



THE GOVERNMENT RESPONSE TO THE SECOND
REPORT FROM THE HOME AFFAIRS COMMITTEE
SESSION 2013-14 HC 68

Child sexual exploitation and the response to localised grooming

**Presented to Parliament
by the Secretary of State for the Home Department
by Command of Her Majesty**

September 2013



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Child Sexual Exploitation and the response to localised grooming

Opening statement

This Command Paper is published in response to the Home Affairs Committee's Second Report of Session 2013-14 entitled: 'Child Sexual Exploitation and the response to localised grooming': HC68-1 (incorporating HC182, 2012-13), which was published on 10 June 2013.

The Government would like to thank the Committee for its detailed inquiry into 'Child sexual exploitation and the response to localised grooming'. The Committee's report is a significant contribution to the current debate on the steps being taken at both a local and national level to tackle child sexual exploitation.

The Committee has made 36 recommendations for the Government to consider. Below we have set out our approach to tackling child sexual exploitation together with the Government response to each recommendation below.

The Government's approach to tackling sexual violence

The abuse of children and vulnerable people is an abhorrent crime, no matter when, or where, it occurs. We are committed to tackling it, in whatever form it takes. Recent harrowing court cases involving the sexual exploitation of children have highlighted that there is more we can do to tackle these appalling crimes and protect child victims.

It is clear that these recent cases raise a number of important issues not just for the government, but for social services, the police and the criminal justice system in how we protect our children. But they also include important lessons for how we safeguard vulnerable people more widely and how our systems treat victims of some of the worst types of crime.

Good progress is being made but more needs to be done. That is why this Government has taken urgent steps to review what more we can do to improve our response to combat sexual violence against children and vulnerable people. Since April 2013, Policing and Criminal Justice Minister, Damian Green, has led a National Group to urgently address the missed opportunities to protect children and vulnerable people.

The Sexual Violence against Children and Vulnerable People (SVACV) National Group is a panel of experts, brought together to co-ordinate and implement the learning from recent inquiries into historic sexual abuse and

current sexual violence cases. On 24 July 2013, the Government published a progress report and action plan on the work of the Group at a SVACV stakeholder event at the Home Office. This can be found here:

<https://www.gov.uk/government/publications/sexual-violence-against-children-and-vulnerable-people-national-group>

It contained details of activity already delivered by Government and an action plan to take forward activity already identified by the Group. This included:

- Publication of an early findings report for local areas to consider key themes and barriers encountered in delivering multi-agency working and information sharing models.
- New guidance for police in relation to child abuse and exploitation. The guidance aims to move the focus of investigations away from testing the credibility of victims onto the credibility of the allegation and ensuring victims are listened to by the police.
- Launch of a new Criminal Justice Strategy and Action Plan on 28 June 2013, including significant measures to improve the court process for victims of sexual abuse and exploitation.

The activity outlined above and with this command paper demonstrates that this Government is prioritising action to prevent abuse happening in the first place, protecting children online, making sure the police and others are best placed to identify and deal with problems and ensure victims are at the heart of the criminal justice system.

The Group continues a series of comprehensive reviews in nine key areas:

- prevention
- cyber
- policing
- criminal justice system
- culture change
- supporting victims
- offenders
- institutions
- local implementation programmes

Responses to the Committee's recommendations

In this response, we have set out the Committee's recommendations in bold text where they relate to action for Government or require Government comment and provide the Government's initial responses in plain text. The issues raised by the Committee are important and often complex. The responses below have followed the order of the Committee's recommendations.

THE GOVERNMENT RESPONSE

Recommendation 1

Those cases of children at risk identified by the Office of the Children's Commissioner must be monitored by local authorities who have overriding responsibility for the welfare of those children (Paragraph 16).

Response

The Government is clear that Local Safeguarding Children Boards (LSCBs) must take a lead in tackling child sexual exploitation. We have been saying this consistently, including in the Tackling Child Sexual Exploitation Action Plan. We recognise that across the country many LSCBs have excellent strategies in place. However, there are still some areas that have yet to establish the nature and extent of child sexual exploitation or to implement the 2009 statutory guidance, particularly in relation to cross-agency collaboration and information sharing. Inspection of local authority child protection arrangements has an important part to play in driving forward improvement. Ofsted is already placing a much greater focus on child sexual exploitation and is looking to see what more can be done.

Recommendation 2

We recommend that the Government publish a timetable for implementation of the OCC Inquiry recommendations which will ensure they are in operation by January 2014 (Paragraph 17).

Response

The Government welcomed the OCC's interim report and set out its response to the report's recommendations that were directly for Government on 21 January 2013.

Recommendation 3

We do not doubt the commitment of either the Minister or the Department for Education to tackling child sexual exploitation. However, the commitment must be maintained in the future if the Government wishes to tackle the issue with any degree of success (Paragraph 18).

Response

The Government is committed to maintaining the momentum it has already brought to tackling this issue.

Recommendation 4

We note the work taking place on the issue of children in residential care. We recommend that the Government implement its action plan for improvements in children's residential care by January 2014 (Paragraph 21).

Response

On 25 June 2013, the Department for Education launched a wide ranging consultation on changing the regulatory framework governing children's homes to put in place stronger more explicit measures so children are reliably and effectively safeguarded wherever they are placed. Our proposals will require children's homes to develop much stronger partnership and collaboration with local services responsible for safeguarding and promoting the welfare of children. Details are available at:

<https://www.education.gov.uk/consultations>

This consultation is due to end on 17 September 2013, in time for us to bring in the required changes by December.

