

The Report of the Independent Inquiry into Child Sexual Abuse

October 2022

Volume 2



INDEPENDENT INQUIRY
CHILD SEXUAL ABUSE

HC 720

The Report of the Independent Inquiry into Child Sexual Abuse

October 2022

A report of the Inquiry Panel
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the Inquiries Act 2005**

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Part G

The justice system response to child sexual abuse

The justice system response to child sexual abuse

G.1: Introduction

- 1.** The criminal and civil justice systems play an important role in the way the State responds to child sexual abuse.
- 2.** Investigating and prosecuting those who commit criminal offences involving the sexual abuse of children is rightly a matter of significant public interest. Inadequate responses of the police, Crown Prosecution Service and courts featured in a number of the Inquiry's investigations and was a matter frequently raised by Truth Project participants when giving their accounts.
- 3.** The length of time taken to investigate and prosecute child sexual abuse cases was, and remains, a matter of significant concern. Delay within the criminal justice system can add to the harm caused by sexual abuse and has a profound impact on the well-being of victims, survivors and complainants, as well as those against whom allegations have been made. It can also hinder efforts to bring perpetrators to justice and has

led some victims and complainants to retract their statements and disengage from criminal investigations.¹⁰⁴²

4. The civil justice system provides a separate route for victims and survivors to hold individuals and institutions to account. A number of the Inquiry's investigations, in particular the Accountability and Reparations investigation, heard evidence about the difficulties victims and survivors face when seeking compensation and the unfairness caused by the imposition of time limits within which civil claims relating to child sexual abuse must be brought.

5. To help enforce the rights of victims and survivors, the Inquiry recommends steps to improve compliance with the *Code of Practice for Victims of Crime in England and Wales* (Victims' Code) during police investigations and any subsequent prosecution. The Inquiry also recommends removing time limits on bringing civil claims for child sexual abuse.

¹⁰⁴² *Child sexual abuse in contemporary institutional contexts: An analysis of Disclosure and Barring Service discretionary case files*, IICSA, July 2021, Chapter 5.4.3, p72

G.2: The criminal justice system

6. The overriding objective of the criminal justice system is to deal with cases “*justly*”.¹⁰⁴³ This includes “*acquitting the innocent and convicting the guilty*”, “*respecting the interests of witnesses, victims and jurors and keeping them informed of the progress of the case*” and “*dealing with the case efficiently and expeditiously*”.¹⁰⁴⁴ Achieving a ‘just’ outcome therefore requires a thorough and impartial police investigation, a timely and accurate decision about whether to charge the suspect and a fair trial commenced and conducted within a reasonable time.

7. As noted in Part B, child sexual abuse is under-reported. A large number of the Inquiry’s investigation reports noted that the true scale of offending was likely to be far higher than

¹⁰⁴³ See the Overriding Objective in [Criminal Procedure Rules 2020, Rule 1.1 \(1\)](#)

¹⁰⁴⁴ See the Overriding Objective in [Criminal Procedure Rules 2020, Rule 1.1 \(2\)](#)

the available data appeared to suggest.¹⁰⁴⁵

The 2018/19 Crime Survey for England and Wales estimated that 76 percent of adults who experienced rape or assault by penetration did not tell anyone about their experience at the time.¹⁰⁴⁶

The government's *Tackling Child Sexual Abuse Strategy* (2021) noted that:

*“People were even less likely to tell the police – only an estimated 7% of victims and survivors informed the police at the time of the offence and only 18% told the police at any point.”*¹⁰⁴⁷

8. The Inquiry expects that, as a result of a number of its recommendations, victims and survivors will feel more confident that a report of child sexual abuse will be treated with the utmost professionalism and sensitivity. Nevertheless, not every allegation of child sexual abuse will enter the criminal justice system. Fewer still result in a conviction (Figure G.1).

¹⁰⁴⁵ *The Roman Catholic Church Investigation Report, Executive Summary; Nottinghamshire Councils Investigation Report, Executive Summary; Child Sexual Exploitation by Organised Networks Investigation Report, Part B.4; Lambeth Council Investigation Report, Executive Summary; The Internet Investigation Report, Executive Summary*

¹⁰⁴⁶ INQ006448_020 para 51

¹⁰⁴⁷ INQ006448_020 para 51



Figure G.1: Child sexual abuse outcomes through the criminal justice system

Source: See data compendium to this report

Disruptive measures taken by law enforcement

9. It is unrealistic to expect that law enforcement will be able to prevent all offences of child sexual abuse from being perpetrated. However, there are steps that can be taken to make child sexual abuse as difficult as possible to commit, and in doing so reduce the risk of harm to children. The Inquiry's investigation reports *The Internet* and *Children Outside the United Kingdom* consider some of the ways in which law enforcement aims to prevent child sexual abuse.¹⁰⁴⁸

10. One of the methods used by law enforcement to deter, disrupt and prevent suspected child sexual exploitation and abuse is through the use of police warning notices and court orders.

11. Child abduction warning notices (CAWNs) may be issued by the police (without a court order) against a potential offender. A CAWN informs the individual that they are not permitted to associate with a named child and that, if they continue to do so, they may be arrested. Originally used in cases of child abduction, CAWNs are now also used

¹⁰⁴⁸ *The Internet Investigation Report*, Part D.5; *Children Outside the United Kingdom Investigation Report*, Part B.2

in cases of suspected grooming or child sexual exploitation to make it more difficult for the offender to meet with the child.

12. The Home Office's 2022 *Child Exploitation Disruption Toolkit* (applicable to both criminal and sexual exploitation of children) provides guidance on when and how CAWNs can be used.¹⁰⁴⁹ The six case study areas examined in the Inquiry's Child Sexual Exploitation by Organised Networks investigation demonstrated that CAWNs were used with varying frequency and were generally considered to be underused.¹⁰⁵⁰ There was also evidence that some police forces did not adequately record the use of CAWNs, which made it difficult for officers to identify when CAWNs had been issued.¹⁰⁵¹

13. These findings echo responses to a survey by the Centre of Expertise on Child Sexual Abuse in December 2021, which looked at the ways in which police forces across England and Wales

¹⁰⁴⁹ [INQ006968_041-042](#)

¹⁰⁵⁰ [Child Sexual Exploitation by Organised Networks Investigation Report, Part I.2 paras 5, 12–13, 20](#)

¹⁰⁵¹ [Child Sexual Exploitation by Organised Networks Investigation Report, Part I.2 para 7](#)

seek to disrupt child sexual abuse.¹⁰⁵² A number of frontline respondents stated that they did not know where information about issued notices (and court orders, discussed below) was recorded. There was also a “*wide divergence of opinion*” about who was responsible for monitoring adherence to orders and notices, with some respondents “*expressing concern that issued orders were not always monitored*”.¹⁰⁵³

14. In addition to CAWNs, there are two main legislative orders that may be imposed by a court to help prevent child sexual abuse and exploitation. Before either is made, a court must be satisfied that the order is “*necessary*” to protect the public from sexual harm.

¹⁰⁵² [INQ006745](#). The survey was based on responses from 754 frontline police officers and staff across 32 different forces, and 38 strategic leads across 20 forces.

¹⁰⁵³ [INQ006745_008](#)

14.1. A sexual harm prevention order (SHPO) may be made after a person has been convicted of a sexual offence, such as rape, sexual assault or possession of indecent images of children.¹⁰⁵⁴

14.2. A sexual risk order (SRO) may be made where there has been no conviction but the court “*is satisfied*” that the individual has “*done an act of a sexual nature as a result of which it is necessary to make such an order*”.¹⁰⁵⁵

15. SHPOs and SROs can include a range of restrictions to protect members of the public from sexual harm, including prohibiting offenders from contact with children and placing restrictions on foreign travel, including prohibiting travel to certain countries. Breach of the order without reasonable excuse is a criminal offence and carries a maximum prison sentence of up to five years.

¹⁰⁵⁴ Sexual Offences Act 2003, section 103A–K. The power to make an SHPO on conviction for sexual assault and possession of indecent images of children is subject to criteria relating to age of victim, age of offender and in some cases type of sentence imposed being met: Sexual Offences Act 2003, section 103A(2)(a) and Schedule 3, paras 15 and 18.

¹⁰⁵⁵ Sexual Offences Act 2003, section 122A(6)

16. In recent years, the number of SHPOs has been steadily decreasing, from 5,931 in 2016/17 to 4,325 in 2020/21. As the 2021 Centre for Social Justice report, *Unsafe Children*, commented:

*“It is unclear whether this is because the number of people eligible for SHPOs has simply reached a plateau, officials are not seeking SHPOs in cases where they should be or whether courts are becoming more reticent about granting them ... the number of offenders being sent to custody for breach of SHPOs has continued to decrease.”*¹⁰⁵⁶

17. The government’s *Tackling Child Sexual Abuse Strategy* states that, in relation to SROs and SHPOs, it will “*continue to promote best practice ... and look to strengthen these civil orders in a number of ways*”. This includes allowing the British Transport Police and the Ministry of Defence Police to also apply for these orders.¹⁰⁵⁷ The strategy states that the government wants to “*maximise the effectiveness*” of CAWNs, SHPOs and SROs, but it contains no detail about how this is to be done in respect of CAWNs.¹⁰⁵⁸

¹⁰⁵⁶ [INQ006704_129](#)

¹⁰⁵⁷ [INQ006488_051](#) paras 157–158

¹⁰⁵⁸ [INQ006448_037](#)

18. For the use of court orders and police notices to be effective, the police need to be able to access this information easily and the terms of the notice or order need to be monitored. There also needs to be better evidence about the extent to which these notices and orders are being issued. The issue of a warning notice entitled ‘child abduction’ is potentially misleading given that many potential offenders have not abducted a child. It may also be the case that, for young adults in particular, the wording of the notice provides insufficient warning that the behaviour they are engaged in potentially amounts to a sexual crime. While the Inquiry acknowledges law enforcement’s duty to investigate potential crime (and not deal with the matter by way of a warning notice), more explicit references in the notice to potential child sexual abuse and exploitation offences being committed may well assist to disrupt such behaviour and deter an individual from engaging in that conduct in future. Thought might therefore be given to a more tailored warning notice. The government needs to ensure that these matters are addressed as part of its ongoing work in this area and, in particular, in its inspection of the police response to child sexual exploitation.¹⁰⁵⁹

Investigative failures

19. The Inquiry's work identified a number of failures by police forces responsible for investigating allegations of child sexual abuse.¹⁰⁶⁰ These included failures to fully investigate reports of child sexual abuse based on assumptions about the credibility of the complainant.¹⁰⁶¹ Allegations made by a child, particularly from a child in care, were often considered as being less worthy of belief, which influenced officers' approach to the case and led to a less than thorough investigation.¹⁰⁶² Some of these failures occurred at a time when the police did not have dedicated units to investigate sexual offences (including those committed against children) and officers were not specifically trained to investigate these

¹⁰⁶⁰ *Institutional Responses to Allegations of Child Sexual Abuse Involving the Late Lord Janner of Braunstone QC Investigation Report, Parts B.1–B.2*

¹⁰⁶¹ *Institutional Responses to Allegations of Child Sexual Abuse Involving the Late Lord Janner of Braunstone QC Investigation Report, Part E para 6*

¹⁰⁶² *Lambeth Council Investigation Report, Part J.3 para 22; Westminster Investigation Report, Executive Summary; Truth Project Thematic Report: Child sexual abuse in custodial institutions, IICSA, April 2020, Chapter 7.3, p49*

offences.¹⁰⁶³ However, the Inquiry heard concerns about the quality of more recent investigations into allegations of child sexual exploitation.¹⁰⁶⁴

A variable response

20. More recently, children and young people from whom the Inquiry heard described mixed experiences of dealing with the police (and criminal justice agencies). Their experiences were often affected by the knowledge, skills and attitude of the individual officers involved.¹⁰⁶⁵ Some victims and survivors spoke of improved policing with more specialist trained officers which resulted in improvements, for example, in the way the police officers spoke about child sexual abuse, in the sensitivity from officers and, importantly, in how victims and survivors were treated.¹⁰⁶⁶ Another spoke positively about how the officer spent time with him considering his options and signposted

¹⁰⁶³ *Lambeth Council Investigation Report, Part J.3 para 21; Westminster Investigation Report, Part D.3 para 13*

¹⁰⁶⁴ *Child Sexual Exploitation by Organised Networks Investigation Report, Part I.3 paras 37, 41*

¹⁰⁶⁵ *Engagement with children and young people, IICSA, June 2021, pp20–22*

¹⁰⁶⁶ *Victims and Survivors Forum Consultation on the Criminal Justice System: Summary Report, IICSA, May 2019, pp3–4*

him to relevant support services.¹⁰⁶⁷ Evidence from some of the Inquiry's investigations also reflected positively on the way the police conducted their inquiries.¹⁰⁶⁸

21. To support police officers working in this area and raise the profile and priority of child sexual abuse within individual forces, in the April 2018 *Interim Report of the Independent Inquiry into Child Sexual Abuse* (the *Interim Report*), the Inquiry recommended that any police officer (or staff equivalent) who wanted to progress to a senior leadership role must first have operational policing experience in preventing and responding to child sexual abuse. Changes to legislation under the Police Regulations 2003 and to the College of Policing's training and accreditation arrangements were also recommended.¹⁰⁶⁹ In response, the government indicated that a programme of non-legislative changes had been drawn up to ensure an understanding of safeguarding and vulnerability

¹⁰⁶⁷ *Truth Project Thematic Report: Child sexual abuse in custodial institutions*, IICSA, April 2020, Chapter 7.3, p49

¹⁰⁶⁸ *Diocese of Chichester/Peter Ball Investigation Report*, Part B.9 paras 424–425; *Child Sexual Exploitation by Organised Networks Investigation Report*, Pen Portraits (CS-A317)

¹⁰⁶⁹ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 6.2, pp67–68

across all levels of leadership in policing. The response went on to note that the Home Office had not identified any need for legislative change but that it would keep this under review.¹⁰⁷⁰

The Inquiry remains concerned, however, that such programmes are too generic. They do not reinforce the need to prioritise child sexual abuse at leadership level, in terms of both understanding the problem and an ability to respond. This is necessary, in turn, to support and encourage good practice in frontline officers who work in this difficult and sensitive area of crime.

Delay during the investigation process

22. Investigative delays are not uncommon in cases of child sexual abuse, particularly those involving online-facilitated child sexual abuse.

23. Investigations often require the interrogation of electronic equipment and analysis of communications between the perpetrator and the child. Many perpetrators possess multiple devices. HMICFRS's 2021 progress report in respect of the Metropolitan Police Service found, across all offences (not just cases of child sexual abuse), "*significant delays in forensic examinations*" of devices submitted for analysis, with a waiting time of six to nine months and a

¹⁰⁷⁰ *Home Office response to the Interim report dated 22 July 2019*

backlog of 1,277 submissions.¹⁰⁷¹ In June 2021, the government allocated £5 million to a national fund “*to accelerate growth in the capacity of police forces to acquire and manage evidence from digital devices*”.¹⁰⁷²

24. Where the content of messages cannot be obtained from a device (for example because the phone is PIN protected and cannot be unlocked) there can be further delays, as most communication service providers are based overseas and there is a lengthy legal process to be followed to request and obtain such data.¹⁰⁷³ The average time for UK law enforcement to obtain information from overseas companies was over a year.¹⁰⁷⁴

25. In October 2019, the Home Secretary signed a UK–US bilateral data access agreement allowing UK law enforcement to request data directly from US-based communications service providers. The Inquiry was told that it was envisaged that the new agreement meant that data could be accessed in

¹⁰⁷¹ [INQ006798_009](#)

¹⁰⁷² [INQ006641_048-049](#) para 94

¹⁰⁷³ [The Internet Investigation Report](#), Part D.6 para 78

¹⁰⁷⁴ [The Internet Investigation Report](#), Part B.3 para 26

weeks, if not days.¹⁰⁷⁵ However, when the Inquiry requested an update in March 2022, it was told that neither country had made any requests pursuant to the agreement because the agreement was not yet in force. The Home Office explained that *“The reason it is not yet operational is because the parties have not yet exchanged diplomatic notes indicating that each country has taken the necessary steps to bring the Agreement into force”*. The Home Office stated that negotiations were *“ongoing”* and that while bringing the agreement into force was a *“top priority for both governments”*, it could not give a timeframe by which this would happen.¹⁰⁷⁶ Given the anticipated benefits of the data access agreement, it is regrettable that the agreement is not yet in force.

Crown Prosecution Service decision-making

26. The police refer child sexual abuse allegations to the Crown Prosecution Service for its advice on additional lines of enquiry that might be necessary. Once any additional enquiries have been completed, the Crown Prosecution Service decides whether there is sufficient evidence to charge a suspect. A prosecutor must be satisfied that there

¹⁰⁷⁵ [Christian Papaleontiou 22 May 2019 57/13-16; *The Internet Investigation Report*, Part B.3 para 26](#)

¹⁰⁷⁶ [HOM003409](#)

is enough evidence to provide a “*realistic prospect of conviction*” (the evidential test) and that it is in the public interest to bring a prosecution (the public interest test).¹⁰⁷⁷

27. Some of the cases examined by the Inquiry identified procedural and legal errors in the Crown Prosecution Service decision-making process.¹⁰⁷⁸ Delays in making those decisions also featured.¹⁰⁷⁹ In one case, the charging decision took 14 months, causing one complainant to withdraw, citing the “*enormous strain*” that was being placed on him.¹⁰⁸⁰

28. The clandestine nature of grooming and child sexual abuse means that there are often no witnesses or other supporting evidence. In non-recent child sexual abuse cases, the passage of time between the sexual abuse and the investigation also means these cases generally

¹⁰⁷⁷ [INQ003873_008-009](#) paras 4.6, 4.9

¹⁰⁷⁸ [Cambridge House, Knowl View and Rochdale Investigation Report, Part G](#) para 9; [Institutional Responses to Allegations of Child Sexual Abuse Involving the Late Lord Janner of Braunstone QC Investigation Report, Part E](#) paras 17–18

¹⁰⁷⁹ [Institutional Responses to Allegations of Child Sexual Abuse Involving the Late Lord Janner of Braunstone QC Investigation Report, Part E](#) para 17

¹⁰⁸⁰ [Diocese of Chichester/Peter Ball Investigation Report, Part C.13](#) paras 400–404; [CPS001622_001](#)

do not involve evidence such as CCTV, forensics or phone and social media evidence.¹⁰⁸¹ Where the allegation predominantly relies on the account of the complainant, this can sometimes create difficulties in meeting the evidential test for bringing a prosecution. It is therefore very important that steps are taken to gather evidence of the surrounding circumstances, taking into account the difficulties experienced by victims in disclosing. For example, in the Inquiry's investigation into institutional responses to allegations of child sexual abuse involving the late Lord Janner of Braunstone QC, 34 complainant core participants made allegations against Lord Janner.¹⁰⁸² However, not all allegations involving Lord Janner met the evidential test. At the time of his death in December 2015,

¹⁰⁸¹ *Child sexual abuse in contemporary institutional contexts: An analysis of Disclosure and Barring Service discretionary case files report*, IICSA, July 2021, p73; *Institutional Responses to Allegations of Child Sexual Abuse Involving the Late Lord Janner of Braunstone QC Investigation Report*, Part B.2 para 64

¹⁰⁸² During the course of the investigation, one of the complainant core participants – Mr Hamish Baillie – died and so Annex 3 contains reference to 33 complainants.

Lord Janner was awaiting trial in respect of nine complainants and the prosecution was seeking to add three additional complainants to the trial.¹⁰⁸³

29. A number of the Inquiry's investigations examined non-recent allegations of child sexual abuse which did not result in criminal proceedings.¹⁰⁸⁴ Until changes to corroboration rules in 1988 and 1995 (corroboration was evidence which had to be admissible, independent of the complainant, and support the allegation that the crime had been committed and that it had been committed by the defendant), prosecuting child sexual abuse cases was extremely difficult, as very few acts of child sexual abuse were likely to be corroborated.¹⁰⁸⁵

¹⁰⁸³ Opening statement on behalf of IICSA 12 October 2020 5/4-6/16 and Annex 3

¹⁰⁸⁴ *Institutional Responses to Allegations of Child Sexual Abuse Involving the Late Lord Janner of Braunstone QC Investigation Report, Parts B.1–B.2; Cambridge House, Knowl View and Rochdale Investigation Report, Part B paras 39–42; Nottinghamshire Councils Investigation Report, Part B.8*

¹⁰⁸⁵ Criminal Justice Act 1988, section 34(2); Criminal Justice and Public Order Act 1994, section 32; CPS002848_042-043

30. The structure of the Crown Prosecution Service now includes specialist teams of lawyers to advise on cases involving rape and serious sexual offences and child sexual abuse. Revisions to the Crown Prosecution Service's *Code for Crown Prosecutors* and the accompanying guidance (in particular the *Guidelines on Prosecuting Cases of Child Sexual Abuse*) specifically address the particular evidential challenges faced when making charging decisions and focus prosecutors' attention on case-building to support a complainant's account wherever possible.¹⁰⁸⁶ However evidentially difficult a case may be, that should not deter prosecutors from charging a suspect where the test is met.

31. Notwithstanding a number of changes to both criminal law and practice, problems still exist in the criminal justice system and its handling of child sexual abuse cases. In particular, delays within the system and ensuring that victims, survivors and complainants are able to give their best evidence and are supported throughout the process remain specific causes for concern to witnesses and their families.

¹⁰⁸⁶ [CPS002848_016-041](#)

Criminal trials

32. The total numbers of prosecutions and convictions for child sexual abuse offences have fallen by around 25 percent, from a high in 2016 when 9,305 defendants were prosecuted resulting in 6,763 guilty convictions, to 6,943 prosecutions and 4,649 guilty convictions in 2020 (Figure G.2). It should be noted, however, that these data do not record all child sexual offences as they are based only on offences involving penetrative and non-penetrative sexual assaults on children under the age of 13.

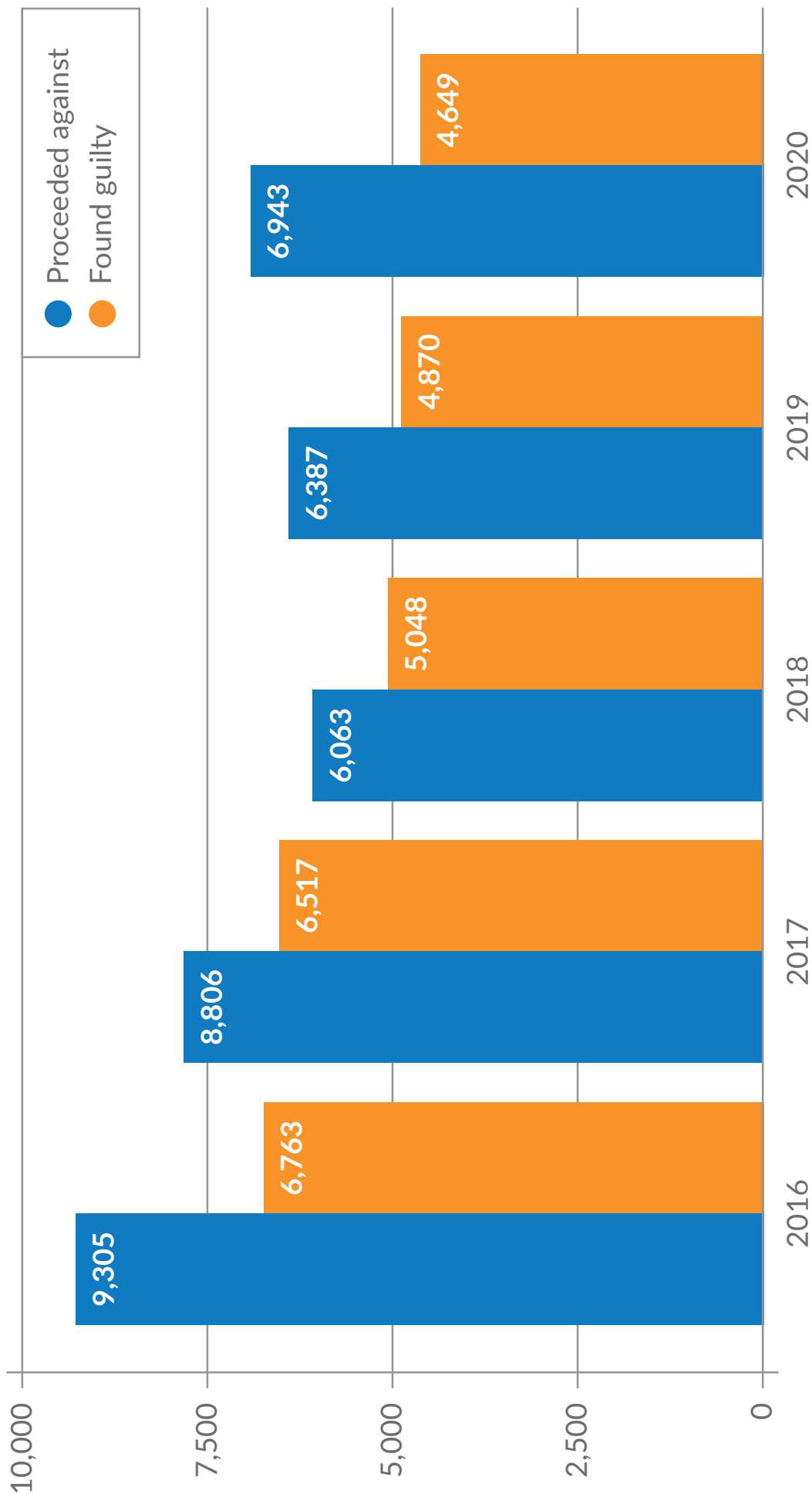


Figure G.2: Number of defendants prosecuted and convicted for child sexual abuse offences, from 2016 to 2020

Source: Ministry of Justice, Criminal Justice Statistics Quarterly, year to December 2020
<https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2020>
Prosecutions and conviction data tool (note: offences are those identifiable by the offence code) MOJ000948_001-002

33. The decline in prosecutions and convictions for child sexual abuse offences is seemingly indicative of a broader decline in the number of prosecutions for offences of rape. In June 2021, the government published the *End-to-End Rape Review Report on Findings and Actions* (the Rape Review report). The Rape Review report focussed on adult rapes where the victim was aged 16 or over and therefore includes cases involving children aged 16–18. The report stated that “*many of the findings will be relevant to sexual offence cases more widely*”.¹⁰⁸⁷ It noted that “*only 3% of adult rape offences assigned a police outcome in 2019/20 were given an outcome of charged/summonsed*”.¹⁰⁸⁸

34. The Rape Review report identified a number of factors contributing to the decline in cases reaching a court, including “*delays in investigative processes, strained relationships between different parts of the criminal justice system, a lack of*

¹⁰⁸⁷ [INQ006641_011](#) para 1

¹⁰⁸⁸ [INQ006641_011-012](#) para 3

specialist resources and inconsistent support to victims".¹⁰⁸⁹ It also noted that a greater proportion of victims who reported rape and sexual assault now choose to disengage from the criminal justice process than in 2015, with the most significant proportion doing so before a charging decision is made.¹⁰⁹⁰ The reason for this may be linked to concerns of victims and survivors that they will not be supported throughout the process and an overriding worry about the length of time taken to investigate and prosecute the case.

