



Northern Ireland
Assembly

Committee for Health, Social Services and
Public Safety

OFFICIAL REPORT (Hansard)

Independent Inquiry into Child Sexual
Exploitation in Northern Ireland

11 December 2013

NORTHERN IRELAND ASSEMBLY

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Independent Inquiry into Child Sexual Exploitation in Northern Ireland

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Members present for all or part of the proceedings:

Ms Maeve McLaughlin (Chairperson)
Mr Roy Beggs
Mr Mickey Brady
Mr Samuel Gardiner
Mr Kieran McCarthy
Mr David McIlveen
Mr Fearghal McKinney

Witnesses:

Mr Seán Holland	Department of Health, Social Services and Public Safety
Mrs Kathleen Marshall	Independent Inquiry into Child Sexual Exploitation in Northern Ireland
Ms Sheila Taylor	NWG Network
Mr Glenn Houston	Regulation and Quality Improvement Authority

The Chairperson: I formally introduce and welcome Kathleen Marshall, chair of the inquiry into child sexual exploitation here in the North; Sheila Taylor, the chief executive of the National Working Group (NWG) Network; Glenn Houston, the chief executive of the Regulation and Quality Improvement Authority (RQIA); and Seán Holland, deputy secretary of the social services policy group in the Department. The normal procedure, Kathleen, is that we take a 10-minute presentation from you. I assume that you will take the lead on that. We will then open it up to members' questions.

Mrs Marshall: Chairperson and members, I thank you for the opportunity to speak to you about the independent inquiry into child sexual exploitation, which I am privileged to be leading in Northern Ireland. I believe that my experience in working for the rights and best interests of children and young people, together with the insights gleaned from my earlier work in Northern Ireland and beyond, will provide a sound basis for bringing this inquiry to a successful conclusion. Members will have received a briefing document about the inquiry and its progress and will be aware that it is being facilitated and supported by RQIA, along with the Criminal Justice Inspection Northern Ireland and the Education and Training Inspectorate, all of which are represented on the inquiry board. Before embarking on the substance of my opening statement, I will invite my fellow inquiry board members to introduce themselves, if that is all right with the Chairperson.

Mr Glenn Houston (Regulation and Quality Improvement Authority): Good afternoon, Chair and members of the Committee. As the Chair said, I am the chief executive of the Regulation and Quality Improvement Authority, a position that I have held since 2009. I am a social worker by profession, and I maintain my social work registration. Prior to joining RQIA, I was director of social work in one of the five health and social care trusts in Northern Ireland. Before taking up that appointment in 2007, I

was, for three years, chief executive of the former Craigavon and Banbridge Community Health and Social Services Trust.

Ms Sheila Taylor (NWG Network): Hello, and thank you for inviting me today. Previously, I ran a project called Safe and Sound in Derby, which specifically supported children and young people who were sexually exploited in that city. In 2011, I went on to become the chief executive of the National Working Group, which is a network of professionals coming together from more than 300 organisations and including whole local safeguarding children boards (LSCBs), whole health arenas, whole police forces and whole national children's organisations. The network's breadth is very wide, and that is where we gain a great deal of our knowledge in helping those people to move forward.

Mrs Marshall: Child sexual exploitation is a term that some may have questions about. How is it different from child abuse? Is it something new, or has it been around for some time but has just not been recognised or classified in that way? There are different definitions of child sexual exploitation. The one that the inquiry is working on is an extensive paragraph found in English guidance going back to 2009. I am aware that other definitions are being worked on at the moment, and we will be keeping an eye on that. What is clear is that the term can cover a spectrum of activities, from commercial exploitation to trafficking to seemingly consensual relationships that have a sinister intent behind them and some sort of power imbalance.

Professionals in Northern Ireland have been working on this issue for some time, and some good things have come out of it, including the Barnardo's report, 'Not a World Away: The Sexual Exploitation of Children and Young People in Northern Ireland', published in 2011. I was particularly impressed with an information leaflet devised by young people for other young people with the help of agencies in Northern Ireland. It tells young people that child sexual exploitation is a form of abuse in which young people, boys or girls, are tricked or exploited into taking part in sexual activity for something. The something could be attention, love, food, cigarettes, drugs, alcohol or money. The leaflet's emphasis on being tricked and trapped encapsulates a lot of what child sexual exploitation is about.

A society is rightly outraged in the face of any threat to the safety and well-being of its children, and a society is perplexed when the children who are committed to its care appear to be particularly vulnerable to harm. When it became known that the Police Service of Northern Ireland was investigating 22 cases of young people aged 13 to 18 who might have been subject to child sexual exploitation, many of them living in public care, and that more than 30 people had been arrested, there was a great deal of public concern, and people looked to their elected representatives to do something about it. It should be noted, however, that child sexual exploitation is not an issue solely for children and young people in public care; any child can be vulnerable to it. We do not want to be alarmist about this. Many young people display considerable wisdom and resilience when faced with the issue, but we do have a responsibility to raise their awareness of the issue and to help them to extricate themselves from difficult situations. However, that responsibility is not theirs alone; we must take rigorous action to identify and pursue the perpetrators.

The independent inquiry that I am leading is about scoping out the nature and scale of the problem insofar as it can be ascertained from available information. It will examine the effectiveness of current cross-sectoral arrangements to prevent and tackle child sexual exploitation and make recommendations for more effective future actions to prevent and tackle it. The independent inquiry will, of course, take into account any information that is available from the other two initiatives.

I am pleased that the terms of reference of the inquiry emphasise the need to involve children, young people and parents in its work. The year-long time span for the inquiry reflects the need for this commitment to be robust and not tokenistic. Children and young people may be the object of concern with regard to the problem of child sexual exploitation, but they are also the key to the solution. They are the experts in their own lives, and we need an insight into both the constant and the ever-changing dimensions of those lives if we are to intervene successfully to prevent and tackle exploitation.