Introducing these significant changes to regulations is part of a far reaching programme to improve the support provided to the most vulnerable looked after children who rely on children's homes for their care.

Recommendation 5

All local authority Directors of Children's Social Care should ensure that their staff view troubled children who have been exploited as victims rather than collaborators in their own abuse. Directors of Children's Social Care must ensure that they have received adequate training on the issue of child sexual exploitation (Paragraph 22).

Response

This recommendation is for local authorities. The statutory safeguarding guidance is clear that all children who are victims of sexual abuse should be assessed and safeguarded. The process for assessment is set out in Working Together to Safeguard Children, which is clear that the needs of individual children are paramount.

The statutory guidance on the roles and responsibilities of directors of children's services and lead members makes clear that postholders are appointed for the purposes of discharging the education and children's social services functions of the local authority. Further details are available at: <http://www.education.gov.uk/aboutdfe/statutory/g00206029/statutory-guidance-on-the-roles-and-responsibilities-of-the-director-of-childrens-services-and-the-lead-member-for-childrens-services>

Recommendation 6

All frontline council workers, even those who do not work directly with children and young people, ought to be trained to recognise the signs of localised grooming and the indicators of child sexual exploitation, and should know how to report anything that might give them cause to believe that a child is at risk. Local authority staff, or contractors working on the authority's behalf, have a significant presence in public places where children and young people congregate—park wardens, staff at sports centres and libraries, environmental health officers and taxi and minicab licensing officers are all likely to notice children hanging out when they would normally be expected to be in school, and could act as a valuable early-warning system for behaviour which indicates a problem. Councils should also set up employee hotlines where anything suspicious can be reported. (Paragraph 23)

Response

Local authorities and district councils are responsible for ensuring that their staff are competent to carry out their responsibilities for safeguarding and promoting the welfare of children and creating an environment where staff feel able to raise concerns and feel supported in their safeguarding role. *Working Together to Safeguard Children 2013* is very clear that all staff should have an induction, which includes familiarisation with child protection responsibilities and procedures to be followed if anyone has any concerns about a child's safety or welfare. Local Safeguarding Children Boards should monitor and evaluate the effectiveness of training, including multi-agency training, to safeguard and promote the welfare of children. Anyone who has concerns about a child's welfare should make a referral to local authority children's social care immediately. Within local authorities, children's social care should act as the principal point of contact for welfare concerns relating to children. Therefore, as well as clear protocols for professionals working with children, contact details should be signposted clearly so that children, parents and other family members are aware of who they can contact if they require advice and/or support.

Recommendation 7

We recommend that all local authorities ensure that there are clear lines of dialogue between their children's social care departments and their licensing boards. As part of their scrutiny role, Local Safeguarding Children's Boards should monitor the relationship between children's social care departments and licensing boards and ensure that any recommendations made to the licensing board are acted upon. Local authorities must make greater use of licensing to tackle the issue of grooming. (Paragraph 24)

Response

Local Safeguarding Children Boards (LSCBs) are required to assess the effectiveness of the work taking place locally to safeguard and promote the welfare of children. It is for individual LSCBs to decide how to meet this statutory function to meet the needs of the local area.

Recommendation 8

We recommend that the forthcoming statutory guidance on children who run away or go missing from home or care should require local authorities to conduct return interviews, delivered by an independent professional a child or young person is comfortable speaking with, to all children who run away or go missing from home or care, within 72 hours of a missing incident. (Paragraph 26)

Response

The statutory guidance 'Children who run away or go missing from home or care' recommends that local authorities offer young people a return interview within 72 hours of them being located. Interviews should be held to understand and address the reasons why the child went missing and to minimise the risk of them going missing again. On 25 June 2013 the Department for Education launched a consultation on the guidance. Details are available at: <https://www.education.gov.uk/consultations/>

This consultation is due to end on 17 September 2013.

Recommendation 9

Local Safeguarding Children Boards (LSCBs) must collect data in a standard format so that it can be shared between them. Given the historic difficulty of LSCBs collecting comparable data, we recommend either that Boards form a network to ensure uniformity and promulgate best practice or, if that fails, the Government identify an appropriate body to produce central guidance. (Paragraph 32)

Response

The Government is clear that it is for individual Local Safeguarding Children Boards (LSCBs) to decide how to collect and collate local data. The Department for Education is funding the Association of Independent LSCB Chairs who work through regional groups to research and promote best practice. The Association are working with Comic Relief to develop and establish a local framework for tackling CSE. This work will give LSCBs specific models to use in galvanising local multi-agency work to tackle CSE.

Recommendation 10

Every Local Safeguarding Children Board should publish an annual report on the work of the child sexual exploitation team, using the data collected to assess the scale and nature of child sexual exploitation within the local area. Such a report ought to include data on the number of: complaints; investigations; prosecutions; convictions: and, police officers, social workers and other specialist support workers working on child sexual exploitation. A child sexual exploitation co-ordinator ought to be nominated for every LSCB and they should ensure that the report on the work of the child sexual exploitation team is published in a standard format across the different LSCB areas in order to make comparison of local authority areas easy for the public and to assist Ofsted as part of the multi-agency inspection of services for children which they are planning to implement. (Paragraph 33)

Response

Current statutory guidance in Working Together to Safeguard Children (2013) sets out that it is the responsibility of every Local Safeguarding Children Board to publish an annual report on the effectiveness of child safeguarding and promoting the welfare of children in the local area including child sexual exploitation (CSE). The report should provide rigorous and transparent assessment of the performance and effectiveness of practice of the local area. It should identify areas of weakness and the action being taken to address them as well as other proposals for action. The report should include lessons from reviews undertaken within the reporting period. The report should also list the contributions made to the LSCB by partner agencies and details of what the LSCB has spent, including on Child Death Reviews and Serious Case Reviews.