Delays in prosecuting cases

35. In addition to delays at the investigative and charging stage, for the year ending 31 December 2021, Ministry of Justice data indicate that it took an average of 252 days for a child sexual abuse case at the Crown Court to be completed.¹⁰⁹¹

The need to support victims and complainants throughout what can often be a long and arduous process is obvious. Accounts from victims and survivors attesting to the frustration, distress and harm caused by such delays featured prominently across the Inquiry's work.

¹⁰⁸⁹ [INQ006641__012](#) para 7

¹⁰⁹⁰ [INQ006641__036-037](#) para 51

¹⁰⁹¹ [MOJ000948__004](#) (table 3)

35.1. Support workers for children and young people said that it took up to two years for some cases to come to court.¹⁰⁹²

35.2. Members of the Victims and Survivors Forum said it was not uncommon to wait up to three years before the case went to trial. These delays had a “*profound impact*” on the victims and survivors’ well-being.¹⁰⁹³

35.3. Similar views were expressed at the Inquiry’s seminar on the criminal justice system in November 2017, where one participant told the Inquiry about an almost four-year gap between reporting child sexual abuse and the criminal trial. The delay was due to a lack of video-interview appointments and a lengthy investigation, during which they were required to provide multiple statements. Another participant described a two-year gap between reporting and trial, followed by an adjournment of nearly 10 months on the first day of the trial because of timetabling problems. The participant had not been warned that the process could take

¹⁰⁹² *Engagement with children and young people*, IICSA, June 2021, p5

¹⁰⁹³ *Victims and Survivors Forum Consultation on the Criminal Justice System: Summary Report*, IICSA, May 2019, p6, para 20

that long.¹⁰⁹⁴ There was particular concern that younger victims and survivors may want to withdraw from a criminal case when it stretches over a very long period.¹⁰⁹⁵

35.4. Participants in the Truth Project described the period between reporting to the police and the conclusion of the case as “*lengthy, frustrating and emotional*”, with one participant left feeling suicidal at points because of how stressful the process was.¹⁰⁹⁶

36. The emotional strain that delay places on victims and survivors cannot be underestimated. In addition, the practical implications where a victim or complainant withdraws from the process mean that a prosecution may simply not be possible, with the result that no determination as to guilt or innocence can be made. It is unjust that delays lead some individuals to withdraw their allegations.

¹⁰⁹⁴ *Criminal Justice System Seminar: An update report*, p4, para 14

¹⁰⁹⁵ *Criminal Justice System Seminar: An update report*, p4, para 15

¹⁰⁹⁶ *Truth Project Thematic Report: Child sexual abuse in the context of children’s homes and residential care*, IICSA, November 2019, Executive Summary, p6, Chapter 7.3.2, p64

Withdrawal of support for a case and 'false allegations'

37. Central to any criminal investigation is the need to ensure that allegations are properly investigated. To do otherwise jeopardises any potential prosecution. It risks unfairness to the complainant as well as to the accused, both of whom rely on the State to investigate the allegation fully and impartially. Investigations into child sexual abuse should not be driven by the investigator's view about whether the complainant is worthy of belief, or any subjective view about the veracity of the complaint. All allegations need to be taken seriously and dealt with professionally. Children cannot be protected from child sexual abuse if those to whom complaints are made disregard what they are being told and fail to investigate the allegation. Nor can justice be done if the presumption of innocence is not maintained.

38. The fact that the evidential test to bring a prosecution is not met does not mean that the complaint is false. Equally, the fact that a complainant withdraws their support for an investigation or prosecution does not mean that the complaint is false. As examined above, the protracted nature of criminal investigations and proceedings along with a lack of appropriate support are some of the reasons why an individual may withdraw.

39. The 2019 prosecution of Carl Beech for offences of perverting the course of public justice arising out of false allegations of child sexual abuse highlighted the question of false allegations. It is important to note that research shows that false allegations of child sexual abuse are rare.¹⁰⁹⁷ While false allegations of child sexual abuse are uncommon, the stigma surrounding the sexual abuse of children means these allegations can have a devastating effect on the accused individual. False allegations also have a negative impact on genuine victims and survivors, tarnishing them as potential purveyors of untruths.

Reducing delay

40. The Young Witness Initiative is one of the measures now available to try and minimise the effect of delay on victims and complainants. It aims to fast-track cases involving a witness who is under the age of 10 by expediting the working arrangements between the police, the Crown Prosecution Service and the court in order to give

¹⁰⁹⁷ *Sexual Abuse of Children in Custodial Institutions Investigation Report*, Part E.12 paras 153–154

a child witness the best chance of remembering the incident and to make the criminal justice process less stressful for them.¹⁰⁹⁸

41. It is unclear whether these measures will reduce or mitigate the effect of delay on victims and complainants. The COVID-19 pandemic has increased the backlog of criminal cases (not just those involving allegations of child sexual abuse) waiting to be tried by the criminal courts and has clearly played a part in increasing the amount of time spent by victims and complainants waiting for their case to come to trial. At the end of December 2021, there were 58,818 outstanding cases at the Crown Court.¹⁰⁹⁹ However, it would be wrong to attribute the entirety of these delays to the pandemic, as there was already a pre-pandemic Crown Court case backlog of 37,434 cases as at the end of December 2019, resulting from cuts to budgets for the criminal justice system.¹¹⁰⁰

42. The *Tackling Child Sexual Abuse Strategy* acknowledges “*the importance of swift case progression for victims’ and survivors’ wellbeing*”, and states that the government will work with the Crown Prosecution Service, National Crime

¹⁰⁹⁸ [INQ006890_003](#) para 2.1; The protocol only applies to cases charged on or after 1 April 2015 and was revised in July 2018.

¹⁰⁹⁹ [INQ006893_003](#)

¹¹⁰⁰ [INQ006892_001](#)

Agency (NCA) and the police “*to better understand case progression for child sexual abuse cases in the criminal justice system and opportunities for improvement*”.¹¹⁰¹ However, the strategy lacks any specific plan as to how delay is going to be minimised and the backlog of cases is such that victims and complainants are still likely to face intolerable delay and further harm.

43. The current crisis in the criminal justice system has persisted for years. Many of the Inquiry’s concerns are acknowledged in the government’s *Tackling Child Sexual Abuse Strategy* and the Rape Review report. It remains to be seen whether implementation of the proposals within those reports will improve the criminal justice system’s response to victims and survivors. However, this Inquiry’s work has laid bare past and present failures by the police, the Crown Prosecution Service and the courts. The problems identified in this Part are widespread throughout the criminal justice system as a whole. The Inquiry has witnessed first-hand the damage and additional harm caused to victims and survivors.

¹¹⁰¹ INQ006448_045 para 132

G.3: Improving the experience of victims

44. First published in 2005, the Victims' Code sets out "*the services and a minimum standard for these services that must be provided to victims of crime*" by agencies involved in the criminal justice system.¹¹⁰² It contains 12 'rights' which apply from the start of the criminal process, when the crime is reported, through to the investigation and prosecution stages. These include the right to be:

- referred to services that support victims, including support at court such as special measures;
- provided with information about compensation and information about the investigation, prosecution and trial process; and
- informed about the outcome of any appeal process and given information about the offender following a conviction.¹¹⁰³

45. The Inquiry's *Accountability and Reparations Investigation Report* noted that the Victims' Code was not being uniformly adhered to and

¹¹⁰² [INQ006637](#) applies to a number of organisations including all police forces, the Crown Prosecution Service, His Majesty's Courts and Tribunal Service and the Parole Board.

¹¹⁰³ [INQ006637_005-006](#)

there was no mechanism to monitor and enforce compliance with the Code.¹¹⁰⁴ Across its work, the Inquiry encountered failures to offer victims and survivors therapy and counselling in advance of their trial.¹¹⁰⁵ Some victims and survivors were either discouraged by the police from seeking compensation through the Criminal Injuries Compensation Scheme or were not signposted to the scheme.¹¹⁰⁶

46. The Inquiry's *Interim Report* (April 2018) therefore recommended that the Ministry of Justice, Home Office and Attorney General commission a joint inspection of compliance with the Victims' Code in relation to victims and survivors of child sexual abuse, including consulting with the Victims' Commissioner for England and for Wales on the approach to the inspection.¹¹⁰⁷ In response, in July 2019, the government stated that the Ministry of Justice

¹¹⁰⁴ *Accountability and Reparations Investigation Report*, Part E.4 para 30

¹¹⁰⁵ *Criminal Justice System Seminar: An update report dated August 2018*, pp8–9; *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.2

¹¹⁰⁶ *Accountability and Reparations Investigation Report*, Part D.3 paras 33–40

¹¹⁰⁷ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.2, p53

had developed and implemented a compliance framework for the Victims' Code, with police and crime commissioners overseeing a new monitoring process. The first national compliance report was due in early 2020. However, in October 2020, the Ministry of Justice stated that the operational demands of the COVID-19 pandemic on both the Ministry of Justice and criminal justice agencies had meant that further development of the Victims' Code compliance monitoring framework had not been possible.¹¹⁰⁸

47. Evidence gathered suggests that the Victims' Code is still not consistently applied and followed. Particular concerns surround the way in which the police communicate with victims, survivors and complainants.

47.1. In May 2019, the Inquiry's Victims and Survivors Forum Consultation on the Criminal Justice System noted that, having reported the matter to the police, there was "*inconsistency in how the next steps were communicated to victims and survivors*". In addition, the Forum reported that there was often uncertainty about the investigative stages, whether the perpetrator would be arrested, timescales and what support was available. In cases where

¹¹⁰⁸ *Ministry of Justice response to commission a joint inspection of compliance with the Victims' Code in the Interim report dated 23 October 2020*

the experience of the initial reporting had been positive, “*these expectations were not always met because the police did not follow up in the way they described*”.¹¹⁰⁹

47.2. Poor communication was also a concern raised by children and young people who participated in the Inquiry’s project which culminated in the *Engagement with Children and Young People* report (June 2021). Some young people and their families stated that they were not kept up to date, while others said that the police would only communicate with parents and did not share any information with young victims and survivors in case it upset them. Children and young people stressed the importance of both being kept well informed and having a choice about the level of information given to them.¹¹¹⁰

47.3. The Centre for Social Justice’s report *Unsafe Children* (2021) noted that some victims and survivors had to “*chase the police for updates*”.¹¹¹¹

¹¹⁰⁹ *Victims and Survivors Forum Consultation on the Criminal Justice System: Summary Report*, IICSA, May 2019, p4, para 13

¹¹¹⁰ *Engagement with children and young people*, IICSA, June 2021, p21

¹¹¹¹ [INQ006704_099](#)

47.4. The Victims Commissioner *Victims' Experience: Annual Survey (2021)* also found that less than one-third (29 percent) of respondents were aware of the Victims' Code and only a quarter of respondents agreed that they were kept regularly informed or received all the information they needed about the police investigation.¹¹¹² While this survey was not specific to reports of child sexual abuse, it is clear that non-adherence with the Victims' Code is not the exclusive preserve of child sexual abuse cases.

48. There are also ongoing concerns about access to special measures. Special measures are designed to improve the quality of a witness's evidence given in court. The measures may vary depending on whether the witness is an adult or child, but include:

- screening a witness present in court from the accused;
- enabling a witness to give evidence via a live link;
- having video-recorded evidence played as the witness's evidence in chief;¹¹¹³

¹¹¹² [INQ006772_001](#)

¹¹¹³ [Youth Justice and Criminal Evidence Act 1999, sections 23, 24, 27](#)

- being assisted by an intermediary to help with communicating the questions to, and answers given by, the witness;¹¹¹⁴ and
- more recently, pre-recording cross-examination (and re-examination) of vulnerable witnesses, which includes all child witnesses.¹¹¹⁵ The video-recorded cross-examination takes place in advance of the trial and the jury are played the video during the trial itself.¹¹¹⁶

49. The pre-recording of evidence is only available for adults if the “*quality of evidence ... is likely to be diminished*” because they have a “*mental disorder within the meaning of the Mental Health Act 1983*”, or a “*significant impairment of intelligence and social functioning*”, or a “*physical disability or ... a physical disorder*”.¹¹¹⁷ Therefore an adult complainant who does not fall within this category,

¹¹¹⁴ [Youth Justice and Criminal Evidence Act 1999, section 29; INQ006642_007](#)

¹¹¹⁵ [Youth Justice and Criminal Evidence Act 1999, section 28](#)

¹¹¹⁶ Pre-recorded cross-examination or re-examination was first piloted in late 2019. By October 2020, this special measure was available to all vulnerable witnesses (the definition of which includes a child) in all courts in England and in Wales: [INQ006640](#)

¹¹¹⁷ [Youth Justice and Criminal Evidence Act 1999, section 16](#)

whether reporting sexual abuse said to have been committed when they were a child or alleging that they were sexually abused as an adult, is ineligible for this special measure. However, in June 2022, following a pilot involving adult complainants of sexual offences (and modern slavery offences), the UK government indicated that pre-recording of evidence for complainants in cases involving these offences would be rolled out nationally.¹¹¹⁸

50. While the use of special measures has become more common, it is clear that not every witness who is legally entitled to and needs this assistance is provided with it. A 2020 survey of 365 victims and survivors by the All-Party Parliamentary Group on Adult Survivors of Childhood Sexual Abuse found that special measures were often not offered or utilised, with two in five victims and survivors not having the opportunity to give evidence remotely or from behind a screen.¹¹¹⁹ The Victims Commissioner's 2021 report into special measures also noted that where special measures were granted for 'vulnerable and intimidated witnesses' (children and adult complainants in child sexual abuse cases fall within this category), care needed to be

¹¹¹⁸ [INQ006894](#); [INQ006953](#)

¹¹¹⁹ [Support services for victims and survivors of child sexual abuse](#), IICSA, August 2020, Chapter 1.8, p16

taken to ensure that the most appropriate special measure was adopted, including the little-used special measure of allowing a witness to give their evidence in private.¹¹²⁰

51. In December 2021, the government launched a consultation on the Draft Victims Bill, describing it as “*the first significant step towards a landmark ‘Victims’ Law’ – a Bill which will build on the foundations provided by the Victims’ Code to substantially improve victims’ experiences of the criminal justice system*”.¹¹²¹ In June 2022, the government responded to the consultation and undertook to “*enshrine the Victims’ Code in law*” and to place criminal justice agencies “*under a duty to review their compliance with the Victims’ Code – using data and victim feedback to improve their performance*”.¹¹²² This includes bringing in legislation so that “*criminal justice inspectorates carry out regular joint inspections on victims’ issues*”.¹¹²³

52. The Victims’ Code has been in place for nearly two decades and yet concerns still persist that it is not being fully complied with. The Inquiry’s 2018 recommendation for a joint inspection was not implemented. While the consultation on the Draft

¹¹²⁰ [INQ006794_008](#)

¹¹²¹ [INQ006698_009](#)

¹¹²² [INQ006953](#)

¹¹²³ [INQ006953](#)

Victims Bill is welcome, any legislative change will not happen for a lengthy period of time. In the interim, greater focus is required on compliance with the Victims' Code. The Inquiry therefore reiterates its recommendation that there should be a joint inspection regarding compliance with the Victims' Code.

Recommendation 14: Compliance with the Victims' Code

The Inquiry recommends (as originally stated in its *Interim Report*, dated April 2018) that the UK government commissions a joint inspection of compliance with the Victims' Code in relation to victims and survivors of child sexual abuse, to be undertaken by His Majesty's Inspectorate of Constabulary and Fire & Rescue Services, His Majesty's Crown Prosecution Service Inspectorate and His Majesty's Inspectorate of Probation.

G.4: The civil justice system

53. The civil justice system aims to resolve disputes between individuals and organisations and provide remedies for injured parties, often in the form of compensation.

54. Victims and survivors have different reasons for bringing a claim, or a combination of aims and objectives. Some want their ‘day in court’ to explain what happened to them and hold those responsible to account.¹¹²⁴ Some want acknowledgement that they were sexually abused. One claimant told the Inquiry:

*“I was hoping that I’d get some recognition for what had happened to me, hoping that I would be vindicated for being called a liar all these years and that finally someone would listen to me”.*¹¹²⁵

Some want an apology from the relevant institution.¹¹²⁶ Although the courts cannot order defendants to make apologies, the civil claims process can facilitate them.¹¹²⁷

¹¹²⁴ *Accountability and Reparations Investigation Report*, Part A.3 para 7.3, Part C.3 para 17

¹¹²⁵ *Accountability and Reparations Investigation Report*, Part C.3 para 16

¹¹²⁶ *Accountability and Reparations Investigation Report*, Part C.3 para 19, Part C.11 paras 149–152

¹¹²⁷ *Ealing Abbey and St Benedict’s School Investigation Report*, Part C.3 para 67; *Diocese of Chichester/Peter Ball Investigation Report*, Part B.10 para 440

55. Many claims do not result in compensation being paid. Victims face serious difficulties in bringing a claim, including limited access to specialist legal representation, the unavailability of funding, and the unavailability and diminished quality of the evidence.¹¹²⁸ Even when claims succeed (usually by accepting a settlement offer), many victims and survivors are dissatisfied with the outcome as they do not ordinarily obtain an explanation or apology for what had happened to them.¹¹²⁹ This likely reflects that the primary purpose of a civil claim is to obtain financial compensation, which does not always align with such objectives.¹¹³⁰

Understanding the system

56. Victims and survivors may be unaware of the possibility of bringing a civil claim. The police, on whom victims and survivors often rely, have not consistently explained how compensation

¹¹²⁸ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.3. p56; *Accountability and Reparations Investigation Report*, Part C.5 paras 25–27, Part C.7 paras 56–59

¹¹²⁹ *Accountability and Reparations Investigation Report*, Part C.9 para 117, Part C.11 para 151

¹¹³⁰ *Accountability and Reparations Investigation Report*, Part C.3 para 14

can be sought.¹¹³¹ This has been due, at least in part, to concerns that criminal proceedings might be undermined by accusations that victims and survivors have fabricated allegations in order to obtain compensation.¹¹³²

57. The Victims' Code previously did not signpost the rights of victims and survivors to bring claims for compensation through the civil justice system.¹¹³³ In September 2019, the Inquiry recommended that the Ministry of Justice revise the Victims' Code to make clear that victims and survivors must be advised by the police that they are entitled to seek civil compensation through the civil courts and should be signposted to specialist lawyers identified by the Ministry of Justice.¹¹³⁴ The government's revised Victims' Code (November 2020, which came into force in April 2021) makes clear that victims and survivors may be able to

¹¹³¹ *Accountability and Reparations Investigation Report*, Part C.2 paras 10–11

¹¹³² *Accountability and Reparations Investigation Report*, Part C.2 para 10

¹¹³³ *Accountability and Reparations Investigation Report*, Part C.2 para 12; INQ003556

¹¹³⁴ *Accountability and Reparations Investigation Report*, Part G.3 (Recommendation 1)

bring civil claims and signposts them to the Law Society, which the government considered was more appropriate.¹¹³⁵

58. Bringing a civil claim is a major undertaking. The adversarial nature of litigation can be emotionally challenging and compound the trauma already experienced by victims and survivors. This can be exacerbated by the length of time it can take to resolve proceedings, although the Inquiry heard that the time taken to achieve settlements is now shorter than in previous years.¹¹³⁶ For some victims and survivors it is a last resort when other avenues of accountability and reparation have failed.¹¹³⁷

Legal and procedural challenges

59. Claims concerning child sexual abuse are governed by civil law. Claims for personal injuries compensation are based upon assault and battery

¹¹³⁵ INQ006637__025 para 5.11; *Ministry of Justice response to recommendation 1 in the Accountability and Reparations Investigation Report dated 6 April 2020*; INQ006637__025 para 5.13

¹¹³⁶ *Accountability and Reparations Investigation Report*, Part C.9 paras 130–131, 134

¹¹³⁷ *The Roman Catholic Church Investigation Report*, Part J.1 para 3; *Accountability and Reparations Investigation Report*, Part C.3 paras 20.3–20.4

(also known as trespass to the person). This covers acts which, in criminal proceedings, would be sexual assault or rape. There are a number of ways in which civil claims for child sexual abuse may be brought against an institutional defendant, including:

- negligence: where institutions failed in their duty of care to protect children from abuse, for example through inadequate supervision, policies and procedures; and
- vicarious liability: institutions may be held liable for their employees or people in similar positions to employees, even where the institutions themselves are not at ‘fault’.

There may be factual scenarios which do not readily fall into either of these categories. For example, a local authority may place a child into a privately owned children’s home where the child is subsequently sexually abused but the local authority itself is not negligent nor responsible for those who committed the sexual abuse. Recent judgements have made clear that it will be difficult to bring a claim successfully where the local authority is considered to have discharged its duty to the child.¹¹³⁸

¹¹³⁸ SKX v Manchester City Council [2021] EWHC 782 (QB)

60. Claimants must prove, on the balance of probabilities, that the sexual abuse took place. This may be difficult evidentially, particularly in cases of non-recent sexual abuse.¹¹³⁹ Even where a claimant can show that they have been sexually abused, they may still be left without a remedy if they cannot establish legal liability on the basis of negligence or vicarious liability, or their claim is time-barred (discussed further below). In order to quantify their claims, claimants are usually required to prove that they have suffered significant psychiatric injuries. This often involves assessment by two medical experts, one instructed by their own solicitors and one by the defendant's solicitors. This can cause unnecessary distress to victims and survivors.¹¹⁴⁰

61. Annexed to the Ministry of Justice *Civil Procedure Rules*, which govern the litigation process, are 'pre-action protocols', which aim to narrow the issues between parties and encourage early resolution of claims. The protocols explain the conduct and set out the steps the court would normally expect parties to take before commencing

¹¹³⁹ *Accountability and Reparations Investigation Report*, Part C.5 paras 25–27

¹¹⁴⁰ *Accountability and Reparations Investigation Report*, Part C.5 paras 33–36, Part G.1 para 16; *The Anglican Church Investigation Report*, Part B.4.3 paras 12–13

proceedings.¹¹⁴¹ Child abuse claims are currently governed by the general *Pre-action Protocol for Personal Injury Claims*.¹¹⁴² The Inquiry first heard about the potential for a new pre-action protocol in its Civil Justice Seminar in November 2016.¹¹⁴³ The Civil Justice Council is currently conducting a consultation exercise regarding pre-action protocols, including whether there should be a specific protocol for abuse claims.¹¹⁴⁴ Reasons for this include facilitating early resolution and apologies where appropriate, as well as greater transparency for abuse survivors.¹¹⁴⁵

Identifying defendants and the role of insurers

62. Claims can be brought directly against an abuser, although an individual will not always have sufficient funds to pay damages. As a result, claims are usually brought against the institution in which the sexual abuse took place or against those

¹¹⁴¹ *Accountability and Reparations Investigation Report*, Part C.1 paras 3–6

¹¹⁴² *Accountability and Reparations Investigation Report*, Part C.7 paras 66–69

¹¹⁴³ *Civil Justice System Seminar: An update report*, IICSA, March 2018, Session 7, para 43

¹¹⁴⁴ INQ006775_001-004; INQ006776_055 question 26

¹¹⁴⁵ INQ006776_138 para 76

responsible for that institution, for example a local authority or private body, although in some cases the institution may no longer exist.¹¹⁴⁶

63. Public, private and charitable institutions usually have public liability insurance to meet any legal liabilities for injuries and losses suffered by members of the public. Some potential defendants, however, are uninsured and so may not have the resources to pay compensation or legal costs. It may therefore be difficult or futile to bring claims against them. Difficulties can also arise in the identification of the correct insurer for the relevant periods, especially in claims relating to non-recent sexual abuse. Victims and survivors' claims may be unnecessarily prolonged or undermined where it is unclear whether the defendants have public liability insurance in place to pay for successful claims.¹¹⁴⁷

64. The Inquiry's *Interim Report* (dated April 2018) therefore recommended that the Association of British Insurers (ABI) consider whether a register of public liability insurers could be introduced to assist claimants in child sexual abuse cases in locating the insurers relevant to their claim and how it would

¹¹⁴⁶ *Accountability and Reparations Investigation Report*, Part C.4 para 21

¹¹⁴⁷ *Accountability and Reparations Investigation Report*, Part C.7 paras 60–65, Part G.1 para 12; *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.3, p56

operate.¹¹⁴⁸ This recommendation was followed by subsequent recommendations in September 2019 that the Department for Work & Pensions should work with the ABI to introduce a register and that the Financial Conduct Authority (FCA) should make the necessary regulatory changes to compel insurers that provide public liability insurance to retain and publish details of all current policies.¹¹⁴⁹

65. In 2020, work on the feasibility of establishing a public liability register was carried out.¹¹⁵⁰ The ABI provided the Department for Work & Pensions, HM Treasury and the Ministry of Justice with a report prepared for the Inquiry on whether such a register could be introduced.¹¹⁵¹ In March 2021, the Ministry of Justice stated that this work had been delayed due to its focus on the Inquiry's other proposals, as well as due to the demands

¹¹⁴⁸ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.3, p56

¹¹⁴⁹ *Accountability and Reparations Investigation Report*, Part G.3 (Recommendation 4)

¹¹⁵⁰ *Ministry of Justice response to recommendation 4 in the Accountability and Reparations Investigation Report dated 6 April 2020*

¹¹⁵¹ *Association of British Insurers response to recommendations in the Accountability and Reparations Investigation Report dated 22 February 2021*

of the COVID-19 pandemic.¹¹⁵² In May 2022, it confirmed that work had been paused but that with “*the easing of some of these pressures, we will engage the Association of British Insurers (ABI) on the feasibility and benefits of establishing a public liability register*”.¹¹⁵³

66. The ABI also had discussions with the FCA on the potential development of rules on the retention of public liability insurance records.¹¹⁵⁴ The FCA conducted a survey of public liability insurance providers and engaged with organisations “*to better understand the issues faced by survivors in accessing insurance*”.¹¹⁵⁵ It subsequently

¹¹⁵² *Ministry of Justice response to the national register of public liability insurance policies recommendation in the Accountability and Reparations Investigation Report dated 16 March 2021*

¹¹⁵³ *Ministry of Justice response to recommendation 4 in the Accountability and Reparations Investigation Report dated 4 May 2022*

¹¹⁵⁴ *Response to the National register of public liability insurance policies recommendation in the Accountability and Reparations Investigation Report dated 22 February 2021*

¹¹⁵⁵ *FCA response to recommendation 4 in the Accountability and Reparations Investigation Report dated 2 December 2021*

indicated to the Inquiry that the responses received by organisations had been limited and it was considering its next steps.¹¹⁵⁶

67. Approaches to defending claims vary. Much turns on the attitude of the defendants and their relationships with their insurers (if there are any) and their solicitors.¹¹⁵⁷

