



House of Commons  
Home Affairs Committee

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# Child sexual exploitation and the response to localised grooming

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**Second Report of Session 2013–14**

## *Volume I*

*Volume I: Report, together with formal minutes*

*Volume II: Oral and written evidence*

*Additional written evidence is contained in Volume III, available on the Committee website at [www.parliament.uk/homeaffairscom](http://www.parliament.uk/homeaffairscom)*

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## Home Affairs Committee

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# 1 Introduction

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1. In January 2011, *The Times* published an article about a number of prosecutions in northern towns and cities where girls under the age of 16 had been subjected to sexual assaults by men whom they had met locally. They met them in places such as shopping centres, arcades, parks or even on the street. The phenomenon was labelled “localised (or on-street) grooming”. The article highlighted that in many cases, the defendants were Asian or British Asian and the victims were White. The article was controversial, particularly around the question of whether the perpetrators’ ethnic origin was a significant factor in these cases.

2. In May 2012, nine men were found guilty of offences relating to a localised grooming network based in Rochdale. Newspaper articles reported that fifty-six men had been interviewed by police regarding an investigation into the sexual abuse of forty-seven girls aged between 12 and 16.<sup>1</sup> One of the five victims had been placed in a residential care home in Rochdale by another Local Authority. Concerns were raised that the care system was failing those vulnerable children it was designed to support. A further report referred to a police officer yawning during a recorded interview discussing a sexual attack on one of the victims.<sup>2</sup> Finally, it emerged that the CPS had originally decided not to prosecute, because of doubts about the victims’ credibility as witnesses. The prosecution only went ahead when this decision was reversed by the Chief Prosecutor for the North-West of England, Nazir Afzal, following his review of the case.

3. The Rochdale case quickly came to epitomise the wider phenomenon of localised grooming in the eyes of many people:

- a) it involved a large network of suspected abusers and also a large number of potential victims;
- b) the victims were generally (though not invariably) vulnerable girls aged 12–16, a disproportionate number of whom were looked after by local authorities;
- c) victims were passed around from one abuser to another, in some cases being taken to other towns and cities to be raped and sexually assaulted;
- d) the abusers were Asian or British Asian and the victims were White;
- e) the victims were not always taken as seriously as they should have been by the police and prosecutors, who were often unfamiliar with the phenomenon of sexual exploitation of children; and
- f) prosecution was hampered by prosecutors’ assessment that these victims would lack credibility in court.

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<sup>1</sup> <http://www.thetimes.co.uk/tto/news/uk/crime/article3408724.ece>

<sup>2</sup> *Manchester Evening News*, ‘Yawning cop who seemed to sum up how the girls were not taken seriously. Tribute to bravery of the girls who were persuaded to talk’, May 9, 2012

4. In June 2012, we started taking evidence on the issue of localised grooming. We would like to thank those who assisted us with this year-long inquiry. We have taken evidence from a wide range of witnesses including those involved with investigations and prosecutions in to localised grooming, those involved in social care, representatives of third sector organisations, victims, the Children’s Commissioner and Ministers. We are particularly grateful to Andrew Norfolk, chief investigative reporter of *The Times* whose articles have done much to reveal the true extent of the suffering of victims at the hands of both their abusers and of failing agencies. We congratulate him on receiving the Orwell Prize for Journalism for his work on this subject and consider that it is fully deserved. We would also like to thank Emma Jackson, who gave evidence to us about her own experience of being exploited by a group.<sup>3</sup> Her bravery, her eloquence and her dedication to improving the understanding of how and why localised grooming takes place commands respect.

5. In May 2013, a year after the Rochdale verdict, seven men from Oxford were convicted of offences relating to child sexual exploitation at the Old Bailey in London. The offences, which had taken place from 2004 to 2011, included rape, arranging child prosecution, sexual activity with a child and trafficking a child within the UK for sexual exploitation. Once again, the victims were vulnerable, White British girls and the offenders were mainly of Pakistani heritage. The victims had frequently gone missing from home and several had been exploited whilst in the care of Oxfordshire Social Services. The victims or their families had approached social services and police for help at several points in the past and accusations had previously been made to police about some of the offenders. No connection was made between any of the individual complaints until 2010. A serious case review is underway to establish how such serious, widespread abuse could have gone on so long without effective intervention.

### Child Sexual Exploitation: scale and prevalence

6. The phenomenon of child sexual abuse has only been fully recognised in the relatively recent past.<sup>4</sup> Over the years there has been a change in the perception of child sexual exploitation—for many years the idea of ‘stranger danger’, that children were most at risk from predatory paedophiles not known to them, held sway. Later on, it was recognised that intra-familial abuse or abuse by an adult known to the family was more common than abuse by a stranger. However, the growth of the internet, and in particular social media which are popular among children, has created a new form of ‘stranger danger’, in the form of on-line grooming, and awareness has been raised about the need to keep children safe online. Localised grooming, the subject of this Report, has been recognised only very recently, in the wake of the Operation Retriever case (see below).

7. The Department for Education defines Child Sexual Exploitation as

a form of child abuse (“child” being defined as anyone under 18 years of age). It can manifest itself in different ways but essentially involves children and young people receiving something—for example, accommodation, drugs, gifts, or affection—as a

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<sup>3</sup> Emma Jackson is a pseudonym.

<sup>4</sup> Her Majesty’s Inspectorate of Constabulary, “*Mistakes were made.*”, *HMIC’s review into allegations and intelligence material concerning Jimmy Savile between 1964 and 2012*, 2013, p52

result of them performing sexual activities, or having others perform sexual activities on them. It can occur without physical contact, when children are groomed to post sexual images of themselves on the internet.

In all cases those exploiting the child or young person have power over them, perhaps by virtue of their age or physical strength. Exploitative relationships are characterised in the main by the child's limited availability of choice, compounding their vulnerability. This inequality can take many forms but the most obvious include fear, deception, coercion and violence.<sup>5</sup>

8. Localised grooming, for the purposes of this Report, is a model of child sexual exploitation in which a group of abusers target vulnerable children, including, but not confined to, those who are looked after by a local authority. The group typically makes initial contact with victims in a public place such as a park, cinema, on the street or at a friend's house. The children are offered gifts and treats—takeaway food, sweets, cigarettes, alcohol or drugs—in exchange for sex, sometimes with dozens of men on the same occasion. There will often be occasions where they are missing from home although such times may be less than 24 hours. The children sometimes identify one offender as a 'boyfriend', and might regard the sexual abuse by multiple offenders as 'normal'. The gangs sometimes use younger men or boys to make the initial approach, reinforcing the misapprehension that the children are involved in consensual relationships with partners of a similar age. In a number of cases, victims are internally trafficked within the UK, being taken to other towns for the express purpose of being 'given' or 'sold' for sexual exploitation.<sup>6</sup>

9. The awareness of this model of child sexual exploitation has increased significantly and before *The Times* article appeared in recent years. In November 2010, nine men were convicted of 70 offences against girls aged 12–18 including rape, false imprisonment, sexual assault, sexual activity with a child, perverting the course of justice, and aiding and abetting rape. Twenty-seven girls in total had come forward to say that they had been victims of the group and convictions were secured for offences against 15 of them. The prosecutions followed an undercover operation by Derbyshire Police, Operation Retriever. Derbyshire Police described the case as 'the most horrendous case of sexual exploitation they had ever faced' and said they were shocked at the scale of abuse.<sup>7</sup> Operation Retriever and the subsequent trial are often cited as the starting point for the growing awareness of localised grooming.<sup>8</sup>

10. In January 2011 Barnardo's published a report entitled 'Puppet on a string' which looked at child sexual exploitation. The report noted a worrying trend that the grooming of children for sexual exploitation was becoming more sophisticated. Children were being "brainwashed by abusers in the most pernicious way ... often transported between towns and cities to be subjected to multiple acts of abuse by groups of men".<sup>9</sup> In June 2011 a

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<sup>5</sup> Department for Education, *Tackling Sexual Exploitation Action Plan*, 2011, p4

<sup>6</sup> Ev w5 [Missing People]

<sup>7</sup> Derby City Council Website: <http://www.derby.gov.uk/health-and-social-care/safeguarding-children/child-sexual-exploitation/>

<sup>8</sup> Qq 101, 159

<sup>9</sup> Barnardo's, *Puppet on a String*, 2011, p2

thematic assessment by the Child Exploitation and Online Protection Centre (CEOP) highlighted the growing awareness of the issue of localised grooming.

‘Localised grooming’ has been subject to considerable media attention following a number of prosecutions of adult males for the grooming and sexually exploitation of children and young people in various towns and cities in the UK. Several NGOs have reported that large numbers of victims of this type of child sexual exploitation have accessed their services across the UK. However, there have been comparatively few prosecutions, and there is a general lack of knowledge of grooming and sexual exploitation in the UK and the threats posed to children and young people.<sup>10</sup>

The main conclusions of the CEOP assessment were:

- In most areas of the UK there had not been a proactive approach to tackling this type of sexual exploitation, but where police, children’s services and the voluntary sector had worked together, offenders had been held to account and victims identified and supported.
- The majority of Local Safeguarding Children Boards were not fulfilling their responsibilities as prescribed in statutory guidance.
- All agencies need to improve their ability to recognise exploitation to enable them to intervene early.
- A commitment to multi-agency working would be key to tackling localised grooming.
- The research did not find any consistent patterns connected to culture or ethnicity in the profile of offenders.<sup>11</sup>

11. In July 2012, the Howard League for Penal Reform published a report which noted that victims of child sexual exploitation were 2.5 times more likely than average to have a criminal record. The report linked their offending behaviour directly to the sexual exploitation and questioned why these victims were being punished instead of being helped.<sup>12</sup> In October 2012, ChildLine published a report which provided an insight into the contacts it had from young people who had been sexually exploited through grooming, both in online and face-to-face situations. It noted a number of features which were typical of grooming offences, and which could prevent the problem being identified and addressed:

- Victims might see the situation as a genuine relationship and the groomer as a “boyfriend”.<sup>13</sup>

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<sup>10</sup> Child Exploitation and Online Protection Centre, *Out of Sight, Out of Mind*, 2011, p5

<sup>11</sup> Child Exploitation and Online Protection Centre, Executive Summary, *Out of Mind, Out of Sight; Breaking down the barriers to understanding child sexual exploitation*, June 2011, p9

<sup>12</sup> Howard League for Penal Reform, *Out of place: The policing and criminalisation of sexually exploited girls and young women*, July 2012

<sup>13</sup> ChildLine, *Caught in a Trap*, Oct 2012, p12



- The offender typically plays on the victim’s insecurities, making them feel “special” or “loved”.<sup>14</sup>
- The victim might nonetheless feel ashamed of the sexual activity itself, or of ancillary activities such as the consumption of drugs or alcohol, further increasing their reluctance to come forward.<sup>15</sup>
- Grooming might extend to befriending the child’s family or carers, so the victim feels unable to tell them about the situation.<sup>16</sup>
- Adults may misunderstand the grooming process and assume that the young person was a willing participant in a relationship, rather than the victim of sexual abuse. This can further amplify the victim’s sense of shame.<sup>17</sup>
- About 60% of calls to ChildLine which relate to grooming relate to on-line grooming; 40% involve face-to-face interactions.<sup>18</sup>

12. In November 2012, the House of Commons Education Committee produced a report which looked at the Child Protection System in England. It noted that many of those involved in child protection considered older children to be less vulnerable than those under five.<sup>19</sup> The report cited Ofsted’s view that older children are often in contact with a wider range of agencies than younger ones (for whom it is mainly health):

children's social care, health, the police and education, practitioners from the Connexions service, the Youth Offending service, the Probation service, drug and alcohol misuse services, leaving care services, housing, and CAMHS may all be involved. Commonly, young people 'bounced' around the system, with no one agency taking overall responsibility for their welfare or holding a comprehensive understanding of their needs.<sup>20</sup>

The Select Committee found evidence that these children were vulnerable to ‘specialised’ forms of abuse such as child sexual exploitation as those involved in child protection were more used to dealing with cases of familial abuse<sup>21</sup> and so the recognition of localised grooming as a form of abuse was not recognised by professionals. They were therefore unable to piece together the different parts of a puzzle in order to create a clear picture of what was happening.<sup>22</sup>

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<sup>14</sup> ChildLine, *Caught in a Trap*, p10

<sup>15</sup> *Ibid.*, p11

<sup>16</sup> *Ibid.*, p5

<sup>17</sup> *Ibid.*, p9

<sup>18</sup> *Ibid.*, p10

<sup>19</sup> Education Committee, Fourth Report of Session 2012–13, *Children first: the child protection system in England*, HC 137, para 80

<sup>20</sup> *Ibid.*, para 79

<sup>21</sup> *Ibid.*, para 94

<sup>22</sup> *Ibid.*, para 117

13. In October 2011 the Office of the Children's Commissioner launched a two-year inquiry into Child Sexual Exploitation in Gangs and Groups (CSEGG) The inquiry has already produced two reports. The first was an 'accelerated report' specifically addressing the extent to which children in residential care are affected by localised grooming, which was requested by the Secretary of State for Education following the convictions of the Rochdale men in May 2012. The second was an interim report, which detailed the scale of the problem and made a number of recommendations. The final report is due to be published in autumn 2013.

14. The accelerated report, published in July 2012 found that although the majority of victims of child sexual exploitation lived at home with their families, those in care were disproportionately represented. It was found that victims were more likely to be exploited if they were living in care homes than if they were in foster families.<sup>23</sup> The accelerated report made a number of recommendations:

- Government should undertake a thorough examination of residential care, including the profile of children, location and type of homes, recruitment, qualification and training of staff, and analyses of how local authorities are meeting their duties under the sufficiency requirements.
- A child's care plan should include a safety plan when the child/young person is at risk of or has experienced sexual exploitation. This should be based on a thorough assessment of need and explicitly address the risks the child faces, be negotiated with the child and engage family, supporting adults and, as appropriate, the police.
- Regulations should prohibit any child in care, or leaving care, from being placed in bed and breakfast accommodation.
- Monthly inspection visits to private children's homes should be by a person independent of the organisation running the home and appointed or approved by the local authority.
- Consideration should be given to current planning regulations in relation to children's homes to ensure that children's homes are not opened in areas that present a high risk to the children being placed, including checks on numbers of registered sex offenders in the area.
- Ofsted should be allowed to routinely share its information about the location of children's homes with the police.

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<sup>23</sup> Office of the Children's Commissioner, Accelerated report, *Briefing for the Rt Hon Michael Gove MP, Secretary of State for Education, on the emerging findings of the Office of the Children's Commissioner's Inquiry into Child Sexual Exploitation in Gangs and Groups, with a special focus on children in care*, July 2012, p40

- All references in Guidance and Regulation to ‘prostitution’ when speaking of children should be amended to ‘child sexual exploitation’.<sup>24</sup>
- The requirement for authorities to notify the area authority where a child is to be placed could be strengthened by requiring the placing authority to consult with the area authority to assist their assessment that the placement is the most appropriate placement available and that it will meet the child’s needs identified in the care plan. This would enable the placing authority to establish, for example, if there is known intelligence locally of sexual exploitation associated with the children’s home or local area.
- Consideration should be given, in the National Child Sexual Exploitation Action Plan, to the role of Local Safeguarding Children’s Boards in having oversight of:
  - (i) The relationships between police and local authority children’s homes in the local area, so that intelligence about groups of exploiters in the area and support to staff and young people can be provided
  - (ii) Children who go missing and children at risk of or who have experienced exploitation: ensuring analysis of information gathered through Runaway Children and Missing From Care (RCMFC) records.
- When children have run away from care, all return interviews should involve an independent person, preferably an advocate or trusted adult from outside the home. These should enable young people to talk about any concerns including about the home. The content should feed into local police intelligence about sexual exploitation. Police ‘safe and well’ interviews should be considered as well – with the young person’s agreement.
- A child’s Independent Reviewing Officer (IRO) should be informed when children run away and consider bringing forward the review. The IRO service should be informed about the pattern of absences or running away by children in care.<sup>25</sup>

15. The interim report, published in November 2012, found that at least 16,500 children were identified as being at risk of child sexual exploitation during one year and 2,409 children were confirmed as victims of sexual exploitation in gangs and groups during the 14-month period from August 2010 to October 2011, although it warned that the scale of abuse was likely to be much larger.<sup>26</sup> The report highlighted a number of issues, including the reluctance on the part of official agencies to share data, inconsistent recording of data,

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<sup>24</sup> For example Schedule 5 to the Children’s Homes Regulations 2001 (as amended by the Children’s Homes (Amendment) Regulations 2011).

