



Northern Ireland
Assembly

Committee for Health, Social Services and
Public Safety

OFFICIAL REPORT (Hansard)

Thematic Review of Child Sexual
Exploitation Cases: Safeguarding Board for
Northern Ireland

11 December 2013

NORTHERN IRELAND ASSEMBLY

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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
Ms Sharon Beattie	Safeguarding Board for Northern Ireland
Mr Hugh Connor	Safeguarding Board for Northern Ireland

The Chairperson: Seán Holland gets to stay for this next session. We also have with us Hugh Connor, chair of the Safeguarding Board, and Sharon Beattie, the board's director of operations. You are very welcome, folks. I ask you to make a 10-minute presentation, and then we will open the meeting to members. I am not stifling debate or discussion, but, in the interests of accuracy and time, I remind members to try to make their points as succinctly as possible. I will hand over to you now, Hugh.

Mr Hugh Connor (Safeguarding Board for Northern Ireland): Thank you very much, Chair, and thank you to the Committee for giving us the opportunity to meet you today. In my 10-minute presentation, I want to do three things. The two major things that I want to do are to define a little more how the Safeguarding Board for Northern Ireland (SBNI) intends to undertake the thematic review and to tell you something more about our ongoing work role, which, in some ways, is related to the questions that you asked Professor Marshall in the previous session. Before I do any of that, I want to set the Safeguarding Board's work into context. I know that your remit is very broad, so I want to remind you of the Safeguarding Board's roles and responsibilities and of its size and membership.

The Safeguarding Board was established 15 months ago on 18 September 2012. The objective of the board, as set out, is to coordinate and ensure the effectiveness of what is done by each person or body on the board to safeguard and promote the welfare of children. Our role and function is to work with all the other agencies to coordinate a holistic approach and ask some challenging questions about what goes on. We have powers. The legislation requires that each organisation has a duty to cooperate. Section 11 of the Safeguarding Board Act (Northern Ireland) 2011 gives us the power to ask questions and seek information from our member agencies, but within the context that the power does not supersede the data protection order, which I think you will understand.

This is all done in a multiagency context, with all the agencies working together. The statutory duties that we have been given are to develop policies and procedures to safeguard children; to promote a general awareness of the need to safeguard children; to understand case management reviews in circumstances prescribed in the legislation; to advise the Health and Social Care Board and other commissioning groups on safeguarding; and to promote communication between the board and children. One outstanding duty that remains for us is to review such information as may be prescribed in relation to the deaths of children in Northern Ireland. That legislation has not yet been enacted.

I will quote from the regulations because I want to say two things that the safeguarding board is not. First and foremost, the guidance states that the Safeguarding Board has a role in ensuring and coordinating the work of its member agencies but is not accountable for the day-to-day operational work of those agencies.

Secondly, the Safeguarding Board is not an inspectorial body. Glenn Houston from health and social care was here. On the justice side, there is Criminal Justice Inspection. In education, there is the Education and Training Inspectorate. We can link with those groups. If we believe that there are significant failings, we can go and ask any inspectorate to look at a specific issue as part of its future planning context.

One of the great strengths of the Safeguarding Board could also be perceived, in the context of this discussion, as one of its weaknesses. The Safeguarding Board is made up of all the organisations that have a responsibility to protect children. In that group are the police, health and social services, the Youth Justice Agency, the Probation Board, district councils, voluntary organisations and education. That is the nature of the 26-strong board. From our inception 15 months ago, we, collectively as a board, believed that we should be looking at child sexual exploitation. That was largely on the back of the Barnardo's paper and other things. We believed that it was a matter that required priority. At that stage, we were trying to put our system in place. We were obliged to go out to public consultation on our action plan, which we duly did between March and July. At September's board meeting, the board endorsed that this should be one of our priorities. The importance of that is that it gives rise to ongoing work to try to tackle some of the issues that the Committee raised.

To deal with that, we have tried to put a strategic partnership group in place involving all the agencies that have this duty and responsibility. Our focus is on five areas: to raise awareness of child sexual exploitation among children, families and communities, which, as we have heard, is really important; to develop education and training packages for key professional staff; to collect more meaningful statistics of incidence and, therefore, prevalence; to review existing policies and procedures in screening, identifying and protecting children who may be at risk, and to work with the police and other colleagues to disrupt the activities of would-be perpetrators and seek to facilitate an increase in prosecutions. The strategic partnership group is de facto a subcommittee of the board. Sharon chairs the group, and I am sure that, like me, she will be happy to answer any questions about our ongoing work.