68. In recent years some insurance companies have developed guidance to assist their claims handlers in dealing with child sexual (and physical) abuse claims. For example, the Ecclesiastical Insurance Office (EIO), which insures organisations including the Anglican Church, has issued guiding principles which state that where liability is clear, early admissions are appropriate. The principles address other aspects of child sexual abuse claims, including encouraging less use of the limitation defence (the EIO is presently applying a moratorium on its use), consideration by policyholders of the appropriateness of an apology

¹¹⁵⁶ *FCA response to recommendation 4 in the Accountability and Reparations Investigation Report dated 25 April 2022*

¹¹⁵⁷ *The Roman Catholic Church Investigation Report, Part J.2 paras 8–11; Accountability and Reparations Investigation Report, Part C.8 paras 70–73*

and also the provision of support or counselling.¹¹⁵⁸ Zurich Insurance plc, which insures a significant number of UK local authorities, has guidance for handling sexual (or physical) abuse claims. This includes restrictions on the use of the limitation defence and allows for apologies.¹¹⁵⁹

69. In September 2019, the Inquiry recommended that the Local Government Association (LGA, the national membership body for local authorities) and the ABI produce codes of practice, recognising the long-term emotional and psychiatric or psychological effects of child sexual abuse on victims and survivors.¹¹⁶⁰ Those codes should include that: (i) claimants should be treated sensitively throughout the litigation process; (ii) the defence of limitation should only be used in exceptional circumstances; (iii) single experts jointly instructed by both parties should be considered for the assessment of the claimants’

¹¹⁵⁸ *The Anglican Church Investigation Report*, Part B.4.2 para 8; EIO000147_002-003,005; *Accountability and Reparations Investigation Report*, Part C.8 para 81.3; EIO000156_014-015 para 60

¹¹⁵⁹ *Accountability and Reparations Investigation Report*, Part C.8 paras 74.1, 81–81.2; ZUI003279_019-20, 023-032

¹¹⁶⁰ *Accountability and Reparations Investigation Report*, Part G.3 (Recommendation 2)

psychiatric, psychological or physical injuries; and (iv) wherever possible claimants should be offered apologies, acknowledgement, redress and support.¹¹⁶¹ In August 2021 the ABI published its code implementing this recommendation.¹¹⁶² The LGA's aim was to publish its code in November 2021, but it has indicated that final approval of the Code will be considered in June 2022 and then published.¹¹⁶³

Resolving claims

70. Most civil claims do not proceed to court and are resolved between the parties for an agreed sum of money, known as a 'settlement'. This avoids victims and survivors having to experience the stress and trauma of a contested trial. However, claimants may be left disappointed by the terms of their settlements, particularly where claims are settled without admissions of liability, acceptance

¹¹⁶¹ *Accountability and Reparations Investigation Report, Part G.3 (Recommendation 2)*

¹¹⁶² [INQ006833](#)

¹¹⁶³ [INQ006819](#); [LGA000004](#)

of responsibility or apologies.¹¹⁶⁴ For some, this acknowledgement may be more important than financial compensation.¹¹⁶⁵

71. Claims that do not settle proceed to trial, where victims and survivors may have to give evidence in court. Victims and survivors may be cross-examined on the parts of their evidence that the defendant does not accept. For some, bringing a claim allows them to have their ‘day in court’: the opportunity to explain in public what has happened to them and to have their sexual abuse recognised by a judge. This may be the case even though the experience of giving evidence at trial is profoundly stressful and, in some cases, re-traumatising. As noted in *Victims and Survivors’ Voices*, one claimant whose civil claim was rejected by the court on the grounds of it being out of time (the limitation period, see below) still felt “happy” because:

*“the judge himself turned around and said in court that he believed every word I said ... it was a small win on my behalf because the judge himself believed me”.*¹¹⁶⁶

¹¹⁶⁴ *Accountability and Reparations Investigation Report*, Part C.9 paras 110–125

¹¹⁶⁵ *Accountability and Reparations Investigation Report*, Part C.11 paras 151–152; *Nottinghamshire Councils Investigation Report*, Part F.2 para 34

¹¹⁶⁶ AR-A87 5 December 2018 110/9-111/13

The trial process

72. The experience of giving evidence at trial is invariably difficult.¹¹⁶⁷ AR-A21 explained that giving evidence required him to re-open painful memories:

*“You’re sort of reliving that thing over and over again, and each time it became more painful to do so.”*¹¹⁶⁸

73. In April 2018, the Inquiry recommended that the Ministry of Justice provides primary legislation affording victims and survivors of child sexual abuse the same vulnerable witness protections in civil courts as they receive in criminal cases. It also recommended that the *Civil Procedure Rules* be amended to ensure that judges presiding over cases relating to child sexual abuse consider these protections.¹¹⁶⁹

74. The Ministry of Justice asked the Civil Justice Council to consider this issue.¹¹⁷⁰ In February 2020, the Council published its report, *Vulnerable*

¹¹⁶⁷ *Accountability and Reparations Investigation Report*, Part C.9 paras 93, 97, 99–104

¹¹⁶⁸ AR-A21 27 November 2018 11/5-15

¹¹⁶⁹ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.3

¹¹⁷⁰ INQ006685_006-007 paras 9–10

*Witnesses and Parties within Civil Proceedings.*¹¹⁷¹

It noted that a large majority of the assistance and protection provided to vulnerable parties or witnesses in the criminal and family jurisdictions could already be provided using existing powers within the *Civil Procedure Rules*.¹¹⁷² However, it recognised that these powers were not being used frequently enough and it recommended a number of changes to rules, practices and training.¹¹⁷³ This resulted in an amendment to the *Civil Procedure Rules*’ ‘overriding objective’ in April 2021, which now states that dealing with a case justly and at proportionate cost includes, so far as is practicable, “ensuring that the parties are on an equal footing and can participate fully in proceedings, and that parties and witnesses can give their best evidence”.¹¹⁷⁴ The *Civil Procedure Rules* also now contain a practice direction on

¹¹⁷¹ [INQ006685](#); Note that the report is not limited to the victims and survivors of child sexual abuse; it addresses vulnerable witnesses and parties generally.

¹¹⁷² [INQ006685_066-067](#) paras 155–157

¹¹⁷³ [INQ006685_067](#), 126-131 paras 157, 334–365

¹¹⁷⁴ [Civil Procedure Rules 1998](#), Part 1, rule 1.1(2) (a); [Civil Procedure \(Amendment\) Rules 2021](#), amendment of Part 1

how the court should give effect to the overriding objective in respect of vulnerable parties or witnesses.¹¹⁷⁵

75. The government has also decided to legislate for special measures in civil proceedings in the Domestic Abuse Act 2021.¹¹⁷⁶ The Act enables the court to make a special measures direction in relation to a person who is, or is at risk of being, a victim of domestic abuse; or is the victim, or alleged victim, of a “*specified offence*”.¹¹⁷⁷ A “*specified offence*” is to be set out in regulations to be made by the Lord Chancellor and will include sexual offences, including child sexual abuse offences.¹¹⁷⁸ It also prohibits cross-examination of a victim of child sexual abuse by a person who has been convicted of, or given a caution for, that offence.¹¹⁷⁹

Assessment of damages

76. Financial compensation can include general damages for the pain, suffering and loss of amenity (that is, the impact the injury has had on the quality of life) and special damages for past and future

¹¹⁷⁵ [Practice Direction 3AA – Vulnerable Persons: Participation in Proceedings and Giving Evidence](#)

¹¹⁷⁶ [INQ006682](#)

¹¹⁷⁷ [Domestic Abuse Act 2021, section 64\(1\)](#)

¹¹⁷⁸ [INQ006682](#)

¹¹⁷⁹ [Domestic Abuse Act 2021, section 66](#)

financial losses, such as earnings and the costs of care and therapy.¹¹⁸⁰ Most claims are modest in value, although occasionally high awards are made by the courts or obtained through settlement. This usually happens where claimants have experienced substantial losses of earnings and have significant treatment needs. In 2019, the High Court awarded over £1 million to a victim who had been sexually abused by his teacher at a school in Haringey. This included future loss of earnings of £423,203.¹¹⁸¹ At the time this was thought to have been the highest sum awarded to a victim and survivor in the UK and this level of compensation is not typical.¹¹⁸²

77. Victims and survivors can be left dissatisfied with the amount of compensation, particularly damages paid through a settlement, because they do not feel their experiences have been sufficiently recognised.¹¹⁸³ The Inquiry also heard concerns that general damages in civil claims do not always adequately reflect the physical, emotional and

¹¹⁸⁰ *Accountability and Reparations Investigation Report*, Part C.10 para 135

¹¹⁸¹ *FZO v Andrew Adams & London Borough of Haringey* [2019] EWHC 1286 (QB)

¹¹⁸² INQ006834

¹¹⁸³ *Accountability and Reparations Investigation Report*, Part C.9 para 113, Part C.10 para 143

psychiatric injuries that victims and survivors have experienced, together with the impact on their long-term quality of life.¹¹⁸⁴

78. The Judicial College's *Guidelines for the Assessment of General Damages in Personal Injury Cases* provides guidance on general damages, but at the time of the Inquiry's Accountability and Reparations investigation hearings it did not have a freestanding section on the injuries caused by sexual abuse.¹¹⁸⁵ The Inquiry acknowledged that the quantification of awards of compensation for claims of child sexual abuse is a matter for the courts. However, it considered that the general damages that claimants receive must more fully reflect the physical, emotional and psychiatric injuries that they have suffered, together with the impact on their long-term quality of life.¹¹⁸⁶ In 2019, the Inquiry recommended that the Judicial College should revise its *Guidelines for the Assessment of General Damages in Personal Injury Cases* to include a specific section on the damages that may be appropriate in cases of child sexual abuse and set out a number of factors that

¹¹⁸⁴ *Accountability and Reparations Investigation Report*, Part C.10 paras 144–146, G.1 para 13

¹¹⁸⁵ *Accountability and Reparations Investigation Report*, Part C.10 para 137

¹¹⁸⁶ *Accountability and Reparations Investigation Report*, Part G.1 para 13

the court should take into account.¹¹⁸⁷ The revised Guidelines were published in April 2022 and have introduced this freestanding category.¹¹⁸⁸

G.5: The limitation period

79. The implementation of the above recommendations is vital to improving the experience of victims and survivors of child sexual abuse seeking redress through the civil justice system. However, one particular area of concern remains the law of limitation, to which the Inquiry stated it would return.¹¹⁸⁹

80. The law of limitation aims to strike a balance between the rights of claimants to bring claims and the interests of defendants where it may be unfair or impossible to defend cases long after the events in question have taken place – when, for example, it may be difficult to establish what happened due to the passage of time. It does so by setting statutory time limits, known as limitation periods, after which claims can no longer be pursued.¹¹⁹⁰

¹¹⁸⁷ *Accountability and Reparations Investigation Report*, Part G.3 (recommendation 5)

¹¹⁸⁸ INQ006859

¹¹⁸⁹ *Accountability and Reparations Investigation Report*, Part G.2 para 23.1; *The Roman Catholic Church Investigation Report*, Part J.2 para 18

¹¹⁹⁰ *Accountability and Reparations Investigation Report*, Part C.6 para 41

Limitation is a procedural defence, meaning that claims are not automatically time-barred but instead defendants must actively raise the issue of limitation in response to receiving a claim. For victims and survivors of non-recent child sexual abuse, the imposition of limitation periods is one of the most challenging legal issues they face.¹¹⁹¹

81. For many years, the courts considered that sexual abuse was a deliberate act to which a fixed, six-year limitation period applied. Some, but not all, claimants were able to avoid the application of this period by arguing that the sexual abuse was the result of systemic negligence to which a three-year limitation period applied that was extendable.¹¹⁹² In 1996, the imposition of the fixed limitation period was the subject of an unsuccessful legal challenge before the European Court of Human Rights in

¹¹⁹¹ *Accountability and Reparations Investigation Report*, Part C.6, Part C.8 paras 79–87; *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.3; *Civil Justice System Seminar: An update report*, IICSA, March 2018, Section 1 para 9, Section 3 paras 16–22; *Nottinghamshire Councils Investigation Report*, Part F.2 para 35; *The Roman Catholic Church Investigation Report*, Part J.2 para 13

¹¹⁹² *Accountability and Reparations Investigation Report* Part C.6 para 42; *Limitation Act 1980*, section 33

Strasbourg. The Court's judgement affirmed the importance of limitation periods in civil claims but also recognised that the developing awareness of the psychological effects of child abuse on victims and survivors might justify special provisions for their claims.¹¹⁹³

82. In its 2001 report on the law of limitation, the Law Commission considered whether child sexual abuse claims were so unique that they should be subject to no limitation period at all. However, it recommended that all personal injury claims, whether for negligence or assault, should be subject to the same extendable period of three years.¹¹⁹⁴ This was not implemented by Parliament but, in 2008, the House of Lords reached the same conclusion in the case of *A v Hoare*.¹¹⁹⁵ Since then the extendable three-year limitation period for personal injury claims has applied to claims of sexual abuse.

¹¹⁹³ *Stubbings v United Kingdom* (1997) 23 EHRR 213 paras 51–57

¹¹⁹⁴ INQ006787_116-119 paras 4.25, 4.29–4.33

¹¹⁹⁵ *Accountability and Reparations Investigation Report*, Part C.6 para 45; *A v Hoare* [2008] UKHL 6, [2008] 1 AC 844

83. The three-year limitation period runs from either the date when the injury occurred or the date of knowledge of the individual claimant.¹¹⁹⁶ Knowledge in this context may include actual knowledge that the injury was significant (which may not always be apparent to those who have suffered sexual abuse during their childhood). It may also comprise constructive knowledge that a claimant “*might reasonably have been expected to acquire*”.¹¹⁹⁷ However, in all cases involving children, the limitation period does not start to run until the claimant reaches the age of 18. All claimants therefore have until at least the age of 21 to commence legal proceedings.¹¹⁹⁸

84. Very few victims and survivors of child sexual abuse bring their claims before the expiration of the limitation period. Consequently, if a defendant raises the defence of limitation, victims and survivors must ask the court to exercise its

¹¹⁹⁶ Limitation Act 1980, section 11(4); *Accountability and Reparations Investigation Report*, Part C.6 para 45

¹¹⁹⁷ Limitation Act 1980, section 14; *Accountability and Reparations Investigation Report*, Part C.6 para 45

¹¹⁹⁸ Limitation Act 1980, sections 11, 28(1), 28(6), 38(2); *Accountability and Reparations Investigation Report*, Part C.6 para 45

discretion to allow their claims to proceed.¹¹⁹⁹ In deciding whether or not to exercise its discretion, the court must consider all of the circumstances of the individual case, and in particular:

- the length of, and reasons for, the delay in bringing a claim;
- the extent to which the evidence is less cogent than if the claim had been brought within time;
- the conduct of the defendant after the claim was brought;
- the duration of any disability of the claimant;¹²⁰⁰
- the extent to which the claimant acted promptly and reasonably once they knew there was a possibility of bringing a claim; and
- any steps taken by the claimant to obtain medical, legal or other expert advice, and the nature of any such advice.¹²⁰¹

85. As set out in the Inquiry's *Accountability and Reparations Investigation Report*, the Inquiry received evidence that the defence of limitation operated unfairly in the context of child sexual

¹¹⁹⁹ Limitation Act 1980, section 33; *Accountability and Reparations Investigation Report*, Part C.6 para 46

¹²⁰⁰ Limitation Act 1980, section 38 (2) states a person shall be treated as under a disability while he or she is a child.

¹²⁰¹ Limitation Act 1980, section 33

abuse claims.¹²⁰² Additional evidence obtained subsequently by the Inquiry suggested that the defence of limitation continues to operate unfairly as a barrier to claimants at three key stages of the litigation process.

85.1. Taking on claims: Although the figures either could not be given or varied amongst claimant solicitors, the Inquiry was told that limitation prevented many solicitors from taking on a significant proportion of child sexual abuse claims.¹²⁰³ Legal representation or funding cannot be obtained unless it is likely that the claim will succeed.¹²⁰⁴ The Ministry of Justice recognised that this impacts upon access to

¹²⁰² *Accountability and Reparations Investigation Report*, Part C.6, Part C.8 paras 79–87, Part G.1 para 8

¹²⁰³ Tracey Storey 26 November 2019 98/8-100/25; Alison Millar 26 November 2019 101/2-102/1; Richard Scorer 5 February 2020 5/14-20; INQ004778__005 paras 25–27; INQ004719__002-003, 004-005 paras 5, 11; INQ004799__010 para 15; INQ004824__008 para 42

¹²⁰⁴ INQ004673__003-004, 008 para 13, 38; INQ004719__004 para 11; INQ004719__006 para 15; INQ004826__013 para 33; Alison Millar 26 November 2019 109/1-12; *Accountability and Reparations Investigation Report*, Part C.7 paras 56–59

justice for victims and survivors.¹²⁰⁵ In addition, claimants may find it off-putting to have to persuade a court to be allowed to bring their claim notwithstanding its merits.¹²⁰⁶

85.2. Settlement and value of claims: A number of claimant solicitors indicated that limitation was a significant factor during the process of valuing and settling claims, with one referring to it as an “*ever-present threat*”.¹²⁰⁷ They explained that victims and survivors may have to be advised that it would be better to accept a reduced settlement offer, rather than proceed to court where there is not only a risk of losing on limitation but also a risk of being re-traumatised by the trial process.¹²⁰⁸

85.3. Trial: While there appears to be greater judicial understanding of how the effects of child sexual abuse on victims and survivors may lead to delays in bringing claims, there is little doubt

¹²⁰⁵ [Fiona Rutherford 5 February 2020 7/7-25](#)

¹²⁰⁶ [Alison Millar 26 November 2019 109/13-23](#)

¹²⁰⁷ [Alison Millar 26 November 2019 116/3-25;](#)
[INQ004826__013-014 para 34;](#) [Jonathan Bridge 26](#)
[November 2019 122/15-123/21;](#) [INQ004673__008-](#)
[009 para 39](#)

¹²⁰⁸ [Tracey Storey 26 November 2019 124/9-](#)
[125/8;](#) [Alison Millar 26 November 2019 125/9-](#)
[127/17;](#) [INQ004719__005 para 12;](#) [Richard Scorer 5](#)
[February 2020 15/4-16/2](#)

that the trial of limitation issues can be intrusive and traumatic for claimants and the outcome difficult to predict.¹²⁰⁹ Although relatively few child sexual abuse cases proceed to trial,¹²¹⁰ one claimant solicitor made the point that contested cases “*set the tone in which other cases are resolved*”.¹²¹¹

86. A number of defendant solicitors and insurers accepted that limitation presented a barrier to justice for victims and survivors.¹²¹² They were broadly open to some form of reform, and in some cases supportive of it, provided that any change

¹²⁰⁹ *Accountability and Reparations Investigation Report*, Part C.6 para 52; Paula Jefferson 26 November 2019 145/14-146/6; Tracey Storey 26 November 2019 146/18-147/20; INQ004824_005 para 26; Richard Scorer 5 February 2020 13/3-14/2, 15/4-16/2, 20/8-10, 21/11-22/4

¹²¹⁰ Alistair Gillespie 26 November 2019 114/3-17, 178/18-179/2; Paula Jefferson 26 November 2019 145/24-25; MMI000090_005 paras 20–21

¹²¹¹ Alison Millar 26 November 2019 178/1-13

¹²¹² INQ004709_005 para 19; RSA000225_002 paras 6–7; EIO000156_013 para 56; Philippa Handyside 5 February 2020 22/5-24/5

preserved the defendant’s right to a fair trial.¹²¹³ Witnesses queried, however, whether changes to the law of limitation would make a difference in practice.¹²¹⁴ It was stressed that the defence of limitation is fundamentally about whether it is fair to allow claims to proceed many years after the events in question due to evidential issues.¹²¹⁵ The Ministry of Justice recognised that it “*would remove a first hurdle ... and may help to alleviate some of the uncertainty and discouragement that claimants currently experience*”. It was therefore willing to “*consider the merits of such a change further*

¹²¹³ Paula Jefferson 26 November 2019 172/13-173/22; Paula Jefferson 27 November 2019 56/24-57/6; Philippa Handyside 27 November 2019 56/1-56/15; Philippa Handyside 5 February 2020 22/5-24/14, 56/25-57/5; Paula Jefferson 27 November 2019 26/21-27/8; Carolyn Mackenzie 27 November 2019 145/7-9; EIO000156__015 paras 62–63

¹²¹⁴ Sarah Ellis 27 November 2019 128/2-19; Jonathan Bridge 26 November 2019 174/2-175/4; MOJ000906__003 para 9

¹²¹⁵ Alistair Gillespie 26 November 2019 133/9-15; Jonathan Bridge 26 November 2019 102/7-18; Philippa Handyside 5 February 2020 11/16-12/23; Accountability and Reparations Investigation Report, Part C.6 paras 48–49

*should the Inquiry consider that to be a useful route to prevent the risk of meritorious claims being deterred”.*¹²¹⁶

87. The courts have made it clear that whether a fair trial can take place is not the only issue to be taken into account. One of the other issues to consider is the claimant’s reasons for delaying in bringing a claim.¹²¹⁷ One claimant solicitor said asking clients about the length of and reasons for delay was the “*single-most traumatic feature of this type of litigation*”.¹²¹⁸ Some witnesses were asked why a claimant should have to explain any delay, with the response being that defendants simply had to work with the law as it is at present.¹²¹⁹

88. The need for legislative reform was questioned by some defendant representatives, who suggested that changes could be made to legal procedures (for example, through codes of practice or a pre-action protocol), rather than the

¹²¹⁶ [MOJ000906_003 para 10](#)

¹²¹⁷ [RE v GE \[2015\] EWCA Civ 287 paras 77–80; Accountability and Reparations Investigation Report, Part C.6 para 51; Richard Scorer 5 February 2020 13/3-14/2; Murray v Devenish \[2018\] EWHC 1895 \(QB\) paras 111–117, 157–159](#)

¹²¹⁸ [Alison Millar 26 November 2019 140/3-141/1](#)

¹²¹⁹ [Alastair Gillespie 26 November 2019 133/1-134/18; Paula Jefferson 26 November 2019 134/19-135/8](#)

substantive law.¹²²⁰ Other witnesses suggested that even if the law were changed, such procedural changes could still be beneficial.¹²²¹ As set out above, some defendant insurers have already developed guidance restricting the use of the limitation defence and changed their approaches to this issue.

89. However, legislative reform is also needed. Changes to practice are insufficient in the current framework within which claims are litigated.¹²²² It is noteworthy that other jurisdictions around the world have reformed the law of limitation relating to child sexual abuse claims (and other forms of childhood

¹²²⁰ [MMI000090__004 para 13](#); [Sarah Ellis 27 November 2019 145/17-23](#); [ZUI003278__004 para 13](#); [Alastair Gillespie 26 November 2019 178/17-180/25](#)

¹²²¹ [Paula Jefferson 26 November 2019 184/19-185/8](#); [Philippa Handyside 27 November 2019 48/11-49/12, 56/16-20](#); [Philippa Handyside 5 February 2020 38/24-42/3](#); [Peter Garsden 27 November 2019 50/10-51/11](#)

¹²²² [Philippa Handyside 5 February 2020 41/7-42/3](#); [Richard Scorer 5 February 2020 43/6-44/18, 48/25-49/10](#); [Alison Millar 26 November 2019 177/2-178/16](#)

abuse), including provinces and territories in Canada, states and territories in Australia, as well as in Scotland.¹²²³

90. It is clear that the current regime was not designed with the needs of victims and survivors of child sexual abuse in mind.¹²²⁴ As set out in *Victims and Survivors' Voices* and Part F, victims and survivors face a number of barriers to disclosure such that it can take years, if not decades, for them to feel able to discuss their sexual abuse. Research by the All-Party Parliamentary Group on Adult Survivors of Childhood Sexual Abuse indicates that the average time for victims and survivors to disclose sexual abuse is 26 years.¹²²⁵ The overwhelming majority of claims are not

¹²²³ See for example New Brunswick in Canada: *Limitation of Actions Act* SNB 2009, section 14.1; Victoria in Australia: *The Limitation of Actions Amendment (Child Abuse) Act 2015*; *The Limitation (Childhood Abuse) (Scotland) Act 2017*

¹²²⁴ Alison Millar 26 November 2019 163/20-164/10, 183/3-184/6; Richard Scorer 5 February 2020 20/10-24, 57/7-16

¹²²⁵ INQ006448_020 para 48

brought within three years of the sexual abuse.¹²²⁶ The starting point is therefore that most claimants are deemed to be ‘too late’ and must apply to the court to allow them to proceed. Having to justify any delay in bringing their claims adds a further and unnecessary burden to what is already a difficult process.¹²²⁷

91. Victims and survivors of child sexual abuse have different needs and require different treatment from personal injury claimants more generally. The very nature of child sexual abuse can make it difficult for victims and survivors to discuss their experiences.¹²²⁸ As Lady Hale stated in 2008:

“Until the 1970s people were reluctant to believe that child sexual abuse took place at all. Now we know only too well that it does. But it remains hard to protect children from it. This is because the perpetrators are so often people in authority over the victims,

¹²²⁶ Richard Scorer 5 February 2020 5/10-13; INQ004826__016-017 paras 41–42; INQ004824__004 para 19; INQ004725__004-005 para 15; *Accountability and Reparations Investigation Report* Part C.6 para 46

¹²²⁷ Alison Millar 26 November 2019 140/6-141/1; Tracey Storey 26 November 2019 141/2-25

¹²²⁸ Richard Scorer 5 February 2020 16/13-17/7, 19/5-23; INQ004673__009 para 44; API000001__002 para 7

sometimes people whom the victims love and trust. These perpetrators have many ways, some subtle and some not so subtle, of making their victims keep quiet about what they have suffered. The abuse itself is the reason why so many victims do not come forward until years after the event. This presents a challenge to a legal system which resists stale claims."¹²²⁹

92. The Inquiry has considered a number of potential negative consequences to any change in the law, including:

- increases to insurers' costs due to increased volume of claims;¹²³⁰
- institutions' ability to obtain insurance;¹²³¹

¹²²⁹ *A v Hoare* [2008] UKHL 6, [2008] 1 AC 844 para 54

¹²³⁰ David Nichols 27 November 2019 109/7-112/11, 116/4-14; Carolyn Mackenzie 27 November 2019 114/4-116/3; David Bonehill 27 November 2019 112/12-114/2, 116/16-117/10; Sarah Ellis 27 November 2019 117/16-119/8

¹²³¹ David Nichols 27 November 2019 132/22-133/25, 135/23-136/1; David Bonehill 27 November 2019 134/1-9, 136/2-11; Carolyn Mackenzie 27 November 2019 134/10-135/22, 136/12-138/5

- financial burdens on local authorities, or other organisations such as charities;¹²³² and
- the risk of ‘satellite’ litigation (additional litigation connected to the main legal case) interpreting any changes in the law.¹²³³

It is difficult to predict with any certainty the extent to which a change in the law may lead to these consequences, although the Inquiry notes from the evidence of a number of witnesses that the risks of this occurring may be overstated.¹²³⁴ In any event, the benefits of changing the law far outweigh

¹²³² Gareth Owens 27 November 2019 123/23-127/3, 132/14-21; Sarah Ellis 27 November 2019 131/10-132/13; ZUI003278_006-007 para 23; LBT003990_002 para 2.2; DCC000017_003 paras 15–17; INQ004709_007-008 para 33; NUG000008_002-004 paras 9–17

¹²³³ Alastair Gillespie 27 November 2019 80/5-83/1; Richard Scorer 27 November 2019 83/2-84/4; Kim Harrison 27 November 2019 84/5-85/16; Alison Millar 27 November 2019 16/3-22; Paula Jefferson 27 November 2019 18/18-19/18, 39/15-25

¹²³⁴ Richard Scorer 27 November 2019 83/2-84/4, 101/14-102/5; Kim Harrison 27 November 2019 84/5-85/16, 102/7-103/14; Carolyn Mackenzie 27 November 2019 114/4-116/3, 145/10-15; DCC000017_002-003 paras 13–14; David Nichols 27 November 2019 109/7-112/11; Sarah Ellis 27 November 2019 119/23-120/23, 145/10-15

any potential negative consequences. Reforming the law recognises that the sexual abuse itself is the reason for the delay and removes an unfair barrier to obtaining redress through the civil justice process.