We are paying attention to equalities issues throughout the inquiry. Although child sexual exploitation is normally defined with reference to those aged under 18, it seemed to us, after consultation with key stakeholders, that the inquiry should adopt a definition of young people that applies to the work of the Children's Commissioner for Northern Ireland, that is to say that the focus of our concerns should also include those aged up to 21 who have a disability or who have been in care.

Parents, too, are key as the primary promoters of the safety and well-being of their children. Parents and others who care for children must be given the knowledge, skills and confidence to protect their

children and to help them to protect themselves. It is important that the inquiry will be reporting to the Minister of Health and Public Safety and also to the Ministers of Justice and Education. It is critical that we engage all relevant agencies that impact on the lives of children and young people. As indicated previously, this multi-agency approach is also reflected in the support system for the inquiry, which involves RQIA and the inspectorates for criminal justice and education.

Since my appointment as inquiry lead on 5 November, we have held meetings with the Children's Commissioner and with statutory and voluntary agencies, which have been very helpful in shaping our approach to the work of the inquiry. I have been working with the inquiry board on an initial scoping exercise of issues and actors in the field in preparation for a call for evidence that we are pleased to be issuing today, inviting anyone with anything to say to tell us about child sexual exploitation. We are willing to accept evidence from today; the deadline for responses to the call for evidence is 18 March. We hope that that time will be sufficient for potential respondents to reflect on what they know and what the inquiry needs to know about the issue. However, we will also be proactive in engaging with young people, parents, professionals and community groups who may be able to assist us.

Chairperson and members, thank you for listening. My colleagues and I look forward to answering your questions.

The Chairperson: Thank you for that, Kathleen. I take from what you said that the call for evidence is now open.

Mrs Marshall: Yes, until 18 March.

The Chairperson: From the Committee's perspective, there are real challenges for society in developing our understanding of what child sexual exploitation is. We are always mindful that, whatever way we frame this, it needs to be done in a way that ensures that those who are most vulnerable are not put at any other risk. In relation to the work that Barnardo's did in 2011, what can you say specifically to the Committee that would assure us that your inquiry will protect children and will prevent this from happening again?

Mrs Marshall: The first thing that I did when I was appointed to the inquiry was a thorough analysis of the Barnardo's report. That has already shaped some of the lines of questioning that we will be adopting with agencies. We have also met Barnardo's, which is one of the initial key stakeholders, and we are keen to follow up on its recommendations and on what has happened since, with a view to doing whatever can be done to prevent children and young people in Northern Ireland from this terrible crime.

The Chairperson: Maybe this is a question for the Department, but is it a fair reflection to say that the inquiry has no powers?

Mr Seán Holland (Department of Health, Social Services and Public Safety): It does not have any statutory powers as a full public inquiry would have under the inquiries legislation, no.

The Chairperson: Then, why was that decision taken?

Mr Holland: It was a ministerial decision, and I think that the Minister looked at the issue from two sides.

On one hand, there was a desire to understand what had happened in the case of the 22 young people who were involved in Operation Owl, and we have statutory powers in place already to assist us in reviewing those cases. The Safeguarding Board for Northern Ireland (SBNI) has been established on a statutory basis, and there is a statutory duty among its members to safeguard and cooperate to safeguard. So, a statutory force lies behind the work of the inquiry or the review when it comes to looking at the specific cases and how they were handled.

It was intended that the independent inquiry led by Professor Marshall to look at specific cases would be complemented by work that would look at the state of knowledge and understanding of child sexual exploitation in and beyond Northern Ireland. It was not felt that any statutory power would be required for that inquiry to be able to do its work.

The Chairperson: With respect, we have had that from the Barnardo's report. The Barnardo's research gave us 11 recommendations and specific actions that will be required, which included the collation of data, monitoring and joined-up protocols. So, for a number of years, we have had a view of what was happening. It may not be the exact, concise view as regards numbers, but we have had a view. How do you respond to the assertion that this will simply produce another report?

Mr Holland: The Barnardo's report was very useful in contributing to our understanding of the issue and giving us some insights into the nuances of how it is manifest in Northern Ireland. However, it was one report at one point in time. You cannot think of this journey as having an end point. Indeed, before the Barnardo's report was published, there was knowledge and understanding of child sexual exploitation, and things were being done to improve the response to it. The Barnardo's report in 2011 states:

"A number of initiatives have been introduced in recent years that have begun to address some of these concerns. These include the introduction of regional guidance on responding to young people who go missing, the funding of a specialist support service for children missing from care, an enhanced role for senior social work practitioners".

So, things were happening before the Barnardo's report and things have happened since, but that still leaves us needing to know more. This is a complex situation that will require continued refinement and improvement. I believe and hope that the work of the thematic review and the independent inquiry will help us on that journey. However, I have to be very clear, Chair, if there is a belief that we can somehow reach an end point where we know everything about this issue and can guarantee the prevention of this phenomenon absolutely, then I do not believe that it point is in sight, and I do not believe that we will probably ever reach that point.

The Chairperson: Wider society wants a sense that there is accountability in this matter. The concern is that we cannot allow ourselves to simply see another report. I could take issue with you on how the recommendations were or were not taken forward. However, I will park that. As a community and as a society, we need to see where accountability kicks in if there have been failings, and there clearly have been failings, given that we are talking about 22 cases. That is failure in my book. How can an agency, Department or organisation be held to account in the process of this inquiry?

Mr Holland: Chair, you have raised a number of points, and I will respond to them. You mentioned accountability. Any discussion about accountability in relation to child sexual exploitation should really start with where it ultimately must rest. I quote Jim Gamble, the former chief executive of the Child Exploitation and Online Protection (CEOP) Centre on this: when we talk about accountability, we should be talking about bringing to account the people who perpetrate crimes against children and young people. That should be our primary focus for accountability, as opposed to always looking to the people who work at whatever level in trying to protect children.

The Chairperson: Sean —

Mr Holland: I am sorry, can I —

The Chairperson: I am sorry, Sean. I agree absolutely. I do not think that anybody would take issue with bringing the perpetrators to book.