<sup>25</sup> Office of the Children’s Commissioner, Accelerated report, p44

<sup>26</sup> Office of the Children’s Commissioner, Interim report, *“I thought I was the only one. The only one in the world”*, November 2012, p9

with different agencies using a range of methods across the country,<sup>27</sup> and worrying assumptions about the ability of many victims to ‘consent’ to their exploitation.<sup>28</sup> The report emphasised the need for all professionals who come into contact with children and young people—police, teachers, social services and health services—to be aware of the signs of sexual exploitation, for agencies to work co-operatively together, and for reliable intelligence-gathering and information-sharing between agencies.<sup>29</sup>

16. The interim report provides the clearest indication of the scale of child sexual exploitation. However, the Deputy Children’s Commissioner has emphasised that, due to a lack of response for requests for data from several local authorities and agencies, the estimate that 16,500 children were at risk of child sexual exploitation during one year, and 2,409 children were confirmed as victims of sexual exploitation in gangs and groups during the 14-month period from August 2010 to October 2011, needs to be reinforced by robust data gathering and may well turn out to be an understatement.<sup>30</sup> When talking about the scale of child sexual exploitation, Sue Berelowitz told us that “there is not a town, village or hamlet in which children are not being sexually exploited.”<sup>31</sup> It is obvious that child sexual exploitation is a large-scale, nationwide problem and evidence to the Committee indicates that it is increasing.<sup>32</sup> **Despite recent criminal cases laying bare the appalling cost paid by victims for past catastrophic multi agency failures, we believe that there are still places in the UK where victims of child sexual exploitation are being failed by statutory agencies. The police, social services and the Crown Prosecution Service must all bear responsibility for the way in which vulnerable children have been left unprotected by the system. The recent verdict in the Oxford trial demonstrates that contrary to ill-informed beliefs that localised grooming is a crime confined to Northern cities, in fact, no assumptions can be made about where child sexual exploitation takes place. This is a crime that can happen anywhere. Belatedly agencies have made positive steps to try and improve the situation but there is no doubt that both in terms of support for victims and prosecution of offenders, a postcode lottery still exists and agencies are still failing to work effectively together. 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.**

17. The Office of the Children’s Commissioner has the power to require statutory agencies to respond to its recommendations but no sanctions available to it should those recommendations fail to be implemented.<sup>33</sup> **We take this opportunity to record our gratitude to the Office of the Children’s Commissioner for its work in the area of child sexual exploitation and support all of the recommendations made as part of both the accelerated report and the interim report. We recommend that the Government**

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<sup>27</sup> Office of the Children’s Commissioner, Interim report, p11

<sup>28</sup> Ibid., p12

<sup>29</sup> Ibid., p16

<sup>30</sup> Q 672

<sup>31</sup> Q 134

<sup>32</sup> Qq 211, 251, 802, 850

<sup>33</sup> Qq 690-2

**publish a timetable for implementation of these recommendations which will ensure they are in operation by January 2014.**

18. In January 2013 the former Minister responsible for tackling child sexual exploitation, Tim Loughton MP, told our colleagues on the Education Committee that the child sexual exploitation agenda was not being implemented by the Department for Education and that he would have expected a number of measures such as data sharing to have been put into practice by now. He spoke about three working groups on child sexual exploitation that he established, none of which had produced any practical actions.<sup>34</sup> Sheila Taylor of the National Working Group noted that the current Minister, Edward Timpson MP, has a wider portfolio than his predecessor but emphasised that the commitment to work on the issue of the Department was obvious. However, she did highlight concerns around the impact on reductions in resources to agencies tackling child sexual exploitation.<sup>35</sup> The Minister explained that he had both gained and lost items from his predecessor's portfolio, so there was no overall expansion in the ministerial workload.<sup>36</sup> He also cited work which was currently ongoing to assist local authorities in reducing the impact of a decrease in resources.<sup>37</sup> **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. The failure of these cases has been both systemic and cultural. Rules and guidelines existed which were not followed. People employed as public servants appeared to lack human compassion when dealing with victims. Children have only one chance at childhood. For too long, victims of child sexual exploitation have been deprived of that childhood without society challenging their abusers. Such a situation must never happen again.**

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<sup>34</sup> Oral evidence taken before the Education Committee on 16 January 2013, HC (2012–13) 851-i, Q35 [Mr Loughton]

<sup>35</sup> Q 853

<sup>36</sup> Q 905

<sup>37</sup> Q 906

## 2 Role of official agencies

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### Children's Social Care

19. The accelerated report produced by the Office of the Children's Commissioner found that, while children in care account for a disproportionate number of children known to be sexually exploited, the majority of sexually exploited children are not in care.<sup>38</sup> However, children in residential care tend to be particularly vulnerable to sexual exploitation. This can in some cases be compounded by the fact that almost half of placements in care homes are outside the child's home local authority, distancing them from family and friends.<sup>39</sup> This susceptibility can be reinforced by professionals who may respond only to concerns about sexual behaviours, which can lead to victims perceiving that sex is a source of attention and all they are valued for.<sup>40</sup> The Office of the Children's Commissioner recommended that:

Government should undertake a thorough examination of residential care, including the profile of children, location and type of homes, recruitment, qualification and training of staff, and analyses of how local authorities are meeting their duties under the sufficiency requirements.<sup>41</sup>

The House of Commons Education Committee has also recommended that work be done on improving the care options for older children, recommending that the quality and suitability of provision for older children should be monitored as a standard part of Ofsted inspections.<sup>42</sup>

20. There has been a failure among care professionals to recognise the fact that some children are being exploited. Instead many professionals referred to them as being 'promiscuous', engaging in 'risky behaviour' or having 'consented' to sexual activity. The Office of the Children's Commissioner interim report listed a number of references to such behaviour that were included in submissions to their inquiry: the young person was "prostituting herself", "risk-fuelled", "sexually available" or even "asking for it".<sup>43</sup> Such an attitude was evident in the Rochdale case<sup>44</sup> and the NSPCC gave evidence on this subject, explaining that it had seen

professional networks getting groomed and hoodwinked into thinking that the girls and the young women are in some way complicit—are in some way agreeing to this abuse happening. Teenage girls, whether they be 12, 13, 14 or 15, cannot consent to

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<sup>38</sup> Office of the Children's Commissioner, Accelerated report, p9

<sup>39</sup> Ibid., p8

<sup>40</sup> Ev w2 [The End Violence Against Women Coalition]

<sup>41</sup> Office of the Children's Commissioner, Accelerated report, p44

<sup>42</sup> Education Committee, *Children first: the child protection system in England*, para 92

<sup>43</sup> Office of the Children's Commissioner, Interim report, p47

<sup>44</sup> Rochdale Borough Safeguarding Children Board, *Review of Multi-agency Responses to the sexual Exploitation of Children*, September 2012, p9

sexual abuse, to sexual activity, as indeed boys cannot either. I think that is the hurdle we still need to get over with some professionals.<sup>45</sup>

Following the Oxford convictions, some disturbing media reports demonstrated just how high this hurdle still is for some:

One [care professional] described a girl, 13, as ‘sexualised and dangerous’. The care worker, at an Oxfordshire County Council children’s home, said that the child was ‘glowing with hormones’ and ‘very confident about her body’s power and movement’. She ‘played the game well’ and was, he claimed, a danger ‘to male members of staff’. He was describing a girl who was 11 when she fell victim to men who for three years subjected her to relentless sexual barbarity.<sup>46</sup>

This is partly reinforced by the fact that in many cases, the children being sexually exploited believe that they are in a relationship with the person grooming them and so believe that any sexual activity is consensual.<sup>47</sup> At other times, the victims may believe that the sexual activity is consensual because they agreed to it under duress.<sup>48</sup> The legal definition of consent is set out in Part 1 of the Sexual Offences Act 2003—a person consents to sexual activity “if he or she agrees by choice and has the freedom and capacity to make that choice”.<sup>49</sup> Flawed understanding of the limits of children’s freedom and capacity to ‘consent’ to sexual activity is something of a recurring theme in these cases.

21. The Office of the Children’s Commissioner has commissioned The Child and Women Abuse Studies Unit (CWASU) at London Metropolitan University to conduct a study into young people’s understanding of consent to sexual activity and how this shapes their expectations, choices and experiences and “will present full findings and recommendations on the issue of consent” as part of the Inquiry’s final report.<sup>50</sup> We would also like to highlight the EastEnders storyline of Whitney Dean being sexually exploited by her ‘boyfriend’ as helping to raise awareness of the issue. The storyline, which was developed in conjunction with Comic Relief to help victims of sexual exploitation, drew heavily on the experiences of young women who had been sexually exploited, including one of our witnesses, Emma Jackson.<sup>51</sup> The then Minister Tim Loughton told us that

it succeeded in bringing into everybody’s front room the reality that this stuff happens and it could be happening in your street, in your town, in your workplace, involving a relative or a work colleague. We must get the message across to everybody that it is up to all of us to be more vigilant and understanding and remember these girls, and some boys, are victims, they are not the perpetrators.

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<sup>45</sup> Q 188

<sup>46</sup> *The Times*, Failure to join the dots led to Oxford victims’ continued abuse, 15 May 2013

<sup>47</sup> Qq 68, 286

<sup>48</sup> Q 479

<sup>49</sup> Section 74, Sexual Offences Act 2003

<sup>50</sup> Office of the Children’s Commissioner, Interim report, p48

<sup>51</sup> <http://www.bbc.co.uk/blogs/eastenders/2011/01/comicrelief.shtml>

Some of them think they have brought it on themselves and we need to make it clear that they haven't.<sup>52</sup>

And the current Minister, Edward Timpson, stressed the importance of professionals having a clear understanding of what consent meant:

Children cannot consent to something that they either do not understand or, in law, they are not able to consent to. ... I think there is an important role at local level, through local safeguarding children boards, and also in the health service, to demonstrate that they understand at every stage what consent means. But we also have a responsibility to continue to push home the message that it is just not acceptable to expect children to consent in circumstances where it is beyond any stretch of the imagination that we would expect them to be able to do so.

**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 residential care by January 2014.**

**22. 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. Assumptions about 'consent' must be challenged—it should be the fundamental, working assumption of all frontline staff working with children and young people that sexual relations between an adult and a child under the legal age of consent are non-consensual, unlawful and wrong. Directors of Childrens Social care must ensure that they have received adequate training on the issue of child sexual exploitation. They must also take full responsibility for the failure of their department if it does not protect vulnerable children, no matter what they knew. It is their personal responsibility to find out what is taking place in their department.**

23. The Howard League for Penal Reform report found that sexually exploited girls will usually be economically and socially marginalised, often not in school, training or employment. They will spend a lot of time hanging out in parks, in or around fast food restaurants or taxi offices, and wandering the streets.<sup>53</sup> This means that they may be visible not only to police but also to other council employees. **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.**

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<sup>52</sup> Q 162

<sup>53</sup> Howard League for Penal Reform, *Out of place: The policing and criminalisation of sexually exploited girls and young women*, p24



24. Another of the ways which councils can tackle child sexual exploitation is through their licensing boards. As mentioned previously, grooming has taken place at fast food restaurants or taxi offices if only because vulnerable youngsters might be prone to coming in to contact with such places. Both of these premises are regulated by licensing boards set up by the local authority. Representatives of both Rochdale and Rotherham Councils told us of the importance of having an exchange of information between the Children's Social Care (or equivalent) department and the licensing board so that action could be taken if there was a concern around an individual or a location.<sup>54</sup> **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.**

25. Running away or going missing from home or care is a key indicator that a young person may be being groomed for sexual exploitation. It is therefore recommended good practice that, upon return, a 'return interview' is carried out to understand why the young person went missing.<sup>55</sup> Usually, this interview will be conducted by an independent professional, often associated with a voluntary sector organisation, whom the child is comfortable speaking with. The interview is useful not only for identifying the most effective type of follow-up support the child should receive but can also be a very useful tool for social services and police to collect intelligence about perpetrators and locations where grooming might be taking place.

26. We asked the Department for Education whether return interviews were taking place as per the guidance. The data are not collected centrally, but they highlighted an Ofsted report from February 2013 which indicated that return interviews were taking place in just over a fifth of cases.<sup>56</sup> Information from Freedom of Information requests made by the Children's Society in January 2012 with local authorities found that 74 out of 152 did not provide figures for the number of return interviews runaway children received. These figures demonstrate that that return interviews are not carried out as standard.<sup>57</sup> **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.**

### ***Scrutiny of Children's Social Care departments***

27. One of the ways that local authorities are held to account is by the Local Safeguarding Children's Board, which were set up under the Children's Act 2004. Representatives from Children's Social Care, the Police and NHS all sit on the Board, which is designed to co-

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<sup>54</sup> Qq 38, 719

<sup>55</sup> Q 912

<sup>56</sup> Ev 143

<sup>57</sup> Ev 171

ordinate the safeguarding and promotion of welfare of children within the local authority and to scrutinise the effectiveness of and assure the quality of work done by each of the agencies represented on the Board.<sup>58</sup> As well as co-ordinating between and scrutinising the work of agencies, the LSCB is responsible for providing safeguarding training, undertaking serious case reviews and publishing an annual report on the effectiveness of safeguarding in the local area.<sup>59</sup>

28. Guidance produced by the Department for Children, Schools and Families required that LSCBs put in place systems to monitor prevalence and responses to child sexual exploitation within their area. However, the June 2011 thematic assessment from CEOP noted that many LSCBs did not collate data in such a way as to give a picture of the extent and nature of child sexual exploitation in a local area.<sup>60</sup> In October 2011, the University of Bedfordshire published research which found that

- only a quarter of LSCBs in England were implementing the DCSF 2009 guidance appropriately;
- just over one third (38 of 100) of the LSCBs who responded to the survey had a sub group in place addressing sexual exploitation and a specialist project providing services for young people; and
- data collection and monitoring was piecemeal and inadequate.<sup>61</sup>

CEOP told us that by April 2012, the situation was improving with almost two thirds of local authorities are developing action plans for child sexual exploitation<sup>62</sup> and the University of Bedfordshire has now developed a data collecting tool for LSCBs in order to improve data collection and sharing amongst local agencies.<sup>63</sup> The interim report by the Office of the Children's Commissioner made some specific recommendations to LSCBs including that each board should use the data collection tool to co-ordinate their own audit of child sexual exploitation based on the list of warning signs and vulnerabilities produced as part of the interim report.<sup>64</sup>

29. The interim report also contained a recommendation that all agencies should adopt an agreed method for recording the ethnicity, sexual orientation and disability of victims and perpetrators of child sexual exploitation.<sup>65</sup> This is particularly important because comparable data is vital to understanding the extent and nature of child sexual exploitation across the country. We heard from DCS Doyle of Greater Manchester Police about some of the challenges involved.

<sup>58</sup> Children Act 2004, Part 2, Section 14

<sup>59</sup> <http://www.education.gov.uk/childrenandyoungpeople/safeguardingchildren/protection/b00219380/lscb>

<sup>60</sup> Child Exploitation and Online Protection Centre, *Out of Sight, Out of Mind*, p8

<sup>61</sup> <http://www.beds.ac.uk/news/2011/october/exploitationstudy>

<sup>62</sup> Ev 111

<sup>63</sup> Q 897

<sup>64</sup> Office of the Children's Commissioner, Interim report, p110

<sup>65</sup> *Ibid.*, p110

the challenge for Greater Manchester is that there are 10 [LCSBs]. We sit on all of them. They are effective to a greater or lesser degree—some of them are not as effective as they should be; some of them are quite effective. In addition, we have established over the past few years a pan-GMP Safeguarding Children’s Board, which sits with representatives from all the local authority areas, and that has been quite successful in driving a joined-up, structured pan-GMP agenda. In the last 12 months, we have done a lot of work with that group around CSE in particular, looking to standardise the structures and processes across all 10 local authority areas so that we can achieve some consistency of approach and the promulgation of good practice.<sup>66</sup>

30. The Minister noted that although as a whole the performance of LSCBs on child sexual exploitation had improved, there was still inconsistency in the response of Boards on the issue.<sup>67</sup> When we asked whether each LSCB ought to have its own child sexual exploitation co-ordinator, he told us that instead, each of the eight regions of LSCBs was appointing someone to lead on child sexual exploitation.<sup>68</sup> The North West region (of which all of the local authorities in the Greater Manchester Police area are part) is the second largest region and comprises 23 LSCBs. Given that Greater Manchester Police have struggled to achieve consistency in data collection and strategic response from 10 LSCBs we are concerned that a co-ordinator working to ensure consistency among 23 LSCBs may not succeed.

31. CEOP told us that Ofsted have also agreed to develop a joint framework with partners for multi-agency inspection of services for the protection of children in local authority areas which is likely to be implemented in 2013–14. This will allow independent scrutiny of multi-agency working practices of local authorities.

**32. 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.**

**33. Every Local Safeguarding Children’s 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.**

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<sup>66</sup> Q 471

<sup>67</sup> Q 901

<sup>68</sup> Q 899

34. LSCBs also have a duty to undertake serious case reviews where a child has been killed or seriously harmed, and abuse or neglect is known or suspected, such as the grooming cases discussed above.<sup>69</sup> The LSCB is then required to publish the overview and executive summary of the serious case review “unless there are compelling reasons relating to the welfare of any children directly concerned in the case for this not to happen.”<sup>70</sup> The full report can also be published with redactions made to protect the privacy of the victims or their families.

35. In October 2010, the body of a 17-year-old girl, known as Child S, who had sustained multiple stab wounds, was found by police in a canal in South Yorkshire. The subsequent serious case review recorded that Child S, who was considered to be at risk of child sexual exploitation from 2004,<sup>71</sup> was known to have been sexually active at the age of thirteen, had a four-month-old child of her own<sup>72</sup> and had been considered as a possible victim in an investigation into child sexual exploitation.<sup>73</sup> The serious case review found that despite these long term concerns about child sexual exploitation, the issue was never properly tackled and that Child S never fully engaged with Children’s Social Care Services.<sup>74</sup> The case caused further controversy when it emerged that redactions had been made to the report which seemed to be protective of the official agencies involved in her case. Andrew Norfolk, who received a leaked, unredacted copy of the report, noted that as well as a reference to Asian men being involved in her possible exploitation, the LSCB had redacted details including the link between her murder and her potential involvement in sexual exploitation and that many of the indicators that a child is being groomed for sexual exploitation “were apparent in the case of Child S”.<sup>75</sup>

36. When we took evidence from Rotherham’s Director of Children’s and Young People’s Services, Joyce Thacker, she denied that the council had tried to cover anything up and in reference to the press report of redactions to the serious case review of Child S she stated

It was our right as the Safeguarding Children Board to have a redacted version. That is what we published.<sup>76</sup>

However, we are concerned that the LSCB appears to have been protecting rather than scrutinising its members. Our concerns are not allayed by a conclusion from the 2012 Ofsted inspection of Rotherham which found that

At a senior management level the responsibility and accountability for child protection are insufficiently shared and there is a lack of effective professional

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<sup>69</sup> <http://www.education.gov.uk/childrenandyoungpeople/safeguardingchildren/protection/b00219380/lscb>

<sup>70</sup> <http://www.education.gov.uk/childrenandyoungpeople/safeguardingchildren/reviews/a0068869/scrs>

<sup>71</sup> Rotherham Local Safeguarding Children Board, *Serious Case Review Overview Report in respect of Child S*, April 2011, p53

<sup>72</sup> Rotherham Local Safeguarding Children Board, *Serious Case Review Overview Report in respect of Child S*, p81

<sup>73</sup> *Ibid.*, p40-41.

<sup>74</sup> *Ibid.*, p53

<sup>75</sup> <http://www.thetimes.co.uk/tto/news/uk/article3437973.ece>

<sup>76</sup> Q 716

challenge to senior management on operational and practice issues by the [Rotherham Local Safeguarding Children's Board]<sup>77</sup>

**37. 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.**

### ***Rochdale and Rotherham***

38. During the inquiry we have taken evidence on the response of local authorities to child sexual exploitation with a focus on children's social care in Rochdale and Rotherham Metropolitan Borough councils. There have been high profile trials in both areas — Operation Central in Rotherham, in which five men were convicted of offences relating to localised grooming and child sexual exploitation in 2010, and Operation Span in Rochdale, in which nine men were convicted of offences relating to localised grooming and child sexual exploitation in 2012.