Legislative reform

93. The principal options for legislative reform include the removal of the three-year period for personal injury claims based on child sexual abuse, either with or without preserving any other procedural form of defence to claims, such as the right to a fair trial.

94. Other potential options include extending the primary limitation period (for example, to 25 years) and amending the power to extend time in section 33 of the Limitation Act 1980. However, the former would just introduce a different but equally arbitrary time limit, and the latter would still leave the burden on claimants to persuade the court to disapply the time limit.¹²³⁵

95. A change to the law of limitation may engage defendants' rights under the European Convention on Human Rights (ECHR). It may not be necessary

¹²³⁵ Richard Scorer 5 February 2020 58/15-59/14; Peter Garsden 27 November 2019 41/10-42/8; David McClenaghan 27 November 2019 42/21-43/3; Alison Millar 27 November 2019 43/4-17; Alison Millar 27 November 2019 52/5-7

to include an express fair trial provision, as the right is already enshrined in the common law and under the *Civil Procedure Rules* and Article 6 of the Convention.¹²³⁶ However, doing so has the benefit of providing clarity and recognises that the removal of the primary limitation period does not compromise defendants' basic rights.¹²³⁷ It should be for defendants to demonstrate that a fair trial is not possible.¹²³⁸

96. Legislative changes should apply to all claims where the three-year limitation period has not yet expired, that is, where the victims and survivors are under 21 when the changes come into force, and those where the sexual abuse has not yet occurred.

97. The Inquiry has considered whether the removal of the limitation period should also apply retrospectively to claims where the limitation period has expired. There is a distinction to be drawn between two types of claim:

¹²³⁶ [Richard Scorer 5 February 2020 49/11-50/23](#); [Peter Garsden 27 November 2019 21/9-19](#)

¹²³⁷ [Paula Jefferson 27 November 2019 26/21-27/8](#); [RSA000225__003 para 11](#); [Richard Scorer 5 February 2020 29/12-25, 50/6-18](#)

¹²³⁸ [Richard Scorer 5 February 2020 50/24-51/12](#); [27](#); [David McClenaghan 27 November 2019 23/10-12](#); [INQ004824__007 para 37](#); [INQ004673__009 para 42](#); [API000001__003 para 12](#)

- **Claims which have not been dismissed by a court or settled:** In these cases, victims and survivors may still be able to bring claims against defendants, albeit with the court's permission to extend the limitation period under section 33. Here the interests of justice outweigh any potential prejudice to the defendants and the primary limitation period should be removed. This will also benefit those victims and survivors who have previously tried, but not been able, to proceed with claims due to advice received about limitation.¹²³⁹
- **Claims which have previously been dismissed by a court or settled:** The law of limitation has caused many victims and survivors difficulties when seeking to bring claims. However, these difficulties must be balanced against principles of legal certainty, finality and fairness. It is generally inappropriate and impractical to reverse a judicial determination or an agreement reached in good faith by litigation parties.¹²⁴⁰ Changes to the law of limitation should therefore not allow such

¹²³⁹ [Alison Millar 27 November 2019 36/17-37/6](#);
[David McClenaghan 27 November 2019 37/7-8](#);
[Paula Jefferson 27 November 2019 39/10-14](#)

¹²⁴⁰ [Paula Jefferson 27 November 2019 38/8-39/9](#);
[EIO000156__016 para 66](#); [ABI000005__011 paras 57–58](#)

claims to be re-opened. However, claimants who have had their claims previously dismissed by the court on grounds of limitation, or have previously settled their claims, may still be able to apply to the redress scheme recommended in Part I.

98. The Inquiry therefore recommends that the limitation period should be removed in all cases involving child sexual abuse, other than those that have been dismissed or settled, while preserving the right to a fair trial.

Recommendation 15: Limitation

The Inquiry recommends that the UK government makes the necessary changes to legislation in order to ensure:

- the removal of the three-year limitation period for personal injury claims brought by victims and survivors of child sexual abuse in respect of their abuse; and
- the express protection of the right to a fair trial, with the burden falling on defendants to show that a fair trial is not possible.

These provisions should apply whether or not the current three-year period has already started to run or has expired, except where claims have been:

- dismissed by a court; or
- settled by agreement.

They should, however, only apply to claims brought by victims and survivors, not claims brought on behalf of victims and survivors' estates.

Part H

Supporting victims and survivors

Supporting victims and survivors

H.1: Introduction

1. The need for increased provision of support for victims and survivors was a recurring theme in the Inquiry's work. Support needs vary greatly and can change over time, triggered at different points in a victim's lifetime, sometimes in unpredictable ways.¹²⁴¹ Recovery is often a non-linear process and victims and survivors might need practical support about how to report abuse and obtain medical assistance, advocacy support as well as therapeutic support such as counselling and psychotherapy. Other issues of concern to victims and survivors include accommodation, education, benefits and general healthcare. Enabling access to records also has a clear support function, with many victims and survivors considering that their recovery was dependent on being able to understand their history.

¹²⁴¹ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p15; *Consultation on the impacts of child sexual abuse and experiences of support services: A summary of the responses received*, IICSA, Part 2.2

2. Timely and effective support, particularly therapeutic support, can make a significant difference to recovery. It is therefore vital that the government guarantees that appropriate support is available. To achieve this, the Inquiry makes two recommendations: to introduce a national guarantee that child victims of sexual abuse will be offered timely specialist therapeutic support, and to require further guidance about the retention of and access to records about child sexual abuse.

H.2: Current support services

3. There are a number of ways in which victims and survivors of child sexual abuse can access support services. These include services for those involved in the criminal and civil justice process. Victims and survivors can also access support from health services or specialist voluntary sector organisations and, on occasion, services may be accessed via the institution where the sexual abuse occurred.

4. Accessing the right support at the right time from the most appropriate service can be difficult for both adult and child victims and survivors.

One victim and survivor described the process of trying to access support as a “*nightmare merry-go-round*”.¹²⁴²

Criminal justice system

5. The *Code of Practice for Victims of Crime in England and Wales* (Victims’ Code) states that victims and survivors have the right to be referred to services that support victims and have services and support tailored to their needs.¹²⁴³ Despite this, the quality and availability of support varies considerably between local areas.¹²⁴⁴

6. Support provided via the criminal justice system includes support for those who attend sexual assault referral centres (SARCs), which are commissioned by NHS England and in Wales by the NHS and Police and Crime Commissioners. SARCs provide services to child and adult victims and survivors of sexual assault and rape. Across England there are a number of paediatric SARCs along with adult SARC services.¹²⁴⁵ They provide healthcare and treatment and, where appropriate,

¹²⁴² *Victims and Survivors Forum Consultation on Redress: Summary Report*, IICSA, October 2020, pp13–14 para 23

¹²⁴³ *Victims’ Code*, Right 4; INQ006917

¹²⁴⁴ *Accountability and Reparations Investigation Report*, Part E.2 para 5

¹²⁴⁵ HOM003389_010

forensic medical examination. Where victims and survivors have ongoing needs for support or treatment, SARC's will make referrals to other services, including specialist sexual violence and abuse support services.¹²⁴⁶

Independent sexual violence advisers

7. SARC's also offer access to specialist independent sexual violence advisers (ISVAs). Introduced in 2005, ISVAs work with people who have experienced rape and sexual assault, irrespective of whether they have reported the matter to the police. The majority of funding for these roles is provided by local commissioners, including NHS England, local authorities, police and crime commissioners and charitable trusts.¹²⁴⁷

8. An ISVA's role is to provide victims and survivors with impartial information about the process and the options that are available to them, which can include guidance on accessing therapeutic support, police reporting and what to expect in court.¹²⁴⁸ Some areas now also have access to ISVAs for children.¹²⁴⁹ Participants in the Inquiry's Criminal Justice System Seminar said

¹²⁴⁶ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 6.4, p73

¹²⁴⁷ [INQ006792_004](#)

¹²⁴⁸ [INQ006792_005](#)

¹²⁴⁹ [INQ006704_075](#)

that ISVAs provide “*crucial support and liaison with other organisations*”.¹²⁵⁰ One participant described her ISVA as “*brilliant from start to finish. They were absolutely fantastic*”.¹²⁵¹ Another said that her ISVA had supported her “*every single step of the way*”.¹²⁵²

9. Participants in the Criminal Justice System Seminar expressed concerns, however, about the lack of availability of male ISVAs.¹²⁵³ This echoes comments made by the Centre for Social Justice which, in its 2021 report *Unsafe Children*, noted that:

*“Special attention should be paid to organisations focused on supporting men and boys and Black and minoritised victims/survivors given the indication that there is a paucity of ISVAs currently available from those groups.”*¹²⁵⁴

¹²⁵⁰ *Criminal Justice System Seminar: An update report*, IICSA, August 2018, para 22

¹²⁵¹ Grace Forbes 21 November 2017 20/25-21/1

¹²⁵² Kathryn Speight 21 November 2017 127/1

¹²⁵³ *Criminal Justice System Seminar: An update report*, IICSA, August 2018, paras 23, 49

¹²⁵⁴ INQ006704_075

There is also concern that access to ISVAs with experience of working with people with learning disabilities was “*stretched*”.¹²⁵⁵

10. In relation to rape allegations more generally, a 2020 survey by the Victims’ Commissioner found that 20 percent of respondents who received no support withdrew their allegations, compared with 9 percent of those who received support from an ISVA. Other research has shown that a victim with specialist support like an ISVA is 49 percent more likely to remain engaged with the process.¹²⁵⁶

11. In its *Tackling Child Sexual Abuse Strategy* (January 2021), the government stated that the Ministry of Justice has allocated an additional £4 million per year to recruit more ISVAs across England and in Wales, including the recruitment of children and young people’s ISVAs.¹²⁵⁷ ISVAs are generally regarded as a positive measure in assisting victims and survivors, so it is important that there is sufficient continued funding available for this important supportive role. In March 2022, the Ministry of Justice announced it would be increasing funding for victims of crime which would

¹²⁵⁵ [Rosie Creer 21 November 2017 95/4](#)

¹²⁵⁶ [INQ006641__037 para 52](#)

¹²⁵⁷ [INQ006448__080 para 252](#)

take the number of funded ISVAs and independent domestic violence advisers (IDVAs) to more than 1,000.¹²⁵⁸

‘Barnahus’ or Child House model

12. Another way to access support in the criminal justice system is through the use of the ‘Barnahus’ or Child House model. Based on the Icelandic model, this focusses on the holistic needs of child victims and survivors and aims to respond to the special needs of a child in cases of suspected violence or abuse. Each Child House provides a single service, which includes forensic interviews with the child, medical examination, therapeutic services and family counselling/support in a child-friendly environment. This model has five key features:

- a home-like setting (where all services are delivered under one roof, including the forensic interview, medical examination and child/family therapy);
- helping victims to disclose abuse;
- a minimal number of interviews conducted by child expert staff;
- improved evidence through the reduced need for children to testify in court; and

- guaranteed and rapid access to therapy.¹²⁵⁹

13. Use of this ‘one-stop shop’ approach is not uncommon.¹²⁶⁰ In 2018, a similar model was trialled in five North London boroughs. Known as The Lighthouse, it is available for children and young people who have experienced sexual abuse, and provides:

“a holistic service all under one roof in a place where [children] can really feel safe to talk. So we aim to allow them to tell their story and gather the best evidence, whether that’s through a forensic examination ... or through a video-recorded interview. We want to help them get the best out of the criminal justice process by supporting them through that, to give them a really holistic medical and then provide the emotional and well-being support not only for them, but also for their family as well.”¹²⁶¹

¹²⁵⁹ [INQ004250_005-008](#)

¹²⁶⁰ [Rapid Evidence Assessment: What can be learnt from other jurisdictions about preventing and responding to child sexual abuse](#), IICSA, April 2017, Part 4.3 p67

¹²⁶¹ [Emma Harewood 28 July 2020 114/6-17; Lambeth Council Investigation Report, Part J.4 para 82](#)

14. Children and parents spoke in positive terms about the benefits of The Lighthouse and, in particular, the significant positive impact on children’s well-being.¹²⁶² Children who had used The Lighthouse complimented the care and respect they had received from staff. Being able to go ‘at their own pace’, with choice and control, was described as very valuable. Children also emphasised the positive impact of the homely atmosphere and environment that was created by the ‘little things’, such as being offered a hot drink and police officers not wearing uniforms.¹²⁶³

15. In addition, the model addresses concerns that children who reported sexual abuse often faced multiple interviews with social workers, the police and other professionals. In 2016, the then Children’s Commissioner for England, Ms Anne Longfield, noted that the current system was not “*child-centred*”. She commented that:

“Interviews are often the only source of evidence in sexual abuse cases, yet for many children the interviews led by the police do not enable them to provide the best possible evidence. Repeat interviews can be confusing and cause children, particularly young children, to give inconsistent evidence which, in many cases, will lead to the perpetrator not

¹²⁶² [INQ006844_040-043](#)

¹²⁶³ [INQ006844_040-041](#)

*being charged. Children can be traumatised by having to give an account of their abuse to multiple professionals in multiple locations.*¹²⁶⁴

She proposed a reconsideration of the system based on the Barnahus model.

16. Reducing the number of times a child victim is interviewed about the abuse and providing easy access to support is an important aspect of the institutional response. It is important that this type of initiative is monitored and sufficient funding is put in place to ensure that similar models are introduced. The government's 2021 *Tackling Child Sexual Abuse Strategy* committed to providing support and guidance to local areas seeking to introduce similar Child House models elsewhere in the country.¹²⁶⁵ The guidance is now available online.¹²⁶⁶ The Children's Commissioner for Wales is also exploring creating a similar service in Wales.¹²⁶⁷

Civil justice system

17. Civil litigation and the assessment of compensation claims can be a lengthy process. Evidence heard by the Inquiry suggests that

¹²⁶⁴ [INQ004250_003](#)

¹²⁶⁵ [INQ006448_083](#) para 266

¹²⁶⁶ [INQ006757](#)

¹²⁶⁷ [INQ006796_030](#)

victims and survivors will not always have access to the support they need during civil proceedings.¹²⁶⁸

18. The Inquiry was told that many people did not come forward and discuss their experiences of abuse in part because of the inadequacy of support services.¹²⁶⁹ The experience of victims and survivors in terms of accessing therapeutic support during civil claims was generally poor. Many went through the process with no professional therapeutic support. Lawyers representing victims and survivors also told the Inquiry that very little support is available in the civil process.¹²⁷⁰

19. In 2019, the Inquiry recommended the introduction of a code for claimants bringing civil claims for child sexual abuse. One of the code's objectives was to ensure that victims and survivors of child sexual abuse could access the therapy and support they needed as soon as possible.

¹²⁶⁸ *Accountability and Reparations Investigation Report*, Part E.3 paras 9–19

¹²⁶⁹ *Accountability and Reparations Investigation Report*, Part E.3 para 9

¹²⁷⁰ *Accountability and Reparations Investigation Report*, Part E.3 paras 10–12

20. The International Underwriting Association (IUA) of London initially took the lead in producing the code.¹²⁷¹ In March 2020, the IUA informed the Inquiry that:

“Broadly speaking, we agree that there would be value in the production of a claimant code for child sexual abuse victims and survivors.”

However, it did not feel that the IUA was the correct institution to lead in the development of a code for claimants.¹²⁷² Subsequently, in December 2020, a working party known as the IICSA Rehabilitation Working Party was established to develop the code.¹²⁷³ In December 2021, the IUA stated that in developing the new code, the IUA was engaging with a group of survivors for feedback in relation to the aims of the code, as well as the suitability

¹²⁷¹ *Accountability and Reparations Investigation Report, Part G.3 (Recommendation 7)*

¹²⁷² *International Underwriting Association response to recommendation 7 of the Accountability and Reparations Investigation Report dated 18 March 2020*

¹²⁷³ *International Underwriting Association response to recommendation 7 of the Accountability and Reparations Investigation Report dated 23 February 2021*

and appropriateness of the language used.¹²⁷⁴ In its most recent update in April 2022, the IUA provided further information about its engagement with survivors.¹²⁷⁵ It is hoped that the code can be issued in the near future and will ensure that all victims and survivors who bring civil claims can access good quality support.

Health services

21. Support can be provided by the NHS, principally through GPs and Children and Young People’s Mental Health Services (CYPMHS, but referred to in this report by its previous acronym CAMHS).

22. However, victims and survivors told the Inquiry that health services were only accessible if the impacts of child sexual abuse that they experienced matched a specific physical or mental

¹²⁷⁴ *International Underwriting Association response to recommendation 7 of the Accountability and Reparations Investigation Report dated 14 December 2021*

¹²⁷⁵ *International Underwriting Association response to recommendation 7 of the Accountability and Reparations Investigation Report dated 21 April 2022*

health problem recognised by the NHS.¹²⁷⁶ There was also often a high threshold for treatment.¹²⁷⁷ One young person told the Inquiry they had thought about seriously harming themselves in the hope that they would then meet the threshold to be treated by CAMHS.¹²⁷⁸

23. A 2020 All-Party Parliamentary Group for Adult Survivors of Childhood Sexual Abuse survey of victims and survivors found that although NHS mental health services were identified as the second most important form of support by respondents, only 16 percent said that NHS mental health services met their needs.¹²⁷⁹

24. The Inquiry's research on support services for victims and survivors of child sexual abuse found mixed views about the utility of counselling provided through health services. Some victims

¹²⁷⁶ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p79; *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 6.4, p73

¹²⁷⁷ *Consultation on the impacts of child sexual abuse and experiences of support services: A summary of the responses received*, IICSA, August 2018, p5

¹²⁷⁸ *Engagement with children and young people*, IICSA, June 2021, p19

¹²⁷⁹ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p16

and survivors considered it to be the least helpful service overall, while others considered it to be the most helpful service overall.¹²⁸⁰ In part this may be explained by the fact that the type of counselling provided by the NHS ranges from short-term cognitive behavioural therapy to longer-term trauma-informed approaches. Those who had a negative experience of counselling often described being treated by people with no understanding or specialist training in child sexual abuse.

Cope and recover services

25. Wider cope and recover services include therapy as well as support aimed at other areas of life, such as advocacy and employment advice. They are typically offered by charity and voluntary organisations (including associations, self-help groups, community groups, social enterprises, mutuals and cooperatives), often referred to as the third sector.

26. Counselling and rape support services provided by organisations specialising in child sexual abuse and sexual abuse in general were rated most highly by victims and survivors who participated in the Inquiry's research on support

¹²⁸⁰ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p5

services.¹²⁸¹ Participants stressed the importance of such specialist support being from counsellors and therapists who had training in, and particular knowledge of, trauma generally and child sexual abuse specifically. One victim and survivor stated that there should be more “*people that are trained in child sexual abuse. Not a generalised counsellor*”.¹²⁸²

27. Although the services provided by the third sector are often highly rated, they can be difficult to access. Many suffer from short-term funding. Availability varies considerably between local areas. Victims and survivors expressed concern about the lack of services available locally, with some having to travel over 200 miles to access support.¹²⁸³ Most victims and survivors in England and in Wales do not have access to specialised independent support services, and many have

¹²⁸¹ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p4

¹²⁸² *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p4

¹²⁸³ *Consultation on the impacts of child sexual abuse and experiences of support services: A summary of the responses received*, IICSA, August 2018, p5

to rely on independent, community-based specialist support and counselling services in “a *postcode lottery*”.¹²⁸⁴

Support from the institution where abuse occurred

28. While some victims and survivors do not wish to access therapy from the institution where the abuse may have occurred or from the organisation responsible for it, some institutions offer formal support in the form of access to advice, therapy and counselling.

29. For example, the Church of England, the Church in Wales and the Roman Catholic Church fund ‘Safe Spaces’, which is a free and independent support service operated by Victim Support.¹²⁸⁵ The service offers a confidential, personal and safe space for anyone who has been abused by someone in the Church or as a result of their relationship with the Church of England, the Roman Catholic Church in England and Wales or the Church in Wales. The Church in Wales has also committed to offering funding towards such counselling as may be recommended by ISVAs, where the abuse was committed by clergy in the Church in Wales or in a church

¹²⁸⁴ [RCE000002_005-006, 014 paras 2.15, 5.1](#)

¹²⁸⁵ [INQ006870](#)

context.¹²⁸⁶ In response to another of the Inquiry's recommendations, the Church of England revised its guidance *Responding Well to Victims and Survivors of Abuse*.¹²⁸⁷ The new guidance came into effect in April 2022 and makes provision for mandatory support to be offered at a local and national level for victims and survivors of Church-based abuse.¹²⁸⁸

30. Such initiatives are welcome, but the Inquiry heard examples of inconsistent and inadequate provision of professional counselling and therapy or referrals to formal support services by

¹²⁸⁶ *Church in Wales response to recommendation 7 of the Anglican Church Investigation Report dated 7 April 2021, p5*

¹²⁸⁷ *Archbishops' Council of the Church of England response to recommendation 7 of the Anglican Church Investigation Report dated 17 December 2021, para 3*

¹²⁸⁸ *Archbishops' Council of the Church of England response to recommendation 7 of the Anglican Church Investigation Report dated 17 December 2021, para 7*

institutions.¹²⁸⁹ As a reflection of responsibility for abuse, institutions should provide – either directly or by funding – accredited therapeutic support for victims and survivors who would like to be provided with support by them. Wherever possible, a victim should be given the choice of provider, whether in the statutory sector or independently. Institutions also need to be aware that victims and survivors may not wish to access support services in the immediate aftermath of abuse but may need support later in their lives. Institutions should be supportive of victims and survivors on a long-term and sustained basis.

H.3: Improving support services

31. A review in 2016 found that “*talking therapies*” could help victims and survivors of child sexual abuse in a number of ways. These include helping with their self-esteem, learning coping skills

¹²⁸⁹ *The Anglican Church Investigation Report*, Part B.4.3 para 18; *The Roman Catholic Church Investigation Report*, Part G.4 para 12.1; *Child Protection in Religious Organisations and Settings Investigation Report*, Part E.2 para 6.5, Part E.3 para 23; *Nottinghamshire Councils Investigation Report*, Part F.2 paras 16–20; *Residential Schools Investigation Report*, Pen Portraits (RS-A300, RS-A7); *Lambeth Council Investigation Report*, Part B.2 para 25

and strategies, and developing “*choice, control and empowerment*”.¹²⁹⁰ More recently, the All-Party Parliamentary Group for Adult Survivors of Childhood Sexual Abuse survey in 2020 found that nearly half (47 percent) of victims and survivors thought that the most important form of support was specialist voluntary sector counselling or therapy that is trauma-informed.¹²⁹¹

32. The Inquiry’s Victim and Survivor seminar in July 2017 heard reference to a study which estimated an annual shortfall in provision of over 57,000 places for children in therapeutic services.¹²⁹² While the Home Office’s 2019 commissioning guidance recommends that holistic therapeutic intervention should be considered when commissioning support services for victims and survivors of child sexual abuse,¹²⁹³ in September 2021, the Ministry of Justice acknowledged that research conducted to date

¹²⁹⁰ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p17

¹²⁹¹ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p18

¹²⁹² Lorraine Radford 5 July 2017 17/4-10; INQ006657_009 [Note, 57,000 is the number referred to in evidence and in the preamble of the report but the body of the report has a figure of 54,220.]

¹²⁹³ HOM003389_025

indicated that “*availability of specialist provision for children and young people is not sufficient to meet the level of need*”.¹²⁹⁴

33. When asked what form of support victims and survivors felt they would benefit from but were currently unable to find or access, counselling and psychotherapy accounted for nearly half of the responses.¹²⁹⁵ Victims and survivors also referred to the importance of therapeutic help being immediately accessible when it was asked for:

*“It would be nice to have – I know it’s like a dream – an immediate offer of service. At that point when you ask for it, you’re desperate.”*¹²⁹⁶

34. While obtaining accurate figures is difficult, available data suggest that support services are required to deal with large numbers of new child victims and survivors each year.¹²⁹⁷ This is compounded by the legacy of supporting large numbers of adult victims and survivors who were not supported when they were children, were

¹²⁹⁴ [MOJ000929_015-016 para 51](#)

¹²⁹⁵ [Support services for victims and survivors of child sexual abuse, IICSA, August 2020, p66](#)

¹²⁹⁶ [Support services for victims and survivors of child sexual abuse, IICSA, August 2020, p67](#)

¹²⁹⁷ See Part B.3: The scale of child sexual abuse

not able to disclose the abuse as children or were supported as children but require long-term support into adulthood.