I will turn to the review itself. Had Minister Poots not directed the board to undertake a thematic review, it is almost certain that we would have launched a number of case management reviews in relation to the 22 children, under our duty to undertake case management reviews in certain circumstances. I believe that we would have been proactive in looking at these cases and seeing whether they met the criteria, and I am almost certain that they would have done so.

The Minister's directive to the board is broadly broken down into three sections. The first is to review the compliance of all the member agencies that I mentioned with safeguarding policy, procedures and protocol. The second is to look at effectiveness on an agency and multidisciplinary basis: in other words, how well did the organisations work together to effectively protect these children? The third section, which I will probably talk about later, is to, wherever possible, seek the views of front line staff, families and the young people themselves.

As chair, I noted that several MLAs raised concerns in the Assembly debate about the transparency of the review. That relates to my comment that the board's strength may well be its weakness. Members may ask how the board can review its own functions or failings in this context. I sought to ensure greater transparency in the process. I identified and brought across from the United Kingdom three experts who will provide quality assurance throughout the process. I have also secured the help of someone from Queen's University Belfast to be the report's author. I will tell you later who those folk are. In so doing, I hope to be able to show that the process has a degree of transparency and openness and that the integrity of the process will be protected.

The stages of the review, as we anticipate them, are fourfold. First, we seek to do a desktop review of the 22 cases. We will look at the history of these youngsters and seek to identify when concerns about child sexual exploitation first became apparent. The objective of that is to see how compliant we were with the policy and procedure that existed when those issues were emerging. Secondly, we will interview front line staff, families and, where possible, the children themselves, largely to hear their views about how the system could be better. Why is it that people felt inhibited or unable to take action? What is the potential learning, and what are the lacunas and gaps that might be addressed? Thirdly, we want to hold two learning workshops. We want to bring together front line staff from all disciplines and ask what could be improved. We also want to have a workshop with the leaders of all those organisations, because that is clearly about the buy-in, the delivery and the change. Finally, it is our intention to produce, launch and disseminate the report. We hope that the process will take 10 or 11 months, and we plan to deliver the work by November next year.

As a final comment, I assure the Committee that the board and its member agencies have been working during the past six months in that area. As you know, the PSNI and the Health and Social Care Board have been working not only on the investigation but on taking steps to try to further protect children in care. We brought a series of literature into the public domain, and we produced and distributed 20,000 leaflets, targeted at children, parents and key staff. We know that we need to do more.

In the past couple of weeks, we took some advertising space in local newspapers to promote the message of child sexual exploitation again. Through the knowledge transfer scheme, we are working with the University of Bedfordshire, which was mentioned earlier, to try to ensure that the learning gleaned in other parts of these islands is shared with our staff. Glenn mentioned the 300-person workshop that took place in October, and which was aimed at representing all the organisations to try to increase familiarity with the subject.

We also had a policy day for representatives of the various Departments whose work might come into contact with child sexual exploitation, not only to raise their awareness but to look at how we could create some synergy between this work and other work, most notably the work on domestic violence. Finally, we have created a helpline, which the NSPCC runs on our behalf, the number of which is 0800 3891701. Thus far, the number of calls to that helpline has been small, but we anticipate that, along the lines of the discussion that you have just had, the more we shine a light on the problem, the more we will identify the size and significance of it. Thank you for listening. Sharon and I are very happy to take questions.

The Chairperson: Thank you, Hugh, for that overview. You said that the Safeguarding Board is made up of 26 individuals representing different sectors and organisations, but you also talked about the make-up of those organisations as being currently responsible for protecting children. How can you give an assurance that this is not a case of people, who are tasked with the protection of children, reviewing themselves and their organisations?