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<sup>77</sup> Ofsted, *Inspection of local authority arrangements for the protection of children, Metropolitan Borough of Rotherham*, August 2012, p14

39. Emma Jackson, a victim of localised grooming in Rotherham,<sup>78</sup> was scathing about her involvement with Rotherham Council during the period she was subject to child sexual exploitation. Having been approached by her parents for help, both she and her father are adamant that they were not in the least bit supportive. Emma described one conversation with her social worker:

My social worker just seemed not to even be on this planet. It was like she did not have an opinion at all on anything. In fact, she gave one bit of advice, and that was that these men had said I owed them £500 for alcohol and drugs and they would have to come and kidnap me and take me away for a few days so I could pay my debt off. The social worker advised my parents to meet the men and pay them £500.<sup>79</sup>

She told us that, several months later, social services closed her case as she came from a supportive family.<sup>80</sup>

40. When we took evidence from Rotherham Council, they did not accept that there had been serious failings in the Council's response in the past, although they were at pains to highlight the improvement on work which they had done on child sexual exploitation. Joyce Thacker, Strategic Director of Children and Young People's Services told us

I do not think I would fully accept that we have failed dismally to deal with the issue. I think there are some historical issues here that we have managed over time to have an improved service.<sup>81</sup>

Martin Kimber, the Council's Chief Executive, told us that the Council had recently adopted multi-agency working, to improve intelligence and the responses to sexual exploitation; to assist with early identification; to assist with issues of making sure we can protect victims effectively, and to create the right conditions to allow proper disclosure and evidence-gathering.<sup>82</sup>

41. Mr Kimber said that Ofsted had recently commended the improvements made in Rotherham Council's response to child sexual exploitation.<sup>83</sup> Ms Thacker emphasised that her priority was prevention of child sexual exploitation,<sup>84</sup> however according to Emma Jackson the response of the Council is still lacking and child sexual exploitation is still occurring in Rotherham.<sup>85</sup> Emma Jackson's father, who had previously been a lay member on the Rotherham Local Safeguarding Children's Board, disputed a number of points put forward by Mr Kimber and told us that although a child sexual exploitation sub-group had been set up, it had not met for nine months.<sup>86</sup> In fact, Mr Jackson was so disheartened by

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<sup>78</sup> Emma Jackson is a pseudonym.

<sup>79</sup> Q 778

<sup>80</sup> Q 780

<sup>81</sup> Q 711

<sup>82</sup> Q 727

<sup>83</sup> Q 742

<sup>84</sup> Q 712

<sup>85</sup> Q 773

<sup>86</sup> Q 792

the lack of work being done on child sexual exploitation that he had approached the Mayor to complain about the lack of action being taken.<sup>87</sup>

42. We were also concerned that Ms Thacker, who has many years' experience of working to tackle child sexual exploitation in a number of areas, told us that in her opinion "prosecution is the icing on the cake."<sup>88</sup> Whilst we agree that prevention is the key to tackling sexual exploitation, the view that because convictions are difficult to achieve, they should not be a focus of child protection work is unhelpful. As Steve Garner of Rochdale Council told us, the decision of the Crown Prosecution Service not to prosecute the case in 2009 "made Children's Social Care and other colleagues think that some of these people they believed to be perpetrators had become untouchable."<sup>89</sup> The fact that senior Council officers see the prosecution of child-sex offenders as being of secondary importance might, in part, explain why so few prosecutions have taken place in Rotherham.

43. Sara Rowbotham of the Rochdale Crisis Intervention Team is adamant that the problem of child sexual exploitation in Rochdale was evident as far back as 2004 when the Crisis Intervention Team was established to reduce the rate of teenage pregnancies in the borough. She told us that she had at that time made it very clear to child protective services that vulnerable young people were being coerced in to group sexual activity, but no action was taken.<sup>90</sup>

44. The Rochdale Sexual Exploitation Working Group, which was set up in 2007 to gather and analyse information about the scale of localised grooming in the borough, identified a number of victims and collated information which led to the prosecution of three perpetrators.<sup>91</sup> In June 2008, the Steering Group, which advised the Safeguarding Board about the Working Group's findings, recommended that a multi-agency team (known as a "safeguarding hub") be set up as a matter of urgency to address the weakness of the uncoordinated response to child sexual exploitation. Due to various issues around funding and staffing, the multi-agency team did not become fully operational until January 2010.<sup>92</sup>

45. In August 2008, a girl was arrested following an altercation at a takeaway. During the subsequent interview by police, she disclosed that one of the workers had raped her. She told the officers that she had been raped on multiple occasions and coerced in to sexual activity with a wide range of men. She provided them with her underwear, which contained DNA evidence, and was interviewed a further three times before the case was sent to the Crown Prosecution Service. The CPS decided that the girl was not a credible witness, and that a prosecution should not be pursued.<sup>93</sup> In December 2010, Operation Span was launched by the Greater Manchester Police and evidence was collected which

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<sup>87</sup> Q 798

<sup>88</sup> Q 712

<sup>89</sup> Q 535

<sup>90</sup> Q 262

<sup>91</sup> Rochdale Borough Safeguarding Children Board, *Review of Multi-agency Responses to the sexual Exploitation of Children*, p9

<sup>92</sup> Rochdale Borough Safeguarding Children Board, *Review of Multi-agency Responses to the sexual Exploitation of Children*, p13

<sup>93</sup> *Manchester Evening News*, Yawning cop who seemed to sum up how the girls were not taken seriously. Tribute to bravery of the girls who were persuaded to talk, May 9, 2012; Heywood MP Jim Dobbin says victims of the grooming gang were let down by the authorities, May 17, 2012

indicated a large number of victims and perpetrators were involved in child sexual exploitation in Rochdale. Following the successful prosecution in May 2012, Rochdale Borough Safeguarding Children's Board announced a review of multi-agency responses to the sexual exploitation of children.<sup>94</sup>

46. The review found that social services failed to act effectively in 50 cases of children who were identified as being at risk of grooming by the Working Group. Case files relating to these children often referred to them as 'making their own choices' and engaging in 'consensual sexual activity'. Despite the fact that the abuse was linked to local take-aways and taxi companies, there was little evidence of disruption tactics, such as the involvement of the licensing authority, being used.<sup>95</sup> The review concluded that

Agencies and organisations in Rochdale made faltering early progress in developing a satisfactory framework for managing allegations of child sexual exploitation. The need for a specialist resource was identified in 2008, but its development was inadequately co-ordinated and supported. Specific training to frontline practitioners in the borough was patchy and lessons were absorbed inconsistently. Efforts were made to identify the extent of the problem locally, but responses to individual children, although evident in some instances, were not sufficiently comprehensive.

In children's social care, as in similar organisations across the country, the focus was on younger children at risk of abuse from family and household members, rather than on vulnerable adolescents. ... Although between 2009 and 2012, some improvements had been consolidated; overall, the review group acknowledged that there were many missed opportunities, over the last five years, to safeguard children and young people who have been affected by sexual exploitation.<sup>96</sup>

47. As part of the review, several of the victims of child sexual exploitation were interviewed following the May 2012 trial. They described how perpetrators had told them that they were 'prostitutes', which was a crime, and no one would believe them if they complained. The victims all told the interviewer that they felt they had been let down by children's social care and the police who hadn't listened to them.<sup>97</sup> Sara Rowbotham gave us her view of why children's social care had failed these victims.

It was attitudes towards teenagers; it was absolute disrespect that vulnerable young people did not have a voice. They were overlooked. They were discriminated against. They were treated appallingly by protective services.<sup>98</sup>

48. Roger Ellis, who was Chief Executive of the Council for 12 years, told us that the first he had heard of the issues around child sexual exploitation in Rochdale was in 2010 following arrests which had been made in December as part of Operation Span.<sup>99</sup> Although he deeply

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<sup>94</sup> Rochdale Borough Safeguarding Children Board, *Review of Multi-agency Responses to the sexual Exploitation of Children*, p2

<sup>95</sup> *Ibid.*, p9

<sup>96</sup> *Ibid.*, p19-20

<sup>97</sup> Rochdale Borough Safeguarding Children Board, *Review of Multi-agency Responses to the sexual Exploitation of Children*, p28

<sup>98</sup> Q 281

<sup>99</sup> Q 345



regretted what had happened, he felt that “with the benefit of the information that was available to me, I do not think there was anything I could have done.”<sup>100</sup> Mr Ellis said that he had a policy of “no surprises”:

The instruction, throughout the organisation was, if there is anything of significance, of controversy, a difficulty going on, I want to be told about it.<sup>101</sup>

Despite these arrangements, he maintained that he was not told about the issue of child sexual exploitation and had not been aware of the 2007 Sexual Exploitation Working Group or the prosecutions which had resulted from its work.<sup>102</sup> This is perhaps not surprising given Roger Ellis only met with his directors of services and gathered performance data about their departments on a quarterly basis.<sup>103</sup>

49. Steve Garner, who worked in Rochdale Social Services for 11 years and was the Assistant Director for Children’s Social Care between October 2009 and October 2012, told us that he was also unaware of the scale of the issue of child sexual exploitation until the 2010 arrests.<sup>104</sup> Although he was aware of individual cases, having not been involved in the working group which had been set up by his predecessor, Steve Titcombe (who in October 2009 was also his manager), he suggested that the department were not aware of the “full magnitude” of the case.<sup>105</sup> Cheryl Eastwood, who became Director of Children’s Services in March 2010 (her first role at the local authority) told us that she had been aware of the issue from the start of her tenure, but that the problem in Rochdale was no worse than in other comparable local authority areas.<sup>106</sup>

50. Ms Eastwood also told us that Mr Ellis would have been aware of the issue although individual cases would not have been discussed until prosecutions started to happen.<sup>107</sup>

Mr Ellis was aware that there was a specialist team, that that included police officers, social care workers and health professionals, that they were investigating child sexual exploitation, and that it was an issue in the town.<sup>108</sup>

However, she supported his statement that that he would have been told at the point of the arrests.<sup>109</sup> According to the review by the Rochdale Borough Safeguarding Children’s Board, the specialist team (the Sunrise Team) became operational in January 2010 and in its first progress report in May 2010 it identified 79 children at risk of or experiencing sexual exploitation.<sup>110</sup> According to the same review, Operation Span was launched in

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<sup>100</sup> Q 359

<sup>101</sup> Q 341

<sup>102</sup> Qq 364-5, 434

<sup>103</sup> Q341

<sup>104</sup> Q 495

<sup>105</sup> Q 496

<sup>106</sup> Q 569

<sup>107</sup> Q 578

<sup>108</sup> Q 576

<sup>109</sup> Q 580

<sup>110</sup> Rochdale Borough Safeguarding Children Board, *Review of Multi-agency Responses to the sexual Exploitation of Children*, p13

December 2010<sup>111</sup> and the men who were prosecuted as part of Operation Span were charged in June 2011.<sup>112</sup> Given that it would seem that the first progress report of the Sunrise Team in May 2010 was a significant event in understanding the scale of the issue, it is surprising that Roger Ellis was apparently not briefed at the time, given his “no surprises” policy.<sup>113</sup>

51. Jim Taylor, who became Chief Executive in May 2012, commissioned an internal review of practices following the convictions. It was announced in November that, as a result of this review, a number of workers were being investigated.<sup>114</sup> The November 2012 Ofsted report on Children’s Social Care in Rochdale welcomed this step, noting that

The appointment of a new Chief Executive to the local authority in May 2012 and the very recent appointment of an interim [Director of Children’s Services] and Assistant Director of Targeted Services are beginning to drive improvement forward within the local authority and engage with partner agencies to coordinate the strategic delivery of services. However, this is very recent in origin. Swift and effective action has been taken by these new senior managers to assure themselves that children are protected. ... Internal investigations into historical practice around child sexual exploitation have been commissioned by the Chief Executive. Robust action has been taken jointly with human resources where current practice is of concern.<sup>115</sup>

### *Timeline of events in Rochdale*

<b>2007</b>	
<i>Action</i>	<i>Outcome</i>
Formation of Sexual Exploitation Working Group	Identified 50 children at risk of child sexual exploitation Clear links identified to takeaways and taxi companies Three perpetrators prosecuted
Formation of Sexual Exploitation Steering Group	
<b>2008</b>	
Rochdale Borough Children’s Safeguarding Board develops its own multi-agency Child Sexual Exploitation protocols	These protocols were not monitored to ensure implementation
Sexual Exploitation Steering Group reports to RBSCB	Decision to establish a multi-agency team (Sunrise) although funding for a social worker and health worker is not allocated until December 2008.

<sup>111</sup> Rochdale Borough Safeguarding Children Board, *Review of Multi-agency Responses to the sexual Exploitation of Children*, p2

<sup>112</sup> <http://www.bbc.co.uk/news/uk-england-manchester-13694250>

<sup>113</sup> Q 341

<sup>114</sup> <http://www.bbc.co.uk/news/uk-england-manchester-20486276>

<sup>115</sup> Ofsted, *Inspection of local authority arrangements for the protection of children, Rochdale Metropolitan Borough Council*, December 2012, p12

Crisis Intervention Team makes a number of referrals to Children's Social Care regarding children at risk of sexual exploitation	Cases were dealt with an individual basis meaning that no pattern of exploitation emerged. Older children were regarded as 'making their own choices'
Primary witness in May 2012 trial arrested. She informs police she has been subject to sexual exploitation on a number of occasions and by a number of different men	

<b>2009</b>	
Investigation in to allegations of child sexual exploitation against a number of males by primary witness in May 2012 trial is halted when the CPS refuses to press charges due to a number of factors including the belief that the witness would not be seen as credible by a jury.	
Health worker and police officer appointed to Sunrise team.	Social worker yet to be recruited

<b>2010</b>	
Sunrise team becomes operational	In its first progress report, the team identifies 79 children who are subject to or at risk of child sexual exploitation
Operation Span is launched	Police officers submit a report on the perceived pattern of child sexual exploitation in Rochdale to Children's Social Care as part of their inquiry
Arrests are made as part of Operation Span	Chief Executive of Rochdale Borough Council is informed of the scale of child sexual exploitation in Rochdale

<b>2011</b>	
Regular meetings begin to be held between the licensing authority, the police and the Sunrise team	Premises suspected of being associated with the sexual exploitation of children identified. Checks also carried out on taxi drivers found near local schools.
A number of men charged with sexual offences relating to exploitation of children from the Rochdale area	
Rochdale Borough Safeguarding Children's Board establishes a Child Sexual Exploitation Strategy Group	

<b>2012</b>	
Following an increase in funding, more staff provided to the Sunrise Team	Senior Social Work practitioner and team co-ordinator appointed
Nine men convicted of child sexual exploitation offences following trial held at Liverpool Crown Court	

Roger Ellis leaves Council	
Jim Taylor takes over as Chief Executive	Orders a review in to why children subject to or at risk of sexual exploitation were not identified earlier

*Compiled by Committee staff*

52. Sara Rowbotham agreed that there had been a change in the way that the local authority dealt with child sexual exploitation. A change in system and procedures meant that there were indications that lessons had been learnt and the response was more effective. However, she was concerned that more prevention work needed to be done.<sup>116</sup> This was echoed by Ofsted, who found that the Sunrise team was

making a difference to reducing risks and providing good support for individual children. Joint working and intelligence-sharing were described as effective, with a proactive response to adults who may pose a risk to children. ... There are still gaps in the operation of the Sunrise team in key areas such as dedicated support for schools and links with the youth service to target and improve the rate of reaching young people exhibiting risk taking behaviours early.<sup>117</sup>

Both Sara Rowbotham and Cheryl Eastwood noted that there had been a significant change in the attitudes around consenting to sexual activity, highlighted as a problem in the Rochdale Borough Safeguarding Children's Board.<sup>118</sup> **Prevention and early intervention in cases of children at risk of sexual exploitation is essential rather than trying to resolve the situation once the exploitation has started. 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.**

### *The need for 'professional curiosity'.*

53. The lack of curiosity about localised grooming and its manifestations shown by all official agencies has been a running theme in our inquiry. We have been told that in the cases of Rotherham and Rochdale, professionals did not recognise the existence of the exploitation, were not aware of the scale of the abuse, were not sharing information that, had it been brought together in one place, would have disclosed a pattern of widespread abuse. This is partly due to the assumptions around the fact that victims were engaging in consensual relationships and the inability to engage with the victims. There is evidence of this throughout the serious case review which examined the case of Child S in Rotherham

<sup>116</sup> Qq 272-3

<sup>117</sup> Ofsted, *Inspection of local authority arrangements for the protection of children, Rochdale Metropolitan Borough Council*, p10

<sup>118</sup> Qq 321, 588

and found that few services actually saw, observed and heard Child S as the highly vulnerable child she was, and whom, society had a responsibility to protect.<sup>119</sup> There were similar attitudes seen in the Rochdale case, where the victims were not taken seriously and were not protected by those who had a responsibility to do so.<sup>120</sup> The author of the Child S serious case review concluded that

Rotherham Children and Young People's Services has already put in place many initiatives that should reduce the risk of this happening again. However, the changes will require determination and commitment not only from policy makers and leaders, but also from every practitioner, if they are going to be successful.<sup>121</sup>

54. Whilst we do not doubt that Rotherham has improved the way that its services are co-ordinated as regards child sexual exploitation, we question whether they are more concerned with defending their record than with ensuring that an effective response is provided by all official agencies across the borough. In contrast, we wish to commend Jim Taylor in Rochdale for his decision to face the situation head on and establish what failings took place within the Children's Social Care department to address poor practices by staff, a decision that was welcomed by Ofsted.<sup>122</sup> As regards his predecessor, Roger Ellis, we wish to make clear that we are astounded by his lack of knowledge regarding the extent of child sexual exploitation prior to a series of arrests which took place in 2010. The fact that he was unaware of a working group, a steering group and the establishment of a multi-agency team, all dedicated to child sexual exploitation within the borough indicates a lack of communication within the senior levels of the authority. We are also surprised that Steve Garner was unaware of the working group due to the fact it had been set up by his predecessor, a man who was also his line manager. One can only conclude it was either simply indifference to what was happening on their watch, or more likely a desire for a quiet life.

**55. Both Rochdale and Rotherham Councils were inexcusably slow to realise that the widespread, organised sexual abuse of children, many of them in the care of the local authority, was taking place on their doorstep. This is due in large part to a woeful lack of professional curiosity or indifference, from the council Chief Executive who claims to have known nothing about the problem during his first decade in post, to the Director of Children's Services who saw prosecution of sex offenders as a desirable but ancillary goal, through the Local Safeguarding Children's Board which tried to suppress criticisms in a Serious Case Review, to the individual practitioners who, in a chilling confirmation of the abusers' blackmail and threats, dismissed the victims—children as young as 12—as 'prostitutes'. That it took so long for anybody, at any level from the Chief Executive downward, to look at reports of young girls with multiple, middle-aged 'boyfriends', hanging around takeaways, drinking and taking drugs, and to think that it might be worth investigating further, is shocking. Because of the widespread publicity, not least due to the investigative journalism of Andrew Norfolk**

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<sup>119</sup> Rotherham Local Safeguarding Children Board, *Serious Case Review in respect of Child S*, Executive Summary, p13

<sup>120</sup> Q 281

<sup>121</sup> Rotherham Local Safeguarding Children Board, *Serious Case Review in respect of Child S*, Executive Summary, p13

<sup>122</sup> Ofsted, *Inspection of local authority arrangements for the protection of children, Rochdale Metropolitan Borough Council*, p12

in *The Times* and the subsequent public outrage, both 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.