Improving access

35. Evidence from victims and survivors and those individuals responsible for commissioning support services indicates that there is considerable unmet need for all forms of support services. Forty-three percent of adult victims and survivors who participated in the Inquiry's Support Services Research Project said that they currently had an unmet need for support services associated with their experiences of child sexual abuse.¹²⁹⁸ One local authority in the East Midlands told the Inquiry that it had commissioned a service designed to support 800 individuals per year, but received over 800 referrals in the first three months of the contract.¹²⁹⁹

36. The Inquiry's Support Services Research Report noted that some of those who had no experience of support described being unsure of how to seek help.¹³⁰⁰ Other victims and survivors

¹²⁹⁸ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, Chapter 5.2

¹²⁹⁹ *LGA000003_007*

¹³⁰⁰ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p63

said that they had to “*fight*” to receive help, often asking for support multiple times and encountering professionals who seemed reluctant to assist them.¹³⁰¹ A Truth Project participant summarised the problems encountered by many victims and survivors:

*“the impression that I got was that there were some [support services] out there but you had to [be] prepared to fight tooth and nail for them. And for a person who is actually genuinely and consistently struggling, that’s nearly impossible to get to”.*¹³⁰²

37. A report commissioned by the National Society for the Prevention of Cruelty to Children (NSPCC) found that children and young people did not always “*have a clear picture of what services there are for them or how they will be treated if they try to ask for help*”.¹³⁰³

¹³⁰¹ *Truth Project Thematic Report: Child sexual abuse in the context of religious institutions*, IICSA, May 2019, p6; *Victim and survivor voices from The Truth Project*, IICSA, October 2017, p128; *Victims and Survivors Forum Consultation on Redress: Summary Report*, IICSA, October 2020, pp14–15, paras 25–28

¹³⁰² *Truth Project Thematic Report: Child sexual abuse in sports*, IICSA, June 2020, p65

¹³⁰³ [INQ006704_145](#)

38. A number of problems with access to support were identified.

38.1. Signposting or referrals: Victims and survivors are not consistently directed towards relevant support services by institutions connected to the abuse, or by other statutory bodies. Health providers, social care or education providers each have different statutory duties and referral mechanisms. Victims and survivors may also encounter difficulties in being referred to support services by their GP.¹³⁰⁴

38.2. Eligibility criteria: Support may be inaccessible to those without a qualifying medical diagnosis or the right circumstances (such as a stable home life). There can be a particular problem for young people seeking support through CAMHS because of the access criteria for these services in some parts of England and Wales.¹³⁰⁵ The Centre for Social Justice report noted that one CAMHS provider said that:

¹³⁰⁴ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, p39

¹³⁰⁵ *Child Sexual Exploitation by Organised Networks Investigation Report*, Part F.6 para 47, Part J.5 para 24

*“Unfortunately it’s no longer enough to have experienced a trauma like sexual abuse. We can only see children with a severe mental health condition requiring therapy.”*¹³⁰⁶

In 2015, a letter from a service in London showed that the only children who would be accepted during a six-month period would be those exhibiting “*psychotic presentation, significant depression, serious self-harm, suicidal ideation [and] severe OCD [obsessive compulsive disorder]*”.¹³⁰⁷

38.3. Availability: There is variation in the availability of support services nationally and locally. Generally, the Inquiry heard that there is a ‘postcode lottery’ in the provision of local services and in the ability of existing support services to meet the need.¹³⁰⁸ If there is no local provision, this can result in victims and survivors having to travel long distances to access help.

¹³⁰⁶ INQ006704_150 para 1

¹³⁰⁷ INQ006704_150 para 3

¹³⁰⁸ *Accountability and Reparations Investigation Report, Part E.2 para 5; Victims and Survivors Forum Consultation on the Criminal Justice System: Summary Report, IICSA, May 2019, pp6–7, paras 24–27*

38.4. Specialist advice: Individuals may seek help through general health services, which do not have any specialism in helping victims and survivors of child sexual abuse and may not be trained in trauma-informed responses. Support provided to victims and survivors of child sexual abuse should be tailored to their particular needs, which may vary according to a number of factors, including sex, ethnicity, sexual orientation and age. Some victims and survivors from ethnic minorities described how important it had been to have support from someone who was able to understand how their culture would have reacted to their experience and the impacts of the abuse.¹³⁰⁹ Others told the Inquiry that where support services (including interpreters) are part of the same ethnic minority community as the victim and survivor, the fear of disclosure getting back to families and communities meant that victims and survivors are less likely to disclose child sexual abuse.¹³¹⁰

¹³⁰⁹ *“People don’t talk about it”: Child sexual abuse in ethnic minority communities*, IICSA, June 2020, Chapter 7.2.3 p84

¹³¹⁰ *Engagement with support services for ethnic minority communities*, IICSA, April 2021, p17

38.5. Waiting lists: Victims and survivors can often experience long delays waiting for support, ranging from months to years.¹³¹¹ The Inquiry was told that although there was regional variation, it could take six to eight months to see a therapist at a Rape Crisis centre.¹³¹² Some child victims and survivors in Lambeth waited six to nine months for support through CAMHS.¹³¹³ A recent survey of GPs found that in some areas it took children and young people two years after being referred by their GP to start receiving help.¹³¹⁴ Others told the Inquiry that they waited much longer than this for help.¹³¹⁵ The Care Quality Commission confirmed that “*sometimes children and young people and the families reach the crisis point before they end up getting help*”.¹³¹⁶ Some may give up waiting.

38.6. Time limits on amount of support provided: The number of sessions available differs dramatically, depending on the type of

¹³¹¹ *Support services for victims and survivors of child sexual abuse*, IICSA, August 2020, Chapter 5.1 p58, Chapter 4.3 p46

¹³¹² Lee Eggleston 11 December 2018 99/9-10

¹³¹³ Emma Harewood 28 July 2020 104/18-22

¹³¹⁴ INQ006869

¹³¹⁵ AR-A13 30 November 2018 65/19-23

¹³¹⁶ *Child Sexual Exploitation by Organised Networks Investigation Report*, Part F.6 para 47

support accessed and where in the country the support is being accessed.¹³¹⁷ Participants in the Inquiry's research made clear that therapeutic services should be both free and available for as long as victims and survivors need them, offering ongoing support.

39. The Inquiry also heard about the difficulties that victims and survivors can face in accessing support due to their sexual orientation. One Victims and Survivors Forum member told the Inquiry that their sexual orientation impacted their ability to seek help because they feared facing discrimination.¹³¹⁸ Many LGBTQ+ people told the Inquiry that as young people they did not feel comfortable or welcomed by child sexual abuse support services aimed at the general public and instead sought out services specifically targeted at the LGBTQ+ community, as it felt safer.¹³¹⁹ Some

¹³¹⁷ [INQ006827](#)

¹³¹⁸ [Victims and Survivors Forum Consultation on Protected Characteristics: Summary Report, IICSA, February 2021, pp18–19 para 40](#)

¹³¹⁹ [Engagement with lesbian, gay, bisexual, transgender and queer/questioning + victims and survivors, IICSA, May 2022, p26](#)

who accessed non-specialist support considered that sometimes issues related to their sexual orientation were poorly understood.¹³²⁰

Simplifying access

40. The problems many victims and survivors experienced when trying to access support are in part due to the fragmented and complex funding and commissioning of support services across England and Wales from the public, private and third sectors.

Funding arrangements

41. Public sector support services use public money either to provide services directly to victims and survivors or to commission other organisations, typically third-sector groups, to provide support.

42. Funding used for public sector services derives from a range of sources. The *Interim Report of the Independent Inquiry into Child Sexual Abuse* (the *Interim Report*) recommended that the UK government and Welsh Government should establish the levels of public expenditure and the effectiveness of that expenditure on services for child victims and adult survivors of child sexual

¹³²⁰ *Child Sexual Exploitation by Organised Networks Investigation Report, Part D.3 para 46*

abuse in England and in Wales.¹³²¹ The UK government's response, published in February 2020, provided an expenditure review for services which provide support to victims and survivors.¹³²² This review illustrated the complexity of funding.

43. Third-sector organisations also provide services that are funded by donations and grants. Some victims and survivors of child sexual abuse access these services directly. The All-Party Parliamentary Group on Sexual Violence described the demand for specialist sexual violence and abuse services as “*unprecedented*” even before the COVID-19 pandemic.¹³²³

44. There needs to be a focus on identifying the level of need and the resources to match the identified need for support services for child victims and adult survivors of child sexual abuse in England and in Wales. A long-term funding model is also needed for the future.

¹³²¹ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 7 paras 17–18

¹³²² *Government response to recommendation 17 of the Interim Report of IICSA dated 26 February 2020*, p2 para 6

¹³²³ INQ006821_004

Commissioning arrangements

45. In evidence to the Inquiry, concerns were expressed that commissioning arrangements need to be simplified. A recent inspection of the police and Crown Prosecution Service’s response to rape heard that applying for a public sector commissioning contract is “*resource intensive*”: “*one provider told inspectors that they employ two full-time staff with the sole responsibility of preparing for the commissioning process*”.¹³²⁴ Third-sector service providers told the Inquiry that the commissioning process was overly complicated and time-consuming.¹³²⁵

46. Public sector support services are commissioned at both a local level (such as CAMHS) and a national level (for example, SARCs). A number of public commissioning bodies, across sectors including health, criminal justice and social care, have different but sometimes overlapping areas of responsibility for commissioning support. These commissioners are also responsible for different, and sometimes overlapping, geographical areas. Some sectors are

¹³²⁴ [INQ006818__049-050](#); Note that the case file assessments examined rape cases recorded by the police where both the victim and suspect were adults at the time of the offence.

¹³²⁵ [Michael May 5 July 2017 145/21-148/1](#); [Vivienne Hayes 5 July 2017 148/5-149/25](#)

the responsibility of the UK government whereas others are devolved matters, the responsibility of the Welsh Government. There is a lack of clear and concrete differentiation between the aims of the services commissioned by these different bodies. For example, police and crime commissioners are responsible for services for victims of crime, which include victims and survivors of child sexual abuse. However, local health commissioners (now part of integrated care systems, partnerships between the organisations that meet health and care needs across an area) are also responsible for services “*that understand the specific needs of victims and survivors of sexual assault and abuse*”, including those that treat post-traumatic stress disorder.¹³²⁶ There is no requirement or incentive for these services to work together, despite the Home Office recognising this as good practice.¹³²⁷

47. This fragmented and complex commissioning landscape is problematic for service providers and, more importantly, can make accessing support difficult and confusing for victims and survivors.¹³²⁸ The Ministry of Justice has acknowledged that the support available to children and young

¹³²⁶ [HOM003389_037](#)

¹³²⁷ [HOM003389_017](#)

¹³²⁸ [Accountability and Reparations Investigation Report, Part E.4 para 30.2](#)

people who have experienced sexual abuse encompasses a wide range of services, funded by several different national and local commissioners, and that complicated commissioning and funding processes can lead to variations and inconsistencies in local provision.¹³²⁹

48. It is clear that the current system for commissioning support services is not working well. Multidisciplinary services with a single point of contact can provide better support for victims and survivors. NHS England is in the process of commissioning ‘Enhanced Mental Health pathfinder’ sites across England. The sites aim to improve care for victims and survivors of sexual assault and abuse with complex trauma related mental health needs. The Inquiry was told that it was establishing these sites to reflect that:

- some victims and survivors have “*persistently increased frequency of mental ill health that is not resolved through initial brief intervention*”; and
- “*general community adult or Children and Young People mental health service provision may not be sufficiently tailored to the needs of victims/survivors*”.¹³³⁰

¹³²⁹ [MOJ000929_018](#) para 65

¹³³⁰ [NHS000039](#)

49. There is scope for the UK government and Welsh Government to require the introduction of single local commissioning partnerships for support services for child sexual abuse. The commissioning partnerships could bring together all relevant commissioning partners, such as police and crime commissioners, local authorities and integrated care systems. Currently, commissioners have individual responsibilities that are relevant to services for child sexual abuse but there is no requirement for these bodies to work together. In order to be effective, the commissioning partnership would need to use a single, pooled budget.

50. Some local authorities and police and crime commissioners told the Inquiry that they already try to work collaboratively. Merseyside’s Police and Crime Commissioner described that joint commissioning had taken “*concerted effort and strong will*” to ensure that all commissioners were working to a “*single service specification, single reporting standards and contract management meetings*”.¹³³¹ Others noted that there were challenges to working collaboratively with other partners due to fragmentation throughout the support services system, such as in the varying aims of different funding sources. One local authority in the South West described collaborative

¹³³¹ [INQ006547](#)

work through a partnership oversight board which involves NHS England, the police and crime commissioner, the police, public health services, two councils and commissioned services. They are currently working to simplify access to support services.¹³³²

51. The UK government and Welsh Government should support and encourage the collaborative working which already exists. This would make support services more coherent and accessible to victims and survivors.

52. Local commissioners should also consider the introduction of a single local point of contact to coordinate access to support services. Victims and survivors would have the same referral point irrespective of where they made a disclosure. The simplicity of having a single contact point, as well as the multiple potential referral routes to this point, could increase clarity and awareness amongst the public about how to seek support. Victims and survivors told the Inquiry that a central agency that could ensure that victims and survivors are signposted to the most appropriate and comprehensive support available would be helpful.¹³³³

¹³³² [LGA000003_007](#)

¹³³³ [Support services for victims and survivors of child sexual abuse](#), IICSA, August 2020, Chapter 5.3 pp70–71

53. Navigating access to support services can be difficult for victims and survivors where they are not accessing support from the institution itself or as part of the criminal justice system, via a SARC for example. The experiences and needs of victims and survivors should be at the centre of the design of support services.

54. In addition to the Child House model, there have been other examples of child-centred approaches. The Centre for Social Justice referred to a service in York which was a specialist child sexual assault assessment centre where play therapists worked alongside paediatricians to put children at ease and reduce their anxiety.¹³³⁴ Similarly, in 2021 the Children's Society established the Support Rethought programme, funded by the Home Office with referrals from the police, social services, GPs, and parents or the child victim.¹³³⁵ It offers child victims of sexual abuse one-to-one support within six weeks of reporting abuse, as well as support for parents (where the parent was not involved in the abuse). Project workers provide emotional support, suggest coping strategies, assess the child's needs and act as advocates.

¹³³⁴ [INQ006704_152](#) para 2

¹³³⁵ [INQ006826](#)

H.4: Support to child victims

55. Child victims of sexual abuse are likely to benefit most from timely access to therapeutic support services. Recent research shows that early interventions are effective at reducing the impact of child sexual abuse and preventing significant mental health problems in later life.¹³³⁶ Support workers for child victims and survivors of sexual abuse confirmed that when young victims and survivors received timely support this reduced long-term detrimental impacts.¹³³⁷ Delayed or inadequate support can have serious consequences, with some young victims and survivors developing physical or mental health issues, dependency issues, or antisocial or criminal behaviours.¹³³⁸ As set out above, reliance on statutory health provision can lead to long waiting times and insufficiently specialist treatment.

56. The National Institute for Health and Care Excellence (NICE) recommends therapeutic interventions for children, young people and families after sexual abuse. Services such as trauma-focussed cognitive behavioural

¹³³⁶ [INQ006846_002](#)

¹³³⁷ [Engagement with children and young people](#), IICSA, June 2021, p18 para 6

¹³³⁸ [Engagement with children and young people](#), IICSA, June 2021, p18

therapy, counselling, and socio-educative and creative therapy are given as examples of these interventions.¹³³⁹ A recent NSPCC evaluation report of a therapeutic intervention for children affected by sexual abuse and their carers concluded:

*“children and young people who have experienced sexual abuse need therapeutic support. At present, the availability of such support is much too little and much too late”.*¹³⁴⁰

57. The Inquiry heard evidence that CAMHS is unable to provide therapeutic services to child victims and survivors in a timely fashion. The 2022 report by the Children’s Commissioner for England suggested that, although there have been improvements in waiting times given an increase in investment, there is still a postcode lottery for accessing CAMHS services. It found wide variation between local areas, with the percentage of children waiting for treatment at the end of the year 2020/21 varying from 14 percent to 78 percent.¹³⁴¹

58. The COVID-19 pandemic has also increased the pressure on CAMHS, making access even more difficult. A recent survey (from March to April 2022) of more than 1,000 GPs found that 95

¹³³⁹ [INQ006946](#)

¹³⁴⁰ [INQ006868_015](#)

¹³⁴¹ [INQ006822_002](#)

percent of GPs described CAMHS as in crisis or inadequate. A CAMHS service in eastern England declined to take on a 12-year-old boy found with a ligature in his room because the lack of any marks on his neck meant its referral criteria had not been met.¹³⁴²

59. The 2021 *Tackling Child Sexual Abuse Strategy* stated that the UK government wishes “to encourage all healthcare professionals and organisations to take trauma-informed approaches” and has made some further investment in services, but plans are still being developed by NHS England and NHS Improvement.¹³⁴³ The Welsh Government’s *National Action Plan: Preventing and Responding to Child Sexual Abuse* states that children who have been sexually abused should have access to trauma-informed services and appropriate therapeutic support based on their individual care and support needs.¹³⁴⁴ Despite specialist therapeutic support being recommended by NICE and supported by the UK government and Welsh Government, child victims and survivors struggle to access timely therapeutic support.

60. As well as simplifying access to support services for all victims and survivors, there is an urgent need to provide specialist therapeutic

¹³⁴² [INQ006869](#)

¹³⁴³ [INQ006448_080](#) para 255

¹³⁴⁴ [CIW000042_021](#)

support for child victims and survivors of sexual abuse. The Inquiry therefore recommends the introduction of a national guarantee to enable child victims of sexual abuse to access specialist therapeutic support in a timely way.

Recommendation 16: Specialist therapeutic support for child victims of sexual abuse

The Inquiry recommends that the UK government and the Welsh Government introduce a national guarantee that child victims of sexual abuse will be offered specialist and accredited therapeutic support. There should be sufficient supply of these services so that children in all parts of England and Wales can access support in a timely way.

These services should be fully funded. Responsibility for commissioning these services should be given to local authorities.

There must be no eligibility criteria for children to access these specialist therapeutic services other than having been a victim of child sexual abuse.

H.5: Access to records

61. Access to records can be important for victims and survivors who wish to understand their past, including decisions about their care, the circumstances in which the abuse took place and why the abuse was able to continue.¹³⁴⁵

62. Relevant records include those made about an individual child, for example attendance records, social care records and safeguarding records. Social care records may set out details of referrals, general assessments and visits relating to children in care. Safeguarding records may include safeguarding concerns or allegations and details of any actions taken. There may also be records which, although not personal to specific victims and survivors, are relevant to establishing what happened at an institution, for example safeguarding policies and procedures, personnel files, and details of investigations or disciplinary procedures.

¹³⁴⁵ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 6.3, p72; *Victims and Survivors Forum Consultation on Accessing Records: Summary Report*, IICSA, March 2020, p2; *Nottinghamshire Councils Investigation Report*, Part F.2 paras 39–46; *Child Migration Programmes Investigation Report*, Part C.2.11 paras 37–46

63. During the Inquiry’s work, concerns have been raised about access to records.¹³⁴⁶ One Victims and Survivors Forum member described how “*a lack of closure meant being unable to move on and achieve in other areas of life. There is a feeling of perpetual childhood*”.¹³⁴⁷ The manner in which institutions dealt with victims and survivors accessing and viewing their records was also often criticised for being unsupportive, defensive and critical. Being unable to easily access records can

¹³⁴⁶ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 6.3, p72; *Victims and Survivors Forum Consultation on Accessing Records: Summary Report*, IICSA, March 2020, pp2–6; *Nottinghamshire Councils Investigation Report*, Part F.2 paras 46–49, Part G.1 para 14; *Child Migration Programmes Investigation Report*, Part D para 13; *Victims and Survivors Forum Consultation on Accessing Records: Summary Report*, IICSA, March 2020, pp10–11 paras 23–29

¹³⁴⁷ *Victims and Survivors Forum Consultation on Accessing Records: Summary Report*, IICSA, March 2020, p8 para 13

compound victims and survivors' sense of feeling let down by the institutions responsible for their care and lead to perceptions of cover-up.¹³⁴⁸

64. These records are often of significance in criminal and civil proceedings. Their absence may mean that prosecutions cannot proceed or that claims for compensation fail, preventing victims and survivors from obtaining redress.¹³⁴⁹ One Victims and Survivors Forum member stated:

*“I applied to CICA [Criminal Injuries Compensation Authority] but I was turned down due to no longer having access to the police and court records because my abuse happened over 50 years ago and the records were not kept that far back. So I just gave up.”*¹³⁵⁰

¹³⁴⁸ *Nottinghamshire Councils Investigation Report, Part F.2 para 46; Interim Report of the Independent Inquiry into Child Sexual Abuse, Chapter 6.3, p72; Victims and Survivors Forum Consultation on Accessing Records: Summary Report, IICSA, March 2020, p9 para 18*

¹³⁴⁹ *Victims and Survivors Forum Consultation on Accessing Records: Summary Report, IICSA, March 2020, p7 paras 10–11; Accountability and Reparations Investigation Report, Part C.5 paras 26, 27.3*

¹³⁵⁰ *Victims and Survivors Forum Consultation on Redress, IICSA, October 2020, p7 para 2*

65. In previous reports and inquiries into child sexual abuse, recommendations relating to records management were the second most frequently identified area for change.¹³⁵¹ The Inquiry has also made recommendations to improve systems and processes in a number of institutions.¹³⁵² Nonetheless, given the importance of this issue, the Inquiry examined whether wider improvements to access to records are required.

Retention periods

66. Relevant UK legislation does not stipulate how long organisations should keep personal data – simply that organisations must not keep data for longer than is necessary in accordance with their

¹³⁵¹ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 2.5 p13 (Table 1), Chapter 6.3 p72

¹³⁵² *The Anglican Church Investigation Report*, Part D.4 (Recommendation 4); *Sexual Abuse of Children in Custodial Institutions Investigation Report*, Part C.3 para 30, Part E.12 para 178, Part E.13 para 211; *Responses to recommendation 3 of the Child Migration Programmes Investigation Report dated January 2020*

own policies.¹³⁵³ Retention periods for records which may contain information about child sexual abuse therefore vary.

67. The retention of records by institutions in the context of child sexual abuse cases is particularly important. It can take decades for victims and survivors to feel able to disclose sexual abuse and so retention periods need to be sufficiently long to ensure that the records survive. The Inquiry encountered cases where records had been destroyed in accordance with the retention policies in place at the time and the absence of those records subsequently hindered police investigations into allegations of child sexual abuse.¹³⁵⁴

68. There may also be issues when organisations cease to exist or are replaced by new organisations. Some Victims and Survivors Forum members stated that they were informed that the

¹³⁵³ Regulation (EU) 2016/679 of the European Parliament and of the Council, Article 5(1)(e); Data Protection Act 2018, section 39(1)

¹³⁵⁴ *Diocese of Chichester/Peter Ball Investigation Report*, Part B.3 para 197, Part C.8 para 235, Part D para 15; *Nottinghamshire Councils Investigation Report*, Part A.2 para 13

relevant organisation had closed down, or was no longer operating from the same site, which had led to records being destroyed.¹³⁵⁵

69. Often little regard is given to the value of records for victims and survivors of child sexual abuse, and retention periods may be too short to allow for delayed disclosure. Specific records relating to child sexual abuse should be subject to a longer retention period, reflecting their inherent value to survivors. This would allow for delayed disclosure and recognise the difficulties that may be faced by victims and survivors in being able or ready to access this information.

70. Most new records are now electronic, which should allow for easier identification of relevant records. Nevertheless, the Inquiry recognises that this is a complex area with the potential to affect a range of organisations, and may place a new burden on some. However, data protection legislation requires organisations to have in place appropriate retention periods, and to ensure that data are not kept for longer than is necessary. A longer retention period is in the public interest and is justified.

¹³⁵⁵ *Victims and Survivors Forum Consultation on Accessing Records: Summary Report*, IICSA, March 2020, p5 para 7

71. Where an organisation has identified that it holds records that are known to relate to allegations or cases of child sexual abuse, that material should be retained for 75 years with review periods as appropriate. This reflects the requirement to retain records relating to looked after children and care homes until the individual's 75th birthday.¹³⁵⁶ Those relating to adoption are kept for 100 years.¹³⁵⁷

Process and procedures for accessing records

72. Under the Data Protection Act 2018, victims and survivors have a legal right to request copies of records containing their personal information. This is known as the right of access or subject access request.¹³⁵⁸ Responding to these requests may require institutions not only to identify the relevant records but also to consider, and if necessary redact, information relating to third parties before disclosing them. For example, a record may need redacting if it contains sensitive information about another individual and it is not

¹³⁵⁶ [Children's Homes \(England\) Regulations 2015, regulation 36](#)

¹³⁵⁷ [Disclosure of Adoption Information \(Post-Commencement Adoptions\) Regulations 2005, regulation 6](#)

¹³⁵⁸ [Data Protection Act 2018, section 45](#)

reasonable to disclose that information. Attempting to obtain third-party consent may also contribute to the time taken. As a result, accessing personal records can be a lengthy and complex process where the time limits set out in the 2018 Act are not met.

73. Victims and survivors have faced difficulties when requesting their records from institutions. One Victims and Survivors Forum member described their experience as “*a war of attrition*”.¹³⁵⁹ Issues may include long delays, procedural hurdles, and poor communication and explanations from the institutions.¹³⁶⁰ The Inquiry also received evidence that some institutions did not respond appropriately to requests for access to records.¹³⁶¹ For some complainants, the search for records and the lack of communication and explanation was difficult and upsetting.

¹³⁵⁹ *Victims and Survivors Forum Consultation on Accessing Records: Summary Report*, IICSA, March 2020, p4 para 1

¹³⁶⁰ *Nottinghamshire Councils Investigation Report*, Part F.2 paras 46–49; *Victims and Survivors Forum Consultation on Accessing Records: Summary Report*, IICSA, March 2020, p5 paras 5–8

¹³⁶¹ *Nottinghamshire Councils Investigation Report*, Part F.2 para 48

74. Victims and survivors may also need practical and emotional support when accessing their records. Reading records may bring back traumatic memories and cause distress.¹³⁶² Records that are redacted may also cause frustration, particularly if there is no explanation as to why they are redacted.¹³⁶³

75. The Information Commissioner's Office (ICO) already has a general guide setting out how organisations should respond to subject access requests. However, the content is for all sectors and does not recognise the particular challenges faced by victims and survivors of child sexual abuse. The Data Protection Act 2018 (the 2018 Act) requires the Information Commissioner to prepare four codes of practice.¹³⁶⁴ Two codes of practice have been developed by the ICO, with two more under development.¹³⁶⁵ There is provision in the 2018 Act for the Secretary of State to make regulations requiring the ICO to prepare other

¹³⁶² *Victims and Survivors Forum Consultation on Accessing Records: Summary Report*, IICSA, March 2020, p11 para 28

¹³⁶³ *Victims and Survivors Forum Consultation on Accessing Records: Summary Report*, IICSA, March 2020, p11 para 26

¹³⁶⁴ *Data Protection Act 2018*, sections 121–124

¹³⁶⁵ *INQ006895*

codes of practice.¹³⁶⁶ The Inquiry recommends that the issue of access to records about child sexual abuse is addressed in a new code of practice.

Recommendation 17: Access to records

The Inquiry recommends that the UK government directs the Information Commissioner's Office to introduce a code of practice on retention of and access to records known to relate to child sexual abuse.

The retention period for records known to relate to allegations or cases of child sexual abuse should be 75 years with appropriate review periods.

The code should set out that institutions should have:

- retention policies that reflect the importance of such records to victims and survivors, and that they may take decades to seek to access such records;
- clear and accessible procedures for victims and survivors of child sexual abuse to access such records;

¹³⁶⁶ [Data Protection Act 2018, section 128](#)

- policies, procedures and training for staff responding to requests to ensure that they recognise the long-term impact of child sexual abuse and engage with the applicant with empathy.

Part I

Making amends

Making amends

I.1: Introduction

1. Over many decades, there have been serious and wide-ranging failures by both State and non-State institutions to protect children from child sexual abuse and exploitation or the risk of such abuse. This occurred in a wide range of settings, including local authority children's homes, schools, voluntary organisations and religious institutions. The impact of child sexual abuse on victims and survivors can be devastating and lifelong. Appropriate and meaningful reparation and redress, including by the State, may help alleviate some of this impact.

