighbour on a weekly basis. She said: "*Sometimes I thought about telling my mum, but I didn't know what words to use and I wasn't allowed to use 'rude' words*".²²⁹

31. Victims and survivors who communicated non-verbally sometimes described being unable to disclose abuse. Gianna is Deaf but was not allowed to use sign language at school. She was hit with a ruler whenever she tried. As a result, she was unable to tell anyone that she had been raped by two men.²³⁰ Veronica is deaf but was placed in a children's home run by staff who could not sign. One of the staff members sexually abused Veronica, including trying to penetrate her with a rounders bat. Veronica said that not even her social worker could sign and, as a result, she could not tell anyone about the sexual abuse.²³¹

32. Other victims and survivors who had communication difficulties said that they tried to tell someone that they were being sexually abused but their disclosure was not understood. The mother of LA-A26 described her daughter as having "*significant communication difficulties*"²³² and wondered whether her "*allegation had been dismissed because of her disability*".²³³

"No one asked"

33. Victims and survivors commonly felt that, as children, no one asked whether they wanted to tell them anything or if they were being sexually abused. Vayla said that on two occasions the police raided her family home, which she suspected was in relation to child sexual abuse images. However, she said that the police never spoke to the children and the sexual abuse by her father continued: "*I couldn't say anything, but I wanted them to rescue me. I wish I'd had a voice*".²³⁴ Florence's father was imprisoned for sexually abusing her step-siblings. Florence said that after serving his sentence, he was permitted to return home, where he regularly raped her. Neither the police nor social services "*asked me if anything had happened to me, despite the fact my father was convicted of abusing lots of others*".²³⁵ Evie went from being a "*high-achiever*" to not attending school, taking drugs and attempting suicide at 16 after being sexually abused in the 2000s and 2010s. She said: "*nobody ever asked me any questions. Not once*".²³⁶

²²⁷ Aruna

²²⁸ Isla-Rose

²²⁹ Aniyah

²³⁰ Gianna

²³¹ Veronica

²³² LA-A26 31 July 2020 59/6-8

²³³ LA-A26 31 July 2020 64/11-13

²³⁴ Vayla

²³⁵ Florence

²³⁶ Evie

34. Some victims and survivors felt that adults did not ask the "right questions" to support them to disclose sexual abuse.²³⁷ Sinead said: "if I had been asked 'Is anyone hurting you?', I would have told".²³⁸ RS-A7 described what would have supported him to disclose that he was being sexually abused:

*"The way I answer questions is very literal, I think because of the nature of my learning difficulties. So, for example, if, instead of skirting around the subject, [the teacher] had asked me straight out if [the Head of Care] touched my private parts, then I would have told her 'Yes' he did."*²³⁹

RS-A7, Residential schools investigation

²³⁷ RS-A7 9 October 2019 61/19-21

²³⁸ Sinead

²³⁹ RS-A7 9 October 2019 62/2-7

Part F

**“All I needed was just one
person to act”**

“All I needed was just one person to act”

F.1: Introduction

1. The majority of victims and survivors did not disclose child sexual abuse at the time that it was happening. Just 33 percent of Truth Project participants who discussed disclosure said that they disclosed that they were being sexually abused at the time.²⁴⁰ Most disclosed to a parent, the police or someone within the institution in which they were abused (Figure F.1).

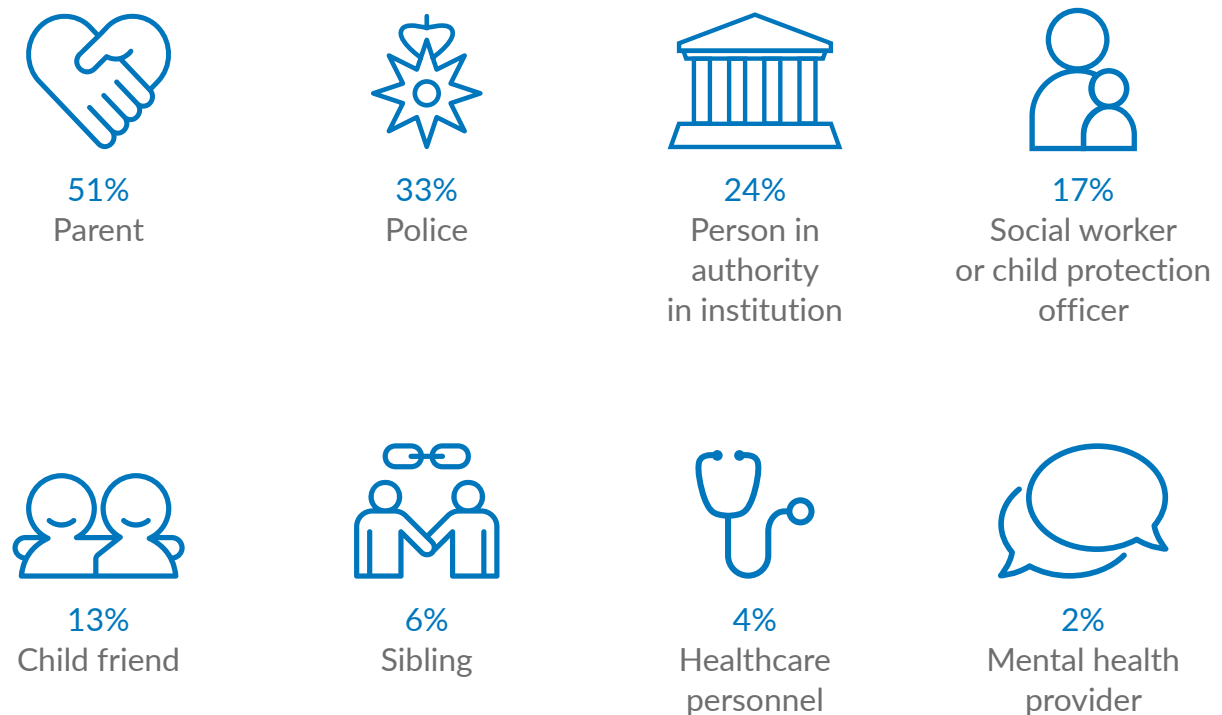


Figure F.1: People to whom Truth Project participants disclosed at the time of their child sexual abuse

2. Amongst those who did disclose child sexual abuse at the time, the majority said that they did not receive the help and protection that they needed. Victims and survivors often said that the person to whom they disclosed responded inadequately. Many victims and survivors were accused of lying, were blamed or were silenced. These experiences were common, whether victims and survivors disclosed as children in the 1950s or 2010s. Victims and survivors commonly said that negative responses to disclosures meant they never wanted to talk about their experiences of child sexual abuse again.

²⁴⁰ This percentage relates to Truth Project participants who disclosed at least one incident of child sexual abuse at the time. This includes some participants who disclosed all incidents, and others who only disclosed some incidents but not others.

3. Although victims and survivors who participated in the Inquiry’s work often described negative experiences of disclosure, some did report action being taken. For example, 7 percent of Truth Project participants said that the institution to whom they disclosed contacted the police. Other participants described being removed from the abusive environment (7 percent), the perpetrator being removed (7 percent) or receiving counselling and support (2 percent). Victims and survivors who described action being taken in response to their disclosure were in the minority.

F.2: “No one took it seriously or did anything about it”

4. Many victims and survivors described repeated attempts to tell someone that they were being sexually abused but no one seemed to take them seriously. Of those who disclosed sexual abuse at the time it was happening, 47 percent of Truth Project participants said that no action was taken. Many spoke of their desperation to be taken seriously:

“Honestly, ... the social worker ... I did tell her, I did write her letters, I did communicate ... but I was always told I was attention seeking or, ‘No, don’t be saying that’, ‘No, no, they wouldn’t do that, no’ that was the way it always was and I didn’t go there.”²⁴¹

Truth Project participant

5. Some victims and survivors were mocked when they disclosed sexual abuse. One Truth Project participant disclosed to a healthcare professional within the same institution but no action was taken. He recalled: *“When I reported the first incident I got laughed at. I just got laughed at ... there was nowhere really for me to turn”.*²⁴²

6. Other victims and survivors said that the person to whom they disclosed did not appear to take their allegation seriously enough to contact social care or the police. Hanaya was 18 when she took part in the Truth Project. A few years before, she had disclosed to her teacher that she had been sexually abused as a younger child.²⁴³ He took no action, only telling her what would happen to the abuser according to their faith.

7. Some victims and survivors said that the person to whom they disclosed contacted their parents instead of social care or the police. On three occasions, Daran reported that he was being raped by his mother’s boyfriend.²⁴⁴ He first spoke to his GP, then the police and finally a teacher at school. On each occasion, the professional phoned his mother and took no further action. His mother physically abused Daran for reporting the abuse. Sheryl was sexually abused by her father. She told a teacher at school that she was being abused but the only action they took was to contact her parents. Sheryl stressed the importance of not making assumptions based on appearances: *“I came from a middle class respectable background, with professional and articulate parents. People often judge on appearances”.*²⁴⁵

8. In a few cases, victims and survivors said that someone witnessed them being sexually abused but still failed to act. LA-A304 described a member of staff in her children’s home seeing her being sexually abused. The member of staff *“walked straight back out again”* and *“didn’t do anything to stop what was going on or ask what was going on”.*²⁴⁶ When Laakia was

²⁴¹ *Victim and survivor voices from the Truth Project (June 2016–June 2017)*, IICSA, October 2017, p15

²⁴² *Truth Project Thematic Report: Child sexual abuse in healthcare contexts*, IICSA, December 2020, p43

²⁴³ Hanaya

²⁴⁴ Daran

²⁴⁵ Sheryl

²⁴⁶ LA-A304 31 July 2020 36/12-15

around six years old, her father began touching her, kissing her and “*doing things*” to her while she was sitting on his lap.²⁴⁷ She remembered her mother coming into the room when this was happening but she did nothing to stop the abuse.

9. Some victims and survivors said that their experiences of child sexual abuse were not taken seriously due to racism and sexism. One member of the Victims and Survivors Forum thought that being a “*bi-racial black female*” meant that care home staff saw her as a “*consenting and willing participant*” when she was raped.²⁴⁸

10. Other victims and survivors suggested that professionals feared allegations of racism and that this was prioritised over their safety. Prisha said that professionals were so afraid of being called racist that they dismissed her allegations of sexual abuse as “*cultural differences*” when she was a child.²⁴⁹ One Forum member described how their race and religion affected their interaction with a doctor:

*“They didn’t want to help or intervene or protect me because I am a Sikh, they were more concerned about being racist than helping and rescuing a child who was being abused.”*²⁵⁰
Member of the Victims and Survivors Forum

11. Many victims and survivors described feeling trapped when sexual abuse was not taken seriously. Inaction often facilitated further sexual abuse. Cole reflected on how different things could have been “*if just one person had listened to me*”.²⁵¹

F.3: “They called me a liar”

12. Often victims and survivors were accused of lying when they told someone that they were being sexually abused. Only 5 percent of Truth Project participants who disclosed child sexual abuse to an institution at the time of the abuse said that they were believed when they disclosed.²⁵² Jaden mentioned in front of the police that he was being raped regularly in his children’s home. The police officer responded by saying “*we don’t need to hear your fucking lies*”.²⁵³ Peyton was sexually abused throughout her childhood during the 1990s and 2000s, starting when she was four. Although hospital staff had found bruising around her genitals and finger marks around her neck, she said a police officer accused her of causing the injuries to herself.²⁵⁴

13. Some victims and survivors said that they were accused of lying because the perpetrator was considered by others to be a reputable person. RC-A494 said that when he disclosed that he had been abused, including being stripped naked and lashed with a leather strap, he was simply told: “*Nuns wouldn’t do that. They are nice people*”.²⁵⁵ Others felt that their background seemed to influence the chance of their disclosure being dismissed. Mercy grew up in a violent and neglectful home. She said that teachers saw her as a “*problem child*” and did not believe her when she told them she had been raped by multiple men.²⁵⁶ Victims and

²⁴⁷ Laakia

²⁴⁸ *Victims and Survivors Forum Consultation on Protected Characteristics: Summary Report*, IICSA, February 2021, p15

²⁴⁹ Prisha

²⁵⁰ *Victims and Survivors Forum Consultation on Protected Characteristics: Summary Report*, IICSA, February 2021, pp20–1

²⁵¹ Cole

²⁵² This percentage is of those who disclosed child sexual abuse and spoke about the response.

²⁵³ Jaden

²⁵⁴ Peyton

²⁵⁵ RC-A494 16 November 2018 2/9-23

²⁵⁶ Mercy

survivors who were sexually abused in a healthcare context often said that they were labelled as “sick” or “crazy” when they told healthcare professionals that they were being sexually abused.²⁵⁷

14. Victims and survivors were sometimes ‘punished’ for telling ‘lies’ when they disclosed sexual abuse. Serennah grew up in the 1960s. When she told her teacher that she was being raped by her stepfather, she was called a liar and slapped.²⁵⁸ NO-A319 said that in 1975 he was physically assaulted by a member of staff at his children’s home after disclosing sexual abuse by another staff member.²⁵⁹ Victims and survivors also suffered other forms of harm after being accused of lying about child sexual abuse. During the 2000s, Sally-Ann was sexually abused by her brother from the age of about five. Aged 15, she was kicked out of her family home and accused of lying by her parents when she disclosed the sexual abuse.²⁶⁰

F.4: “It was guilt, blame and shame”

15. A number of victims and survivors said that they were blamed for having been sexually abused. This was frequently related to sexist or homophobic attitudes. When Lorelai told her mother that she had been sexually abused by a man, her mother said: “*you must have encouraged him ... the way you dressed*”.²⁶¹ Adelyn was accused of trying to “seduce” the man who had sexually abused her as a child in the 2000s. She said she was portrayed as a “whore”.²⁶² One Forum member was told that his being sexually abused “*was a result of being homosexual*”.²⁶³ Another Truth Project participant described the reaction of his brother to the fact that he was sexually abused:

*“He’s like, ‘he’s the “gay boy” and “cock boy” ... He’s saying what happened to me was my fault, I asked for it ... ”.*²⁶⁴

Truth Project participant

16. Other victims and survivors were blamed for having got the sexual abuser ‘in trouble’. Sarah was blamed by her local community for being sexually abused by a married man. As a result, Sarah felt that she “*had corrupted older men and was responsible for a marriage break-up*” and that “*I deserved the hate from the community*”.²⁶⁵ As a child in the early 2000s, CS-A12 said that the police blamed her when they found her in a car with the men who were sexually exploiting her: “*They’d turn around to us and say ... ‘You’re going to get the drivers into trouble with your behaviour’*”.²⁶⁶

17. Victims and survivors often explained that being blamed as a child for having been sexually abused had a significant and long-lasting impact on their life and their recovery from child sexual abuse. Evelyn described feelings of self-loathing and of having no right to be upset.²⁶⁷ Diya said that it took her years “*to understand I didn’t do anything wrong*”.²⁶⁸

²⁵⁷ Truth Project Thematic Report: Child sexual abuse in healthcare contexts, IICSA, December 2020, pp44, 47, 50

²⁵⁸ Serennah

²⁵⁹ INQ002577_016

²⁶⁰ Sally-Ann

²⁶¹ Lorelai

²⁶² Adelyn

²⁶³ Engagement with lesbian, gay, bisexual, transgender and queer/questioning + victims and survivors, IICSA, May 2022, p24

²⁶⁴ Truth Project Thematic Report: Child sexual abuse in the context of children’s homes and residential care, IICSA, November 2019, p81

²⁶⁵ Sarah

²⁶⁶ CS-A12 22 September 2020 22/1-16

²⁶⁷ Evelyn

²⁶⁸ Diya

F.5: “They wanted to cover it up”

18. Some victims and survivors said institutions tried to cover up the sexual abuse they reported to prevent external authorities from knowing about it. Just 7 percent of Truth Project participants who disclosed child sexual abuse at the time of the abuse said that the police were informed about their allegation.

19. Victims and survivors said that some institutions removed the perpetrator from their position but did not report the sexual abuse to the police or social care services. Kenny thought it was a “cover-up” when the choirmaster who sexually abused him was replaced without any other action.²⁶⁹ When Danni told her school that a teacher had sexually abused her, the school told her parents “*you must not tell the police, we will handle it in-house*”. The teacher was then moved to another school. Danni said: “*for almost 30 years I have felt guilty about that. What if he did it to other kids?*”.²⁷⁰ Tim said that the headteacher who sexually abused him was moved to another school without investigation following allegations being made against him.²⁷¹ He said that, more recently, the local authority destroyed files relating to the allegations, which he felt was part of a cover-up.

20. A number of victims and survivors said that some institutions appeared to prioritise their reputation or interests above the safety of children. Victims and survivors also described how familial reputations seemed to be valued over and above their welfare as children. Aimie said her family were focussed on protecting her grandfather’s reputation after he repeatedly sexually abused her.²⁷²

21. Some victims and survivors described how the culture within a particular institution or community discouraged reporting allegations of child sexual abuse to the police. In 2014, PR-A2 disclosed that she was sexually abused in a madrassa and met with an imam to discuss this. He told her “*not to rock the boat*” given the potential for shame and dishonour, as well as possible reprisals from the community.²⁷³ Carrie-Ann was raised as a Jehovah’s Witness. She explained that her social worker, who was also a Jehovah’s Witness, discouraged her from reporting that she had been sexually abused by her family members, saying: “*You know how Jehovah feels about liars*”.²⁷⁴

²⁶⁹ Kenny

²⁷⁰ Danni

²⁷¹ Tim

²⁷² Aimie

²⁷³ INQ005151_002

²⁷⁴ Carrie-Ann

Part G

“The impact of child sexual abuse”

“The impact of child sexual abuse”

G.1: Introduction

1. Nearly all Truth Project participants (94 percent) reported that child sexual abuse had a negative impact on them (Figure G.1).²⁷⁵ Some victims and survivors said that it shaped their whole life:

“Words do not do justice to the scale of the impact ... It has affected and continues to affect every aspect of my being, body, mind and soul. I was so young that I will never know who I could have been had it never happened.”²⁷⁶

Celeste, Truth Project participant

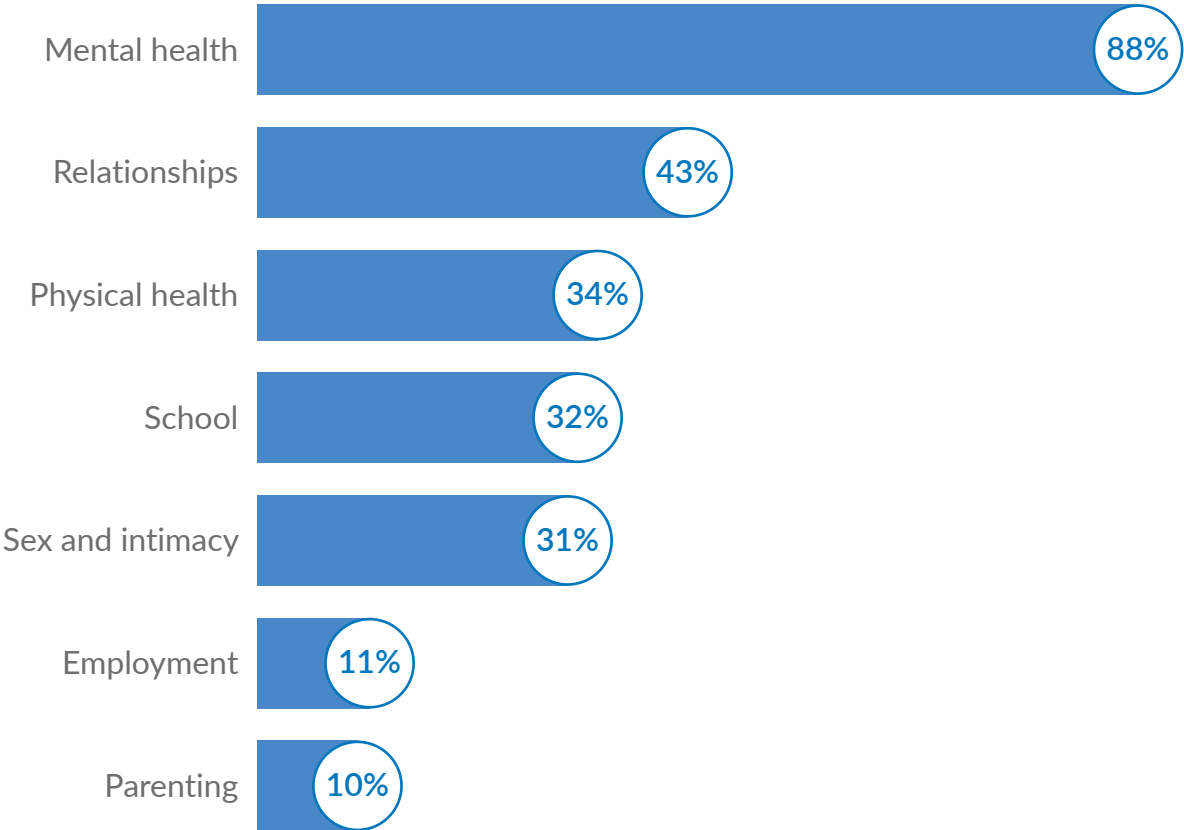


Figure G.1: Proportion of Truth Project participants who reported a specific impact of child sexual abuse

²⁷⁵ Truth Project participants were not asked directly about the impact of child sexual abuse.

²⁷⁶ Celeste

G.2: “I have been affected in different ways, at different times”

2. Victims and survivors described how their experiences of the impact of child sexual abuse changed over time.
3. Some victims and survivors initially repressed their experiences of child sexual abuse. One Truth Project participant said: “*I just buried it deep, deep, deep down*”.²⁷⁷ JA-A1 said that he tried to “*bury the awful memories finding it too shameful*”.²⁷⁸ Attempts to bury child sexual abuse sometimes resulted in harm later in life:

*“I suppose the repression of what had happened manifested a raging, angry, dysfunctional, post-traumatic syndrome-type person. I’m dysfunctional, I’m a wreck; I’m a psychological total nervous wreck.”*²⁷⁹

Truth Project participant

4. In many cases, a significant life event triggered the impact of child sexual abuse to emerge suddenly later in life. Pablo was sexually abused throughout his childhood. He said he suppressed the harm it caused until his wife fell pregnant. At that point, “*life became unbearable*”: he began to experience flashbacks and depression. He struggled with fears that he might sexually abuse his own children.²⁸⁰

5. Some victims and survivors said that the impact of child sexual abuse came and went throughout their lives. Sharon described intermittent periods of self-sabotage, usually occurring after personal achievements. She wanted to “*become [her] potential*”.²⁸¹ Others described significant difficulties earlier in their life, followed by a long period of stability and recovery. Often, these victims and survivors mentioned a single turning point, such as receiving effective treatment for mental health conditions or drug addiction. Dougal committed a criminal offence but the judge did not send him to prison, saying “*I hope you get the help you deserve*”.²⁸² Dougal described this as an important turning point for him; he received rehabilitation treatment for his drug addiction and was progressing on his recovery programme.

G.3: “I rescued myself, that’s who rescued me”

6. Victims and survivors said that coping with the impact of child sexual abuse helped them appreciate their resilience.
7. For some victims and survivors, recovering from the trauma of child sexual abuse created inner strength, “*competence and self-reliance*”.²⁸³ Michelle said: “*my experiences have made me a very strong and independent person – a lot of my life I had to fend for myself*”.²⁸⁴

²⁷⁷ Truth Project Thematic Report: Child sexual abuse in sports, IICSA, June 2020, p54

²⁷⁸ INQ006312_013

²⁷⁹ Truth Project Thematic Report: Child sexual abuse in the context of schools, IICSA, December 2020, p71

²⁸⁰ Pablo

²⁸¹ Sharon

²⁸² Dougal

²⁸³ Leese

²⁸⁴ Michelle

8. A number of victims and survivors emphasised that their experiences of child sexual abuse did not “define” the rest of their life.²⁸⁵ Nita said that “it has had an impact ... it has not defined me”.²⁸⁶ Some described this as a conscious decision. Kaye said: “I will not let the bad experiences of my life define me. But they are a part of what I am ... I am proud of myself for surviving”.²⁸⁷ Vivien reflected on the assumptions people make about victims of sexual abuse:

*“I see myself as a whole person with positive traits ... I’ve got some difficulties and challenges that I’ve been able to process and work through and still live a very functional life ... I don’t want to be seen as somebody dysfunctional or have assumptions made about me.”*²⁸⁸

Vivien, Truth Project participant

9. Some victims and survivors highlighted their positive attitude to life despite experiencing child sexual abuse. Catriona said she was proud to be a positive person.²⁸⁹ Others described the importance of acknowledging past trauma while recognising the positive: “It’s good to try to look at the positive things whilst acknowledging the past hasn’t been great”.²⁹⁰

10. Victims and survivors sometimes felt that their experiences gave them an enhanced sense of empathy. Max said that while he felt angry about being sexually abused, it has made him empathise with children who experience difficulties.²⁹¹ Some described how they have chosen to help other victims and survivors. Victims and survivors commonly said that supporting others in turn assisted their own journey towards recovery. Robert said that supporting children as a family therapist enabled him to turn “something that happened that was awful into something that was ... bringing good”.²⁹²

G.4: “My suffering is invisible to the eye”

11. Many victims and survivors emphasised this sense of resilience in the context of coping with the severely negative impact of child sexual abuse. The vast majority described child sexual abuse as having had a negative impact on their mental health.

“I am traumatised”

12. Many victims and survivors said they were traumatised by child sexual abuse. Olivar described the “traumatic long-term effect” of sexual abuse: “I’ve thought about it for over 50 years”.²⁹³ Twenty percent of Truth Project participants explicitly said that they were experiencing post-traumatic stress disorder.²⁹⁴

²⁸⁵ Jenna

²⁸⁶ Nita

²⁸⁷ Kaye

²⁸⁸ Vivien

²⁸⁹ Catriona

²⁹⁰ Brett

²⁹¹ Max

²⁹² Robert Montagu 27 March 2019 19/18-20/9

²⁹³ Olivar

²⁹⁴ For more information on post-traumatic stress disorder, please refer to: *The impacts of child sexual abuse: A rapid evidence assessment*, IICSA, July 2017, pp62–64

13. The impact of trauma was described to the Inquiry in different ways. Some victims and survivors felt “tormented” by child sexual abuse.²⁹⁵ Laurie said: “hardly a day goes by where I do not think about the events from 58 years ago”.²⁹⁶ Charles also described the lifelong torment of child sexual abuse:

*“It doesn’t go away. So many wonderful things have happened in my life but this is the one I think about. For many years I would try and push it away, but it didn’t stay there, it kept coming forward.”*²⁹⁷

Charles, Truth Project participant

14. Others felt that flashbacks emerged at random times. Pamela said that she was unable to cope when the “torrent” of memories of child sexual abuse came at her.²⁹⁸ Twenty-four percent of Truth Project participants reported experiencing traumatic nightmares, which “haunted” them and had an impact on their ability to sleep.²⁹⁹ RC-A596 said that the priest who sexually abused him “still appears in my nightmares”.³⁰⁰

15. Some victims and survivors described being “triggered” by things that reminded them of being sexually abused as children.³⁰¹ Andres said that he did not feel he “lived a normal life” and that “sometimes things just trigger the awful memories”.³⁰² The school caretaker who sexually abused Vicky carried a large set of keys and “to this day” she hates the sound of rattling keys.³⁰³ RS-A2 said that being sexually abused by her violin teacher “greatly affected” her relationship with music:

*“I’ve not played classical music since leaving there. I find it hard to listen to. I’ve burnt most of my music.”*³⁰⁴

RS-A2, Residential schools investigation

“I am anxious and depressed”

16. Victims and survivors, including 36 percent of Truth Project participants, often said that they had depression following child sexual abuse. Xavier described feeling “misery, bewilderment” after being sexually abused as a child.³⁰⁵ For many people, depression continued into their adult life. Riona said that for most of her life she had been “miserable, depressed”.³⁰⁶ Specifically, many felt a sense of grief over what they lost due to sexual abuse. India said: “I was never able to be nurtured ... I have to grieve for the childhood I never had”.³⁰⁷

17. Victims and survivors also often described experiencing anxiety (33 percent of Truth Project participants). Anxiety was more commonly reported amongst women than men (36 percent and 26 percent of Truth Project participants, respectively). Bledig said that he often experiences a “fight or flight’ feeling”.³⁰⁸ For some, this had an impact on their day-to-day lives:

²⁹⁵ Amber

²⁹⁶ Laurie

²⁹⁷ Charles

²⁹⁸ Pamela

²⁹⁹ Marlin

³⁰⁰ MPS004245_002

³⁰¹ Kelly

³⁰² Andres

³⁰³ Vicky

³⁰⁴ RS-A2 1 October 2019_29/23-24 30/3-5

³⁰⁵ Xavier

³⁰⁶ Riona

³⁰⁷ India

³⁰⁸ Bledig

*"I had anxiety walking down the street. I couldn't, I couldn't open doors for people. Like, I couldn't really function."*³⁰⁹

Truth Project participant

18. Some victims and survivors described feeling on edge and unsafe at all times. Isabel said that, as a child, she went through periods of not washing as she was scared of getting undressed. She would ask her mother to sit in the bathroom with her because she was frightened to be left alone.³¹⁰ Tamzin explained that she feels constantly vigilant, and can not tolerate anyone touching her: *"I can't join in with things in case anyone touches me ... I freak out"*.³¹¹

"I have no idea who I was meant to be"

19. Child sexual abuse often negatively affected victims and survivors' self-esteem, either as children, as adults or throughout their life. A quarter of Truth Project participants reported low self-esteem. A greater proportion of female than male Truth Project participants reported low self-esteem as an impact (28 percent and 21 percent, respectively). Karyn shared that she has lived with a *"crippling lack of self-worth"* most of her life.³¹² Similarly, August said: *"I had a constant feeling I was never going to make anything of myself"*.³¹³ Aparna explained the difficulty she experienced in trying to overcome these feelings:

*"I've tried to build up my self-esteem but it can unravel in seconds. I'm afraid to be truly joyful because I feel tainted – damaged goods."*³¹⁴

Aparna, Truth Project participant

20. Feeling *"damaged"*³¹⁵ or *"contaminated"*³¹⁶ was something that many victims and survivors described. Jade said she felt *"dirty and unclean ... I hated myself"*.³¹⁷ Similarly, Marista said: *"I felt and still feel disgusting ... not worth anything"*.³¹⁸

21. Child sexual abuse sometimes undermined victims and survivors' confidence in who they were. One victim and survivor said: *"my sense of identity's been lost ever since"*.³¹⁹ Clive *"didn't feel like a 'real man'"* as a result of being sexually abused.³²⁰ A small group of victims and survivors said that they had been diagnosed with dissociative identity disorder and that this was connected with being sexually abused as a child.³²¹ Samuel described his experience of dissociation: *"trauma victims dissociate, but you are also on constant alert"*.³²²

22. Others described confusion about their sexuality as a result of being sexually abused. This was much more common amongst men than women (12 percent and 2 percent of Truth Project participants, respectively). Colt felt that child sexual abuse *"twisted"* his sexual

³⁰⁹ *Truth Project Thematic Report: Child sexual abuse in the context of schools*, IICSA, December 2020, p71

³¹⁰ Isabel

³¹¹ Tamzin

³¹² Karyn

³¹³ August

³¹⁴ Aparna

³¹⁵ Lou

³¹⁶ Aiden

³¹⁷ Jade

³¹⁸ Marista

³¹⁹ *"People don't talk about it": Child sexual abuse in ethnic minority communities*, IICSA, June 2020, p79

³²⁰ Clive

³²¹ Dissociative identity disorder (DID) was previously referred to as 'multiple personality disorder'. Someone diagnosed with DID may feel uncertain about their identity and who they are. *Dissociative disorders - NHS*

³²² Samuel

identity.³²³ Having been sexually abused by two men, Iain said that he slept with lots of women to prove his sexual identity.³²⁴ LGBTQ+ victims and survivors frequently described an impact on their sexuality. One member of the Victims and Survivors Forum said: “It took me a while to come out as I attached my child sexual abuse with being gay”.³²⁵ Another Forum member said that it took her “a long time to realise I was a lesbian” because she felt that her “complete lack of sexual connection” with men was related to having been sexually abused as a child.³²⁶ A small group of victims and survivors said that their sexuality was questioned by others:

“When people learn of my experiences of sexual abuse, there has always been a follow-up question ‘Do you think this is why you’re ... a lesbian?’”³²⁷

Member of the Victims and Survivors Forum

23. Those who were sexually abused in a religious organisation sometimes said that they lost their personal faith (including 20 percent of Truth Project participants). Aalia stopped going to the mosque and lost her Islamic faith after she was sexually abused.³²⁸ AN-A11 said that it was “very, very difficult” to be brought up with faith and to have it “shattered” by the men who sexually abused him.³²⁹

“I feel guilty”

24. Victims and survivors often described feeling responsible for having been sexually abused. Twenty-seven percent of Truth Project participants reported feelings of guilt. Bryce said that he felt guilty that he was not “braver” at the time and did not stop the abuse happening to him.³³⁰ Even though Rhonda told someone that she was being sexually abused, she blamed herself for not doing more to stop it: “I feel so guilty about not stopping it. I know I was a child and I didn’t have the responsibility, but I feel guilty”.³³¹

25. Some victims and survivors felt guilty for not telling anyone about the sexual abuse. They worried that other children may have been sexually abused by the same perpetrator and felt that this would somehow be their fault. Siriol said that she carried feelings of guilt that she “let it” happen to her sibling and that she could not protect them from the sexual abuse.³³² Flora said that she was tormented with feelings of guilt, wondering whether the man who sexually abused her had abused other children:

“How many other people did he do it to ... was it just me ... could I have stopped it?”³³³

Flora, Truth Project participant

G.5: “Self-destruct mode”

26. Some victims and survivors described considering or actually harming themselves as children, or later in life.

³²³ Colt

³²⁴ Iain

³²⁵ *Engagement with lesbian, gay, bisexual, transgender and queer/questioning + victims and survivors*, IICSA, May 2022, p12

³²⁶ *Engagement with lesbian, gay, bisexual, transgender and queer/questioning + victims and survivors*, IICSA, May 2022, p19

³²⁷ *Victims and Survivors Forum Consultation on Protected Characteristics: Summary Report*, IICSA, February 2021, p15

³²⁸ Aalia

³²⁹ AN-A11 20 March 2018 82/6-10

³³⁰ Bryce

³³¹ Rhonda

³³² Siriol

³³³ Flora

27. Victims and survivors described some of their actions as children as attempts to “self-destruct”.³³⁴ Danielle described her behaviour after being sexually abused as a child: “I would just self destruct ... I would go off the rails and I didn’t care”.³³⁵ Jorge said he went into “self-destruct mode” after he was sexually abused. He stopped attending school and was kicked out of the family home.³³⁶ Robb said that, after he was sexually abused by his teacher, he “became completely crazy”; he went on a “one-man mission” to sabotage his education and he failed all his exams.³³⁷

28. Many victims and survivors, including 19 percent of Truth Project participants, reported physically self-harming as a result of the child sexual abuse they experienced. This was more commonly reported amongst women than men (21 percent and 13 percent of Truth Project participants, respectively). Alys was sexually abused by her father for many years; as a result, she self-harmed throughout her childhood. She recalled trying to fix the damage to her legs with superglue.³³⁸ For some, self-harming felt like a way to communicate their suffering to others. Others self-harmed to make themselves less attractive:

*“I became obsessed with cutting my legs and my arms. And it was more my face. Because he would constantly say ‘You’re so pretty’ ... I would start scratching and pinching my face and trying to disfigure my face ... Because I thought, if I don’t look pretty, he won’t touch me”.*³³⁹

Truth Project participant

29. Almost a fifth of Truth Project participants said that they had previously attempted suicide.³⁴⁰ Suicide attempts were often related to mental health conditions linked to being sexually abused. One Truth Project participant described themselves as becoming “psychotic” and said: “I was quite determined to kill myself at times”.³⁴¹ Elaine experienced serious mental health problems as a result of being sexually abused and said: “I eternally feel bad”. She has attempted to kill herself on more than one occasion and lost a limb as a result.³⁴²

30. Victims and survivors who attempted to take their own life, self-harm or self-destruct sometimes reflected on the fact that they were still alive now, despite the pain they experienced. Zoya said: “I used to wake up and hope I was dead. Now I wake up and I’m so glad I’m alive”.³⁴³ Angela said she was motivated to participate in the Inquiry’s work because “I am still alive ... I am a survivor ... this is why I am speaking to you”.³⁴⁴

G.6: “It has affected me physically”

31. Child sexual abuse often had an impact on the immediate or long-term physical health of victims and survivors (including 34 percent of Truth Project participants). The most commonly reported physical health concerns were musculoskeletal issues, such as osteoporosis and hypermobility (12 percent of Truth Project participants); neurological

³³⁴ Skye

³³⁵ Danielle

³³⁶ Jorge

³³⁷ Robb

³³⁸ Alys

³³⁹ Truth Project Thematic Report: Child sexual abuse in the context of religious institutions, IICSA, May 2019, p51

³⁴⁰ For comparison, in 2020 MHFA England reported that 6.7 percent of the general population had attempted suicide: *Mental Health Statistics*, MHFA England, October 2020.

³⁴¹ Truth Project Thematic Report: Child sexual abuse in healthcare contexts, IICSA, December 2020, p50

³⁴² Elaine

³⁴³ Zoya

³⁴⁴ Angela

issues, such as migraines, dementia, epilepsy and seizures (10 percent); issues of chronic pain or fatigue, including fibromyalgia (9 percent); and physical injury directly resulting from the child sexual abuse (8 percent).

32. Sexual abuse can cause serious physical harm to children. Some victims and survivors bled from their anus or vagina after being sexually abused. May was anally raped by a male family member which caused her to bleed.³⁴⁵ Others mentioned extreme bruising. One Truth Project participant described looking in the mirror after he had been sexually abused:

*“I could not believe the injuries: the whole of my back from the top was black and blue ... and it dripped blood where the skin had been broken”.*³⁴⁶

Truth Project participant

33. It was very common for child sexual abuse to leave victims and survivors in “*searing pain*”.³⁴⁷ Torze remembered waking up in the middle of the night with a boy on top of her. As he raped her she felt “*extreme pain between her legs*”.³⁴⁸ Eleri was left in pain after her foster father raped her: “*I remember struggling to lie comfortably*”.³⁴⁹ In some cases, injuries sustained during sexual abuse had a long-term impact on physical health. Stephanie said that she was physically damaged by child sexual abuse and as a result intimacy is difficult.³⁵⁰ As an adult, Anne-Maria had to have a hysterectomy due to the injuries she sustained through being raped from a young age.³⁵¹

34. Some girls became pregnant as a result of being raped. This was reported by 6 percent of female Truth Project participants. Some gave birth. LA-A327 recalled how she was “*raped continuously*” at her children’s home and gave birth at the age of 15.³⁵² Female victims and survivors who were physically as well as sexually abused sometimes experienced miscarriages. Danielle became pregnant twice following sexual abuse. She experienced two miscarriages as a result of violence inflicted by the young person who sexually abused her.³⁵³

35. Victims and survivors described how child sexual abuse led to disordered eating patterns. Marcia said that in her early teens she used food as a means of control, fluctuating between undereating and overeating. She wanted to change her physical appearance as she thought having a woman’s body was “*dangerous for her*”.³⁵⁴ LA-A61 said that she uses food “*as a punishment*” and does not eat if she feels she has “*done something wrong*”.³⁵⁵ RS-A345 described the impact on him and his classmates of being secretly filmed by a teacher while showering:

*“He suffered with sort of image problems ... and then I think developed an eating disorder where ... he lost a significant amount of weight in a very short period of time.”*³⁵⁶

RS-A345, Residential schools investigation

³⁴⁵ May

³⁴⁶ Truth Project Thematic Report: Child sexual abuse in the context of schools, IICSA, December 2020, p68

³⁴⁷ Truth Project Thematic Report: Child sexual abuse in healthcare contexts, IICSA, December 2020, p30

³⁴⁸ Torze

³⁴⁹ Eleri

³⁵⁰ Stephanie

³⁵¹ Anne-Maria

³⁵² LA-A327 6 July 2020 44/19-20, 46/2-5, 46/12-16, 49/14-16

³⁵³ Danielle

³⁵⁴ Marcia

³⁵⁵ LA-A61 29 July 2020 87/20-24

³⁵⁶ RS-A345 17 November 2020 30/11-17

G.7: “Drinking and drugs”

36. Many victims and survivors described how they became reliant on alcohol or drugs during or following their experiences of child sexual abuse. Alcohol abuse was more commonly reported amongst male than female Truth Project participants (21 percent and 15 percent, respectively). Drug abuse was also reported more often by male participants (15 percent of male participants compared with 10 percent of female participants).

37. Some victims and survivors were given alcohol and drugs during child sexual abuse. This sometimes led to dependence. Daisy said that she started taking cocaine after being introduced to drugs by a man who “severely” physically and sexually abused her.³⁵⁷ Aged 12, Silas was drugged two or three times a week by a doctor who “put an injection in [his] arm” and sexually abused him.³⁵⁸

38. Victims and survivors occasionally used alcohol and drugs to escape their memories of child sexual abuse. LA-A354 said that when he was 15 he started drinking and taking drugs as he was “really trying to blur out” his childhood.³⁵⁹ Zak said that he began drinking heavily and taking drugs after recollections of child sexual abuse started to return to him.³⁶⁰

G.8: “My education suffered”

39. Victims and survivors commonly stated that their education was significantly disrupted as a result of being sexually abused as a child. Thirty-two percent of Truth Project participants spoke about the impact of child sexual abuse on their education.

40. Some victims and survivors were prevented from attending school or receiving an education. Lyndon did not receive any education for two years while living in a children’s home, where he was being sexually abused. He was 30 when he learned to read and write properly.³⁶¹ Others refused to go to school as it was where they were being sexually abused. Before he was sexually abused, RC-A622 “enjoyed going to school” and had “aspirations of being a vet or naval pilot”.³⁶² However, RC-A622 said “I feared going to school once the abuse started” and he began truanting, stealing and drinking excessively.³⁶³

41. Many victims and survivors felt unable to participate fully at school due to the sexual abuse they were experiencing. Sixteen percent of Truth Project participants reported academic difficulties, with 8 percent reporting leaving school early. One Truth Project participant said that he struggled to concentrate to such an extent that he left school, aged 16, at the same educational grade as he had achieved aged eight.³⁶⁴ For those who were sexually abused at school, this impact was particularly acute. Cassy endured sexual abuse at her private boarding school. By the time she was in her mid-teens, she could no longer continue with her education.³⁶⁵

³⁵⁷ Daisy

³⁵⁸ Silas

³⁵⁹ LA-A354 20 July 2020 21/19

³⁶⁰ Zak

³⁶¹ Lyndon

³⁶² RC-A622 8 February 2019 83/21-84/3

³⁶³ RC-A622 8 February 2019 84/4-9; 84/13-14

³⁶⁴ *Victim and survivor voices from the Truth Project (June 2016–June 2017)*, IICSA, October 2017, p110

³⁶⁵ Cassy

42. Other victims and survivors were successful in their education. Some referenced their experiences of sexual abuse as a motivation to work hard and achieve: they wanted to throw themselves into their education to escape sexual abuse. Faith did well at school and went to university. She described education as *“my saving grace”*.³⁶⁶

G.9: “My employment prospects”

43. Some victims and survivors described having had successful careers, despite the impact of being sexually abused as a child. Others felt that child sexual abuse had negatively affected their employment prospects. Eleven percent of Truth Project participants mentioned the impact that child sexual abuse had had on their employment. More male than female participants discussed an impact on employment (16 percent of males compared with 10 percent of females).

44. Seven percent of Truth Project participants reported a difficulty in maintaining work as a result of child sexual abuse. Four percent said that they were unable to work at all. Disrupted education often affected employment opportunities. LA-A7 explained this lifelong impact of child sexual abuse: *“my education suffered and I didn’t get any qualifications. This then affected my life afterwards and being able to get employment”*.³⁶⁷ One Truth Project participant described how the impact that child sexual abuse had had on his mental health had affected his employment:

*“But the nightmares and the memories were never far away, and I would have to have a year, 18 months, 2 years off of work, had more counselling, a bit of medication, and wind myself down.”*³⁶⁸

Truth Project participant

45. A small number of victims and survivors said that they had a criminal record, which affected their employment prospects. Often this was linked to being sexually abused as a child. Nigel was regularly raped by a group of three adult men from the age of 10. At the time, in the 1960s, homosexual acts between men were illegal. At the age of 14 he was charged with buggery and was convicted. Many years later, the conviction still prevented Nigel from applying for jobs which require a criminal records check. Nigel said that he would like to do voluntary work in his retirement but has not applied for fear of what a records check would reveal.³⁶⁹

G.10: “I don’t know what a healthy relationship looks like”

46. Many victims and survivors felt that being sexually abused as a child had affected their ability to form and maintain relationships. Some felt that they were not able to connect to others. Bryce said that he had never married nor had children *“for the simple reason I couldn’t live with anyone who knew what had happened to me”*.³⁷⁰

³⁶⁶ Faith

³⁶⁷ LA-A7 29 July 2020 140/7-12

³⁶⁸ Truth Project Thematic Report: Child sexual abuse in the context of schools, IICSA, December 2020, p73

³⁶⁹ Nigel

³⁷⁰ Bryce

47. For others, there was an enduring connection between affection and sexual abuse. Gerard said he had difficulties with holding hands³⁷¹ and Laakia said that acts of kindness “confuse her”.³⁷² Ebrah described her sadness that she cannot tolerate affection from men, even from her father, “a wonderful man”.³⁷³

“I became an easy target”

48. Victims and survivors sometimes felt that being sexually abused as a child made them more vulnerable to being sexually abused again later in their childhood. Ashleigh thought that it was a disclosure of previous sexual abuse which made her choirmaster decide to exploit her vulnerability.³⁷⁴ Marcia said: “it was like you had a big sign on your head that said ‘prey’”.³⁷⁵

49. Some victims and survivors said that their romantic relationships as an adult had been consistently abusive. They felt that being sexually abused as a child meant that they were unable to form healthy relationships. Mary-Beth said she feels she has chosen partners who are “controlling and intimidating” as this mirrored her childhood experiences.³⁷⁶ NO-A76 described being unable to understand what a non-abusive relationship would be like:

*“I would say that at no point in my teenage years or early adulthood was any sexual contact I had non-abusive in some way, shape or form. Abusive relationships continued into adulthood as I struggled to even understand what a non-abusive relationship was like”.*³⁷⁷

NO-A76, Children in the care of the Nottinghamshire Councils investigation

“They destroyed any trust I had”

50. The majority of victims and survivors who engaged with the Inquiry were sexually abused by someone they knew and trusted. Victims and survivors repeatedly said that child sexual abuse shattered their ability to trust anyone (37 percent of Truth Project participants). Tanith said that she felt “wary” and that her “trust now is not very easily earned”.³⁷⁸ Others described trust issues in relation to particular groups of people, generally related to the person who sexually abused them. It was most common to hear that victims and survivors struggled to trust men. RS-A1 said that she felt “generally hostile and wary towards males”.³⁷⁹ Angharad described how child sexual abuse led her to believe that “that’s what men were going to do ... abuse me for sex”.³⁸⁰

³⁷¹ Gerard

³⁷² Laakia

³⁷³ Ebrah

³⁷⁴ Ashleigh

³⁷⁵ Marcia

³⁷⁶ Mary-Beth

³⁷⁷ NO-A76 5 October 2018 119/25-120/5

³⁷⁸ Tanith

³⁷⁹ RS-A1 1 October 2019 70/19-20

³⁸⁰ Angharad

“It messed up my relationship with sex”

51. Some victims and survivors felt that being sexually abused led to them being sexually active from a young age. Carolina described her view that she sought out sexual contact as a teenager as a result of the sexual abuse that happened in her early childhood.³⁸¹ Maeve said that she was a hypersexualised young person as a result of experiencing sexual abuse; she “*had pretty much tried everything*” and it all “*just seemed normal*” for her.³⁸²

52. Some victims and survivors developed a strong aversion to sex as a result of child sexual abuse. Thirteen percent of Truth Project participants mentioned an avoidance or phobia of sexual intimacy. Cate said that when she started to develop sexual feelings she was disgusted.³⁸³ Garry said that he developed a phobia about sex and intimacy that makes him afraid to touch anyone.³⁸⁴

53. Some victims and survivors shared that they had had a large number of sexual partners after experiencing child sexual abuse. For some, this was a way of escaping from or managing the impact of child sexual abuse. Others described having a large number of sexual partners as a negative experience, motivated by low self-esteem. Lorna described herself as promiscuous and said she often had sex when she didn’t really want to.³⁸⁵ Jo-ann said that she became promiscuous because “*I felt that’s all I was for*”.³⁸⁶

G.11: “It changed how I parented”

54. It was very common for victims and survivors to reflect on the impact of child sexual abuse on their experiences of parenting or their adult relationships with children. Ten percent of Truth Project participants reported a discomfort or lack of confidence in parenting as a result of being sexually abused.

55. Many victims and survivors said that they were hypervigilant about their children’s safety. Esme shared that she did not allow anyone into her home or to be alone with her children.³⁸⁷ Marc said that he knows he needs to “*balance ... paranoia and overprotection*”.³⁸⁸ Other victims and survivors chose not to have children as a result of being sexually abused as a child. Patrick said he did not have children for fear that they might experience similar abuse.³⁸⁹

56. Some victims and survivors felt that they struggled to parent well. Some described how they struggled to connect with their children. Jimi said he had difficulties bonding with his children,³⁹⁰ while Dean said that hugging his children was difficult as it would trigger memories of his having been sexually abused.³⁹¹

³⁸¹ Carolina

³⁸² Maeve

³⁸³ Cate

³⁸⁴ Garry

³⁸⁵ Lorna

³⁸⁶ Jo-ann

³⁸⁷ Esme

³⁸⁸ Marc

³⁸⁹ Patrick

³⁹⁰ Jimi

³⁹¹ Dean

57. Other victims and survivors felt that their experiences of child sexual abuse meant that they were a better parent. Lilly is proud of herself for “*breaking the chain*” by giving her children consistent and loving parenting.³⁹² Gloria said that she is loving and compassionate, and when she had children vowed she would always protect them and never leave them.³⁹³

³⁹² Lilly
³⁹³ Gloria

Part H

“My experience of support”

“My experience of support”

H.1: Introduction

1. Victims and survivors who participated in the Inquiry’s work often needed support to help them cope with and recover from the impact of being sexually abused as a child. Being able to access the right support at the right time was often described as extremely beneficial. However, many chose not to seek support or found it challenging to find effective support when it was needed. Some victims and survivors felt that this exacerbated and added to the impact of being sexually abused. The majority of experiences described in this Part were recent.

H.2: “I haven’t sought support”

2. Victims and survivors who were able to access effective support when they needed it described this as being “*invaluable*”.³⁹⁴ Despite this, many victims and survivors, including 64 percent of Truth Project participants, said that they had not sought support from others. Fewer male Truth Project participants had sought support than female participants (33 percent and 38 percent, respectively).

3. Some victims and survivors said that they struggled to admit to themselves or to others that they needed support. RS-A299 said that, despite “*severe*” post-traumatic stress disorder symptoms, “*there wasn’t anything in my eyes that needed to be fixed because there wasn’t anything necessarily wrong*”.³⁹⁵

4. Stigma associated with mental health problems influenced some victims and survivors’ decisions not to seek help. Others described feeling that they should not “*make a big fuss*”.³⁹⁶ Fear of speaking about child sexual abuse was another reason that victims and survivors did not feel able to seek help. Kerry said: “*I don’t know if I’m brave enough*” to seek support.³⁹⁷

5. Some victims and survivors reported feeling unable to ask for support due to fear or previous experience of homophobic or racist prejudice. One individual, who is LGBTQ+, said that there was an “*added fear of homophobia*” for them.³⁹⁸ A member of the Victims and Survivors Forum who was racially abused at school said: “*reaching out and asking for help from a country I felt was hostile towards me was almost impossible*”.³⁹⁹

6. Victims and survivors who were sexually abused in the 1940s and 1950s commonly said that they had not sought therapeutic support because they did not believe it would be relevant or useful to them. Fred said that one of the reasons he had not sought support was

³⁹⁴ Warren

³⁹⁵ RS-A299 20 November 2020 26/6, 26/18-20

³⁹⁶ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p62

³⁹⁷ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p65

³⁹⁸ *Engagement with lesbian, gay, bisexual, transgender and queer/questioning + victims and survivors*, IICSA, May 2022, p25

³⁹⁹ *Victims and Survivors Forum Consultation on Protected Characteristics: Summary Report*, IICSA, February 2021, p18

because “I wouldn’t have thought it would be any psychological help to me”.⁴⁰⁰ Overall, older Truth Project participants were less likely to report having sought support than those who grew up in the 1960s onwards (Figure H.1).

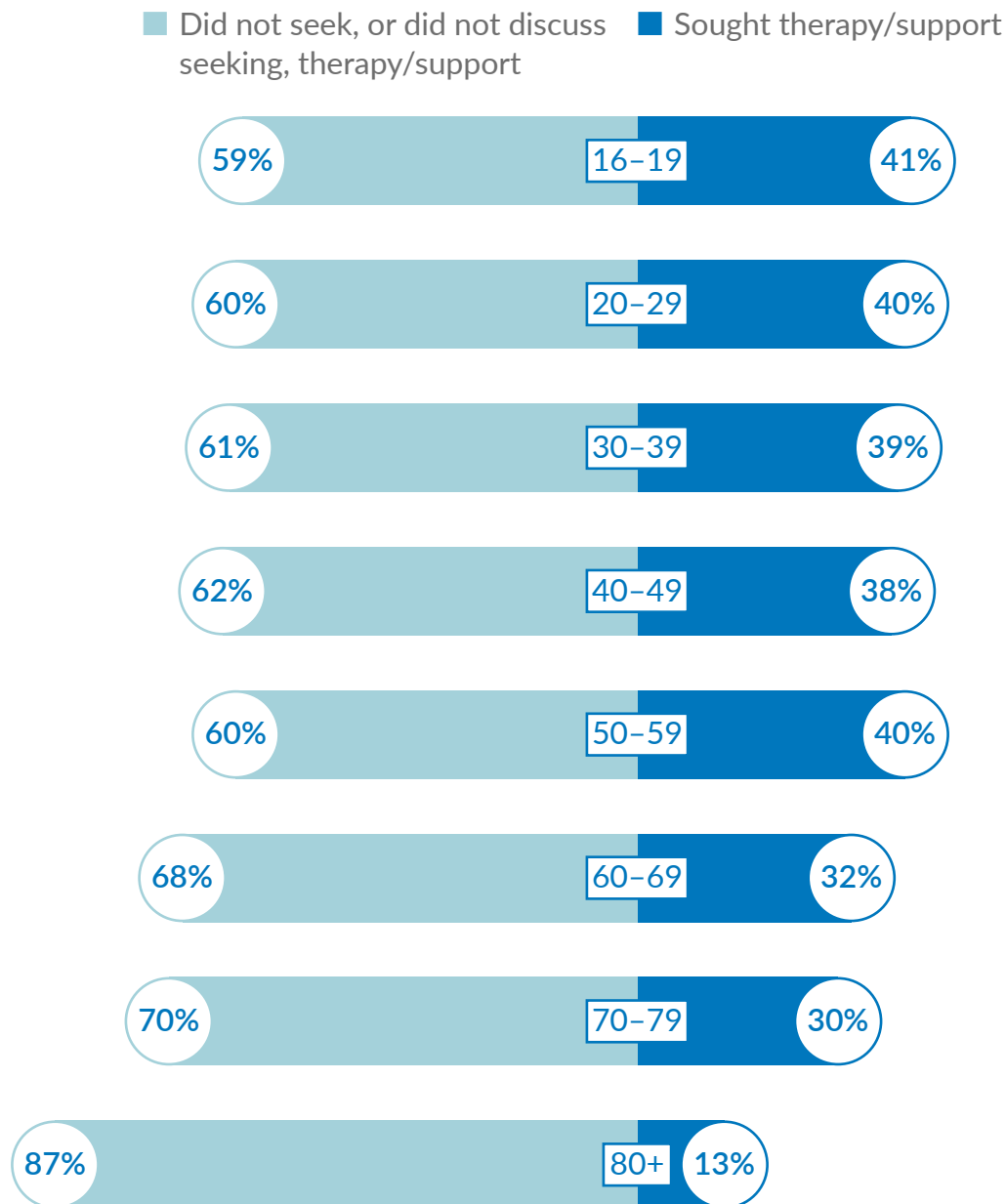


Figure H.1: Proportion of Truth Project participants who reported having sought therapy or support, by participant’s age at the time of their Truth Project session*

* This analysis is based on Truth Project participants who, during their Truth Project session, discussed having sought therapy or support. Truth Project participants were not asked whether they had sought therapy or support. Therefore, it is possible that some participants who did not discuss seeking support may have sought support but chose not to speak about it during their Truth Project session.

⁴⁰⁰ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p61

H.3: “It made a huge, huge difference to me and my life”

7. For many victims and survivors, effective support at the right time had a significant positive impact. Some felt that therapy was the “*best thing*”⁴⁰¹ they’d ever done or remarked that they did not believe they would be alive without the support of services.⁴⁰² Edna felt that “*getting in early*” with “*immediate help*” was critical.⁴⁰³

8. Often victims and survivors’ sense of well-being improved as a result of effective support. For Alun, therapy “*turned everything around*”.⁴⁰⁴ Ronan said that he had tried to take his own life but that counselling helped him process his feelings about experiencing child sexual abuse. He was still using the coping strategies he learnt in therapy to manage the impact of the sexual abuse.⁴⁰⁵ Eric felt that counselling positively changed his world view:

*“So many people just think the world is a nasty place. I used to believe that when I was younger but I don’t believe that any more.”*⁴⁰⁶

Eric, Truth Project participant

9. Other victims and survivors spoke about the positive impacts of specialist support. Some said that support empowered them to release misplaced feelings of guilt about being sexually abused as a child. John said: “*I always blamed myself ... they made me realise that I was a child and wasn’t in control*”.⁴⁰⁷ Victims and survivors who had positive experiences of support services also described reductions in trauma symptoms. Nic said: “*My hyper-vigilance, which used to be a very strong sense, is hugely reduced. Generally, I sleep better. I am more relaxed. I’m not as twitchy*”.⁴⁰⁸

10. Victims and survivors said that accessing support helped them to better understand what happened to them as children and the impact of child sexual abuse. Jemma saw a specialist who explained how trauma can affect the body. This helped her understand why she felt the way she did and made her feel “*more in control again*”.⁴⁰⁹ Daisy had therapy from a specialist sexual violence and abuse organisation. Although at first she was unable to speak because “*it felt bleak, grey, dark*”, gradually the support helped her to piece together the timeline of the sexual abuse she experienced.⁴¹⁰ Accessing support also taught victims and survivors how to cope with the impact of sexual abuse. One Forum member said support was necessary to help them “*work through [their] buried feelings and trauma*” so they were strong enough to “*face the truth and take control*”.⁴¹¹ Another Forum member said that support enabled them to “*go on to the next step*”.⁴¹²

H.4: “Their sensitivity and empathy”

11. Some victims and survivors reflected on the features of support services which helped them to cope with the impact of child sexual abuse.

⁴⁰¹ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p32

⁴⁰² *Victims and Survivors Forum Consultation on Redress: Summary Report*, IICSA, October 2020, p14

⁴⁰³ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p39

⁴⁰⁴ Alun

⁴⁰⁵ Ronan

⁴⁰⁶ Eric

⁴⁰⁷ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p50

⁴⁰⁸ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p51

⁴⁰⁹ Jemma

⁴¹⁰ Daisy

⁴¹¹ *Victims and Survivors Forum Consultation on Redress: Summary Report*, IICSA, October 2020, p14

⁴¹² *Victims and Survivors Forum Consultation on Redress: Summary Report*, IICSA, October 2020, p14

12. The value of specialist help from professionals who “*have been trained ... in sexual abuse*” was often mentioned.⁴¹³ Jessie described a positive experience of being supported by a specialist sexual abuse support charity. The staff were well trained and focussed on helping her to cope and move forward.⁴¹⁴

13. Often victims and survivors said that counselling allowed them to share their experiences of child sexual abuse in a safe way with a non-judgemental individual. NO-A51 said that counselling allowed him to work with a “*person who is not going to judge me for the things that have happened to me*”.⁴¹⁵

14. Others described how being taken seriously and being shown empathy supported their recovery journey. Olivia said that for her the most important thing was “*making the person feel believed. Being sympathetic and allowing them the time to open up*”.⁴¹⁶ Child victims and survivors also said that support services that accepted and believed them helped them feel less isolated.⁴¹⁷

15. Some victims and survivors had positive experiences of support groups. A sense of solidarity was commonly described as an important aspect of this form of support. Laura attended a course with other victims and survivors; she felt that it is “*best to be in a group where people understand you completely*”.⁴¹⁸ Another victim and survivor, who set up a group for people from “*different BME communities*”, said: “*Peer empowerment is so important. We’re able to come together once a month, and able to empower and encourage each other*”.⁴¹⁹ A number of male victims and survivors felt that connecting with other men who were sexually abused as children helped them:

*“To describe to a group of other men ... and see them hear that in a very accepting and non-judgemental way, was probably one of the most powerful experiences of my life.”*⁴²⁰
Nic, Support services for victims and survivors of child sexual abuse research participant

H.5: “I just wanted some support – I had nothing”

16. Getting access to the right help was likened to a “*nightmare merry-go-round*” for many victims and survivors of child sexual abuse.⁴²¹ Confusion about access routes and referral processes was mentioned frequently. Victims and survivors remembered how, as children, professionals themselves did not know how to get them help. Some also described a “*fight*” to access services as an adult:

*“The impression that I got was that there were some resources out there but you had to [be] prepared to fight tooth and nail for them. And for a person who is actually genuinely and consistently struggling, that’s nearly impossible to get to.”*⁴²²
Truth Project participant

⁴¹³ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p66

⁴¹⁴ Jessie

⁴¹⁵ NO-A51 4 October 2018 40/5-7

⁴¹⁶ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p49

⁴¹⁷ *Engagement with children and young people*, IICSA, June 2021, p18

⁴¹⁸ Laura

⁴¹⁹ “*People don’t talk about it*”: *Child sexual abuse in ethnic minority communities*, IICSA, June 2020, p89

⁴²⁰ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p38

⁴²¹ *Victims and Survivors Forum Consultation on Redress: Summary Report*, IICSA, October 2020, p14

⁴²² *Truth Project Thematic Report: Child sexual abuse in sports*, IICSA, June 2020, p65

17. Some victims and survivors, including children, said that they were turned away from statutory support services because they did not qualify for help. Often victims and survivors said that services would not provide support unless they met certain criteria. One Forum member said that they felt:

*“One needs to be at the point of wanting to end one’s life before there can be a meaningful intervention from mental health services.”*⁴²³

Member of the Victims and Survivors Forum

18. It was particularly common to hear that children who had been sexually abused did not meet the criteria for statutory mental health support. Children also felt that, in effect, they had to be suicidal or thinking of harming themselves to receive help. One young victim and survivor described the desperation that this generated: *“I was thinking about cutting myself or jumping out of a window to get any help”*.⁴²⁴

19. When victims and survivors did qualify for support services, they often faced a long wait before they could access that support. It was common to hear that victims and survivors waited for months, but some waited much longer: AR-A13 was on a waiting list for three years to receive counselling.⁴²⁵ Accessing support was described as a ‘postcode lottery’ for both child and adult victims and survivors. One young victim and survivor said that she had had to travel a long way from home for counselling, which increased her distress.⁴²⁶

20. Being unable to access support when it was needed left many in emotional distress. Susan was *“desperate”* when she sought help but *“the NHS wait was too long”* so instead her GP signposted her towards a private counsellor.⁴²⁷ Ruth described how she *“felt almost at boiling point”* but still had to wait months to be referred for counselling. When support came, she felt it was *“too little, too late”*.⁴²⁸ Others were never able to access help. Edna said: *“I was waiting and waiting and waiting ... I just got lost off the system ... I didn’t try again”*.⁴²⁹

21. Some victims and survivors said that they struggled to access support services because they were not accessible for those with disabilities. Carolina, who is deaf, said that there was inadequate provision of support services for deaf children who have been sexually abused.⁴³⁰ Victims and survivors with physical disabilities sometimes said they experienced difficulties when trying to access specialist voluntary sector services.

H.6: “It didn’t work for me”

22. Some victims and survivors found the services they accessed ineffective. In particular, the amount of support offered was often inadequate. Many described limits being placed on the number of therapy sessions available to them. Some victims and survivors said that this created pressure and did not enable them to build trust with the person providing support.

⁴²³ *Engagement with lesbian, gay, bisexual, transgender and queer/questioning + victims and survivors*, IICSA, May 2022, p37

⁴²⁴ *Engagement with children and young people*, IICSA, June 2021, p19

⁴²⁵ AR-A13 30 November 2018 65/21-23

⁴²⁶ *Engagement with children and young people*, IICSA, June 2021, p18

⁴²⁷ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p58

⁴²⁸ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p58

⁴²⁹ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p58

⁴³⁰ Carolina

One victim and survivor described how the professional who supported them “*just wanted to do the prescribed six sessions*” and “*move on*”.⁴³¹ Another said that the length of their support sessions was too short and as a result accessing support felt like “*a waste of time really*”.⁴³²

23. Victims and survivors described how positive experiences of support were undermined by an insufficient number of sessions. One victim and survivor spoke about meeting a “*very, very good*” counsellor who “*helped a lot*”.⁴³³ However, they were only able to offer stints of six to eight weeks: “*I wish there could have been more but I understand that resources were very limited*”.⁴³⁴ Edna described how the number of sessions she was offered was not enough time to trust someone or “*scratch the surface*”.⁴³⁵

24. Many victims and survivors said that they struggled to find services equipped with the specialist understanding to meet their needs. Some were turned away from services because counsellors did not have the “*necessary tools*”⁴³⁶ or felt psychologists were not “*adequately qualified*” to support victims and survivors of child sexual abuse.⁴³⁷ One Forum member described being stuck between providers:

*“My mental health difficulties put me in a catch-22. Child sexual abuse support organisations won’t support me because of that, and mental health support organisations won’t support me because of my child sexual abuse history.”*⁴³⁸
Member of the Victims and Survivors Forum

25. Often victims and survivors wanted to access support services that were tailored. Women frequently said that they only wanted to speak to a female counsellor. Tynna described her disappointment at being allocated a male counsellor; she had such difficulty relating to him that she cancelled her support sessions.⁴³⁹ Victims and survivors from minority ethnic groups described being reluctant to use support services which “*do not look like yourselves*” as “*they will not be culturally aware of what’s going on for you, or they may not be able to comprehend*”.⁴⁴⁰ LGBTQ+ victims and survivors often said that they found it difficult to find support services which “*show loudly and clearly that they are open and welcoming and understanding of LGBTQ+ people and their experiences*”.⁴⁴¹

26. Even where specialist services were available, victims and survivors often felt that provision was in short supply. As an adult, Robert provided a counselling service for male survivors. However, when he decided to seek support for the child sexual abuse that he had experienced, the police referred him to the service that he himself ran, as it was the only provider of appropriate support available. This made Robert feel like taking his own life.⁴⁴²

⁴³¹ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p5

⁴³² *Victim and survivor voices from the Truth Project (June 2016–June 2017)*, IICSA, October 2017, p132

⁴³³ *Truth Project Thematic Report: Child sexual abuse in sports*, IICSA, June 2020, p65

⁴³⁴ *Truth Project Thematic Report: Child sexual abuse in sports*, IICSA, June 2020, p65

⁴³⁵ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p39

⁴³⁶ INQ003826_004

⁴³⁷ INQ003826_003

⁴³⁸ *Victims and Survivors Forum Consultation on Protected Characteristics: Summary Report*, IICSA, February 2021, p17

⁴³⁹ Tynna

⁴⁴⁰ “*People don’t talk about it*”: *Child sexual abuse in ethnic minority communities*, IICSA, June 2020, p85

⁴⁴¹ *Engagement with lesbian, gay, bisexual, transgender and queer/questioning + victims and survivors*, IICSA, May 2022, p37

⁴⁴² INQ003826_001

Part I

**“I want acknowledgement
and accountability”**

“I want acknowledgement and accountability”

I.1: Introduction

1. Victims and survivors often felt a strong need for the child sexual abuse to be acknowledged and for someone to be held accountable.
2. Despite this, a considerable number of victims and survivors said that they had never sought any form of acknowledgement or accountability. Some did not know how. Many worried that it would be a traumatic experience without any meaningful benefit. Indeed, those who had negative experiences of seeking acknowledgement or accountability often said that they felt there was “no point” reporting child sexual abuse:⁴⁴³

“I have no faith in the system or that justice will be done. It would have been much better if the council had said, ‘We are listening’ without judging me and then conducted a proper investigation without a fight.”⁴⁴⁴

L25, Children in the care of the Nottinghamshire Councils investigation

3. This Part describes a combination of recent and non-recent experiences. It was more common for positive experiences to be recent. However, the themes that emerged from negative experiences were similar, irrespective of the time period in which they happened.

I.2: “I wanted accountability and justice”

4. An acknowledgement that child sexual abuse had occurred was important to many victims and survivors. One member of the Victims and Survivors Forum said that “*first and foremost*” they wanted “*an acknowledgement that it did happen and that it shouldn’t have been allowed to happen*”.⁴⁴⁵ Some victims and survivors specifically wanted access to their childhood records as a form of acknowledgement. Without this, they felt “*a lack of closure ... a feeling of perpetual childhood*”.⁴⁴⁶
5. Many victims and survivors said that they wanted to receive an apology for the sexual abuse they experienced. Jason said: “*I just want someone to say sorry*”.⁴⁴⁷ RS-A299 described the value of an apology: “*it’s the acknowledgement of, ‘Yes, there was wrongdoing ... and we do take even an emblem of responsibility’*”.⁴⁴⁸

⁴⁴³ Ashleigh

⁴⁴⁴ L25 26 October 2018 41/6-10

⁴⁴⁵ *Victims and Survivors Forum Consultation on Redress: Summary Report*, IICSA, October 2020, p13

⁴⁴⁶ *Victims and Survivors Forum Consultation on Accessing Records: Summary Report*, IICSA, March 2020, p8

⁴⁴⁷ Jason

⁴⁴⁸ RS-A299 20 November 2020 31/17-20

6. Some victims and survivors described a strong desire for formal accountability, including through the criminal justice system. One Truth Project participant said simply: *“I want justice ... I want justice. I want justice.”*⁴⁴⁹ Three percent of Truth Project participants who disclosed child sexual abuse at the time said that their disclosure eventually resulted in the perpetrator being convicted.

7. Victims and survivors reported mixed feelings about financial compensation. For some, it was the only way to recognise the *“spectacular financial loss(es)”* associated with child sexual abuse.⁴⁵⁰ For others, it felt like *“blood money”*.⁴⁵¹ Indira said: *“I just want an apology, I don’t want compensation.”*⁴⁵² Seven percent of Truth Project participants who had previously disclosed child sexual abuse said that they had sought financial compensation.

I.3: “I have been let down by everyone and everything”

8. Victims and survivors who tried to seek acknowledgement and accountability often felt let down by institutions. Hussain said that he was told he was *“tarnishing the reputation of the Muslim religion”* and described feeling *“let down”* by Muslim authority figures *“who have authority to deal with this”* but prevented him from speaking out about being sexually abused as a child.⁴⁵³ Many described such experiences as mirroring what happened to them as children:

*“I have completely lost faith in the police and I regret trying to do things the right way. I have been completely let down. I feel badly let down by the social care system. I was sexually abused by those who were supposed to be caring for me.”*⁴⁵⁴

P13, Children in the care of the Nottinghamshire Councils investigation

9. Victims and survivors who felt let down commonly described institutions failing to take action when they sought acknowledgement or accountability. It seemed to some that institutions were not interested in understanding or acknowledging their experiences. Alice felt let down by both the police and the institution in which she was sexually abused: *“we’ve not had justice and we’ve been treated with such disdain ... there is no recognition that we’ve been failed”*.⁴⁵⁵ Even though the children’s home manager who sexually abused Bryce was convicted, the responsible local authority never apologised:

*“I never got an apology from social services for everything they put me through ... for placing me into a community where people are meant to look after you, not harm you but look after you, and that is a failure on both counts.”*⁴⁵⁶

Bryce, Truth Project participant

10. A number of victims and survivors talked about the police not taking formal action after they reported child sexual abuse. For some, this was because the perpetrator had died before the report was made. For other victims and survivors, the perpetrator died while the case was progressing through the criminal justice system. Donovan said it was a *“punch in the gut”* when the man who sexually abused him died before the case reached court.⁴⁵⁷

⁴⁴⁹ *Truth Project Thematic Report: Child sexual abuse in the context of schools*, IICSA, December 2020, p64

⁴⁵⁰ *Victims and Survivors Forum Consultation on Redress: Summary Report*, IICSA, October 2020, p14

⁴⁵¹ *Victims and Survivors Forum Consultation on Redress: Summary Report*, IICSA, October 2020, p8

⁴⁵² Indira

⁴⁵³ Hussain

⁴⁵⁴ P13 26 October 2018 59/6-10

⁴⁵⁵ Alice

⁴⁵⁶ Bryce

⁴⁵⁷ Donovan

11. Some victims and survivors said that the police did not take action because they thought there was not enough evidence to support the allegation. RO-A9 was told by a police officer that there was “*no evidence, ... nothing they could do*” when he reported that he had been sexually abused.⁴⁵⁸ Bernard recently reported to the police that he was sexually abused in the 1960s. He described the first police officer he saw as “*completely uninterested ... saying it was all too long ago*” for action to be taken.⁴⁵⁹

12. A number of victims and survivors said that no explanation was provided about why the police did not take action. This often left them feeling confused and frustrated. Estelle said that she reported her experiences of sexual abuse to the police twice but, on both occasions, no action was taken. She told the police that she was concerned the perpetrator could be abusing other children. The officer replied: “*oh well they all say that*”.⁴⁶⁰ Ada was sexually abused by a police officer in the 2010s. The police carried out an internal investigation but warned Ada not to take the case to court because her name would probably be made public.⁴⁶¹

13. Other victims and survivors described initial positive interactions with the police but found that progress towards accountability through the criminal justice system stalled later on. Monique said that on two separate occasions, first as a child and later as an adult, the police officers to whom she reported made it clear that they believed she was sexually abused. However, on both occasions, the Crown Prosecution Service decided not to proceed with the case. Monique found this very upsetting and difficult to understand.⁴⁶² Beverley said that she was devastated by the Crown Prosecution Service’s decision not to proceed with the case. She felt the perpetrator “*had got away with it ... he had won*”.⁴⁶³

14. Some victims and survivors lost faith in those in positions of authority as a result of being let down when they sought acknowledgement and accountability. One Forum member described that being refused access to their childhood medical records “*has led to mistrust in health professionals and ... [an] inability to access healthcare services when needed*”.⁴⁶⁴ Feelings of regret were common amongst victims and survivors who felt that they had been let down. One child victim and survivor said:

*“Now I regret having gone to the police. If I had to give advice to someone, I would say, ‘get help but don’t report’.”*⁴⁶⁵

Engagement with children and young people participant

I.4: “I was not taken seriously”

15. Many victims and survivors said that their experiences of child sexual abuse were not treated seriously when they sought acknowledgement or accountability. Some victims and survivors felt the severity and impact of child sexual abuse was minimised. One Forum

⁴⁵⁸ RO-A9 17 October 2017 15/5-6

⁴⁵⁹ Bernard

⁴⁶⁰ Estelle

⁴⁶¹ Ada

⁴⁶² Monique

⁴⁶³ Beverley

⁴⁶⁴ *Victims and Survivors Forum Consultation on Accessing Records: Summary Report*, IICSA, March 2020, p11

⁴⁶⁵ *Engagement with children and young people*, IICSA, June 2021, p22

member said that a police officer dismissed their experience of sexual abuse as “*dormitory tomfoolery*”.⁴⁶⁶ Lexi told the police that she had been raped and sexually assaulted by a group of boys but was told that this was just young people “*experimenting*”.⁴⁶⁷

16. Victims and survivors stressed how invalidating it was when institutions refused to take their experiences of child sexual abuse seriously. Evin said that, even though the person who sexually abused him was convicted, the institution would only say that Evin “*may*” have been sexually abused. He found this response “*incredible*” and it made him very angry.⁴⁶⁸ Some victims and survivors felt that not being taken seriously as an adult mirrored the response they received when they disclosed sexual abuse as a child. Silas said: “*I was a kid then. Who would believe a kid ... 53 years on, still trying to get someone to believe me*”.⁴⁶⁹

17. When victims and survivors’ experiences were taken seriously, this was often a significant step in their journey to recovery. AR-A87 described being happy that he had been believed, even though his civil claim was ultimately denied:

*“I was happy because the judge himself turned around and said in court that he believed every word that I had said. To me ... it was a small win on my behalf because the judge himself believed me.”*⁴⁷⁰

AR-A87, Accountability and reparations investigation

18. Victims and survivors also described how the responses they received from institutions downplayed their experiences of child sexual abuse. One Forum member recalled being told that the institution in which they were sexually abused as a child considered that they had “*consented*” to the sexual abuse.⁴⁷¹

19. Some victims and survivors felt that perpetrators were given sentences that did not recognise the seriousness of child sexual abuse. Ben said that in the early 2000s a judge gave the man who sexually abused him a fine and not a custodial sentence. Ben remembered thinking “*I’ve had bigger parking fines*”.⁴⁷² The man who raped Isobel was given a one-year suspended sentence and 200 hours of community service. She said: “*I could have screamed. There was no recognition from the court: ‘You did wrong. You’ve impacted on the rest of her life’*”.⁴⁷³ Fenella felt that such experiences were commonplace: “*Even if there’s a successful conviction the penalty is minimal. And this affects the victim’s trust in the ... justice system*”.⁴⁷⁴

20. Other victims and survivors felt that the financial compensation they received did not reflect the seriousness of their experiences. Forty-one percent of Truth Project participants who had sought and received compensation said that they were satisfied with it. One Forum member said that the amount of financial compensation they received was calculated on the basis that the damage was “*non permanent*”:

⁴⁶⁶ *Victims and Survivors Forum Consultation on the Criminal Justice System: Summary Report*, IICSA, May 2019, p3

⁴⁶⁷ Lexi

⁴⁶⁸ Evin

⁴⁶⁹ Silas

⁴⁷⁰ AR-A87 5 December 2018 110/23-111/3

⁴⁷¹ *Victims and Survivors Forum Consultation on Redress: Summary Report*, IICSA, October 2020, p9

⁴⁷² Ben

⁴⁷³ Isobel

⁴⁷⁴ Fenella

*"I was so angry ... how could they say it wasn't permanent? I was 45 years old. I had been suffering with depression all my life. How could they possibly know it wasn't permanent? I was furious. Not only did he steal my childhood but he stole my future".*⁴⁷⁵

Member of the Victims and Survivors Forum

I.5: "I was forgotten about"

21. Victims and survivors frequently described how they felt marginalised and sidelined while seeking acknowledgement or accountability. June said that she felt "dismissed" after reporting child sexual abuse to the police.⁴⁷⁶ RC-A61 said that he felt "completely irrelevant" to criminal proceedings.⁴⁷⁷

22. Some victims and survivors felt sidelined by the communications they received from institutions. Alexandria described never being updated on the progress of the police investigation into her allegations of child sexual abuse. This triggered traumatic memories.⁴⁷⁸ NO-A49 first requested his social care records in 2015, when he was just 20 years old. He described his frustration at the delays and denials he encountered: "after two and a half years of waiting for records, you lose faith".⁴⁷⁹

23. Other victims and survivors felt that the interests of the person who sexually abused them were prioritised. Pauly felt that the police put a lot of effort into accommodating the man who sexually abused him, but did not give the same consideration to him.⁴⁸⁰ Many Forum members shared the view that perpetrators often had the "upper hand" in criminal justice processes.⁴⁸¹

24. Some victims and survivors felt marginalised due to discriminatory attitudes or treatment. One Truth Project participant thought he was viewed as "unworthy" or "unreliable" because he was a child in care.⁴⁸² Many victims and survivors who disclosed sexual abuse as children said that they felt excluded from subsequent processes due to their age. RS-A7 felt that the Crown Prosecution Service should have engaged with him as a child: "I had my own mind and my own thoughts".⁴⁸³ Aeson is Deaf. Although a sign language interpreter was provided when he gave evidence during criminal proceedings, this was not provided for the remainder of the trial. As a result, he was not able to hear the rest of the proceedings, including the verdict: "having no interpreter to impart this information made me very emotional".⁴⁸⁴

I.6: "I was treated with such disdain"

25. Victims and survivors often described experiencing a lack of care, sensitivity or empathy. Eliza was sexually abused as a child in the 1990s and reported the abuse shortly after it ended. She said that the police responded by saying that she could destroy someone's reputation by making such allegations.⁴⁸⁵ Meghan was sexually abused as a

⁴⁷⁵ *Victims and Survivors Forum Consultation on Redress: Summary Report*, IICSA, October 2020, p8

⁴⁷⁶ June

⁴⁷⁷ RC-A61 29 November 2017 63/19

⁴⁷⁸ Alexandria

⁴⁷⁹ NO-A49 5 October 2018 77/8-9

⁴⁸⁰ Pauly

⁴⁸¹ *Victims and Survivors Forum Consultation on the Criminal Justice System: Summary Report*, IICSA, May 2019, p12

⁴⁸² *Truth Project Thematic Report: Child sexual abuse in custodial institutions*, IICSA, April 2020, p49

⁴⁸³ RS-A7 9 October 2019 70/18

⁴⁸⁴ Aeson

⁴⁸⁵ Eliza

child in the 2010s. She said that when she reported the abuse to the police, they began the interview by telling her that she could ruin the perpetrator’s life.⁴⁸⁶ P4 described her interactions with the police after she reported child sexual abuse in 2017:

*“I believe that the police treated me appallingly when I reported the abuse. ... When I was interviewed, I felt like they didn’t believe me and then they just texted me to say they were closing the investigation. They offered me no compassion or sensitivity.”*⁴⁸⁷

P4, Children in the care of the Nottinghamshire Councils investigation

26. Some victims and survivors said that they were insulted by institutions when they sought acknowledgement and accountability. One child victim and survivor said that a police officer referred to her as a “*little bitch*”.⁴⁸⁸

27. Victims and survivors also described the process of seeking acknowledgement and accountability as intrusive. Many felt that they were the subject of investigation rather than the perpetrator. RO-A117 said that her life was “*ripped open*” as the police investigated “*everything*” about her: “*there was no part of my life that wasn’t investigated, which was devastating*”.⁴⁸⁹ A number of Forum members felt that they were still recovering from the invasive nature of the investigation years after it had concluded.⁴⁹⁰

28. Giving evidence about child sexual abuse was often described as very challenging. Some victims and survivors said that police officers did not appear to understand the impact of reliving traumatic events, and how this might affect their participation in the investigation process.⁴⁹¹ Others highlighted the impact of repeatedly recounting their experience of child sexual abuse. LA-A7 recalled feeling forced to “*relive events that I had tried to forget*”.⁴⁹² AR-A87 described how going through multiple civil trials was “*very, very difficult ... it nearly split me and my wife up*”.⁴⁹³

29. Many victims and survivors spoke about how emotionally difficult it was to be cross-examined about their allegations in court. In 2019, CS-A12 gave evidence in a criminal trial. She described the defence barrister referring to sexist stereotypes during cross-examination: “*I was accused of being a slag ... I was told, like, it was all my fault ... I was literally torn apart on that stand*”.⁴⁹⁴ Some victims and survivors said that they were re-traumatised by the court process. Daisy said she now has “*nightmares about that day in the court. Rather than putting it right it was just another time I was traumatised*”.⁴⁹⁵

30. Victims and survivors who gave evidence in court as children described similar experiences. Numerous child victims and survivors said being cross-examined was very difficult. One Truth Project participant who was under the age of 13 when he gave evidence in court described his experience as “*traumatic*”.⁴⁹⁶ The defence persistently tried to discredit him:

⁴⁸⁶ Meghan

⁴⁸⁷ P4 4 October 2018 161/25-162/5

⁴⁸⁸ *Engagement with children and young people*, IICSA, June 2021, p21

⁴⁸⁹ RO-A117 6 December 2017 43/10-12

⁴⁹⁰ *Victims and Survivors Forum Consultation on the Criminal Justice System: Summary Report*, IICSA, May 2019, p5

⁴⁹¹ *Victims and Survivors Forum Consultation on the Criminal Justice System: Summary Report*, IICSA, May 2019, p5

⁴⁹² LA-A7 29 July 2020 139/19-21

⁴⁹³ AR-A87 5 December 2018 113/2-6

⁴⁹⁴ CS-A12 22 September 2020 50/1-4

⁴⁹⁵ Daisy

⁴⁹⁶ *Truth Project Thematic Report: Child sexual abuse in sports*, IICSA, June 2020, p49

*“the line of questioning that the defence took was that [the perpetrator] was just somebody who ... actually cared for me and was trying to do a good thing”.*⁴⁹⁷

Truth Project participant

31. Victims and survivors often felt that the processes involved in seeking acknowledgement and accountability meant that they needed therapeutic support. However, many said that they were not offered or referred to formal support services. Roberta said that as a child she was not offered any support during or after the criminal trial at which she gave evidence: *“when you don’t have the support at 12 years old it has knock-on effects”*.⁴⁹⁸ Annalise described a similar absence of support when she gave evidence as an adult. As a result, she wished she had been murdered instead of sexually abused, *“it would have been a lot easier and less painful”*.⁴⁹⁹

1.7: “It took so long”

32. Victims and survivors often felt that the processes they went through to seek acknowledgement and accountability were long and drawn out. Angelina said that it was three years before the criminal trial of the man who sexually abused her began.⁵⁰⁰ Young victims and survivors described similar experiences. During the Inquiry’s engagement with children and young people, one child said: *“I was just waiting and waiting. It took months. I didn’t know what was going on”*.⁵⁰¹ In particular, victims and survivors who attempted to view their childhood records described the process as long and complex. This had an impact on their ability to seek justice or compensation.⁵⁰² Kirsty endured a three-year wait to access her social services records.⁵⁰³

33. Delays caused considerable frustration and distress. One Forum member said that their pursuit of redress from the institution in which they were sexually abused had *“lasted years”* and *“has been a time of hypervigilance and anxiety on an almost daily basis”*.⁵⁰⁴ Some victims and survivors regretted reporting child sexual abuse because of the protracted process that followed:

*“I think if I had my time again, I would not have come forward, the reason for that being is the amount of time that it took for these court procedures to take place. It took approximately 12 to 13 years of my life away ... the only people that actually benefited from this particular trial was actually the lawyers.”*⁵⁰⁵

AR-A36, Accountability and reparations investigation

34. Victims and survivors were often disappointed when, after a long and complex process, they did not get the acknowledgement or accountability they had sought. One Forum member felt they were *“lost in a roundabout of systems, poking in the dark”* after trying to access their childhood records.⁵⁰⁶ Many described how they felt when perpetrators were found not guilty in a criminal court. Ailish became *“angry beyond belief”* during criminal proceedings in which she was asked to describe an intimate feature of her sexual abuser,

⁴⁹⁷ Truth Project Thematic Report: Child sexual abuse in sports, IICSA, June 2020, p49

⁴⁹⁸ Roberta

⁴⁹⁹ Annalise

⁵⁰⁰ Angelina

⁵⁰¹ Engagement with children and young people, IICSA, June 2021, p21

⁵⁰² Truth Project Thematic Report: Child sexual abuse in custodial institutions, IICSA, April 2020, p7

⁵⁰³ Kirsty

⁵⁰⁴ Victims and Survivors Forum Consultation on Redress: Summary Report, IICSA, October 2020, p9

⁵⁰⁵ AR-A36 5 December 2018 120/12-21

⁵⁰⁶ Victims and Survivors Forum Consultation on Accessing Records: Summary Report, IICSA, March 2020, p5

only for her evidence to then be discredited.⁵⁰⁷ The perpetrator was eventually found not guilty. Ailish said that the trial made her feel that no one cared about her and that she went through the difficulty for nothing. One Truth Project participant said: “*The not guilty verdict was a huge blow. I remember just crying, you feel like it was completely wasted pain*”.⁵⁰⁸

⁵⁰⁷ Ailish

⁵⁰⁸ Truth Project Thematic Report: Child sexual abuse in sports, IICSA, June 2020, p49

Part J

“We need change”

“We need change”

J.1: Introduction

1. Victims and survivors who participated in the Inquiry’s work often described the changes that they wanted to see to protect children from sexual abuse in the future (Figure J.1). Many also spoke about changes they felt were needed to how institutions respond to victims and survivors. In total, more than 15,000 suggestions for change were made. Victims and survivors were united in the view that change was urgently needed.

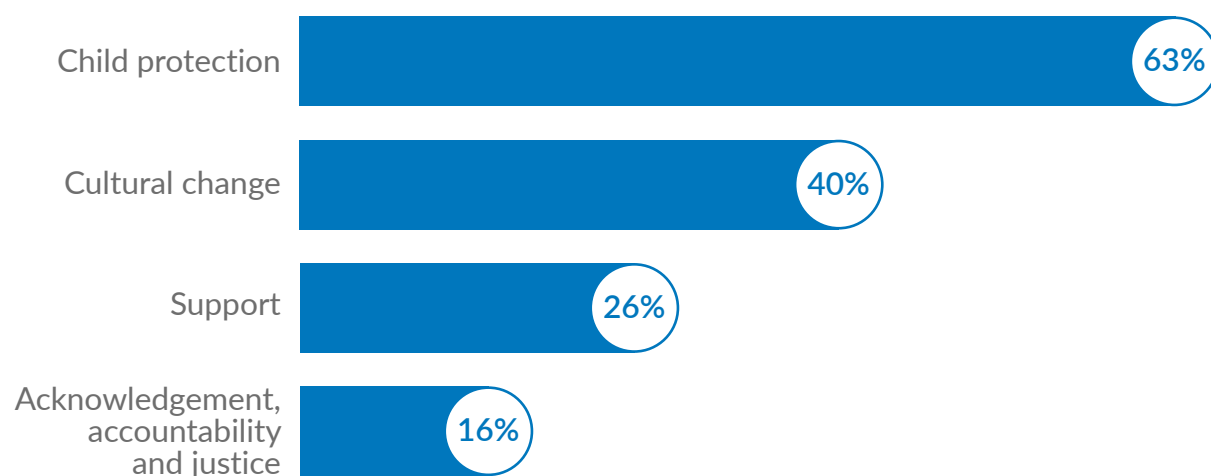


Figure J.1: Proportion of Truth Project participants who suggested change is needed, by theme

J.2: “Better child protection”

2. The majority of victims and survivors who participated in the Inquiry’s work made suggestions for changes that they felt the government and institutions should introduce to better protect children from sexual abuse.

3. Victims and survivors often spoke about the necessity of widespread change to prevent child sexual abuse from happening. Todd suggested that “*radical re-thinking, root and branch reform, is required across all sectors*”.⁵⁰⁹ Some reflected on the need for significant changes to the ‘system’ to protect children from experiencing child sexual abuse like they had:

*“Stop this from ever happening. Stop it somehow. It’s got to be stopped. The system is drastically wrong. These are life-changing injuries. Not a broken leg. They’re catastrophic injuries. Please help to do something.”*⁵¹⁰

AR-A41, Accountability and reparations investigation

4. Victims and survivors also suggested reform was needed in specific institutions or sectors. In particular, victims and survivors who were sexually abused whilst in local authority care frequently said that the social care system needed to change. Nina described

⁵⁰⁹ Todd

⁵¹⁰ AR-A41 30 November 2018 50/12-17

the social care system as “rotten from the top to the bottom” and said that it needed “systematic reform”.⁵¹¹ Another Truth Project participant suggested that there needs to be “a general improvement in the treatment of and care for children” and that “children’s homes need to value and nurture children”.⁵¹²

5. Some victims and survivors suggested that preventative actions should be focussed on perpetrators and those who are likely to sexually abuse children. Some victims and survivors thought that more should be done to identify this group and understand their motivations. Several victims and survivors suggested that perpetrators should receive more support, for example through prevention and treatment programmes. This could include safe spaces where perpetrators can seek help, as well as education on the impact of their behaviours:

*“I think we need to talk about the perpetrator as much as the victim, because my feeling is, if you don’t deal with the perpetrator, you’re always going to have that victim.”*⁵¹³

Child sexual abuse in ethnic minority communities research participant

“Education and training about child sexual abuse”

6. Many victims and survivors suggested that people who work with children should be better trained and supported to identify signs of child sexual abuse, such as physical symptoms or changes in behaviour. Bernie suggested: “if sudden changes are seen in children, then just ask the question”.⁵¹⁴ Others noted the difficulties that children have in disclosing sexual abuse and suggested that “there needs to be training in place to support disclosure” so that children “might feel more confident about talking about their concerns and fears”.⁵¹⁵

7. Victims and survivors made many suggestions for how specific professionals should be trained to respond to concerns and allegations about child sexual abuse. For example, Lexi felt that the police should be better trained in how to deal with reports of child sexual abuse, so that they are more understanding and supportive.⁵¹⁶ Kathleen felt that individuals working in schools in particular should be better trained in spotting signs of abuse.⁵¹⁷ Many victims and survivors suggested that religious leaders should receive training on child sexual abuse and safeguarding.⁵¹⁸ Adele felt strongly that social workers should be better trained in listening to children.⁵¹⁹

8. Victims and survivors, including 28 percent of Truth Project participants, emphasised the importance of children receiving education on child sexual abuse. Kaz said: “it’s sad, but they need to be taught at an early age”.⁵²⁰ Suranne suggested that education about sexual abuse would mean that children were “more likely to speak up”.⁵²¹ Habiba suggested that children should be taught about consent and personal space from when they start school. However, reflecting on her own experience, she stressed that professionals should recognise that some children may have already been sexually abused:

⁵¹¹ Nina

⁵¹² Truth Project Thematic Report: Child sexual abuse in the context of children’s homes and residential care, IICSA, November 2019, p89

⁵¹³ “People don’t talk about it”: Child sexual abuse in ethnic minority communities, IICSA, June 2020, p83

⁵¹⁴ Bernie

⁵¹⁵ Truth Project Thematic Report: Child sexual abuse in the context of schools, IICSA, December 2020, p86

⁵¹⁶ Lexi

⁵¹⁷ Kathleen

⁵¹⁸ Truth Project Thematic Report: Child sexual abuse in the context of religious institutions, IICSA, May 2019, p66

⁵¹⁹ Adele

⁵²⁰ Kaz

⁵²¹ Suranne

“I was really triggered and understood for the first time what had happened to me was of a sexual nature. However, there was no understanding at the time that this video might be triggering for child abuse victims and sitting watching the movie, I felt unable to speak up.”⁵²²

Habiba, Truth Project participant

9. Young victims and survivors made many suggestions for how relationships and sex education could be improved. In particular, grooming was frequently mentioned. One child said that they felt strongly that *“at school you should be taught about inappropriate relationships and grooming”*.⁵²³ Children also stressed that better and more regular education on online-facilitated child sexual abuse was needed, and at an earlier age. One 16-year-old research participant suggested that such education *“should actually start when young people start getting mobile phones”*.⁵²⁴

10. A number of victims and survivors suggested that parents should be offered guidance and support on child sexual abuse. Some specifically mentioned information on signs of sexual abuse and how to communicate openly with children and respond to disclosures.

“Reporting child sexual abuse”

11. Victims and survivors frequently highlighted the importance of reporting allegations of child sexual abuse. In particular, 32 percent of Truth Project participants suggested that there should be a dedicated person to whom children can disclose child sexual abuse. Many also suggested changes were needed to ensure children disclosing sexual abuse are adequately supported:

“You can’t always stop an incident happening but you can help people to feel safe reporting it.”⁵²⁵

Loz, Truth Project participant

12. A large number of victims and survivors suggested that the government should introduce legislation making it a statutory requirement for individuals and institutions to report known or suspected child sexual abuse. Eighty-nine percent of members of the Victims and Survivors Forum who responded to the Inquiry’s survey on mandatory reporting said that they would like to see mandatory reporting of child sexual abuse introduced in England and in Wales.⁵²⁶ Victims and survivors who spoke in favour of mandatory reporting described the potential benefits:

“If there had been a mandatory law when I reported my child sexual abuse then perhaps my abuser would have been brought to justice. Possibly many other abusers would be prevented from continuing to harm children if their first incidence was reported under a mandatory law.”⁵²⁷

Member of the Victims and Survivors Forum

⁵²² Habiba

⁵²³ *Engagement with children and young people*, IICSA, June 2021, p14

⁵²⁴ *Learning about online sexual harm*, IICSA, November 2019, p59

⁵²⁵ Loz

⁵²⁶ *Mandatory reporting of child sexual abuse: A survey of the Victims and Survivors Forum*, IICSA April 2019, p3

⁵²⁷ *Mandatory reporting of child sexual abuse: A survey of the Victims and Survivors Forum*, IICSA, April 2019, p3

13. Many victims and survivors felt that mandatory reporting would lead to a cultural change within institutions and across society. One Truth Project participant suggested that *“reporting concerns should become a normal process in society”*.⁵²⁸

14. While many adult victims and survivors were in favour of mandatory reporting, some young victims and survivors had different views.⁵²⁹ In particular, young victims and survivors suggested that mandatory reporting requirements could discourage children from disclosing sexual abuse. One child said: *“I wouldn’t tell if I knew that it would be reported to the police”*.⁵³⁰

“Independent inspection and oversight”

15. Many victims and survivors felt that child protection inspections needed to be improved. While some were of the view that inspections should be carried out by an independent body, others advocated existing inspection regimes should become more rigorous.

16. Some victims and survivors suggested that all individuals working with children must be appropriately vetted and that current vetting processes should be more thorough. Cyrah said: *“it’s not about nosing ... if you choose to be involved with a child, you need to open up your life”*.⁵³¹ Others specifically suggested improvements to the Disclosure and Barring Service.

17. Often victims and survivors suggested that institutions, services and agencies such as schools, police, healthcare services and social services should improve their ways of working together. This included better communication and information-sharing between professionals. In particular, victims and survivors stressed the importance of victims and survivors not *“having to tell the same story again and again”*.⁵³²

*“There should be more joined-up thinking. Police, social services and schools should be working together to share records.”*⁵³³

Member of the Victims and Survivors Forum

J.3: “We need support”

18. Many victims and survivors made suggestions about support services for those who were sexually abused as children. In particular, it was frequently suggested that more support services should be made available. Connor emphasised the importance of victims and survivors being able to access mental health support: *“unless they engage with it, they can’t move forward”*.⁵³⁴ Victims and survivors often commented that increased access should be combined with increased public awareness about support services.

19. Some victims and survivors emphasised the importance of child victims and survivors being able to access support services. Bryn suggested that every sexually abused child should be offered the right counselling or support as soon as possible.⁵³⁵ Guy said that he would like to see more support for children who have been sexually abused *“so they can have a healthy future”*.⁵³⁶

⁵²⁸ Truth Project Thematic Report: Child sexual abuse in custodial institutions, IICSA, April 2020, p66

⁵²⁹ Engagement with children and young people, IICSA, June 2021, p1

⁵³⁰ Engagement with children and young people, IICSA, June 2021, p25

⁵³¹ Cyrah

⁵³² Mal

⁵³³ Victims and Survivors Forum Consultation on Accessing Records: Summary Report, IICSA, March 2020, p14

⁵³⁴ Connor

⁵³⁵ Bryn

⁵³⁶ Guy

20. Victims and survivors made many specific suggestions for how support services could be improved. In particular, it was often suggested that the waiting times for support services should be reduced and that long-term support should be provided free of charge. Erik emphasised this point and said that he “*was lucky and could afford to pay – lots can’t*”.⁵³⁷ Some also advocated more specialist support services for victims and survivors of child sexual abuse. Ruth felt that there should be more people who are “*trained in child sexual abuse. Not a generalised counsellor ... but somebody that is specifically trained*”.⁵³⁸

J.4: “Cultural change”

21. Victims and survivors repeatedly spoke about the importance of increasing knowledge and awareness of child sexual abuse to drive necessary cultural change in institutions and society:

*“Ignorance and silence enable abuse. Not talking about it doesn’t mean it won’t happen. Education and conversation about abuse can help change that.”*⁵³⁹

Keyleigh, Truth Project participant

22. In particular, many suggested that there should be greater awareness that child sexual abuse can have a severe and lifelong impact. One Truth Project participant said that “*education for the general public is required about ... how experiences of non-recent abuse can still affect people throughout their lives*”.⁵⁴⁰ Others said that they wanted the public and institutions to better understand that individuals can recover from child sexual abuse and childhood trauma.

23. Victims and survivors described their view that child sexual abuse must stop being a “*taboo subject*” that people are reluctant to discuss.⁵⁴¹ One Truth Project participant said that “*as a society we need to be open and speak out about sexual abuse*”.⁵⁴² It was suggested that informed and open conversations about child sexual abuse could dispel harmful myths:

*“There’s often also a belief that [child sexual abuse] happens to ‘others’, that ‘nobody I know’ will be affected by it – and this is so wrong. We need to be making sure people know that ... it can and does affect anybody.”*⁵⁴³

Member of the Victims and Survivors Forum

24. Victims and survivors also suggested that more open conversations would help to reduce the stigma associated with child sexual abuse. It was suggested that this was particularly necessary in some ethnic minority communities.⁵⁴⁴ Many felt that changing how society talks about child sexual abuse could help victims and survivors to understand and disclose their experiences:

⁵³⁷ Erik

⁵³⁸ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p69

⁵³⁹ Keyleigh

⁵⁴⁰ *Truth Project Thematic Report: Child sexual abuse in sports*, IICSA, June 2020, p69

⁵⁴¹ *Victims and Survivors Forum Consultation on Culture: Summary Report*, IICSA, November 2019, pp3–4

⁵⁴² *Truth Project Thematic Report: Child sexual abuse in custodial institutions*, IICSA, April 2020, p66

⁵⁴³ *Victims and Survivors Forum Consultation on Culture: Summary Report*, IICSA, November 2019, p4

⁵⁴⁴ “*People don’t talk about it*”: *Child sexual abuse in ethnic minority communities*, IICSA, June 2020, pp40–42

*“We need to have more publicity on what the symptoms are if you have been abused. Break it down into what boys may suffer and also what girls may suffer. That way the victim may feel more confident in coming forward.”*⁵⁴⁵

Member of the Victims and Survivors Forum

25. In order to encourage more open conversations about child sexual abuse, victims and survivors said that there should be “*more information available*”, increased “*public conversation*” and campaigning to raise awareness.⁵⁴⁶ In addition, the media was seen as having an important role. Victims and survivors highlighted that the media should neither sensationalise nor downplay child sexual abuse. One young victim and survivor suggested that a sensitive but straightforward approach was needed: “*If they want to make a change, they have to tell it like it is, that’s the only way people will start taking notice of it*”.⁵⁴⁷

26. Some victims and survivors made suggestions for the cultural change needed in specific institutions. In particular, it was common to hear that victims and survivors felt cultural change was needed in residential institutions, such as residential schools and children’s homes, and also in custodial institutions. Arnold said that change was needed in boarding schools in particular so that the culture was “*one in which people are not strong and silent, but strong and verbal*”.⁵⁴⁸

J.5: “Accountability and reparations”

“They need to be held accountable”

27. Victims and survivors repeatedly made suggestions for how institutions should acknowledge and be held accountable for child sexual abuse:

*“They can’t undo what happened, but I’d like the organisation to acknowledge it and to show how they prevent it happening today.”*⁵⁴⁹

Member of the Victims and Survivors Forum

28. Many also expressed their desire to receive an apology for the child sexual abuse they experienced. One victim and survivor said: “*So many people never apologise or say these words, ‘I am so sorry this happened to you’*”.⁵⁵⁰

29. Some victims and survivors wanted financial compensation to be provided by the institution in which they were sexually abused. This was often felt to be an effective way to hold the institution to account. IN-H1 gave evidence about her son and daughter who were sexually abused online. She suggested that internet companies should provide compensation to her children: “*it should be their responsibility to pay compensation for anything that goes wrong*”.⁵⁵¹ Other victims and survivors wanted financial compensation from institutions to fund support services.

30. Victims and survivors often suggested that institutions should maintain accurate records about children with whom they engage. Many advocated longer record-retention periods and clearer rights for victims and survivors to access information about them:

⁵⁴⁵ *Victims and Survivors Forum Consultation on Culture: Summary Report*, IICSA, November 2019, p4

⁵⁴⁶ *Victims and Survivors Forum Consultation on Culture: Summary Report*, IICSA, November 2019, p8

⁵⁴⁷ *Engagement with children and young people*, IICSA, June 2021, p12

⁵⁴⁸ Arnold

⁵⁴⁹ *Victims and Survivors Forum consultation on redress: Summary report*, IICSA, October 2020, p15

⁵⁵⁰ *Victims and Survivors Forum consultation on redress: Summary report*, IICSA, October 2020, p12

⁵⁵¹ IN-H1 14 May 2019 17/9-10

*“A lot of the stress that comes with accessing records is a lack of knowledge about the systems, the processes. Someone knows the process and the language to use, it would be helpful if there were people out there to help [victims and survivors] in their journeys.”*⁵⁵²
Member of the Victims and Survivors Forum

“The criminal justice system”

31. A considerable number of victims and survivors said that there should be more police officers with specialist training in child sexual abuse. Suggestions were also made about the way that the police communicate with victims and survivors. Others emphasised the importance of the police signposting victims and survivors to support services. Victims and survivors also thought that the Crown Prosecution Service should communicate more clearly on verdicts, sentencing and *“around their decisions not to prosecute”*.⁵⁵³

32. Victims and survivors repeatedly spoke about the need for better support and guidance for those going through court proceedings. One Truth Project participant said that *“court processes need to more explicitly and sensitively consider and acknowledge the impact of child sexual abuse on victims and survivors”*.⁵⁵⁴ Many individuals thought that victims and survivors should be allocated a dedicated support worker.⁵⁵⁵ Others suggested that more should be done to manage victims and survivors’ expectations of the trial process, including its length and potential outcomes.

33. Many victims and survivors suggested that there should be harsher sentences for perpetrators of child sexual abuse, with some advocating longer prison sentences.

*“The sentence massively diminished the crime – it makes me feel worthless.”*⁵⁵⁶
Bethany, Truth Project participant

“The Criminal Injuries Compensation Authority”

34. A large number of victims and survivors spoke to the Inquiry about the Criminal Injuries Compensation Authority (CICA). Some thought that public awareness of CICA should be increased. Other victims and survivors called for practical and emotional support when applying for compensation from CICA. In addition, many thought that the eligibility criteria for compensation should be extended to remove time limits and to include victims and survivors with an unspent criminal record. Victims and survivors also felt that those who were sexually abused as children should not have to ‘prove’ the impact the sexual abuse had had on them in order to receive compensation.

“The civil justice system”

35. Victims and survivors frequently suggested that the limitation period for civil claims should be removed. The limitation period imposes a time limit on victims and survivors of non-recent child sexual abuse to bring civil claims against the institution in which they were sexually abused. Many felt that this rule did not account for the barriers to disclosing child sexual abuse that victims and survivors face.

⁵⁵² *Victims and Survivors Forum Consultation on Accessing Records: Summary Report*, IICSA, March 2020, p13

⁵⁵³ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p71

⁵⁵⁴ *Truth Project Thematic Report: Child sexual abuse in sports*, IICSA, June 2020, p69

⁵⁵⁵ Some victims and survivors in England and in Wales are allocated an Independent Sexual Violence Adviser (ISVA). ISVAs provide specialist tailored support to victims and survivors of sexual violence and can give impartial information about a victim and survivor’s options, for example in relation to reporting as well as accessing support services.

⁵⁵⁶ Bethany

36. A number of suggestions were made to improve victims and survivors’ experiences of the civil justice system. These included, for example, that vulnerable victims and survivors should be better supported to make claims. AR-A78 described why this was necessary: *“victims of child abuse will still be highly vulnerable ... and are therefore far less capable of navigating the civil justice system”*.⁵⁵⁷ Other victims and survivors emphasised the need for more regular, clear communication about the civil justice process. AR-A41 suggested that *“better explanations as to what was happening by the solicitors”* were needed.⁵⁵⁸

⁵⁵⁷ AR-A78 29 November 2018 115/4-8

⁵⁵⁸ AR-A41 30 November 2018 134/2-4

II. The Inquiry's Conclusions and Recommendations for Change

Part A

The scope of the Inquiry

The scope of the Inquiry

A.1: Introduction

1. In March 2015, the then Home Secretary established the Independent Inquiry into Child Sexual Abuse under the Inquiries Act 2005. The Inquiry covered England and Wales. Its purpose and scope were set out in its Terms of Reference, which stated that it was to:

- consider the extent to which State and non-State institutions have failed in their duty of care to protect children from sexual abuse and exploitation;
- consider the extent to which these failings have since been addressed;
- identify further action needed to address any failings identified;
- consider the steps which it is necessary for State and non-State institutions to take in order to protect children from such abuse in future; and
- publish a report with recommendations.

State and non-State institutions referred to in the scope as examples of those within its remit included government departments, the Cabinet Office, Parliament and ministers, local authorities, the police, prosecuting authorities, schools including private and specialist education, religious organisations, health services and custodial institutions.

2. The Inquiry's Terms of Reference also required it to produce an Interim Report, which was published in April 2018.

3. This report draws on all of the Inquiry's work from 2015 until 2022.

4. There was no limit to the temporal scope of the Inquiry, other than being 'within living memory'.

5. As a statutory inquiry, it had the power to compel individuals and institutions to give evidence and for that evidence to be given under oath (or affirmation).

6. The Inquiry's focus has been on what institutions knew about allegations of sexual abuse and how they responded (if at all), rather than on assessing the truth of any allegation. Its scope did not include sexual abuse of children which occurred within a family setting, as opposed to within an institution. It did, however, include circumstances in which a child disclosed familial abuse to a person in an institution, such as a care home or a religious organisation, and that person or persons failed to act upon this information (or information from a third party) or otherwise failed to identify child sexual abuse.

7. For the purposes of the Inquiry, 'child' meant anyone under the age of 18, or anyone over the age of 18 if their abuse started when the individual was under 18 years old. References in this report to 'child sexual abuse' also include references to 'child sexual exploitation'.

Definitions of child sexual abuse and child sexual exploitation

8. There are many definitions of child sexual abuse, in its various forms, currently in use. At the outset of the Inquiry, the Inquiry used the following definitions:

- **Child sexual abuse:** Sexual abuse of children (which includes child sexual exploitation) involves forcing or enticing a child or young person to take part in sexual activities. Those activities may involve physical contact and non-contact, such as involving children in looking at, or in the production of, sexual images, watching sexual acts, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse, including via the internet.
- **Child sexual exploitation:** Sexual exploitation of children is a form of child sexual abuse. It involves exploitative situations, contexts and relationships where a child receives something, for example as a result of them performing, or another or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child realising that they are being sexually exploited – for example being persuaded to share sexual images on the internet or via mobile phones.

9. In the Inquiry's *Child Sexual Exploitation by Organised Networks Investigation Report*, the Inquiry defined an organised network as being characterised by two or more individuals (whether identified or not) who are known to (or associated with) one another and are known to be involved in or to facilitate the sexual exploitation of children. Being involved in the sexual exploitation of children includes introducing them to other individuals for the purpose of exploitation, trafficking a child for the purpose of sexual exploitation, taking payment for sexual activities with a child or allowing their property to be used for sexual activity with a child. However, as noted in that investigation report, the definition of child sexual exploitation requires regular review to ensure it addresses the changing nature of the harm. The Inquiry also concluded that in relation to the definition of child sexual exploitation:

"The issue of exchange is an unhelpful distraction. Exchange may be present in some cases of child sexual exploitation but not others. The current statutory definition in England, which provides that, in the absence of exchange, an element of financial advantage or increased status of the perpetrator or facilitator is necessary, is too restrictive. Child sexual exploitation can occur without these elements."

10. A further description used by the Inquiry was that of 'harmful sexual behaviour', which is often used to describe sexual behaviours expressed by children under the age of 18 which are developmentally inappropriate, may be harmful towards themselves or others, and can in some cases be abusive. Over the lifetime of the Inquiry, the use of the phrase 'harmful sexual behaviour' has been used to describe variously:

- peer-on-peer sexual abuse;
- behaviour which indicates the child is or may have been the victim of sexual abuse or is a potential abuser (or both); and
- 'age inappropriate' or 'developmentally inappropriate' sexual experimentation which may or may not be harmful to either or both parties.

The broad nature of the behaviour encompassed by the term – in the absence of government guidance – means there is a danger it may be misused. The Inquiry's focus has always been on the sexual abuse of children and not on behaviours which do not amount to abuse.

Operation Hydrant

11. The Inquiry was required by its Terms of Reference to refer all allegations of child sexual abuse that it received to the police, so that they could be investigated. Referrals were passed to Operation Hydrant, which is a body independent of the Inquiry. It was set up by the National Police Chiefs' Council to coordinate police investigations into non-recent child sexual abuse. Operation Hydrant receives referrals from a range of organisations and passes them to the relevant police force for investigation.

12. Between March 2015 and March 2022, Operation Hydrant received 10,431 referrals from the Inquiry. While the majority of these referrals have resulted in no further action being taken by the police, over 100 individuals have been convicted and a further 40 defendants have been charged and are awaiting trial.

13. In relation to a number of the referrals, it was possible to identify the type of institution to which the allegation related (Figure A.1).

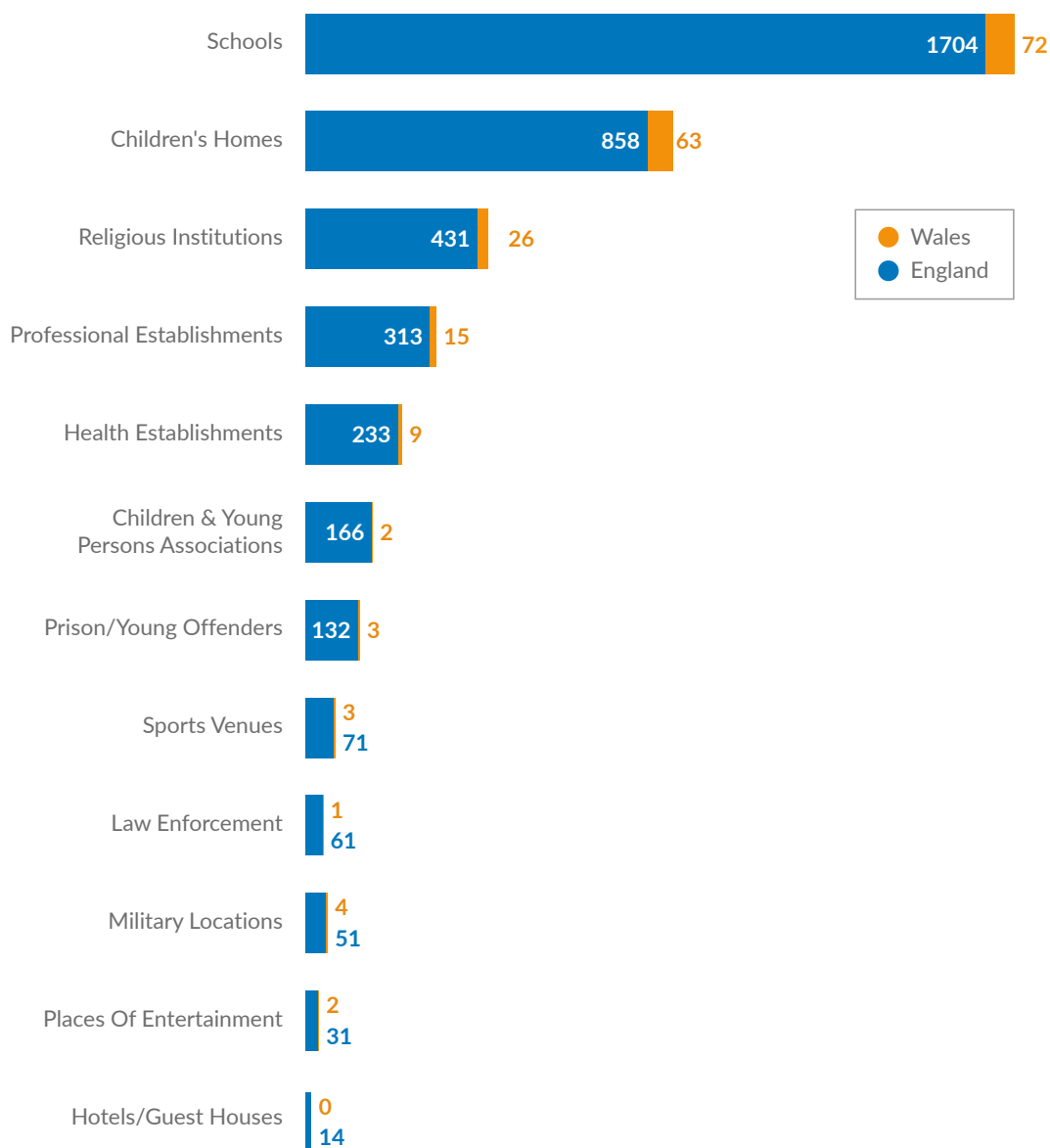


Figure A.1: Types of institutions where child sexual abuse took place in Inquiry referrals to Operation Hydrant

Source: See *data compendium* to this report

A.2: The Inquiry's activities

14. The Inquiry undertook three main strands of activity.

Investigations and public hearings

15. The Inquiry's investigative work underpinned the public hearings, involving a number of investigations chosen on the basis of the criteria for selection published in 2016. The breadth of these investigations enabled the Inquiry to identify any patterns of institutional failings. Each investigation – except for the thematic inquiry into effective leadership of child protection – concluded with a single report or, where necessary, more than one. The findings of the effective leadership of child protection investigation are reflected in this report. In total, 19 investigation reports have been published and are available online.

- *Child Migration Programmes Investigation Report*, published in March 2018;
- *Cambridge House, Knowl View and Rochdale Investigation Report*, published in April 2018;
- *Ampleforth and Downside (English Benedictine Congregation Case Study) Investigation Report*, published in August 2018;
- *Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report*, published in February 2019;
- *The Anglican Church Case Studies: 1. The Diocese of Chichester; 2. The Response to Allegations against Peter Ball Investigation Report*, published in May 2019;
- *The Roman Catholic Church Case Study: Archdiocese of Birmingham Investigation Report*, published in June 2019;
- *Children in the Care of the Nottinghamshire Councils Investigation Report*, published in July 2019;
- *Accountability and Reparations Investigation Report*, published in September 2019;
- *The Roman Catholic Church Case Study: English Benedictine Congregation: 1. Ealing Abbey and St Benedict's School; 2. Ampleforth and Downside: Update Investigation Report*, published in October 2019;
- *Children Outside the United Kingdom: Phase 2 Investigation Report*, published in January 2020;
- *Allegations of Child Sexual Abuse Linked to Westminster Investigation Report*, published in February 2020;
- *The Internet Investigation Report*, published in March 2020;
- *The Anglican Church: Safeguarding in the Church of England and the Church in Wales Investigation Report*, published in October 2020;
- *The Roman Catholic Church: Safeguarding in the Roman Catholic Church in England and Wales Investigation Report*, published in November 2020;
- *Children in the Care of Lambeth Council Investigation Report*, published in July 2021;
- *Child Protection in Religious Organisations and Settings Investigation Report*, published in September 2021;
- *Institutional Responses to Allegations of Child Sexual Abuse Involving the Late Lord Janner of Braunstone QC Investigation Report*, published in October 2021;

- *Child Sexual Exploitation by Organised Networks Investigation Report*, published in February 2022; and
- *The Residential Schools Investigation: Phase 1: Music Schools, Residential Special Schools; Phase 2: Safeguarding: Day and Boarding Schools Investigation Report*, published in March 2022.

Annex 2 contains a summary of the investigation reports.

16. Each report set out the Inquiry's conclusions and, where appropriate, recommendations for change. Annex 3 provides a summary of the Inquiry's 107 recommendations, and the institutional response to each recommendation as at June 2022. Information published on the Inquiry's website also provides additional updates on the institutional response following publication of the Inquiry's investigation reports.

17. More than 200,000 documents, comprising almost two and a half million pages of evidence, were obtained by the Inquiry in the course of its investigations, of which more than 40,000 documents, comprising over 600,000 pages, were disclosed to core participants.

18. The Inquiry obtained written statements from almost 1,000 witnesses. Witnesses included victims and survivors, those directly involved in decision-making or the implementation of those decisions, corporate witnesses speaking on behalf of institutions, and other interested parties.

19. The Inquiry's public hearings took place over 325 days and more than 700 witnesses gave evidence in person. This included accounts from victims and survivors that enabled the Inquiry to understand the extent to which institutions failed to protect them from sexual abuse when they were children. All those who gave evidence in person were offered tailored support to meet their needs throughout the process.

The Truth Project

20. The Truth Project was established to offer the opportunity for victims and survivors to share their experiences in a safe and respectful environment. Over 6,200 victims and survivors of child sexual abuse in England and Wales participated in the Truth Project. The vast majority of participants (5,862) agreed to be part of (and were in scope of) the research programme and many participants put forward suggestions for change. By doing so, they helped the Inquiry to understand the long-term impact of child sexual abuse and to make recommendations for longer term reform. Their contributions challenged the assumptions that are so often made about the sexual abuse of children. The Truth Project dashboard for June 2016 to October 2021 is included in Annex 4.

21. This was a complex and extensive listening exercise carried out over six years. Each account, whether in person, in writing, or by telephone, video call or audio recording, was anonymised and, where permission had been granted, formed the basis of an analysis by the Inquiry's research team. Pseudonyms have been used to protect the anonymity of victims and survivors who spoke to the Inquiry through the Truth Project or participated in the Inquiry's research.

22. In order to support and protect victims and survivors, the Inquiry adopted a trauma-informed approach to take account of specific needs resulting from previous traumatic experiences. Trained facilitators were recruited to listen to their accounts and support services were offered, as appropriate.

23. The Inquiry enabled the widest participation of victims and survivors through awareness-raising campaigns across social media and other media outlets. It also worked closely with the charity SignHealth to support D/deaf people.