Mr Holland: But, I want to come to your other points about the accountability of public servants.

The Chairperson: Equally, however, if organisations, Departments or anyone else —

Mr Holland: I will come to that point, Chair.

The Chairperson: — have been mandated —

Mr Holland: I will come to that point, Chair.

The Chairperson: — to carry out actions and have not done so, there is an issue about accountability and redress.

Mr Holland: Chair, can I come to that point, please?

The Chairperson: Yes.

Mr Holland: Before I come to that point, there is another point that I really have to make.

You said that there have been 22 cases, and so, clearly, there have been failings. I tell you with certainty and deep regret that there are more than 22 cases. I do not know how many cases there are. That knowledge does not exist in social services, the police, Barnardo's or any organisation. Unfortunately, the truth — and this is true of all child abuse — is that, when we talk to adults, the prevalence of child abuse is far greater than ever comes to the attention of services. This is true of physical abuse, neglect and sexual abuse. If you imagine that the issue is 22 cases, I have to tell you that that is not the case. There are more than 22 cases. There will be children and young people experiencing sexual exploitation in future who will never come to the attention of services. Some of them will also be in the care system. I do not believe that that automatically indicates that there has been a failure in the work of those who are seeking to protect those people.

Where people have been charged with responsibilities in relation to working with children and young people and have statutory obligations, and it is found that they have failed in discharging those responsibilities, it will be for people to take decisions about holding them to account. The processes are in place for that to happen. It does happen. People in public services are held to account for their performance. The work of the thematic review, in particular, will inform those decisions, be they in trusts, the Health and Social Care Board, the PSNI or wherever.

The Chairperson: I agree about the numbers. I referred to that in my opening remarks. We do not know the extent of this. I simply referred to the 22 cases because they are part of the thematic review. I accept that, which is why I made the comment about society and developing understanding around that.

Mr Holland: The point that I was making was that the existence of 22 cases does not automatically indicate failures of service providers.

The Chairperson: I suggest that one case is a failure somewhere. I will give an example, because I was going to ask Kathleen a direct question about the regional guidelines that exist in care facilities. We have examples of care workers and social workers who are doing way above the call of duty and are saying very publicly, "I don't know what to do in is situation". Is that not a failure? Can we say that the guidance is fully understood or implemented across the North?

Mr Holland: It tells me two things. It tells me that there is a great challenge because of the difficulty and complexity of the work. Very skilled people can apply all their experience and knowledge to the situation and still feel defeated by it. It is very difficult work. It also tells me that we need to continually revise and improve not just the guidance that we provide to people but the training and the way in which we support people doing that work. I believe that things are better today than they were five years ago. I pray and hope that things will be better again in five years' time. That is the nature of doing that work.

The Chairperson: But do you not accept that, if there is a lack of clarity around the implementation or understanding, that in itself is a failing?

Mr Holland: I would not frame it necessarily as failure. I would frame it as a challenge that we have to respond to. I know plenty of people working in the system who understand the guidance and try to apply it. Sometimes, they are confronted with situations that seem to take them to places beyond the guidance. That is one of the reasons why an exercise such as the one being led by Professor Marshall is to be welcomed and will help us. However, there is no silver bullet. We will not reach a day when every person charged with responsibilities for vulnerable children will be able to respond in a way that prevents the difficulties they face.

The Chairperson: Maybe Professor Marshall wants to answer this question, but would statutory powers to investigate and compel witnesses to bring forward evidence assist?

Mr Holland: Professor Marshall can respond on her own behalf. You may not believe this but I am heartened by the interest that the Committee is taking in this issue. Sometimes, witnesses from

Departments are asked hard questions, and that is as it should be, but that is a sign of good public scrutiny. I cannot imagine that any public body will be reluctant or recalcitrant in engaging with Professor Marshall's inquiry, knowing that that reluctance or recalcitrance will come to the attention of this Committee and, potentially, the Education Committee, the Justice Committee and the OFMDFM Committee, all of which have an interest in this area of work.

If it emerges that I am wrong, a decision could be taken again. However, I do not think that there is a prima facie case to believe that there is a situation that requires powers that are not currently there.

The Chairperson: Professor Marshall, do you want to comment on the statutory powers specifically?

Mrs Marshall: Yes, certainly. We are relying on the powers of, for example, the RQIA, which can exercise its powers. Glenn Houston can talk about that. We had a discussion with the Children's Commissioner, who said that she had considerable powers and would be able to open doors for us should we need her assistance. We are hoping that we will not have to use compulsion. At the initial meetings that we had so far, people were open and willing to help us, including Barnardo's. The Barnardo's report was excellent, but all the way through it states that it is exploratory research and that more work needs to be done.

Chairperson, you hit the nail on the head when you spoke about guidelines. Do workers on the front line, people who are in touch with children and young people, know what they are supposed to do? Are the guidelines appropriate and do people have the confidence to do it? I hope that that is one of the things that we will look at closely to find out what exists, what people think exists, do they understand how it applies to this emerging understanding of child sexual exploitation and what do we need to do to give them the confidence to act effectively?

There are two issues there that my fellow board members could speak to if you wish, Chair. Glenn could talk more about the powers and Sheila, who has vast experience of child sexual exploitation issues, would be able to talk a little more about the different models of child sexual exploitation that go way beyond the kind that the 22 cases are focused on.

Mr Houston: Just before I say something about the powers, I want to reflect on something that Kathleen said in her opening remarks, which was that during November, after her appointment was confirmed, we held a round of meetings with some of the key organisations that we believe can contribute meaningfully to the inquiry. What struck me about that round of meetings was the willingness to engage fully with the inquiry process and support the process in whatever way they can.

The RQIA is an independent regulator. Our powers are set out in the 2003 Order. We have a long track record of carrying out investigations and reviews of health and social care bodies. We have considerable powers if we need to use them to give us right of access to allow us to require information. In the context of a full public inquiry, for example, we cannot compel witnesses to give evidence. However, if we felt that we needed to exercise those powers, we would want to make sure that we are exercising them proportionately and reasonably.