2. There are a number of key elements of redress which are important to victims and survivors. These include:

- **Acknowledgement** of abuse and the harm caused. This is a vital step from which other forms of reparation can flow. It can also assist institutions to accept the failures of the past and use the learning to better protect children in the future.

- Genuine and meaningful **apologies**, in particular from the institutions, bodies and individuals that victims and survivors see as responsible for their abuse. For many, a sincere apology is more important than compensation.
- **Assurances** about the prevention of child sexual abuse, particularly to those who choose to share their experiences.
- **Financial redress**. This can never fully compensate victims and survivors for the sexual abuse suffered as children, but it can recognise the impact of the abuse and go some way to helping victims and survivors.

3. Many institutions repeatedly failed to meet the needs of victims and survivors seeking redress or even to acknowledge their experiences. Often they were driven by reputational and financial concerns, rather than concern for children who have been abused. As a result, victims and survivors have been left feeling unheard, dismissed and unsupported.

4. Victims and survivors may also seek financial redress through the civil justice system (discussed in Part G) and the Criminal Injuries Compensation Scheme (discussed below). However, these systems often do not adequately provide the comprehensive accountability and reparation sought by victims and survivors of child sexual abuse. There are improvements that should be

made and the Inquiry has already recommended a number of changes. As a result of failures by the State, statutory agencies and the systems for protecting victims and survivors, the Inquiry recommends further changes, including the creation of a national redress scheme.

1.2: Acknowledgement

5. For some victims and survivors, acknowledgement that sexual abuse occurred is often an important form of reparation. Recognition may be provided by individuals, institutions and wider society. For this to happen, victims and survivors must be listened to and taken seriously.

6. Participants in the Inquiry’s Truth Project were motivated to participate for a variety of reasons. They stated that being able to disclose their experiences was important in helping them feel listened to.¹³⁶⁷ For example, the “*most discussed support need*” for victims and survivors of child sexual abuse in ethnic minority communities was being able to share their experiences, having felt unable to talk about them for years.¹³⁶⁸ A

¹³⁶⁷ *Truth Project Thematic Report: Child sexual abuse in healthcare contexts*, IICSA, December 2020, Chapter 7.2, p47

¹³⁶⁸ “*People don’t talk about it*”: *Child sexual abuse in ethnic minority communities*, IICSA, June 2020, Chapter 7.2.2, p82

participant in the research report on ethnic minority communities described the importance of being listened to:

*“I’m 65, and the Truth Project is the first support I’ve felt I’ve had in my whole life where I can actually tell a story. So I’ve waited a very long time. I’m so grateful that this has happened.”*¹³⁶⁹

7. For some victims and survivors, acknowledgement of the abuse and acceptance that it should not have happened is particularly important.¹³⁷⁰ This can provide them with a sense of vindication and relief, often after years of feeling ignored. It may also help to lessen feelings of shame and guilt that can result from being abused as a child. As one member of the Victims and

¹³⁶⁹ *“People don’t talk about it”: Child sexual abuse in ethnic minority communities*, IICSA, June 2020, Chapter 7.2.2, p82

¹³⁷⁰ *Accountability and Reparations Investigation Report*, Part A3 para 7.3, Part C.3 para 16; *Victims and Survivors Forum Consultation on Redress: Summary Report*, IICSA, October 2020, p13 para 21; *The Roman Catholic Church Investigation Report*, Part H.2 paras 23–24; *Lambeth Council Investigation Report*, Part F.9 paras 68–69

Survivors Forum explained, “*some acceptance by the organisations involved would be a start for me to feel less [like] a ‘dirty secret’*”.¹³⁷¹

8. Institutions often dismissed or did not sufficiently act on disclosures or reports of abuse, from both children and adults, and refused to meet with victims and survivors.¹³⁷² Baroness Sheila Hollins said that, during the course of her role as a member of the Pontifical Commission for the Protection of Minors in the Roman Catholic Church, she heard about “*many situations from different countries where there had been delays or refusals to meet people making complaints*” and that this was “*devastating*” for them. She added that the value and impact of meeting with a victim or complainant was:

“Because if you are able to sit and to hear something which is extraordinarily painful and which a person has not been able to tell

¹³⁷¹ *Victims and Survivors Forum Consultation on Redress: Summary Report*, IICSA, October 2020, p13 para 21

¹³⁷² *Diocese of Chichester/Peter Ball Investigation Report*, Part B.1 para 12, Part D (conclusions), Part D para 6; *Residential Schools Investigation Report*, Part F.3 para 19; *Lambeth Council Investigation Report*, Part B.4 para 85, Part K.1 para 11; *The Roman Catholic Church Investigation Report*, Part H.2 paras 16–19

*before, and you are able to hear it, then that goes a huge way to feeling believed ... I mean, it just changes everything.*¹³⁷³

9. Some institutions also responded without compassion, empathy or respect and used defensive language driven by concerns about legal liability and associated financial consequences, rather than concerns for those who had been abused.¹³⁷⁴ Denial of child sexual abuse or failure of the institution to acknowledge child sexual abuse was also a recurring theme in the Truth Project.¹³⁷⁵

10. In recent years, some institutions have begun to acknowledge the abuse experienced by so many in their care, as indicated by the apologies made. However, in many instances this came after

¹³⁷³ *The Roman Catholic Church Investigation Report, Part H.1 para 2*

¹³⁷⁴ *Institutional Responses to Allegations of Child Sexual Abuse involving the Late Lord Janner of Braunstone QC Investigation Report, Executive Summary pviii; The Roman Catholic Church Investigation Report, Part H.1 para 3, Part H.2 para 14, Part H.5 paras 35–56, Part J.1 paras 1–3, Part K.2 paras 8–9; Diocese of Chichester/Peter Ball Investigation Report, Part B.1 para 13*

¹³⁷⁵ *Victim and survivor voices from the Truth Project, IICSA, October 2017, Chapter 7.2, p88*

decades of poor responses towards victims and survivors and refusals to acknowledge that the sexual abuse had occurred.

I.3: Apologies

11. Apologies are a valuable form of reparation for victims and survivors:¹³⁷⁶

“while an apology ... can’t undo damage, what it does do, crucially, I think, is restore people’s sense of themselves as human beings, which they feel often gets lost in large organisations ... it resets a human-to-human relationship and it takes out some degree of the power differential that has happened when an individual confronts an institution. This power differential is part of the harm.”¹³⁷⁷

12. For an apology to offer proper reparation to victims and survivors, it must be genuine and meaningful. An apology should be made directly

¹³⁷⁶ *Accountability and Reparations Investigation Report*, Part C.11 paras 150–151; *Nottinghamshire Councils Investigation Report*, Part F.2 para 34; *Victims and Survivors Forum Consultation on Redress: Summary Report*, IICSA, pp12–13 paras 17–21; *Lambeth Council Investigation Report*, Part F.9 paras 68–69

¹³⁷⁷ Margaret Heffernan 7 December 2020 128/7-25

to the individual and, if requested, face-to-face.¹³⁷⁸ A conditional statement, such as ‘if you were abused, then we are sorry’, is not an apology.¹³⁷⁹ It borders on being insulting to victims, with the effect of making matters worse for them. An apology’s value may also depend on whether it is made by someone in authority.¹³⁸⁰ For example, the Roman Catholic Church investigation heard evidence of both positive and inadequate apologies.

12.1. In November 2018, Cardinal Nichols apologised for the Church’s failings, stating it was a source of “*great sorrow and shame for me and, indeed, I know for the Catholic Church*”, but there was no acknowledgement of any personal responsibility to lead or influence change.¹³⁸¹

12.2. As set out in the Inquiry’s *Roman Catholic Church Case Study: Archdiocese of Birmingham Investigation Report*, RC-A491 met with Archbishop Bernard Longley, who listened to him “*in a genuine way and was in no hurry to*

¹³⁷⁸ [Dara De Burca 10 December 2020 36/24-37/6](#)

¹³⁷⁹ [Accountability and Reparations Investigation Report, Part C.11 para 153.5](#)

¹³⁸⁰ [The Roman Catholic Church Investigation Report, Part H.2 paras 23–25; Accountability and Reparations Investigation Report, Part C.11 para 150.2](#)

¹³⁸¹ [The Roman Catholic Church Investigation Report, Executive Summary pviii](#)

leave". Archbishop Longley told RC-A491 that he was very sorry for what had happened and followed up the meeting with a letter of apology. RC-A491 said:

*"It meant a lot to me for the head of the institution that failed me so terribly to look me in the eye and acknowledge my suffering, acknowledge their failure to protect me and ask for my forgiveness."*¹³⁸²

13. For some victims and survivors, an apology may come too late. Some died before any apology was made. In 2013, AN-A15 received a letter of apology from the Bishop of Chichester apologising for abuse which had happened many years ago. For her it was *"too little, too late"*.¹³⁸³ Others may welcome an apology whenever it is given. LA-A25, who was sexually abused in the 1970s and received a letter of apology from Lambeth Council in 2020, explained it was important for her to have her experience acknowledged, albeit decades later.

¹³⁸² *The Roman Catholic Church Investigation Report*, Part H.2 paras 23–25

¹³⁸³ *Diocese of Chichester/Peter Ball Investigation Report*, Part B.8 paras 360–366

*“I felt relieved, because ... it gave me a sense that I was believed, after all, and they were sorry. But it isn’t this Lambeth [Council] that needs to be sorry.”*¹³⁸⁴

14. For some, an apology that is not accompanied by significant change is inadequate. As one complainant told the Inquiry, an apology where *“nothing has changed”* was *“a candy floss apology”* or *“prattle without practice”*.¹³⁸⁵

15. Apologies were often not made, even where the perpetrator had been convicted.¹³⁸⁶ Although some victims and survivors have now received

¹³⁸⁴ *Lambeth Council Investigation Report*, Part F.9 paras 68–69

¹³⁸⁵ *The Anglican Church Investigation Report*, Part B.4.3 para 16

¹³⁸⁶ *Accountability and Reparations Investigation Report*, Part C.11 paras 156–157; *Nottinghamshire Councils Investigation Report*, Part F.2 para 27; *The Roman Catholic Church Investigation Report*, Executive Summary pviii, Part H.2 para 14; *Diocese of Chichester/Peter Ball Investigation Report*, Part B.1 para 13, Part B.2 para 27; *Child Protection in Religious Organisations and Settings Investigation Report*, Pen Portraits (PR-A10); *Residential Schools Investigation Report*, Part B.3 paras 64–68

apologies, others may still be waiting.¹³⁸⁷ For example, as set out in the Inquiry's *Residential Schools Investigation Report*, complainant RS-A7 confirmed that Buckinghamshire County Council had not been in touch with him. This was despite the Council stating during the hearings that it would contact those involved to discuss an apology.¹³⁸⁸

16. Public apologies can also be an important step in institutions acknowledging abuse. A number of public apologies have been made in recent years,

¹³⁸⁷ *The Roman Catholic Church Investigation Report*, Part H.2 paras 23–25; *Diocese of Chichester/Peter Ball Investigation Report*, Part B.8 para 366, B.13 para 531; *Lambeth Council Investigation Report*, Part F.9 paras 68–69; *Nottinghamshire Councils Investigation Report*, Part F.2 para 28

¹³⁸⁸ *Residential Schools Investigation Report*, Part B.3 paras 67–68

including during the Inquiry's proceedings.¹³⁸⁹ As set out in the Inquiry's *Children in the Care of Lambeth Council Investigation Report*, it was clear many investigations and inspections over a 20-year period had revealed Lambeth Council's failures in its duty of care towards many child victims of sexual abuse. However, a fulsome apology was not given by Lambeth Council until the Inquiry's public hearing.¹³⁹⁰ This is not the only example of a public apology which may have come too late for some. The Nottinghamshire Councils took different approaches to apologising for non-recent abuse. While the County Council made a public apology, the City Council was guarded and slow to apologise, with the then City Council Leader in 2018 stating that "*we will apologise when there is*

¹³⁸⁹ *The Roman Catholic Church Investigation Report*, Executive Summary pviii; *Lambeth Council Investigation Report*, Executive Summary pvi; *Nottinghamshire Councils Investigation Report*, Executive Summary pvii, Part F.2 paras 29–30; *Accountability and Reparations Investigation Report*, C.11 para 157; *Ealing Abbey and St Benedict's School Investigation Report*, Part A.1 para 2; *Diocese of Chichester/Peter Ball Investigation Report*, Part C.13 para 420; Sheila Smith 23 November 2020 4/2-24

¹³⁹⁰ *Lambeth Council Investigation Report*, Executive Summary px

something to apologise for". The City Council did make a public apology two weeks before the public hearings. It was viewed with cynicism by some complainants and was rejected by them.¹³⁹¹

17. It is important that any public apology is matched by a commitment to make apologies personally and individually to the victim. Some participants in the Truth Project were upset by the difference between the public responses and apologies made by a religious organisation about child sexual abuse and the private treatment and lack of response they received as individuals who had been abused within that community.¹³⁹²

18. The Inquiry previously recommended that institutions involved in the child migration programmes which had not apologised for their role should give their apologies as soon as possible.¹³⁹³ It also recommended that such apologies should be made not only through public

¹³⁹¹ *Nottinghamshire Councils Investigation Report, Executive Summary pvii para 1, Part F.2 para 30*

¹³⁹² *Truth Project Thematic Report: Child sexual abuse in the context of religious institutions, IICSA, May 2019, Chapter 6.2.2, p43*

¹³⁹³ *Child Migration Programmes Investigation Report, Part D paras 8–11*

statements but specifically to those child migrants for whose migration they were responsible. A number of apologies were subsequently made.¹³⁹⁴

Apologies and admissions of liability

19. A reluctance to apologise may be founded in concerns that an apology may amount to an admission of liability and be relied upon in civil litigation.¹³⁹⁵ Institutions may also be concerned that an apology may invalidate any insurance they have.¹³⁹⁶ Although some insurers told the Inquiry that they were now generally supportive of apologies being made by institutions, there are

¹³⁹⁴ *Responses to recommendation 2 of the Child Migrant Programmes Investigation Report dated January to July 2020*

¹³⁹⁵ *Nottinghamshire Councils Investigation Report*, Part F.2 para 34; *Accountability and Reparations Investigation Report*, Part C.11 para 153; *The Roman Catholic Church Investigation Report*, Part J.2 paras 19–23

¹³⁹⁶ *The Roman Catholic Church Investigation Report*, Part J.2 paras 10–11, 19–23

concerns about the timing of such an apology and whether it might amount to an admission of liability.¹³⁹⁷

The Compensation Act 2006

20. Where a civil claim is brought for negligence or breach of statutory duty, the Compensation Act 2006 allows a defendant institution to make an apology (or indeed an offer of treatment or other redress) without that amounting to an admission of negligence or breach of statutory duty.¹³⁹⁸ However, civil claims for child sexual abuse are often brought under a different legal basis, known as vicarious liability, which may make institutions liable for their employees or people in similar positions to employees.

¹³⁹⁷ *Accountability and Reparations Investigation Report*, Part C.11 para 153; *The Anglican Church Investigation Report*, Part B.4.3 paras 16–17

¹³⁹⁸ *Compensation Act 2006*, section 2

21. While some defendants interpret the Compensation Act 2006 as extending to vicarious liability, the Act itself does not refer to it.¹³⁹⁹ A number of witnesses stated that this issue needed to be clarified.¹⁴⁰⁰

22. In September 2019, the Inquiry recommended that the government should amend the Compensation Act to make clear that institutions may apologise for abuse by persons for whom they may be vicariously liable without those apologies amounting to admissions of legal liability.¹⁴⁰¹ In April 2020, the government stated that the focus of the 2006 Act on claims in negligence and breach of statutory duty is “*not intended to suggest that the provision is only of relevance to those proceedings (and under the common law it may be equally relevant elsewhere, including in cases involving vicarious liability)*”. Nonetheless the government

¹³⁹⁹ *Accountability and Reparations Investigation Report*, Part C.11 para 155; *Compensation Act 2006*, section 2

¹⁴⁰⁰ *Accountability and Reparations Investigation Report*, Part C.11 para 155; *The Roman Catholic Church Investigation Report*, Part J.2 paras 24–25

¹⁴⁰¹ *Accountability and Reparations Investigation Report*, Part G.3 (Recommendation 3)

stated that it would “*explore further whether it would be helpful to amend the 2006 Act or take alternative action to clarify that this is the case*”.¹⁴⁰²

23. In March 2021, the government made a commitment to consult on the issue of apologies.¹⁴⁰³ In November 2021, it stated that it was “*still planning to publish a consultation paper on the law of apologies*”.¹⁴⁰⁴ As at June 2022, no consultation had been launched, but in May 2022, the government informed the Inquiry that the consultation “*should run through the summer with a response before the New Year*”.¹⁴⁰⁵

¹⁴⁰² *Ministry of Justice response to recommendation 3 in the Accountability and Reparations Investigation Report dated 6 April 2020; The Roman Catholic Church Investigation Report, Part J.2 para 27*

¹⁴⁰³ *Ministry of Justice response to recommendation 3 in the Accountability and Reparations Investigation Report dated 16 March 2021*

¹⁴⁰⁴ *Ministry of Justice response to recommendation 3 in the Accountability and Reparations Investigation Report dated 5 November 2021*

¹⁴⁰⁵ *Ministry of Justice response to recommendation 3 in the Accountability and Reparations Investigation Report dated 4 May 2022, p1*

24. The Inquiry also recommended that the Local Government Association (LGA) and the Association of British Insurers (ABI) produce codes of practice for responding to civil claims of child sexual abuse (discussed further in Part G). The Inquiry stated that such codes should include guidance that claimants should be offered apologies wherever possible.¹⁴⁰⁶ The ABI published its code in August 2021, which states that insurers should “*never prevent or discourage their policyholder from apologising to a claimant*”.¹⁴⁰⁷ If applied, this should remove the possibility that insurance cover will be forfeited if apologies are made by institutions. The LGA’s draft code was expected to be published in November 2021.¹⁴⁰⁸ As at June 2022, it is still awaited.

I.4: Assurances on the prevention of sexual abuse

25. More than half of the participants in the Inquiry’s Truth Project stated that one of the reasons for sharing their experiences was to try to prevent abuse of other children.¹⁴⁰⁹ During the Inquiry’s hearings, one witness said:

¹⁴⁰⁶ *Accountability and Reparations Investigation Report, Part G.3 (Recommendation 2)*

¹⁴⁰⁷ INQ006833_002, 007

¹⁴⁰⁸ INQ006819

¹⁴⁰⁹ *Victims and Survivors’ Voices, Part B.2*

“What we want is, recognise that this stuff happened, recognise it didn’t need to happen. We need to hold to account the systems, if not the people, that the systems failed us. If we can achieve that, and if, as I mentioned earlier on, we can also recognise that the adversities that are caused in these circumstances are lifelong in their effect and generationally they affect so many people, if there is a recognition of all of that, then perhaps these organisations will be far more careful in the future, and hopefully prevent it from happening again and again and again.”¹⁴¹⁰

26. Some victims and survivors wanted institutions to explain why the abuse was allowed to happen, and to be given assurances that the institutions would not let it happen again to other children.¹⁴¹¹

27. Evidence of institutions providing such assurances to victims and survivors was not commonplace. In the context of civil litigation, one defendant solicitor told the Inquiry that, on a

¹⁴¹⁰ *Accountability and Reparations Investigation Report, Pen Portraits (AR-A1)*

¹⁴¹¹ *Accountability and Reparations Investigation Report, Part A.3 para 7.5, Part C.11 para 152; Victims and Survivors Forum Consultation on Redress: Summary Report, IICSA, October 2020, p15 para 29*

limited number of occasions, he had been able to facilitate meetings between claimants and defendant institutions:

“so that the assurances can actually be provided face to face and that the survivor can ask any questions that they wish about what practices/procedures are in place nowadays”.

However, he cautioned that, with non-recent claims, the institution in question may have *“transformed out of all recognition”* since the abuse took place.¹⁴¹²

28. Informing victims and survivors about preventive steps which have been taken to protect children since the abuse occurred can be of real significance to them. Not only can it reassure the individual who has been abused, it can also help institutions prioritise the identification of failings in order to prevent future abuse. An example of an institution engaging victims and survivors in respect of future safeguarding work is the National Survivors Panel set up by the Church of England.¹⁴¹³

¹⁴¹² *Accountability and Reparations Investigation Report*, Part C.11 para 153.3; Alastair Gillespie 29 November 2018 67/10-68/10

¹⁴¹³ *The Anglican Church Investigation Report*, Part B.2.4 para 25.3

I.5: Financial redress

29. Victims and survivors are entirely justified in seeking financial redress. No amount of money can fully compensate a victim for child sexual abuse that they experienced. It can, however, provide some reparation for the abuse and its consequences and help victims and survivors to gain access to valuable support and therapy.

30. In criminal proceedings, victims and survivors may be cross-examined about any compensation claims they have made and whether they are “*lying for money*”.¹⁴¹⁴ These characterisations are misplaced, offensive and are unsupported by the rare instances in which false allegations have been made. It is notable that in the context of the civil justice system, a number of claimant representatives and defendant representatives

¹⁴¹⁴ *Accountability and Reparations Investigation Report*, Part C.2 para 10; *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.2, p53

acknowledged that fraudulent child sexual abuse claims were exceptional.¹⁴¹⁵ As one insurer put it, “*there are very, very few*” such cases.¹⁴¹⁶

31. Financial redress may be obtained directly from institutions, although this depends on the approach taken by the individual institutions themselves or their insurers. Redress can include *ex gratia* payments (payments made even where there is no obligation or liability to pay it) and payments made under redress schemes.¹⁴¹⁷ There have been several examples of institutions, both within the Inquiry’s investigations and outside of them, setting up such schemes in recent years.

31.1. In 2018, Lambeth Council set up a redress scheme for victims and survivors abused in care.¹⁴¹⁸

¹⁴¹⁵ Paula Jefferson 29 November 2016 132/16-20; David Enright 29 November 2016 134/11-17; Rod Luck 29 November 2016 130/8-13; Richard Scorer 29 November 2016 125/23-126/3

¹⁴¹⁶ John Latter 29 November 2016 128/25-129/2

¹⁴¹⁷ *The Roman Catholic Church Investigation Report, Part J.3*

¹⁴¹⁸ *Lambeth Council Investigation Report, Executive Summary* px para 6, Part F.9 para 71; INQ006673

31.2. In April 2020, the Church of England announced that it intended to set up a redress scheme.¹⁴¹⁹ Following some initial delay due to the COVID-19 pandemic, work on setting up this scheme was still ongoing as at June 2022.¹⁴²⁰ In the meantime, in September 2020, it set up an interim support scheme to “*give immediate help and support to survivors of Church related abuse*”.¹⁴²¹ As at December 2021, 60 victims had approached the interim scheme and 40 had received an offer of assistance.¹⁴²²

31.3. In 2021, Islington Council set up a support payment scheme for people who experienced abuse (including sexual, physical and emotional abuse) in its children’s homes.¹⁴²³

¹⁴¹⁹ *The Anglican Church Investigation Report, Part B.2.4 para 25.5, Part B.4.3 paras 18–20*

¹⁴²⁰ *Archbishops’ Council’s response to recommendation 7 of The Anglican Church Investigation Report dated 4 February 2022 paras 27–50*

¹⁴²¹ *Archbishops’ Council’s response to recommendation 7 of The Anglican Church Investigation Report dated 4 February 2022, para 8; ACE027822_001*

¹⁴²² *Archbishops’ Council’s response to recommendation 7 of The Anglican Church Investigation Report dated 4 February 2022 para 21*

¹⁴²³ *INQ006699; INQ006930*

A proactive approach is welcome, so that victims and survivors are not always forced to seek compensation by other means.

32. Victims and survivors seeking redress from institutions often have to rely on bringing civil claims. The civil justice system can provide compensation for child sexual abuse. As set out in Part G, many victims and survivors bringing a civil claim can be re-traumatised by this process and there can be a number of legal hurdles to overcome. Where victims and survivors are unable to pursue civil claims successfully, they may be able to obtain some financial redress from the State through a compensation scheme.

The Criminal Injuries Compensation Scheme

33. Victims of ‘violent crime’ in England and Wales (as well as Scotland) may be awarded compensation under the publicly funded Criminal Injuries Compensation Scheme (the Scheme). Any injury must have been sustained on or after 1 August 1964, the date on which the Scheme was first introduced.¹⁴²⁴ Awards under the Scheme may be made to victims whether or not there has been

¹⁴²⁴ [INQ003550_013](#) para 17; [INQ006694_005](#) para 4

a successful criminal conviction. All incidents upon which an application is based, however, must have been reported to the police.¹⁴²⁵

34. This Scheme was established by the government and administered at that time by the Criminal Injuries Compensation Bureau (CICB).¹⁴²⁶ Under this Scheme compensation was assessed on the basis of common law damages, which is in line with civil claim awards.¹⁴²⁷ The Criminal Injuries Compensation Act 1995 created the Criminal Injuries Compensation Authority (CICA) and a new, tariff-based statutory scheme. The new Scheme was introduced in 1996 and has since been updated in 2001, 2008 and 2012, and amended in 2019.¹⁴²⁸

35. The Scheme is considered by the government to be an option of ‘last resort’ for those who cannot obtain compensation elsewhere and is not intended to fully compensate victims for the injuries suffered.¹⁴²⁹ Victims are “*encouraged to*

¹⁴²⁵ [INQ006958_006](#)

¹⁴²⁶ [Accountability and Reparations Investigation Report, Part D.3 para 26](#)

¹⁴²⁷ [INQ006694_006 para 8](#)

¹⁴²⁸ [Accountability and Reparations Investigation Report, Part D.3 para 26; INQ006901_004](#)

¹⁴²⁹ [INQ006958_011; MOJ000018_011-012 paras 48–50](#)

*explore other means of redress in the first instance, such as a civil claim, which may provide for higher amounts of compensation”.*¹⁴³⁰

36. A successful application may provide some acknowledgement to victims and survivors. The government’s guide to the Scheme states that while “*no amount of compensation can ever make up for the harm and suffering caused to victims by violent crime ... awards are intended to be an acknowledgement of harm and an important gesture of public sympathy*”.¹⁴³¹ One applicant, whose application was initially rejected but on review was accepted, stated that he did not care how much the award was. He was happy to finally be believed.¹⁴³²

37. Victims and survivors may be unaware of the availability of financial redress under the Scheme.¹⁴³³ The CICA works with various victims’

¹⁴³⁰ [MOJ000018__011](#) para 48

¹⁴³¹ [INQ006958__003](#)

¹⁴³² [Accountability and Reparations Investigation Report](#), Part D.3 para 54

¹⁴³³ [Accountability and Reparations Investigation Report](#), Part D.3 para 29; [Victims and Survivors Forum Consultation on the Criminal Justice System: Summary Report](#), IICSA, May 2019, para 41

organisations to help promote the Scheme and educate them about it so that they can help victims and survivors.¹⁴³⁴

38. Signposting to the Scheme by the police, on which victims and survivors often rely, has not always been consistent and the police have sometimes encouraged victims and survivors to wait until the conclusion of criminal proceedings.¹⁴³⁵ As with civil claims, this has been due, at least in part, to concerns that criminal proceedings might be undermined by accusations that victims and survivors have fabricated allegations to obtain compensation.¹⁴³⁶ In 2013, the College of Policing

¹⁴³⁴ *Accountability and Reparations Investigation Report*, Part D.3 para 32

¹⁴³⁵ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.2, p53; *Accountability and Reparations Investigation Report*, Part D.3 paras 34–35; *Victims and Survivors Forum Consultation on the Criminal Justice System: Summary Report*, IICSA, May 2019, para 41; *Criminal Compensation Seminar: An update report*, IICSA, April 2018, Session 1 para 14

¹⁴³⁶ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.2, p53; *Accountability and Reparations Investigation Report*, Part D.3 para 35; *Criminal Compensation Seminar: An update report*, IICSA, April 2018, Session 1 para 14

Authorised Professional Practice introduced guidance which made clear that applications to the CICA should not be delayed until the conclusion of a criminal investigation or trial.¹⁴³⁷ The same year, the Ministry of Justice also published a leaflet entitled *Information for Victims of Crime* for use by police forces in the delivery of entitlements under the *Code of Practice for Victims of Crime in England and Wales* (Victims' Code).¹⁴³⁸ Nevertheless, despite some improvement by a number of police forces, there may still be concern among police officers that the issue of compensation may be used to undermine a victim's credibility at any criminal trial.¹⁴³⁹

39. The Victims' Code previously made clear that victims and survivors are entitled to apply for awards from the CICA, and provided information on how to do so.¹⁴⁴⁰ However, awareness of the Victims' Code itself has been “*pretty low*” and so it is not clear that the Code has improved

¹⁴³⁷ *Accountability and Reparations Investigation Report*, Part D.3 para 36

¹⁴³⁸ *Accountability and Reparations Investigation Report*, Part D.3 paras 37–38

¹⁴³⁹ *Accountability and Reparations Investigation Report*, Part D.3 paras 39–40

¹⁴⁴⁰ *Accountability and Reparations Investigation Report*, Part D.3 para 31; INQ003556__005, 044-046

knowledge of the CICA Scheme amongst victims and survivors.¹⁴⁴¹ The government has stated that the revised Code “*has been restructured so that victims are the primary audience*”.¹⁴⁴²

40. Since the Inquiry made its previous recommendations in relation to the Victims’ Code, the College of Policing’s guidance makes clear that police officers are required to provide victims and survivors with information on their rights and entitlements under the Code.¹⁴⁴³ However, as set out in Part G, there are still concerns about compliance with the Code.