Asking LSCBs to produce a separate report on CSE would be a duplication of effort as work on this area would be included in their annual report.

The Department for Education funds the Association of Independent LSCB Chairs. The Association has appointed regional CSE co-ordinators who are working to promote and galvanise best practice locally.

The development of multi-agency inspections will enable Ofsted and its partner inspectorates to examine very closely from 2015 how effectively LSCBs and their constituent agencies coordinate their activities to protect children from sexual exploitation. This recommendation will inform Ofsted's work with partners as it develops and implements the new inspection arrangements.

Recommendation 11

The role of a Local Safeguarding Children's Board is to scrutinise the effectiveness of its members, not protect them from criticism. We recommend that the Government give the victim or their family, or an

independent third party, the right of redaction of serious case reviews, rather than the Local Safeguarding Children's Board. We also recommend that Serious Case Reviews are published in full, subject to delay where it may compromise an ongoing investigation (Paragraph 37).

Response

Under Regulation 5 of the Local Safeguarding Children Regulations 2006, Local Safeguarding Children Boards have to undertake reviews of serious cases and advise the authority and their Board partners on lessons to be learned. It has been a requirement in statutory guidance since June 2010, that the overview reports of serious case reviews (SCRs) should be published, in order to achieve transparency and to ensure that improvements are identified and lessons are learned. LSCBs take their own legal advice on the redactions and anonymisation of SCR reports so they are published in line with the Data Protection Act and Article 8 considerations.

The Government acknowledges that it has taken too long to get to a position where publication of SCR overview reports is the norm. To provide extra scrutiny within the system, the Department for Education has established a national panel of independent experts on SCRs. This panel will give LSCBs access to expert advice and bring challenge from an independent source to help them make the right decisions about conducting and publishing SCRs.

Recommendation 12

Rochdale and Rotherham

We recommend that all local authorities ensure that there is sufficient funding for prevention within the budget of any multi-agency team tasked with tackling child sexual exploitation. We also believe that it is important for Local Safeguarding Children's Boards to consider how they will approach the sensitive issue of raising awareness of child sexual exploitation risks among Year 6 and Year 7 students, as abusers are targeting that age group. The Government can assist in this by gathering together in one easily accessible location best practice resources (Paragraph 52).

Response

The Government agrees that prevention and early intervention in cases of children at risk of sexual exploitation is essential. This is made clear in the statutory guidance *Safeguarding Children and Young People from Sexual Exploitation* (2009).

Government has given local authorities the freedom to make their own decisions about how they spend their budgets. In doing so, we do of course expect them to ensure that they are meeting their statutory responsibilities in relation to children's services and are prioritising their resources accordingly.

The Government believes that LSCBs have a key role in overseeing the work set out in the action plan and in co-ordinating and ensuring the effectiveness of the work of their members.

Personal, social, health and economic (PSHE) education is a non-statutory subject that can encompass many areas of study. It should equip pupils with a sound understanding of risk and with the knowledge and skills necessary to make safe and informed decisions.

The specific content of PSHE education is a matter for local determination. Schools should seek to use PSHE education to build, where appropriate, on the statutory content already outlined in the national curriculum, the basic school curriculum and in statutory guidance. The statutory guidance for sex and relationship education already ensures that pupils be taught how to avoid exploitation and abuse.

To support teaching and awareness-raising with regard to this issue, we encourage schools to make use of the expertise and resources provided by the range of professional organisations with an interest, including Barnardo's.

The Government agrees that all schools should have access to best practice information in all areas of PSHE education. To support schools in this area, the Government has asked Ofsted to draw together specific examples of effective practice in PSHE, as well as providing grant funding to the PSHE Association to undertake work advising schools in developing curricula, improving staff training, and promoting the teaching of consent in SRE.

Recommendation 13

Local authorities now recognise the nature and extent of localised grooming, and have made improvements to the way that they deal with children and young people who are at risk of sexual exploitation. However, it is clear that senior leadership in both Rochdale and Rotherham councils failed in their duty of care towards these girls. We are surprised that, with child sexual exploitation remaining a problem in Rotherham, the council was considered to have made sufficient progress to have its notice to improve lifted by the Department for Education in 2011 (Paragraph 55).

Response

Rotherham was issued with an Improvement Notice in December 2009 following an adverse unannounced inspection of the Council's contact, referral and assessment arrangements which resulted in an overall "performs poorly" judgement in Ofsted's 2009 annual rating. The Improvement Notice was lifted in December 2010, after Ofsted conducted a full inspection of safeguarding and looked after children services (published 27 August 2010) and judged safeguarding services to now be 'adequate'. We will of course be prepared to review the position in light of any further inspection evidence from Ofsted.

Recommendation 14

We recommend that further Ofsted reviews take place for Rotherham over the next two years to ensure that the changes they are implementing are not just cosmetic. The first should take place by December 2013. At least one Ofsted review in respect of Rochdale would also be appropriate (Paragraph 56).

Response

Ofsted's remit is to inspect local authority child protection provision. Rochdale and Rotherham were both inspected in 2012 and found to be inadequate and adequate respectively. As part of these inspections there was scrutiny of the LSCBs.