Although it has yet to be proved, I believe that we will be met with considerable support for the process. Our early engagement with those organisations suggests that they are keen to know what can be done to improve the services across Northern Ireland. Some have already given us an indication of the work that they are doing and areas where they think that it can be improved. Chair, those powers extend to all of the health and social care organisations, including the Department.

Ms Taylor: I just wanted to make an observation about the additional information this inquiry could bring forward. The original Barnardo's report gave us a very good flavour and recommended what could be done here locally, but over the past two years in particular, there has been considerable growth in our understanding of child sexual exploitation. It is far more complicated and widespread than we originally thought.

If we go back just two or three years, people were talking about young women predominantly, but I know, through the work that I do across the UK, that a significant number of young men are sexually exploited. They never appeared on the radar and would have been unlikely to have done so in the reports done two or three years ago. There are examples of young people being taken out of the country, not trafficked in, but taken out of the country, to places such as holiday destinations for sexual exploitation. There is a whole host of different ways that it manifests itself in society and I think that

we have a duty to uncover it. Whatever you put in place now will not reflect that if you have not got a true understanding of what child sexual exploitation looks like here in Northern Ireland.

Mr McCarthy: Thank you very much for your presentation. I will start with the Barnardo's report, which was completed in 2011, as I understand it. Why was there a delay of two years in coming to where we are at this moment in time? Surely, the fact that there has been that delay in getting the inquiry set up to tackle this is significant in itself. There must be young people who have been affected during that two years and nothing has been done. Someone may want to answer that.

I have to support the Chairperson, because there must be accountability and responsibility. There are reports and inquiries, but Northern Ireland is full of these things and yet this continues. When are we going to see action? Professor Marshall, when your work is done in a year's time, what guarantee can you give us that we will see an end to this horrible, horrific issue that we are discussing here today? You are going to spend the next year on this. Can you give us a guarantee or something close to a guarantee that this will see the end of exploitation of kids?

Mrs Marshall: I think that no one can ever give a guarantee that there will be a complete end to any abuse and exploitation —

Mr McCarthy: Progress, then.

Mrs Marshall: You progress and look at what is effective and listen to young people and parents about what is happening. Three themes came out of our early discussions with agencies about what the outcomes should be. The first is more awareness. People need to understand what this is and be able to see the signs. There should be balance in the debate so that it is not just about restricting children, it is about tackling perpetrators; it is not just about girls, it is about boys; it is not just about children in care, it is about all children, and it is about getting that balance and not being alarmist.

The other thing that came out of it was the need, working from the awareness and so on, to instil confidence in agencies and in parents to be able to identify and address this and to know what to do. I think it is that confidence that is lacking at the moment. I would not have taken this on if I did not have some reasonable expectation that we would come out with something at the end of it. Sadly, people who want to exploit children are always finding new ways to do it, and, as Sheila said, we are always catching up on this. It is still a good thing to do, but I certainly hope that we will have made some significant progress.

Mr McCarthy: Eleven recommendations came out of the Barnardo's report. How many of them have been instigated?

Mrs Marshall: We will be following that up.

Mr Houston: Kieran, I have the report with me, and it is a seminal document in the landscape. It is not the only document: there have been a number of other reports. In fact, I had the privilege of attending a conference on 23 October organised jointly by the Northern Ireland Association of Social Workers (NIASW) and an organisation called British Association for the Study and Prevention of Child Abuse and Neglect (BASPCAN). It set out a lot of work that is being done, most particularly in the University of Bedfordshire, where the author of this report, Helen Beckett, is now working. We have spoken to Barnardo's about the report and we note the recommendations that you are referring to. Some of them, for example, are recommendations for the board, for the Public Health Agency, for the Policing Board and indeed for the Department itself.

We will want to take account of the evidence that we receive through the call for evidence as to how far progress has been made across those recommendations. We also want to hear what is happening currently that is working very well, because I think sometimes, with the focus of media attention on a subject, you do not necessarily get to hear about the examples of good work that are going on across the piece. We heard some of that in our initial engagements. We also want to understand if there are gaps in the service, where those gaps are and how they might be mended, because it is too important for us not to look at that.

The other thing I would like to say in response to your answer, Kieran, is that part of the challenge of the time frame for the review is that it is absolutely right to consider what the local authorities are currently doing to support young people and parents where there are concerns about vulnerability and sexual exploitation. That has to be writ large in the process, but we also want to take the time to do it

properly, and that involves hearing the voices of young people themselves, hearing the voices of parents and hearing what they are telling us. I suspect that being responsible for a child in this generation, with so many of the challenges around the use of internet and so on, is a very different experience from my experience of being a parent. My children are now in their early 30s.

Mr Holland: Can I also respond to some of the points you make, Kieran? I will start with the recommendations from the Barnardo's report. It was an excellent report. It is one of many excellent reports on many different aspects of child protection that I read every year from various sources. There is a danger sometimes that we can become overly focused on one area of child protection and child abuse. I have seen that happen in the past. I have to be concerned with children who experience abuse from neglect, physical abuse and familial sexual abuse. I also have to be concerned with children who are vulnerable to child sexual exploitation. There are many reports produced on all of those issues every year. We try to take account of, and learn from, what they say, and they inform the development of policy; but policy is not set simply by the recommendations contained in those reports. The Minister wrote to the Committee in September detailing the actions that we have taken that we believe were informed by those recommendations.

The other thing that I want to say very clearly, Kieran, is that I detected almost a sense of hopelessness in the way you said that we get report after report and nothing changes. I talked earlier about changing focuses in child protection and child abuse. Unfortunately, I am old enough to remember when battered babies were the main concern and the issue that was in the media in relation to child protection many years ago. It was a phenomenon largely driven by the women's movement. It was something that had been hidden, but those women who came together to respond to domestic violence played a pivotal role in drawing society's attention to that kind of physical abuse of children.