Research

24. The Inquiry's research programme filled gaps in knowledge about child sexual abuse and ensured that the Inquiry's findings were informed by the latest learning. Activities included bringing together existing research as well as conducting quantitative and qualitative primary research. The Inquiry's research collected fresh data, particularly from focus groups and from the interviews conducted with victims and survivors. Researchers analysed Truth Project information and provided regular updates on the Inquiry website. Twenty-four research and analysis reports have been published during the lifetime of the Inquiry and have, in turn, informed the Inquiry's investigations and reports. Further details of these reports are included in Annex 2.

25. The Inquiry's series of seminars gathered information and views about eight important issues. Each seminar involved a structured discussion among invited participants, including representatives of victims and survivors' groups and organisations. The seminars took place on the following topics:

- The Civil Justice System (November 2016)
- Criminal Injuries Compensation (February 2017)
- Preventing and responding to child sexual abuse – learning from best practice overseas (April 2017)
- Victims and survivors' experiences: impacts, support services and redress (July 2017)
- The Health Sector (September 2017)
- The Criminal Justice System (November 2017)
- Social and political narratives about child sexual abuse (February 2018)
- Mandatory reporting of child sexual abuse (September 2018, April 2019).

26. Reports summarising each seminar were published and used to inform the Inquiry's recommendations (see Annex 2 for further information).

27. Throughout the life of the Inquiry, the voices of victims and survivors have been placed at the heart of its work. In addition to the public hearings, the Truth Project and the research programme, victims and survivors have been consulted through a variety of additional arrangements: the Victims and Survivors Consultative Panel, the Victims and Survivors Forum, and specific engagement activities sponsored by the Inquiry. All these initiatives have supported the fulfilment of the Inquiry's Terms of Reference to enable victims and survivors to share their experiences.

Victims and Survivors Consultative Panel

28. The members of the Victims and Survivors Consultative Panel provided consultative advice on the Inquiry's engagement activities, communications, research and recommendations. This advice ensured that the needs and perspectives of victims and survivors were reflected in the Inquiry's work. All members of the Victims and Survivors Consultative Panel had spent many years supporting adult survivors of child sexual abuse. Their experience, knowledge and advice provided valuable insights and expertise to the Inquiry.

29. At the conclusion of the Inquiry, the Panel members were May Baxter-Thornton, Sheila Coates, Lucy Duckworth, Emma Lewis, Fay Maxted, Kit Shellam and Chris Tuck. We would like to thank them for their contributions to the Inquiry.

Victims and Survivors Forum

30. The Victims and Survivors Forum was open to all victims and survivors of child sexual abuse. By the conclusion of the Inquiry, there were more than 1,700 members across England and Wales. The members attended online and, where possible, face-to-face events to contribute to the Inquiry's research and policy work. Comments and suggestions about these areas of work were shared with the Chair and Panel to inform their final recommendations. The Inquiry was also assisted by an Ethnic Minority Ambassador.

Engagement activities

31. The Inquiry's Terms of Reference were broad in nature. As a result, the Inquiry's engagement activities provided an opportunity to gain a more in-depth understanding of contemporary issues facing children, members of ethnic minority communities who had experienced child sexual abuse, and the lesbian, gay, bisexual, transgender, queer/questioning and others (LGBTQ+) community. Although these consultations did not amount to formal evidence, they contributed significantly to the Inquiry's work, as did the support provided by the Victims and Survivors Forum and the Victims and Survivors Consultative Panel.

Engagement with young people

32. In order to obtain the views of young people, the Inquiry held a number of events specifically for young people. Assisted by various charitable organisations, the Inquiry spoke with 56 young people aged between 11 and 21, and 77 specialist child abuse support workers. A number of important points were expressed by participants:

- young victims and survivors faced long delays in accessing support;
- specialist social workers who support young victims and survivors want to see improvements in how statutory bodies respond to child sexual abuse and exploitation;
- there needed to be a culture shift so that talking about child sexual abuse became as acceptable as other subjects;
- relationships and sex education in schools did not reflect the current challenges facing children and was mostly inconsistent and inadequate; and
- creators of social media apps and internet platforms must take greater responsibility for the protection of children online.

Engagement with support services for ethnic minority communities

33. In order to obtain the views of victims and survivors from ethnic minority communities, specialist support services were consulted throughout England and Wales to enhance the Inquiry's understanding of the impacts of child sexual abuse on victims and survivors from those communities. Over 100 organisations were consulted and six important issues were expressed by participants:

- services to victims and survivors were mistrusted and considered to be inadequate;
- language was a barrier to disclosure of child sexual abuse – interpreting services were poor;
- there were additional barriers to disclosure in closed communities, particularly in relation to religious and internal support – the Inquiry was told that community leaders sometimes restrict access to external support services in order to protect the community and culture from outside influence or harm;
- some organisations did not recognise or support the cultural and religious needs of victims and survivors from ethnic minority communities;
- some organisations told the Inquiry how shame and honour within communities can silence victims and survivors; and
- some victims and survivors from ethnic minority communities were removed from school relationships and sex education programmes and did not understand the concept of sexual activity – this, in turn, inhibited disclosure.

Engagement with the LGBTQ+ community

34. In order to obtain the views of victims and survivors from the LGBTQ+ community, 31 victims and survivors and 29 organisations were consulted. A number of important issues were expressed by participants:

- Society's views of LGBTQ+ victims and survivors are often built on harmful myths and stereotypes, including the myth that sexual orientation or gender identity of LGBTQ+ victims and survivors is formed in response to the sexual abuse experienced as a child.
- LGBTQ+ victims and survivors experience distinct barriers to disclosing and reporting child sexual abuse. This has led to under-reporting of child sexual abuse by LGBTQ+ victims and survivors.
- Relevant support services are hard to find and LGBTQ+ victims and survivors often have to rely on personal recommendation rather than professional referral.

Selection criteria for investigations

35. The Inquiry selected situations suitable for investigation which fell within two categories:

- institution-specific, involving inquiries into particular institutions or types of institution; and
- thematic, concerning a series of broad areas where multiple institutions might have played a role in protecting children from abuse.

36. In selecting situations suitable for investigation, the Inquiry applied the following criteria:

- the situation appeared to the Inquiry to involve credible allegations of child sexual abuse in an institutional setting or by a person who has exploited an official position in order to perpetrate child sexual abuse;
- the institution(s) appeared to the Inquiry, on credible evidence, to have facilitated or failed to prevent child sexual abuse, whether through an act, policy or omission; or
- the institutions(s) or a person acting in an official capacity appeared to have failed to respond appropriately to allegations of child sexual abuse.

37. The Inquiry also selected situations which appeared:

- to be typical of a pattern of child sexual abuse occurring in the sector or context involved;
- to be practically capable of detailed examination through oral and written evidence;
- to involve no significant risk to the fairness and effectiveness of any ongoing police investigation or prosecution; and
- likely to result in currently relevant conclusions or give rise to relevant recommendations.

38. Throughout its work, the Inquiry also took account of the needs of particularly vulnerable children and those from socially excluded or minority groups.

A.3: Common themes

39. Over the course of the Inquiry's work, similar failings, problems, concerns and harms emerged. These have been grouped together into six common topics, experiences and themes:

- common experiences and the impact of child sexual abuse on victims and survivors;
- perpetrator behaviours;
- institutional or organisational failures;
- the role of the internet in facilitating abuse;
- wider societal issues; and
- the criminal justice system.

40. These common themes are distilled from the Inquiry's investigations, some of which stretched back over many years and others which were more contemporary. These subjects are important because they reveal similarities in impact, behaviour, practice and culture that together illustrate the very real challenges that victims and survivors have experienced over the years and, in some contexts, continue to face. These findings go to the very core of the Inquiry's work and demonstrate how the breadth of the Terms of Reference has enabled the Inquiry to identify common features and parallels across a wide range of institutional and individual responses without necessitating an examination of each and every institution that cares for children.

41. A separate theme relating to criminal justice has been included because, throughout the duration of the Inquiry, witnesses and participants in the Truth Project have expressed concerns about the criminal justice system's efficiency and effectiveness.

Common experiences and the impact of child sexual abuse on victims and survivors

42. The impact of child sexual abuse cannot be overstated because many victims and survivors have experienced harm that has permeated many aspects of their lives. As the accounts set out in Victims and Survivors' Voices and the Inquiry's investigation reports reveal:

- effects of the child sexual abuse, both physical and emotional, were profound and lifelong;
- education, employment and career prospects were often irreparably damaged;
- stable, secure and long-term relationships were hard to achieve;
- sexual intimacy was often difficult;
- children who were 'groomed' through use of alcohol and drugs often acquired a long-term dependency or addiction;
- some victims and survivors were driven to self-harming behaviours by shame, guilt and embarrassment, and some were so affected that they tried to take their own lives;
- many victims and survivors of child sexual abuse that occurred in a religious context reported that it had led to a loss of faith or a loss of trust in a religious organisation; and
- some people from ethnic minority communities were either ostracised or chose to leave their family or local community after their child sexual abuse became known.

43. While each victim and survivor inevitably experienced sexual abuse that varied in its nature and in the settings and circumstances in which it was perpetrated, there were common features:

- child sexual abuse was often preceded or accompanied by threats, violence, cruelty and neglect;
- there was excessive corporal punishment in some institutions, including in Roman Catholic and other schools which the Inquiry examined, custodial institutions and child migrant placements, which was often used as a means in itself of obtaining sexual gratification;
- many children experiencing sexual abuse in a 'closed environment' were captive victims with little scope for reporting abuse to a trusted adult;
- many did not disclose sexual abuse for fear of reprisals;
- victims received grudging and unsympathetic responses to disclosure;
- in many settings, compassion was extended to perpetrators but not to victims, with religious organisations in particular often displaying callous indifference to victims;
- abuse often involved deliberate humiliation of children;
- children in custodial institutions are amongst the most vulnerable in society;
- adult survivors of sexual abuse in custodial institutions in the 1960s described some of the worst abuse the Inquiry heard;

- the use of pain compliance on those aged 18 years or younger in custodial institutions was, and is, a form of physical abuse which contributed to a violent atmosphere in which sexual abuse thrived;
- children with disabilities were particularly vulnerable to sexual abuse; and
- issues with communication could make disclosing abuse more difficult, for example for non-verbal children or those with limited speech.

Perpetrator behaviours

44. The Inquiry has identified similarities in the ways perpetrators targeted and groomed their victims and committed sexual abuse:

- many perpetrators sexually abused more than one child, their offending spanned years, if not decades;
- isolating children from their carers and families in order to commit sexual abuse, for example taking them away for unsupervised trips and holidays, particularly those involving overnight stays;
- threatening or committing violence against a child to secure compliance with sexual abuse;
- some perpetrators were seen as sadistic and predatory by victims;
- identifying vulnerable children who were less likely to have the capacity or capability to complain or protest, including singling out children with disabilities who were unable to communicate what had happened to them;
- adopting a ruse: for example, perpetrators in a position of authority conducted medical examinations when unqualified to do so in order to sexually abuse a child;
- befriending the child's family and carers in order to gain access to the child and eliminate suspicion about the perpetrator's motives – for example, manipulating the situation so that the perpetrator gained access to children alone in their bedrooms;
- plying the child with alcohol, drugs, gifts and affection to create a false impression that the perpetrator was genuinely fond of the child;
- in religious settings, perpetrators were able to shelter behind the moral standing of the institution to deflect allegations, inhibit investigations and belittle survivors;
- posing as friends in online activity with children with the intention of securing indecent images of the child or meeting the child for the purpose of committing sexual abuse in person;
- children in poorer countries (although not limited to those places) were encouraged to live stream sexual abuse for payment – in some instances, perpetrators in England and in Wales offered to pay for the child's education as a means of persuading families to make their children available for such purposes; and
- some perpetrators in England and in Wales deliberately targeted countries where they believed they could sexually abuse children without fear of detection or prosecution by the authorities.

Institutional or organisational failures

45. The breadth of the Inquiry's work demonstrated many common failures and issues across a diverse range of institutional or organisational settings. These can be grouped into broad themes:

- failures of leadership;
- a lack of concern for the child's welfare; and
- inadequate, and sometimes wholly absent, child protection arrangements, with particular problems faced by those in residential care and foster care.

46. Where an allegation was reported to an institution, there were sometimes failures to respond appropriately, with allegations being ignored and not reported to the statutory agencies and records not being kept. Weaknesses in inspection and audit arrangements and redress schemes were also identified, along with the challenges posed by the growth in online-facilitated child sexual abuse.

Leadership, deference and accountability

- Institutions prioritised their own reputations, and those of individuals within them, above the protection of children.
- There were examples in the past of deeply flawed central and local government policies and practices which put political priorities before the welfare of children.
- Those who worked in statutory agencies in senior positions often showed deference to persons of prominence, such as councillors, Members of Parliament and leading clergy, when faced with investigating allegations of sexual abuse.
- Some councillors who were alerted to child sexual abuse ignored the abuse if it was politically inconvenient for them to acknowledge its existence.
- Political and sometimes personal allegiances meant that decision-making by councillors in individual cases was poor, prioritising the interests of staff over the welfare of children when allegations of child sexual abuse were made.
- Adherence to a particular grouping, often of long standing, led to an abuse of power and lack of accountability, and compromised child protection. This was particularly evident in religious organisations and political parties.
- Elected members, governors and senior people in many of the institutions studied by the Inquiry were rarely held accountable for the sexual abuse of children which occurred on their watch, sometimes over decades.
- In the religious settings examined, deference and obedience could prevent or inhibit reporting of allegations and contribute to the abuse of power by those exercising religious leadership or authority.
- Power imbalances were exploited in some settings, including children's homes and custodial institutions, where some staff treated children as 'undeserving' and not worthy of protection from sexual abuse.
- Victims of child sexual exploitation were frequently seen by police and other professionals as making a choice – such as to be 'child prostitutes' who 'consented' to their own abuse – and so their needs were not prioritised and the criminality was not addressed.

- Victim-blaming language was in evidence in almost every institution and was largely unchallenged. In many cases, the Inquiry concluded that there were underlying problems with values and attitudes of those charged with the protection of children.

Children's welfare

- In some areas, the treatment by staff of children in care who were from ethnic minority communities was racist, hostile and abusive. It showed little sensitivity to particular cultural needs such as diet, hair care and clothing.
- Across some institutions there was little recognition of the heightened vulnerability of children with disabilities to being sexually abused.
- In some settings, the external physical environment presented opportunities for sexual abuse which institutions did not monitor or supervise. This included where extensive grounds and outbuildings were frequently misused for sexual activity with children.
- For years, harmful sexual behaviour amongst children took place in residential homes and schools and was left unchecked through a failure by staff to understand its potentially harmful effects.
- Harmful sexual behaviour was often seen as 'teenage experimentation' without any victim, despite being accompanied on many occasions by bullying and coercion, frequently of younger children.

Systems and processes

- Most religious organisations examined in the Inquiry's investigation into child protection in religious organisations and settings had inadequate child protection policies and procedures in place. In some, there were none at all.
- Those in leadership and senior positions assumed responsibility for determining how the institution should respond to an allegation of abuse when lacking the competence to do so.
- There was a tendency in some institutions to move alleged perpetrators from one workplace to another without investigating the allegations or reporting the allegations to the authorities.
- Across some religious institutions and schools, there was a reluctance to refer allegations to the statutory agencies.
- Many institutions knowingly retained in their employment adults who posed a risk to children. They allowed adults who were suspected of child sexual abuse to leave their employment and sexually offend elsewhere, without alerting any known employers.
- Within some local authorities, trade unions appeared to prioritise their members' individual interests over the protection of children. They were sometimes supported in this by elected members, who failed to take decisions to dismiss individuals who were later convicted.
- Too often, people classed as 'volunteers' were allowed open access to children in care without any vetting, thus creating opportunities for potential child abusers.

Residential care and foster care

- There is a national shortage of suitable residential placements for children who are at risk of, or have experienced, child sexual exploitation.

- Children placed alongside much older children in various settings were left exposed to abuse, with little staff or carer supervision.
- Some children's homes were not a safe environment for children. Staff were threatening and violent, physical abuse was commonplace and children were frightened.
- Children should have been nurtured, cared for and protected, but some councils and other care providers exposed them to sexual abuse perpetrated primarily by predatory residential staff and foster carers.
- In some instances, a sexualised culture existed in residential homes, with staff behaving inappropriately towards children, which paved the way for sexual abuse.
- Residential care in the 1970s and 1980s carried little priority with senior managers, even when they were made aware of escalating numbers of allegations of sexual abuse.
- Some children's homes where sexual abuse had been rife should have been closed sooner than they were.
- Standards of conduct and child protection procedures were frequently put in place, but staff were rarely trained in their use and action was not taken against those who did not comply. Staff ignored these requirements with impunity.
- In the 1980s, there was evidence of failures to vet foster carers properly for their suitability to look after children and failures to carry out criminal records checks.
- When allegations of sexual abuse were made about foster carers, some councils were too willing to take the side of the foster carer and disbelieve the children.
- The use of unregulated placements for older children in care placed some of them at heightened risk of sexual abuse, particularly of child sexual exploitation.

Responses of institutions to allegations

- In close-knit communities and hierarchical institutions – such as educational facilities run by monastic orders, boarding and residential schools, and custodial institutions – normal scrutiny from parents, friends and visitors was restricted.
- Complaints of abuse made by children were rarely listened to or responded to with empathy, concern or action. They were dismissed out of hand without investigation.
- Some institutions went to extreme lengths to avoid contact with, or investigation by, the statutory agencies when allegations of abuse were made and parents were not always informed.
- Some institutions sought to excuse or explain perpetrators' behaviour by spurious reference to 'the standards of the day'.
- The statutory agencies did not always share intelligence and other information about perpetrators with other agencies and organisations.

Data collection and records

- At institutional and national level, poor data collection has led to an incomplete picture of the nature and scale of child sexual abuse and exploitation. Many institutions, including religious institutions and schools, kept no records of allegations of abuse and

actions taken. This is one of the reasons that the true scale of sexual abuse of children is likely to be much greater in all settings than has been uncovered by evidence to the Inquiry.

- Records were often incomplete. Some were lost or destroyed, including in some cases through deliberate action, thereby concealing potentially criminal activity. This included personnel records of alleged and known abusers.
- The introduction of document retention policies has improved the availability of records, but access to records by victims is generally a long, complex and often unsatisfactory process.
- The police and social services did not record the ethnicity of victims and alleged perpetrators, as evidenced in the case studies included in the *Child Sexual Exploitation by Organised Networks Investigation Report*.

Review, audit and inspection

- The Office for Standards in Education, Children's Services and Skills (Ofsted) and other inspectorates, particularly the Social Services Inspectorate, on occasions did not do enough to identify the serious weaknesses in the protection of children in some of the care and educational settings the Inquiry examined. The Independent Schools Inspectorate also had a mixed record in their scrutiny of institutions where sexual abuse of children was taking place.
- Over several years, there were too few multi-agency safeguarding inspections, as opposed to single-agency inspections. These could have provided a more holistic view of the strengths and weaknesses of child protection within an institution, from a range of professional perspectives.
- Many institutions commissioned external reviews of their child protection systems. These reviews identified weaknesses and left those in charge in no doubt that children were at risk of sexual abuse, or that it had already occurred. These findings and recommendations were infrequently acted upon fully or at all.

Apologies, support and redress

- The avenues for redress which the Inquiry examined did not often provide remedies which satisfied the need for accountability and reparations for victims and survivors of child sexual abuse.
- In order to obtain a legal remedy, victims and survivors often had to resort to civil litigation, some of which spanned over a decade.
- In civil proceedings, the imposition of a time limit led to injustice for many child sexual abuse victims, for whom it could take years before they felt able to discuss their abuse. This time limit continues to pose problems in current civil claims.
- Inadequate provision of support and counselling for those who experienced sexual abuse remains a serious concern for victims and survivors. This is particularly the case for children, for whom few specialist resources exist and a much more child-centred approach is required.
- The quality and authenticity of apologies from institutions was extremely variable and frequently added to the trauma experienced by victims.

- Historically, some insurers confirmed that they required institutions not to make apologies or offer support of any kind to victims, for fear of this being interpreted as an admission of liability. If institutions did make apologies in these circumstances, they risked invalidating their insurance.

The internet

- The number of child victims of online-facilitated sexual abuse and the true scale of offending are likely to be far higher than the reported cases.
- Some of this offending involves levels of depravity, such as the rape and violent abuse of babies and toddlers, on an unprecedented scale.
- Internet companies failed to demonstrate that they knew the scale of underage internet use.
- The live streaming of abuse affects children all over the world, including in the UK, the majority of whom are girls aged between seven and 13 years.
- Industry witnesses repeatedly asserted their companies' commitment to preventing child sexual abuse, but their responses at times seemed reactive and intended to counteract adverse media reporting and reputational damage.
- The internet, while bringing great benefits to society, has also been a vehicle to capitalise on opportunities to commit child sexual abuse through the production and distribution of indecent images of children, grooming and the live streaming of abuse.
- There are often challenges for parents and carers in understanding and tackling online harms to their children, particularly given the speed of technological developments.
- The trade in indecent imagery and live streaming the sexual abuse of children and babies has proliferated to industrial scales and represents a threat to children around the world.

Wider societal issues

- Child sexual abuse and exploitation has been, and still is, under-reported.
- Some parents of some sexually abused children seemed reluctant to accept the possibility that sexual abuse had taken place because the institution associated with the perpetrator was trusted and respected, as were the perpetrators themselves.
- Where the parents were closely associated with an institution, such as a school, on occasions their allegiance to that institution was a more powerful influence than the welfare of their children, even in circumstances where they suspected or were told that the abuse had occurred.
- Child sexual abuse has often been met with embarrassment and fear, leading to a culture of silence when confronted with the reality of that abuse.
- Many in the general public, as well as in the police and other statutory agencies, did not believe children's reports of sexual abuse.
- Sometimes children were considered to be responsible for the sexual abuse that occurred because they had made so-called 'lifestyle' choices.
- Awareness of the scale and scope of child sexual abuse tends to be underestimated throughout society and more needs to be done to increase awareness across England and Wales.

- The trafficking of children for the purposes of child sexual abuse and exploitation is a growing concern.

The criminal justice system

- For some years, the criminal law perpetuated myths about children. It was not until 1988 that the uncorroborated evidence of a child was admissible in evidence.
- On occasions, police forces failed to investigate allegations of child sexual abuse properly, or at all. Allegations were not always treated seriously.
- Links between perpetrators were not always explored during police investigations, so the full picture of child sexual abuse was not identified.
- Hierarchical structures in police forces prevented officers from raising concerns about failures to investigate properly.
- On some occasions, officers expressed prejudicial views about children, particularly about children in the care of the local authority. Officers often ignored the children's complaints and the children were forced to remain in the place where the sexual abuse had taken place.
- Young people, particularly those experiencing sexual exploitation, were sometimes arrested by the police and criminalised for offences arising from their exploitation, while the exploiters remained at liberty to continue offending.
- Intelligence opportunities were lost when some police forces failed to interview missing children thoroughly when they returned or were brought home.
- The data collected by criminal justice agencies did not identify the scale and extent of child sexual exploitation by networks. In the areas under scrutiny, data collection was generally poor, so the authorities could not identify cases for investigation.
- Some police forces had merged analyses of child sexual exploitation with child criminal exploitation, leading to potential failures to distinguish sexual exploitation cases from other crimes.
- Disruption tactics to prevent perpetrators from committing sexual offences against children were underused and poorly recorded, leaving police forces without reliable data to assess the effectiveness of such tactics.
- Undue deference has from time to time been shown to people of prominence by prosecution authorities, particularly in relation to politicians. Some people of prominence were not prosecuted in court, sometimes despite the weight of evidence.
- On occasions, the police or the Crown Prosecution Service wrongly concluded that there was insufficient evidence to prosecute for offences relating to child sexual abuse, on the basis of an assessment of the child's evidence that could not be justified.
- Delays in investigations and criminal proceedings appeared to be endemic within the system such that adult survivors of child sexual abuse had to wait years before their case was finalised.
- Compensation for victims of child sexual abuse was unlikely to come from a convicted defendant. It was not always easy to access or secure payments from the Criminal Injuries Compensation Scheme. Some restrictions on claims (for example, time limits) disadvantaged some applicants whose applications were rejected on these grounds.

Child sexual abuse today

47. Many of the failures described above were prevalent over several decades. More recently, some of the failures have been mitigated, in part, by improvements in prevention, identification, detection and public awareness. Other threats have also emerged, which are addressed in Part J.

48. One of those threats is the reported growth of incidents of child sexual abuse and exploitation worldwide. This Inquiry is one of a number that have been, or are in the process of being, conducted across the globe, including in Australia and the Republic of Ireland.

49. There are two specific global issues, however, which the Inquiry notes have had a deleterious impact on responses to child sexual abuse.

49.1. The first is the response to the global financial crisis from 2008 onwards, which led to significant reductions in funding of public services. These services are central to effective responses to child sexual abuse, and include the police, children's social care, the Crown Prosecution Service, health and education. The financial crisis also directly affected the voluntary and charity sectors, which mainly rely on funding from public services, via the commissioning process and direct grants. At the same time, the demand for children's social care has increased significantly. A National Audit Office report in 2018 noted that local authorities' spending power had fallen by 28.6 percent since 2010. However, between 2010 and 2020, child protection referrals increased by 125 percent and the number of looked after children increased by 24 percent.

49.2. The second global issue is the COVID-19 pandemic. There is clear evidence from national and international organisations of the increase in child sexual abuse (and increased domestic abuse) which has taken place since March 2020. This is generally attributed to stress on families from several different sources, such as financial pressures, school closures and stay-at-home requirements. There has also been an increase in online child sexual abuse during the pandemic. Statutory services, particularly those with a protective role such as social workers and district nurses, have also been affected, with the restrictions in contact with children and adults. Virtual visits and doorstep visits have had to take the place of in-person visits for much of the time, to prevent the spread of the virus. This is very likely to have led to an incomplete picture of risk to children, as well as presenting ethical challenges to many child protection professionals. A relaxing of COVID-19 restrictions should not, however, be taken to indicate that there will be a consequential reduction in the scale of offending or risk of harm to children. As set out in Part B of this report, the prevalence of child sexual abuse continues to rise.

50. This report is structured thematically and builds on the entirety of the Inquiry's work, including previously published reports. It seeks to draw together what the Inquiry has learned and, unlike previous reports, it is focussed on the future and the ways in which institutions and organisations can and must improve in order to keep children safe. Footnotes are provided to assist the reader in identifying where further information might be found. While inevitably institution or investigation-specific, the footnotes refer to the Inquiry's previous conclusions at the time of the relevant investigation to illustrate the issues covered in this report. These examples are not exhaustive and so should be read in conjunction with the Inquiry's previous publications.

Part B

Child sexual abuse

Child sexual abuse

B.1: Introduction

1. Children are sexually abused every day in England and Wales.

1.1. According to the Office for National Statistics (ONS), an estimated 3.1 million adults in England and Wales have been sexually abused before the age of 16.⁵⁵⁹

1.2. One estimate suggests that the number of children abused in a single year is around 500,000.⁵⁶⁰

1.3. Other estimates suggest that around 1 in 6 girls and 1 in 20 boys are sexually abused before the age of 16.⁵⁶¹

1.4. Over 7,000 children were referred to sexual assault referral centres (SARCs) in England during 2020/21, 20 percent more than in the previous year. This equates to nearly 20 referrals each day. Half of these referrals were for children aged 14 to 17, five out of six of whom were female.⁵⁶²

1.5. There has also been a significant rise in online-facilitated child sexual abuse in England and Wales, as well as globally, and in the estimated number of perpetrators who pose a sexual risk to children.

2. As the Inquiry has noted in its investigation reports, the true scale of offending and the number of children abused are likely to be greater than is presently known. Limitations with current methods of data collection have hampered the Inquiry's ability to conduct a realistic assessment of how many of the 12.7 million children in England and Wales have been sexually abused, or are at risk of sexual abuse, by whom and in what settings.⁵⁶³ The current data do not distinguish between familial abuse and abuse committed in an institutional context (the latter being the focus of this Inquiry). Little is known about the ethnicity of victims and survivors and perpetrators.

3. As set out in the UK government's *Tackling Child Sexual Abuse Strategy* (2021):

*"Over 83,000 child sexual abuse offences (including obscene publications) were recorded by police in the year ending March 2020, an increase of approximately 267% since 2013. Of these, around 58,000 would be considered contact offences, which have increased by 202% in the same period."*⁵⁶⁴

The Strategy recognised that these figures do not include certain sexual offences committed against 16 and 17-year-olds, such as rape, as well as sexual assault committed against children over the age of 13. As an indication, the Strategy noted that exploratory data

⁵⁵⁹ INQ006739_003

⁵⁶⁰ INQ006871_010

⁵⁶¹ INQ006613_006

⁵⁶² INQ006871_007

⁵⁶³ INQ006948_007

⁵⁶⁴ INQ006448_018

published by the ONS in January 2020 suggested, where it was possible to identify that the victim or survivor was a child, that there were approximately 73,200 child sexual abuse offences for the year ending March 2019.⁵⁶⁵

4. This significant gap in understanding the scale of child sexual abuse impacts detrimentally on the ability of statutory agencies and other institutions to respond comprehensively to the level and nature of the threat to children. Different forms of child sexual abuse require different institutional responses. The Inquiry therefore recommends improved data collection by key statutory agencies.

B.2: The nature and characteristics of child sexual abuse

5. In addition to the accounts recorded in Victims and Survivors' Voices, the Inquiry heard evidence of the sickening, painful and degrading sexual abuse of children.⁵⁶⁶ Each of these acts is a crime. Chief Constable Simon Bailey, at that time the National Police Chiefs' Council Lead for Child Protection and Abuse Investigations and now retired, told the Inquiry that the police were encountering:

*"levels of depravity that are – if they could get worse, are getting worse. We are seeing babies being subjects of sexual abuse."*⁵⁶⁷

6. Some victims were forced to repeatedly perform sex acts, including acts of mutual and group masturbation, or were sexually assaulted and raped as forms of humiliation. Sexual abuse was often accompanied by extreme violence and acts of sadistic nature.⁵⁶⁸

7. As the UK government's April 2019 *Online Harms White Paper* observed, "*The sheer scale of CSEA [child sexual exploitation and abuse] online is horrifying*".⁵⁶⁹ Some child sexual abuse is live streamed. The sums paid to watch and, in some cases, to direct live streamed sexual abuse of children can often be trivial, facilitating the engagement of would-be offenders in child sexual abuse on a significant scale. One seven-year-old victim in the Philippines was paid US\$6 to perform online sexual acts on a webcam for foreigners three times a day.⁵⁷⁰ The Inquiry is also aware of a case where a perpetrator paid just 93 pence to watch a girl being sexually abused.⁵⁷¹

The impact of sexual abuse

8. Some children experience acute physical injuries, often, but not exclusively, as a result of penetrative abuse.⁵⁷² Sexually transmitted infections and pregnancy are an additional risk to an abused child's health.⁵⁷³

⁵⁶⁵ INQ006448_018

⁵⁶⁶ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 3.1, p4; see Annex 4; *Child Sexual Exploitation by Organised Networks Investigation Report*, Pen Portraits (CS-A12, CS-A371, CS-A372, CS-A435 and Daisy); *Truth Project Thematic Report: Child sexual abuse in sports*, IICSA, June 2020, pp3–4, 54

⁵⁶⁷ Simon Bailey 20 May 2019 113/20-23

⁵⁶⁸ *Child Migration Programmes Investigation Report*, Pen Portraits (Michael O'Donoghue), Part B.2 para 4; *Sexual Abuse of Children in Custodial Institutions Investigation Report*, Pen Portraits (Peter Robson, CI-A17, CI-A30); *Ealing Abbey and St Benedict's School Investigation Report*, Pen Portraits (RC-A8), Part C.3 para 81

⁵⁶⁹ INQ004232_016

⁵⁷⁰ *Children Outside the United Kingdom Investigation Report*, Pen Portrait (Lorna); *The Internet Investigation Report*, Part E.1 para 4

⁵⁷¹ *The Internet Investigation Report*, Part E.1 para 4

⁵⁷² *The impacts of child sexual abuse: A rapid evidence assessment*, IICSA, July 2017, Chapter 4 para 4.2

⁵⁷³ *The impacts of child sexual abuse: A rapid evidence assessment*, IICSA, July 2017, p42

9. Victims and survivors also experience emotional distress, including fear, anger, sadness and self-blame, manifesting itself in panic attacks, flashbacks, anxiety and signs of post-traumatic stress disorder.⁵⁷⁴ Some engage in self-harming behaviours, such as cutting, hitting and burning their bodies.⁵⁷⁵ Some children were so distressed that they tried to take their own lives.⁵⁷⁶ Longer-term physical and mental health problems were also common, impacting upon an individual's quality of life. Depression and anxiety disorders were particularly prevalent.⁵⁷⁷ There are often difficulties developmentally (including educational achievement and prospects on the labour market) and in relationships (both familial and later in life).⁵⁷⁸ Some victims and survivors adopted coping mechanisms as a way of dealing with the impacts of the abuse, some of which were disruptive or harmful.⁵⁷⁹

Key characteristics

10. While there is no stereotypical victim of child sexual abuse, there are a number of characteristics that may make some children more vulnerable to sexual abuse. These include age, sex and ethnicity, which are examined further below.

11. There are also a number of other characteristics that may make some children more vulnerable to sexual abuse.

11.1. Those who had experienced childhood neglect were nearly five times as likely to have experienced child sexual abuse as those who had not.⁵⁸⁰

11.2. Surveys also suggest that children who lived in a care home were nearly four times as likely to have experienced child sexual abuse. As at March 2021, there were 80,850 children in care in England and 7,263 children in care in Wales.⁵⁸¹ Children in care are some of the most vulnerable children in society, due to both the experiences and situations that led to them being placed in care and certain factors associated with being in care, such as going missing from care and being placed a long way from home. As set out in the *Child Sexual Exploitation by Organised Networks Investigation Report*, in England in the year to March 2018, child sexual exploitation was identified in 3,160 assessments for children in care. This equated to 16 percent of all the assessments which identified child sexual exploitation.⁵⁸²

⁵⁷⁴ *Residential Schools Investigation Report*, Pen portraits (RS-A299), Part G.2

⁵⁷⁵ *The impacts of child sexual abuse: A rapid evidence assessment*, IICSA, July 2017, p66; *Sexual Abuse of Children in Custodial Institutions Investigation Report*, Part E.4 para 45; *Truth Project Thematic Report: Child sexual abuse in sports*, IICSA, June 2020, p54; *The Roman Catholic Church Investigation Report*, Part B.1 para 3.6

⁵⁷⁶ *Child Sexual Exploitation by Organised Networks Investigation Report*, Pen Portraits (CS-A12, CS-A371, CS-A372, CS-A435 and Daisy); *Truth Project Thematic Report: Child sexual abuse in sports*, IICSA, June 2020, p54; *Truth Project Thematic Report: Child sexual abuse in the context of religious institutions*, IICSA, May 2019, pp49–50; *Truth Project Thematic Report: Child sexual abuse in healthcare contexts*, IICSA, December 2020, p50; "People don't talk about it": *Child sexual abuse in ethnic minority communities*, IICSA, June 2020, p78

⁵⁷⁷ *Truth Project Thematic Report: Child sexual abuse in the context of children's homes and residential care*, IICSA, November 2019, pp70–71

⁵⁷⁸ *Child Sexual Exploitation by Organised Networks Investigation Report*, IICSA, February 2022, pp30–31; *The impacts of child sexual abuse: A rapid evidence assessment*, IICSA, July 2017, p82; *Truth Project Thematic Report: Child sexual abuse in sports*, IICSA, June 2020, pp55–57; *Truth Project Thematic Report: Child sexual abuse in custodial institutions*, IICSA, April 2020, pp7, 53–55

⁵⁷⁹ *The impacts of child sexual abuse: A rapid evidence assessment*, IICSA, July 2017, pp69–81; *Child Sexual Exploitation by Organised Networks Investigation Report*, Pen Portraits (CS-A12, CS-A371, CS-A372, CS-A435 and Daisy)

⁵⁸⁰ INQ006938_006

⁵⁸¹ INQ006961_003; INQ006962_001

⁵⁸² *Child Sexual Exploitation by Organised Networks Investigation Report*, Part D.2

11.3. In surveys, disabled participants were twice as likely to describe experiencing child sexual abuse as non-disabled participants.⁵⁸³ Of those who participated in the Truth Project, a higher proportion of individuals who reported other forms of abuse and neglect were disabled.⁵⁸⁴ As noted in the Inquiry's *Child Sexual Exploitation by Organised Networks Investigation Report*, research indicated that children with disabilities were at an increased risk of being sexually exploited.⁵⁸⁵

11.4. Research indicates that children who are lonely or socially isolated may be more likely to be targeted, whether online or offline, by perpetrators. In relation to online offending, children who are exploring their sexuality, particularly LGBTQ+ children, may also be more vulnerable to abuse.⁵⁸⁶

Sex

12. Both girls and boys can be victims of child sexual abuse. The data show that a greater proportion of victims are girls, but there is evidence to suggest that boys may be less likely than girls to report sexual abuse in childhood.⁵⁸⁷ In the year ending March 2021, of those children on child protection plans in England under the primary category of sexual abuse, 59 percent were girls and 41 percent were boys.⁵⁸⁸ Police recorded crimes for the same period showed that the number of rapes and sexual assault offences of under 13s recorded on girls far exceeded the same offences against boys.⁵⁸⁹ The Truth Project data recorded that 70 percent of victims and survivors were females.⁵⁹⁰ In relation to reported online-facilitated child sexual abuse, girls are more likely to be the victims.⁵⁹¹

13. The overwhelming majority of evidence heard by the Inquiry related to male perpetrators of child sexual abuse. Male perpetrators featured in 89 percent of accounts given to the Truth Project and studies examined by the Inquiry's Rapid Evidence Assessment found that perpetrators of online-facilitated child sexual abuse are "*mostly men*".⁵⁹² This accords with official data showing that, where the sex of the alleged perpetrator was recorded, most individuals convicted of child sexual abuse (98 percent) were males.⁵⁹³

14. In its 2021 annual report, the Internet Watch Foundation (IWF) noted that where an offender is visible in child sexual abuse material "*they are most often a man*". However, over the course of a two-month study in 2021, the IWF analysed the prevalence of female perpetrators in child sexual abuse material seen by the IWF. It encountered images showing a female abuser "*on average 13 times per working day. In half of the images and videos (49%) showing a female abuser, she was abusing a boy*".⁵⁹⁴

⁵⁸³ INQ006938_006

⁵⁸⁴ Victims and Survivors' Voices, Part C.1

⁵⁸⁵ *Child Sexual Exploitation by Organised Networks Investigation Report*, Part D.4

⁵⁸⁶ *Rapid Evidence Assessment: Characteristics and vulnerabilities of victims of online-facilitated child sexual abuse and exploitation*, IICSA, January 2018, pp17, 48–49

⁵⁸⁷ INQ006448_020

⁵⁸⁸ INQ006871_016

⁵⁸⁹ INQ006871_024

⁵⁹⁰ See data compendium to this report.

⁵⁹¹ *Rapid Evidence Assessment: Characteristics and vulnerabilities of victims of online-facilitated child sexual abuse and exploitation*, IICSA, January 2018, p9

⁵⁹² See data compendium to this report; *Rapid Evidence Assessment: Characteristics and vulnerabilities of victims of online-facilitated child sexual abuse and exploitation*, IICSA, January 2018, pp9–10

⁵⁹³ INQ006871_033

⁵⁹⁴ INQ006950_002

Age

15. Children of all ages are at risk of abuse but younger children are at greater risk, as shown below.

15.1. For participants in the Truth Project, 79 percent of the victims and survivors were aged 11 or under at the time the abuse began.

Table B.1: *Truth Project data – age of the victim and survivor when sexual abuse began*

0–3 years old	12%	686
4–7 years old	35%	1,936
8–11 years old	32%	1,745
12–15 years old	18%	1,006
16–17 years old	2%	116
Total		5,489

Source: See [data compendium](#) to this report

15.2. This is also reflected in the age ranges of those children in England in the year ending 31 March 2021 who were placed on child protection plans because they were judged to be at significant risk of sexual harm. A child protection plan is a written record for parents, carers and professionals which sets out how the child’s welfare will be checked, what changes are needed to reduce the risk to the child and what support will be offered to the family.

Table B.2: *Department for Education data – age of children on child protection plans at significant risk of sexual harm, in the year ending 31 March 2021*

0–4 years old	26%	510
5–9 years old	27%	520
10–15 years old	39%	750
16–17 years old	8%	150
Total		1,930

Source: See [data compendium](#) to this report

16. Online-facilitated abuse involves ever younger victims. Some online sexual abuse forums require the perpetrator to prove that they have access to or can produce newly created child sexual abuse material. One site on the dark web required its subscribers to upload 20 newly created images of child sexual abuse or a two-minute video of infant or toddler abuse, each month.⁵⁹⁵

⁵⁹⁵ [The Internet Investigation Report](#), Part B.1 para 5

17. In relation to other forms of child sexual abuse, some child sexual abuse offences specifically refer to a ‘child under 16’ or a ‘child under 13’ and so it is possible to ascertain the number of police-recorded offences involving children under those ages, as discussed below. However, the data do not provide the age of the victims at the time of the sexual abuse.

18. Statistics recording the age of perpetrators are primarily based on criminal justice agency data which record the age of defendants proceeded against for child sexual abuse offences (Figure B.1). As demonstrated, the number of adult defendants in each age bracket has remained consistently stable. However, the data do not identify the age of the defendant at the time of the commission of the offence, which is a key consideration when analysing trends in cases of both recent and non-recent child sexual abuse. The data also suggest that a relatively low proportion of those defendants were aged under 18.⁵⁹⁶

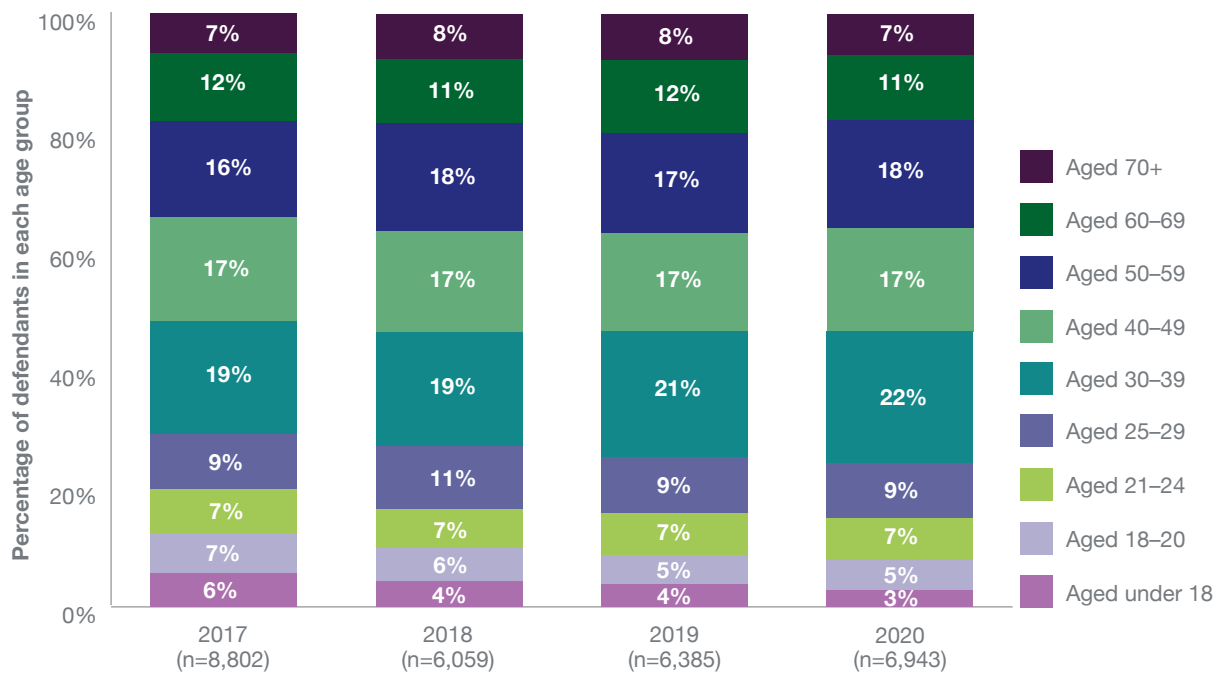


Figure B.1: Defendants proceeded against for child sexual abuse offences, by age, 2017–2020, England and Wales

Source: *Child sexual abuse in 2020/21: Trends in official data*, Centre of Expertise on Child Sexual Abuse, p32

Ethnicity

19. Accurate data on the ethnicity of victims and perpetrators play an important part in enhancing understanding of child sexual abuse and the context in which such abuse occurs. The data assist the relevant statutory agencies to target resources appropriately, including, for example, enabling the police to engage with communities where child sexual abuse and child sexual exploitation occur. Victims and survivors may require culturally sensitive support from the statutory authorities.

20. However, data recording the ethnicity of victims and survivors are not easily available. As set out in the Inquiry’s *Child Sexual Exploitation by Organised Networks Investigation Report*, there were “widespread failures” to record data about the ethnicity of victims in six case

⁵⁹⁶ INQ006871_032

study areas, resulting in the police and other agencies being “unable to identify local patterns and trends of child sexual exploitation in respect of ethnicity”.⁵⁹⁷ The CSA Centre notes that “it is common for children’s ethnicity not to be recorded in agency data”.⁵⁹⁸

21. Data relating to the ethnicity of perpetrators are also lacking. In the Inquiry’s *Child Sexual Exploitation by Organised Networks Investigation Report*, the six case study areas also failed to properly record the ethnicity of perpetrators:

*“Many of the high-profile child sexual exploitation prosecutions have involved groups of men from minority ethnic communities. This has led to polarised debate about whether there is any link between ethnicity and child sexual exploitation networks. Poor or non-existent data collection makes it impossible to know whether any particular ethnic group is over-represented as perpetrators of child sexual exploitation by networks.”*⁵⁹⁹

22. Analysing any pattern or trends in respect of the ethnicity of victims and survivors or perpetrators is difficult due to the paucity of this data. As considered further below, the government recognises that current methods of data collection are “inadequate” and that:

*“More robust data collection on characteristics, as well as further analysis of this data, is therefore needed to better understand offenders and victims because community, cultural, and other factors are clearly relevant to understanding and tackling offending.”*⁶⁰⁰

B.3: The scale of child sexual abuse

23. As the UK government has acknowledged in its *Tackling Child Sexual Abuse Strategy* (2021):

*“it is difficult to truly understand the scale of offending and how many victims and survivors remain unidentified because of under-reporting, under-identification of victims and survivors by agencies, and a lack of robust survey data.”*⁶⁰¹

For these reasons, the Inquiry agrees that it is difficult to measure accurately the scale of child sexual abuse in England and Wales. The Inquiry is in no doubt, however, that the scale of abuse and exploitation is considerably greater than is currently recorded by the statutory agencies. This was a conclusion in nearly every investigation conducted by the Inquiry.

Data in relation to physical or contact sexual abuse

24. One recent estimate – described as “conservative” – has suggested that around 500,000 children are abused in a single year.⁶⁰²

25. There is no consistent approach to the recording of data, including, at its most basic, the use of different reporting periods. Some data refer to the financial year, other data to the calendar year or a different timeframe.

⁵⁹⁷ *Child Sexual Exploitation by Organised Networks Investigation Report*, Part H.4

⁵⁹⁸ INQ006938_009

⁵⁹⁹ *Child Sexual Exploitation by Organised Networks Investigation Report*, Executive summary, p6

⁶⁰⁰ INQ006448_040

⁶⁰¹ INQ006448_020 para 48

⁶⁰² INQ006871_010

25.1. In the year ending September 2021, police forces recorded a total of 67,675 sexual offences against children.⁶⁰³ This figure is based on analysing police recorded crime figures where offences include reference to the victim's age, including some specific child sexual abuse offences where the child is under 13 or under 16 years old. However, this may not record all child sexual abuse offences. For example, there is no specific offence code for sexual assault where the victim is aged over 13 but is under 16 years old.

25.2. In the year ending December 2020, there were nearly 950 prosecutions for raping a child aged under 13 or under 16 years old, just under 1,000 prosecutions for sexual assaults on a child under 13 years old and more than 1,470 prosecutions for sexual activity with a child under 13 or under 16 years old.⁶⁰⁴

25.3. Local authority data for England record the primary reason why children are made the subject of a child protection plan. In 2019/20, 2,600 children in England were placed on child protection plans under the primary category of sexual abuse.⁶⁰⁵

25.4. These figures for children subject to child protection plans are comparatively low when compared with the assessments conducted by children's services which show an increase in identification of child sexual abuse and exploitation as a risk factor. In the year ending March 2020, child sexual abuse was identified as a risk factor in 29,640 assessments and child sexual exploitation in 16,830 assessments.⁶⁰⁶

26. As a result of the lack of a coherent set of data, it is difficult to gain a comprehensive understanding of the scale of child sexual abuse in circumstances where, as demonstrated by the Inquiry's work, sexual abuse and the estimated number of perpetrators continue to rise.

Data relating to online-facilitated child sexual abuse

Child sexual abuse material online

27. The proliferation in online child sexual abuse material is of significant concern. In the calendar year ending 2020, the IWF processed over 153,000 reports containing child sexual abuse imagery or UK-hosted non-photographic child sexual abuse imagery. The figures rose again in the year ending 2021, with more than 250,000 URLs (Uniform Resource Locators) confirmed to contain images or videos of child sexual abuse.⁶⁰⁷ A URL is the specific location where a file is saved online. Some URLs can contain thousands of images and videos.

⁶⁰³ See data compendium to this report.

⁶⁰⁴ See data compendium to this report.

⁶⁰⁵ INQ006938_015-016

⁶⁰⁶ See data compendium to this report.

⁶⁰⁷ INQ006684_002

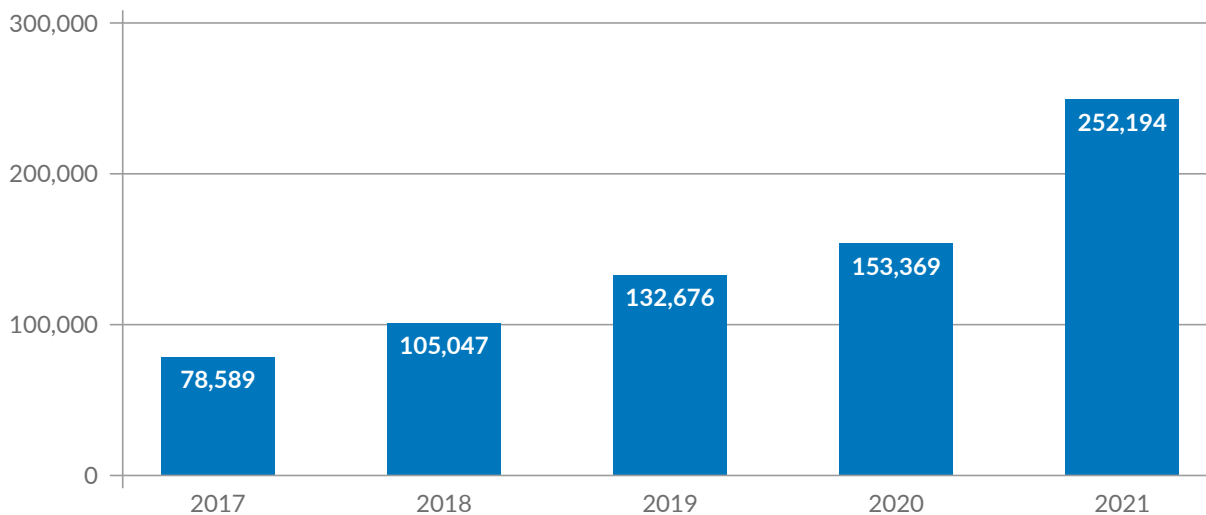


Figure B.2: Number of reports of webpages assessed as containing child sexual abuse images, from 2017 to 2021

Source: See [data compendium](#) to this report

28. The IWF noted year-on-year increases in reports of webpages that were found to contain child sexual abuse imagery between 2017 and 2021.⁶⁰⁸ In particular, the number of reports of webpages containing self-generated imagery (a naked or partially naked image of a child taken by that child) increased almost 13-fold from nearly 13,700 in 2017 to over 182,000 in 2021 (Figure B.3).

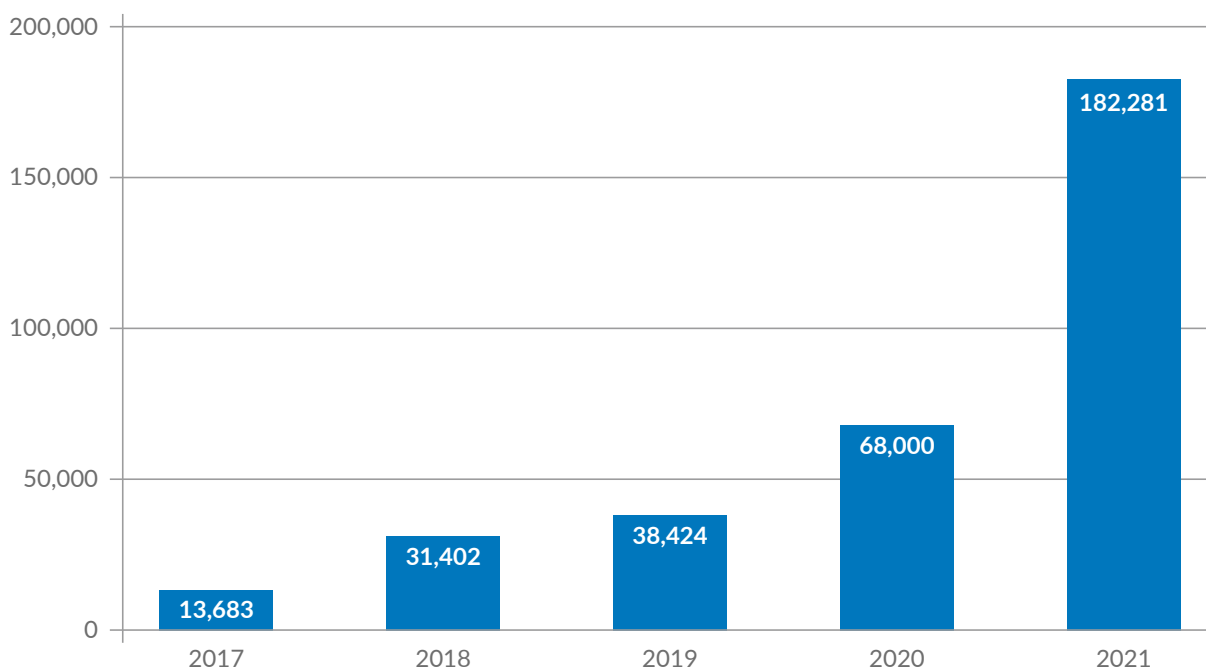


Figure B.3: Number of webpages containing self-generated child sexual abuse images, from 2017 to 2021

Source: See [data compendium](#) to this report

⁶⁰⁸ INQ006648_002; IWF000024

29. There were sharp increases in self-generated images depicting 7 to 10-year-olds and in particular 11 to 13-year-olds (Figure B.4, in which 'other' relates to children for whom the specific age range could not be identified). Some self-generated imagery involved perpetrators encouraging children to involve their brother or sister in the abuse.⁶⁰⁹

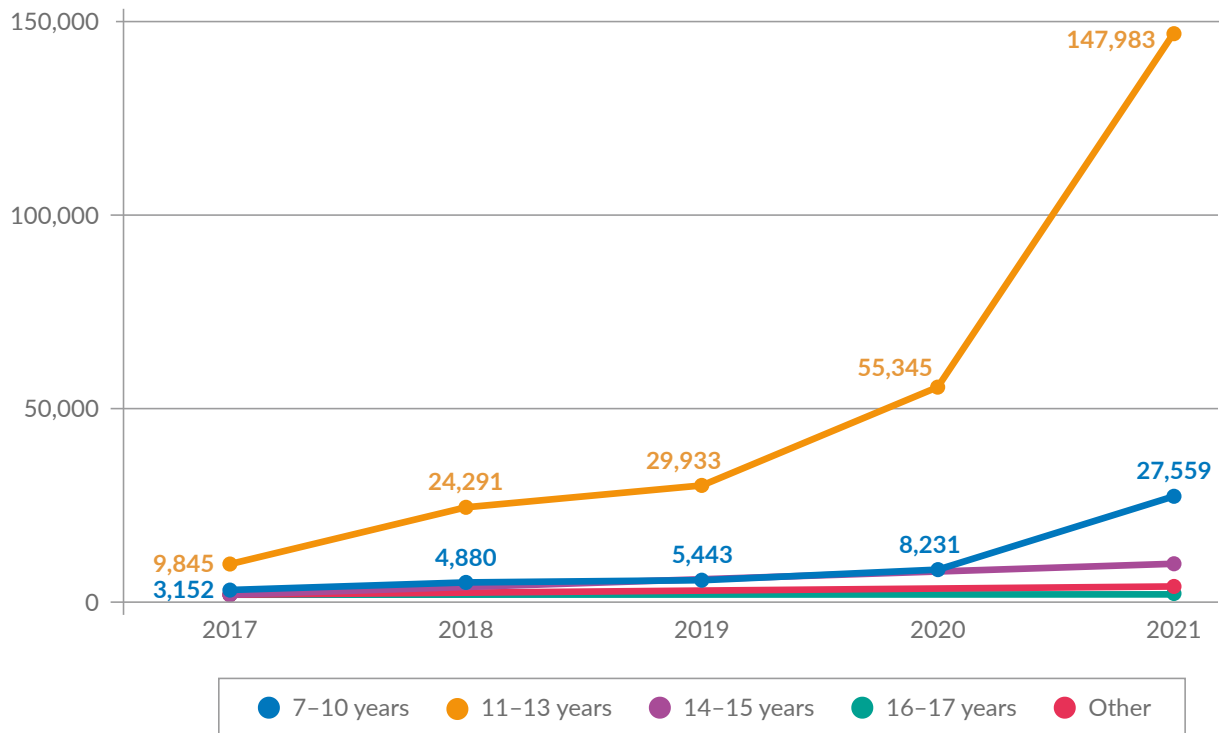


Figure B.4: Reports assessed as self-generated child sexual abuse images, from 2017 to 2021, by age of victim

Source: See [data compendium](#) to this report

Data relating to perpetrators

30. It is also difficult to establish the number of perpetrators who sexually abuse children.

31. Official data state that in the year ending December 2020, 4,649 individuals were convicted of child sexual abuse offences (Figure B.5).⁶¹⁰ This figure also shows a decline in the number of prosecutions since 2016 (the criminal justice response is examined in further detail in Part G).

⁶⁰⁹ INQ006684_002; INQ006651; INQ006652_002

⁶¹⁰ See [data compendium](#) to this report.

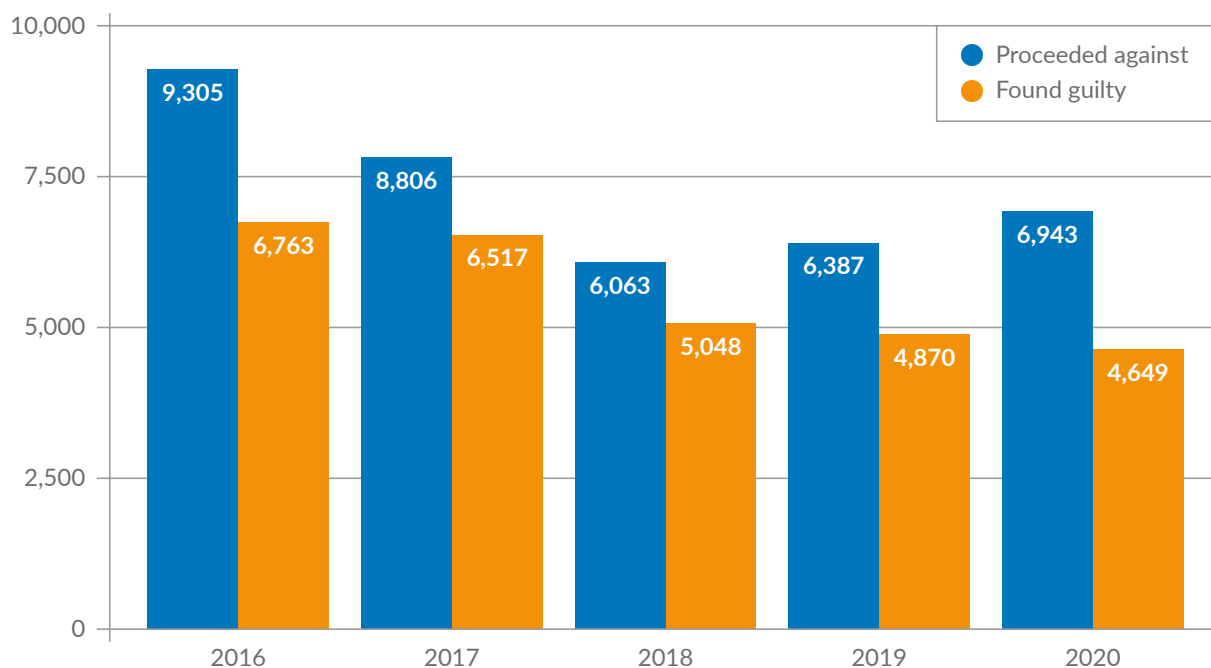


Figure B.5: Number of defendants prosecuted and convicted for child sexual abuse offences from 2016 to 2020

Source: Ministry of Justice, *Criminal Justice Statistics Quarterly*, year to December 2020

32. This number of convicted individuals is in stark contrast with the National Crime Agency’s 2021 estimate that there were between 550,000 and 850,000 individuals in the UK identified by law enforcement as posing varying degrees of sexual risk to children.⁶¹¹ These figures did not, however, include non-UK offenders or children who sexually abuse other children and were therefore likely to be an underestimate. The gap between these two figures is a matter of concern as it suggests there are far more children being abused or at risk of being abused than are being identified by local authority and local police crime-recording data.

33. In the UK in 2019, the Lucy Faithfull Foundation, which provides advice and preventive resources for those with concerns about their own or another’s abusive sexual behaviour, was contacted 94,342 times by people seeking help through its website and helpline.⁶¹² Between March–May and September–December 2020, the average number of weekly users of *Stop It Now! Get Help* (the offender-focussed website maintained by the Lucy Faithfull Foundation) increased by 128 percent.⁶¹³ In 2020/21, there was a significant increase in the number of young people contacting the Lucy Faithfull Foundation for advice and support, including 155 calls, chats or emails from under 18-year-olds who had committed a sexual offence online – this was a 177 percent increase compared with 2019/20.⁶¹⁴

Global scale

34. The pattern identified in England and Wales is also consistent with the global trend of rising levels of child sexual abuse. In its *Global Threat Assessment 2021*, the WeProtect Global Alliance provided a snapshot of the wider scale of the problem.

⁶¹¹ INQ006649_011 para 46

⁶¹² INQ006448_048 para 142

⁶¹³ INQ006448_034

⁶¹⁴ INQ006738_019

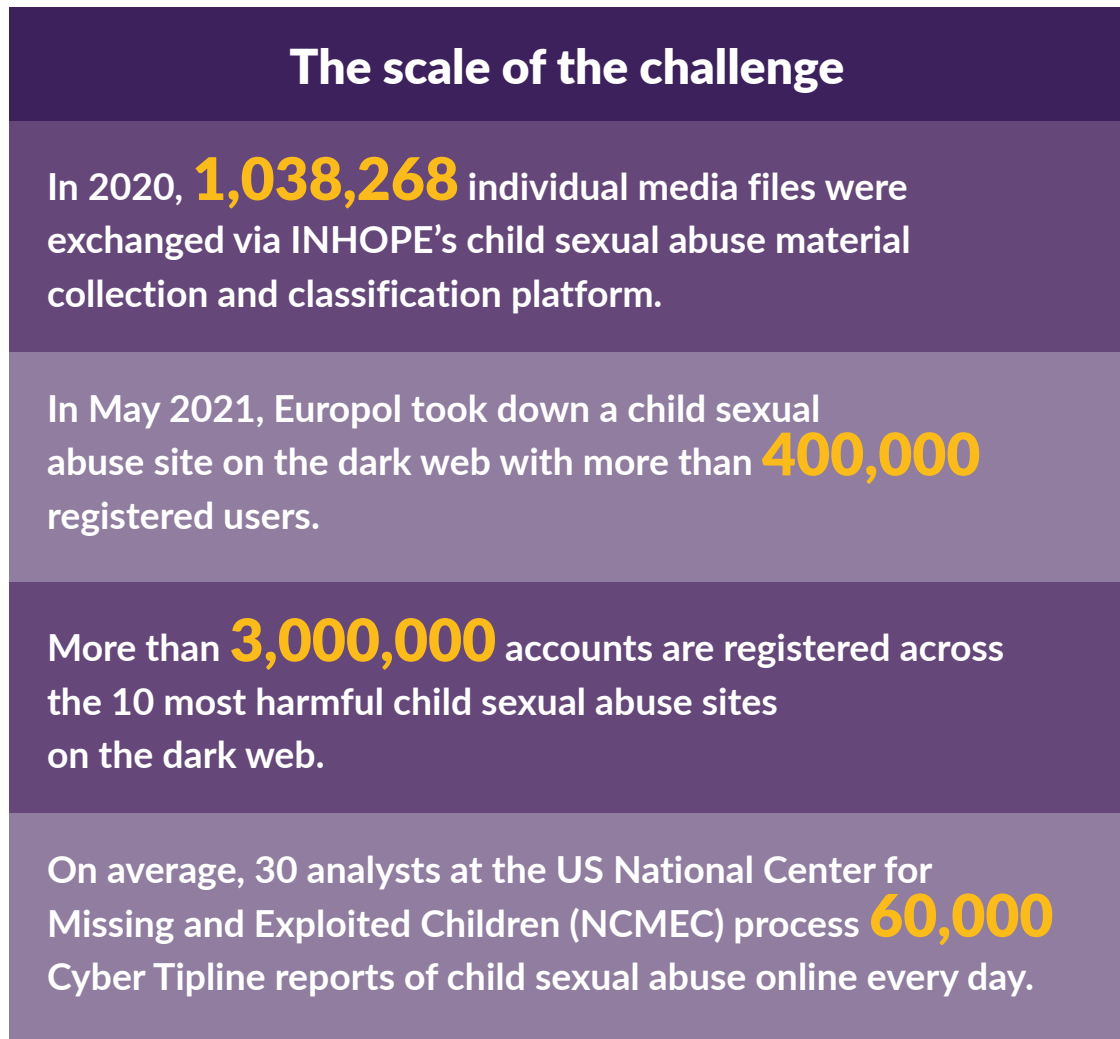


Figure B.6: *The scale of the challenge*

Source: [INQ006749_004](#)

35. The internet and social media platforms have created new and increased opportunities to offend, with no foreseeable end to the growing demand for child sexual abuse imagery and no realistic prospect that perpetrators will stop in their pursuit of sexual gratification at the expense of harm to children. It is a national and global crisis.

36. It is this horrifying picture that underpins the Inquiry's recommendations in this report and the need for urgent action by both State and non-State institutions. Protecting children from sexual abuse and exploitation, and its often lifelong harmful consequences, is of fundamental importance to future generations.

B.4: Improving the understanding of the scale of child sexual abuse

Under-reporting of child sexual abuse

37. Data recording the number of child sexual abuse offences will inevitably present only a partial picture of the scale of child sexual abuse.

37.1. Not all children, for example, will be able to understand that what is being done to them amounts to child sexual abuse and some may not be able to tell someone about it.

37.2. The 2020 Crime Survey for England and Wales estimated that 76 percent of adults who experienced rape or assault by penetration did not tell anyone about their experience at the time.⁶¹⁵ People were even less likely to tell the police – only an estimated 7 percent of victims and survivors informed the police at the time of the offence and only 18 percent told the police at any point.⁶¹⁶

37.3. Research has shown that disclosure of abuse is a complex and lifelong process. It often takes place for the first time in adulthood.⁶¹⁷ For example, analysis of data on allegations of child sexual abuse in the Roman Catholic Church between 1970 and 2015 indicate the abuse was alleged to have occurred or begun an average of 26 years previously.⁶¹⁸

38. Police data from 2004/5 to 2019/20, published in the UK government’s *Tackling Child Sexual Abuse Strategy* (2021), show relatively stable levels of recording of child sexual abuse offences in the mid-2000s.⁶¹⁹ However, the data will not capture all child sexual offences, such as sexual assault, because they are based only on offences where a child is specified in the offence itself.

39. The data show a sharp increase in recorded offences from 2012 onwards.⁶²⁰ In its 2021 *Tackling Child Sexual Abuse Strategy*, the UK government considered that this increase was linked to “an increase in victims’ willingness to report” following police investigation Operation Yewtree, which was established in the aftermath of widespread media coverage about child sexual abuse perpetrated by Jimmy Savile.⁶²¹

⁶¹⁵ Crime in England and Wales dataset, year ending March 2020, tab A4

⁶¹⁶ INQ006448_019

⁶¹⁷ INQ006850_002

⁶¹⁸ CHC001938_018 para 2.3

⁶¹⁹ INQ06448_019 (Figure 5)

⁶²⁰ INQ06448_019 (Figure 5)

⁶²¹ INQ06448_019

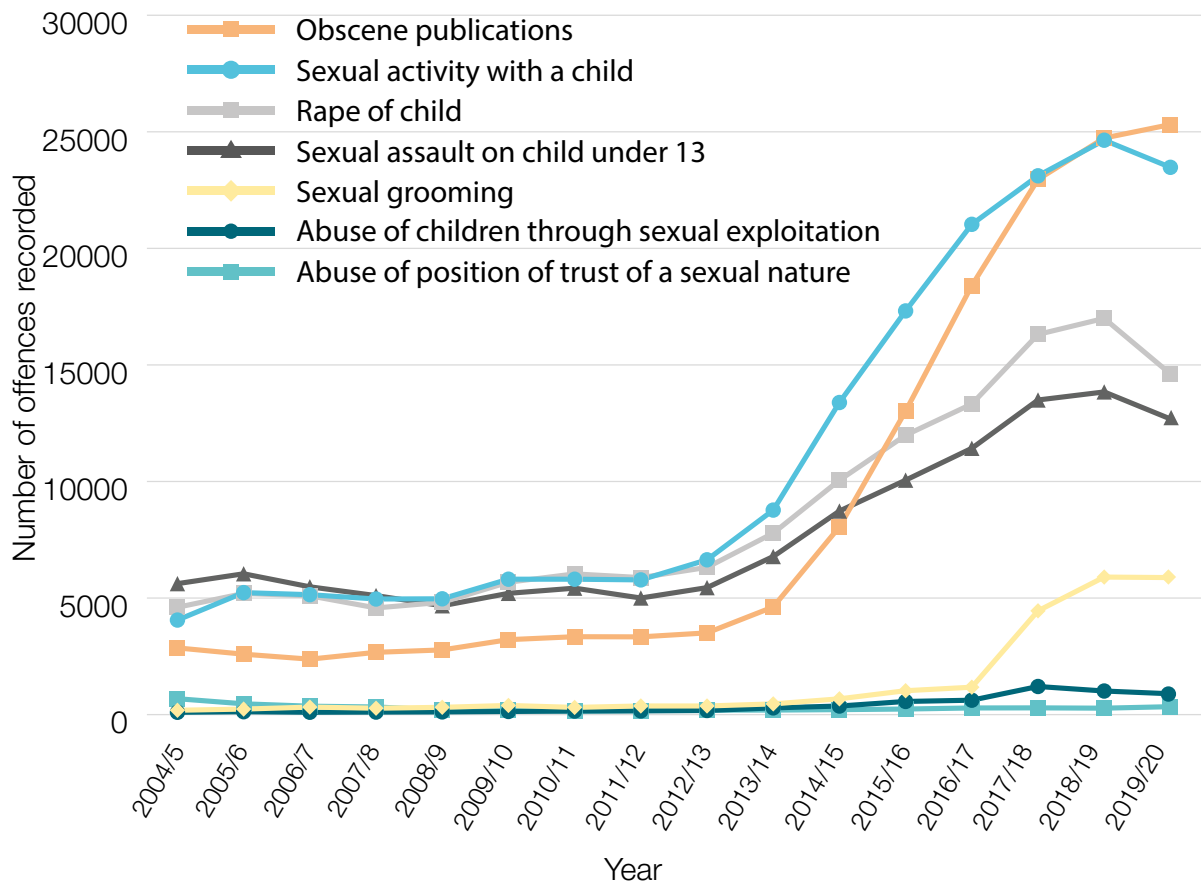


Figure B.7: Police recorded child sexual abuse offences in England and Wales, 2004/05 to 2019/20

Source: INQ006448

40. The numbers in the graph for 2018/19 onwards appear to suggest a more recent fall in offending in relation to some child sexual abuse offences, including sexual assault on a child under 13 and rape. However, nearly a decade on from Operation Yewtree, it is not surprising that the initial explosion in reporting has abated. Nonetheless, as Figure B.7 depicts, tens of thousands of child sexual abuse offences have been recorded during the lifetime of the Inquiry. In particular, there has been a rapid increase in indecent image offences (referred to in the graph as falling within ‘obscene publications’ offences).⁶²²

41. The recent Crime Survey for England and Wales for the year ending December 2021 recognised that:

“High levels of non-reporting combined with changes in reporting trends can have a significant impact on sexual offences recorded by the police. Prior to the coronavirus (COVID-19) pandemic, the number of police recorded sexual offences was well below the number of victims estimated by the crime survey, with fewer than one in six victims of rape or assault by penetration reporting the crime to the police.”⁶²³

⁶²² As the notes accompanying Figure B.7 make clear, “the majority of obscene publications offences have been recorded against codes that cover indecent images of children offences. These offences will, however, also include lesser offences specifically the sending of explicit images between consenting minors. Following the implementation of a new IT system in July 2019, Greater Manchester Police have been unable to supply data for the period July 2019 to March 2020. Figures for Greater Manchester are not included in the National and Regional totals for the years ending March 2019 and 2020” INQ006448

⁶²³ INQ006691_030

Limitations with available data

42. Even where abuse is reported and recorded, the data may not reveal the complete scale of abuse. In respect of understanding patterns and trends in child sexual abuse over time, the Inquiry has not been helped by the inadequacies of the existing data collection systems. Different organisations have developed their own approaches to categorising and recording data. As a result, operational data from different organisations cannot be brought together and consolidated in a way which aids an overall understanding of the problem and the institutional response.

43. The prevalence survey data and the operational data do not distinguish between child sexual abuse within the family setting and that which is committed by perpetrators outside the family. They also do not distinguish between child sexual abuse committed outside the family in institutional settings as opposed to child sexual exploitation, meaning there are no official estimates of the serious criminal activity taking place in these two key areas.

44. Local authority data relating to child protection plans present only a partial picture of the scale of child sexual abuse. For the purposes of data collection, children are generally only placed on a plan under one of the four 'primary' categories (sexual abuse, physical abuse, emotional abuse and neglect), although sexual abuse may be a secondary risk. Research by the Office of the Children's Commissioner for England suggests that:

"among children who had been sexually abused according to police data, more were recorded by children's services under the categories of neglect (32%) or emotional abuse (29%) than under sexual abuse (20%)".⁶²⁴

45. The Inquiry has already identified particular problems with data relating to child sexual exploitation where, as noted in the *Child Sexual Exploitation by Organised Networks Investigation Report*, no specific criminal offence of child sexual exploitation is recorded and measured.⁶²⁵ As a result, police forces manually apply a 'flag' to offences which fit the definition of child sexual exploitation. In many parts of the country, child sexual exploitation has been recorded within the broader category of child criminal exploitation.⁶²⁶ Variations in the way offending is recorded may also contribute to differences in the available statistics. For example, police may record an offence of rape that also involves child sexual exploitation as a rape offence, thereby failing to capture the most serious child sexual exploitation crimes. As a result, in February 2022 in its *Child Sexual Exploitation by Organised Networks Investigation Report*, the Inquiry recommended that the UK government and the Welsh Government should take steps to ensure that data about child sexual exploitation are being collected and disaggregated in a consistent and accurate way by police forces and local authorities.⁶²⁷ In June 2022, the UK government provided the Inquiry with its provisional response to this recommendation and stated that its final response to this recommendation would be provided by 1 August 2022. The final response is available on the Inquiry's website.

⁶²⁴ INQ006871_012

⁶²⁵ *Child Sexual Exploitation by Organised Networks Investigation Report*, Part B.4

⁶²⁶ *Child Sexual Exploitation by Organised Networks Investigation Report*, Part B.4 paras 27–28

⁶²⁷ *Child Sexual Exploitation by Organised Networks Investigation Report*, Part L.2

46. Public agencies rely on accurate and detailed data to make the best strategic and operational responses for the protection of children. This is not possible if the nature of the abuse and changing patterns are not well understood. For example, the institutional response to familial child sexual abuse is categorically different from the response to sexual abuse committed by a child.

47. The lack of reliable data which measure the current prevalence of child sexual abuse in England and Wales (and across the UK) impedes the ability of statutory agencies and society more generally to prevent and respond appropriately to such abuse. The ONS assessed the feasibility of a survey measuring the prevalence of child sexual abuse in the UK (that is, the proportion of children in the population who are sexually abused) and, in April 2022, it concluded that there was “*no fundamental reason not to conduct a survey*” of children aged 11 to 15 years administered in a school environment or equivalent educational establishment, notwithstanding some challenges.⁶²⁸ Such a survey is likely to provide valuable information for those working to protect children from sexual abuse in the future.

48. The UK government’s *Tackling Child Sexual Abuse Strategy* (2021) recognised that:

*“the quality and extent of data that is collected on offender and victim characteristics, including, but not limited to, age, gender and ethnicity, is inadequate”.*⁶²⁹

It identified a “*need to improve the quality and extent of data collected in relation to the modus operandi of offending*”. It indicated the Home Office would “*engage with criminal justice partners, academics, think tanks, charities and frontline professionals on improving the range of data currently collected, the quality of data collected, and drawing out insights from the data to help protect children by preventing and detecting offending*”.⁶³⁰ As at June 2022, no further information has been published, although the government has published – in line with its 2021 *End-to-End Rape Review Report on Findings and Actions* – “*performance scorecards*” to monitor progress against key metrics, including timeliness, quality and victim engagement in relation to adult rape offences.⁶³¹

49. Urgent steps should be taken – led by the UK government and the Welsh Government – to improve the data on child sexual abuse. This should include recording when sexual crimes against children take place outside the family setting, both in prevalence surveys and data collected by the criminal justice agencies and local authorities. These agencies have operational intelligence or risk assessment information about the circumstances in which child sexual abuse has reportedly taken place. That information should be recorded and reported in a way that allows abuse of children outside the family setting to be measured. The Inquiry therefore recommends improvements to the data collected about child sexual abuse and the regular publication of that improved data.

⁶²⁸ INQ006904_002

⁶²⁹ INQ006448_039

⁶³⁰ INQ006448_039-040

⁶³¹ INQ006641_033 para 41

Recommendation 1: A single core data set

The Inquiry recommends that the UK government and the Welsh Government improve data collected by children's social care and criminal justice agencies concerning child sexual abuse and child sexual exploitation by the introduction of one single core data set covering both England and Wales.

In order to facilitate this, these agencies should produce consistent and compatible data about child sexual abuse and child sexual exploitation which includes:

- the characteristics of victims and alleged perpetrators of child sexual abuse, including age, sex and ethnicity;
- factors that make victims more vulnerable to child sexual abuse or exploitation; and
- the settings and contexts in which child sexual abuse and child sexual exploitation occur.

Data concerning child sexual abuse and child sexual exploitation should be compiled and published on a regular basis. This should be capable of being collated nationally as well as at regional or local levels.

Part C

Prioritising the protection of children

Prioritising the protection of children

C.1: Introduction

1. The vast majority of adults throughout the UK view the effective protection of children from harm as an essential component of a civilised society. Public opprobrium is rightly directed at not only those who deliberately set out to abuse children but also those who fail to protect children when they should do so. Institutions which bear statutory responsibility are required to ensure as far as possible that the right action is taken if children are at risk of harm. Scrutiny arrangements are in place to maintain good governance and accountability in respect of the institutions themselves and for the professionals and employees, as well as volunteers, who work in an institutional context.

2. While key professionals such as social workers and police officers have particular responsibility for protecting children from harm, all adults who work with, care for or look after children have a responsibility to keep children safe. Child sexual abuse occurs in many contexts and settings. The Inquiry's work revealed physical violence as well as neglect and emotional harm that individually, or in combination, created an environment in which sexual abuse could take place.⁶³² It is virtually impossible to separate out the various forms of harm as if they occurred in isolation. The Inquiry has considered child protection throughout its investigations, where relevant.

3. Where institutions had child protection arrangements, in many instances there was often a lack of compliance with existing systems.⁶³³ In order to make the further improvements necessary to protect children better in the future, a well-articulated and relentless focus on child protection is required. The economic and social costs of sexual abuse are significant. A recent study published by the Home Office estimated that, in the year ending March 2019, contact child sexual abuse alone cost society over £10 billion.⁶³⁴ The challenges are therefore considerable and growing and, as set out in Part J, are likely to last well into the future, particularly as the UK recovers from the devastating consequences of a worldwide pandemic.

4. It is therefore important that child protection is given the priority it deserves. It should not be subsumed into other areas of practice within institutions or be permitted to drift into institutional obscurity. To address and respond to the complex challenges of child sexual abuse, the Inquiry recommends the establishment of independent Child Protection Authorities for England and for Wales. Their remit should cover sexual, physical and emotional abuse, as well as neglect of children. To signify the importance attached to child protection, the Inquiry also recommends the establishment of a Minister for Children with

⁶³² Victims and Survivors' Voices, Parts C.2–C.4; *Nottinghamshire Councils Investigation Report*, Pen Portraits (D6, L35); *Child Sexual Exploitation by Organised Networks Investigation Report*, Pen Portraits (CS-A372, CS-A435)

⁶³³ *Child Protection in Religious Organisations and Settings Investigation Report*, Executive Summary, Part D.1 para 2, Part D.2, Part G.2 para 17, Part H.1 para 9; *Residential Schools Investigation Report*, Part E.3 paras 42–52

⁶³⁴ INQ006659_003

cabinet status covering a wide range of responsibilities for children’s welfare. It should include child protection, so that children’s safety and well-being receive the attention they deserve.

5. Raising the profile of child protection and ensuring that members of the public are better able to identify concerns about child sexual abuse will also maximise society’s ability to protect children from harm. In order to do so, wider cultural and societal changes are required. To encourage discussion about child sexual abuse and to achieve the necessary cultural shift, the Inquiry recommends that there should be a wide-ranging programme to increase public awareness about child sexual abuse and the action to take if suspicions and concerns arise.

C.2: The current system for safeguarding and child protection

6. At the outset, it is important to distinguish child protection from safeguarding children. The latter covers a much broader range of activity and extends beyond protection of the individual child to the wider responsibilities across society to ensure that children are safe. Both are important and sometimes overlap.

6.1. Safeguarding is used to describe measures to protect the health, well-being and rights of people to live free from abuse, harm and neglect, particularly children, young people and vulnerable adults. In social work practice it generally refers to all of the actions, support and services that promote the welfare of children and protect them from harm. At its broadest, it means enabling all children and young people to have the best possible outcomes, for example in terms of their mental and physical health, education and family lives.⁶³⁵

6.2. Child protection is part of the safeguarding process. It focusses on protecting individual children identified as suffering, or at risk of, significant harm. Child protection procedures set out how to respond to concerns about a child and should follow government guidance. Child protection policy and practice guidance anticipate the abuse and harm that individual children might experience.⁶³⁶

7. Although the statutory agencies have well-rehearsed responsibilities, other institutions do not. During its work, the Inquiry examined the statutory and regulatory frameworks that apply in respect of religious organisations and settings, educational settings, custodial institutions, children in the care of local authorities, political parties and institutions, and current proposals for regulation of the internet.⁶³⁷ The Inquiry also considered analyses of similar issues conducted by others, including Clive Sheldon KC’s 2021 review of the Football Association and Dame Janet Smith’s 2016 review of historic practices at the British Broadcasting Corporation (BBC).⁶³⁸

⁶³⁵ INQ006967_106

⁶³⁶ INQ006967_106

⁶³⁷ *Child Protection in Religious Organisations and Settings Investigation Report*, Executive Summary, Parts D.2, F.3, F.5, G.2; *Residential Schools Investigation Report*, Executive Summary, Part H.2, Annexes 3–4; *Sexual Abuse of Children in Custodial Institutions Investigation Report*, Executive Summary, Parts B.4, E.10, E.13–E.14; *Lambeth Council Investigation Report*, Parts I.2–I.4; *Nottinghamshire Councils Investigation Report*, Parts B.4–B.5, E.4–E.5; *Westminster Investigation Report*, Executive Summary, Parts J.2, K.1; *The Internet Investigation Report*, Executive Summary, Parts C.2, C.5, F.2

⁶³⁸ INQ006777; INQ006660

8. In England, individuals working with children are expected to comply with the key statutory guidance for child protection, *Working Together to Safeguard Children*.⁶³⁹ This guidance – updated most recently in 2018 – provides that every individual who works with children has a responsibility for keeping them safe, and every individual who comes into contact with children and families has a role to play in sharing information and identifying concerns. It emphasises the importance of early help to promote the welfare of children. Local agencies must identify, assess and provide help for children and families who would benefit from interventions.

9. In Wales, the key guidance is *Working Together to Safeguard People* and is based on the requirements set out in the Social Services and Well-being (Wales) Act 2014, supported by the *Wales Safeguarding Procedures*.⁶⁴⁰ It is primarily for practitioners working with children, including those working in early years, social care, education, health, the police, youth offending and youth, community and family support services (including the third sector) and foster care and residential care. Taken together, this framework sets out detailed practice guidance and sets expectations about how individuals and organisations should work together to safeguard children.

10. The legal and policy requirements for child protection and safeguarding are often complex. This complexity can lead to assumptions that every aspect of child protection and safeguarding is covered by existing frameworks. That is not the case.

Scrutiny and inspection

11. Scrutiny and inspection arrangements in respect of child protection and safeguarding are important features of the current system. Whether, how and by whom an institution is inspected depends on its activities. A number of organisations play an important role in the oversight of child protection and regulation.

11.1. In England, education, children’s social care and early years are broadly overseen by the Department for Education, which also sponsors the Office for Standards in Education, Children’s Services and Skills (Ofsted) in England as well as the Independent Schools Inspectorate. In Wales, Estyn inspects education and training.

11.2. The Charity Commission is responsible for registering charities in England and Wales, including many religious and voluntary organisations and settings. Each charity is responsible for ensuring that “*the charity has proper systems in place to mitigate the risk of child sexual abuse and deal with it properly if a report is made to them of such abuse*”.⁶⁴¹ Although serious child protection issues are matters of concern to the Charity Commission, it is not able to act as a routine inspector of child protection systems in respect of the many thousands of registered charities in England and Wales.

11.3. In the criminal justice system, child protection and safeguarding practice within the police, youth custody and probation are respectively inspected by His Majesty’s Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS), His Majesty’s Inspectorate of Prisons and His Majesty’s Inspectorate of Probation.

⁶³⁹ INQ006608_011 paras 16–17

⁶⁴⁰ INQ006791; WGT000470; INQ006455

⁶⁴¹ Michelle Russell 1 November 2019 127/1-6

11.4. The Care Quality Commission (CQC) and the Healthcare Inspectorate regulate children’s (and adult) health services in England and in Wales, respectively. Both organisations have wide-ranging responsibilities and powers of inspection. In England, the CQC participates in joint inspections of child protection arrangements with Ofsted, HMICFRS, HM Inspectorate of Probation and, where relevant, HM Inspectorate of Prisons. In Wales, the Healthcare Inspectorate works with Estyn, Care Inspectorate Wales and Audit Wales.

11.5. The Children’s Commissioners for England and in Wales were both established by statute. The aim of the Welsh Children’s Commissioner is to “*safeguard and promote the rights*” of children in Wales.⁶⁴² In England, the Children’s Commissioner’s “*primary function is promoting and protecting the rights of children in England*”.⁶⁴³ Both Commissioners have wide responsibilities and powers, including ensuring that children’s views and interests are taken into account by public bodies.

11.6. There are additional workforce regulators, such as Social Care England, the General Medical Council and the Teaching Regulation Agency. These organisations are responsible for regulating the practice of individual practitioners. In the most serious circumstances, the regulator has a disciplinary function which may prevent a member of a particular profession from practising if their conduct merits such a sanction.

12. Inspectorates may join together to conduct joint inspections of various sectors.⁶⁴⁴ In England, joint targeted area inspections bring together several inspectorates, led by Ofsted, to conduct thematic inspections of multi-agency child protection arrangements.⁶⁴⁵ In Wales, a similar role is undertaken by the Joint Inspectorate Review of Child Protection Arrangements.⁶⁴⁶

13. Statutory inspection activity does not always identify poor practice, particularly when conducting inspections that necessarily cover a wide range of topics. Some institutions such as supplementary schools or out of school settings receive little, if any, independent assessment of their child protection practices. There is no power to compel them to have child protection policies and no power for existing inspectorates to inspect the quality of the services provided.⁶⁴⁷ For example, the *Inquiry’s Child Protection in Religious Organisations and Settings Investigation Report* noted Ofsted’s “*serious concerns*” about its inability to inspect and evaluate out-of-school settings and unregistered schools.⁶⁴⁸ Greater powers for Ofsted, including to take action in relation to unregistered schools, were proposed in new legislation announced by the UK government in May 2022.⁶⁴⁹

14. There is also a duty to conduct serious case reviews, where appropriate, and identify learning. In England, safeguarding partnerships report to the Child Safeguarding Practice Review Panel, which is responsible for identifying and overseeing serious child safeguarding cases that, in its view, raise issues which are complex or of national importance.⁶⁵⁰ In Wales, regional safeguarding boards perform a similar function with support and advice

⁶⁴² Children’s Commissioner for Wales Act 2001, section 2

⁶⁴³ Children Act 2004, section 2; CCE000011_001 paras 2–3

⁶⁴⁴ Children Act 2004, section 20

⁶⁴⁵ INQ006663_003 para 1

⁶⁴⁶ INQ006858; INQ006779; INQ006778

⁶⁴⁷ *Child Protection in Religious Organisations and Settings Investigation Report*, Part F.1, Part F.3 paras 9–16, Part F.4, Part F.5 paras 50–51, Part G.2; DFE003469

⁶⁴⁸ *Child Protection in Religious Organisations and Settings Investigation Report*, Part F.3 para 12

⁶⁴⁹ INQ006845_002; INQ006949

⁶⁵⁰ INQ006608_086-090

from the National Independent Safeguarding Board, which also reports on the adequacy of safeguarding arrangements and makes representations to Welsh ministers about improvements.⁶⁵¹ Safeguarding partnerships have an important role to play in bringing the statutory agencies together to work on all aspects of safeguarding strategy in local areas.

15. Inspections, serious case reviews and other regulatory activities are not a substitute for an institution's responsibility for its own quality assurance of its safeguarding and child protection. This could include internal and external audits and reviews of child protection practice.

Multi-agency working

16. As children and families often access a range of services, statutory agencies (particularly local authorities, the police and the healthcare sector) must work together to understand fully a child's circumstances and to coordinate their interventions and support. This multi-agency work is coordinated and overseen by safeguarding partnerships in England and safeguarding boards in Wales. Specified statutory agencies must be represented in these arrangements; in Wales this also includes probation services. Other organisations, such as schools and youth services, must be involved in safeguarding arrangements if required by the statutory agencies.⁶⁵²

17. When child protection concerns arise, the relevant local authority has a statutory duty to make enquiries and decide whether to take any action to safeguard or promote the child's welfare.⁶⁵³ If a child is in immediate danger, the local authority may seek emergency protective orders from the family courts, and the police have the power to remove the child to a place of safety for a limited period of time. Where there is no risk of immediate harm to a child, there is likely to be an assessment of the child's needs and protective steps may be taken. The local authority is required to work with the child's family and professionals to ascertain what steps are in the child's best interests. Early intervention and protection in children's social care must be undertaken in tandem with improved child protection practice so that, if a threshold of significant harm is crossed, the local authority may invite a court to make a care order or a supervision order.

18. The police are responsible for investigating allegations amounting to criminal offences of child sexual abuse, although joint investigations with local children's services are encouraged, in order to bring a multidisciplinary approach to the investigation process. If there is sufficient evidence and it is in the public interest to proceed, the Crown Prosecution Service will authorise a prosecution.

19. The effectiveness of multi-agency working is the critical element of child protection and safeguarding practice. This is the cornerstone of the system and, although there have been changes to organisational structures over the years, the basic concept of good multi-agency working has remained a consistent feature. Despite successive policy initiatives to work better together, the statutory agencies have not always collaborated efficiently or effectively.⁶⁵⁴ On occasions, this has been marked by an absence of collective leadership by statutory agencies.

⁶⁵¹ INQ006666_005

⁶⁵² INQ006608_075_076; Social Services and Well-being (Wales) Act 2014, section 134

⁶⁵³ Children Act 1989, section 47

⁶⁵⁴ Residential schools Investigation Report, Part H.2, paras 36–37; Cambridge House, Knowl View and Rochdale Investigation Report, Part C (Section 3) paras 3, 112

C.3: Reform

20. Throughout the Inquiry's public hearings, criticisms were directed at failures of institutions to respond effectively, or at all, to child sexual abuse. Many cases presented in evidence did not involve finely balanced decisions by those in positions of authority but were obvious examples of where action was necessary and often urgent, but was not taken.⁶⁵⁵ Institutions frequently valued reputation, including personal and professional reputations, above the interests of children.⁶⁵⁶ As a result, whether by design or carelessness, allegations of child sexual abuse were often marginalised.

21. As the Inquiry's analysis revealed, the issue of child sexual abuse was concealed from public view for decades. Poor attitudes towards children compromised the ability of institutions to expose and act on allegations of child sexual abuse. There was no real understanding of the scale and depravity of that abuse until national scandals were exposed, such as the posthumous revelations made about Jimmy Savile in 2012 and the conviction in 2015 of Bishop Peter Ball. Even then, some forms of child sexual exploitation remained hidden from view. Many children and young people were groomed through attention and protestations of affection or violence to submit to sexual activity with groups of men. Rather than deal with the perpetrators, the statutory agencies, particularly the police, assigned blame to those who were being abused.⁶⁵⁷ They were apparently not worthy of protection.

22. There were a number of examples of where a particular institution kept allegations of child sexual abuse 'in-house' and did not report the circumstances to the local authority or the police.⁶⁵⁸ On occasions, efforts to expose child sexual abuse in internal reports were simply ignored because other priorities dominated the institutional agenda. As an extreme example, political turmoil and corruption within Lambeth Council meant that those who spoke out against child sexual abuse were simply drowned out by the noise of a toxic political debate.⁶⁵⁹

23. Many people within the institutions examined by the Inquiry knew, or should have known, that serious allegations of child sexual abuse had been made in circumstances where the institution bore some responsibility for the child's welfare. They were responsible for 'battening down the hatches' in the hope and expectation that the so-called 'problem' would go away. Those who complained often met a wall of resistance and antipathy. The Roman Catholic Church and the Church of England demonstrated a persistent reluctance to report complaints of child sexual abuse to external agencies.⁶⁶⁰

24. It is more difficult to suppress allegations when the circumstances are shared with other agencies. The exposure sets in motion a series of processes designed to protect the child and investigate what happened. While there is always a risk that an allegation is mishandled,

⁶⁵⁵ *Ampleforth and Downside Investigation Report*, Part C paras 76–92; *Diocese of Chichester/Peter Ball Investigation Report*, Part D para 4; *Ealing Abbey and St Benedict's School Investigation Report*, Part D.3 paras 24–40; *Child Protection in Religious Organisations and Settings Investigation Report*, Pen Portraits (PR-A16)

⁶⁵⁶ *The Roman Catholic Church Investigation Report*, Executive Summary; *Residential Schools Investigation Report*, Executive Summary, Part B.2 para 17; *Child Protection in Religious Organisations and Settings Investigation Report*, Part C.8; *Westminster Investigation Report*, Part K.1 para 3

⁶⁵⁷ *Child Sexual Exploitation by Organised Networks Investigation Report*, Pen Portraits (CS-A12, CS-A317); *Lambeth Council Investigation Report*, Part J.3 para 22

⁶⁵⁸ *The Roman Catholic Church Investigation Report*, Part I.1 para 1; *Residential Schools Investigation Report*, Part E.3 paras 47, 51–52

⁶⁵⁹ *Lambeth Council Investigation Report*, Executive Summary, Part K.1 para 25

⁶⁶⁰ *Ealing Abbey and St Benedict's School Investigation Report*, Part D.3 paras 69–71, Part F.7 para 52; *Diocese of Chichester/Peter Ball Investigation Report*, Executive Summary, Part B.2 para 133, Part B.4 para 265

that risk is reduced if each institution complies with the guidance in *Working Together* and shares information and concerns so that the appropriate action is taken in a timely way. The problem was often not the policies and procedures themselves but failure to share intelligence, and to implement and comply with the child protection arrangements that were in place.

25. While a number of high-profile prosecutions in the mid-2010s brought child sexual abuse to greater attention, as other priorities have emerged, the focus on child sexual abuse has diminished. In some police forces, child sexual exploitation has been subsumed into child criminal exploitation, creating limitations on the understanding of this type of offending.⁶⁶¹ Statutory agencies have not yet demonstrated a comprehensive ability to understand the scale and nature of child sexual abuse in their areas. For example, some statutory agencies have conflated the concepts of actual harm and risk of harm.⁶⁶² This conflation manifests itself in a failure to identify children who have been sexually abused and those who may be at risk of being sexually abused. Making these distinctions effectively enables resources to be targeted where there is an urgent need to remove a child from danger of sexual abuse or introduce a range of protective measures to manage a risk to the child where the harm has not yet occurred. The failure to do so magnifies the risk of further abuse.

26. The challenges faced by the authorities in dealing with child sexual offences facilitated by the internet is a significant and growing problem. The worldwide trade in indecent images of children is worth vast sums of money. The dark web offers sanctuary to would-be perpetrators who can remain undetectable. Encryption may prevent law enforcement agencies from tracing and ultimately prosecuting perpetrators because they cannot access relevant communications.

27. Institutions have been responsible for failing to protect children from harm when it was their responsibility to do so.⁶⁶³ This state of affairs lasted for decades and persists in some quarters today. There is a very real risk that, despite improvements, institutions may revert to poor practice and, worse still, actively downplay child sexual abuse, unless there is long-lasting and focussed vigilance. Child protection must be given the profile and continuous attention it deserves. The temptation to exclude the statutory authorities from investigating thoroughly, or for the seriousness of child sexual abuse to be minimised by institutions and authorities, is too great merely to make recommendations that urge them to do better.

28. As set out further in this report, the Inquiry recommends the introduction of mandatory reporting for relevant individuals and the establishment of Child Protection Authorities (CPAs) for England and for Wales. These are complementary recommendations intended to tackle failures in the institutional response and to improve and promote effective child protection practice in tandem with enhanced personal responsibility that arises from the implementation of the mandatory reporting recommendation.

⁶⁶¹ *Child Sexual Exploitation by Organised Networks Investigation Report*, Executive Summary

⁶⁶² *Child Sexual Exploitation by Organised Networks Investigation Report*, Part F.3; INQ006555_006

⁶⁶³ *Residential Schools Investigation Report*, Executive Summary; *Ampleforth and Downside Investigation Report*, Executive Summary; *Ealing Abbey and St Benedict's School Investigation Report*, Executive Summary; *Lambeth Council Investigation Report*, Executive Summary

C.4: Child Protection Authorities for England and for Wales

29. In order to meet the rapidly changing environment and the sheer scale of child sexual abuse in England and Wales, the Inquiry recommends legislative reform to create a CPA for each country to provide a much-needed and enhanced focus and consistency of approach to the issue of child protection. The role of the CPAs should be to:

- improve practice in child protection by institutions, including statutory agencies;
- provide advice to government in relation to policy and reform to improve child protection, including through the publication of regular reports to Parliament and making recommendations; and
- inspect institutions as it considers necessary.

30. The CPAs should be independent, constituted as a non-departmental public body in England and an arm's length body in Wales, dedicated to child protection in relation to sexual and physical abuse, emotional abuse and neglect. As indicated earlier, it is impossible to isolate these harms given they are so interlinked: one of them so often is a warning sign of another. In addition to these functions, the CPAs would take on the substantial role of monitoring the implementation of the recommendations of this Inquiry.

Recommendation 2: Child Protection Authorities for England and for Wales

The Inquiry recommends that the UK government establishes a Child Protection Authority for England and the Welsh Government establishes a Child Protection Authority for Wales.

Each Authority's purpose should be to:

- improve practice in child protection;
- provide advice and make recommendations to government in relation to child protection policy and reform to improve child protection; and
- inspect institutions and settings as it considers necessary and proportionate.

The Child Protection Authorities in England and in Wales should also monitor the implementation of the Inquiry's recommendations.

The improvement and advice role of the Child Protection Authority

31. Responsibility for monitoring and implementing institutional child protection lies with several statutory agencies and services, sector-specific inspectorates and government departments. In law enforcement, the National Crime Agency leads on online-facilitated child sexual abuse, but much of the operational work is carried out by the 43 police forces in England and Wales, each of which has objectives set by locally elected police and crime commissioners.⁶⁶⁴ At a local level, in accordance with the Children and Social Work Act 2017, local authorities, health providers (clinical commissioning groups in England, and the local health boards and the NHS trusts in Wales) and the police are responsible for child

⁶⁶⁴ *The Internet Investigation Report*, Part B.3 paras 17–28

protection policy, procedure and guidance.⁶⁶⁵ Local authorities, as the corporate parent for children in care, also have a number of critical responsibilities for those children and for children in need.⁶⁶⁶

32. There are a range of potential responses when child sexual abuse is alleged or identified. Action may be taken against the perpetrator through the criminal justice system, disciplinary or regulatory sanction, local authority investigations and the family courts. Irrespective of criminal proceedings, an assessment of the risk of harm that a suspect might pose is a key part of the institutional response. In responding to a victim of child sexual abuse, the local authority, health services and family courts may become involved. Throughout its work, the Inquiry identified a lack of focus and rigour in the responses of a wide range of settings and institutions.

33. In order to drive improvement in child protection practices, many institutions require support and advice about appropriate responses where abuse is known or suspected. Although there is much that organisations can do themselves to improve those responses, there are measures that the government should take to assist, encourage and support them in doing so.

34. Current structures and practices often subsume child protection into the broader work of safeguarding. It is unhelpful that much of the formal literature and guidance about institutions' responsibilities towards children conflates the two, as this detracts from a distinct focus on child protection. Ensuring good quality child protection across a diverse range of settings requires specialist knowledge, targeted intervention and constant vigilance. This work cannot be incidental to other objectives, and it cannot be sporadic or purely responsive.

35. As a result, the Inquiry considers that the CPAs should have a wide-ranging remit to enhance, extend and improve child protection in institutions and other contexts. Its activities should include:

- promoting multi-agency working by statutory agencies;
- providing high-quality advice to institutions on new and emerging forms of harm and how best they can be tackled in a multi-agency environment;
- supporting local child protection arrangements by developing high-quality resources for practitioners;
- providing regular reports of good practice to share at international and local levels;
- providing advice to government policy development and proposed legislative reform on child protection; and
- publishing reports, including to Parliament about the state of child protection, and the making of any recommendations for improvement.

36. The CPAs should serve as an authoritative repository of information. This should include information about regulation, guidance and best practice. The CPAs should also signpost other organisations which provide direct support on issues such as workforce regulation and training. For example, an individual who wished to establish an after-school group delivering

⁶⁶⁵ Children and Social Work Act 2017, sections 12–21; INQ006608_075–076

⁶⁶⁶ Children and Social Work Act 2017, section 1

religious education for young people might contact the CPA and receive advice about appropriate child protection policies. A designated safeguarding lead at a school might wish to seek advice about organisations that offer training.

37. The routine delivery of authoritative information and advice by an expert body would support improvement and increase consistency in child protection across diverse settings and institutions.

38. The CPAs will also be uniquely placed to help shape national child protection policy and strategy, and to advise the government. Where, as a result of its work, the CPA considers that there are legislative and regulatory changes that would strengthen institutional child protection, it should make recommendations directly to the Minister for Children or any other relevant minister and to Parliament or Senedd Cymru/Welsh Parliament.

The inspection powers of the Child Protection Authority

39. The primary responsibility for quality control and improvement in child protection lies with the organisation itself. Internal audits and reviews, whether provided by third parties or not, provided an accurate picture of child protection practice in some institutions but criticisms and recommendations were not always heeded. Lambeth Council, for example, produced many reports about child protection, including on child sexual abuse, but important recommendations were never implemented, leading to further reviews and audits which met with a similar fate.⁶⁶⁷

40. A principal purpose of external and independent inspection is to verify the quality of these organisations' assessments of their own protection measures. As set out above, the inspection framework is complex. In several respects, it fails to provide an adequate model for the external scrutiny of child protection in institutions. First, it emphasises the wider remit of safeguarding rather than child protection, which requires a more targeted focus. Second, it does not have the necessary powers to inspect the broad range of organisations and settings in which children can be abused. Third, it does not scrutinise sufficiently regularly the multi-agency nature of child protection work.

Inspection and regulation

41. The different regimes in respect of inspection, regulation and workforce controls are often confused. It is easy to assume that where individuals who work in an institution or setting are 'vetted', this means that an institution is also 'regulated' and that its child protection practices are therefore subject to some form of external scrutiny or inspection. This is not always the case.

42. Children frequently spend time in less formal settings not subject to inspection. Examples include sports, drama or dance classes, after-school activities and religious education groups. Although individuals may be eligible for criminal background checks at their employer's behest, that is not the same as the organisation being subject to checks of its child protection policies and practices through inspection. Almost every child in the country will spend time in one or more of these less formal settings. For some, it is a daily occurrence.

⁶⁶⁷ *Lambeth Council Investigation Report*, Executive Summary, Part C.3 paras 13–16, Part C.4 paras 17–21

43. It would not be desirable or reasonable for the State to inspect every small and informal gathering of children. However, where concerns arise about an organisation or setting, there must be a mechanism for the procedures and policies in place to be scrutinised. Currently, there is not. Child sexual abuse has occurred in settings that were not subject to any inspections at all, making children vulnerable as a result. This is a failure that must be addressed.

Not sufficiently targeted at child protection

44. Inspection activity is not routinely targeted at child protection. In the context of schools there are limitations on an inspectorate's ability to judge the adequacy of an institution's approaches to child protection. For example, the Inquiry found instances where education inspectorates considered that an institution met or exceeded expectations of safeguarding only for it subsequently to come to light that children were being sexually abused at school or otherwise experiencing harm because of poor practice.⁶⁶⁸ The current system of inspection may lead to false assurances about children's safety. Where reports include positive comments about safeguarding or children's feelings of safety, readers could be left with a false impression that the institution's child protection practices have been rigorously examined. A 'good' or 'outstanding' rating from Ofsted may lead to less oversight.⁶⁶⁹

45. Inspection activity covering a range of topics did not necessarily identify poor child protection practice. General inspections did not have the focus required to undertake detailed analysis. As the Inquiry identified, child abuse – particularly of a sexual nature – is often hidden from view, whether deliberately masked by other activity or through inertia.

Multi-agency focus

46. Statutory inspectorates are required to concentrate on specific sectors that make up the child protection and safeguarding system, targeting particular areas of interest or concern (for example, child sexual exploitation) and resulting in a narrative report about the work of local partnerships and agencies. Poor cooperation between frontline services has been a long-standing and frequent focus of criticism – for example in serious case reviews – and is an issue that often attracts recommendations for improvement.⁶⁷⁰ It is important that these arrangements are subject to external scrutiny, including by the CPAs. Although there are arrangements in England and in Wales for joint thematic assessments of child protection, there is no standing 'joint inspectorate', despite the importance placed on multi-agency working in child protection.

47. Multi-agency inspections are important but do not take place with the regularity of single-agency inspections and do not receive the profile associated with single-agency inspections. Most schools, for example, will advertise a 'good' Ofsted inspection. However, little is known about the findings of multi-agency inspections of child protection, which do not attract the same profile in the public domain, despite their importance.

⁶⁶⁸ *Residential Schools Investigation Report*, Part H.2 para 21; *Ampleforth and Downside Investigation Report*, Part B paras 259–294

⁶⁶⁹ Sheila Smith 23 November 2020 16/17-23

⁶⁷⁰ INQ006933_020, 089-099

Inspection powers

- 48.** The Inquiry therefore recommends that an expert inspectorate department is established within the CPAs in England and in Wales. The CPA should have powers to inspect multi-agency arrangements and individual institutions and settings. Expertise from other agencies might be seconded to assist when necessary.
- 49.** Multi-agency inspection activity should be limited in the first instance to those areas most in need of independent scrutiny. It is important, however, that the CPAs hold leaders to account for multi-agency child protection practice. As the CPAs become more established, a regular and systematic inspection programme of multi-agency performance should become normal practice.
- 50.** Institutions and settings which regularly come into contact with children but are not independently inspected should be subject to statutory inspection by a CPA when appropriate. Religious organisations are a good example of a sector where, had there been statutory inspections in the past, failings identified by the Inquiry might have been exposed.⁶⁷¹ The power to inspect such institutions should be used sparingly as the CPAs should be encouraging and supporting good practice. Nevertheless, in circumstances where the public interest demands intervention, the CPAs should have the power to conduct an independent, in-depth inspection, following up on any recommendations it makes with further inspection activity, if necessary.
- 51.** The CPAs should have the power to inspect institutions and settings that are already inspected by statutory inspectorates. This power would be deployed on the rare occasions when the institution in question has persistently failed to respond effectively to previous inspection reports or the state of child protection was so poor that the public interest and concern demanded further scrutiny by an inspectorate unconnected to a particular sector.
- 52.** It is not intended that the CPAs will have powers to regulate an institution by, for example, imposing a sanction for failure to implement improvements, though other bodies with appropriate powers could take action. This would not preclude the CPAs referring an institution to other bodies with appropriate regulatory functions. The public exposure of failings in any report is envisaged to be sufficient to bring about the necessary changes. In line with other statutory inspectorates, the CPAs should have the power to inspect documentation from any relevant institution and to enter premises.
- 53.** The annual reports of the CPAs should be laid before Parliament. Other reports will be published and may be laid before Parliament. The CPAs will also make recommendations as appropriate.

C.5: A cabinet Minister for Children

- 54.** The introduction of the Child Protection Authority should be coupled with the introduction of a cabinet Minister for Children. This post would provide a sharper focus within government on critical issues which affect children and would provide the necessary leadership, profile and influence on matters of child protection.

⁶⁷¹ *Child Protection in Religious Organisations and Settings Investigation Report*, Executive Summary

England

55. In order to maintain the profile of child protection and deal with the challenges of reform, a Minister for Children should be created with cabinet status. The Minister for Children would be required to work across government departments to enable the welfare of children to remain a high priority.

56. At ministerial level, there are areas of overlap in responsibilities within government between issues of child protection and the protection of vulnerable adults, and the portfolios of ministers are necessarily complex. For example, the Minister for Safeguarding sits in the Home Office with responsibility for the policy area of violence against women and girls. The Children and Families Minister sits in the Department for Education and deals with subjects as diverse as school food and children's social care. Both ministers have wide-ranging responsibilities and hold the title of Parliamentary Under Secretary of State, the most junior ministerial position.

57. A Minister with cabinet responsibility for children would bring the diverse strands of policy development together by giving a voice to the child's perspective. The creation of such a post would signal the priority and importance attached to this role and importantly provide strong, single leadership for child protection at the highest level. Additionally, the Minister for Children would be able to sponsor the CPA and, when necessary, commission inspections from the CPA.

58. The appointment would inevitably mean working across government to improve outcomes for children. It may, of course, be possible to reallocate certain policy areas to facilitate greater cohesion across all aspects of children's welfare. That is a matter for the government. The essential point is that the role of children in society is given a different status than the one that has existed in reality in institutions over many decades. The government should lead the way in signalling the leadership required.

Wales

59. The Welsh Government comprises 14 ministers, of which nine are cabinet members. Safeguarding of both adults and children is the responsibility of the Minister for Health and Social Services, and safeguarding in schools is the responsibility of the Minister for Education and the Welsh Language. There are no formal departmental divisions within the Welsh Government, instead it is divided into four groups: the Office of the First Minister Group, the Health and Social Services Group, the Education and Public Services Group and the Economy, Skills and Natural Resources Group.

60. The creation of a further cabinet post may be more difficult in Wales, given the number of ministerial arrangements, and so the Inquiry's recommendation is couched slightly differently to provide the Welsh Government with an appropriate degree of flexibility to implement this recommendation. However, the principled consideration that children's welfare should be given greater priority and status with single leadership at high office remains the same.

Recommendation 3: A cabinet Minister for Children

The UK government

The Inquiry recommends that the UK government creates a cabinet-level ministerial position for children.

The Welsh Government

The Inquiry recommends that the Welsh Government ensures that there is cabinet-level ministerial responsibility for children.

C.6: Attitudes to child sexual abuse

61. Alongside elevating the status of children in the political sphere, there remains a need to raise public awareness about child sexual abuse. Myths and stereotypes about child sexual abuse are still held by many. Outdated attitudes that perpetuate myths, for example that children lie about being abused, need to be dispelled, and although society's attitudes to child sexual abuse have changed, more work is needed to ensure that members of the public are better informed.

Historical attitudes

62. Sexual abuse of children has long been recognised as morally wrong. It was recognised as legally wrong in 1885, when the age at which individuals could consent to sex was raised from 13 to 16 years old to protect the “virtue” of young girls and punish their “violators”.⁶⁷² Archaic language was used to describe child sexual abuse and, in the early part of the 20th century, included phrases such as “immoral relations”, “indiscreet fondling”, “fooling” and “philandering conduct”.⁶⁷³ This language served to minimise abuse and frame it as a contravention of social mores around marriage and relationships.

63. Between the 1940s and the 1960s, child sexual abuse was not believed to be widespread and was thought only to affect certain groups across society (such as the “lower social classes”). Beliefs that there was such a thing as a “seductive child” and that child sexual abuse was “not harmful” persisted into the 1990s.⁶⁷⁴

64. In the 1960s and 1970s, some malign influences advocated to reposition child sexual abuse within broader societal debate about sexual liberation. The Paedophile Information Exchange (PIE) was one group that sought to garner support for the idea that paedophilia was a legitimate type of sexual attraction. Organisations such as the Albany Trust and the National Council for Civil Liberties (now known as Liberty) and prominent public figures gave support to PIE.⁶⁷⁵ PIE was able to gain a platform for its agenda to lower the age of consent, and argued that sexual activity with a four-year-old should be ‘allowed’ within the family setting, with the age of 10 being applicable in other contexts. In part as a result of the support it received, some of PIE’s suggestions appeared to gain traction.

⁶⁷² *Child Migration Programmes Investigation Report*, Part B.3 para 11

⁶⁷³ *Child Migration Programmes Investigation Report*, Part B.3 para 9

⁶⁷⁴ *Deflection, denial and disbelief: social and political discourses about child sexual abuse and their influence on institutional responses: A rapid evidence assessment*, IICSA, February 2018, pp11–14

⁶⁷⁵ *Westminster Investigation Report*, Part K.1 para 14

65. In the 1970s, 1980s and 1990s, the idea that child sexual abuse could be attributed to problems within individuals' families became prominent. In the late 1980s, those involved in political, legal and social-work spheres mooted that some responses to child sexual abuse were "over-zealous", or constituted a "moral panic" or a "witch hunt". Such narratives minimised the scale of the problem.⁶⁷⁶ Harmful sexual behaviour between children was described as "sexual malpractice" and those who raised concerns were belittled as being "prissy and middle class".⁶⁷⁷ Some placed emphasis on the needs of perpetrators of harmful sexual behaviour as vulnerable and requiring support.⁶⁷⁸

66. Between the 2000s and the 2010s, understanding about and attitudes towards child sexual abuse became more sensitive and victim-focussed. Some individuals deflected blame from perpetrators and institutions, or rationalised it by proposing that abuse was perpetrated by a small group of perverse individuals who had "something wrong with them" or occurred in particularly corrupt or wayward institutions.⁶⁷⁹ Others challenged this perspective and increasingly held institutions to account.⁶⁸⁰

67. In the 2000s, there was a growing awareness of the problem of child sexual exploitation. In October 2013, the then Director of Public Prosecutions revised the Crown Prosecution Service guidance on child sexual exploitation, providing a list of stereotypes about young victims of child sexual exploitation that should no longer undermine a willingness to prosecute. Those included the way that a victim dressed or acted, whether they had used alcohol or drugs, whether they were in a relationship with the alleged offender or whether they screamed, fought or immediately complained about their sexual abuse.

68. Such developments were held back by a persistent characterisation of exploitation as being the result of children's 'lifestyle choices', or deliberate behaviour aimed at payment or reward. Terms such as 'child prostitution' and 'slags' continued to be used through the 2010s to describe some children, including by statutory agencies.⁶⁸¹ This gave some children and young people the impression that they were not believed to be worthy of protection.

69. More recently, this has created and perpetuated notions of 'deserving' and 'undeserving' victims of child sexual abuse.⁶⁸² This was a wholly inappropriate and unethical way of treating serious criminality against children.

70. The Inquiry's research found that, from the 1940s onwards, "*tendencies to disbelieve allegations of child sexual abuse remained a constant thread*".⁶⁸³ This led to a fear among child victims that they would not be believed or taken seriously when they disclosed their abuse, a fear that persists today.⁶⁸⁴ Similarly, discussions about consent and 'lifestyle choices' continue to detract from an understanding of abuse, exploitation and power dynamics.⁶⁸⁵

⁶⁷⁶ *Deflection, denial and disbelief: social and political discourses about child sexual abuse and their influence on institutional responses: A rapid evidence assessment*, IICSA, February 2018, p15

⁶⁷⁷ *Cambridge House, Knowl View and Rochdale Investigation Report*, Part C (Section 1) para 36, Part C (Section 2) para 38

⁶⁷⁸ *Deflection, denial and disbelief: social and political discourses about child sexual abuse and their influence on institutional responses: A rapid evidence assessment*, IICSA, February 2018, p12

⁶⁷⁹ *Deflection, denial and disbelief: social and political discourses about child sexual abuse and their influence on institutional responses: A rapid evidence assessment*, IICSA, February 2018, pp12–13, 49

⁶⁸⁰ *Deflection, denial and disbelief: social and political discourses about child sexual abuse and their influence on institutional responses: A rapid evidence assessment*, IICSA, February 2018, pp16–17

⁶⁸¹ *Child Sexual Exploitation by Organised Networks Investigation Report*, Pen Portraits (CS-A12, CS-A371), Part E.3 paras 16, 20.2

⁶⁸² *Social and Political Narratives about Child Sexual Abuse Seminar: An update report*, IICSA, August 2018, para 17

⁶⁸³ *Deflection, denial and disbelief: social and political discourses about child sexual abuse and their influence on institutional responses: A rapid evidence assessment*, IICSA, February 2018, pp9–10, 16, 44, 92, 102

⁶⁸⁴ *Engagement with children and young people*, IICSA, June 2021, p25

⁶⁸⁵ *Social and Political Narratives about Child Sexual Abuse Seminar: An update report*, IICSA, August 2018, para 28

Changing dynamics

71. In recent years child sexual abuse has been given greater priority on the public agenda. The establishment of this Inquiry in 2015 and its work have given the issue of child sexual abuse greater visibility in society.

72. In January 2021, the UK government published its *Tackling Child Sexual Abuse Strategy* and in July 2021 its strategy for *Tackling Violence Against Women and Girls*.⁶⁸⁶ It stated that the government is “determined to build on this awareness and momentum for change”.⁶⁸⁷

73. The #MeToo campaign has highlighted the growing visibility and confidence of victims, survivors and whistleblowers. In its wake, the movement Everyone’s Invited brought the concept of ‘rape culture’ dramatically into the mainstream media and public consciousness.⁶⁸⁸ It provided an opportunity for many victims and survivors of child sexual abuse to share their stories anonymously.⁶⁸⁹ By June 2022, it had received more than 50,000 testimonies.⁶⁹⁰ It has been an effective platform for the engagement and empowerment of victims of child sexual abuse.

74. In April 2021, the UK government commissioned Ofsted to conduct a rapid thematic review of sexual abuse between children in schools and colleges. Estyn conducted a similar review in September and October 2021.⁶⁹¹ Both reviews identified the prevalence of sexual harassment and online sexual abuse. Ofsted noted that sexual harassment and online sexual abuse are “much more prevalent than adults realise” and that the prevalence of online sexual abuse was “consistently underestimated” by professionals.⁶⁹² Estyn found that approximately half of all pupils reported that they had experienced peer-on-peer sexual harassment, some of which took place during school hours but most of which happened online and outside school.⁶⁹³

75. In response to the reviews, the Department for Education announced that schools and colleges will be encouraged to dedicate an in-service training day to help train staff on how to deal with sexual abuse and harassment among pupils.⁶⁹⁴ It stated that a ‘whole-school’ approach should be put in place to address this. Approaches might include classroom discussions on topics such as consent and the sending of explicit images, routine record-keeping and analysis of incidents of sexual harassment and violence, a culture of zero-tolerance for sexual harassment and online sexual abuse, and training for all staff and (where applicable) governors.⁶⁹⁵ It made a number of recommendations for schools and colleges, multi-agency partnerships, the government and inspectorates.

76. These developments have encouraged a number of victims and survivors to discuss their experiences and disclose their abuse. It is important that the government, the media and the public have started to listen to them. This is a positive step towards improving child protection. However, more can be done to encourage and facilitate the engagement and empowerment of children and young people.