When scheduling inspections, Ofsted takes a number of factors into account. These include past performance, emerging concerns and length of time since previous inspection. Clearly the level of concern about child sexual exploitation in general is high. Both Rotherham and Rochdale will be inspected under the new inspection framework that will be launched in autumn 2013. Ofsted will give full and serious consideration to this recommendation in inspection planning, though as these inspections will be unannounced it is important that Ofsted does not give a specific timescale within which they will take place.

An additional significant factor is that Ofsted is taking on an improvement role with children's social care services that goes beyond periodic inspection. This will involve a longer-term engagement with local authorities, particularly those judged inadequate or requiring improvement, to provide robust challenge and focus to drive improvement.

Recommendation 15

The Criminal Justice System

We welcome the plans put forward by the Director of Public Prosecutions and Association of Chief Police Officers to improve the response of the criminal justice system to child sexual exploitation. Their implementation ought to be a priority and should be monitored and supported by the Ministry of Justice and the Home Office. We recommend that both departments (Home Office / Ministry of Justice) report quarterly on progress to the working group on child sexual exploitation set up by the Department for Education. The focus on this issue must not be lost in the transition of police standards and guidelines from ACPO to the College of Policing (Paragraph 67).

Response

The new National Group described in the introduction now leads work across government to respond to child sexual exploitation. The Home Office, the

National Policing lead, the Ministry of Justice and the Crown Prosecution Service (CPS) are key members of the Group. One of the key workstreams that is monitored and reported on in the Group is the response of the criminal justice system to child sexual exploitation and supporting victims and protecting vulnerable witnesses.

As outlined in the Government's recent progress report on the work of the National Group, a number of significant actions have been announced and delivered in this area. Already delivered are the publication of interim guidelines for prosecutors, and the launch of a new Transforming the Criminal Justice System Strategy and Action Plan on 28 June 2013, including significant measures to improve the court process for victims of sexual abuse and exploitation. On 11 June 2013, we announced pilot measures for recorded pre-trial cross-examination of vulnerable and intimidated witnesses. A revised Code of Practice for Victims of Crime (the Victims' Code) with a bespoke chapter setting out the services and support for victims who are under 18 years of age will be published this autumn. The revised Code aims to give victims clearer entitlements from the criminal justice system and to better tailor services according to individual needs. Victims under the age of 18 will be automatically entitled to an enhanced service, which involves additional support such as receiving more timely updates from criminal justice agencies on the status of their case. In addition, we have established a new joint CPS and police panel to review historic child abuse cases at the request of victims which has already reopened a number of cases. We have also introduced the use of ticketed prosecution counsel for all new child sexual abuse cases.

The College of Policing and the Director of Public Prosecutions have launched a public consultation on revised guidance for sexual violence victims. This was launched on the 11 June 2013 and will run until September. Although it is currently out for consultation, the new guidance is already in effect. This is critical if we are to move the focus of investigations away from testing the credibility of victims onto the credibility of the allegation and ensuring victims are listened to by the police.

All chief constables have committed to a policing action plan that aims to raise the standards in tackling child sexual exploitation so that the police are providing a consistently strong approach to protecting vulnerable young people. As part of the plan, all forces have identified a lead in this area to act as a single point of contact and drive forward the action plan locally, and each force is proactively looking for potential victims and creating a problem profile for their area.

In addition to this, the CPS will be taking forward a range of work to strengthen prosecutions, including:

- a. **Child Sexual Abuse Interim Guidelines** - The CPS published new interim guidelines on 11 June 2013 for prosecutors to assist in their review of Child Sexual Abuse cases. The interim

guidelines are the subject of a three month consultation which will run to 3 September;

- b. **The establishment of a National Child Sexual Abuse Review Panel** - 'Historic' cases of child abuse can now be re-reviewed by this panel, which has been established with representation from the police, CPS, an independent element (the Office of the Children's Commissioner and NSPCC). The panel will re-examine cases where a complainant is not satisfied with a decision (either by police or CPS) taken previously that no action should be taken over allegations of a sexual offence committed when they were under the age of 18.
- c. **The establishment of a Child Sexual Abuse Network** - A national network (launched in April 2013) of child sexual abuse prosecutors, headed by the Chief Crown Prosecutor for the North West Nazir Afzal, has been established. It is made up of one specialist prosecutor from each of the 14 CPS Areas (including CPS Direct – which provides charging decisions to all police forces across England and Wales through a dedicated network of Duty Prosecutors based throughout the country)
- d. **The delivery of Child Sexual Abuse Training** - Specific training on the prosecution of child sexual abuse is already taking place. This involves face to face training by the CPS Principal Legal Advisor for existing specialist lawyers regarding the lessons arising out of the Savile Case, and in-house training for all prosecutors to introduce our new guidelines.
- e. **Involvement in the cross-government Sexual Violence against Children and Vulnerable People National Group** – the CPS has played a key role in the group.

Recommendation 16

We would also like to commend the work of the Director for Public Prosecutions, Keir Starmer QC and the Chief Crown Prosecutor for the North West, Nazir Afzal OBE ... Mr Starmer has striven to improve the treatment of victims of sexual assault within the criminal justice system throughout his term as Director of Public Prosecutions and, when he leaves the Crown Prosecution Service this year, he will be missed. His response should provide a model to the other agencies involved in tackling localised grooming (Paragraph 68).

We note the Committee's comments and support all work which strives to improve the response to victims and vulnerable people.