Over the years, there have been many reports and recommendations about how we should respond to the issue of battered babies. It might be that the public perception is that nothing ever improves because, unfortunately, some children still die in those circumstances, but the reality is that the number of children in the UK dying from physical abuse is the lowest it has been for 30 years. We have consistently reduced the number of children who have died from that kind of physical abuse. Indeed, we have reached the point where the child protection register is the safest place for a child who is vulnerable to physical abuse in our society. As a child, you are less likely to die from physical abuse if your name is on the child protection register than if you are a member of the general population. That is quite an achievement, given that you will only be on the child protection register if you have already had vulnerabilities identified that make you susceptible to abuse.

So, yes, there are lots of reports and recommendations. Unfortunately, sometimes it feels as if we are stepping backwards as awful cases come to the public eye, but the reality is that we have made progress in very difficult areas. I am confident that we will also make progress on child sexual exploitation, but I think we are at a very different stage in the journey.

Mr McCarthy: I hear what you say. Sean and Glenn mentioned the media. I do not know whether you were being critical in what you were saying about the media, but I regard the media as probably being instrumental in getting us to where we are. Had it not been for the media raising the profile, we would not have been here. Young people and the ordinary people outside depend on you, the professionals, to see what is going on and to act on it. That is the main thing. All of that whistle-blowing thing —

Mr Holland: Other people will have a more informed perspective on this than me. However, I think that it is important to say that, in relation to child sexual exploitation, the big progress that we are going to make on safeguarding young people will not be from professional interventions. It is going to be about a societal response. It is going to be about empowering young people to keep themselves safe and equipping parents with the skills to help protect their children. Some children will come to the attention of services, and services can respond well or badly to those children. I want them to respond well, but, ultimately, the real progress, I suspect, will not be made within the delivery of very professional services. There are people at the table more expert than me who can talk to that.

Ms Taylor: You are exactly right, Mr McCarthy. The Barnardo's report was published, and a lot of people read it. They looked at the recommendations and thought that those things had been implemented in a way that might arrive at a destination for younger people, but actually —

Mr McCarthy: Two years' delay.

Ms Taylor: In my world, nothing really happens until there is a big operation and a big media outcry. That is the problem, is it not? We have seen that all over the country, not just here. In an awful lot of places, people have been a tad complacent.

Mr McKinney: May I just interject? Would you accept that some of the 22 children were impacted in that two-year period?

Ms Taylor: I do not know who the children are, so I cannot comment.

Mr McKinney: Would you accept that, Dr Marshall?

Mrs Marshall: We have not had any contact with the issues of the 22 children. In fact, that is specifically excluded from our terms of reference.

Mr McKinney: Sean Holland, would you accept that the 22 children were perhaps impacted in the past two years?

Mr Holland: I would be fairly confident that some of the 22 children would have, as well as many more children beyond those 22. However, I would not say that nothing happened from the publication of the report. Things happened from the day and hour that we received the report. Things happened during the time that the report was being produced, and things were happening before the report was written.

Mr McKinney: So who in your report will ask the questions about the recommendations not being implemented?

Mrs Marshall: We will obviously follow up on what happened to those recommendations. I would regard that as being —

Mr McKinney: But who will interrogate the Department or anybody else involved about the lack of implementation of those recommendations?

Mrs Marshall: We will certainly follow up on the recommendations and whom were they addressed to, and ask what has happened.

Mr McKinney: You might ask, but you do not have the powers to ask.

Mr Holland: Fearghal, may I speak on that point?

Mr McKinney: I would like Kathleen to answer that.

Mrs Marshall: For a start, as I say, anyone has the power to ask. The question is whether you can require an answer.

Mr McKinney: Exactly.

Mrs Marshall: Then, the question is whether that answer is full or not. I have no reason to believe —

Mr McKinney: Would you accept that you do not have those powers?

Mrs Marshall: The inquiry on its own does not have that power. There are other powers available.

Mr McKinney: Is that a failing of the inquiry as it is set up.

Mrs Marshall: If you had wanted a separate public inquiry with statutory powers, that is obviously another route you could have gone down. You could have set up an independent —

Mr McKinney: With the issues around the 22 children not being dealt with, and with the children falling into the situation that they fallen have into, set against the backdrop of the recommendations not being implemented, would that not merit a stronger, more powerful inquiry?

Mrs Marshall: Our remit is not to do with the 22 cases.

Mr McKinney: I am not asking —

Mrs Marshall: You are talking to me. You have the thematic review. I have chaired a statutory inquiry into abuse in children's homes, but we could not start our work until the criminal process had finished. So, there is an issue there about waiting.

Mr McKinney: We do not even have to look specifically at the circumstances of the 22 cases. What we can do is ask whether those 22 children would have been impacted to the degree that they were, had the recommendations been acted on. Have you or have you not got the powers to ask those questions?

Mrs Marshall: This inquiry has no statutory powers of its own and is specifically excluded from looking at the 22 cases. So, this is not —

Mr McKinney: Sorry. Let me be clear: I am not asking you about interrogating the 22 cases. I am asking you whether you have the power to ask why departmental people or officials or whoever has statutory responsibility did not implement those recommendations to the fullest degree, given that you have acknowledged that some of those children could have been impacted as a result of that.

Mrs Marshall: We certainly have the powers to ask. Maybe I can pass over to Glenn, who will talk about the RQIA's powers.

Mr Houston: Fearghal, the point that you are making is hugely important. There is a difference with the power to ask. We will exercise that power to ask. As I mentioned, there is an issue about compelling evidence. I fully expect all the organisations to provide evidence to enable us to interrogate that evidence.

Mr McKinney: Sorry. With respect, that is a conversation not an interrogation. How can you get the answer? You can ask the question. I have the power to ask a question. However, I expect that, if I am launching a proper, thorough inquiry into the circumstances of why solid recommendations that are two years old have not been fully implemented, I would like the answer.

Mr Houston: And so would I. I think that this inquiry would like the answer.

Mr McKinney: You are telling me that you do not have the power to get that answer. This inquiry does not have the power to get that answer. Do you agree?