Mr Connor: As I said, I was very conscious of that feeling being expressed in the Assembly during the debate. I could not change the composition of the board, nor would I wish to do so because these are the key agencies that need to work well to protect children. However, I needed to be able to bring in external people who could ensure the integrity and transparency of the review. So, I secured the support of the following individuals: Professor Jenny Pearce, who was mentioned earlier, from the University of Bedfordshire, who is probably acknowledged as the leading expert, in an academic sense, in this field in the United Kingdom; Peter Davies, the current chief executive of the Child Exploitation and Online Protection Centre (CEOP) and succeeded Jim Gamble; and Marion Davis, who is a director of social work, formerly in Warwickshire, who worked with Professor Munro on the Munro report, which had some tangential links to the issue of abuse. In addition, we have secured the services of Professor John Pinkerton to be the report's author. Through these appointments, I hope that we can be seen to have a transparent and open process, because we want to glean as much learning as possible from conducting this extensive and time-consuming review.

The Chairperson: I accept that you are driving to ensure that there are external experts, but as well as transparency and openness, the review should be independent. Can you assure us that the thematic review will be independent?

Mr Connor: The Safeguarding Board is made up of the membership that I outlined and is chaired by an independent chair, who is me. All the other people who are on the board — with the exception of the three lay members who were brought on to the board by public appointment — whether in the

voluntary or statutory sector, and whether or not they are professionals, are, of course, people who work with children. It is my job to ensure that this process is independent and fair and, to support me in that task, I have sought the support of these individuals.

The Chairperson: My second question is on the 22 cases. The thematic review will specifically look at them. Will that involve interviewing children, young people and others involved in the cases? How will the Safeguarding Board do that without compromising the PSNI investigation?

Mr Connor: The departmental direction to the Safeguarding Board is absolutely clear: we must not do anything that will compromise, interfere with or infringe on the investigation. This is a fairly complex task, and we have taken counsel's advice on how we can undertake it. We want to invite and hear the views of the young people concerned. We think that we will learn as much from them as from anybody else, so we want to exploit every opportunity to hear their views. The advice we were given is that we need to be very careful about that process. We need to work closely with colleagues. We have already met and held preliminary discussions with the Police Service and the Public Prosecution Service. We are working to create a memorandum of understanding on how we should work together. The advice that I have from the Police Service is that, essentially, it is unlikely that prosecutions will be brought in relation to all 22 young people and that, therefore, there may be cases that it is possible to look at early in the process because they are unlikely to go forward for prosecution. The detail has yet to be worked out, but we are very sensitive to that and we even consider that, if it were appropriate, we might ensure that those young people should have some independent legal support for themselves and emotional support for anything that they may tell us.

The Chairperson: I was going to ask you that. Is it envisaged that they will have lawyers present?

Ms Sharon Beattie (Safeguarding Board for Northern Ireland): Just today, we secured the NEXUS Institute for therapeutic and counselling support. Where people approach us and want to speak to us, we will offer them the opportunity to receive counselling through NEXUS. We felt that it was extremely important that they have that opportunity and support available. Likewise, if any of the 22 young people require legal support, it will be offered to them as well.

The Chairperson: Thank you for that.

Mr Brady: Thank you very much for your presentation. I have just a couple of questions on the relationship between the thematic review and the independent inquiry. I presume that they will be simultaneous and complementary. You mentioned that the timeline was November, which matches what the others told us. The two are inextricably linked, so will the thematic review feed into the independent inquiry? You dealt with the issues of independence and transparency, but we live in a small area and people might focus on particular statutory bodies that could become the focus of the inquiry or of your review. I think that you dealt with that when you said that you had people who will carry out assessments. The important question is how the relationship will or might feed into the independent inquiry.

Mr Connor: Mr Brady, we have already met the inquiry team. We were one of the groups that met Kathleen fairly recently. We committed ourselves to sharing information, and we will keep her informed of the lessons as we learn them. There will be key stages for that. When we complete the desktop review, we will need to analyse what we have learned. Similarly, when we complete the interview process, which is another key learning stage, we will make sure that she receives that information.

We recognise that it is quite probable that Professor Marshall, during her inquiry, will review us and how we, as a body, are seeking to take proactive steps to put in place a longer-lasting strategy for dealing with this problem. The one thing of which we are all convinced is that the police episode is an episode in time. It will start, end and send out messages, but that will not alter the fact that there will be vulnerable children and people prepared to exploit them. We have to build a system. We see that as our work and responsibility in the coming year.

Mr Brady: Safeguarding is such an important issue. The board has not been going that long, so I presume that this is a learning curve for you in how to deal with these grave and important issues.