41. There are also several eligibility criteria which may have had an unfair impact on victims and survivors of child sexual abuse. Some victims and survivors of child sexual abuse may find the application process difficult and public funding is not generally available to assist applicants.¹⁴⁴⁴ Assistance may be available from solicitors (who

¹⁴⁴¹ *Accountability and Reparations Investigation Report*, Part D.3 para 31

¹⁴⁴² *Ministry of Justice response to recommendation 1 of the Accountability and Reparations Investigation Report dated 16 March 2021*

¹⁴⁴³ *Accountability and Reparations Investigation Report*, Part G.3 (Recommendation 1); INQ006695

¹⁴⁴⁴ *Accountability and Reparations Investigation Report*, Part D.3 paras 48–49; MOJ000018_010 paras 39–40

will ordinarily enter into a conditional fee agreement with applicants and only be paid if an award is made), charitable organisations, the police or local independent sexual violence advisers (ISVAs).¹⁴⁴⁵

42. The *Interim Report of the Independent Inquiry into Child Sexual Abuse* (the *Interim Report*, April 2018) and the *Accountability and Reparations Investigation Report* (September 2019) made several recommendations to improve access to the Scheme for victims and survivors of child sexual abuse.

43. Between the publication of those reports, in September 2018, the government announced a review of the Scheme “*to ensure it reflects the changing nature of crime and can better support victims, especially of historic and current child abuse*”. It also stated that this would allow it to take full account of the recommendations made in the Inquiry’s *Interim Report*.¹⁴⁴⁶ The *Criminal Injuries Compensation Review 2020* consultation document was published in July 2020 and concluded that the Scheme was “*working well for the majority of victims of child sexual abuse*”.¹⁴⁴⁷ Aside from inviting views on increasing awards for mental injury for victims of sexual offences

¹⁴⁴⁵ [*Accountability and Reparations Investigation Report*, Part D.3 para 48](#)

¹⁴⁴⁶ [INQ006687_001-002](#)

¹⁴⁴⁷ [INQ006696_026](#) para 75

including children and the CICA's approach to the language relating to consent, the review did not identify any major child abuse-related issues requiring further consultation and reform.¹⁴⁴⁸

The government received 96 responses to its consultation document and states that it will finalise its review once its supplementary consultation on the unspent convictions rule has concluded (discussed below).¹⁴⁴⁹

The 'same roof' rule recommendation

44. The 'same roof' rule prevented applicants who were abused before 1 October 1979 from receiving compensation where they were living under the same roof as their assailant. Its purpose was to stop assailants from benefiting from awards (for example, if they were a parent of the abused child).¹⁴⁵⁰ Following the Inquiry's recommendation that the rules be revised so that applicants who previously applied for compensation in relation to child sexual abuse but were refused solely due to

¹⁴⁴⁸ [INQ006696_024-025, 051-052, 068-070](#) paras 66–70, paras 171–173

¹⁴⁴⁹ [INQ006951_009](#)

¹⁴⁵⁰ [INQ006696_034-035](#) para 107

this rule should be entitled to reapply, the ‘same roof’ rule was abolished in relation to children in June 2019.¹⁴⁵¹

Training recommendation

45. Applications relating to child sexual abuse can raise complex issues which require careful consideration and sensitive decision-making. As set out in its *Interim Report* in April 2018, the Inquiry welcomed the steps the CICA was taking to increase the knowledge and understanding of its staff in relation to such applications. However, it was not appropriate for applications relating to child sexual abuse to be handled by the general pool of CICA caseworkers.¹⁴⁵² The Inquiry therefore recommended that claims relating to child sexual abuse should only be considered by those who have specific and detailed training in its nature and impact.¹⁴⁵³

¹⁴⁵¹ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.2, p55; INQ006697_001; INQ006696_034-035 paras 107–108

¹⁴⁵² *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.2, p54

¹⁴⁵³ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.2, p54

46. In its December 2018 response, the government emphasised that all CICA operational staff were given training related to child sexual abuse. It stated that the CICA provided a dedicated caseworker to applicants in particularly complex and difficult cases. It also set out examples of work undertaken with external stakeholders and victims' groups.¹⁴⁵⁴

47. In its *Criminal Injuries Compensation Review 2020*, the government again highlighted a number of initiatives which had taken place since the Inquiry's *Interim Report*. It stated that the CICA had:

*“engaged with organisations including Samaritans, Women’s Aid and Rape Crisis Scotland to provide specialist trauma informed training to ensure that staff are better equipped to deal sensitively with those who have lived through traumatic periods of abuse, including victims of grooming and exploitation”.*¹⁴⁵⁵

It also noted that the CICA had been proactively reviewing its training and guidance. This, it said, had contributed to *“improvements in the way*

¹⁴⁵⁴ *Government response to recommendation 6 in the Interim Report of IICSA dated December 2018, p7*

¹⁴⁵⁵ *INQ006696_065 para 231*

*staff understand and deal with changing trends in violent crime such as increased recognition of grooming in sexual crime and the application of exceptional circumstances” where applications are made outside of the time limits in the Scheme.*¹⁴⁵⁶

It stated that named caseworkers were being provided to victims affected by the change in the ‘same roof’ rule and other complex or difficult cases and that it was exploring how named caseworkers might be extended to other applicant groups in the future.¹⁴⁵⁷

48. Regardless of whether ‘named’ or ‘dedicated’ caseworkers deal with applications related to child sexual abuse, all caseworkers handling such applications must have the specific and detailed training required.

Unspent criminal convictions recommendation

49. Under the 2012 Scheme, no award is made to applicants who have unspent criminal convictions for offences that resulted in certain sentences (discussed further below). The Inquiry considered this unfair and so recommended that the Ministry of Justice revise the CICA rules, so that awards are not automatically rejected in circumstances where an applicant’s criminal convictions are likely to be

¹⁴⁵⁶ [INQ006696_065](#) para 232

¹⁴⁵⁷ [INQ006696_064-065](#) paras 228–229

linked to their child sexual abuse and that each case should be considered on its merits.¹⁴⁵⁸ This recommendation was rejected, which is considered in more detail later.

Assistance recommendation

50. In its *Accountability and Reparations Investigation Report* (September 2019), the Inquiry recommended revision of the Victims' Code to make clear that victims and survivors must be advised by the police that they are entitled to assistance (from ISVAs or other suitable persons) completing any application, should they require it.¹⁴⁵⁹

51. The revised Victims' Code (November 2020) makes clear that victims and survivors have the right to be told by the police how to apply for compensation through the Scheme. However, it does not state that victims and survivors are entitled to assistance completing an application from ISVAs or other suitable persons.¹⁴⁶⁰ Instead, Home Office guidance highlights that ISVAs should

¹⁴⁵⁸ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.2, p54

¹⁴⁵⁹ *Accountability and Reparations Investigation Report*, Part G.3 (Recommendation 1)

¹⁴⁶⁰ Came into force in April 2021; INQ006637

ensure that victims have access to independent advice and guidance and that they can assist in making an application if their client is eligible.¹⁴⁶¹

Further changes

52. Despite these changes, concerns about the Scheme remain. The Inquiry therefore recommends further changes in relation to the focus on crimes of violence, the provisions relating to ‘unspent convictions’ and the time limits for applications to the Scheme.

¹⁴⁶¹ *Ministry of Justice response to recommendation 1 in the Accountability and Reparations Investigation Report dated 6 April 2020; Ministry of Justice response to recommendation 1 in the Accountability and Reparations Investigation Report dated 16 March 2021*

Recommendation 18: Criminal Injuries Compensation Scheme

The Inquiry recommends that the UK government amends the Criminal Injuries Compensation Scheme to:

- include other forms of child sexual abuse, including online-facilitated sexual abuse;
- amend the rule on unspent convictions so that applicants with unspent convictions are not automatically excluded where offences are likely to be linked to the circumstances of their sexual abuse as a child; and
- increase the time limit for child sexual abuse applications so that applicants have seven years to apply from (a) the date the offence was reported to the police or (b) the age of 18, where the offence was reported whilst the victim was a child. In either circumstance, the claims officer's discretion to extend the time limit remains.

A ‘crime of violence’

53. A person can only apply for an award “*if they sustain a criminal injury which is directly attributable to their being a direct victim of a crime of violence*”.¹⁴⁶² The Scheme defines ‘crime of violence’ as one which involves:

- a physical attack;
- any other act or omission of a violent nature which causes physical injury to a person;
- a threat against a person, causing fear of immediate violence in circumstances which would cause a person of reasonable firmness to be put in such fear;
- a sexual assault to which a person did not in fact consent; or
- arson or fire-raising.¹⁴⁶³

54. In 2017, the CICA’s internal guidance for decision-makers in applying the criterion relating to sexual assault and consent was revised.¹⁴⁶⁴

As the revised guidance makes clear, “*where the applicant was 15 or under when the incident happened, we will presume that they did not*

¹⁴⁶² INQ003550__010 para 4

¹⁴⁶³ INQ003550__038 para 2

¹⁴⁶⁴ MOJ000018__014-015 paras 64–67; CIC000061__004-005 paras 11–12; CIC000667__002-003 para 2.4

consent unless the evidence to the contrary is very clear".¹⁴⁶⁵ In addition, it states that "*Normally, where ... criminal offences have been committed, the child will be the victim of a crime of violence*".¹⁴⁶⁶

Where applications involve children under 16 and issues relating to consent, the application must be referred to "*Legal and Policy*" staff for advice.¹⁴⁶⁷

55. The continued focus on 'crime of violence' fails to take into account that child sexual abuse, particularly online sexual abuse, may occur without physical contact. It also does not take account of the extent of the harm and damage that can be caused by different forms of non-contact child sexual abuse (such as the ongoing fear that images of sexual abuse remain available online). For some victims and survivors, the Scheme may be the only realistic route to access compensation for the harm caused. *The Internet Investigation Report* (dated March 2020) made clear that the government needed to ensure that the CICA Scheme was fit for the internet age and the fact that online-facilitated abuse is often a feature of sexual offending against children.¹⁴⁶⁸

¹⁴⁶⁵ [CIC000063_001 para 1](#); [INQ006696_024 para 68](#)

¹⁴⁶⁶ [CIC000063_001 para 2](#)

¹⁴⁶⁷ [CIC000063_004 para 15](#)

¹⁴⁶⁸ *The Internet Investigation Report*, Part F.4 para 40

56. The government’s 2020 review of the Scheme “*considered whether the current definition of a crime of violence for the purposes of the Scheme reflects the changing nature of violent crime*”. It noted concerns that the Scheme fails to provide compensation for serious non-contact offences (examples provided include grooming, online exploitation, coercive control, stalking and modern slavery) which have increased in prevalence.¹⁴⁶⁹ The review stated that, based on the available data, “*there has not been a significant change in the nature of violent crime*” since the Scheme was last reviewed in 2012.¹⁴⁷⁰ It also considered that “*widening the definition beyond crimes that are violent in nature and involve touching and physical contact or threat of immediate violence would mean going far beyond the original intention of the Scheme*”.¹⁴⁷¹ The government’s view was that the current definition is “*broad enough to allow for a wide range of circumstances, including in certain cases, online exploitation, grooming, stalking and modern slavery where situations have escalated into ones involving violence or the immediate threat of violence*”. It acknowledged that victims of crimes not involving the threat of, or actual violence may also experience psychological and emotional harm

¹⁴⁶⁹ [INQ006696_019-020](#) para 50

¹⁴⁷⁰ [INQ006696_020-023](#) paras 51–62

¹⁴⁷¹ [INQ006696_023](#) para 62

and trauma, but that those impacts can also be experienced by victims of other types of crime, such as fraud and dishonesty.¹⁴⁷²

57. For the purposes of the Scheme, a recent court ruling decided that a ‘crime of violence’ does not include online grooming where there is no fear of “*unlawful and immediate violence*”.¹⁴⁷³ The court also stated that “*Criminal conduct online or via text messaging may have a devastating impact on the lives of those affected, both during and after the events themselves*”, but made clear that its inclusion within the Scheme is a matter for Parliament.¹⁴⁷⁴

58. Technological advances have radically changed the means by which child sexual abuse can be facilitated. As a result, focussing on crimes involving violence is outdated. So too is reliance on what may have been in contemplation at the time the Scheme was first introduced in 1964. The Scheme should reflect the nature of crimes being committed today. The Inquiry also does not accept that the profound psychological impact of child

¹⁴⁷² INQ006696__023 para 63

¹⁴⁷³ *Criminal Injuries Compensation Authority v First-tier Tribunal (Social Entitlement Chamber) [2022] UKUT 103 (AAC)*, para 125

¹⁴⁷⁴ *Criminal Injuries Compensation Authority v First-tier Tribunal (Social Entitlement Chamber) [2022] UKUT 103 (AAC)*, para 135

sexual abuse can be compared with that of non-violent crimes such as fraud and dishonesty. The Inquiry therefore recommends that the Ministry of Justice change the Scheme to include other forms of child sexual abuse, including online-facilitated abuse.

‘Unspent’ convictions

59. Under the Rehabilitation of Offenders Act 1974, eligible criminal convictions or cautions become ‘spent’ after a specified period of time, known as the ‘rehabilitation period’.¹⁴⁷⁵ Where a conviction is ‘spent’, the offender is regarded as rehabilitated, that is to say as if he or she had never committed an offence. As such, they are not obliged to declare their caution or conviction, for example, when applying for employment or insurance.¹⁴⁷⁶ ‘Unspent’ criminal convictions are those which have not yet reached the specified time in order to become ‘spent’.

60. Prior to the 2012 Scheme, there was discretion to make a full or reduced award to applicants who had unspent criminal convictions.¹⁴⁷⁷ This discretion was removed in the 2012 Scheme,

¹⁴⁷⁵ Rehabilitation of Offenders Act 1974, section 1

¹⁴⁷⁶ INQ006899_003

¹⁴⁷⁷ INQ006696_033 para 101; INQ003547_006-007 paras 13(1)(e), 14(3); INQ003553_008 para 13(e); INQ003557_006 para 13(e)

based on government policy that people who have themselves committed crimes should not benefit from a publicly funded scheme.¹⁴⁷⁸

61. The 2012 Scheme introduced an exclusionary rule, under which no award is made to applicants who have unspent criminal convictions for offences that resulted in certain sentences or orders, including custodial sentences, community orders and youth rehabilitation orders. Where sentences other than those specified have been imposed, a discretion may be exercised to withhold or reduce awards, where there are “*exceptional reasons*”.¹⁴⁷⁹ These changes were introduced by the government notwithstanding that the majority of respondents to the consultation on this issue argued that claims officers should continue to be able to exercise discretion and judge every individual case on its merits.¹⁴⁸⁰

62. As set out above, the Inquiry previously recommended that the rule should be revised so that awards are not automatically rejected in circumstances where applicants’ criminal convictions are likely to be linked to their sexual

¹⁴⁷⁸ [MOJ000018_017-018](#) paras 77–78;
[INQ006696_033](#) para 101

¹⁴⁷⁹ [INQ003550_041](#) paras 3–4; [INQ006696_032-033](#) paras 100

¹⁴⁸⁰ [INQ006686_048-049](#) paras 177–178

abuse as children.¹⁴⁸¹ Subsequently, Melissa Case, Director of Criminal and Family Justice Policy at the Ministry of Justice, stated that “*very powerful evidence*” about the link between sexual abuse and criminal offending had been put before the Inquiry, which would be looked at under the government’s review.¹⁴⁸²

63. The government’s review considered the Inquiry’s recommendation but stated that, when deciding eligibility for compensation, the intention of the existing rule was to “*reflect the degree of harm done to others and the cost to society of offending behaviour*”. The review stated that any change was likely to introduce additional complexity to the Scheme and increase the time it takes for the CICA to make a decision on eligibility. It also stated that it was relevant that “*all individuals with unspent convictions will have been found guilty of a crime, and are likely to have had particular circumstances of their vulnerability presented in mitigation and taken into account during sentencing*”.¹⁴⁸³

¹⁴⁸¹ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.2, p54

¹⁴⁸² *Accountability and Reparations Investigation Report*, Part D.3 para 63

¹⁴⁸³ INQ006696_034 para 104

64. The government declined to make (or consult on) any change, stating that to do so would undermine the core principles of the Scheme and introduce “*significant potential discrimination and operational challenge*”.¹⁴⁸⁴ However, in 2021, a victim of child sexual abuse brought a successful legal challenge to the government’s decision not to consult on the issue in its review. As a result, the High Court ordered that the government was:

*“required to carry out a public consultation on whether the unspent convictions rule ... should be revised so that applications are not automatically rejected in circumstances where an applicant’s criminal convictions are likely to be linked to their sexual abuse as a child.”*¹⁴⁸⁵

65. In June 2022, the government published a supplementary consultation on the unspent convictions rule. This discussed a number of options for reform, including the reform previously recommended by the Inquiry.¹⁴⁸⁶ The Inquiry’s view remains that the current rule fails to recognise the impact of child sexual abuse and, specifically, that abuse may have directly contributed to instances

¹⁴⁸⁴ [INQ006696_034](#) para 106

¹⁴⁸⁵ [Kim Mitchell v Secretary of State for Justice \[2021\] EWHC 2248](#) para 109

¹⁴⁸⁶ [INQ006951_010, 020-026](#)

of offending.¹⁴⁸⁷ In particular, there is often a close link between sexual exploitation, grooming and criminal behaviour. The Inquiry heard evidence of child victims of exploitation being charged with or convicted of criminal offences which were closely linked with their sexual exploitation.¹⁴⁸⁸ In one example, a child was arrested on a number of occasions for offences such as being drunk and disorderly and assault, which she said were committed in the context of her being sexually exploited by a group of men. When she appeared at the youth court, aged 15, her solicitor tried to explain the abuse she was experiencing, but no investigation was conducted. She was sentenced to four months in a young offender institution.¹⁴⁸⁹ Under current rules, this conviction would not be spent until 18 months after the sentence had been completed.¹⁴⁹⁰

¹⁴⁸⁷ *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.2 p54; *Accountability and Reparations Investigation Report*, Part D.3 paras 62–63

¹⁴⁸⁸ *Child Sexual Exploitation by Organised Networks Investigation Report*, Part E.2 paras 2–5

¹⁴⁸⁹ *Child Sexual Exploitation by Organised Networks Investigation Report*, Part E.2 para 4

¹⁴⁹⁰ INQ006820_003

66. The Inquiry acknowledges that, given the complexity of applicants’ personal histories, the link between the offence and sexual abuse or exploitation will not always be easy to identify. Caseworkers should be provided with the discretion to consider the circumstances in order that applicants are not unfairly excluded. The Inquiry therefore recommends that the Ministry of Justice amend the rules on unspent convictions so that applications are not automatically rejected in circumstances where an applicant’s criminal convictions are likely to be linked to their sexual abuse as a child.

67. Sammy Woodhouse, a survivor of child exploitation in Rotherham, has been campaigning for the introduction of ‘Sammy’s law’, which would see victims and survivors of child sexual exploitation have crimes associated with their grooming wiped from their criminal records.¹⁴⁹¹ In November 2021, the Independent Office for Police Conduct released a report which included a recommendation that the Law Commission review the “*laws surrounding offences committed by young people who are being groomed or exploited*”.¹⁴⁹² The Law Commission accepted the recommendation as a formal submission

¹⁴⁹¹ [INQ006708_006](#)

¹⁴⁹² [INQ006723_002](#); [INQ006900](#)

to its 14th programme and stated it would be analysing it alongside other proposals for law reform projects.¹⁴⁹³

Time limits

68. Since 1996, CICA applications generally have had to be made within two years of the incident of sexual abuse. In earlier versions of the Scheme (as with the current iteration), a claims officer could waive this time limit, although the precise nature of the discretion varied.¹⁴⁹⁴

69. Under the 2012 Scheme, separate provision is made for applicants under the age of 18 at the time that the abuse occurred.

69.1. In the case of abuse reported to the police when the applicant is a child, a claim can be made up until the day of the applicant's 20th birthday.¹⁴⁹⁵

69.2. In the case of abuse reported to the police when the applicant is an adult, a claim can be made within two years from the first report of the abuse to the police.¹⁴⁹⁶

¹⁴⁹³ [INQ006900](#)

¹⁴⁹⁴ [INQ006696_030](#), para 92; [INQ003547_008](#) para 18; [INQ003553_009](#) para 18; [INQ003557_007](#) para 17

¹⁴⁹⁵ [INQ003550_026](#) para 88

¹⁴⁹⁶ [INQ003550_026](#) para 88

70. In either case, applications will only be accepted if the claims officer is satisfied that the application can be determined “*without further extensive enquiries*”. This is not defined in the Scheme or the current publicly available guidance.¹⁴⁹⁷ Evidence provided by the CICA explains that factors for consideration include: the number of enquiries that are likely to be needed; the length of time and amount it will cost to make the enquiries; the complexity of the enquiries; and the length of time between the incident and the application.¹⁴⁹⁸ The time limits can be extended where the claims officer is satisfied that due to exceptional circumstances the applicant could not have applied earlier and (as with these provisions generally) the applications can be determined without further extensive enquiries.¹⁴⁹⁹

71. In 2018, the CICA informed the Inquiry that its ‘staff’ guide on the meaning of ‘exceptional circumstances’ had been “*updated to include specific provision for historical sexual abuse victims*”. The guide advised staff that “*exceptional circumstances*” were more likely to exist in such cases, especially where the applicant was a child at the time of the offence. The guide also advised staff to accept that, in cases involving historical

¹⁴⁹⁷ [INQ003550_026](#) para 88; [INQ006958_003-004](#)

¹⁴⁹⁸ [CIC000061_008](#) para 19

¹⁴⁹⁹ [INQ003550_026](#) para 89

sexual abuse in which the applicant did not apply until criminal proceedings concluded, ‘exceptional circumstances’ exist, unless they considered there are compelling reasons not to do so.¹⁵⁰⁰

72. The government’s 2020 review stated that concerns had been raised about the two-year time limit given that “*some victims lack awareness regarding the Scheme*” and it had heard “*anecdotal evidence of victims being advised by police or prosecutors to wait until the conclusion of a criminal case to avoid being accused of making allegations for profit*”. It also noted views that the impact of trauma on victims and survivors of child sexual abuse may necessitate “*a more generous time limit*” and that the current time limits are “*perceived*” to have a negative impact on certain groups of victims, including victims of child sexual abuse.¹⁵⁰¹ However, it concluded that the CICA caseload data show that “*the proportion of claims refused on the grounds of being ‘out of time’ was small when compared to refusals on other grounds*” and that there was “*no apparent disproportionate impact on those claiming for sexual assault*”. The review stated that the ‘exceptional circumstances’ criteria time limit and the time limit for applicants who were children at the time of the crime appear “*to be working well*”.

¹⁵⁰⁰ [CIC000667_003](#) para 2.6

¹⁵⁰¹ [INQ006696_031](#) paras 95–96

The government's view was that it is important for the Scheme to operate a time limit and that the two-year time limit allows sufficient time for most victims to make an application.¹⁵⁰²

73. The review does not make clear how many of the successful applicants had been initially rejected as being out of time and were only successful after requesting a review or going through the appeal process. One attendee at the Inquiry's Criminal Compensation Seminar stated that he expected "*virtually every client to be refused on the first application*".¹⁵⁰³ Attendees also stated that it is really difficult to overcome the hurdle of 'exceptional circumstances' without specialist legal advice.¹⁵⁰⁴ The review also does not consider the extent to which the time limit may act as a deterrent to potential applicants, another point raised in the Inquiry's seminar.¹⁵⁰⁵

74. The review's statement that there was "*no apparent disproportionate impact on those claiming for sexual assault*" fails to acknowledge that the current time limits are inappropriate for victims

¹⁵⁰² [INQ006696_031-032](#) paras 96–97

¹⁵⁰³ [Criminal Compensation Seminar: An update report](#), IICSA, April 2018, Session 2 para 27

¹⁵⁰⁴ [Criminal Compensation Seminar: An update report](#), IICSA, April 2018, Session 2 para 27

¹⁵⁰⁵ [Criminal Compensation Seminar: An update report](#), IICSA, April 2018, Session 1 para 14

and survivors of child sexual abuse. Many victims and survivors feel unable to report that they were sexually abused when they were children. Although the time limit starts to run from the date of report to the police (unlike in civil claims), and guidance on ‘exceptional circumstances’ has been updated, the period of two years is inadequate for victims and survivors of child sexual abuse.