Mr Houston: We do not have the powers of a public inquiry under the Inquiries Act 2005.

Mr McKinney: So what is the value of this inquiry?

Mr Holland: Fearghal, can I possibly assist?

Mr McKinney: Yes, if you can.

Mr Holland: The Minister has initiated this inquiry. He set terms of reference. Amongst those terms of reference, we are to seek to establish the nature of child sexual exploitation in Northern Ireland and examine the effectiveness of current cross-sectoral child safeguarding and protection arrangements and measures to prevent and tackle CSE — in essence, how well our current systems are working. I do not believe that Professor Marshall will be able to do that without enquiring about the effectiveness and efficiency of our response —

Mr McKinney: But —

Mr Holland: Can I finish?

— to the recommendations that were contained in that report. That information will then be made public. Our Minister, having asked for the inquiry to be established, will certainly expect that all relevant bodies, including the Department, engage fully with the inquiry. They will ask us the

questions. We will give them the answers. That information will then be available, ultimately, to Committees and the Assembly, who hold Departments and Ministers to account.

The Chairperson: Sean, I want to pick up on Fearghal's point. There is an issue about the statutory powers of the inquiry. What if the question is asked and the answer that is received indicates a failing?

Mrs Marshall: Obviously, we were asked to examine the effectiveness. If the answers that are received indicate a failing, we will obviously comment on that because we have been asked to examine the cross-sectoral safeguards that are in place.

As I said, I have been involved in statutory public inquiries and the way in which they work. There are other ways of doing these. We have got the thematic review and the police investigation. I want this to be something in which people feel more freed up to talk about what is actually happening; in which front line workers, young people who have been in difficult situations and parents are able to tell us what is happening. That does not always work best in a rigorous question-and-answer process in a statutory framework in which people are defensive when they come to the table.

The terms of reference talk about engaging children, young people and parents. That is what I want to do. I want to hear the truth. Only if you have that fullness of the truth can you come up with an effective recommendation.

Mr McCarthy: There are two objectives. One is to put a stop to this, not in another two years but now. The other is to get the culprits and put them behind bars where they deserve to be. That is your job now.

Ms Taylor: There is a point to make here. Every inquiry that is run here, whether it is public or as it is being done in this case, is a journey. You will not get all the answers just like that. It is a very complex process. We look at what is happening in other areas of the country and Europe. They are not able to stop it just like that. Quite often, this is organised crime, whether it is loosely or seriously organised crime. It was allowed to run for quite a long time before we started to tackle it. I do not think that there is a quick, easy answer. I would be quite keen to make sure that people did not expect, at the end of this inquiry, that we would be able to stop it just like that.

The Chairperson: Sorry, Fearghal, I am going to move on because I know that David has been waiting. I will come back to —

Mr McCarthy: I have not finished. I have one final question.

The Chairperson: Go ahead.

Mr McCarthy: How many people have been found guilty and have gone through the courts and been prosecuted since the Barnardo's report?

Mrs Marshall: We will be asking questions about that.

Mr McCarthy: So, you do not know.

Mrs Marshall: We are just starting this, so we have not asked the questions yet. We will be asking questions about that. We will be looking into the process and at how cases are labelled etc; we will be doing exactly that.

Mr D McIlveen: I do not know where to start. I welcome this inquiry. The tone of the engagement so far today is almost as if we are discussing a failed inquiry, rather than the first official day of the inquiry. I think we have to hold our heads. This is just the beginning. With respect to what Mr McCarthy said, it is not your job to put these people behind bars. That is the job of the police. I cannot find language strong enough to express my disgust at the people who are involved in this, but, ultimately, responsibility to deal with it lies where it lies. I do not think that we can have it both ways. We cannot, on one hand, say that the Department is not doing enough to deal with this issue, and on the other, when the Department instigates an inquiry, doom it before it starts. The space has to be given in order to see the inquiry through to its end, because we all want the same outcome when it comes to that.

I am conscious that we are, to some extent, comparing apples with pears, but I want to draw a little bit on the experience of the Jimmy Savile inquiry. Obviously, when that inquiry started, a lot of victims who, until that stage, had not perhaps had the courage to speak about their experiences, started to emerge from the shadows. Professor Marshall, are you encouraging victims to come forward as well? At the start, you mentioned that you are interested in taking information from anybody who has anything to say about child sexual exploitation. Is part of that encouragement aimed at victims who perhaps have not felt courageous enough to step up and speak out, so far, for whatever reason? Taking that to its logical next part, how geared up and prepared is the inquiry and its team to deal with that?

Mrs Marshall: The initial call for evidence is going out. We are saying to everyone, "We don't want to put barriers in the way of anyone approaching us". However, I imagine that it would largely be organisations that would respond to that. We will be doing more engagement, going out into communities and talking to young people and children about it. That might instigate more of that. At the same time, we recognise that there may be people — whistle-blowers or victims, for example — who will come forward in response to the call for evidence.

We have built on some of the good work that has been done by the Safeguarding Board for Northern Ireland and the NSPCC, which has got a helpline on child sexual abuse set up. We are including reference to that in our call for evidence. If people want to talk to us, we have information that will give them the opportunity to be put in touch with police, social workers, counsellors etc. So, we are aware of that, and we are trying to build that in.

Could I invite Sheila in to say something?

Ms Taylor: It is really important. We do not know what mechanisms to put in place to protect children, to provide the right community awareness or to help investigations along unless we understand how it looks across all of Northern Ireland. As I tried to explain earlier, you will have a vision of what it looks like, but it might be much wider. If we set our stall out to manage it in this way, and as if it is this big, you have got to have a better understanding about how it manifests itself in Northern Ireland to be able to put the right mechanisms in place to start. I am very clear that there will be a huge number of young people who have never had the opportunity to talk about what has happened to them. We have got to create that safe space for and the right response to somebody who has been through this to be able to come forward, not just for the inquiry but long term.