⁶⁸⁶ INQ006448; INQ006620

⁶⁸⁷ INQ006620_010

⁶⁸⁸ INQ006513_002

⁶⁸⁹ INQ006633_001

⁶⁹⁰ INQ006653

⁶⁹¹ INQ006760_005

⁶⁹² INQ006504_002

⁶⁹³ INQ006760_010 paras 1–3

⁶⁹⁴ INQ006677_001

⁶⁹⁵ INQ006509_004-006

77. Storylines and literary portrayals involving child sexual abuse also have an important role to play in influencing public attitudes and understanding of such abuse.⁶⁹⁶ Children and young people told the Inquiry’s engagement team that, although they thought some portrayals of child sexual abuse in drama had been dealt with “*in a sensitive and compelling way*”, the topic needed to include a focus on the long-term impacts of abuse.⁶⁹⁷ They expressed the view that when sexual abuse is covered as a topic, it usually concerns abuse of adults and not of children.⁶⁹⁸ The Inquiry’s Victims and Survivors Forum emphasised that both social and traditional media had an opportunity to make a positive impact by showing victims and survivors as courageous, rather than showing repetitive presentations of shame and injury.

78. Public attitudes to child sexual abuse may be both influenced by and reflected in the media. It is important that the experiences of victims and survivors are not undermined by the media, and that misleading or simplistic representations do not dominate debate. There have been instances in which the print and broadcast media have played a key role in exposing child sexual abuse and in increasing awareness of particular forms of abuse.⁶⁹⁹ In particular, investigative journalism has exposed some of the worst examples of child sexual exploitation.⁷⁰⁰ The Office for National Statistics suggested in its 2019 statistical analysis of child sexual abuse in England and Wales that high-profile media coverage of child sexual offences and the police response to reports of non-recent child sexual abuse may have played a part in an increase in police recording of such offences.⁷⁰¹

Empowering conversation

79. Discussion about child sexual abuse remains an uncomfortable subject for many. Respondents to the Inquiry’s 2020 survey indicated that they would feel more comfortable talking about any other topic than child sexual abuse.⁷⁰² Younger people were least likely to feel comfortable talking about abuse. It remains the least preferred subject for discussion, with only 37 percent of people feeling comfortable talking about child sexual abuse.⁷⁰³ Many of the Truth Project participants have emphasised the importance of bringing discussions about child sexual abuse into the public arena.⁷⁰⁴ Children and young people who participated with the Inquiry’s Engagement Team also expressed the view that there needed to be a cultural shift at societal level so that talking about child sexual abuse ceases to be a taboo. Participants stated that conversations needed to be frank, without being sensationalist or ‘titillating’:

*“If they want to make a change, they have to tell it like it is, that’s the only way people will start taking notice of it.”*⁷⁰⁵

The Victims and Survivors Forum agreed that action should be taken to bring about cultural change, pointing out that people find it hard to talk openly about a subject that they fear.⁷⁰⁶

⁶⁹⁶ INQ006857; INQ006934

⁶⁹⁷ *Engagement with children and young people*, IICSA, June 2021, p10

⁶⁹⁸ *Engagement with children and young people*, IICSA, June 2021, p10

⁶⁹⁹ *Social and Political Narratives about Child Sexual Abuse Seminar: An update report*, IICSA, August 2018, para 33

⁷⁰⁰ INQ006847; *Westminster Investigation Report*, Executive Summary; INQ000963_004; INQ000963_005-007

⁷⁰¹ INQ006621_007

⁷⁰² INQ006937_033-034

⁷⁰³ INQ006937_005

⁷⁰⁴ *Victim and survivor voices from the Truth Project (June 2016–June 2017)*, IICSA, October 2017, p135; Victims and Survivors’ Voices, Part B.2 para 3

⁷⁰⁵ *Engagement with children and young people*, IICSA, June 2021, p12

⁷⁰⁶ *Victims and Survivors Forum Consultation on Culture: Summary Report*, IICSA, November 2019, pp3–4

80. It is important that adults are able to have discussions with young people about subjects such as sex, sexuality, relationships, grooming and exploitation. Those conversations are part of society’s collective duty to ensure young people are well informed and can navigate the risks of abusive and exploitative sexual relationships. Some professionals, such as youth workers, are well equipped to do so and to understand young people’s perspectives in a way that can help to identify risks of child sexual abuse. But children and young people should feel able to broach these subjects in the more routine aspects of their lives should they wish to, such as with their teachers, parents and peers. Empowering children and young people to talk about this topic, and opening up discussions between them and a broad range of adults, is therefore essential.⁷⁰⁷

81. By June 2022, the UK government and the Welsh Government had undertaken a number of campaigns.⁷⁰⁸

81.1. ‘Stop Abuse Together’, for which the Cabinet Office has responsibility, is part of the UK government’s programme of work under the *Tackling Child Sexual Abuse Strategy* and provides information to parents, carers and the wider public about child sexual abuse. The campaign ran on the radio, digital audio and social media channels, such as Instagram, Twitter and NextDoor, for three months between January 2022 and March 2022. Its aim was “to educate parents and the general public about child sexual abuse, including its prevalence, the signs to look for, and where to go to find further support”.⁷⁰⁹

81.2. ‘Enough’, for which the Home Office takes responsibility, is a campaign in England and Wales which is part of the UK government’s *Tackling Violence Against Women and Girls Strategy*. The campaign is proposed to run in stages, dealing initially with the nature of such crimes and aiming to make them less socially acceptable and to increase people’s confidence to safely challenge perpetrators. Paid advertising carrying these messages ran throughout March 2022. Subsequent phases of the campaign aim to educate young people about healthy relationships, including consent, and ensure victims can recognise abuse and non-contact sexual offending. These phases are proposed to run through the remainder of 2022 and early 2023.⁷¹⁰

81.3. In Wales, the campaign ‘This is Sexual Abuse’ was launched in February 2020 and is part of a broader programme designed to address domestic violence. It aimed to highlight the different types of sexual abuse (including sexual assault, rape, sexual or derogatory name-calling, child sexual abuse, harassment and female genital mutilation) and to help people to recognise the signs of sexual abuse and to seek help. It is conducted through a number of channels, including paid advertising and a social media campaign. The broader campaign programme, called ‘Live Fear Free’, is ongoing.

82. Of these campaigns, only ‘Stop Abuse Together’ dealt specifically with the issue of child sexual abuse and exploitation. It is unfortunate that it was scheduled to run for such a short period of time and is unlikely to have the sort of profound and prolonged impact that is required to displace the taboo that is still attached to this subject.

⁷⁰⁷ *Truth Project Thematic Report: Child sexual abuse in the context of schools*, IICSA, December 2020, p86; *Truth Project Thematic Report: Child sexual abuse in the context of children’s homes and residential care*, IICSA, November 2019, p89; *Truth Project Thematic Report: Child sexual abuse in the context of religious institutions*, IICSA, May 2019, pp65–66

⁷⁰⁸ HOM003410; WGT000487

⁷⁰⁹ HOM003410_002 para 5

⁷¹⁰ HOM003410_003 para 12

83. The Inquiry therefore recommends that the governments in England and in Wales initiate specific and long-term programmes to increase public awareness of child sexual abuse.

Recommendation 4: Public awareness

The Inquiry recommends that the UK government and the Welsh Government commission regular programmes of activity to increase public awareness about child sexual abuse and the action to take if child sexual abuse is happening or suspected in England and in Wales.

The programmes should:

- challenge myths and stereotypes about child sexual abuse;
- make maximum use of different approaches including, but not limited to, public information campaigns, the use of positive role models and creative media, such as television drama; and
- be supported by continuous evaluation to measure their impact.

Part D

Empowering children and young people

Empowering children and young people

D.1: Introduction

1. Society's response to child sexual abuse reflects its attitude towards children, who have long been in a position of comparative weakness and vulnerability. Their vulnerabilities have put them, in many cases, in the path of abuse, and in a position of disadvantage that has impeded their recourse to help or justice. At worst, children were treated as commodities at adults' disposal to do with as they wish. Adults thought children were not telling the truth when they tried to disclose abuse.
2. Children and young people have a central place in our society. In law and in practice, their views are increasingly sought and taken into account, and their rights and entitlements are taken more seriously than they were in the past. The technological literacy of children and young people has had a demonstrable impact on traditional power dynamics, as the Everyone's Invited movement illustrated. As a result, the views and experiences of children and young people are better recognised within society, and this in itself means that children today are more empowered than those of earlier generations.
3. Some children and young people remain more vulnerable to sexual abuse than their peers. This may be as a result of their presence in a particular setting, such as placement in an out-of-family setting by a local authority or in secure detention by the state, or economic circumstances.⁷¹¹ Some children may fall into a number of these groups.⁷¹²
4. While the measures by which the State protects vulnerable children from abuse have developed, engagement directly with children and young people has been slow. As set out in Part C of this report, the nature of discussions about child sexual abuse (whether online, in the media or in schools, for example) must change to help to address the stigma experienced by victims and survivors.
5. In the 21st century, the empowerment of young people can be a powerful tool in the battle to prevent abuse. Educating children and young people about the risk of abuse and the identification of those risks plays an important role in keeping them safe, but the responsibility for taking action to address these risks rests with adults and institutions.⁷¹³ In this Part, the Inquiry makes two specific recommendations to complement a number of the broader recommendations set out elsewhere in this report.

⁷¹¹ *Residential Schools Investigation Report*, Part K.1 paras 3–6; *Cambridge House, Knowl View and Rochdale Investigation Report*, Part A paras 9–10; *Lambeth Council Investigation Report*, Executive Summary; *Nottinghamshire Councils Investigation Report*, Executive Summary; *Child Migration Programmes Investigation Report*, Part B.2 para 24; *Sexual Abuse of Children in Custodial Institutions Investigation Report*, Part E.1 paras 1, 4, 7; *Lambeth Council Investigation Report*, Part K.1 para 13

⁷¹² *Sexual Abuse of Children in Custodial Institutions Investigation Report*, Part B.1 para 9

⁷¹³ *Learning about online sexual harm: Executive summary*, IICSA, November 2019, p12; INQ004237_005

D.2: Children with additional needs

6. Children with complex needs may struggle to overcome communication difficulties, either because of the nature of a disability or because their carers may not understand their method of communication.⁷¹⁴ Some children's needs may also mean that the child does not always appreciate or understand why abusive behaviour is inappropriate and might find it difficult to recognise and disclose concerns or sexual abuse.⁷¹⁵
7. Research shows that children with complex needs are at a significantly greater risk of sexual abuse.⁷¹⁶ Disabled children are almost three times more likely to experience sexual violence than non-disabled children.⁷¹⁷ The 2019 Office for National Statistics (ONS) Crime Survey recorded that adults with a disability were twice as likely to have experienced child sexual abuse (13.4 percent) as those without a disability (6.6 percent).⁷¹⁸
8. Some children who have emotional, educational or behavioural needs live in residential special schools.⁷¹⁹ In addition to living away from home, these needs can render them particularly vulnerable.⁷²⁰ In a 2007 study, 88 percent of special schools reported that they had encountered sexually inappropriate pupil behaviour.⁷²¹ Research by the Inquiry found that special schools recorded nearly 10 times the number of concerns per student than other residential schools.⁷²² This may suggest that special schools are identifying and reporting a higher proportion of incidents taking place or that more concerns of a sexual nature occur in these settings due to the additional needs of the pupils.
9. Specialist support may be necessary to help children with additional needs express themselves. Some valuable support is already available. Advocacy services have grown in number and expertise in recent years and if properly resourced may be able to assist children with disabilities in understanding grooming and reporting sexual abuse if it happens.
10. It also remains the case that there is a lack of knowledge, understanding and awareness about the sexual abuse of children with additional needs.⁷²³ For example, many professionals, carers and the wider community need a better understanding of sexual exploitation involving children with disabilities to ensure that the risks to those children are identified and appropriate action taken.⁷²⁴
11. As part of child protection, adults have a responsibility to pay attention to children and their individual needs and wishes. Specialist advice and signposting to relevant resources should be available from the Child Protection Authorities recommended in Part C.

⁷¹⁴ *Lambeth Council Investigation Report*, Part C.5 paras 22–24; *Residential Schools Investigation Report*, Part D.2

⁷¹⁵ *Residential Schools Investigation Report*, Part B.3 para 96; *Safeguarding children from sexual abuse in residential schools*, IICSA, April 2020, p66

⁷¹⁶ *Lambeth Council Investigation Report*, Part C.5; INQ005640_002-003

⁷¹⁷ *Residential Schools Investigation Report*, Part D.2 para 9

⁷¹⁸ INQ006632_001

⁷¹⁹ *Residential Schools Investigation Report*, Part D.1 paras 1–3; *Cambridge House, Knowl View and Rochdale Investigation Report*, Part A para 19, Part C paras 6, 10

⁷²⁰ *Cambridge House, Knowl View and Rochdale Investigation Report*, Part C para 10; *Residential Schools Investigation Report*, Part D.2 paras 9, 11, 12

⁷²¹ *Residential Schools Investigation Report*, Part D.4 para 31

⁷²² *Safeguarding children from sexual abuse in residential schools*, IICSA, April 2020, pp9, 66

⁷²³ *Child Sexual Exploitation by Organised Networks Investigation Report*, Part D.4 para 50

⁷²⁴ *Child Sexual Exploitation by Organised Networks Investigation Report*, Part D.4 paras 73–76

D.3: Children in custody

12. The number of children and young people in custody in young offender institutions (YOIs), secure training centres (STCs) and secure children’s homes (SCHs) has declined from a monthly average of more than 3,000 in 2003 to 560 in 2021.⁷²⁵ Those children in custody are extremely vulnerable to abuse, particularly as they include a high proportion of “*highly complex, high-needs young people*”.⁷²⁶

13. Some children come from unstable family backgrounds, some have experienced sexual abuse prior to being in custody.⁷²⁷ Many have emotional, behavioural or educational problems. Some children have mental health difficulties which might manifest as extreme violence, sexualised behaviours or self-harming behaviours.⁷²⁸ An HM Inspectorate of Prisons report covering the period from 2019 to 2020 recorded that over one-third (36 percent) of children said that they had health problems (including mental health problems) and a quarter (25 percent) reported having a disability.⁷²⁹ Both the 2018/19 and the 2019/20 HM Inspectorate of Prisons reports on children in custody indicated that more than half of children had been in the care of a local authority.⁷³⁰ HM Inspectorate of Probation’s 2021 annual inspection report recognised that children looked after by local authorities form a significant proportion of children in custody, and that they are a particularly vulnerable group.⁷³¹

14. This combination of challenging behaviour and vulnerability often presents difficulties in safely managing and caring for these children and young people, some of whom may be violent to staff and other children. As a result, there are occasions when staff in custodial institutions consider it necessary to physically restrain children.

The use of restraint

15. The 2012 *Minimising and Managing Physical Restraint* (MMPR) guidance for YOIs refers to a range of physical restraint techniques.

15.1. The guidance states that the use of force to restrain a child is permitted as “*the last available option*” when other methods not involving force have failed or are judged unlikely to succeed but action is required “*to prevent injury or serious damage*” to the child, another person or property.⁷³² These restraint techniques are not intended to induce pain, although it may be a consequence of some, and so the MMRP guidance sets out when adjustments should be made in response to a child complaining of pain.

15.2. There are also three techniques which are deliberately designed to cause pain to the child – a mandibular angle technique (applying pressure directly under the ear lobe in the crease between the jaw and the neck), thumb flexion and wrist flexion (often misdescribed as ‘pain-inducing’ techniques or restraint, but also referred to as ‘pain

⁷²⁵ INQ006692_039; INQ006915_002, 036

⁷²⁶ *Sexual Abuse of Children in Custodial Institutions Investigation Report*, Part B.1, para 7

⁷²⁷ *Truth Project Thematic Report: Child sexual abuse in custodial institutions*, IICSA, April 2020, pp30–32; *Child sexual abuse in custodial institutions: A rapid evidence assessment*, IICSA, March 2018, pp42–46

⁷²⁸ *Child sexual abuse in custodial institutions: A rapid evidence assessment*, IICSA, March 2018, pp30, 81–83; *Safe inside? Child sexual abuse in the youth secure estate*, IICSA, February 2019, pp15–16, 32; *Sexual Abuse of Children in Custodial Institutions Investigation Report*, Part C.2

⁷²⁹ INQ006646_017 para 4.10

⁷³⁰ INQ006654_023; INQ006646_005, 057

⁷³¹ INQ006945_043

⁷³² HOM002578_009; HOM000322_003

distraction’ or ‘pain compliance’).⁷³³ The intention is that the infliction of brief, sharp pain will cause a child to desist and comply with instructions. The MMPR guidance states that use of these techniques may be “*justifiable*” in the case of “*immediate risk of serious physical harm*”.⁷³⁴

16. The deliberate infliction of pain is a form of child abuse and is likely to contribute to a culture of violence as well as to an environment where sexual abuse may be more likely to occur and also less likely to be reported if it does occur.⁷³⁵ As a result, in its *Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report* (published in February 2019), the Inquiry recommended that the government should prohibit these practices.⁷³⁶

17. A similar conclusion was reached by Parliament’s Joint Committee on Human Rights in April 2019, which stated that:

*“The deliberate infliction of pain in Young Offenders’ Institutions (YOIs) is unacceptable under any circumstances under rights legislation. The use of restraint for maintaining ‘good order and discipline’ must be prohibited in all but the most exceptional of circumstances.”*⁷³⁷

18. In July 2019, in response to the Inquiry’s recommendation and a legal challenge by the children’s rights group Article 39, the Ministry of Justice commissioned Mr Charlie Taylor (Chair of the Youth Justice Board) to review the use of pain-inducing techniques in the youth secure estate. The Taylor Review, published in June 2020, made 15 recommendations. The review acknowledged that “*even in the most humane, well-run setting there will be occasions when direct, immediate physical force is required*”, and recommended that the MMPR syllabus be amended to remove the use of pain-inducing techniques.⁷³⁸ It recommended separately that in situations where “*there is a risk of serious harm to [staff] or others*”, staff may “*use a pain-inducing technique to prevent serious physical harm to child or adult*”, although it stated that this should not form part of the MMPR syllabus because it should never be routine or normal.⁷³⁹

19. The government’s response, published alongside the Taylor Review, stated that it would revise approved training modules so that “*the sections on pain-inducing techniques are removed and the syllabus is comprised only of behaviour management and restraint techniques*”.⁷⁴⁰ In December 2020, the Youth Custody Service established the Independent Restraint Review Panel to consider incidents when pain-inducing techniques have been used in YOIs and STCs.⁷⁴¹

20. In the year ending March 2020, prior to the COVID-19 pandemic, there were nearly 7,800 use of force incidents (which include legitimate incidents of restraint but also techniques that deliberately inflict pain) in YOIs and STCs, of which 49 percent lasted for three minutes or more.⁷⁴² Use of force incidents reduced to almost 4,500 for the year ending March 2021, with 47 percent lasting for three minutes or more, although the

⁷³³ INQ006848_006-007

⁷³⁴ HOM000322_043

⁷³⁵ *Sexual Abuse of Children in Custodial Institutions Investigation Report*, Part E.7 paras 89, 92, 93

⁷³⁶ *Sexual Abuse of Children in Custodial Institutions Investigation Report*, Part F (Recommendation 5)

⁷³⁷ INQ006883_007

⁷³⁸ INQ006848_021

⁷³⁹ INQ006848_022

⁷⁴⁰ INQ006882_010; INQ006909

⁷⁴¹ INQ006908; INQ006909

⁷⁴² INQ006692_058-059

Youth Justice Board itself noted that this should be viewed in the context of restrictions related to COVID-19, as a result of which “occasions on which incidents of restrictive physical intervention may have been needed were also reduced”.⁷⁴³ A review of, or reduction in, the use of techniques that deliberately cause pain to children is not an alternative to prohibition.

21. As set out in Table D.1, there remain a number of incidents in which a pain-inducing technique was used (and a higher number of times such a technique was used, as a technique might be used more than once during an incident). As noted above, incidents in 2021 were reduced as a result of restrictions related to COVID-19.

Table D.1: Number of times a pain-inducing technique was used, and total number of use of force incidents in which a pain-inducing technique was used, in young offender institutions (YOIs) and secure training centres (STCs) in England and in Wales

Year ending March	Number of use of force incidents in which a pain-inducing technique was used	Total number of times a pain-inducing technique was used
2017	119	195
2018	181	260
2019	168	251
2020	110	136
2021	45	54

Source: See data compendium to this report

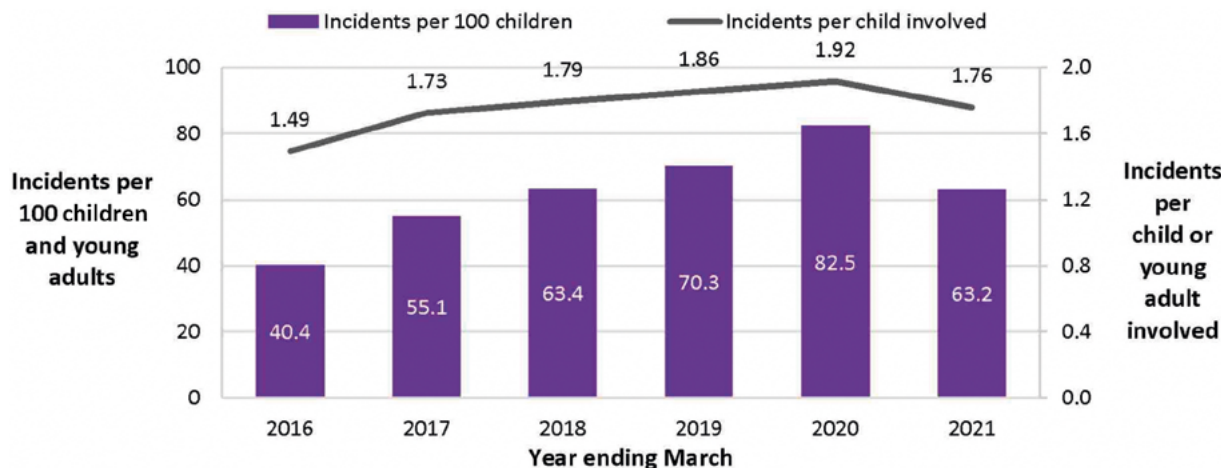


Figure D.1: Average monthly rate of use of force incidents per 100 children and young adults in the youth secure estate and per children or young adults involved, secure training centres (STCs) and young offender institutions (YOIs) only, in England and in Wales

Source: Youth Justice Statistics 2020/21, figure 8.9

22. The use of force against children contributes to a belief that an institution condones violence, which is likely to discourage reporting of sexual (and indeed other) abuse. Any review of the relevant guidance and related techniques should concentrate on restraint that does not inflict pain of any kind.

⁷⁴³ INQ006915_047-048, 052-053 sections 8.2, 8.6-8.7

23. A review of or reduction in the use of techniques that deliberately cause pain to children is not an alternative to prohibition of what is a form of child abuse. The Inquiry therefore reiterates its previous recommendation regarding the prohibition of these practices.

Recommendation 5: Pain compliance

The Inquiry recommends (as originally stated in its *Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report*, dated February 2019) that the UK government prohibits the use of any technique that deliberately induces pain (previously referred to by the Inquiry as ‘pain compliance techniques’) by withdrawing all policy permitting its use in custodial institutions in which children are detained, and setting out that this practice is prohibited by way of regulation.

24. The Inquiry also noted the high rates of use of force incidents for the year ending March 2021 for children aged 10 to 14 (an average monthly rate of 147.7 per 100 children compared with 62.6 for those aged 15 to 18) and for girls (229.8 per 100 girls compared with 59.9 for boys).⁷⁴⁴ Both groups of children are likely to be more vulnerable to abuse due to a physical as well as a power imbalance, which the Inquiry has frequently observed as contributing to opportunities for sexual abuse.

Respecting the interests of children in custody

25. Children in custody are not able to engage with the outside world in the same way as their peers. They have very little control over their lives and limited lines of communication.

26. The institutions in which children are detained should ensure that there is a child-centred focus, where children have access to their family, friends, peers or a trusted adult.⁷⁴⁵ Secure children’s homes have better staff ratios and training requirements than young offender institutions or secure training centres, and are also subject to similar standards of care to those applied by Ofsted to children’s homes. As set out in the *Sexual Abuse of Children in Custodial Institutions Investigation Report* (published in February 2019), the needs of children in custody would be better served by the Ministry of Justice and the Department for Education sharing policy responsibility for managing and safeguarding children in custodial institutions to ensure a focus on securing child welfare as well as discipline. In July 2019, the Ministry of Justice rejected this recommendation, noting that the government intended to “replace all YOIs and STCs with secure schools, moving the estate towards one which consists of SCHs and secure schools only”.⁷⁴⁶ It was expected that this would commence by 2022. The government now expects one secure school to open in late 2023.⁷⁴⁷ The Inquiry understands that the Ministry of Justice will have overall policy responsibility for safeguarding children in secure schools, and that this policy is aligned wherever possible with that of the Department for Education.

27. The Inquiry also recommended (in its February 2019 *Sexual Abuse of Children in Custodial Institutions Investigation Report*) that the Ministry of Justice revise and publish updated guidance on the response by custodial institutions to allegations of child sexual abuse (Prison

⁷⁴⁴ INQ006774_053

⁷⁴⁵ *Sexual Abuse of Children in Custodial Institutions Investigation Report*, Part D.2 para 19, Part E.10 paras 108, 109

⁷⁴⁶ *Ministry of Justice response to recommendation 7 of the Children in Custodial Institutions Investigation Report dated 23 July 2019*, p5

⁷⁴⁷ INQ006955

Service Instruction 08/2012).⁷⁴⁸ This recommendation has also not been implemented. In its response in July 2019, the Ministry of Justice indicated that work had begun to revise or replace Prison Service Instructions (PSIs) with ‘policy frameworks’ and that the Youth Custody Service would work with the Department for Education to produce guidance called ‘Keeping Children Safe in Custody’. The Inquiry understands that neither of these changes have been made in the intervening three years. Given PSI 08/2012 has expired, it is of concern that there is no up-to-date guidance for custodial institutions about how to maintain ‘a safe and secure environment’ for children in their care. New guidance, ‘Keeping Children Safe in Secure Settings’, is due to be published by the Youth Custody Service in early 2023.

D.4: Looked after children

28. Many people perceive the sexual abuse of children in care to have been a problem of the past. Abuse has occurred in many local authorities.⁷⁴⁹ The Inquiry’s investigations into the sexual abuse of children in the care of Lambeth Council and of the Nottinghamshire Councils found abuse akin to that uncovered by inquiries of the 1990s, where systemic abuse was found to have taken place in children’s residential homes and by some carers.⁷⁵⁰ In both investigations, the Inquiry concluded that the true number of victims of child sexual abuse was likely to be higher than the local authorities had been able to identify.⁷⁵¹

29. The contemporary approach to children who are in the care of a local authority (known as ‘looked after children’) is different in many respects. The Children Act 1989 (and its associated guidance and regulations) introduced fundamental changes to the regulation and inspection of institutions responsible for children in care.

30. There are also significantly fewer children in residential care today than there were in the past. In 1973, 59 percent of looked after children in England and in Wales were in residential placements.⁷⁵² In England at the end of March 2021, there were 11,550 looked after children in secure units, children’s homes and semi-independent living accommodation, amounting to 14 percent of the total. By comparison, 57,330 (71 percent) were living in foster placements.⁷⁵³ In Wales, at the end of March 2021, there were 535 looked after children in residential settings (7 percent) and 5,070 in foster placements (70 percent).⁷⁵⁴ Many children in care are placed in other settings by the local authority, including private and voluntary or third sector settings.

31. The number of looked after children has increased every year since 2010. Between 2018 and 2021, there was a 7 percent increase in the number of looked after children in England, from 75,370 to 80,850.⁷⁵⁵ Over the same period in Wales there was a 13 percent increase, from 6,406 to 7,263.⁷⁵⁶ In 2022, children accommodated in residential settings are likely to be those for whom foster care is not suitable, possibly as a result of the child’s own heightened needs, which may in turn be a result of their early childhood experiences.⁷⁵⁷ As a group, children in residential homes tend to be older than the general population of children

⁷⁴⁸ *Sexual Abuse of Children in Custodial Institutions Investigation Report*, Part F (Recommendation 6)

⁷⁴⁹ INQ002472 paras 90–91, 100

⁷⁵⁰ INQ002923 001, 023, 095, 151, 317, 342

⁷⁵¹ *Lambeth Council Investigation Report*, Part K; *Nottinghamshire Councils Investigation Report*, Executive Summary

⁷⁵² INQ002472_060

⁷⁵³ INQ006927_007

⁷⁵⁴ INQ006963_001

⁷⁵⁵ INQ006927_004

⁷⁵⁶ INQ006962_003

⁷⁵⁷ INQ006756_002

in care (with an average age of 14.6 in March 2015).⁷⁵⁸ Older children in care are 50 percent more likely to have an Education, Health and Care Plan or a Statement of Special Educational Needs, and are 10 times more likely to have been attending a pupil referral unit than those under 13.⁷⁵⁹ Generally speaking, and for a range of reasons, young people in residential care are more likely than their peers to have suffered hardship and to be disempowered by their circumstances. Experiences of trauma while living in the parental home are likely to have occurred.

32. This makes looked after children particularly vulnerable to sexual abuse and exploitation.⁷⁶⁰ Around half of children whose cases were considered as part of the Inquiry's *Child Sexual Exploitation by Organised Networks Investigation Report* were children in care.⁷⁶¹ Prevailing prejudices concerning a person's vulnerability, such as social isolation and prior trauma, can be manifested as additional barriers for a looked after child who discloses sexual abuse.⁷⁶² This makes it even more difficult for those children to get the help they need.

33. Young people in care are uniquely placed to identify what needs to change to keep them safe. They are often acutely aware that their vulnerability can be increased by problems such as 'drift' in their care planning, distance from their family and community, and living in inappropriate locations.⁷⁶³ Children in care are also in a different legal position – decisions are made on their behalf by local authorities, who act as their 'corporate parent' and organise their placement with alternative carers.

34. Young people living in residential care may feel that they have little control or say over aspects of their lives. Whereas a young person in a family home might have the opportunity and ability to challenge their parents about issues such as school choice, or rules about going out in the evenings, who they can and cannot see and who they can have relationships with, young people in care may feel less able to test, discuss and bend rules.

35. A striking illustration of this is the well-recognised pattern of children going missing from care when they are unhappy with their circumstances. They may do so for many reasons (including, simply, a wish to return to their families). In some cases they do so because they are seeking to avoid situations where they are at risk of sexual abuse or exploitation at (or in the vicinity of) their placements.⁷⁶⁴ One victim described his desperate wish to escape sexual abuse by "*any means necessary*", including by running away.⁷⁶⁵ A thematic assessment of Truth Project accounts of child sexual abuse in residential care found that 24 percent of children abused in residential contexts ran away:

"Running away was reported to be a common response to the experience of sexual abuse at the time amongst other techniques to try to escape it".⁷⁶⁶

⁷⁵⁸ INQ006769_006

⁷⁵⁹ INQ006755_003; INQ006566_006

⁷⁶⁰ INQ005182_015

⁷⁶¹ *Child Sexual Exploitation by Organised Networks Investigation Report*, Part B.2 para 5

⁷⁶² *Institutional Responses to Allegations of Child Sexual Abuse Involving the Late Lord Janner of Braunstone QC Investigation Report*, Executive Summary; *Child Sexual Exploitation by Organised Networks Investigation Report*, Part E.2 para 4, Part E.3 para 20

⁷⁶³ *Child Sexual Exploitation by Organised Networks Investigation Report*, Pen Portraits (CS-A372, CS-A373, CS-A1)

⁷⁶⁴ NO-A103 3 October 2018 81/1-11

⁷⁶⁵ NO-A103 3 October 2018 77/16-24

⁷⁶⁶ *Truth Project Thematic Report: Child sexual abuse in the context of children's homes and residential care*, IICSA, November 2019, p7

Sections 8 and 9 of the Children Act 1989

36. There are several routes by which children and young people in care can express their views about their circumstances.

36.1. Section 22(4) of the Children Act 1989 states that before making any decision with respect to a looked after child, a local authority must, so far as reasonably practicable, ascertain the wishes and feelings of the child. Many local authorities in England have Children in Care Councils which provide opportunities for children in care to share their views.⁷⁶⁷ These were established “to ensure that every child has the opportunity to air their views” and so that “children and young people should be able to put their experiences of the care system directly to those responsible for corporate parenting”.⁷⁶⁸

36.2. Local authorities must also make arrangements for advocacy provision for children and young people in receipt of social care services who wish to make a representation under section 26A of the Children Act 1989. Local authorities must monitor the steps they have taken, in particular by keeping a record of the advocate appointed to the child or young person.

36.3. Ofsted conducts an annual children’s social care survey to seek the views of children in care.⁷⁶⁹

36.4. The Children’s Commissioners for England and for Wales frequently conduct surveys and other research to establish the views of children in care.⁷⁷⁰

36.5. Several charities and third sector organisations that provide advocacy services conduct regular surveys, forums or focus groups with children in care and care leavers. For example, Become supports the All-Party Parliamentary Group (APPG) for children in care and care leavers, Barnardo’s runs specialist advocacy services, as do the National Youth Advocacy Service, Action for Children, Article 39 and the Children’s Society.⁷⁷¹ There are many more local advocacy organisations.

37. Children can also make a formal complaint about their care (for example, under the Local Authority Social Services Act 1970, to Children’s Commissioners, or to the Local Government Ombudsman).⁷⁷²

38. These services and provisions do not, however, change the legal position of children in care. There are only limited routes by which children in care can compel a local authority to take a different approach to their care from one that it proposes. The legal position of children in care should be improved, so that they can be empowered to challenge aspects of local authority decision-making for themselves.

39. The Children Act 1989 (the 1989 Act) separates the powers of courts from those of local authorities. Courts can make orders under section 8 of the 1989 Act to limit or mandate an aspect of parents’ exercise of their parental responsibility. A court has no such ability in respect of a child in care. Where a court finds that parents’ actions have caused

⁷⁶⁷ INQ006910; INQ006885_008

⁷⁶⁸ OF5000268_023

⁷⁶⁹ INQ006838

⁷⁷⁰ Reports of the Children’s Commissioner for England; reports of the Children’s Commissioner for Wales

⁷⁷¹ INQ006836; INQ006835; INQ006903; INQ006841; INQ006840; INQ006837

⁷⁷² To an extent the Inquiry has examined circumstances in which children in care have tried and failed to change their circumstances by these routes; for example: *Nottinghamshire Councils Investigation Report*, Part C.3 para 17

a child to experience, or be at risk of, significant harm, it may make a care order so that a local authority effectively has ‘overriding’ parental responsibility over that child.⁷⁷³ The local authority then has day-to-day care of, and control over, the child as their ‘corporate parent’.⁷⁷⁴ Section 9 of the 1989 Act prevents section 8 orders being made against parents in respect of children who are the subject of a care order.⁷⁷⁵

40. The effect of this legal regime is to create a separation of powers between courts and local authorities. Courts can make decisions about children who are not in care, but only local authorities can make decisions about children who are in care.

41. In a number of cases, senior judges have observed that this ‘separation of powers’ gave rise to serious practical and legal problems for children.⁷⁷⁶ The government responded by introducing an Independent Reviewing Officer, who can refer a child’s case to court.⁷⁷⁷ However, that power is rarely used in practice⁷⁷⁸ and in a number of cases senior judges have commented on their limited utility.⁷⁷⁹

42. The other ways in which children in care can apply to the court for orders to control a local authority’s actions are of limited use in practice.

42.1. A child can request that a court discharge a care order but this is likely to be unrealistic where a child has no alternative carer, and a court considering such an application has no power to control how the local authority exercises its parental responsibility.⁷⁸⁰

42.2. Children can, and sometimes do, bring applications under the Human Rights Act 1998 for injunctions, declaratory relief or damages.⁷⁸¹ In those cases, children are represented by an adult acting as their ‘litigation friend’ who can conduct proceedings on their behalf (often the Official Solicitor, who is an officer of the Supreme Court).⁷⁸² Children receive legal aid for such applications but rarely bring them themselves.⁷⁸³ They are not proceedings in which courts will place paramount importance on a child’s welfare, and instead courts are required to balance the child’s rights against the proportionality of the measure and whether or not it is targeted at a legitimate aim.⁷⁸⁴

42.3. Experience shows that judicial review is little-used by children. In order to succeed, a child applicant would need to show that a local authority had acted in a way that is illegal, irrational or procedurally improper. Those are high thresholds which

⁷⁷³ Children Act 1989, section 31; *Re F: F v Lambeth London Borough Council* [2002] 1 FLR 217, para 52

⁷⁷⁴ Children and Social Work Act 2017, section 1; INQ006482_008 para 2.3

⁷⁷⁵ Children Act 1989, section 9

⁷⁷⁶ *Re S (Minors) (Care Order: Implementation of Care Plan)*; *Re W (Minors) (Care Order: Adequacy of Care Plan)* [2002] 1 FLR 815 paras 86, 106

⁷⁷⁷ Children Act 1989, section 25B

⁷⁷⁸ *Beckett et al., Independence and effectiveness: Messages from the role of Independent Reviewing Officers in England*, Children and Youth Services Review 71 (2016) 148–156; *Jelicic et al., The role of Independent Reviewing Officers (IROs) in England*, NCB, March 2014; INQ006926

⁷⁷⁹ *S (A Child Acting by the Official Solicitor) v Rochdale MBC & the IRO* [2009] 1 FLR 1090; *Re A & S (Children) (Failed Freeing Order)* [2012] EWHC 1689 (Fam); *BT & GT (Children: twins – adoption)* [2018] EWFC 76; *Herefordshire Council v AB* [2018] EWFC 10

⁷⁸⁰ Children Act 1989, section 39; *Re A (Care: Discharge Application by Child)* [1995] 1 FLR 599

⁷⁸¹ *H (a minor, by his litigation friend) v A Local Authority and Another* [2017] All ER (D) 181; *SW and TW (Human Rights Claim: Procedure) (No 1)* [2017] 2 FLR 1609; *P v Local Authority* [2016] All ER (D) 104; *S (A Child Acting by the Official Solicitor) v Rochdale MBC & the IRO* [2009] 1 FLR 1090

⁷⁸² To be formally appointed under Part 21 of the Civil Procedure Rules 1998, Rule 21.4(3), Rule 21.5(3) or Rule 21.6.

⁷⁸³ Legal Aid, Sentencing and Punishment of Offenders Act 2012, sections 8–10, 15; Legal Aid, Sentencing and Punishment of Offenders Act 2012, schedule 1.

⁷⁸⁴ See discussion in *Re B (Transfer of Foster Placement)* [2013] 1 FLR 633, para 30.

are not often met in the course of challenging care decisions; such a decision might be contrary to a child's welfare, against their wishes and one of a range of options that the local authority had, without necessarily being 'illegal' or 'irrational'.

43. There needs to be a route by which children in care can apply to the family courts for orders to mandate or limit a local authority's exercise of its parental responsibility.

44. Children should be able to bring an application under the 1989 Act so that a court's paramount consideration is the child's welfare. The Inquiry therefore recommends an amendment to the 1989 Act.

Recommendation 6: Children Act 1989

The Inquiry recommends that the UK government amends the Children Act 1989 so that, in any case where a court is satisfied that there is reasonable cause to believe that a child who is in the care of a local authority is experiencing or is at risk of experiencing significant harm, on an application by or for that child, the court may:

- prohibit a local authority from taking any act (or proposed act) which it otherwise would be entitled to take in exercising its parental responsibility for the child; or
- give directions for the purpose of determining a specific question which has arisen, or which may arise, in connection with any aspect of the local authority's exercise of parental responsibility for a child.

45. A court should make such orders only where it is satisfied that a child will otherwise experience significant harm that is attributable to the care of a local authority not being what it would be reasonable to expect a local authority to give him or her (thereby mirroring the language presently at section 31 of the 1989 Act). That harm need not be limited to harm caused to a child while physically in local authority care, but any harm that a child experiences while they are a looked after child. This may apply, for example, to cases of children who have been, or become, victims of child sexual exploitation and are looked after by a local authority, and who through inappropriate placement or inadequate supervision experience further such abuse.

46. Courts must be careful to ensure that the operation of a threshold does not place an unduly high burden of proof on a child litigant during the preliminary stages of an application. It should be sufficient that there is reasonable cause to believe that a child might experience such harm on their own account and, once raised, the underlying facts should be explored on an inquisitorial rather than adversarial basis.

47. In exercising the powers envisaged, courts should be able to make a wide range of orders against a local authority similar to the range of powers they have against parents under section 8 of the 1989 Act. This would not enable the court to create alternative care plans for children, and courts should continue to have regard to local authorities' finite resources and competing statutory obligations. However, this change would ensure that vulnerable children at risk of harm had recourse to court about a range of aspects of their care and that their welfare would be the court's paramount consideration.

- 48.** The court should also have powers akin to those under section 8 of the 1989 Act to prohibit a course of action, to prohibit the continuation of an ongoing set of circumstances and to make directions to ascertain the courses of action available to a local authority which are in the child's best interests. Those powers, together with the other powers available under the 1989 Act and in the Administrative Division of the High Court, would encourage (if not compel) alternative care decisions.
- 49.** Necessary safeguards should be introduced at a preliminary stage of proceedings to ensure the maturity, independence and authenticity of the child's views, and to guard against any pressure being brought to bear on children.
- 50.** The amendment should be accompanied by the introduction of procedural measures to ensure that applications are realistically accessible to children in care, including consideration of whether it is appropriate for those who hold parental responsibility to automatically be respondents to applications. There should also be provision for legal aid for prospective applicants to provide advice and assist with representation.

Part E

Creating a more protective environment for children

Creating a more protective environment for children

E.1: Introduction

1. While no system can guarantee the eradication of child sexual abuse, there are measures that should be taken to help to create a protective environment for children.
2. This begins with institutions, organisations and settings which work with or come into contact with children. It involves recruiting the right people, vetting applicants to prevent those who have demonstrated their unsuitability to work with children, putting effective child safeguarding policies and procedures in place, and providing appropriate training and monitoring to ensure those policies are understood and implemented.
3. The Inquiry has previously made many recommendations to improve protective measures, both generally and for specific institutions. Its work has also revealed that there is patchy and incomplete regulation of occupations involving work with children in England and in Wales. Professional regulation of occupations which involve working with children can contribute to the protection of children and young people. Two important elements of an effective regime of regulation are continuing professional development or training and the power to address issues of professional misconduct.
4. The Inquiry has also identified limitations on the disclosure and barring checks available for certain roles, as well as a marked disparity in the quality of child protection and safeguarding arrangements across different institutions and different sectors.
5. To enhance the measures currently available in the workforce and in the workplace which aim to prevent abuse occurring, the Inquiry makes four specific recommendations concerning workforce registration and the vetting and barring regime.

E.2: Regulation of the workforce

6. Certain institutions or settings (the workplace) and those working in them (the workforce) are regulated to ensure adherence to appropriate standards.
7. The criteria for workplace regulation depend on the type of setting involved and whether it is legally subject to regulation and inspection. Institutions with legal duties to safeguard children in their care – such as schools, nurseries, healthcare settings, children’s homes and some other social care services, the police and young offender institutions – are regulated and inspected against standards to ensure the welfare of children.
8. However, individuals working in those institutions are not necessarily subject to any form of workforce regulation, that is regulation based on their occupation. For example, children’s homes must be registered with and inspected by the Office for Standards in Education,

Children's Services and Skills (Ofsted) to ensure compliance with quality standards, but workers providing care for the children residing there are not regulated by an independent regulatory body.

9. As the Inquiry noted in the *Interim Report of the Independent Inquiry into Child Sexual Abuse* (the *Interim Report*), regulation of settings responsible for the care of children by an independent regulator complements effective professional regulation of staff – it does not replace it.⁷⁸⁵

The purpose of workforce regulation

10. Workforce regulation is intended to ensure that those in a specified occupation are suitably trained and held to appropriate standards of professional conduct. It is usually mandated in the interests of public safety and protection, such as where the occupation involves working with potentially hazardous materials or working with people in particularly vulnerable situations. It can provide public assurance that those who work with children are held to professional standards of competence, ethics and integrity by an independent regulatory body defined in legislation. For example, doctors in the UK are regulated by the General Medical Council, a public body which sets standards, maintains a register of members, assures the quality of professional education and development, and investigates complaints.

11. The scope of a workforce regulator may be wide-ranging and extend to several occupations within that sector. It may be limited to a specific profession. A number of different regulators may operate to regulate different occupations within one sector. For example, there are eight regulatory bodies which regulate specific occupations in the health sector in England and in Wales.⁷⁸⁶

12. The powers and functions of a workforce regulator can vary. Some regulators are limited to dealing with allegations of misconduct. Others have some or all of the following roles:

- controlling admission to the profession;
- maintaining a register and setting requirements for registration such as qualifications and background checks;
- prescribing a level of continuing professional education or training, to enhance knowledge and keep up to date with good practice; and
- maintaining professional standards by investigating and determining allegations of misconduct.

13. Where allegations of professional misconduct are made, whether or not this leads to referral to a regulatory body, employers may also use their own disciplinary process. The Inquiry encountered a number of instances where an employer's internal disciplinary measures in response to allegations of misconduct were inadequate, lacking or poorly executed.⁷⁸⁷

⁷⁸⁵ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 6.3

⁷⁸⁶ General Medical Council, Nursing and Midwifery Council, General Dental Council, General Optical Council, General Chiropractic Council, General Osteopathic Council, General Pharmaceutical Council, Health and Care Professions Council: INQ006887 008-010

⁷⁸⁷ *Lambeth Council Investigation Report*, Part K.1 paras 4, 16; *Residential Schools Investigation Report*, Part E.3 para 59; *The Anglican Church Investigation Report*, Part B.3.3 paras 21–23; *The Roman Catholic Church Investigation Report*, Part G.3 para 8.2

14. Close or regular contact with children does not automatically result in legal regulation of a particular workforce. In the social care sector in England, for example, the only regulated occupation is that of qualified social workers, even though other individuals work closely with children and with vulnerable adults, such as care workers in children’s homes and care homes.⁷⁸⁸ As set out below, there are several key areas in which greater workforce regulation would improve the protection of children.

The education workforce

15. Regulation of the education workforce varies considerably between England and Wales, but neither country has a comprehensive system of regulation.

16. The regulator in Wales is the Education Workforce Council (EWC), an independent body which drafts and maintains the code of professional conduct for education workers. It also accredits initial teacher training and keeps records of professional learning and development.⁷⁸⁹ All teachers and headteachers, teaching assistants and learning support workers who work in the state-funded sector in Wales must be registered with the EWC. Registration is not compulsory for those who work in the independent (fee-paying) education sector, although independent school teachers in Wales may choose to register or be required to do so by some independent schools. The EWC also investigates and determines allegations of professional misconduct or incompetence, and may apply a range of sanctions, including prohibition from teaching. This misconduct jurisdiction extends only to registered workers.

17. As a result of this critical gap in the registration scheme, the education workforce in the independent sector in Wales is effectively unregulated. The Welsh Government has committed to extending the regulatory regime of the EWC by 2023 so that the workforce in the independent education sector in Wales would also be required to register, although the Inquiry notes that this was originally proposed in 2017.⁷⁹⁰ In March 2022, in its *Residential Schools Investigation Report*, the Inquiry recommended that registration with the EWC be made compulsory for those working in independent schools in Wales.⁷⁹¹

18. In England, there is no longer a system of registration for the education workforce. While teachers in state schools must complete teacher training and gain qualified teacher status (QTS), those who teach in state-funded academies or in independent schools are not required to register.⁷⁹² The Department for Education sets the standards of professional conduct for all individuals engaged in unsupervised “teaching work” in educational establishments, regardless of QTS status or whether they work in state-funded or private education.⁷⁹³ Serious breaches – which could merit prohibition from teaching, the only available sanction – are investigated and determined by the Teaching Regulation Agency (TRA).⁷⁹⁴ Less serious misconduct as well as issues of competence are dealt with at a local level by schools.⁷⁹⁵ As set out in the UK government’s April 2022 White Paper, there are 270,000 teaching assistants and 230,000 other support staff in schools.⁷⁹⁶ However, the

⁷⁸⁸ INQ006802_002

⁷⁸⁹ EWC000001_002 para 7

⁷⁹⁰ *Residential Schools Investigation Report*, Part J.7 para 78; WGT000488_006 para 26; Sally Holland 26 November 2020. 120/4-15

⁷⁹¹ *Residential Schools Investigation Report* (Recommendation 7)

⁷⁹² DFE002072_002 paras 4–8

⁷⁹³ Teachers’ Disciplinary (England) Regulations 2012, regulations 2–3; TRA000003_005 para 29

⁷⁹⁴ INQ006803_014

⁷⁹⁵ TRA000003_001 paras 4–5

⁷⁹⁶ INQ006940_005

disciplinary regulations do not apply to most teaching assistants and learning support staff because they are “*subject to the direction and supervision of a qualified teacher or ... head teacher*”.⁷⁹⁷ This is a serious deficiency in the regulatory regime for those working in teaching roles in England.

19. In February 2022, the Department for Education launched a consultation on broadening the scope of the TRA’s misconduct provisions, but this did not include any proposal to widen its remit to include serious misconduct by teaching support staff working under the direction of teachers.⁷⁹⁸ In its response to the consultation dated April 2022, the UK government confirmed that it would extend the teacher misconduct regime to:

- include persons who commit misconduct when not employed as a teacher, but who have previously carried out teaching work;
- a wider range of education settings (specifically further education as well as post-16 and online providers); and
- make provision for the Secretary of State to consider referrals of serious teacher misconduct regardless of how the matter comes to their attention.⁷⁹⁹

20. The timescale for legislation implementing these changes is currently unclear but they do not address the issues identified above. In particular, they do not address the Inquiry’s recommendation in its *Residential Schools Investigation Report*, dated March 2022, that all teaching assistants, learning support staff and cover supervisors in England should be brought within the misconduct jurisdiction of the TRA.⁸⁰⁰

21. As at June 2022, responses are awaited from both the Department for Education and the Welsh Government regarding a number of recommendations concerning schools.⁸⁰¹ This includes a recommendation to introduce legislation to change the definition of full-time education to bring currently unregistered schools within the scope of registration if they are the principal place of education for the children who attend.⁸⁰² Registration means that the school must be inspected to ensure adherence to safeguarding standards and that those who teach in registered schools are regulated by the TRA or EWC.

Care roles in children’s homes

22. In its investigations concerning the sexual abuse of children looked after by local authorities, the Inquiry concluded that there had been sexual abuse of children in residential care by staff.⁸⁰³ There were failures by staff to identify and act upon clear signs that children were being sexually abused and exploited by adults or other children,⁸⁰⁴ and failures to respond appropriately to allegations of abuse.⁸⁰⁵

23. From the late 1970s to the early 1990s, children’s residential care in England (whether provided directly by local authorities or by voluntary or private organisations) was often poorly resourced and managed, with residential care staff who were predominantly

⁷⁹⁷ Teachers’ Disciplinary (England) Regulations 2012, regulation 3(3); *Residential Schools Investigation Report*, Part I.4 para 63

⁷⁹⁸ INQ006801_009-013

⁷⁹⁹ INQ006888

⁸⁰⁰ *Residential Schools Investigation Report*, Part K.3 (Recommendations 6 and 7)

⁸⁰¹ See in particular *Residential Schools Investigation Report*, Part K.3

⁸⁰² *Child Protection in Religious Organisations and Settings Investigation Report*, Part F, Part H.3 (Recommendation 2)

⁸⁰³ *Nottinghamshire Councils Investigation Report*, Executive Summary, Part G.1; *Lambeth Council Investigation Report*, Executive Summary, Part K.1

⁸⁰⁴ *Cambridge House, Knowl View and Rochdale Investigation Report*, Part C.1 paras 79–82, 85–97

⁸⁰⁵ *Lambeth Council Investigation Report*, Part K.1 paras 4–21

unqualified and received little, if any, training.⁸⁰⁶ There have been a number of issues, including the “*professional and social isolation*” of residential care workers as well as a lack of development resulting in “*outdated, insensitive or harmful practices*”.⁸⁰⁷

24. In Wales, over a similar time period (1974 to 1990), the Waterhouse Inquiry into sexual and physical abuse of children in children’s homes in Clwyd and Gwynedd found similar issues with inadequate management and training of care staff. The 2000 report *Lost in Care* recommended that staff receive training to spot signs of abuse, senior staff should be trained social workers and post-qualification training in childcare should be made available to residential care staff.⁸⁰⁸

25. Since 2010, managers of children’s homes in England have been required to register with Ofsted and since 2015 have been required to obtain appropriate qualifications and undertake continuing professional development.⁸⁰⁹ While Ofsted will assess the fitness of a person to manage a children’s home, it is not a workforce regulator. It has the power to de-register a children’s home which fails to meet standards, but does not have any disciplinary function by which to regulate registered managers and hold them to professional standards of competence and conduct. Other workers in children’s homes and other social care settings are not regulated in any way. There is no system of registration for the approximately 35,000 workers “*mainly or solely providing care for children*” (that is, in a care role) in England.⁸¹⁰ In Wales (as well as in Scotland and Northern Ireland), children’s social care workers must register with a regulatory body.⁸¹¹ Social Care Wales sets requirements for and ensures sufficient provision of training, qualifications and continuing professional development, and also has disciplinary powers for dealing with misconduct, including de-registration.⁸¹²

26. In April 2018, the Inquiry’s *Interim Report* recommended that the Department for Education introduce arrangements for the registration of staff working in care roles in residential care settings, with an independent body to maintain standards of training, conduct and continuing professional development and having the power to enforce such standards through fitness to practise procedures.⁸¹³ In July 2021, the UK government agreed in principle that professional regulation of staff in children’s homes in England could provide an effective additional means of protecting children and stated that it would keep the recommendation under review.⁸¹⁴

27. This response is inadequate. Workforce regulation is necessary in order to better protect children in residential settings, including secure children’s homes. In May 2022, the Independent Review of Children’s Social Care, led by Josh MacAlister, published its final report and recommendations.⁸¹⁵ The review includes a recommendation requiring professional registration of the residential childcare workforce alongside professional

⁸⁰⁶ [Nottinghamshire Councils Investigation Report](#), Part G.1 para 15

⁸⁰⁷ [Nottinghamshire Councils Investigation Report](#), Part C.3 para 8

⁸⁰⁸ [INQ002923_813-814](#)

⁸⁰⁹ [The Care Standards Act 2000 \(Registration\) \(England\) Regulations 2010](#), regulations 3, 7 and Schedule 3; [The Children’s Homes \(England\) Regulations 2015](#), Part 3

⁸¹⁰ [The Children’s Homes \(England\) Regulations 2015](#), regulation 2; [Lambeth Council Investigation Report](#), Part C.5 para 31

⁸¹¹ [Regulation and Inspection of Social Care \(Wales\) Act 2016](#), section 80

⁸¹² [INQ006889](#)

⁸¹³ [Interim Report of the Independent Inquiry into Child Sexual Abuse](#), Chapter 7 para 14

⁸¹⁴ [Department for Education response to recommendation 4 of the Interim Report dated 8 July 2021](#)

⁸¹⁵ [INQ006960](#)

standards, starting with the managers of children’s homes. The UK government has not yet committed to implement this recommendation, but is due to respond in full to the review later in 2022.⁸¹⁶

28. The Inquiry therefore reiterates its recommendation that all staff working in care roles in children’s residential care settings, including secure children’s homes, are subject to registration with an independent regulatory body.

Recommendation 7: Registration of care staff in children’s homes

The Inquiry recommends (as originally stated in its *Interim Report*, dated April 2018) that the UK government introduces arrangements for the registration of staff working in care roles in children’s homes, including secure children’s homes.

Registration should be with an independent body charged with setting and maintaining standards of training, conduct and continuing professional development, and with the power to enforce these through fitness to practise procedures.

Staff in custodial institutions

29. As highlighted in Part D, children in custodial institutions are “*very vulnerable children in a very dangerous place*”.⁸¹⁷ In England and in Wales, children in custody are detained in one of three types of institutions – young offender institutions (YOIs), secure training centres (STCs, currently only operating in England) or secure children’s homes (SCHs). The Inquiry’s work has shown that the number of reported incidents of sexual abuse of children in custody is much higher than was previously understood. Staff were alleged to have been the perpetrators in almost half of all reported incidents, with this rising to over 60 percent of incidents reported by children in YOIs and STCs.⁸¹⁸

30. In March 2019, the Inquiry’s *Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report* highlighted concerns that the workforce in custodial institutions is unregulated and that staff lacked specialist training, skills and qualifications.⁸¹⁹ Staff working in care roles (that is, mainly or solely providing care for children) in SCHs are legally required to have a qualification in residential childcare.⁸²⁰ By contrast, even though working with children in custody is a highly skilled and demanding job, there was no requirement for staff providing care to children on a day-to-day basis in STCs or YOIs (such as prison officers) to have any childcare qualifications.⁸²¹

31. There was particular concern in YOIs, where staff are drawn from the Prison Service and therefore may not have a specific motivation to work with children, or experience of doing so.⁸²² Prison officers who are untrained and inexperienced in working with children may lack both child safeguarding awareness and an understanding of the particular vulnerabilities of detained children.

⁸¹⁶ INQ006959_002

⁸¹⁷ *Sexual Abuse of Children in Custodial Institutions Investigation Report*, Part D.2 para 4

⁸¹⁸ *Sexual Abuse of Children in Custodial Institutions Investigation Report*, Part C.3 Table 2

⁸¹⁹ *Sexual Abuse of Children in Custodial Institutions Investigation Report*, Part F paras 6, 15

⁸²⁰ The Children’s Homes (England) Regulations 2015, regulations 32(3) and (4)

⁸²¹ *Sexual Abuse of Children in Custodial Institutions Investigation Report*, Part F para 6

⁸²² *Sexual Abuse of Children in Custodial Institutions Investigation Report*, Part E.6 para 54

32. The Youth Custody Service (YCS), responsible for the operational running of sites across the youth secure estate, told the Inquiry that there was a “*drive to professionalis(e) the workforce in YOIs, STCs and SCHs*”.⁸²³ The Inquiry recommended that the YCS takes steps to ensure that its training provides staff with an appropriate understanding of safeguarding in the context of the secure estate, and that this training should be regularly reviewed and updated.⁸²⁴ Following the publication of the Inquiry’s *Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report*, a review by the YCS in October 2019 noted that “*Currently no YCS site appears to be delivering training to a standard that meets the needs of the population in which it serves*”.⁸²⁵

33. Her Majesty’s Prison and Probation Service introduced a requirement in March 2022 that all staff working with children in the secure estate must undertake specialist training to gain qualifications for working with young people and children.⁸²⁶ This is a welcome development. Continuing professional development and training must be firmly embedded into the role of custodial care officers.

34. The YCS October 2019 review proposed that the YCS should develop a code of conduct for all adults working in the youth custody sector, and that guidance and supervision should include professional conduct. It is unacceptable that there are still no sector-wide standards for those working with such a vulnerable cohort of children.⁸²⁷

35. The introduction of minimum qualifications for staff working with children in the secure estate falls far short of professionalising the workforce through registration with an independent body.

36. The Inquiry’s 2018 *Interim Report* recommendation regarding the registration of staff working in care roles in residential care settings applied equally to staff working with children in SCHs. In February 2019, in its *Sexual Abuse of Children in Custodial Institutions Investigation Report*, the Inquiry recommended that the Ministry of Justice introduce arrangements for the professional registration of staff in YOIs and STCs in roles responsible for the care of children in these settings.⁸²⁸ In November 2021, the Ministry of Justice stated that it had reviewed evidence collected through a targeted consultation on professional registration and was considering the issue.⁸²⁹ In May 2022, more than three years after the Inquiry’s recommendations regarding the children’s secure estate were published, the Inquiry was informed that the Ministry of Justice was considering the review and would subsequently publish a response to this recommendation. No timescale has been provided.

37. A requirement for all staff with responsibility for the care of children in the secure estate to register with a regulatory body would improve the quality of care and the protection of highly vulnerable children. The Inquiry reiterates its recommendation that the government introduces arrangements for the professional registration of staff in roles responsible for the care of children in young offender institutions and secure training centres.

⁸²³ *Sexual Abuse of Children in Custodial Institutions Investigation Report*, Part E.6 para 59

⁸²⁴ *Sexual Abuse of Children in Custodial Institutions Investigation Report*, Part F (Recommendation 3)

⁸²⁵ INQ006676_040 para 3.2

⁸²⁶ INQ006804_007

⁸²⁷ INQ006676_029-030 para 2.9

⁸²⁸ *Sexual Abuse of Children in Custodial Institutions Investigation Report*, Part F (Recommendation 4)

⁸²⁹ *Ministry of Justice response to recommendation 4 in the Accountability and Reparations Investigation Report dated 5 November 2021*

Recommendation 8: Registration of staff in care roles in young offender institutions and secure training centres

The Inquiry recommends (as originally stated in its *Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report*, dated February 2019) that the UK government introduces arrangements for the professional registration of staff in roles responsible for the care of children in young offender institutions and secure training centres.

E.3: Recruitment, vetting and barring

38. Another central aspect of keeping children safe is the use of safer recruitment procedures for those who come into contact with children, whether through paid or voluntary work. This should involve application processes which focus on safeguarding, interviews that probe an applicant's values, attitudes and approaches to safeguarding, as well as rigorous examination of references and employment history, together with criminal record checks.⁸³⁰

39. Throughout its investigations, the Inquiry encountered examples of poor recruitment practice, including failures to obtain the appropriate record checks, in schools, local authorities and religious organisations.⁸³¹ At times, people classed as volunteers were allowed open access to children without any vetting, as a result of which children were exposed to unnecessary risk.⁸³²

40. In February 2022, the Home Office announced that it had commissioned an independent review of the disclosure and barring regime to provide assurance on its effectiveness, to identify key issues of concern about the current regime, and to assess and advise on risks and opportunities. The review, which is expected to include recommendations for improvement, is due to be completed by summer 2022.⁸³³ While this review may lead to significant and wide-ranging changes to the existing regime of disclosure and barring, the Inquiry has identified important deficiencies relating to the current system.

The Disclosure and Barring Service scheme

41. The Disclosure and Barring Service (DBS) enables organisations in the public, private and voluntary sectors to make safer employment decisions by identifying candidates who may be unsuitable for certain work, especially that which involves children or vulnerable adults. It does so by:

- providing access to criminal records information through its disclosure service;
- maintaining lists of individuals barred from working in regulated activity with children or vulnerable adults; and

⁸³⁰ Dan Knight 9 December 2020 117/14-122/16; Andrew Elvin 9 December 2020 84/14-86/10; Peter Wanless 10 December 2020 10/23-11/12

⁸³¹ *Ampleforth and Downside Investigation Report*, Part B para 305; *Residential Schools Investigation Report*, Part I.2 paras 24, 26, 27; *Nottinghamshire Councils Investigation Report*, Part B.2 para 5; *Lambeth Council Investigation Report*, Part K.1 paras 10, 12; *Child Protection in Religious Organisations and Settings Investigation Report*, Part D.3 paras 53, 54

⁸³² *Institutional Responses to Allegations of Child Sexual Abuse Involving the Late Lord Janner of Braunstone QC Investigation Report*, Part E para 4; *Lambeth Council Investigation Report*, Part K.1 paras 10, 12

⁸³³ INQ006817_002

- making independent barring decisions about people who have harmed or are considered to pose a risk of harm to a child or vulnerable person within the workplace.

42. When engaging a person to work with children, the institution or setting is responsible for complying with safer recruitment measures.

43. Some settings may be required by specific statutory guidance to obtain DBS checks. For example, *Keeping Children Safe in Education 2021* places an obligation on schools to obtain the appropriate level of DBS check before making an offer of employment for any role.⁸³⁴ There is, however, no legal obligation to do so for many employers.

44. Applying for the appropriate level of DBS check – a disclosure certificate – is an essential part of safer recruitment because it contains details of an individual’s criminal record. It will include convictions and cautions which may be spent or unspent under the Rehabilitation of Offenders Act 1974 and subject to the DBS filtering rules which remove certain older convictions and cautions, albeit not those concerning specified offences (which include violent and sexual offences, and offences against children).⁸³⁵ It can therefore provide an employer with important information about an individual’s criminal background and their suitability to work with children.

45. The disclosure regime is framed in terms of eligibility for a particular level of check. It is not generally compulsory for employers to obtain a DBS check on a prospective employee. The DBS issues four types of certificate, the extent of the check for each depending upon the role to be undertaken.⁸³⁶

Type of check	Certificate contains	Roles eligible	Who can obtain a certificate	Number issued in 2020/21
Basic certificate	Details of convictions and cautions that are unspent under the Rehabilitation of Offenders Act 1974	Any role (basic checks can be obtained at any time, not only for a job application)	The individual named on the certificate	2.2 million
Standard certificate	Details of unspent and spent convictions, cautions, formal police reprimands and warnings	Certain roles specified in legislation (such as solicitors, barristers, accountants and actuaries) which involve a degree of public trust	Employer (including agencies) registered with the DBS, with the individual’s consent	343,000
Enhanced certificate	The same information as standard certificates but also information that the senior officer of the local police force reasonably believes is relevant and ought to be disclosed	Roles working with children and vulnerable adults, and other positions involving a high degree of trust	Employer (including agencies) registered with the DBS, with the individual’s consent	168,000

⁸³⁴ INQ006502_052-054 para 213

⁸³⁵ Rehabilitation of Offenders Act 1974; INQ006814; INQ006812

⁸³⁶ DBS000024_005-007 paras 3.2-5.5; BRC000355; BRC000354

Type of check	Certificate contains	Roles eligible	Who can obtain a certificate	Number issued in 2020/21
Enhanced certificate with barred list check	Barred list checks are only available with an enhanced certificate, and are not available as a standalone check	Regulated activity only	Regulated activity provider (employer, including agencies), registered with the DBS, with the individual's consent	3 million

Source: [DBS000024_006](#)

46. The DBS also offers an update service to enable employers to check for any changes to an individual's DBS certificate as frequently as they wish, but many employers do not avail themselves of this opportunity.⁸³⁷ If this service were widely advertised to employers, it might improve uptake.

Increasing access to the barred list

47. The DBS has the power to bar any person it considers to pose a risk of harm to children from undertaking 'regulated activity' with children in England, Wales and Northern Ireland. This is the term used by the DBS to describe work which a barred person is prohibited from undertaking. In 2020/21, 73,675 individuals were on the children's barred list.⁸³⁸

48. It is an offence for a barred person to seek work in regulated activity, or for an employer to knowingly employ a barred person in regulated activity.⁸³⁹ Regulated activity does not mean, however, that the activity itself is regulated by any supervisory body, or that the worker engaged in such activity is regulated by a professional regulatory body. Many of those engaged in regulated activity with children are working in occupations that are not subject to workforce regulation, and in settings that are not regulated by any statutory regulatory authority.

49. Regulated activity has a complex definition, set out in the Safeguarding Vulnerable Groups Act 2006.⁸⁴⁰ It includes the following activities, provided they are done frequently or for more than three days in a 30-day period or between 2:00am and 6:00am:

- teaching, training or instruction, care or supervision of children (unless the worker or volunteer is supervised on a day-to-day basis by someone in regulated activity);
- moderating a web service wholly or mainly for children;
- providing guidance or advice, other than legal advice, wholly or mainly to children; and
- driving a vehicle for children.

⁸³⁷ Suzanne Smith 25 November 2020 37/16-18

⁸³⁸ [INQ006808_013](#)

⁸³⁹ Safeguarding Vulnerable Groups Act 2006, sections 7 and 9

⁸⁴⁰ Safeguarding Vulnerable Groups Act 2006, Schedule 4

It also encompasses those who work (other than under a contract for temporary or occasional work) for the same specific frequency in roles where they have the opportunity to come into contact with children in specified establishments, such as educational establishments (including nurseries), detention facilities for children and secure accommodation, children's homes, children's centres, and childcare premises.

50. Some activities (such as the provision of personal care or healthcare, and registering to be a foster carer or childcare provider) are also deemed to be regulated activity, regardless of where they take place or how frequently they are performed. For example, certain statutory functions such as the inspection of childminding provision, schools, education and training, religious education and the review of local authority children's services are also regulated activities where they give the person the opportunity to have contact with children.

51. There are three ways in which an individual may come to be barred by the DBS from engaging in regulated activity with children or vulnerable adults:

- A criminal conviction or caution for a relevant offence results in automatic inclusion on the barred list (an auto-bar), either with or without the right of the convicted person to make representations to the DBS. For example, rape of a child under 13 is an auto-bar offence without representations, whereas the offence of sexual activity with a child under 16 but over 13 is an auto-bar with representations.⁸⁴¹
- A referral by an employer, or by a member of the public, who has information which indicates the individual may pose a risk of harm to children.
- As a result of an application for disclosure, where an individual applies for an enhanced certificate with a barred list check and the DBS considers whether their criminal history indicates they should be included on the barred list.⁸⁴²

52. Irrespective of the way in which an individual comes to its attention, the DBS must determine whether to bar the person from engaging in regulated activity with children. The person is either barred or not – there are no grades or levels of barring. There is also no interim barring order while the decision-making process is taking place. When the DBS includes an individual on the barred list, it will notify the individual of its decision.⁸⁴³

53. Roles which are within the statutory definition of regulated activity with children are eligible for an enhanced certificate with a barred list check. A barred list check can only be obtained by an employer in conjunction with an enhanced certificate – it is not available as a standalone check. If an individual applies for a role working with children which does not fall within the definition of regulated activity, only an enhanced certificate (without a barred list check) is available.

54. The Inquiry heard that, increasingly, very little police intelligence is included on enhanced certificates.⁸⁴⁴ As it is the addition of this information which distinguishes the enhanced from a standard certificate, this diminishes considerably the value of enhanced certificates.

⁸⁴¹ Suzanne Smith 25 November 2020 5/7-19

⁸⁴² DBS000279_002 paras 3.3–3.6; Suzanne Smith 25 November 2020 4/2-7/7

⁸⁴³ DBS000024_012 para 10.8

⁸⁴⁴ Haydn Llewellyn 24 November 2020 177/3-7

55. There are circumstances in which a barred list check would clearly be desirable in order to protect children but such a check is not undertaken.

55.1. It is the responsibility of the employer to determine whether a role falls within the definition of regulated activity and to apply for the appropriate level of check.⁸⁴⁵ The statutory definition of regulated activity is complex and often difficult for employers to understand.⁸⁴⁶ The Inquiry understands that the majority of queries received by the DBS from employers concern uncertainty about whether a role amounts to regulated activity.⁸⁴⁷ Although there is guidance around the definition of regulated activity, many of the examples draw on schools and other statutory settings with a full-time working environment, making it difficult to apply to other organisations (such as religious settings and charities) where there is a greater dependence on part-time and volunteer workers as well as different roles than are envisaged in the guidelines.⁸⁴⁸

55.2. In 2012, the definition of regulated activity was narrowed to exclude roles which are subject to “*day to day supervision*” by another person who is engaging in regulated activity.⁸⁴⁹ As a result, a role may involve a degree of close contact with children but may not fall within the statutory definition of regulated activity (such as volunteers supervised to a greater or lesser degree by a member of staff). The legislation states that a person does not engage in regulated activity if they are subject to “*such day to day supervision as is reasonable in all the circumstances for the purpose of protecting any children concerned*”.⁸⁵⁰ Guidance states that the appropriate level of supervision is a matter for the employing organisation to decide.⁸⁵¹ This compounds the difficulty organisations face when trying to understand which roles are regulated activity.⁸⁵²

55.3. There is also a limitation on who has access to the children’s barred list. Enhanced certificates together with barred list checks can only be requested by an organisation which is registered by the DBS as a regulated activity provider.⁸⁵³ Self-employed people – such as a private tutor providing academic or music tuition – can only obtain a basic certificate for themselves and cannot obtain a barred list check, regardless of the work they undertake. Neither can the individual engaging the services of the self-employed person obtain an enhanced certificate with a barred list check. As a result, those who engage self-employed people to work with children are denied access to important information regarding an individual’s risk of harm to children. In its 2021 *Tackling Child Sexual Abuse Strategy*, the UK government noted the need for:

“*a cross-Government feasibility study looking at ways to create eligibility for criminal record checks for those who are self-employed, so that all those working with children and vulnerable people are subject to the same standard of Disclosure and Barring Service checks*”.⁸⁵⁴

⁸⁴⁵ DBS000024_008 paras 7.4, 7.5

⁸⁴⁶ *Residential Schools Investigation Report*, Part I.2 para 10; *Child Protection in Religious Organisations and Settings Investigation Report*, Part D.3 para 40

⁸⁴⁷ Suzanne Smith 10 October 2019 207/16-208/9; Suzanne Smith 25 November 2020 32/25-33/13

⁸⁴⁸ *Child Protection in Religious Organisations and Settings Investigation Report*, Part D.3 paras 40–50

⁸⁴⁹ Safeguarding Vulnerable Groups Act 2006, schedule 4 Part 1 para 1 (2B)

⁸⁵⁰ Safeguarding Vulnerable Groups Act 2006, schedule 4 Part 1 para 1 (2C)

⁸⁵¹ DFE002056_001 para 3

⁸⁵² *Child Protection in Religious Organisations and Settings Investigation Report*, Part D.3 para 42

⁸⁵³ DBS000024_007-008 paras 7.1–7.8

⁸⁵⁴ INQ006448_062 para 199

56. Where the DBS has determined that an individual poses a risk of harm to children such that they should be barred from regulated activity, this information ought to be available to any organisation or individual considering whether to engage the person in any paid or unpaid role working with children, whether supervised or not. The current disclosure regime permits those who have been assessed as so dangerous that they have been barred from regulated activity to nevertheless come into contact with children in roles that do not meet the definition of regulated activity. This places children at risk.

57. The Inquiry considers that all employers of adults who work with children (whether paid or voluntary) should be able to check whether applicants have been included on the children's barred list, in order to ensure that children are kept safe from those who pose a risk of harm.

Recommendation 9: Greater use of the barred list

The Inquiry recommends that the UK government enables any person engaging an individual to work or volunteer with children on a frequent basis to check whether or not they have been barred by the Disclosure and Barring Service from working with children. These arrangements should also apply where the role is undertaken on a supervised basis.

Improving notifications to the Disclosure and Barring Service

58. There is a legal duty on employers to notify the DBS (known as making a referral) when they have dismissed or removed an individual from undertaking regulated activity or when an individual has resigned from such a role, where there is concern that the individual may pose a risk of harm to children.⁸⁵⁵

59. The DBS indicated to the Inquiry in October 2019 that it did not receive the number of referrals it would expect from employers, but it has no means to discover when an institution fails to make a referral in circumstances where notification is legally required.⁸⁵⁶ Some inspectorates require organisations to demonstrate they comply with their statutory duties of making DBS referrals as part of their inspection framework. For example, Ofsted includes this in the inspection framework for schools and for early years settings, but not in the inspection framework for children's homes.⁸⁵⁷ The Care Inspectorate Wales, which inspects regulated non-school settings for children up to the age of 12 in Wales, does not mention DBS referrals in its inspection framework.⁸⁵⁸

60. While supervisory authorities (workforce and workplace regulators and inspectorates) have the power to refer individuals to the DBS to consider for inclusion on the barred list, they do not have a legal duty to refer or to share information with the DBS unless in response to a specific request.⁸⁵⁹ The DBS has developed information-sharing protocols with some workforce regulators such as the TRA and the General Medical Council, which means that these bodies cross-refer any cases with a safeguarding element. However, the DBS told

⁸⁵⁵ Safeguarding Vulnerable Groups Act 2006, section 35

⁸⁵⁶ Suzanne Smith 10 October 2019 214/1-3; Suzanne Smith 25 November 2020 7/8-8/3

⁸⁵⁷ INQ006810_009; INQ006809_003; INQ006816

⁸⁵⁸ ETN000755

⁸⁵⁹ Safeguarding Vulnerable Groups Act 2006, sections 41–50

the Inquiry that not all inspectorates or regulators routinely share information with the DBS about resignations and dismissals in circumstances where child protection or safeguarding concerns have been raised.⁸⁶⁰

61. In its *Interim Report*, the Inquiry recommended that the Safeguarding Vulnerable Groups Act 2006 be amended to place keepers of relevant registers under a duty to refer information about practitioners who had been removed from the register to the DBS. It also recommended that upon receiving the referral, the DBS should be under a duty to automatically bar the practitioner from working with children (subject to the opportunity to make representations).⁸⁶¹ In July 2019, the UK government responded that the Home Office had asked the DBS to continue its “*close engagement*” with professional bodies and regulators to ensure effective information-sharing takes place. It also stated that the DBS had not identified any emerging issues, despite the evidence received by the Inquiry in October 2019.

62. The Inquiry remains concerned that individuals who have ceased working in a setting with children and who have acted in a manner which indicates they may pose a risk of harm to children are not always referred to the DBS. This could permit such individuals to move on to a different setting where they continue to work with children, without the DBS considering the potential risk of harm which they pose. As there have been no prosecutions to date for failures to refer, lax employers have little incentive to comply with their legal duties.⁸⁶²

63. Action is needed to improve regulated activity providers’ compliance with their statutory duty to refer concerns about the suitability of individuals to work with children to the DBS. Regulators and inspectorates with responsibility for children’s settings should share information with the DBS to ensure that the DBS is suitably informed regarding adults who may pose a risk of harm to children.

64. The Inquiry therefore recommends a number of steps to increase compliance with the statutory duty to refer concerns to the DBS.

⁸⁶⁰ Suzanne Smith 10 October 2019 214/1-18

⁸⁶¹ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 6.3, Chapter 7 para 15

⁸⁶² Suzanne Smith 25 November 2020 7/8-18; Safeguarding Vulnerable Groups Act 2006, sections 35–38

Recommendation 10: Improving compliance with the statutory duty to notify the Disclosure and Barring Service

The Inquiry recommends that the UK government takes steps to improve compliance by regulated activity providers with their statutory duty to refer concerns about the suitability of individuals to work with children to the Disclosure and Barring Service, including:

- all relevant regulators and inspectorates include compliance with the statutory duty to refer to the Disclosure and Barring Service in their assessment of safeguarding procedures during inspections;
- the National Police Chiefs' Council works with relevant regulators and inspectorates to ensure that there are clear arrangements in place to refer breaches of the duty to refer to the police for criminal investigation; and
- an information-sharing protocol is put in place between the Disclosure and Barring Service and relevant regulators and inspectorates.

Disclosure for those outside the UK

65. A DBS check may not provide a complete picture of an individual's criminal record if the individual has a criminal record outside the UK.⁸⁶³ DBS checks on citizens or residents of England and Wales also cannot be accessed by employers based overseas, such as British International Schools, unless the employment decision is being taken in England or Wales.⁸⁶⁴ The non-statutory International Child Protection Certificate (ICPC), introduced by the National Crime Agency which some overseas organisations choose to utilise, does not include access to the DBS children's barred list.⁸⁶⁵

66. These territorial limitations on the DBS disclosure regime facilitate predatory offenders from England and Wales to exploit the system by obtaining employment working with children overseas.⁸⁶⁶

67. In its *Children Outside the United Kingdom Investigation Report*, the Inquiry recommended that the geographical reach of the DBS be extended to enable overseas employers to obtain DBS checks on UK nationals and residents of England and Wales whose role would be within the definition of regulated activity.⁸⁶⁷ In response, the Home Office stated that the information provided on an ICPC was broadly similar to that on an enhanced certificate and that the ICPC was simpler and easier for foreign employers to obtain.⁸⁶⁸

68. The absence of barred list information on the ICPC creates a significant risk to the safety of children in the UK and abroad. The Inquiry therefore reiterates its recommendation that the disclosure and barring regime should be extended to those working with children overseas.

⁸⁶³ *Children Outside the United Kingdom Investigation Report*, Part D.3 paras 18–20

⁸⁶⁴ *Children Outside the United Kingdom Investigation Report*, Part D.3 para 24–26

⁸⁶⁵ *Children Outside the United Kingdom Investigation Report*, Part D.3 para 29

⁸⁶⁶ *Children Outside the United Kingdom Investigation Report*, Part D.4 para 40

⁸⁶⁷ *Children Outside the United Kingdom Investigation Report*, Part F.2 (Recommendation 3)

⁸⁶⁸ *Home Office response to recommendation 3 of the Children Outside the United Kingdom Investigation Report dated 21 January 2021*, paras 14–15

Recommendation 11: Extending disclosure regime to those working with children overseas

The Inquiry recommends (as originally stated in its *Children Outside the United Kingdom Phase 2 Investigation Report*, dated January 2020) that the UK government introduces legislation permitting the Disclosure and Barring Service to provide enhanced certificates with barred list checks to citizens and residents of England and Wales applying for:

- work or volunteering with UK-based organisations, where the recruitment decision is taken outside the UK; or
- work or volunteering with organisations based outside the UK, in each case where the work or volunteering would be a regulated activity if in England and Wales.

E.4: Safeguarding and child protection policies

69. Statutory guidance in England and in Wales makes clear that everyone who works with children has a responsibility for keeping them safe.⁸⁶⁹ To achieve this, all organisations which work with children or whose members may come into contact with children should adhere to basic child protection standards and have suitable safeguarding policies and procedures in place. This will assist in protecting children from individuals in these settings who may seek to establish relationships of trust and authority with children in order to create opportunities for abuse.

70. Those who work with children, whether in the statutory, voluntary or private sectors, are in a position to identify signs of abuse or to receive disclosures or allegations of abuse from children. Policies and procedures should therefore set out the response to concerns about a child or allegations of abuse, including clear information about reporting and recording in order that allegations can be passed on to the police or children's social services for investigation.

71. While there is a requirement for institutions in certain sectors to set policies, others are under no legal obligation to do so, despite children visiting their facilities, attending their events or otherwise being involved in the organisation. For example, a child might go to school during the day, play football with a club in the afternoon, attend a prayer group in the evening and then spend time at night on a social media platform. Of the four settings or organisations providing these activities, only the school has a legal obligation to have child protection and safeguarding policies and procedures in place.

72. A number of the Inquiry's investigation reports considered the safeguarding frameworks of particular institutions and sectors and made recommendations for specific improvements.⁸⁷⁰ The overarching principle, however, is that policies and procedures should be designed to optimise children's safety and well-being, to recognise signs of abuse, to identify concerns such as inappropriate conduct of adults towards children, to respond to disclosures and to take appropriate action. They should enable adults who come into contact

⁸⁶⁹ INQ006608_011 para 16; CIW000012_033 para 116

⁸⁷⁰ *Westminster Investigation Report*, Part J.1, Part K.2; *Residential Schools Investigation Report*, Part K.3; *Sexual Abuse of Children in Custodial Institutions Investigation Report*, Part F; *The Anglican Church Investigation Report*, Part D.3, Part D.4; *The Roman Catholic Church Investigation Report*, Part L.3; *Child Protection in Religious Organisations and Settings Investigation Report*, Part H.3

with children to understand their role and responsibilities. While policies or procedures cannot themselves prevent abuse, they play an important role in reducing the risk of it occurring.

Statutory obligations

73. The Inquiry encountered instances of institutions whose policies were incomplete or out of date. Some schools had policies which were not updated to reflect the latest guidance, or which did not include procedures for handling allegations of child sexual abuse by members of staff.⁸⁷¹ In custodial institutions for children, child protection policies were out of date and lacked clarity regarding procedures for reporting and responding to allegations against staff.⁸⁷² In some children's homes there was a lack of policies, procedures and training for staff.⁸⁷³

74. The Children Act 2004 places named statutory bodies in England and in Wales under a duty to ensure that their functions are discharged "*having regard to the need to safeguard and promote the welfare of children*".⁸⁷⁴ These statutory bodies include local authorities, NHS organisations, the police, prisons and young offender institutions, the probation service and youth offending teams. They must follow statutory guidance, published by the Department for Education (*Working Together to Safeguard Children* in England and *Working Together to Safeguard People* in Wales).

75. Under the Education Act 2002, schools and educational establishments have a similar duty to "*safeguard and promote the welfare of children*".⁸⁷⁵ They must comply with the relevant statutory guidance, including *Working Together* guidance as well as *Keeping Children Safe in Education (KCSIE)* in England and *Keeping Learners Safe* in Wales.

76. *Working Together to Safeguard Children* and *Working Together to Safeguard People* place a legal obligation on statutory agencies and organisations in England and in Wales to have appropriate child safeguarding policies in place.⁸⁷⁶ This includes procedures for responding to allegations against people who work with children. The legal requirement also applies to private or voluntary organisations if they are providing services on behalf of statutory agencies.

Other organisations and settings

77. Many organisations in the private or voluntary sectors provide a wide range of activities for children – including sports, dance and drama, orchestras and musical tuition, religious teaching, and groups such as Scouts. A number of victims and survivors have detailed appalling sexual abuse at the hands of coaches and tutors providing such activities.

78. *Working Together to Safeguard Children* states that, in England, voluntary, charity, social enterprise, faith-based organisations and private sector organisations that work with or around children "*should*" have policies in place to safeguard and protect children from harm.⁸⁷⁷ In Wales, *The Wales Safeguarding Procedures* are intended to guide safeguarding practice for all those employed in the statutory, third (voluntary) and private sector in

⁸⁷¹ ISI001663_001-002; *Residential Schools Investigation Report*, Part E.3 paras 37–39

⁸⁷² *Sexual Abuse of Children in Custodial Institutions Investigation Report*, Part E.12 paras 158, 160, 161

⁸⁷³ *Nottinghamshire Councils Investigation Report*, Part C.7

⁸⁷⁴ Children Act 2004, sections 11 and 28

⁸⁷⁵ Education Act 2002, sections 175 and 157

⁸⁷⁶ INQ006608_058-060; WGT000470_019 para 57

⁸⁷⁷ INQ006608_073-074 paras 57–62

health, social care, education, the police, justice and other services.⁸⁷⁸ However, voluntary or private organisations in England and in Wales are not legally required to follow this statutory guidance, unless they are providing services on behalf of a statutory agency.

79. Many voluntary sector and faith-based organisations in England and in Wales are also charities. Under the Charities Act 2011, trustees must take reasonable steps to protect people who come into contact with the charity from harm.⁸⁷⁹ The Charity Commission has published guidance called *Safeguarding and Protecting People for Charities and Trustees*.⁸⁸⁰ This guidance is seen as a “starting point”, rather than a legal obligation, although the expectation of the Charity Commission is that charities will follow it.⁸⁸¹ Charities are not required to report safeguarding incidents to the Charity Commission unless they amount to a serious incident which results in significant harm to people who come into contact with the charity through its work, or to the charity’s reputation.⁸⁸² Allegations of child sexual abuse are considered to fall within the definition of a serious incident, which requires the matter to be reported to the Charity Commission.⁸⁸³ Those that are registered with Ofsted would also be required to make a report to Ofsted.

80. Organisations which have high levels of confidence in the moral calibre of their members or leaders may find it difficult to contemplate that they may pose a risk to children. This was particularly the case with religious groups.⁸⁸⁴ The Inquiry’s *Child Protection in Religious Organisations and Settings Investigation Report* found numerous examples of smaller religious organisations that had no safeguarding or child protection policies in place.⁸⁸⁵

81. A number of recommendations have been made by the Inquiry to improve preventive measures in religious settings.⁸⁸⁶ This included, in May 2019, that the Anglican Church should disclose internal reviews or enquiries about individual safeguarding incidents to the national review body and the Church in Wales should adopt updated procedural guidance in relation to record-keeping.⁸⁸⁷ In November 2020, the Inquiry recommended that the Roman Catholic Church should publish its framework for dealing with cases of non-compliance with safeguarding policies and procedures.⁸⁸⁸ Both the Anglican and the Roman Catholic churches, as well as the Muslim Council of Great Britain, have introduced guidance, policies and procedures in response to these recommendations. It remains to be seen whether these are implemented in a manner which better protects children.

82. Similarly, in the Inquiry’s investigation into allegations of child sexual abuse linked to Westminster, institutional responses to allegations of child sexual abuse involving the late Lord Janner of Braunstone QC, and also Cambridge House, Knowl View and Rochdale, members of political parties were alleged or known to have gained access to vulnerable children in care through their role in local or national politics. Current practice should now prevent this. Although lacking in the past, most political parties now have specific

⁸⁷⁸ INQ006964_001

⁸⁷⁹ CYC000440_001-002 paras 6–8

⁸⁸⁰ CYC000405

⁸⁸¹ Harvey Grenville 14 August 2020 20/1-7

⁸⁸² CYC000518

⁸⁸³ CYC000505

⁸⁸⁴ *Child Protection in Religious Organisations and Settings Investigation Report*, Part C.5

⁸⁸⁵ *Child Protection in Religious Organisations and Settings Investigation Report*, Part D.2 paras 14–30

⁸⁸⁶ *Diocese of Chichester/Peter Ball Investigation Report*, Part D (Recommendations); *Westminster Investigation Report*, Part K.2; *The Anglican Church Investigation Report*, Part D.4; *The Roman Catholic Church Investigation Report*, Part L.3; *Child Protection in Religious Organisations and Settings Investigation Report*, Part H.3

⁸⁸⁷ *Diocese of Chichester/Peter Ball Investigation Report*, Part D (Recommendation 5); *The Anglican Church Investigation Report*, Part D.4 (Recommendation 4)

⁸⁸⁸ *The Roman Catholic Church Investigation Report*, Part L.3 (Recommendation 3)

safeguarding policies in place. However, the Inquiry heard evidence in March 2019 that there remained significant gaps, including political parties that had no such policies, and considerable variation in approach among the policies and procedures currently in place, with some having important deficiencies.⁸⁸⁹

Content of policies and procedures

83. It is critical that safeguarding and child protection policies should be clear and easy to follow and implement. They should set out how the organisation will:

- protect children from harm;
- ensure child protection concerns can be raised; and
- respond appropriately to allegations or incidents, including reporting to the relevant authorities.

They should also be subject to regular review to monitor their implementation and effectiveness at least every two years, although some settings, such as schools and the secure estate, are legally obliged to review their safeguarding policies annually.⁸⁹⁰

84. Some institutions lacked a clear understanding of the purpose and content of child protection and safeguarding policies and procedures. Even those institutions which are legally required to have such policies have admitted to having “*blind spots*” and inadequacies in relation to the scope of those policies.⁸⁹¹ The Church of England, for example, acknowledged that some of its policies were inadequate and has since taken steps to improve them.⁸⁹² Other religious organisations had policies and procedures that were rudimentary or incomplete, referred to obsolete statutory guidance or were heavily rooted in religious and theological texts and lacked practical information.⁸⁹³ Some paid ‘lip service’ to safeguarding by introducing policies and procedures without checking that these were effective, fully understood and followed.⁸⁹⁴ On occasion, the Inquiry encountered policies which appeared to be designed primarily to protect staff from false allegations rather than to protect children from harm and to respond appropriately to concerns.⁸⁹⁵

85. *Working Together to Safeguard Children* currently lacks sufficient detail regarding the content of safeguarding and child protection policies and procedures. While the guidance applies to a diverse range of institutions and needs to allow flexibility for those institutions to tailor their safeguarding arrangements to their own requirements, clearer guidance on the appropriate content of policy and procedures is needed.

86. There are, however, a number of sources of useful information. The UK government has recently published additional guidance on safeguarding to assist organisations in the voluntary sector, in furtherance of its *Tackling Child Sexual Abuse Strategy*.⁸⁹⁶ Government agencies have also partnered with voluntary bodies to provide this advice. For example, the work of the NSPCC Child Protection in Sport Unit – a partnership between the NSPCC, Sport England, Sport Northern Ireland and Sports Wales – seeks to promote safety for

⁸⁸⁹ *Westminster Investigation Report*, Part J.1 para 3, Part J.2 paras 4–5.3

⁸⁹⁰ INQ006502_025 para 85; INQ006608_070 paras 46–47

⁸⁹¹ *Residential Schools Investigation Report*, Part E.3 para 39

⁸⁹² ACE026392_011, 013, 016

⁸⁹³ *Child Protection in Religious Organisations and Settings Investigation Report*, Part D.2 paras 15, 17–21

⁸⁹⁴ *Child Protection in Religious Organisations and Settings Investigation Report*, Part D.1 para 2

⁸⁹⁵ *Residential Schools Investigation Report*, Part F.3 paras 19–20

⁸⁹⁶ DFD000020_006-007 paras 23–24; DFD000023; DFE003469; INQ006448

children in sport.⁸⁹⁷ Guidance on safeguarding children in the third sector is available from the NSPCC, as well as from many other training, advisory and consultancy organisations.⁸⁹⁸ The policies of other institutions may also provide a starting point for a new policy. For example, the Scouts Association has designed a ‘Young people first’ yellow card, designed to fold up and be carried in a pocket or bag for ease of reference.⁸⁹⁹ This sets out, briefly and clearly, the code of behaviour for all adults in the Scouts to follow, including what to do if there are concerns that a young person is at risk of harm.⁹⁰⁰

87. Variation between organisations is inevitable, given that the types of settings and institutions working with children vary widely. It would not be realistic or helpful to propose one single set of safeguarding and child protection policies for all institutions to apply, but this is a matter on which the Child Protection Authorities recommended by the Inquiry could assist institutions further in due course.

Implementation

88. Organisations may have appropriate policies and procedures in place but struggle to implement them in their everyday practice. Regular refresher training is key to effective implementation of safeguarding and child protection policies. It helps to ensure that everyone within the institution is familiar with policies and procedures and knows how to respond to and report allegations or concerns about a child.

89. However, some witnesses were frank about the gap between policy-setting and implementation within their organisation.⁹⁰¹ For example, the leader of one religious community commented that “*honestly, hand on heart, it is probably put in an office file and kept in the office there to refer to*”.⁹⁰²

90. As noted in the Inquiry’s research regarding child sexual abuse in contemporary institutional contexts, staff often did not consistently apply safeguarding policies and had narrow understandings of safeguarding responsibilities.⁹⁰³ On occasion, allegations were not appropriately reported due to a lack of knowledge or understanding of individuals’ responsibilities under existing procedures.⁹⁰⁴ There were also failures to implement procedures when disclosures of sexual abuse were made by children.⁹⁰⁵

91. The Inquiry’s investigations identified a number of failures by organisations and individuals within them to adhere to policies and procedures. Examples included failures to:

- follow vetting procedures in relation to staff members;⁹⁰⁶
- make relevant policies or procedures known to staff;⁹⁰⁷

⁸⁹⁷ *Rapid Evidence Assessment: What can be learnt from other jurisdictions about preventing and responding to child sexual abuse*, IICSA, April 2017, p76

⁸⁹⁸ NSP000147_012; THO000076_017; THO000076_001-0012; THO000029; THO000018

⁸⁹⁹ Ross Maloney 10 December 2020 61/5-12

⁹⁰⁰ INQ006898

⁹⁰¹ *Westminster Investigation Report*, Part J.2 paras 9–12

⁹⁰² *Child Protection in Religious Organisations and Settings Investigation Report*, Part D.2 para 17

⁹⁰³ *Child sexual abuse in contemporary institutional contexts: An analysis of Disclosure and Barring Service discretionary case files*, IICSA, July 2021, Executive Summary p5

⁹⁰⁴ *Child sexual abuse in contemporary institutional contexts: An analysis of Disclosure and Barring Service discretionary case files*, IICSA, July 2021, Chapter 6, section 7

⁹⁰⁵ *Child sexual abuse in contemporary institutional contexts: An analysis of Disclosure and Barring Service discretionary case files*, IICSA, July 2021, Chapter 5, section 5.2.3

⁹⁰⁶ *Lambeth Council Investigation Report*, Part E.5

⁹⁰⁷ *Nottinghamshire Councils Investigation Report*, Part G.1 para 5

- recognise clear signs of abuse or inappropriate staff conduct; and⁹⁰⁸
- investigate allegations of sexual abuse by staff or report them appropriately.⁹⁰⁹

92. The safeguarding policies and procedures of institutions providing statutory services (such as schools, children’s homes and young offender institutions) are inspected and evaluated by the relevant regulators or inspectorates to assess compliance with current regulations and guidance. Whether or not an organisation is in the statutory sector and subject to mandatory inspection, auditing or reviewing safeguarding policies and procedures to ensure that they are effective, well understood and properly implemented is the responsibility of the organisation itself. The Inquiry saw examples of institutions which undertook no internal review and relied solely on external inspections for quality assurance of their safeguarding arrangements, as well as institutions which conducted internal reviews of safeguarding but permitted no external scrutiny or independent review.⁹¹⁰

93. Policies and codes of conduct will not be effective unless they can be translated into changed behaviour and compliance monitored. Leaders retain overall responsibility for safeguarding and child protection within their institutions and must ensure that they have sufficient knowledge and awareness to exercise effective oversight. It is not acceptable, as the Inquiry saw in one school, to say that safeguarding and child protection was not within the headteacher’s remit but primarily the responsibility of a designated staff member.⁹¹¹ All staff and volunteers must recognise the importance of safeguarding, know and follow policies and procedures, and understand their role within those procedures. It is important that leaders at all levels understand the context in which policies will be implemented, and have the competence and determination to convey the organisation’s ethics and values to staff, so that safeguarding is seen as part of the culture of the institution.⁹¹²

94. In the Inquiry’s hearings about effective leadership in child protection, leaders were asked how they ensure that policies and guidance are being implemented and understood by those delivering child protection on the front line. Witnesses spoke about the “*implementation gap*”, explaining that legislation and guidance can just “*clutter the landscape*” for workforces and complicate things. Ensuring that attention is paid to the conditions and support that workforces require to enable legislation and guidance to be put into effective practice was considered to be of equal importance to training the workforce.⁹¹³ Both are essential for effective implementation of safeguarding arrangements.

⁹⁰⁸ *Residential Schools Investigation Report*, Part E.3 paras 42–44, 52

⁹⁰⁹ *Lambeth Council Investigation Report*, Part D.3; *Residential Schools Investigation Report*, Part E.3 paras 42–55

⁹¹⁰ CFC000016_036; *Residential Schools Investigation Report*, Part F.4 paras 42–45; *The Roman Catholic Church Investigation Report*, Parts G.1, G.6

⁹¹¹ Anthony Halford 19 November 2020 5/7-22

⁹¹² Stella Manzie 9 December 2020 10/11-11/7

⁹¹³ Claire Burns 7 December 2020 94/23-96/1

Part F

Identifying and reporting child sexual abuse

Identifying and reporting child sexual abuse

F.1: Introduction

1. Child sexual abuse may come to the attention of institutions in different ways and at different times:

- some victims disclose what has happened to them, either as a child or as an adult;
- some children show signs of abuse or engage in behaviour which properly trained individuals can identify;
- some perpetrators use certain behaviours, particularly grooming techniques, which can be indicators of abuse; and
- internet companies and law enforcement agencies increasingly use technology to identify abuse taking place online.

2. The ability of adults to identify children who are being abused or are at risk of abuse is therefore a fundamental feature of the institutional response and an integral precursor to the reporting process. The Inquiry encountered numerous examples of failures to identify child sexual abuse. Failure to report abuse to the police or social services was an abdication of the responsibility to protect children.⁹¹⁴

3. A new law is therefore required to place certain individuals who work with children under a statutory duty to report child sexual abuse to the police or social services. In conjunction with recommendations to prioritise the response to sexual abuse, new reporting obligations will dispel any reluctance felt by some in receipt of disclosures from victims and survivors to inform the statutory authorities. This in turn may ensure the statutory authorities are better informed and victims and survivors better supported.

F.2: Identifying child sexual abuse

4. Many children who are sexually abused do not disclose what has happened to them for years, sometimes decades. Nine percent of participants reporting abuse to the Truth Project were doing so for the first time.⁹¹⁵ The oldest person who disclosed sexual abuse to the Inquiry for the first time was 87 years old. Some children never disclose that they have been sexually abused.

5. The reasons for not reporting abuse can be complex, deeply personal and contribute to the harm caused by the abuse itself. In particular, the fear of being disbelieved was repeatedly given as a reason for not telling someone about abuse. The Inquiry also heard how feelings of guilt, shame and embarrassment prevented disclosure. Other reasons were

⁹¹⁴ *Westminster Investigation Report*, Executive Summary; *Residential Schools Investigation Report*, Executive Summary; *Lambeth Council Investigation Report*, Executive Summary; *Child Protection in Religious Organisations and Settings Investigation Report*, Part E.2 para 7; *Child Sexual Exploitation by Organised Networks Investigation Report*, Executive Summary

⁹¹⁵ *Victims and Survivors' Voices*, Part B.1

fear of the perpetrator and of the consequences of reporting abuse, concern for their families and even for the perpetrator, or simply not having anyone to tell.⁹¹⁶ As set out in the *Child Protection in Religious Organisations and Settings Investigation Report*, religious and cultural factors have resulted in some victims and complainants facing additional barriers to reporting their abuse.⁹¹⁷ The stigma of talking about sex and healthy relationships in some communities also creates obstacles to discussing and disclosing child sexual abuse.

6. The introduction of mandatory reporting, as described below, is intended directly to address victims and survivors' concerns that they will not be believed if they report abuse.

Recognising indicators of child sexual abuse

7. Child sexual abuse almost invariably happens in private. The chance of the abuse being witnessed is therefore likely to be rare, as are obvious physical injuries resulting from the abuse. As set out in *Victims and Survivors Voices*, only 8 percent of Truth Project accounts reported that sexual abuse resulted directly in physical injury.⁹¹⁸

8. It is essential that institutions and organisations – and those working in them such as carers, social workers, doctors and teachers – receive regularly updated training on identifying potential indicators of sexual abuse as well as current and emerging threats of abuse. It is not the responsibility of the child to come forward. It is for the institution and the adults working within it to ensure that they are able to identify child sexual abuse when it is possible to do so.

9. There are various potential indicators of abuse, which often overlap.

9.1. Statutory guidance, both in England and in Wales, provides some assistance so that individuals who work with children are able to identify the indicators of child sexual abuse. For example, the *All Wales Practice Guides* note that those who work with children need to be vigilant to the physical, emotional and behavioural indicators of child sexual exploitation. These could include the possession of money, clothing or technological items, including expensive mobile phones, where there is no reasonable explanation for having them.⁹¹⁹

9.2. The NHS website also provides non-exhaustive lists of indicators of child sexual abuse and of child sexual exploitation.⁹²⁰

⁹¹⁶ *Victims and Survivors' Voices*, Part E.3; *Truth Project Thematic Report: Child sexual abuse in custodial institutions*, IICSA, April 2020, Chapter 7.1, pp46–47; *Truth Project Thematic Report: Child sexual abuse in healthcare contexts*, IICSA, December 2020, Chapter 7.1, pp43–44

⁹¹⁷ *Child Protection in Religious Organisations and Settings Investigation Report*, Part C

⁹¹⁸ *Victims and Survivors' Voices*, Part G.6

⁹¹⁹ INQ006466_011

⁹²⁰ INQ006747; INQ006626

Some of the following signs may be indicators of sexual abuse:

- Children who display knowledge or interest in sexual acts inappropriate to their age;
- Children who use sexual language or have sexual knowledge that you wouldn't expect them to have;
- Children who ask others to behave sexually or play sexual games; and
- Children with physical sexual health problems, including soreness in the genital and anal areas, sexually transmitted infections or underage pregnancy.

Some of the following signs may be indicators of sexual exploitation:

- Children who appear with unexplained gifts or new possessions;
- Children who associate with other young people involved in exploitation;
- Children who have older boyfriends or girlfriends;
- Children who suffer from sexually transmitted infections or become pregnant;
- Children who suffer from changes in emotional well-being;
- Children who misuse drugs and alcohol;
- Children who go missing for periods of time or regularly come home late; and
- Children who regularly miss school or education or don't take part in education.

9.3. Practical guidance can also be found in various toolkits, such as the template created by the Centre of Expertise on Child Sexual Abuse, which are available to help professionals identify behaviours indicating that a child is being sexually abused.⁹²¹ There is also a range of guidance available for the medical profession and for the police.⁹²²

9.4. In the case of young children, signs of distress, or behavioural signals such as self-harm, physical injury or personality and demeanour changes, or sexualised behaviour in a prepubertal child, may indicate child sexual abuse. Other children may disclose partially, attempting to convey that something is not right by, for example, writing notes or drawing pictures that indicate their abuse.⁹²³ As the Inquiry noted in its *Children in the Care of Lambeth Council Investigation Report*, small communication signs or changes

⁹²¹ INQ006746

⁹²² INQ006742; INQ006807

⁹²³ INQ006704_038

in behaviour indicating sexual abuse can be both harder to identify in children with complex needs and more easily dismissed, particularly when the child is cared for by multiple carers.⁹²⁴

10. It is also incumbent on adults to think more broadly about behavioural indicators of child sexual abuse. For example, in a recent survey by the Centre of Expertise on Child Sexual Abuse frontline survey respondents said that:

*“they commonly considered whether child sexual abuse might be taking place when responding to situations involving human trafficking, children going missing from home, female genital mutilation, county lines and child neglect – but were far less likely to do so when responding to drink driving/road traffic offences, serious acquisitive crime and antisocial behaviour, despite research showing links between child sexual abuse and these other types of offence”.*⁹²⁵

11. The Inquiry’s research report on child sexual abuse in ethnic minority communities noted that *“Cultural stereotypes and racism can lead to failures on the part of institutions and professionals to identify and respond appropriately to child sexual abuse”*.⁹²⁶ One male focus group participant stated:

*“I did a lot of bad things; I was playing up, and I think it should have been picked up on that something’s wrong ... But I think if a child of colour or black kid or Asian kid maybe plays up and, you know, does things and gets violent or whatever, it’s sometimes seen as typical.”*⁹²⁷

12. In its *Child Sexual Exploitation by Organised Networks Investigation Report*, the Inquiry identified *“widespread failures”* to record the ethnicity of perpetrators and victims of child sexual exploitation.⁹²⁸ As a consequence, statutory agencies may not target resources appropriately – including techniques aimed at detection and prevention – enabling the police, for example, to engage with communities where these crimes occur to take preventive action. Opportunities to identify those children most at risk of being sexually exploited may be lost.

13. Factors potentially indicative of child sexual abuse are equally applicable to child sexual exploitation (and vice versa). There are, however, additional features of child sexual exploitation that mean that exploitation can be identified in a number of further ways. For example, a child may request contraception or testing and treatment for a sexually transmitted disease from a GP surgery, contraceptive and sexual health service, hospital or clinic. Changes in the child’s daily behaviour, such as deterioration in school work, or children who come into school in an exhausted state or show a lack of engagement, may suggest that further enquiries are required.⁹²⁹

14. In particular, a child going missing regularly may be an indicator of sexual abuse. In a number of the Inquiry’s investigations, victims and complainants stated that they would abscond from the institution in order to escape abuse, only to be returned by the police.⁹³⁰

⁹²⁴ *Lambeth Council Investigation Report*, Part C.1 para 1; INQ005640_004 para 1.11

⁹²⁵ INQ006745_008

⁹²⁶ *“People don’t talk about it”: Child sexual abuse in ethnic minority communities*, IICSA, June 2020, Executive Summary

⁹²⁷ *“People don’t talk about it”: Child sexual abuse in ethnic minority communities*, IICSA, June 2020, Chapter 6.2 p67

⁹²⁸ *Child Sexual Exploitation by Organised Networks Investigation Report*, Part H.4

⁹²⁹ *Child Sexual Exploitation by Organised Networks Investigation Report*, Part F.2 para 3; INQ001608_009 para 18

⁹³⁰ *Lambeth Council Investigation Report*, Part J.3 para 24; *Nottinghamshire Councils Investigation Report*, Pen Portraits (L-29)

15. Statutory guidance in England provides that when a child is found, a return home interview (RHI) should be offered to the child (although there is no requirement that the child participates in it). This should be conducted within 72 hours of the child returning to their home or care setting.⁹³¹ RHIs are not a statutory requirement in Wales but there is an expectation on the part of the Welsh Government that an interview will be offered after a child has three episodes of going missing.⁹³² As set out in the Inquiry's *Child Sexual Exploitation by Organised Networks Investigation Report*, RHIs were inadequate in most of the six case study areas examined.⁹³³

16. While not every incident of running away will be because a child is fleeing sexual abuse, regularly going missing and unexplained absences, whether from home or school, or staying out overnight should act as a trigger for adults to ascertain why a child is behaving in this way. In some cases, a child may not be running from abuse but towards it, making it all the more important that the right questions are asked. The information sought should include where the child has been, who they were with and what they were doing.

17. Identifying signs of child sexual abuse and exploitation is not the sole preserve of professionals in contact with children. There are positive initiatives that reinforce the need for all adults to be alert to indicators of abuse. For example, in 2014 South Yorkshire Police launched Operation Makesafe, which was designed to train hotel staff to recognise the signs of child sexual exploitation.⁹³⁴ The initiative was extended to fast food restaurants, taxi companies and transport hubs and rolled out across a number of police force areas to educate workers in these sectors about how to identify and report concerns about child sexual exploitation. In January 2021, as a result of a concern about the impact of lockdowns and the need to stay indoors during the COVID-19 pandemic, Sussex Police offered free training to postal workers, delivery drivers and tradesmen to help them recognise the signs of abuse and to understand how to report concerns to the relevant authorities.⁹³⁵

Indicators of abuse related to the perpetrator

18. In addition to being alive to the signs of sexual abuse being demonstrated by children, there are ways in which perpetrators of child sexual abuse can be identified.

19. Research suggests that, despite beliefs to the contrary, there is no typical child abuser.⁹³⁶ Whether male or female, there are similarities in the way perpetrators behave, particularly in the methods used to groom children.⁹³⁷ For example, research on female and male perpetrators from educational institutions indicated that sexual abuse occurred at a higher rate outside the school, such as at the cinema or in the perpetrator's home or car, rather than inside the school.⁹³⁸ The giving of compliments and special attention, along with gifts, alcohol, drugs and cigarettes, were features of the grooming techniques to sexually abuse and exploit children.⁹³⁹ As set out in the *Residential Schools Investigation Report*, a serious

⁹³¹ INQ006447_014 para 32

⁹³² *Child Sexual Exploitation by Organised Networks Investigation Report*, Part G.5 para 25

⁹³³ *Child Sexual Exploitation by Organised Networks Investigation Report*, Part G.5, paras 31–33

⁹³⁴ INQ006752_002

⁹³⁵ INQ006748

⁹³⁶ *Child sexual abuse in contemporary institutional contexts*, IICSA, July 2021, p14; *An explorative study on perpetrators of child sexual exploitation convicted alongside others*, IICSA, May 2020, p5

⁹³⁷ *Child sexual abuse in contemporary institutional contexts*, IICSA, July 2021, pp4, 17–18

⁹³⁸ *Child sexual abuse in contemporary institutional contexts*, IICSA, July 2021, p17

⁹³⁹ *Ampleforth and Downside Investigation Report*, Part B para 162; *Child Sexual Exploitation by Organised Networks Investigation Report*, Pen Portraits (CS-A12 and CS-A372); *Westminster Investigation Report*, Part H.2 para 18; *Diocese of Chichester/Peter Ball Investigation Report*, Part B.2 para 24

case review referred to at least 30 incidents of “*inappropriate or unprofessional conduct*” by a teacher at one school which “*should have been viewed as suspicious*”.⁹⁴⁰ Only 11 of the 30 recorded incidents were reported to the school.⁹⁴¹ In particular, there were concerns that the teacher had female-only favourites and was over-familiar and “*frequently observed*” to be in “*inappropriately close physical contact*” with some pupils. The review noted that “*This behaviour is characteristic of grooming for sexual abuse and it is a further failure that it wasn’t recognised as such*”.⁹⁴²

20. Ensuring that institutions, and individuals working in them, understand warning signs and indicators of potential child sexual abuse exhibited by a perpetrator is an important preventive measure. This should be addressed by the policies and procedures of an institution, and through the provision of appropriate training. It may be aided further by the Inquiry’s recommendation for a public awareness campaign.

F.3: Detecting online child sexual abuse

21. Much online-facilitated child sexual abuse, such as grooming, is similarly hard to detect. Online perpetrators frequently disguise their true age and identity – often masquerading as children in an attempt to gain the child’s trust. Some online messaging services are designed so that messages and images are automatically deleted, thereby enabling perpetrators to evade detection. For example, the Inquiry’s research found that Snapchat was often the social media platform “*of choice*” for perpetrators and that social media and technology such as this has exacerbated the prevalence of child sexual abuse because it offers perpetrators more opportunities to access children and offend while remaining undetected.⁹⁴³

22. Internet and social media companies, including Google, Meta (formerly Facebook, which owns WhatsApp and Instagram), Microsoft and Apple, have developed technology to detect online-facilitated child sexual abuse. The methods of detection vary depending on the type of abuse.

Child sexual abuse images

23. The number of people accessing child sexual abuse images continues to grow. During a one-month period during the first 2020 lockdown, the Internet Watch Foundation estimated there were 8.8 million attempts by UK internet users to access child sexual abuse imagery.⁹⁴⁴

24. Techniques for detecting child sexual abuse images vary, depending on whether the image has previously been identified by law enforcement or industry as a child sexual abuse image (referred to as a ‘known’ child sexual abuse image). PhotoDNA, web crawlers, Artificial Intelligence (AI), machine learning and classifiers are all used to detect imagery, with many companies making their technology available to other internet companies.⁹⁴⁵

⁹⁴⁰ *Residential Schools Investigation Report*, Part B.4 para 138, Part E.3 para 42; DFE002197_007

⁹⁴¹ DFE002197_008 para 27

⁹⁴² DFE002197_011-012 para 39

⁹⁴³ *Child sexual abuse in contemporary institutional contexts*, IICSA, July 2021, Chapter 6 p89

⁹⁴⁴ INQ006766_001

⁹⁴⁵ PhotoDNA is technology developed by Microsoft which assists in the detection and removal of known images of child sexual abuse on the internet, creating a unique digital signature of an image (known as a hash) which is then compared against hashes of other photos to find copies of the same image. A web crawler is a computer programme that automatically searches the internet for, in this case, child sexual abuse images. AI, machine learning and classifiers are types of computer programme that learn from data given to it, to then identify similar data.

25. Where known child sexual abuse images are detected, US law requires Electronic Service Providers (ESPs) based in the US to report child sexual abuse material to the National Center for Missing & Exploited Children (NCMEC). They must provide information about the suspected perpetrator, such as an email address or Internet Protocol (IP) address.⁹⁴⁶ In practice, all the major internet companies (including Meta, Google and Microsoft) are subject to this legal requirement. In 2018, this resulted in 18.4 million reports being made to NCMEC.⁹⁴⁷ In 2021, NCMEC received nearly 30 million reports.⁹⁴⁸

26. NCMEC sends reports relating to the UK to the National Crime Agency (NCA). The NCA responds to the most serious reports itself, and passes others on to local police forces for them to investigate and make any necessary arrests.⁹⁴⁹ This form of mandatory reporting has therefore had a significant positive impact on the way US institutions report child sexual abuse material and an equally positive impact in assisting UK law enforcement to identify perpetrators based in the UK. Once the Online Safety Bill is passed, UK companies will be under a duty to report any child sexual exploitation and abuse content that they encounter to the NCA.⁹⁵⁰

Pre-screening

27. Pre-screening enables internet companies to prevent child sexual abuse images from ever being uploaded to platforms and social media profiles. The images cannot therefore be viewed or shared, preventing access to the material.

28. In August 2021, Apple announced that it had developed technology to scan US-based user devices for known child sexual abuse images before an image is stored on its cloud storage service, iCloud. It was intended that the implementation of this feature would be kept under review before being rolled out worldwide. Subsequently, Apple announced that it was delaying these plans, pending “*improvements before releasing these critically important child safety features*”.⁹⁵¹ Where a match is found, the image will be reviewed by a human reviewer and, if the image contains child sexual abuse material, a report will be made to NCMEC.⁹⁵² This type of pre-screening for known indecent images is welcome.

29. In *The Internet Investigation Report*, published in March 2020, the Inquiry recommended that the government should require internet companies to pre-screen for known child sexual abuse images before material is uploaded.⁹⁵³ In its response, the government referred to the *Interim Code of Practice on Online Child Sexual Exploitation and Abuse* (Interim Code) (see Part J) which sets out the government’s “*expectation that all companies will prevent access to known child sexual abuse material*”.⁹⁵⁴ The first principle in the Interim Code states that companies “*seek to prevent known child sexual abuse material from being made available to users or accessible on their platforms and services, take appropriate action under their terms of service,*

⁹⁴⁶ An Internet Protocol (IP) address is a number assigned to a device connected to a computer network.

⁹⁴⁷ *The Internet Investigation Report*, Part C.2 para 35

⁹⁴⁸ INQ006856_003

⁹⁴⁹ *The Internet Investigation Report*, Part C.2 paras 36, 39

⁹⁵⁰ INQ006896_064

⁹⁵¹ INQ006630_002

⁹⁵² INQ006631_002

⁹⁵³ *The Internet Investigation Report*, Part G.3 (Recommendation 1)

⁹⁵⁴ *Government response to recommendation 1 of the Internet Investigation Report dated 10 November 2020*, para 10

and report it to appropriate authorities".⁹⁵⁵ The government's response went on to state that "Pre-screening is one means of preventing access, recognising that this threat and the response that it requires may vary depending on the type and nature of the service offered".⁹⁵⁶

30. The Interim Code sets out what is 'expected' of companies but this does not go far enough given that the technology to pre-screen exists and is effective in preventing known child sexual abuse material being made available to users. In due course, it will be for the Office of Communications (Ofcom) as the online safety regulator to issue the code of practice, but the Inquiry considers that it is imperative that pre-screening is utilised to its fullest extent and becomes a mandatory feature of the code of practice.

31. In March 2022, the Online Safety Bill was laid before Parliament. It is not known how long it will take for legislation to be enacted and come into force, what provisions will be enacted and in what precise form. However, ensuring that users do not encounter child sexual abuse material is imperative, irrespective of the type and nature of the service offered and irrespective of any possible amendments to the Bill. The Inquiry therefore recommends that pre-screening for known child sexual abuse images should be a mandatory feature of the code of practice.

Recommendation 12: Pre-screening

The Inquiry recommends that the UK government makes it mandatory for all regulated providers of search services and user-to-user services to pre-screen for known child sexual abuse material.

Online grooming

32. In the year ending September 2021, police forces in England and in Wales recorded 6,833 grooming offences, an approximate 53 percent rise from the 2017/18 recorded figures.⁹⁵⁷

33. In addition to police officers operating undercover in internet chatrooms and forums used by suspected offenders, many of the internet companies use human moderators to review content and take action where there is a breach of the company's online policies, not just those policies relating to child sexual abuse.⁹⁵⁸ Not every internet company provided the Inquiry with the numbers of moderators they employed and, even where those figures were provided, it was far from clear that the numbers were sufficient to meet the increase in online-facilitated child sexual abuse.⁹⁵⁹ Given the escalation in grooming offences, internet companies will need more moderators to complement and add to their technological means of identifying abuse. In addition, the internet companies need to be alert to the difficult and traumatic material that moderators can be exposed to and be careful to pay attention to their welfare.

⁹⁵⁵ INQ006672_003

⁹⁵⁶ *Government response to recommendation 1 of the Internet Investigation Report dated 10 November 2020*, para 10

⁹⁵⁷ HOM003404

⁹⁵⁸ Facebook, Microsoft, Apple and Google all have policies which prohibit the sharing/posting of child sexual abuse material.

⁹⁵⁹ *The Internet Investigation Report*, Part D.5 paras 48-53

34. The internet companies also use classifiers to detect not just key words but patterns of behaviour that might indicate grooming is taking place. In 2018, the Home Secretary convened a Hackathon (a collaborative event for computer programmers) attended by all the major internet companies. In just 48 hours, engineers from those internet companies developed a prototype technology that could potentially be used to flag conversations that might be indicative of grooming. Following a second ‘mini’ Hackathon in 2019, the technology was launched in 2020.⁹⁶⁰ These collaborative conferences brought about significant technological developments within a very short time, and ought to be a regular and ongoing feature of the response to online child sexual abuse.

Live streaming

35. A large proportion of victims of live streaming come from poorer countries, often from Southeast Asia. However, in 2018, the Internet Watch Foundation published research which examined the distribution of captures of live streamed child sexual abuse and indicated that it more frequently encountered images “involving white girls, apparently from relatively affluent Western backgrounds”.⁹⁶¹ Live streaming is a problem affecting children in England and in Wales.

36. In addition, demand for live streamed sexual abuse is seemingly fuelled by individuals within the UK. The WeProtect *Global Threat Assessment 2021* notes that live streaming for payment has increased, exacerbated by the COVID-19 pandemic, with the ‘consumers’ of this material coming “predominantly from Europe, North America and Australia”.⁹⁶²

37. The speed and real-time nature of live streaming make it extremely difficult to police interactions between the live streamer and the recipient as they happen. The practical effect of this is that it is harder for industry to deploy technology to detect, moderate or prevent live streamed child sexual abuse material. The internet companies deploy some technology to detect potentially inappropriate comments that are often posted alongside a live stream, but it is clear that further investment is required to detect this form of online-facilitated abuse.

Detection in the future

38. There remain a number of notable impediments to the future detection of child sexual abuse material, including the increased use of the dark web (discussed in Part J). While the majority of websites that host indecent images of children are accessed via the open web, offending also takes place on the dark web. This is part of the world wide web that is only accessible by means of specialist web browsers, and cannot be accessed through well-known search engines. As set out in the *Internet Investigation Report*, at any one time, the dark web is home to approximately 30,000 live sites, just under half of which are considered to contain criminal content, including, but not limited to, child sexual abuse and exploitation content.⁹⁶³ It hosts some of the most depraved and sickening child sexual abuse imagery and material.

39. One of the most significant impediments to detection is end-to-end encryption (E2EE). Encryption is the process of converting information or data into a code that makes it unreadable to unauthorised parties. Many means of communication, such as WhatsApp,

⁹⁶⁰ *The Internet Investigation Report*, Part D.5 paras 58–59

⁹⁶¹ *The Internet Investigation Report*, Part E.1 para 7

⁹⁶² INQ006749_060

⁹⁶³ *The Internet Investigation Report*, Part A.2 para 16

iMessage and Facetime, are subject to end-to-end encryption, which means that the content of the communication can only be seen by the sender and the recipient. This means that law enforcement and the providers of the messaging platform cannot access the content (unless they are physically in possession of the handset or device). It also means many of the technological means of detecting online offending simply do not work.