Mr Connor: It is a very steep learning curve. It is important that I say to you that the Safeguarding Board is made up of its members. On this issue, I, as the independent chair, need to find some space

to separate myself because many of the agencies will have provided services to those children, and that needs to be reviewed. The Safeguarding Board has myself as a part-time chair and three professional staff. Sharon is the director of operations, and there are two other professional members. Taking forward the longer-term strategy and delivering through 2014, 2015, 2016 and beyond requires the commitment of the organisations, which have tens of thousands of staff collectively. That is the task that we have outside the review.

Ms Beattie: Hugh said in his opening comments that we went out to public consultation with our strategic plan. As part of that, we consulted children and young people, who were clear that child sexual exploitation should be a priority for the Safeguarding Board. We listened to what those children and young people said, so it is the daily role of the Safeguarding Board to take steps with our member agencies to ensure that what they are doing is effective in protecting children from child sexual exploitation.

We have a number of actions. Since being in operation, we have asked how children at risk of child sexual exploitation are identified by social services and the police. Social services have put in place risk assessments and risk plans for all those deemed to be vulnerable to child sexual exploitation, so it is not as though nothing has been done since the Barnardo's report. We have seen evidence that those organisations have taken steps to protect vulnerable young people.

Mr Brady: In fairness to the Board, you were not around at the time.

Mr McKinney: I praise you for taking on board the concerns reflected in the Assembly and for trying to put mechanisms in place to underscore independence. Do you accept that a proper external, independent mechanism could be more robust?

Mr Connor: The Minister has given us this task, and I promise you that I will do that task independently and to the best of my ability.

I mentioned the people who will do the external quality assurance. I should perhaps explain a little more about the people who will do the work. As part of our case management review (CMR) process, we have recruited seven independent people who work for us by chairing the reviews. We have also involved Queen's University and some of its researchers from there, for the very obvious reason that we want to ensure that we make this as independent as we possibly can. So, the chairs of the CMRs and researchers from Queen's will conduct the desktop review and interviews.

I will also have to look very carefully at and take further advice on how I manage the process with the member agencies whose services may well be subject to this review. So I need to be careful about how I handle the ongoing process. At this stage, I am confident that Sharon and I have done as much as we can to ensure that the process is as independent and transparent as we can make it.

Mr McKinney: I will ask just one more very specific question. With looked-after children, what constitutes a "missing child"?

Mr Connor: You have touched upon a very important issue. You may or may not know that, in the United Kingdom a year ago, there was a Home Office review which looked at the differences between the social services' definition and the police definition of that term. Across the United Kingdom at that time, social services tended to have a definition that said that children who were missing from care for more than 24 hours were "missing children". The police, obviously, had a different definition, which related to the number of times they were called out. One of the things that have happened over the past few months is that there has been an attempt to work more consistently to a common definition, which is much more to do with children and risk — assessed risk — than with time. One of the big changes, as we have been told, is that from the social services' perspective, the definition "missing for a 24-hour period" is being phased out and is being replaced with a much more proactive one. Children can be reported to the police as being missing after 24 minutes.

Mr McKinney: I said that that was my last question, but you lead me to ask another. Had that change come into effect earlier, would it have made a substantial difference in specific cases or in general?

Mr Connor: I suspect that, hypothetically, the answer is probably yes. If you ask me that question after we have conducted the review, I will probably be able to tell you with more certainty.

Mr McKinney: That underscores the point —

Mr Seán Holland (Department of Health, Social Services and Public Safety): Sorry, perhaps I can answer that point. In advance of the changes that Hugh has referred to, guidance was introduced in Northern Ireland and children have been reported to the police as being absent from a children's home well before the 24-hour limit has been reached. The judgement is made on the basis of risk assessment. So, if a young person in a residential unit has been risk assessed, and it is felt that they are particularly vulnerable, the call may be made to the police 10 minutes after he or she is overdue. That has been the case for a number of years now and it predates the Barnardo's report.

Mr McKinney: I was just asking the question in relation to what Mr Connor said. I asked specifically whether it could have made a difference. He was making the difference between the time and the assessment of the child. In other words, I assume, therefore, that if a child was understood to be particularly vulnerable, there would be no time factor at all.

Mr Connor: I think that that is the point that Seán has been making.