Mr D McIlveen: Before I ask this question, I declare an interest as a member of the Northern Ireland Policing Board. From the Jimmy Savile inquiry spun out Operation Yewtree, which, obviously, has had quite good success in investigating, to some extent, those who were behind some of this exploitation. Do you envisage a comparable operation coming out of your inquiry? Will there be any engagement with the Chief Constable and senior PSNI personnel around how the criminality aspect and the judicial process can be started following some of the findings of your inquiry? Do you envisage a policing operation coming out of the inquiry?

Mrs Marshall: We had early discussions with the PSNI, and we have a lot more lines of questioning to do. The initial discussions are more about how we are going to do this. Whatever happens after that will depend on what comes out of it. Part of the terms of reference is to determine the nature and measure the extent. At this moment, we do not know that. So, we will look at what comes out, and the recommendations will obviously address what we think needs to be done to tackle it. At this stage, because we do not know the nature and the extent, we cannot comment on that.

Mr Houston: David, if I may add a point. Another interesting and appropriate connection is around the Public Prosecution Service and how it deals with evidence. Certainly, the involvement of the Criminal Justice Inspection in the process, alongside the other two regulatory authorities, will be extremely important in that regard. Not only do we want to look at how the police undertake their work, but how, when their work is completed, the Public Prosecution Service decides about thresholds for prosecutions. So, there may be interesting dimensions there that we also need to follow through.

Mr Gardiner: Professor, thank you very much for your presentation. The inquiry is to be welcomed, and I am glad that it is out in the open. I think that you could concentrate more on the schools and get the truth from the children. Sometimes they confide in their teachers. I am the chairman of the board of governors for two of our primary schools, and we can refer that information to the police and things like that. That is where you have to concentrate. Children will speak to their teacher about what is going on at home and about who is abusing them, and that is where you have to tap in. It all comes

from there. If there is a break-up in the marriage, sometimes the man comes in and is abusive to all around, even to the mother. I welcome your report and wish you every success in getting on top of this.

Mrs Marshall: Thank you very much. We particularly welcome the fact that the Minister of Education and the ETI are involved in this, which gives us a route into schools etc. I take on board what you said. We have to give the teachers whom the children confide in the confidence, when they may have only an inkling, to recognise that something is not right and to know what to do about it. That is essential.

Mr Gardiner: It also affects the child's learning. The teachers can detect that something is wrong and that something is happening. If they pursue it, it is amazing what they can find and what the child will tell them at the end of the day.

Ms Taylor: In the serious case reviews that have been held, it has often been the case that, where a school has been able to recognise the first indicators that something is wrong, it did not have the skills, the knowledge and the training around child sexual exploitation to unpick all that with the child to identify what was happening. We have to be very clear about the fact that these children do not speak out about this. It is very difficult. They are often intimidated, controlled and blackmailed, along with a whole host of other things, which prohibits them from talking to adults about it. So, you have to do it on signs, symptoms and indicators that the child displays in behaviours. To do that, you have to have training in those front line professionals. It is much wider than the school, because there are health professionals and those in other arenas who, again, do not recognise those first indicators as they come up.

Mr Gardiner: It even goes beyond that, because there are people in holy orders who have abused young people, too, and that has come out more in the media. The more it comes out, the more it alerts the public to it and the children in particular. I condemn what is going on.

Mr Brady: Thanks for the presentation. Seán mentioned that this is a societal issue. I suppose that there are two things. In the wider society, it is parental responsibility and duty of care to the children, but this was instigated by children who were in care. Obviously, there is a statutory duty of care to those children. You mentioned that the numbers are probably much higher. It is a complex and difficult issue. Some of the examples in the Barnardo's report are of children disappearing for a couple of days at a time and then coming back dishevelled and obviously in a fairly bad state. It is difficult to understand how that was allowed to happen. There is a duty of care. Although I accept that it is very difficult for staff to deal with that, there are a number of examples of things that could have been dealt with in a much better way. There is a perception that people who have that statutory obligation were maybe not as conscientious — if that is the right word — or diligent as they may have been. I am not saying one way or the other, because it is difficult. Short of maybe locking some youngsters up; I am not sure whether that is a solution. It seems that there was a kind of thread running through where there were particular cases that were repetitive, but they were not being dealt with possibly in the way in which they should.

I welcome the inquiry. You have an extremely difficult job. I am glad that I do not have to do it. It is important that children in care are not lost in the wider inquiry. Presumably, those children are in care because they come from dysfunctional families or there may have been deaths or whatever. They are not there by choice. There is an obligation to ensure that they are looked after in the best possible way, as all children should be. That is what triggered the inquiry. That does not need to be lost in the wider scale of things.

Ms Taylor: There are two things: the children in care; and the missing. In some respects, I am less worried about the children in care because mechanisms are established to monitor whether they have gone missing or who is engaged. That is easier to recognise. Some of that is about the people who have responsibility for the children not understanding what is happening, what is behind the drivers for taking young people away for more than a few days, and what they can do to stop it. Some people recognise that something is wrong but have not known what to do in operational practice to stop it.

That takes me to the missing episodes. There is a massive correlation between missing children and young people and them being sexually exploited. Historically, what happens to children and young people when they have been missing, what the drivers are and how they are controlled when they are away has not been recognised. Quite often, when they come back, they do not disclose what has

happened to them, which makes it difficult to make a judgement on how you keep that young person safe.

I am pleased to say that we now have a massive amount of research and understanding about missing episodes, repeat missing episodes and what the signs and symptoms are. We hope, through the inquiry, to be able to give some indication of what needs to be put in place when that starts happening. I think that there has been a lack of training about child sexual exploitation per se for operational people to know what to do when they are faced with it.

Mr Brady: Are you confident that that can be done? Obviously, we are talking about professional people. I assume that the majority of staff who are put into that situation would have some fairly wide-ranging experience. It seems to be an operational issue. Some of the cases are of kids coming back in, as I said, a dishevelled state. It was fairly obvious that they had not been just out and about. Something had happened to them, even though they were not prepared to talk about it. I know that it is difficult to extrapolate the actual circumstances etc, but it is important that staff know how to deal with that. I am not sure how you do that.