56. When victims such as Emma Jackson approached the authorities for help, many were treated in an appalling manner. Even reports by frontline health workers were ignored. It is no excuse for Rochdale and Rotherham managers to say they had no knowledge of what was taking place, as they are ultimately responsible and must be held accountable for the appalling consequences of their lack of curiosity. Early retirement or resignation for other reasons should not allow them to evade responsibility and they must be held to account. In particular, we are deeply shocked by Roger Ellis' receiving £76,798.20 in redundancy payout. He should be required to repay it. Despite improvements in their response to child sexual exploitation, we remain concerned by the actions of both councils. Rotherham in particular has failed to secure any prosecutions since 2010 and we are doubtful about whether the child sexual exploitation training and working group meetings are actually taking place. We therefore 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.

## The Criminal Justice System

57. It is widely acknowledged that the criminal justice system has failed to adequately protect and support victims of localised grooming and child sexual exploitation. Clearly it is right and necessary for prosecutors to weigh the strengths and weaknesses of a case before taking it to court and it is not in anyone's interest to take pursue cases that have no prospect of success. However, as the Director of Public Prosecution has acknowledged, until recently the CPS approach to credibility of victims of child sexual exploitation as witnesses was inappropriately cautious and risked leaving the whole category of child sexual exploitation victims unprotected by the criminal justice system. This was because the standard CPS test for credibility would, if unadjusted, almost always find against a child sexual exploitation victim. This was based partly on victims' prior history of involvement with the police and social services and partly on internal inconsistencies in their accounts, some of which were a result of substance misuse initiated by the groomer.<sup>123</sup> The confusion about whether or not these children were 'consenting' to sexual activity (though the law clearly says that they cannot) was also a factor which influenced police decisions.<sup>124</sup>

58. There is no doubt that in the past, police forces were not taking the right approach towards cases of localised grooming and child sexual exploitation. We have received evidence that Greater Manchester Police were working on an investigation as far back as 2004 into the grooming of 26 girls who had, at some point, lived in Manchester care homes. A report on the investigation shows that the police had identified a number of hallmarks of localised grooming including the fact that victims often came from a dysfunctional background; victims were often repeatedly reporting missing from home; victims often truanted school, and: victims perceived offenders to be their 'boyfriend' who would ask them to perform sexual acts with their friends as a 'favour'. Despite victims willing to engage with the police and officers having the names of 208 suspected offenders, nobody was charged with serious sexual offences as a result of this investigation. Despite this knowledge being accrued within the force, nobody was prosecuted for offences relating to localised grooming until 2012.

59. There are some similarities between the cases of localised grooming and the historical abuse by Jimmy Savile, Stuart Hall, and possibly others, which is being investigated by Operation Yewtree: complaints were not acted on, fuelling the offenders' sense of impunity, and the abuse which therefore escalated to a horrific scale with dozens, if not hundreds of victims. HM Inspectorate of Constabulary carried out a review of the police knowledge of and historical response to the offending behaviour of Jimmy Savile, in which they noted that young victims are often let down by the Criminal Justice System.<sup>125</sup> In 2013, HMIC intends to carry out a review of child sexual abuse and sexual exploitation which will focus on the adequacy of current processes and practices in police forces.<sup>126</sup> The Director of Public Prosecution, who also ordered an inquiry in to the Crown Prosecution

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<sup>123</sup> Q 589; Oral evidence taken before the Home Affairs Committee on 13 November 2012, HC (2012–13) 494-iv, Q193 [Keir Starmer QC]; Qq 876–7

<sup>124</sup> Howard League for Penal Reform, *Out of place: The policing and criminalisation of sexually exploited girls and young women*

<sup>125</sup> Her Majesty's Inspectorate of Constabulary, *"Mistakes were made.", HMIC's review into allegations and intelligence material concerning Jimmy Savile between 1964 and 2012*, March 2013, p55

<sup>126</sup> HC Deb, 12 March 2013, c7WS

Service's role in the Jimmy Savile affair, compared the case to that of the Rochdale 2012 convictions and noted that these cases must become a watershed moment for the criminal justice system.<sup>127</sup>

60. In order to improve the prosecution of sexual offences, the CPS have introduced specially trained and accredited rape prosecutors and announced its intention that every CPS region will have a dedicated Rape and Serious Sexual Offences Unit embedded in its Crown Court team. There are now also specialist coordinators across the CPS for rape cases and also for child sexual assault cases.<sup>128</sup> In a speech in March 2013, the Director of Public Prosecution admitted that the approach taken by the criminal justice system had failed the victims of child sexual exploitation in the past.

If the credibility and reliability of the victims of exploitation in Rochdale were tested solely by asking questions such as whether they reported their abuse swiftly, whether they returned to the perpetrators, whether they had ever told untruths in the past, and whether their accounts were unaffected by drink or drugs, the answers would almost always result in a decision not to prosecute.<sup>129</sup>

In the speech, the DPP announced several new measures to combat previous failings. The measures include a new national policy and guidance for police and CPS which will be drawn up by the College of Policing and a training package prepared delivering practical advice and guidance to front line police and prosecutors dealing with child sexual exploitation cases.<sup>130</sup>

61. It is hoped that such measures will avoid a repeat of the events in the Rochdale 2012 case where the Crown Prosecution Service originally declined to prosecute in 2009 because they did not find the witness 'reliable'.<sup>131</sup> However, there is also a responsibility placed on investigating officers to challenge a decision by the CPS not to prosecute if they feel it is incorrect. This did not happen in 2009 although DCS Doyle told us that she felt a challenge would have been appropriate in this case.<sup>132</sup> It is necessary for the police and the CPS to work together but that relationship must not preclude professional challenge. The ability to constructively challenge a decision taken by either party will strengthen the response of the criminal justice system to cases such as these and ought to be actively encouraged by senior management in the CPS and across all police forces.

62. In October 2012, ACPO produced a child sexual exploitation action plan, which includes the following points:

- Police Forces to be encouraged to participate in multi-agency Child Sexual Exploitation training with a specific focus on front line staff.

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<sup>127</sup> Director of Public Prosecution statement, 11 January 2013

<sup>128</sup> Director of Public Prosecution speech, p1

<sup>129</sup> *Ibid.*, p2

<sup>130</sup> *Ibid.*, p7

<sup>131</sup> Rochdale Borough Safeguarding Children Board, *Review of Multi-agency Responses to the sexual Exploitation of Children*, p13

<sup>132</sup> Q 62



- Ensure all investigators have suitable accreditation. Child Sexual Exploitation investigations are a specialism within the training and development of child abuse investigators.
- To establish guidance for covert activity towards targeting Child Sexual Exploitation nominals and hotspots.<sup>133</sup>

63. The Howard League report quoted a police officer talking about how multiple interactions with the victim—for example, because they are out in public on a school day—can be used to undermine their credibility in court,<sup>134</sup> as they are disclosed to the defence and so evidence of criminality or substance misuse will often be used as proof of the ‘bad character’ of the victim. In fact, such behaviour might in some cases be a result of or a reaction to the grooming itself.<sup>135</sup> Any training which can help frontline officers such as beat police or front desk staff recognise the signs of exploitation is welcome as it can lead to victims being treated as such, rather than criminalising them for their low-level criminal behaviour.

64. The prosecution of sexual offences often relies heavily on victim testimony. Chief Constable David Crompton told us that victims would sometimes talk to youth workers about the exploitation, they were reluctant to make similar disclosures in evidence to the police.<sup>136</sup> Nazir Afzal told us that the key to prosecuting these cases was to build them without relying entirely on victim testimony.<sup>137</sup> The 2010 case in Derby used covert surveillance to monitor the suspects, and CCTV footage of the offenders trying to pick up teenage girls was shown in court.<sup>138</sup> DCS Doyle of the Greater Manchester Police told us that in order to secure convictions the investigatory tactics of police in these types of cases had to become more sophisticated.

I think we need our officers to be thinking more about this as if they were approaching a homicide, if you see what I mean. ... To give it the gravitas—the seriousness—that this type of offending deserves, and to start thinking of all those tools that you ordinarily would not use for a lower-level crime or a volume crime.<sup>139</sup>

65. The Oxford trial which resulted in seven convictions in May 2013 was a result of the realisation by police that a number of cases of girls who were repeatedly going missing and thought to be involved with older men were connected. The police team used alternative investigatory methods such as covert surveillance, telephone monitoring, informants and corroborative evidence to identify an organised gang of offenders and build a case which didn’t rely solely on victim testimony. The police then started investigatory work to

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<sup>133</sup> <http://www.acpo.police.uk/documents/crime/2012/201210CSEplan.pdf>

<sup>134</sup> Howard League for Penal Reform, *Out of place: The policing and criminalisation of sexually exploited girls and young women*, p32

<sup>135</sup> Qq 589, 876-7

<sup>136</sup> Oral evidence taken before the Home Affairs Committee on 16 October 2012, HC (2012–13) 622-i, Q 41 [Chief Constable David Crompton]

<sup>137</sup> Oral evidence taken before the Home Affairs Committee on 13 November 2012, HC (2012–13) 494-iv, Q 200 [Nazir Afzal]

<sup>138</sup> <http://www.bbc.co.uk/news/uk-11819732>

<sup>139</sup> Q 90

identify as many of their victims as possible by accessing health, social care and school records, pooling intelligence to identify potential victims. The police team simultaneously arrested 13 men and once they were in custody, approached 22 possible victims to request their help. Out of the potential victims (which later grew to be a group of almost 60 girls) the police identified, six agreed to give evidence in (this) court case, which relied on the investigatory work by the police including covert methods to retrieve DNA evidence; the identification of the same offenders by the victims and similarities between the accounts of the victims, most of whom were unknown to each other; and corroboration of the victims' testimonies, where each victim was considered in their own right and then together in order to build the strongest case. This allowed the prosecution to demonstrate a pattern of offending and combined to create compelling evidential proof. We also heard from Greater Manchester Police and Lancashire Police Force, considered a leader in innovative policing of child sexual exploitation, that building a successful prosecution is not just about bolstering the credibility of the victim and providing supporting evidence but it is also about undermining the credibility of the defendant through establishing a pattern of behaviour using, for example, abduction notices and cautions.<sup>140</sup>

66. David Dillnutt, Head of the UK Human Trafficking Centre at the Serious and Organised Crime Agency, told us that there was evidence that localised grooming and child sexual exploitation had led to the internal trafficking of children.<sup>141</sup> The use of trafficking legislation to prosecute offenders avoids some of the difficulties in bringing a prosecution for sex offences alone. Missing People and the National Working Group listed a number of advantages, including:

- Being moved for the purposes of child sexual exploitation within the UK is recognised as internal trafficking, regardless of the the distance moved.<sup>142</sup>
- The issues of age or consent can be rendered irrelevant as a defence to a charge of trafficking.
- It helps to explain the behaviour of the victims through control, fear of reprisal, and retribution.
- The trafficking offences are a 'lifestyle' offence for the purposes of the Proceeds of Crime Act 2002.
- CPS guidelines include an option not to prosecute offences committed by the victim as part of the Trafficking situation.<sup>143</sup>

In the Rochdale case in 2012, several suspects were convicted of internal trafficking for the purposes of sexual exploitation (under section 58 of the Sexual Offences Act 2003). The Rochdale 2012 trial was the first time that a successful prosecution of this practice had

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<sup>140</sup> Q 89-90

<sup>141</sup> Q 222

<sup>142</sup> Ev w5 [Missing People]

<sup>143</sup> National Working Group, Understanding the application of Section 58 of the Sexual offences Act 2003 In the prosecution of Child Sexual Exploitation in the UK (April 2013)

taken place.<sup>144</sup> The Oxford case in 2013 also saw offenders convicted of trafficking a child within the UK for the sexual exploitation.

**67. We welcome the plans put forward by the Director of Public Prosecution 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 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.**

**68. We would also like to commend the work of the Director for Public Prosecution, Keir Starmer QC and the Chief Crown Prosecutor for the North West, Nazir Afzal OBE. Unlike many other official agencies implicated in this issue, the Crown Prosecution Service has readily admitted that victims had been let down by them and have attempted both to discover the cause of this systematic failure and to improve the way things are done so as to avoid a repetition of such events. 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 Prosecution 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.**

69. Despite the commitment to improvement within the criminal justice system, we are concerned that this does not seem to be translating in to actual prosecutions. We took evidence from three police forces as part of this inquiry and found that the number of prosecutions varied between them. Greater Manchester Police estimated that they had had in excess of 30 prosecutions<sup>145</sup> over the past two years but admitted it was difficult to tell as they were unable to record how many of the number of rape and other sexual offences cases prosecuted were related to child sexual exploitation.<sup>146</sup> DCS Doyle assured us that this was about to improve however.

There is a difficulty in identifying CSE. It is not a crime per se. It is made up of a number of other offences. The challenge is joining together those links and identifying it as child sexual exploitation. We have been working to try to make our own IT systems more sophisticated in order to be able to make those links. We have a change going in just next week, I think, which will allow us to flag those crimes that are associated with CSE and to help us to make those links so that we can approach the CPS prosecuting authorities with more than a single instance.<sup>147</sup>

As well as making it easier to estimate the scale of the issue, the ability to link cases with child sexual exploitation will increase the likelihood of conviction as it demonstrates a pattern of abuse.

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<sup>144</sup> Ev w5 [Missing People]

<sup>145</sup> Q 464

<sup>146</sup> Q 460

<sup>147</sup> Q 455

70. We are therefore concerned that we have received a report that, as part of Operation Span, Greater Manchester Police recorded a number of allegations of rapes from two victims as ‘non-crime’, meaning that the details of the allegation are not recorded as a crime, nor are the names or details of the alleged offenders recorded on the relevant databases. This concern is compounded by a report of a victim whose previous allegations (bar one) were ‘non-crimed’ and who has now been asked to sign a disclaimer to the effect that she is unwilling to support a prosecution. It may take many years for victims to disclose the full extent of their abuse and for them to trust the criminal justice system to treat them with the sensitivity they require and deserve. All allegations ought to be recorded and, if a victim is unwilling to support a prosecution, they ought not to be asked formally to forego their right to justice. Such behaviour is a betrayal of the victims.<sup>148</sup>

71. In 2012, Lancashire police had had 100 successful prosecutions relating to child sexual exploitation<sup>149</sup> whereas South Yorkshire had had none.<sup>150</sup> In fact the last prosecution for localised grooming-related offences in South Yorkshire appears to have been following Operation Central in 2010.<sup>151</sup> South Yorkshire Police have also been criticised by Emma Jackson and the author of the Child S Serious Case Review. The Serious Case Review detailed one occasion when police were called to the home of Child S after she was found by her mother, at age 13, in her living room with a 32 year old male at 5am. Her mother phoned the police, reporting that Child S had been burnt by the man. Upon arrival, the police were told by Child S that she had burnt herself and so the police took no further action and failed to inform social services of the event.<sup>152</sup> This was despite the fact that she had been considered to be at risk of child sexual exploitation since she was ten.<sup>153</sup> Emma Jackson told us that she felt unsupported when she made her allegation of rape,

my child protection officer, said to me, “If it is any consolation, you are not the first girl that has been abused and raped and you are definitely not the last”. Then one of the CID officers who was in charge of the case said to me, “If you go back to these men, we just think that it is little White slappers running around with Asians”, and that was their attitude.<sup>154</sup>

South Yorkshire Police lost the clothing with DNA evidence she had provided to support her allegation of rape, reducing the case to her word against that of the attacker. She described how afraid she was of her attacker and the response she received from the police,

They ... could not offer me any protection, even though these men were really dangerous. They were actually at that time on bail for kidnapping a witness and

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<sup>148</sup> Correspondence from Margaret Oliver, 22 March 2013

<sup>149</sup> Q 451

<sup>150</sup> Oral evidence taken before the Home Affairs Committee on 16 October 2012, HC (2012–13) 622-i, Q 50 [Detective Chief Inspector Etheridge]

<sup>151</sup> Q 53

<sup>152</sup> Rotherham Local Safeguarding Children Board, *Serious Case Review Overview Report in respect of Child S*, p114

<sup>153</sup> Rotherham Local Safeguarding Children Board, *Serious Case Review in respect of Child S*, Executive Summary, p8

<sup>154</sup> Q 777

breaking his jaw and holding him hostage because he was going to court to be a witness against them for another crime.<sup>155</sup>

The police said that there was not enough evidence, nothing could be done, and then actually “non-crimed” what I had reported. They sent me a cheque out to cover the cost of the clothes that they had lost that were evidence.<sup>156</sup>

Emma later received an award from a Criminal Injuries Compensation Authority tribunal which found that South Yorkshire Police had failed to recognise the crimes committed against her.<sup>157</sup>

72. We asked the newly-elected Policing and Crime Commissioner for South Yorkshire, Shaun Wright, whether he had met with any victims of child sexual exploitation either in his previous role as Rotherham Council’s Cabinet Member for Children and Young People’s services between May 2005 and May 2010 or his current role as the PCC. He told us

I do not believe it would have been appropriate for me to request to meet victims of child sexual exploitation as this would have been an invasion of the privacy of these vulnerable young victims.<sup>158</sup>

This is despite evidence that child sexual exploitation is occurring within South Yorkshire.<sup>159</sup> **Given that the issue around child sexual exploitation appears to be that people in positions of responsibility were failing to listen the victims, we are surprised by Shaun Wright’s reluctance to engage with victims. 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.**

73. South Yorkshire Police have provided written evidence highlighting that in the past ten years, there have been 27 investigations in to localised grooming-related offences.<sup>160</sup> They listed nearly 20 steps that they have taken to improve their response to child sexual exploitation, including multi-agency working, improved training for front-line staff, a greater focus on sexual exploitation at senior level, more resources and information about disruption of grooming activity, and a new missing persons IT system.<sup>161</sup> It has also been recently announced that South Yorkshire Police have been allocated funds to recruit ten new officers to focus on child sexual exploitation.<sup>162</sup>

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<sup>155</sup> Q 761

<sup>156</sup> Q 780

<sup>157</sup> Q 789

<sup>158</sup> Ev w25

<sup>159</sup> Q 773

<sup>160</sup> Ev 174

<sup>161</sup> *Ibid.*

<sup>162</sup> <http://www.yorkshirepost.co.uk/news/at-a-glance/general-news/exclusive-police-get-extra-help-to-stamp-out-child-sex-gangs-1-5692506>

74. Peter Davies of CEOP welcomed the steps taken by Chief Constable Crompton<sup>163</sup> and Andrew Norfolk emphasised the improvement in South Yorkshire Police's response to child sexual exploitation.<sup>164</sup> However, we would expect such an improvement to translate in to successful prosecutions. **We have heard evidence that South Yorkshire Police Force have previously let down victims of localised grooming and child sexual exploitation—as a result, we would expect the force be striving to redeem their reputation. We do not believe that differences in the number of offenders could explain why Lancashire has 100 prosecutions a year whereas South Yorkshire has none. Such a postcode lottery is unacceptable. We believe it is the responsibility of the Chief Constable to ensure that investigations lead to prosecutions.**

75. **We note that South Yorkshire has recently increased the number of officers working on localised grooming with funding for ten new officers announced. We expect that with this, alongside the many changes introduced in police forces across the country, we will see an improvement in the recording and prosecution of incidents of child sexual exploitation We recommend that all police forces ensure that their IT systems are able to identify these incidents and whether multiple perpetrators have been involved. This information can be used to improve the chance of conviction and to help map the scale and extent of child sexual exploitation nationally. We also recommend that the College of Policing work with CEOP 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.**

76. **The evaluation of the work of police forces in the area of child sexual exploitation is difficult because of the range of charges which can be brought in these cases. 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 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.**

### ***Identifying vulnerable victims and ensuring they have access to support.***

77. The nature of child sexual exploitation can have a catastrophic effect on the victim with evidence showing that victims have been diagnosed with borderline personality disorder and emerging psychosis as a result of their experiences.<sup>165</sup> Victims may come from difficult backgrounds and they are manipulated by groomers from the age of ten or eleven. Victims often suffer with feelings of trauma, betrayal and stigmatisation. They may also blame themselves.<sup>166</sup> The court process itself can often compound this trauma with victims feeling as though they can make a choice between seeking therapy and perusing justice. When

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<sup>163</sup> Q 14

<sup>164</sup> Q 653

<sup>165</sup> Q 703

<sup>166</sup> Ev 128

discussing the Rochdale case, the Chief Constable of Greater Manchester Police described the victims as going through a horrendous experience in the court system.<sup>167</sup> The Deputy Children's Commissioner told us that the psychological support services were variable around the country and that she did not believe that all victims were getting the support they required<sup>168</sup>, a belief supported by the NSPCC who estimated that there may be a shortfall of up to 88,000 places for therapeutic support.<sup>169</sup> The Deputy Children's Commissioner made the point that police officers were having to fill that gap in provision.