Mr Holland: And that has been the case for some time.

Mr McKinney: The point is whether there would have been any practical difference. Mr Connor was arriving at the point that, yes, there would have been or could have been.

Mr Connor: I am saying that I do not know. Hypothetically, yes; I can tell you with more confidence when the review is completed. I do not know. However, we will look closely at the recent history of the 22 children, as required by the Minister. The Minister told us that he wants us to look at all the organisations' compliance with the child protection and safeguarding policy procedures and protocols. That is what we will be looking at.

Mr Holland: One of the reasons that the police became aware that this was an issue that required the instigation of an operation of the kind that they have launched was because of the frequency with which children's homes reported their concerns to the police about children who were absent from the children's home.

Mr McKinney: By intervening, you are making my point, which is reflective of the earlier questions: are we going to interrogate these issues or will you accept them as fact? Your response to me now is that you are accepting them. You are accepting of the situation, whereas I would like the issues to be interrogated thoroughly.

Mr Holland: I am sorry if I gave you that impression, Fearghal. My intention is to listen and learn from the findings of the thematic review and the independent inquiry, but there are some facts that we will provide to both processes. I am reflecting on the facts that we are sharing with the inquiries.

The Chairperson: We had sought figures for child sexual exploitation issues by trust area. There were stark variances in those figures across the trusts. My point is similar to Fearghal's: is there a rationale for that?

Mr Holland: I can provide a response to that. Is that the variation in relation to the 'Not a world away' response?

The Chairperson: Yes.

Mr Holland: The researchers sent an assessment tool to each of the trusts and asked their social work staff to review cases that they were involved in and, on that basis, identify children who they believed exhibited signs of being vulnerable to child sexual exploitation. There was a variance in the figures that came back. It is important to understand that they were using a risk assessment tool, which supports professional judgment. It is not a diagnostic tool, so it is not as if you can administer a test and definitively say that a child is being sexually exploited or not. The tool supports a judgement to say that we think that there is an increased risk with a young person.

There are a number of such tools in practice for neglect and for physical and sexual abuse. Those tools support professional judgment; they do not define beyond doubt the existence of a particular kind of abuse. There will always be some variance, and that variance was definitely there.

The other thing that probably contributes to the variance is that the staff had had no training from Barnardo's in the use of the tool; they were simply sent the tool and asked to use it when looking at their cases. Since then, the tool has been used extensively throughout Northern Ireland, and a great deal of training has been provided to staff by Barnardo's using the Safe Choices programme. Indeed, the tool itself is being reviewed because it is recognised that it has limitations. I believe that Sheila Taylor from the National Working Group is leading some of the work in reviewing the tool. All those reasons would lead to some inconsistencies in the reporting.

I have no reason to believe that there would be significant variations in the prevalence of child sexual exploitation between the various trusts, although there might be issues with urban versus rural areas. I suspect that the variance to which you refer, Chairperson, was as a result of how the investigation was undertaken by Barnardo's.

The Chairperson: Does the guidance apply to children who are in mental health facilities?

Mr Holland: I am not quite sure that I understand your question, Chairperson.

The Chairperson: In his response, the Minister talks about regional guidance in general in relation to child sexual abuse across the trusts, based on the Cooperating to Safeguard Children guidance and the area child protection committees' policies and procedures. Does it apply to those children?

Mr Holland: Yes. Safeguarding guidance applies to children regardless of the setting they are in. However, you have hit on something. We have talked an awful lot today about this being an emerging area of understanding. I have been invited to join an advisory committee on a research proposal in relation to this matter, which is about the sexual exploitation of young people with vulnerabilities, specifically learning disability.

Overall, young people with learning disabilities are under-represented in nearly all our reporting mechanisms on abuse, whether physical or sexual. The numbers are lower than they should be by proportion of population, and when you add into that the fact that there are some specific vulnerabilities associated with having a learning disability, they are probably particularly low. That is not just a Northern Irish phenomenon; it is the case across the UK. Further research is required into the particular vulnerabilities of children with mental health difficulties or learning disabilities who are being sexually exploited.

The Chairperson: Thank you all for your input. We look forward to continuing the engagement as it progresses, hopefully, to get the right answers for society generally and to put processes in place that will make a difference.

Mr Connor: Thank you.