40. The practical effect of the increased use of end-to-end encryption has significant implications.

40.1. In 2019, Facebook announced its intention to introduce end-to-end encryption on the Facebook Messenger and Instagram platforms. In 2020, Facebook provided 20.3 million child sexual abuse referrals to NCMEC. NCMEC's previous assessment is that 70 percent of Facebook's total referrals relate to Messenger (Facebook's instant messaging service that also allows images and videos to be shared), and so the number of referrals is likely to significantly diminish once that service is end-to-end encrypted.⁹⁶⁴ As Mr Rob Jones, Director of Threat Leadership at the NCA commented, Facebook's move to end-to-end encryption would "take away" the "crown jewels from the online protection response".⁹⁶⁵

40.2. Since the start of 2019, Project Arachnid (a web crawler that searches for child sexual abuse material) has detected more than 5,500 pages on the dark web hosting child sexual abuse material.⁹⁶⁶ However, because the identity of the server is anonymised, notices requesting removal of the material cannot be sent. Project Arachnid has also detected a large volume of child sexual abuse material related to prepubescent children that is made available on dark web forums but actually sits on open web sources in encrypted archives. By virtue of encryption, scanning techniques cannot detect the imagery.

41. The government's Interim Code states that there is:

*"detailed guidance for companies to help them understand and respond to the breadth of CSEA [child sexual exploitation and abuse] threats, recognising that this threat and the response that it requires will vary depending on the type and nature of the service offered ... we encourage all companies to be proactive and ambitious in how they consider and implement the recommendations within this interim code of practice."*⁹⁶⁷

42. While the Interim Code acknowledges the threat posed by encryption and requires companies to consider the potential harm created by it (including how the risk of this harm might be mitigated), it falls short of proposing any solution to the problem. In addition, the Information Commissioner's Office (ICO) recognises that the balance between addressing concerns about online safety and the need for keeping personal data secure and private (brought about by end-to-end encryption) is a difficult one. The ICO considers that

⁹⁶⁴ INQ006645_002

⁹⁶⁵ INQ006733_004

⁹⁶⁶ Project Arachnid is a web crawler that identifies child sexual abuse material on sites that have previously been reported to the Canadian authorities as hosting such material. Once child sexual abuse material has been detected, the crawler automatically sends a notice to the provider hosting the content requesting that the image be taken down. *The Internet Investigation Report*, Part C.2 para 23

⁹⁶⁷ INQ006672_005

“positioning E2EE and online safety as being in inevitable opposition is a false dichotomy” and that a more “nuanced and detailed understanding of the broader issues” is required.⁹⁶⁸ To that end, it engaged with the government’s ‘Safety Tech Challenge Fund’, which aims to:

“encourage the tech industry to find practical solutions to combat child sexual exploitation and abuse online, without impacting people’s rights to privacy and data protection in their communications”.⁹⁶⁹

43. In November 2021, the government announced that £555,000 had been awarded to five projects as part of the Safety Tech Challenge Fund. One of the projects will develop a plug-in to be integrated within encrypted social platforms to detect known child sexual abuse material.⁹⁷⁰ This forms part of wider spending commitments by the Home Office which, in the financial year 2022/23, exceed £60 million.⁹⁷¹

44. Technological advances such as these projects are positive steps but more is required. The Online Safety Bill proposes giving Ofcom the power to require providers to use “accredited technology” to identify child sexual exploitation and abuse content whether “communicated publicly or privately” and to take that content down.⁹⁷² In July 2022, the Home Office announced an amendment to the Bill to give Ofcom the power to issue a company with a Notice to use “best endeavours” to develop technology to prevent, identify and remove child sexual abuse material, including on services that are encrypted.⁹⁷³

45. If enacted, it may be that Ofcom will require specific technologies to be deployed on encrypted services but this is a measure of last resort. It does not detract from the reality that encryption represents a serious challenge to the detection of online-facilitated child sexual abuse, and is likely to result in child sexual abuse offences going undetected.

46. While there is an ever-increasing awareness of the need to protect personal data and online privacy, the emerging regulatory landscape must ensure that there is effective protection of children from online-facilitated sexual exploitation and abuse. That must remain the priority.

F.4: Reporting child sexual abuse

Institutional reporting

47. The Inquiry’s investigations have demonstrated that systemic change is needed to ensure allegations of child sexual abuse are reported. The Inquiry heard of many instances in which children who were being sexually abused made disclosures or presented information to someone within an institution, but no action was taken to inform the relevant authorities.⁹⁷⁴

⁹⁶⁸ INQ006764_003, 006 paras 14, 21

⁹⁶⁹ INQ006634_002

⁹⁷⁰ INQ006634_002

⁹⁷¹ UK Government (Home Office) Funding Allocation for Tackling Child Sexual Abuse for the Financial Year 2022-2023

⁹⁷² INQ006896_098-099 section 103

⁹⁷³ Home Office update to the Inquiry in relation to the Online Safety Bill dated 6 July 2022

⁹⁷⁴ *Child Sexual Exploitation by Organised Networks Investigation Report*, Pen Portraits (CS-A317); *Lambeth Council Investigation Report*, Pen Portraits (LA-A307); *The Roman Catholic Church Investigation Report*, Pen Portraits (Ampleforth Abbey and School, Downside Abbey and School); *The Anglican Church Investigation Report*, Pen Portraits (AN-F15); *Sexual Abuse of Children in Custodial Institutions Investigation Report*, Pen Portraits (Peter Smith, CI-A34)

- 47.1.** In several cases, no steps were taken by senior leaders of institutions to report sexual abuse to the police and perpetrators continued to have unrestricted access to children.⁹⁷⁵
- 47.2.** There were personal records of children in care and employment records of those who looked after them that contained references to behaviour amounting to sexual abuse of the child that were recorded but not reported or investigated.⁹⁷⁶
- 47.3.** There were cases of known perpetrators who were allowed to resign, retire or transfer to similar institutions elsewhere, rather than taking appropriate action.⁹⁷⁷
- 47.4.** In the educational field, there were instances where teachers were dismissed for sexual offending but referrals were not made for their inclusion on lists of those unsuitable to teach (despite such mechanisms having been in place since the 1920s).⁹⁷⁸ In some of those cases, other children were sexually abused who should have been protected by prompt and proper reporting by the adults whose job it was to keep them safe.
- 48.** A prominent reason that individuals and institutions failed to report child sexual abuse to statutory authorities was a desire to protect an individual or institution from reputational damage.⁹⁷⁹ Protection of reputation was particularly prevalent within religious, educational and political institutions, and concerns to avoid embarrassment trumped concerns about risks to children.⁹⁸⁰ Leaders were sometimes more focussed on controlling what information about allegations of abuse became public rather than on ensuring authorities were properly notified so that allegations were investigated.⁹⁸¹ When concerns arose that were politically or professionally inconvenient for an individual to report, they sometimes did not do so.
- 49.** Similar considerations applied where institutions comprised individuals with a shared moral code, or in institutions with cultures or leaders that emphasised deference within their ranks through strict hierarchies or moral and spiritual authority.⁹⁸² Not reporting an allegation of child sexual abuse out of a misguided sense of wanting to ‘protect their own’, a shared sense of defensiveness or a fear that making a report would bring their community into disrepute also featured in the evidence received by the Inquiry.⁹⁸³
- 50.** In other instances, factors such as confusing or nebulous procedures for handling reports of child sexual abuse led to reports not being made.⁹⁸⁴ In some cases, individuals decided not to make a report because they were applying a subjective filter of credibility or ‘seriousness’ to an allegation.⁹⁸⁵ Sometimes adults simply did not believe the allegation they

⁹⁷⁵ *Diocese of Chichester/Peter Ball Investigation Report*, Executive Summary, Part B.2 para 100; *Child Protection in Religious Organisations and Settings Investigation Report*, Pen Portraits (PR-A16)

⁹⁷⁶ *Nottinghamshire Councils Investigation Report*, Part C.5 paras 42, 45, 48, 50, Part C.8 paras 117–118; *Lambeth Council Investigation Report*, Part E.3 paras 17–25

⁹⁷⁷ *Residential Schools Investigation Report*, Part B.2 para 12, Part F.3 para 21

⁹⁷⁸ *Residential Schools Investigation Report*, Part B.2 para 13, Part I.3 para 28

⁹⁷⁹ *The Anglican Church Investigation Report*, Executive Summary; *Residential Schools Investigation Report*, Executive Summary

⁹⁸⁰ *The Anglican Church Investigation Report*, Part D.1 para 1; *The Roman Catholic Church Investigation Report*, Executive Summary; *Westminster Investigation Report*, Executive Summary; *Child Protection in Religious Organisations and Settings Investigation Report*, Part C.8 para 48; SBS000001_023 para 73; *Residential Schools Investigation Report*, Part F.3 para 21

⁹⁸¹ *Diocese of Chichester/Peter Ball Investigation Report*, Part B.2 para 45

⁹⁸² *Child Protection in Religious Organisations and Settings Investigation Report*, Part C.5 para 25; *Sexual Abuse of Children in Custodial Institutions Investigation Report*, Part E.6 para 85

⁹⁸³ *Child Protection in Religious Organisations and Settings Investigation Report*, Part C.7 para 42, Part C.8 paras 48–49

⁹⁸⁴ *Sexual Abuse of Children in Custodial Institutions Investigation Report*, Part E.12 paras 156–158; INQ001766_007 para 3.8

⁹⁸⁵ *Westminster Investigation Report*, Executive Summary (The case of Sir Peter Hayman)

heard, possibly because it was difficult for them to “*think the unthinkable*” about the alleged perpetrator, who may be a respected colleague or friend.⁹⁸⁶ Prejudiced perceptions about child complainants also featured in reasons for non-reporting of complaints.⁹⁸⁷

51. Victims and survivors, some senior religious leaders and some organisations argued strongly in favour of mandatory reporting, particularly in the Inquiry’s investigations into child sexual abuse occurring in religious settings and organisations and in educational establishments.⁹⁸⁸ As noted in *Victims and Survivors’ Voices*, a survey by the Inquiry’s Victims and Survivors Forum found that 88.6 percent of respondents said that they would like to see mandatory reporting of child sexual abuse introduced in England and in Wales.⁹⁸⁹

Current requirements to report child sexual abuse

52. Many of the individuals who failed to report abuse to the police or social services in these and other examples that the Inquiry examined may have failed to meet their professional or moral obligations, but they did not break any laws in doing so. The legal requirements to report abuse differ between England and Wales. Neither system is an adequate model for ensuring that reports of child sexual abuse are made to the agencies that should receive them.

The legal position in Wales

53. In 2016, the Welsh Government enacted a duty for specified public bodies to report children at risk of harm. Under section 130 of the Social Services and Well-being (Wales) Act 2014, specified public bodies must inform the local authority if they have “*reasonable cause to suspect*” that a child within the local authority’s area is “*at risk of abuse, neglect or other kinds of harm*”.⁹⁹⁰ This duty applies to those defined as relevant partners in the Act.⁹⁹¹ This includes local authorities, the police, providers of probation services, local health boards, NHS trusts and youth offending teams.⁹⁹² There are no criminal sanctions for individuals who fail to comply with the duty to report a child at risk in Wales.

54. Statutory guidance *Working Together to Safeguard People: Volume 5* states that where a member of the public or a practitioner has reasonable cause to suspect that a child is at risk, a “*report must be made as soon as possible to the local authority*”.⁹⁹³ The emergency services should be contacted in the case of immediate concerns about a child’s safety or a criminal offence against a child. In addition, the *Wales Safeguarding Procedures* state that “*a report must be made*” by anyone working with children, including in unpaid positions, who has a concern that a child is experiencing, or is at risk of, abuse, neglect or other harm.⁹⁹⁴ This applies broadly to individuals working with children, including in schools and

⁹⁸⁶ INQ001951_007_047 paras 30, 227; *Residential Schools Investigation Report*, Part F.3 para 17

⁹⁸⁷ *Institutional Responses to Allegations of Child Sexual Abuse Involving the Late Lord Janner of Braunstone QC Investigation Report*, Part E para 9; *Sexual Abuse of Children in Custodial Institutions Investigation Report*, Part D.2; *Truth Project Thematic Report: Child sexual abuse in healthcare contexts*, IICSA Research Team, December 2020, Chapter 7.1

⁹⁸⁸ *Child Protection in Religious Organisations and Settings Investigation Report*, Part G.4 paras 68–69; *Residential Schools Investigation Report*, Part E.5 paras 74–79; *Diocese of Chichester/Peter Ball Investigation Report*, Part B.12 paras 492–494, 497; *The Anglican Church Investigation Report*, Part B.5.4 paras 30–32

⁹⁸⁹ *Mandatory reporting of child sexual abuse: A survey of the Victims and Survivors Forum*, IICSA, April 2019, para 13

⁹⁹⁰ Social Services and Well-being (Wales) Act 2014, section 130

⁹⁹¹ DFE002830_006 para 4

⁹⁹² Social Services and Well-being (Wales) Act 2014, section 162

⁹⁹³ WGT000470_024 para 89

⁹⁹⁴ INQ006788_001

healthcare settings, the police, children’s social care services, youth offending teams, sports clubs and voluntary organisations. It emphasises the importance of individuals reporting concerns about a child’s welfare.

55. The *Working Together to Safeguard People: Code of Safeguarding Practice* sets out the Welsh Government’s expectation that all those offering activities or services to children in Wales will ensure that safeguarding arrangements are in place.⁹⁹⁵ This includes that organisations should have a safeguarding policy which contains information about how to report safeguarding concerns to the local authority or the police if necessary.⁹⁹⁶

56. The Welsh model leaves a number of gaps in terms of who is required to report, including all staff in independent schools and those involved with voluntary and religious organisations.⁹⁹⁷ There is also no sanction in the legislation for failure to report a child at risk. Any failure of a professional to report concerns is dealt with through agencies’ own internal disciplinary processes and referral to professional regulators. Further, whereas section 130 of the Social Services and Well-being (Wales) Act 2014 refers in the main to a list of organisations,⁹⁹⁸ the accompanying guidance set out in the *All Wales Procedures* implies a duty on individuals (referring to ‘practitioners’). It is unclear whether independent professionals, who might not be associated with the organisations listed, are covered by the obligation. This has the potential to lead to confusion. The Inquiry was informed that, by November 2020, the introduction of the referral-reporting duty in Wales had not led to “a substantive change in practice”.⁹⁹⁹

The legal position in England

57. In England, there is no statutory obligation requiring individuals or institutions to report child sexual abuse.

58. *Working Together to Safeguard Children* states that anyone who has concerns about a child’s welfare “should make a referral to local authority children’s social care”.¹⁰⁰⁰ This referral should be made immediately if there is a concern that the child is experiencing significant harm or is likely to do so. This statutory guidance does not impose a legislative requirement on those working with children to report child sexual abuse. It only creates an expectation that individuals will comply with the guidance unless “exceptional” circumstances arise.¹⁰⁰¹

59. The government also sets out expectations for other organisations working with children in England to make safeguarding arrangements. Section 11 of the Children Act 2004 places a duty on a range of organisations and individuals to ensure that “their functions are discharged having regard to the need to safeguard and promote the welfare of children”.¹⁰⁰² This duty applies to, for example, local authorities, NHS organisations, the police, probation services, transport police, youth offending teams, and governors or directors of custodial institutions. Statutory

⁹⁹⁵ INQ006790_003

⁹⁹⁶ INQ006790_006

⁹⁹⁷ Social Services and Well-being (Wales) Act 2014, sections 130, 162; *Residential Schools Investigation Report*, Part J.3 paras 17–20

⁹⁹⁸ ‘Relevant partners’ are listed at Social Services and Well-being (Wales) Act 2014, section 162(4).

⁹⁹⁹ Albert Heaney 26 November 2020 13/23-14/5

¹⁰⁰⁰ INQ006608_017 para 17

¹⁰⁰¹ CIW000012_007 para 11; INQ006608_007 para 6; for the position in Wales, see CIW000012_007 para 11

¹⁰⁰² Children Act 2004, section 11

guidance sets out the arrangements that these organisations should have in place to fulfil this duty, including the need for clear procedures to ensure that staff know how to respond to and escalate concerns about a child's welfare.¹⁰⁰³

60. *Working Together to Safeguard Children* also sets out expectations for safeguarding arrangements in organisations not subject to the section 11 Children Act 2004 duty. This includes that voluntary, faith-based, charitable and private sector organisations, sports clubs and social enterprises should ensure that those working with children, whether paid or volunteer, are “*aware of their responsibilities for safeguarding and protecting children from harm*”.¹⁰⁰⁴ This should include knowing how to respond to child protection concerns and how to make a referral to local authority children's social care or the police if necessary.

Common approaches

61. Both jurisdictions issue specific statutory guidance for schools which set out the arrangements that schools should have in place to ensure child protection concerns are reported.¹⁰⁰⁵

62. The effect of this guidance is that institutions that work with children in England and in Wales are expected to have clear policies and procedures in place to ensure that staff report concerns about child sexual abuse. Individuals working within those institutions who fail to do so may be subject to internal disciplinary proceedings. Those expectations, however, are not the same as legal obligations.

63. In addition to statutory guidance, some individuals are required to report concerns under standards or codes of conduct set by their professional regulatory body. This includes healthcare professionals, social workers, social care workers in Wales, the police and teachers. In the main, that requirement is part of professionals' obligations to ensure the safety and well-being of the members of the public with whom they work and to raise concerns about colleagues. A professional's fitness to practise may be brought into question if they fail to adhere to such standards. If a professional is found to be unfit to practise, they can be removed from the professional register and prevented from practising. The effect of this is that specific requirements to report children experiencing, or at risk of, abuse, neglect or other harm are generally set out in accompanying guidance.

64. In both jurisdictions, existing reporting frameworks within particular institutions or sectors can be unduly complicated and professionals are sometimes unclear about their own reporting responsibilities.

65. Although there are presently a range of non-statutory measures that aim to encourage individuals and institutions to report child sexual abuse, there is a marked absence of a cohesive set of laws and procedures in England and in Wales that require individuals working with children to report child sexual abuse. Children have suffered as a result.

¹⁰⁰³ WGT000470_011 para 31; INQ006608_060 para 4; for the position in Wales, see WGT000470_011 para 31

¹⁰⁰⁴ INQ006608_074 para 61

¹⁰⁰⁵ INQ006743_029-031 paras 3.31–3.48; INQ006502_017-018 paras 55–60

F.5: The case for mandatory reporting

66. Commonly referred to as ‘mandatory reporting’, numerous countries have introduced legislation which places specified persons, or members of the public, under a statutory obligation to report child abuse or neglect to a designated agency.¹⁰⁰⁶ This includes the majority of countries in Europe and some parts of the US, Canada and Australia.

67. Although the detail and nature of mandatory reporting laws varies between jurisdictions, there are a number of common features.¹⁰⁰⁷

67.1. Most mandatory reporting laws identify designated mandated reporters, creating a group of people to whom the law applies. These individuals are generally those who come into contact with children in the course of their work or have managerial responsibility for others who work with children and are therefore assumed to be in a position to identify the signs of abuse.

67.2. Mandatory reporting laws also vary in what they require people to report. Some jurisdictions list categories of child abuse, such as physical abuse, sexual abuse, psychological abuse and neglect. It is also common for reporting laws to cover various forms of child abuse, including physical abuse, neglect and sexual abuse.

67.3. There is also variation in the level of awareness of the alleged abuse mandated reporters need to have before they are required to report.

67.4. All mandatory reporting laws specify the agency to whom the report must be made. This may be the police or, more commonly, social services or child protection services. In some jurisdictions, there is a dedicated agency whose remit is to receive reports (and sometimes also to monitor and produce statistics on the number of reports received) in addition to assessing and acting upon them as required.

67.5. Most, but not all, mandatory reporting laws also provide for a sanction for failure to report. Such sanctions may be criminal in nature, attracting a fine or custodial sentence.

68. The combination of these features gives a particular regime of mandatory reporting its character and scope, and the interrelationship between them is important. For example, it tends to be that criminal sanctions apply for the non-reporting of abuse that is known, rather than suspected, or applies to a narrow group of individuals who might be expected to have a heightened level of awareness or duty to children.

Debates about mandatory reporting

69. In recent years there has been significant debate about whether mandatory reporting should be introduced in England and in Wales.

¹⁰⁰⁶ INQ006771_007-008

¹⁰⁰⁷ INQ006134_007 para 4.1

70. Several organisations representing victims and survivors have called for its introduction.¹⁰⁰⁸ In 2014, Baroness Walmsley tabled an amendment to the Serious Crimes Bill which set out a legal duty for those working in regulated activity (see Part E) involving children or vulnerable adults to report suspected or known abuse.¹⁰⁰⁹ The amendment attracted both support and criticism.

71. In July 2016, the government launched a public consultation on reporting and acting on child abuse and neglect.¹⁰¹⁰ In its response (March 2018), the government concluded that the case for mandatory reporting had “*not currently been made*” and stated that it would not seek to introduce a mandatory reporting duty.¹⁰¹¹

72. The Inquiry has considered the government’s consultation response. However, the broad body of evidence examined by the Inquiry has led to the Inquiry reaching different conclusions on some of the government’s key concerns about mandatory reporting.

Referral figures

73. The introduction of mandatory reporting in other jurisdictions has led to an increase in the number of referrals made about child abuse to authorities and in the number of children subsequently identified as being in need of protection from sexual abuse. This gives rise to concerns about potentially unmanageable increases in the number of referrals made to children’s social care services.

73.1. In 1993, the Australian State of Victoria introduced mandatory reporting for incidents of suspected child sexual abuse and physical abuse. At the time of enactment, doctors, nurses and the police were subject to the duty, and in 1994 it was broadened to include teachers. Analysis of subsequent trends in reporting of child sexual abuse found that between 1993 and 2012 there was a six-fold increase in the rate of children identified as in need of protection.¹⁰¹²

73.2. In 2009, the State of Western Australia introduced legislation giving doctors, nurses, midwives, teachers, the police and boarding supervisors a statutory duty to report any reasonable belief of child sexual abuse. Analysis of reporting trends in the three years prior and the four years following enactment found that, on average, following the introduction of mandatory reporting the number of children identified as in need of protection from sexual abuse doubled.¹⁰¹³ This means that the law enabled children’s services to provide help to more of those children who needed it.

74. Similar long-term improvements have been observed in Canada in the identification of children who were in need of protection and received support, as a result of mandatory reporting. One study examined the contact that individuals who were sexually abused as children had with child protection services both before and after the introduction of mandatory reporting. The study found that those born after mandatory reporting

¹⁰⁰⁸ INQ006861; INQ006860; INQ006862

¹⁰⁰⁹ INQ006813_009-011

¹⁰¹⁰ ACE026759

¹⁰¹¹ DFE003110_007 para 17

¹⁰¹² INQ006954_008

¹⁰¹³ INQ006359_013

was enacted in their province (1965 onwards) were three times more likely to have had contact with child protection services than those born before or in the same year as the legislation's enactment.¹⁰¹⁴

75. Research also indicates that the number of children identified as in need of protection from sexual abuse is higher in jurisdictions where mandatory reporting exists than in jurisdictions which do not have mandatory reporting. Over a 20-year period, the number of substantiated reports of child sexual abuse in Victoria, Australia, was 4.73 times as high as in the Republic of Ireland, a comparable jurisdiction which did not have mandatory reporting at the time.¹⁰¹⁵

76. Conversely, some have argued that there is no need for the introduction of this law as rates of referrals for child abuse and neglect in England and in Wales are “*comparable or already higher*” than in jurisdictions which have mandatory reporting.¹⁰¹⁶ During the Inquiry's seminar on mandatory reporting, Stuart Gallimore (then President of the Association of Directors of Children's Services) observed that “*there is no evidence in modern times ... of professionals routinely failing to report concerns about child sexual abuse*”.¹⁰¹⁷

77. However, throughout its investigations, the Inquiry repeatedly found that allegations and indicators of child sexual abuse were under-reported by adults who ought to have reported them.¹⁰¹⁸ Child sexual abuse is not sufficiently well reported at present. Reliance on bare statistics about rates of referrals risks a complacency about child sexual abuse. In 2021, the Inquiry asked the Department for Education and the Welsh Government for information on the number of referrals for child sexual abuse made to local authorities. Neither government could provide this information, because it was not collected.¹⁰¹⁹

78. The proportion of referrals to children's services which result in them identifying factors of child sexual abuse or child sexual exploitation in particular – as opposed to rates of referral of child abuse or neglect in general – is relatively small.

78.1. In 2021, child sexual abuse was identified as a factor in 6 percent of assessments and child sexual exploitation as a factor in 3.4 percent.¹⁰²⁰ By comparison, the proportion of assessments for which emotional abuse was identified as a factor was 21.6 percent, neglect was identified in 17.2 percent of assessments and physical abuse was identified in 11.9 percent of assessments.¹⁰²¹

78.2. Existing referrals for child sexual abuse are therefore likely to represent a small proportion of all referrals, and a proportion much smaller than the proportion of referrals represented by other types of abuse and neglect.

78.3. A potentially higher rate of referrals is therefore not the same thing as a high rate of referrals about child sexual abuse or exploitation.

¹⁰¹⁴ INQ006675_007

¹⁰¹⁵ INQ006770_014

¹⁰¹⁶ DFE003110_007 para 19

¹⁰¹⁷ Stuart Gallimore 27 September 2018 63/21-64/4

¹⁰¹⁸ *Diocese of Chichester/Peter Ball Investigation Report*, Part B.2 para 100; *The Anglican Church Investigation Report*, Part B.6.2 para 4.4; *The Roman Catholic Church Investigation Report*, Part I.2 paras 4–7; *Westminster Investigation Report*, Part E.3 paras 122–123; *Residential Schools Investigation Report*, Part E.3 paras 42–52

¹⁰¹⁹ DFE003480; WGT000490

¹⁰²⁰ Proportion of assessments for which factor information was recorded: INQ006832

¹⁰²¹ Proportion of assessments for which factor information was recorded: INQ006832

79. Mandatory reporting laws have the capacity to improve significantly statutory services' ability to target help and support to child victims of sexual abuse. The international evidence supports the view that England and Wales ought to introduce mandatory reporting laws to enable the police and local authorities to better identify children in need of protection.

Striking the balance in mandatory reporting

80. The requirement to make a formal report of child sexual abuse has led to concerns about a potential loss of privacy or confidentiality that a child may request when making a disclosure.

81. Children and young people told the Inquiry that mandatory reporting could discourage children from disclosing sexual abuse for fear of the potential consequences for them, for their families and potentially for their abuser.¹⁰²² The National Society for the Prevention of Cruelty to Children has separately observed that children might be deterred from accessing support in respect of mental health or sexual or reproductive health if professionals were required to report abuse that they became aware of through such treatment.¹⁰²³

82. Some victims and complainants told the Inquiry that when they sought help they wanted the abuse to stop, without wanting there to be any legal consequences.¹⁰²⁴ Children and young people have commented that, once a report is made, they may feel a loss of control over this aspect of their lives.¹⁰²⁵ They may not be able to decide for themselves whether to engage with the criminal justice system, particularly where the abuser is a peer who they do not necessarily want to see investigated by police and prosecuted in a criminal court. The distress that children and their families might feel at the prospect of a formal investigation into allegations must not be underestimated.

83. It is also possible mandatory reporting could deter families from seeking help and that families are more likely to self-refer where they believe their disclosure will be handled confidentially. Parents may be worried about the consequences of disclosing a concern about sexual abuse in their household if they believe it would lead to the criminal investigation of a family member. Social, familial and economic factors might also influence parents' decision-making.

84. The countervailing consideration is the significant public interest in reporting, investigating and prosecuting perpetrators of child sexual abuse, and protecting other children from harm. If abuse is not reported in this way, perpetrators may continue to abuse. Child sexual abuse is a crime that is known to be under-reported. The prevention of abuse in the future is of the utmost importance.

85. In the delicate balance between the need to provide an individual child with confidential advice and support (whether medical, psychological, legal or social) and ensuring child sexual abuse is prevented, it is essential to recognise that there are some circumstances where privacy ought to be protected and some where prevention is paramount. One important example is in the context of consensual, non-abusive relationships between young people. In other jurisdictions, mandatory reporting laws provide for exemptions to the duty to report where the child concerned is in a sexual relationship with a person

¹⁰²² *Engagement with children and young people*, IICSA, June 2021, pp1, 25–26

¹⁰²³ INQ006931_022, 027-028

¹⁰²⁴ *Engagement with children and young people*, IICSA, June 2021, pp21, 25–26

¹⁰²⁵ INQ006488_019-020

who is near in age to them and where that relationship lacks features of exploitation or coercion. The Inquiry considers that it is desirable that such a measure is included in a new mandatory reporting law.

F.6: Mandatory reporting for England and for Wales

86. Mandatory reporting is a powerful weapon against child sexual abuse, but caution must be exercised to ensure that the legislation works for the people it is intended to protect. Having considered a range of views during its investigations and the various possible approaches to a scheme, the Inquiry has concluded that mandatory reporting is required so that those who work with children in certain roles report child sexual abuse to the police or social services.

Recommendation 13: Mandatory reporting

The Inquiry recommends that the UK government and Welsh Government introduce legislation which places certain individuals – ‘mandated reporters’ – under a statutory duty to report child sexual abuse where they:

- receive a disclosure of child sexual abuse from a child or perpetrator; or
- witness a child being sexually abused; or
- observe recognised indicators of child sexual abuse.

The following persons should be designated ‘mandated reporters’:

- any person working in regulated activity in relation to children (under the Safeguarding and Vulnerable Groups Act 2006, as amended);
- any person working in a position of trust (as defined by the Sexual Offences Act 2003, as amended); and
- police officers.

For the purposes of mandatory reporting, ‘child sexual abuse’ should be interpreted as any act that would be an offence under the Sexual Offences Act 2003 where the alleged victim is a child under the age of 18.

Where the child is aged between 13 and under 16 years old, a report need not be made where the mandated reporter reasonably believes that:

- the relationship between the parties is consensual and not intimidatory, exploitative or coercive; and
- the child has not been harmed and is not at risk of being harmed; and
- there is no material difference in capacity or maturity between the parties engaged in the sexual activity concerned, and there is a difference in age of no more than three years.

These exceptions should not, however, apply where the alleged perpetrator is in a position of trust within the meaning of the 2003 Act.

Where the child is under the age of 13, a report must always be made.

Reports should be made to either local authority children's social care or the police as soon as is practicable.

It should be a criminal offence for mandated reporters to fail to report child sexual abuse where they:

- are in receipt of a disclosure of child sexual abuse from a child or perpetrator; or
- witness a child being sexually abused.

What should be reported

87. Mandatory reporting laws are designed to facilitate the prompt and efficient reporting of child sexual abuse and to remove subjective filters of self-interest, fear, seriousness or credibility. They are not designed to encourage people to undertake their own investigations where they suspect abuse, or to conduct their own assessment about whether or not they believe an allegation to be true or false. Nor are they designed to interfere with the private enjoyment of sexual relationships between young people that are safe and consensual. The law must clearly define the level of 'knowledge' a person is required to have and the 'abuse' that triggers a report.

Level of knowledge

88. A mandatory reporting duty must define what individuals need to know before a report is required to be made. Some mandatory reporting laws relate to 'known' abuse, whereas others refer to 'alleged' or 'suspected' abuse. In the Republic of Ireland, for example, the Children First Act 2015 requires reports from a mandated person who "*knows, believes or has reasonable grounds to suspect ... that a child – (a) has been harmed, (b) is being harmed, or (c) is at risk of being harmed*".¹⁰²⁶

89. A law requiring an individual to 'know' that a child has been sexually abused implies that the reporter would have to be satisfied of the truth of the allegation. In some cases this is uncomplicated; 'knowledge' might be based on the fact that a reporter has witnessed the abuse, has seen evidence of it (by, for example, having seen incriminating messages or images) or has heard a confession by the perpetrator.

90. However, 'knowledge' might be taken to imply a subjective test, which can lead to prejudice and bias, and may encourage individuals to conduct some level of investigation into an allegation themselves. All that should be required is that the individual knows – or ought to know – that the information they are presented with amounts to an allegation of sexual abuse.

91. A person should be required to report when they either receive a disclosure of child sexual abuse from a child or perpetrator, or witness a child being sexually abused. A failure to report in those circumstances should be a criminal offence, as discussed below.

92. In many circumstances an individual working with children may recognise indicators of child sexual abuse that give rise to a reasonable suspicion that the child has experienced, or is experiencing, sexual abuse. It was evident throughout the Inquiry's investigations, and supported by accounts provided in the Truth Project, that in a number of cases clear signs of

¹⁰²⁶ Children First Act 2015, section 14(1)

child sexual abuse were missed or not acted upon. These included, for example, sexualised or sexually harmful behaviour, physical signs of abuse or consequences of sexual abuse such as pregnancy or sexually transmitted diseases.¹⁰²⁷ There should also be an obligation to report abuse based on well-recognised indicators of child sexual abuse. Those indicators should be set out in detailed guidance that can be updated and amended as needed. However, the Inquiry acknowledges that identifying indicators of abuse is more complicated than witnessing or receiving a disclosure of child sexual abuse and so a failure in respect of this aspect of the duty should not attract a criminal sanction.

Nature of abuse

93. For the purposes of mandatory reporting as recommended by the Inquiry, a mandated reporter should report any act that would amount to an offence under the Sexual Offences Act 2003 (the 2003 Act, or any subsequent relevant legislation) where the alleged victim is aged under 18.

94. However, in some limited circumstances where the victim is aged between 13 and under the age of 16 a different approach may sometimes be necessary.

95. In England and in Wales, the legal age of consent is 16. The 2003 Act therefore criminalises a wide range of sexual abuse committed on children under the age of 16 including rape, penetrative and non-penetrative sexual assaults, sexual activity with a child, and grooming offences. In law, children under the age of 13 cannot consent to any sexual activity and so the 2003 Act also includes separate offences for children aged under 13.

96. It is not always the case that all sexual activity involving children under the age of consent is prosecuted. While there is no suggestion that acts of this nature be decriminalised, Crown Prosecution Service guidance states that consensual sexual activity between teenagers should not be prosecuted unless there are aggravating features such as an element of abuse or exploitation.¹⁰²⁸ Just as it is not in the public interest to prosecute children and young people in a consensual relationship, it is not in the public interest to criminalise mandated reporters for failure to report consensual teenage sexual activity that would not ordinarily be prosecuted.

97. An exception to the mandatory reporting regime is therefore essential. Without it, for example, a teenager (in a relationship with someone close in age) who seeks advice on contraception or sexual health may worry that a formal report will be made to the police or social services and that there may be an investigation into the circumstances of their relationship. This is likely to deter young people in non-abusive relationships from seeking advice.

98. Internationally, many mandatory reporting laws carry exemptions for particular forms of sexual relationships between children and young people. For example, in the Republic of Ireland there is an exemption in respect of sexual activity involving a child “*who is aged 15 years or more but less than 17 years*” where the other party is no more than two years older and there are no issues regarding capacity to consent or a relationship of power over the younger party.¹⁰²⁹ In Canada, there is a ‘close in age’ exception to the statutory age of

¹⁰²⁷ *Residential Schools Investigation Report*, Part D.4; *Child Sexual Exploitation by Organised Networks Investigation Report*, Part F.2

¹⁰²⁸ CPS003476_017

¹⁰²⁹ Children First Act 2015, section 14(3)

consent which means that a child aged 14 or 15 can consent to sexual activity with another person who is less than five years older, and a child aged 12 or 13 can consent to sexual activity with another person who is less than two years older, providing there is no position of trust and the activity is not exploitative.¹⁰³⁰

99. The Inquiry therefore recommends that where the sexual activity relates to a child:

- under the age of 13, a report must always be made;
- between 13 and under 16 years old, a mandated person should not be required to make a report when he or she knows or reasonably believes that all of the following to be true:
 - the relationship between the parties is consensual and not intimidatory, exploitative or coercive; and
 - the child has not been harmed and is not at risk of being harmed; and
 - there is no material difference in capacity or maturity between the parties engaged in the sexual activity concerned, and there is a difference in age of no more than three years.

100. There are also specific child sexual abuse offences designed to protect 16 and 17-year-olds from sexual relationships which would not be criminal but for the perpetrator's position of trust in relation to the child. In short, while the child ostensibly consents to the activity, the law considers that consent is not relevant because of their particular relationship with the abuser. Individuals within the scope of a position of trust offence include those who look after children under the age of 18 in local authority accommodation, in care homes, hospitals and educational institutions as well as those who regularly coach or teach in a sport or a religion. Evidence heard by the Inquiry into the scale of abuse in these settings makes it essential that these cases come within the mandatory reporting regime. Accordingly, irrespective of the age of the child, where the alleged perpetrator is in a position of trust as defined by the 2003 Act, a report must be made.

Who should be required to report

101. In international models of mandatory reporting, the individuals subject to a duty to report are most commonly those employed in education, health, the police and social care. In the Republic of Ireland, mandated professionals include those working in health and social care, organised sports, religion, teaching and law enforcement, and managers of language schools, domestic violence shelters and accommodation for asylum seekers and those who are homeless. Across Canada, mandated professionals include those who work in healthcare, education or childcare, religious officials, lawyers, government employees and police officers. Several jurisdictions have a relatively lengthy list of mandated reporters that includes people employed in or associated with non-public bodies.¹⁰³¹

¹⁰³⁰ Criminal Code 1985, section 150.1(2)

¹⁰³¹ For example, Australian Capital Territories, New South Wales, Pennsylvania

102. Typically, mandatory reporting duties apply to individuals. In a minority of jurisdictions, such as Australia's Northern Territory, mandatory reporting applies to all (adult) citizens.¹⁰³² In Ontario, Canada, both the public and professionals are mandated to report, but the sanction for failure to do so (a fine of up to the equivalent of £3,000) only applies to professionals.

103. The category of individuals who are to be required to report must be carefully identified. Individuals engaged in regulated activity (as set out in Part E) are among the individuals who are most likely to become aware of an allegation of sexual abuse from a child, or to observe indicators of child sexual abuse from a child's behaviour or physical presentation. They should therefore be subject to a law of mandatory reporting.

104. There are other professions to which a responsibility to report should also apply. The Sexual Offences Act 2003 (the 2003 Act) contains 'abuse of position of trust' offences, criminalising sexual abuse committed by adults who occupy a position of trust as defined in the 2003 Act. Currently, those in 'positions of trust' are persons who 'look after' (are regularly involved in caring for, training or supervising, or have unsupervised contact with) children who are:

- detained in an institution; or
- resident in a home provided by a local authority or voluntary organisation; or
- accommodated in a hospital, care home, children's home or community home; or
- receiving education at an educational establishment.

105. Positions of trust in the 2003 Act also include adults who look after a child on an individual basis or have regular unsupervised contact with children because of a specified statutory or court-appointed duty, such as guardians or carers, and includes foster carers. This has recently been amended to extend the definition of positions of trust to include coaching, teaching, training, supervising or instructing in a sport or a religion, where this is done on a regular basis.¹⁰³³

106. There are several groups of individuals whose work may bring them into contact with children but who do not fall within the definition of positions of trust or regulated activity. Some of those may, because of the nature of their role, become aware of reports of child sexual abuse of the sort that ought to be subject to mandatory reporting. In particular, police officers in the course of their work might receive a disclosure or become aware of evidence of child sexual abuse whilst investigating an allegation of a non-sexual crime. A failure to formally report such disclosure should be covered by mandatory reporting laws.

107. In the absence of a statutory category that extends to all the groups of people who ought to be subject to a duty of mandatory reporting, the Inquiry recommends that mandatory reporting should apply to all individuals who fall into the existing statutory categories of regulated activity and positions of trust, and to police officers. It will be for the government to consider whether present statutory categorisations of individuals who work with children require review.

¹⁰³² INQ006134_008 para 4.2

¹⁰³³ Police, Crime, Sentencing and Courts Act 2022, section 47

108. Institutions should make arrangements so that there are not multiple reports of the same incident. For example, where an organisation has procedures for reporting child protection concerns (such as an appointed designated safeguarding lead), reports could be escalated through those procedures and a report made on behalf of the organisation. Individuals should also be assured – by both their organisation and the mandatory reporting scheme – that they will be afforded protection from repercussions when making a report in good faith in line with the duty to report.

109. Some core participants and witnesses argued that a mandatory reporting law ought to provide exemptions for some faith-based settings or personnel and, in particular, in the context of sacramental confession.¹⁰³⁴ As the Inquiry has already noted, the respect of a range of religions or beliefs is recognised as a hallmark of a liberal democracy.¹⁰³⁵ Nonetheless, neither the freedom of religion or belief nor the rights of parents with regard to the education of their children can ever justify the ill-treatment of children or prevent governmental authorities from taking measures necessary to protect children from harm. The Inquiry therefore considers that mandatory reporting as set out in this report should be an absolute obligation; it should not be subject to exceptions based on relationships of confidentiality, religious or otherwise.

To whom reports should be made

110. All mandatory reporting laws specify the agency to whom the report must be made, typically the police, social services or a dedicated agency. For example, in the Republic of Ireland, the Child and Family Agency receives reports.¹⁰³⁶ The Child and Family Agency also provides literature and online training to assist mandated professionals in their reporting duty, as well as designated points of contact in each jurisdiction to provide advice and clarification.¹⁰³⁷

111. In England and in Wales, existing practice (pursuant to statutory guidance) is that child safeguarding concerns should be reported to local authorities.¹⁰³⁸ If a child is in immediate danger, a report should be made to the police immediately. A mandatory reporting law should therefore provide that reports should be made to local authority children's social care or the police, to allow mandated reporters to direct their report to the most suitable agency depending on the circumstances. In the majority of circumstances, this will be local authority children's social care services, who can take action as appropriate to protect the child, including involving other agencies such as the police. An individual social worker or police officer in receipt of information that would trigger the duty to report must make a report to the appropriate department defined by their institution.

112. To ensure the effectiveness of any mandatory reporting duty, the government must ensure that agencies receiving reports are sufficiently resourced to be able to respond to any increase in reports about child sexual abuse that mandatory reporting laws generate. The UK government and the Welsh Government should collect and publish data on the operation of the mandatory reporting scheme.

¹⁰³⁴ *Child Protection in Religious Organisations and Settings Investigation Report*, Part G.4; *The Roman Catholic Church Investigation Report*, Part I.4; *The Anglican Church Investigation Report*, Part B.5

¹⁰³⁵ *Child Protection in Religious Organisations and Settings Investigation Report*, Part A.3

¹⁰³⁶ Children First Act 2015, section 14; Child and Family Agency Act 2013, Part 2

¹⁰³⁷ INQ006907

¹⁰³⁸ INQ006608_017 para 17

Sanctions for failure to report

113. Most, but not all, mandatory reporting laws also stipulate a sanction for failure to report. Some sanctions are criminal in nature (such as a fine or custodial sentence).

114. Criminal sanctions for failures to report vary in severity. For example, mandated reporters who fail to report child sexual abuse in line with their statutory duty in Western Australia face a \$6,000 fine.¹⁰³⁹ By contrast, Article 434-3 of the French Penal Code stipulates that a failure to report allegations of sexual abuse to the relevant authorities carries a three-year prison sentence and a €45,000 fine, or five years' imprisonment and a €75,000 fine where the offence concerns a child aged under 15.¹⁰⁴⁰ Some jurisdictions have introduced mandatory reporting without a criminal penalty, such as the Republic of Ireland, and in New South Wales the criminal penalty for mandated reporters who fail to report was removed in 2010.

115. In England and Wales, criminal sanctions exist for failure to report safeguarding concerns to the appropriate authority. For example, regulated activity providers must make a referral to the Disclosure and Barring Service where a person working in regulated activity has resigned or been dismissed, or moved to a different role, due to concerns that they may pose a risk of harm to children or vulnerable adults. Failure to comply with this duty is a criminal offence, punishable with a fine.¹⁰⁴¹

116. Where an individual to whom mandatory reporting laws apply has witnessed or received a disclosure of child sexual abuse, it should be a criminal offence to fail to report that to the relevant local authority or police force. Such a failure would amount to a deliberate decision not to pass on information about child sexual abuse to those authorities empowered to protect children from harm and to prevent future abuse by investigating and prosecuting it when it occurs. For those who work with children or are in a position of trust to fail to facilitate that is inexcusable, and the sanction for such an omission should be commensurate.

117. Where a mandated reporter recognises indicators of child sexual abuse (but has not directly witnessed abuse or received a disclosure of abuse from an alleged perpetrator or victim), it would not be appropriate to enforce the duty to report with criminal sanctions. Reports of this nature must be encouraged, and organisations must provide their staff with necessary and regular training to support recognition of indicators of child sexual abuse.

118. The introduction of this statutory duty is not intended to discourage an individual from reporting concerns about child sexual abuse which do not fall within the specific ambit of the mandatory reporting regime.

119. The current absence of mandatory reporting laws in England and in Wales marks these jurisdictions as outliers among internationally comparable jurisdictions. As regards reporting obligations, the current provisions are confusing, unfocussed and ineffective. The Inquiry's recommendation for mandatory reporting resonates with that found in many other jurisdictions and will represent a fundamental change to the way institutions identify and report child sexual abuse.

¹⁰³⁹ Children and Community Services Act 2004, section 124B

¹⁰⁴⁰ Penal Code, Article 434-3

¹⁰⁴¹ Safeguarding Vulnerable Groups Act 2006, section 38

Part G

The justice system response to child sexual abuse

The justice system response to child sexual abuse

G.1: Introduction

1. The criminal and civil justice systems play an important role in the way the State responds to child sexual abuse.
2. Investigating and prosecuting those who commit criminal offences involving the sexual abuse of children is rightly a matter of significant public interest. Inadequate responses of the police, Crown Prosecution Service and courts featured in a number of the Inquiry's investigations and was a matter frequently raised by Truth Project participants when giving their accounts.
3. The length of time taken to investigate and prosecute child sexual abuse cases was, and remains, a matter of significant concern. Delay within the criminal justice system can add to the harm caused by sexual abuse and has a profound impact on the well-being of victims, survivors and complainants, as well as those against whom allegations have been made. It can also hinder efforts to bring perpetrators to justice and has led some victims and complainants to retract their statements and disengage from criminal investigations.¹⁰⁴²
4. The civil justice system provides a separate route for victims and survivors to hold individuals and institutions to account. A number of the Inquiry's investigations, in particular the Accountability and Reparations investigation, heard evidence about the difficulties victims and survivors face when seeking compensation and the unfairness caused by the imposition of time limits within which civil claims relating to child sexual abuse must be brought.
5. To help enforce the rights of victims and survivors, the Inquiry recommends steps to improve compliance with the *Code of Practice for Victims of Crime in England and Wales* (Victims' Code) during police investigations and any subsequent prosecution. The Inquiry also recommends removing time limits on bringing civil claims for child sexual abuse.

G.2: The criminal justice system

6. The overriding objective of the criminal justice system is to deal with cases "justly".¹⁰⁴³ This includes "acquitting the innocent and convicting the guilty", "respecting the interests of witnesses, victims and jurors and keeping them informed of the progress of the case" and "dealing with the case efficiently and expeditiously".¹⁰⁴⁴ Achieving a 'just' outcome therefore requires a thorough and impartial police investigation, a timely and accurate decision about whether to charge the suspect and a fair trial commenced and conducted within a reasonable time.

¹⁰⁴² *Child sexual abuse in contemporary institutional contexts: An analysis of Disclosure and Barring Service discretionary case files*, IICSA, July 2021, Chapter 5.4.3, p72

¹⁰⁴³ See the Overriding Objective in *Criminal Procedure Rules 2020*, Rule 1.1 (1)

¹⁰⁴⁴ See the Overriding Objective in *Criminal Procedure Rules 2020*, Rule 1.1 (2)

7. As noted in Part B, child sexual abuse is under-reported. A large number of the Inquiry’s investigation reports noted that the true scale of offending was likely to be far higher than the available data appeared to suggest.¹⁰⁴⁵ The 2018/19 Crime Survey for England and Wales estimated that 76 percent of adults who experienced rape or assault by penetration did not tell anyone about their experience at the time.¹⁰⁴⁶ The government’s *Tackling Child Sexual Abuse Strategy* (2021) noted that:

“People were even less likely to tell the police – only an estimated 7% of victims and survivors informed the police at the time of the offence and only 18% told the police at any point.”¹⁰⁴⁷

8. The Inquiry expects that, as a result of a number of its recommendations, victims and survivors will feel more confident that a report of child sexual abuse will be treated with the utmost professionalism and sensitivity. Nevertheless, not every allegation of child sexual abuse will enter the criminal justice system. Fewer still result in a conviction (Figure G.1).

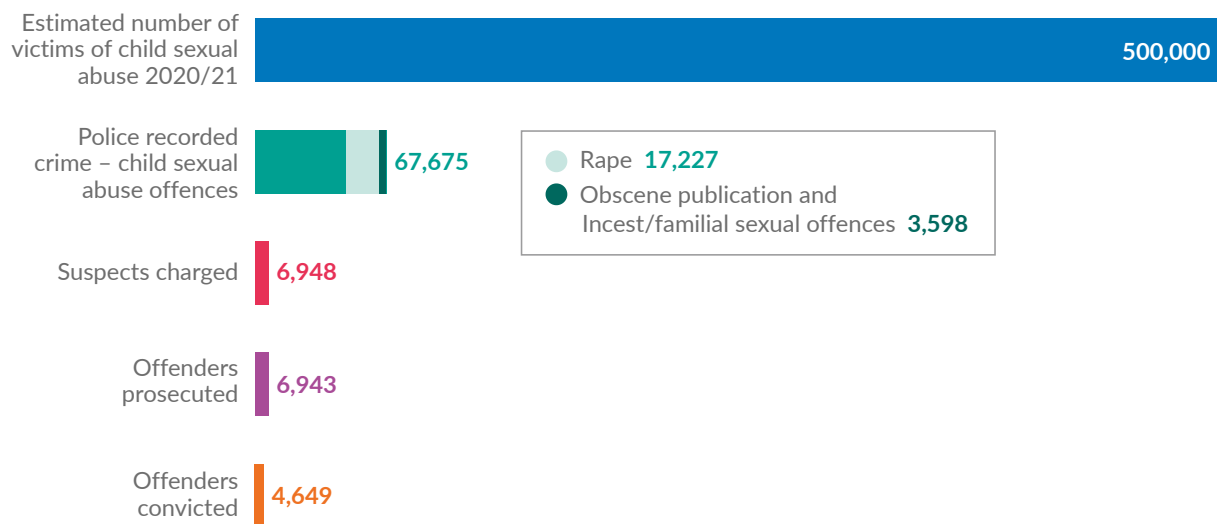


Figure G.1: Child sexual abuse outcomes through the criminal justice system

Source: See data compendium to this report

Disruptive measures taken by law enforcement

9. It is unrealistic to expect that law enforcement will be able to prevent all offences of child sexual abuse from being perpetrated. However, there are steps that can be taken to make child sexual abuse as difficult as possible to commit, and in doing so reduce the risk of harm to children. The Inquiry’s investigation reports *The Internet* and *Children Outside the United Kingdom* consider some of the ways in which law enforcement aims to prevent child sexual abuse.¹⁰⁴⁸

10. One of the methods used by law enforcement to deter, disrupt and prevent suspected child sexual exploitation and abuse is through the use of police warning notices and court orders.

¹⁰⁴⁵ *The Roman Catholic Church Investigation Report*, Executive Summary; *Nottinghamshire Councils Investigation Report*, Executive Summary; *Child Sexual Exploitation by Organised Networks Investigation Report*, Part B.4; *Lambeth Council Investigation Report*, Executive Summary; *The Internet Investigation Report*, Executive Summary

¹⁰⁴⁶ INQ006448_020 para 51

¹⁰⁴⁷ INQ006448_020 para 51

¹⁰⁴⁸ *The Internet Investigation Report*, Part D.5; *Children Outside the United Kingdom Investigation Report*, Part B.2

11. Child abduction warning notices (CAWNs) may be issued by the police (without a court order) against a potential offender. A CAWN informs the individual that they are not permitted to associate with a named child and that, if they continue to do so, they may be arrested. Originally used in cases of child abduction, CAWNs are now also used in cases of suspected grooming or child sexual exploitation to make it more difficult for the offender to meet with the child.

12. The Home Office's 2022 *Child Exploitation Disruption Toolkit* (applicable to both criminal and sexual exploitation of children) provides guidance on when and how CAWNs can be used.¹⁰⁴⁹ The six case study areas examined in the Inquiry's Child Sexual Exploitation by Organised Networks investigation demonstrated that CAWNs were used with varying frequency and were generally considered to be underused.¹⁰⁵⁰ There was also evidence that some police forces did not adequately record the use of CAWNs, which made it difficult for officers to identify when CAWNs had been issued.¹⁰⁵¹

13. These findings echo responses to a survey by the Centre of Expertise on Child Sexual Abuse in December 2021, which looked at the ways in which police forces across England and Wales seek to disrupt child sexual abuse.¹⁰⁵² A number of frontline respondents stated that they did not know where information about issued notices (and court orders, discussed below) was recorded. There was also a "*wide divergence of opinion*" about who was responsible for monitoring adherence to orders and notices, with some respondents "*expressing concern that issued orders were not always monitored*".¹⁰⁵³

14. In addition to CAWNs, there are two main legislative orders that may be imposed by a court to help prevent child sexual abuse and exploitation. Before either is made, a court must be satisfied that the order is "*necessary*" to protect the public from sexual harm.

14.1. A sexual harm prevention order (SHPO) may be made after a person has been convicted of a sexual offence, such as rape, sexual assault or possession of indecent images of children.¹⁰⁵⁴

14.2. A sexual risk order (SRO) may be made where there has been no conviction but the court "*is satisfied*" that the individual has "*done an act of a sexual nature as a result of which it is necessary to make such an order*".¹⁰⁵⁵

15. SHPOs and SROs can include a range of restrictions to protect members of the public from sexual harm, including prohibiting offenders from contact with children and placing restrictions on foreign travel, including prohibiting travel to certain countries. Breach of the order without reasonable excuse is a criminal offence and carries a maximum prison sentence of up to five years.

¹⁰⁴⁹ INQ006968_041-042

¹⁰⁵⁰ *Child Sexual Exploitation by Organised Networks Investigation Report*, Part I.2 paras 5, 12–13, 20

¹⁰⁵¹ *Child Sexual Exploitation by Organised Networks Investigation Report*, Part I.2 para 7

¹⁰⁵² INQ006745. The survey was based on responses from 754 frontline police officers and staff across 32 different forces, and 38 strategic leads across 20 forces.

¹⁰⁵³ INQ006745_008

¹⁰⁵⁴ Sexual Offences Act 2003, section 103A–K. The power to make an SHPO on conviction for sexual assault and possession of indecent images of children is subject to criteria relating to age of victim, age of offender and in some cases type of sentence imposed being met: Sexual Offences Act 2003, section 103A(2)(a) and Schedule 3, paras 15 and 18.

¹⁰⁵⁵ Sexual Offences Act 2003, section 122A(6)

16. In recent years, the number of SHPOs has been steadily decreasing, from 5,931 in 2016/17 to 4,325 in 2020/21. As the 2021 Centre for Social Justice report, *Unsafe Children*, commented:

*“It is unclear whether this is because the number of people eligible for SHPOs has simply reached a plateau, officials are not seeking SHPOs in cases where they should be or whether courts are becoming more reticent about granting them ... the number of offenders being sent to custody for breach of SHPOs has continued to decrease.”*¹⁰⁵⁶

17. The government’s *Tackling Child Sexual Abuse Strategy* states that, in relation to SROs and SHPOs, it will “continue to promote best practice ... and look to strengthen these civil orders in a number of ways”. This includes allowing the British Transport Police and the Ministry of Defence Police to also apply for these orders.¹⁰⁵⁷ The strategy states that the government wants to “maximise the effectiveness” of CAWNs, SHPOs and SROs, but it contains no detail about how this is to be done in respect of CAWNs.¹⁰⁵⁸

18. For the use of court orders and police notices to be effective, the police need to be able to access this information easily and the terms of the notice or order need to be monitored. There also needs to be better evidence about the extent to which these notices and orders are being issued. The issue of a warning notice entitled ‘child abduction’ is potentially misleading given that many potential offenders have not abducted a child. It may also be the case that, for young adults in particular, the wording of the notice provides insufficient warning that the behaviour they are engaged in potentially amounts to a sexual crime. While the Inquiry acknowledges law enforcement’s duty to investigate potential crime (and not deal with the matter by way of a warning notice), more explicit references in the notice to potential child sexual abuse and exploitation offences being committed may well assist to disrupt such behaviour and deter an individual from engaging in that conduct in future. Thought might therefore be given to a more tailored warning notice. The government needs to ensure that these matters are addressed as part of its ongoing work in this area and, in particular, in its inspection of the police response to child sexual exploitation.¹⁰⁵⁹

Investigative failures

19. The Inquiry’s work identified a number of failures by police forces responsible for investigating allegations of child sexual abuse.¹⁰⁶⁰ These included failures to fully investigate reports of child sexual abuse based on assumptions about the credibility of the complainant.¹⁰⁶¹ Allegations made by a child, particularly from a child in care, were often considered as being less worthy of belief, which influenced officers’ approach to the case and led to a less than thorough investigation.¹⁰⁶² Some of these failures occurred at a time when the police did not have dedicated units to investigate sexual offences (including

¹⁰⁵⁶ INQ006704_129

¹⁰⁵⁷ INQ006488_051 paras 157–158

¹⁰⁵⁸ INQ006448_037

¹⁰⁵⁹ INQ006880

¹⁰⁶⁰ *Institutional Responses to Allegations of Child Sexual Abuse Involving the Late Lord Janner of Braunstone QC Investigation Report*, Parts B.1–B.2

¹⁰⁶¹ *Institutional Responses to Allegations of Child Sexual Abuse Involving the Late Lord Janner of Braunstone QC Investigation Report*, Part E para 6

¹⁰⁶² *Lambeth Council Investigation Report*, Part J.3 para 22; *Westminster Investigation Report*, Executive Summary; *Truth Project Thematic Report: Child sexual abuse in custodial institutions*, IICSA, April 2020, Chapter 7.3, p49

those committed against children) and officers were not specifically trained to investigate these offences.¹⁰⁶³ However, the Inquiry heard concerns about the quality of more recent investigations into allegations of child sexual exploitation.¹⁰⁶⁴

A variable response

20. More recently, children and young people from whom the Inquiry heard described mixed experiences of dealing with the police (and criminal justice agencies). Their experiences were often affected by the knowledge, skills and attitude of the individual officers involved.¹⁰⁶⁵ Some victims and survivors spoke of improved policing with more specialist trained officers which resulted in improvements, for example, in the way the police officers spoke about child sexual abuse, in the sensitivity from officers and, importantly, in how victims and survivors were treated.¹⁰⁶⁶ Another spoke positively about how the officer spent time with him considering his options and signposted him to relevant support services.¹⁰⁶⁷ Evidence from some of the Inquiry's investigations also reflected positively on the way the police conducted their inquiries.¹⁰⁶⁸

21. To support police officers working in this area and raise the profile and priority of child sexual abuse within individual forces, in the April 2018 *Interim Report of the Independent Inquiry into Child Sexual Abuse* (the *Interim Report*), the Inquiry recommended that any police officer (or staff equivalent) who wanted to progress to a senior leadership role must first have operational policing experience in preventing and responding to child sexual abuse. Changes to legislation under the Police Regulations 2003 and to the College of Policing's training and accreditation arrangements were also recommended.¹⁰⁶⁹ In response, the government indicated that a programme of non-legislative changes had been drawn up to ensure an understanding of safeguarding and vulnerability across all levels of leadership in policing. The response went on to note that the Home Office had not identified any need for legislative change but that it would keep this under review.¹⁰⁷⁰ The Inquiry remains concerned, however, that such programmes are too generic. They do not reinforce the need to prioritise child sexual abuse at leadership level, in terms of both understanding the problem and an ability to respond. This is necessary, in turn, to support and encourage good practice in frontline officers who work in this difficult and sensitive area of crime.

Delay during the investigation process

22. Investigative delays are not uncommon in cases of child sexual abuse, particularly those involving online-facilitated child sexual abuse.

23. Investigations often require the interrogation of electronic equipment and analysis of communications between the perpetrator and the child. Many perpetrators possess multiple devices. HMICFRS's 2021 progress report in respect of the Metropolitan Police Service found, across all offences (not just cases of child sexual abuse), "*significant delays in forensic examinations*" of devices submitted for analysis, with a waiting time of six to nine months

¹⁰⁶³ *Lambeth Council Investigation Report*, Part J.3 para 21; *Westminster Investigation Report*, Part D.3 para 13

¹⁰⁶⁴ *Child Sexual Exploitation by Organised Networks Investigation Report*, Part I.3 paras 37, 41

¹⁰⁶⁵ *Engagement with children and young people*, IICSA, June 2021, pp20–22

¹⁰⁶⁶ *Victims and Survivors Forum Consultation on the Criminal Justice System: Summary Report*, IICSA, May 2019, pp3–4

¹⁰⁶⁷ *Truth Project Thematic Report: Child sexual abuse in custodial institutions*, IICSA, April 2020, Chapter 7.3, p49

¹⁰⁶⁸ *Diocese of Chichester/Peter Ball Investigation Report*, Part B.9 paras 424–425; *Child Sexual Exploitation by Organised Networks Investigation Report*, Pen Portraits (CS-A317)

¹⁰⁶⁹ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 6.2, pp67–68

¹⁰⁷⁰ *Home Office response to the Interim report dated 22 July 2019*

and a backlog of 1,277 submissions.¹⁰⁷¹ In June 2021, the government allocated £5 million to a national fund “to accelerate growth in the capacity of police forces to acquire and manage evidence from digital devices”.¹⁰⁷²

24. Where the content of messages cannot be obtained from a device (for example because the phone is PIN protected and cannot be unlocked) there can be further delays, as most communication service providers are based overseas and there is a lengthy legal process to be followed to request and obtain such data.¹⁰⁷³ The average time for UK law enforcement to obtain information from overseas companies was over a year.¹⁰⁷⁴

25. In October 2019, the Home Secretary signed a UK–US bilateral data access agreement allowing UK law enforcement to request data directly from US-based communications service providers. The Inquiry was told that it was envisaged that the new agreement meant that data could be accessed in weeks, if not days.¹⁰⁷⁵ However, when the Inquiry requested an update in March 2022, it was told that neither country had made any requests pursuant to the agreement because the agreement was not yet in force. The Home Office explained that “The reason it is not yet operational is because the parties have not yet exchanged diplomatic notes indicating that each country has taken the necessary steps to bring the Agreement into force”. The Home Office stated that negotiations were “ongoing” and that while bringing the agreement into force was a “top priority for both governments”, it could not give a timeframe by which this would happen.¹⁰⁷⁶ Given the anticipated benefits of the data access agreement, it is regrettable that the agreement is not yet in force.

Crown Prosecution Service decision-making

26. The police refer child sexual abuse allegations to the Crown Prosecution Service for its advice on additional lines of enquiry that might be necessary. Once any additional enquiries have been completed, the Crown Prosecution Service decides whether there is sufficient evidence to charge a suspect. A prosecutor must be satisfied that there is enough evidence to provide a “realistic prospect of conviction” (the evidential test) and that it is in the public interest to bring a prosecution (the public interest test).¹⁰⁷⁷

27. Some of the cases examined by the Inquiry identified procedural and legal errors in the Crown Prosecution Service decision-making process.¹⁰⁷⁸ Delays in making those decisions also featured.¹⁰⁷⁹ In one case, the charging decision took 14 months, causing one complainant to withdraw, citing the “enormous strain” that was being placed on him.¹⁰⁸⁰

28. The clandestine nature of grooming and child sexual abuse means that there are often no witnesses or other supporting evidence. In non-recent child sexual abuse cases, the passage of time between the sexual abuse and the investigation also means these cases generally do not involve evidence such as CCTV, forensics or phone and social

¹⁰⁷¹ INQ006798_009

¹⁰⁷² INQ006641_048-049 para 94

¹⁰⁷³ *The Internet Investigation Report*, Part D.6 para 78

¹⁰⁷⁴ *The Internet Investigation Report*, Part B.3 para 26

¹⁰⁷⁵ Christian Papaleontiou 22 May 2019 57/13-16; *The Internet Investigation Report*, Part B.3 para 26

¹⁰⁷⁶ HOM003409

¹⁰⁷⁷ INQ003873_008-009 paras 4.6, 4.9

¹⁰⁷⁸ *Cambridge House, Knowl View and Rochdale Investigation Report*, Part G para 9; *Institutional Responses to Allegations of Child Sexual Abuse Involving the Late Lord Janner of Braunstone QC Investigation Report*, Part E paras 17–18

¹⁰⁷⁹ *Institutional Responses to Allegations of Child Sexual Abuse Involving the Late Lord Janner of Braunstone QC Investigation Report*, Part E para 17

¹⁰⁸⁰ *Diocese of Chichester/Peter Ball Investigation Report*, Part C.13 paras 400–404; CPS001622_001

media evidence.¹⁰⁸¹ Where the allegation predominantly relies on the account of the complainant, this can sometimes create difficulties in meeting the evidential test for bringing a prosecution. It is therefore very important that steps are taken to gather evidence of the surrounding circumstances, taking into account the difficulties experienced by victims in disclosing. For example, in the Inquiry's investigation into institutional responses to allegations of child sexual abuse involving the late Lord Janner of Braunstone QC, 34 complainant core participants made allegations against Lord Janner.¹⁰⁸² However, not all allegations involving Lord Janner met the evidential test. At the time of his death in December 2015, Lord Janner was awaiting trial in respect of nine complainants and the prosecution was seeking to add three additional complainants to the trial.¹⁰⁸³

29. A number of the Inquiry's investigations examined non-recent allegations of child sexual abuse which did not result in criminal proceedings.¹⁰⁸⁴ Until changes to corroboration rules in 1988 and 1995 (corroboration was evidence which had to be admissible, independent of the complainant, and support the allegation that the crime had been committed and that it had been committed by the defendant), prosecuting child sexual abuse cases was extremely difficult, as very few acts of child sexual abuse were likely to be corroborated.¹⁰⁸⁵

30. The structure of the Crown Prosecution Service now includes specialist teams of lawyers to advise on cases involving rape and serious sexual offences and child sexual abuse. Revisions to the Crown Prosecution Service's *Code for Crown Prosecutors* and the accompanying guidance (in particular the *Guidelines on Prosecuting Cases of Child Sexual Abuse*) specifically address the particular evidential challenges faced when making charging decisions and focus prosecutors' attention on case-building to support a complainant's account wherever possible.¹⁰⁸⁶ However evidentially difficult a case may be, that should not deter prosecutors from charging a suspect where the test is met.

31. Notwithstanding a number of changes to both criminal law and practice, problems still exist in the criminal justice system and its handling of child sexual abuse cases. In particular, delays within the system and ensuring that victims, survivors and complainants are able to give their best evidence and are supported throughout the process remain specific causes for concern to witnesses and their families.

Criminal trials

32. The total numbers of prosecutions and convictions for child sexual abuse offences have fallen by around 25 percent, from a high in 2016 when 9,305 defendants were prosecuted resulting in 6,763 guilty convictions, to 6,943 prosecutions and 4,649 guilty convictions in 2020 (Figure G.2). It should be noted, however, that these data do not record all child sexual offences as they are based only on offences involving penetrative and non-penetrative sexual assaults on children under the age of 13.

¹⁰⁸¹ *Child sexual abuse in contemporary institutional contexts: An analysis of Disclosure and Barring Service discretionary case files report*, IICSA, July 2021, p73; *Institutional Responses to Allegations of Child Sexual Abuse Involving the Late Lord Janner of Braunstone QC Investigation Report*, Part B.2 para 64

¹⁰⁸² During the course of the investigation, one of the complainant core participants – Mr Hamish Baillie – died and so Annex 3 contains reference to 33 complainants.

¹⁰⁸³ Opening statement on behalf of IICSA 12 October 2020 5/4-6/16 and Annex 3

¹⁰⁸⁴ *Institutional Responses to Allegations of Child Sexual Abuse Involving the Late Lord Janner of Braunstone QC Investigation Report*, Parts B.1–B.2; *Cambridge House, Knowl View and Rochdale Investigation Report*, Part B paras 39–42; *Nottinghamshire Councils Investigation Report*, Part B.8

¹⁰⁸⁵ Criminal Justice Act 1988, section 34(2); Criminal Justice and Public Order Act 1994, section 32; CPS002848_042-043

¹⁰⁸⁶ CPS002848_016-041

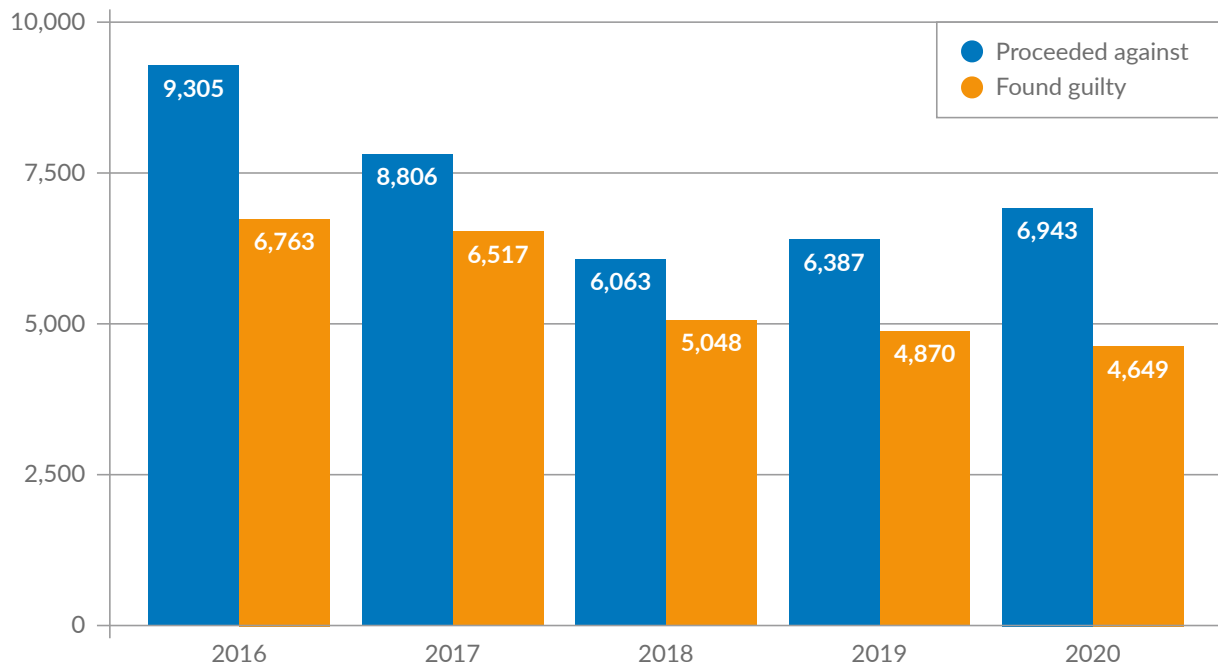


Figure G.2: Number of defendants prosecuted and convicted for child sexual abuse offences, from 2016 to 2020

Source: Ministry of Justice, *Criminal Justice Statistics Quarterly*, year to December 2020 <https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2020> Prosecutions and conviction data tool (note: offences are those identifiable by the offence code) MOJ000948_001-002

33. The decline in prosecutions and convictions for child sexual abuse offences is seemingly indicative of a broader decline in the number of prosecutions for offences of rape. In June 2021, the government published the *End-to-End Rape Review Report on Findings and Actions* (the Rape Review report). The Rape Review report focussed on adult rapes where the victim was aged 16 or over and therefore includes cases involving children aged 16–18. The report stated that “many of the findings will be relevant to sexual offence cases more widely”.¹⁰⁸⁷ It noted that “only 3% of adult rape offences assigned a police outcome in 2019/20 were given an outcome of charged/summonsed”.¹⁰⁸⁸

34. The Rape Review report identified a number of factors contributing to the decline in cases reaching a court, including “delays in investigative processes, strained relationships between different parts of the criminal justice system, a lack of specialist resources and inconsistent support to victims”.¹⁰⁸⁹ It also noted that a greater proportion of victims who reported rape and sexual assault now choose to disengage from the criminal justice process than in 2015, with the most significant proportion doing so before a charging decision is made.¹⁰⁹⁰ The reason for this may be linked to concerns of victims and survivors that they will not be supported throughout the process and an overriding worry about the length of time taken to investigate and prosecute the case.

¹⁰⁸⁷ INQ006641_011 para 1

¹⁰⁸⁸ INQ006641_011-012 para 3

¹⁰⁸⁹ INQ006641_012 para 7

¹⁰⁹⁰ INQ006641_036-037 para 51

Delays in prosecuting cases

35. In addition to delays at the investigative and charging stage, for the year ending 31 December 2021, Ministry of Justice data indicate that it took an average of 252 days for a child sexual abuse case at the Crown Court to be completed.¹⁰⁹¹ The need to support victims and complainants throughout what can often be a long and arduous process is obvious. Accounts from victims and survivors attesting to the frustration, distress and harm caused by such delays featured prominently across the Inquiry's work.

35.1. Support workers for children and young people said that it took up to two years for some cases to come to court.¹⁰⁹²

35.2. Members of the Victims and Survivors Forum said it was not uncommon to wait up to three years before the case went to trial. These delays had a “*profound impact*” on the victims and survivors' well-being.¹⁰⁹³

35.3. Similar views were expressed at the Inquiry's seminar on the criminal justice system in November 2017, where one participant told the Inquiry about an almost four-year gap between reporting child sexual abuse and the criminal trial. The delay was due to a lack of video-interview appointments and a lengthy investigation, during which they were required to provide multiple statements. Another participant described a two-year gap between reporting and trial, followed by an adjournment of nearly 10 months on the first day of the trial because of timetabling problems. The participant had not been warned that the process could take that long.¹⁰⁹⁴ There was particular concern that younger victims and survivors may want to withdraw from a criminal case when it stretches over a very long period.¹⁰⁹⁵

35.4. Participants in the Truth Project described the period between reporting to the police and the conclusion of the case as “*lengthy, frustrating and emotional*”, with one participant left feeling suicidal at points because of how stressful the process was.¹⁰⁹⁶

36. The emotional strain that delay places on victims and survivors cannot be underestimated. In addition, the practical implications where a victim or complainant withdraws from the process mean that a prosecution may simply not be possible, with the result that no determination as to guilt or innocence can be made. It is unjust that delays lead some individuals to withdraw their allegations.

Withdrawal of support for a case and ‘false allegations’

37. Central to any criminal investigation is the need to ensure that allegations are properly investigated. To do otherwise jeopardises any potential prosecution. It risks unfairness to the complainant as well as to the accused, both of whom rely on the State to investigate the allegation fully and impartially. Investigations into child sexual abuse should not be driven by the investigator's view about whether the complainant is worthy of belief, or any subjective view about the veracity of the complaint. All allegations need to be taken seriously and dealt

¹⁰⁹¹ MOJ000948_004 (table 3)

¹⁰⁹² *Engagement with children and young people*, IICSA, June 2021, p5

¹⁰⁹³ *Victims and Survivors Forum Consultation on the Criminal Justice System: Summary Report*, IICSA, May 2019, p6, para 20

¹⁰⁹⁴ *Criminal Justice System Seminar: An update report*, p4, para 14

¹⁰⁹⁵ *Criminal Justice System Seminar: An update report*, p4, para 15

¹⁰⁹⁶ *Truth Project Thematic Report: Child sexual abuse in the context of children's homes and residential care*, IICSA, November 2019, Executive Summary, p6, Chapter 7.3.2, p64

with professionally. Children cannot be protected from child sexual abuse if those to whom complaints are made disregard what they are being told and fail to investigate the allegation. Nor can justice be done if the presumption of innocence is not maintained.

38. The fact that the evidential test to bring a prosecution is not met does not mean that the complaint is false. Equally, the fact that a complainant withdraws their support for an investigation or prosecution does not mean that the complaint is false. As examined above, the protracted nature of criminal investigations and proceedings along with a lack of appropriate support are some of the reasons why an individual may withdraw.

39. The 2019 prosecution of Carl Beech for offences of perverting the course of public justice arising out of false allegations of child sexual abuse highlighted the question of false allegations. It is important to note that research shows that false allegations of child sexual abuse are rare.¹⁰⁹⁷ While false allegations of child sexual abuse are uncommon, the stigma surrounding the sexual abuse of children means these allegations can have a devastating effect on the accused individual. False allegations also have a negative impact on genuine victims and survivors, tarnishing them as potential purveyors of untruths.

Reducing delay

40. The Young Witness Initiative is one of the measures now available to try and minimise the effect of delay on victims and complainants. It aims to fast-track cases involving a witness who is under the age of 10 by expediting the working arrangements between the police, the Crown Prosecution Service and the court in order to give a child witness the best chance of remembering the incident and to make the criminal justice process less stressful for them.¹⁰⁹⁸

41. It is unclear whether these measures will reduce or mitigate the effect of delay on victims and complainants. The COVID-19 pandemic has increased the backlog of criminal cases (not just those involving allegations of child sexual abuse) waiting to be tried by the criminal courts and has clearly played a part in increasing the amount of time spent by victims and complainants waiting for their case to come to trial. At the end of December 2021, there were 58,818 outstanding cases at the Crown Court.¹⁰⁹⁹ However, it would be wrong to attribute the entirety of these delays to the pandemic, as there was already a pre-pandemic Crown Court case backlog of 37,434 cases as at the end of December 2019, resulting from cuts to budgets for the criminal justice system.¹¹⁰⁰

42. The *Tackling Child Sexual Abuse Strategy* acknowledges “the importance of swift case progression for victims’ and survivors’ wellbeing”, and states that the government will work with the Crown Prosecution Service, National Crime Agency (NCA) and the police “to better understand case progression for child sexual abuse cases in the criminal justice system and opportunities for improvement”.¹¹⁰¹ However, the strategy lacks any specific plan as to how delay is going to be minimised and the backlog of cases is such that victims and complainants are still likely to face intolerable delay and further harm.

¹⁰⁹⁷ *Sexual Abuse of Children in Custodial Institutions Investigation Report*, Part E.12 paras 153–154

¹⁰⁹⁸ INQ006890_003 para 2.1; The protocol only applies to cases charged on or after 1 April 2015 and was revised in July 2018.

¹⁰⁹⁹ INQ006893_003

¹¹⁰⁰ INQ006892_001

¹¹⁰¹ INQ006448_045 para 132

43. The current crisis in the criminal justice system has persisted for years. Many of the Inquiry's concerns are acknowledged in the government's *Tackling Child Sexual Abuse Strategy* and the Rape Review report. It remains to be seen whether implementation of the proposals within those reports will improve the criminal justice system's response to victims and survivors. However, this Inquiry's work has laid bare past and present failures by the police, the Crown Prosecution Service and the courts. The problems identified in this Part are widespread throughout the criminal justice system as a whole. The Inquiry has witnessed first-hand the damage and additional harm caused to victims and survivors.

G.3: Improving the experience of victims

44. First published in 2005, the Victims' Code sets out "*the services and a minimum standard for these services that must be provided to victims of crime*" by agencies involved in the criminal justice system.¹¹⁰² It contains 12 'rights' which apply from the start of the criminal process, when the crime is reported, through to the investigation and prosecution stages. These include the right to be:

- referred to services that support victims, including support at court such as special measures;
- provided with information about compensation and information about the investigation, prosecution and trial process; and
- informed about the outcome of any appeal process and given information about the offender following a conviction.¹¹⁰³

45. The Inquiry's *Accountability and Reparations Investigation Report* noted that the Victims' Code was not being uniformly adhered to and there was no mechanism to monitor and enforce compliance with the Code.¹¹⁰⁴ Across its work, the Inquiry encountered failures to offer victims and survivors therapy and counselling in advance of their trial.¹¹⁰⁵ Some victims and survivors were either discouraged by the police from seeking compensation through the Criminal Injuries Compensation Scheme or were not signposted to the scheme.¹¹⁰⁶

46. The Inquiry's *Interim Report* (April 2018) therefore recommended that the Ministry of Justice, Home Office and Attorney General commission a joint inspection of compliance with the Victims' Code in relation to victims and survivors of child sexual abuse, including consulting with the Victims' Commissioner for England and for Wales on the approach to the inspection.¹¹⁰⁷ In response, in July 2019, the government stated that the Ministry of Justice had developed and implemented a compliance framework for the Victims' Code, with police and crime commissioners overseeing a new monitoring process. The first national compliance report was due in early 2020. However, in October 2020, the Ministry of Justice stated that the operational demands of the COVID-19 pandemic on both the Ministry of Justice and criminal justice agencies had meant that further development of the Victims' Code compliance monitoring framework had not been possible.¹¹⁰⁸

¹¹⁰² INQ006637 applies to a number of organisations including all police forces, the Crown Prosecution Service, His Majesty's Courts and Tribunal Service and the Parole Board.

¹¹⁰³ INQ006637_005-006

¹¹⁰⁴ *Accountability and Reparations Investigation Report*, Part E.4 para 30

¹¹⁰⁵ *Criminal Justice System Seminar: An update report dated August 2018*, pp8–9; *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.2

¹¹⁰⁶ *Accountability and Reparations Investigation Report*, Part D.3 paras 33–40

¹¹⁰⁷ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.2, p53

¹¹⁰⁸ *Ministry of Justice response to commission a joint inspection of compliance with the Victims' Code in the Interim report dated 23 October 2020*

47. Evidence gathered suggests that the Victims' Code is still not consistently applied and followed. Particular concerns surround the way in which the police communicate with victims, survivors and complainants.

47.1. In May 2019, the Inquiry's Victims and Survivors Forum Consultation on the Criminal Justice System noted that, having reported the matter to the police, there was "*inconsistency in how the next steps were communicated to victims and survivors*". In addition, the Forum reported that there was often uncertainty about the investigative stages, whether the perpetrator would be arrested, timescales and what support was available. In cases where the experience of the initial reporting had been positive, "*these expectations were not always met because the police did not follow up in the way they described*".¹¹⁰⁹

47.2. Poor communication was also a concern raised by children and young people who participated in the Inquiry's project which culminated in the *Engagement with Children and Young People* report (June 2021). Some young people and their families stated that they were not kept up to date, while others said that the police would only communicate with parents and did not share any information with young victims and survivors in case it upset them. Children and young people stressed the importance of both being kept well informed and having a choice about the level of information given to them.¹¹¹⁰

47.3. The Centre for Social Justice's report *Unsafe Children* (2021) noted that some victims and survivors had to "*chase the police for updates*".¹¹¹¹

47.4. The Victims Commissioner *Victims' Experience: Annual Survey* (2021) also found that less than one-third (29 percent) of respondents were aware of the Victims' Code and only a quarter of respondents agreed that they were kept regularly informed or received all the information they needed about the police investigation.¹¹¹² While this survey was not specific to reports of child sexual abuse, it is clear that non-adherence with the Victims' Code is not the exclusive preserve of child sexual abuse cases.

48. There are also ongoing concerns about access to special measures. Special measures are designed to improve the quality of a witness's evidence given in court. The measures may vary depending on whether the witness is an adult or child, but include:

- screening a witness present in court from the accused;
- enabling a witness to give evidence via a live link;
- having video-recorded evidence played as the witness's evidence in chief;¹¹¹³
- being assisted by an intermediary to help with communicating the questions to, and answers given by, the witness;¹¹¹⁴ and

¹¹⁰⁹ *Victims and Survivors Forum Consultation on the Criminal Justice System: Summary Report*, IICSA, May 2019, p4, para 13

¹¹¹⁰ *Engagement with children and young people*, IICSA, June 2021, p21

¹¹¹¹ INQ006704_099

¹¹¹² INQ006772_001

¹¹¹³ Youth Justice and Criminal Evidence Act 1999, sections 23, 24, 27

¹¹¹⁴ Youth Justice and Criminal Evidence Act 1999, section 29; INQ006642_007

- more recently, pre-recording cross-examination (and re-examination) of vulnerable witnesses, which includes all child witnesses.¹¹¹⁵ The video-recorded cross-examination takes place in advance of the trial and the jury are played the video during the trial itself.¹¹¹⁶

49. The pre-recording of evidence is only available for adults if the “*quality of evidence ... is likely to be diminished*” because they have a “*mental disorder within the meaning of the Mental Health Act 1983*”, or a “*significant impairment of intelligence and social functioning*”, or a “*physical disability or ... a physical disorder*”.¹¹¹⁷ Therefore an adult complainant who does not fall within this category, whether reporting sexual abuse said to have been committed when they were a child or alleging that they were sexually abused as an adult, is ineligible for this special measure. However, in June 2022, following a pilot involving adult complainants of sexual offences (and modern slavery offences), the UK government indicated that pre-recording of evidence for complainants in cases involving these offences would be rolled out nationally.¹¹¹⁸

50. While the use of special measures has become more common, it is clear that not every witness who is legally entitled to and needs this assistance is provided with it. A 2020 survey of 365 victims and survivors by the All-Party Parliamentary Group on Adult Survivors of Childhood Sexual Abuse found that special measures were often not offered or utilised, with two in five victims and survivors not having the opportunity to give evidence remotely or from behind a screen.¹¹¹⁹ The Victims Commissioner’s 2021 report into special measures also noted that where special measures were granted for ‘vulnerable and intimidated witnesses’ (children and adult complainants in child sexual abuse cases fall within this category), care needed to be taken to ensure that the most appropriate special measure was adopted, including the little-used special measure of allowing a witness to give their evidence in private.¹¹²⁰

51. In December 2021, the government launched a consultation on the Draft Victims Bill, describing it as “*the first significant step towards a landmark ‘Victims’ Law’ – a Bill which will build on the foundations provided by the Victims’ Code to substantially improve victims’ experiences of the criminal justice system*”.¹¹²¹ In June 2022, the government responded to the consultation and undertook to “*enshrine the Victims’ Code in law*” and to place criminal justice agencies “*under a duty to review their compliance with the Victims’ Code – using data and victim feedback to improve their performance*”.¹¹²² This includes bringing in legislation so that “*criminal justice inspectorates carry out regular joint inspections on victims’ issues*”.¹¹²³

52. The Victims’ Code has been in place for nearly two decades and yet concerns still persist that it is not being fully complied with. The Inquiry’s 2018 recommendation for a joint inspection was not implemented. While the consultation on the Draft Victims Bill is welcome, any legislative change will not happen for a lengthy period of time. In the interim,

¹¹¹⁵ Youth Justice and Criminal Evidence Act 1999, section 28

¹¹¹⁶ Pre-recorded cross-examination or re-examination was first piloted in late 2019. By October 2020, this special measure was available to all vulnerable witnesses (the definition of which includes a child) in all courts in England and in Wales: INQ006640

¹¹¹⁷ Youth Justice and Criminal Evidence Act 1999, section 16

¹¹¹⁸ INQ006894; INQ006953

¹¹¹⁹ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, Chapter 1.8, p16

¹¹²⁰ INQ006794_008

¹¹²¹ INQ006698_009

¹¹²² INQ006953

¹¹²³ INQ006953

greater focus is required on compliance with the Victims' Code. The Inquiry therefore reiterates its recommendation that there should be a joint inspection regarding compliance with the Victims' Code.

Recommendation 14: Compliance with the Victims' Code

The Inquiry recommends (as originally stated in its *Interim Report*, dated April 2018) that the UK government commissions a joint inspection of compliance with the Victims' Code in relation to victims and survivors of child sexual abuse, to be undertaken by His Majesty's Inspectorate of Constabulary and Fire & Rescue Services, His Majesty's Crown Prosecution Service Inspectorate and His Majesty's Inspectorate of Probation.

G.4: The civil justice system

53. The civil justice system aims to resolve disputes between individuals and organisations and provide remedies for injured parties, often in the form of compensation.

54. Victims and survivors have different reasons for bringing a claim, or a combination of aims and objectives. Some want their 'day in court' to explain what happened to them and hold those responsible to account.¹¹²⁴ Some want acknowledgement that they were sexually abused. One claimant told the Inquiry:

"I was hoping that I'd get some recognition for what had happened to me, hoping that I would be vindicated for being called a liar all these years and that finally someone would listen to me".¹¹²⁵

Some want an apology from the relevant institution.¹¹²⁶ Although the courts cannot order defendants to make apologies, the civil claims process can facilitate them.¹¹²⁷

55. Many claims do not result in compensation being paid. Victims face serious difficulties in bringing a claim, including limited access to specialist legal representation, the unavailability of funding, and the unavailability and diminished quality of the evidence.¹¹²⁸ Even when claims succeed (usually by accepting a settlement offer), many victims and survivors are dissatisfied with the outcome as they do not ordinarily obtain an explanation or apology for what had happened to them.¹¹²⁹ This likely reflects that the primary purpose of a civil claim is to obtain financial compensation, which does not always align with such objectives.¹¹³⁰

¹¹²⁴ *Accountability and Reparations Investigation Report*, Part A.3 para 7.3, Part C.3 para 17

¹¹²⁵ *Accountability and Reparations Investigation Report*, Part C.3 para 16

¹¹²⁶ *Accountability and Reparations Investigation Report*, Part C.3 para 19, Part C.11 paras 149–152

¹¹²⁷ *Ealing Abbey and St Benedict's School Investigation Report*, Part C.3 para 67; *Diocese of Chichester/Peter Ball Investigation Report*, Part B.10 para 440

¹¹²⁸ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.3. p56; *Accountability and Reparations Investigation Report*, Part C.5 paras 25–27, Part C.7 paras 56–59

¹¹²⁹ *Accountability and Reparations Investigation Report*, Part C.9 para 117, Part C.11 para 151

¹¹³⁰ *Accountability and Reparations Investigation Report*, Part C.3 para 14

Understanding the system

56. Victims and survivors may be unaware of the possibility of bringing a civil claim. The police, on whom victims and survivors often rely, have not consistently explained how compensation can be sought.¹¹³¹ This has been due, at least in part, to concerns that criminal proceedings might be undermined by accusations that victims and survivors have fabricated allegations in order to obtain compensation.¹¹³²

57. The Victims' Code previously did not signpost the rights of victims and survivors to bring claims for compensation through the civil justice system.¹¹³³ In September 2019, the Inquiry recommended that the Ministry of Justice revise the Victims' Code to make clear that victims and survivors must be advised by the police that they are entitled to seek civil compensation through the civil courts and should be signposted to specialist lawyers identified by the Ministry of Justice.¹¹³⁴ The government's revised Victims' Code (November 2020, which came into force in April 2021) makes clear that victims and survivors may be able to bring civil claims and signposts them to the Law Society, which the government considered was more appropriate.¹¹³⁵

58. Bringing a civil claim is a major undertaking. The adversarial nature of litigation can be emotionally challenging and compound the trauma already experienced by victims and survivors. This can be exacerbated by the length of time it can take to resolve proceedings, although the Inquiry heard that the time taken to achieve settlements is now shorter than in previous years.¹¹³⁶ For some victims and survivors it is a last resort when other avenues of accountability and reparation have failed.¹¹³⁷

Legal and procedural challenges

59. Claims concerning child sexual abuse are governed by civil law. Claims for personal injuries compensation are based upon assault and battery (also known as trespass to the person). This covers acts which, in criminal proceedings, would be sexual assault or rape. There are a number of ways in which civil claims for child sexual abuse may be brought against an institutional defendant, including:

- negligence: where institutions failed in their duty of care to protect children from abuse, for example through inadequate supervision, policies and procedures; and
- vicarious liability: institutions may be held liable for their employees or people in similar positions to employees, even where the institutions themselves are not at 'fault'.

There may be factual scenarios which do not readily fall into either of these categories. For example, a local authority may place a child into a privately owned children's home where the child is subsequently sexually abused but the local authority itself is not negligent

¹¹³¹ *Accountability and Reparations Investigation Report*, Part C.2 paras 10–11

¹¹³² *Accountability and Reparations Investigation Report*, Part C.2 para 10

¹¹³³ *Accountability and Reparations Investigation Report*, Part C.2 para 12; INQ003556

¹¹³⁴ *Accountability and Reparations Investigation Report*, Part G.3 (Recommendation 1)

¹¹³⁵ INQ006637_025 para 5.11; *Ministry of Justice response to recommendation 1 in the Accountability and Reparations Investigation Report dated 6 April 2020*; INQ006637_025 para 5.13

¹¹³⁶ *Accountability and Reparations Investigation Report*, Part C.9 paras 130–131, 134

¹¹³⁷ *The Roman Catholic Church Investigation Report*, Part J.1 para 3; *Accountability and Reparations Investigation Report*, Part C.3 paras 20.3–20.4

nor responsible for those who committed the sexual abuse. Recent judgements have made clear that it will be difficult to bring a claim successfully where the local authority is considered to have discharged its duty to the child.¹¹³⁸

60. Claimants must prove, on the balance of probabilities, that the sexual abuse took place. This may be difficult evidentially, particularly in cases of non-recent sexual abuse.¹¹³⁹ Even where a claimant can show that they have been sexually abused, they may still be left without a remedy if they cannot establish legal liability on the basis of negligence or vicarious liability, or their claim is time-barred (discussed further below). In order to quantify their claims, claimants are usually required to prove that they have suffered significant psychiatric injuries. This often involves assessment by two medical experts, one instructed by their own solicitors and one by the defendant's solicitors. This can cause unnecessary distress to victims and survivors.¹¹⁴⁰

61. Annexed to the Ministry of Justice *Civil Procedure Rules*, which govern the litigation process, are 'pre-action protocols', which aim to narrow the issues between parties and encourage early resolution of claims. The protocols explain the conduct and set out the steps the court would normally expect parties to take before commencing proceedings.¹¹⁴¹ Child abuse claims are currently governed by the general *Pre-action Protocol for Personal Injury Claims*.¹¹⁴² The Inquiry first heard about the potential for a new pre-action protocol in its Civil Justice Seminar in November 2016.¹¹⁴³ The Civil Justice Council is currently conducting a consultation exercise regarding pre-action protocols, including whether there should be a specific protocol for abuse claims.¹¹⁴⁴ Reasons for this include facilitating early resolution and apologies where appropriate, as well as greater transparency for abuse survivors.¹¹⁴⁵

Identifying defendants and the role of insurers

62. Claims can be brought directly against an abuser, although an individual will not always have sufficient funds to pay damages. As a result, claims are usually brought against the institution in which the sexual abuse took place or against those responsible for that institution, for example a local authority or private body, although in some cases the institution may no longer exist.¹¹⁴⁶

63. Public, private and charitable institutions usually have public liability insurance to meet any legal liabilities for injuries and losses suffered by members of the public. Some potential defendants, however, are uninsured and so may not have the resources to pay compensation or legal costs. It may therefore be difficult or futile to bring claims against them. Difficulties can also arise in the identification of the correct insurer for the relevant periods, especially in claims relating to non-recent sexual abuse. Victims and survivors' claims may be unnecessarily prolonged or undermined where it is unclear whether the defendants have public liability insurance in place to pay for successful claims.¹¹⁴⁷

¹¹³⁸ *SKX v Manchester City Council* [2021] EWHC 782 (QB)

¹¹³⁹ *Accountability and Reparations Investigation Report*, Part C.5 paras 25–27

¹¹⁴⁰ *Accountability and Reparations Investigation Report*, Part C.5 paras 33–36, Part G.1 para 16; *The Anglican Church Investigation Report*, Part B.4.3 paras 12–13

¹¹⁴¹ *Accountability and Reparations Investigation Report*, Part C.1 paras 3–6

¹¹⁴² *Accountability and Reparations Investigation Report*, Part C.7 paras 66–69

¹¹⁴³ *Civil Justice System Seminar: An update report*, IICSA, March 2018, Session 7, para 43

¹¹⁴⁴ INQ006775_001-004; INQ006776_055 question 26

¹¹⁴⁵ INQ006776_138 para 76

¹¹⁴⁶ *Accountability and Reparations Investigation Report*, Part C.4 para 21

¹¹⁴⁷ *Accountability and Reparations Investigation Report*, Part C.7 paras 60–65, Part G.1 para 12; *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.3, p56

- 64.** The Inquiry's *Interim Report* (dated April 2018) therefore recommended that the Association of British Insurers (ABI) consider whether a register of public liability insurers could be introduced to assist claimants in child sexual abuse cases in locating the insurers relevant to their claim and how it would operate.¹¹⁴⁸ This recommendation was followed by subsequent recommendations in September 2019 that the Department for Work & Pensions should work with the ABI to introduce a register and that the Financial Conduct Authority (FCA) should make the necessary regulatory changes to compel insurers that provide public liability insurance to retain and publish details of all current policies.¹¹⁴⁹
- 65.** In 2020, work on the feasibility of establishing a public liability register was carried out.¹¹⁵⁰ The ABI provided the Department for Work & Pensions, HM Treasury and the Ministry of Justice with a report prepared for the Inquiry on whether such a register could be introduced.¹¹⁵¹ In March 2021, the Ministry of Justice stated that this work had been delayed due to its focus on the Inquiry's other proposals, as well as due to the demands of the COVID-19 pandemic.¹¹⁵² In May 2022, it confirmed that work had been paused but that with *"the easing of some of these pressures, we will engage the Association of British Insurers (ABI) on the feasibility and benefits of establishing a public liability register"*.¹¹⁵³
- 66.** The ABI also had discussions with the FCA on the potential development of rules on the retention of public liability insurance records.¹¹⁵⁴ The FCA conducted a survey of public liability insurance providers and engaged with organisations *"to better understand the issues faced by survivors in accessing insurance"*.¹¹⁵⁵ It subsequently indicated to the Inquiry that the responses received by organisations had been limited and it was considering its next steps.¹¹⁵⁶
- 67.** Approaches to defending claims vary. Much turns on the attitude of the defendants and their relationships with their insurers (if there are any) and their solicitors.¹¹⁵⁷
- 68.** In recent years some insurance companies have developed guidance to assist their claims handlers in dealing with child sexual (and physical) abuse claims. For example, the Ecclesiastical Insurance Office (EIO), which insures organisations including the Anglican Church, has issued guiding principles which state that where liability is clear, early admissions are appropriate. The principles address other aspects of child sexual abuse claims, including encouraging less use of the limitation defence (the EIO is presently applying a moratorium on its use), consideration by policyholders of the appropriateness of an apology and also the provision of support or counselling.¹¹⁵⁸ Zurich Insurance plc, which insures a significant number of UK local authorities, has guidance for handling sexual (or physical) abuse claims. This includes restrictions on the use of the limitation defence and allows for apologies.¹¹⁵⁹

¹¹⁴⁸ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.3, p56

¹¹⁴⁹ *Accountability and Reparations Investigation Report*, Part G.3 (Recommendation 4)

¹¹⁵⁰ *Ministry of Justice response to recommendation 4 in the Accountability and Reparations Investigation Report dated 6 April 2020*

¹¹⁵¹ *Association of British Insurers response to recommendations in the Accountability and Reparations Investigation Report dated 22 February 2021*

¹¹⁵² *Ministry of Justice response to the national register of public liability insurance policies recommendation in the Accountability and Reparations Investigation Report dated 16 March 2021*

¹¹⁵³ *Ministry of Justice response to recommendation 4 in the Accountability and Reparations Investigation Report dated 4 May 2022*

¹¹⁵⁴ *Response to the National register of public liability insurance policies recommendation in the Accountability and Reparations Investigation Report dated 22 February 2021*

¹¹⁵⁵ *FCA response to recommendation 4 in the Accountability and Reparations Investigation Report dated 2 December 2021*

¹¹⁵⁶ *FCA response to recommendation 4 in the Accountability and Reparations Investigation Report dated 25 April 2022*

¹¹⁵⁷ *The Roman Catholic Church Investigation Report*, Part J.2 paras 8–11; *Accountability and Reparations Investigation Report*, Part C.8 paras 70–73

¹¹⁵⁸ *The Anglican Church Investigation Report*, Part B.4.2 para 8; EIO000147_002-003,005; *Accountability and Reparations Investigation Report*, Part C.8 para 81.3; EIO000156_014-015 para 60

¹¹⁵⁹ *Accountability and Reparations Investigation Report*, Part C.8 paras 74.1, 81–81.2; ZUI003279_019-20, 023-032

69. In September 2019, the Inquiry recommended that the Local Government Association (LGA, the national membership body for local authorities) and the ABI produce codes of practice, recognising the long-term emotional and psychiatric or psychological effects of child sexual abuse on victims and survivors.¹¹⁶⁰ Those codes should include that: (i) claimants should be treated sensitively throughout the litigation process; (ii) the defence of limitation should only be used in exceptional circumstances; (iii) single experts jointly instructed by both parties should be considered for the assessment of the claimants' psychiatric, psychological or physical injuries; and (iv) wherever possible claimants should be offered apologies, acknowledgement, redress and support.¹¹⁶¹ In August 2021 the ABI published its code implementing this recommendation.¹¹⁶² The LGA's aim was to publish its code in November 2021, but it has indicated that final approval of the Code will be considered in June 2022 and then published.¹¹⁶³

Resolving claims

70. Most civil claims do not proceed to court and are resolved between the parties for an agreed sum of money, known as a 'settlement'. This avoids victims and survivors having to experience the stress and trauma of a contested trial. However, claimants may be left disappointed by the terms of their settlements, particularly where claims are settled without admissions of liability, acceptance of responsibility or apologies.¹¹⁶⁴ For some, this acknowledgement may be more important than financial compensation.¹¹⁶⁵

71. Claims that do not settle proceed to trial, where victims and survivors may have to give evidence in court. Victims and survivors may be cross-examined on the parts of their evidence that the defendant does not accept. For some, bringing a claim allows them to have their 'day in court': the opportunity to explain in public what has happened to them and to have their sexual abuse recognised by a judge. This may be the case even though the experience of giving evidence at trial is profoundly stressful and, in some cases, re-traumatising. As noted in *Victims and Survivors' Voices*, one claimant whose civil claim was rejected by the court on the grounds of it being out of time (the limitation period, see below) still felt "happy" because:

*"the judge himself turned around and said in court that he believed every word I said ... it was a small win on my behalf because the judge himself believed me".*¹¹⁶⁶

The trial process

72. The experience of giving evidence at trial is invariably difficult.¹¹⁶⁷ AR-A21 explained that giving evidence required him to re-open painful memories:

*"You're sort of reliving that thing over and over again, and each time it became more painful to do so."*¹¹⁶⁸

¹¹⁶⁰ *Accountability and Reparations Investigation Report*, Part G.3 (Recommendation 2)

¹¹⁶¹ *Accountability and Reparations Investigation Report*, Part G.3 (Recommendation 2)

¹¹⁶² INQ006833

¹¹⁶³ INQ006819; LGA000004

¹¹⁶⁴ *Accountability and Reparations Investigation Report*, Part C.9 paras 110–125

¹¹⁶⁵ *Accountability and Reparations Investigation Report*, Part C.11 paras 151–152; *Nottinghamshire Councils Investigation Report*, Part F.2 para 34

¹¹⁶⁶ AR-A87 5 December 2018 110/9-111/13

¹¹⁶⁷ *Accountability and Reparations Investigation Report*, Part C.9 paras 93, 97, 99–104

¹¹⁶⁸ AR-A21 27 November 2018 11/5-15

73. In April 2018, the Inquiry recommended that the Ministry of Justice provides primary legislation affording victims and survivors of child sexual abuse the same vulnerable witness protections in civil courts as they receive in criminal cases. It also recommended that the *Civil Procedure Rules* be amended to ensure that judges presiding over cases relating to child sexual abuse consider these protections.¹¹⁶⁹

74. The Ministry of Justice asked the Civil Justice Council to consider this issue.¹¹⁷⁰ In February 2020, the Council published its report, *Vulnerable Witnesses and Parties within Civil Proceedings*.¹¹⁷¹ It noted that a large majority of the assistance and protection provided to vulnerable parties or witnesses in the criminal and family jurisdictions could already be provided using existing powers within the *Civil Procedure Rules*.¹¹⁷² However, it recognised that these powers were not being used frequently enough and it recommended a number of changes to rules, practices and training.¹¹⁷³ This resulted in an amendment to the *Civil Procedure Rules*’ ‘overriding objective’ in April 2021, which now states that dealing with a case justly and at proportionate cost includes, so far as is practicable, “ensuring that the parties are on an equal footing and can participate fully in proceedings, and that parties and witnesses can give their best evidence”.¹¹⁷⁴ The *Civil Procedure Rules* also now contain a practice direction on how the court should give effect to the overriding objective in respect of vulnerable parties or witnesses.¹¹⁷⁵

75. The government has also decided to legislate for special measures in civil proceedings in the Domestic Abuse Act 2021.¹¹⁷⁶ The Act enables the court to make a special measures direction in relation to a person who is, or is at risk of being, a victim of domestic abuse; or is the victim, or alleged victim, of a “specified offence”.¹¹⁷⁷ A “specified offence” is to be set out in regulations to be made by the Lord Chancellor and will include sexual offences, including child sexual abuse offences.¹¹⁷⁸ It also prohibits cross-examination of a victim of child sexual abuse by a person who has been convicted of, or given a caution for, that offence.¹¹⁷⁹

Assessment of damages

76. Financial compensation can include general damages for the pain, suffering and loss of amenity (that is, the impact the injury has had on the quality of life) and special damages for past and future financial losses, such as earnings and the costs of care and therapy.¹¹⁸⁰ Most claims are modest in value, although occasionally high awards are made by the courts or obtained through settlement. This usually happens where claimants have experienced substantial losses of earnings and have significant treatment needs. In 2019, the High Court awarded over £1 million to a victim who had been sexually abused by his teacher at a school

¹¹⁶⁹ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.3

¹¹⁷⁰ INQ006685_006-007 paras 9–10

¹¹⁷¹ INQ006685; Note that the report is not limited to the victims and survivors of child sexual abuse; it addresses vulnerable witnesses and parties generally.

¹¹⁷² INQ006685_066-067 paras 155–157

¹¹⁷³ INQ006685_067, 126–131 paras 157, 334–365

¹¹⁷⁴ *Civil Procedure Rules 1998*, Part 1, rule 1.1(2)(a); *Civil Procedure (Amendment) Rules 2021*, amendment of Part 1

¹¹⁷⁵ Practice Direction 3AA – Vulnerable Persons: Participation in Proceedings and Giving Evidence

¹¹⁷⁶ INQ006682

¹¹⁷⁷ *Domestic Abuse Act 2021*, section 64(1)

¹¹⁷⁸ INQ006682

¹¹⁷⁹ *Domestic Abuse Act 2021*, section 66

¹¹⁸⁰ *Accountability and Reparations Investigation Report*, Part C.10 para 135

in Haringey. This included future loss of earnings of £423,203.¹¹⁸¹ At the time this was thought to have been the highest sum awarded to a victim and survivor in the UK and this level of compensation is not typical.¹¹⁸²

77. Victims and survivors can be left dissatisfied with the amount of compensation, particularly damages paid through a settlement, because they do not feel their experiences have been sufficiently recognised.¹¹⁸³ The Inquiry also heard concerns that general damages in civil claims do not always adequately reflect the physical, emotional and psychiatric injuries that victims and survivors have experienced, together with the impact on their long-term quality of life.¹¹⁸⁴

78. The Judicial College's *Guidelines for the Assessment of General Damages in Personal Injury Cases* provides guidance on general damages, but at the time of the Inquiry's Accountability and Reparations investigation hearings it did not have a freestanding section on the injuries caused by sexual abuse.¹¹⁸⁵ The Inquiry acknowledged that the quantification of awards of compensation for claims of child sexual abuse is a matter for the courts. However, it considered that the general damages that claimants receive must more fully reflect the physical, emotional and psychiatric injuries that they have suffered, together with the impact on their long-term quality of life.¹¹⁸⁶ In 2019, the Inquiry recommended that the Judicial College should revise its *Guidelines for the Assessment of General Damages in Personal Injury Cases* to include a specific section on the damages that may be appropriate in cases of child sexual abuse and set out a number of factors that the court should take into account.¹¹⁸⁷ The revised Guidelines were published in April 2022 and have introduced this freestanding category.¹¹⁸⁸

G.5: The limitation period

79. The implementation of the above recommendations is vital to improving the experience of victims and survivors of child sexual abuse seeking redress through the civil justice system. However, one particular area of concern remains the law of limitation, to which the Inquiry stated it would return.¹¹⁸⁹

80. The law of limitation aims to strike a balance between the rights of claimants to bring claims and the interests of defendants where it may be unfair or impossible to defend cases long after the events in question have taken place – when, for example, it may be difficult to establish what happened due to the passage of time. It does so by setting statutory time limits, known as limitation periods, after which claims can no longer be pursued.¹¹⁹⁰ Limitation is a procedural defence, meaning that claims are not automatically time-barred

¹¹⁸¹ *FZO v Andrew Adams & London Borough of Haringey* [2019] EWHC 1286 (QB)

¹¹⁸² INQ006834

¹¹⁸³ *Accountability and Reparations Investigation Report*, Part C.9 para 113, Part C.10 para 143

¹¹⁸⁴ *Accountability and Reparations Investigation Report*, Part C.10 paras 144–146, G.1 para 13

¹¹⁸⁵ *Accountability and Reparations Investigation Report*, Part C.10 para 137

¹¹⁸⁶ *Accountability and Reparations Investigation Report*, Part G.1 para 13

¹¹⁸⁷ *Accountability and Reparations Investigation Report*, Part G.3 (recommendation 5)

¹¹⁸⁸ INQ006859

¹¹⁸⁹ *Accountability and Reparations Investigation Report*, Part G.2 para 23.1; *The Roman Catholic Church Investigation Report*, Part J.2 para 18

¹¹⁹⁰ *Accountability and Reparations Investigation Report*, Part C.6 para 41

but instead defendants must actively raise the issue of limitation in response to receiving a claim. For victims and survivors of non-recent child sexual abuse, the imposition of limitation periods is one of the most challenging legal issues they face.¹¹⁹¹

81. For many years, the courts considered that sexual abuse was a deliberate act to which a fixed, six-year limitation period applied. Some, but not all, claimants were able to avoid the application of this period by arguing that the sexual abuse was the result of systemic negligence to which a three-year limitation period applied that was extendable.¹¹⁹² In 1996, the imposition of the fixed limitation period was the subject of an unsuccessful legal challenge before the European Court of Human Rights in Strasbourg. The Court's judgement affirmed the importance of limitation periods in civil claims but also recognised that the developing awareness of the psychological effects of child abuse on victims and survivors might justify special provisions for their claims.¹¹⁹³

82. In its 2001 report on the law of limitation, the Law Commission considered whether child sexual abuse claims were so unique that they should be subject to no limitation period at all. However, it recommended that all personal injury claims, whether for negligence or assault, should be subject to the same extendable period of three years.¹¹⁹⁴ This was not implemented by Parliament but, in 2008, the House of Lords reached the same conclusion in the case of *A v Hoare*.¹¹⁹⁵ Since then the extendable three-year limitation period for personal injury claims has applied to claims of sexual abuse.

83. The three-year limitation period runs from either the date when the injury occurred or the date of knowledge of the individual claimant.¹¹⁹⁶ Knowledge in this context may include actual knowledge that the injury was significant (which may not always be apparent to those who have suffered sexual abuse during their childhood). It may also comprise constructive knowledge that a claimant "*might reasonably have been expected to acquire*".¹¹⁹⁷ However, in all cases involving children, the limitation period does not start to run until the claimant reaches the age of 18. All claimants therefore have until at least the age of 21 to commence legal proceedings.¹¹⁹⁸

84. Very few victims and survivors of child sexual abuse bring their claims before the expiration of the limitation period. Consequently, if a defendant raises the defence of limitation, victims and survivors must ask the court to exercise its discretion to allow their claims to proceed.¹¹⁹⁹ In deciding whether or not to exercise its discretion, the court must consider all of the circumstances of the individual case, and in particular:

- the length of, and reasons for, the delay in bringing a claim;
- the extent to which the evidence is less cogent than if the claim had been brought within time;
- the conduct of the defendant after the claim was brought;

¹¹⁹¹ *Accountability and Reparations Investigation Report*, Part C.6, Part C.8 paras 79–87; *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.3; *Civil Justice System Seminar: An update report*, IICSA, March 2018, Section 1 para 9, Section 3 paras 16–22; *Nottinghamshire Councils Investigation Report*, Part F.2 para 35; *The Roman Catholic Church Investigation Report*, Part J.2 para 13

¹¹⁹² *Accountability and Reparations Investigation Report* Part C.6 para 42; Limitation Act 1980, section 33

¹¹⁹³ *Stubbings v United Kingdom* (1997) 23 EHRR 213 paras 51–57

¹¹⁹⁴ INQ006787_116-119 paras 4.25, 4.29–4.33

¹¹⁹⁵ *Accountability and Reparations Investigation Report*, Part C.6 para 45; *A v Hoare* [2008] UKHL 6, [2008] 1 AC 844

¹¹⁹⁶ Limitation Act 1980, section 11(4); *Accountability and Reparations Investigation Report*, Part C.6 para 45

¹¹⁹⁷ Limitation Act 1980, section 14; *Accountability and Reparations Investigation Report*, Part C.6 para 45

¹¹⁹⁸ Limitation Act 1980, sections 11, 28(1), 28(6), 38(2); *Accountability and Reparations Investigation Report*, Part C.6 para 45

¹¹⁹⁹ Limitation Act 1980, section 33; *Accountability and Reparations Investigation Report*, Part C.6 para 46

- the duration of any disability of the claimant;¹²⁰⁰
- the extent to which the claimant acted promptly and reasonably once they knew there was a possibility of bringing a claim; and
- any steps taken by the claimant to obtain medical, legal or other expert advice, and the nature of any such advice.¹²⁰¹

85. As set out in the *Inquiry's Accountability and Reparations Investigation Report*, the Inquiry received evidence that the defence of limitation operated unfairly in the context of child sexual abuse claims.¹²⁰² Additional evidence obtained subsequently by the Inquiry suggested that the defence of limitation continues to operate unfairly as a barrier to claimants at three key stages of the litigation process.

85.1. Taking on claims: Although the figures either could not be given or varied amongst claimant solicitors, the Inquiry was told that limitation prevented many solicitors from taking on a significant proportion of child sexual abuse claims.¹²⁰³ Legal representation or funding cannot be obtained unless it is likely that the claim will succeed.¹²⁰⁴ The Ministry of Justice recognised that this impacts upon access to justice for victims and survivors.¹²⁰⁵ In addition, claimants may find it off-putting to have to persuade a court to be allowed to bring their claim notwithstanding its merits.¹²⁰⁶

85.2. Settlement and value of claims: A number of claimant solicitors indicated that limitation was a significant factor during the process of valuing and settling claims, with one referring to it as an “*ever-present threat*”.¹²⁰⁷ They explained that victims and survivors may have to be advised that it would be better to accept a reduced settlement offer, rather than proceed to court where there is not only a risk of losing on limitation but also a risk of being re-traumatised by the trial process.¹²⁰⁸

85.3. Trial: While there appears to be greater judicial understanding of how the effects of child sexual abuse on victims and survivors may lead to delays in bringing claims, there is little doubt that the trial of limitation issues can be intrusive and traumatic for claimants and the outcome difficult to predict.¹²⁰⁹ Although relatively few child sexual abuse cases proceed to trial,¹²¹⁰ one claimant solicitor made the point that contested cases “*set the tone in which other cases are resolved*”.¹²¹¹

¹²⁰⁰ Limitation Act 1980, section 38 (2) states a person shall be treated as under a disability while he or she is a child.

¹²⁰¹ Limitation Act 1980, section 33

¹²⁰² *Accountability and Reparations Investigation Report*, Part C.6, Part C.8 paras 79–87, Part G.1 para 8

¹²⁰³ Tracey Storey 26 November 2019 98/8-100/25; Alison Millar 26 November 2019 101/2-102/1; Richard Scorer 5 February 2020 5/14-20; INQ004778_005 paras 25–27; INQ004719_002-003, 004-005 paras 5, 11; INQ004799_010 para 15; INQ004824_008 para 42

¹²⁰⁴ INQ004673_003-004, 008 para 13, 38; INQ004719_004 para 11; INQ004719_006 para 15; INQ004826_013 para 33; Alison Millar 26 November 2019 109/1-12; *Accountability and Reparations Investigation Report*, Part C.7 paras 56–59

¹²⁰⁵ Fiona Rutherford 5 February 2020 7/7-25

¹²⁰⁶ Alison Millar 26 November 2019 109/13-23

¹²⁰⁷ Alison Millar 26 November 2019 116/3-25; INQ004826_013-014 para 34; Jonathan Bridge 26 November 2019 122/15-123/21; INQ004673_008-009 para 39

¹²⁰⁸ Tracey Storey 26 November 2019 124/9-125/8; Alison Millar 26 November 2019 125/9-127/17; INQ004719_005 para 12; Richard Scorer 5 February 2020 15/4-16/2

¹²⁰⁹ *Accountability and Reparations Investigation Report*, Part C.6 para 52; Paula Jefferson 26 November 2019 145/14-146/6; Tracey Storey 26 November 2019 146/18-147/20; INQ004824_005 para 26; Richard Scorer 5 February 2020 13/3-14/2, 15/4-16/2, 20/8-10, 21/11-22/4

¹²¹⁰ Alistair Gillespie 26 November 2019 114/3-17, 178/18-179/2; Paula Jefferson 26 November 2019 145/24-25; MMIO00090_005 paras 20–21

¹²¹¹ Alison Millar 26 November 2019 178/1-13

86. A number of defendant solicitors and insurers accepted that limitation presented a barrier to justice for victims and survivors.¹²¹² They were broadly open to some form of reform, and in some cases supportive of it, provided that any change preserved the defendant's right to a fair trial.¹²¹³ Witnesses queried, however, whether changes to the law of limitation would make a difference in practice.¹²¹⁴ It was stressed that the defence of limitation is fundamentally about whether it is fair to allow claims to proceed many years after the events in question due to evidential issues.¹²¹⁵ The Ministry of Justice recognised that it “*would remove a first hurdle ... and may help to alleviate some of the uncertainty and discouragement that claimants currently experience*”. It was therefore willing to “*consider the merits of such a change further should the Inquiry consider that to be a useful route to prevent the risk of meritorious claims being deterred*”.¹²¹⁶

87. The courts have made it clear that whether a fair trial can take place is not the only issue to be taken into account. One of the other issues to consider is the claimant's reasons for delaying in bringing a claim.¹²¹⁷ One claimant solicitor said asking clients about the length of and reasons for delay was the “*single-most traumatic feature of this type of litigation*”.¹²¹⁸ Some witnesses were asked why a claimant should have to explain any delay, with the response being that defendants simply had to work with the law as it is at present.¹²¹⁹

88. The need for legislative reform was questioned by some defendant representatives, who suggested that changes could be made to legal procedures (for example, through codes of practice or a pre-action protocol), rather than the substantive law.¹²²⁰ Other witnesses suggested that even if the law were changed, such procedural changes could still be beneficial.¹²²¹ As set out above, some defendant insurers have already developed guidance restricting the use of the limitation defence and changed their approaches to this issue.

89. However, legislative reform is also needed. Changes to practice are insufficient in the current framework within which claims are litigated.¹²²² It is noteworthy that other jurisdictions around the world have reformed the law of limitation relating to child sexual abuse claims (and other forms of childhood abuse), including provinces and territories in Canada, states and territories in Australia, as well as in Scotland.¹²²³

¹²¹² INQ004709_005 para 19; RSA000225_002 paras 6–7; EIO000156_013 para 56; Philippa Handyside 5 February 2020 22/5-24/5.

¹²¹³ Paula Jefferson 26 November 2019 172/13-173/22; Paula Jefferson 27 November 2019 56/24-57/6; Philippa Handyside 27 November 2019 56/1-56/15; Philippa Handyside 5 February 2020 22/5-24/14, 56/25-57/5; Paula Jefferson 27 November 2019 26/21-27/8; Carolyn Mackenzie 27 November 2019 145/7-9; EIO000156_015 paras 62–63

¹²¹⁴ Sarah Ellis 27 November 2019 128/2-19; Jonathan Bridge 26 November 2019 174/2-175/4; MOJ000906_003 para 9

¹²¹⁵ Alistair Gillespie 26 November 2019 133/9-15; Jonathan Bridge 26 November 2019 102/7-18; Philippa Handyside 5 February 2020 11/16-12/23; Accountability and Reparations Investigation Report, Part C.6 paras 48–49

¹²¹⁶ MOJ000906_003 para 10

¹²¹⁷ RE v GE [2015] EWCA Civ 287 paras 77–80; Accountability and Reparations Investigation Report, Part C.6 para 51; Richard Scorer 5 February 2020 13/3-14/2; Murray v Devenish [2018] EWHC 1895 (QB) paras 111–117, 157–159

¹²¹⁸ Alison Millar 26 November 2019 140/3-141/1

¹²¹⁹ Alistair Gillespie 26 November 2019 133/1-134/18; Paula Jefferson 26 November 2019 134/19-135/8

¹²²⁰ MMI000090_004 para 13; Sarah Ellis 27 November 2019 145/17-23; ZUI003278_004 para 13; Alistair Gillespie 26 November 2019 178/17-180/25

¹²²¹ Paula Jefferson 26 November 2019 184/19-185/8; Philippa Handyside 27 November 2019 48/11-49/12, 56/16-20; Philippa Handyside 5 February 2020 38/24-42/3; Peter Garsden 27 November 2019 50/10-51/11

¹²²² Philippa Handyside 5 February 2020 41/7-42/3; Richard Scorer 5 February 2020 43/6-44/18, 48/25-49/10; Alison Millar 26 November 2019 177/2-178/16

¹²²³ See for example New Brunswick in Canada: Limitation of Actions Act SNB 2009, section 14.1; Victoria in Australia: The Limitation of Actions Amendment (Child Abuse) Act 2015; The Limitation (Childhood Abuse) (Scotland) Act 2017

90. It is clear that the current regime was not designed with the needs of victims and survivors of child sexual abuse in mind.¹²²⁴ As set out in Victims and Survivors' Voices and Part F, victims and survivors face a number of barriers to disclosure such that it can take years, if not decades, for them to feel able to discuss their sexual abuse. Research by the All-Party Parliamentary Group on Adult Survivors of Childhood Sexual Abuse indicates that the average time for victims and survivors to disclose sexual abuse is 26 years.¹²²⁵ The overwhelming majority of claims are not brought within three years of the sexual abuse.¹²²⁶ The starting point is therefore that most claimants are deemed to be 'too late' and must apply to the court to allow them to proceed. Having to justify any delay in bringing their claims adds a further and unnecessary burden to what is already a difficult process.¹²²⁷

91. Victims and survivors of child sexual abuse have different needs and require different treatment from personal injury claimants more generally. The very nature of child sexual abuse can make it difficult for victims and survivors to discuss their experiences.¹²²⁸ As Lady Hale stated in 2008:

*"Until the 1970s people were reluctant to believe that child sexual abuse took place at all. Now we know only too well that it does. But it remains hard to protect children from it. This is because the perpetrators are so often people in authority over the victims, sometimes people whom the victims love and trust. These perpetrators have many ways, some subtle and some not so subtle, of making their victims keep quiet about what they have suffered. The abuse itself is the reason why so many victims do not come forward until years after the event. This presents a challenge to a legal system which resists stale claims."*¹²²⁹

92. The Inquiry has considered a number of potential negative consequences to any change in the law, including:

- increases to insurers' costs due to increased volume of claims;¹²³⁰
- institutions' ability to obtain insurance;¹²³¹
- financial burdens on local authorities, or other organisations such as charities;¹²³² and
- the risk of 'satellite' litigation (additional litigation connected to the main legal case) interpreting any changes in the law.¹²³³

¹²²⁴ Alison Millar 26 November 2019 163/20-164/10, 183/3-184/6; Richard Scorer 5 February 2020 20/10-24, 57/7-16

¹²²⁵ INQ006448_020 para 48

¹²²⁶ Richard Scorer 5 February 2020 5/10-13; INQ004826_016-017 paras 41-42; INQ004824_004 para 19; INQ004725_004-005 para 15; *Accountability and Reparations Investigation Report Part C.6* para 46

¹²²⁷ Alison Millar 26 November 2019 140/6-141/1; Tracey Storey 26 November 2019 141/2-25

¹²²⁸ Richard Scorer 5 February 2020 16/13-17/7, 19/5-23; INQ004673_009 para 44; API000001_002 para 7

¹²²⁹ *A v Hoare* [2008] UKHL 6, [2008] 1 AC 844 para 54

¹²³⁰ David Nichols 27 November 2019 109/7-112/11, 116/4-14; Carolyn Mackenzie 27 November 2019 114/4-116/3;

David Bonehill 27 November 2019 112/12-114/2, 116/16-117/10; Sarah Ellis 27 November 2019 117/16-119/8

¹²³¹ David Nichols 27 November 2019 132/22-133/25, 135/23-136/1; David Bonehill 27 November 2019 134/1-9,136/2-11; Carolyn Mackenzie 27 November 2019 134/10-135/22, 136/12-138/5

¹²³² Gareth Owens 27 November 2019 123/23-127/3, 132/14-21; Sarah Ellis 27 November 2019 131/10-132/13; ZUI003278_006-007 para 23; LBT003990_002 para 2.2; DCC000017_003 paras 15-17; INQ004709_007-008 para 33; NUG000008_002-004 paras 9-17

¹²³³ Alastair Gillespie 27 November 2019 80/5-83/1; Richard Scorer 27 November 2019 83/2-84/4; Kim Harrison 27 November 2019 84/5-85/16; Alison Millar 27 November 2019 16/3-22; Paula Jefferson 27 November 2019 18/18-19/18, 39/15-25

It is difficult to predict with any certainty the extent to which a change in the law may lead to these consequences, although the Inquiry notes from the evidence of a number of witnesses that the risks of this occurring may be overstated.¹²³⁴ In any event, the benefits of changing the law far outweigh any potential negative consequences. Reforming the law recognises that the sexual abuse itself is the reason for the delay and removes an unfair barrier to obtaining redress through the civil justice process.