I have spoken with some young people who have come through these experiences where they have been supported in an ongoing way by the police. They have done the most extraordinary work in befriending them and sticking by them. I am thinking of three young women I met with recently, who have all been supported by the police for several years. They said the thing that made the biggest difference to them was that they knew that person was going to stick by them whatever happened—that they could phone them at midnight, two in the morning, any time of day, over the weekend and they would see them regularly as well as being available to them. They always had somebody there who is just there for them and genuinely cared.<sup>170</sup>

78. Following the implementation of a recommendation in the 1998 report, Speaking up for Justice pre-trial therapy (usually counselling or psychotherapy) is available to vulnerable or intimidated witnesses.<sup>171</sup> Pre-trial therapy should take place after the victim has been video-interviewed and should not discuss the evidence which the victim will give in court. Any notes taken during a therapy session may be disclosed to the police, the prosecutor, the defence and the court upon application.<sup>172</sup> The tragic case of Frances Andrade, who committed suicide last year following her evidence at the trial of a former teacher who was convicted of sexual offences against her, highlighted some of the problems around pre-trial therapy. Newspaper reports contained allegations from her family that she was advised not to seek counselling because it might damage the prosecution case<sup>173</sup> and the Surrey Policing and Crime Commissioner was reported to have said that “it's the responsibility of the police to present evidence to the court with the victim in a way which is untainted. That means they will not and should not refer a victim for counselling until after they have given their evidence.”<sup>174</sup> This is despite the following official guidance:

Whether a vulnerable or intimidated witness should receive therapy before the criminal trial is not a decision for the police or The Crown Prosecution Service. Such

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<sup>167</sup> Q 53

<sup>168</sup> Q 703

<sup>169</sup> Ev 128, para 2

<sup>170</sup> Q 703

<sup>171</sup> <http://www.cps.gov.uk/publications/prosecution/pretrialadult.html>

<sup>172</sup> Rook and Ward, *Sexual Offences Law & Practice*, 2010, p800-1

<sup>173</sup> <http://www.telegraph.co.uk/news/uknews/9860807/Abuse-victim-Frances-Andrade-was-told-not-to-seek-therapy-family-claim.html>

<sup>174</sup> HC Deb, 11 Feb 2013, Col. 564

decisions can only be taken by the vulnerable or intimidated witness, in conjunction with the professionals from the agencies providing service to the witness.<sup>175</sup>

Indeed, the Attorney General told the House of Commons that “the CPS’s guidelines are crystal clear that a victim or witness giving evidence should not be prevented from accessing the care or counselling they might require.”<sup>176</sup>

79. The NSPCC have highlighted the importance of pre-trial therapy and support in preparation for the trial. A two-year joint initiative which will conclude in December 2013 is currently being run by the NSPCC and Victim Support to identify best practice models for working with children in the court system.<sup>177</sup> Support through the prosecution process is vital as it can mitigate circumstances which may lead to evidence being withdrawn by the victim at short notice.<sup>178</sup> A number of organisations highlighted the role that Independent Sexual Violence Advisers (ISVAs) could play in supporting witnesses. These are victim-focused advocates who are funded to work with victims of serious sexual crimes to enable them to access the services they need in the aftermath of the abuse, and to support them throughout the criminal justice process.<sup>179</sup>

80. The National Working Group and Victim Support suggested that an ISVA, trained in court processes, who was introduced to the victim at the beginning of the case could often act as the one individual who remained constant throughout the investigation and court process, noting

To have the same supporting individual present from ABE [Achieving Best Evidence] interview till the end of the process will allow a young person to develop trust and confidence to share more details of abusers as time goes on. Young people will often share their worst experiences at a very late stage so it is important that this relationship is constant and maintained.<sup>180</sup>

The need for victims to have one consistent adult to talk to throughout the process was repeated by The Children’s Society.<sup>181</sup> Safe and Sound Derby noted that their ISVA (funded by the Home Office) supported the victims of Operation Retriever before, during and after the case which led to the conviction of nine men for localised-grooming related offences.<sup>182</sup> DCS Doyle who worked on the Rochdale 2012 case described the work of ISVAs as being “absolutely key”.<sup>183</sup>

81. DS Critchley of Lancashire Police commended the work done by voluntary services in supporting victims of child sexual exploitation but felt that the court system also ought to make some adjustments such as minimising the length of time which it takes to bring these

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<sup>175</sup> <http://www.cps.gov.uk/publications/prosecution/pretrialadult.html> (4.3)

<sup>176</sup> HC Deb 12 Feb 2013, Col. 706

<sup>177</sup> Ev w9, para 8

<sup>178</sup> Ev w6-7, para 6

<sup>179</sup> Ev w20 [Safe and Sound Derby]

<sup>180</sup> Ev 177

<sup>181</sup> Ev 171

<sup>182</sup> Ev w20

<sup>183</sup> Q 484



cases to trial.<sup>184</sup> The court service is required to give priority to cases involving vulnerable witnesses<sup>185</sup> however it can still take some time for trials to be heard—the defendants in the Rochdale trial were charged in June 2011 and yet it took almost a year for the verdict to be handed down against them. The use of special measures was a further area where witnesses felt that performance could be improved.<sup>186</sup> We discuss this further below.

**82. The Association of Chief Police Officers’ 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.**

**83. 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.**

### **Court processes**

84. When they do make it to the court room, child sexual exploitation cases involve highly sensitive evidence and deeply vulnerable witnesses. Although there have been a number of significant reforms since the 1980s, which have improved the court process for child witnesses, this is, in the words of the Lord Chief Justice, Lord Judge, an unfinished “revolution”<sup>187</sup> and child sexual exploitation cases have exposed just how unfinished it is. We believe that systemic court reform may be the only way to ensure that existing measures are properly implemented and that conservative opposition to further sensible reforms can be overcome. At the moment we do not even know exactly how many child witnesses go through the court system or how many are victims of crime and how many are witnesses. In 2012 the Chief Inspector of the CPS did a report into the experience of young witnesses and found that 33,000 under 18s had given evidence in criminal trials in a 12 month period up to February 2011.<sup>188</sup> Child sexual exploitation victims are a relatively small, easily identifiable and particularly vulnerable subset within this group. The Youth Justice and Criminal Evidence Act 1999 provides for a series of special measures which the court can direct in respect of vulnerable and intimidated witnesses. These special measures

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<sup>184</sup> Q 475

<sup>185</sup> Rook and Ward, 2010, p801

<sup>186</sup> Ev 130 [NSPCC]; Ev 177 [NWG Network in Association with Victim Support]

<sup>187</sup> The Right Honourable the Lord Judge, Lord Chief Justice of England and Wales, Toulmin Lecture in Law and Psychiatry, Wednesday 20 March 2013

<sup>188</sup> HMCPSP and HMIC, *Joint inspection report on the experience of young victims and witnesses in the criminal justice system*, February 2012, p13

include screening witnesses from the accused, giving evidence by video link or in private, and the removal of wigs and gowns in the courtroom.

85. There is also provision in section 28 of the Youth Justice and Criminal Evidence Act 1999 that is not in force which would allow for video recorded cross-examination or re-examination. As part of its July 2012 progress report on its child sexual exploitation action plan, the Department for Education announced that the Ministry of Justice was working very closely with the police, the Crown Prosecution Service, the courts and the judiciary to establish whether the implementation of Section 28 of could be made to work in practice.<sup>189</sup> In his Toumlin Lecture on ‘The Evidence of Child Victims’, the Lord Chief Justice was clear that in his opinion there was an urgent need to implement these provisions, also known as Pigot 2, and was equally clear that he felt that all the objections and obstacles that he had heard to them were eminently resolvable.<sup>190</sup> **We are at a loss to understand why the Ministry of Justice, fourteen years after the Act was passed, has still failed to implement this measure. If the Lord Chief Justice, Lord Judge, with his unrivalled experience, can find no reasonable legal obstacle to the immediate implementation of Pigot 2 then there can be no justifiable argument for continuing to subject highly vulnerable victims to cross examination in court given the highly publicised risks this clearly carries. 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.**

86. There are several categories of witnesses who are eligible for special measures, including all witnesses under the age of 18 at the time of the hearing or video recordings, vulnerable witnesses who are affected by mental or physical impairment, witnesses in fear or distress about testifying and adult complainant of sexual offences.<sup>191</sup> Judges can also place a limit on the time that defence counsel may cross-examine a witness for or the number of defence counsel who can cross-examine on a particular subject.<sup>192</sup>

87. Special measures have been used effectively in previous child sexual exploitation trials including the 2012 Rochdale trial but there were concerns that prosecutors may have misgivings that using special measures such as use of a video link in place of the victim being present in the courtroom could lessen the impact of the evidence on the jury.<sup>193</sup> The NSPCC noted that there were issues around delay, poor questioning, inadequate assessment and insufficient consideration of appropriate special measures. The organisation accepted that the newly designed advocates’ gateway toolkits<sup>194</sup> would improve the sharing of best practice but felt that the lack of a consistent national approach to supporting the most vulnerable young victims of child sexual exploitation throughout the process from point of disclosure through to Court was a deficiency within the

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<sup>189</sup> Department for Education, *Tackling child sexual exploitation action plan: Progress report*, July 2012

<sup>190</sup> The Right Honourable the Lord Judge, Lord Chief Justice of England and Wales, Toulmin Lecture in Law and Psychiatry, Wednesday 20 March 2013

<sup>191</sup> Youth Justice and Criminal Evidence Act 1999, Section 16

<sup>192</sup> Ev 130

<sup>193</sup> Q 482

<sup>194</sup> The Advocate’s Gateway is hosted by the Advocacy Training Council and is managed by the Advocacy Training Council’s Vulnerable Witness Management Committee. The Committee is chaired by Professor Penny Cooper and includes representatives of the Advocacy Training Council, Judicial College, Law Society of England and Wales, Solicitors Association of Higher Court Advocates, Criminal Bar Association, Crown Prosecution Service, Chartered Institute of Legal Executives, Ministry of Justice as well as Joyce Plotnikoff and Richard Woolfson of Lexicon Limited.

system.<sup>195</sup> The National Working Group and Victim Support also highlighted that failures can occur with special measures, citing accounts of screens being forgotten leading to the victim either feeling unable to give evidence or being so shaken that their evidence presents as being unreliable and the use of a video link to protect the appearance of a victim several years after the abuse had taken place which, due to technical error, broadcast her face to everyone in the court room despite the agreement of the Judge that only audio transmission was necessary.<sup>196</sup> These examples clearly demonstrate that it is not enough for parliament to legislate for special measures if they are not being effectively implemented. In particular, despite research disproving this some prosecutors are still predisposed against special measures which shield the witness from the jury believing, contrary to the evidence, that juries will be more likely to convict if they can see the witness in person. Research also shows, that prosecutors are put off using video or audio links if they are not confident in the quality of the technology and fear that poor sound of picture quality may affect the jury's perception of their witness.<sup>197</sup> The Children's Minister informed us that he understood the concerns about the welfare of victims giving evidence in court.

As someone who has practised for some part of their career in the criminal courts, I know what a daunting experience it is, even for an adult, let alone some child or young person who has been the victim of sexual exploitation. We need to do better. I have already met with the Minister in the Ministry of Justice, my hon. Friend the Member for Kenilworth and Southam, to discuss it. In the child sexual exploitation round-table that I held just before Christmas, we had a particular item on the agenda about supporting witnesses in court. It is back on the agenda when we have our next round-table in June.<sup>198</sup>

**88. We are pleased to see that the Government and the Crown Prosecution Service are supportive of the use of special measures in child sexual exploitation trials. The work of the CPS and the advocates' gateway toolkits are both steps in the right direction. However, the description provided to us of the failure of special measures to be implemented correctly is a cause for concern and roundtables are unlikely to resolve that. If the issue proves to be recurring throughout the court system we recommend that each court have a named individual with the responsibility for ensuring that special measures are being implemented appropriately whether that require training for staff or investment in technical equipment.**

89. Sheila Taylor of the National Working Group commented that she had spoken to some victims who found the court process worse than the actual exploitation.<sup>199</sup> Two specific issues that were raised by DS Critchley were the length of time it takes to bring a case to Court and, in cases where there are multiple defendants, the cross-examination by multiple defence barristers.<sup>200</sup> This was supported by DCS Doyle who pointed out that in the

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<sup>195</sup> Ev 130

<sup>196</sup> Ev 177

<sup>197</sup> The Right Honourable the Lord Judge, Lord Chief Justice of England and Wales, Toulmin Lecture in Law and Psychiatry, Wednesday 20 March 2013

<sup>198</sup> Q 910

<sup>199</sup> Q 869

<sup>200</sup> Q 475

Rochdale case, there were 11 defence barristers, all entitled to cross-examine.<sup>201</sup> She suggested that there may be scope for examining whether a single advocate, acting on behalf of all the defence barristers, could cross examine the victim,<sup>202</sup> an idea that was supported by DS Critchley.<sup>203</sup> The Lord Chief Justice has also expressed the view that the language used by barristers in court must be age appropriate and questions posed must be open ended. In particular, he states that so-called ‘tag-questions’ involving a long statement and ending ‘did he?’ or ‘did you?’ or simply with an upward inflection are not appropriate for child witnesses.<sup>204</sup> Where communication is a particular challenge, intermediaries can be used, with all of the defence barristers putting their question to the victim who would receive assistance from an independent, registered intermediary who had been introduced to the victim at the start of the investigatory process and would therefore be aware of any potential barriers to communication or understanding.<sup>205</sup> At present witnesses under the age of 17 are eligible for an intermediary. Witnesses aged over 17 are only eligible for the assistance of an intermediary if they have a mental disorder, significant impairment of intelligence and social functioning or a physical disorder or disability which leads the court to consider that the quality of their evidence may be diminished.<sup>206</sup> In a number of prosecutions related to localised grooming, although the sexual exploitation took place in the early teenage years of the victim, the prosecution will occur several years later by which time victims have reached adulthood. This means that, unlike with other special measures, a number of victims of localised grooming would not be eligible to apply for the help of an intermediary in court.

90. The Law Society was concerned that the limitation on the cross-examination of witnesses could lead to unfairness as different defendants may have different cases to put to the witness. The Society opined that the conduct of the trial must remain within the power of the trial judge and that the Criminal Procedure Rules 2011, give the judge sufficient power to regulate the conduct of cross-examination.<sup>207</sup> The judge can also play a key role in warning the jury against stereotypes about how a victim or defendant may behave at the time of the alleged assault or in the witness box. The Crown Court Bench Book contains the following guidance for judges on tackling assumptions commonly made by juries in sexual offence cases.

Research by those who are expert in the subject discloses several subjects for stereotyping which could lead the jury to approach the complainant’s evidence with unwarranted scepticism. They include but are not limited to:

The complainant wore provocative clothing; therefore he/she must have wanted sex

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<sup>201</sup> Q 482

<sup>202</sup> Q 483

<sup>203</sup> Q 488

<sup>204</sup> The Right Honourable the Lord Judge, Lord Chief Justice of England and Wales, Toulmin Lecture in Law and Psychiatry, Wednesday 20 March 2013

<sup>205</sup> Ev 177

<sup>206</sup> Rook and Ward, 2010, p791

<sup>207</sup> Ev w24

The complainant got drunk in male company; therefore he/she must have been prepared for sex

An attractive male does not need to have sex without consent

A complainant in a relationship with the alleged attacker is likely to have consented

Rape takes place between strangers

Rape does not take place without physical resistance from the victim

If it is rape there must be injuries

A person who has been sexually assaulted reports it as soon as possible

A person who has been sexually assaulted remembers events consistently

Judges who try sexual offences are aware that each one of these stereotypes does not accord with experience. The purpose of comment ... is merely to caution the jury against making unwarranted assumptions about the behaviour or demeanour of the complainant if the judge considers the circumstances require it. It is essential that advice from the trial judge does not implant in the jury's minds any contrary assumption. It is not the responsibility of the judge to appear to support any particular conclusion but to warn the jury against the unfairness of approaching the evidence with any pre-formed assumptions.<sup>208</sup>

This does not stop defence barristers ascribing these characteristics to the victims. Indeed in the Oxford case heard at the Old Bailey recently, one defence barrister asked

Were these girls victims from the start or were they naughty girls doing grown up things they bitterly regret?<sup>209</sup>

There is no guidance specific to localised grooming or child sexual exploitation cases. Many of the issues which are hallmarks of localised grooming—victims returning to their attackers, the length of time it takes victims to report the crime, previous interaction with the police and social services, the use of drugs and alcohol by perpetrators to strip their victims of their inhibitions, which lead to inconsistent recollections of events—are what led the Crown Prosecution Service to deem witnesses unreliable in the Rochdale case when it was first presented for prosecution. As such, it may be necessary for the Crown Court Bench Book to include directions relating to these sorts of cases to ensure that juries are made aware the witnesses 'unreliability' is often behaviour which may be, directly or indirectly, a result of their being groomed and sexually exploited.