Ms Taylor: It also extends a little wider than that. Most professionals risk-assess children going into care. However, historically, we have not risk-assessed places for people coming in to target those children. That risk has been largely misrepresented or misunderstood for a long time. Those risks have got to be managed, and they have not been.

Mr Brady: So, it is not retrospective in a sense. It is the here and now, but, really, it should be retrospective as well.

Mr Houston: One of the organisations that we spoke to is a charitable organisation known as the Voice of Young People in Care (VOYPIC). We worked with it extensively in the past. Part of the process of the inquiry must be an engagement, through VOYPIC, with young people in the care system, because we want to hear about their experiences and make that part and parcel of the focus of the work.

Mr Beggs: Thank you for your presentation. I support your view that it should be extended to vulnerable young people up to the age of 21, because predatory paedophiles will see their increased vulnerability and potentially target them. I just wish to put that on record.

We were previously told that 80% of child sexual exploitation tends to occur outside of the care sector, in the community, in the family and in a non-institutional setting. Is that your experience? Would you say that that type of proportion is happening outside of care homes? There is a danger of people thinking purely of care homes. What is your experience?

Ms Taylor: In my experience as I travel around the country, I would say that probably 20% to 25% of the young people are in a looked-after environment or from care, and as many as 75% or 85% are from family backgrounds. Some of those families may have their own issues and vulnerabilities, but, actually, a large number of them are ordinary families and have no vulnerabilities, but their child is in the wrong place with the wrong person at the wrong time, perhaps taken along with somebody else who is involved and who has been instructed to bring children along with them. We have seen all that.

As I stated earlier, I am less worried about those in care, because there are mechanisms around them, than about that child who is not known to any service anywhere, has never disclosed or spoken about it, but has been multiply raped. That is what we are talking about. When we talk about sexual exploitation, we are talking about rape and multiple rape. They have never told anybody — not a parent or anybody else — but the indicators are there, like self-harming, withdrawal, aggressive behaviour and all of those things, but we have not understood those signs and symptoms to be able to allow that child the right environment in which to encourage them. Believe me, it takes a long time to build that child's trust to a point where they start to disclose what has happened to them. It comes out in tiny dribs and drabs over a long time.

The one thing that you can do for children who are sexually exploited — multiply raped — is to give them the luxury of time in a safe place to feel safe enough to be able to talk about it in a way that means that they can get a response that does not feel as though they have been victimised again. Going through the criminal court proceedings, we all want to see people put behind bars, but I have witnessed children stood in the dock for eight to 15 days, interrogated by multiples of aggressive barristers, and they have come out and said that the trauma of the court process has been greater

than the actual abuse. I think we have to be really careful to think about the children all the way through that.

Mr Beggs: When you say that, are you open to looking at our entire court structure and even alternative mechanisms to put in protection and bring out evidence that will enable perpetrators to be held to account?

Ms Taylor: There is a lot of room for us to improve how we take offenders to court in terms of third-party evidence and things that we can do to protect children going through that process that we do not currently do. The new guidelines from the CPS in London have started to unpick some of that and make suggestions about how that process can be improved. There is a report written by somebody in the midlands who has been through a police operation, and the young people have given their thoughts about that court process, what went wrong for them, what went right, what was difficult and what they could manage.

There is a lot of learning to build on, but that learning is just coming to the fore and is coming to the fore all the time. The more we understand it, the more we are in a position. That is why I hesitate to say that we will come out this inquiry with all the answers and be able to put a stop to it, because we are learning about this all the time.

Mr Beggs: You indicated that even ordinary families are vulnerable, their young people are vulnerable to the sophisticated nature of these predators, never mind the vulnerable children in vulnerable families. In increasing the resilience of all children, have moves been made elsewhere with age-appropriate messages that will increase their protection?

Ms Taylor: I am not here to promote my own organisation, but we have around 600 resources on our website that allow you to start working with young people.

Can I just challenge you on something, please? Actually, it is not the child's job to protect themselves. We have got this the wrong way round if that is what this inquiry is about. Surely, this is about telling adults in our community that they cannot have sex with a child, not telling the child how to protect themselves. That is the message that we have got to get out there, that no adult can have sex with a child. We have to do it like that rather than asking the child to put their own sticking plaster on.

Mr Beggs: I agree entirely.

Another message that you indicated was that parents and adults need to be aware of warning signals that something is amiss with the child. That is an important message to be looked at.

I have one further question. We have the inquiry board here in front of us with the exception of the Education and Training Inspectorate and there was a bit of ping-pong between the two Ministers earlier on. Can you assure me that there is full cooperation between both Ministers and Departments at this stage?

Mr Houston: Absolutely. Yes, I can assure you of that, Roy. Noelle Buick, the chief inspector of the Education and Training Inspectorate, is a member of the inquiry board: that I can say absolutely.

Mr Beggs: It would have been nice to see the full board in front of us rather than have one missing, given the background.

Mr Houston: Perhaps we can make sure that that will happen if we come to the Committee again.

The Chairperson: Finally, for clarification, how far back will the inquiry go? Will it just start from the here and now or do you have a time frame?

Mrs Marshall: We are looking forward from the current picture, but if there is information that comes about the nature and extent of it, some of the issues that we will find will inevitably have to look back a bit. We do not know what is coming next. Obviously, we will focus on what is happening now, but that is inevitably going to bring in what has happened in the recent past.

The Chairperson: OK. Thank you all for your attendance. In terms of our responsibilities, Committee wants to ensure that it gets right. I think that it is the only opportunity that we are likely to have to try to

address this issue in a meaningful way to protect children and stop this particular type of abuse. We look forward to cooperating with you. Please keep us informed, and we look forward to hearing from you again as this is developed and delivered. Good luck with all your work.

Mrs Marshall: Thank you very much, Chairperson. We will make a commitment to keeping people informed of the progress of the inquiry as far as we can.