Legislative reform

93. The principal options for legislative reform include the removal of the three-year period for personal injury claims based on child sexual abuse, either with or without preserving any other procedural form of defence to claims, such as the right to a fair trial.

94. Other potential options include extending the primary limitation period (for example, to 25 years) and amending the power to extend time in section 33 of the Limitation Act 1980. However, the former would just introduce a different but equally arbitrary time limit, and the latter would still leave the burden on claimants to persuade the court to disapply the time limit.¹²³⁵

95. A change to the law of limitation may engage defendants' rights under the European Convention on Human Rights (ECHR). It may not be necessary to include an express fair trial provision, as the right is already enshrined in the common law and under the *Civil Procedure Rules* and Article 6 of the Convention.¹²³⁶ However, doing so has the benefit of providing clarity and recognises that the removal of the primary limitation period does not compromise defendants' basic rights.¹²³⁷ It should be for defendants to demonstrate that a fair trial is not possible.¹²³⁸

96. Legislative changes should apply to all claims where the three-year limitation period has not yet expired, that is, where the victims and survivors are under 21 when the changes come into force, and those where the sexual abuse has not yet occurred.

97. The Inquiry has considered whether the removal of the limitation period should also apply retrospectively to claims where the limitation period has expired. There is a distinction to be drawn between two types of claim:

- **Claims which have not been dismissed by a court or settled:** In these cases, victims and survivors may still be able to bring claims against defendants, albeit with the court's permission to extend the limitation period under section 33. Here the interests of justice outweigh any potential prejudice to the defendants and the primary limitation period should be removed. This will also benefit those victims and survivors who have previously tried, but not been able, to proceed with claims due to advice received about limitation.¹²³⁹

¹²³⁴ Richard Scorer 27 November 2019 83/2-84/4, 101/14-102/5; Kim Harrison 27 November 2019 84/5-85/16, 102/7-103/14; Carolyn Mackenzie 27 November 2019 114/4-116/3, 145/10-15; DCC000017_002-003 paras 13-14; David Nichols 27 November 2019 109/7-112/11; Sarah Ellis 27 November 2019 119/23-120/23, 145/10-15

¹²³⁵ Richard Scorer 5 February 2020 58/15-59/14; Peter Garsden 27 November 2019 41/10-42/8; David McClenaghan 27 November 2019 42/21-43/3; Alison Millar 27 November 2019 43/4-17; Alison Millar 27 November 2019 52/5-7

¹²³⁶ Richard Scorer 5 February 2020 49/11-50/23; Peter Garsden 27 November 2019 21/9-19

¹²³⁷ Paula Jefferson 27 November 2019 26/21-27/8; RSA000225_003 para 11; Richard Scorer 5 February 2020 29/12-25, 50/6-18

¹²³⁸ Richard Scorer 5 February 2020 50/24-51/12; 27; David McClenaghan 27 November 2019 23/10-12; INQ004824_007 para 37; INQ004673_009 para 42; API000001_003 para 12

¹²³⁹ Alison Millar 27 November 2019 36/17-37/6; David McClenaghan 27 November 2019 37/7-8; Paula Jefferson 27 November 2019 39/10-14

- **Claims which have previously been dismissed by a court or settled:** The law of limitation has caused many victims and survivors difficulties when seeking to bring claims. However, these difficulties must be balanced against principles of legal certainty, finality and fairness. It is generally inappropriate and impractical to reverse a judicial determination or an agreement reached in good faith by litigation parties.¹²⁴⁰ Changes to the law of limitation should therefore not allow such claims to be re-opened. However, claimants who have had their claims previously dismissed by the court on grounds of limitation, or have previously settled their claims, may still be able to apply to the redress scheme recommended in Part I.

98. The Inquiry therefore recommends that the limitation period should be removed in all cases involving child sexual abuse, other than those that have been dismissed or settled, while preserving the right to a fair trial.

Recommendation 15: Limitation

The Inquiry recommends that the UK government makes the necessary changes to legislation in order to ensure:

- the removal of the three-year limitation period for personal injury claims brought by victims and survivors of child sexual abuse in respect of their abuse; and
- the express protection of the right to a fair trial, with the burden falling on defendants to show that a fair trial is not possible.

These provisions should apply whether or not the current three-year period has already started to run or has expired, except where claims have been:

- dismissed by a court; or
- settled by agreement.

They should, however, only apply to claims brought by victims and survivors, not claims brought on behalf of victims and survivors' estates.

¹²⁴⁰ Paula Jefferson 27 November 2019 38/8-39/9; EIO000156_016 para 66; ABI000005_011 paras 57–58

Part H

Supporting victims and survivors

Supporting victims and survivors

H.1: Introduction

1. The need for increased provision of support for victims and survivors was a recurring theme in the Inquiry's work. Support needs vary greatly and can change over time, triggered at different points in a victim's lifetime, sometimes in unpredictable ways.¹²⁴¹ Recovery is often a non-linear process and victims and survivors might need practical support about how to report abuse and obtain medical assistance, advocacy support as well as therapeutic support such as counselling and psychotherapy. Other issues of concern to victims and survivors include accommodation, education, benefits and general healthcare. Enabling access to records also has a clear support function, with many victims and survivors considering that their recovery was dependent on being able to understand their history.
2. Timely and effective support, particularly therapeutic support, can make a significant difference to recovery. It is therefore vital that the government guarantees that appropriate support is available. To achieve this, the Inquiry makes two recommendations: to introduce a national guarantee that child victims of sexual abuse will be offered timely specialist therapeutic support, and to require further guidance about the retention of and access to records about child sexual abuse.

H.2: Current support services

3. There are a number of ways in which victims and survivors of child sexual abuse can access support services. These include services for those involved in the criminal and civil justice process. Victims and survivors can also access support from health services or specialist voluntary sector organisations and, on occasion, services may be accessed via the institution where the sexual abuse occurred.
4. Accessing the right support at the right time from the most appropriate service can be difficult for both adult and child victims and survivors. One victim and survivor described the process of trying to access support as a "nightmare merry-go-round".¹²⁴²

Criminal justice system

5. The *Code of Practice for Victims of Crime in England and Wales* (Victims' Code) states that victims and survivors have the right to be referred to services that support victims and have services and support tailored to their needs.¹²⁴³ Despite this, the quality and availability of support varies considerably between local areas.¹²⁴⁴

¹²⁴¹ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p15; *Consultation on the impacts of child sexual abuse and experiences of support services: A summary of the responses received*, IICSA, Part 2.2

¹²⁴² *Victims and Survivors Forum Consultation on Redress: Summary Report*, IICSA, October 2020, pp13–14 para 23

¹²⁴³ Victims' Code, Right 4; INQ006917

¹²⁴⁴ *Accountability and Reparations Investigation Report*, Part E.2 para 5

6. Support provided via the criminal justice system includes support for those who attend sexual assault referral centres (SARCs), which are commissioned by NHS England and in Wales by the NHS and Police and Crime Commissioners. SARCs provide services to child and adult victims and survivors of sexual assault and rape. Across England there are a number of paediatric SARCs along with adult SARC services.¹²⁴⁵ They provide healthcare and treatment and, where appropriate, forensic medical examination. Where victims and survivors have ongoing needs for support or treatment, SARCs will make referrals to other services, including specialist sexual violence and abuse support services.¹²⁴⁶

Independent sexual violence advisers

7. SARCs also offer access to specialist independent sexual violence advisers (ISVAs). Introduced in 2005, ISVAs work with people who have experienced rape and sexual assault, irrespective of whether they have reported the matter to the police. The majority of funding for these roles is provided by local commissioners, including NHS England, local authorities, police and crime commissioners and charitable trusts.¹²⁴⁷

8. An ISVA's role is to provide victims and survivors with impartial information about the process and the options that are available to them, which can include guidance on accessing therapeutic support, police reporting and what to expect in court.¹²⁴⁸ Some areas now also have access to ISVAs for children.¹²⁴⁹ Participants in the Inquiry's Criminal Justice System Seminar said that ISVAs provide "*crucial support and liaison with other organisations*".¹²⁵⁰ One participant described her ISVA as "*brilliant from start to finish. They were absolutely fantastic*".¹²⁵¹ Another said that her ISVA had supported her "*every single step of the way*".¹²⁵²

9. Participants in the Criminal Justice System Seminar expressed concerns, however, about the lack of availability of male ISVAs.¹²⁵³ This echoes comments made by the Centre for Social Justice which, in its 2021 report *Unsafe Children*, noted that:

*"Special attention should be paid to organisations focused on supporting men and boys and Black and minoritised victims/survivors given the indication that there is a paucity of ISVAs currently available from those groups."*¹²⁵⁴

There is also concern that access to ISVAs with experience of working with people with learning disabilities was "*stretched*".¹²⁵⁵

10. In relation to rape allegations more generally, a 2020 survey by the Victims' Commissioner found that 20 percent of respondents who received no support withdrew their allegations, compared with 9 percent of those who received support from an ISVA. Other research has shown that a victim with specialist support like an ISVA is 49 percent more likely to remain engaged with the process.¹²⁵⁶

¹²⁴⁵ HOM003389_010

¹²⁴⁶ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 6.4, p73

¹²⁴⁷ INQ006792_004

¹²⁴⁸ INQ006792_005

¹²⁴⁹ INQ006704_075

¹²⁵⁰ *Criminal Justice System Seminar: An update report*, IICSA, August 2018, para 22

¹²⁵¹ Grace Forbes 21 November 2017 20/25-21/1

¹²⁵² Kathryn Speight 21 November 2017 127/1

¹²⁵³ *Criminal Justice System Seminar: An update report*, IICSA, August 2018, paras 23, 49

¹²⁵⁴ INQ006704_075

¹²⁵⁵ Rosie Creer 21 November 2017 95/4

¹²⁵⁶ INQ006641_037 para 52

11. In its *Tackling Child Sexual Abuse Strategy* (January 2021), the government stated that the Ministry of Justice has allocated an additional £4 million per year to recruit more ISVAs across England and in Wales, including the recruitment of children and young people's ISVAs.¹²⁵⁷ ISVAs are generally regarded as a positive measure in assisting victims and survivors, so it is important that there is sufficient continued funding available for this important supportive role. In March 2022, the Ministry of Justice announced it would be increasing funding for victims of crime which would take the number of funded ISVAs and independent domestic violence advisers (IDVAs) to more than 1,000.¹²⁵⁸

'Barnahus' or Child House model

12. Another way to access support in the criminal justice system is through the use of the 'Barnahus' or Child House model. Based on the Icelandic model, this focusses on the holistic needs of child victims and survivors and aims to respond to the special needs of a child in cases of suspected violence or abuse. Each Child House provides a single service, which includes forensic interviews with the child, medical examination, therapeutic services and family counselling/support in a child-friendly environment. This model has five key features:

- a home-like setting (where all services are delivered under one roof, including the forensic interview, medical examination and child/family therapy);
- helping victims to disclose abuse;
- a minimal number of interviews conducted by child expert staff;
- improved evidence through the reduced need for children to testify in court; and
- guaranteed and rapid access to therapy.¹²⁵⁹

13. Use of this 'one-stop shop' approach is not uncommon.¹²⁶⁰ In 2018, a similar model was trialled in five North London boroughs. Known as The Lighthouse, it is available for children and young people who have experienced sexual abuse, and provides:

*"a holistic service all under one roof in a place where [children] can really feel safe to talk. So we aim to allow them to tell their story and gather the best evidence, whether that's through a forensic examination ... or through a video-recorded interview. We want to help them get the best out of the criminal justice process by supporting them through that, to give them a really holistic medical and then provide the emotional and well-being support not only for them, but also for their family as well."*¹²⁶¹

14. Children and parents spoke in positive terms about the benefits of The Lighthouse and, in particular, the significant positive impact on children's well-being.¹²⁶² Children who had used The Lighthouse complimented the care and respect they had received from staff. Being able to go 'at their own pace', with choice and control, was described as very valuable. Children also emphasised the positive impact of the homely atmosphere and environment that was created by the 'little things', such as being offered a hot drink and police officers not wearing uniforms.¹²⁶³

¹²⁵⁷ INQ006448_080 para 252

¹²⁵⁸ INQ006866_009

¹²⁵⁹ INQ004250_005-008

¹²⁶⁰ *Rapid Evidence Assessment: What can be learnt from other jurisdictions about preventing and responding to child sexual abuse*, IICSA, April 2017, Part 4.3 p67

¹²⁶¹ Emma Harewood 28 July 2020 114/6-17; *Lambeth Council Investigation Report*, Part J.4 para 82

¹²⁶² INQ006844_040-043

¹²⁶³ INQ006844_040-041

15. In addition, the model addresses concerns that children who reported sexual abuse often faced multiple interviews with social workers, the police and other professionals. In 2016, the then Children’s Commissioner for England, Ms Anne Longfield, noted that the current system was not “*child-centred*”. She commented that:

*“Interviews are often the only source of evidence in sexual abuse cases, yet for many children the interviews led by the police do not enable them to provide the best possible evidence. Repeat interviews can be confusing and cause children, particularly young children, to give inconsistent evidence which, in many cases, will lead to the perpetrator not being charged. Children can be traumatised by having to give an account of their abuse to multiple professionals in multiple locations.”*¹²⁶⁴

She proposed a reconsideration of the system based on the Barnahus model.

16. Reducing the number of times a child victim is interviewed about the abuse and providing easy access to support is an important aspect of the institutional response. It is important that this type of initiative is monitored and sufficient funding is put in place to ensure that similar models are introduced. The government’s 2021 *Tackling Child Sexual Abuse Strategy* committed to providing support and guidance to local areas seeking to introduce similar Child House models elsewhere in the country.¹²⁶⁵ The guidance is now available online.¹²⁶⁶ The Children’s Commissioner for Wales is also exploring creating a similar service in Wales.¹²⁶⁷

Civil justice system

17. Civil litigation and the assessment of compensation claims can be a lengthy process. Evidence heard by the Inquiry suggests that victims and survivors will not always have access to the support they need during civil proceedings.¹²⁶⁸

18. The Inquiry was told that many people did not come forward and discuss their experiences of abuse in part because of the inadequacy of support services.¹²⁶⁹ The experience of victims and survivors in terms of accessing therapeutic support during civil claims was generally poor. Many went through the process with no professional therapeutic support. Lawyers representing victims and survivors also told the Inquiry that very little support is available in the civil process.¹²⁷⁰

19. In 2019, the Inquiry recommended the introduction of a code for claimants bringing civil claims for child sexual abuse. One of the code’s objectives was to ensure that victims and survivors of child sexual abuse could access the therapy and support they needed as soon as possible.

20. The International Underwriting Association (IUA) of London initially took the lead in producing the code.¹²⁷¹ In March 2020, the IUA informed the Inquiry that:

“Broadly speaking, we agree that there would be value in the production of a claimant code for child sexual abuse victims and survivors.”

¹²⁶⁴ INQ004250_003

¹²⁶⁵ INQ006448_083 para 266

¹²⁶⁶ INQ006757

¹²⁶⁷ INQ006796_030

¹²⁶⁸ *Accountability and Reparations Investigation Report*, Part E.3 paras 9–19

¹²⁶⁹ *Accountability and Reparations Investigation Report*, Part E.3 para 9

¹²⁷⁰ *Accountability and Reparations Investigation Report*, Part E.3 paras 10–12

¹²⁷¹ *Accountability and Reparations Investigation Report*, Part G.3 (Recommendation 7)

However, it did not feel that the IUA was the correct institution to lead in the development of a code for claimants.¹²⁷² Subsequently, in December 2020, a working party known as the IICSA Rehabilitation Working Party was established to develop the code.¹²⁷³ In December 2021, the IUA stated that in developing the new code, the IUA was engaging with a group of survivors for feedback in relation to the aims of the code, as well as the suitability and appropriateness of the language used.¹²⁷⁴ In its most recent update in April 2022, the IUA provided further information about its engagement with survivors.¹²⁷⁵ It is hoped that the code can be issued in the near future and will ensure that all victims and survivors who bring civil claims can access good quality support.

Health services

- 21.** Support can be provided by the NHS, principally through GPs and Children and Young People's Mental Health Services (CYPMHS, but referred to in this report by its previous acronym CAMHS).
- 22.** However, victims and survivors told the Inquiry that health services were only accessible if the impacts of child sexual abuse that they experienced matched a specific physical or mental health problem recognised by the NHS.¹²⁷⁶ There was also often a high threshold for treatment.¹²⁷⁷ One young person told the Inquiry they had thought about seriously harming themselves in the hope that they would then meet the threshold to be treated by CAMHS.¹²⁷⁸
- 23.** A 2020 All-Party Parliamentary Group for Adult Survivors of Childhood Sexual Abuse survey of victims and survivors found that although NHS mental health services were identified as the second most important form of support by respondents, only 16 percent said that NHS mental health services met their needs.¹²⁷⁹
- 24.** The Inquiry's research on support services for victims and survivors of child sexual abuse found mixed views about the utility of counselling provided through health services. Some victims and survivors considered it to be the least helpful service overall, while others considered it to be the most helpful service overall.¹²⁸⁰ In part this may be explained by the fact that the type of counselling provided by the NHS ranges from short-term cognitive behavioural therapy to longer-term trauma-informed approaches. Those who had a negative experience of counselling often described being treated by people with no understanding or specialist training in child sexual abuse.

¹²⁷² *International Underwriting Association response to recommendation 7 of the Accountability and Reparations Investigation Report dated 18 March 2020*

¹²⁷³ *International Underwriting Association response to recommendation 7 of the Accountability and Reparations Investigation Report dated 23 February 2021*

¹²⁷⁴ *International Underwriting Association response to recommendation 7 of the Accountability and Reparations Investigation Report dated 14 December 2021*

¹²⁷⁵ *International Underwriting Association response to recommendation 7 of the Accountability and Reparations Investigation Report dated 21 April 2022*

¹²⁷⁶ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p79; *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 6.4, p73

¹²⁷⁷ *Consultation on the impacts of child sexual abuse and experiences of support services: A summary of the responses received*, IICSA, August 2018, p5

¹²⁷⁸ *Engagement with children and young people*, IICSA, June 2021, p19

¹²⁷⁹ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p16

¹²⁸⁰ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p5

Cope and recover services

25. Wider cope and recover services include therapy as well as support aimed at other areas of life, such as advocacy and employment advice. They are typically offered by charity and voluntary organisations (including associations, self-help groups, community groups, social enterprises, mutuals and cooperatives), often referred to as the third sector.

26. Counselling and rape support services provided by organisations specialising in child sexual abuse and sexual abuse in general were rated most highly by victims and survivors who participated in the Inquiry's research on support services.¹²⁸¹ Participants stressed the importance of such specialist support being from counsellors and therapists who had training in, and particular knowledge of, trauma generally and child sexual abuse specifically. One victim and survivor stated that there should be more "*people that are trained in child sexual abuse. Not a generalised counsellor*".¹²⁸²

27. Although the services provided by the third sector are often highly rated, they can be difficult to access. Many suffer from short-term funding. Availability varies considerably between local areas. Victims and survivors expressed concern about the lack of services available locally, with some having to travel over 200 miles to access support.¹²⁸³ Most victims and survivors in England and in Wales do not have access to specialised independent support services, and many have to rely on independent, community-based specialist support and counselling services in "*a postcode lottery*".¹²⁸⁴

Support from the institution where abuse occurred

28. While some victims and survivors do not wish to access therapy from the institution where the abuse may have occurred or from the organisation responsible for it, some institutions offer formal support in the form of access to advice, therapy and counselling.

29. For example, the Church of England, the Church in Wales and the Roman Catholic Church fund 'Safe Spaces', which is a free and independent support service operated by Victim Support.¹²⁸⁵ The service offers a confidential, personal and safe space for anyone who has been abused by someone in the Church or as a result of their relationship with the Church of England, the Roman Catholic Church in England and Wales or the Church in Wales. The Church in Wales has also committed to offering funding towards such counselling as may be recommended by ISVAs, where the abuse was committed by clergy in the Church in Wales or in a church context.¹²⁸⁶ In response to another of the Inquiry's recommendations, the Church of England revised its guidance *Responding Well to Victims and Survivors of Abuse*.¹²⁸⁷ The new guidance came into effect in April 2022 and makes provision for mandatory support to be offered at a local and national level for victims and survivors of Church-based abuse.¹²⁸⁸

¹²⁸¹ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p4

¹²⁸² *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p4

¹²⁸³ *Consultation on the impacts of child sexual abuse and experiences of support services: A summary of the responses received*, IICSA, August 2018, p5

¹²⁸⁴ RCE000002_005-006, 014 paras 2.15, 5.1

¹²⁸⁵ INQ006870

¹²⁸⁶ *Church in Wales response to recommendation 7 of the Anglican Church Investigation Report dated 7 April 2021*, p5

¹²⁸⁷ *Archbishops' Council of the Church of England response to recommendation 7 of the Anglican Church Investigation Report dated 17 December 2021*, para 3

¹²⁸⁸ *Archbishops' Council of the Church of England response to recommendation 7 of the Anglican Church Investigation Report dated 17 December 2021*, para 7

30. Such initiatives are welcome, but the Inquiry heard examples of inconsistent and inadequate provision of professional counselling and therapy or referrals to formal support services by institutions.¹²⁸⁹ As a reflection of responsibility for abuse, institutions should provide – either directly or by funding – accredited therapeutic support for victims and survivors who would like to be provided with support by them. Wherever possible, a victim should be given the choice of provider, whether in the statutory sector or independently. Institutions also need to be aware that victims and survivors may not wish to access support services in the immediate aftermath of abuse but may need support later in their lives. Institutions should be supportive of victims and survivors on a long-term and sustained basis.

H.3: Improving support services

31. A review in 2016 found that “*talking therapies*” could help victims and survivors of child sexual abuse in a number of ways. These include helping with their self-esteem, learning coping skills and strategies, and developing “*choice, control and empowerment*”.¹²⁹⁰ More recently, the All-Party Parliamentary Group for Adult Survivors of Childhood Sexual Abuse survey in 2020 found that nearly half (47 percent) of victims and survivors thought that the most important form of support was specialist voluntary sector counselling or therapy that is trauma-informed.¹²⁹¹

32. The Inquiry’s Victim and Survivor seminar in July 2017 heard reference to a study which estimated an annual shortfall in provision of over 57,000 places for children in therapeutic services.¹²⁹² While the Home Office’s 2019 commissioning guidance recommends that holistic therapeutic intervention should be considered when commissioning support services for victims and survivors of child sexual abuse,¹²⁹³ in September 2021, the Ministry of Justice acknowledged that research conducted to date indicated that “*availability of specialist provision for children and young people is not sufficient to meet the level of need*”.¹²⁹⁴

33. When asked what form of support victims and survivors felt they would benefit from but were currently unable to find or access, counselling and psychotherapy accounted for nearly half of the responses.¹²⁹⁵ Victims and survivors also referred to the importance of therapeutic help being immediately accessible when it was asked for:

*“It would be nice to have – I know it’s like a dream – an immediate offer of service. At that point when you ask for it, you’re desperate.”*¹²⁹⁶

34. While obtaining accurate figures is difficult, available data suggest that support services are required to deal with large numbers of new child victims and survivors each year.¹²⁹⁷ This is compounded by the legacy of supporting large numbers of adult victims and survivors who were not supported when they were children, were not able to disclose the abuse as children or were supported as children but require long-term support into adulthood.

¹²⁸⁹ *The Anglican Church Investigation Report*, Part B.4.3 para 18; *The Roman Catholic Church Investigation Report*, Part G.4 para 12.1; *Child Protection in Religious Organisations and Settings Investigation Report*, Part E.2 para 6.5, Part E.3 para 23; *Nottinghamshire Councils Investigation Report*, Part F.2 paras 16–20; *Residential Schools Investigation Report*, Pen Portraits (RS-A300, RS-A7); *Lambeth Council Investigation Report*, Part B.2 para 25

¹²⁹⁰ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p17

¹²⁹¹ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p18

¹²⁹² Lorraine Radford 5 July 2017 17/4-10; INQ006657_009 [Note, 57,000 is the number referred to in evidence and in the preamble of the report but the body of the report has a figure of 54,220.]

¹²⁹³ HOM003389_025

¹²⁹⁴ MOJ000929_015-016 para 51

¹²⁹⁵ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p66

¹²⁹⁶ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p67

¹²⁹⁷ See Part B.3: The scale of child sexual abuse

Improving access

35. Evidence from victims and survivors and those individuals responsible for commissioning support services indicates that there is considerable unmet need for all forms of support services. Forty-three percent of adult victims and survivors who participated in the Inquiry’s Support Services Research Project said that they currently had an unmet need for support services associated with their experiences of child sexual abuse.¹²⁹⁸ One local authority in the East Midlands told the Inquiry that it had commissioned a service designed to support 800 individuals per year, but received over 800 referrals in the first three months of the contract.¹²⁹⁹

36. The Inquiry’s Support Services Research Report noted that some of those who had no experience of support described being unsure of how to seek help.¹³⁰⁰ Other victims and survivors said that they had to “fight” to receive help, often asking for support multiple times and encountering professionals who seemed reluctant to assist them.¹³⁰¹ A Truth Project participant summarised the problems encountered by many victims and survivors:

*“the impression that I got was that there were some [support services] out there but you had to [be] prepared to fight tooth and nail for them. And for a person who is actually genuinely and consistently struggling, that’s nearly impossible to get to”.*¹³⁰²

37. A report commissioned by the National Society for the Prevention of Cruelty to Children (NSPCC) found that children and young people did not always “have a clear picture of what services there are for them or how they will be treated if they try to ask for help”.¹³⁰³

38. A number of problems with access to support were identified.

38.1. Signposting or referrals: Victims and survivors are not consistently directed towards relevant support services by institutions connected to the abuse, or by other statutory bodies. Health providers, social care or education providers each have different statutory duties and referral mechanisms. Victims and survivors may also encounter difficulties in being referred to support services by their GP.¹³⁰⁴

38.2. Eligibility criteria: Support may be inaccessible to those without a qualifying medical diagnosis or the right circumstances (such as a stable home life). There can be a particular problem for young people seeking support through CAMHS because of the access criteria for these services in some parts of England and Wales.¹³⁰⁵ The Centre for Social Justice report noted that one CAMHS provider said that:

*“Unfortunately it’s no longer enough to have experienced a trauma like sexual abuse. We can only see children with a severe mental health condition requiring therapy.”*¹³⁰⁶

¹²⁹⁸ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, Chapter 5.2

¹²⁹⁹ LGA000003_007

¹³⁰⁰ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p63

¹³⁰¹ *Truth Project Thematic Report: Child sexual abuse in the context of religious institutions*, IICSA, May 2019, p6; *Victim and survivor voices from The Truth Project*, IICSA, October 2017, p128; *Victims and Survivors Forum Consultation on Redress: Summary Report*, IICSA, October 2020, pp14–15, paras 25–28

¹³⁰² *Truth Project Thematic Report: Child sexual abuse in sports*, IICSA, June 2020, p65

¹³⁰³ INQ006704_145

¹³⁰⁴ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p39

¹³⁰⁵ *Child Sexual Exploitation by Organised Networks Investigation Report*, Part F.6 para 47, Part J.5 para 24

¹³⁰⁶ INQ006704_150 para 1

In 2015, a letter from a service in London showed that the only children who would be accepted during a six-month period would be those exhibiting “*psychotic presentation, significant depression, serious self-harm, suicidal ideation [and] severe OCD [obsessive compulsive disorder]*”.¹³⁰⁷

38.3. Availability: There is variation in the availability of support services nationally and locally. Generally, the Inquiry heard that there is a ‘postcode lottery’ in the provision of local services and in the ability of existing support services to meet the need.¹³⁰⁸ If there is no local provision, this can result in victims and survivors having to travel long distances to access help.

38.4. Specialist advice: Individuals may seek help through general health services, which do not have any specialism in helping victims and survivors of child sexual abuse and may not be trained in trauma-informed responses. Support provided to victims and survivors of child sexual abuse should be tailored to their particular needs, which may vary according to a number of factors, including sex, ethnicity, sexual orientation and age. Some victims and survivors from ethnic minorities described how important it had been to have support from someone who was able to understand how their culture would have reacted to their experience and the impacts of the abuse.¹³⁰⁹ Others told the Inquiry that where support services (including interpreters) are part of the same ethnic minority community as the victim and survivor, the fear of disclosure getting back to families and communities meant that victims and survivors are less likely to disclose child sexual abuse.¹³¹⁰

38.5. Waiting lists: Victims and survivors can often experience long delays waiting for support, ranging from months to years.¹³¹¹ The Inquiry was told that although there was regional variation, it could take six to eight months to see a therapist at a Rape Crisis centre.¹³¹² Some child victims and survivors in Lambeth waited six to nine months for support through CAMHS.¹³¹³ A recent survey of GPs found that in some areas it took children and young people two years after being referred by their GP to start receiving help.¹³¹⁴ Others told the Inquiry that they waited much longer than this for help.¹³¹⁵ The Care Quality Commission confirmed that “*sometimes children and young people and the families reach the crisis point before they end up getting help*”.¹³¹⁶ Some may give up waiting.

38.6. Time limits on amount of support provided: The number of sessions available differs dramatically, depending on the type of support accessed and where in the country the support is being accessed.¹³¹⁷ Participants in the Inquiry’s research made clear that therapeutic services should be both free and available for as long as victims and survivors need them, offering ongoing support.

¹³⁰⁷ INQ006704_150 para 3

¹³⁰⁸ *Accountability and Reparations Investigation Report*, Part E.2 para 5; *Victims and Survivors Forum Consultation on the Criminal Justice System: Summary Report*, IICSA, May 2019, pp6–7, paras 24–27

¹³⁰⁹ “*People don’t talk about it*”: *Child sexual abuse in ethnic minority communities*, IICSA, June 2020, Chapter 7.2.3 p84

¹³¹⁰ *Engagement with support services for ethnic minority communities*, IICSA, April 2021, p17

¹³¹¹ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, Chapter 5.1 p58, Chapter 4.3 p46

¹³¹² Lee Eggleston 11 December 2018 99/9-10

¹³¹³ Emma Harewood 28 July 2020 104/18-22

¹³¹⁴ INQ006869

¹³¹⁵ AR-A13 30 November 2018 65/19-23

¹³¹⁶ *Child Sexual Exploitation by Organised Networks Investigation Report*, Part F.6 para 47

¹³¹⁷ INQ006827

39. The Inquiry also heard about the difficulties that victims and survivors can face in accessing support due to their sexual orientation. One Victims and Survivors Forum member told the Inquiry that their sexual orientation impacted their ability to seek help because they feared facing discrimination.¹³¹⁸ Many LGBTQ+ people told the Inquiry that as young people they did not feel comfortable or welcomed by child sexual abuse support services aimed at the general public and instead sought out services specifically targeted at the LGBTQ+ community, as it felt safer.¹³¹⁹ Some who accessed non-specialist support considered that sometimes issues related to their sexual orientation were poorly understood.¹³²⁰

Simplifying access

40. The problems many victims and survivors experienced when trying to access support are in part due to the fragmented and complex funding and commissioning of support services across England and Wales from the public, private and third sectors.

Funding arrangements

41. Public sector support services use public money either to provide services directly to victims and survivors or to commission other organisations, typically third-sector groups, to provide support.

42. Funding used for public sector services derives from a range of sources. The *Interim Report of the Independent Inquiry into Child Sexual Abuse (the Interim Report)* recommended that the UK government and Welsh Government should establish the levels of public expenditure and the effectiveness of that expenditure on services for child victims and adult survivors of child sexual abuse in England and in Wales.¹³²¹ The UK government's response, published in February 2020, provided an expenditure review for services which provide support to victims and survivors.¹³²² This review illustrated the complexity of funding.

43. Third-sector organisations also provide services that are funded by donations and grants. Some victims and survivors of child sexual abuse access these services directly. The All-Party Parliamentary Group on Sexual Violence described the demand for specialist sexual violence and abuse services as “unprecedented” even before the COVID-19 pandemic.¹³²³

44. There needs to be a focus on identifying the level of need and the resources to match the identified need for support services for child victims and adult survivors of child sexual abuse in England and in Wales. A long-term funding model is also needed for the future.

Commissioning arrangements

45. In evidence to the Inquiry, concerns were expressed that commissioning arrangements need to be simplified. A recent inspection of the police and Crown Prosecution Service's response to rape heard that applying for a public sector commissioning contract is “resource

¹³¹⁸ *Victims and Survivors Forum Consultation on Protected Characteristics: Summary Report*, IICSA, February 2021, pp18–19 para 40

¹³¹⁹ *Engagement with lesbian, gay, bisexual, transgender and queer/questioning + victims and survivors*, IICSA, May 2022, p26

¹³²⁰ *Child Sexual Exploitation by Organised Networks Investigation Report*, Part D.3 para 46

¹³²¹ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 7 paras 17–18

¹³²² *Government response to recommendation 17 of the Interim Report of IICSA dated 26 February 2020*, p2 para 6

¹³²³ INQ006821_004

intensive”: “one provider told inspectors that they employ two full-time staff with the sole responsibility of preparing for the commissioning process”.¹³²⁴ Third-sector service providers told the Inquiry that the commissioning process was overly complicated and time-consuming.¹³²⁵

46. Public sector support services are commissioned at both a local level (such as CAMHS) and a national level (for example, SARCs). A number of public commissioning bodies, across sectors including health, criminal justice and social care, have different but sometimes overlapping areas of responsibility for commissioning support. These commissioners are also responsible for different, and sometimes overlapping, geographical areas. Some sectors are the responsibility of the UK government whereas others are devolved matters, the responsibility of the Welsh Government. There is a lack of clear and concrete differentiation between the aims of the services commissioned by these different bodies. For example, police and crime commissioners are responsible for services for victims of crime, which include victims and survivors of child sexual abuse. However, local health commissioners (now part of integrated care systems, partnerships between the organisations that meet health and care needs across an area) are also responsible for services “*that understand the specific needs of victims and survivors of sexual assault and abuse*”, including those that treat post-traumatic stress disorder.¹³²⁶ There is no requirement or incentive for these services to work together, despite the Home Office recognising this as good practice.¹³²⁷

47. This fragmented and complex commissioning landscape is problematic for service providers and, more importantly, can make accessing support difficult and confusing for victims and survivors.¹³²⁸ The Ministry of Justice has acknowledged that the support available to children and young people who have experienced sexual abuse encompasses a wide range of services, funded by several different national and local commissioners, and that complicated commissioning and funding processes can lead to variations and inconsistencies in local provision.¹³²⁹

48. It is clear that the current system for commissioning support services is not working well. Multidisciplinary services with a single point of contact can provide better support for victims and survivors. NHS England is in the process of commissioning ‘Enhanced Mental Health pathfinder’ sites across England. The sites aim to improve care for victims and survivors of sexual assault and abuse with complex trauma related mental health needs. The Inquiry was told that it was establishing these sites to reflect that:

- some victims and survivors have “*persistently increased frequency of mental ill health that is not resolved through initial brief intervention*”; and
- “*general community adult or Children and Young People mental health service provision may not be sufficiently tailored to the needs of victims/survivors*”.¹³³⁰

49. There is scope for the UK government and Welsh Government to require the introduction of single local commissioning partnerships for support services for child sexual abuse. The commissioning partnerships could bring together all relevant commissioning partners, such as police and crime commissioners, local authorities and integrated care

¹³²⁴ INQ006818_049-050; Note that the case file assessments examined rape cases recorded by the police where both the victim and suspect were adults at the time of the offence.

¹³²⁵ Michael May 5 July 2017 145/21-148/1; Vivienne Hayes 5 July 2017 148/5-149/25

¹³²⁶ HOM003389_037

¹³²⁷ HOM003389_017

¹³²⁸ *Accountability and Reparations Investigation Report*, Part E.4 para 30.2

¹³²⁹ MOJ000929_018 para 65

¹³³⁰ NHS000039

systems. Currently, commissioners have individual responsibilities that are relevant to services for child sexual abuse but there is no requirement for these bodies to work together. In order to be effective, the commissioning partnership would need to use a single, pooled budget.

50. Some local authorities and police and crime commissioners told the Inquiry that they already try to work collaboratively. Merseyside’s Police and Crime Commissioner described that joint commissioning had taken “*concerted effort and strong will*” to ensure that all commissioners were working to a “*single service specification, single reporting standards and contract management meetings*”.¹³³¹ Others noted that there were challenges to working collaboratively with other partners due to fragmentation throughout the support services system, such as in the varying aims of different funding sources. One local authority in the South West described collaborative work through a partnership oversight board which involves NHS England, the police and crime commissioner, the police, public health services, two councils and commissioned services. They are currently working to simplify access to support services.¹³³²

51. The UK government and Welsh Government should support and encourage the collaborative working which already exists. This would make support services more coherent and accessible to victims and survivors.

52. Local commissioners should also consider the introduction of a single local point of contact to coordinate access to support services. Victims and survivors would have the same referral point irrespective of where they made a disclosure. The simplicity of having a single contact point, as well as the multiple potential referral routes to this point, could increase clarity and awareness amongst the public about how to seek support. Victims and survivors told the Inquiry that a central agency that could ensure that victims and survivors are signposted to the most appropriate and comprehensive support available would be helpful.¹³³³

53. Navigating access to support services can be difficult for victims and survivors where they are not accessing support from the institution itself or as part of the criminal justice system, via a SARC for example. The experiences and needs of victims and survivors should be at the centre of the design of support services.

54. In addition to the Child House model, there have been other examples of child-centred approaches. The Centre for Social Justice referred to a service in York which was a specialist child sexual assault assessment centre where play therapists worked alongside paediatricians to put children at ease and reduce their anxiety.¹³³⁴ Similarly, in 2021 the Children’s Society established the Support Rethought programme, funded by the Home Office with referrals from the police, social services, GPs, and parents or the child victim.¹³³⁵ It offers child victims of sexual abuse one-to-one support within six weeks of reporting abuse, as well as support for parents (where the parent was not involved in the abuse). Project workers provide emotional support, suggest coping strategies, assess the child’s needs and act as advocates.

¹³³¹ INQ006547

¹³³² LGA000003_007

¹³³³ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, Chapter 5.3 pp70–71

¹³³⁴ INQ006704_152 para 2

¹³³⁵ INQ006826

H.4: Support to child victims

55. Child victims of sexual abuse are likely to benefit most from timely access to therapeutic support services. Recent research shows that early interventions are effective at reducing the impact of child sexual abuse and preventing significant mental health problems in later life.¹³³⁶ Support workers for child victims and survivors of sexual abuse confirmed that when young victims and survivors received timely support this reduced long-term detrimental impacts.¹³³⁷ Delayed or inadequate support can have serious consequences, with some young victims and survivors developing physical or mental health issues, dependency issues, or antisocial or criminal behaviours.¹³³⁸ As set out above, reliance on statutory health provision can lead to long waiting times and insufficiently specialist treatment.

56. The National Institute for Health and Care Excellence (NICE) recommends therapeutic interventions for children, young people and families after sexual abuse. Services such as trauma-focussed cognitive behavioural therapy, counselling, and socio-educative and creative therapy are given as examples of these interventions.¹³³⁹ A recent NSPCC evaluation report of a therapeutic intervention for children affected by sexual abuse and their carers concluded:

*“children and young people who have experienced sexual abuse need therapeutic support. At present, the availability of such support is much too little and much too late”.*¹³⁴⁰

57. The Inquiry heard evidence that CAMHS is unable to provide therapeutic services to child victims and survivors in a timely fashion. The 2022 report by the Children’s Commissioner for England suggested that, although there have been improvements in waiting times given an increase in investment, there is still a postcode lottery for accessing CAMHS services. It found wide variation between local areas, with the percentage of children waiting for treatment at the end of the year 2020/21 varying from 14 percent to 78 percent.¹³⁴¹

58. The COVID-19 pandemic has also increased the pressure on CAMHS, making access even more difficult. A recent survey (from March to April 2022) of more than 1,000 GPs found that 95 percent of GPs described CAMHS as in crisis or inadequate. A CAMHS service in eastern England declined to take on a 12-year-old boy found with a ligature in his room because the lack of any marks on his neck meant its referral criteria had not been met.¹³⁴²

59. The 2021 *Tackling Child Sexual Abuse Strategy* stated that the UK government wishes “to encourage all healthcare professionals and organisations to take trauma-informed approaches” and has made some further investment in services, but plans are still being developed by NHS England and NHS Improvement.¹³⁴³ The Welsh Government’s *National Action Plan: Preventing and Responding to Child Sexual Abuse* states that children who have been sexually abused should have access to trauma-informed services and appropriate therapeutic support

¹³³⁶ INQ006846_002

¹³³⁷ *Engagement with children and young people*, IICSA, June 2021, p18 para 6

¹³³⁸ *Engagement with children and young people*, IICSA, June 2021, p18

¹³³⁹ INQ006946

¹³⁴⁰ INQ006868_015

¹³⁴¹ INQ006822_002

¹³⁴² INQ006869

¹³⁴³ INQ006448_080 para 255

based on their individual care and support needs.¹³⁴⁴ Despite specialist therapeutic support being recommended by NICE and supported by the UK government and Welsh Government, child victims and survivors struggle to access timely therapeutic support.

60. As well as simplifying access to support services for all victims and survivors, there is an urgent need to provide specialist therapeutic support for child victims and survivors of sexual abuse. The Inquiry therefore recommends the introduction of a national guarantee to enable child victims of sexual abuse to access specialist therapeutic support in a timely way.

Recommendation 16: Specialist therapeutic support for child victims of sexual abuse

The Inquiry recommends that the UK government and the Welsh Government introduce a national guarantee that child victims of sexual abuse will be offered specialist and accredited therapeutic support. There should be sufficient supply of these services so that children in all parts of England and Wales can access support in a timely way.

These services should be fully funded. Responsibility for commissioning these services should be given to local authorities.

There must be no eligibility criteria for children to access these specialist therapeutic services other than having been a victim of child sexual abuse.

H.5: Access to records

61. Access to records can be important for victims and survivors who wish to understand their past, including decisions about their care, the circumstances in which the abuse took place and why the abuse was able to continue.¹³⁴⁵

62. Relevant records include those made about an individual child, for example attendance records, social care records and safeguarding records. Social care records may set out details of referrals, general assessments and visits relating to children in care. Safeguarding records may include safeguarding concerns or allegations and details of any actions taken. There may also be records which, although not personal to specific victims and survivors, are relevant to establishing what happened at an institution, for example safeguarding policies and procedures, personnel files, and details of investigations or disciplinary procedures.

63. During the Inquiry's work, concerns have been raised about access to records.¹³⁴⁶ One Victims and Survivors Forum member described how *"a lack of closure meant being unable to move on and achieve in other areas of life. There is a feeling of perpetual childhood"*.¹³⁴⁷ The manner in which institutions dealt with victims and survivors accessing and viewing their

¹³⁴⁴ CIW000042_021

¹³⁴⁵ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 6.3, p72; *Victims and Survivors Forum Consultation on Accessing Records: Summary Report*, IICSA, March 2020, p2; *Nottinghamshire Councils Investigation Report*, Part F.2 paras 39–46; *Child Migration Programmes Investigation Report*, Part C.2.11 paras 37–46

¹³⁴⁶ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 6.3, p72; *Victims and Survivors Forum Consultation on Accessing Records: Summary Report*, IICSA, March 2020, pp2–6; *Nottinghamshire Councils Investigation Report*, Part F.2 paras 46–49, Part G.1 para 14; *Child Migration Programmes Investigation Report*, Part D para 13; *Victims and Survivors Forum Consultation on Accessing Records: Summary Report*, IICSA, March 2020, pp10–11 paras 23–29

¹³⁴⁷ *Victims and Survivors Forum Consultation on Accessing Records: Summary Report*, IICSA, March 2020, p8 para 13

records was also often criticised for being unsupportive, defensive and critical. Being unable to easily access records can compound victims and survivors' sense of feeling let down by the institutions responsible for their care and lead to perceptions of cover-up.¹³⁴⁸

64. These records are often of significance in criminal and civil proceedings. Their absence may mean that prosecutions cannot proceed or that claims for compensation fail, preventing victims and survivors from obtaining redress.¹³⁴⁹ One Victims and Survivors Forum member stated:

*"I applied to CICA [Criminal Injuries Compensation Authority] but I was turned down due to no longer having access to the police and court records because my abuse happened over 50 years ago and the records were not kept that far back. So I just gave up."*¹³⁵⁰

65. In previous reports and inquiries into child sexual abuse, recommendations relating to records management were the second most frequently identified area for change.¹³⁵¹ The Inquiry has also made recommendations to improve systems and processes in a number of institutions.¹³⁵² Nonetheless, given the importance of this issue, the Inquiry examined whether wider improvements to access to records are required.

Retention periods

66. Relevant UK legislation does not stipulate how long organisations should keep personal data – simply that organisations must not keep data for longer than is necessary in accordance with their own policies.¹³⁵³ Retention periods for records which may contain information about child sexual abuse therefore vary.

67. The retention of records by institutions in the context of child sexual abuse cases is particularly important. It can take decades for victims and survivors to feel able to disclose sexual abuse and so retention periods need to be sufficiently long to ensure that the records survive. The Inquiry encountered cases where records had been destroyed in accordance with the retention policies in place at the time and the absence of those records subsequently hindered police investigations into allegations of child sexual abuse.¹³⁵⁴

68. There may also be issues when organisations cease to exist or are replaced by new organisations. Some Victims and Survivors Forum members stated that they were informed that the relevant organisation had closed down, or was no longer operating from the same site, which had led to records being destroyed.¹³⁵⁵

¹³⁴⁸ *Nottinghamshire Councils Investigation Report*, Part F.2 para 46; *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 6.3, p72; *Victims and Survivors Forum Consultation on Accessing Records: Summary Report*, IICSA, March 2020, p9 para 18

¹³⁴⁹ *Victims and Survivors Forum Consultation on Accessing Records: Summary Report*, IICSA, March 2020, p7 paras 10–11; *Accountability and Reparations Investigation Report*, Part C.5 paras 26, 27.3

¹³⁵⁰ *Victims and Survivors Forum Consultation on Redress*, IICSA, October 2020, p7 para 2

¹³⁵¹ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 2.5 p13 (Table 1), Chapter 6.3 p72

¹³⁵² *The Anglican Church Investigation Report*, Part D.4 (Recommendation 4); *Sexual Abuse of Children in Custodial Institutions Investigation Report*, Part C.3 para 30, Part E.12 para 178, Part E.13 para 211; *Responses to recommendation 3 of the Child Migration Programmes Investigation Report dated January 2020*

¹³⁵³ Regulation (EU) 2016/679 of the European Parliament and of the Council, Article 5(1)(e); Data Protection Act 2018, section 39(1)

¹³⁵⁴ *Diocese of Chichester/Peter Ball Investigation Report*, Part B.3 para 197, Part C.8 para 235, Part D para 15; *Nottinghamshire Councils Investigation Report*, Part A.2 para 13

¹³⁵⁵ *Victims and Survivors Forum Consultation on Accessing Records: Summary Report*, IICSA, March 2020, p5 para 7

69. Often little regard is given to the value of records for victims and survivors of child sexual abuse, and retention periods may be too short to allow for delayed disclosure. Specific records relating to child sexual abuse should be subject to a longer retention period, reflecting their inherent value to survivors. This would allow for delayed disclosure and recognise the difficulties that may be faced by victims and survivors in being able or ready to access this information.

70. Most new records are now electronic, which should allow for easier identification of relevant records. Nevertheless, the Inquiry recognises that this is a complex area with the potential to affect a range of organisations, and may place a new burden on some. However, data protection legislation requires organisations to have in place appropriate retention periods, and to ensure that data are not kept for longer than is necessary. A longer retention period is in the public interest and is justified.

71. Where an organisation has identified that it holds records that are known to relate to allegations or cases of child sexual abuse, that material should be retained for 75 years with review periods as appropriate. This reflects the requirement to retain records relating to looked after children and care homes until the individual's 75th birthday.¹³⁵⁶ Those relating to adoption are kept for 100 years.¹³⁵⁷

Process and procedures for accessing records

72. Under the Data Protection Act 2018, victims and survivors have a legal right to request copies of records containing their personal information. This is known as the right of access or subject access request.¹³⁵⁸ Responding to these requests may require institutions not only to identify the relevant records but also to consider, and if necessary redact, information relating to third parties before disclosing them. For example, a record may need redacting if it contains sensitive information about another individual and it is not reasonable to disclose that information. Attempting to obtain third-party consent may also contribute to the time taken. As a result, accessing personal records can be a lengthy and complex process where the time limits set out in the 2018 Act are not met.

73. Victims and survivors have faced difficulties when requesting their records from institutions. One Victims and Survivors Forum member described their experience as “*a war of attrition*”.¹³⁵⁹ Issues may include long delays, procedural hurdles, and poor communication and explanations from the institutions.¹³⁶⁰ The Inquiry also received evidence that some institutions did not respond appropriately to requests for access to records.¹³⁶¹ For some complainants, the search for records and the lack of communication and explanation was difficult and upsetting.

74. Victims and survivors may also need practical and emotional support when accessing their records. Reading records may bring back traumatic memories and cause distress.¹³⁶² Records that are redacted may also cause frustration, particularly if there is no explanation as to why they are redacted.¹³⁶³

¹³⁵⁶ Children's Homes (England) Regulations 2015, regulation 36

¹³⁵⁷ Disclosure of Adoption Information (Post-Commencement Adoptions) Regulations 2005, regulation 6

¹³⁵⁸ Data Protection Act 2018, section 45

¹³⁵⁹ *Victims and Survivors Forum Consultation on Accessing Records: Summary Report*, IICSA, March 2020, p4 para 1

¹³⁶⁰ *Nottinghamshire Councils Investigation Report*, Part F.2 paras 46–49; *Victims and Survivors Forum Consultation on Accessing Records: Summary Report*, IICSA, March 2020, p5 paras 5–8

¹³⁶¹ *Nottinghamshire Councils Investigation Report*, Part F.2 para 48

¹³⁶² *Victims and Survivors Forum Consultation on Accessing Records: Summary Report*, IICSA, March 2020, p11 para 28

¹³⁶³ *Victims and Survivors Forum Consultation on Accessing Records: Summary Report*, IICSA, March 2020, p11 para 26

75. The Information Commissioner’s Office (ICO) already has a general guide setting out how organisations should respond to subject access requests. However, the content is for all sectors and does not recognise the particular challenges faced by victims and survivors of child sexual abuse. The Data Protection Act 2018 (the 2018 Act) requires the Information Commissioner to prepare four codes of practice.¹³⁶⁴ Two codes of practice have been developed by the ICO, with two more under development.¹³⁶⁵ There is provision in the 2018 Act for the Secretary of State to make regulations requiring the ICO to prepare other codes of practice.¹³⁶⁶ The Inquiry recommends that the issue of access to records about child sexual abuse is addressed in a new code of practice.

Recommendation 17: Access to records

The Inquiry recommends that the UK government directs the Information Commissioner’s Office to introduce a code of practice on retention of and access to records known to relate to child sexual abuse.

The retention period for records known to relate to allegations or cases of child sexual abuse should be 75 years with appropriate review periods.

The code should set out that institutions should have:

- retention policies that reflect the importance of such records to victims and survivors, and that they may take decades to seek to access such records;
- clear and accessible procedures for victims and survivors of child sexual abuse to access such records;
- policies, procedures and training for staff responding to requests to ensure that they recognise the long-term impact of child sexual abuse and engage with the applicant with empathy.

¹³⁶⁴ Data Protection Act 2018, sections 121–124

¹³⁶⁵ INQ006895

¹³⁶⁶ Data Protection Act 2018, section 128

Part I

Making amends

Making amends

I.1: Introduction

1. Over many decades, there have been serious and wide-ranging failures by both State and non-State institutions to protect children from child sexual abuse and exploitation or the risk of such abuse. This occurred in a wide range of settings, including local authority children's homes, schools, voluntary organisations and religious institutions. The impact of child sexual abuse on victims and survivors can be devastating and lifelong. Appropriate and meaningful reparation and redress, including by the State, may help alleviate some of this impact.

2. There are a number of key elements of redress which are important to victims and survivors. These include:

- **Acknowledgement** of abuse and the harm caused. This is a vital step from which other forms of reparation can flow. It can also assist institutions to accept the failures of the past and use the learning to better protect children in the future.
- Genuine and meaningful **apologies**, in particular from the institutions, bodies and individuals that victims and survivors see as responsible for their abuse. For many, a sincere apology is more important than compensation.
- **Assurances** about the prevention of child sexual abuse, particularly to those who choose to share their experiences.
- **Financial redress**. This can never fully compensate victims and survivors for the sexual abuse suffered as children, but it can recognise the impact of the abuse and go some way to helping victims and survivors.

3. Many institutions repeatedly failed to meet the needs of victims and survivors seeking redress or even to acknowledge their experiences. Often they were driven by reputational and financial concerns, rather than concern for children who have been abused. As a result, victims and survivors have been left feeling unheard, dismissed and unsupported.

4. Victims and survivors may also seek financial redress through the civil justice system (discussed in Part G) and the Criminal Injuries Compensation Scheme (discussed below). However, these systems often do not adequately provide the comprehensive accountability and reparation sought by victims and survivors of child sexual abuse. There are improvements that should be made and the Inquiry has already recommended a number of changes. As a result of failures by the State, statutory agencies and the systems for protecting victims and survivors, the Inquiry recommends further changes, including the creation of a national redress scheme.

I.2: Acknowledgement

5. For some victims and survivors, acknowledgement that sexual abuse occurred is often an important form of reparation. Recognition may be provided by individuals, institutions and wider society. For this to happen, victims and survivors must be listened to and taken seriously.

6. Participants in the Inquiry's Truth Project were motivated to participate for a variety of reasons. They stated that being able to disclose their experiences was important in helping them feel listened to.¹³⁶⁷ For example, the *"most discussed support need"* for victims and survivors of child sexual abuse in ethnic minority communities was being able to share their experiences, having felt unable to talk about them for years.¹³⁶⁸ A participant in the research report on ethnic minority communities described the importance of being listened to:

*"I'm 65, and the Truth Project is the first support I've felt I've had in my whole life where I can actually tell a story. So I've waited a very long time. I'm so grateful that this has happened."*¹³⁶⁹

7. For some victims and survivors, acknowledgement of the abuse and acceptance that it should not have happened is particularly important.¹³⁷⁰ This can provide them with a sense of vindication and relief, often after years of feeling ignored. It may also help to lessen feelings of shame and guilt that can result from being abused as a child. As one member of the Victims and Survivors Forum explained, *"some acceptance by the organisations involved would be a start for me to feel less [like] a 'dirty secret'"*.¹³⁷¹

8. Institutions often dismissed or did not sufficiently act on disclosures or reports of abuse, from both children and adults, and refused to meet with victims and survivors.¹³⁷² Baroness Sheila Hollins said that, during the course of her role as a member of the Pontifical Commission for the Protection of Minors in the Roman Catholic Church, she heard about *"many situations from different countries where there had been delays or refusals to meet people making complaints"* and that this was *"devastating"* for them. She added that the value and impact of meeting with a victim or complainant was:

*"Because if you are able to sit and to hear something which is extraordinarily painful and which a person has not been able to tell before, and you are able to hear it, then that goes a huge way to feeling believed ... I mean, it just changes everything."*¹³⁷³

9. Some institutions also responded without compassion, empathy or respect and used defensive language driven by concerns about legal liability and associated financial consequences, rather than concerns for those who had been abused.¹³⁷⁴ Denial of child sexual abuse or failure of the institution to acknowledge child sexual abuse was also a recurring theme in the Truth Project.¹³⁷⁵

10. In recent years, some institutions have begun to acknowledge the abuse experienced by so many in their care, as indicated by the apologies made. However, in many instances this came after decades of poor responses towards victims and survivors and refusals to acknowledge that the sexual abuse had occurred.

¹³⁶⁷ *Truth Project Thematic Report: Child sexual abuse in healthcare contexts*, IICSA, December 2020, Chapter 7.2, p47

¹³⁶⁸ *"People don't talk about it": Child sexual abuse in ethnic minority communities*, IICSA, June 2020, Chapter 7.2.2, p82

¹³⁶⁹ *"People don't talk about it": Child sexual abuse in ethnic minority communities*, IICSA, June 2020, Chapter 7.2.2, p82

¹³⁷⁰ *Accountability and Reparations Investigation Report*, Part A3 para 7.3, Part C.3 para 16; *Victims and Survivors Forum Consultation on Redress: Summary Report*, IICSA, October 2020, p13 para 21; *The Roman Catholic Church Investigation Report*, Part H.2 paras 23–24; *Lambeth Council Investigation Report*, Part F.9 paras 68–69

¹³⁷¹ *Victims and Survivors Forum Consultation on Redress: Summary Report*, IICSA, October 2020, p13 para 21

¹³⁷² *Diocese of Chichester/Peter Ball Investigation Report*, Part B.1 para 12, Part D (conclusions), Part D para 6; *Residential Schools Investigation Report*, Part F.3 para 19; *Lambeth Council Investigation Report*, Part B.4 para 85, Part K.1 para 11; *The Roman Catholic Church Investigation Report*, Part H.2 paras 16–19

¹³⁷³ *The Roman Catholic Church Investigation Report*, Part H.1 para 2

¹³⁷⁴ *Institutional Responses to Allegations of Child Sexual Abuse involving the Late Lord Janner of Braunstone QC Investigation Report*, Executive Summary pvi; *The Roman Catholic Church Investigation Report*, Part H.1 para 3, Part H.2 para 14, Part H.5 paras 35–56, Part J.1 paras 1–3, Part K.2 paras 8–9; *Diocese of Chichester/Peter Ball Investigation Report*, Part B.1 para 13

¹³⁷⁵ *Victim and survivor voices from the Truth Project*, IICSA, October 2017, Chapter 7.2, p88

I.3: Apologies

11. Apologies are a valuable form of reparation for victims and survivors:¹³⁷⁶

“while an apology ... can’t undo damage, what it does do, crucially, I think, is restore people’s sense of themselves as human beings, which they feel often gets lost in large organisations ... it resets a human-to-human relationship and it takes out some degree of the power differential that has happened when an individual confronts an institution. This power differential is part of the harm.”¹³⁷⁷

12. For an apology to offer proper reparation to victims and survivors, it must be genuine and meaningful. An apology should be made directly to the individual and, if requested, face-to-face.¹³⁷⁸ A conditional statement, such as ‘if you were abused, then we are sorry’, is not an apology.¹³⁷⁹ It borders on being insulting to victims, with the effect of making matters worse for them. An apology’s value may also depend on whether it is made by someone in authority.¹³⁸⁰ For example, the Roman Catholic Church investigation heard evidence of both positive and inadequate apologies.

12.1. In November 2018, Cardinal Nichols apologised for the Church’s failings, stating it was a source of “*great sorrow and shame for me and, indeed, I know for the Catholic Church*”, but there was no acknowledgement of any personal responsibility to lead or influence change.¹³⁸¹

12.2. As set out in the Inquiry’s *Roman Catholic Church Case Study: Archdiocese of Birmingham Investigation Report*, RC-A491 met with Archbishop Bernard Longley, who listened to him “*in a genuine way and was in no hurry to leave*”. Archbishop Longley told RC-A491 that he was very sorry for what had happened and followed up the meeting with a letter of apology. RC-A491 said:

“It meant a lot to me for the head of the institution that failed me so terribly to look me in the eye and acknowledge my suffering, acknowledge their failure to protect me and ask for my forgiveness.”¹³⁸²

13. For some victims and survivors, an apology may come too late. Some died before any apology was made. In 2013, AN-A15 received a letter of apology from the Bishop of Chichester apologising for abuse which had happened many years ago. For her it was “*too little, too late*”.¹³⁸³ Others may welcome an apology whenever it is given. LA-A25, who was sexually abused in the 1970s and received a letter of apology from Lambeth Council in 2020, explained it was important for her to have her experience acknowledged, albeit decades later.

¹³⁷⁶ *Accountability and Reparations Investigation Report*, Part C.11 paras 150–151; *Nottinghamshire Councils Investigation Report*, Part F.2 para 34; *Victims and Survivors Forum Consultation on Redress: Summary Report*, IICSA, pp12–13 paras 17–21; *Lambeth Council Investigation Report*, Part F.9 paras 68–69

¹³⁷⁷ Margaret Heffernan 7 December 2020 128/7-25

¹³⁷⁸ Dara De Burca 10 December 2020 36/24-37/6

¹³⁷⁹ *Accountability and Reparations Investigation Report*, Part C.11 para 153.5

¹³⁸⁰ *The Roman Catholic Church Investigation Report*, Part H.2 paras 23–25; *Accountability and Reparations Investigation Report*, Part C.11 para 150.2

¹³⁸¹ *The Roman Catholic Church Investigation Report*, Executive Summary pviii

¹³⁸² *The Roman Catholic Church Investigation Report*, Part H.2 paras 23–25

¹³⁸³ *Diocese of Chichester/Peter Ball Investigation Report*, Part B.8 paras 360–366

*"I felt relieved, because ... it gave me a sense that I was believed, after all, and they were sorry. But it isn't this Lambeth [Council] that needs to be sorry."*¹³⁸⁴

14. For some, an apology that is not accompanied by significant change is inadequate. As one complainant told the Inquiry, an apology where *"nothing has changed"* was *"a candy floss apology"* or *"prattle without practice"*.¹³⁸⁵

15. Apologies were often not made, even where the perpetrator had been convicted.¹³⁸⁶ Although some victims and survivors have now received apologies, others may still be waiting.¹³⁸⁷ For example, as set out in the Inquiry's *Residential Schools Investigation Report*, complainant RS-A7 confirmed that Buckinghamshire County Council had not been in touch with him. This was despite the Council stating during the hearings that it would contact those involved to discuss an apology.¹³⁸⁸

16. Public apologies can also be an important step in institutions acknowledging abuse. A number of public apologies have been made in recent years, including during the Inquiry's proceedings.¹³⁸⁹ As set out in the Inquiry's *Children in the Care of Lambeth Council Investigation Report*, it was clear many investigations and inspections over a 20-year period had revealed Lambeth Council's failures in its duty of care towards many child victims of sexual abuse. However, a fulsome apology was not given by Lambeth Council until the Inquiry's public hearing.¹³⁹⁰ This is not the only example of a public apology which may have come too late for some. The Nottinghamshire Councils took different approaches to apologising for non-recent abuse. While the County Council made a public apology, the City Council was guarded and slow to apologise, with the then City Council Leader in 2018 stating that *"we will apologise when there is something to apologise for"*. The City Council did make a public apology two weeks before the public hearings. It was viewed with cynicism by some complainants and was rejected by them.¹³⁹¹

17. It is important that any public apology is matched by a commitment to make apologies personally and individually to the victim. Some participants in the Truth Project were upset by the difference between the public responses and apologies made by a religious organisation about child sexual abuse and the private treatment and lack of response they received as individuals who had been abused within that community.¹³⁹²

¹³⁸⁴ *Lambeth Council Investigation Report*, Part F.9 paras 68–69

¹³⁸⁵ *The Anglican Church Investigation Report*, Part B.4.3 para 16

¹³⁸⁶ *Accountability and Reparations Investigation Report*, Part C.11 paras 156–157; *Nottinghamshire Councils Investigation Report*, Part F.2 para 27; *The Roman Catholic Church Investigation Report*, Executive Summary pviii, Part H.2 para 14; *Diocese of Chichester/Peter Ball Investigation Report*, Part B.1 para 13, Part B.2 para 27; *Child Protection in Religious Organisations and Settings Investigation Report*, Pen Portraits (PR-A10); *Residential Schools Investigation Report*, Part B.3 paras 64–68

¹³⁸⁷ *The Roman Catholic Church Investigation Report*, Part H.2 paras 23–25; *Diocese of Chichester/Peter Ball Investigation Report*, Part B.8 para 366, B.13 para 531; *Lambeth Council Investigation Report*, Part F.9 paras 68–69; *Nottinghamshire Councils Investigation Report*, Part F.2 para 28

¹³⁸⁸ *Residential Schools Investigation Report*, Part B.3 paras 67–68

¹³⁸⁹ *The Roman Catholic Church Investigation Report*, Executive Summary pviii; *Lambeth Council Investigation Report*, Executive Summary pvi; *Nottinghamshire Councils Investigation Report*, Executive Summary pvii, Part F.2 paras 29–30; *Accountability and Reparations Investigation Report*, C.11 para 157; *Ealing Abbey and St Benedict's School Investigation Report*, Part A.1 para 2; *Diocese of Chichester/Peter Ball Investigation Report*, Part C.13 para 420; Sheila Smith 23 November 2020 4/2-24

¹³⁹⁰ *Lambeth Council Investigation Report*, Executive Summary px

¹³⁹¹ *Nottinghamshire Councils Investigation Report*, Executive Summary pvii para 1, Part F.2 para 30

¹³⁹² *Truth Project Thematic Report: Child sexual abuse in the context of religious institutions*, IICSA, May 2019, Chapter 6.2.2, p43

18. The Inquiry previously recommended that institutions involved in the child migration programmes which had not apologised for their role should give their apologies as soon as possible.¹³⁹³ It also recommended that such apologies should be made not only through public statements but specifically to those child migrants for whose migration they were responsible. A number of apologies were subsequently made.¹³⁹⁴

Apologies and admissions of liability

19. A reluctance to apologise may be founded in concerns that an apology may amount to an admission of liability and be relied upon in civil litigation.¹³⁹⁵ Institutions may also be concerned that an apology may invalidate any insurance they have.¹³⁹⁶ Although some insurers told the Inquiry that they were now generally supportive of apologies being made by institutions, there are concerns about the timing of such an apology and whether it might amount to an admission of liability.¹³⁹⁷

The Compensation Act 2006

20. Where a civil claim is brought for negligence or breach of statutory duty, the Compensation Act 2006 allows a defendant institution to make an apology (or indeed an offer of treatment or other redress) without that amounting to an admission of negligence or breach of statutory duty.¹³⁹⁸ However, civil claims for child sexual abuse are often brought under a different legal basis, known as vicarious liability, which may make institutions liable for their employees or people in similar positions to employees.

21. While some defendants interpret the Compensation Act 2006 as extending to vicarious liability, the Act itself does not refer to it.¹³⁹⁹ A number of witnesses stated that this issue needed to be clarified.¹⁴⁰⁰

22. In September 2019, the Inquiry recommended that the government should amend the Compensation Act to make clear that institutions may apologise for abuse by persons for whom they may be vicariously liable without those apologies amounting to admissions of legal liability.¹⁴⁰¹ In April 2020, the government stated that the focus of the 2006 Act on claims in negligence and breach of statutory duty is “*not intended to suggest that the provision is only of relevance to those proceedings (and under the common law it may be equally relevant elsewhere, including in cases involving vicarious liability)*”. Nonetheless the government stated that it would “*explore further whether it would be helpful to amend the 2006 Act or take alternative action to clarify that this is the case*”.¹⁴⁰²

¹³⁹³ *Child Migration Programmes Investigation Report*, Part D paras 8–11

¹³⁹⁴ *Responses to recommendation 2 of the Child Migrant Programmes Investigation Report dated January to July 2020*

¹³⁹⁵ *Nottinghamshire Councils Investigation Report*, Part F.2 para 34; *Accountability and Reparations Investigation Report*, Part C.11 para 153; *The Roman Catholic Church Investigation Report*, Part J.2 paras 19–23

¹³⁹⁶ *The Roman Catholic Church Investigation Report*, Part J.2 paras 10–11, 19–23

¹³⁹⁷ *Accountability and Reparations Investigation Report*, Part C.11 para 153; *The Anglican Church Investigation Report*, Part B.4.3 paras 16–17

¹³⁹⁸ Compensation Act 2006, section 2

¹³⁹⁹ *Accountability and Reparations Investigation Report*, Part C.11 para 155; Compensation Act 2006, section 2

¹⁴⁰⁰ *Accountability and Reparations Investigation Report*, Part C.11 para 155; *The Roman Catholic Church Investigation Report*, Part J.2 paras 24–25

¹⁴⁰¹ *Accountability and Reparations Investigation Report*, Part G.3 (Recommendation 3)

¹⁴⁰² *Ministry of Justice response to recommendation 3 in the Accountability and Reparations Investigation Report dated 6 April 2020*; *The Roman Catholic Church Investigation Report*, Part J.2 para 27

23. In March 2021, the government made a commitment to consult on the issue of apologies.¹⁴⁰³ In November 2021, it stated that it was “*still planning to publish a consultation paper on the law of apologies*”.¹⁴⁰⁴ As at June 2022, no consultation had been launched, but in May 2022, the government informed the Inquiry that the consultation “*should run through the summer with a response before the New Year*”.¹⁴⁰⁵

24. The Inquiry also recommended that the Local Government Association (LGA) and the Association of British Insurers (ABI) produce codes of practice for responding to civil claims of child sexual abuse (discussed further in Part G). The Inquiry stated that such codes should include guidance that claimants should be offered apologies wherever possible.¹⁴⁰⁶ The ABI published its code in August 2021, which states that insurers should “*never prevent or discourage their policyholder from apologising to a claimant*”.¹⁴⁰⁷ If applied, this should remove the possibility that insurance cover will be forfeited if apologies are made by institutions. The LGA’s draft code was expected to be published in November 2021.¹⁴⁰⁸ As at June 2022, it is still awaited.

I.4: Assurances on the prevention of sexual abuse

25. More than half of the participants in the Inquiry’s Truth Project stated that one of the reasons for sharing their experiences was to try to prevent abuse of other children.¹⁴⁰⁹ During the Inquiry’s hearings, one witness said:

*“What we want is, recognise that this stuff happened, recognise it didn’t need to happen. We need to hold to account the systems, if not the people, that the systems failed us. If we can achieve that, and if, as I mentioned earlier on, we can also recognise that the adversities that are caused in these circumstances are lifelong in their effect and generationally they affect so many people, if there is a recognition of all of that, then perhaps these organisations will be far more careful in the future, and hopefully prevent it from happening again and again and again.”*¹⁴¹⁰

26. Some victims and survivors wanted institutions to explain why the abuse was allowed to happen, and to be given assurances that the institutions would not let it happen again to other children.¹⁴¹¹

27. Evidence of institutions providing such assurances to victims and survivors was not commonplace. In the context of civil litigation, one defendant solicitor told the Inquiry that, on a limited number of occasions, he had been able to facilitate meetings between claimants and defendant institutions:

¹⁴⁰³ [Ministry of Justice response to recommendation 3 in the Accountability and Reparations Investigation Report dated 16 March 2021](#)

¹⁴⁰⁴ [Ministry of Justice response to recommendation 3 in the Accountability and Reparations Investigation Report dated 5 November 2021](#)

¹⁴⁰⁵ [Ministry of Justice response to recommendation 3 in the Accountability and Reparations Investigation Report dated 4 May 2022, p1](#)

¹⁴⁰⁶ [Accountability and Reparations Investigation Report, Part G.3 \(Recommendation 2\)](#)

¹⁴⁰⁷ [INQ006833_002_007](#)

¹⁴⁰⁸ [INQ006819](#)

¹⁴⁰⁹ [Victims and Survivors’ Voices, Part B.2](#)

¹⁴¹⁰ [Accountability and Reparations Investigation Report, Pen Portraits \(AR-A1\)](#)

¹⁴¹¹ [Accountability and Reparations Investigation Report, Part A.3 para 7.5, Part C.11 para 152; Victims and Survivors Forum Consultation on Redress: Summary Report, IICSA, October 2020, p15 para 29](#)

“so that the assurances can actually be provided face to face and that the survivor can ask any questions that they wish about what practices/procedures are in place nowadays”.

However, he cautioned that, with non-recent claims, the institution in question may have *“transformed out of all recognition”* since the abuse took place.¹⁴¹²

28. Informing victims and survivors about preventive steps which have been taken to protect children since the abuse occurred can be of real significance to them. Not only can it reassure the individual who has been abused, it can also help institutions prioritise the identification of failings in order to prevent future abuse. An example of an institution engaging victims and survivors in respect of future safeguarding work is the National Survivors Panel set up by the Church of England.¹⁴¹³

I.5: Financial redress

29. Victims and survivors are entirely justified in seeking financial redress. No amount of money can fully compensate a victim for child sexual abuse that they experienced. It can, however, provide some reparation for the abuse and its consequences and help victims and survivors to gain access to valuable support and therapy.

30. In criminal proceedings, victims and survivors may be cross-examined about any compensation claims they have made and whether they are *“lying for money”*.¹⁴¹⁴ These characterisations are misplaced, offensive and are unsupported by the rare instances in which false allegations have been made. It is notable that in the context of the civil justice system, a number of claimant representatives and defendant representatives acknowledged that fraudulent child sexual abuse claims were exceptional.¹⁴¹⁵ As one insurer put it, *“there are very, very few”* such cases.¹⁴¹⁶

31. Financial redress may be obtained directly from institutions, although this depends on the approach taken by the individual institutions themselves or their insurers. Redress can include *ex gratia* payments (payments made even where there is no obligation or liability to pay it) and payments made under redress schemes.¹⁴¹⁷ There have been several examples of institutions, both within the Inquiry’s investigations and outside of them, setting up such schemes in recent years.

31.1. In 2018, Lambeth Council set up a redress scheme for victims and survivors abused in care.¹⁴¹⁸

31.2. In April 2020, the Church of England announced that it intended to set up a redress scheme.¹⁴¹⁹ Following some initial delay due to the COVID-19 pandemic, work on setting up this scheme was still ongoing as at June 2022.¹⁴²⁰ In the meantime, in

¹⁴¹² *Accountability and Reparations Investigation Report*, Part C.11 para 153.3; Alastair Gillespie 29 November 2018 67/10-68/10

¹⁴¹³ *The Anglican Church Investigation Report*, Part B.2.4 para 25.3

¹⁴¹⁴ *Accountability and Reparations Investigation Report*, Part C.2 para 10; *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.2, p53

¹⁴¹⁵ Paula Jefferson 29 November 2016 132/16-20; David Enright 29 November 2016 134/11-17; Rod Luck 29 November 2016 130/8-13; Richard Scorer 29 November 2016 125/23-126/3

¹⁴¹⁶ John Latter 29 November 2016 128/25-129/2

¹⁴¹⁷ *The Roman Catholic Church Investigation Report*, Part J.3

¹⁴¹⁸ *Lambeth Council Investigation Report*, Executive Summary px para 6, Part F.9 para 71; INQ006673

¹⁴¹⁹ *The Anglican Church Investigation Report*, Part B.2.4 para 25.5, Part B.4.3 paras 18–20

¹⁴²⁰ *Archbishops’ Council’s response to recommendation 7 of The Anglican Church Investigation Report dated 4 February 2022* paras 27–50

September 2020, it set up an interim support scheme to “give immediate help and support to survivors of Church related abuse”.¹⁴²¹ As at December 2021, 60 victims had approached the interim scheme and 40 had received an offer of assistance.¹⁴²²

31.3. In 2021, Islington Council set up a support payment scheme for people who experienced abuse (including sexual, physical and emotional abuse) in its children’s homes.¹⁴²³

A proactive approach is welcome, so that victims and survivors are not always forced to seek compensation by other means.

32. Victims and survivors seeking redress from institutions often have to rely on bringing civil claims. The civil justice system can provide compensation for child sexual abuse. As set out in Part G, many victims and survivors bringing a civil claim can be re-traumatised by this process and there can be a number of legal hurdles to overcome. Where victims and survivors are unable to pursue civil claims successfully, they may be able to obtain some financial redress from the State through a compensation scheme.

The Criminal Injuries Compensation Scheme

33. Victims of ‘violent crime’ in England and Wales (as well as Scotland) may be awarded compensation under the publicly funded Criminal Injuries Compensation Scheme (the Scheme). Any injury must have been sustained on or after 1 August 1964, the date on which the Scheme was first introduced.¹⁴²⁴ Awards under the Scheme may be made to victims whether or not there has been a successful criminal conviction. All incidents upon which an application is based, however, must have been reported to the police.¹⁴²⁵

34. This Scheme was established by the government and administered at that time by the Criminal Injuries Compensation Bureau (CICB).¹⁴²⁶ Under this Scheme compensation was assessed on the basis of common law damages, which is in line with civil claim awards.¹⁴²⁷ The Criminal Injuries Compensation Act 1995 created the Criminal Injuries Compensation Authority (CICA) and a new, tariff-based statutory scheme. The new Scheme was introduced in 1996 and has since been updated in 2001, 2008 and 2012, and amended in 2019.¹⁴²⁸

35. The Scheme is considered by the government to be an option of ‘last resort’ for those who cannot obtain compensation elsewhere and is not intended to fully compensate victims for the injuries suffered.¹⁴²⁹ Victims are “encouraged to explore other means of redress in the first instance, such as a civil claim, which may provide for higher amounts of compensation”.¹⁴³⁰

36. A successful application may provide some acknowledgement to victims and survivors. The government’s guide to the Scheme states that while “no amount of compensation can ever make up for the harm and suffering caused to victims by violent crime ... awards are intended

¹⁴²¹ [Archbishops’ Council’s response to recommendation 7 of The Anglican Church Investigation Report dated 4 February 2022](#), para 8; ACE027822_001

¹⁴²² [Archbishops’ Council’s response to recommendation 7 of The Anglican Church Investigation Report dated 4 February 2022](#) para 21

¹⁴²³ INQ006699; INQ006930

¹⁴²⁴ INQ003550_013 para 17; INQ006694_005 para 4

¹⁴²⁵ INQ006958_006

¹⁴²⁶ [Accountability and Reparations Investigation Report](#), Part D.3 para 26

¹⁴²⁷ INQ006694_006 para 8

¹⁴²⁸ [Accountability and Reparations Investigation Report](#), Part D.3 para 26; INQ006901_004

¹⁴²⁹ INQ006958_011; MOJ000018_011-012 paras 48–50

¹⁴³⁰ MOJ000018_011 para 48

to be an acknowledgement of harm and an important gesture of public sympathy”.¹⁴³¹ One applicant, whose application was initially rejected but on review was accepted, stated that he did not care how much the award was. He was happy to finally be believed.¹⁴³²

37. Victims and survivors may be unaware of the availability of financial redress under the Scheme.¹⁴³³ The CICA works with various victims’ organisations to help promote the Scheme and educate them about it so that they can help victims and survivors.¹⁴³⁴

38. Signposting to the Scheme by the police, on which victims and survivors often rely, has not always been consistent and the police have sometimes encouraged victims and survivors to wait until the conclusion of criminal proceedings.¹⁴³⁵ As with civil claims, this has been due, at least in part, to concerns that criminal proceedings might be undermined by accusations that victims and survivors have fabricated allegations to obtain compensation.¹⁴³⁶ In 2013, the College of Policing Authorised Professional Practice introduced guidance which made clear that applications to the CICA should not be delayed until the conclusion of a criminal investigation or trial.¹⁴³⁷ The same year, the Ministry of Justice also published a leaflet entitled *Information for Victims of Crime* for use by police forces in the delivery of entitlements under the *Code of Practice for Victims of Crime in England and Wales* (Victims’ Code).¹⁴³⁸ Nevertheless, despite some improvement by a number of police forces, there may still be concern among police officers that the issue of compensation may be used to undermine a victim’s credibility at any criminal trial.¹⁴³⁹

39. The Victims’ Code previously made clear that victims and survivors are entitled to apply for awards from the CICA, and provided information on how to do so.¹⁴⁴⁰ However, awareness of the Victims’ Code itself has been “pretty low” and so it is not clear that the Code has improved knowledge of the CICA Scheme amongst victims and survivors.¹⁴⁴¹ The government has stated that the revised Code “has been restructured so that victims are the primary audience”.¹⁴⁴²

40. Since the Inquiry made its previous recommendations in relation to the Victims’ Code, the College of Policing’s guidance makes clear that police officers are required to provide victims and survivors with information on their rights and entitlements under the Code.¹⁴⁴³ However, as set out in Part G, there are still concerns about compliance with the Code.

41. There are also several eligibility criteria which may have had an unfair impact on victims and survivors of child sexual abuse. Some victims and survivors of child sexual abuse may find the application process difficult and public funding is not generally available to assist

¹⁴³¹ INQ006958_003

¹⁴³² *Accountability and Reparations Investigation Report*, Part D.3 para 54

¹⁴³³ *Accountability and Reparations Investigation Report*, Part D.3 para 29; *Victims and Survivors Forum Consultation on the Criminal Justice System: Summary Report*, IICSA, May 2019, para 41

¹⁴³⁴ *Accountability and Reparations Investigation Report*, Part D.3 para 32

¹⁴³⁵ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.2, p53; *Accountability and Reparations Investigation Report*, Part D.3 paras 34–35; *Victims and Survivors Forum Consultation on the Criminal Justice System: Summary Report*, IICSA, May 2019, para 41; *Criminal Compensation Seminar: An update report*, IICSA, April 2018, Session 1 para 14

¹⁴³⁶ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.2, p53; *Accountability and Reparations Investigation Report*, Part D.3 para 35; *Criminal Compensation Seminar: An update report*, IICSA, April 2018, Session 1 para 14

¹⁴³⁷ *Accountability and Reparations Investigation Report*, Part D.3 para 36

¹⁴³⁸ *Accountability and Reparations Investigation Report*, Part D.3 paras 37–38

¹⁴³⁹ *Accountability and Reparations Investigation Report*, Part D.3 paras 39–40

¹⁴⁴⁰ *Accountability and Reparations Investigation Report*, Part D.3 para 31; INQ003556_005, 044-046

¹⁴⁴¹ *Accountability and Reparations Investigation Report*, Part D.3 para 31

¹⁴⁴² *Ministry of Justice response to recommendation 1 of the Accountability and Reparations Investigation Report dated 16 March 2021*

¹⁴⁴³ *Accountability and Reparations Investigation Report*, Part G.3 (Recommendation 1); INQ006695

applicants.¹⁴⁴⁴ Assistance may be available from solicitors (who will ordinarily enter into a conditional fee agreement with applicants and only be paid if an award is made), charitable organisations, the police or local independent sexual violence advisers (ISVAs).¹⁴⁴⁵

42. The *Interim Report of the Independent Inquiry into Child Sexual Abuse* (the *Interim Report*, April 2018) and the *Accountability and Reparations Investigation Report* (September 2019) made several recommendations to improve access to the Scheme for victims and survivors of child sexual abuse.

43. Between the publication of those reports, in September 2018, the government announced a review of the Scheme “to ensure it reflects the changing nature of crime and can better support victims, especially of historic and current child abuse”. It also stated that this would allow it to take full account of the recommendations made in the Inquiry’s *Interim Report*.¹⁴⁴⁶ The *Criminal Injuries Compensation Review 2020* consultation document was published in July 2020 and concluded that the Scheme was “working well for the majority of victims of child sexual abuse”.¹⁴⁴⁷ Aside from inviting views on increasing awards for mental injury for victims of sexual offences including children and the CICA’s approach to the language relating to consent, the review did not identify any major child abuse-related issues requiring further consultation and reform.¹⁴⁴⁸ The government received 96 responses to its consultation document and states that it will finalise its review once its supplementary consultation on the unspent convictions rule has concluded (discussed below).¹⁴⁴⁹

The ‘same roof’ rule recommendation

44. The ‘same roof’ rule prevented applicants who were abused before 1 October 1979 from receiving compensation where they were living under the same roof as their assailant. Its purpose was to stop assailants from benefiting from awards (for example, if they were a parent of the abused child).¹⁴⁵⁰ Following the Inquiry’s recommendation that the rules be revised so that applicants who previously applied for compensation in relation to child sexual abuse but were refused solely due to this rule should be entitled to reapply, the ‘same roof’ rule was abolished in relation to children in June 2019.¹⁴⁵¹

Training recommendation

45. Applications relating to child sexual abuse can raise complex issues which require careful consideration and sensitive decision-making. As set out in its *Interim Report* in April 2018, the Inquiry welcomed the steps the CICA was taking to increase the knowledge and understanding of its staff in relation to such applications. However, it was not appropriate for applications relating to child sexual abuse to be handled by the general pool of CICA caseworkers.¹⁴⁵² The Inquiry therefore recommended that claims relating to child sexual abuse should only be considered by those who have specific and detailed training in its nature and impact.¹⁴⁵³

¹⁴⁴⁴ *Accountability and Reparations Investigation Report*, Part D.3 paras 48–49; *MOJ000018_010* paras 39–40

¹⁴⁴⁵ *Accountability and Reparations Investigation Report*, Part D.3 para 48

¹⁴⁴⁶ *INQ006687_001-002*

¹⁴⁴⁷ *INQ006696_026* para 75

¹⁴⁴⁸ *INQ006696_024-025, 051-052, 068-070* paras 66–70, paras 171–173

¹⁴⁴⁹ *INQ006951_009*

¹⁴⁵⁰ *INQ006696_034-035* para 107

¹⁴⁵¹ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.2, p55; *INQ006697_001*; *INQ006696_034-035* paras 107–108

¹⁴⁵² *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.2, p54

¹⁴⁵³ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.2, p54

46. In its December 2018 response, the government emphasised that all CICA operational staff were given training related to child sexual abuse. It stated that the CICA provided a dedicated caseworker to applicants in particularly complex and difficult cases. It also set out examples of work undertaken with external stakeholders and victims' groups.¹⁴⁵⁴

47. In its *Criminal Injuries Compensation Review 2020*, the government again highlighted a number of initiatives which had taken place since the Inquiry's *Interim Report*. It stated that the CICA had:

*"engaged with organisations including Samaritans, Women's Aid and Rape Crisis Scotland to provide specialist trauma informed training to ensure that staff are better equipped to deal sensitively with those who have lived through traumatic periods of abuse, including victims of grooming and exploitation".*¹⁴⁵⁵

It also noted that the CICA had been proactively reviewing its training and guidance. This, it said, had contributed to *"improvements in the way staff understand and deal with changing trends in violent crime such as increased recognition of grooming in sexual crime and the application of exceptional circumstances"* where applications are made outside of the time limits in the Scheme.¹⁴⁵⁶ It stated that named caseworkers were being provided to victims affected by the change in the 'same roof' rule and other complex or difficult cases and that it was exploring how named caseworkers might be extended to other applicant groups in the future.¹⁴⁵⁷

48. Regardless of whether 'named' or 'dedicated' caseworkers deal with applications related to child sexual abuse, all caseworkers handling such applications must have the specific and detailed training required.

Unspent criminal convictions recommendation

49. Under the 2012 Scheme, no award is made to applicants who have unspent criminal convictions for offences that resulted in certain sentences (discussed further below). The Inquiry considered this unfair and so recommended that the Ministry of Justice revise the CICA rules, so that awards are not automatically rejected in circumstances where an applicant's criminal convictions are likely to be linked to their child sexual abuse and that each case should be considered on its merits.¹⁴⁵⁸ This recommendation was rejected, which is considered in more detail later.

Assistance recommendation

50. In its *Accountability and Reparations Investigation Report* (September 2019), the Inquiry recommended revision of the Victims' Code to make clear that victims and survivors must be advised by the police that they are entitled to assistance (from ISVAs or other suitable persons) completing any application, should they require it.¹⁴⁵⁹

51. The revised Victims' Code (November 2020) makes clear that victims and survivors have the right to be told by the police how to apply for compensation through the Scheme. However, it does not state that victims and survivors are entitled to assistance completing

¹⁴⁵⁴ *Government response to recommendation 6 in the Interim Report of IICSA dated December 2018*, p7

¹⁴⁵⁵ INQ006696_065 para 231

¹⁴⁵⁶ INQ006696_065 para 232

¹⁴⁵⁷ INQ006696_064-065 paras 228-229

¹⁴⁵⁸ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.2, p54

¹⁴⁵⁹ *Accountability and Reparations Investigation Report*, Part G.3 (Recommendation 1)

an application from ISVAs or other suitable persons.¹⁴⁶⁰ Instead, Home Office guidance highlights that ISVAs should ensure that victims have access to independent advice and guidance and that they can assist in making an application if their client is eligible.¹⁴⁶¹

Further changes

52. Despite these changes, concerns about the Scheme remain. The Inquiry therefore recommends further changes in relation to the focus on crimes of violence, the provisions relating to ‘unspent convictions’ and the time limits for applications to the Scheme.

Recommendation 18: Criminal Injuries Compensation Scheme

The Inquiry recommends that the UK government amends the Criminal Injuries Compensation Scheme to:

- include other forms of child sexual abuse, including online-facilitated sexual abuse;
- amend the rule on unspent convictions so that applicants with unspent convictions are not automatically excluded where offences are likely to be linked to the circumstances of their sexual abuse as a child; and
- increase the time limit for child sexual abuse applications so that applicants have seven years to apply from (a) the date the offence was reported to the police or (b) the age of 18, where the offence was reported whilst the victim was a child. In either circumstance, the claims officer’s discretion to extend the time limit remains.

A ‘crime of violence’

53. A person can only apply for an award “if they sustain a criminal injury which is directly attributable to their being a direct victim of a crime of violence”.¹⁴⁶² The Scheme defines ‘crime of violence’ as one which involves:

- a physical attack;
- any other act or omission of a violent nature which causes physical injury to a person;
- a threat against a person, causing fear of immediate violence in circumstances which would cause a person of reasonable firmness to be put in such fear;
- a sexual assault to which a person did not in fact consent; or
- arson or fire-raising.¹⁴⁶³

54. In 2017, the CICA’s internal guidance for decision-makers in applying the criterion relating to sexual assault and consent was revised.¹⁴⁶⁴ As the revised guidance makes clear, “where the applicant was 15 or under when the incident happened, we will presume that they did not consent unless the evidence to the contrary is very clear”.¹⁴⁶⁵ In addition, it states that

¹⁴⁶⁰ Came into force in April 2021; INQ006637

¹⁴⁶¹ Ministry of Justice response to recommendation 1 in the Accountability and Reparations Investigation Report dated 6 April 2020; Ministry of Justice response to recommendation 1 in the Accountability and Reparations Investigation Report dated 16 March 2021

¹⁴⁶² INQ003550_010 para 4

¹⁴⁶³ INQ003550_038 para 2

¹⁴⁶⁴ MOJ000018_014-015 paras 64–67; CIC000061_004-005 paras 11–12; CIC000667_002-003 para 2.4

¹⁴⁶⁵ CIC000063_001 para 1; INQ006696_024 para 68

“Normally, where ... criminal offences have been committed, the child will be the victim of a crime of violence”.¹⁴⁶⁶ Where applications involve children under 16 and issues relating to consent, the application must be referred to “Legal and Policy” staff for advice.¹⁴⁶⁷

55. The continued focus on ‘crime of violence’ fails to take into account that child sexual abuse, particularly online sexual abuse, may occur without physical contact. It also does not take account of the extent of the harm and damage that can be caused by different forms of non-contact child sexual abuse (such as the ongoing fear that images of sexual abuse remain available online). For some victims and survivors, the Scheme may be the only realistic route to access compensation for the harm caused. *The Internet Investigation Report* (dated March 2020) made clear that the government needed to ensure that the CICA Scheme was fit for the internet age and the fact that online-facilitated abuse is often a feature of sexual offending against children.¹⁴⁶⁸

56. The government’s 2020 review of the Scheme “considered whether the current definition of a crime of violence for the purposes of the Scheme reflects the changing nature of violent crime”. It noted concerns that the Scheme fails to provide compensation for serious non-contact offences (examples provided include grooming, online exploitation, coercive control, stalking and modern slavery) which have increased in prevalence.¹⁴⁶⁹ The review stated that, based on the available data, “there has not been a significant change in the nature of violent crime” since the Scheme was last reviewed in 2012.¹⁴⁷⁰ It also considered that “widening the definition beyond crimes that are violent in nature and involve touching and physical contact or threat of immediate violence would mean going far beyond the original intention of the Scheme”.¹⁴⁷¹ The government’s view was that the current definition is “broad enough to allow for a wide range of circumstances, including in certain cases, online exploitation, grooming, stalking and modern slavery where situations have escalated into ones involving violence or the immediate threat of violence”. It acknowledged that victims of crimes not involving the threat of, or actual violence may also experience psychological and emotional harm and trauma, but that those impacts can also be experienced by victims of other types of crime, such as fraud and dishonesty.¹⁴⁷²

57. For the purposes of the Scheme, a recent court ruling decided that a ‘crime of violence’ does not include online grooming where there is no fear of “unlawful and immediate violence”.¹⁴⁷³ The court also stated that “Criminal conduct online or via text messaging may have a devastating impact on the lives of those affected, both during and after the events themselves”, but made clear that its inclusion within the Scheme is a matter for Parliament.¹⁴⁷⁴

58. Technological advances have radically changed the means by which child sexual abuse can be facilitated. As a result, focussing on crimes involving violence is outdated. So too is reliance on what may have been in contemplation at the time the Scheme was first introduced in 1964. The Scheme should reflect the nature of crimes being committed today. The Inquiry also does not accept that the profound psychological impact of child sexual

¹⁴⁶⁶ CIC000063_001 para 2

¹⁴⁶⁷ CIC000063_004 para 15

¹⁴⁶⁸ *The Internet Investigation Report*, Part F.4 para 40

¹⁴⁶⁹ INQ006696_019-020 para 50

¹⁴⁷⁰ INQ006696_020-023 paras 51–62

¹⁴⁷¹ INQ006696_023 para 62

¹⁴⁷² INQ006696_023 para 63

¹⁴⁷³ *Criminal Injuries Compensation Authority v First-tier Tribunal (Social Entitlement Chamber)* [2022] UKUT 103 (AAC), para 125

¹⁴⁷⁴ *Criminal Injuries Compensation Authority v First-tier Tribunal (Social Entitlement Chamber)* [2022] UKUT 103 (AAC), para 135

abuse can be compared with that of non-violent crimes such as fraud and dishonesty. The Inquiry therefore recommends that the Ministry of Justice change the Scheme to include other forms of child sexual abuse, including online-facilitated abuse.

‘Unspent’ convictions

59. Under the Rehabilitation of Offenders Act 1974, eligible criminal convictions or cautions become ‘spent’ after a specified period of time, known as the ‘rehabilitation period’.¹⁴⁷⁵ Where a conviction is ‘spent’, the offender is regarded as rehabilitated, that is to say as if he or she had never committed an offence. As such, they are not obliged to declare their caution or conviction, for example, when applying for employment or insurance.¹⁴⁷⁶ ‘Unspent’ criminal convictions are those which have not yet reached the specified time in order to become ‘spent’.

60. Prior to the 2012 Scheme, there was discretion to make a full or reduced award to applicants who had unspent criminal convictions.¹⁴⁷⁷ This discretion was removed in the 2012 Scheme, based on government policy that people who have themselves committed crimes should not benefit from a publicly funded scheme.¹⁴⁷⁸

61. The 2012 Scheme introduced an exclusionary rule, under which no award is made to applicants who have unspent criminal convictions for offences that resulted in certain sentences or orders, including custodial sentences, community orders and youth rehabilitation orders. Where sentences other than those specified have been imposed, a discretion may be exercised to withhold or reduce awards, where there are “*exceptional reasons*”.¹⁴⁷⁹ These changes were introduced by the government notwithstanding that the majority of respondents to the consultation on this issue argued that claims officers should continue to be able to exercise discretion and judge every individual case on its merits.¹⁴⁸⁰

62. As set out above, the Inquiry previously recommended that the rule should be revised so that awards are not automatically rejected in circumstances where applicants’ criminal convictions are likely to be linked to their sexual abuse as children.¹⁴⁸¹ Subsequently, Melissa Case, Director of Criminal and Family Justice Policy at the Ministry of Justice, stated that “*very powerful evidence*” about the link between sexual abuse and criminal offending had been put before the Inquiry, which would be looked at under the government’s review.¹⁴⁸²

63. The government’s review considered the Inquiry’s recommendation but stated that, when deciding eligibility for compensation, the intention of the existing rule was to “*reflect the degree of harm done to others and the cost to society of offending behaviour*”. The review stated that any change was likely to introduce additional complexity to the Scheme and increase the time it takes for the CICA to make a decision on eligibility. It also stated that it was relevant that “*all individuals with unspent convictions will have been found guilty of a crime, and are likely to have had particular circumstances of their vulnerability presented in mitigation and taken into account during sentencing*”.¹⁴⁸³

¹⁴⁷⁵ Rehabilitation of Offenders Act 1974, section 1

¹⁴⁷⁶ INQ006899_003

¹⁴⁷⁷ INQ006696_033 para 101; INQ003547_006-007 paras 13(1)(e), 14(3); INQ003553_008 para 13(e); INQ003557_006 para 13(e)

¹⁴⁷⁸ MOJ000018_017-018 paras 77-78; INQ006696_033 para 101

¹⁴⁷⁹ INQ003550_041 paras 3-4; INQ006696_032-033 paras 100

¹⁴⁸⁰ INQ006686_048-049 paras 177-178

¹⁴⁸¹ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.2, p54

¹⁴⁸² *Accountability and Reparations Investigation Report*, Part D.3 para 63

¹⁴⁸³ INQ006696_034 para 104

64. The government declined to make (or consult on) any change, stating that to do so would undermine the core principles of the Scheme and introduce “*significant potential discrimination and operational challenge*”.¹⁴⁸⁴ However, in 2021, a victim of child sexual abuse brought a successful legal challenge to the government’s decision not to consult on the issue in its review. As a result, the High Court ordered that the government was:

“*required to carry out a public consultation on whether the unspent convictions rule ... should be revised so that applications are not automatically rejected in circumstances where an applicant’s criminal convictions are likely to be linked to their sexual abuse as a child.*”¹⁴⁸⁵

65. In June 2022, the government published a supplementary consultation on the unspent convictions rule. This discussed a number of options for reform, including the reform previously recommended by the Inquiry.¹⁴⁸⁶ The Inquiry’s view remains that the current rule fails to recognise the impact of child sexual abuse and, specifically, that abuse may have directly contributed to instances of offending.¹⁴⁸⁷ In particular, there is often a close link between sexual exploitation, grooming and criminal behaviour. The Inquiry heard evidence of child victims of exploitation being charged with or convicted of criminal offences which were closely linked with their sexual exploitation.¹⁴⁸⁸ In one example, a child was arrested on a number of occasions for offences such as being drunk and disorderly and assault, which she said were committed in the context of her being sexually exploited by a group of men. When she appeared at the youth court, aged 15, her solicitor tried to explain the abuse she was experiencing, but no investigation was conducted. She was sentenced to four months in a young offender institution.¹⁴⁸⁹ Under current rules, this conviction would not be spent until 18 months after the sentence had been completed.¹⁴⁹⁰

66. The Inquiry acknowledges that, given the complexity of applicants’ personal histories, the link between the offence and sexual abuse or exploitation will not always be easy to identify. Caseworkers should be provided with the discretion to consider the circumstances in order that applicants are not unfairly excluded. The Inquiry therefore recommends that the Ministry of Justice amend the rules on unspent convictions so that applications are not automatically rejected in circumstances where an applicant’s criminal convictions are likely to be linked to their sexual abuse as a child.

67. Sammy Woodhouse, a survivor of child exploitation in Rotherham, has been campaigning for the introduction of ‘Sammy’s law’, which would see victims and survivors of child sexual exploitation have crimes associated with their grooming wiped from their criminal records.¹⁴⁹¹ In November 2021, the Independent Office for Police Conduct released a report which included a recommendation that the Law Commission review the “*laws surrounding offences committed by young people who are being groomed or exploited*”.¹⁴⁹² The Law Commission accepted the recommendation as a formal submission to its 14th programme and stated it would be analysing it alongside other proposals for law reform projects.¹⁴⁹³

¹⁴⁸⁴ INQ006696_034 para 106

¹⁴⁸⁵ *Kim Mitchell v Secretary of State for Justice* [2021] EWHC 2248 para 109

¹⁴⁸⁶ INQ006951_010, 020-026

¹⁴⁸⁷ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.2 p54; *Accountability and Reparations Investigation Report*, Part D.3 paras 62–63

¹⁴⁸⁸ *Child Sexual Exploitation by Organised Networks Investigation Report*, Part E.2 paras 2–5

¹⁴⁸⁹ *Child Sexual Exploitation by Organised Networks Investigation Report*, Part E.2 para 4

¹⁴⁹⁰ INQ006820_003

¹⁴⁹¹ INQ006708_006

¹⁴⁹² INQ006723_002; INQ006900

¹⁴⁹³ INQ006900

Time limits

68. Since 1996, CICA applications generally have had to be made within two years of the incident of sexual abuse. In earlier versions of the Scheme (as with the current iteration), a claims officer could waive this time limit, although the precise nature of the discretion varied.¹⁴⁹⁴

69. Under the 2012 Scheme, separate provision is made for applicants under the age of 18 at the time that the abuse occurred.

69.1. In the case of abuse reported to the police when the applicant is a child, a claim can be made up until the day of the applicant's 20th birthday.¹⁴⁹⁵

69.2. In the case of abuse reported to the police when the applicant is an adult, a claim can be made within two years from the first report of the abuse to the police.¹⁴⁹⁶

70. In either case, applications will only be accepted if the claims officer is satisfied that the application can be determined "*without further extensive enquiries*". This is not defined in the Scheme or the current publicly available guidance.¹⁴⁹⁷ Evidence provided by the CICA explains that factors for consideration include: the number of enquiries that are likely to be needed; the length of time and amount it will cost to make the enquiries; the complexity of the enquiries; and the length of time between the incident and the application.¹⁴⁹⁸ The time limits can be extended where the claims officer is satisfied that due to exceptional circumstances the applicant could not have applied earlier and (as with these provisions generally) the applications can be determined without further extensive enquiries.¹⁴⁹⁹

71. In 2018, the CICA informed the Inquiry that its 'staff' guide on the meaning of 'exceptional circumstances' had been "*updated to include specific provision for historical sexual abuse victims*". The guide advised staff that "*exceptional circumstances*" were more likely to exist in such cases, especially where the applicant was a child at the time of the offence. The guide also advised staff to accept that, in cases involving historical sexual abuse in which the applicant did not apply until criminal proceedings concluded, 'exceptional circumstances' exist, unless they considered there are compelling reasons not to do so.¹⁵⁰⁰

72. The government's 2020 review stated that concerns had been raised about the two-year time limit given that "*some victims lack awareness regarding the Scheme*" and it had heard "*anecdotal evidence of victims being advised by police or prosecutors to wait until the conclusion of a criminal case to avoid being accused of making allegations for profit*". It also noted views that the impact of trauma on victims and survivors of child sexual abuse may necessitate "*a more generous time limit*" and that the current time limits are "*perceived*" to have a negative impact on certain groups of victims, including victims of child sexual abuse.¹⁵⁰¹ However, it concluded that the CICA caseload data show that "*the proportion of claims refused on the grounds of being 'out of time' was small when compared to refusals on other grounds*" and that there was "*no apparent disproportionate impact on those claiming for sexual assault*". The review stated that the 'exceptional circumstances' criteria time limit and the time limit

¹⁴⁹⁴ INQ006696_030, para 92; INQ003547_008 para 18; INQ003553_009 para 18; INQ003557_007 para 17

¹⁴⁹⁵ INQ003550_026 para 88

¹⁴⁹⁶ INQ003550_026 para 88

¹⁴⁹⁷ INQ003550_026 para 88; INQ006958_003-004

¹⁴⁹⁸ CIC000061_008 para 19

¹⁴⁹⁹ INQ003550_026 para 89

¹⁵⁰⁰ CIC000667_003 para 2.6

¹⁵⁰¹ INQ006696_031 paras 95–96

for applicants who were children at the time of the crime appear “*to be working well*”. The government’s view was that it is important for the Scheme to operate a time limit and that the two-year time limit allows sufficient time for most victims to make an application.¹⁵⁰²

73. The review does not make clear how many of the successful applicants had been initially rejected as being out of time and were only successful after requesting a review or going through the appeal process. One attendee at the Inquiry’s Criminal Compensation Seminar stated that he expected “*virtually every client to be refused on the first application*”.¹⁵⁰³ Attendees also stated that it is really difficult to overcome the hurdle of ‘exceptional circumstances’ without specialist legal advice.¹⁵⁰⁴ The review also does not consider the extent to which the time limit may act as a deterrent to potential applicants, another point raised in the Inquiry’s seminar.¹⁵⁰⁵

74. The review’s statement that there was “*no apparent disproportionate impact on those claiming for sexual assault*” fails to acknowledge that the current time limits are inappropriate for victims and survivors of child sexual abuse. Many victims and survivors feel unable to report that they were sexually abused when they were children. Although the time limit starts to run from the date of report to the police (unlike in civil claims), and guidance on ‘exceptional circumstances’ has been updated, the period of two years is inadequate for victims and survivors of child sexual abuse.

74.1. Victims and survivors have not always been informed by the police of their entitlement to apply to the Scheme or have sometimes been encouraged by the police to wait until the conclusion of a criminal investigation or trial.¹⁵⁰⁶

74.2. The two-year rule also assumes that victims and survivors are prepared and able to undertake a compensation process, sometimes at the same time as preparing for or appearing in criminal proceedings.

74.3. It may be particularly difficult for a victim and survivor to apply before their 20th birthday where the abuse was reported when they were a child.

75. The Inquiry therefore recommends that the Ministry of Justice increases the time limit for child sexual abuse applications so that applicants have seven years to apply:

- from the date the offence was reported to the police; or
- from the age of 18, where the offence was reported whilst the victim was a child; and
- in either circumstance, the claims officer retains the discretion to extend the time limit further.

76. The Inquiry acknowledges that any period of time may appear arbitrary to victims and survivors of child sexual abuse. Other options have been considered, in particular whether or not to recommend that the two-year time limit should run from the conclusion of criminal proceedings, rather than the report to the police. However, given that not all reports are pursued in the criminal courts, this would lead to a difference in treatment of applicants

¹⁵⁰² INQ006696_031-032 paras 96–97

¹⁵⁰³ *Criminal Compensation Seminar: An update report*, IICSA, April 2018, Session 2 para 27

¹⁵⁰⁴ *Criminal Compensation Seminar: An update report*, IICSA, April 2018, Session 2 para 27

¹⁵⁰⁵ *Criminal Compensation Seminar: An update report*, IICSA, April 2018, Session 1 para 14

¹⁵⁰⁶ *Accountability and Reparations Investigation Report*, Part D.3 paras 33–40; *Criminal Compensation Seminar: An update report*, IICSA, April 2018, Session 1 para 14; *Victims and Survivors Forum Consultation on the Criminal Justice System: Summary Report*, IICSA, May 2019, pp10–11 para 41; *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.2, p53

depending on whether reports led to criminal proceedings. In addition, it may be difficult to define what was meant by ‘the conclusion of criminal proceedings’. The Inquiry considers that extending the time limit to seven years is more appropriate.

77. This does not mean that victims and survivors should be discouraged from applying to the CICA until after the conclusion of a criminal investigation or trial. In its review, the government also stated that it:

*“will continue to explore what more can be done with criminal justice agencies to raise awareness of the Scheme, and in particular to ensure a robust response where compensation claims are raised in the context of criminal proceedings”.*¹⁵⁰⁷

I.6: A single redress scheme for England and Wales

78. A redress scheme is a non-adversarial process by which financial redress (and potentially other forms of redress) may be provided to applicants. Unlike litigation settlement schemes, which may be used to compensate groups of claimants who have initiated civil claims against defendants (such as the scheme used to settle the civil claims brought by the victims of Jimmy Savile), redress schemes sit outside of the civil justice system.

79. There are two principal types of redress scheme:

- **Private schemes:** these are developed and funded on a one-off basis by non-government institutions as a means for providing redress to a specific category of victims. Recent examples of this are the ‘Manchester City FC Survivors’ Scheme’ and a scheme under development by the Church of England.¹⁵⁰⁸
- **State-sponsored or funded schemes:** these provide financial redress and (in some cases) other forms of redress to victims who have experienced child sexual abuse (and other forms of abuse) in State institutions. Such schemes have been set up in a number of other jurisdictions, including Ireland, Northern Ireland, Jersey, Australia and Scotland. Generally, these are established nationally and known as national redress schemes, although State-funded schemes can be more limited – for example, the Lambeth Children’s Homes Redress Scheme. Another example of a State-funded scheme is the scheme for surviving former child migrants established by the government, following the Inquiry’s recommendation.¹⁵⁰⁹ This opened to applicants in March 2019. Within a few months, 1,452 payments had been made or were pending.¹⁵¹⁰

80. Many victims and survivors from whom the Inquiry heard were dissatisfied with the processes of civil litigation and criminal compensation. A significant number of respondents to a Victims and Survivors Forum online questionnaire stated that they had had negative experiences of seeking redress, with many having done this through those processes.¹⁵¹¹ In addition, the majority of respondents to an Inquiry questionnaire were in favour of

¹⁵⁰⁷ INQ006696_032 para 99

¹⁵⁰⁸ INQ006922; *Archbishops’ Council’s response to recommendation 7 of The Anglican Church Investigation Report dated 4 February 2022* para 27

¹⁵⁰⁹ INQ006782_003; *Child Migration Programmes Investigation Report*

¹⁵¹⁰ *Home Office response to recommendation 2 in the Interim Report of the Independent Inquiry into Child Sexual Abuse dated 22 July 2019*, pp3–4

¹⁵¹¹ *Victims and Survivors Forum Consultation on Redress: Summary Report*, IICSA, October 2020, pp5–6

there being a redress scheme, with a number having made civil claims and applications to the CICA.¹⁵¹² Although based on a small sample, the response was consistent with other evidence the Inquiry heard. One claimant solicitor stated:

“Every single client that I have worked for over the years has complained about how they were treated through the civil justice system or the Criminal Injuries Compensation System. No-one has come out of the experience feeling that they have been treated well through the civil justice system. It’s been an uphill struggle all the way through for every single one of them. So a positive alternative to civil justice I think would be welcomed by all claimants, in my opinion.”¹⁵¹³

81. One single redress scheme has a number of benefits over existing systems of civil justice and criminal compensation in England and Wales, which often do not provide the accountability and reparation sought by victims and survivors of child sexual abuse. The existing systems can be difficult to access and some of the rules may deter or prevent victims and survivors from pursuing their claims. Where claims are brought, the process – particularly in the civil justice system – can be protracted and re-traumatising. One solicitor who represents claimants in civil claims stated of redress schemes:

“they have been a better experience. Victims have emerged from the process less bruised, wholer. Their trust in society restored – not totally restored, but you’ve got to start somewhere.”¹⁵¹⁴

82. Such a redress scheme can also provide a mechanism for recognition and reparation to victims and survivors who are unable or unwilling to seek compensation through other routes, or who are unable to benefit from the changes recommended to existing systems.

83. In order to acknowledge the State’s responsibility to protect children from sexual abuse and the consequent harm experienced over many decades, the Inquiry recommends that a national redress scheme be established in England and Wales. This is also consistent with the approach in the neighbouring jurisdictions of Scotland, Northern Ireland and the Republic of Ireland.

Recommendation 19: Redress scheme

The Inquiry recommends that the UK government establishes a single redress scheme in England and Wales, taking into account devolved responsibilities.

The detailed rules of, and funding for, this redress scheme should reflect the following core elements.

Eligibility

- Victims and survivors of child sexual abuse and exploitation that occurred in England and in Wales should be eligible to apply.
- Applicants must have experienced child sexual abuse and exploitation where there is a clear connection to State or non-State institutions in England and Wales.

¹⁵¹² INQ004866_002-004

¹⁵¹³ David Greenwood 27 November 2019 147/4-147/24

¹⁵¹⁴ *Accountability and Reparations Investigation Report*, Part F.2 para 5

- The scheme should be open to any victim of child sexual abuse that took place prior to its establishment.
- The scheme should deduct any previous award from any payment under the scheme (or in the case of payments made by the Criminal Injuries Compensation Authority, it may order that they be repaid).
- Applicants who have previously brought civil claims which have been rejected by the court should be excluded from applying to the scheme, save where their cases have been rejected due to limitation.

Redress provided

- The scheme should provide payments to eligible applicants through a two-tier system, based on a fixed flat-rate recognition payment, with the option to apply for a second-tier payment.

Process

- The application process must be accessible and straightforward, and be sensitive to the needs and vulnerabilities of victims and survivors of child sexual abuse. The process should provide for streamlined checks and verification of applications, but not be adversarial.
- There should be special provisions to accelerate awards for older or terminally ill applicants.

Duration

- The scheme should run for five years.

Funding

- The scheme should be funded by central and local government, in accordance with devolved funding principles, with voluntary contributions sought from non-State institutions.

84. The current systems of financial redress should continue to exist alongside this scheme. It will provide much-needed public acknowledgement and practical reparation to victims and survivors of child sexual abuse.

85. The scheme should be established and funded by the State in recognition that the responsibility for all aspects of children's welfare and well-being is a duty of the State as a whole. Individual institutions where child sexual abuse has occurred should also contribute towards the reparation provided by the scheme, in acknowledgement of their shared responsibility.

I.7: The key components of the national redress scheme

86. It is for the government to consider the detailed rules of, and funding for, a national redress scheme. The Inquiry has reviewed a range of evidence, particularly in the Accountability and Reparations investigation, and analysed comparable schemes.¹⁵¹⁵ It considers that key components for a national redress scheme include:

- eligibility: who the scheme is for;
- redress provided: the forms of reparation which should be provided;
- process: how the scheme should deliver reparation;
- duration: how long the scheme should last; and
- funding: who should pay for the scheme.

87. These core elements are informed by the scheme's overarching purpose, which is to address the failures of the past through the provision of recognition and reparation to victims and survivors of child sexual abuse. They are also underpinned by the need for the scheme to be as simple and non-adversarial as possible.

88. It is important that the government consult victims and survivors of child sexual abuse on the detail and proposals for the implementation of the redress scheme. Such consultation should include direct engagement and meetings.

Eligibility

Types of abuse

89. The redress scheme should be for victims and survivors of child sexual abuse and exploitation that occurred in England and Wales. Victims and survivors of child sexual abuse should be able to seek redress through the scheme whether the abuse was perpetrated by adults or other children. However, the Inquiry also recognises that sexual activity between children below the legal age of consent may be consensual or non-abusive. The Inquiry does not consider that such consensual though unlawful behaviour should fall within the scope of the scheme, provided the scheme is satisfied that the sexual activity is not abusive, coercive or exploitative.

90. The Inquiry's work revealed that child sexual abuse and exploitation are often accompanied by other forms of abuse, such as physical abuse, emotional abuse and neglect, each of which can have similarly devastating impacts on victims and survivors. The government may wish to consider extending the scope of this redress scheme to include other forms of abuse in childhood as these are frequently interlinked.

Institutional connection

91. The national redress scheme should be open to applicants who have experienced child sexual abuse or exploitation connected to an institution in England and Wales, whether State or non-State.

¹⁵¹⁵ *Accountability and Reparations Investigation Report*, Part F; *Civil Justice System Seminar: An update report*, IICSA, March 2018, p14; 27 November 2019 146/8-192/11; 28 November 2019; 5 February 2020 60/8-125/5

92. There should be a clear connection between the institution and the sexual abuse experienced by the individual. This does not mean that the scheme should be limited to sexual abuse that has taken place on an institution's premises. Sometimes it will be easy to identify the connection. There will be other circumstances where it may be less obvious. The Inquiry does not seek to define these circumstances, but considers that there are a number of potential indicators, including but not limited to:

- whether the institution was responsible for the care or custody of the child – for example, 'looked after children', who are children in the care of local authorities or accommodated by local authorities (for more than a continuous period of 24 hours);
- whether the sexual abuse occurred on the premises of the institution (whilst the institution was still in control of the premises) or in connection with its activities; and
- whether the sexual abuse was committed, caused or contributed to by a person working or volunteering at the institution, in the context of those activities.

93. All children placed by the State, for example in private or voluntary care homes, should fall within the scheme. It should also include children placed into foster care. This will include placements arranged by the State using either their own foster care scheme or a private or voluntary foster care agency. However, it should not include other arrangements, including private arrangements not otherwise sanctioned or approved by an institution.

Time periods

94. The scheme should not be limited to abuse that took place after a certain date. As one claimant representative put it, this would be "*imposing another form of limitation by the back door*".¹⁵¹⁶ It is particularly important that those who have not been able to bring civil claims due to the operation of limitation, or apply to the CICA because the injury was sustained prior to 1 August 1964, are able to apply to the scheme.¹⁵¹⁷

95. The question of whether the scheme should be limited to child sexual abuse that took place before a certain date is less easy to answer. A number of claimant representatives were of the view that because child sexual abuse will remain a problem for the foreseeable future, any scheme should not be limited in duration.¹⁵¹⁸

96. It is unlikely that child sexual abuse will ever be completely eradicated. However, the Inquiry has made a number of recommendations to improve the protection of children as well as the existing systems of redress. The purpose of the national redress scheme is to acknowledge the failures of the past and provide reparation to victims and survivors of child sexual abuse. The Inquiry therefore recommends that the scheme should be limited in duration and be restricted to child sexual abuse that took place prior to the establishment of the scheme.

Restrictions

97. The redress scheme should not allow an applicant to receive money twice for the same matter.

¹⁵¹⁶ Alan Collins 28 November 2019 65/23-25

¹⁵¹⁷ INQ003550_013 para 17

¹⁵¹⁸ Peter Garsden 5 February 2020 119/12-120/3; Alison Millar 28 November 2019 100/16-101/1; Alan Collins 28 November 2019 100/16-101/1; Tracey Storey 28 November 2019 100/16-101/1

98. There are two main ways in which a redress scheme could prevent double recovery. First, it could exclude applicants who have previously received a payment for the abuse that forms the basis of any application under the scheme. The Inquiry does not consider this to be a fair option, given that levels of awards previously received through existing systems may be low. Second, it could reduce payments under the scheme to reflect any payments or awards previously received. This is the fairer solution. It is also the approach adopted in Northern Ireland and Scotland.¹⁵¹⁹ In the case of awards made by the CICA, the scheme could alternatively order that any payments be repaid rather than deducted, as with the Lambeth redress scheme.¹⁵²⁰

99. As with a number of other schemes, applicants who have previously brought civil claims which have been rejected by the court should be excluded from applying to the scheme, save where their cases have been rejected due to the operation of the law of limitation.¹⁵²¹ It is not generally appropriate for a scheme to assess claims which have previously been adjudicated on by the courts. However, an exception should be made for such applicants given that the law of limitation has unfairly operated as a barrier to victims and survivors of child sexual abuse bringing civil claims.

100. Some schemes have placed limits on eligibility based on previous criminal convictions.¹⁵²² The Inquiry's view is that where there is likely to be a connection between the criminal offence and the child sexual abuse, the conviction should not be a bar to receiving an award.

101. Some schemes may also allow relatives (or other representatives) of deceased victims and survivors of child sexual abuse to apply.¹⁵²³ The Inquiry acknowledges that in certain special circumstances it may be appropriate for relatives (or other representatives) to apply.

Redress provided

Financial awards

102. Redress schemes usually determine the level of awards to applicants using fixed tariffs or payment bands. Some schemes focus on the nature and severity of the abuse. Others also consider the long-term impact of the abuse, including any psychiatric or psychological effects, and loss of opportunities this may have caused, for example to receive a good education or obtain employment.