Recommendations 17 and 18

Considering the lack of prosecutions for offences relating to child sexual exploitation in South Yorkshire, despite evidence that it is still occurring, we suggest Mr Wright may wish to take more of an interest in the victims than he has done previously (Paragraph 72).

We believe it is the responsibility of the Chief Constable (of South Yorkshire Police) to ensure that investigations lead to prosecutions (Paragraph 74).

Response

We note that the Police and Crime Commissioner for South Yorkshire announced three reviews into child sexual exploitation on 29 August 2013.

Recommendation 19

We recommend that all police forces ensure that their IT systems are able to identify incidents and whether multiple perpetrators have been involved ... We also recommend that the College of Policing work with the Child Exploitation and Online Protection Centre to formalise the sharing of best practice, including the use of surveillance and alternative legislation to prosecute perpetrators. We will revisit this issue in a year's time to examine whether the prosecution of such crimes has improved (Paragraph 75).

Response

Protecting the public from dangerous people has been one of the early priorities for the College of Policing and forms an important part of its current work programme. This will involve a review of current research, consolidation of existing guidance and authorised professional practice, alignment of public protection training, the rollout of a National Policing child sexual exploitation plan led by the Child Exploitation and Online Protection Centre (CEOP), and guidance on investigation of child sexual exploitation cases.

Recommendation 20

We recommend that police forces be required to notify the child sexual exploitation co-ordinator of the Local Safeguarding Children's Board as to how many cases they have investigated linked to child sexual exploitation; how many have been prosecuted and how many of those prosecutions were successful to be published as part of their annual report. We also recommend that CEOP use the reports by child sexual exploitation co-ordinators to monitor the performance of all police forces and, if necessary, implement an action plan for improvement where forces are failing to perform (Paragraph 76).

Response

The National Policing Action Plan on child sexual exploitation includes actions to address these issues, namely that each force should:

- Commission child sexual exploitation problem profiles;

- Ensure that child sexual exploitation data is collected and monitored to understand the nature and scale of CSE;
- To ensure that Child Sexual Exploitation is fully embedded into the National Intelligence Model (NIM) and takes into account National, Regional and Local Tasking.

Recommendation 21

Identifying vulnerable victims and ensuring they have access to support.

The National Policing Child Sexual Exploitation Action Plan recommends that forces identify support services to provide care to victims and their extended families “for the duration of their criminal justice journey and beyond”. We welcome this proposal, and recommend that all victims of child sexual exploitation be offered the services of an Independent Sexual Violence Advisor prior to their Achieving Best Evidence interview. The ISVA should be trained in court processes and, wherever possible, the victim should be supported by the same individual throughout the process (Paragraph 82).

Response

Rape and sexual violence are devastating crimes and the Government is committed to ensuring that every victim has access to the specialist support they need. The Home Office part-funds 87 dedicated Independent Sexual Violence Advisors (ISVAs) across England & Wales to provide such support. The Home Office is also committed to ensuring that such professionals have the necessary skills and support to provide the most effective service, and provides grants for ISVA and ISVA manager training, as well as establishing National Operating Standards, peer-support networks, and the establishment of a register of ISVAs to bring more consistency to the role. In addition, the Home Office has provided £1.2 million funding up to 2015 to support sexual violence services to under 18s via Young Persons Advocates.

We recognise in particular that supporting younger victims is an important part of the ISVA role. A number of ISVAs specialise in supporting children and young people. In addition, specific training is available to all ISVAs and Young Persons Advocates to equip them to most effectively support this group of victims.

Recommendation 22

We recommend that the new national policy and guidance for police and the Crown Prosecution Service which will be drawn up by the College of Policing include a checklist of support services which a victim of child sexual exploitation ought to be offered following the decision to prosecute the case. This checklist ought to include, at the very least, pre-trial therapy, a pre-Court familiarisation visit and a chance to meet the prosecuting barrister. The Independent Sexual Violence Advocate

assigned to the case ought to be present when these support services are offered to the victim (Paragraph 83).

Response

Draft guidance on child abuse and child sexual exploitation was issued for public consultation on 11 June 2013 (alongside CPS prosecution guidelines) and further consolidation of authorised professional practice on violence and public protection is due later this year. The CPS Child Sexual Abuse Network has been in place since April 2013. It consists of specialist prosecutors who have expertise in this field. A further meeting of the CSA Network took place on 10 July 2013 in Manchester.

The CPS is committed to taking all practicable steps to help victims through the experience of becoming involved with the criminal justice process. Prosecutors will liaise with the Witness Care Unit to ensure that victims and witnesses have the support they need to enable them to give their best evidence. The Witness Care Unit will also keep victims and witnesses informed of the progress of the case and arrange additional support for those who need it. Witness Care Units will, if required, refer victims and witnesses to national and local specialist support agencies which will provide ongoing support to meet individual needs. In some of the more serious cases, a specialist police officer, rather than the Witness Care Unit, will act as the single point of contact for the victim.

Recommendation 23

Court processes

Pigot 2 represents the will of Parliament and it is for the Ministry of Justice to implement this measure in a timely manner. We recommend they implement Pigot 2 by January 2014 (Paragraph 85).

Response

We are aware that Lord Chief Justice Lord Judge has responded separately. On 11 June 2013, the Secretary of State for Justice announced the Government's plan to pilot Section 28 of the Youth Justice and Criminal Evidence Act 1999 by the end of the year (2013) in three Crown Court locations – Liverpool, Leeds and Kingston-Upon-Thames. The pilots will run for six months followed by an assessment period with the intention of rolling the measure out more widely if it proves a success.