91. Sheila Taylor also suggested that child sexual exploitation cases ought to be prosecuted by advocates who understand child sexual exploitation in front of judges and magistrates who are trained in child sexual exploitation. At present, judges, magistrates and prosecutors involved with sexual offence cases have to have completed training. However, this training would cover all sexual offences rather than just child sexual exploitation.

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<sup>208</sup> Crown Court Bench Book, 2010, p356

<sup>209</sup> *Oxford Mail*, 'They're naughty girls who now regret sex' defence tells Bullfinch jury, 19 April 2012

Defence barristers involved in a sexual offence trial are not required to have completed similar training although if they are in court defending charges of serious sexual offences then it is likely that they will be senior, experienced counsel who have likely undergone some sort of training in the area as part of their continuing professional development. However, the criticism of the defence counsel in the case tried at Stafford Crown Court between May and September 2011 indicates that problems still arise. Andrew Norfolk described the experience of one of the victims in the trial:

The teenager spent 15 days in the witness box, 12 of them under cross-examination by a succession of defence lawyers. Some performed their roles admirably, seeking to challenge the evidence in a methodical way. Others were less restrained. Questioned closely about her sexual encounters with adults, the young woman was repeatedly accused of lying, of “telling fibs”, of being “naughty”. At one stage of his cross-examination, Dean Kershaw told her to “stop fiddling . . . and try to concentrate”. Mohammed Tayyab Khan, another defence barrister, went so far as to ask whether she repented her sins.<sup>210</sup>

92. The National Working Group and Victim Support also highlighted a need for specific training for Court Managers and Ushers in meeting the needs of the young person experiencing the court process. They noted that

Having a robust Young Witness Service can really assist with this as they will already have a relationship with the court manager and the usher and can sort many of the practicalities out and help prepare and support the young person through the process and also provide post trial support.<sup>211</sup>

They suggested that this issue might be solved by the introduction of specialist courts which understand the complexities of taking evidence from young, vulnerable and often intimidated witnesses, using domestic violence specialist courts as a model which could be followed.<sup>212</sup> The Law Society were unconvinced that there was a need for specialist courts, suggesting that

Making improvements to existing Crown Courts through the provision of better special measures equipment (e.g. video links) , as well as more training for judges, police officers and court staff is, in our view, a better alternative to specialised courts.<sup>213</sup>

**93. The experience of reliving incidents of sexual exploitation in a court is inevitably harrowing for witnesses. We are clear that reforms are necessary to ensure that victims of this appalling crime are able to give clear and effective evidence in court. We are acutely aware that any such reforms must align with the defendant’s right to test the evidence against them in a fair trial. However, where witnesses become overwhelmed and intimidated giving evidence, and are unable to give a clear account, that is not in the interests of justice for victim or defendant. We believe that at the moment, the**

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<sup>210</sup> *The Times*, Humiliation in court: how the law treated abuse victims, 23 May 2012

<sup>211</sup> Ev 177

<sup>212</sup> *Ibid.*

<sup>213</sup> Ev w24

balance is skewed too strongly in favour of protecting the defendant's rights as opposed to the very vulnerable witnesses in cases of child sexual exploitation. For that reason we recommend immediate implementation of Pigot 2, as discussed above, by January 2014. We have been deeply concerned by some of the examples of language used in court that stereotypes child sexual exploitation victims. We acknowledge the difficulties facing the judiciary as they have to strike the balance between removing potential juror prejudice about child sexual exploitation victims and their need not to stray beyond bounds and provide grounds for appeal. However, 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. This should include consideration of allocation of issues between counsel, and the imposition of time limits. 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. In addition, 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.

94. 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. We do not mean that new buildings or new bureaucracies should be created, merely that in each region, one court room should be designated as the preferred court for the most serious child sexual exploitation cases. This court room should be selected on the basis that it has the most up to date technology and appropriate access and waiting facilities. For each region a team of specialist child sexual exploitation judges, prosecutors, police, witness support and ushers should be identified, trained and linked into the local Multi Agency Safeguarding Hub and Local Safeguarding Children's Board teams. We believe that at the moment there are training initiatives in the police, CPS, judiciary and so on. There is a lot of will at the top of these organisations and that is to be commended but there is still inconsistent application on the ground. Victims do not experience the will at the top of the organisation, they experience the reality on the ground. In order to ensure that the most serious cases are guaranteed the most experienced whole court team delivering the best practice, we believe specialist whole court teams in court rooms equipped with the necessary technology are the answer. We will write to the Ministry of Justice requesting periodic updates on this piece of work and will revisit the issue in eighteen months time.

## Health and Education

95. Schools and healthcare professionals are likely to be among those who are alerted to some of the signs of sexual exploitation, such as absence from school, repeated sexually-

transmitted infections, physical injuries, changes in appearance and self-harm.<sup>214</sup> However, the Deputy Children's Commissioner found it very difficult to obtain health data, describing the response as patchy and inconsistent. It was particularly difficult in the area of sexual health and substance misuse, where legal opinions on data-sharing differed between the Office of the Children's Commissioner, the Department of Health and individual primary care trusts.<sup>215</sup> Eventually the Department agreed to give sexual health data to the inquiry on an aggregated national scale (rather than breaking it down by local area). The data provided showed that 11,800 children had presented at a sexual health clinic on more than one occasion, 900 of whom had a repeat sexually-transmitted infection. In the 2010–11 financial year, 1,193 children under the age of 16 had a second or subsequent abortion.<sup>216</sup>

96. Research by the National Working Group has also found that as well as being unwilling to share information with other agencies, there are also issues around whether health professionals are unlikely to share data with each other. This seems to be particularly true in regards to hospitals where different departments which might see victims of child sexual exploitation (GUM clinic, Paediatrics, A&E, Gynaecology and Maternity) will not share relevant data which could help build a picture.<sup>217</sup> Another area of concern was that some regional sexual health services don't necessarily share data with each other. The importance of this was identified by a representative from one area which had reported high numbers of Sexually Transmitted Infections (STIs) especially chlamydia. Contact tracing undertaken by sexual health services in the area found that victims were being taken to different clinics and identified several cases of 13 year old girls who are sexually active with adults from partner tracing. One region has co-ordinated their service by introducing the same computer across all sexual health clinics which allows them to identify patients who repeatedly present with sexually transmitted diseases.<sup>218</sup> The report also noted the value of information collected as part of an ambulance call out

Ambulance personnel are often in the position of responding to CSE victims in the first instance and can be let into houses and establishments where entry has been refused to Doctors, Midwives, Health Visitors, Social Services etc.

They can also be aware of irregularities in the history of a particular case as 'Call Centres' often get different stories from those given to the paramedics who arrive on the scene. For example, the initial call is often panicky and there may be background noise with lots of people, or a man giving orders in the background. When the crew arrive on scene everything is more controlled, often a different story and all people in the background have gone.<sup>219</sup>

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<sup>214</sup> Office of the Children's Commissioner, Interim report, p114

<sup>215</sup> HC Deb, 13 Dec 2012, Col. 536

<sup>216</sup> Ibid., Col. 536-7

<sup>217</sup> NWG Network, "If you shine a light, you will probably find it", March 2013, p18

<sup>218</sup> Ibid., p19

<sup>219</sup> NWG Network, "If you shine a light, you will probably find it", p20



Both A&E and the ambulance service keep records of ‘frequent visitors/callers’ which can be used in conjunction with other health data to help identify victims of child sexual exploitation.

97. On the 27 December 2012, the Department of Health announced a system called the Child Protection - Information System would be rolled out to all A&E departments in NHS hospitals by 2015. The system will highlight whether the children being treated

- were subject to a child protection plan or being looked after by the local authority
- have frequently attended emergency departments or urgent care centres over a period of time.<sup>220</sup>

The Department of Health have also commissioned Dame Fiona Caldicott to lead a review to ensure that an appropriate balance is struck between the protection of confidential and identifiable information within health and care records and the use and sharing of that information for research and a range of other purposes.<sup>221</sup> The review is due to report this year, as is a health working group on child sexual exploitation which will produce a report and recommendations on the role of health professionals in supporting victims of child sexual exploitation in the long-term. As mentioned in paragraph 77 above, there have been concerns about therapeutic support for victims and so the Department of Health have agreed to invest a further £45 million in Children and Adolescent Mental Health Services.<sup>222</sup>

**98. 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.**

**99. 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. 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.**

**100. We welcome the increase in funding to Child and Adolescent Mental Health Services. Child sexual exploitation is extremely to damaging to a young person’s mental health and may result in a young person being unable to be a functioning member of society. It is therefore in the financial, as well as the wider, interests of society that the pain and trauma experienced by victims is recognised and dealt with as soon as possible. We recommend that the Government publish the report and**

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<sup>220</sup> <https://www.gov.uk/government/news/new-child-abuse-alert-system-for-hospitals-announced>

<sup>221</sup> HC Deb, 4 Dec 2012, Col. 743W

<sup>222</sup> Q 910

**recommendations of the health working group on child sexual exploitation and a timetable for the implementation of all the recommendations it has accepted.**

101. The Chief Executive of Rochdale Council highlighted the important role that teachers can play in identifying children at risk of child sexual exploitation.

School is the one organisation that is, at times, a constant in young people's lives and I think it is really important that schools are able to assess risk very, very early. ... Because it is only if we can intervene early and see some of these early signs like non-attendance at school, mood changes, et cetera, that questions can be asked.<sup>223</sup>

Sue Berelowitz cited a case of a victim who was being regularly abducted who was held for several days at a time and sometimes more than a week, without access to food, water or washing facilities. As a result, when released she would be dirty, covered in sores and ill, but on her return to school, nobody would question her about her physical state.<sup>224</sup> Andrew Norfolk regarded schools as having failed to share information in the past, citing the case of one victim.

I am thinking particularly of one girl in Rotherham, where the school had numerous concerns, but they never got to the people who could have acted on them. I would be very disappointed if it would somehow become a voluntary act to decide that if you have concerns about a girl who is perhaps coming in dishevelled, using over-sexualised language, or going missing for large periods of time.<sup>225</sup>

102. Emma Jackson explained the impact of localised grooming and child sexual exploitation on her education.

I had to leave education at 14. They excluded me because I was involved in sexual exploitation, and my last school report actually states that I was a child prostitute. Then they also did not want me on the premises because I was seen as a danger to other children and staff because if these men came to get me, then they could harm the children and staff also.<sup>226</sup>

The anecdotal evidence provided to the Committee indicates that teachers are often aware of child sexual exploitation and yet they do not seem to be raising concerns either with social services or the police. It may be that the difficulty resulted from not knowing who to address concerns to but this is an issue that we have raised previously in cases of forced marriage — schools appear not to be following up when children are missing from education either in terms of trying to establish their whereabouts or, on return, trying to establish what happened to cause the disappearance.<sup>227</sup> Information which indicates a child might be at risk from sexual exploitation should be shared with children's services and other relevant agencies in the region as the basis for multi-agency assessment. According to 2009 guidelines published by the then Department for Children, Schools and Families,

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<sup>223</sup> Q 438

<sup>224</sup> Q 143

<sup>225</sup> Q 647

<sup>226</sup> Q 780

<sup>227</sup> Home Affairs Committee, Eighth Report of Session 2010–12, *Forced marriage*, HC 880, Para 24–29

schools have a statutory safeguarding responsibility for children.<sup>228</sup> It is therefore vital that school staff members are able to identify the signs of sexual exploitation and are fully aware of the appropriate response in accordance with local protocols.

103. In the past we have made recommendations to the Secretary of State for Education regarding preventative activity with children at risk of forced marriage. The Secretary of State rejected our recommendation that schools be reminded of their statutory responsibilities and that support be provided to teachers to help them identify and support children who are at risk.<sup>229</sup> We are concerned that the Department for Education does not seem to understand the importance of a holistic approach towards safeguarding children and believe that teachers ought to be adequately supported in carrying out their pastoral, as well as educational, duties.

**104. Teachers are more likely to see victims on a regular basis than almost any other professional. They will notice recurrent or prolonged absences and significant changes in behaviour. They are therefore key in identifying children at risk at an early stage and, by raising concerns at an early stage, being able to potentially stop the grooming process before the sexual exploitation has begun. We have asked the Minister to look, once again, at the relationship between schools and local authorities in regards to highlighting concerns about missing children. 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.**

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<sup>228</sup> Child Exploitation and Online Protection Centre, *Out of Sight, Out of Mind*, p23

<sup>229</sup> Home Affairs Committee, Eighth Report of Session 2010–12, *Forced marriage*, HC 880, p13

### 3 Voluntary sector

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105. The role of the voluntary sector in the response to child sexual exploitation ought not to be underplayed. It is often their specialist services which victims are referred to and it will be workers within those services who frequently gain the trust of the victims leading to disclosure of the abuse. The serious case review which followed Operation Retriever in Derby described one such service, Safe and Sound Derby, as being “pivotal ... in identifying the nature and scale of the abuse.”<sup>230</sup> In Operation Mansfield in Torbay, the sexual exploitation was identified as a result of a third sector worker who identified missing children as regularly visiting the perpetrator’s home.<sup>231</sup> In many cases, it has been voluntary sector services which have provided support to victims throughout prosecutions and who have identified issues with successfully prosecuting cases.<sup>232</sup> Detective Superintendent Critchley explained how the voluntary sector acted as an independent supporter to the victims of child sexual exploitation in Lancashire.

The Children’s Society, CROP and Barnardo’s, for example, play that role from the moment we get the disclosure through to court, and are able to play that role to support victims through to court where there is not that relationship with a police officer.<sup>233</sup>

106. Voluntary sector organisations can also take a role in prevention work such as training for frontline professionals<sup>234</sup> and awareness-raising in the community.<sup>235</sup> However, Alyas Karmani commented that voluntary organisations can often reach people not necessarily engaged in the community but that this work was being constrained by lack of available resources. He said that there were areas within communities

where a lot of CSE takes places, where the traffickers are, where the groomers are. Who is actually in that space? A lot of third sector organisations, third sector youth engagement outreach and detached projects like STREET operate in that particular environment, and we have had a massive challenge. We have been saying to a lot of Local Safeguarding Boards that we want to do that work on streets with gangs and with young people at risk but the resources have not been there to facilitate that and allow us to do the work that we can do to create prevention and safeguarding.<sup>236</sup>

Safe and Sound Derby run a support group for parents whose children have been affected by child sexual exploitation “to enable them to understand what is happening, to help them protect their child and support the rest of their family, and to deal with other agencies who are likely to be involved with their case, such as the police and children’s social care.”<sup>237</sup>

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<sup>230</sup> Derby Safeguarding Children Board, *Serious Case Review BD09: Executive Summary*, July 2010, page 3

<sup>231</sup> Correspondence from The Children’s Society, 12 March 2013

<sup>232</sup> Q 192

<sup>233</sup> Q 484

<sup>234</sup> Ev w20 [Safe and Sound Derby]

<sup>235</sup> Q 831

<sup>236</sup> Q 825

<sup>237</sup> Ev w22

107. The voluntary sector plays a vital role in identifying child sexual exploitation and supporting victims through investigations, prosecutions and beyond. 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.

## 4 The issue of race

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108. The vast majority of convicted child-sex offenders in the UK are single White men. However, with this specific model of offending, there is a widespread perception that the majority of perpetrators are of Asian, British Asian or Muslim origin. This would certainly seem to be the case from the major grooming prosecutions which have gone to court so far, but in fact both CEOP and the Office of the Children's Commissioner have found serious inconsistencies with recording of ethnicities and gender of both victims and perpetrators across UK forces.<sup>238</sup> Given the number of child sexual exploitation cases which have so far failed to make it to court, for the reasons discussed, this highly unsatisfactory situation means that it is extremely difficult to form an evidence based opinion on the true nature of what is still a largely hidden crime. Nevertheless, the perception, that grooming perpetrators are largely of Asian, British Asian or Muslim origin colours the attitudes of those working in the field, as well as the media and the wider public. Ann Cryer, the former MP for Keighley, who raised concerns about localised grooming in her constituency as long ago as 2003, faced a backlash when she described the offenders as Asian and pointed to the fact that most of them came from the Mirpur district of Kashmir (a description which she still stands by).<sup>239</sup> She suggested that underlying cultural attitudes might be a factor in the offending. As Andrew Norfolk told us

The far right leapt on the story, predictably, and [Ann Cryer] was accused of demonising all Muslims. I think that it almost acted as a brake for several years on anybody seriously looking at whether there was any truth in what she was saying but, as the years passed, I noticed cases cropping up from time to time across Yorkshire and Lancashire with a very similar pattern.<sup>240</sup>

109. Kris Hopkins MP, the current Member for Keighley, also spoke of the reaction that Ann Cryer received and supported her view<sup>241</sup> that a fear of being labelled 'racist' had hindered the ability of official agencies to combat the grooming and sexual exploitation.