103. Examples of approaches followed by other schemes include:

- **Republic of Ireland (2002–2011):** a points system, based on four criteria: the severity of the abuse, medically verified physical or psychiatric illness, psycho-social consequences of the abuse and loss of opportunity. The total number of points then determined the payment band.¹⁵²⁴

¹⁵¹⁹ Historical Institutional Abuse (Northern Ireland) Act 2019, section 13; Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021, sections 42–43

¹⁵²⁰ INQ006673_015 para 20.1

¹⁵²¹ Historical Institutional Abuse (Northern Ireland) Act 2019, section 4(1)(a), section 4(3); Residential Institutions Redress Act 2002, section 7(3)(7); INQ006878_068 para 7.4.3

¹⁵²² Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021, sections 60–61; National Redress Scheme for Institutional Child Sexual Abuse Act 2018, section 63

¹⁵²³ Historical Institutional Abuse (Northern Ireland) Act 2019, section 6; Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021, sections 24–25; Residential Institutions Redress Act 2002, section 9; INQ006673_011 para 14

¹⁵²⁴ Residential Institutions Redress Act 2002 (Section 17) Regulations 2002

- **Jersey 1 (2012) and Jersey 2 (2019–2020):** different payment ranges or bands depending on criteria based on the nature and severity of the abuse and its consequences.¹⁵²⁵
- **Lambeth Council (2018–2022):** a points system, allocated under different payment bands which took into account the nature, severity and frequency of the abuse, the nature and severity of physical or psychiatric injuries, and loss of opportunity.¹⁵²⁶
- **Australia (2018 to present):** awards are determined by the type of abuse. Fixed amounts are allocated to recognise the sexual abuse. Additional fixed amounts can be awarded to recognise the impact of the abuse, any non-sexual abuse, institutional vulnerability of applicants and, in the case of penetrative abuse, the extreme circumstances of the abuse.¹⁵²⁷
- **Northern Ireland (2020 to present):** all eligible applicants receive an initial fixed payment. They may be awarded an additional fixed amount if it is “*justified by the severity of the matters raised by the application*”.¹⁵²⁸
- **Scotland (2021 to present):** all eligible applicants receive an initial fixed-rate payment. They may also be awarded an individually assessed payment, by way of additional fixed sums, based on the nature, severity, frequency and duration of the abuse, and any other matter considered relevant.¹⁵²⁹

104. There is no perfect system for calculating awards. The simpler the system – for example, a basic tariff system focussing solely on the abuse – the easier it will be to operate, but the more likely it is that it will be criticised for rigidity and failing to differentiate between applicants and their experiences. Conversely, the more complex the system, particularly the extent to which it seeks to make payments for the long-term effects of abuse, the higher and more attractive the awards will be, but the more legalistic (that is, similar to the civil justice system) the scheme will become.

105. The national scheme needs to maintain simplicity but also differentiate between applicants and their experiences and take into account their varying needs. The Inquiry recommends that the national redress scheme in England and Wales should comprise a two-tier system, based on a fixed flat-rate recognition payment with the option to apply for a second-tier payment. The first-tier fixed-rate payment will be available to victims and survivors who meet the eligibility requirements of the scheme and the payment will reflect that they do not want to recount in detail the sexual abuse experienced. The second-tier payment will be available to eligible applicants who wish to provide more details and evidence (including of a medical nature where necessary), with assistance if required. This will provide a greater degree of flexibility and choice for victims and survivors. It will also be more straightforward to operate.

¹⁵²⁵ INQ006873_004 para 26; INQ006878_071 para 9.5

¹⁵²⁶ INQ006673_002 para 2.11; LAM028347

¹⁵²⁷ National Redress Scheme for Institutional Child Sexual Abuse Assessment Framework 2018, section 5

¹⁵²⁸ Historical Institutional Abuse (Northern Ireland) Act 2019, section 12

¹⁵²⁹ Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021, sections 38–39

106. A number of claimant and defendant representatives suggested that the payments should be no less, or not significantly less, than damages available in civil claims.¹⁵³⁰ The Inquiry considers, however, that payments made by the scheme should be sufficient to recognise the experiences of victims and survivors, but may not be as high as the awards available in civil claims, for two reasons:

- awards made by the scheme are intended to acknowledge the experiences of victims and survivors, not provide compensation akin to that achievable through a civil claim, which will still remain open for applicants to pursue; and
- substantial awards for long-term losses, such as loss of earnings or the cost of therapy for psychiatric conditions, necessitate complex and time-consuming assessments. This would undermine the speed, simplicity and certainty that the redress scheme could otherwise provide.

107. For these reasons, the Inquiry considers that the first-tier payment in particular would be set at a modest level. Consultation with victims and survivors should include their views on payments and the factors to be considered when assessing the second-tier payment – for example, the nature of the abuse, the age of the victim at the time, the duration of the abuse and its impact.

Subsequent awards

108. Consideration will need to be given as to how to prevent any double recovery.

109. Victims and survivors receiving an award under the scheme should not be expected to waive any right to bring subsequent civil proceedings and it is therefore important that this option remains open for applicants, even where they have received an award under the scheme.

Process

110. The application process must be accessible, straightforward and sensitive to the needs and vulnerabilities of victims and survivors of child sexual abuse. It should not be adversarial. Applications should normally be in writing. In exceptional circumstances, oral evidence may be required. Those assessing applications must have the appropriate knowledge, training, experience and empathy.

111. The process should provide for streamlined checks and verification of applications. Applicants to the scheme will need to demonstrate that, on the balance of probabilities, they have experienced child sexual abuse connected to an institution. However, they should not be required to repeat previous accounts of abuse unnecessarily. Applicants applying for second-tier payments should ordinarily provide a more detailed account of the abuse and its impact. They may also need to provide medical evidence, for example from their GP, although new medical assessments should only take place where strictly necessary.

112. Criminal convictions related to the abuse or admissions of responsibility by institutions will reduce or negate the need for other evidence. Where there has not been a criminal conviction, the scheme should obtain other forms of evidence necessary to determine the applications, either from the applicants or from other organisations, for example social care and medical records.

¹⁵³⁰ Alastair Gillespie 27 November 2019 170/22-25; Alison Millar 27 November 2019 167/11-15; INQ004778_012 para 75(c)

113. Some victims and survivors may struggle to complete the application process without assistance. Applicants may have disabilities or vulnerabilities that need to be accommodated. Support and assistance should be supplied by the scheme, through the provision of advice and trained caseworkers as well as, where necessary, legal assistance.

114. A review process should be in place to ensure fairness to those applicants who want their cases to be reconsidered.

115. The Inquiry recognises that it will take some time to set up a national redress scheme. Special provisions will be required, therefore, to provide accelerated awards to elderly or terminally ill applicants who would otherwise not benefit from the scheme.

Duration

116. The national redress scheme should be restricted to child sexual abuse that took place prior to the scheme's establishment.

117. It follows therefore that the scheme should be limited in duration. The Inquiry considers that the scheme should be open for a period of five years, which will allow sufficient time for eligible individuals to apply and for the applications to be processed.

Funding

118. National redress schemes can be funded solely by the government or by the government with financial contributions from perpetrators and institutions (and their insurers). Contributions may be compulsory or voluntary. Voluntary contributions may be encouraged by way of incentives or penalties.

119. Other schemes have taken a variety of approaches:

- **Republic of Ireland (2002–2011):** the scheme was funded by the State along with contributions from other organisations.¹⁵³¹ An agreement was reached to split financial contributions between the State and religious bodies but, reportedly, the latter did not in fact contribute in full.¹⁵³²
- **Jersey 1 (2012) and Jersey 2 (2019–2020):** both schemes were funded by the State. Under the more recent scheme, the government could seek to recover payments from the perpetrators and organisations which may have been liable through recovery actions.¹⁵³³
- **Lambeth Council (2018–2022):** the scheme was funded by Lambeth Council, which received permission from the government allowing it to borrow the necessary funds.¹⁵³⁴ As with the recent Jersey scheme, the Council could seek recovery of redress payments through recovery actions against the perpetrators and organisations which may have been liable for the abuse.¹⁵³⁵
- **Australia (2018 to present):** the Australian federal government (the Commonwealth) is liable for the initial costs of payments and administration but participating institutions must reimburse their share of cost of payments and running of the scheme.¹⁵³⁶ There

¹⁵³¹ Residential Institutions Redress Act 2002, section 23(1); INQ006700_059

¹⁵³² INQ006700_047 para 7.2

¹⁵³³ INQ006700_061; INQ006878_002-003, 078 para 23

¹⁵³⁴ INQ006876_001, 018 para 3.5

¹⁵³⁵ INQ006673_015 para 21.1

¹⁵³⁶ National Redress Scheme for Institutional Child Sexual Abuse Act 2018, section 148

are four types of participating institutions: (i) Commonwealth institutions; (ii) State institutions; (iii) territory institutions; and (iv) non-government institutions (such as churches or sporting clubs). While all Commonwealth institutions are participating institutions, State, territory and non-government institutions are only participating institutions if they agree and a declaration is made.¹⁵³⁷ A participating government institution (or participating jurisdiction) may be the “*funder of last resort*” for a “*defunct*” institution in certain circumstances.¹⁵³⁸ Although the scheme is voluntary in nature for non-Commonwealth institutions, there may be financial or other consequences, such as loss of charitable status, for institutions which do not join the scheme.¹⁵³⁹

- **Northern Ireland (2020 to present):** the scheme is State-funded but the executive is reportedly pursuing State-led institutions and churches for contributions.¹⁵⁴⁰
- **Scotland (2021 to present):** the scheme is State-funded with “*fair and meaningful*” contributions sought voluntarily from public authorities, voluntary organisations and other persons “*who exercise or have exercised functions in relation to the safeguarding or promotion of the welfare of children, or the protection or furthering of their interests*”. The Scottish ministers must maintain and publish a list of scheme contributors. The list must record both the addition and removal of contributors.¹⁵⁴¹ A collective contribution is also being sought through the Convention of Scottish Local Authorities to reflect the legacy of local government responsibility for abuse in care.¹⁵⁴²

120. The Inquiry recommends that the national redress scheme in England and Wales should be funded by central and local government, in accordance with devolved funding principles, with voluntary contributions sought from non-State institutions. This will provide acknowledgement of the overarching failure of the State to adequately protect children from sexual abuse. Additionally, it will ensure that the scheme is securely and adequately funded throughout its duration, so that successful applicants receive awards whether or not a contribution is made by the relevant institution.

121. It is important that non-State institutions contribute to the scheme, giving them the opportunity to demonstrate their commitment to supporting victims and survivors, many of whom will have been abused in institutional settings. It will also provide a sense of ‘justice’ that some victims and survivors require.

122. The Inquiry considered whether compulsory contributions could be sought from insurers, for example by way of a global ‘levy’ on insurers who provide cover for particular institutions or a case-by-case recoupment process. However, many cases of child sexual abuse do not involve an insured perpetrator or institution, and even where they do, there are complex contractual and regulatory obligations which (while not necessarily insurmountable) would have to be accommodated. Some defendant representatives and insurers made the point that a demonstrable legal liability is usually required to trigger an insurer’s obligation to pay.¹⁵⁴³ However, the Inquiry considers that this should not prevent insurers from making voluntary contributions.¹⁵⁴⁴

¹⁵³⁷ National Redress Scheme for Institutional Child Sexual Abuse Act 2018, section 107

¹⁵³⁸ National Redress Scheme for Institutional Child Sexual Abuse Act 2018, section 162

¹⁵³⁹ INQ006875

¹⁵⁴⁰ Historical Institutional Abuse (Northern Ireland) Act 2019, Schedule 1, section 10; INQ006874

¹⁵⁴¹ Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021, section 14; INQ006879; INQ006877_059-063

¹⁵⁴² INQ006877_062 para 230; INQ006879_004

¹⁵⁴³ Alastair Gillespie 27 November 2019 155/21-156/23; David Bonehill 28 November 2019 61/7-13, 72/25-73/7, 112/15-20; Philippa Handyside 5 February 2020 71/10-72/20, 73/18-75/4

¹⁵⁴⁴ Ravi Nayer 5 February 2020 72/21-73/17, 75/22-76/13; Philippa Handyside 5 February 2020 75/12-21

123. Taking these considerations into account, the Inquiry recommends that the scheme should be State-funded but that the State should encourage non-State institutions and their insurers (if any) to contribute voluntarily.

124. There is an expectation that institutions responsible for the well-being or welfare of children which failed to protect them from sexual abuse contribute to the funding of the scheme, unless they have already (or intend to) set up their own redress schemes. The government should maintain a list of institutions from which they seek contributions, and publish a list of those which contribute. Where institutions do not respond or their contributions are considered insufficient, further action may be considered, such as publication of a list of institutions which refrain from contributing or from contributing sufficiently.

Part J

Evolving challenges

Evolving challenges

J.1: Introduction

1. The risks to children from child sexual abuse and exploitation are evolving. These challenges may be entirely new and arise, for example, as a result of technological advances. Alternatively, they may arise as a result of developments in how society understands and responds to a particular risk. Institutions and leaders must recognise developing challenges and ensure that their responses are capable of rapid adaptation to the evolving nature of the threat.
2. The Inquiry considers that emerging technologies and the globalised nature of child sexual abuse are key aspects of the future challenges to protect children properly. It is critical that statutory agencies, the institutions which interact with children and the online safety regulator are better able to anticipate and respond to risks.

J.2: Globalisation

3. The sexual abuse of children is not confined to any specific region, country or continent. A recent review “conservatively estimated that 1% of the global male population is affected by paedophilia (sexual attraction to prepubescent children)”.¹⁵⁴⁵ The worldwide scale of the problem is also apparent from the fact that the UK is one of a number of countries, including the US, Australia, the Republic of Ireland and Germany, to have established their own inquiries into child sexual abuse. The Roman Catholic Church has initiated inquiries in Germany, France, Spain and Japan.
4. In 1996, the UK hosted 18 percent of the worldwide total of online child sexual abuse imagery. By 2020, this figure was 0.1 percent, with only 180 URLs (web addresses) in the UK displaying child sexual abuse imagery.¹⁵⁴⁶ By way of comparison, in 2020:
 - the Netherlands hosted 117,544 URLs;
 - the USA hosted 8,257 URLs;
 - Russia hosted 3,742 URLs; and
 - Thailand hosted 1,299 URLs.¹⁵⁴⁷
5. That the UK hosts a relatively small amount of this material may be deceptive. A recent report by the Centre for Social Justice noted that “Britons are the third largest consumers of indecent images of children behind only America and Canada.”¹⁵⁴⁸ In relation to live streaming, individuals who purchase or view this material are predominantly based in Europe, North America and Australia.¹⁵⁴⁹ Online perpetrators in the UK contribute to the increasing demand for child sexual abuse material, so the UK government and Welsh Government must take robust action as part of the global response.

¹⁵⁴⁵ INQ006749_045

¹⁵⁴⁶ INQ006725_001

¹⁵⁴⁷ INQ006921_003

¹⁵⁴⁸ INQ006704_026

¹⁵⁴⁹ INQ006749_060

6. In June 2018, following a recommendation by the Inquiry, the UK government ratified the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (also known as the Lanzarote Convention).¹⁵⁵⁰ The Lanzarote Convention sets out a wide range of measures that must be in place to protect children from sexual abuse, including:

- introducing preventive measures (such as the screening, recruitment and training of people working with children, and making children aware of the risks of child sexual abuse);
- establishing programmes to support victims and survivors, encourage the reporting of suspected child sexual abuse, and set up telephone and internet helplines for children; and
- ensuring that engaging in sexual activities with a child (such as grooming and overseas child sexual abuse) are criminalised.

7. In 2022, the Lanzarote Committee (the body established to monitor whether parties implement the Lanzarote Convention effectively) published guidance to governments about self-generated child sexual abuse imagery.¹⁵⁵¹ It also reported on the measures taken by some Member States to protect children affected by the refugee crisis in Europe from child sexual abuse and exploitation.¹⁵⁵² These publications emphasised and reinforced that the institutional response, in particular that of the government and law enforcement, must therefore include an international dimension and cooperation with other countries and international organisations and bodies.

International engagement

8. There are a number of State and non-State institutions in England and Wales that operate on the international stage.

8.1. The Virtual Global Taskforce was established in 2003 as a collaboration between international law enforcement agencies and industry. The UK's National Crime Agency (NCA) is a member.¹⁵⁵³

8.2. The WeProtect Global Alliance was established in 2014 as a forum to improve the global response to online-facilitated child sexual abuse. In 2022, it has over 200 members, bringing together governments, companies, civil society organisations and international organisations.¹⁵⁵⁴ In its *Global Threat Assessment 2021*, the Alliance stated that the reporting of child sexual exploitation and abuse online had “reached its highest levels”, with evidence of increases in:

- the incidence of online grooming;
- the volume of child sexual abuse material available online;
- the sharing and distribution of child sexual abuse material; and
- live streaming for payment.¹⁵⁵⁵

¹⁵⁵⁰ *Government response to the Ratification of Lanzarote Convention recommendation in the Interim Report of the Independent Inquiry into Child Sexual Abuse dated 20 June 2018*

¹⁵⁵¹ INQ006936

¹⁵⁵² INQ006863

¹⁵⁵³ *The Internet Investigation Report*, Part B.3 para 34.1

¹⁵⁵⁴ *The Internet Investigation Report*, Part B.3 para 34.3; INQ006717_001

¹⁵⁵⁵ INQ006749_005

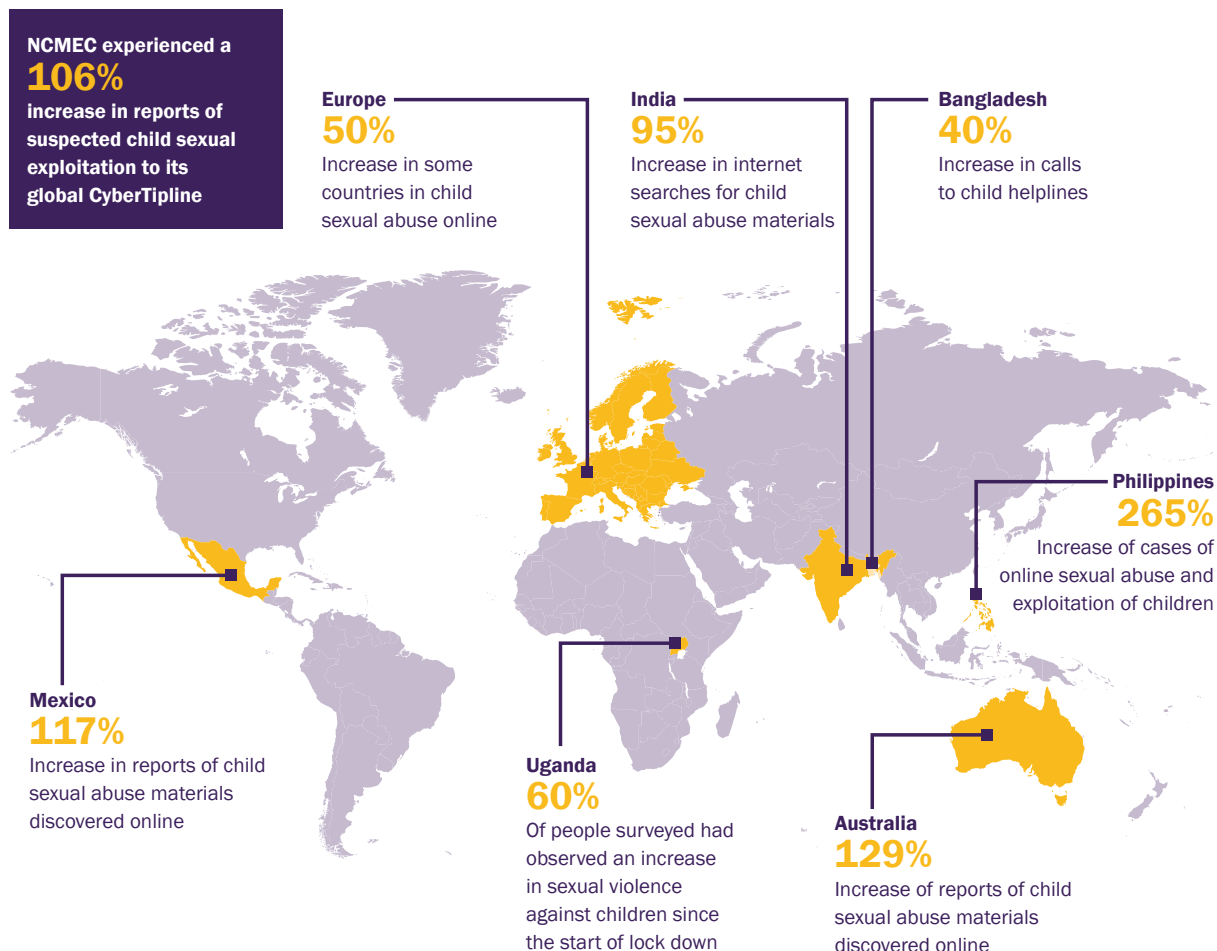


Figure J.1: Increases in child sexual abuse during COVID-19

Source: WeProtect Global Alliance, *Global Threat Assessment 2021*, figure 5

8.3. The UK is also one of the five countries (along with the US, Canada, Australia and New Zealand) participating in the ‘Five Eyes’ Ministerial, an alliance to promote and assist the sharing of intelligence between governments. In July 2019, the Ministerial met with digital industry representatives (Facebook, Google, Microsoft, Roblox, Snap and Twitter) to discuss the role of the digital industry in combating online child sexual exploitation on their platforms. One outcome of that meeting was an agreement among the Ministerial that government officials would work with industry to develop voluntary principles to guide private sector efforts in this regard. In March 2020, the Ministerial set out 11 voluntary principles which “aim to provide a framework to combat online child sexual exploitation and abuse, and are intended to drive collective action”.¹⁵⁵⁶

8.4. The Internet Watch Foundation (IWF) is an independent charity which searches for and removes online records of child sexual abuse. The IWF works with local governments, the police, industry, funders and charities to enable the reporting of suspected online child sexual abuse directly to the IWF’s analysts in the UK.¹⁵⁵⁷ It hosts 43 reporting portals worldwide. The portals offer a mechanism for reporting online

¹⁵⁵⁶ INQ006726_001

¹⁵⁵⁷ INQ006718

child sexual abuse imagery for countries that do not currently have this facility. Recent additions include reporting portals in Morocco (February 2021) and Tunisia and Kenya (both June 2021).¹⁵⁵⁸

9. Perpetrators who travel from the UK and sexually abuse and exploit children overseas are known by law enforcement agencies as transnational child sex offenders.¹⁵⁵⁹ The Inquiry's *Children Outside the UK Phase 2 Investigation Report* (published in January 2020) noted the underuse of domestic legislation which enables UK nationals to be prosecuted in England and Wales for sexual abuse that they have committed abroad.¹⁵⁶⁰ It also recommended that legislation be enacted to enable the NCA to establish and maintain a list of countries where children are considered to be at high risk of sexual abuse and exploitation from overseas offenders. This should be made available to the police and used to help determine whether a person who has been charged with sexual offences against a child poses a risk to children overseas based on their travel history and/or plans. Where such a risk exists, the list of countries should be admissible in court and used when considering whether a foreign travel restriction order should be made under the Sexual Offences Act 2003 and, if so, to which countries it should apply.¹⁵⁶¹ In June 2022, the legislation giving effect to the Inquiry's recommendation came into force.¹⁵⁶²

10. In addition to the work undertaken internationally, there is growing concern about the ways in which child sexual exploitation is being facilitated by modern slavery and trafficking.

10.1. In 2020, the United Nations Office on Drugs and Crime reported that globally about a third of detected victims of trafficking were children, with sexual exploitation and forced labour comprising the main forms of child trafficking.¹⁵⁶³ The WeProtect Global Alliance's *Global Threat Assessment 2021* considers that trafficking will further complicate live streaming investigations:

*"The crossover between livestreaming and trafficking is likely to become increasingly blurred as more traffickers move their business models online to circumvent the impact of COVID-19 restrictions."*¹⁵⁶⁴

10.2. The government's *Tackling Child Sexual Abuse Strategy* (2021) acknowledges that some victims and survivors of child sexual exploitation will also be victims of modern slavery (which includes human trafficking, slavery, servitude and forced or compulsory labour for the purpose of exploitation).¹⁵⁶⁵ The strategy sets out the use of independent child trafficking guardians (ICTGs) to support victims and survivors and provide advice to trafficked children. The Home Office will continue the national roll out of ICTGs as part of the National Referral Mechanism (NRM) Transformation Programme.¹⁵⁶⁶

10.3. In the UK, it is difficult to quantify the number of children who have been trafficked and, of those victims, to determine the numbers of children trafficked for sexual exploitation – not all victims will come to the attention of the authorities and be referred through the NRM. However, in 2020/21, of those children referred to the

¹⁵⁵⁸ INQ006701; INQ006713

¹⁵⁵⁹ *Children Outside the United Kingdom Investigation Report*, Part A.2 para 8

¹⁵⁶⁰ *Children Outside the United Kingdom Investigation Report*, Executive Summary

¹⁵⁶¹ *Children Outside the United Kingdom Investigation Report*, Part F.2 (Recommendation 2)

¹⁵⁶² The Police, Crime, Sentencing and Courts Act 2022, Section 172

¹⁵⁶³ INQ006865_082

¹⁵⁶⁴ INQ006749_061

¹⁵⁶⁵ INQ006448_070 para 218; Statutory Guidance for local authorities is also found in CRS000024

¹⁵⁶⁶ INQ006448_070 para 218

NRM, sexual exploitation was the second most commonly recorded reason for the referral. The UK was recorded as the country of origin for the majority of referrals, but countries such as Vietnam, Sudan, Albania, Romania, Afghanistan and Iraq were also listed.¹⁵⁶⁷

11. The need for the national response to incorporate the wider context of the global problem is obvious. Increased international cooperation between governments, law enforcement agencies and other organisations is therefore vital in combating the harm being done to children worldwide.

J.3: Technological developments

Computer-generated imagery

12. The digital technologies used to facilitate child sexual abuse are continually expanding. While computer-generated imagery (CGI) is not a new innovation, it enables individuals to create artificial child sexual abuse material.

13. ‘Deepfake’ technology is a form of CGI that uses artificial intelligence (AI) to manipulate a still or moving image, thereby replacing one person’s likeness with another. It is easily accessible via mobile or computer-based apps and is a harmful, emerging form of image-based sexual abuse. In 2020, sexualised ‘deepfake’ images of more than 100,000 women and apparently underage girls were generated by users of an AI bot (an automated software programme) that ‘removed’ items of clothing from non-nude photos taken from social media. The messaging app Telegram was then used to distribute the images.¹⁵⁶⁸

14. As with laws criminalising the possession of indecent photographs and videos of children, it is also illegal to possess non-photographic child sexual abuse images.¹⁵⁶⁹ The legislation therefore prohibits possession of material such as comics, cartoons, drawings, manga (Japanese comic books) images and CGI that depict a defined set of sexual acts with a child.¹⁵⁷⁰ The IWF operates a non-photographic imagery URL list which helps companies block access to website addresses that contain this kind of material.¹⁵⁷¹

15. While the possession of non-photographic material does not cause direct physical harm to a child, it is a powerful indicator that the individual has a sexual interest in children and may be a risk to children. Moreover, this material is still harmful because “*it fuels very real fantasies, encourages the propensity of sexual predators, and contributes to maintaining a market for child sexual abuse material*” and “*it creates a culture of tolerance for the sexualisation of children and thereby cultivates demand*”.¹⁵⁷² If CGI images become so lifelike that they cannot be distinguished from a real image, it may become more difficult and time-consuming for law enforcement to identify genuine child victims and take steps to protect them.

¹⁵⁶⁷ INQ006864_009

¹⁵⁶⁸ INQ006750

¹⁵⁶⁹ Coroners and Justice Act 2009, section 62

¹⁵⁷⁰ Coroners and Justice Act 2009, section 62

¹⁵⁷¹ INQ006716

¹⁵⁷² INQ006705_015

16. However, not every country has legislated against the possession of non-photographic material.¹⁵⁷³ The absence of this legislation is not just symbolic – it hampers law enforcement’s ability to take action against those who pose a risk to children, and also creates “*a sense of impunity to further fuel offending, not least because offenders have been noted to purposely target children in jurisdictions with weak provisions*”.¹⁵⁷⁴

The metaverse

17. Interactive games where children communicate with other players online have long been used as a means of grooming children and exposing them to other forms of sexually exploitative activity. Virtual reality (VR) games, along with augmented reality (AR) games (which superimposes digital content such as images, sounds and text over a real-world environment), can be used by offenders to exploit children. For example, in AR a child might explore their local area, with some games enabling the location of the child to be tracked.¹⁵⁷⁵

18. More recently, a number of companies, including Roblox (a children’s online gaming platform that allows players to build and play their own games together) and Meta (formerly known as Facebook), have developed their own virtual worlds known as the metaverse. The metaverse is a VR space where users can interact with a computer-generated environment and other users. It also has the potential to become a ‘safe space’ for sex offenders who use it as a tool for the sexual exploitation and abuse of children.

18.1. Its immersive nature means that it poses an enhanced threat when compared with other digital landscapes. For example, unlike social media, where the ability to initiate an interaction is mostly limited to text-based messages and emojis, the metaverse enables the sensation of physical touch. The VR company Emerge, for example, recently launched a product that enables ‘bare-hands’ tactility.¹⁵⁷⁶ This would allow sexual predators to feel and be felt by their victims, without the need for physical contact.

18.2. Safety policies are extremely difficult to monitor and enforce in virtual spaces. Unlike mobile phones, computers or gaming consoles, VR headsets cannot be externally monitored by parents and they do not store records of users’ interactions.¹⁵⁷⁷

18.3. It is also an environment where sexual offenders are able to hide behind anonymous avatars, which are digital representations of themselves. Users’ identities are not verified and children can access adult-only features simply by ticking a box to declare that they meet the minimum age requirements.

18.4. Meta’s virtual world, introduced in 2019, enables users to create avatars and interact with others using VR headsets. Meta’s age policies have been described as “*a paper tiger*”, in that once a headset is linked to an adult’s account, it can be used freely by people of any age.¹⁵⁷⁸ In spring 2022, Meta added parental controls to its headsets which enable a parent or guardian to prevent access to specific games and apps.¹⁵⁷⁹

¹⁵⁷³ INQ006702_009

¹⁵⁷⁴ INQ006749_029

¹⁵⁷⁵ NCA000363_023 para 54

¹⁵⁷⁶ INQ006706

¹⁵⁷⁷ INQ006751

¹⁵⁷⁸ INQ006710_005

¹⁵⁷⁹ INQ006956

19. Recent news stories highlight the ease with which children, particularly those under the age of 13, are exposed to the risk of sexual harm.

19.1. The VR app VRChat allows people to socialise as 3D avatars in a variety of online spaces. The app has a minimum age rating of 13 years but can be downloaded without any age verification or identity checks. Research conducted by the Centre for Countering Digital Hate (CCDH) found that users of the app were exposed to abusive behaviour every seven minutes. This included children being exposed to graphic sexual content, sexual harassment and grooming.¹⁵⁸⁰ For example, a young person’s avatar was followed by “two heavily breathing men” and another male joked in front of a child that he was a “convicted sex offender”.¹⁵⁸¹

19.2. A BBC News researcher investigated VRChat while posing as a 13-year-old girl. She visited rooms where child users could interact freely with adults, including pole dancing and strip clubs. The researcher witnessed sexual harassment, rape threats and a group of avatars who were simulating sex. She was also shown sex paraphernalia and was propositioned by several adult men. A safety campaigner told the BBC that he had spoken to children who had been groomed and forced to take part in virtual sex.¹⁵⁸²

19.3. In June 2018, a seven-year-old girl’s avatar was sexually assaulted in Roblox’s virtual playground.¹⁵⁸³ In February 2022, it was reported that Roblox had hosted games featuring rooms where children could watch avatars involved in simulated sexual acts. While the article stated that Roblox “stressed that it was very unlikely a child would stumble across these rooms unless actively looking for them and that the games were usually only up online for as little as an hour before moderators discover and take them down”, Figure J.2 provides an example of the kind of game that children could access.



Figure J.2: An example of a screenshot from Roblox

Source: The Times, 16 February 2022, [Nazi sex parties hosted on children’s game Roblox](#).

¹⁵⁸⁰ INQ006707

¹⁵⁸¹ INQ006724_002-003; INQ006707

¹⁵⁸² INQ006715

¹⁵⁸³ INQ006753

19.4. Another parent discovered that graphic messages had been sent to her young son, who was groomed into sending sexually explicit images of himself.¹⁵⁸⁴ Players can earn ‘Robux’, a digital currency used to purchase in-game upgrades and accessories. There have been reports of children using their avatars to exchange lap dances for Robux in virtual strip clubs.¹⁵⁸⁵

19.5. In December 2021, during trials of the VR platform Horizon Worlds, several users alleged that they were sexually assaulted or harassed while using the system. One victim was “groped” by a stranger while others watched.¹⁵⁸⁶ Another user reported that her avatar was “virtually gang-raped” by a group of male avatars.¹⁵⁸⁷

20. Head of online child safety at the National Society for the Prevention of Cruelty to Children (NSPCC), Mr Andy Burrows, said about the metaverse that:

*“We are seeing products rolled out without any suggestion that safety has been considered”.*¹⁵⁸⁸

21. The Home Office’s *Interim Code of Practice on Online Child Sexual Exploitation and Abuse* (Interim Code, see below) makes clear that VR child sexual abuse material (along with photographs, videos and other material) should be reported.¹⁵⁸⁹ Security controls and safety measures are required, however, to prevent sexually abusive behaviour from taking place in VR. These need to be implemented before the metaverse becomes widely adopted and accessible.

The role of artificial intelligence

22. There are also benefits to many technological advances. In particular, the ability of artificial intelligence (AI) to process large volumes of data means that it can be employed to create a safer online environment for children.

22.1. AI can be used to help infiltrate offender networks. In 2013, a computer-generated image of a fictional child known as the ‘Sweetie’ avatar was used to identify more than 1,000 online predators in 71 countries.¹⁵⁹⁰

22.2. ‘Chat-bots’ can carry out text-message conversations with buyers and providers of sexual services, thereby obtaining additional information with which to prosecute perpetrators.

22.3. In February 2021, Government Communications Headquarters (GCHQ) published a report outlining how AI can be used to tackle issues including child sexual abuse and trafficking.¹⁵⁹¹ This includes training AI tools to identify potential grooming behaviour.¹⁵⁹²

¹⁵⁸⁴ INQ006719_002

¹⁵⁸⁵ INQ006722

¹⁵⁸⁶ INQ006944

¹⁵⁸⁷ INQ006727_002

¹⁵⁸⁸ INQ006715_003

¹⁵⁸⁹ INQ006672_045 para 1

¹⁵⁹⁰ INQ006703

¹⁵⁹¹ INQ006902_010

¹⁵⁹² INQ006902_011

22.4. In February 2022, Meta added a ‘Personal Boundary’ feature to its VR experiences. This prevents avatars from coming within a set distance of each other, thereby making it easier to avoid unwanted contact.¹⁵⁹³

J.4: Online-facilitated child sexual abuse

23. As set out in Part B, within the lifetime of this Inquiry, the scale of online-facilitated child sexual abuse has continued to escalate, year on year. In the UK, there has been a rapid increase in the amount of self-generated child sexual imagery, the age of children at risk of online harm has decreased and, worldwide, the number of referrals to law enforcement runs into the tens of millions.

24. Given the “*exponential increase in reports of abuse*” to the police, it is unlikely therefore that law enforcement could ever keep pace with the scale or rapid development of the threat.¹⁵⁹⁴ This uncomfortable reality led a number of witnesses to state that they believed that the police “*can’t simply arrest our way out*” of the scale of offending.¹⁵⁹⁵ This is not just a problem facing England and Wales. The WeProtect Global Alliance’s *Global Threat Assessment 2021* indicated that the “*sustained growth*” in the scale of child sexual exploitation and abuse online is “*outstripping our global capacity to respond*”.¹⁵⁹⁶

25. The IWF reported that self-generated sexual imagery of children aged from 7 to 10 years old has increased three-fold, making it the fastest growing age group. In 2020, there were 8,000 instances; in 2021 there were 27,000 – a 235 percent increase.¹⁵⁹⁷ Children have expressed concern about repeat victimisation because self-generated sexual images may remain available on the internet.¹⁵⁹⁸ In summer 2021, it was announced that the IWF had partnered with Childline to launch an online tool, Report Remove, that empowered children and young people to remove nude videos or images of themselves from the internet. The tool can be used by anyone under the age of 18 to report a nude photo or video of themselves. The IWF subsequently reviews the report and has the content deleted if it breaks the law. Throughout the process, the young person can stay anonymous if they wish, and Childline ensures that they are safeguarded and supported.¹⁵⁹⁹ Given the growth in self-generated imagery, Report Remove is likely to become an increasingly useful tool to help prevent children being harmed by the knowledge that an image of them is available online to be viewed and shared with others.

The dark web

26. There are growing concerns about the increase of offending via the dark web. Statistics from the NCA show that, in 2020, 2.88 million accounts were registered globally across the most harmful child sexual abuse dark web sites, with at least 5 percent believed to be registered in the UK.¹⁶⁰⁰ A recent survey of just over 1,500 individuals who used the dark web found that 42 percent of respondents reported that they had sought direct contact with children through online platforms after viewing child sexual abuse material. While contacting a child may not necessarily lead to the sexual abuse of a child, 58 percent of

¹⁵⁹³ INQ006711_002

¹⁵⁹⁴ Simon Bailey 20 May 2019 113/20; *The Internet Investigation Report*, Part C.2 para 62

¹⁵⁹⁵ Jim Gamble 23 January 2018 28/10; *The Internet Investigation Report*, Part C.2 paras 62–66

¹⁵⁹⁶ INQ006749_003 para 1

¹⁵⁹⁷ INQ006684_002-003

¹⁵⁹⁸ *The Internet Investigation Report*, Part C.1 para 4

¹⁵⁹⁹ INQ006679_002; INQ006735_001

¹⁶⁰⁰ INQ006902_011

respondents described feeling afraid that viewing such material “*might lead to sexual acts with a child or adult*”.¹⁶⁰¹ The results of the survey also supported the researchers’ hypothesis that respondents who reported using child sexual abuse material depicting infants and toddlers (aged 0 to 3 years) were the most likely to report contacting children online.¹⁶⁰²

27. The dark web provides a relative ‘safe haven’ for a significant number of the most depraved and committed perpetrators. The risk of harm to children caused by, and linked to, abusive material available on the dark web must not be ignored.

J.5: The Online Safety Bill

28. In March 2022, the Online Safety Bill was laid before Parliament.¹⁶⁰³ When enacted, the Online Safety Bill will mean that companies which host user-generated content and search engines will be regulated for the first time and will have duties of care to users. Those duties include “*to mitigate and effectively manage*” the risk of harm caused by illegal content and to protect children from harm on those parts of the service which children can access.¹⁶⁰⁴ The definition of illegal content covers child sexual exploitation and abuse content.

29. In summary, the duties of care imposed by the legislation require:

- all providers to conduct risk assessments relating to illegal content;
- where the service can be accessed by children, providers to conduct “*children’s risk assessments*” (which must be kept up to date and be updated before the service makes a significant change) and to protect children’s safety online;
- providers to use “*proportionate systems and processes*” designed to minimise the presence of illegal content on the service in the first place; where the illegal content is uploaded, to minimise the time for which it is present and its dissemination, and to remove the illegal content they are made aware of, or become aware of, as soon as possible.¹⁶⁰⁵

30. The proposed legislation does not prescribe the use of specific technologies in order to prevent harm taking place but instead makes clear that companies should be using technology to address these harms. The Home Office’s Interim Code sets out the voluntary action the government expects providers to take before the regulator is established. The Interim Code states that companies “*should take reasonable steps*” to seek to prevent known child sexual abuse material being made available or accessible on their platforms.¹⁶⁰⁶ The Office of Communications (Ofcom), as the regulator, will be able to require a company to use such technology where other measures do not work. The Interim Code also states that companies should “*proactively identify*” newly generated child sexual abuse material and identify and combat child sexual exploitation and abuse activity such as grooming.¹⁶⁰⁷ The drafting of any future code should make clear, for the avoidance of doubt, that aspects of the companies’ response to online child sexual exploitation and abuse are mandatory.

¹⁶⁰¹ INQ006693_002

¹⁶⁰² INQ006693_015 para 5.5

¹⁶⁰³ INQ006939

¹⁶⁰⁴ INQ006896_034, section 24(2)

¹⁶⁰⁵ INQ006896_034-038, sections 23-26

¹⁶⁰⁶ INQ006672_007-008

¹⁶⁰⁷ INQ006672_009-012

- 31.** Ofcom will have a range of enforcement powers to tackle non-compliance, including the power to impose a fine of up to £18 million or 10 percent of global annual turnover (whichever is the higher). In addition, it will have powers to require additional information from companies under investigation, to enter companies' premises and access documentation, data and equipment, and to interview companies' employees.
- 32.** In addition to the Bill, there are plans for action by the government and Ofcom on education. The government's 2021 *Child Sexual Abuse Strategy* states that the Home Office "will work to deter individuals from abusive behaviour, investing in evidence-based public education campaigns that can prevent offending".¹⁶⁰⁸ Ofcom is expected to promote education about online safety and the use of safety technologies to empower users and tackle online harms. The detailed plans for this, including to evaluate the efficacy of Ofcom's activity, are not yet known.
- 33.** The Department for Digital, Culture, Media & Sport (DCMS) also published an official 'one-stop shop' containing guidance for businesses on keeping children safe online. This came after research had shown that smaller companies were less confident in their ability to find information on online child safety than bigger businesses. DCMS noted that the new guidance was separate from the forthcoming regulations in the Online Safety Bill.¹⁶⁰⁹ The guidance provided advice on data protection and privacy, delivering age-appropriate content, addressing harmful conduct and protecting children from online sexual exploitation and abuse. It also recommended applying and enforcing minimum age limits.
- 34.** The UK is not the only country moving towards regulation of online service providers.
- 34.1.** In Australia, the Online Safety Act 2021 (which came into force in January 2022) requires service providers to take reasonable steps to minimise access to child sexual exploitation material. The Act also requires the development of new mandatory industry codes to regulate illegal and restricted content. The codes require online platforms and service providers to detect and remove illegal content such as child sexual abuse material.
- 34.2.** Ireland is proposing to introduce a regulatory regime for online safety in its Online Safety and Media Regulation Bill.
- 34.3.** The European Union's (EU) Digital Services legislation, when brought into force, will improve mechanisms for the removal of illegal content online in States which are EU members.¹⁶¹⁰ In May 2022, the EU also announced that it was proposing legislation to make it mandatory for companies to "detect, report and remove child sexual abuse material on their services".¹⁶¹¹
- 35.** Regulation in other areas and industries, for example by the Health and Safety Executive, has led to safer working conditions and has improved good working practices across a vast range of businesses. Taken as a whole, the government's proposals to introduce a regulatory regime in respect of online child sexual abuse and exploitation are welcome. However, concerns remain about the ability of the proposed legislation to address issues surrounding age and identity verification.

¹⁶⁰⁸ INQ006448_007

¹⁶⁰⁹ INQ006678

¹⁶¹⁰ INQ006749_033

¹⁶¹¹ INQ006943

Age verification

36. Protecting children from online child sexual abuse is not the responsibility of a single institution. A multifaceted, collaborative approach is required which prevents harmful content being available, removes it when it becomes known, denies underage children access to services and platforms, and makes sites and platforms safe from the outset.

37. The Interim Code states companies should use “*safety by design approaches*” and “*adopt enhanced safety measures with the aim of protecting children*”. The Code envisages that reasonable steps include companies having “*safety processes and default settings that are appropriate to the actual age of their users and that make provision for the possibility of underage users*”.¹⁶¹²

38. The vast majority of participants in the Inquiry’s Engagement with Children and Young People project stated that they had accessed social media apps before the minimum age requirement. They noted that there were few restrictions in place to prevent this and expressed surprise that technology was not being used to strengthen identity verification controls.¹⁶¹³

39. The Inquiry’s Internet investigation highlighted the harm being done to young children by online-facilitated sexual abuse. For children aged under 13, the risk of being groomed online was “*particularly acute*”.¹⁶¹⁴ Those aged 11 to 13 also featured prominently in images and videos of live streamed child sexual abuse that were analysed by the IWF.¹⁶¹⁵

40. As noted in Part F, technological developments that help detect online-facilitated child sexual abuse are welcome. However, they fail to deal with the Inquiry’s fundamental concern that children under the age of 13 are able to access social media platforms and services by too easily evading overly simplistic age verification requirements (processes that ensure users must prove their age to access certain platforms). Many services require nothing more than entering a date of birth.

Age verification in the context of access to adult pornographic material

41. Repeated exposure to self-generated sexual images of children, and to pornography, has in some instances led to desensitisation – where such incidents become accepted as everyday life and so are less likely to be reported.¹⁶¹⁶ Children who participated in the Inquiry’s research for *Learning about Online Sexual Harm* identified exposure to pornography as being one of a number of examples of online sexual harm.¹⁶¹⁷ Evidence heard in the Residential Schools investigation suggested that it would not be unusual for a young person with autism who had accessed a highly inappropriate pornographic website not to understand why the site should be censored.¹⁶¹⁸

42. Chief Constable Simon Bailey, at that time the National Police Chiefs’ Council Lead for Child Protection and Abuse Investigations and now retired, considered that the availability of pornography was:

¹⁶¹² INQ006672_019

¹⁶¹³ *Engagement with children and young people*, IICSA, June 2021, p30

¹⁶¹⁴ *The Internet Investigation Report*, Part D.4 para 32

¹⁶¹⁵ *The Internet Investigation Report*, Part B.2 para 9.1

¹⁶¹⁶ *Learning about online sexual harm*, IICSA, November 2019, pp4–5

¹⁶¹⁷ *Learning about online sexual harm*, IICSA, November 2019, p4

¹⁶¹⁸ *Residential Schools Investigation Report*, Part B.3 para 96; SLS000108_026 para 99

*“creating a group of men who will look at pornography and the pornography gets harder and harder and harder, to the point where they are simply getting no sexual stimulation from it at all, so the next click is child abuse imagery. This is a real problem. It really worries me that children who should not be being able to access that material ... are being led to believe this is what a normal relationship looks like and this is normal activity”.*¹⁶¹⁹

43. These views echo the findings of the government’s Equalities Office, which concluded that there was “*substantial evidence of an association*” between the use of pornography and harmful attitudes and behaviours towards women and girls.¹⁶²⁰ Young victims and survivors, and support service organisations, told the Inquiry that online pornography had particularly normalised and promoted violent sex and rape fantasies.¹⁶²¹

44. In 2016, the government proposed legislation (the Digital Economy Act) that restricted access to pornographic websites to those aged 18 or over. However, in 2019, the government decided not to implement that part of the Digital Economy Act, stating that:

*“It is important that our policy aims and our overall policy on protecting children from online harms are developed coherently ... this objective of coherence will be best achieved through our wider online harms proposals”.*¹⁶²²

45. In February 2022, the government announced a “*new standalone provision*” to the Online Safety Bill requiring “*providers who publish or place pornographic content on their services to prevent children from accessing that content*”.¹⁶²³ This provision is intended to capture commercial providers of pornography in addition to sites that allow user-generated content that were already within the scope of the Bill.¹⁶²⁴ The announcement specifically stated that preventing access “*could include adults using secure age verification technology to verify that they possess a credit card and are over 18 or having a third-party service confirm their age against government data*”. It added that age verification technologies:

- do not require “*a full identity check*”;
- must be “*secure, effective and privacy-preserving*”; and
- are increasingly common practice in other online sectors, including online gambling and age-restricted sales.¹⁶²⁵

46. While the Bill refers to age verification as an example of how a provider might prevent children encountering pornographic content, it does not mandate age verification.

47. Instead, it imposes the duties of care and it will be for the company to decide how to comply with those duties. Age verification is only one measure a company may use to demonstrate to Ofcom that they can fulfil their duty of care and prevent children accessing pornography. The government states that the Bill “*does not mandate the use of specific solutions as it is vital that it is flexible to allow for innovation and the development and use of more effective technology in the future*”.¹⁶²⁶

¹⁶¹⁹ Simon Bailey 24 January 2018 148/16-24

¹⁶²⁰ INQ006736_028

¹⁶²¹ *Engagement with children and young people*, IICSA, June 2021, p31

¹⁶²² INQ006773_001

¹⁶²³ INQ006737_002

¹⁶²⁴ INQ006737_002; INQ006896_071 section 68(2)

¹⁶²⁵ INQ006737_002-003

¹⁶²⁶ INQ006737_002

48. However welcome it is to prevent children from accessing pornography, the draft Bill does not expressly go far enough to protect children from the potential harm caused by accessing social media platforms and services on which they can be groomed and sexually abused. The current age verification requirements provide insufficient protection to young children, particularly those aged under 13. Where access to a service or platform is age restricted, those restrictions must be robustly enforced. The Inquiry therefore reiterates its recommendation that stronger age verification techniques be required.

Recommendation 20: Age verification

The Inquiry recommends (as originally stated in its *The Internet Investigation Report*, dated March 2020) that the UK government introduces legislation requiring providers of online services and social media platforms to implement more stringent age verification measures.

Identity verification

49. In addition to concerns about age verification, there are also concerns about the ease with which offenders adopt a false identity in order to carry out their abuse.

49.1. The Internet Investigation heard how 13-year-old IN-A1 and her 12-year-old brother, IN-A2, were groomed online by a 57-year-old man who initially pretended to be a 22-year-old woman named ‘Susan’. His grooming of IN-A1 was such that when ‘Susan’ revealed he was a man, IN-A1 was not able to break contact with him. He made IN-A2 sexually touch IN-A1 and suggested that IN-A2 should have sexual intercourse with her. He made IN-A1 commit sexual acts for him over webcam.¹⁶²⁷

49.2. In 2021, David Wilson was sentenced to 28 years’ imprisonment for 96 child sexual abuse offences against 52 boys aged 4 to 14 years old. The offending occurred between May 2016 and April 2020, when Wilson approached more than 5,000 boys worldwide by adopting personas of teenage girls – principally on Facebook – and blackmailed some victims into abusing younger siblings or friends and sending him the footage. Using unregistered phones, Wilson scoured social media sites for vulnerable victims. Over the course of the investigation, Facebook made numerous referrals to the National Centre for Missing and Exploited Children (NCMEC), including identifying 20 accounts of boys aged 12 to 15 years who had sent indecent images of themselves to an account seemingly belonging to a 13-year-old girl (Wilson).¹⁶²⁸

50. Given that many platforms do not require a user’s identity to be verified, it is all too easy for perpetrators to set up a fake online profile (also known as catfishing) which enables them to masquerade as a child or as someone else.

51. While data protection considerations about handling large volumes of personal data will need to be taken into account, many of the young victims and survivors told the Engagement team that they were “surprised that technology is not being used to strengthen identity

¹⁶²⁷ *The Internet Investigation Report*, Part D.3 paras 8–11

¹⁶²⁸ INQ006730

verification controls". They referred, understandably, to the ease with which children can access online sites when compared with how difficult it can be for an adult to get into their own banking app.¹⁶²⁹

52. The Online Safety Bill includes measures which would provide adults (but seemingly not children) with the option not to interact with unverified users. Ofcom may therefore wish to give more consideration to identity verification when it publishes its code of practice for child sexual exploitation and abuse.

53. It is unrealistic, however, to assume that age and identity verification will, by themselves, prevent underage access to internet services and platforms and protect children from online harm. There needs to be increased emphasis and focus on making children's use of the internet safer by design and, once established, all platforms and services need to have the capacity and capability to respond to emerging patterns of child sexual abuse. The new Child Protection Authorities will play an important role in helping to provide advice on these and other developing challenges in the future.

¹⁶²⁹ *Engagement with children and young people*, IICSA, June 2021, p30

Part K

A summary of the Inquiry's recommendations

A summary of the Inquiry's recommendations

K.1: Child sexual abuse

The nature and scale of child sexual abuse

1. Children are sexually abused every day in England and Wales. In the year ending September 2021, police forces recorded a total of 67,675 sexual offences against children. One recent estimate – described as “conservative” – suggested that around 500,000 children are abused in a single year. Another estimate suggested at least 15 percent of girls and 5 percent of boys are sexually abused before the age of 16. The abuse includes sexual exploitation by groups, involving the most degrading and destructive acts, including being repeatedly raped or sexually assaulted, sometimes over months or years. There has been a rapid escalation in the number of children being groomed on social media platforms as online-facilitated abuse and sexual exploitation increasingly overlap. As the government’s April 2019 *Online Harms White Paper* observed, the “sheer scale of CSEA [child sexual exploitation and abuse] online is horrifying”. The internet has been used to live stream the sexual abuse of children from around the world for as little as 93 pence.
2. Each act of sexual abuse is a crime. In 2021, the National Crime Agency estimated that there were between 550,000 and 850,000 individuals in the UK who posed varying degrees of sexual risk to children. Chief Constable Simon Bailey, at that time the National Police Chiefs’ Council Lead for Child Protection and Abuse Investigations and now retired, told the Inquiry that the police were seeing “an exponential increase in reports of abuse”, but also “levels of depravity that are – if they could get worse, are getting worse. We are seeing babies being subjects of sexual abuse”.

Improving the understanding of the scale of child sexual abuse

3. As set out in the UK government’s *Tackling Child Sexual Abuse Strategy (2021)*, child sexual abuse offences, including indecent image offences, recorded by police increased approximately 267 percent between 2013 and March 2020. It recognised that:

“it is difficult to truly understand the scale of offending and how many victims and survivors remain unidentified because of under-reporting, under-identification of victims and survivors by agencies, and a lack of robust survey data”.

4. Limitations with current methods of data collection have hampered the Inquiry’s ability to conduct a realistic assessment of how many of the 12.7 million children in England and Wales have been sexually abused, or are at risk of sexual abuse, by whom and in what settings. There is no consistent approach to the recording of data, with different organisations developing their own approaches to categorising and recording child sexual abuse. There are also high levels of non-reporting. The Inquiry is in no doubt, however, that the scale of child sexual abuse and exploitation is considerably greater than is currently recorded.

5. The government's *Tackling Child Sexual Abuse Strategy (2021)* recognised that “*the quality and extent of data that is collected on offender and victim characteristics, including, but not limited to, age, gender and ethnicity, is inadequate*”. Public agencies rely on accurate and detailed data to make the best strategic and operational responses for the protection of children. This is not possible if the nature of the abuse and changing patterns are not well understood. The Inquiry therefore recommends improvements to the data collected about child sexual abuse by the introduction of a single core data set.

Recommendation 1: A single core data set

The Inquiry recommends that the UK government and the Welsh Government improve data collected by children's social care and criminal justice agencies concerning child sexual abuse and child sexual exploitation by the introduction of one single core data set covering both England and Wales.

In order to facilitate this, these agencies should produce consistent and compatible data about child sexual abuse and child sexual exploitation which includes:

- the characteristics of victims and alleged perpetrators of child sexual abuse, including age, sex and ethnicity;
- factors that make victims more vulnerable to child sexual abuse or exploitation; and
- the settings and contexts in which child sexual abuse and child sexual exploitation occur.

Data concerning child sexual abuse and child sexual exploitation should be compiled and published on a regular basis. This should be capable of being collated nationally as well as at regional or local levels.

K.2: Prioritising the protection of children

6. The effective protection of children from harm is an essential feature of a civilised society. Despite this, child sexual abuse occurs in many institutions, contexts and settings. The Inquiry's work revealed physical violence as well as neglect and emotional harm that individually, or in combination, created an environment in which sexual abuse could take place. Many institutions did not respond effectively, or at all, to child sexual abuse. A number of examples did not involve finely balanced decisions but were cases where action was obviously necessary and often urgent but none was taken. Reputations tended to be valued above the interests of children.

Reforming the system for safeguarding and child protection

7. The legal and policy requirements for child protection and safeguarding are often complex. This complexity can lead to assumptions that every aspect of child protection and safeguarding is already covered by existing frameworks. That is not the case. An additional problem was the failure to implement and comply with the child protection arrangements that were in place.

8. The cornerstone of the system is multi-agency working. When child protection concerns arise, the relevant local authority has a statutory duty to make enquiries and decide whether to take any action to safeguard or promote the child's welfare. The police are responsible

for investigating allegations of criminal offences of child sexual abuse. If there is sufficient evidence to proceed and it is in the public interest to do so, the Crown Prosecution Service will authorise a prosecution. Nonetheless, despite successive policy initiatives to work better together, the statutory agencies have not always collaborated efficiently and effectively. On occasions, this has been marked by an absence of collective leadership by statutory agencies.

9. Scrutiny and inspection arrangements are also important features of the current system, with a number of organisations playing an important role in the oversight of child protection and regulation. Although there is a regime for thematic inspection of child protection across the statutory services, external and independent statutory scrutiny of child protection practice is in some ways fragmented. Inspection activity does not always identify poor practice, particularly given the necessarily wide-ranging nature of many inspections. Some private or voluntary institutions receive little, if any, independent assessment of their child protection practices.

10. The challenges are considerable and growing. As the UK recovers from the consequences of a worldwide pandemic and as the scale of online-facilitated child sexual abuse increases, those challenges are likely to last well into the future.

Child Protection Authorities for England and for Wales

11. Child protection must be given a much-needed and enhanced focus as well as a consistency of approach. It should not be subsumed into other areas of practice within institutions or be permitted to drift into institutional obscurity. There is a very real risk that unless there is long-lasting and focussed vigilance, institutions may continue or revert to poor practice and, worse still, actively downplay child sexual abuse. To address and respond to the complex challenges of child sexual abuse at local and national levels, the Inquiry recommends the establishment of independent Child Protection Authorities for England and for Wales.

Recommendation 2: Child Protection Authorities for England and for Wales

The Inquiry recommends that the UK government establishes a Child Protection Authority for England and the Welsh Government establishes a Child Protection Authority for Wales.

Each Authority's purpose should be to:

- improve practice in child protection;
- provide advice and make recommendations to government in relation to child protection policy and reform to improve child protection; and
- inspect institutions and settings as it considers necessary and proportionate.

The Child Protection Authorities in England and in Wales should also monitor the implementation of the Inquiry's recommendations.

Introducing a cabinet Minister for Children

12. The introduction of the Child Protection Authorities should be coupled with the introduction of a cabinet Minister for Children, to provide a sharper focus on critical issues within government and the cohesive leadership, focus and influence needed. A minister at cabinet level would be able to work across government departments to enable the welfare of children to remain a high priority, bringing the diverse strands of policy development together and giving a voice to the child's perspective.

13. To signify the importance attached to the effective leadership of child protection, the Inquiry therefore recommends that the UK government establish a Minister for Children with cabinet status. The position will cover a wide range of responsibilities for children's welfare, including child protection, so that children's safety and well-being receive the attention they deserve.

14. Given the ministerial arrangements in Wales, the Inquiry's recommendation is couched differently, to provide an appropriate degree of flexibility in its implementation.

Recommendation 3: A cabinet Minister for Children

The UK government

The Inquiry recommends that the UK government creates a cabinet-level ministerial position for children.

The Welsh Government

The Inquiry recommends that the Welsh Government ensures that there is cabinet-level ministerial responsibility for children.

Attitudes to child sexual abuse

15. Alongside elevating the status of children in the political sphere, public awareness about child sexual abuse must be improved. Myths and stereotypes about child sexual abuse are still held by many. The Inquiry has seen recent examples of sexual abuse or exploitation being characterised as the result of children's 'lifestyle choices'. As a result, some children and young people have been given the impression that they were not believed to be worthy of protection, creating and perpetuating notions of 'deserving' and 'undeserving' victims of child sexual abuse.

16. While child sexual abuse remains a difficult subject to discuss, it is important to bring those discussions into the public arena so that young people are well informed, and can navigate the risks of abusive and exploitative sexual relationships. While some – particularly professionals, such as youth workers – are well equipped to have these discussions, children and young people should feel able to raise these subjects more routinely with their families, teachers and peers. The Inquiry therefore recommends that there should be a wide-ranging programme to increase public awareness of child sexual abuse.

Recommendation 4: Public awareness

The Inquiry recommends that the UK government and the Welsh Government commission regular programmes of activity to increase public awareness about child sexual abuse and the action to take if child sexual abuse is happening or suspected in England and in Wales.

The programmes should:

- challenge myths and stereotypes about child sexual abuse;
- make maximum use of different approaches including, but not limited to, public information campaigns, the use of positive role models and creative media, such as television drama; and
- be supported by continuous evaluation to measure their impact.

K.3: Empowering children and young people

17. Society's response to child sexual abuse reflects its attitude towards children. Adults frequently thought children were not telling the truth when they tried to disclose abuse. For a variety of reasons, adults disbelieved children and crimes committed against children were minimised.

18. While the measures by which the State protects vulnerable children from abuse have developed, engagement directly with children and young people has been slow. Their views are increasingly sought and taken into account, and their rights and entitlements are taken more seriously than they were in the past. Their technological literacy has had a demonstrable impact on traditional power dynamics, as the Everyone's Invited movement illustrated. Educating children about the risk of sexual abuse and the identification of those risks play an important role in keeping them safe, but the responsibility for taking steps to address these risks rests with adults and institutions.

19. Some children and young people are more vulnerable to sexual abuse than others. For example, disabled children are almost three times more likely to experience sexual violence than non-disabled children. Children with complex needs may struggle to overcome communication difficulties, either because of the nature of a disability or because their carers may not understand their method of communication.

20. There is also a lack of knowledge, understanding and awareness about the sexual abuse of vulnerable children. In particular, many professionals, carers and the wider community need a better understanding of sexual exploitation involving children with disabilities to ensure that the risks to those children are identified and appropriate action taken.

Children in custody

21. Children in custody are particularly vulnerable to abuse, especially as they include a high proportion of "*highly complex, high-needs young people*". Some children come from unstable family backgrounds, some have experienced sexual abuse prior to being in custody. Many have emotional, behavioural or educational problems, including mental health difficulties.

22. This combination of challenging behaviour and vulnerability often presents difficulties in safely managing and caring for these children and young people. As a result, there are occasions when staff in custodial institutions consider it necessary to physically restrain children. The use of force against children contributes to the perception that an institution condones violence, which is likely to discourage reporting of sexual (and indeed other) abuse. Any review of the relevant guidance and related techniques should concentrate on restraint that does not inflict pain of any kind. The deliberate infliction of pain as a method of control is wrong.

Recommendation 5: Pain compliance

The Inquiry recommends (as originally stated in its *Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report*, dated February 2019) that the UK government prohibits the use of any technique that deliberately induces pain (previously referred to by the Inquiry as 'pain compliance techniques') by withdrawing all policy permitting its use in custodial institutions in which children are detained, and setting out that this practice is prohibited by way of regulation.

Looked after children

23. Children in the care of local authorities (known as 'looked after children') – especially those in residential care and in foster care – are particularly vulnerable to sexual abuse and exploitation. Experiences of trauma while living in the parental home are likely to have occurred. The Inquiry heard a number of examples of the abuse of children in care. Its investigations into children in the care of Lambeth Council and the Nottinghamshire Councils found abuse akin to that uncovered by inquiries of the 1990s, with the true number of victims of child sexual abuse likely to be higher than the local authorities had been able to identify.

24. Young people are uniquely placed to identify what needs to change to keep them safe, with an acute awareness of problems in their care planning, distance from their birth family and living in inappropriate locations. However, those who are in care are in a different legal position from those who are not. Decisions are made on their behalf by local authorities, which act as their 'corporate parent' and organise their placement with alternative carers.

25. While courts can make orders under the Children Act 1989 to limit or mandate how parents exercise their parental responsibility, a court has no such ability in respect of a child in care. The legal position of children in care should be improved, so that they can be empowered to challenge aspects of local authority decision-making for themselves. The Inquiry therefore recommends an amendment to the Children Act 1989, to provide a route by which looked after children can apply to the family courts for orders to mandate or limit a local authority's exercise of its parental responsibility.

Recommendation 6: Children Act 1989

The Inquiry recommends that the UK government amends the Children Act 1989 so that, in any case where a court is satisfied that there is reasonable cause to believe that a child who is in the care of a local authority is experiencing or is at risk of experiencing significant harm, on an application by or for that child, the court may:

- prohibit a local authority from taking any act (or proposed act) which it otherwise would be entitled to take in exercising its parental responsibility for the child; or
- give directions for the purpose of determining a specific question which has arisen, or which may arise, in connection with any aspect of the local authority's exercise of parental responsibility for a child.

K.4: Creating a more protective environment for children

26. No system can guarantee the eradication of child sexual abuse. There are measures that institutions, organisations and settings which work with or come into contact with children should take to help to create a protective environment for children. Key to this is vetting applicants to recruit the right people, putting effective child safeguarding policies and procedures in place, and providing appropriate training and monitoring to ensure those policies are understood and implemented.

27. The Inquiry has made many recommendations to improve protective measures. It has also identified several key areas in which increased professional regulation would improve child protection. Workforce regulation requires those who work with children to comply with professional standards of competence, ethics and integrity set by an independent regulatory body defined in legislation. Although certain workplaces are regulated to ensure adherence to appropriate standards, individuals working in those institutions are not necessarily subject to any form of workforce regulation.

Regulation of the workforce: education

28. Regulation of the education workforce varies considerably between England and Wales, but neither has a comprehensive system of regulation. For example, in Wales, registration with the Education Workforce Council is not compulsory for those who work in the independent (fee-paying) education sector and as a result those who are unregistered are not covered by its misconduct jurisdiction. In England, although there is professional regulation of those engaged in 'teaching work', there is no longer a system of registration for the education workforce. Disciplinary regulations do not apply to the approximately 500,000 teaching assistants and learning support staff as they are "*subject to the direction and supervision of a qualified teacher or other person nominated by the head teacher*".

29. The government has announced an extension of the teacher misconduct regime in 2022, but it does not appear that this will address these issues or the Inquiry's previous recommendations in March 2022 in *The Residential Schools Investigation Report*.

Regulation of the workforce: children's homes

30. The Inquiry's investigations regarding the sexual abuse of children looked after by local authorities highlighted sexual abuse of children in residential care by staff. There were also failures by staff to identify and act upon clear signs that children were being sexually abused and exploited by adults or other children, and failures to respond appropriately to allegations of abuse.

31. There have been a number of changes to local authority practice over time. While Ofsted will assess the fitness of a person to manage a children's home, it is not a workforce regulator. It may deregister a children's home, but it does not have any disciplinary function by which to regulate registered managers and hold them to professional standards of competence and conduct. There is also no system of registration for the approximately 35,000 workers in care roles in England. In Wales (as well as in Scotland and Northern Ireland), children's social care workers must register with a regulatory body.

32. In April 2018, the *Interim Report of the Independent Inquiry into Child Sexual Abuse* (the *Interim Report*) recommended the introduction of arrangements for the registration of staff working in care roles in residential care settings. In July 2021, the government agreed, in principle, that professional regulation of staff in children's homes in England could provide an effective additional means of protecting children and that it would keep the recommendation under review. This response is inadequate. Workforce regulation is necessary in order to better protect children in residential settings, including those in secure children's homes. The Inquiry therefore reiterates its recommendation that all staff working in care roles in children's residential care settings, including secure children's homes, are subject to registration with an independent regulatory body.

Recommendation 7: Registration of care staff in children's homes

The Inquiry recommends (as originally stated in its *Interim Report*, dated April 2018) that the UK government introduces arrangements for the registration of staff working in care roles in children's homes, including secure children's homes.

Registration should be with an independent body charged with setting and maintaining standards of training, conduct and continuing professional development, and with the power to enforce these through fitness to practise procedures.

Regulation of the workforce: custodial institutions

33. Children in custodial institutions are "very vulnerable children in a very dangerous place".

34. In March 2019, the Inquiry's *Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report* highlighted concerns that the workforce in custodial institutions is unregulated and that staff lacked specialist training, skills and qualifications. A requirement was introduced in March 2022 that all staff working with children in the secure estate must undertake specialist training to gain qualifications for working with young people and children.

35. While this is welcome, it is unacceptable that there are still no sector-wide standards for those working with such a vulnerable cohort of children. A Youth Custody Service review in October 2019 proposed that it should develop a code of conduct for all adults in the youth

custody sector, and that guidance and supervision should include professional conduct. This falls far short of professionalising the workforce through registration with an independent body, as recommended by the Inquiry in February 2019 in its *Sexual Abuse of Children in Custodial Institutions Investigation Report*.

36. In November 2021, the Ministry of Justice stated that it had reviewed evidence collected through a targeted consultation on professional registration, and was considering the issue. In May 2022, more than three years after the Inquiry's recommendations regarding the children's secure estate were published, the Inquiry was informed that the Ministry of Justice was considering the review and would subsequently publish a response to this recommendation. No timescale for the response has been provided.

37. A requirement for all staff with responsibility for the care of children in the secure estate to register with a regulatory body would improve the quality of care and the protection of highly vulnerable children. The Inquiry reiterates its recommendation regarding the professional registration of staff in roles responsible for the care of children in young offender institutions and secure training centres.

Recommendation 8: Registration of staff in care roles in young offender institutions and secure training centres

The Inquiry recommends (as originally stated in its *Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report*, dated February 2019) that the UK government introduces arrangements for the professional registration of staff in roles responsible for the care of children in young offender institutions and secure training centres.

Recruitment, vetting and barring

38. Another central aspect of protecting children is the use of safer recruitment procedures for those who come into contact with children, whether through paid or voluntary work. Throughout its investigations, the Inquiry encountered examples of poor recruitment practice, including failures to obtain the appropriate record checks, in many settings, including schools, local authorities and religious organisations. Often people classed as 'volunteers' were allowed open access to children without any vetting, as a result of which children were exposed to unnecessary risk of harm.

39. In February 2022, the Home Office announced that it had commissioned an independent review of the disclosure and barring regime to provide assurance on its effectiveness, to identify key issues of concern about the current regime, and to assess and advise on risks and opportunities. The review, which will include recommendations for improvement, is due to be completed by summer 2022. While this review may lead to significant and wide-ranging changes to the existing regime of disclosure and barring, the Inquiry has identified important deficiencies relating to the current system.

40. Obtaining the appropriate level of Disclosure and Barring Service (DBS) check – a disclosure 'certificate' – is an important element of safer recruitment as it contains information about an individual's criminal record. It is not, however, generally compulsory for employers to obtain a DBS check on a prospective employee and the regime is framed

in terms of 'eligibility' for a particular level of check. The DBS issues four types of certificate (basic, standard, enhanced and enhanced with a barred list check), the extent of the check for each depending upon the role to be undertaken.

41. The DBS has the power to bar any person it considers to pose a risk of harm to children from undertaking 'regulated activity' with children in England, Wales and Northern Ireland.

42. The concept of 'regulated activity' was created and defined in the Safeguarding Vulnerable Groups Act 2006. It has a complex definition, including specific activities, positions and certain work in specified establishments (such as schools) which involves frequent or close contact with children. Regulated activity does not mean, however, that the activity itself is regulated by any supervisory body or that the worker engaged in such activity is regulated by a professional regulatory body. Very many of those engaged in regulated activity with children are working in occupations that are not subject to workforce regulation.

43. Where certain work falls within the definition of regulated activity with children, staff or unsupervised volunteers are eligible for an enhanced certificate with a barred list check (which is not available as a standalone check). Increasingly, very little police intelligence is included on enhanced certificates. As it is the addition of this information which distinguishes the enhanced certificate from a standard certificate, this omission diminishes the value of enhanced certificates.

Improving access to the barred list

44. There are a number of circumstances in which a barred list check would clearly be desirable in order to protect children better but is not permitted under the current disclosure regime.

45. It is the employer's responsibility to determine whether a role falls within the definition of regulated activity and to apply for the appropriate level of check, but the majority of queries received by the DBS from employers concern uncertainty about whether a role amounts to regulated activity. In 2012, the definition of regulated activity was narrowed to exclude those people with roles which are subject to "day to day supervision" by another person who is engaging in regulated activity. As a result, a role may involve a degree of close contact with children but may not fall within the statutory definition of regulated activity (such as volunteers supervised to a greater or lesser degree by a member of staff). Enhanced certificates together with barred list checks can only be requested by an organisation which is registered by the DBS as a regulated activity provider. This is a limitation on access to the children's barred list, preventing for example self-employed people and those engaging their services from obtaining relevant checks.

46. All employers of adults who work with children (whether paid or voluntary) should be able to check whether applicants have been included on the children's barred list, in order to help to ensure that children are kept safe from those who pose a risk of harm. The Inquiry therefore recommends its greater use.

Recommendation 9: Greater use of the barred list

The Inquiry recommends that the UK government enables any person engaging an individual to work or volunteer with children on a frequent basis to check whether or not they have been barred by the Disclosure and Barring Service from working with children. These arrangements should also apply where the role is undertaken on a supervised basis.

Improving notifications to the Disclosure and Barring Service

47. Employers have a legal duty to notify the DBS (known as making a ‘referral’) when they have dismissed or removed an individual from undertaking regulated activity or when an individual has resigned from such a role, where there is concern that the individual may pose a risk of harm to children.

48. Despite this, the DBS has indicated that it does not receive the number of referrals it would expect from employers. Similarly, supervisory authorities (workforce and workplace regulators and inspectorates) have the power to refer individuals to the DBS to consider for inclusion on the barred list, but do not have a legal duty to refer or to share information with the DBS unless in response to a specific request. The DBS has developed information-sharing protocols with some workforce regulators, but not all inspectorates or regulators routinely share information with the DBS about resignations and dismissals in circumstances where child protection or safeguarding concerns have been raised.

49. In its *Interim Report*, the Inquiry recommended that the Safeguarding Vulnerable Groups Act 2006 be amended to place keepers of relevant registers under a duty to refer information about practitioners who had been removed from the register to the DBS. It also recommended that, upon receiving the referral, the DBS should be under a duty to automatically bar the practitioner from working with children. In July 2019, the government responded, stating that the Home Office had asked the DBS to continue its “*close engagement*” with professional bodies and regulators to ensure effective information-sharing takes place.

50. The Inquiry remains concerned that individuals who have ceased working in a setting with children and who have acted in a manner which indicates they may pose a risk of harm to children are not always referred to the DBS, enabling them to move on to a different setting without potential risk of harm being considered. The Inquiry therefore recommends that action is taken to improve regulated activity providers’ compliance with their statutory duty to refer concerns about the suitability of individuals to work with children to the DBS.

Recommendation 10: Improving compliance with the statutory duty to notify the Disclosure and Barring Service

The Inquiry recommends that the UK government takes steps to improve compliance by regulated activity providers with their statutory duty to refer concerns about the suitability of individuals to work with children to the Disclosure and Barring Service, including:

- all relevant regulators and inspectorates include compliance with the statutory duty to refer to the Disclosure and Barring Service in their assessment of safeguarding procedures during inspections;
- the National Police Chiefs' Council works with relevant regulators and inspectorates to ensure that there are clear arrangements in place to refer breaches of the duty to refer to the police for criminal investigation; and
- an information-sharing protocol is put in place between the Disclosure and Barring Service and relevant regulators and inspectorates.

Disclosure for those outside the UK

51. DBS checks on citizens or residents of England and Wales cannot be accessed by employers based overseas. The non-statutory International Child Protection Certificate (ICPC), which some overseas organisations choose to utilise, does not include access to the DBS children's barred list. These territorial limitations on the DBS disclosure regime facilitate predatory offenders from England and Wales obtaining employment working with children overseas.

52. In its *Children Outside the UK Phase 2 Investigation Report*, the Inquiry recommended that the geographical reach of the DBS be extended. In its response, the Home Office indicated that it considered that the information provided on an ICPC was broadly similar to that on an enhanced certificate. The absence of barred list information on the ICPC creates a significant risk to the safety of children in the UK and abroad. The Inquiry therefore reiterates its recommendation that the disclosure and barring regime should be extended to those working with children overseas.

Recommendation 11: Extending disclosure regime to those working with children overseas

The Inquiry recommends (as originally stated in its *Children Outside the United Kingdom Phase 2 Investigation Report*, dated January 2020) that the UK government introduces legislation permitting the Disclosure and Barring Service to provide enhanced certificates with barred list checks to citizens and residents of England and Wales applying for:

- work or volunteering with UK-based organisations, where the recruitment decision is taken outside the UK; or
- work or volunteering with organisations based outside the UK, in each case where the work or volunteering would be a regulated activity if in England and Wales.

Safeguarding and child protection policies

53. All organisations which work with children or whose members may come into contact with children should adhere to basic child protection standards and have suitable safeguarding policies and procedures in place. While there is a requirement for institutions in certain sectors to set policies, others are under no legal obligation to do so, despite children visiting their facilities, attending their events or otherwise being involved in the organisation. For example, a child might go to school during the day, play football with a club in the afternoon, attend a prayer group in the evening and then spend time at night on a social media platform. Of these four activities and settings, only the school has a legal obligation to have child protection and safeguarding policies and procedures in place.

54. Variation between organisations is inevitable, given the different types of settings and institutions which work with children. It would not be realistic or helpful to propose one single set of safeguarding and child protection policies for all institutions, but there are a number of useful sources which provide a starting point for an appropriate policy.

55. It is critical that safeguarding and child protection policies should be clear and easy to follow and implement. They should set out how the organisation will protect children from harm, ensure child protection concerns can be raised and respond to allegations or incidents, including reporting to the relevant authorities. They should also be subject to regular scrutiny or review to monitor their implementation and effectiveness. This will assist in protecting children from individuals who may seek to establish relationships of trust and authority with children in order to create opportunities for abuse. In due course, this may be a matter on which the Child Protection Authorities recommended by the Inquiry could assist.

K.5: Identifying and reporting child sexual abuse

56. Child sexual abuse may come to the attention of institutions in different ways and at different times. Sometimes the child may make a disclosure, but many do not disclose what has happened to them until years, sometimes decades, later. Child sexual abuse almost invariably happens in private, making the chances of witnessing abuse or observing obvious physical injuries resulting from the abuse rare.

Identifying child sexual abuse

57. The ability of adults to identify children who are being sexually abused or are at risk of sexual abuse is fundamental to the institutional response. Institutions and organisations – as well as those working in them such as carers, social workers, doctors and teachers – should have procedures and training in place to identify potential indicators of child sexual abuse or exploitation. Despite this, the Inquiry encountered numerous examples of failures to both identify and report abuse to the police or social services. These matters should be dealt with in the policies and procedures of an institution, and may be aided further by the Inquiry's recommendations for a public awareness campaign and for the introduction of mandatory reporting.

58. While there is no typical child abuser, there are similarities in the ways perpetrators behave, particularly in the methods used to groom children. Enabling institutions, and individuals working in them, to understand warning signs and indicators of potential child sexual abuse exhibited by a perpetrator is an important preventive measure.

Detecting online child sexual abuse

59. The number of perpetrators accessing child sexual abuse images continues to grow. Techniques for detecting child sexual abuse images vary depending on whether the image has previously been identified by law enforcement or industry as a child sexual abuse image (a 'known' child sexual abuse image). Technological tools are used to detect such imagery.

60. In the US, where known child sexual abuse images are detected, there is a legal obligation for the matter to be reported. Where that report relates to the UK, the matter is passed to the National Crime Agency, which responds to the most serious reports itself and passes others to local police forces for investigation. This form of mandatory reporting has had a significant positive impact on the way US institutions report child sexual abuse material and an equally positive impact in assisting UK law enforcement to identify perpetrators based in the UK. Once the Online Safety Bill is passed, UK companies will be under a duty to report any child sexual exploitation and abuse content directly to the National Crime Agency.

61. Pre-screening, however, enables internet companies to prevent child sexual abuse images from ever being uploaded to platforms and social media profiles. The image cannot therefore be viewed or shared; this prevents access to the material and therefore much of the resulting harm. As a result, in its *The Internet Investigation Report* (published in March 2020), the Inquiry recommended that the government should require internet companies to pre-screen for known child sexual abuse images before material is uploaded. In its response, the government referred to the *Interim Code of Practice on Online Child Sexual Exploitation and Abuse* (Interim Code) and its "expectation that all companies will prevent access to known child sexual abuse material".

62. This does not go far enough in circumstances where the technology to pre-screen exists and is effective in preventing known child sexual abuse material from being made available to users.

63. In due course, it will be for the Office of Communications (Ofcom) as the online safety regulator to issue the code of practice, but it is not clear how long it will take for the Bill to come into force, what provisions will be enacted and in what precise form. It is imperative that pre-screening is utilised to its fullest extent. The Inquiry therefore recommends that pre-screening for known child sexual abuse images should be a mandatory feature of the code of practice.

Recommendation 12: Pre-screening

The Inquiry recommends that the UK government makes it mandatory for all regulated providers of search services and user-to-user services to pre-screen for known child sexual abuse material.

64. A number of notable impediments to the future detection of child sexual abuse material remain. One of the most significant impediments to detection is end-to-end encryption, the process of converting information or data into a code that makes it unreadable to unauthorised parties. While the Interim Code acknowledges the threat posed by encryption and requires companies to consider the potential harm, it falls short of proposing any solution to the problem. In November 2021, the government announced that £555,000 had

been awarded to five projects as part of the Safety Tech Challenge Fund, one of which was to develop an integrated plug-in for encrypted social platforms to detect known child sexual abuse material. Such technological advances are positive steps to be encouraged and may contribute to changes proposed to the Online Safety Bill giving Ofcom the power to issue a company with a Notice to use “*best endeavours*” to develop technology to prevent, identify and remove child sexual abuse material, including on services that are encrypted.

Reporting child sexual abuse

65. The Inquiry heard numerous examples of individuals who received disclosures or were aware of child sexual abuse yet failed to report this to statutory authorities.

66. One prominent reason that individuals and institutions failed to report child sexual abuse to statutory authorities was a desire to protect an individual or institution from reputational damage. When concerns arose that were politically or professionally inconvenient for an individual to report, they sometimes did not do so. Failing to report an allegation of child sexual abuse out of a misguided sense of wanting to ‘protect their own’, a shared sense of defensiveness or a fear that making a report would bring their community into disrepute also featured in the evidence received. In other instances, factors such as confusing or subjective procedures for handling reports of child sexual abuse led to reports not being made.

67. Many of the individuals who failed to report abuse to the police or social services, in the instances examined by the Inquiry, may have failed to meet their professional or moral obligations, but they did not break any laws in doing so. The Inquiry therefore considers that systemic change is needed to ensure reporting of allegations of child sexual abuse.

68. A number of other countries have introduced legislation which places specified persons, or members of the public, under a statutory obligation to report child abuse or neglect to a designated agency. This is commonly referred to as ‘mandatory reporting’. Victims and survivors, some senior religious leaders and some organisations argued strongly in favour of mandatory reporting, which is also supported by a body of international evidence.

Mandatory reporting for England and for Wales

69. Having considered a range of views during its investigations and the various possible approaches to a scheme, the Inquiry has concluded that mandatory reporting is required so that those who work with children in certain roles are under a legal duty to report child sexual abuse to the police or social services.

70. The core elements of the Inquiry’s recommendation are that:

- as well as an obligation to report witnessed or disclosed child sexual abuse, there should be an obligation to report abuse based on well-recognised indicators of child sexual abuse;
- criminal liability should attach where there is a failure to make a mandatory report in certain specified circumstances;
- those engaged in regulated activity or positions of trust as well as police officers should be subject to a law of mandatory reporting; and
- reports should be made to local authority children’s social care or the police.

Recommendation 13: Mandatory reporting

The Inquiry recommends that the UK government and Welsh Government introduce legislation which places certain individuals – ‘mandated reporters’ – under a statutory duty to report child sexual abuse where they:

- receive a disclosure of child sexual abuse from a child or perpetrator; or
- witness a child being sexually abused; or
- observe recognised indicators of child sexual abuse.

The following persons should be designated ‘mandated reporters’:

- any person working in regulated activity in relation to children (under the Safeguarding and Vulnerable Groups Act 2006, as amended);
- any person working in a position of trust (as defined by the Sexual Offences Act 2003, as amended); and
- police officers.

For the purposes of mandatory reporting, ‘child sexual abuse’ should be interpreted as any act that would be an offence under the Sexual Offences Act 2003 where the alleged victim is a child under the age of 18.

Where the child is aged between 13 and under 16 years old, a report need not be made where the mandated reporter reasonably believes that:

- the relationship between the parties is consensual and not intimidatory, exploitative or coercive; and
- the child has not been harmed and is not at risk of being harmed; and
- there is no material difference in capacity or maturity between the parties engaged in the sexual activity concerned, and there is a difference in age of no more than three years.

These exceptions should not, however, apply where the alleged perpetrator is in a position of trust within the meaning of the 2003 Act.

Where the child is under the age of 13, a report must always be made.

Reports should be made to either local authority children’s social care or the police as soon as is practicable.

It should be a criminal offence for mandated reporters to fail to report child sexual abuse where they:

- are in receipt of a disclosure of child sexual abuse from a child or perpetrator; or
- witness a child being sexually abused.

K.6: The justice system response to child sexual abuse

71. The criminal and civil justice systems play an important role in the way the State responds to child sexual abuse.

The criminal justice system

72. Investigating and prosecuting those who commit criminal offences involving the sexual abuse of children is rightly a matter of significant public interest. Inadequate responses of the police, Crown Prosecution Service and courts therefore featured in many of the Inquiry's investigations and was a matter frequently raised by Truth Project participants when giving their accounts. The length of time taken to investigate and prosecute child sexual abuse cases was, and remains, a matter of significant concern. Delay within the criminal justice system adds to the harm caused by the abuse itself, and can have a profound impact on victims, survivors and complainants as well as those against whom allegations have been made.

73. While it is unrealistic to expect that law enforcement will be able to prevent all offences of child sexual abuse from being perpetrated, there are steps that can be taken to make abuse as difficult as possible to commit and in doing so reduce the risk of harm to children. A sexual harm prevention order may be made by a court after a person has been convicted of a sexual offence, such as rape, sexual assault or possession of indecent images of children. A sexual risk order may be made where there has been no conviction but the court "*is satisfied*" that the individual has engaged in "*an act of a sexual nature as a result of which it is necessary to make such an order*". The police also use child abduction warning notices – which do not require a court order – to make it more difficult for the offender to meet with the child. For the use of such tools to be effective, the police need to access such information easily, and the terms of the notice or order need to be monitored. Better evidence is also required about the extent to which these notices and orders are being issued.

74. The Inquiry identified a number of failings by police forces investigating allegations of child sexual abuse. For example, there were failures to investigate fully due to assumptions about the credibility of the child. Some children, particularly those in care, were often considered as being less worthy of belief which led to a less than thorough investigation. Victims and survivors' experiences of the criminal justice system were often affected by the knowledge, skills and attitude of individual officers. Allegations must be properly investigated in fairness to both the complainant and the accused. Investigations into child sexual abuse should not be driven by an investigator's view about whether the complainant is worthy of belief, or any subjective view about the veracity of the complaint. All allegations need to be taken seriously and dealt with professionally.

75. Not every allegation of child sexual abuse will enter the criminal justice system. Only an estimated 7 percent of victims and survivors informed the police at the time of the offence and only 18 percent told the police at any point. Where allegations are reported to the police, fewer still result in a conviction. Some of the cases examined by the Inquiry identified procedural and legal errors – as well as delays – in the Crown Prosecution Service decision-making process. Where the allegation predominantly relies on the account of the complainant, as very frequently occurs in child sexual abuse cases, this can create difficulties in meeting the evidential test for bringing a prosecution.

76. Between 2016 and 2020, the numbers of both prosecutions and convictions fell by around 25 percent. This is seemingly indicative of a broader decline in the number of prosecutions for offences of rape, such as that recorded in the *End-to-End Rape Review Report on Findings and Actions* (the Rape Review, June 2021). The Rape Review identified

a number of factors contributing to the decline in cases reaching a court, including “*delays in investigative processes, strained relationships between different parts of the criminal justice system, a lack of specialist resources and inconsistent support to victims*”.

Victims' experience of the criminal justice system

77. Delays within the system and in ensuring that victims, survivors and complainants are able to give their best evidence and are supported throughout the process remain specific causes of concern. In addition to delays at the investigative and charging stage, for the year ending 31 December 2021, it took an average of 252 days for a case of child sexual abuse at the Crown Court to be completed. The emotional strain that delay places on victims and survivors and the accused cannot be underestimated. Such delays may lead some individuals to withdraw their allegations, which will typically mean that a prosecution is not possible. The government's 2021 *Tackling Child Sexual Abuse Strategy* acknowledges “*the importance of swift case progression for victims' and survivors' wellbeing*”, although it does not set out any specific plan to minimise delay. Measures have been introduced to try to minimise delay on victims and complainants, but it is unclear whether they will succeed in doing so. At the end of December 2021, there were 58,818 outstanding cases at the Crown Court, the entirety of which cannot be attributed to the COVID-19 pandemic as there was already a backlog of 37,434 cases pre-pandemic resulting from cuts to budgets for the criminal justice system.

78. Delay is a challenge facing the criminal justice system as a whole, but improving the experience of victims and survivors is more easily addressed. While the *Code of Practice for Victims of Crime in England and Wales* (Victims' Code) sets out “*the services and a minimum standard for these services that must be provided to victims of crime*”, it is not uniformly adhered to and there is no mechanism to monitor and enforce compliance with the Code.

79. In April 2018, the Inquiry's *Interim Report* recommended a joint inspection of compliance with the Victims' Code. The first national compliance report was due in early 2020, but in October 2020 the Ministry of Justice indicated that the operational demands of the COVID-19 pandemic had meant that further development of the Victims' Code compliance monitoring framework had not been possible.

80. Evidence gathered subsequently by the Inquiry suggests that the Victims' Code is still not being consistently applied and followed. There are also ongoing concerns about access to special measures, which seek to improve the quality of a witness's evidence given in court. In December 2021, the government launched a consultation on the Victims Bill to “*build on the foundations provided by the Victims' Code to substantially improve victims' experiences of the criminal justice system*”. In June 2022, the government responded to the consultation and committed to “*enshrine the Victims' Code in law*” and to place criminal justice agencies “*under a duty to review their compliance with the Victims' Code – using data and victim feedback to improve their performance*”. This includes bringing in legislation so that “*criminal justice inspectorates carry out regular joint inspections on victims' issues*”.

81. However, legislative change will not happen immediately. In the interim, greater focus is required on compliance with the Victims' Code. The Inquiry therefore reiterates its recommendation that there should be a joint inspection regarding compliance with the Victims' Code.

Recommendation 14: Compliance with the Victims' Code

The Inquiry recommends (as originally stated in its *Interim Report*, dated April 2018) that the UK government commissions a joint inspection of compliance with the Victims' Code in relation to victims and survivors of child sexual abuse, to be undertaken by His Majesty's Inspectorate of Constabulary and Fire & Rescue Services, His Majesty's Crown Prosecution Service Inspectorate and His Majesty's Inspectorate of Probation.

The civil justice system

82. Victims and survivors may separately bring a civil claim and face a number of difficulties when seeking to obtain compensation via the civil justice system.

83. Claims can be brought directly against an abuser but are usually brought against the institution in which the abuse took place or against those responsible for that institution. It can be unclear whether the defendants have public liability insurance in place, as a result of which, in April 2018 and September 2019, the Inquiry made recommendations about the establishment of a public liability register.

84. Much of the approach during the process turns on the attitude of the defendants and their relationships with their insurers and their solicitors. In recent years some insurance companies have developed guidance to assist their claims handlers in dealing with child sexual abuse claims. A code of practice, recognising the long-term emotional and psychiatric or psychological effects of child sexual abuse on victims and survivors, is awaited from the Local Government Association (the national membership body for local authorities).

85. Even when claims succeed or are settled, many victims and survivors are dissatisfied with the outcome as they do not ordinarily obtain an explanation or apology for what had happened to them. This likely reflects that the primary purpose of a civil claim is to obtain financial compensation, which does not always align with objectives such as having their 'day in court' and obtaining some acknowledgement. Claims may be settled without an admission of liability, acceptance of responsibility or an apology; for some victims and survivors, these may be more important than financial compensation.

The limitation period

86. Most claims are modest in value and many claims do not result in compensation being paid. A significant number of claims are prevented from proceeding by statutory time limits, known as limitation periods, after which time claims can no longer be pursued. There is an extendable three-year limitation period for personal injury claims relating to sexual abuse. In all cases involving children, the limitation period does not start to run until the claimant reaches the age of 18, giving all claimants until at least the age of 21 to commence legal proceedings. Very few victims and survivors of child sexual abuse bring claims before the expiration of the limitation period and therefore, if the defence of limitation is raised, they must very often ask the court to exercise its discretion to allow their claims to proceed.

87. The Inquiry has received evidence that the defence of limitation operated unfairly as a barrier at three stages: in claims being taken on by lawyers, because often funding cannot be obtained unless it is likely that the claim will succeed; when valuing and settling claims, given the risk of losing on the grounds of limitation; and at trial, when limitation issues can

be both intrusive for claimants and difficult to predict in terms of outcome. As accepted by a number of defendant solicitors and insurers, limitation therefore presents a barrier to justice for victims and survivors.

88. The Inquiry has considered a number of ways in which the current regime might be changed, as it was clearly not designed with the needs of victims and survivors of child sexual abuse in mind. They have different needs and require different treatment from personal injury claimants more generally. The very nature of child sexual abuse can make it difficult for victims and survivors to discuss their experiences. Other jurisdictions around the world have reformed the law of limitation relating to child sexual abuse claims. The Inquiry recommends that the limitation period should be removed in all cases involving child sexual abuse, other than those that have been dismissed or settled, while preserving the right to a fair trial.

Recommendation 15: Limitation

The Inquiry recommends that the UK government makes the necessary changes to legislation in order to ensure:

- the removal of the three-year limitation period for personal injury claims brought by victims and survivors of child sexual abuse in respect of their abuse; and
- the express protection of the right to a fair trial, with the burden falling on defendants to show that a fair trial is not possible.

These provisions should apply whether or not the current three-year period has already started to run or has expired, except where claims have been:

- dismissed by a court; or
- settled by agreement.

They should, however, only apply to claims brought by victims and survivors, not claims brought on behalf of victims and survivors' estates.

K.7: Supporting victims and survivors

89. The support needs of victims and survivors of child sexual abuse vary greatly and can change over time, triggered at different points in their lifetime, sometimes in unpredictable ways. They might need practical support about how to report abuse and obtain medical assistance, advocacy support and therapeutic support such as counselling and psychotherapy. For some, recovery may be dependent on being able to understand their history and they therefore need access to their records.

Current support services

90. Accessing the right support at the right time from the most appropriate service can be difficult for both adult and child victims and survivors. Support services can be accessed by those involved in the criminal and civil justice process or from the health service or specialist voluntary sector organisations. On occasions, services may also be accessed via the institution where the sexual abuse occurred.

91. For those who become involved in the criminal justice system, the Victims' Code gives them the right to be referred to support services and to have services tailored to their needs. The Inquiry heard evidence of the positive support offered by specialist independent sexual violence advisers and also by the 'Barnahus' or Child House model. This model provides a single service-point for forensic interviews with the child, medical examination, therapeutic services and family counselling or support in a child-friendly environment. However, the quality and availability of support varies considerably between local areas.

92. The Inquiry heard that during civil proceedings victims and survivors will not always have access to the support they need. In 2019, the Inquiry recommended the introduction of a code to ensure that victims and survivors bringing civil claims can access therapy and support as soon as possible. The International Underwriting Association of London has been working to introduce such a code, which the Inquiry hopes can be issued in the near future.

93. Support can be provided by the health service, such as GPs and Children and Young People's Mental Health Services (CYPMHS, but referred to in this report by its previous acronym CAMHS). There is, however, often a high threshold for treatment. Victims and survivors also told the Inquiry that health services were often only accessible if the impacts of abuse that they experienced matched a specific physical or mental health problem recognised by the NHS.

94. Cope and recover services – which include therapy as well as support such as advocacy and employment advice – provided by charities and voluntary organisations are often highly rated but can be difficult to access. Many suffer from short-term funding and availability varies considerably between local areas, creating “a postcode lottery”.

95. Some victims and survivors do not wish to access therapy from the institution where the abuse may have occurred. However, some institutions offer formal support in the form of access to advice, therapy and counselling. Initiatives such as 'Safe Spaces' (funded by the Church of England, the Church in Wales and the Catholic Church, and operated by Victim Support) are welcome, but there is often inconsistency and inadequacies in the provision of or referrals to services such as counselling and therapy by institutions. As a reflection of their moral responsibility for abuse, institutions should provide – either directly or by commissioning – therapeutic support for victims and survivors who would like to access such support.

Improving support services

96. Therapeutic services are beneficial to victims and survivors of child sexual abuse. Indeed, the National Institute for Health and Care Excellence recommends therapeutic interventions for children, young people and families following episodes of sexual abuse, including services such as trauma-focussed cognitive behavioural therapy, counselling, and socio-educative and creative therapy.

97. There are, however, a number of problems. Victims and survivors are not consistently directed towards relevant support services by institutions connected to the abuse or by other statutory agencies, and there are different statutory duties and referral mechanisms. There is variation in the availability of support services nationally and locally. Victims and survivors can often experience long delays waiting for support, ranging from months to years. The number of sessions available differs dramatically depending on the type of support accessed and where in the country the support is being accessed. Support

may be inaccessible to those without a qualifying medical diagnosis or the right personal circumstances. Specialist services – reflecting for example, sex, ethnicity, sexual orientation and age – are often difficult to obtain.

98. This reflects, in part, the fragmented and complex funding and commissioning of support services across England and Wales from the public, private and voluntary (or third) sectors. The Ministry of Justice has acknowledged that the support available to children and young people who have experienced sexual abuse encompasses a wide range of services, funded by several different national and local commissioners, which can lead to variations and inconsistencies in local provision. It makes accessing support difficult and confusing for victims and survivors.

Support to child victims

99. Recent research shows that early interventions are effective at reducing the impact of child sexual abuse and preventing significant mental health problems in later life. Timely support can reduce long-term detrimental impacts. Conversely, delayed or inadequate support can have serious consequences, such as physical or mental health issues, dependency issues, or antisocial or criminal behaviours. As well as simplifying access to support services for all victims and survivors, there is an urgent need to provide specialist therapeutic support for children who have experienced sexual abuse. The Inquiry therefore recommends the introduction of a national guarantee to enable child victims of sexual abuse to access specialist therapeutic support in a timely way.

Recommendation 16: Specialist therapeutic support for child victims of sexual abuse

The Inquiry recommends that the UK government and the Welsh Government introduce a national guarantee that child victims of sexual abuse will be offered specialist and accredited therapeutic support. There should be sufficient supply of these services so that children in all parts of England and Wales can access support in a timely way.

These services should be fully funded. Responsibility for commissioning these services should be given to local authorities.

There must be no eligibility criteria for children to access these specialist therapeutic services other than having been a victim of child sexual abuse.

Access to records

100. Victims and survivors who wish to understand their past – including decisions about their care, the circumstances in which the abuse took place and why the abuse was able to continue – often wish to access their records. Relevant records may include social care records and safeguarding records, as well as for example safeguarding policies and procedures, personnel records and details of investigations or disciplinary procedures. Many records are also often of significance in criminal and civil proceedings. The absence of records hindered a number of police investigations into allegations of child sexual abuse considered by the Inquiry. Some records were simply missing, others had been destroyed in accordance with retention policies in place at the time.

101. Retention periods vary across institutions, as permitted under data protection legislation. However, the retention of records by institutions in the context of child sexual abuse cases is particularly important, as years may elapse before victims and survivors feel able to disclose sexual abuse. The Inquiry encountered cases where records had been destroyed in accordance with the retention policies in place at the time. By the time victims and survivors wished to access them, it was too late.

102. Specific records relating to child sexual abuse should also be subject to a longer retention period, to allow for delayed disclosure and to recognise the difficulties that may be faced by victims and survivors in being able or ready to access this information. Longer retention periods exist in other areas. For example, records relating to adoption are retained for 100 years, and those concerning a looked after child are kept until his or her 75th birthday.

103. Victims and survivors have also faced difficulties when requesting their records from institutions under subject access provisions, including long delays, procedural hurdles, and poor communication and explanations from the institutions. They may also need practical and emotional support when exercising their legal rights, as records may bring back traumatic memories and cause distress.

104. The Information Commissioner's Office (ICO) already has a general code setting out how organisations should respond to subject access requests. The Inquiry recommends that the Secretary of State directs the ICO to address the issue of access to records about child sexual abuse.

Recommendation 17: Access to records

The Inquiry recommends that the UK government directs the Information Commissioner's Office to introduce a code of practice on retention of and access to records known to relate to child sexual abuse.

The retention period for records known to relate to allegations or cases of child sexual abuse should be 75 years with appropriate review periods.

The code should set out that institutions should have:

- retention policies that reflect the importance of such records to victims and survivors, and that they may take decades to seek to access such records;
- clear and accessible procedures for victims and survivors of child sexual abuse to access such records;
- policies, procedures and training for staff responding to requests to ensure that they recognise the long-term impact of child sexual abuse and engage with the applicant with empathy.

K.8: Making amends

105. It is clear from the Inquiry's investigations that, over many decades, there have been serious and wide-ranging failures by both State and non-State institutions to protect children from child sexual abuse and exploitation or the risk of such abuse in a broad range of settings. Appropriate and meaningful reparation and redress, including by the State, may help alleviate some of this impact.

Acknowledgement, apologies and assurances

106. Acknowledgement that sexual abuse occurred is often an important form of reparation for victims and survivors. Recognition may be provided by individuals, institutions and wider society. Institutions often dismissed or did not sufficiently act on disclosures or reports of abuse, from both children and adults, and refused to meet with victims and survivors. They also responded without compassion or respect, reacted defensively and were driven by concerns about legal liability and reputations rather than concerns for those who have been abused. While some institutions have begun recently to acknowledge the abuse experienced by so many in their care, in many instances this came after decades of poor responses and refusals to acknowledge that child sexual abuse had occurred.

107. Similarly, apologies are a valuable form of reparation for victims and survivors. They must, however, be genuine, meaningful and, if requested, face-to-face. Those apologies that are accompanied by significant change are likely to have the most impact.

108. Some institutions are reluctant to apologise due to concerns that an apology may amount to an admission of liability and be relied upon in civil litigation. In September 2019, the Inquiry recommended that the government should amend the Compensation Act to make clear that institutions may apologise for abuse by persons for whom they may be vicariously liable without those apologies amounting to admissions of legal liability. In March 2021, the government made a commitment to consult on the issue of apologies. No consultation has yet been launched but it is expected to take place in 2022.

109. Some victims and survivors want to be given assurances that the institution would not let child sexual abuse happen to other children. Informing victims and survivors about preventive steps which have been taken to protect children since the abuse occurred can be of real significance. Not only can it reassure the individual who has been abused, but it can also help institutions prioritise the identification of failings in order to prevent future abuse.

Financial redress

110. Victims and survivors are entirely justified in seeking redress. While no amount of money can fully compensate a victim for child sexual abuse, it can provide reparation and help them to access valuable support and therapy.

111. Victims of 'violent crime' in England and Wales (as well as Scotland) may be awarded compensation under the publicly funded Criminal Injuries Compensation Scheme. The *Interim Report* (April 2018) and the *Inquiry's Accountability and Reparations Investigation Report* (September 2019) made several recommendations to improve access to the Scheme for victims and survivors of child sexual abuse. Despite these changes, concerns about the Scheme remain. Its continued focus on 'crime of violence' fails to take into account that child sexual abuse, particularly online sexual abuse, may occur without physical contact. Under the 2012 Scheme, no award is made to applicants who have unspent criminal convictions

for offences that resulted in certain sentences or orders. This fails to recognise the impact of child sexual abuse and, specifically, that abuse may have directly contributed to instances of offending; there is often, for example, a close link between sexual exploitation, grooming and criminal behaviour. There is also a two-year time limit for making a claim. Although this may be extended where there are 'exceptional circumstances', such a period is inadequate for victims and survivors of child sexual abuse.

112. The Inquiry therefore recommends further changes in relation to the focus on crimes of violence, the provisions relating to 'unspent convictions' and the time limits for applications to the scheme.

Recommendation 18: Criminal Injuries Compensation Scheme

The Inquiry recommends that the UK government changes the Criminal Injuries Compensation Scheme to:

- include other forms of child sexual abuse, including online-facilitated sexual abuse;
- amend the rule on unspent convictions so that applicants with unspent convictions are not automatically excluded where offences are likely to be linked to the circumstances of their sexual abuse as a child; and
- increase the time limit for child sexual abuse applications so that applicants have seven years to apply from (a) the date the offence was reported to the police or (b) the age of 18, where the offence was reported whilst the victim was a child. In either circumstance, the claims officer's discretion to extend the time limit remains.

A single redress scheme for England and Wales

113. A single redress scheme has a number of benefits over existing systems of civil justice and criminal compensation in England and Wales, which often do not provide the accountability and reparation sought by victims and survivors of child sexual abuse. Existing systems can be difficult to access and some of the rules may deter or prevent victims and survivors from pursuing their claims; the process can also be protracted and re-traumatising.

114. In order to acknowledge the State's responsibility to protect children from sexual abuse and the consequent harm experienced over many decades, the Inquiry recommends that a national redress scheme be established in England and Wales. The current systems of financial redress should continue to exist alongside this scheme. It will provide much-needed public acknowledgement and practical reparation to victims and survivors of child sexual abuse.

115. While it will be for the government to consider the detailed rules of, and funding for, a national redress scheme, the Inquiry's recommended approach encompasses the following key components:

- the scheme should be for victims and survivors of child sexual abuse and exploitation that occurred in England and Wales, including that perpetrated by other children;
- there should be a clear connection between an institution in England and Wales (whether State or non-State) and the sexual abuse experienced by the individual;

- the scheme should apply to child sexual abuse that took place prior to its establishment and be open for a period of five years;
- the scheme should not allow an applicant to receive money twice for the same matter;
- the scheme should comprise a two-tier system, the first being a modest, fixed flat-rate recognition payment with the option for applicants who wish to provide more details and evidence to apply for a second-tier payment;
- the process must be accessible, straightforward and sensitive to the needs and vulnerabilities of victims and survivors of sexual abuse; and
- the scheme should be funded by central and local government, in accordance with devolved funding principles, with voluntary contributions sought from non-State institutions.

This is underpinned by the need for the scheme to be as simple and non-adversarial as possible.

Recommendation 19: Redress scheme

The Inquiry recommends that the UK government establishes a single redress scheme in England and Wales, taking into account devolved responsibilities.

The detailed rules of, and funding for, this redress scheme should reflect the following core elements.

Eligibility

- Victims and survivors of child sexual abuse and exploitation that occurred in England and in Wales should be eligible to apply.
- Applicants must have experienced child sexual abuse and exploitation where there is a clear connection to State or non-State institutions in England and Wales.
- The scheme should be open to any victim of child sexual abuse that took place prior to its establishment.
- The scheme should deduct any previous award from any payment under the scheme (or in the case of payments made by the Criminal Injuries Compensation Authority, it may order that they be repaid).
- Applicants who have previously brought civil claims which have been rejected by the court should be excluded from applying to the scheme, save where their cases have been rejected due to limitation.

Redress provided

- The scheme should provide payments to eligible applicants through a two-tier system, based on a fixed flat-rate recognition payment, with the option to apply for a second-tier payment.

Process

- The application process must be accessible and straightforward, and be sensitive to the needs and vulnerabilities of victims and survivors of child sexual abuse. The process should provide for streamlined checks and verification of applications, but not be adversarial.
- There should be special provisions to accelerate awards for older or terminally ill applicants.

Duration

- The scheme should run for five years.

Funding

- The scheme should be funded by central and local government, in accordance with devolved funding principles, with voluntary contributions sought from non-State institutions.

K.9: Evolving challenges

116. The risks to children from child sexual abuse and exploitation are constantly evolving. They may arise, for example, as a result of technological advances or as a result of developments in how society understands and responds to a particular risk. It is already apparent that emerging technologies and the globalised nature of child sexual abuse will pose challenges in the future to the protection of children.

117. The UK government and other agencies and organisations already work internationally, and there must be robust action as part of the global response to the sexual abuse of children which is not confined to any specific region, country or continent. There is, for example, growing concern about the ways in which child sexual exploitation is being facilitated by modern slavery and trafficking. There is more that could be done, for example, to enable UK nationals to be prosecuted in England and Wales for sexual abuse committed abroad, which will be addressed as part of the UK government's *Tackling Child Sexual Abuse Strategy*.

118. Digital technologies used to facilitate child sexual abuse are continuing to be developed. Interactive games where players communicate online have long been used as a means to groom and sexually exploit children. More recent developments such as virtual worlds known as the metaverse have the potential to become a tool for the sexual abuse and exploitation of children. Unlike social media, where interaction is mostly limited to text-based messages and emojis, the metaverse enables the sensation of physical touch. Unlike mobile phones, computers or gaming consoles, virtual reality headsets cannot be externally monitored by parents and they do not store records of users' interactions. Offenders are able to hide behind anonymous avatars as users' identities are not verified and children can access adult-only features simply by ticking a box to declare that they meet the minimum age requirements.

119. The Online Safety Bill, laid before Parliament in March 2022, will strengthen the response to such challenges. As proposed, the legislation will not prescribe the use of specific technologies to prevent harm, but instead makes clear that companies should be using technology to address these harms. It includes a “*new standalone provision*” requiring “*providers who publish or place pornographic content on their services to prevent children from accessing that content*”, but it will be for the provider to decide how to comply with this duty. There are also plans for action by the government to deter individuals from abusive behaviour and by Ofcom to promote education about online safety.

120. These proposals fail to deal with the Inquiry's fundamental concern that children under the age of 13 are able to access social media platforms and services too easily, for example by evading overly simplistic age verification requirements (processes that ensure users must prove their age to access certain platforms). Many services require nothing more than entering a date of birth. The Inquiry therefore reiterates its recommendation that stronger age verification techniques are required.

Recommendation 20: Age verification

The Inquiry recommends (as originally stated in its *The Internet Investigation Report*, dated March 2020) that the UK government introduces legislation requiring providers of online services and social media platforms to implement more stringent age verification measures.

121. Institutions and leaders must recognise developing challenges and ensure that their responses are capable of rapid adaptation to the evolving nature of the threat. In particular, it is critical that statutory agencies, the institutions which interact with children and the online safety regulator are better able to anticipate and respond to risks. The new Child Protection Authorities will play an important role in helping to provide advice on these and other developing challenges in the future.

K.10: Recommendations to better protect children from sexual abuse

122. The Inquiry has encountered extensive failures – by a range of statutory agencies as well as other institutions and organisations – to keep pace with the increase in the pernicious and constantly evolving sexual abuse of children. Those State and non-State institutional failings identified across the Inquiry's work suggest that large numbers of victims and survivors have been let down by the institutions that should have protected them, today as well as in the past. Addressing the past and present concerns requires prompt and effective action.

123. This report includes the Inquiry's 20 concluding recommendations (including six from earlier reports which are reiterated). In total, the Inquiry has made 107 recommendations during the course of its work to 33 specified institutions as well as a number of other organisations and settings (see Annex 3). Those recommendations are designed to provide a comprehensive response by the State, as well as institutions and organisations which work with children, to address the very current problems in preventing, reporting and responding to child sexual abuse. Together they will better protect children from sexual abuse and the harm that results.






The concluding recommendations of the Independent Inquiry into Child Sexual Abuse

1. A single set of core data relating to child sexual abuse and child sexual exploitation.
2. Child Protection Authorities for England and for Wales.
3. A cabinet-level Minister for Children.
4. A public awareness campaign.
5. Prohibiting the use of pain compliance techniques.
6. The amendment of the Children Act 1989.
7. Registration of care staff in children's homes.
8. Registration of staff in care roles in young offender institutions and secure training centres.
9. Greater use of the Disclosure and Barring Service barred list.
10. Improvements to compliance with statutory duties to refer concerns to the Disclosure and Barring Service.
11. Extending the disclosure regime to those working with children overseas.
12. Pre-screening for illegal images of children.
13. Mandatory reporting of child sexual abuse in certain circumstances.
14. Compliance with the Victims' Code.
15. The removal of the three-year limitation period for personal injury claims brought by victims and survivors of child sexual abuse.
16. A national guarantee of specialist therapeutic support for child victims.
17. A code of practice on access to records about child sexual abuse.
18. Further changes to the Criminal Injuries Compensation Scheme.
19. A tiered redress scheme.
20. Age verification in relation to online services and social media platforms.

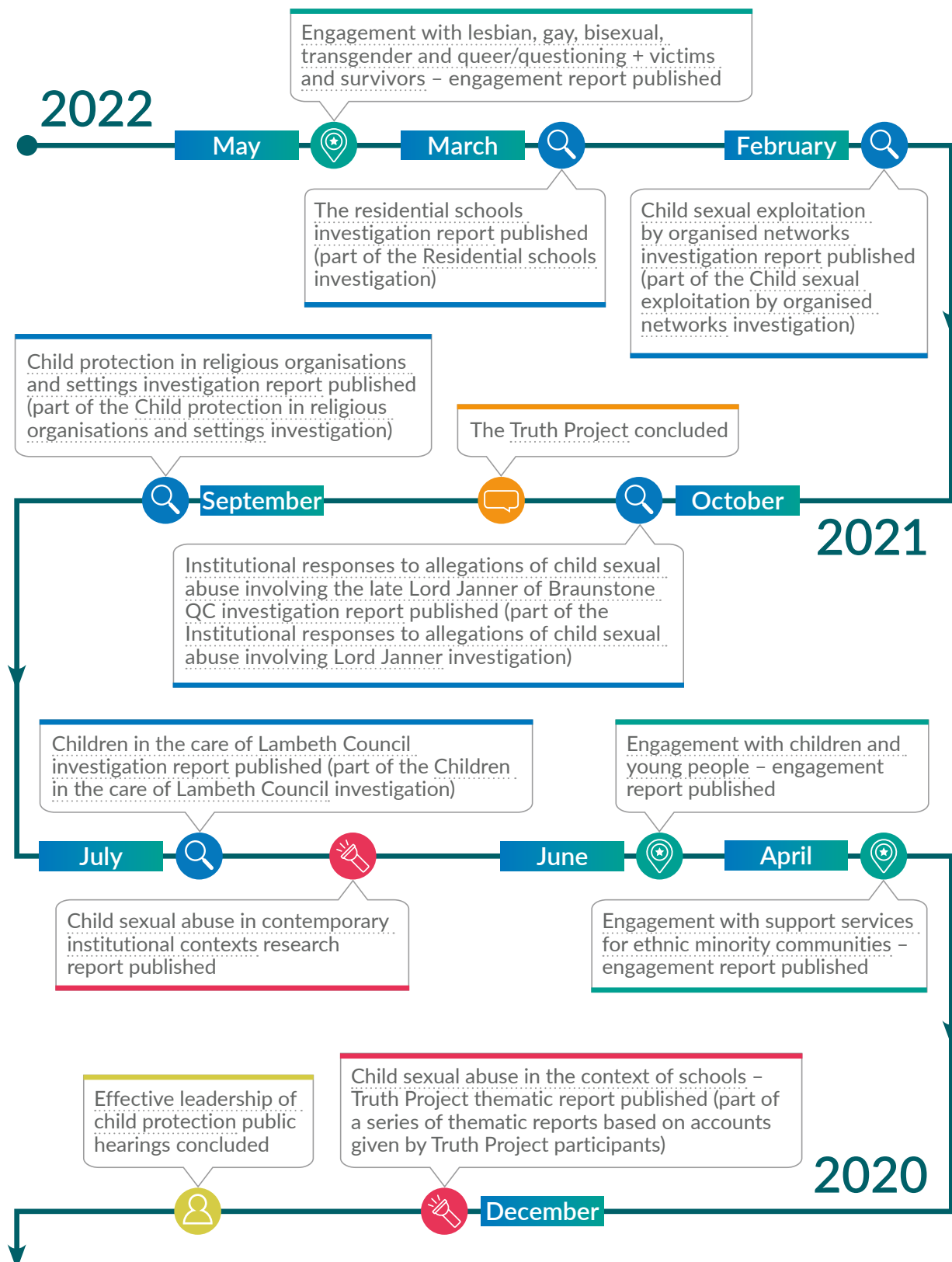
124. The Inquiry expects the UK government, the Welsh Government and the specified institutions to act upon its recommendations promptly. In the interests of transparency and openness, the Inquiry asks that each institution publish details of the steps they will take in response to each recommendation in this report, including the timetable involved, within six months of the publication of this report. It is anticipated that, in due course, implementation of, or compliance with, the Inquiry's recommendations will be regularly monitored and reported upon by the Child Protection Authorities for England and for Wales, and that pending the establishment of these agencies the Minister for Children and the equivalent minister in Wales will undertake the same role. It is the hope and expectation of the Inquiry that reporting should happen at least annually, in order to ensure the focus and prioritisation of the improvements necessary better to protect children in England and Wales from sexual abuse.