Recommendation 24

We recommend that each court have a named individual with the responsibility for ensuring that special measures are being implemented appropriately whether that requires training for staff or investment in technical equipment (Paragraph 88).

Response

The police will initially highlight whether a victim/witness is vulnerable or intimidated when papers are initially submitted to the CPS. The prosecutor will also assess whether special measures are required and an application made to the court. The CPS is due to revise its guidance on special measures later this year once the guidelines on prosecuting child sexual abuse cases are finalised.

Recommendation 25

We recommend immediate implementation of Pigot 2 by January 2014.

We conclude that child sexual exploitation offences are an area on which further specific guidance and training of the judiciary would be appropriate, in particular the question of whether cross-examination of complainants by all defence counsel in cases with multiple defendants should be controlled and if so, how.

We invite the Lord Chief Justice to consider recommending to the Judicial College that this training be developed and provided, and will write to him accordingly.

We recommend that the Ministry of Justice provide funding for any work that the Lord Chief Justice and Judicial College decide to undertake.

We invite the Bar Standards Board and Solicitors Regulation Authority to work with the Judicial College and Ministry of Justice to develop and provide similar training for barristers and solicitor advocates.

We recommend the Ministry of Justice provide guidance on the use of expert witnesses in child sexual exploitation cases who can at least assist by educating juries about some of the apparent behavioural anomalies associated with child sexual exploitation (Paragraph 93).

Response

Part of this recommendation is addressed to the Lord Chief Justice and relates to judicial training. The Lord Chief Justice has written separately to the Committee and his response is available at:

<http://www.judiciary.gov.uk/Resources/JCO/Documents/letter-lcj-to-keith-vaz-mp.pdf>

The Youth Justice and Criminal Evidence Act 1999 provides for a number of 'Special Measures' to assist vulnerable and intimidated witnesses give their best evidence in court. These measures include screens around the witness box to shield the witness from seeing the defendant when giving evidence, evidence by live link, the removal of wigs and gowns worn by lawyers and

judges, evidence in private, video-recorded evidence-in-chief, aids to communication and the examination of a witness through an intermediary.

Adult victims of sexual offences and all child witnesses (other than a defendant) are automatically eligible for certain support measures, although in general the court is required to assess whether the measure will improve the quality of a witness's evidence before making a special measures direction. The presumption is that in most cases they should give their evidence by video-recorded statement, which will be played during the trial as their evidence-in-chief. In addition, any further evidence or cross-examination will ordinarily be conducted via live-link and the court may permit a supporter to be present. The aim is to minimise the number of times a child is questioned and to enable them to give evidence from outside the courtroom.

Victims of sexual offences are automatically eligible to be considered for such support measures, and other protections are available to them: mandatory protection of a witness from cross-examination by the accused in person and restrictions on evidence and questions about a complainant's sexual behaviour.

More can be done to improve the practical operation of services to witnesses, including that practitioners in the criminal justice system are aware of and properly understand current special measures, and that they are consistently applied to ensure witnesses are able to give their best evidence in court. This includes working with the police and Crown Prosecution Service to look at how the needs of vulnerable witnesses can be identified at an early stage and identifying the most appropriate special measure, individually or in combination.

The public consultations announced by the College of Policing and the CPS on Tuesday 11 June 2013 to help strengthen the way the criminal justice system deals with child abuse and sexual exploitation makes reference to the necessity for the improved awareness, understanding and application of special measures. The revised police and CPS guidelines will form part of a package of measures currently being undertaken to review police and multi-agency practice and learning, in particular setting out clearly what is to be expected of police and prosecutors with responsibility for cases where a sexual offence has been committed against a child or young person.

In response to growing instances of victims being left traumatised by the process of giving evidence and being cross-examined, particularly in cases of sexual violence and where multiple defendants are involved, the Ministry of Justice announced on 28 June 2013 that it was carrying out a review over the summer. The review will consider options for ways to reduce the distress that some victims suffer as a result of the trial process, particularly in cases of sexual violence and where multiple defendants are involved so that cross-examination is protracted and repetitive. The review is one of a number of actions in the Government's Strategy and Action Plan to Reform the Criminal Justice System intended to ensure a more effective response to certain types of crime, including violence against women and girls and child sexual abuse.

Recommendation 26

We also recommend that the Ministry of Justice introduce specialist courts (similar to the domestic violence courts currently in existence) for child sexual abuse or sexual offences as a whole (Paragraph 94).

Response

The Ministry of Justice will consider the concept of such courts in taking forward the review of ways to reduce the distress that some victims suffer through involvement in the trial process and other actions from the Transforming the Criminal Justice System Strategy and Action Plan to reform the Criminal Justice System.

Recommendation 27

Health and Education

We accept that there is a level of commitment within Government to ensuring that health professionals are aware of the issue of child sexual exploitation and a desire to identify victims through their interactions with health professionals. We recommend that the Government ensure that the details of all children up to the age of 16 who present at Accident and Emergency Departments are entered on the Child Protection – Information System rather than just those of younger children (Paragraph 98).

Response

The DH is sponsoring the development of the Child Protection – Information Sharing (CP-IS) project over a five-year period. CP-IS will help the NHS give a higher level of protection to children who present in unscheduled care settings, including emergency departments, walk-in centres, minor injury units, GP out of hours services, ambulance services, maternity and paediatric wards. A health professional registering a child in one of those settings will see an indicator flag on screen if that child is subject to a child protection plan or is looked after by a local authority. This information will be fed securely from local authority children's social care systems for all children in these categories up to the age of 18. Prompt and easy access to such information will help health professionals to make an informed assessment of need and respond quickly if there is cause to do so.