Lots of the people in that community dismissed Ann's comments and saw them as inflammatory rather than as challenging and helpful. Many people believed another injustice was being done to the community by the fact that Ann kept raising the issue. The victimhood that ran through the community gave an excuse for not facing up to the problem. I went to lots of public events to discuss the issue, but all I heard was that Ann's constant comments undermined the community. The community failed to face up to the core issues that Ann was putting out there. The reality is that the problem has not gone away. Ann Cryer was right. Since that time, many more children have been abused because of the failures of the agencies and of the communities to address what was happening.<sup>242</sup>

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<sup>238</sup> Child Exploitation and Online Protection Centre, *Out of Sight, Out of Mind*, p40-41; Office of the Children's Commissioner, Interim report, p98

<sup>239</sup> Q 808

<sup>240</sup> Q 625

<sup>241</sup> Q 801

<sup>242</sup> HC Deb, 13 Nov 2012, Col. 231-2

110. There was little media coverage of the issue in the intervening years but in 2010 there were two trials which again saw groups of Asian men convicted for sexual offences against White British girls. In November 2010, five men from Rotherham were jailed after being found guilty of grooming teenage girls for sex<sup>243</sup> and less than two weeks later, nine men from Derby were convicted of sexual offences, having been found to have been “systematically grooming and sexually abusing teenage girls.”<sup>244</sup> The first of the series of Andrew Norfolk’s *Times* articles on the subject was published several days before the ringleaders in the Derby case were sentenced and listed 17 trials that had been identified as prosecutions related to localised grooming. In all but one of the trials, the offenders were identified as being Asian, mostly British Pakistani, and the victims were predominantly White.<sup>245</sup>

111. In May 2012, while sentencing those convicted of similar offences in Rochdale, the Judge noted that the offenders had claimed that the investigation was racially motivated:

Some of you, when arrested, said it (the prosecution) was triggered by race. That is nonsense. ... What triggered this prosecution was your lust and greed.<sup>246</sup>

He also noted that the victims in the case had been treated as though they were worthless and beyond respect. He suggested that “one of the factors leading to that was the fact that they were not part of [the defendants’] community or religion”.<sup>247</sup>

112. Witnesses have given us a number of reasons why they think their appears to be an association with the British Pakistani community. Kris Hopkins MP who had previously spoken in the House on the sexist behaviour of some Muslim men which went unchallenged by their peers or community elders,<sup>248</sup> talked to us about the importance of the empowerment of women in these communities.

I think the most powerful voices within there—or they need to be the most powerful voices—will be women in those communities, so the mums, grandmas, future mums, the girls in those families need to be empowered.<sup>249</sup>

However, Alyas Karmani suggested that negative attitudes towards women were a wider problem across British society, not something that was peculiar to Pakistani males.<sup>250</sup> Shaykh Ibrahim Mogra agreed, stating that sexual violence and the degradation of women was directly opposed to the teachings of the Koran.<sup>251</sup>

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<sup>243</sup> <http://www.bbc.co.uk/news/uk-england-south-yorkshire-11696508>

<sup>244</sup> <http://www.bbc.co.uk/news/uk-england-derbyshire-11799797>

<sup>245</sup> The 17 cases identified by *The Times* which showed a pattern of exploitation, 5 January 2011 (<http://www.thetimes.co.uk/tto/news/uk/crime/article2863078.ece>)

<sup>246</sup> <http://www.bbc.co.uk/news/uk-england-17993003>

<sup>247</sup> <http://www.bbc.co.uk/news/uk-england-17993003>

<sup>248</sup> HC Deb, 13 Nov 2012, Col. 233

<sup>249</sup> Q 812

<sup>250</sup> Q 818

<sup>251</sup> Qq 820-1

113. Sara Rowbotham pointed out that to some extent, a shared language among the perpetrators which was not understood by the victims (who were already at a disadvantage due to the maturity and strength of the perpetrators) further disempowered them.<sup>252</sup> Andrew Norfolk suggested that issues around the age of consent may play a role, pointing out that

If you come from a rural Mirpuri, Kashmiri community, where, whatever state law says, village tradition and sharia says that puberty is the green light for marriage—as it does—and if you recognise that most girls in this country are hitting puberty at 11 or 12, perhaps one begins to understand why it is not just lone offenders. There has to be something, given that so often this is a normalised group activity—not among a major criminal gang, but among friends, work colleagues and relatives—that does not have the same sense of shame attached to it as would be the case for your typical White offender, who works alone because if he told too many people, somebody would report him.<sup>253</sup>

114. Many witnesses spoke of the disgust of the vast majority of the British Pakistani community at the exploitation of these children but Alyas Karmani said that many of those in the community would fail to recognise it as a problem they ought to address, seeing it instead as a societal problem,<sup>254</sup> a view Ann Cryer also supported.<sup>255</sup> Both Ann Cryer<sup>256</sup> and Andrew Norfolk suggested that a desire to protect the community from criticism might sometimes override the duty to address the criminal behaviour of these men.

I have spoken to young men in some of the towns where this has been going on. Universally, they decry what happens. They say they are disgusted with the men who have been doing this but, equally, that they would never have dreamt of going to the police about it, because you do not turn on your own community.<sup>257</sup>

There is also the line of reasoning offered by some witnesses that these are socially-conservative communities where such behaviour is not openly discussed and so members of the community are not always aware that it is taking place.<sup>258</sup> However, Shaykh Ibrahim Mogra acknowledged that

The fact that the cases that have come to light that have been in court and the sentencing that we have so far witnessed includes a disproportionately larger number of Muslims and Asians, and that is very worrying.<sup>259</sup>

115. A factor that may reinforce the perception of localised grooming being carried out by Asian men against White girls could be the under-reporting of offences against children from ethnic minorities. Witnesses told us that there were cases of groups of Asian men

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<sup>252</sup> Q 291

<sup>253</sup> Q 641

<sup>254</sup> Q 819

<sup>255</sup> Q 811

<sup>256</sup> Q 816

<sup>257</sup> Q 638

<sup>258</sup> Q 847

<sup>259</sup> Q 817



grooming Asian girls<sup>260</sup> but these do not come to light because victims are often alienated and ostracised by their own families and by the whole community if they go public with allegations of abuse.<sup>261</sup> The inquiry by the Office of the Children’s Commissioner also found that there was an under-reporting of ethnic minority victims of child sexual exploitation. The interim report noted that children from a minority background were unlikely to be identified as victims by police or social services. Instead victims tended to be identified by “BME, faith and statutory and voluntary sector youth justice agencies,” if at all.<sup>262</sup>

116. Given the high level of debate around the issue and the fact that many of those involved in investigating the issue of localised grooming have warned against citing race as a key factor in these cases,<sup>263</sup> it is not difficult to see why the British Pakistani community might feel that the suggestion that this is an “Asian problem” is inaccurate and unfair.<sup>264</sup> There is certainly evidence of localised grooming being carried out by offenders from other ethnic groups. Tim Loughton cited cases involving offenders from central Africa.<sup>265</sup> The CEOP 2011 report cited a study from 2004 of a case in Lewisham involving Eastern European offenders, which followed much of the recognised pattern of localised grooming, including girls being passed to much older men by a younger ‘boyfriend’.<sup>266</sup> The Deputy Children’s Commissioner cited “White, Pakistani, Afghan, Traveller, Gypsy and Romany travellers” communities where children were seen as an opportunity for sexual exploitation.<sup>267</sup> She considered that the race factor in the cases in northern towns was an artefact of local demographics, not culture.<sup>268</sup> This point was also made by Emma Jackson who told us that, whilst all of her abusers in Rotherham had been Asian and the victims White, in subsequent work that she had done in other areas, the ethnicity of the perpetrators would reflect the local demographics.<sup>269</sup>

117. There is a concern that statutory agencies are now looking only for a model as presented in the high-profile localised grooming cases, where the aspect of race is emphasised, rather than looking for incidents of child sexual exploitation as a whole.<sup>270</sup> Given the sentencing of Jake Ormerod for offences relating to child sexual exploitation as part of a wider group of White British men in July 2011 and the five White British men from Derby who were sentenced for sexual offences relating to child sexual exploitation in September 2012, it is obvious that such crimes are perpetrated by offenders of all races. Both these cases reflect the established model of localised grooming: the victims were

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<sup>260</sup> Q 830

<sup>261</sup> Q 829

<sup>262</sup> Office of the Children’s Commissioner, Interim report, p91

<sup>263</sup> Qq 56, 104

<sup>264</sup> Q 818

<sup>265</sup> Q 156

<sup>266</sup> Child Exploitation and Online Protection Centre, *Out of Sight, Out of Mind*, p15

<sup>267</sup> Q 130

<sup>268</sup> Qq 681-2

<sup>269</sup> Qq 766-7

<sup>270</sup> Q 684

vulnerable, either in care or from difficult backgrounds, who often went missing, and were given ‘gifts’, often alcohol and drugs, before being sexually exploited.

118. It is difficult, however, to argue that race has had no impact in some of these cases, not just on the part of the perpetrators—who, whatever their race, are criminals, who, in an exercise in depravity, dehumanised their victims based on their vulnerability and turbulent lives—but also on the part of their communities, who turned a blind eye to the abuse of hidden BME victims who cannot come forward,<sup>271</sup> and on the part of professionals who were scared of being labelled racist if they raised concerns about the abuse.<sup>272</sup> Alyas Karmani admitted that in certain communities, there was a tendency towards oversensitivity which led to a sense of denial.<sup>273</sup> However, this should not have stopped statutory agencies from intervening as happened. Andrew Norfolk told us that

After we ran our first story, in January last year, I was contacted by so many people who had refused to speak to me before. When you have a Director of Children’s Services ringing and saying, “My staff are jumping for joy in the office today because finally somebody has said what we have not felt able to say,” and when you have very senior police officers saying exactly the same. ... There was a fear of treading into a cultural minefield that they did not really know anything about—a fear of marginalising; a fear of stereotyping—and it allowed this situation to develop to where we were two years ago.<sup>274</sup>

However, we would have thought such senior experienced officers would have realised that it was not the issue of race, let alone any connection with cultural traditions, but sheer opportunism on the part of the depraved individuals out to exploit young, vulnerable females for sex and financial gain.

119. Tim Loughton summed up the situation well when he told us that

It is not in the interest of the British Pakistani community or the British Congolese community for this sort of abuse to be going on by members of their own community. It is in their best interest to make sure that it is being reported, rooted out, and the perpetrators dealt with as criminals, which is what they are.<sup>275</sup>

It was a sentiment repeated by Shaykh Ibrahim Mogra who said “If the perpetrator is a Muslim, treat that perpetrator and that criminal as you would treat any other criminal. They should not get any preferential treatment or anywhere to hide behind the name of Islam or of Muslim.”<sup>276</sup> Following the Rochdale 2012 trial, a grassroots community forum was set up to improve communication different communities in the area and improve early identification of the issue demonstrating that communities can work together to combat child sexual exploitation. Councillor Lambert told us that

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<sup>271</sup> Q 816

<sup>272</sup> Q 801

<sup>273</sup> Q 843

<sup>274</sup> Qq 635-6

<sup>275</sup> Q 158

<sup>276</sup> Q 841

Although the forum was initially set up through the mosques, at the first meeting there were women from the Asian community, women from the White community and men from the White community. As a community forum, we have to involve the community. So although it came up from the grassroots from within the BME community, they were determined to widen that right across the area—and not just to Rochdale, but to Heywood and Middleton into the Pennines, so that we bring the community in. All faith groups and both sexes, but also the age ranges, were to be brought in.<sup>277</sup>

**120. There is no simple link between race and child sexual exploitation. It is a vile crime which is perpetrated by a small number of individuals, and abhorred by the vast majority, from every ethnic group. However, evidence presented to us suggests that there is a model of localised grooming of Pakistani-heritage men targeting young White girls. This must be acknowledged by official agencies, who we were concerned to hear in some areas of particular community tension, had reportedly been slow to draw attention to the issue for fear of affecting community cohesion. The condemnation from those communities of this vile crime should demonstrate that there is no excuse for tip-toeing around this issue. It is important that police, social workers and others be able to raise their concerns freely, without fear of being labelled racist. The communities that these offenders come from must also play their part and do much more to acknowledge, report and tackle the issue. In particular community leaders and Imams have a vital role to play. We welcome the establishment of the Rochdale community forum and we recommend that multi-agency safeguarding hubs carry out outreach work in order to connect with forums such as this and all communities. In essence, 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. To do otherwise leads to what occurred, or in fact didn't occur, for far too long at Rotherham and Rochdale, and quite likely other places as well.**

**121. 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.**

**122. Every child, whatever community they come from, must feel able to report abuse. In order to do so, they need a justice system that they can have confidence in and communities to give them absolute support. 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.**

## 5 What other steps could the Government take?

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123. The Government produces guidance for local authorities and has also produced an action plan for tackling child sexual exploitation. It has also set up working groups, one based within the Department for Education which examines all aspects of the response. However we wish to explore whether further work could be done at a national level to improve the co-ordination of agencies and the local response to child sexual exploitation.

### Multi-Agency Safeguarding Hubs

124. The issue around data collection and sharing has been one of the constant themes throughout the report. During our first evidence session, we asked Peter Davies, the head of CEOP, what practical things could be done to improve the response to child sexual exploitation. He told us

No. 1, share data better between the agencies and be far more open with information about individuals who are potential victims.<sup>278</sup>

This followed on from the CEOP report produced the year before which had identified that

A key underlying difficulty in assessing the scale of ‘localised grooming’ is the inconsistent recognition of child sexual exploitation by frontline practitioners and the failure to record relevant information at a local level. ... Data relating to child sexual exploitation is often partial and incomplete, concealed in equivocal secondary indicator data, or simply unrecorded.<sup>279</sup>

In the November 2012 interim report, the Office of the Children’s Commissioner highlighted a number of inconsistencies around the collection and recording of data.<sup>280</sup> Almost two years on from the publication of the CEOP report, the Minister admitted that there were still issues as regarding data being shared although he noted that the data collection tool produced by the University of Bedfordshire was intended to improve the rate of collection and the compatibility of the data collected.<sup>281</sup> Given that the collation of data is one of the more effective methods of detecting child sexual exploitation, we regard this as a positive step.

125. One of the ways that data sharing between agencies has been encouraged is through co-location of services, known as a multi-agency safeguarding hub (MASH). CEOP recognise the multi-agency safeguarding hub as a model of best practice which allows practitioners to work together in order to safeguard children.<sup>282</sup> Whilst a Local Children’s Safeguarding Board is responsible for the local area’s strategic response to child sexual

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<sup>278</sup> Q 98

<sup>279</sup> Child Exploitation and Online Protection Centre, *Out of Sight, Out of Mind*, p35

<sup>280</sup> Office of the Children’s Commissioner, Interim report, p 32

<sup>281</sup> Q 897

<sup>282</sup> Ev 151

exploitation, the MASH is responsible for co-ordinating those working on the front-line. The Minister also highlighted that the compatibility of the data collected across agencies in the local area can also be improved where those services are part of a MASH.<sup>283</sup>

126. Witnesses have suggested that one way to ensure consistent data collection and recording across the country is to require that each LCSB set up a MASH.<sup>284</sup> This would also require LCSBs which have not analysed the extent of child sexual exploitation within their local area to do so.<sup>285</sup> The benefits of a MASH are clear – as CEOP noted in their 2011 report, child sexual exploitation requires a multi-agency response.

Sexually exploitation demands a multi-faceted response, and ... victims may be identified by a number of different agencies, including specialist service providers in the community and voluntary sector, children's services and police forces. Each agency is likely to possess varying intelligence on individual cases and the wider picture of child sexual exploitation within the region, and each agency provides a particular aspect of the wider response to child sexual exploitation, from the investigation and prosecution of offenders, to the dispensation of therapeutic services for victims. It is therefore essential that these agencies are able to come together to share information and intelligence, and to respond to individual cases. No one agency can deliver a complete response. By working together, outcomes for victims are improved. For example, common thresholds for intervention in exploitative relationships can be established, evidence gathering and sharing is improved, intelligence is gathered proactively, all agencies are included in responses, and all agencies have a shared understanding of issues underlying child sexual exploitation.<sup>286</sup>

The leader of Rochdale Council highlighted the benefits of the MASH model when he gave evidence to the committee. He described it as being crucial to the whole understanding and identification, to early identification and to early intervention. He also emphasised the need of it to be engaged with the wider to community.<sup>287</sup> Alyas Karmani of STREET underlined the potential benefits of voluntary organisations being linked to the MASH.

I think it is vital that we develop community intermediaries who can then be a conduit between the grassroots and the statutory agencies. At the moment, if you ask a young person who has been exploited would they go to the police or social services, they would probably run a mile, so we need to have those intermediaries in place.<sup>288</sup>

As discussed earlier, we are deeply concerned by barriers to prosecution surrounding CPS tests for witness credibility. Although we welcome the DPP's clear intention to improve the CPS's record on child sex abuse cases, we feel there is still some way to go in achieving the sea change that is required. In particular, we were dismayed to hear that one recent case in

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<sup>283</sup> Q 897

<sup>284</sup> Q 868

<sup>285</sup> Q 672; Child Exploitation and Online Protection Centre, *Out of Sight, Out of Mind*, p37

<sup>286</sup> Child Exploitation and Online Protection Centre, *Out of Sight, Out of Mind*, p34

<sup>287</sup> Q 49

<sup>288</sup> Q 834

Rotherham had collapsed, after charges had been bought, due to the CPS refusing to prosecute.<sup>289</sup> It is for this reason that better specialist training for prosecutors will be vital but so will more integration with local specialist child sexual exploitation investigating teams.

**127. 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 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.**

## Legislation

128. One suggestion made to us was that the Government could introduce a statutory duty to co-operate and share information regarding the victims of child sexual exploitation. Such a duty would work in a similar way to the current Multi-Agency Public Protection Arrangements, implemented under the Criminal Justice Act 2003. The act requires that the local criminal justice agencies and other bodies dealing with offenders to work together in partnership in dealing with these offenders.<sup>290</sup> According to DCS Doyle

There is still reluctance in some areas to share what is key information, which is why the relationships are so important, because they get past those barriers. But if we had a duty to co-operate, so the onus was on co-operation and the proactive sharing of information to protect children, rather than an ability to hide or be scared of the Data Protection Act, I think that would probably help more than anything.<sup>291</sup>

Legislation which requires anyone who suspects that child sexual exploitation is taking place to report it would strengthen this further. In April 2012, the State of Florida passed new legislation which requires anyone with knowledge of known or suspected cases of child abuse to file a report with the Florida Abuse Hotline.<sup>292</sup> Under this legislation it is also an offence to file a false allegation of abuse.

129. Had such legislation existed previously in England and Wales, then there would have been a requirement for the police to act on information provided to them through referrals from, for instance, the Rochdale Crisis Intervention Team.<sup>293</sup> Such legislation would appear to be a drastic step however, if we fail to see significant progress in local areas where

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<sup>289</sup> Q731

<sup>290</sup> <http://www.justice.gov.uk/downloads/offenders/mappa/mappa-guidance-2012-part1.pdf>

<sup>291</sup> Q 473

<sup>292</sup> <http://www.dcf.state.fl.us/programs/abuse/publications/mandatedreporters.pdf>

<sup>293</sup> Qq 264-5

awareness must have been raised following the high profile trial in Rochdale then it may be that such a step is necessary. In HMIC's review of the information known to police forces about the offending behaviour of Jimmy Savile, it was noted that failure to report an arrestable offence in Northern Ireland is actually a criminal offence and that every State in the United States of America, all bar one Australian state and all bar one province in Canada have adopted some form of mandatory reporting requirements where there are allegations of child abuse or neglect.<sup>294</sup> The review called for an examination of the introduction of mandatory reporting of child abuse on the basis that guidance issued to practitioners can sometimes be inconsistent across professions and does not carry the same weight as a legal requirement.