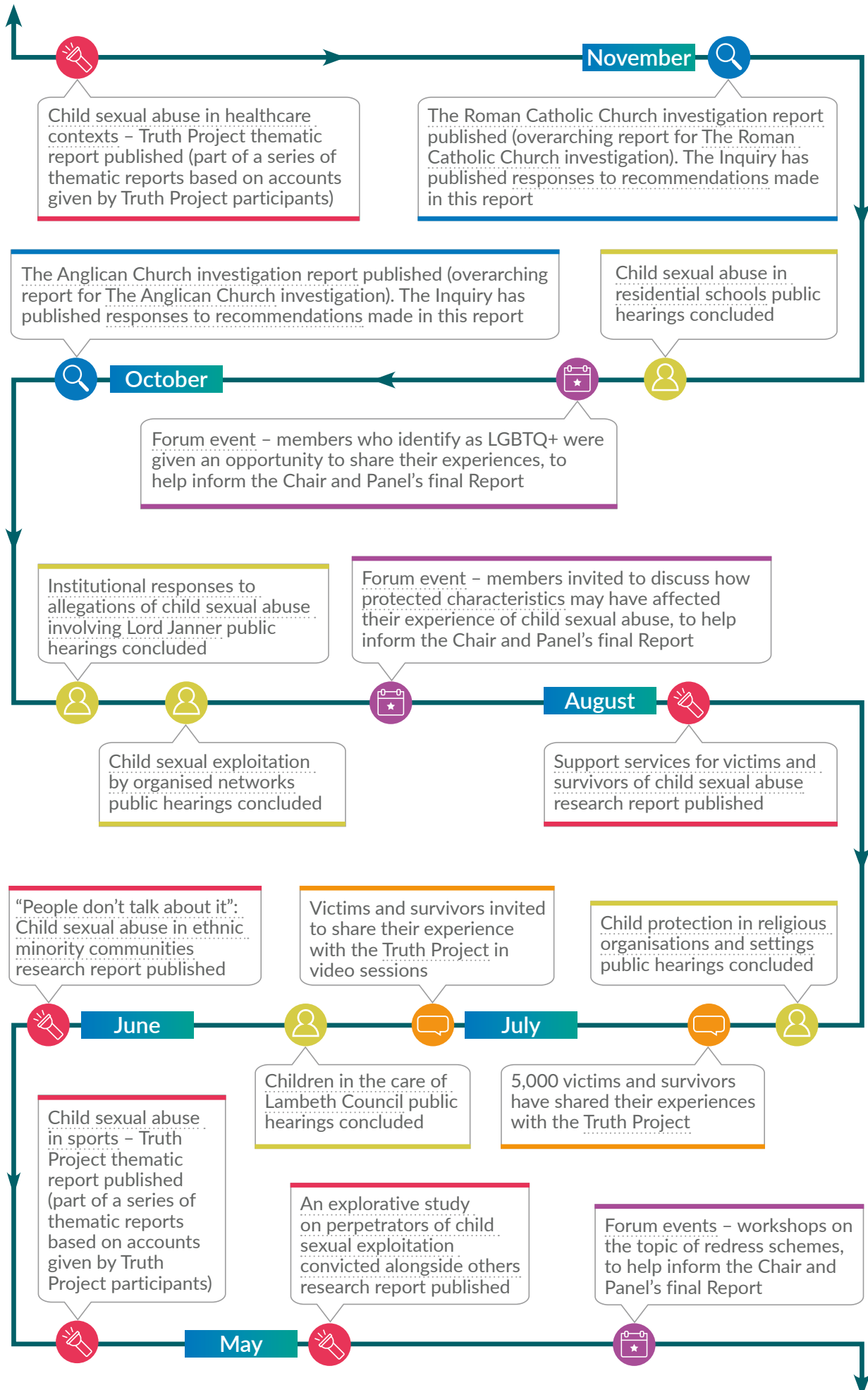
Annexes

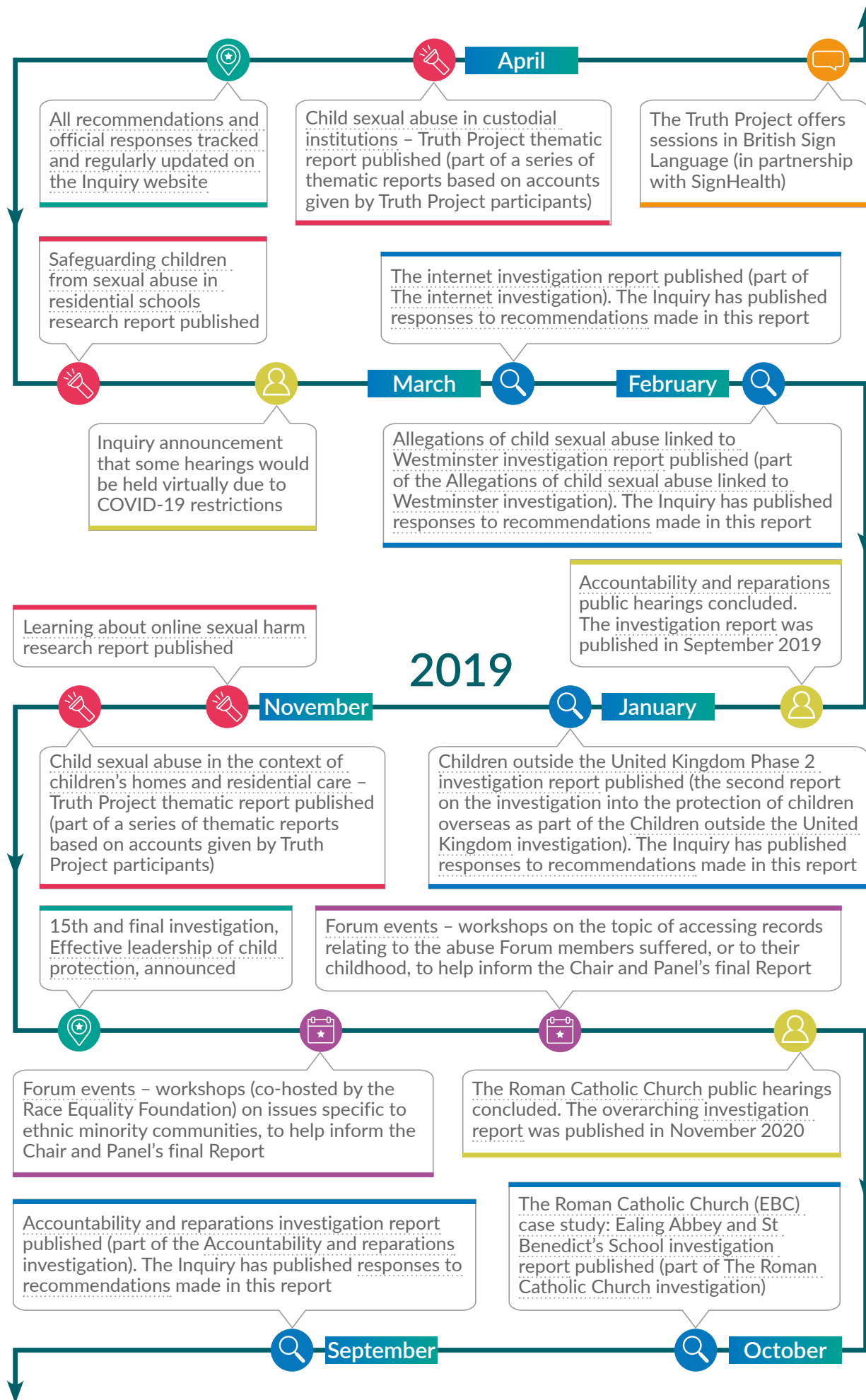
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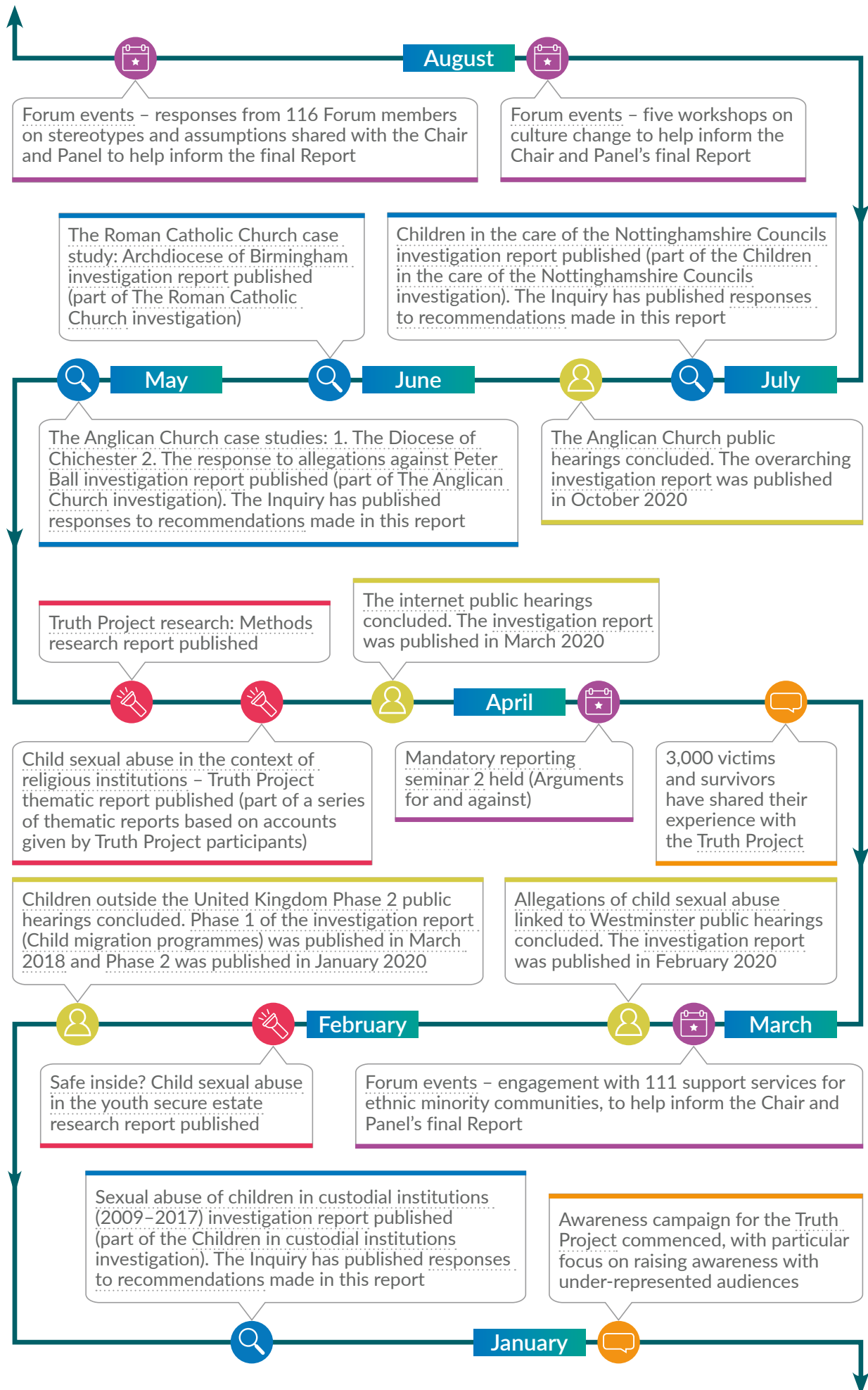
-  Research reports
-  Truth Project
-  Public hearings
-  Seminars and events
-  Investigation reports
-  Other Inquiry milestones

The background to this Inquiry and its methodology

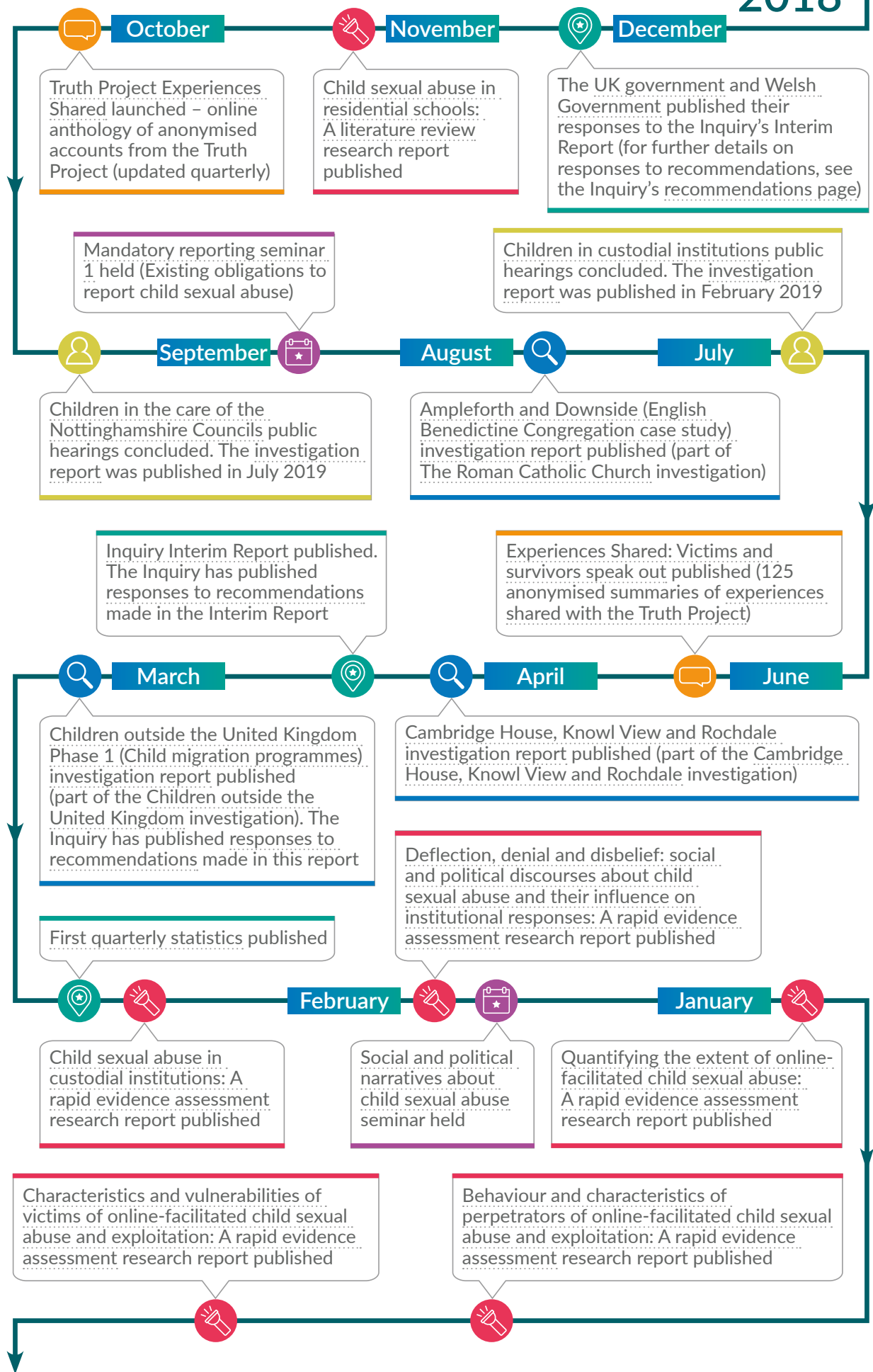


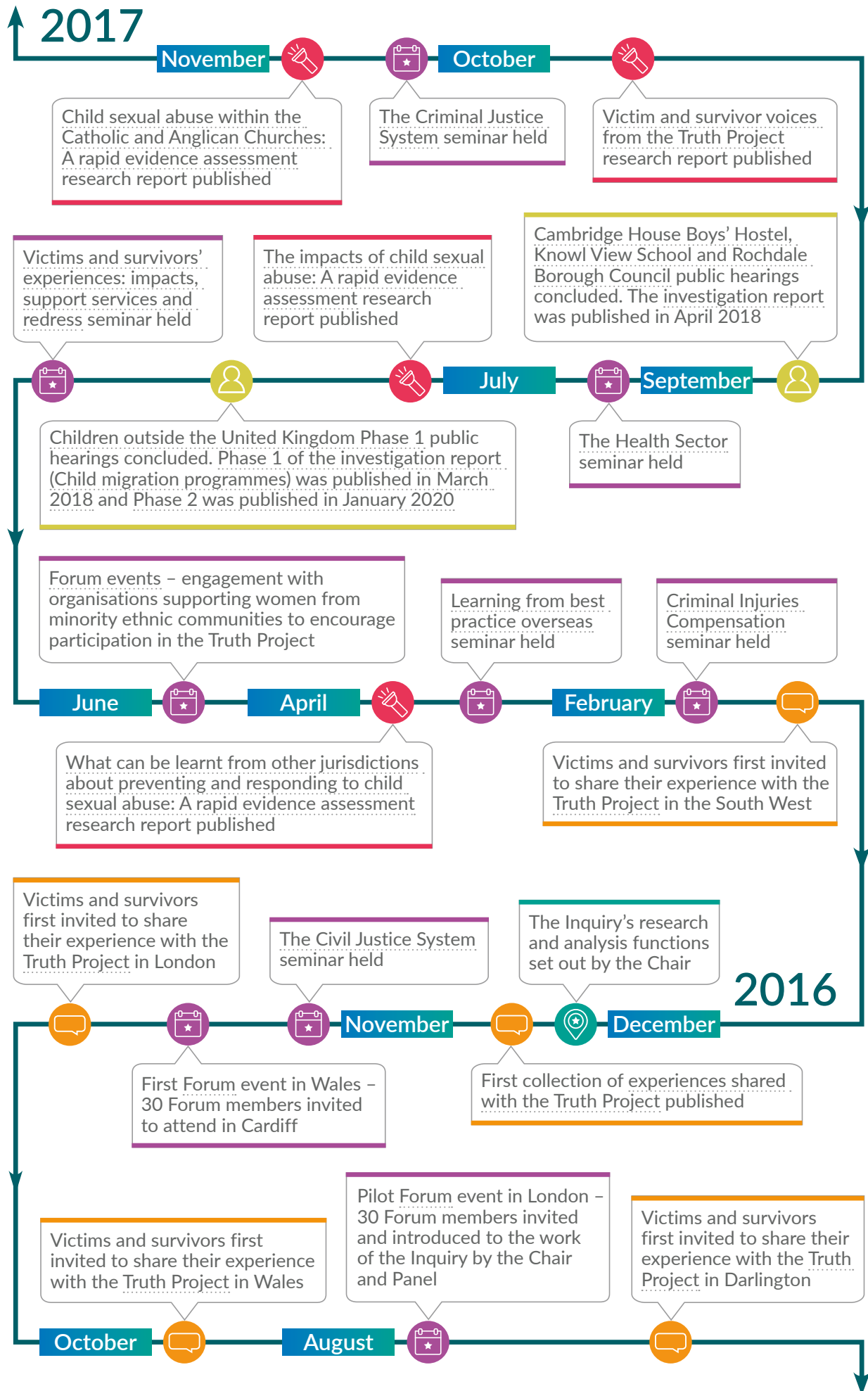


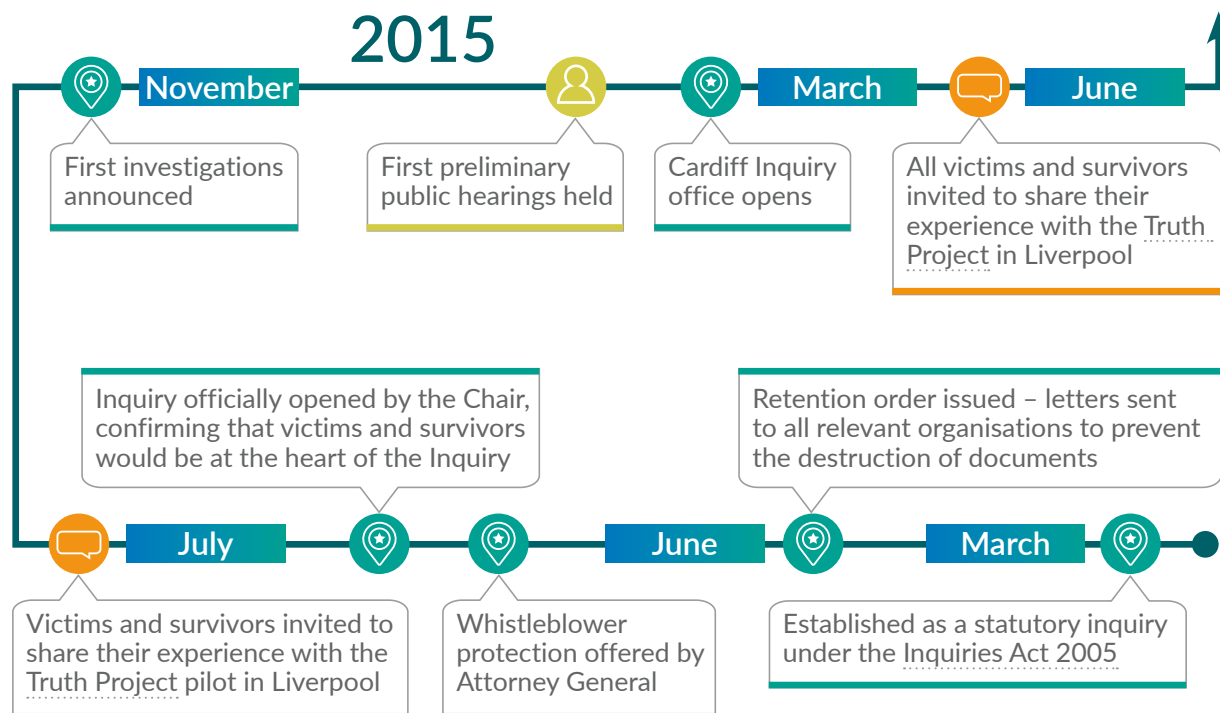




2018







Timeline of the Inquiry

Background

1. In July 2014, the then Home Secretary Theresa May MP announced the establishment of this Inquiry, initially in non-statutory form. In February 2015, it was reconstituted as a statutory inquiry under the Inquiries Act 2005, enabling it to compel witnesses and request any material necessary to investigate where institutions failed to protect children in their care.

2. Since the 1940s, there has been a myriad of investigations and inquiries related to the sexual abuse of children. Many dealt with issues at a regional or local level, rather than considering the wider application of themes and lessons that should be learned. This Inquiry has provided an opportunity to consider many complex issues of potential relevance to institutions in England and Wales and beyond in order to protect children from such abuse in future.

Scope

3. The scope of the Inquiry, as set out in its Terms of Reference, was to:

“consider the extent to which State and non-State institutions have failed in their duty of care to protect children from sexual abuse and exploitation; to consider the extent to which those failings have since been addressed; to identify further action needed to address any failings identified; to consider the steps which it is necessary for State and non-State institutions to take in order to protect children from such abuse in future; and to publish a report with recommendations.”

4. Consequently, the Inquiry focussed on the conduct of institutions and their response or failure to respond to allegations of child sexual abuse. Its purpose has not been to examine the truth of allegations against individuals, but to investigate what institutions knew about them and how – if at all – they responded. The Inquiry’s scope did not include sexual abuse of children which occurred within a family setting, as opposed to within an institution. It did,

however, include circumstances in which a child disclosed familial abuse to a person in an institution, such as a school or a church, and that person or persons failed to act upon this information or otherwise failed to identify child sexual abuse.

5. In addition to evidence it received, the Inquiry has considered information available from various published and unpublished reviews and investigations, together with the experience of victims and survivors of child sexual abuse.

Overview of the Inquiry's methodology

6. In order to approach these issues in a comprehensive manner, the Inquiry established several strands of work, which are summarised below and in relation to which regular reports were published and laid in Parliament. The themes, evidence and material from all these strands have informed this report and its recommendations to protect children in the future.

Interim report

7. As required under its Terms of Reference, the Inquiry published its *Interim Report of the Independent Inquiry into Child Sexual Abuse* in April 2018. At the time, the Inquiry had held five public hearings, published a number of reports about specific parts of its work – including the findings of two public hearings – and held a series of seminars to discuss issues relevant to child sexual abuse. More than 1,000 victims and survivors of child sexual abuse had shared their experience with the Inquiry's Truth Project. The *Interim Report* provided an update on the Inquiry's work and what had been learned to date.

Investigations

8. Through its investigations, the Inquiry examined the extent to which institutions took sufficient care to protect children from sexual abuse, and the extent to which the institutions involved knew or should have known about the abuse, and how they responded. A number of the public hearings were conducted virtually given restrictions resulting from the COVID-19 pandemic.

Investigations

- **15 investigations, involving 385 complainants, 93 institutions or organisations, and 41 other groups or individuals.**
- **325 days of public and preliminary hearings, involving 725 witnesses – the proceedings were broadcast and transcripts are available on the Inquiry's website.**
- **2,457,543 pages of evidence.**
- **87 recommendations to 33 specified State and non-State institutions (including the UK government and various departments, the Welsh Government, several local authorities, the Anglican Church and the Roman Catholic Church) as well as a number of other organisations and settings such as political parties and religious organisations.**

9. As set out in the Inquiry's Criteria for Selection of Investigations, investigations were either:

- institution-specific, involving inquiries into particular institutions or types of institution; or
- thematic, concerning a series of broad areas where multiple institutions may play a role in protecting children from abuse.

The Inquiry also considered whether situations appeared: (a) to be typical of a pattern of child sexual abuse occurring in the sector or context involved; (b) to be practically capable of detailed examination through oral and written evidence; (c) to involve no significant risk to the fairness and effectiveness of any ongoing police investigation or prosecution; and (d) likely to result in currently relevant conclusions and/or recommendations.

10. On this basis, the Inquiry selected and completed the following 15 investigations.

10.1. The extent to which institutions failed in their duty to protect children abroad by, for example, employing individuals who should not work with children, was considered in two phases. The first phase, Child Migration Programmes, dealt with the experiences of children removed from their families, care homes and foster care in England and Wales who were sent to institutions or families abroad, primarily during the post-Second World War period. In the Children Outside the United Kingdom Phase 2 investigation, the Inquiry focussed on the response by institutions in England and Wales to the sexual abuse of children outside the UK.

10.2. One of three local authority investigations, Cambridge House, Knowl View and Rochdale, examined allegations made about the sexual abuse and exploitation of children including by former Liberal Party MP, Cyril Smith.

10.3. The Sexual Abuse of Children in Custodial Institutions investigation considered the sexual abuse of children detained within the criminal justice system.

10.4. The second local authority investigations considered the experiences of Children in the Care of the Nottinghamshire Councils from the 1960s onwards, when sexual abuse was widespread in both residential and foster care.

10.5. Through five case studies, spanning from the 1960s to the present day, the Accountability and Reparations investigation considered the ways in which perpetrators can be held to account under criminal and civil law and the potential reparations available.

10.6. Similarly, the Allegations of Child Sexual Abuse Linked to Westminster investigation examined institutional responses to allegations involving persons of public prominence associated with Westminster.

10.7. The growing problem of online-facilitated child sexual abuse – ranging from sharing indecent images of children, viewing or directing the abuse of children via online streaming or video conferencing, to grooming or otherwise coordinating contact offences against children – was considered in The Internet investigation.

10.8. The Anglican Church overarching investigation assessed the extent to which the Church of England and the Church in Wales protected children from sexual abuse in the past and the adequacy of its safeguarding policies and practices. As part of

this investigation, The Anglican Church Case Studies: 1. The Diocese of Chichester 2. The Response to Allegations Against Peter Ball considered two examples where perpetrators were allowed unrestricted access to children and young people.

10.9. The Roman Catholic Church investigation examined the extent of institutional failings by the Roman Catholic Church in England and Wales to protect children from sexual abuse as well as the Church's current safeguarding regime. As part of its wider investigation into the Roman Catholic Church, the Inquiry also considered more than 130 allegations of child sexual abuse made against 78 individuals in The Roman Catholic Church Case Study: Archdiocese of Birmingham since the 1930s. It also reviewed the abbeys and related schools of Ampleforth and Downside (English Benedictine Congregation Case Study), where appalling sexual abuse was inflicted over decades on children aged as young as seven at Ampleforth School, and aged 11 at Downside School. The Roman Catholic Church Case Study: English Benedictine Congregation: 1. Ealing Abbey and St Benedict's School 2. Ampleforth and Downside: update second investigation concerned the only Benedictine day school in England, adjacent to Ealing Abbey, where there was extensive child sexual abuse resulting in a number of convictions.

10.10. In its third local authority report, the Inquiry examined the scale and nature of the sexual abuse experienced by Children in the Care of Lambeth Council over several decades since the 1960s, for which a succession of elected members and senior professionals ought to have been held accountable.

10.11. The thematic Child Protection in Religious Organisations and Settings investigation augmented the dedicated investigations into the Anglican and Roman Catholic Churches, and considered 38 various religious organisations with a presence in England and Wales.

10.12. In the Institutional Responses to Allegations of Child Sexual Abuse Involving the Late Lord Janner of Braunstone QC investigation, the Inquiry considered the response of Leicestershire Police, the Crown Prosecution Service, Leicestershire County Council, the Labour Party and other institutions to allegations of child sexual abuse involving Lord Janner. This investigation provided the Inquiry with the opportunity to consider the institutional response in circumstances where there has been no criminal conviction or civil finding of fact that alleged sexual abuse occurred.

10.13. The Inquiry's Child Sexual Exploitation by Organised Networks investigation examined individual cases in six geographical case study areas to seek to understand current practice in relation to the sexual exploitation of children at a strategic level. Accounts were also received from children who had been sexually exploited and abused in other geographical areas, as well as drawing on wider knowledge about child sexual exploitation in England and Wales.

10.14. Having considered the sexual abuse of children in educational settings in several of its previous investigations, The Residential Schools investigation examined residential specialist music schools and residential special schools as well as other types of schools in which staff had been convicted of the sexual abuse of pupils or in which serious safeguarding concerns had arisen. Counsel to the Inquiry also prepared a written account regarding allegations of child sexual abuse using the information gathered from a number of sources in relation to eight schools which no longer exist or are under

new management (*Non-Recent Sexual Abuse in Residential Schools: An account submitted by Counsel to the Inquiry concerning eight closed residential schools*, first published in September 2019).

10.15. The *Effective Leadership of Child Protection* investigation focussed on practical experiences of leaders and management and examined how effective leadership can better protect children from sexual abuse. Due to its thematic nature, material from this investigation has not been published separately, but has been taken into account in this report.

Further details regarding each investigation are included in Annex 2, which summarises each of the Inquiry's publications.

11. In each investigation, in accordance with rule 5 of The Inquiry Rules 2006 and the Inquiry's protocol for considering applications, the Chair designated a number of core participants. These were individuals, organisations or institutions with a specific interest in a particular investigation. Core participants have rights in the Inquiry process including receiving disclosure of documentation, being represented, making legal submissions and suggesting lines of enquiry. They were also able to apply to the Inquiry for funding to cover legal and other costs.

12. Witnesses were invited by the Inquiry to provide a statement if they had evidence relevant to a particular investigation, for example, if they had been failed by or worked in an institution being examined. Most gave their evidence in person, although some did so anonymously (for example, to protect their identity while the police were investigating the sexual abuse they suffered) or via video link (for example, if they were infirm or abroad); some evidence was read aloud on their behalf. Witnesses and core participants were offered emotional support both before and after they gave evidence.

13. On 15 August 2016, the Chair issued a Restriction Order under section 19(2)(b) of the Inquiries Act 2005, granting general anonymity to all complainant core participants. It prohibited (i) the disclosure or publication of any information that identified, named or gave the address of a complainant core participant, and (ii) the disclosure or publication of any still or moving image of a complainant core participant. This Order reflected section 1 of the Sexual Offences (Amendment) Act 1992, which applies to the Inquiry's work; it provides victims and complainants of sexual offences with lifelong anonymity and prevents any matter being published about a complainant which might enable the public to identify them. As a result, all complainant core participants were granted anonymity, unless they did not wish to be anonymous. This Order was amended in March 2018 and March 2019 to vary the circumstances in which a complainant core participant could disclose their own status. More than 100 further restriction orders were issued in the course of the Inquiry's investigations to prevent the disclosure or publication of sensitive information.

14. As set out in each investigation report, some material obtained was redacted and, where appropriate, ciphers applied in accordance with the Inquiry's protocol on the redaction of documents. As a result, for example, absent specific consent to the contrary, the identities of complainants and victims and survivors of child sexual abuse and other children were redacted; and if the Inquiry considered that their identity appeared to be sufficiently relevant to the investigation, a cipher was applied. In this report, the Inquiry has used ciphers as applied in published investigation reports.

15. Warning letters were sent in accordance with rule 13 of the Inquiry Rules 2006, and responses were considered before finalising this report as well as each investigation report.

16. The Inquiry's investigation reports made 87 recommendations to 33 specified State and non-State institutions – including the UK government and various departments, and the Welsh Government – as well as more generally (for example political parties and religious organisations). This report contains 20 further recommendations. Institutions were asked to act upon its recommendations promptly and, in the interest of transparency and openness, to publish details of the steps they would take in response to each recommendation within six months of its publication. The Inquiry monitored responses through a formal process, and a summary of recommendations together with progress achieved up to 30 June 2022 is included in Annex 3.

Truth Project

17. Victims and survivors provide a uniquely-informed contribution to the process of understanding and learning from past mistakes and improving child protection in the future. Most importantly, they are entitled to choose to give their accounts and opinions, be listened to respectfully and have their feelings of hurt, frustration and anger acknowledged. This underpinned the Inquiry's determination to put victims and survivors at the centre of its work and give them a voice, most notably through the Truth Project.

18. The Inquiry's Truth Project was a complex and extensive listening exercise, which offered 6,226 victims and survivors of child sexual abuse an unprecedented opportunity to share their experiences. Their accounts provided the Inquiry with a better understanding of the long-term impact of child sexual abuse on victims and survivors.

Truth Project

- **6,339 accounts of child sexual abuse shared with the Truth Project by 6,226 victims and survivors.**
- **4,440 private sessions held.**
- **1,899 written accounts received.**

In the period from June 2016 to October 2021, 5,862 victims and survivors consented to the information they provided being used for research purposes:

- **70% of participants were female, 29% were male, and <1% identified as 'other';**
- **the average participant was 49 years old – the youngest participant was 18 and the oldest 87;**
- **89% were sexually abused by men only;**
- **approximately 7 in 10 said they were first abused when they were 4 to 11 years old (67%), and around a fifth when they were 12 to 15 years old (18%); and**
- **36% said that at least one incident of sexual abuse they experienced took place in an institution.**

- 19.** The Truth Project was piloted in November 2015 with private sessions commencing in June 2016. From then until March 2021, more than 6,000 people came forward to share an experience. Truth Project participants made an important contribution to the work of the Inquiry. Their experiences contributed to the Inquiry's findings and helped inform its recommendations for improving child protection in institutions across England and Wales.
- 20.** Most participants decided to attend private sessions in person, which were recorded with permission and some were transcribed for the purposes of analysis; others submitted a written account. Regardless of the approach, it was up to each individual to decide what they wanted to tell the Inquiry. The participants were not questioned or challenged and the information they provided was not verified or tested. Professionally trained support workers were available for those who wished to access this type of support.
- 21.** Where victims and survivors agreed that their accounts could be used by the Inquiry for research purposes, they were analysed for themes and patterns, in order to shape its work and inform its conclusions and recommendations. In order to ensure that the Inquiry is able to keep victims and survivors' information confidential, the Chair issued a Restriction Order to protect the anonymity of those who engaged with the Truth Project and the experiences they shared. While the Inquiry kept this information confidential, its Terms of Reference required it to refer all allegations of child abuse to the police.
- 22.** The Inquiry has published a [data compendium](#), which comprises all the data which support the analysis presented in this report. Tabs 3 to 12 include the final counts and percentage breakdowns from the 5,862 victims and survivors who shared their experiences of child sexual abuse with the Inquiry's Truth Project, and consented for the information they provided to be included in the Inquiry's research. Tabs 13 to 19 include figures, not already available in the public domain, that were provided by government departments and organisations at the request of the Inquiry. Tabs 20 to 22 provide summation tables for government department data already in the public domain. Information about how the data were analysed and presented is presented in the notes section of the compendium (tab 1).
- 23.** Further information about the Truth Project can be found on the [Truth Project website](#).

Research

24. The purpose of the Inquiry's dedicated research function was to bring together existing knowledge about child sexual abuse, identify knowledge gaps, and to ensure the best use of high-quality data across all strands of the Inquiry's work. The research and analysis programme improved the understanding and knowledge about child sexual abuse, by examining a significant number of published and unpublished reviews and investigations. It consolidated existing knowledge and generated new insights about child sexual abuse, and also monitored the Inquiry's Truth Project.

Research

- **1,489 reports reviewed.**
- **24 research reports published, including rapid evidence assessments (REAs) to establish what was already known and primary research reports to fill specific knowledge gaps.**

25. The Inquiry also used research to generate new or additional information, ranging from issues concerning a specific investigation (such as residential schools) to those of cross-cutting relevance (such as child sexual abuse in ethnic minority communities). Research was also commissioned to pursue new lines of inquiry separate from the investigations (such as on support services for victims and survivors).

26. Research was undertaken by the in-house research team which, for example, analysed victim and survivor accounts of child sexual abuse shared with the Inquiry's Truth Project. Other research projects, which required extra capacity or particular technical expertise, were externally commissioned. New research projects were considered by a Research Ethics Committee, comprised of external experts in the field of child sexual abuse, to ensure that each met the requirements of an ethical approval process.

27. Reports were also used for internal purposes – for example a literature review or research briefing note to inform the work of other Inquiry teams, but most reports were published. Publication followed an internal review and external peer-review process designed to maintain the integrity and quality of the research.

27.1. Rapid evidence assessments summarised the existing material and identified gaps which could be filled by further primary research. Nine rapid evidence assessments were completed (four carried out in-house and five commissioned externally).

27.2. Primary research explored a particular set of defined research questions on a given topic, in depth. Primary data were collected through different methods, such as interviews or focus groups with targeted stakeholder groups. The data were then analysed using qualitative and quantitative approaches. Seven pieces of primary research and corresponding reports (three in-house and four externally) were completed. Subjects included the youth secure estate, safeguarding in residential schools, support services, and child sexual abuse in ethnic minority communities, exploring 24 different research aims and resulting in 46 key research findings.

27.3. Truth Project thematic research and analysis involved the quantitative and qualitative analysis of accounts of child sexual abuse shared by Truth Project participants. Six thematic Truth Project reports – incorporating 45 key research findings – were published looking at child sexual abuse within different institutional contexts, including sports, healthcare, schools, religious institutions, residential care and custodial settings. Each report drew on the available participant accounts at the time of analysis, with the most recent reports' analysis based on participants who took part in the Truth Project between June 2016 and July 2020.

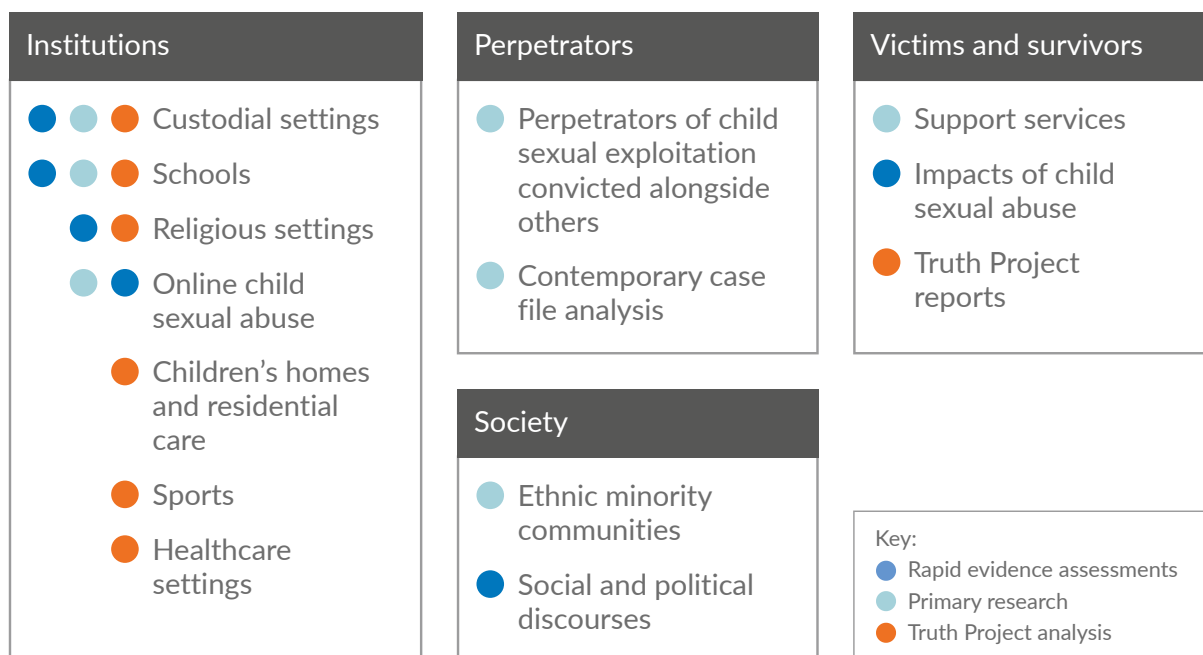
27.4. A Truth Project dashboard, published twice a year, included the experiences of those who were abused within a family, an institution or in another context. The dashboard provided information from the Truth Project about:

- the victims and survivors of child sexual abuse who chose to share their experience with the Truth Project;
- the nature of the abuse that they experienced;
- where the sexual abuse took place and who the perpetrators were;
- the impacts of child sexual abuse; and
- whether those victims and survivors told anyone about the abuse.

The final Truth Project dashboard for the period from June 2016 to October 2021 is available in Annex 4.

28. The research portfolio explored a range of issues and themes relating to child sexual abuse:

- victims and survivors, including the nature of child sexual abuse victimisation, the impact of child sexual abuse and support for victims and survivors;
- perpetrators;
- institutions;
- society, including the relationship between societal and cultural discourses and child sexual abuse.



Overview of the research portfolio

29. Quarterly statistics were produced to provide an update on the Inquiry's three core projects – the Truth Project, investigations and public hearings, and research. They also contained correspondence data to provide a picture of how many people contacted the Inquiry.

Seminars

30. The Inquiry also conducted seminars to gather information and views about important topics, and to help to identify areas for further investigation and scrutiny. Each seminar had a structured discussion among the invited participants (including relevant stakeholders and victims and survivors' groups), led by a member of the Inquiry Counsel team. Invitations were issued to relevant stakeholders and victims and survivors' groups to actively participate in the structured discussion. The structured discussion would either follow a presentation of research work conducted for the Inquiry or an 'expert presentation'.

Seminar topics

- [The civil justice system \(November 2016\)](#)
- [Criminal injuries compensation \(February 2017\)](#)
- [Preventing and responding to child sexual abuse – learning from best practice overseas \(April 2017\)](#)
- [Victims and survivors' experiences: impacts, support services and redress \(July 2017\)](#)
- [The health sector \(September 2017\)](#)
- [The criminal justice system \(November 2017\)](#)
- [Social and political narratives about child sexual abuse \(February 2018\)](#)
- [Mandatory reporting of child sexual abuse \(September 2018, April 2019\)](#)

31. After each seminar, the Inquiry published transcripts and a video recording of the event, as well as a report providing a summary of the seminar on its website, further details of which are included in Annex 2.

Victims and Survivors Forum, Victims and Survivors Consultative Panel and Ethnic Minority Ambassador

32. The Inquiry established the Victims and Survivors Forum, and the Victims and Survivors Consultative Panel, for victims and survivors to engage with its work. It was also assisted by an Ethnic Minority Ambassador.

Victims and Survivors Forum

More than 1,700 victims and survivors joined the Forum.

Enabled victims and survivors to be involved in and contribute to the Inquiry's work, and also provided opportunities for Forum members to meet other members.

Following discussions with members of the Forum, five summary reports were published.

Victims and Survivors Consultative Panel

Provided consultative advice to the Inquiry, drawing on the experience of panel members with considerable experience in supporting adult survivors of child sexual abuse.

Ethnic Minority Ambassador

Provided advice to the Inquiry on the challenges faced by groups that are often marginalised and under-represented.

33. The Victims and Survivors Forum provided an opportunity for more than 1,700 victims and survivors to engage with the Inquiry, and contribute to its work through consultations and events. Forum membership was open to any victim or survivor of child sexual abuse with many following on from their engagement with the Truth Project into the Forum.

34. The Forum provided a continuous link between victims and survivors and the ongoing work of the Inquiry. Forum members contributed directly to the Inquiry's work detailing experiences of the criminal justice system, accessing records, redress schemes, protected characteristics and suggestions for creating a cultural change. Members were also regularly updated with the latest Inquiry news.

35. Members of the Inquiry's Victims and Survivors Consultative Panel brought significant experience, and provided support and advocacy for victims and survivors of child sexual abuse. The panel also acted as an important sounding board for the Inquiry's research and were fundamental in the establishment of the Truth Project. The panel ensured that the victim and survivor voice ran through many of the key activities delivered by the Inquiry and also provided consultative advice and guidance to the Chair and Panel.

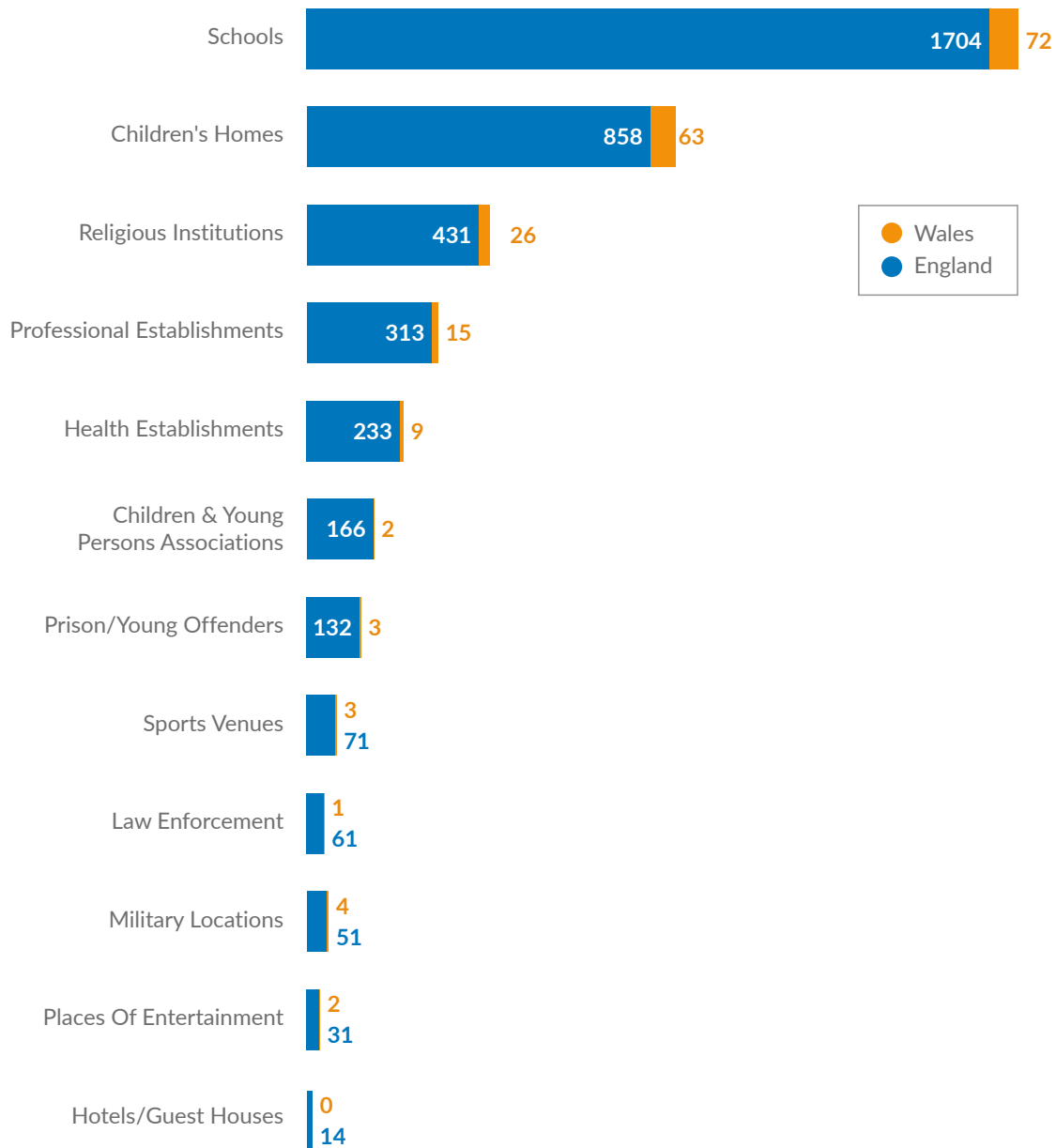
36. The Inquiry was also assisted in its work by an Ethnic Minority Ambassador. The Ethnic Minority Ambassador supported the Inquiry to be reflective and inclusive of the challenges faced by groups across England and Wales who are often marginalised and under-represented.

Referrals to the police

37. The Inquiry was required to refer all allegations of child abuse that it receives to the police so that they can be investigated. Referrals were passed to Operation Hydrant, a coordination body established by the National Police Chiefs' Council, to disseminate allegations of non-recent child sexual abuse from a range of organisations to relevant police forces for investigation.

Operation Hydrant

- **10,431 referrals were made by the Inquiry between March 2015 and March 2022.**
- **12 types of institutions where abuse was alleged in referrals.**
- **As a result of these referrals, there were 101 convictions and 40 more suspects have been charged and are awaiting trial.**



Types of institutions where child sexual abuse took place in Inquiry referrals to Operation Hydrant

Source: See *data compendium* to this report

38. The high number of 'no further action' outcomes reported for allegations made to Operation Hydrant reflects the fact that many could not be acted upon. As per the Inquiry's Terms of Reference, any allegation of child abuse (including sexual, physical and emotional abuse, as well as neglect) received by the Inquiry was referred to the police through Operation Hydrant. This included cases where the abuse occurred many years ago and so the perpetrators had since died, and cases where the participant gave no identifying information about the perpetrator.

The outcome of Inquiry referrals to Operation Hydrant in England and Wales

Outcome	England	Wales
No further action	8,830	444
Ongoing investigation	336	5
Charged and awaiting trial	40	0
Convicted	96	5
Not convicted	43	2
Offence occurred outside the UK	37	0

Source: See [data compendium](#) to this report

Terminology and references

39. Terms such as ‘CSA’ (child sexual abuse) and ‘CSE’ (child sexual exploitation) are often used by practitioners as an abbreviation. The Inquiry does not use such acronyms, except when repeating words used in evidence or in a record.

40. Terms and acronyms used in this report are set out in Annex 5, although the key terms are highlighted to assist the reader.

40.1. Those who have alleged abuse are referred to as ‘**complainants**’, and where abusers have been convicted (or where the fact of the abuse has been established formally in some other way) they are referred to as ‘**victims and survivors**’.

40.2. In recognition of the varying degrees of organisation that may characterise the sexual exploitation of children where there are associations between offenders, the terms ‘**group**’ is used in this report.

40.3. As social care is a devolved function, England and Wales each has different legislative frameworks, policies, procedures and oversight structures at a governmental and local authority level. In contrast, criminal justice matters are largely non-devolved. In general terms, local authorities have statutory responsibility for the strategy and effectiveness of children’s services, including securing the provision of services to address the needs of children and young people.¹⁶³⁰ Throughout this report, staff within local authorities with statutory responsibility for children are referred to as ‘**children’s social care**’ for consistency.

40.4. Where reference is made to ‘**professionals**’, this means those working in the three primary agencies: children’s social care, police forces or healthcare services.

40.5. Children and young people’s mental health services (CYPMHS) is now used as a term for all services that work with children and young people who have difficulties with their mental health or well-being. The previous term for children and adolescent mental health services (**CAMHS**) is generally used in this report, referring to the main specialist NHS mental health community services that are now provided within the wider CYPMHS.

¹⁶³⁰ [Children Act 2004](#), section 18(1); [Social Services and Well-being \(Wales\) Act 2014](#), part 6

41. References in the footnotes of the report such as 'INQ006739' or 'INQ006739_003' are to documents that have been adduced in evidence and posted on the Inquiry website. A reference such as 'Simon Bailey 20 May 2019 113/20-23' is to the witness, the date he or she gave evidence, and the page and line reference within the relevant transcript (which are available on the Inquiry website). While inevitably institution or investigation-specific, the footnotes refer to the Inquiry's previous conclusions which illustrate the issues covered in this report. These examples are not exhaustive and so should be read in conjunction with the Inquiry's complete range of previous publications. They reflect the position at the time of the relevant investigation and do not necessarily represent the position now.

Annex 2

Publications by the Independent Inquiry into Child Sexual Abuse

Summary of Inquiry publications

1. Since its establishment in 2015, the Independent Inquiry into Child Sexual Abuse has published more than 1,500 reports and other material. These include:

- 1 Interim Report;
- 19 investigation reports;
- 24 research reports;
- 9 seminar summaries;
- 8 engagement reports; and
- 1,100 'Experiences shared' narratives.

The Inquiry also published statistics quarterly and a Truth Project dashboard twice a year. Further details of the Inquiry's published material are set out below, while a summary of recommendations made by the Inquiry is included at Annex 3.

The Interim Report

2. *The Interim Report of the Independent Inquiry into Child Sexual Abuse* was published in April 2018, and provided an overview of the progress that the Inquiry had made and what it had learned. The report drew on public hearings that had taken place, as well as research, seminars and learnings from the Truth Project, and set out key issues emerging from the Inquiry's work. In addition to re-stating three recommendations which arose from the *Child Migration Programmes Investigation Report*, the Interim Report included 15 recommendations, including in relation to:

- compliance with the Victims' Code;
- revisions to the Criminal Injuries Compensation Scheme to remove barriers faced by victims and survivors of child sexual abuse;
- the feasibility of a register of public liability insurers to assist claimants locating the insurers relevant to their claim, and how it would operate;
- the amendment of primary legislation and the Civil Procedure Rules to ensure that victims and survivors can provide the best evidence in civil court cases;
- ratification of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (the 'Lanzarote Convention');
- operational policing experience and accreditation in the role of the police service in preventing and responding to child sexual abuse for any police officer wishing to progress to Chief Officer cadre;
- the registration of staff working in care roles in children's homes; and

- the establishment of the level of support available for victims and survivors and public expenditure on these services.

Investigation reports

3. The *Child Migration Programmes Investigation Report*, published in March 2018, examined the experiences of children who were removed from their families, care homes and foster care in England and Wales and were sent to institutions or families abroad, primarily during the post-Second World War period. Successive British governments failed to ensure there were sufficient measures in place to protect child migrants from all forms of abuse, including sexual abuse ranging from sexual touching to rape, sometimes repeatedly and over many years. The policy was allowed to continue despite evidence repeatedly showing that children were suffering. As a result, the Inquiry made three recommendations:

- the financial compensation of all child migrants by the government through a redress scheme;
- apologies by organisations involved in implementing the migration programmes; and
- the retention and preservation of remaining records relating to the Child Migration Programmes.

4. The *Cambridge House, Knowl View and Rochdale Investigation Report*, published in April 2018, considered allegations of sexual abuse and exploitation of children at institutions where their placement was arranged or provided by Rochdale Borough Council. The investigation concluded that multiple institutions had failed to keep children in its care safe from sexual abuse. The issues and conclusions from this investigation were considered alongside evidence relevant to the protection of children in the care of local authorities in subsequent investigations.

5. The first report on the Roman Catholic Church investigation – *Ampleforth and Downside (English Benedictine Congregation Case Study) Investigation Report*, published in August 2018 – concerned institutional failures at Ampleforth and Downside schools to protect children from sexual abuse. Both Ampleforth and Downside prioritised the monks and staff as well as their own reputations over the protection of children, and did no more than pay lip service to implementing the Nolan Report. An update on Ampleforth and Downside was published in October 2019 (see below) and the evidence from this case study was considered further in the overarching Roman Catholic Church Investigation Report (see below).

6. The *Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report*, published in February 2019, examined evidence of child sexual abuse and institutional failures to protect children in the youth secure estate in England and Wales. Focusing on the period from 2009 to 2017, the report found that children held in young offender institutions and secure training centres were not protected from sexual abuse. The report also found that the number of reported incidents of child sexual abuse was much higher than was previously understood, and that the closed nature of the secure estate – and its focus on containment and control – did not provide an environment that protected children from either physical or sexual abuse. As a result, the Inquiry made seven recommendations, including that:

- children should only be placed in custody as a last resort;

- staff in roles responsible for the care of children in young offender institutions and secure training centres should be professionally registered; and
- the use of pain compliance techniques should be prohibited.

7. The first report on the Anglican Church investigation – *The Anglican Church Case Studies: 1. The Diocese of Chichester 2. The Response to Allegations Against Peter Ball Investigation Report* – was published in May 2019. It considered the Diocese of Chichester, where there were multiple allegations of child sexual abuse, and whether there were inappropriate attempts by people of prominence to interfere in the criminal justice process after Bishop Peter Ball was first accused of child sexual offences. As set out in the report, disclosures of child sexual abuse were handled inadequately, with responses failing to display an appropriate level of urgency or appreciation of the seriousness of allegations made and the Church putting its own reputation above the needs of victims and survivors. As a result, the Inquiry made five recommendations, including that:

- safeguarding guidance should be introduced for religious communities affiliated to the Church;
- Canon C30 (the canon requiring clerics to comply with the Bishop’s Guidance on Safeguarding) should be clarified; and
- the government should amend law to include clergy within the definition of a position of trust (to criminalise sexual activity between clergy and a young person aged 16 to 18).

8. In June 2019, *The Roman Catholic Church Case Study: Archdiocese of Birmingham Investigation Report* was published and formed part of the Inquiry’s wider investigation into the Roman Catholic Church. It examined the Church’s response to child sexual abuse by investigating the cases of four priests, and considered whether independent reports succeeded in bringing about major reforms. The report found that the Church prioritised its reputation and that the plight of victims was ignored or swept under the carpet, allowing perpetrators to continue sexually abusing children. Evidence from this case study was drawn upon in the overarching Roman Catholic Church Investigation Report (see below).

9. The *Children in the Care of the Nottinghamshire Councils Investigation Report* was published in July 2019. It considered the sexual abuse of children in the care of Nottingham City and Nottinghamshire County Councils, and the adequacy of steps taken to protect children from sexual abuse. Physical violence and sexual abuse occurred in many of the councils’ children’s homes and foster care, and both councils failed in their statutory duty to protect children from sexual abuse. The report concluded that neither of the councils learned from their mistakes despite decades of evidence and made specific recommendations regarding their practices.

10. The *Accountability and Reparations Investigation Report*, published in September 2019, assessed the extent to which existing support services and available legal processes effectively delivered reparations to victims and survivors of child sexual abuse. The report found that none of the avenues for redress examined were able to adequately provide victims and survivors with the accountability and reparations that they sought. This included civil justice, criminal compensation and support services. As a result, the Inquiry made seven recommendations, including that:

- the Victims' Code should be revised to improve signposting of civil and criminal compensation;
- codes of practice (aimed at eliminating unnecessary distress to claimants) should be produced and followed throughout civil claims for child sexual abuse; and
- criminal justice compensation should be revised to increase the use of Criminal Compensation Orders.

11. *The Roman Catholic Church (EBC) Case Study: Ealing Abbey and St Benedict's School Investigation Report*, published in October 2019, formed part of the Inquiry's wider investigation into the Roman Catholic Church. Extensive child sexual abuse was facilitated at Ealing Abbey for decades, due to a culture of cover-up and denial, and significant opportunities to stop perpetrators in the school were not acted upon. The report also provided an update on changes to the leadership and governance of Ampleforth and Downside, and identified themes in responses to child sexual abuse by the wider English Benedictine Congregation. This included a closed and defensive culture, where teachers and monks were reluctant to support allegations of child sexual abuse for fear it would undermine the institutions and the Church. Evidence from this case study was considered in the overarching Roman Catholic Church Investigation Report (see below).

12. The *Children Outside the United Kingdom Phase 2 Investigation Report*, published in January 2020, examined the civil framework that aims to prevent people known to be a risk to children from offending abroad. This included civil orders, section 72 of the Sexual Offences Act 2003 (which permits the prosecution of British citizens for sexually abusing children while abroad), and disclosure and barring regimes. The report found that gaps and limits to the civil framework enabled offenders to sexually abuse children overseas. As a result, five recommendations were made, including that:

- a national plan of action should be coordinated to address child sexual abuse overseas by UK nationals and residents of England and Wales;
- a list of countries (where children are considered to be at high risk of sexual abuse from overseas offenders) should be established and used routinely to help identify whether a person who has been charged with sexual offences against a child poses a risk to children overseas; and
- the geographical reach of the Disclosure and Barring Service scheme should be extended.

13. The *Allegations of Child Sexual Abuse Linked to Westminster Investigation Report*, published in February 2020, considered evidence relating to allegations of child sexual abuse committed by persons of public prominence associated with Westminster. Although no evidence was found of an organised 'Westminster paedophile network', there were significant failures in the response of Westminster institutions to allegations of child sexual abuse. Particular themes included that police, prosecutors and political parties showed deference towards politicians and others believed to have some importance in public life; that wealth and social status kept perpetrators of child sexual abuse from being brought to justice, to the detriment of the victims of their alleged abuse; and that institutions failed to put the needs and safety of children first. The report made five recommendations, including that:

- the criteria for forfeiture of all honours must be formally extended to include convictions and cautions involving child sexual abuse offences;
- the policy on posthumous forfeiture should be re-examined, in order to consider the perspectives of victims and survivors; and
- the government, political parties and other Westminster institutions must have whistleblowing policies and procedures covering child sexual abuse and exploitation.

14. *The Internet Investigation Report* was published in March 2020. It focussed on the growing threat of online-facilitated child sexual abuse and the adequacy of the response of government, law enforcement and the internet industry. The report found that regulation of the internet industry is urgently required and that industry has failed to do all it can to prevent access to images of child sexual abuse. It concluded that access to child sexual abuse images must be stopped and that internet companies must do more to identify the true scale of offending. As a result, four recommendations were made, including that:

- industry should be required to pre-screen material before it is uploaded to the internet to prevent access to known indecent images of children;
- more action should be taken internationally to ensure that countries hosting indecent images of children implement legislation and procedures to prevent access to such imagery; and
- legislation should be introduced requiring providers of online services and social media platforms to implement more stringent age-verification techniques on all relevant devices.

15. *The Anglican Church Investigation Report*, published in October 2020, considered the extent to which the Church of England and the Church in Wales protected children from sexual abuse, drawing on earlier case studies. It found that in the context of child sexual abuse, the Church's neglect of the physical, emotional and spiritual well-being of children and young people in favour of protecting its own reputation was in conflict with its mission. It also concluded that diocesan and provincial safeguarding officers – not clergy – are best placed to decide which cases to refer to the statutory authorities, and what action should be taken by the Church to keep children safe. The report made eight recommendations, including that:

- a formal information-sharing protocol should be implemented and include the sharing of information about clergy who move between the two Churches;
- information-sharing protocols should be in place at a local level between dioceses and statutory partners; and
- a Church-wide policy should be introduced on the funding and provision of support to victims and survivors of child sexual abuse concerning clergy, Church officers or those with some connection to the Church.

16. *The Roman Catholic Church Investigation Report* was published in November 2020 and examined the extent of institutional failings by the Roman Catholic Church in England and Wales to protect children from sexual abuse, drawing on earlier case studies. It found that the Church's response to allegations of child sexual abuse focussed too often on the protection of the clergy and the Church's reputation, and that those in the Church who perpetrated child sexual abuse and turned a blind eye to it betrayed the Church's moral purpose. It also concluded that weaknesses in leadership have been significant in the

failures to address child sexual abuse, including a reluctance to acknowledge responsibility, to hold individuals to account or to make sincere apologies. The report made seven recommendations, including that:

- a lead member of the clergy for safeguarding should be nominated to provide leadership and oversight on safeguarding matters;
- safeguarding training should be mandatory for all staff and volunteers in roles where they work with children or victims and survivors of abuse; and
- a clear framework should be published for dealing with cases of non-compliance with safeguarding policies and procedures.

17. The *Children in the Care of Lambeth Council Investigation Report*, published in July 2021, examined the scale and nature of sexual abuse experienced by children in the care of Lambeth Council. It also considered the extent of institutional failures to protect children in care from sexual abuse. There were a number of decisions and actions that made it possible for child sexual abuse to occur, including keeping adults who posed a risk to children in its employment and failing to investigate employees where they were suspected of child sexual abuse, exposing children to the risk of sexual abuse. As a result, the Inquiry made four recommendations, including that:

- elected members should receive training on safeguarding and corporate parenting; and
- the application of recruitment and vetting procedures should be reviewed for all foster carers.

18. The *Child Protection in Religious Organisations and Settings Investigation Report*, published in September 2021, examined the protection of children by and response of religious organisations. It found that many religious organisations and settings did not consistently undertake appropriate checks of those who had contact with children, and that there remain religious organisations which have no process of risk assessment for convicted or accused sexual offenders who wish to continue in their religious practice in communal settings. As a result, two recommendations were made:

- all religious organisations should have a child protection policy and supporting procedures; and
- legislation should be introduced to amend the definition of full-time education and provide Ofsted with sufficient powers to examine the quality of child protection when inspecting suspected unregistered schools.

19. The *Institutional Responses to Allegations of Child Sexual Abuse Involving the Late Lord Janner of Braunstone QC Investigation Report* was published in October 2021. It focused on the institutional responses to allegations in circumstances where there was no criminal conviction or civil finding of fact that the alleged abuse occurred. The report considered issues such as deference to powerful individuals or superiors, the barriers to reporting faced by children (particularly those in care), and the need for institutions to have clear policies and practices on responding to allegations of child sexual abuse. It concluded that complaints were not properly investigated by Leicestershire Police and that Leicestershire County Council also failed to take adequate steps in response to concerns raised by victims and survivors.

20. The *Child Sexual Exploitation by Organised Networks Investigation Report* was published in February 2022. Despite child sexual exploitation having been a designated strategic policing priority since 2015, it concluded that the sexual exploitation of children by groups of associated abusers continued to be widespread and greater than official statistics indicated. Local authorities and police forces failed to keep pace with the changing nature of this crime. It also concluded that there appears to be a flawed assumption that child sexual exploitation is decreasing. As a result, the Inquiry made six recommendations, including that:

- the Sentencing Act 2020 should be amended to provide a mandatory aggravating factor in sentencing in the case of the commission of an offence relating to a child, where child sexual exploitation by organised networks has occurred;
- an enhanced version of the government’s Child Exploitation Disruption Toolkit should be published; and
- national government guidance on child sexual exploitation should be reviewed and updated.

21. *The Residential Schools Investigation Report* was published in March 2022. It examined institutional responses to child sexual abuse in residential specialist music schools, residential special schools (for children with special educational needs) and mainstream schools (a boarding school, a day secondary school and a primary school). It also considered the safeguarding system in education more broadly (inspection, oversight and teacher misconduct). It concluded that, despite 20 years of enhanced focus on safeguarding, schools were not as safe for children as they should be, and that children’s interests did not always come first when allegations or concerns of sexual abuse arise. The report also identified shortcomings and failings in current systems of protection, regulation and oversight. As a result, seven recommendations were made, including that:

- all residential special schools should be inspected against the quality standards used to regulate children’s homes in England and care homes in Wales;
- a set of national standards for local authority designated officers in England and Wales should be introduced to promote consistency; and
- the Independent School Standards should be amended to include the requirement that there is an effective system of governance.

Research reports

22. In April 2017, the Inquiry published *Rapid Evidence Assessment: What can be learnt from other jurisdictions about preventing and responding to child sexual abuse*. It considered whether there was a comprehensive approach combining primary prevention and response in a number of jurisdictions. In terms of changing attitudes and behaviour, the assessment concluded that none of the jurisdictions had a comprehensive approach. It also found that training, proactive identification and promoting expertise and good practice through specialist mobile teams or task forces in health, justice and child protection can have a positive impact. Support for children through prosecution and the court process was considered generally poor.

23. In July 2017, the Inquiry published *The impacts of child sexual abuse: A rapid evidence assessment*. It categorised a range of impacts or outcome that have been associated with child sexual abuse, including physical health and emotional well-being, mental health and internalising behaviours. It found that the consequences of child sexual abuse could vary

greatly between individual victims and survivors, and groups, and set out the ways wider society can affect how victims and survivors can remain healthy or recover following child sexual abuse.

24. In October 2017, the Inquiry published *Victim and survivor voices from the Truth Project*. This was the first publication looking at information shared with the Truth Project and analysed 249 accounts from between June 2016 and June 2017. In addition to key figures on the demographics of Truth Project participants, it considered emerging themes and patterns from the accounts, including reasons for attending a Truth Project session and experiences of child sexual abuse.

25. In November 2017, the Inquiry published *Child sexual abuse within the Catholic and Anglican Churches: A rapid evidence assessment*. This reviewed and summarised existing research on the scale and nature of child sexual abuse in the Churches, the institutional factors that might have contributed to the occurrence of child sexual abuse and the Churches' response to child sexual abuse.

26. In January 2018, the Inquiry published *Rapid Evidence Assessment: Quantifying the extent of online-facilitated child sexual abuse*. This considered sources that measured the scale of child sexual abuse facilitated online by the number of reported offences, number of victims, number of perpetrators and number of images viewed, downloaded or exchanged. It found that all four measures produced different figures and concluded that none of these measures were likely to reveal the true extent of online-facilitated child sexual abuse.

27. *Rapid Evidence Assessment: Characteristics and vulnerabilities of victims of online-facilitated child sexual abuse and exploitation* was also published in January 2018. It found that there was strong evidence to suggest that girls are more likely to be victims of online-facilitated child sexual abuse than boys. It also noted that prior experience of neglect or abuse, disability, social isolation, the amount of time spent online and other risky behaviour – such as alcohol or drug use – might put some children at greater risk.

28. A third report – *Behaviour and characteristics of perpetrators of online-facilitated child sexual abuse and exploitation: A rapid evidence assessment* – was also published in January 2018. It found an absence of research about the demographic profile of perpetrators of online-facilitated child sexual abuse. Studies suggested that more perpetrators were male, aged 18–25 and were less likely to have previous convictions compared to other perpetrators of child sexual abuse.

29. In February 2018, the Inquiry published *Deflection, denial and disbelief: social and political discourses about child sexual abuse and their influence on institutional responses: A rapid evidence assessment*. This summarised existing research about social and political discourses concerning child sexual abuse in England and Wales. It considered both dominant discourses (ideas relating to child sexual abuse that appear to be taken for granted as 'truths') and counter discourses that challenge the former.

30. *Child sexual abuse in custodial institutions: A rapid evidence assessment* was published in March 2018. It reviewed a variety of research evidence, policies and guidance in relation to the prevalence of child sexual abuse in custodial institutions, factors associated with failures and the nature of safeguarding systems in place in youth custody. Existing research indicated

that children in custody were very vulnerable, and faced high levels of victimisation and violence. It also noted that around 1 percent to 3 percent of children in custody reported having experienced sexual abuse by other children or staff while in custody.

31. In November 2018, the Inquiry published *Child sexual abuse in residential schools: A literature review*. The review stated that, although there was little information available about the scale and nature of child sexual abuse in schools, children in residential schools might be more at risk due to the out-of-home setting. It also noted that children with disabilities were at more risk of child sexual abuse than children who were not disabled. The review stated that a range of factors influence the incidence of and responses to child sexual abuse in schools, including power imbalances between staff and pupils and a lack of confidence in addressing sexual abuse.

32. *Safe inside? Child sexual abuse in the youth secure estate* was published in February 2019. The research investigated the extent to which children feel safe from sexual abuse in the youth secure estate and the role of staff, systems and processes within this. It found that some practices did not seem to serve the best interests of the child and measures designed to keep children safe did not always reduce risk or promote safety. The research also found that children did not always feel safe or kept free from harm and were not well equipped to have healthy sexual relationships. Both children and staff struggled with knowing what constitutes abuse and inappropriate sexual behaviour.

33. In May 2019, the Inquiry published *Truth Project Research: Methods*, which described the methods used to analyse information from the Truth Project: quantitative analysis using numbers to answer the research questions and qualitative analysis using words and themes to answer the research questions.

34. In May 2019, the Inquiry published *Truth Project Thematic Report: Child sexual abuse in the context of religious institutions*, which was based on the accounts of victims and survivors who spoke to the Truth Project from June 2016 to November 2018. This research looked at experiences of child sexual abuse that were perpetrated by individuals connected to religious institutions (such as members of the clergy) or which occurred in religious institutions. The research found that those who were sexually abused in a religious context often did not report the abuse while it was ongoing, due to feelings of shame or embarrassment, and often shared that they knew of others being abused in the same institution or by the same perpetrator. Participants considered that the power, authority and reverence bestowed upon religious institutions and the individuals working within them meant that the conduct of perpetrators went unquestioned.

35. In November 2019, the Inquiry published *Truth Project Thematic Report: Child sexual abuse in the context of children's homes and residential care*, based on the accounts of victims and survivors who spoke to the Truth Project from June 2016 to March 2018. It considered experiences of child sexual abuse by individuals connected to residential care or children's homes (such as members of staff) or which took place in those settings. It found that more victims and survivors abused in residential care reported a disability or long-term illness than those sexually abused in other contexts. It also noted that, while the majority of perpetrators were male, there was a higher proportion of sexual abuse involving female perpetrators in the context of residential care.

36. *Learning about online sexual harm* was also published in November 2019. It examined the perspectives of children and young people about being online, education received about online sexual harm and what should be done to better protect children and young people from online sexual harm. It found that listening to the views of children and young people was critical in ensuring that the ongoing development of protective efforts are relevant and beneficial. It was also a common experience for children and young people to be exposed to the risk of online sexual harm, about which they needed access to appropriate education before spending unsupervised time online.

37. In April 2020, the Inquiry published *Safeguarding children from sexual abuse in residential schools*. It explored the understanding of child sexual abuse in residential schools from the perspectives of school staff, children, parents and local authority staff, and their views on safeguarding practices in residential schools. It found that residential schools faced distinct and complex challenges in effectively preventing and responding to incidents of child sexual abuse. Residential special schools recorded nearly 10 times the number of concerns per student than other residential schools. Across both special and mainstream schools, prevention work was multi-faceted, including awareness-raising and training of staff, students and parents.

38. The Inquiry also published *Truth Project Thematic Report: Child sexual abuse in custodial institutions* in April 2020. It was based on the accounts of victims and survivors who spoke to the Truth Project from June 2016 to January 2020, and examined the experiences of child sexual abuse perpetrated by individuals connected to custodial institutions (such as custodial staff) or which took place there. Findings included that child sexual abuse usually occurred from the outset of entering a custodial institution as the positional power and control of perpetrators meant they did not need to groom victims.

39. *An explorative study on perpetrators of child sexual exploitation convicted alongside others* was published in May 2020. It aimed to understand the motivations of perpetrators of child sexual exploitation who operated in organised networks. It also sought to identify interventions and approaches that could prevent or disrupt perpetrators. The research found that perpetrators could be loosely clustered around three groups according to their lifestyle, motivation, sexual interest and attitude towards conviction. Some perpetrators acknowledged their behaviour to varying extents, with some using minimisation and justification to explain their motivations and offending behaviours.

40. In June 2020, the Inquiry published *Truth Project Thematic Report: Child sexual abuse in sports*, which was based on accounts of victims and survivors who spoke to the Truth Project from June 2016 to March 2020. It considered experiences of child sexual abuse that were perpetrated by individuals connected to sports institutions (such as sports coaches) or which took place there. The research found that physical contact was a specific enabling factor and was sometimes used as a pretext by perpetrators to sexually abuse children. Perpetrators sometimes used sports-related rewards, such as allowing the child to play in a more senior team, as a method of grooming or coercion.

41. The Inquiry also published *“People don’t talk about it”: Child sexual abuse in ethnic minority communities* in June 2020. This research report looked at the views of those in ethnic minority communities and their experiences of disclosing and reporting child sexual abuse. It also explored their views on and experiences of interactions with institutions in relation to child sexual abuse, and about the nature of support received by victims and

survivors. Participants stated that cultural stereotypes and racism could lead to institutions and professionals failing to identify and respond to child sexual abuse, and could make it difficult for people from ethnic minorities to speak up about child sexual abuse. Perceptions and responses to child sexual abuse in ethnic minority communities could be influenced by expectations about gender, and by the shame and stigma sometimes associated with child sexual abuse.

42. In August 2020, *Support services for victims and survivors of child sexual abuse* considered victims and survivors' experiences of support services. This included services that victims and survivors accessed, why they would or would not access them, what made accessing easier, and barriers that they faced. Most of the victims and survivors surveyed had not accessed support services and some of them did not feel they needed it. Those who did access support took a long time to do so and rated them as mediocre; the most highly rated forms of support across all services were those provided by voluntary sector specialist services.

43. In December 2020, the Inquiry published *Truth Project Thematic Report: Child sexual abuse in healthcare contexts*, based on the accounts of victims and survivors who spoke to the Truth Project from June 2016 to July 2020. It looked at experiences of child sexual abuse perpetrated by individuals connected to healthcare institutions (such as doctors, nurses or dentists) or which took place there. The research found that vulnerabilities were heightened in these settings due to the unique nature of the position of trust and authority occupied by healthcare practitioners. Participants also described a lack of appropriate safeguarding or effective responses to allegations by healthcare practitioners.

44. In December 2020, the Inquiry published *Truth Project Thematic Report: Child sexual abuse in the context of schools*, based on accounts of victims and survivors who spoke to the Truth Project from June 2016 to June 2020. This report looked at experiences of child sexual abuse perpetrated by individuals connected to schools (such as teachers or education assistants) or which took place there. Findings included that the majority of perpetrators were male teachers or other educational staff, who often manipulated and groomed children and young people, staff and parents. Many had good reputations with staff and parents, or were seen as 'cool' by pupils. Some victims and survivors believed that they were in 'relationships' with the perpetrators.

45. In July 2021, the Inquiry published *Child sexual abuse in contemporary institutional contexts*. It examined the Disclosure and Barring Service's 'discretionary cases' over 10 years to better understand the behaviours of perpetrators who have sexually abused children in institutions. The research found that alleged perpetrators used similar tactics and methods to sexually groom and abuse children. It also found that there were numerous missed opportunities to safeguard children because concerns were not escalated, disclosures were not always believed, and institutions and staff did not share, record and respond appropriately to concerns.

Seminar summaries

46. The Inquiry published *Civil Justice System Seminar: An update report* in March 2018, which summarised discussions from a two-day seminar about the challenges faced by victims and survivors in the civil justice system. Topics of discussion included civil litigation, limitation, compensation, other types of accountability and reparation, and potential areas for reform.

- 47.** In April 2018, the Inquiry published the *Criminal Compensation Seminar: An update report*. The report set out key points of discussion from a one-day seminar that explored issues with criminal compensation. This included victim and survivor eligibility for awards under the Criminal Injuries Compensation Scheme, the administration of the Criminal Injuries Compensation Scheme and potential areas for reform.
- 48.** The Inquiry published *Health Sector Seminar: An update report* in May 2018. The report summarised discussions from a two-day seminar that examined arrangements to prevent and respond to child sexual abuse in healthcare settings. Key areas of discussion included the education and training of healthcare workers, recruitment and employment practices, preventing unsupervised or inappropriate access to children and reporting child sexual abuse.
- 49.** The Inquiry published *Learning from the Best Practice Overseas Seminar: An update report* in July 2018. The report set out key points of discussion from a day-long seminar that sought to explore what could be learnt from different jurisdictions about the role of institutions in preventing and identifying child sexual abuse.
- 50.** In July 2018, the Inquiry also published *Victims' and Survivors' Experiences Seminar: An update report*. The report provided a summary of a two-day seminar that discussed victims and survivors' experiences of the impact of child sexual abuse, victim and survivor support needs, and support services for adult and child victims and survivors.
- 51.** In August 2018, the Inquiry published *Criminal Justice System Seminar: An update report*, which summarised discussions from a two-day seminar on how cases of child sexual abuse were dealt with by the criminal justice system. Key areas of discussion included barriers to reporting child sexual abuse, delays in the criminal justice process, support services for victims and survivors, ineffective coordination and interaction within and between organisations working in the criminal justice system, and strained resources and funding.
- 52.** The Inquiry published *Social and Political Narratives about Child Sexual Abuse Seminar: An update report* in August 2018. The report set out key points of discussion from a half-day seminar that explored how existing ways of thinking and talking about child sexual abuse could help or hinder effective and sensitive responses to child sexual abuse, and how best to challenge unhelpful narratives where necessary.
- 53.** In December 2018, the Inquiry published *Mandatory Reporting Seminar 1 – Existing Obligations to Report Child Sexual Abuse: A Summary Report*. This report summarised discussions that took place at a day-long seminar that looked at existing obligations to report child sexual abuse in England and Wales. The seminar also explored how mandatory reporting laws operate in a number of other countries, and the impact these laws may have had on preventing and responding to child sexual abuse.
- 54.** The Inquiry published *Mandatory Reporting Seminar 2: A Summary Report* in August 2019. This report summarised discussions from a two-day seminar that considered the arguments for and against the introduction of mandatory reporting legislation in England and Wales, and the practical considerations involved. Areas of discussion included the impact of mandatory reporting in other jurisdictions, experiences of reporting child sexual abuse and key features of mandatory reporting models.

Engagement publications

- 55.** In May 2019, the Inquiry published *Victims and Survivors Forum Consultation on the Criminal Justice System: Summary Report*. The report provided a summary of the most prominent themes that emerged from five workshops held with members of the Inquiry's Victims and Survivors Forum ('the Forum'), and an online questionnaire, about their experiences of the criminal justice system.
- 56.** In November 2019, the Inquiry published *Victims and Survivors Forum Consultation on Culture: Summary Report*. This report summarised discussions at five workshops with Forum members and responses to an online questionnaire about individuals, institutions and how society talks about child sexual abuse.
- 57.** The Inquiry published *Victims and Survivors Forum Consultation on Accessing Records: Summary Report* in March 2020. The report summarised discussions at a series of workshops with Forum members and responses to an online questionnaire about their experiences of accessing records kept by institutions, the impact of those experiences and the steps that should be taken to improve victims and survivors' experiences of accessing records.
- 58.** In October 2020, the Inquiry published *Victims and Survivors Forum Consultation on Redress: Summary Report*. The report combined a summary of responses to an online questionnaire sent to Forum members and discussions at one workshop which Forum members participated in. Through the workshop and the online questionnaire, Forum members shared their views and experiences of various forms of redress, including financial compensation, apologies and support.
- 59.** The Inquiry published *Victims and Survivors Forum Consultation on Protected Characteristics: Summary Report* in February 2021. The report summarised the responses received to a questionnaire sent to Forum members, which asked members how their protected characteristics affected their experiences of child sexual abuse.
- 60.** In April 2021, the Inquiry published *Engagement with support services for ethnic minority communities*, which explored the barriers faced by victims and survivors from ethnic minority communities when disclosing experiences of child sexual abuse. A number of themes emerged after speaking to over 100 community support organisations, including a lack of trust in services, language barriers and living in closed communities.
- 61.** The Inquiry published *Engagement with children and young people* in June 2021. The report considered how children should be better protected by listening to the experiences of 56 young victims and survivors of child sexual abuse and over 70 specialist child sexual abuse support workers. Key themes that emerged included hearing that young victims and survivors face delays in accessing support, that relationships and sex education in schools is not reflective of the challenges that children face, and that creators of social media apps and internet platforms should take greater responsibility.
- 62.** *Engagement with LGBTQ+ victims and survivors* was published in May 2022, based on the views of 31 LGBTQ+ victims and survivors and 31 LGBTQ+ support organisations. The report explored the challenges that can make LGBTQ+ children and young people vulnerable to sexual abuse, and the barriers LGBTQ+ victims and survivors face when disclosing experiences of child sexual abuse. These included that society's views of LGBTQ+ victims and survivors are often built on harmful myths and stereotypes, and that relevant support services are hard to find.

Quarterly publications

63. The Inquiry's Truth Project offered more than 6,000 victims and survivors of child sexual abuse the opportunity to share their personal experiences and be respectfully heard, in order to improve understanding of child sexual abuse. This listening exercise produced 1,100 'Experiences shared' narratives which were published on a regular basis. These narratives remain available on the Inquiry's website.

64. The accounts of victims and survivors who came forward to the Truth Project were recorded, anonymised and analysed by the Inquiry's research team, in order to provide a legacy for future study and learning. Statistical reports, using data gathered from the Truth Project Experiences Shared, were published every quarter.

65. The Truth Project Dashboard has been published twice a year up to summer 2021, showing the findings from the most recent analysis of the experiences shared by victims and survivors who consented to be part of the Research programme, and were in scope of the Research remit, whilst engaging with the Truth Project. The final Truth Project Dashboard, containing 5,862 victims and survivors' accounts, is included in Annex 4.

Annex 3

Recommendations made by the Independent Inquiry into Child Sexual Abuse

Since its establishment in 2015, the Independent Inquiry into Child Sexual Abuse has made 107 recommendations to 33 specified State and non-State institutions (including the UK and Welsh governments and various government departments, several local authorities, the Anglican Church and the Roman Catholic Church), as well as a number of other organisations and settings such as political parties and religious organisations. The table below includes a summary of each recommendation and whether it has been accepted or rejected by the receiving institution. It also sets out the action taken to date based on information that was provided to the Inquiry by the receiving institution, which can also be found on the [Inquiry website](#).

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
Child sexual abuse (see Part B)				
<p>1. Collect data on child sexual exploitation and child sexual exploitation networks</p> <p>Police forces and local authorities in England and in Wales must collect data on all cases of known or suspected child sexual exploitation and child sexual exploitation by networks. These data should be separated from other data sets, including data on child sexual abuse, and be disaggregated by the sex, ethnicity and disability of both the victim and perpetrator.</p> <p>This disaggregated data should be used by police forces to inform problem profiling and activities to disrupt and investigate offenders. Local authorities should take account of the disaggregated data when commissioning services for children.</p> <p>The UK government and the Welsh Government should take steps to ensure that these data are being collected and disaggregated in a consistent and accurate way by police forces and local authorities.</p>	February 2022	<p><i>Child Sexual Exploitation by Organised Networks Investigation Report</i>, Recommendation 5</p>	See comments	<p>On 30 June 2022, the UK government provided the Inquiry with its provisional response to this recommendation. The UK government stated its final response to this recommendation would be provided within six months of the report's publication date, by 1 August 2022, and it will then be available on the Inquiry's website.</p> <p>On 30 June 2022, the Welsh Government stated that in March 2021 it introduced statutory guidance which requires relevant partners of the Safeguarding Board across Wales to establish arrangements which address the matters contained in this recommendation.</p>
<p>2. A single core data set</p> <p>The Inquiry recommends that the UK government and the Welsh Government improve data collected by children's social care and criminal justice agencies concerning child sexual abuse and child sexual exploitation by the introduction of one single core data set covering both England and Wales.</p> <p>In order to facilitate this, these agencies should produce consistent and compatible data about child sexual abuse and child sexual exploitation which include:</p> <ul style="list-style-type: none"> ● the characteristics of victims and alleged perpetrators of child sexual abuse, including age, sex and ethnicity; ● factors that make victims more vulnerable to child sexual abuse or exploitation; and ● the settings and contexts in which child sexual abuse and child sexual exploitation occur. <p>Data concerning child sexual abuse and child sexual exploitation should be compiled and published on a regular basis. Data should be capable of being collated nationally as well as at regional or local levels.</p>	October 2022	<p><i>The Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 1</p>		

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
Prioritising the protection of children (see Part C)				
<p>3. Ensure complaints relating to police handling of child sexual abuse cases are considered</p> <p>The Chair and Panel recommend that the National Police Chiefs' Council ensures that complaints relating to child sexual abuse are no longer 'disapplied' by police forces on the grounds that the incident involved took place more than 12 months before the complaint was submitted.</p>	April 2018	<p><i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i></p> <p>Recommendation 16</p>	Accepted	<p>On 16 January 2019, Chief Constable Craig Guildford (National Police Chiefs' Council lead for Complaints and Misconduct) advised all Chief Officers that complaints relating to child sexual abuse should no longer be disappplied on the ground that it took place more than 12 months before the complaint was submitted. This interim measure was implemented with immediate effect.</p> <p>On 1 February 2020, the Independent Office of Police Conduct published statutory guidance on the police complaints system. The statutory guidance no longer includes a chapter on disapplication.</p>
<p>4. Develop a national plan of action to address child sexual abuse and exploitation overseas</p> <p>The Home Office should coordinate the development of a national plan of action addressing child sexual abuse and exploitation overseas by UK nationals and residents of England and Wales, involving input from all lead governmental agencies in the field.</p>	January 2020	<p><i>Children Outside the United Kingdom Phase 2 Investigation Report</i></p> <p>Recommendation 1</p>	Accepted	<p>On 21 January 2021, the Home Office confirmed that it would implement this recommendation as part of the UK government's Tackling Child Sexual Abuse Strategy. The strategy sets out the government's national plan of action for tackling transnational child sex offenders (TCSOs).</p>
<p>5. Revise how the Church of England responds to safeguarding complaints</p> <p>The Church of England should make changes and improvements to the way in which it responds to safeguarding complaints (whether related to allegations of abuse, or a failure to comply with or respond to the Church's safeguarding policies and procedures) to:</p> <ul style="list-style-type: none"> ● disapply the 12-month time-limit for all complaints with a safeguarding element brought under the Clergy Discipline Measure; ● reintroduce the power to depose from holy orders where a member of the clergy is found guilty of child sexual abuse offences; ● introduce a mandatory 'code of practice' to improve the way that safeguarding issues are handled across the Clergy Discipline Measure and capability procedures, including a framework for responding to issues that do not amount to misconduct; ● make clear that penalty by consent must never be used in relation to such complaints; ● ensure confidentiality agreements are not put in place in relation to such complaints; and ● ensure that those handling such complaints are adequately and regularly trained. 	October 2020	<p><i>The Anglican Church Investigation Report</i></p> <p>Recommendation 2</p>	Accepted	<p>On 29 March 2021, a joint response from the National Safeguarding Steering Group, the House of Bishops and the Archbishops' Council endorsed the proposals of the Clergy Discipline Measure working group to replace Clergy Discipline Measure 2003 with a new set of provisions. Those provisions would include a disciplinary process and be accompanied by a mandatory code of practice (or similar), which would emphasise the standard of conduct which is required of clergy. The proposed Clergy Discipline Measure reform would disapply the 12-month time-limit for all safeguarding-related complaints. The Church of England also stated that legislation to reintroduce the power to depose from holy orders would be brought forward as soon as practicable.</p> <p>The joint response also supported a replacement provision which enables respondents to acknowledge their misconduct early in the process, reducing the need for victims and survivors to be subject to the delay and trauma of a tribunal process.</p> <p>The joint response stated that the National Church Institutions' Legal Office had taken steps to introduce new training for those who handle complaints in dioceses in connection with the special measures that may be required.</p> <p>The Church of England informed the Inquiry that it intended to present proposals for the reform of clergy discipline to the General Synod.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>6. Redraft the canonical crimes relating to child sexual abuse</p> <p>The Catholic Bishops' Conference of England and Wales should request that the Holy See redraft the canonical crimes relating to child sexual abuse as crimes against the child.</p>	November 2020	<p><i>The Roman Catholic Church Investigation Report</i></p> <p>Recommendation 5</p>	Accepted	<p>On 30 September 2021, the Catholic Council for the Inquiry confirmed that Book VI of the Code of Canon Law determines the penal norms in order to give precise and sure guidance to those who must apply them. The Catholic Council for the Inquiry also confirmed that the offence of child abuse is now framed as an offence committed against the dignity of the human person. It includes clerics, non-clerical religious and lay persons who occupy certain roles in the Church.</p>
<p>7. Publish a national policy for handling complaints in the Roman Catholic Church</p> <p>The Catholic Bishops' Conference of England and Wales and the Conference of Religious should publish a national policy for complaints about the way in which a safeguarding case is handled.</p> <p>The policy should deal with communication with complainants during the complaints process and set out an escalation process for all complainants to have their complaint assessed by an independent adjudicator, if they are unhappy with how their complaint has been handled.</p>	November 2020	<p><i>The Roman Catholic Church Investigation Report</i></p> <p>Recommendation 7</p>	Accepted	<p>On 30 April 2021, the Catholic Council for the Inquiry stated that a framework and template for complaints was ratified by the Bishops. The framework and template include the need for clear communication between the complainant and those handling the complaint, and an escalation of the process if the outcome is unsatisfactory. In November 2021, the Catholic Safeguarding Standards Agency website was launched and set out the National Safeguarding Standards, the National Safeguarding Policy, and practice guidance documents.</p>
<p>8. Introduce legislation to change the definition of full-time education and unregistered educational institutions providing full-time education</p> <p>The government should introduce legislation to:</p> <ul style="list-style-type: none"> change the definition of full-time education, and to bring any setting that is the pupil's primary place of education within the scope of the definition of a registered educational setting; and provide the Office for Standards in Education, Children's Services and Skills (Ofsted) with sufficient powers to examine the quality of child protection when it undertakes inspections of suspected unregistered institutions. 	September 2021	<p><i>Child Protection in Religious Organisations and Settings Investigation Report</i></p> <p>Recommendation 2</p>	See comments	<p>On 2 March 2022, the UK government stated that in 2020 it had consulted to legislate to amend the registration requirements for independent education settings. It confirmed that it had considered responses to the consultation and would publish its response. The UK government also stated that the Department for Education previously committed to increasing the powers available to Ofsted when conducting inspections under section 97 of the 2008 Act, including in the Integrated Communities Action Plan 2019.</p>
<p>9. Provide a mandatory aggravating factor for sentencing networks of child sexual exploitation offenders</p> <p>The government should amend the Sentencing Act 2020 to provide a mandatory aggravating factor in sentencing in the case of the commission of an offence under Part 1 of the Sexual Offences Act 2003 relating to a child, where (1) the child was exploited, (2) 'exploitation' means the child was controlled, coerced, manipulated or deceived into sexual activity and (3) two or more persons were concerned in the exploitation.</p>	February 2022	<p><i>Child Sexual Exploitation by Organised Networks Investigation Report</i></p> <p>Recommendation 1</p>	See comments	<p>On 30 June 2022, the UK government provided the Inquiry with its provisional response to this recommendation. The UK government stated its final response to this recommendation would be provided within six months of the report's publication date, by 1 August 2022, and it will then be available on the Inquiry's website.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>10. Publish an enhanced Child Exploitation Disruption Toolkit</p> <p>As referenced in its Tackling Child Sexual Abuse Strategy, the government should publish an enhanced version of its Child Exploitation Disruption Toolkit as soon as possible. This Toolkit must:</p> <ul style="list-style-type: none"> ● specify that the core element of the definition of child sexual exploitation is that a child was controlled, coerced, manipulated or deceived into sexual activity; ● include specific guidance on building effective problem profiles for child sexual exploitation and child sexual exploitation by networks, as differentiated from other forms of exploitation; ● specifically state the sources and types of data that agencies should use to build problem profiles; and ● indicate the minimum frequency at which problem profiles should be updated. 	<p>February 2022</p>	<p><i>Child Sexual Exploitation by Organised Networks Investigation Report</i> Recommendation 2</p>	<p>See comments</p>	<p>On 30 June 2022, the UK government provided the Inquiry with its provisional response to this recommendation. The UK government stated its final response to this recommendation would be provided within six months of the report's publication date, by 1 August 2022, and it will then be available on the Inquiry's website.</p>
<p>11. Ban the unregulated placements of children</p> <p>The Department for Education should ban the placement in semi-independent and independent settings of children aged 16 and 17 who have experienced, or are at heightened risk of experiencing, sexual exploitation. This should be implemented without delay.</p>	<p>February 2022</p>	<p><i>Child Sexual Exploitation by Organised Networks Investigation Report</i> Recommendation 6</p>	<p>See comments</p>	<p>On 30 June 2022, the UK government provided the Inquiry with its provisional response to this recommendation. The UK government stated its final response to this recommendation would be provided within six months of the report's publication date, by 1 August 2022, and it will then be available on the Inquiry's website.</p>
<p>12. Child Protection Authorities for England and for Wales</p> <p>The Inquiry recommends that the UK government establishes a Child Protection Authority for England and the Welsh Government establishes a Child Protection Authority for Wales. Each Authority's purpose should be to:</p> <ul style="list-style-type: none"> ● improve practice in child protection; ● provide advice and make recommendations to government in relation to child protection policy and reform to improve child protection; and ● inspect institutions and settings as it considers necessary and proportionate. <p>The Child Protection Authorities in England and in Wales should also monitor the implementation of the Inquiry's recommendations.</p>	<p>October 2022</p>	<p><i>The Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 2</p>		

	Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
13.	<p>A cabinet Minister for Children</p> <p><u>The UK government</u></p> <p>The Inquiry recommends that the UK government creates a cabinet-level ministerial position for children.</p> <p><u>The Welsh Government</u></p> <p>The Inquiry recommends that the Welsh Government ensures that there is cabinet-level ministerial responsibility for children.</p>	October 2022	<p><i>The Report of the Independent Inquiry into Child Sexual Abuse Recommendation 3</i></p>		
14.	<p>Public awareness</p> <p>The Inquiry recommends that the UK government and the Welsh Government commission regular programmes of activity to increase public awareness about child sexual abuse and the action to take if child sexual abuse is happening or suspected in England and in Wales.</p> <p>The programmes should:</p> <ul style="list-style-type: none"> ● challenge myths and stereotypes about child sexual abuse; ● make maximum use of different approaches including, but not limited to, public information campaigns, the use of positive role models and creative media, such as television drama; and ● be supported by continuous evaluation to measure their impact. 	October 2022	<p><i>The Report of the Independent Inquiry into Child Sexual Abuse Recommendation 4</i></p>		
Transforming attitudes and empowering children (see Part D)					
15.	<p>Establish why there is a high population of children on remand</p> <p>The Inquiry was told that children should only be placed in custody as a last resort. However, it was concerned to hear evidence that some children are remanded in custody because of a lack of appropriate community provision. Given that the proportion of children in custody on remand is so high, this is an issue of significant concern.</p> <p>The Chair and Panel recommend that the Youth Custody Service commissions research into why the child remand population is as high as it is. If the reason is a lack of appropriate community provision (nationally or in certain areas), or otherwise unrelated to a genuine need for those children to be remanded in custody, the Chair and Panel recommend that the Youth Custody Service, with appropriate partner agencies, puts an action plan in place to address this.</p>	February 2019	<p><i>Sexual Abuse of Children in Custodial Institutions: 2009-2017 Investigation Report Recommendation 1</i></p>	Accepted	<p>On 26 January 2022, the Ministry of Justice published its <i>Review of Custodial Remand for Children</i>. The review's findings challenged the narrative that remand is overused and highlighted several factors that have impacted the increase in the proportion of children on remand over the past 10 years. It noted the ongoing issue with the number of short remand episodes that do not result in custodial sentences and the "ethnic disproportionality of remand".</p> <p>The review reiterated the UK government's commitment to legislate changes, through the <i>Police, Crime, Sentencing and Courts Bill</i>, to tighten the legal tests courts must satisfy to impose custodial remand on a child. It also committed to strengthen operational delivery and frontline practices, and consider greater use of bail and local authority provision as an alternative to custody.</p> <p>On 28 April 2022, the Bill received Royal Assent and section 157 of the <i>Police, Crime, Sentencing and Courts Act 2022</i> reflects the above-mentioned change.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>16. Review the practice of placing children in secure children's homes for welfare reasons</p> <p>The Chair and Panel recommend that the Department for Education and the Youth Custody Service conduct a full review of the practice of placing children for justice and welfare reasons together in secure children's homes to establish whether it increases the risk of sexual abuse to children. If so, appropriate action should be taken, including consideration of alternative models. The review should be completed within three months, and an action plan should be published within six months.</p>	<p>February 2019</p>	<p><i>Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report</i> Recommendation 2</p>	<p>Accepted</p>	<p>On 7 May 2021, the Department for Education published its review of placement practices in secure children's homes. It concluded that the practice of placing children in mixed justice and welfare homes does not create or exacerbate systemic risk of child sexual abuse. In light of the review, the Department for Education stated that it did not propose exploring alternative models as recommended by the Inquiry.</p>
<p>17. Prohibit the use of pain compliance techniques in the youth secure state</p> <p>The Chair and Panel consider that the use of pain compliance techniques should be seen as a form of child abuse, and that it is likely to contribute to a culture of violence, which may increase the risk of child sexual abuse.</p> <p>The Chair and Panel recommend that the Ministry of Justice prohibits the use of pain compliance techniques by withdrawing all policy permitting its use, and setting out that this practice is prohibited by way of regulation.</p>	<p>February 2019</p>	<p><i>Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report</i> Recommendation 5</p>	<p>Rejected</p>	<p>On 18 June 2020, the Ministry of Justice published the Charlie Taylor review of pain-inducing techniques in the youth secure estate. The review recommended that the Minimising and Managing Physical Restraint (MMPR) programme should be amended to remove the use of pain-inducing techniques from its syllabus. The review also recommended that: (a) staff in young offender institutions and secure training centres may use a pain-inducing technique to prevent serious physical harm to a child or adult, and (b) that an Independent Restraint and Behaviour Panel (IRBP) should be established to review incidents in which serious injuries or warning signs have been identified, or where a pain-inducing technique has been deployed. On 18 June 2020, the Ministry of Justice also published the UK government's response to the review. It stated that the Ministry of Justice would remove the sections on pain-inducing techniques from the MMPR manual.</p> <p>In April 2021, the Ministry of Justice confirmed that the Youth Custody Service had established the IRRP.</p> <p>A second Inquiry recommendation on the use of pain compliance was made (see row 20).</p>
<p>18. Ensure there is cross-departmental responsibility for safeguarding children in custodial institutions</p> <p>The Chair and Panel recommend that the Ministry of Justice and the Department for Education share policy responsibility for managing and safeguarding children in custodial institutions. This is to ensure that standards applied in relation to children in custody are jointly focussed on discipline and securing child welfare.</p>	<p>February 2019</p>	<p><i>Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report</i> Recommendation 7</p>	<p>Rejected</p>	<p>On 23 July 2019, the Ministry of Justice stated that it has joint working relationships with the Department for Education on secure children's homes, safeguarding and establishing secure schools. It stated that it aims to replace all young offender institutions and secure training centres with secure children's homes and secure schools.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>19. Evaluate practice concerning harmful sexual behaviour between children</p> <p>Nottingham City Council and its child protection partners should commission an independent, external evaluation of their practice concerning harmful sexual behaviour, including responses, prevention, assessment, intervention and workforce development. An action plan should be set up to ensure that any recommendations are responded to in a timely manner and progress should be reported to City's Safeguarding Children Partnership.</p>	July 2019	<p><i>Children in the Care of the Nottinghamshire Councils Investigation Report</i> Recommendation 2</p>	Accepted	<p>On 29 July 2021, Nottingham City Council stated that the NSPCC undertook an independent external evaluation of its practice in relation to harmful sexual behaviour. The NSPCC identified opportunities for further strengthening and an action plan was developed to disseminate learning and recommendations.</p>
<p>20. Reiterated recommendation: Pain compliance</p> <p>The Inquiry recommends (as originally stated in its <i>Sexual Abuse of Children in Custodial Institutions: 2009-2017 Investigation Report</i>, dated February 2019) that the UK government prohibits the use of any technique that deliberately induces pain (previously referred to by the Inquiry as 'pain compliance techniques') by withdrawing all policy permitting its use in custodial institutions in which children are detained, and setting out that this practice is prohibited by way of regulation.</p>	October 2022	<p><i>The Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 5</p>		
<p>21. Children Act 1989</p> <p>The Inquiry recommends that the UK government amends the Children Act 1989 so that, in any case where a court is satisfied that there is reasonable cause to believe that a child who is in the care of a local authority is experiencing or is at risk of experiencing significant harm, on an application by or for that child, the court may:</p> <ul style="list-style-type: none"> ● prohibit a local authority from taking any act (or proposed act) which it otherwise would be entitled to take in exercising its parental responsibility for the child; or ● give directions for the purpose of determining a specific question which has arisen, or which may arise, in connection with any aspect of the local authority's exercise of parental responsibility for a child. 	October 2022	<p><i>The Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 6</p>		

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
Creating a more protective environment for children (see Part E)				
<p>22. Develop a national policy on the training and use of chaperones in England</p> <p>The Chair and Panel recommend that the Department of Health and Social Care develops a national policy for the training and use of chaperones in the treatment of children in healthcare services.</p> <p>The Chair and Panel recommend that the Care Quality Commission considers compliance with national chaperone policies (once implemented) in its assessments of services.</p>	April 2018	<p><i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i></p> <p>Recommendation 10</p>	Accepted	<p>On 22 July 2019, the UK government stated that NHS England had developed chaperone guidance notes which set out principles of chaperoning and included examples of good practice. It also stated that the Department for Health and Social Care would continue to require the Care Quality Commission to assess providers' policies and protocols on their inspection visits.</p>
<p>23. Develop a national policy on the training and use of chaperones in Wales</p> <p>The Chair and Panel recommend that the Welsh Government develops a national policy for the training and use of chaperones in the treatment of children in healthcare services.</p> <p>The Chair and Panel recommend that Healthcare Inspectorate Wales considers compliance with national chaperone policies (once implemented) in its assessments of services.</p>	April 2018	<p><i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i></p> <p>Recommendation 11</p>	Accepted	<p>On 6 January 2020, the Welsh Government published guidance for health boards and trusts in respect of good working practice for the use of chaperones during intimate examinations or procedures within NHS Wales.</p>
<p>24. Ensure care staff working in children's homes are professionally registered</p> <p>The Chair and Panel recommend that the Department for Education introduces arrangements for the registration of staff working in care roles in children's homes.</p> <p>Registration should be with an independent body charged with setting and maintaining standards of training, conduct and continuing professional development, and with the power to enforce these through fitness to practise procedures.</p> <p>The Chair and Panel recognise that registration may require a period of phasing in, and therefore recommend that priority be given to professional registration of children's home managers.</p>	April 2018	<p><i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i></p> <p>Recommendation 14</p>	Rejected	<p>On 8 July 2021, the Department for Education published the findings of a Call for Evidence on the children's homes workforce and a literature review. The UK government informed the Inquiry that it will continue to keep the recommendation for a professional register of the residential childcare sector under review.</p> <p>A second Inquiry recommendation on the professional registration of care staff working in children's homes was made (see row 65).</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>25. Ensure professionals who pose a risk or harm to children are barred from working with children</p> <p>The Chair and Panel recommend that the Home Office ensures that the Safeguarding Vulnerable Groups Act 2006 is amended so that, where a fitness to practise hearing has been conducted by the keeper of a relevant register and has resulted in removal of a practitioner from that register for reasons relating to harm or risk of harm to children:</p> <ul style="list-style-type: none"> ● the keeper of the register has a duty to refer that information to the Disclosure and Barring Service; and ● the Disclosure and Barring Service, on receiving the referral, has a duty to automatically bar the practitioner from working with children, allowing them the opportunity to make representations to the Disclosure and Barring Service if they consider the bar to be disproportionate or unfair. 	<p>April 2018</p>	<p><i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 15</p>	<p>Rejected</p>	<p>On 19 December 2018, the UK government stated that the Home Office would ask the Disclosure and Barring Service to continue its close engagement with all professional bodies to ensure that effective information sharing takes place at all stages of their respective decision-making processes, and to inform the department of any emerging issues.</p> <p>On 22 July 2019, the Home Office stated that there were no emerging issues.</p>
<p>26. Ensure staff in secure estates receive safeguarding training</p> <p>The Chair and Panel recommend that the Youth Custody Service takes steps to ensure that its training provides staff with an appropriate understanding of safeguarding in the context of the secure estate, and that this is regularly reviewed and updated.</p>	<p>February 2019</p>	<p><i>Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report</i> Recommendation 3</p>	<p>Accepted</p>	<p>On 23 July 2019, the Ministry of Justice stated that the Youth Custody Service would review the mandatory training for all its frontline staff – including at management level – alongside a review of the content and material where necessary.</p> <p>On 4 October 2019, the Youth Custody Service published its national safeguarding review. It recommended that the Youth Custody Service sites, in conjunction with the local authority designated officer (LADO), develop specific and localised training that meets the emerging needs and threats of the sector. The review also recommended that staff dealing with Matters of Concern should receive appropriate and sufficient training in safeguarding and child protection.</p> <p>On 4 May 2022, the Ministry of Justice stated that the Youth Custody Service was drafting 'Keeping Children Safe in Secure Settings' guidance. This aims to set out requirements for sites that hold children on remand and custodial sentences to: protect children from abuse, respond appropriately to their complaints and set the same safeguarding expectations as all other agencies providing a service to children. The Ministry of Justice confirmed that the guidance will complement mandatory safeguarding training for all new staff and will be subject to targeted public consultation. The Ministry of Justice also stated that the Youth Custody Service intends to publish a Safeguarding Strategy that will outline longer term plans for safeguarding training.</p>

	Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
27.	<p>Ensure staff in young offender institutions and secure training centres are professionally registered</p> <p>As the Inquiry set out in its <i>Interim Report</i>, professional registration of the workforce in settings responsible for the care of vulnerable children complements regulation of institutions by a separate, independent regulator.</p> <p>The government has agreed in principle that professional regulation of staff in children's homes in England could provide an effective additional means of protecting children. It has indicated that it will be conducting an evidence-gathering exercise to inform further action.</p> <p>The Chair and Panel now recommend that the Ministry of Justice introduces arrangements for the professional registration of staff in roles responsible for the care of children in young offender institutions and secure training centres. The <i>Interim Report</i> recommendation already applies to staff working with children in secure children's homes.</p>	February 2019	<p><i>Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report</i></p> <p>Recommendation 4</p>	See comments	<p>On 5 November 2021, the Ministry of Justice stated that it had reviewed the evidence it collected through a targeted consultation on professional registration. On 4 May 2022, the Ministry of Justice stated that it is considering the review.</p> <p>A second Inquiry recommendation on the professional registration of staff in young offender institutions and secure training centres was made (see row 66).</p>
28.	<p>Revise Prison Service Instruction 08/2012</p> <p>The Chair and Panel note that Prison Service Instruction 08/2012, which sets out the mandatory actions for young offender institutions and secure training centres for 'maintaining a safe and secure environment', has expired. The Chair and Panel recommend that the Ministry of Justice revises and publishes this Prison Service Instruction to provide clear guidance on how custodial institutions must respond to allegations of child sexual abuse. This should include a requirement for all allegations to be referred to a child protection professional who is independent of the institution.</p> <p>The Chair and Panel also recommend that all institutions, including those which are privately run, publish their safeguarding local procedures in full as well as regular reports about their use, to aid scrutiny and increase transparency.</p>	February 2019	<p><i>Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report</i></p> <p>Recommendation 6</p>	Accepted	<p>On 23 July 2019, the Ministry of Justice stated that work had begun to revise or replace Prison Service Instructions (PSIs) with "policy frameworks". In advance of updating PSI 08/2012, the Youth Custody Service published a policy framework that replaced some aspects of PSI 08/2012 relating to behaviour management of children. On 4 May 2022, the Ministry of Justice stated that early work had started on producing the Care and Management of Young People framework that will replace PSI 08/2012.</p> <p>On 23 July 2019, the Ministry of Justice also stated that the Youth Custody Service would work with the Department for Education to produce 'Keeping Children Safe in Custody', which would thereafter be updated annually. On 4 May 2022, the Ministry of Justice confirmed that the Youth Custody Service was drafting 'Keeping Children Safe in Secure Settings' guidance. For more information on this update, see row 26.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>29. Introduce safeguarding guidance for religious communities</p> <p>The Church of England should introduce appropriate guidance which deals with safeguarding within the context of a religious community affiliated to the Church. It must ensure that these organisations meet adequate requirements for safeguarding and child protection. The needs of victims should be prioritised when designing safeguarding policies and practices.</p> <p>The regulation and management of religious communities should include a mandatory requirement both to have and to follow safeguarding guidance. The requirement to comply with this safeguarding guidance should be the same as would be expected in any other Church institution. There needs to be clarity in respect of how safeguarding should be managed in these communities, along with appropriate auditing of compliance.</p>	May 2019	<p><i>The Anglican Church Case Studies: 1. The Diocese of Chichester; 2. The Response to Allegations Against Peter Ball; Investigation Report; Recommendation 1</i></p>	Accepted	<p>On 27 June 2019, the National Safeguarding Steering Group stated that the General Synod would be asked to give final approval to amending Canon 40. The National Safeguarding Steering Group stated that the amendment inserts new provisions into the Canons of the Church of England relating to religious communities and will impose conditions regarding the safeguarding of children and vulnerable adults.</p>
<p>30. Amend Canon C30 requiring clerics to comply with the Bishop's Guidance on Safeguarding</p> <p>The Church of England should amend the current canon requiring clerics to comply with the Bishop's Guidance on Safeguarding. The use of the words 'due regard' in Canon C30 is an acceptable term of art, but lacks sufficient clarity. Very few individuals who gave evidence to the Inquiry said they understood what this meant, including the Archbishop of Canterbury himself.</p>	May 2019	<p><i>The Anglican Church Case Studies: 1. The Diocese of Chichester; 2. The Response to Allegations Against Peter Ball; Investigation Report; Recommendation 2</i></p>	Accepted	<p>On 26 April 2021, the General Synod approved the Safeguarding (Code of Practice) Measure which strengthens and clarifies the obligation to follow safeguarding guidance. The statutory code replaces the existing duty to have 'due regard' to safeguarding guidance. On 20 October 2021, the Measure came into force.</p>
<p>31. Impose sanctions for failures to comply with safeguarding procedures in the Anglican Church</p> <p>Individuals engaged in regulated activity who have failed to undergo a Disclosure and Barring Service check or complete compulsory training should not be permitted to hold voluntary offices within the Church. Failure by ordained clergy to comply with either requirement should result in disciplinary proceedings.</p>	May 2019	<p><i>The Anglican Church Case Studies: 1. The Diocese of Chichester; 2. The Response to Allegations Against Peter Ball; Investigation Report; Recommendation 4</i></p>	Accepted	<p>On 27 June 2019, the Church of England agreed that those in regulated roles who have failed to undergo a Disclosure and Barring Service check or complete mandatory safeguarding training should not be allowed to continue in their voluntary role. The Church of England stated that leaders such as clergy who knowingly allow volunteers to remain in regulated roles without having fulfilled these requirements should be considered under Section 5 of the Safeguarding and Clergy Discipline Measure 2016. The Church also stated that the National Safeguarding Team would review key pieces of guidance to ensure that this position is reflected clearly.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>32. Disclose internal reviews by religious organisations of safeguarding incidents to the national review body</p> <p>If religious organisations have undertaken internal reviews or enquiries into individual safeguarding incidents, their findings should be sent to the national review body (set up under the Children and Social Work Act 2017).</p>	<p>May 2019</p>	<p><i>The Anglican Church Case Studies: 1. The Diocese of Chichester; 2. The Response to Allegations Against Peter Ball; Investigation Report Recommendation 5</i></p>	<p>Accepted</p>	<p>On 27 June 2019, the Church of England stated that its National Safeguarding Team would liaise with the Child Safeguarding Practice Review Panel to ensure that “the right cases” are reported to them in accordance with the principles outlined in <i>Working Together to Safeguard Children</i> and the safeguarding arrangements arising from the Children and Social Work Act 2017. The Church of England noted that the agreed approach will be reflected in House of Bishops guidance.</p> <p>On 12 July 2022, the Church of England stated that all independent learning lessons case reviews commissioned by the Archbishops’ Council have been shared with their designated contact on the Child Safeguarding Practice Review Panel, who will meet with the Church’s National Director of Safeguarding every six months. In addition, the Church of England stated that updated arrangements for safeguarding case reviews will be detailed in forthcoming House of Bishops’ safeguarding policy, which is due to go out to full consultation, including with victims and survivors, in September 2022. It is anticipated to be presented for approval at the National Safeguarding Steering Group in December 2022.</p>

	Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
33.	<p>Assess the potential risks posed by foster carers and residential care staff in Nottinghamshire</p> <p>Nottingham City Council should assess the potential risks posed by current and former foster carers directly provided by the council in relation to the sexual abuse of children. They should also ensure that current and former foster carers provided by external agencies are assessed by those agencies. Any concerns which arise should be referred to the appropriate body or process, including the Disclosure and Barring Service, the local authority designated officer (LADO) or equivalent, the fostering panel and the police.</p> <p>Nottinghamshire County Council should assess the potential risks posed by current and former residential care staff and foster carers, which are directly provided by the council, in relation to the sexual abuse of children. They should also ensure that current and former staff in residential care provided by external agencies, and current and former foster carers provided by external agencies, are assessed by those agencies. Any concerns which arise should be referred to the appropriate body or process, including the Disclosure and Barring Service, the relevant regulatory body, the local authority designated officer (LADO), the fostering panel and the police.</p>	July 2019	<p><i>Children in the Care of the Nottinghamshire Councils Investigation Report</i> Recommendation 1</p>	Accepted	<p>Nottingham City Council</p> <p>On 20 December 2021, Nottingham City Council stated that an internal fostering review was complete. External assurance of the review was also complete. The review concluded that no further referrals were required in relation to former carers and found no evidence that carers assessed as 'suitable' presented a risk of sexual harm to children.</p> <p>Nottingham City Council also stated that it had, in partnership with Nottinghamshire County Council, written to all Independent Fostering Agencies with whom it had placed a child since 2013. All agencies confirmed that they had reviewed information to assess the risk posed by current and previous foster carers.</p> <p>Nottinghamshire County Council</p> <p>On 21 June 2021, Nottinghamshire County Council stated that it is reviewing existing and former members of residential care staff. In relation to reviewing existing and former foster carers, Nottinghamshire County Council stated that a joint approach was taken with Nottingham City Council to engage with relevant independent fostering agencies who completed their own reviews. A report of responses was brought to a joint meeting of Nottinghamshire and Nottingham City Children's Safeguarding Partnership Board, which will provide recommendations if further actions are required.</p>
34.	<p>Extend the geographical reach of the Disclosure and Barring Service scheme</p> <p>The Home Office should introduce legislation permitting the Disclosure and Barring Service to provide enhanced certificates to UK nationals and residents of England and Wales applying for:</p> <ol style="list-style-type: none"> 1. work or volunteering with UK-based organisations, where the recruitment decision is taken outside the UK; or 2. work or volunteering with organisations based outside the UK, in each case where the work or volunteering would be a regulated activity if in the UK. 	January 2020	<p><i>Children Outside the United Kingdom: Phase 2 Investigation Report</i> Recommendation 3</p>	Rejected	<p>On 21 January 2021, the Home Office stated that the UK government would continue to work with ACRO to publicise the existence of the International Child Protection Certificate, and to improve employers' understanding of the certificate and when it can be used. On 17 June 2021, the UK government stated that its position had not changed in relation to this recommendation.</p> <p>A second Inquiry recommendation on the geographical reach of the Disclosure and Barring Service scheme was made (see row 69).</p>

	Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
35.	<p>Extend the mandatory nature of disclosure and barring</p> <p>The Home Office should introduce legislation making it mandatory for:</p> <ol style="list-style-type: none"> 1. all UK nationals and residents of England and Wales to provide a prospective employer overseas with an enhanced Disclosure and Barring Service certificate before undertaking work with children overseas which if in the UK would be a regulated activity; and 2. UK government departments and agencies to require their overseas partners to ensure that UK nationals and residents of England and Wales obtain an enhanced Disclosure and Barring Service certificate before undertaking work with children overseas which if in the UK would be a regulated activity. 	January 2020	<p><i>Children Outside the United Kingdom Phase 2 Investigation Report</i> Recommendation 4</p>	Rejected	<p>On 21 January 2021, the Home Office stated that although part 1 of this recommendation envisaged placing the legal obligation of providing overseas employers with an enhanced Disclosure and Barring Service certificate on UK nationals, it would in effect amount to the UK government legislating in respect of employment practices in foreign countries. The Home Office stated that it did not consider this approach to be effective, and stated that it would continue to publicise the existence of the International Child Protection Certificate.</p> <p>Regarding part 2 of this recommendation, the Home Office stated that it recognised the need for government bodies to take reasonable steps to ensure that overseas partners have robust safeguarding policies, and that those partners carry out all appropriate criminal records checks along with broader recruitment checks such as references. It stated that the Foreign, Commonwealth and Development Office is working to strengthen the employment cycle across the aid sector. This aims to prevent individuals with a known history of misconduct from working in the sector, regardless of their nationality.</p> <p>On 17 June 2021, the UK government stated that its position had not changed in relation to this recommendation. On 17 December 2021, the UK government stated that the Foreign, Commonwealth and Development Office had set up a working group with the Home Office, Disclosure and Barring Service, ACRO and the Charity Commission to look at the issue of criminal record checks for the international aid sector.</p>
36.	<p>Issue explanatory guidance on the Disclosure and Barring Service scheme for recruiting organisations outside the UK</p> <p>The Home Office should ensure explanatory guidance is issued, providing clarity to recruiting organisations and individuals concerning the use of the Disclosure and Barring Service scheme for work and volunteering outside the UK.</p>	January 2020	<p><i>Children Outside the United Kingdom Phase 2 Investigation Report</i> Recommendation 5</p>	Accepted	<p>On 21 January 2021, the Home Office stated that the Disclosure and Barring Service signposts applicants to the International Child Protection Certificate if their work abroad makes them ineligible for Disclosure and Barring Service certificates.</p> <p>On 28 April 2022, the UK government stated that a working group – led by the Foreign, Commonwealth and Development Office – had identified the need for further clarity and guidance around the eligibility of roles within the sector for criminal record checks, through either the Disclosure and Barring Service or ACRO. The UK government confirmed that the guidance was being finalised. It also stated that it had commenced a review of the disclosure and barring regime in February 2022, to provide assurance on its effectiveness in safeguarding the vulnerable.</p>

	Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
37.	<p>Ensure government departments and political parties have whistleblowing policies and procedures</p> <p>Government, political parties and other Westminster institutions must have whistleblowing policies and procedures which cover child sexual abuse and exploitation. Every employee must be aware that they can raise any concerns using these policies and that the policies are not limited to concerns specific to a person's employment.</p>	February 2020	<p>Allegations of Child Sexual Abuse Linked to Westminster Investigation Report</p> <p>Recommendation 3</p>	<p>UK government</p> <p>Accepted</p> <p>Political parties</p> <p>Accepted by 10 organisations</p>	<p>On 18 September 2020, the UK government confirmed that all government departments have whistleblowing policies in place. It confirmed that Civil Service HR has a model policy to support departments in ensuring their policies are effective. With regards to Parliament, the UK government stated that internal policies and procedures are a matter for both Houses and that the UK government respects the exclusive cognisance of each House to conduct its own internal affairs. It stated that it is clear that all institutions should have appropriate policies and procedures in place to ensure that they fulfil their responsibilities to safeguard children.</p> <p>In July 2020, the Co-operative Party stated that it had whistleblowing policies and procedures in its staff handbook. Between June 2020 and March 2021, the Green Party, the Labour Party, the Liberal Democrats, the Conservative Party, Plaid Cymru, the Ulster Unionist Party, the Social Democratic and Labour Party, the Democratic Unionist Party and the Scottish National Party stated that they had updated policies and/or staff handbooks.</p>
38.	<p>Review the safeguarding policies and procedures of government departments</p> <p>The Cabinet Office must ensure that each government department reviews its child safeguarding policy or policies in light of the expert witness report of Professor Thornburn. There must also be published procedures to accompany their policies, in order that staff know how to enact their department's policy. All government departments must update their safeguarding policies and procedures regularly, and obtain expert safeguarding advice when doing this.</p>	February 2020	<p>Allegations of Child Sexual Abuse Linked to Westminster Investigation Report</p> <p>Recommendation 4</p>	Accepted	<p>On 18 September 2020, the UK government confirmed that all government departments were aware of Professor Thornburn's report. It also stated that Civil Service HR had launched a model safeguarding policy and 'Health Check' process, which enables departments to check their own procedures and practices to ensure they are fit for purpose.</p> <p>On 25 August 2021, Civil Service HR stated that they had conducted a survey to review departmental use of the model policy and 'Health Check' and that it gave assurance of progress in the Civil Service.</p>
39.	<p>Ensure all political parties have safeguarding policies and procedures</p> <p>All political parties registered with the Electoral Commission in England and in Wales must ensure that they have a comprehensive safeguarding policy.</p> <p>All political parties must also ensure that they have procedures to accompany their policies, in order that politicians, prospective politicians, staff and volunteers know how to enact their party's policy, which must be published online. All political parties must update their policies and procedures regularly, and obtain expert safeguarding advice when doing this.</p> <p>The Electoral Commission should monitor and oversee compliance with this recommendation.</p>	February 2020	<p>Allegations of Child Sexual Abuse Linked to Westminster Investigation Report</p> <p>Recommendation 5</p>	<p>Electoral Commission</p> <p>Rejected</p> <p>Political parties</p> <p>Accepted by 9 organisations</p>	<p>On 3 July 2020, the Electoral Commission stated that given the statutory scope of its remit, introducing a requirement that the Commission should monitor and oversee compliance of the safeguarding policies of political parties would require a change in the law. The Commission also noted that it does not have experience and expertise in child protection matters. The Commission considered it would be more appropriate for the recommendation to be directed towards other organisations.</p> <p>Between February 2020 and September 2021, the Co-operative Party, the Conservative Party, the Democratic Unionist Party, the Green Party, the Labour Party, the Liberal Democrats, the Scottish National Party, the Social Democratic and Labour Party and the Ulster Unionist Party stated that they have safeguarding policies and procedures in place.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>40. Publish the interim child sexual abuse and exploitation code of practice</p> <p>The government should publish, without further delay, the interim code of practice in respect of child sexual abuse and exploitation as proposed by the Online Harms White Paper (published April 2019).</p>	<p>March 2020</p>	<p><i>The Internet Investigation Report</i> Recommendation 4</p>	<p>Accepted</p>	<p>On 15 December 2020, the UK government published the <i>Interim Code of Practice on Child Sexual Abuse and Exploitation</i>.</p>
<p>41. Improve the safeguarding structure in the Church of England</p> <p>The Church of England should create the role of a diocesan safeguarding officer to replace the diocesan safeguarding adviser. Diocesan safeguarding officers should have the authority to make decisions independently of the diocesan bishop in respect of key safeguarding tasks, including:</p> <ul style="list-style-type: none"> i. escalating incidents to the National Safeguarding Team, statutory authorities and the Charity Commission; ii. advising on the suspension of clergy in safeguarding matters; iii. investigating and/or commissioning investigations into safeguarding incidents; iv. risk assessments and associated plans for church officers and members of the congregation; and v. supporting complainants in safeguarding-related issues. <p>Diocesan safeguarding officers should be employed locally, by the Diocese Board of Finance. The diocesan safeguarding officer's work should be professionally supervised and quality assured by the National Safeguarding Team. The National Safeguarding Team should set the broad requirements for anyone applying to be a diocesan safeguarding officer (adapting as required the existing requirements in respect of diocesan safeguarding advisers).</p> <p>It should be enshrined in policy that those who are volunteers and who do not follow the directions of diocesan safeguarding officers should be removed from responsibility of working with children.</p>	<p>October 2020</p>	<p><i>The Anglican Church Investigation Report</i> Recommendation 1</p>	<p>Accepted</p>	<p>On 29 March 2021, a joint response from the National Safeguarding Steering Group, the House of Bishops and the Archbishops' Council stated that Canon C30 and the associated Diocesan Safeguarding Advisor Regulations would be amended to: (a) ensure the diocesan safeguarding adviser is replaced by the diocesan safeguarding officer (DSO); (b) strengthen and clarify that safeguarding decisions are to be made by the DSO, and (c) set out the independence of the DSO.</p> <p>The joint response also stated that the National Safeguarding Team had begun incorporating the principle that voluntary roles must follow House of Bishops' safeguarding requirements into work to revise national safeguarding policies.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>42. Improve the safeguarding structure in the Church in Wales</p> <p>The Church in Wales should make clear that the operational advice of provincial safeguarding officers must be followed by all members of the clergy and other Church officers.</p> <p>It should be enshrined in policy that those who are volunteers and who do not follow the directions of provincial safeguarding officers should be removed from working with children.</p>	October 2020	<p><i>The Anglican Church Investigation Report Recommendation 3</i></p>	Accepted	<p>On 7 April 2021, the Church in Wales stated that its safeguarding policy, procedural documents and training materials would make it clear that the operational advice of provincial safeguarding officers should be followed by all church officers, including clergy. The Church in Wales also introduced a new cause of action in the Disciplinary Tribunal, with sanctions including removal and disqualification from holding any office or membership in the Church in Wales. There is also a power of suspension while investigation or disciplinary proceedings are ongoing. The Church in Wales also noted that some volunteers would not be directly subject to the jurisdiction of the Disciplinary Tribunal. The Church in Wales stated that it would revise its procedural guidelines to make clear the expectation that such volunteers should be removed from working with children.</p> <p>On 7 January 2022, the Church in Wales stated that the timetable for adopting its updated procedural guidance was delayed.</p>
<p>43. Introduce record-keeping policies in the Church in Wales</p> <p>The Church in Wales should introduce record-keeping policies relating to safeguarding, complaints and whistleblowing. These should be implemented consistently across dioceses. The Church should develop policies and training on the information that must be recorded in files.</p> <p>The Church should provide its provincial safeguarding officers with the right to see personnel files of clergy, office holders, employees or others if concerns and complaints are raised about child protection or safeguarding.</p>	October 2020	<p><i>The Anglican Church Investigation Report Recommendation 4</i></p>	Accepted	<p>On 7 April 2021, the Church in Wales stated that its national online safeguarding case management and record-keeping system had launched, serving as a single searchable repository of all Church in Wales safeguarding and whistleblowing case data, while its safeguarding policy sets out that casework of a safeguarding nature is undertaken at a national level to ensure consistent implementation. It also stated that it is developing procedural guidance to document what information is held, and how information should be exchanged between the safeguarding case management systems and personnel records held at a diocesan local level. Relevant staff would be trained in accordance with this guidance.</p> <p>The Church in Wales stated that provincial safeguarding officers already have the right to view the personnel files of clergy and agreed that its procedural guidance needs to make clear to the various employers of other church staff that the same applies to lay personnel.</p> <p>On 7 January 2022, the Church in Wales stated that the timetable for adopting updated procedural guidance had slipped.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>44. Share information between the Church of England and the Church in Wales The Church of England and the Church in Wales should agree and implement a formal information-sharing protocol. This should include the sharing of information about clergy who move between the two Churches.</p>	<p>October 2020</p>	<p><i>The Anglican Church Investigation Report</i> Recommendation 5</p>	<p>Accepted</p>	<p>On 24 June 2021, the Church of England announced that the updated version of the House of Bishops' handling of Clergy Personal Files policy covers data sharing between the Church of England and the Church in Wales, and clarifies the lawful basis on which clergy personal data are processed. On 28 July 2021, the Bishops of the Church in Wales approved a new personal files policy for the clergy.</p>
<p>45. Share information between the Church of England, Church in Wales and statutory partners The Church of England, the Church in Wales and statutory partners should ensure that information-sharing protocols are in place at a local level between dioceses and statutory partners.</p>	<p>October 2020</p>	<p><i>The Anglican Church Investigation Report</i> Recommendation 6</p>	<p>Accepted</p>	<p>On 29 March 2021, a joint response from the National Safeguarding Steering Group, the House of Bishops and the Archbishops' Council stated that it would develop template information-sharing agreements which may be adapted and used by dioceses on a local level with statutory partners, such as local authorities. The joint response also stated that initial discussions with the National Association of Police Chief Officers were held, and an information-sharing agreement has been proposed for use between the police, the Church of England and the Church in Wales. On 7 April 2021, the Church in Wales stated that it was involved in joint meetings with representatives of the National Police Chiefs' Council and the Church of England with a view to agreeing a national information-sharing agreement, or a template-sharing agreement with national guidance on how it should be rolled out across each church organisation and each police force. The Church in Wales also stated that discussions were continuing with the Church of England about the best means of taking forward coordinated national conversations with other statutory partners.</p>
<p>46. Introduce independent external auditing of the Church in Wales and the Church of England The Church in Wales should introduce independent external auditing of its safeguarding policies and procedures, as well as the effectiveness of safeguarding practice in dioceses, cathedrals and other Church organisations. Audits should be conducted regularly and reports should be published. The Church of England should continue independent external auditing of its safeguarding policies and procedures, as well as the effectiveness of safeguarding practice in dioceses, cathedrals and other Church organisations. Audits should continue to be conducted regularly and reports should continue to be published.</p>	<p>October 2020</p>	<p><i>The Anglican Church Investigation Report</i> Recommendation 8</p>	<p>Accepted</p>	<p>On 29 March 2021, a joint response from the National Safeguarding Steering Group, the House of Bishops and the Archbishops' Council stated that it remained committed to their programme of five-yearly independent audits. The joint response also stated that it would introduce a new quality assurance framework and develop national safeguarding standards against which the Church's safeguarding practice can be measured. The draft standards were developed and will undergo further consultation. On 7 April 2021, the Church in Wales stated that it plans to undertake an audit of a random sample of safeguarding casework and agreed to a programme of internal and external peer review. The Church in Wales intends to publish the findings from these external audits and that they become a regular part of quality assurance.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
47. Provide leadership and oversight on safeguarding matters in the Roman Catholic Church in England and in Wales The Catholic Bishops' Conference of England and Wales and the Conference of Religious in England and in Wales should each nominate a lead member of the clergy for safeguarding to provide leadership and oversight on safeguarding matters to their respective Conferences and the wider Roman Catholic Church in England and in Wales.	November 2020	<i>The Roman Catholic Church Investigation Report</i> Recommendation 1	Accepted	On 30 April 2021, the Catholic Council for the Inquiry stated that the role description for the Lead Bishop for the Catholic Bishops' Conference of England and Wales was approved and Bishop Paul Mason was appointed to the role. The role description of Lead Safeguarding Religious was approved and Fr David Smolira SJ was appointed.
48. Ensure mandatory safeguarding training for staff and volunteers in the Roman Catholic Church in England and in Wales The Catholic Bishops' Conference of England and Wales should ensure that safeguarding training is mandatory for all staff and volunteers in roles where they work with children or victims and survivors of abuse. It should also be a requirement that regular refresher training is completed. The training should consider the impact of child sexual abuse, including the impact of trauma and the perspective of victims and survivors, and should be developed in conjunction with the Survivor Advisory Panel.	November 2020	<i>The Roman Catholic Church Investigation Report</i> Recommendation 2	Accepted	On 30 April 2021, the Catholic Council for the Inquiry stated that it had mandated that clergy and parish safeguarding representatives must undergo baseline safeguarding training, supplemented by biennial refresher training. The reach of mandatory training was extended to volunteers.
49. Publish how cases of non-compliance with safeguarding policies and procedures are dealt with in the Roman Catholic Church The Catholic Bishops' Conference of England and Wales and the Conference of Religious should publish a clear framework for dealing with cases of non-compliance with safeguarding policies and procedures. That framework should identify who is responsible for dealing with issues of non-compliance at all levels of the Church, and include the measures or sanctions for non-compliance.	November 2020	<i>The Roman Catholic Church Investigation Report</i> Recommendation 3	Accepted	On 30 September 2021, the Catholic Council for the Inquiry stated that the trustee bodies of all Catholic dioceses and religious orders were invited to subscribe to the Catholic Safeguarding Standards Agency. The Catholic Safeguarding Standards Agency was established as a professional standards agency for the Catholic Church, and includes a dedicated audit function with necessary powers of sanction, which would provide a framework for dealing with cases of non-compliance with the national safeguarding standards and the related national safeguarding policies and procedures.
50. Introduce independent external auditing of the Roman Catholic Church in England and in Wales The Catholic Safeguarding Advisory Service should have the effectiveness of its audit programme regularly validated by an independent organisation which is external to the Church. These independent reports should be published.	November 2020	<i>The Roman Catholic Church Investigation Report</i> Recommendation 4	Accepted	On 30 September 2021, the Catholic Council for the Inquiry stated that the Catholic Safeguarding Standards Agency (CSSA) Board is committed to the independent verification of its audit processes, and would undertake a formal process of appointment of a suitable external body. The Catholic Council for the Inquiry also stated that safeguarding standards would be formally launched, and the CSSA would work with Dioceses and Religious Life Groups to ensure that they are fully aware of what would constitute good practice in relation to each of the standards. In November 2021, the National Safeguarding Standards was published.

	Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
51.	<p>Review the policies and procedures manual of the Catholic Safeguarding Advisory Service</p> <p>The Catholic Safeguarding Advisory Service should review its policies and procedures manual and the documents within it to ensure that they are consistent, easier to follow and more accessible.</p>	November 2020	<p><i>The Roman Catholic Church Investigation Report</i> Recommendation 6</p>	Accepted	<p>In November 2021, the Catholic Safeguarding Standards Agency website was launched. It contains the National Safeguarding Standards, the National Safeguarding Policy, and practice guidance documents.</p>
52.	<p>Publish an action plan in response to the Children in the Care of Lambeth Council Investigation Report</p> <p>Lambeth Council should develop and publish a comprehensive action plan which details the actions that it will take in response to the issues raised throughout the Inquiry's investigation report. The action plan should be developed and published within six months of the publication of this investigation report, and should be accompanied by timescales for completing identified actions as soon as possible.</p>	July 2021	<p><i>Children in the Care of Lambeth Council Investigation Report</i> Recommendation 1</p>	Accepted	<p>On 15 December 2021, Lambeth Council published an action plan in response to the Inquiry's report, including timescales for planned actions.</p>
53.	<p>Ensure elected councillors in Lambeth Council receive safeguarding training</p> <p>All Lambeth Council elected members should receive training on: (i) safeguarding and (ii) corporate parenting. Newly elected members should receive training on these matters as soon as possible following their election. Training should be mandatory and repeated on a regular basis.</p> <p>The training content should be regularly reviewed and updated.</p>	July 2021	<p><i>Children in the Care of Lambeth Council Investigation Report</i> Recommendation 2</p>	Accepted	<p>On 27 July 2021, Lambeth Council stated that all councillors are required to complete safeguarding training as well as training on corporate parenting. Councillors were provided with a handbook explaining the role of corporate parenting to help them fulfil their obligations.</p> <p>On 15 December 2021, Lambeth Council published an action plan. The Council stated that it would ensure that all newly-elected councillors complete mandatory corporate parenting, safeguarding, and Equalities, Diversity and Inclusion training as part of their induction, and have refresher training each year for the duration of their term. The Council also stated that it would review mandatory training requirements for elected Members and the process for monitoring completion.</p>
54.	<p>Review the recruitment and vetting procedures for foster carers and children's home staff</p> <p>Lambeth Council should review the application of recruitment and vetting procedures for all current foster carers directly provided by Lambeth Council, to ensure that the procedures have been followed correctly.</p> <p>In addition, Lambeth Council should seek assurances from external agencies and other local authorities, in which children in the care of Lambeth Council have been placed, that recruitment and vetting procedures have been followed correctly for all foster carers and residential children's homes' staff working with children.</p>	July 2021	<p><i>Children in the Care of Lambeth Council Investigation Report</i> Recommendation 3</p>	Accepted	<p>On 15 December 2021, Lambeth Council stated that staff working with children, councillors and foster carers had appropriate and up-to-date Disclosure and Barring Service certificates. It also stated that it would implement an online Disclosure and Barring Service process that enables better monitoring of compliance in line with safer recruitment practice. Lambeth Council also stated that it will ensure that its commissioned services and placements have robust safer recruitment practices in place for staff working with children and young people.</p>

	Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
55.	<p>Ensure religious organisations have child protection policies, procedures and training</p> <p>All religious organisations should have a child protection policy and supporting procedures, which should include advice and guidance on responding to disclosures of abuse and the needs of victims and survivors. The policy and procedures should be updated regularly, with professional child protection advice, and all organisations should have regular compulsory training for those in leadership positions and those who work with children and young people.</p>	September 2021	<p><i>Child Protection in Religious Organisations and Settings Investigation Report</i></p> <p>Recommendation 1</p>	Accepted by 9 organisations	<p>Between January and March 2022, Methodist Church, Triratna Buddhist Order and Community and United Reformed Church stated that they had updated their safeguarding policies and practices, and The Baptist Union for Great Britain stated that it had approved its next three-year safeguarding plan. Jehovah's Witnesses informed the Inquiry that it had updated its child protection policy.</p> <p>Between September 2021 and June 2022, Inter Faith Network, Muslim Council of Britain and Quakers in Britain committed to taking steps to protect children in religious settings. United Synagogue informed the Inquiry that it was monitoring its policies.</p>
56.	<p>Review government guidance on child sexual exploitation</p> <p>The Department for Education should review and publish an updated version of its guidance on child sexual exploitation. The update should specify that the core element of the definition of child sexual exploitation is that a child was controlled, coerced, manipulated or deceived into sexual activity.</p> <p>It should also include detailed information on:</p> <ul style="list-style-type: none"> the role of the internet in the perpetration of child sexual exploitation; and how to identify and respond to child sexual exploitation perpetrated by networks of offenders. <p>The Welsh Government should also update its guidance on child sexual exploitation to provide detailed information on how to identify and respond to child sexual exploitation perpetrated by networks of offenders.</p>	February 2022	<p><i>Child Sexual Exploitation by Organised Networks Investigation Report</i></p> <p>Recommendation 3</p>	See comments	<p>On 30 June 2022, the UK government provided the Inquiry with its provisional response to this recommendation. The UK government stated its final response to this recommendation would be provided within six months of the report's publication date, by 1 August 2022, and it will then be available on the Inquiry's website.</p> <p>On 30 June 2022, the Welsh Government stated that it would consider what amendments may be needed to its <i>Working Together to Safeguard People</i> guidance. It also stated that work to develop further practice advice on the identification and response to risk of or abuse through child sexual exploitation would include detailed advice on how to identify and respond to child sexual exploitation perpetrated by networks of offenders.</p>

	Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
57.	<p>Ensure government guidance distinguishes between the risk and harm in relation to child sexual exploitation</p> <p>The Department for Education and the Welsh Government must ensure that their updated national guidance makes clear that signs that a child is being sexually exploited must never be treated as indications that a child is only 'at risk' of experiencing this harm.</p> <p>In line with this, local authorities in England and in Wales should ensure that their assessment of risk and harm enables them to accurately distinguish between:</p> <ul style="list-style-type: none"> ● children who are at risk of experiencing sexual exploitation; ● children who are experiencing or have already experienced sexual exploitation; and ● children who have experienced sexual exploitation and are at risk of experiencing further abuse. 	February 2022	<p><i>Child Sexual Exploitation by Organised Networks Investigation Report</i>, Recommendation 4</p>	See comments	<p>On 30 June 2022, the UK government provided the Inquiry with its provisional response to this recommendation. The UK government stated its final response to this recommendation would be provided within six months of the report's publication date, by 1 August 2022, and it will then be available on the Inquiry's website.</p> <p>On 30 June 2022, the Welsh Government stated that the term 'child at risk' has a legal basis in Wales and is defined in the Social Services and Well-being (Wales) Act 2014 as a child who "is experiencing or is at risk of abuse". Therefore, it stated that references to a child as 'at risk' in legislation and statutory guidance which inform practice are not intended to suggest that a child 'at risk' is not already experiencing abuse.</p>
58.	<p>Improve inspection and standards in residential schools</p> <p>The Department for Education and the Welsh Government should:</p> <ul style="list-style-type: none"> ● require all residential special schools to be inspected against the quality standards used to regulate children's homes in England and care homes in Wales; ● reintroduce a duty on boarding schools and residential special schools to inform the relevant inspectorate of allegations of child sexual abuse and other serious incidents, with professional or regulatory consequences for breach of this duty; if the recommendation above is implemented, residential special schools will automatically be subject to this duty; and ● introduce a system of licensing and registration of educational guardians for international students which requires Disclosure and Barring Service and barred list checks to be undertaken. 	March 2022	<p><i>The Residential Schools Investigation Report</i>, Recommendation 1</p>	See comments	<p>On 30 June 2022, the UK government stated that it was still of the view that the best way to protect children in residential special schools was to strengthen the National Minimum Standards (NMS), and did not commit to implementing the first part of this recommendation. It stated that it will consider how the NMS could be strengthened, drawing on the children's homes quality standards. In respect of the second part of this recommendation, the UK government stated that residential special schools which are dual registered as children's homes must comply with the children's homes quality standards, which include notification requirements. It will consider reporting requirements as part of its broader consideration of mandatory reporting. It also stated that it was considering options to strengthen the safeguarding of international students, including the registration and licensing of educational guardians.</p> <p>On 30 June 2022, the Welsh Government stated that it would use regulation-making powers to regulate the care and support aspect of residential special schools in Wales. The date for this to come into force is to be agreed; however it could be December 2023. The Welsh Government also stated that notification requirements will be included as part of the proposed regulation of residential special schools, and that work to implement the final part of the recommendation would be taken forward alongside work on National Minimum Standards for boarding schools.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>59. Respond to allegations and concerns in residential schools</p> <p>The Department for Education and the Welsh Government should:</p> <ul style="list-style-type: none"> ● introduce a set of national standards for local authority designated officers in England and in Wales to promote consistency; and ● clarify in statutory guidance that the local authority designated officer can be contacted for informal advice as well as when a concern or allegation needs to be referred. 	<p>March 2022</p>	<p><i>The Residential Schools Investigation Report Recommendation 2</i></p>	<p>See comments</p>	<p>On 30 June 2022, the UK government stated that it was considering the scope and timetable for a review of the statutory guidance <i>Working Together to Safeguard Children</i>. It stated that it will consider revised content on the role of local authority designated officers, and that it will consider running a full public consultation on changes to the statutory guidance.</p> <p>On 30 June 2022, the Welsh Government stated that in most, if not all, cases designated officers are qualified social workers and, as such, already adhere to professional standards. However, in addition, Social Care Wales are working on national minimum standards for safeguarding training.</p>
<p>60. Amend the governance and registration processes for independent schools</p> <p>The Department for Education and the Welsh Government should:</p> <ul style="list-style-type: none"> ● amend the Independent School Standards to include the requirements that there is an effective system of governance, based on three principles of openness to external scrutiny, transparency and honesty within the governance arrangements, and the ability of governors to have difficult conversations both internally and with those providing external scrutiny; ● amend the Independent School Standards to stipulate that the proprietor cannot be the designated safeguarding lead; and ● amend the current system of registration of independent schools to apply the same standards to registrants as those applying to open a free school or early years provision. 	<p>March 2022</p>	<p><i>The Residential Schools Investigation Report Recommendation 3</i></p>	<p>Accepted</p>	<p>On 30 June 2022, the UK government stated that it agreed with the first two points of the recommendation in principle. It stated that it intended to consult on revised Independent School Standards in 2023 and was making changes through <i>Keeping Children Safe in Education</i> guidance to stipulate that the proprietor cannot be the designated safeguarding lead.</p> <p>The UK government also stated that it will continue to explore the registration system and ensure, where appropriate, that the registration system for independent schools is reflective of the system for early years and free schools.</p> <p>On 30 June 2022, the Welsh Government stated that it will amend and strengthen the Independent School Standards Regulations in line with each point set out in this recommendation, including in respect of the designated safeguarding lead and the three principles set out in the recommendation, and that it will amend the registration process for independent schools in Wales.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>61. Ensure there is safeguarding training and effective relationships, sex and health education in schools</p> <p>The Department for Education and the Welsh Government should:</p> <ul style="list-style-type: none"> ● set nationally accredited standards and levels of safeguarding training in schools; ● make the highest level of safeguarding training mandatory for headteachers, designated safeguarding leads in England or designated safeguarding persons in Wales, designated safeguarding governors, or the proprietor or head of the proprietorial body; and ● undertake an urgent review in order to improve the provision and effectiveness of relationships, sex and health education (RSHE) for children with special educational needs and disabilities, both for children who are in mainstream settings and for those in special schools. 	<p>March 2022</p>	<p><i>The Residential Schools Investigation Report</i>, Recommendation 4</p>	<p>See comments</p>	<p>On 30 June 2022, the UK government stated that it will consider setting nationally accredited standards and levels of safeguarding training in schools further. It also stated that <i>Keeping Children Safe in Education</i> guidance was strengthened and sets a 'strong framework' for a higher level of training to be undertaken by designated safeguarding leads and headteachers.</p> <p>The UK government also stated a national evaluation of Relationships and Sex Education implementation, including in special schools, is planned and that it would consider the options for a specific piece of work to support teachers of Relationships and Sex Education in special schools.</p> <p>On 30 June 2022, the Welsh Government stated National Minimum Safeguarding Training Standards and a framework of training requirements by role are being developed by Social Care Wales. This will apply to independent schools. It also stated that as part of the strengthening of the independent school regulations, options for strengthening the requirements for safeguarding training and prescribing the levels of training for those identified in the recommendation will be considered. In addition, it will consider the provision and effectiveness of its new Relationships and Sexuality Education Code for children with additional learning needs in Wales.</p>
<p>62. Inform inspectorates of Disclosure and Barring referrals</p> <p>The Department for Education and the Welsh Government should:</p> <ul style="list-style-type: none"> ● require schools to inform the relevant inspectorate when they have referred a member of staff to the Disclosure and Barring Service, the Teaching Regulation Agency or the Education Workforce Council; and ● include in the national standards for local authority designated officers a requirement that local authority designated officers should share information on referrals from schools with the relevant inspectorate (see recommendation 2 of <i>The Residential Schools Investigation Report</i>). 	<p>March 2022</p>	<p><i>The Residential Schools Investigation Report</i>, Recommendation 5</p>	<p>See comments</p>	<p>On 30 June 2022, the UK government stated that it was cautious about creating a reporting mechanism that only related to the Disclosure and Barring Service and Teaching Regulation Agency when its position in <i>Keeping Children Safe in Education</i> guidance is to have a 'simple' system that applies equally across the system. The UK government also stated that it will consider a requirement that local authority designated officers should share information on referrals from schools with the relevant inspectorate, as part of an update to <i>Working Together to Safeguard Children</i> guidance.</p> <p>On 30 June 2022, the Welsh Government stated that it accepted this recommendation in principle but that it does not currently have the powers to 'require' and there is a need to establish this. It stated it will work to establish the necessary vehicle to implement this recommendation and take appropriate action.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>63. Vetting and barring in schools</p> <p>The Department for Education should amend the Teachers' Disciplinary (England) Regulations 2012 to bring all teaching assistants, learning support staff and cover supervisors within the misconduct jurisdiction of the Teaching Regulation Agency. The Department for Education and the Welsh Government should amend <i>Keeping Children Safe in Education</i> and <i>Keeping Learners Safe</i> to:</p> <ul style="list-style-type: none"> ● provide more detailed guidance as to the quality, nature and degree of supervision required for supervised volunteers working with children in schools; and ● make clear that Disclosure and Barring Service checks are free of charge for supervised volunteers, and should be obtained wherever practicable. <p>The Department for Education and the Welsh Government should amend the regulations to provide that inclusion on the children's barred list automatically disqualifies the individual from being a governor or proprietor of any school.</p> <p>The Home Office should amend the Safeguarding Vulnerable Groups Act 2006 so that proprietors and members of the proprietorial body and governors should be checked against the children's barred list.</p>	<p>March 2022</p>	<p><i>The Residential Schools Investigation Report</i> Recommendation 6</p>	<p>Accepted</p>	<p>On 30 June 2022, the UK government stated that anyone undertaking teaching work can be referred to the Teaching Regulation Agency (TRA) and this could include teaching assistants and learning support staff. The TRA does not consider a person's specific job role or position and the UK government did not propose a change but stated that it will continue to monitor and review how the teacher misconduct regime operates.</p> <p>The UK government stated that it agrees in principle with the recommendation to provide more detailed guidance on supervised volunteers and will consider how and when to update <i>Keeping Children Safe in Education</i> (KCSIE). It also stated that it accepts the recommendation in respect of DBS checks and has reflected this in KCSIE 2022.</p> <p>The UK government stated that the Department for Education will consider whether proprietors or governors should be checked against the children's barred list and, if so, will work with the Home Office and DBS to implement this.</p> <p>On 30 June 2022, the Welsh Government stated that it accepts this recommendation in principle and will consider it and make the necessary changes to the <i>Keeping Learners Safe</i> guidance. It also stated that it considers that the Independent School Standards (Wales) Regulations 2003 already fulfil the recommendation in respect of the children's barred list, as they already apply to proprietors and staff at independent schools. However, it will consider whether the relevant provision can be amended to apply to governors.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>64. Improve standards in schools in Wales The Welsh Government should:</p> <ul style="list-style-type: none"> ● update the Independent School Standards as a matter of urgency; ● update the national minimum standards for boarding schools as a matter of urgency; ● legislate so that all residential special schools are judged against the quality standards in place for care homes in Wales; ● ensure that all teachers and learning support staff in independent schools in Wales are required to register with the Education Workforce Council; and ● consider extending the duty to report a child at risk of harm in section 130 of the Social Services and Well-being (Wales) Act 2014 to independent school staff. 	<p>March 2022</p>	<p><i>The Residential Schools Investigation Report</i> Recommendation 7</p>	<p>Accepted</p>	<p>On 30 June 2022, the Welsh Government stated that it will amend and strengthen the independent school regulations, and that work is ongoing to draft the legislation. The Welsh Government also stated that it will use regulation-making powers to regulate the care and support aspect of residential special schools in Wales. The date for this to come into force is to be agreed; however it could be December 2023.</p> <p>In addition, the Welsh Government stated that it will update the requirements for staff in independent schools to register with the Education Workforce Council (EWC). Work is currently ongoing to draft legislation to require teaching staff and learning support workers at independent schools to register with the EWC.</p> <p>The Welsh Government also stated that it is aware that the Duty to Report needs updating to include areas not previously included. It has begun work to amend legislation to extend the duty of care provision to areas that were not previously included, including independent schools.</p>
<p>65. Reiterated recommendation: Registration of care staff in children's homes The Inquiry recommends (as originally stated in its <i>Interim Report</i>, dated April 2018) that the UK government introduces arrangements for the registration of staff working in care roles in children's homes, including secure children's homes. Registration should be with an independent body charged with setting and maintaining standards of training, conduct and continuing professional development, and with the power to enforce these through fitness to practise procedures.</p>	<p>October 2022</p>	<p><i>The Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 7</p>		
<p>66. Reiterated recommendation: Registration of staff in care roles in young offender institutions and secure training centres The Inquiry recommends (as originally stated in its <i>Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report</i>, dated February 2019) that the UK government introduces arrangements for the professional registration of staff in roles responsible for the care of children in young offender institutions and secure training centres.</p>	<p>October 2022</p>	<p><i>The Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 8</p>		

	Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
67.	<p>Greater use of the barred list</p> <p>The Inquiry recommends that the UK government enables any person engaging an individual to work or volunteer with children on a frequent basis to check whether or not they have been barred by the Disclosure and Barring Service from working with children. These arrangements should also apply where the role is undertaken on a supervised basis.</p>	October 2022	<i>The Report of the Independent Inquiry into Child Sexual Abuse Recommendation 9</i>		
68.	<p>Improving compliance with the statutory duty to notify the Disclosure and Barring Service</p> <p>The Inquiry recommends that the UK government takes steps to improve compliance by regulated activity providers with their statutory duty to refer concerns about the suitability of individuals to work with children to the Disclosure and Barring Service, including:</p> <ul style="list-style-type: none"> ● all relevant regulators and inspectorates include compliance with the statutory duty to refer to the Disclosure and Barring Service in their assessment of safeguarding procedures during inspections; ● the National Police Chiefs' Council works with relevant regulators and inspectorates to ensure that there are clear arrangements in place to refer breaches of the duty to refer to the police for criminal investigation; and ● an information-sharing protocol is put in place between the Disclosure and Barring Service and relevant regulators and inspectorates. 	October 2022	<i>The Report of the Independent Inquiry into Child Sexual Abuse Recommendation 10</i>		
69.	<p>Reiterated recommendation: Extending disclosure regime to those working with children overseas</p> <p>The Inquiry recommends (as originally stated in its <i>Children Outside the United Kingdom Phase 2 Investigation Report</i>, dated January 2020) that the UK government introduces legislation permitting the Disclosure and Barring Service to provide enhanced certificates with barred list checks to citizens and residents of England and Wales applying for:</p> <ul style="list-style-type: none"> ● work or volunteering with UK-based organisations, where the recruitment decision is taken outside the UK; or ● work or volunteering with organisations based outside the UK, in each case where the work or volunteering would be a regulated activity if in England and Wales. 	October 2022	<i>The Report of the Independent Inquiry into Child Sexual Abuse Recommendation 11</i>		

Recommendation	Identifying and reporting child sexual abuse (see Part F)	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
70.	<p>Amend the definition of 'a position of trust' in the Sexual Offences Act 2003 to include clergy</p> <p>The government should amend Section 21 of the Sexual Offences Act 2003 so as to include clergy within the definition of a position of trust. This would criminalise under s16–s20 sexual activity between clergy and a person aged 16–18, over whom they exercise pastoral authority, involving the abuse of a position of trust.</p>	May 2019	<p><i>The Anglican Church Case Studies: 1. The Diocese of Chichester; 2. The Response to Allegations Against Peter Ball</i> <i>Investigation Report</i> Recommendation 3</p>	Accepted	<p>On 9 March 2021, the Ministry of Justice and Home Office stated that the government would introduce the Police, Crime, Sentencing and Courts Bill. The Bill sought to extend the definition of a 'position of trust' to prevent sports coaches and religious leaders from engaging in sexual relationships with young people under the age of 18.</p> <p>On 28 April 2022, the Bill received Royal Assent and section 47 of the Police, Crime, Sentencing and Courts Act 2022 reflects this change.</p>
71.	<p>Pre-screen images before they are uploaded to the internet</p> <p>The government should require industry to pre-screen material before it is uploaded to the internet to prevent access to known indecent images of children.</p>	March 2020	<p><i>The Internet Investigation Report</i> Recommendation 1</p>	Rejected	<p>On 10 November 2020, the UK government stated that it had launched the Voluntary Principles to Counter Online Child Sexual Exploitation and Abuse alongside the US, Australia, Canada and New Zealand. The interim code of practice on tackling child sexual abuse and exploitation and the Voluntary Principles set out the UK government's expectation that all companies will prevent access to known child sexual abuse material, which includes pre-screening.</p> <p>On 12 May 2021, the UK government published a draft Online Safety Bill. The Bill includes a clause that imposes duties on regulated search services with regards to illegal content, including child sexual abuse and exploitation material. The clause requires service providers to have proportionate systems and processes to minimise the risk of users encountering illegal content on their services, because they have been alerted to it or they become aware of it in some other way.</p> <p>A second Inquiry recommendation on pre-screening images online was made (see row 72).</p>
72.	<p>Pre-screening</p> <p>The Inquiry recommends that the UK government makes it mandatory for all regulated providers of search services and user-to-user services to pre-screen for known child sexual abuse material.</p>	October 2022	<p><i>The Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 12</p>		

	Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
73.	<p>Mandatory reporting</p> <p>The Inquiry recommends that the UK government and Welsh Government introduce legislation which places certain individuals – ‘mandated reporters’ – under a statutory duty to report child sexual abuse where they:</p> <ul style="list-style-type: none"> ● receive a disclosure of child sexual abuse from a child or perpetrator; or ● witness a child being sexually abused; or ● observe recognised indicators of child sexual abuse. <p>The following persons should be designated ‘mandated reporters’:</p> <ul style="list-style-type: none"> ● any person working in regulated activity in relation to children (under the Safeguarding and Vulnerable Groups Act 2006, as amended); ● any person working in a position of trust (as defined by the Sexual Offences Act 2003, as amended); and ● police officers. <p>For the purposes of mandatory reporting, ‘child sexual abuse’ should be interpreted as any act that would be an offence under the Sexual Offences Act 2003 where the alleged victim is a child under the age of 18.</p> <p>Where the child is aged between 13 and under 16 years old, a report need not be made where the mandated reporter reasonably believes that:</p> <ul style="list-style-type: none"> ● the relationship between the parties is consensual and not intimidatory, exploitative or coercive; and ● the child has not been harmed and is not at risk of being harmed; and ● there is no material difference in capacity or maturity between the parties engaged in the sexual activity concerned, and there is a difference in age of no more than three years. <p>These exceptions should not, however, apply where the alleged perpetrator is in a position of trust within the meaning of the 2003 Act.</p> <p>Where the child is under the age of 13, a report must always be made.</p> <p>Reports should be made to either local authority children’s social care or the police as soon as is practicable.</p> <p>It should be a criminal offence for mandated reporters to fail to report child sexual abuse where they:</p> <ul style="list-style-type: none"> ● are in receipt of a disclosure of child sexual abuse from a child or perpetrator; or ● witness a child being sexually abused. 	October 2022	The Report of the Independent Inquiry into Child Sexual Abuse Recommendation 13		

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
The justice system response to child sexual abuse (see Part G)				
<p>74. Ensure compliance with the Victims' Code</p> <p>The Chair and Panel recommend that the Ministry of Justice, Home Office and Attorney General commission a joint inspection of compliance with the Victims' Code in relation to victims and survivors of child sexual abuse.</p> <p>The Victims' Commissioner should be consulted on the inspection approach to ensure that it is fully informed by the experiences of victims and survivors of child sexual abuse.</p>	<p>April 2018</p>	<p><i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 4</p>	<p>Rejected</p>	<p>On 23 October 2020, the Ministry of Justice stated that the operational demands of the COVID-19 pandemic on both the Ministry of Justice and criminal justice agencies meant that development of the Victims' Code compliance monitoring framework had not been possible. The Ministry of Justice confirmed that it was looking to restart this work and would renew its engagement with the Criminal Justice Board.</p> <p>On 25 May 2022, the Ministry of Justice published a response to its consultation on the Victims Bill to understand how to improve victims' experiences of the criminal justice system. The Ministry of Justice stated that it will introduce a wide range of measures within the Victims Bill and, as issues raised in the consultation cannot be addressed through legislation alone, that the Bill will sit alongside additional measures.</p> <p>A second inquiry recommendation on compliance with the Victims' Code was made (see row 83).</p>
<p>75. Consider introducing a register of public liability insurers to help victims and survivors</p> <p>The Chair and Panel recommend that the Association of British Insurers considers whether a register of public liability insurers could be introduced to assist claimants in child sexual abuse cases in locating the insurers relevant to their claim, and how it would operate.</p> <p>The Chair and Panel recommend that the Association of British Insurers sets out its consideration of the issue and the conclusions it has reached in a written update within 12 months of the publication of this report.</p>	<p>April 2018</p>	<p><i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 8</p>	<p>Accepted</p>	<p>On 24 April 2019, the Association of British Insurers formally responded to this recommendation by raising a number of questions about the merits of such a register and the challenges that may be faced by its introduction.</p> <p>The response from the Association of British Insurers was referred to in the Accountability and Reparations Investigation Report (page 101), and a second inquiry recommendation on a register of public liability insurers was made (see row 80).</p>

	Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
76.	<p>Ensure that victims and survivors of child sexual abuse can provide the best evidence in civil court cases</p> <p>The Chair and Panel recommend that the Ministry of Justice provides in primary legislation that victims and survivors of child sexual abuse in civil court cases, where they are claiming compensation in relation to the abuse they suffered, are afforded the same protections as vulnerable witnesses in criminal court cases.</p> <p>The Chair and Panel understand that cost is already a barrier to victims and survivors considering a civil claim. In considering how to fund the implementation of this recommendation, the Ministry of Justice must ensure that this barrier is not further increased.</p> <p>The Chair and Panel recommend that the Civil Procedure Rule Committee amends the Civil Procedure Rules to ensure that judges presiding over cases relating to child sexual abuse consider the use of protections for vulnerable witnesses.</p>	April 2018	<p><i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 9</p>	Accepted	<p>On 19 December 2018, the UK government stated that the Civil Justice Council had agreed to consider the issues raised by this recommendation. In February 2020, the Civil Justice Council published its report on vulnerable witnesses and parties within civil proceedings.</p> <p>In April 2021, the Civil Procedure Rules were amended to require courts to provide special measures for vulnerable parties and witnesses in court (CPR Practice Direction 1A).</p> <p>The UK government also decided to legislate for special measures in civil proceedings in the Domestic Abuse Act 2021. The Act enables the court to make a special measures direction in relation to victims and alleged victims of "specified offences", and victims, or those at risk of being victims, of domestic abuse. It also enables a court to give a direction prohibiting the cross-examination of a victim of a "specified offence" in civil proceedings by a person who has been convicted or cautioned for that offence, where it is likely to diminish the quality of the victim's evidence, or would cause significant distress to the victim. A "specified offence" is to be set out in regulations made by the Lord Chancellor and will include child sexual abuse offences.</p>
77.	<p>Amend training and accreditation requirements for Chief Officers</p> <p>The Chair and Panel recommend that any police officer (or staff equivalent) who wants to progress to the Chief Officer cadre must first be required to:</p> <ul style="list-style-type: none"> ● have operational policing experience in preventing and responding to child sexual abuse; and ● achieve accreditation in the role of the police service in preventing and responding to child sexual abuse. <p>The Home Office should amend entry requirements using its powers under the Police Regulations 2003 to achieve this.</p> <p>The Chair and Panel recommend that the College of Policing develops the training content and accreditation arrangements.</p>	April 2018	<p><i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 13</p>	Rejected	<p>On 22 July 2019, the UK government stated that the Home Office and College of Policing had drawn up a programme of non-legislative changes which sought to ensure that there is an understanding of safeguarding and vulnerability across all levels of leadership in policing. Its response also stated that the Home Office had not identified any need for legislative changes but that it would keep this under review.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>78. Revise the Victims' Code to ensure victims and survivors are signposted to civil and criminal compensation</p> <p>The Ministry of Justice should revise the Victims' Code to make clear that victims and survivors of child sexual abuse must be advised by the police that:</p> <ol style="list-style-type: none"> 1. They are entitled to seek civil compensation through the civil courts and, if they wish to do so, should seek legal advice – they should be signposted to specialist lawyers identified by the Ministry of Justice. 2. They are entitled to assistance completing any application to the Criminal Injuries Compensation Authority, should they require it. Such assistance should be provided by independent sexual violence advisers or other suitably qualified and trained persons. 3. At the conclusion of any criminal proceedings, the court may make orders for the payment of criminal compensation by convicted offenders to their victims. 4. They are entitled to be referred to organisations supporting victims of sexual abuse. They should be signposted to the support services available in their local area. <p>The College of Policing should make changes to its guidance (currently Authorised Professional Practice) to require police officers to provide oral and written information on each of these matters.</p> <p>The Ministry of Justice should also provide further information on how the new compliance framework, and any other developments, will improve compliance with the Code for victims and survivors of child sexual abuse.</p>	<p>September 2019</p>	<p><i>Accountability and Reparations Investigation Report</i> Recommendation 1</p>	<p>Accepted</p>	<p>On 16 January 2020, the College of Policing made changes to its Authorised Professional Practice to require police officers to provide victims with information on their rights and entitlements under the Victims' Code.</p> <p>On 16 March 2021, the Ministry of Justice confirmed that a new Victims' Code would come into force on 1 April 2021. The Victims' Code was restructured so that victims are the primary audience and to focus on 12 key overarching rights. It sets out victims' rights to be provided with information about how to claim compensation for any loss, damage or injury caused as a result of a crime; that victims of child sexual abuse may be entitled to compensation through the Criminal Injuries Compensation Scheme; and that the victim has the right to be told by the police how to seek court-ordered compensation.</p> <p>The Ministry of Justice also stated that it had issued the first iteration of a framework to monitor compliance with the Victims' Code to Local Criminal Justice Boards and police crime commissioners. It was agreed that police crime commissioners would oversee a new monitoring process. The Ministry of Justice noted that although progress on this recommendation was suspended due to the COVID-19 pandemic, work was underway to develop and test a new framework to enable reporting to resume.</p> <p>On 5 November 2021, the Ministry of Justice stated that it intended to consult on a Victims Bill to ensure the delivery of victims' rights under the Victims' Code. On 25 May 2022 the Ministry of Justice published a response to its consultation on improving victims' experiences of the justice system. The Ministry of Justice stated that it will introduce a wide range of measures within the Victims Bill and, as issues raised in the consultation cannot be addressed through legislation alone, that the Bill will sit alongside additional measures.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>79. Produce Codes of Practice for responding to civil claims of child sexual abuse</p> <p>The Local Government Association and the Association of British Insurers should each produce codes of practice for responding to civil claims of child sexual abuse.</p> <p>The codes should include recognition of the long-term emotional and psychiatric or psychological effects of child sexual abuse on victims and survivors, and acknowledgement that these effects may make it difficult for victims and survivors to disclose that they have been sexually abused and to initiate civil claims for that abuse.</p> <p>The codes should also include guidance that:</p> <ol style="list-style-type: none"> 1. claimants should be treated sensitively throughout the litigation process; 2. the defence of limitation should only be used in exceptional circumstances; 3. single experts jointly instructed by both parties should be considered for the assessment of the claimants' psychiatric, psychological or physical injuries; and 4. wherever possible, claimants should be offered apologies, acknowledgement, redress and support. 	September 2019	<p><i>Accountability and Reparations Investigation Report</i></p> <p>Recommendation 2</p>	Accepted	<p><u>Association of British Insurers</u></p> <p>In August 2021, the Association of British Insurers published a <u>Code of Practice on Responding to Civil Claims of Child Sexual Abuse</u>. It seeks to improve certain aspects of the civil claims process that are within insurers' control for victims and survivors of child sexual abuse.</p> <p><u>Local Government Association</u></p> <p>On 16 August 2021, the Local Government Association stated that it had worked with several member councils and national organisations to develop a draft code of practice. On 25 April 2022, the Local Government Association stated that the draft code of practice would be going to its Executive Advisory Board for final approval and would then be published on its website.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>80. Introduce a register of public liability insurance policies to help victims and survivors</p> <p>The Department for Work and Pensions¹⁶³¹ should work with the Association of British Insurers to introduce a national register of public liability insurance policies. The register should provide details of the relevant organisation, the name of the insurer, all relevant contact details, the period of cover, and the insurance limit. These requirements should apply to policies issued and renewed after the commencement of the register, and those against which a claim has already been made.</p> <p>The Financial Conduct Authority should make the necessary regulatory changes to compel insurers that provide public liability insurance to retain and publish details of all current policies.</p>	<p>September 2019</p>	<p><i>Accountability and Reparations Investigation Report</i> Recommendation 4</p>	<p>Accepted</p>	<p>On 5 November 2021, the Ministry of Justice stated that it had commenced discussions with the Association of British Insurers on a public liability register and would be exploring the feasibility of the proposed reform. On 4 May 2022, the Ministry of Justice stated that its work on this recommendation had paused due to other delivery priorities and the COVID-19 pandemic.</p> <p>On 2 December 2021, the Financial Conduct Authority stated that it had conducted a survey of public liability insurance firms, and had engaged with consumer organisations, including survivors' charities, to better understand the issues faced by victims and survivors in accessing insurance. On 25 April 2022, the Financial Conduct Authority stated that organisations representing survivors found it challenging to provide data and the responses that it had received were limited, and that it was considering its next steps.</p> <p>The Financial Conduct Authority also stated that it needed to align its work with that of the Association of British Insurers and Department for Work and Pensions (or other relevant government departments) to ensure its intervention is compatible with the public liability insurance register (if it is introduced).</p>
<p>81. Revise the Guidelines for the Assessment of General Damages in Personal Injury Cases</p> <p>The Judicial College should revise its <i>Guidelines for the Assessment of General Damages in Personal Injury Cases</i> to include a freestanding section on the damages that may be appropriate in cases of child sexual abuse.</p> <p>This new section of the guidelines should advise the court to take into account the nature and severity of the abuse itself, any short-term and long-term physical, emotional and psychiatric or psychological injuries, and the general effect of the abuse on the claimant's capacity to function throughout their life. The latter may include the ability to sustain personal and sexual relationships, to benefit from education and to undertake paid employment.</p>	<p>September 2019</p>	<p><i>Accountability and Reparations Investigation Report</i> Recommendation 5</p>	<p>Accepted</p>	<p>The Judicial College informed the Inquiry that the revised edition of its <i>Guidelines for the Assessment of General Damages in Personal Injury Cases</i> was published on 11 April 2022. The Judicial College stated that the new edition includes a section on sexual abuse, which incorporates the factors to be taken into account in valuing general damages for sexual abuse. These include the nature and duration of the abuse, the physical and/or psychological effects caused and the effect on the injured person's ability to sustain personal and sexual relationships.</p>

¹⁶³¹ The Department for Work and Pensions is responsible for matters related to workplace compensation and insurance in the UK. It consulted on the introduction of the Employers' Liability Tracing Office (ELTO) in 2010.

	Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
82.	<p>Consider grounds for investigating the death of LA-A2</p> <p>The Metropolitan Police Service should consider whether there are grounds for a criminal investigation into Lambeth Council's actions when providing information to the coroner about the circumstances surrounding LA-A2's death.</p>	July 2021	<p><i>Children in the Care of Lambeth Council Investigation Report</i>, Recommendation 4</p>	Accepted	The Metropolitan Police Service informed the Inquiry that it has accepted this recommendation.
83.	<p>Reiterated recommendation: Compliance with the Victims' Code</p> <p>The Inquiry recommends (as originally stated in its <i>Interim Report</i>, dated April 2018) that the UK government commissions a joint inspection of compliance with the Victims' Code in relation to victims and survivors of child sexual abuse, to be undertaken by His Majesty's Inspectorate of Constabulary and Fire & Rescue Services, His Majesty's Crown Prosecution Service Inspectorate and His Majesty's Inspectorate of Probation.</p>	October 2022	<p><i>The Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 14</p>		
84.	<p>Limitation</p> <p>The Inquiry recommends that the UK government makes the necessary changes to legislation in order to ensure:</p> <ul style="list-style-type: none"> ● the removal of the three-year limitation period for personal injury claims brought by victims and survivors of child sexual abuse in respect of their abuse; and ● the express protection of the right to a fair trial, with the burden falling on defendants to show that a fair trial is not possible. <p>These provisions should apply whether or not the current three-year period has already started to run or has expired, except where claims have been:</p> <ul style="list-style-type: none"> ● dismissed by a court; or ● settled by agreement. <p>They should, however, only apply to claims brought by victims and survivors, not claims brought on behalf of victims and survivors' estates.</p>	October 2022	<p><i>The Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 15</p>		

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
Supporting victims and survivors (see Part H)				
85. Ensure remaining records on former child migrants are retained and preserved The Chair and Panel have recommended that all institutions which sent children abroad as part of the child migration programmes should ensure that they have robust systems in place for retaining and preserving any remaining records that may contain information about individual child migrants, and should provide easy access to them.	April 2018	<i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 3	Accepted	Between January and July 2020, Action for Children, Barnardo's, Catholic Church in England and Wales, Cornwall Council, Father Hudson's Care, Salvation Army UK, Sisters of Nazareth, The Children's Society and The Prince's Trust committed to retaining and preserving remaining child migrant records.
86. Establish the level of support available for victims and survivors and public expenditure on these services in England The Chair and Panel recommend that the Department of Health and Social Care, the Department for Education, the Ministry of Justice and the Home Office work together to establish current levels of public expenditure, and the effectiveness of that expenditure on services for child victims and adult survivors of child sexual abuse in England.	April 2018	<i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 17	Accepted	On 22 July 2019, the UK government stated that the Ministry of Justice had established a cross-government working group, and had gathered data on the current level of public expenditure on support services for victims and survivors of sexual abuse. On 26 February 2020, the Ministry of Justice, Department of Health and Social Care, Department for Education and the Home Office stated that they had reviewed public expenditure. They stated that the UK government's strategy on child sexual abuse seeks to take a whole-system approach to addressing the provision of support services.
87. Establish the level of support available for victims and survivors and public expenditure on these services in Wales The Chair and Panel recommend that the Welsh Government and the relevant UK government departments work together to establish current levels of public expenditure, and the effectiveness of that expenditure on services for child victims and adult survivors of child sexual abuse in Wales.	April 2018	<i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 18	Accepted	On 24 February 2022, the Welsh Government stated that it had obtained levels of public expenditure for support services to victims and survivors of child sexual abuse in Wales. The Welsh Government also stated that it had asked the National Independent Safeguarding Board for Wales to verify the sums and effectiveness of spend for victims and survivors.
88. Produce a Code to ensure victims and survivors of child sexual abuse are able to access therapy and support when bringing civil claims The International Underwriting Association of London should take the lead in the production of a code for the benefit of claimants who are bringing civil claims for child sexual abuse. The aim should be to produce a code, comparable to the Rehabilitation Code or for inclusion in that code, with the objective of ensuring that victims and survivors of child sexual abuse are able to access the therapy and support they need as soon as possible.	September 2019	<i>Accountability and Reparations Investigation Report</i> Recommendation 7	Accepted	On 23 February 2021, the International Underwriting Association of London stated that it had established a working party to develop a rehabilitation code. On 14 December 2021, the International Underwriting Association of London stated that it had agreed to fund engagement with a group of victims and survivors for feedback on the rehabilitation code via a charitable donation to the Survivors' Trust. It hoped to finalise a draft rehabilitation code following these meetings. On 21 April 2022, the International Underwriting Association of London stated that work was carried out to source willing survivors to populate the group, which resulted in challenges that have affected the progression of this project.

	Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
89.	<p>Introduce a policy in the Church of England and Church in Wales on the funding and provision of support to victims and survivors of child sexual abuse</p> <p>The Church of England and the Church in Wales should each introduce a Church-wide policy on the funding and provision of support to victims and survivors of child sexual abuse concerning clergy, Church officers or those with some connection to the Church. The policy should clearly set out the circumstances in which different types of support, including counselling, should be offered. It should make clear that support should always be offered as quickly as possible, taking into account the needs of the victim over time.</p> <p>The policy should take account of the views of victims and survivors. It should be mandatory for the policy to be implemented across all dioceses.</p>	October 2020	<i>The Anglican Church Investigation Report Recommendation 7</i>	Accepted	<p>On 7 April 2021, the Church in Wales stated that it had introduced Independent Sexual Violence Adviser (ISVA) support for survivors. The Church in Wales committed to offer funding towards counselling recommended by an ISVA where the abuse was committed by Church in Wales clergy, or in a Church context. The Church in Wales also stated that the sufficiency of this provision will be reviewed regularly, in consultation with its Safeguarding Panel, Safeguarding Committee and the providers of the ISVA service.</p> <p>On 17 December 2021 the Archbishops' Council of the Church of England published an update stating that the National Safeguarding Steering Group has approved amended guidance on responding to victims and survivors of abuse. The guidance stipulates what Church bodies must do if abuse is disclosed, requires Church bodies to provide accessible information about reporting abuse to statutory services and makes provision for mandatory support. General updates on the Interim Support Scheme and National Redress Scheme were also provided.</p>
90.	<p>Specialist therapeutic support for child victims of sexual abuse</p> <p>The Inquiry recommends that the UK government and the Welsh Government introduce a national guarantee that child victims of sexual abuse will be offered specialist and accredited therapeutic support. There should be sufficient supply of these services so that children in all parts of England and Wales can access support in a timely way.</p> <p>These services should be fully funded. Responsibility for commissioning these services should be given to local authorities.</p> <p>There must be no eligibility criteria for children to access these specialist therapeutic services other than having been a victim of child sexual abuse.</p>	October 2022	<i>The Report of the Independent Inquiry into Child Sexual Abuse Recommendation 16</i>		

	Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
91.	<p>Access to records</p> <p>The Inquiry recommends that the UK government directs the Information Commissioner's Office to introduce a code of practice on retention of and access to records known to relate to child sexual abuse.</p> <p>The retention period for records known to relate to allegations or cases of child sexual abuse should be 75 years with appropriate review periods.</p> <p>The code should set out that institutions should have:</p> <ul style="list-style-type: none"> ● retention policies that reflect the importance of such records to victims and survivors, and that they may take decades to seek to access such records; ● clear and accessible procedures for victims and survivors of child sexual abuse to access such records; ● policies, procedures and training for staff responding to requests to ensure that they recognise the long-term impact of child sexual abuse and engage with the applicant with empathy. 	October 2022	The Report of the Independent Inquiry into Child Sexual Abuse Recommendation 17		
Making amends (see Part I)					
92.	<p>Apologise to former child migrants</p> <p>The Chair and Panel have recommended that institutions involved in the child migration programmes who have not apologised for their role should give such apologies as soon as possible. Apologies should not only be made through public statements but specifically to those child migrants for whose migration they were responsible.</p>	April 2018	Interim Report of the Independent Inquiry into Child Sexual Abuse Recommendation 1	Accepted	An apology by the Sisters of Nazareth was repeated during the Child migration programmes investigation (p126). Between January 2020 and July 2020, Action for Children, Barnardo's, Catholic Church in England and Wales, Church of England, Cornwall Council, Father Hudson's Care, Royal Over-Sea's League, The Salvation Army UK, The Children's Society and The Prince's Trust, apologised to former child migrants.
93.	<p>Establish a financial redress scheme for former child migrants</p> <p>The Chair and Panel have recommended that the UK government establishes a financial redress scheme for surviving former child migrants, providing for an equal award to every applicant. This is on the basis that they were all were exposed to the risk of sexual abuse.</p> <p>Given the age of the surviving former child migrants, the UK government was urged to establish the financial redress scheme without delay and expects that payments should start being made within 12 months (of the original report being published), and that no regard is given to any other payments of compensation that have been made in particular cases.</p>	April 2018	Interim Report of the Independent Inquiry into Child Sexual Abuse Recommendation 2	Accepted	On 22 July 2019, the UK government stated that an <i>ex gratia</i> payment scheme opened to applicants on 1 March 2019. This included any former British child migrant who was alive on 1 March 2018 or the beneficiaries of any former child migrant who was alive on 1 March 2018 and had since passed away. Each eligible former British child migrant was entitled to receive £20,000, regardless of their individual circumstances or payments received from other governments or through private legal action. As of 15 July 2019, the scheme had made over 1,400 payments to eligible applicants.

	Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
94.	<p>Revise the Criminal Injuries Compensation Scheme to remove barriers faced by victims and survivors in relation to criminal convictions</p> <p>The Chair and Panel recommend that the Ministry of Justice revises Criminal Injuries Compensation Authority rules, so that awards are not automatically rejected in circumstances where an applicant's criminal convictions are likely to be linked to their child sexual abuse. Each case should be considered on its merits.</p>	April 2018	<p><i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 5</p>	Rejected	<p>On 14 May 2021, the Ministry of Justice stated that, following its consultation on reform proposals for the Criminal Injuries Compensation Scheme, the UK government concluded that it did not propose any change to the existing rule on unspent convictions. It stated that individuals with unspent convictions that have resulted in community and custodial sentences should not be eligible for state-funded compensation, given the harm done to others and the cost to society of offending behaviour. The Ministry of Justice confirmed that it would publish a government response in due course.</p>
95.	<p>Revise the Criminal Injuries Compensation Scheme to remove barriers faced by victims and survivors in relation to caseworkers</p> <p>The Chair and Panel recommend that the Criminal Injuries Compensation Authority ensures that claims relating to child sexual abuse are only considered by caseworkers who have specific and detailed training in the nature and impact of child sexual abuse.</p>	April 2018	<p><i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 6</p>	Accepted	<p>On 19 December 2018, the UK government stated that all Criminal Injuries Compensation Authority operational staff are given training on handling sexual abuse cases, including child sexual abuse. It also stated that the Criminal Injuries Compensation Authority provides a dedicated caseworker to applicants in particularly complex and difficult cases.</p> <p>On 22 July 2019, the UK government stated that the Criminal Injuries Compensation Authority provides specialist application support and named caseworkers for those affected by the "same roof" rule who wish to apply or reapply for compensation.</p>
96.	<p>Revise the Criminal Injuries Compensation Scheme to remove barriers faced by victims and survivors in relation to the 'same roof' rule</p> <p>The Chair and Panel recommend that the Ministry of Justice revises the Criminal Injuries Compensation Authority rules so that all applicants who previously applied for compensation in relation to child sexual abuse – but were refused solely due to the 'same-roof' rule – should be entitled to reapply for compensation and have their claim approved by the Criminal Injuries Compensation Authority.</p>	April 2018	<p><i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 7</p>	Accepted	<p>On 22 July 2019, the UK government confirmed that the 'same roof' rule had been removed. The amended Criminal Injuries Compensation Scheme provides for past claimants refused under the rule, whether or not that was the sole ground on which an award was withheld, to be able to reapply.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>97. Revise the Compensation Act 2006 to facilitate apologies, offers of treatment or other redress</p> <p>The government should introduce legislation revising the Compensation Act 2006 to clarify that section 2 facilitates apologies or offers of treatment or other redress to victims and survivors of child sexual abuse by institutions that may be vicariously liable for the actions or omissions of other persons, including the perpetrators.</p>	<p>September 2019</p>	<p><i>Accountability and Reparations Investigation Report</i> Recommendation 3</p>	<p>See comments</p>	<p>On 16 March 2021, the Ministry of Justice stated that it would consult on the subject of apologies, including consideration of the use of apologies in civil proceedings generally. On 4 May 2022, the Ministry of Justice confirmed that it still planned on consulting on the law of apologies and that the government would then consider necessary substantive reform.</p>
<p>98. Increase the use of criminal compensation orders</p> <p>The Ministry of Justice should consult with the Sentencing Council, the Judicial College, the Crown Prosecution Service and other relevant bodies, in order to increase the use of criminal compensation orders, where appropriate, in cases involving child sexual abuse by, amongst other things, implementing guidance for the judiciary and prosecutors in the Crown Courts and Magistrates' Courts.</p>	<p>September 2019</p>	<p><i>Accountability and Reparations Investigation Report</i> Recommendation 6</p>	<p>Accepted</p>	<p>On 6 April 2020, the Ministry of Justice stated that it had consulted with the Judicial College and the Sentencing Council in respect of implementing guidance for the judiciary in the Crown Court and Magistrates' Courts, and with the Crown Prosecution Service in respect of guidance for prosecutors. The Ministry of Justice stated that relevant guidance is sufficient.</p> <p>The Ministry of Justice also stated that it would explore its understanding of the reasons why courts make low numbers of compensation orders in cases of child sexual abuse. On 4 May 2022, the Ministry of Justice stated that it found courts make low numbers of criminal compensation orders in cases of child sexual abuse as: (a) the level of financial recompense provided by a criminal compensation order is unlikely to reflect the damage and trauma suffered by a victim, (b) the payment process for financial impositions may deter pursuit of a criminal compensation order, and (c) quantification of compensation in cases of child sexual abuse is often difficult and complex. The Ministry of Justice also confirmed that the Crown Prosecution Service and Sentencing Council have strengthened their guidance on criminal compensation orders and that the Ministry of Justice will publish updated pages on gov.uk to clarify the different types of compensation.</p>

	Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
99.	<p>Extend the forfeiture criteria for honours</p> <p>The criteria for forfeiture of all honours must be formally extended to include convictions, cautions and cases decided by trial of the facts involving offences of child sexual abuse. This must be set out in a published policy and procedure, which must include a clear policy on how forfeiture decisions are made public. The Inquiry expects the Forfeiture Committee to take a lead on this matter.</p>	February 2020	<p><i>Allegations of Child Sexual Abuse Linked to Westminster Investigation Report</i></p> <p>Recommendation 1</p>	Accepted	<p>On 30 September 2021, the Cabinet Office updated its guidance in relation to honours forfeiture. Anybody convicted of a sexual offence will be considered for forfeiture regardless of the sentence they receive. Anybody found to have committed a sexual offence following a 'trial of the facts' will also be considered.</p>
100.	<p>Re-examine the posthumous forfeiture policy for honours</p> <p>The Cabinet Office should re-examine the policy on posthumous forfeiture, in order to consider the perspectives of victims and survivors of child sexual abuse.</p>	February 2020	<p><i>Allegations of Child Sexual Abuse Linked to Westminster Investigation Report</i></p> <p>Recommendation 2</p>	Accepted	<p>On 30 September 2021, the Cabinet Office updated its guidance in relation to honours forfeiture. The policy allows for a formal statement to be published in instances where forfeiture proceedings would have been initiated if the deceased recipient was living and convicted in a court of law.</p>
101.	<p>Criminal Injuries Compensation Scheme</p> <p>The Inquiry recommends that the UK government changes the Criminal Injuries Compensation Scheme to:</p> <ul style="list-style-type: none"> ● include other forms of child sexual abuse, including online-facilitated sexual abuse; ● amend the rule on unspent convictions so that applicants with unspent convictions are not automatically excluded where offences are likely to be linked to the circumstances of their sexual abuse as a child; and ● increase the time limit for child sexual abuse applications so that applicants have seven years to apply from (a) the date the offence was reported to the police or (b) the age of 18, where the offence was reported while the victim was a child. In either circumstance, the claims officer's discretion to extend the time limit remains. 	October 2022	<p><i>The Report of the Independent Inquiry into Child Sexual Abuse</i></p> <p>Recommendation 18</p>		

	Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
102.	<p>Redress scheme</p> <p>The Inquiry recommends that the UK government establishes a single redress scheme in England and Wales, taking into account devolved responsibilities.</p> <p>The detailed rules of, and funding for, this redress scheme should reflect the following core elements.</p> <p><u>Eligibility</u></p> <ul style="list-style-type: none"> ● Victims and survivors of child sexual abuse and exploitation that occurred in England and in Wales should be eligible to apply. ● Applicants must have experienced child sexual abuse and exploitation where there is a clear connection to State or non-State institutions in England and Wales. ● The scheme should be open to any victim of child sexual abuse that took place prior to its establishment. ● The scheme should deduct any previous award from any payment under the scheme (or in the case of payments made by the Criminal Injuries Compensation Authority, it may order that they be repaid). ● Applicants who have previously brought civil claims which have been rejected by the court should be excluded from applying to the scheme, save where their cases have been rejected due to limitation. <p><u>Redress provided</u></p> <ul style="list-style-type: none"> ● The scheme should provide payments to eligible applicants through a two-tier system, based on a fixed flat-rate recognition payment, with the option to apply for a second-tier payment. <p><u>Process</u></p> <ul style="list-style-type: none"> ● The application process must be accessible and straightforward, and be sensitive to the needs and vulnerabilities of victims and survivors of child sexual abuse. The process should provide for streamlined checks and verification of applications, but not be adversarial. ● There should be special provisions to accelerate awards for older or terminally ill applicants. <p><u>Duration</u></p> <ul style="list-style-type: none"> ● The scheme should run for five years. <p><u>Funding</u></p> <ul style="list-style-type: none"> ● The scheme should be funded by central and local government, in accordance with devolved funding principles, with voluntary contributions sought from non-State institutions. 	October 2022	The Report of the Independent Inquiry into Child Sexual Abuse Recommendation 19		

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
Evolving and future challenges (see Part J)				
103. Ratify the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (also known as the 'Lanzarote Convention') The Chair and Panel recommend that the UK government ratifies the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (the 'Lanzarote Convention') without further delay. They also recommend that ratification is followed, again without further delay, by action to implement the Lanzarote Convention. The Chair and Panel recommend that the Home Office, as the lead UK government department, publishes the timetable for ratifying the Lanzarote Convention and taking any additional steps required to make the UK fully compliant by June 2018.	April 2018	<i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 12	Accepted	On 20 June 2018, the UK government ratified the Lanzarote Convention.
104. Establish a list of countries where children are considered to be at high risk of sexual abuse and exploitation The Home Office should bring forward legislation providing for the establishment and maintenance by the National Crime Agency of a list of countries where children are considered to be at high risk of sexual abuse and exploitation from overseas offenders. This list should be kept under regular review. The list of countries should be made available to the police, and used routinely to help identify whether a person who has been charged with sexual offences against a child poses a risk to children overseas based on their travel history and/or plans. If the person is considered to pose a risk of sexual harm to children overseas, the police should submit an application for a foreign travel restriction order under the Sexual Offences Act 2003. The list of countries should be admissible in court and used when considering whether a foreign travel restriction order should be made under the Sexual Offences Act 2003 and if so, to which countries it should apply.	January 2020	<i>Children Outside the United Kingdom Phase 2 Investigation Report</i> Recommendation 2	Accepted	On 21 January 2021, the Home Office confirmed that it would bring forward the necessary legislation to give effect to this recommendation when parliamentary time allows. The Home Office stated that it had commissioned the National Crime Agency to produce a list of countries where children overseas are considered to be at high risk of sexual abuse and exploitation from UK nationals and residents. On 28 February 2022, the Home Office stated that the Police, Crime, Sentencing and Courts Bill would confer a power on the Secretary of State to prepare (or direct a relevant person, such as the National Crime Agency, to prepare) a list of countries deemed to be at "high risk" of child sexual abuse by UK nationals. This list would be considered by applicants and the courts when applying for – or making – a Sexual Harm Prevention Order or Sexual Risk Order, for the purpose of protecting children outside the UK from the risk of sexual harm from a UK national. On 28 April 2022, the Bill received Royal Assent, and sections 172 and 173 of the Police, Crime, Sentencing and Courts Act 2022 reflect these changes.
105. Remove indecent images of children online, internationally The government should press the WeProtect Global Alliance to take more action internationally to ensure that those countries hosting indecent images of children implement legislation and procedures to prevent access to such imagery.	March 2020	<i>The Internet Investigation Report</i> Recommendation 2	Accepted	On 10 November 2020, the UK government committed to continue working with the WeProtect Global Alliance to make combating indecent images of children, grooming and live streaming a priority. It stated that it would do this via board meetings and ensuring the WeProtect Global Alliance develops and disseminates key resources.

	Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
106.	<p>Implement stringent age verification techniques online</p> <p>The government should introduce legislation requiring providers of online services and social media platforms to implement more stringent age verification techniques on all relevant devices.</p>	March 2020	<p><i>The Internet Investigation Report</i> Recommendation 3</p>	Accepted	<p>On 12 May 2021, the UK government published a draft Online Safety Bill, which includes a clause that will require providers of regulated services to conduct an assessment of whether children are likely to access their service. On 29 June 2021, the UK government published online safety guidance. The guidance included advice for companies on providing an age-appropriate experience for children through using tools such as age assurance and verification methods.</p> <p>On 8 February 2022, the UK government announced that the Online Safety Bill will include a new legal duty that requires all sites hosting pornographic material to have age verification technology. Companies will be fined for not complying and senior managers could be held criminally liable.</p> <p>A second Inquiry recommendation on the need for age verification techniques online was made (see row 107).</p>
107.	<p>Reiterated recommendation: Age verification</p> <p>The Inquiry recommends (as originally stated in its <i>The Internet Investigation Report</i>, dated March 2020) that the UK government introduces legislation requiring providers of online services and social media platforms to implement more stringent age verification measures.</p>	October 2022	<p><i>The Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 20</p>		

Annex 4

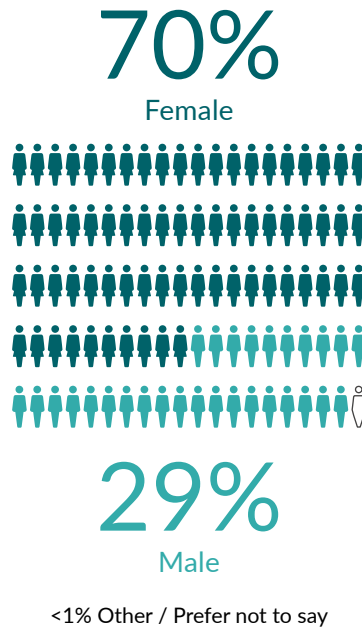
Truth Project Dashboard, June 2016–October 2021

- 1.** This dashboard is based on the accounts of 5,862 of the victims and survivors who have shared their experiences with the Truth Project.
- 2.** We would like to thank all of the victims and survivors who have shared their experiences with the Truth Project. You can find out more about the Truth Project, and read some of the experiences shared with us, on the Truth Project website: truthproject.org.uk/i-will-be-heard. To find out more about our research programme, please visit our website: www.iicsa.org.uk
- 3.** The Independent Inquiry into Child Sexual Abuse was set up because of serious concerns that some institutions had failed and were continuing to fail to protect children from sexual abuse.
- 4.** Our Truth Project offered victims and survivors of child sexual abuse the opportunity to share their experiences and be respectfully heard, and helped us to better understand child sexual abuse.
- 5.** The Truth Project heard the experiences of thousands of victims and survivors, and every experience is unique. This dashboard includes the experiences of those who were abused within a family, an institution or other context.
- 6.** We have produced this dashboard as part of our research programme. It provides information from the Truth Project about:
 - the victims and survivors of child sexual abuse
 - the nature of the abuse that they experienced
 - where the sexual abuse took place and who the perpetrators were
 - the impacts of child sexual abuse, and
 - whether those victims and survivors told anyone about the abuse.

Characteristics of those who have taken part in the Truth Project

Current gender of victim and survivor

7. Seven in 10 of those who took part in the Truth Project were female.



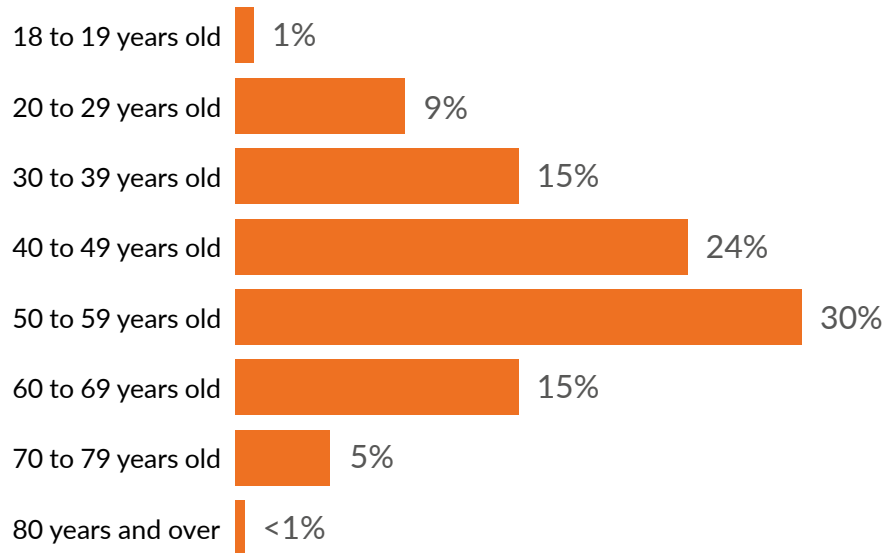
Ethnic background

8. Around 9 in 10 people were from a white ethnic background.



Age when took part

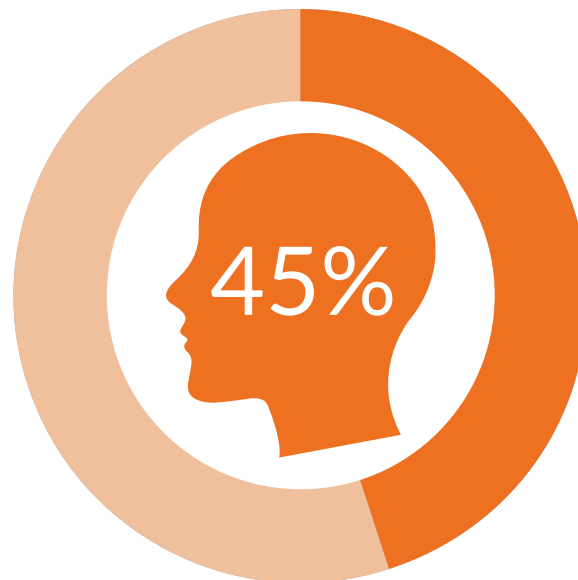
9. The Truth Project heard from adult victims and survivors of child sexual abuse. Those taking part ranged in age from 18 to 87. The most common age for those sharing their experience was between 50 and 59.



Where percentages do not add up to 100 this is due to rounding.

Illnesses or conditions that affect daily life

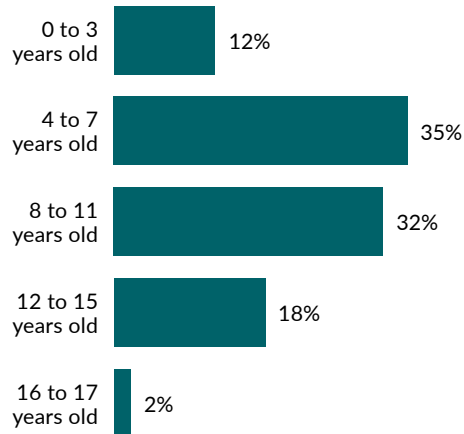
10. Nearly half of victims and survivors told us that they have an illness or condition that affects their everyday lives.



Nature of abuse experienced

Age when sexual abuse started

11. Child sexual abuse means sexual abuse that a person experienced before the age of 18. The majority of victims and survivors first experienced child sexual abuse when they were primary-school age.



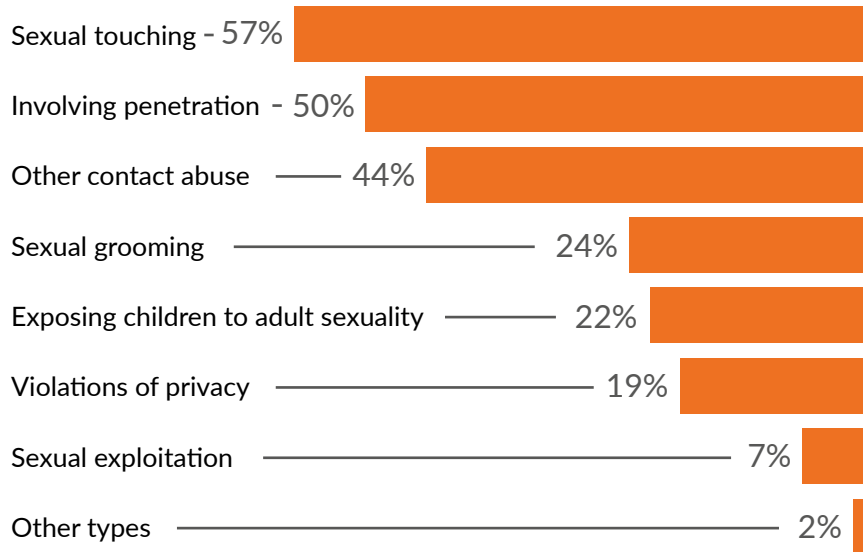
12. Fifty-two percent of victims and survivors told us about experiencing other forms of abuse in addition to sexual abuse.



52%

Sexual abuse experienced

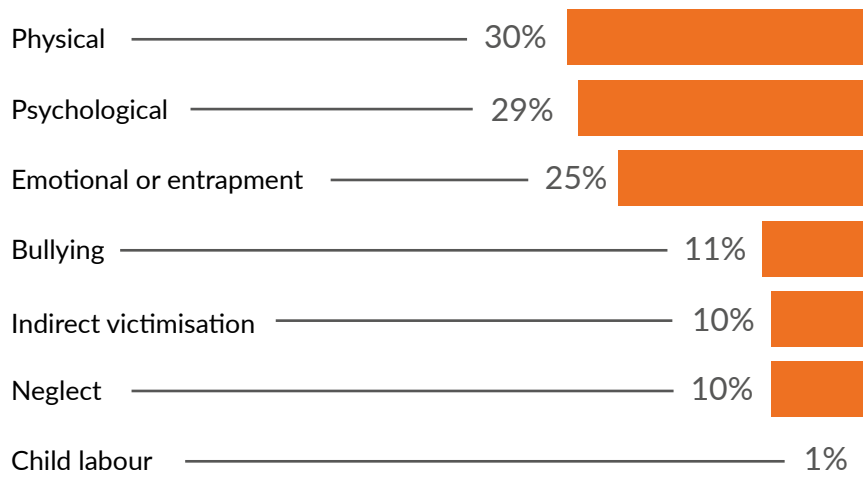
13. Over half of victims and survivors told us that they had experienced sexual abuse involving sexual touching, and half experienced abuse involving penetration.



Some victims and survivors told us about experiencing more than one type of sexual abuse, so the percentages add up to more than 100. There are definitions of these types of sexual abuse at the end of this annex.

Other forms of abuse experienced

14. The most commonly experienced forms of abuse were physical and psychological abuse.



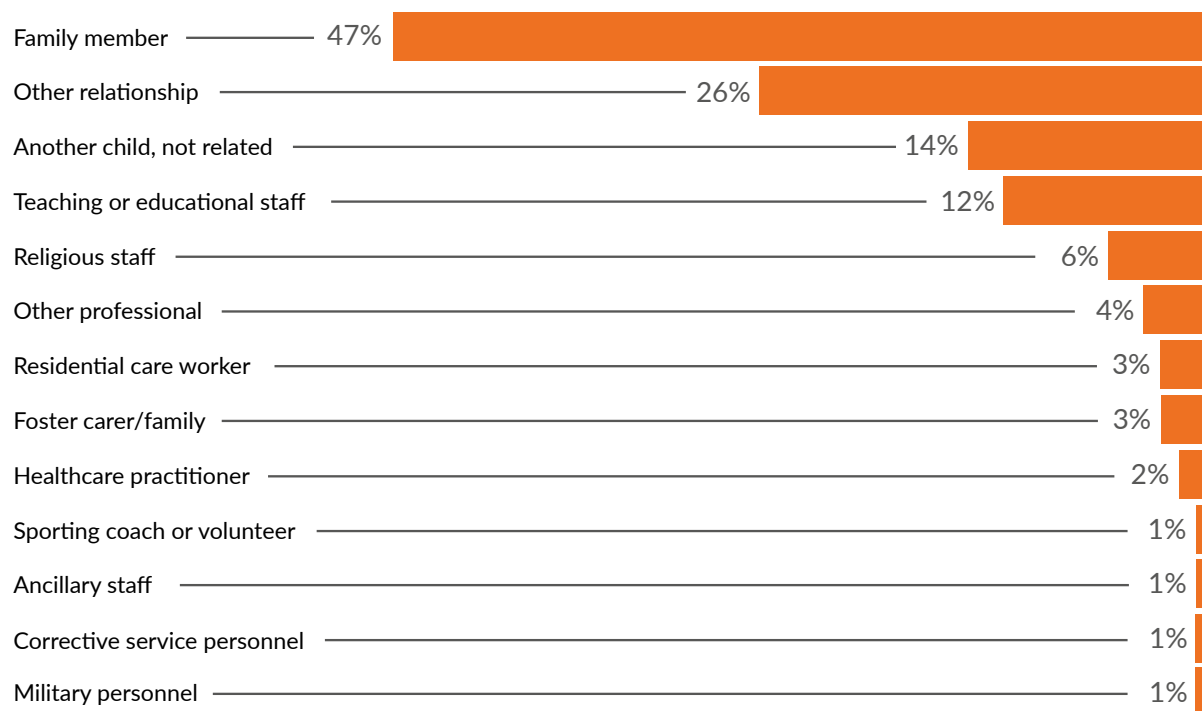
Some victims and survivors told us about experiencing more than one other form of abuse, so the percentages add up to more than 100. There are definitions of these other forms of abuse at the end of this annex.

Contexts in which child sexual abuse took place

15. Victims and survivors may have experienced child sexual abuse in a family, institution or other context. Some of the victims and survivors told us they were let down by someone in authority.

Relationship of the perpetrator to victim and survivor

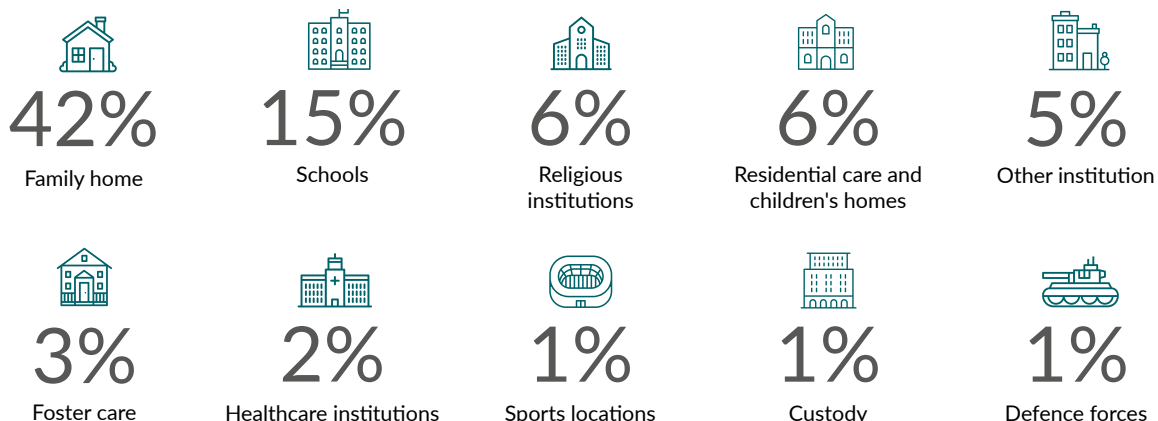
16. Almost half of victims and survivors told us that the perpetrator of the child sexual abuse was a family member.



Some victims and survivors reported being abused by more than one category of perpetrator, so the percentages add up to more than 100. There are definitions of these perpetrator groups at the end of this annex.

Where child sexual abuse took place

17. Thirty-six percent of victims and survivors who shared their experience with the Truth Project told us at least one incident of sexual abuse they experienced took place in an institution, outside the family home. Again, aside from the family home, schools were the most frequently reported location.



The impact of child sexual abuse experienced by victims and survivors

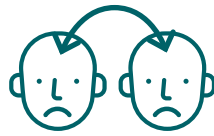
18. Child sexual abuse can have short-term and long-term effects. Everyone is unique, and so the impact experienced is also varied. Ninety-four percent of victims and survivors told us they had experienced some impact from the child sexual abuse. Some victims and survivors reported more than one impact, so percentages will add up to more than 100.



Impact on
mental health

88%

The most commonly reported was **depression**, which **36%** of all victims and survivors reported experiencing.



Impact on
relationships

53%

The most commonly reported was **trust and intimacy difficulties**, which **37%** of all victims and survivors reported experiencing.



Impact on
school or employment

41%

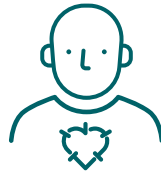
The most commonly reported was **academic difficulties**, which **16%** of all victims and survivors reported experiencing.



Impact on
sex and intimacy

31%

The most commonly reported was **avoidance or phobic reactions to sexual intimacy**, which **13%** of all victims and survivors reported experiencing.



Impact on
physical health

35%

The most commonly reported was **musculoskeletal**, which **12%** of all victims and survivors reported experiencing.



Criminal
behaviour

9%

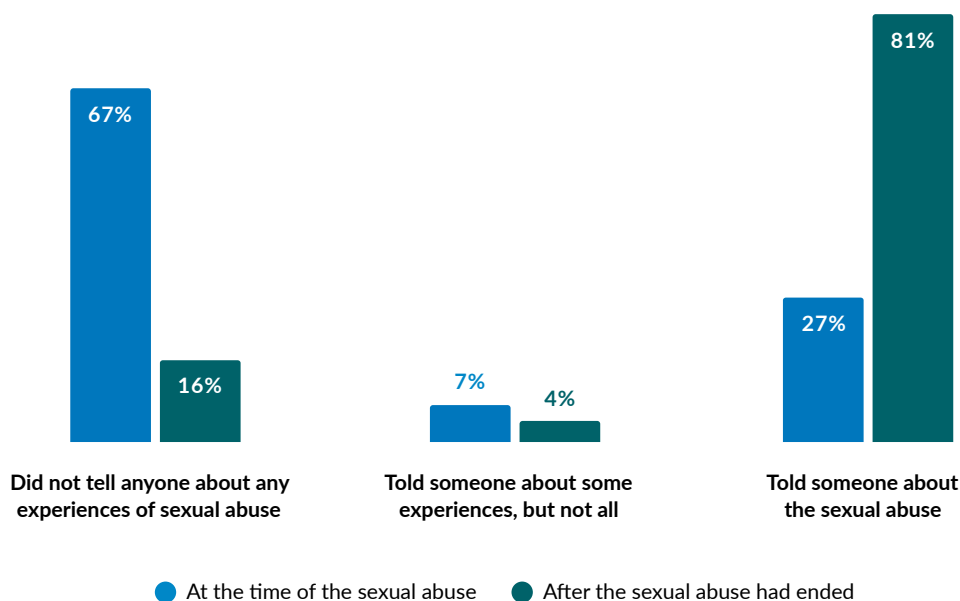
The most commonly reported was **committing minor offences**, which **5%** of all victims and survivors reported.

Telling people about child sexual abuse

19. Child sexual abuse is often very difficult for children to talk about, and so can go unreported or even unidentified for many years. Over time, society’s and individual attitudes towards topics that may be considered taboo, such as child sexual abuse, are likely to change, so people may feel more able to share their experience later in life. We found that the proportion of victims and survivors who talked about their experience after the sexual abuse ended was much higher than those who did so at the time.

20. The majority of victims and survivors told us that they **had not told anyone** about the child sexual abuse **at the time it was happening**.

21. The majority of victims and survivors told us that they **had told someone** about at least some of the sexual abuse they experienced **after it ended**.



Due to rounding, figures for 'At the time of the sexual abuse' and 'After the sexual abuse had ended' may appear to not sum to 100 percent.

22. Almost 1 in 10 people who took part in the Truth Project told us that they shared an experience of child sexual abuse for the first time through the Truth Project.



Notes

This dashboard only includes information where victims and survivors shared their own experiences (some people took part in the Truth Project on behalf of victims and survivors) and agreed to their accounts being used for research purposes.

Victims and survivors shared as much or as little as they wanted about their experience. There were no specific questions. This means that those taking part did not always provide information for each area reported in this dashboard. Our findings cannot be applied to the general population of victims and survivors of child sexual abuse.

Nature of sexual abuse experienced

Definitions of the different types of sexual abuse experienced by victims and survivors

- **Sexual touching** relates to touching, masturbating or kissing a child's genitals or making a child fondle an adult's genitals.
- **Involving penetration** relates to vaginal, anal or digital penetration, cunnilingus, fellatio.
- **Other contact abuse** relates to sexual behaviour that involved contact but not penetration such as prolonged kissing, cuddling, french kissing, excessive touching.
- **Sexual grooming** includes both online and physical world grooming for the purposes of sexual contact.
- **Violations of privacy** relates to forcing a child to undress or spying on a child in the bathroom or bedroom.
- **Exposing children to adult sexuality** includes exposure to adult sexuality online or in the physical world.
 - *Online* relates to images, voice, text, gaming.
 - *In the physical world* relates to performing sexual acts in front of a child, exposing genitals, child to be nude for the sexual gratification of the adult, videotaping, or filming of children with the intent to create sexual stimulation.
- **Sexual exploitation** includes sexual exploitation occurring online or in the physical world.
 - *The physical world* here relates to selling a child's services as a prostitute, having a child perform in pornography or exchanging or purchasing child pornography.

Perpetrator groups

This is how we have defined certain groups of perpetrators

- **Other relationship** refers to, for example, friends of the family, known (or trusted) members of the community, media personalities and MPs/Members of the Senedd.
- **Teaching or educational staff** refers to teachers, dormitory or house masters and tutors.
- **Other professional staff** refers to professionals coming into contact with children, not captured in other categories. This includes medical practitioners, corrective service personnel, social workers and police.
- **Foster carer/family** refers to people with caring responsibilities towards the child, including foster carers and their family members, also pre-school and after-school carers.
- **Sporting coach or volunteer** includes sports coaches, Scout/Guide leaders and youth workers.
- **Ancillary staff** relates to staff working in an institution/organisation but with a role that provides support necessary for the operation of the institution, for example gardeners, cleaners, bus drivers, caretakers.

Other forms of abuse experienced

Definitions of other forms of abuse experienced by victims and survivors

- **Physical abuse** relates to experiencing being punched, slapped, pushed, shoved, pinned, choked, kicked, dragged by hair.
- **Psychological abuse** relates to experiencing general fear, fear of abuse continuing, humiliation, strip searches, solitary confinement, lack of intellectual stimulation.

- **Emotional abuse/entrapment**
 - *Emotional abuse* relates to the ongoing emotional maltreatment or emotional neglect of a child.
 - *Entrapment* covers all those factors which make it impossible to end the relationship. It may also relate to experiencing exchanging privileges for sexual favours.
- **Indirect victimisation** includes witnessing the abuse of others, or the victimisation of child sexual abuse victims and survivors as a result of an insensitive, unhelpful or negative societal response to the disclosure or identification of the abuse. Such a response could come from the victim's close network (e.g. family and friends) and/or from the wider system (e.g. the criminal justice system or health services).
- **Bullying** is defined as repeated behaviour which is intended to hurt someone either emotionally or physically, and is often aimed at certain people because of their race, religion, sex or sexual orientation or any other aspect such as appearance or disability. Bullying can take many forms including physical assault, teasing, making threats, name calling, cyber bullying.
- **Neglect** includes experiencing deprivation of basic necessities, failing to protect a child from physical and emotional harm or danger, failing to ensure access to appropriate medical care or treatment.
- **Child labour** relates to children working before they have reached the lawful minimum age (16 years of age in the UK).

Where child sexual abuse took place

This is how we have defined institutions where child sexual abuse took place

- **Healthcare** includes settings such as hospitals, GPs and dentists.
- **Other institution** relates to any type of institution not captured by the other overarching categories.

Impacts

This is how we have grouped impacts experienced by victims and survivors

Participants often told us about the impacts of child sexual abuse on their lives. We have grouped these impacts into the 6 overarching categories shown.

- **Mental health** is made up of 23 subcategories.
- **Relationships** is made up of 4 subcategories.
- **School/employment** is made up of 9 subcategories.
- **Sex and intimacy** is made up of 7 subcategories.
- **Physical health** is made up of 13 subcategories.
- **Criminal behaviour** is made up of 4 subcategories.

Annex 5

Key terminology in this report

Term (acronym)	Description
Achieving Best Evidence (ABE) in Criminal Proceedings	Guidance issued by the Ministry of Justice on interviewing vulnerable witnesses and victims, and using 'special measures' in criminal court proceedings. Children are automatically entitled to provide evidence by way of a video-recorded interview with a trained police officer, as are complainants in allegations of sexual offences.
All-Party Parliamentary Group (APPG)	All-Party Parliamentary Groups (APPGs) are informal, cross-party interest groups of Members of Parliament and peers interested in a particular issue.
Artificial intelligence (AI)	A type of computer programme that learns from data given to it, to then identify similar data. Machine learning and classifiers are also examples of such computer programmes.
Association of British Insurers (ABI)	The Association of British Insurers (ABI) is a trade association which represents insurance companies in the UK.
Augmented reality (AR)	An enhanced version of the real physical world which uses digital visual elements, sound or other sensory stimuli delivered through technology.
Barnahus model	A child-friendly, multidisciplinary and inter-agency model or centre for responding to child violence and witnesses of violence. Started in Iceland and used across Scandinavia. The model has five key features: <ul style="list-style-type: none">• a home-like setting (where all services are delivered under one roof, including the forensic interview, medical examination and child/family therapy);• helping victims to disclose abuse;• a minimal number of interviews conducted by child expert staff;• improved evidence through the reduced need for children to testify in court; and• guaranteed and rapid access to therapy.
Buggery	Prior to the Sexual Offences Act 2003, which created the offence of anal rape, offences of anal penetration were referred to and charged as the offence of buggery under the Sexual Offences Act 1956.
Care Inspectorate Wales (CIW)	The Care Inspectorate Wales (CIW) is the independent regulator of social care and childcare in Wales. It registers, inspects and takes action to improve the quality and safety of services for the well-being of the people who use them.
Care Standards Act 2000	An Act of Parliament that created the role of the Children's Commissioner for Wales. The Commissioner's remit is set out in the Children's Commissioner for Wales Act 2001, which amended the Care Standards Act 2000.
Centre for Countering Digital Hate (CCDH)	The Centre for Countering Digital Hate (CCDH) is a non-profit, non-governmental organisation that campaigns against online hate and misinformation. It has offices in London and Washington DC.

Term (acronym)	Description
Centre of expertise on child sexual abuse (CSA Centre)	A multidisciplinary team funded by the Home Office and hosted by Barnardo's. The team works closely with academic institutions, local authorities, health, education, police and the voluntary sector. The Centre's purpose is to understand the causes, scope, scale and impact of child sexual abuse in order to tackle it.
Charity Commission	A public body which regulates and registers charities in England and Wales. Responsible for maintaining an accurate and up-to-date register of charities. It also provides some oversight of those who are registered to administer charities (known as trustees). It can take steps to dismiss individuals from being trustees of charities if they act contrary to their duties.
Child	A person under the age of 18.
Child Abduction Warning Notices (CAWN)	A warning notice issued to an individual prohibiting them from associating with a named child. Breach of this notice is an arrestable offence.
Child and Adolescent Mental Health Services (CAMHS)	National Health Service (NHS) provided services that assess and treat children with emotional, behavioural or mental health difficulties. Although the term 'CAMHS' is used in this report, this aspect of children's mental health provision is now part of the wider Children and Young People's Mental Health Services (CYPMHS – see below).
'Child House' model	A Child House is a multi-agency service model supporting children, young people and non-abusing parents and carers following child sexual abuse. It is a child-centred approach in which the organisations involved in supporting the child provide coordinated services in a single, child-friendly environment.
Child independent sexual violence adviser (CISVA)	A child independent sexual violence adviser (CISVA) provides impartial information and advice to child victims and survivors, including about reporting to the police and accessing Sexual Assault Referral Centre (SARC) services.
Child protection (see also 'Safeguarding')	Activity to protect a child or children who are identified as suffering, having suffered or likely to suffer significant harm. Often used by practitioners interchangeably with safeguarding, child protection refers to activity in relation to a specific child who has been identified as being at risk, whereas safeguarding is used to refer to measures to keep all children safe.
Child protection plan	A written record for parents, carers and professionals which sets out: <ul style="list-style-type: none"> • how social workers will check on the child's welfare; • what changes are needed to reduce the risk to the child; and • what support will be offered to the family.
Child Safeguarding Practice Review Panel (CSPRP)	An independent panel, set up under the Children and Social Work Act 2017, working with the Department for Education. CSPRPs commission national and local reviews of serious child safeguarding cases, with a focus on improving learning, professional practice and outcomes for children.

Term (acronym)	Description
Child sexual abuse	Sexual abuse of children (which includes child sexual exploitation) involves forcing or enticing a child or young person to take part in sexual activities. Those activities may involve physical contact and non-contact, such as involving children in looking at, or in the production of, sexual images, watching sexual acts, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse including via the internet.
Child sexual abuse material	Any content that shows indecent images or sexual activities involving a child under 18 years old. This includes photographs, videos, live streaming and computer-generated images.
Child sexual exploitation	Sexual exploitation of children is a form of child sexual abuse. It involves exploitative situations, contexts and relationships where a child receives something, including as a result of them performing, and/or another or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child realising that they are being sexually exploited; for example being persuaded to share sexual images on the internet or via mobile phones.
Children Act 1989	An Act of Parliament which allocated duties to local authorities, courts, parents and other agencies in the UK to ensure children are protected and their welfare is promoted.
Children Act 2004	An Act of Parliament which imposed duties on statutory bodies to safeguard and promote the welfare of children and cooperate with each other, and to set up local safeguarding children boards. It also created the role of the Children's Commissioner for England.
Children in care	<p>A child who has been in the care of their local authority for more than 24 hours is known as a child in care, also referred to as a looked after child.</p> <p>In general, children in care/looked after children are:</p> <ul style="list-style-type: none"> • living with foster parents; • living in a residential children's home; or • living in residential settings like schools or secure units.
Children's Barred List	A list maintained by the Disclosure and Barring Service of individuals who have been barred from undertaking 'regulated activity with children' as defined in the Safeguarding Vulnerable Groups Act 2006.
Children's Commissioner for England/Children's Commissioner for Wales	<p>A statutory office, independent from the government, responsible for the promotion and protection of children, and for giving children the opportunity to have their voices heard.</p> <p>The Children's Commissioner for Wales has the power to deal with complaints made by individual children.</p> <p>Both Commissioners can investigate and report on general concerns relating to children.</p>
Children's home	An establishment that provides care and accommodation wholly or mainly for children.
Children's services and children's social care	Children's services and children's social care are provided by local authorities, which are responsible for setting the strategy for and effectiveness of the provision of services to address the needs of children and young people. In this report, we refer to staff within local authorities with statutory responsibility for children as 'children's social care'.

Term (acronym)	Description
Children and Young People’s Mental Health Services (CYPMHS)	Children and Young People’s Mental Health Services (CYPMHS) is used as a term for all services that work with children and young people who have difficulties with their mental health or well-being.
Civil Procedure Rules (CPR)	Rules used by the Court of Appeal, the High Court of Justice, and County Courts in England and Wales to ensure civil proceedings are understandable and more affordable for non-lawyers.
Claim form	A document setting out brief details of a claimant’s claim, which must be filed with and issued by the court, triggering the formal commencement of civil proceedings.
Clergy	Those who are ordained for religious duties, especially in the Christian Church. Ordination means to be set apart from lay people, i.e. to be consecrated, by way of religious ceremony, which then enables them to perform some religious rites not open to be performed (in some Christian denominations) by lay people. The term is also applied to non-Christian religious leaders who are ordained in England and Wales as ‘shorthand’ for a religious leader.
College of Policing	Professional body for everyone working across policing. It is an operationally independent arm’s-length body of the Home Office.
Computer-generated imagery (CGI)	The process of using computer graphics to create images in art, print media, animation, film, television and video games.
Cope and recovery services	Services which offer emotional and practical support to people affected by crime.
Coronavirus pandemic (COVID-19)	An ongoing global pandemic of coronavirus disease 2019, which is an infectious disease caused by the SARS-CoV-2 virus.
Corporal punishment	Physical punishment which is intended to cause physical pain to a person, such as spanking or caning.
Corporate parent	An organisation or person who has special responsibilities for children and young people who are in care.
Crime of violence	A person can only apply for an award of compensation from the Criminal Injuries Compensation Scheme (see below) if they sustain a criminal injury that is directly attributable to their being a direct victim of a ‘crime of violence’, which involves: <ul style="list-style-type: none"> • a physical attack; • any other act or omission of a violent nature which causes physical injury to a person; • a threat against a person, causing fear of immediate violence in circumstances which would cause a person of reasonable firmness to be put in such fear; • a sexual assault to which a person did not in fact consent; or • arson or fire-raising.
Criminal Injuries Compensation Authority (CICA)	The Criminal Injuries Compensation Authority (CICA) deals with compensation claims from people who have been physically or mentally injured because they were the victim of a violent crime in England, Scotland or Wales. It is an executive agency of the UK government, sponsored by the Ministry of Justice.

Term (acronym)	Description
Criminal Injuries Compensation Scheme (CICS)	Publicly funded scheme administered by the Criminal Injuries Compensation Authority. It is intended to be a scheme of 'last resort' for victims of violent crime who are unable to seek or obtain financial compensation by other means, such as by making a civil claim.
Criminal justice system	The system which investigates, prosecutes, sentences and monitors individuals who are suspected or convicted of committing a criminal offence. This also encompasses institutions responsible for imprisonment, probation and sentences served in the community.
Crown Prosecution Service (CPS)	Independent agency headed by the Director of Public Prosecutions that is responsible for prosecuting criminal cases that have been investigated by the police in England and Wales.
Custodial institution	The term 'custodial institution' is used to describe establishments in operation for children and young people in the youth justice system both in the past and currently. In England and Wales, there are currently three types of institutions where children may be detained within the criminal justice system. These are young offender institutions (YOIs), secure training centres (STCs) and secure children's homes (SCHs).
Dark web (or dark net)	Part of the worldwide web that is only accessible by means of specialist software and cannot be accessed through well-known search engines. Often used by criminals to purchase indecent images of children or to procure abuse of children, or to view extreme pornographic material. Also known as the dark net or deep web.
Department for Digital, Culture, Media and Sport (DCMS)	The Department for Digital, Culture, Media and Sport (DCMS) is a ministerial department of the UK government, with responsibility for culture and the arts, broadcasting and the internet, sport, and the tourism and leisure industries.
Designated safeguarding lead (DSL) (England)	Each school in England should appoint a senior member of staff as DSL, with lead responsibility for safeguarding and child protection at the school, including the provision of advice to other staff, supporting staff and attending meetings with statutory agencies. The role is set out in full in Annex C of <i>Keeping Children Safe in Education</i> .
Designated safeguarding person (DSP) (Wales)	In Wales, the senior member of staff from the leadership team of the school with lead responsibility for safeguarding and child protection at the school. Full details and responsibilities are set out in <i>Keeping Learners Safe</i> .
Disclosure and Barring Service (DBS)	An executive non-departmental public body that processes and issues criminal records checks for England, Wales, the Channel Islands and the Isle of Man. It also maintains the vulnerable adults' and children's barred lists and makes decisions as to whether an individual should be included on one or both of these lists. It replaced the Criminal Records Bureau (for disclosure of criminal records) and the Independent Safeguarding Authority (which previously operated the barred lists).
Disclosure and Barring Service (DBS) checks (formerly Criminal Records Bureau/CRB checks)	Checks of an individual's criminal record, intelligence about them not amounting to a criminal conviction or caution, and whether or not they have been barred from working with children or vulnerable adults. There are different levels of checks depending on the role applied for.
Education Workforce Council (EWC)	Independent regulator in Wales for the education workforce, covering teachers, learning support staff in schools and further education, qualified youth workers and work-based learning practitioners. Came into being in April 2015.

Term (acronym)	Description
Emergency Protection Order (EPO)	An urgent order granted by the Court if the local authority has satisfied the Court that a child is in immediate need of protection from significant harm or a risk of significant harm. These types of applications are usually issued by a local authority.
Encryption	The process of converting information or data into a code that makes it unreadable to unauthorised parties.
End-to-end encryption (E2EE)	Where the content of the communication can only be seen by the sender and recipient, and not by any others – including the providers of the platforms themselves.
English Benedictine Congregation (EBC)	The English Benedictine Congregation (EBC) is an umbrella term for the small number of English Benedictine communities that exist worldwide, which are made up of Roman Catholic monks or nuns. The EBC follows the Rule of St Benedict, which is a book of precepts that establishes a way of life based on the teachings and values of the Gospel.
European Convention on Human Rights (ECHR)	A convention of the Council of Europe to protect human rights, political and fundamental freedoms in Europe, created in 1951. The rights set out in the Convention apply to all UK citizens.
'Everyone's Invited'	A movement started by Ms Soma Sara in the summer of 2020 that enables survivors of rape culture to share their stories through testimonies shared anonymously on its website and Instagram profile. Its mission is to “ <i>expose and eradicate rape culture with empathy, compassion and understanding</i> ”. ¹⁶³² By January 2022, the organisation had received over 50,000 testimonies. ¹⁶³³
<i>Ex gratia</i> payments	A payment made even where there is no legal obligation or liability to pay it, including those made under redress schemes.
Financial Conduct Authority (FCA)	Independent body that regulates the financial services industry in the UK. Its role includes protecting consumers, keeping the industry stable, and promoting healthy competition between financial service providers.
'Five Eyes' Ministerial	An intelligence alliance composed of Australia, Canada, New Zealand, the United Kingdom and the United States. These partner countries share a broad range of intelligence with one another in a multilateral arrangement.
General Data Protection Regulation (GDPR)	A regulation in EU law on data protection and privacy in the European Union and the European Economic Area. The GDPR is an important component of EU privacy law and of human rights law, in particular Article 8 of the Charter of Fundamental Rights of the European Union. The GDPR has been retained in UK law since leaving the European Union.
Government Communications Headquarters (GCHQ)	An intelligence and security organisation responsible for providing signals intelligence and information assurance to the government and armed forces of the UK.
Grooming	The process of building a relationship with a child in order to gain their trust for the purposes of sexual abuse or exploitation.
Hackathon	An event in which a large number of people meet to engage in collaborative computer programming.

¹⁶³² INQ006513

¹⁶³³ INQ006513

Term (acronym)	Description
Harmful sexual behaviour	Sexual abuse between children, whether children of different ages or children of a similar age. It may also be referred to as 'sexually harmful behaviour' or 'sexualised behaviour'.
Hash	A unique digital signature of an image.
Health and Care Professions Council (HCPC)	Regulator of health and care professions in the UK.
His Majesty's Crown Prosecution Service Inspectorate (HMCPISI)	An organisation that inspects the work carried out by the CPS and some other prosecuting agencies. Its purpose is to enhance the quality of justice and make an assessment of prosecution services which improves their efficiency, effectiveness and fairness.
His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS)	An organisation that inspects and reports to the public and their elected representatives on how well the police do their job. Its purpose is to promote improvements in policing and to keep people safe. HMICFRS provides authoritative information to allow the public to compare the performance of their police force against others.
His Majesty's Inspectorate of Prisons for England and Wales (HMIP)	An independent inspectorate which reports on conditions for and treatment of those in prison, young offender institutions and immigration detention facilities. HM Inspectorate of Prisons works with the Ministry of Justice.
His Majesty's Prison and Probation Service (HMPPS)	An executive agency which carries out sentences given by the courts, in custody and the community and rehabilitates offenders.
Human Rights Act 1998 (HRA)	An Act of Parliament that sets out the fundamental rights and freedoms that everyone in the UK is entitled to. It incorporates the rights set out in the European Convention on Human Rights (ECHR) into domestic British law. The Human Rights Act came into force in the UK in October 2000.
iCloud	A cloud storage service that enables users to store important information and data, i.e. photos, files, documents, backups and more.
Identity verification	Software used by some businesses to ensure that users or customers provide information that is associated with the identity of a real person.
Independent Reviewing Officer (IRO)	IROs are senior social workers who oversee and scrutinise the care plan of the child or young person and ensure that everyone who is involved in that child or young person's life fulfils their responsibilities. All local authorities have a duty to appoint an IRO to every child in care.
Independent Schools Inspectorate (ISI)	Government-approved independent inspectorate which inspects some independent, private and fee-paying schools and private further education colleges on behalf of the Department for Education. The ISI undertakes inspections of independent schools against statutory standards, and publishes reports following those inspections.
Independent sexual violence adviser (ISVA)	An ISVA is an adviser who works with people who have experienced rape and sexual assault, irrespective of whether they have reported to the police. They provide specialist tailored support to victims and survivors of sexual violence.
Information Commissioner's Office (ICO)	The UK's independent authority, set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals. It is a non-departmental public body which reports directly to the Parliament of the UK and is sponsored by the Department for Digital, Culture, Media and Sport.

Term (acronym)	Description
Integrated care systems	Partnerships between the organisations that meet health and care needs across a geographic area.
International Child Protection Certificate (ICPC)	A criminal records check for anyone who lives, or has lived, in the UK, and who is looking to work with children overseas. It confirms whether or not the applicant has a criminal history and provides details, including relevant conviction and non-conviction data. The ICPC is a joint initiative by the National Crime Agency and the Association of Chief Police Officers Criminal Records Office.
International Criminal Police Organization (INTERPOL)	An intergovernmental organisation with 195 member countries that helps police to work together to make the world a safer place. INTERPOL assists police with a range of technical and operational support and enables member countries to share and access data on crimes and criminals.
The International Underwriting Association of London (IUA)	The International Underwriting Association of London (IUA) is an organisation that represents non-Lloyd's companies in London providing international and wholesale insurance and reinsurance coverage.
Internet Protocol (IP) address	An Internet Protocol (IP) address is a number assigned to a device connected to a computer network.
Internet Watch Foundation (IWF)	An independent, not-for-profit organisation which aims to remove child sexual abuse images and videos from the internet and to minimise the availability of such material.
Joint Inspectorate Review of Child Protection Arrangements (JICPA)	A Wales-only inspection which is similar to the joint targeted area inspections (JTAs) in England (see below).
Joint targeted area inspections (JTAs)	Joint targeted area inspections (JTAs), are carried out by Ofsted, HMI Constabulary and Fire & Rescue Services, the Care Quality Commission, and HMI Probation. These thematic inspections look at how well local agencies work together in an area to protect children.
Judicial College	The official body responsible for the training of judicial office holders in England and Wales and some tribunals around the UK.
<i>Keeping Children Safe in Education</i> (KCSIE)	Statutory guidance for schools and colleges on safeguarding children and safer recruitment practices in England.
<i>Keeping Learners Safe</i>	Statutory guidance for local authorities and governing bodies on arrangements for safeguarding children in Wales.
Lambeth Children's Homes Redress Scheme	A redress scheme which pays compensation to people who were abused or lived in fear of being abused while in Lambeth Council's care as children. It is for those who lived in or visited a Lambeth children's home, including those at Shirley Oaks, or attended Shirley Oaks Primary School.
Lanzarote Convention	The Council of Europe's Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (2007).
Law enforcement agencies	A law enforcement agency is a government agency which is responsible for enforcing the law. In the UK this includes the regional police forces and the National Crime Agency.

Term (acronym)	Description
Lesbian, gay, bisexual, transgender, queer/questioning, other (LGBTQ+)	Terms used to describe a person's sexual orientation or gender identity.
Limitation Act 1980	An Act of Parliament applicable to England and Wales – a statute of limitations providing the timescales within which a claim must be made in respect of negligence and breaches of contract.
Live streaming	In this context, the broadcasting of real-time, live footage of a child being sexually abused over the internet.
Local authority designated officer (LADO)	Individual within the Children's Services Department of a local authority to whom individuals report allegations or concerns about child protection. Responsible under statute for investigating such complaints. Their role is to give advice, liaise with other agencies and coordinate the investigation of allegations on behalf of the local authority.
Local Government Association (LGA)	The Local Government Association (LGA) is a national membership body for local authorities. It is a politically-led, cross-party organisation. It works to support, promote and improve local government, and raise national awareness of the work of local councils.
Looked after child	A child who has been in the care of their local authority for more than 24 hours is known as a looked after child, also referred to as a child in care. In general, children in care/looked after children are: <ul style="list-style-type: none"> • living with foster parents; • living in a residential children's home; or • living in residential settings like schools or secure units.
Mayor's Office for Policing and Crime (MOPAC)	A functional body of the Greater London Authority responsible for oversight of the Metropolitan Police. The body is headed by the Mayor of London who acts in a similar capacity to the police and crime commissioners elsewhere in England.
#MeToo campaign	A social movement against sexual abuse, sexual harassment and rape culture, in which people publicise their experiences of sexual abuse or sexual harassment.
Ministry of Justice (MoJ)	A ministerial department of the UK government headed by the Secretary of State for Justice and Lord Chancellor.
National Centre for Missing & Exploited Children (NCMEC)	An organisation that provides information to help locate children reported missing (by parental abduction, child abduction or running away from home) and to assist physically and sexually abused children.
National Crime Agency (NCA)	A national law enforcement agency against organised crime; human, weapon and drug trafficking; cybercrime; and electronic crime that goes across regional and international borders.
National Institute for Health and Care Excellence (NICE)	Provides national guidance and advice to improve health and social care. NICE is an executive non-departmental public body, sponsored by the Department of Health and Social Care.
National Police Chiefs' Council (NPCC)	A national coordination body for law enforcement in the UK and the representative body for British police chief officers.

Term (acronym)	Description
National Society for the Prevention of Cruelty to Children (NSPCC)	A charity founded in 1884 that currently provides extensive and varied services for children, young people and families, such as domestic violence prevention, treatment and therapeutic services, young witness support and young people’s centres.
Non-governmental organisation (NGO)	Usually a non-profit organisation that operates independently of any government, typically one whose purpose is to address a social or political issue.
Office of Communications (Ofcom)	The UK’s communications regulator. Regulates sectors such as television, radio, telecoms and postal services.
Office for National Statistics (ONS)	The UK’s largest independent producer of official statistics, and its recognised national statistical institute. Responsible for collecting and publishing statistics related to the economy, population and society at national, regional and local levels, as well as conducting the census in England and Wales every 10 years.
Office for Standards in Education, Children’s Services and Skills (Ofsted)	A non-ministerial government department that inspects a range of educational, social care and childcare institutions in England. Its counterparts in Wales are Estyn (for education) and Care Inspectorate Wales (for social care).
Online Safety Bill	The Online Safety Bill was published by the UK government on 17 March 2022. It is intended to improve internet safety and prevent a range of potentially harmful content being accessed online. The Bill would create a new duty of care for online platforms towards their users and require them to take action against illegal and harmful content. Once the Bill is passed, UK companies will be under a duty to report any child sexual exploitation and abuse content that they encounter to the National Crime Agency.
Operation Hydrant	A hub established by the National Police Chiefs’ Council in 2014 to provide national coordination, oversight and guidance to police forces on allegations of non-recent child sexual abuse concerning persons of public prominence, or which took place within institutional settings.
Paramourncy Principle	The principle that when making decisions about any issue relating to the upbringing of a child, their welfare is the most important factor. See section 1(1) of the Children Act 1989.
PhotoDNA	Technology developed by Microsoft which assists in the detection and removal of known images of child sexual abuse on the internet. PhotoDNA creates a unique digital signature of an image (known as a hash) which is then compared against hashes of other photos to find copies of the same image.
Pre-screening	A process which enables internet companies to identify and prevent known child sexual abuse images from being uploaded to platforms and social media profiles.
Regulated activity	<p>Activity from which a person may be barred, as set out in schedule 4 to the Safeguarding Vulnerable Groups Act 2006.</p> <p>A person who applies to do work which is regulated activity with children is eligible for an enhanced Disclosure and Barring Service (DBS) certificate with a check of the relevant barred list. It is an offence for an employer to knowingly engage a barred person to undertake regulated activity.</p>

Term (acronym)	Description
Rehabilitation Code	<p>Published by the Rehabilitation Working Party, which consists of representatives from the International Underwriting Association of London, the Association of British Insurers, Lloyd's primary insurers, legal groups, care providers and the NHS.</p> <p>The code requires solicitors to consider the best options for their client, including referring them for medical treatment and facilitating compensation claims in addition to financial settlements.</p>
Relationships, sex and health education (RSHE)	<p>In England, it became a mandatory obligation to teach relationships and sex education in all schools from September 2020. Relationships education must be provided for children aged 5 to 16. Sex education is compulsory for children aged 11 to 16, but can be taught in primary settings. Statutory guidance sets out the core content to be taught at each stage. In Wales, it became mandatory from 2022.</p>
Return home interview (RHI)	<p>Statutory guidance in England provides that when a missing child is found, a return home interview (RHI) should be offered to the child (although there is no requirement that the child participates in it). This should be conducted within 72 hours of the child returning to their home or care setting. RHIs are not a statutory requirement in Wales but there is an expectation on the part of the Welsh Government that they will be offered after a child has three episodes of going missing. RHIs should be conducted by someone who is not involved in caring for the child, is trained to carry out these interviews and is able to follow up any actions that emerge.</p>
Safeguarding	<p>A term used by statutory bodies and others involved in child protection. It derives from section 10 of the Children Act 2004 and section 17 of the Children Act 1989, and denotes the duty to both protect children and to take active steps to promote their well-being and prevent them from coming to harm, by:</p> <ul style="list-style-type: none"> • protecting children from maltreatment; • preventing impairment of children's health or development; • ensuring that children are growing up in circumstances consistent with the provision of safe and effective care; and • taking action to enable all children to have the best life chances.
'Same roof' rule	<p>Law introduced in 1964 which prevented victims and survivors of domestic violence and sexual violence from claiming compensation if they were living with the perpetrator at the time of the offence.</p> <p>Amended in 1979 but not retrospectively, so potential compensation claimants from offences which took place prior to that date were still unable to claim. It was abolished entirely in 2019, allowing for compensation claims which failed under the 'same roof' rule to be reconsidered by the Criminal Injuries Compensation Board within their usual time limits.</p>
Secure children's homes (SCHs)	<p>Secure children's homes (SCHs) are custodial institutions for children aged between 10 and 14. They are run by local councils and house between 8 and 40 children. They should provide 30 hours of education and training per week.</p>
Secure estate for children and young people	<p>Institutions where children and young people may be detained, including secure training centres, secure children's homes and young offender institutions.</p>

Term (acronym)	Description
Secure training centres (STCs)	Secure training centres (STCs) are custodial institutions for children aged up to 17. They are run by private companies and house between 50 and 80 young people, split into units of 5 to 8 people. They should provide 30 hours of education and training per week.
Self-generated imagery	A naked or partially naked image of a child taken by the child themselves.
Sexual Assault Referral Centres (SARCs)	Sexual Assault Referral Centres (SARCs) offer medical, practical and emotional support to anyone who has been raped or sexually assaulted.
Sexual harassment	Sexual harassment is unwanted conduct of a sexual nature which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for another person.
Sexual Harm Prevention Order (SHPO)	A Sexual Harm Prevention Order (SHPO) is a civil order which may be made following a conviction for a sexual offence. It can include a range of restrictions, including on foreign travel.
Sexual Risk Order (SRO)	A Sexual Risk Order (SRO) is a civil order which may be made by a court where there has been no conviction but the person is proven to have done an act of a sexual nature, and it is necessary to make an order to protect the public. It can include a range of restrictions, including on foreign travel.
Social Services and Well-being (Wales) Act 2014	An Act of the Welsh Government which establishes the requirement for a national independent safeguarding board and regional safeguarding boards, made up of representatives from local authorities, local health boards, the police and others.
Special measures	A series of provisions that help vulnerable and intimidated witnesses in criminal cases give their best evidence and help to relieve some of the stress associated with giving evidence. These measures may vary depending on whether the witness is an adult or child, but they include screening a witness present in court from the accused, giving evidence via a live link and having video-recorded evidence played as the witness's evidence in chief.
Special school	A state-funded or independent school specially organised to make provision for pupils with special educational needs. It may be maintained by a local authority, an academy or a non-maintained special school.
Spent convictions	The Rehabilitation of Offenders Act 1974 provides that criminal cautions or convictions resulting in no more than 4 years' imprisonment become 'spent' after a certain time period. Spent convictions do not have to be declared when applying for most jobs (although this does not apply to jobs working with children).
Statutory agencies	Institutions set up by law to carry out public activities such as social services, local authorities more broadly, and police and healthcare organisations.
Subject access request (SAR)	Under the Data Protection Act 1998, victims and survivors have a legal right to request copies of records containing their personal information. This is known as the right of access and the request is commonly known as a SAR.
Teaching Regulation Agency (TRA)	Executive agency of the Department for Education which regulates the teaching profession in England and maintains a record of those with qualified teacher status (QTS).

Term (acronym)	Description
Trafficking	Child trafficking is the practice of transporting children into, within and out of the UK or any other country for the purposes of exploitation, including sexual abuse and exploitation.
Truth Project	<p>The Inquiry's Truth Project gave more than 6,000 victims and survivors of child sexual abuse an opportunity to share their experiences with the Inquiry and put forward suggestions for change.</p> <p>This listening exercise was set up because the Inquiry recognised that victims and survivors could provide a uniquely-informed contribution to understanding and learning from past mistakes and improving child protection in the future.</p> <p>Most importantly, victims and survivors were entitled to give their accounts and opinions, be listened to respectfully, and have their feelings of hurt, frustration and anger acknowledged.</p> <p>Each experience shared with the Truth Project made an important contribution to the work of the Inquiry, enabling it to build an understanding of child sexual abuse and its impact on victims and survivors. Their experiences and views have helped to inform the Inquiry's final recommendations.</p>
Uniform Resource Locator (URL)	A Uniform Resource Locator (URL) is the network identification or address where a particular page or resource, e.g. images or sound files, can be found on the worldwide web.
Unregulated placements	Under the Care Standards Act 2000, services that provide accommodation and care for young people under the age of 18 are required to register with Ofsted. If accommodation without care is provided, the placement is considered 'unregulated'.
Unspent convictions	Records which have not yet reached the defined time as set out in the Rehabilitation of Offenders Act 1974, or which are not eligible to become spent. Unspent convictions will appear on a basic Disclosure and Barring Service (DBS) criminal record check.
Upskirting	Taking a photo under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or to cause the victim humiliation, distress or alarm.
Victims' Code	<p>Code of Practice for Victims of Crime. Established by the Domestic Violence, Crime and Victims Act 2004, it came into effect in 2006.</p> <p>It sets out what all UK criminal justice agencies (the police, Crown Prosecution Service, Courts Service and Probation Service) must do for victims and survivors, and the timeframe in which they must do it.</p> <p>Rights under the Code include being kept informed on the progress of cases; the current legal status of suspects and offenders; information regarding compensation and restorative justice schemes; help in giving evidence and making victim personal statements; and referrals to victims' support services.</p>
Victim and survivor	An individual who has experienced child sexual abuse.
Victims and Survivors Consultative Panel (VSCP)	The Victims and Survivors Consultative Panel (VSCP) assisted and advised the Independent Inquiry into Child Sexual Abuse (IICSA) on all aspects of its work.

Term (acronym)	Description
Victims and Survivors Forum	A forum at the Inquiry for all victims and survivors of child sexual abuse, with more than 1,700 members across England and Wales from diverse backgrounds. The Forum provided an opportunity to engage with the Inquiry and to attend a wide range of online and face-to-face events which contributed to its policy and research work. Forum members' comments and suggestions were also shared with the Chair and Panel to inform recommendations in the Inquiry's final Report.
Virtual Global Taskforce	The Virtual Global Taskforce (VGT) is a group of 12 law enforcement agencies from around the world which work together to tackle the global threat from online child sexual abuse. The National Crime Agency (NCA) in the UK is the current chair of the VGT.
Virtual reality (VR)	Virtual reality (VR) is the use of computer modelling and simulation which enables a person to interact with an artificial 3D environment. VR applications can use goggles, headsets, gloves or bodysuits.
Web crawler	A computer programme that automatically searches the internet for, in this context, child sexual abuse images.
<i>Working Together to Safeguard Children</i>	Statutory guidance issued by the Department for Education (and prior to that the Department of Health) since 1991, which provides advice on child protection practices and processes for those working with children across all sectors.
Youth Custody Service (YCS)	The Youth Custody Service (YCS) is a distinct part of His Majesty's Prison and Probation Service (HMPPS). It is responsible for the operational running of young offender institutions, secure training centres and secure children's homes.
Young offender institutions (YOIs)	Young offender institutions (YOIs) are custodial institutions for 15–21-year-olds. They are run by the Prison Service and private companies. They house between 60 to 400 offenders, split into groups of 30 to 60 people.