Recommendation 28

We recommend that all frontline health professionals be given training on the warning signs of child sexual exploitation and that representatives from both primary and secondary care within any local multi-agency team set up to combat child sexual exploitation (Paragraph 99).

Response

This recommendation will be supported by NHS England and the Area team safeguarding leads will work with Clinical Commissioning Groups and provider Trusts to ensure action is taken. The Department of Health is sponsoring the development of an e-learning tool that will help health professionals to understand the risk factors and signs of child sexual exploitation and what to do about it.

We also recommend that, given the importance of sexually transmitted diseases as a marker for child sexual exploitation, sexual health services give consideration as to how such information might be shared across the region in order to better identify children at risk.

Response

As part of the Ending Gang and Youth Violence Programme, the Department of Health are funding the development of a pro forma for use by sexual health professionals to better identify child sexual exploitation in service users. The pro forma, expected to be ready for use next April, will be jointly owned and endorsed by the leading stakeholder organisations representing sexual health professionals and service providers.

Recommendation 29

We recommend that the Government publish the report and recommendations of the health working group on child sexual exploitation and a timetable for the implementation of all the recommendations it has accepted (Paragraph 100).

Response

The Health Working Group report is due to be published in the Autumn and the Department of Health will be responding formally in due course.

Recommendation 30

We recommend that the Government ensure that all teachers are provided with the list of warning signs for child sexual exploitation and the contact details of a named individual within the local authority that they can contact with any concerns. We again recommend that schools should be reminded annually of their statutory responsibilities in this matter by the Secretary of State (Paragraph 104).

Response

The Government has asked Local Authority Directors of Children's Services and Local Safeguarding Children Board chairs to ensure that the *Step-by-step*

guide on what to do if you suspect a child is being sexually exploited (published by DfE in July 2012 and re-issued in February 2013) is cascaded to all frontline practitioners, including schools. The step-by-step guide includes a list of warning signs.

Statutory guidance, *Working Together to Safeguard Children* (2013) recommends that schools should notify children's social care where there are safeguarding concerns and that children's social care should act as the principal point of contact for welfare concerns relating to children. The guidance also recommends that local authorities should make available contact details for their local children's social care services. The *Governors' Handbook* which was issued by DfE in May 2013 and will be updated annually, reminds schools of their statutory duties including on safeguarding.

Recommendation 31

Voluntary sector

We recommend that the Government ensure that where voluntary organisations are effectively supporting official agencies in tackling child sexual exploitation, there are resources made available to continue the partnership. This is especially important in terms of funding for voluntary sector organisations which work with young people at risk. We earlier highlighted the importance of prevention and early intervention and we take this opportunity to recommend that resources be allocated to ensure that this vital work takes place (Paragraph 107).

Response

The Government recognises the invaluable contribution provided by the voluntary sector in this important area of public protection. Under the Ending Gang and Youth Violence (EGYV) programme, the Home Office is providing £1.2million over three years (April 2012 – March 2015), to fund 13 Young People's Advocates (YPAs) to provide dedicated support to young people who have been victims, or are at risk of, sexual violence and/or sexual exploitation, particularly by gangs. This funding has been awarded to eight organisations with experience of working with young people, sexual violence and gangs from the voluntary and charity sector, as well as the public sector.

As well as providing direct support to gang-associated young women and girls, the YPAs are working closely with key partners (including Children's Services, the police and Youth Offending Teams) to develop co-ordinated local responses to this issue. They have also delivered training and shared learning at national, regional and local events for professionals working with gang-associated women and girls.

Last year, we funded AVA (Against Violence and Abuse) and the Women & Girls Network to develop and roll out specialist training for practitioners working with victims of sexual exploitation, including Young People's Advocates, Independent Sexual Violence Advisers and Independent Domestic

Violence Advisers. Approximately 75 professionals across the 33 Ending Gang and Youth Violence priority areas have received the training to date.

The Department for Education (DfE) is investing £1.8 million over 2013-14 and 2014-15 in four new projects which will help trial new ways of delivering improved support to children and young people specifically at risk of sexual exploitation. These include projects being run by Parents Against Child Sexual Exploitation (PACE), Barnardo's, Yorkshire MESMAC and the National Working Group.

In addition, the DfE has awarded funding to several other organisations for projects that will contribute to tackling child sexual exploitation in gangs and groups.

Recommendation 32

The responsibility of all agencies, particularly social services, the police, and schools, is to protect those at risk from grooming and sexual exploitation and help to bring to justice those responsible, totally regardless of race or background, or indeed any other factor (Paragraph 120).

Response

The Sexual Violence Against Children and Vulnerable People National Group is leading work in relation to multi-agency safeguarding under its prevention workstream. This will include the commitment to develop a programme to support, disseminate information and findings to local areas on multi-agency safeguarding approaches. We are currently scoping options for sharing the findings with practitioners and interested partners to encourage effective multi-agency approaches. This might involve events, a toolkit, and online forums.

The Government believes that child sexual exploitation is not exclusive to any single culture, community, race or religion. It happens in all areas of the country and can take many different forms. However, we can see recent cases show a particular model has emerged of organised, serious exploitation and abuse that involves predominantly Pakistani-heritage men grooming and abusing predominantly white British girls. Together, as communities, we need to ensure these sickening crimes no longer remain hidden.