We recognise the difficulties that introducing mandatory reporting might bring (such as levels of reporting that leave the agencies dealing with the reports unable effectively to cope). However, we consider that the time has come to assess again whether a requirement to report their concerns to the appropriate authority should be introduced on those who, in their professional lives, are made aware of facts that reasonably lead them to the conclusion that a child may be the subject of abuse. That authority may not necessarily have to be, in the first instance, the police, if it was thought that there were a more appropriate individual to whom to report the matter, for example, a Local Authority Designated Officer.<sup>295</sup>

**130. 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.**

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<sup>294</sup> Her Majesty's Inspectorate of Constabulary, *"Mistakes were made."*, HMIC's review into allegations and intelligence material concerning Jimmy Savile between 1964 and 2012, p50

<sup>295</sup> Ibid., p51

## Conclusions and recommendations

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### Child Sexual Exploitation: scale and prevalence

1. Despite recent criminal cases laying bare the appalling cost paid by victims for past catastrophic multi agency failures, we believe that there are still places in the UK where victims of child sexual exploitation are being failed by statutory agencies. The police, social services and the Crown Prosecution Service must all bear responsibility for the way in which vulnerable children have been left unprotected by the system. The recent verdict in the Oxford trial demonstrates that contrary to ill-informed beliefs that localised grooming is a crime confined to Northern cities, in fact, no assumptions can be made about where child sexual exploitation takes place. This is a crime that can happen anywhere. Belatedly agencies have made positive steps to try and improve the situation but there is no doubt that both in terms of support for victims and prosecution of offenders, a postcode lottery still exists and agencies are still failing to work effectively together. 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)
2. We take this opportunity to record our gratitude to the Office of the Children's Commissioner for its work in the area of child sexual exploitation and support all of the recommendations made as part of both the accelerated report and the interim report. We recommend that the Government publish a timetable for implementation of these recommendations which will ensure they are in operation by January 2014. (Paragraph 17)
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. The failure of these cases has been both systemic and cultural. Rules and guidelines existed which were not followed. People employed as public servants appeared to lack human compassion when dealing with victims. Children have only one chance at childhood. For too long, victims of child sexual exploitation have been deprived of that childhood without society challenging their abusers. Such a situation must never happen again. (Paragraph 18)

### Children's Social Care

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 residential care by January 2014. (Paragraph 21)
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. Assumptions about 'consent' must be challenged—it should be the fundamental, working assumption of all frontline staff working with children and young people that sexual relations between an adult and a child under the legal age of consent are non-consensual, unlawful and wrong. Directors of Children's Social care



must ensure that they have received adequate training on the issue of child sexual exploitation. They must also take full responsibility for the failure of their department if it does not protect vulnerable children, no matter what they knew. It is their personal responsibility to find out what is taking place in their department. (Paragraph 22)

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)
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)
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)

### Scrutiny of Children's Social Care departments

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)
10. Every Local Safeguarding Children's 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)

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)

## Rochdale and Rotherham

12. Prevention and early intervention in cases of children at risk of sexual exploitation is essential rather than trying to resolve the situation once the exploitation has started. 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)
13. Both Rochdale and Rotherham Councils were inexcusably slow to realise that the widespread, organised sexual abuse of children, many of them in the care of the local authority, was taking place on their doorstep. This is due in large part to a woeful lack of professional curiosity or indifference, from the council Chief Executive who claims to have known nothing about the problem during his first decade in post, to the Director of Children's Services who saw prosecution of sex offenders as a desirable but ancillary goal, through the Local Safeguarding Children's Board which tried to suppress criticisms in a Serious Case Review, to the individual practitioners who, in a chilling confirmation of the abusers' blackmail and threats, dismissed the victims—children as young as 12—as 'prostitutes'. That it took so long for anybody, at any level from the Chief Executive downward, to look at reports of young girls with multiple, middle-aged 'boyfriends', hanging around takeaways, drinking and taking drugs, and to think that it might be worth investigating further, is shocking. Because of the widespread publicity, not least due to the investigative journalism of Andrew Norfolk in *The Times* and the subsequent public outrage, both 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)
14. When victims such as Emma Jackson approached the authorities for help, many were treated in an appalling manner. Even reports by frontline health workers were ignored. It is no excuse for Rochdale and Rotherham managers to say they had no knowledge of what was taking place, as they are ultimately responsible and must be

held accountable for the appalling consequences of their lack of curiosity. Early retirement or resignation for other reasons should not allow them to evade responsibility and they must be held to account. In particular, we are deeply shocked by Roger Ellis' receiving £76,798.20 in redundancy payout. He should be required to repay it. Despite improvements in their response to child sexual exploitation, we remain concerned by the actions of both councils. Rotherham in particular has failed to secure any prosecutions since 2010 and we are doubtful about whether the child sexual exploitation training and working group meetings are actually taking place. We therefore 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)

### The Criminal Justice System

15. We welcome the plans put forward by the Director of Public Prosecution 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 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)
16. We would also like to commend the work of the Director for Public Prosecution, Keir Starmer QC and the Chief Crown Prosecutor for the North West, Nazir Afzal OBE. Unlike many other official agencies implicated in this issue, the Crown Prosecution Service has readily admitted that victims had been let down by them and have attempted both to discover the cause of this systematic failure and to improve the way things are done so as to avoid a repetition of such events. 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 Prosecution 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)
17. Given that the issue around child sexual exploitation appears to be that people in positions of responsibility were failing to listen the victims, we are surprised by Shaun Wright's reluctance to engage with victims. 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)
18. We have heard evidence that South Yorkshire Police Force have previously let down victims of localised grooming and child sexual exploitation—as a result, we would expect the force be striving to redeem their reputation. We do not believe that differences in the number of offenders could explain why Lancashire has 100 prosecutions a year whereas South Yorkshire has none. Such a postcode lottery is

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

19. We note that South Yorkshire has recently increased the number of officers working on localised grooming with funding for ten new officers announced. We expect that with this, alongside the many changes introduced in police forces across the country, we will see an improvement in the recording and prosecution of incidents of child sexual exploitation. We recommend that all police forces ensure that their IT systems are able to identify these incidents and whether multiple perpetrators have been involved. This information can be used to improve the chance of conviction and to help map the scale and extent of child sexual exploitation nationally. We also recommend that the College of Policing work with CEOP 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)
20. The evaluation of the work of police forces in the area of child sexual exploitation is difficult because of the range of charges which can be brought in these cases. 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 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)

### Identifying vulnerable victims and ensuring they have access to support

21. The Association of Chief Police Officers' 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)
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)

## Court processes

23. We are at a loss to understand why the Ministry of Justice, fourteen years after the Act was passed, has still failed to implement this measure. If the Lord Chief Justice, Lord Judge, with his unrivalled experience, can find no reasonable legal obstacle to the immediate implementation of Pigot 2 then there can be no justifiable argument for continuing to subject highly vulnerable victims to cross examination in court given the highly publicised risks this clearly carries. 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)
24. We are pleased to see that the Government and the Crown Prosecution Service are supportive of the use of special measures in child sexual exploitation trials. The work of the CPS and the advocates' gateway toolkits are both steps in the right direction. However, the description provided to us of the failure of special measures to be implemented correctly is a cause for concern and roundtables are unlikely to resolve that. If the issue proves to be recurring throughout the court system we recommend that each court have a named individual with the responsibility for ensuring that special measures are being implemented appropriately whether that require training for staff or investment in technical equipment. (Paragraph 88)
25. The experience of reliving incidents of sexual exploitation in a court is inevitably harrowing for witnesses. We are clear that reforms are necessary to ensure that victims of this appalling crime are able to give clear and effective evidence in court. We are acutely aware that any such reforms must align with the defendant's right to test the evidence against them in a fair trial. However, where witnesses become overwhelmed and intimidated giving evidence, and are unable to give a clear account, that is not in the interests of justice for victim or defendant. We believe that at the moment, the balance is skewed too strongly in favour of protecting the defendant's rights as opposed to the very vulnerable witnesses in cases of child sexual exploitation. For that reason we recommend immediate implementation of Pigot 2, as discussed above, by January 2014. We have been deeply concerned by some of the examples of language used in court that stereotypes child sexual exploitation victims. We acknowledge the difficulties facing the judiciary as they have to strike the balance between removing potential juror prejudice about child sexual exploitation victims and their need not to stray beyond bounds and provide grounds for appeal. However, 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. This should include consideration of allocation of issues between counsel, and the imposition of time limits. 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. In addition, 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)

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. We do not mean that new buildings or new bureaucracies should be created, merely that in each region, one court room should be designated as the preferred court for the most serious child sexual exploitation cases. This court room should be selected on the basis that it has the most up to date technology and appropriate access and waiting facilities. For each region a team of specialist child sexual exploitation judges, prosecutors, police, witness support and ushers should be identified, trained and linked into the local Multi Agency Safeguarding Hub and Local Safeguarding Children's Board teams. We believe that at the moment there are training initiatives in the police, CPS, judiciary and so on. There is a lot of will at the top of these organisations and that is to be commended but there is still inconsistent application on the ground. Victims do not experience the will at the top of the organisation, they experience the reality on the ground. In order to ensure that the most serious cases are guaranteed the most experienced whole court team delivering the best practice, we believe specialist whole court teams in court rooms equipped with the necessary technology are the answer. We will write to the Ministry of Justice requesting periodic updates on this piece of work and will revisit the issue in eighteen months time. (Paragraph 94)

## Health and Education

27. 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)
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. 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. (Paragraph 99)
29. We welcome the increase in funding to Child and Adolescent Mental Health Services. Child sexual exploitation is extremely damaging to a young person's mental health and may result in a young person being unable to be a functioning member of society. It is therefore in the financial, as well as the wider, interests of society that the pain and trauma experienced by victims is recognised and dealt with as soon as possible. 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)

30. Teachers are more likely to see victims on a regular basis than almost any other professional. They will notice recurrent or prolonged absences and significant changes in behaviour. They are therefore key in identifying children at risk at an early stage and, by raising concerns at an early stage, being able to potentially stop the grooming process before the sexual exploitation has begun. We have asked the Minister to look, once again, at the relationship between schools and local authorities in regards to highlighting concerns about missing children. 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)

### Voluntary sector

31. The voluntary sector plays a vital role in identifying child sexual exploitation and supporting victims through investigations, prosecutions and beyond. 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)

### The Issue of Race

32. There is no simple link between race and child sexual exploitation. It is a vile crime which is perpetrated by a small number of individuals, and abhorred by the vast majority, from every ethnic group. However, evidence presented to us suggests that there is a model of localised grooming of Pakistani-heritage men targeting young White girls. This must be acknowledged by official agencies, who we were concerned to hear in some areas of particular community tension, had reportedly been slow to draw attention to the issue for fear of affecting community cohesion. The condemnation from those communities of this vile crime should demonstrate that there is no excuse for tip-toeing around this issue. It is important that police, social workers and others be able to raise their concerns freely, without fear of being labelled racist. The communities that these offenders come from must also play their part and do much more to acknowledge, report and tackle the issue. In particular community leaders and Imams have a vital role to play. We welcome the establishment of the Rochdale community forum and we recommend that multi-agency safeguarding hubs carry out outreach work in order to connect with forums such as this and all communities. In essence, 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. To do otherwise leads to what occurred, or in fact didn't occur, for far too long at Rotherham and Rochdale, and quite likely other places as well. (Paragraph 120)

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)
34. Every child, whatever community they come from, must feel able to report abuse. In order to do so, they need a justice system that they can have confidence in and communities to give them absolute support. 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)

### Multi-Agency Safeguarding Hubs

35. 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 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)

### Legislation

36. 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)



# Formal Minutes

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**Wednesday 5 June 2013**

Members present:

Keith Vaz, in the Chair

Nicola Blackwood  
Michael Ellis  
Lorraine Fullbrook  
Dr Julian Huppert  
Steve McCabe

Bridget Phillipson  
Mark Reckless  
Chris Ruane  
Mr David Winnick

Draft Report (*Child sexual exploitation and the response to localised grooming*), proposed by the Chair, brought up and read.

*Ordered*, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 107 read and agreed to.

Paragraph 108 read, as follows

The vast majority of convicted child-sex offenders in the UK are single White men. However, with this specific model of offending, there is a widespread perception that the majority of perpetrators are of Asian, British Asian or Muslim origin. This would certainly seem to be the case from the major grooming prosecutions which have gone to court so far, but in fact both CEOP and the Office of the Children's Commissioner have found serious inconsistencies with recording of ethnicities and gender of both victims and perpetrators across UK forces. Given the number of child sexual exploitation cases which have so far failed to make it to court, for the reasons discussed, this highly unsatisfactory situation means that it is extremely difficult to form an evidence based opinion on the true nature of what is still a largely hidden crime. Nevertheless, the perception, that grooming perpetrators are largely of Asian, British Asian or Muslim origin colours the attitudes of those working in the field, as well as the media and the wider public. Ann Cryer, the former MP for Keighley, who raised concerns about localised grooming in her constituency as long ago as 2003, faced a backlash when she described the offenders as Asian and pointed to the fact that most of them came from the Mirpur district of Kashmir (a description which she still stands by). She suggested that underlying cultural attitudes might be a factor in the offending. As Andrew Norfolk told us

The far right leapt on the story, predictably, and [Ann Cryer] was accused of demonising all Muslims. I think that it almost acted as a brake for several years on anybody seriously looking at whether there was any truth in what she was saying but, as the years passed, I noticed cases cropping up from time to time across Yorkshire and Lancashire with a very similar pattern.

Amendment proposed, in line 9, after "perception", to insert "which we believe to be false".—(*Mr David Winnick.*)

Question put, that the Amendment be made.

The Committee divided.

Ayes, 1

Mr David Winnick

Noes, 4

Michael Ellis  
Lorraine Fullbrook  
Steve McCabe  
Mark Reckless

Paragraph agreed to.

Paragraphs 109 to 130 read and agreed to.

*Resolved*, That the Report be the Second Report of the Committee to the House.

*Ordered*, That the Chair make the Report to the House.

*Ordered*, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

Written evidence was ordered to be reported to the House for printing with the Report (in addition to that ordered to be reported for publishing on 16 and 31 October, 13, 20 and 27 November, and 11 December 2012, 15 January, and 16, 18 and 23 April 2013).

[Adjourned till Tuesday 11 June at 2.30 p.m.]

# Witnesses

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<b>Tuesday 12 June 2012</b>	
<b>Jim Taylor</b> , Chief Executive, and <b>Councillor Colin Lambert</b> , Leader, Rochdale Council	Ev 1
<b>Chief Constable Peter Fahy</b> and <b>Detective Chief Superintendent Mary Doyle</b> , Greater Manchester Police	Ev 7
<b>Peter Davies</b> , Chief Executive, Child Exploitation and Online Protection Centre	Ev 13
<b>Sue Berelowitz</b> , Deputy Children’s Commissioner	Ev 18
<b>Tuesday 3 July 2012</b>	
<b>Tim Loughton MP</b> , Parliamentary Under-Secretary of State for Children	Ev 23
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<b>Jon Brown</b> , Head of Strategy and Development, Sexual Abuse, NSPCC, <b>Sue Minto</b> , Head of ChildLine, and <b>Michelle Lee-Izu</b> , Director of Barnardo’s, South East	Ev 31
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<b>David Dillnut</b> , Head of UK Human Trafficking Centre, and <b>Mark Webster</b> , Deputy Director, Operational Services Department, Serious and Organised Crime Agency	Ev 38
<b>Tuesday 6 November 2012</b>	
<b>Ms Sara Rowbotham</b> , Crisis Intervention Team Co-ordinator and Sexual Health Improvement Specialist, Pennine Care NHS Foundation Trust, Rochdale	Ev 44
<b>Jim Taylor</b> , Chief Executive, and <b>Roger Ellis</b> , former Chief Executive, Rochdale Council	Ev 51
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<b>Detective Superintendent Ian Critchley</b> , Head of Public Protection, Lancashire Police and Head of ACPO Child Sexual Exploitation Task Force and <b>Detective Chief Superintendent Mary Doyle</b> , Head of Public Protection, Greater Manchester Police	Ev 60
<b>Steve Garner</b> , former Director of Children’s Social Care, Rochdale Council	Ev 66
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### Tuesday 4 December 2012

**Andrew Norfolk**, The Times Ev 79

### Tuesday 11 December 2012

**Sue Berelowitz**, Deputy Children’s Commissioner Ev 87

### Tuesday 8 January 2013

**Martin Kimber**, Chief Executive, and **Joyce Thacker**, Strategic Director of Children’s and Young People’s Services, Rotherham Metropolitan Borough Council Ev 93

**Emma Jackson** and **Mr Jackson** Ev 98

### Tuesday 29 January 2013

**Ann Cryer**, former Member of Parliament for Keighley, and **Kris Hopkins MP**, Member of Parliament for Keighley Ev 104

### Tuesday 19 March 2013

**Shaykh Ibrahim Mogra**, Muslim Council of Britain, and **Alyas Karmani**, STREET UK Ev 108

**Sheila Taylor**, National Working Group for Sexually Exploited Children and Young People and **Martine Osmond**, The Children’s Society Ev 114

### Wednesday 20 March 2013

**Mr Edward Timpson MP**, Parliamentary Under-Secretary of State (Children and Families) Department for Education Ev 120

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1	Sir Peter Fahy, Chief Constable, Greater Manchester Police	Ev 127
2	NSPCC	Ev 128, Ev 130
3	Department for Education	Ev 132, Ev 142
4	Barnardo’s	Ev 146
5	Child Exploitation and Online Protection Centre	Ev 151
6	Home Office	Ev 157
7	Serious Organised Crime Agency	Ev 161
8	The Children’s Society	Ev 163, Ev 171
9	South Yorkshire Police	Ev 174
10	NWG Network in Association with Victim’s Support	Ev 177
11	Rotherham Metropolitan Borough Council	Ev 179, Ev 181

## List of additional written evidence

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(published in Volume III on the Committee's website [www.parliament.uk/homeaffairscom](http://www.parliament.uk/homeaffairscom))

1	Jim Phillips	Ev w1
2	End Violence Against Women Coalition	Ev w1
3	Birmingham City Council	Ev w3
4	Missing People	Ev w5
5	Carol Hopewell	Ev w12
6	Howard League for Penal Reform	Ev w13
7	Esther Rantzen	Ev w16
8	Steven Walker and Miss Samantha Roberts	Ev w18
9	Safe and Sound Derby	Ev w20
10	Chris Longley MBE	Ev w23
11	The Law Society	Ev w24
12	Shaun Wright, South Yorkshire Police and Crime Commissioner	Ev w25

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Fifth Report	Police use of Tasers	HC 646
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