Recommendation 33

We caution against focusing just on one particular model of child sexual exploitation. We have heard evidence that models vary within and between different types of child sexual exploitation. For example, the majority of child sexual exploitation conducted online is by white perpetrators. Authorities should not be blinkered by one formula which will blind them to other patterns of abuse taking place. Stereotyping offenders as all coming from a particular background is as likely to

perpetuate the problem as is a refusal to acknowledge that a particular group of offenders share a common ethnicity (Paragraph 121).

Response

We note the Committee's comments.

Recommendation 34

We are concerned by reports that ethnic minority children are less likely to be identified as victims of child sexual exploitation. Statutory agencies must ensure that they are able to support children of all races and tackle abuse by offenders of all races (Paragraph 122).

Response

The work of the National Group supports the needs of all victims and is ensuring that where it is known that there are specific groups of vulnerable children in an area, their particular needs are met. The needs of all victims, including Black and Minority Ethnic (BME) victims, will be taken into account as the work of the National Group on Sexual Violence Against Children and Vulnerable People progresses. The membership of the National Group includes key external partners (NSPCC, Barnardo's and Rape Crisis) which brings fresh challenge and perspective directly into the work of the group. Through the introduction of innovative 'champion' (owner of policy area) and 'challenger' (external partner/agency) model to lead work in each key area this ensures continuous challenge and scrutiny to the Groups work. Through targeted focus groups as part of this process the views of BME groups that play a role in tackling sexual violence will be represented. This will include speaking to community representatives.

Recommendation 35

Multi-Agency Safeguarding Hubs

We recommend that each Local Children's Safeguarding Board be required to set up a Multi-Agency Safeguarding Hub which would house representatives from social care, local police, health professionals, education, youth offending teams and voluntary organisations. Each MASH ought to be linked to one of the Crown Prosecution Service specialist co-ordinators for child sexual assault cases so that advice regarding any potential prosecutions can be sought early on if required. The police and the CPS should also produce guidance on data sharing via the MASH. Where there is one or more significant minority community within the area, each MASH team ought also to have a community liaison officer who can develop a trusted relationship with that community in order to ensure that officials are working with the community to combat all models of child sexual exploitation (Paragraph 127).

Response

The Government endorses the view that local authorities with their partners should consider arrangements to improve multiagency information sharing in order to keep children safe. However, the Government would not wish to endorse any particular structure to achieve this. Local authorities and their partners must decide how to provide excellent services consistent with statutory requirements.

The Home Office has funded a project to improve national and local understanding of the different local multi-agency models in place to support information sharing around safeguarding responses for children and vulnerable people. Early findings were published on 24 July and we are currently scoping ways to disseminate the findings to local areas and wider stakeholders interested in developing their local approaches. Over the next 6 months we will be taking forward work to develop the final findings.

The CPS is not a statutory member of the LCSB but will attend when representation is sought. At a local level all cases all sexual offences, including child sexual abuse are handled by specialist prosecutors.

Recommendation 36

Legislation

We recommend that the Government commission work to examine the feasibility of introducing a statutory duty to co-operate and share information to tackle child sexual exploitation. We also recommend that the Government examine the Florida Protection of Vulnerable Persons Act passed in 2012 in order to ascertain whether the mandatory reporting of child abuse could, and should, be implemented in England and Wales (Paragraph 130).

Response

The statutory guidance in *Working Together to Safeguard Children* 2013 is clear that effective sharing of information is essential for effective identification, assessment and service provision. All organisations should have arrangements in place which set out clearly the processes and the principles for sharing information between each other, with other professionals and the Local Safeguarding Children Board (LSCB). Fears about sharing information cannot be allowed to stand in the way of the need to promote the welfare and protect the safety of children.

Working Together makes clear that, if at any time it is considered that a child may be a child in need, or has suffered significant harm or is likely to do so, a referral should be made immediately to a local authority's children's social care service. *Working Together* is also clear that under section 175 and 157 of the Education Act 2002 all schools should report allegations of abuse or neglect to the Local Authority Designated Officer within one working day of an

allegation coming to an employer's attention. *Working Together* states that organisations should have:

- arrangements which set out clearly the processes for sharing information;
- a designated professional to support other staff to recognise the needs of children, including rescue from possible abuse and neglect; and
- policies in line with those from the LSCB for dealing with allegations against people who work with children.

The international evidence on the effectiveness of mandatory reporting systems keeping children safer is far from conclusive. Much of the evidence suggests that mandatory reporting systems cause a steep rise in the number of reports made, a large percentage of which are not substantiated. Consequently, child protection services are likely to be overloaded with work in investigating unsubstantiated reports, with an adverse impact on the resources available to help children and families in need. A mandatory reporting system could also potentially act as a barrier to children disclosing issues or seeking help, especially perhaps in a sexual health context.

The Government, therefore, has no plans to introduce mandatory reporting of child abuse and neglect, given the robust reporting procedures already in place. There is sufficient legislation and statutory guidance to tell professionals what should happen if they are concerned about a child. The increasing numbers of referrals we are seeing shows that professionals are increasingly aware of the procedures to use.

Social welfare is a devolved matter in Wales. The Welsh Government is currently legislating on proposals in the Social Services and Well-being (Wales) Bill. Measures being looked at in the Bill include a duty on relevant partners to report to the local authority when it suspects that a person may be an adult at risk. We understand that the Welsh Government is considering an amendment to the Bill which would widen its scope to include a child which may be at risk. The UK Government will note the outcomes of any changes in Wales.



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