74.1. Victims and survivors have not always been informed by the police of their entitlement to apply to the Scheme or have sometimes been encouraged by the police to wait until the conclusion of a criminal investigation or trial.¹⁵⁰⁶

74.2. The two-year rule also assumes that victims and survivors are prepared and able to undertake a compensation process, sometimes at the same time as preparing for or appearing in criminal proceedings.

¹⁵⁰⁶ *Accountability and Reparations Investigation Report*, Part D.3 paras 33–40; *Criminal Compensation Seminar: An update report*, IICSA, April 2018, Session 1 para 14; *Victims and Survivors Forum Consultation on the Criminal Justice System: Summary Report*, IICSA, May 2019, pp10–11 para 41; *Interim Report of the Independent Inquiry into Child Sexual Abuse*, Chapter 5.2, p53

74.3. It may be particularly difficult for a victim and survivor to apply before their 20th birthday where the abuse was reported when they were a child.

75. The Inquiry therefore recommends that the Ministry of Justice increases the time limit for child sexual abuse applications so that applicants have seven years to apply:

- from the date the offence was reported to the police; or
- from the age of 18, where the offence was reported whilst the victim was a child; and
- in either circumstance, the claims officer retains the discretion to extend the time limit further.

76. The Inquiry acknowledges that any period of time may appear arbitrary to victims and survivors of child sexual abuse. Other options have been considered, in particular whether or not to recommend that the two-year time limit should run from the conclusion of criminal proceedings, rather than the report to the police. However, given that not all reports are pursued in the criminal courts, this would lead to a difference in treatment of applicants depending on whether reports led to criminal proceedings. In addition, it may be difficult to define what was meant by ‘the conclusion of criminal proceedings’. The Inquiry considers that extending the time limit to seven years is more appropriate.

77. This does not mean that victims and survivors should be discouraged from applying to the CICA until after the conclusion of a criminal investigation or trial. In its review, the government also stated that it:

“will continue to explore what more can be done with criminal justice agencies to raise awareness of the Scheme, and in particular to ensure a robust response where compensation claims are raised in the context of criminal proceedings”.¹⁵⁰⁷

I.6: A single redress scheme for England and Wales

78. A redress scheme is a non-adversarial process by which financial redress (and potentially other forms of redress) may be provided to applicants. Unlike litigation settlement schemes, which may be used to compensate groups of claimants who have initiated civil claims against defendants (such as the scheme used to settle the civil claims brought by the victims of Jimmy Savile), redress schemes sit outside of the civil justice system.

79. There are two principal types of redress scheme:

¹⁵⁰⁷ [INQ006696_032](#) para 99

- **Private schemes:** these are developed and funded on a one-off basis by non-government institutions as a means for providing redress to a specific category of victims. Recent examples of this are the ‘Manchester City FC Survivors’ Scheme’ and a scheme under development by the Church of England.¹⁵⁰⁸
- **State-sponsored or funded schemes:** these provide financial redress and (in some cases) other forms of redress to victims who have experienced child sexual abuse (and other forms of abuse) in State institutions. Such schemes have been set up in a number of other jurisdictions, including Ireland, Northern Ireland, Jersey, Australia and Scotland. Generally, these are established nationally and known as national redress schemes, although State-funded schemes can be more limited – for example, the Lambeth Children’s Homes Redress Scheme. Another example of a State-funded scheme is the scheme for surviving former child migrants established by the government, following the Inquiry’s

¹⁵⁰⁸ *INQ006922; Archbishops’ Council’s response to recommendation 7 of The Anglican Church Investigation Report dated 4 February 2022 para 27*

recommendation.¹⁵⁰⁹ This opened to applicants in March 2019. Within a few months, 1,452 payments had been made or were pending.¹⁵¹⁰

80. Many victims and survivors from whom the Inquiry heard were dissatisfied with the processes of civil litigation and criminal compensation. A significant number of respondents to a Victims and Survivors Forum online questionnaire stated that they had had negative experiences of seeking redress, with many having done this through those processes.¹⁵¹¹ In addition, the majority of respondents to an Inquiry questionnaire were in favour of there being a redress scheme, with a number having made civil claims and applications to the CICA.¹⁵¹² Although based on a small sample, the response was consistent with other evidence the Inquiry heard. One claimant solicitor stated:

“Every single client that I have worked for over the years has complained about how they were treated through the civil justice system or

¹⁵⁰⁹ [INQ006782_003; Child Migration Programmes Investigation Report](#)

¹⁵¹⁰ [Home Office response to recommendation 2 in the Interim Report of the Independent Inquiry into Child Sexual Abuse dated 22 July 2019, pp3–4](#)

¹⁵¹¹ [Victims and Survivors Forum Consultation on Redress: Summary Report, IICSA, October 2020, pp5–6](#)

¹⁵¹² [INQ004866_002-004](#)

the Criminal Injuries Compensation System. No-one has come out of the experience feeling that they have been treated well through the civil justice system. It's been an uphill struggle all the way through for every single one of them. So a positive alternative to civil justice I think would be welcomed by all claimants, in my opinion."¹⁵¹³

81. One single redress scheme has a number of benefits over existing systems of civil justice and criminal compensation in England and Wales, which often do not provide the accountability and reparation sought by victims and survivors of child sexual abuse. The existing systems can be difficult to access and some of the rules may deter or prevent victims and survivors from pursuing their claims. Where claims are brought, the process – particularly in the civil justice system – can be protracted and re-traumatising. One solicitor who represents claimants in civil claims stated of redress schemes:

¹⁵¹³ David Greenwood 27 November 2019 147/4-147/24

“they have been a better experience. Victims have emerged from the process less bruised, wholer. Their trust in society restored – not totally restored, but you’ve got to start somewhere.”¹⁵¹⁴

82. Such a redress scheme can also provide a mechanism for recognition and reparation to victims and survivors who are unable or unwilling to seek compensation through other routes, or who are unable to benefit from the changes recommended to existing systems.

83. In order to acknowledge the State’s responsibility to protect children from sexual abuse and the consequent harm experienced over many decades, the Inquiry recommends that a national redress scheme be established in England and Wales. This is also consistent with the approach in the neighbouring jurisdictions of Scotland, Northern Ireland and the Republic of Ireland.

Recommendation 19: Redress scheme

The Inquiry recommends that the UK government establishes a single redress scheme in England and Wales, taking into account devolved responsibilities.

¹⁵¹⁴ *Accountability and Reparations Investigation Report, Part F.2 para 5*

The detailed rules of, and funding for, this redress scheme should reflect the following core elements.

Eligibility

- Victims and survivors of child sexual abuse and exploitation that occurred in England and in Wales should be eligible to apply.
- Applicants must have experienced child sexual abuse and exploitation where there is a clear connection to State or non-State institutions in England and Wales.
- The scheme should be open to any victim of child sexual abuse that took place prior to its establishment.
- The scheme should deduct any previous award from any payment under the scheme (or in the case of payments made by the Criminal Injuries Compensation Authority, it may order that they be repaid).
- Applicants who have previously brought civil claims which have been rejected by the court should be excluded from applying to the scheme, save where their cases have been rejected due to limitation.

Redress provided

- The scheme should provide payments to eligible applicants through a two-tier system, based on a fixed flat-rate recognition payment, with the option to apply for a second-tier payment.

Process

- The application process must be accessible and straightforward, and be sensitive to the needs and vulnerabilities of victims and survivors of child sexual abuse. The process should provide for streamlined checks and verification of applications, but not be adversarial.
- There should be special provisions to accelerate awards for older or terminally ill applicants.

Duration

- The scheme should run for five years.

Funding

- The scheme should be funded by central and local government, in accordance with devolved funding principles, with voluntary contributions sought from non-State institutions.

84. The current systems of financial redress should continue to exist alongside this scheme. It will provide much-needed public acknowledgement and practical reparation to victims and survivors of child sexual abuse.

85. The scheme should be established and funded by the State in recognition that the responsibility for all aspects of children’s welfare and well-being is a duty of the State as a whole. Individual institutions where child sexual abuse has occurred should also contribute towards the reparation provided by the scheme, in acknowledgement of their shared responsibility.

I.7: The key components of the national redress scheme

86. It is for the government to consider the detailed rules of, and funding for, a national redress scheme. The Inquiry has reviewed a range of evidence, particularly in the Accountability and Reparations investigation, and analysed comparable schemes.¹⁵¹⁵ It considers that key components for a national redress scheme include:

¹⁵¹⁵ *Accountability and Reparations Investigation Report, Part F; Civil Justice System Seminar: An update report, IICSA, March 2018, p14; 27 November 2019 146/8-192/11; 28 November 2019; 5 February 2020 60/8-125/5*

- eligibility: who the scheme is for;
- redress provided: the forms of reparation which should be provided;
- process: how the scheme should deliver reparation;
- duration: how long the scheme should last; and
- funding: who should pay for the scheme.

87. These core elements are informed by the scheme's overarching purpose, which is to address the failures of the past through the provision of recognition and reparation to victims and survivors of child sexual abuse. They are also underpinned by the need for the scheme to be as simple and non-adversarial as possible.

88. It is important that the government consult victims and survivors of child sexual abuse on the detail and proposals for the implementation of the redress scheme. Such consultation should include direct engagement and meetings.

Eligibility

Types of abuse

89. The redress scheme should be for victims and survivors of child sexual abuse and exploitation that occurred in England and Wales. Victims and survivors of child sexual abuse should be able to seek redress through the scheme whether the abuse was perpetrated by adults or other children.

However, the Inquiry also recognises that sexual activity between children below the legal age of consent may be consensual or non-abusive. The Inquiry does not consider that such consensual though unlawful behaviour should fall within the scope of the scheme, provided the scheme is satisfied that the sexual activity is not abusive, coercive or exploitative.

90. The Inquiry's work revealed that child sexual abuse and exploitation are often accompanied by other forms of abuse, such as physical abuse, emotional abuse and neglect, each of which can have similarly devastating impacts on victims and survivors. The government may wish to consider extending the scope of this redress scheme to include other forms of abuse in childhood as these are frequently interlinked.

Institutional connection

91. The national redress scheme should be open to applicants who have experienced child sexual abuse or exploitation connected to an institution in England and Wales, whether State or non-State.

92. There should be a clear connection between the institution and the sexual abuse experienced by the individual. This does not mean that the scheme should be limited to sexual abuse that has taken place on an institution's premises. Sometimes it will be easy to identify the connection. There

will be other circumstances where it may be less obvious. The Inquiry does not seek to define these circumstances, but considers that there are a number of potential indicators, including but not limited to:

- whether the institution was responsible for the care or custody of the child – for example, ‘looked after children’, who are children in the care of local authorities or accommodated by local authorities (for more than a continuous period of 24 hours);
- whether the sexual abuse occurred on the premises of the institution (whilst the institution was still in control of the premises) or in connection with its activities; and
- whether the sexual abuse was committed, caused or contributed to by a person working or volunteering at the institution, in the context of those activities.

93. All children placed by the State, for example in private or voluntary care homes, should fall within the scheme. It should also include children placed into foster care. This will include placements arranged by the State using either their own foster care scheme or a private or voluntary foster care agency. However, it should not include other arrangements, including private arrangements not otherwise sanctioned or approved by an institution.

Time periods

94. The scheme should not be limited to abuse that took place after a certain date. As one claimant representative put it, this would be “*imposing another form of limitation by the back door*”.¹⁵¹⁶ It is particularly important that those who have not been able to bring civil claims due to the operation of limitation, or apply to the CICA because the injury was sustained prior to 1 August 1964, are able to apply to the scheme.¹⁵¹⁷

95. The question of whether the scheme should be limited to child sexual abuse that took place before a certain date is less easy to answer. A number of claimant representatives were of the view that because child sexual abuse will remain a problem for the foreseeable future, any scheme should not be limited in duration.¹⁵¹⁸

96. It is unlikely that child sexual abuse will ever be completely eradicated. However, the Inquiry has made a number of recommendations to improve the protection of children as well as the existing systems of redress. The purpose of the national

¹⁵¹⁶ [Alan Collins 28 November 2019 65/23-25](#)

¹⁵¹⁷ [INQ003550__013 para 17](#)

¹⁵¹⁸ [Peter Garsden 5 February 2020 119/12-120/3](#); [Alison Millar 28 November 2019 100/16-101/1](#); [Alan Collins 28 November 2019 100/16-101/1](#); [Tracey Storey 28 November 2019 100/16-101/1](#)

redress scheme is to acknowledge the failures of the past and provide reparation to victims and survivors of child sexual abuse. The Inquiry therefore recommends that the scheme should be limited in duration and be restricted to child sexual abuse that took place prior to the establishment of the scheme.

Restrictions

97. The redress scheme should not allow an applicant to receive money twice for the same matter.

98. There are two main ways in which a redress scheme could prevent double recovery. First, it could exclude applicants who have previously received a payment for the abuse that forms the basis of any application under the scheme. The Inquiry does not consider this to be a fair option, given that levels of awards previously received through existing systems may be low. Second, it could reduce payments under the scheme to reflect any payments or awards previously received. This is the fairer solution. It is also the approach adopted in Northern Ireland and Scotland.¹⁵¹⁹ In the case of awards made by the

¹⁵¹⁹ [Historical Institutional Abuse \(Northern Ireland\) Act 2019, section 13](#); [Redress for Survivors \(Historical Child Abuse in Care\) \(Scotland\) Act 2021, sections 42–43](#)

CICA, the scheme could alternatively order that any payments be repaid rather than deducted, as with the Lambeth redress scheme.¹⁵²⁰

99. As with a number of other schemes, applicants who have previously brought civil claims which have been rejected by the court should be excluded from applying to the scheme, save where their cases have been rejected due to the operation of the law of limitation.¹⁵²¹ It is not generally appropriate for a scheme to assess claims which have previously been adjudicated on by the courts. However, an exception should be made for such applicants given that the law of limitation has unfairly operated as a barrier to victims and survivors of child sexual abuse bringing civil claims.

100. Some schemes have placed limits on eligibility based on previous criminal convictions.¹⁵²² The Inquiry's view is that where there is likely to be

¹⁵²⁰ [INQ006673__015 para 20.1](#)

¹⁵²¹ [Historical Institutional Abuse \(Northern Ireland\) Act 2019, section 4\(1\)\(a\), section 4\(3\); Residential Institutions Redress Act 2002, section 7\(3\)\(7\); INQ006878__068 para 7.4.3](#)

¹⁵²² [Redress for Survivors \(Historical Child Abuse in Care\) \(Scotland\) Act 2021, sections 60–61; National Redress Scheme for Institutional Child Sexual Abuse Act 2018, section 63](#)

a connection between the criminal offence and the child sexual abuse, the conviction should not be a bar to receiving an award.

101. Some schemes may also allow relatives (or other representatives) of deceased victims and survivors of child sexual abuse to apply.¹⁵²³

The Inquiry acknowledges that in certain special circumstances it may be appropriate for relatives (or other representatives) to apply.

Redress provided

Financial awards

102. Redress schemes usually determine the level of awards to applicants using fixed tariffs or payment bands. Some schemes focus on the nature and severity of the abuse. Others also consider the long-term impact of the abuse, including any psychiatric or psychological effects, and loss of opportunities this may have caused, for example to receive a good education or obtain employment.

103. Examples of approaches followed by other schemes include:

¹⁵²³ [Historical Institutional Abuse \(Northern Ireland\) Act 2019, section 6](#); [Redress for Survivors \(Historical Child Abuse in Care\) Scotland Act 2021, sections 24–25](#); [Residential Institutions Redress Act 2002, section 9](#); [INQ006673_011 para 14](#)

- **Republic of Ireland (2002–2011):** a points system, based on four criteria: the severity of the abuse, medically verified physical or psychiatric illness, psycho-social consequences of the abuse and loss of opportunity. The total number of points then determined the payment band.¹⁵²⁴
- **Jersey 1 (2012) and Jersey 2 (2019–2020):** different payment ranges or bands depending on criteria based on the nature and severity of the abuse and its consequences.¹⁵²⁵
- **Lambeth Council (2018–2022):** a points system, allocated under different payment bands which took into account the nature, severity and frequency of the abuse, the nature and severity of physical or psychiatric injuries, and loss of opportunity.¹⁵²⁶
- **Australia (2018 to present):** awards are determined by the type of abuse. Fixed amounts are allocated to recognise the sexual abuse. Additional fixed amounts can be awarded to recognise the impact of the abuse, any non-sexual abuse, institutional

¹⁵²⁴ [Residential Institutions Redress Act 2002 \(Section 17\) Regulations 2002](#)

¹⁵²⁵ [INQ006873__004 para 26; INQ006878__071 para 9.5](#)

¹⁵²⁶ [INQ006673__002 para 2.11; LAM028347](#)

vulnerability of applicants and, in the case of penetrative abuse, the extreme circumstances of the abuse.¹⁵²⁷

- **Northern Ireland (2020 to present):** all eligible applicants receive an initial fixed payment. They may be awarded an additional fixed amount if it is “*justified by the severity of the matters raised by the application*”.¹⁵²⁸
- **Scotland (2021 to present):** all eligible applicants receive an initial fixed-rate payment. They may also be awarded an individually assessed payment, by way of additional fixed sums, based on the nature, severity, frequency and duration of the abuse, and any other matter considered relevant.¹⁵²⁹

104. There is no perfect system for calculating awards. The simpler the system – for example, a basic tariff system focussing solely on the abuse – the easier it will be to operate, but the more likely it is that it will be criticised for rigidity and failing to differentiate between applicants and their experiences. Conversely, the more complex the

¹⁵²⁷ National Redress Scheme for Institutional Child Sexual Abuse Assessment Framework 2018, section 5

¹⁵²⁸ Historical Institutional Abuse (Northern Ireland) Act 2019, section 12

¹⁵²⁹ Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021, sections 38–39

system, particularly the extent to which it seeks to make payments for the long-term effects of abuse, the higher and more attractive the awards will be, but the more legalistic (that is, similar to the civil justice system) the scheme will become.

105. The national scheme needs to maintain simplicity but also differentiate between applicants and their experiences and take into account their varying needs. The Inquiry recommends that the national redress scheme in England and Wales should comprise a two-tier system, based on a fixed flat-rate recognition payment with the option to apply for a second-tier payment. The first-tier fixed-rate payment will be available to victims and survivors who meet the eligibility requirements of the scheme and the payment will reflect that they do not want to recount in detail the sexual abuse experienced. The second-tier payment will be available to eligible applicants who wish to provide more details and evidence (including of a medical nature where necessary), with assistance if required. This will provide a greater degree of flexibility and choice for victims and survivors. It will also be more straightforward to operate.

106. A number of claimant and defendant representatives suggested that the payments should be no less, or not significantly less, than

damages available in civil claims.¹⁵³⁰ The Inquiry considers, however, that payments made by the scheme should be sufficient to recognise the experiences of victims and survivors, but may not be as high as the awards available in civil claims, for two reasons:

- awards made by the scheme are intended to acknowledge the experiences of victims and survivors, not provide compensation akin to that achievable through a civil claim, which will still remain open for applicants to pursue; and
- substantial awards for long-term losses, such as loss of earnings or the cost of therapy for psychiatric conditions, necessitate complex and time-consuming assessments. This would undermine the speed, simplicity and certainty that the redress scheme could otherwise provide.

107. For these reasons, the Inquiry considers that the first-tier payment in particular would be set at a modest level. Consultation with victims and survivors should include their views on payments and the factors to be considered when assessing the second-tier payment – for example, the nature of the abuse, the age of the victim at the time, the duration of the abuse and its impact.

¹⁵³⁰ [Alastair Gillespie 27 November 2019 170/22-25](#); [Alison Millar 27 November 2019 167/11-15;INQ004778__012](#) para 75(c)

Subsequent awards

108. Consideration will need to be given as to how to prevent any double recovery.

109. Victims and survivors receiving an award under the scheme should not be expected to waive any right to bring subsequent civil proceedings and it is therefore important that this option remains open for applicants, even where they have received an award under the scheme.

Process

110. The application process must be accessible, straightforward and sensitive to the needs and vulnerabilities of victims and survivors of child sexual abuse. It should not be adversarial.

Applications should normally be in writing. In exceptional circumstances, oral evidence may be required. Those assessing applications must have the appropriate knowledge, training, experience and empathy.

111. The process should provide for streamlined checks and verification of applications. Applicants to the scheme will need to demonstrate that, on the balance of probabilities, they have experienced child sexual abuse connected to an institution.

However, they should not be required to repeat previous accounts of abuse unnecessarily.

Applicants applying for second-tier payments should ordinarily provide a more detailed account

of the abuse and its impact. They may also need to provide medical evidence, for example from their GP, although new medical assessments should only take place where strictly necessary.

112. Criminal convictions related to the abuse or admissions of responsibility by institutions will reduce or negate the need for other evidence. Where there has not been a criminal conviction, the scheme should obtain other forms of evidence necessary to determine the applications, either from the applicants or from other organisations, for example social care and medical records.

113. Some victims and survivors may struggle to complete the application process without assistance. Applicants may have disabilities or vulnerabilities that need to be accommodated. Support and assistance should be supplied by the scheme, through the provision of advice and trained caseworkers as well as, where necessary, legal assistance.

114. A review process should be in place to ensure fairness to those applicants who want their cases to be reconsidered.

115. The Inquiry recognises that it will take some time to set up a national redress scheme. Special provisions will be required, therefore, to provide accelerated awards to elderly or terminally ill applicants who would otherwise not benefit from the scheme.

Duration

116. The national redress scheme should be restricted to child sexual abuse that took place prior to the scheme's establishment.

117. It follows therefore that the scheme should be limited in duration. The Inquiry considers that the scheme should be open for a period of five years, which will allow sufficient time for eligible individuals to apply and for the applications to be processed.

Funding

118. National redress schemes can be funded solely by the government or by the government with financial contributions from perpetrators and institutions (and their insurers). Contributions may be compulsory or voluntary. Voluntary contributions may be encouraged by way of incentives or penalties.

119. Other schemes have taken a variety of approaches:

- **Republic of Ireland (2002–2011):** the scheme was funded by the State along with contributions from other organisations.¹⁵³¹
An agreement was reached to split financial

¹⁵³¹ Residential Institutions Redress Act 2002, section 23(1); INQ006700_059

contributions between the State and religious bodies but, reportedly, the latter did not in fact contribute in full.¹⁵³²

- **Jersey 1 (2012) and Jersey 2 (2019–2020):** both schemes were funded by the State. Under the more recent scheme, the government could seek to recover payments from the perpetrators and organisations which may have been liable through recovery actions.¹⁵³³
- **Lambeth Council (2018–2022):** the scheme was funded by Lambeth Council, which received permission from the government allowing it to borrow the necessary funds.¹⁵³⁴ As with the recent Jersey scheme, the Council could seek recovery of redress payments through recovery actions against the perpetrators and organisations which may have been liable for the abuse.¹⁵³⁵
- **Australia (2018 to present):** the Australian federal government (the Commonwealth) is liable for the initial costs of payments and administration but participating institutions must reimburse their share of cost of payments and

¹⁵³² [INQ006700_047](#) para 7.2

¹⁵³³ [INQ006700_061](#); [INQ006878_002-003](#), 078 para 23

¹⁵³⁴ [INQ006876_001](#), 018 para 3.5

¹⁵³⁵ [INQ006673_015](#) para 21.1

running of the scheme.¹⁵³⁶ There are four types of participating institutions: (i) Commonwealth institutions; (ii) State institutions; (iii) territory institutions; and (iv) non-government institutions (such as churches or sporting clubs). While all Commonwealth institutions are participating institutions, State, territory and non-government institutions are only participating institutions if they agree and a declaration is made.¹⁵³⁷

A participating government institution (or participating jurisdiction) may be the “*funder of last resort*” for a “*defunct*” institution in certain circumstances.¹⁵³⁸ Although the scheme is voluntary in nature for non-Commonwealth institutions, there may be financial or other consequences, such as loss of charitable status, for institutions which do not join the scheme.¹⁵³⁹

¹⁵³⁶ National Redress Scheme for Institutional Child Sexual Abuse Act 2018, section 148

¹⁵³⁷ National Redress Scheme for Institutional Child Sexual Abuse Act 2018, section 107

¹⁵³⁸ National Redress Scheme for Institutional Child Sexual Abuse Act 2018, section 162

¹⁵³⁹ INQ006875

- **Northern Ireland (2020 to present):** the scheme is State-funded but the executive is reportedly pursuing State-led institutions and churches for contributions.¹⁵⁴⁰
- **Scotland (2021 to present):** the scheme is State-funded with “*fair and meaningful*” contributions sought voluntarily from public authorities, voluntary organisations and other persons “*who exercise or have exercised functions in relation to the safeguarding or promotion of the welfare of children, or the protection or furthering of their interests*”. The Scottish ministers must maintain and publish a list of scheme contributors. The list must record both the addition and removal of contributors.¹⁵⁴¹ A collective contribution is also being sought through the Convention of Scottish Local Authorities to reflect the legacy of local government responsibility for abuse in care.¹⁵⁴²

120. The Inquiry recommends that the national redress scheme in England and Wales should be funded by central and local government, in accordance with devolved funding principles, with

¹⁵⁴⁰ [Historical Institutional Abuse \(Northern Ireland\) Act 2019, Schedule 1, section 10; INQ006874](#)

¹⁵⁴¹ [Redress for Survivors \(Historical Child Abuse in Care\) \(Scotland\) Act 2021, section 14; INQ006879; INQ006877_059-063](#)

¹⁵⁴² [INQ006877_062 para 230; INQ006879_004](#)

voluntary contributions sought from non-State institutions. This will provide acknowledgement of the overarching failure of the State to adequately protect children from sexual abuse. Additionally, it will ensure that the scheme is securely and adequately funded throughout its duration, so that successful applicants receive awards whether or not a contribution is made by the relevant institution.

121. It is important that non-State institutions contribute to the scheme, giving them the opportunity to demonstrate their commitment to supporting victims and survivors, many of whom will have been abused in institutional settings. It will also provide a sense of ‘justice’ that some victims and survivors require.

122. The Inquiry considered whether compulsory contributions could be sought from insurers, for example by way of a global ‘levy’ on insurers who provide cover for particular institutions or a case-by-case recoupment process. However, many cases of child sexual abuse do not involve an insured perpetrator or institution, and even where they do, there are complex contractual and regulatory obligations which (while not necessarily insurmountable) would have to be accommodated. Some defendant representatives and insurers made the point that a demonstrable legal liability is usually required to trigger an insurer’s obligation

to pay.¹⁵⁴³ However, the Inquiry considers that this should not prevent insurers from making voluntary contributions.¹⁵⁴⁴

123. Taking these considerations into account, the Inquiry recommends that the scheme should be State-funded but that the State should encourage non-State institutions and their insurers (if any) to contribute voluntarily.

124. There is an expectation that institutions responsible for the well-being or welfare of children which failed to protect them from sexual abuse contribute to the funding of the scheme, unless they have already (or intend to) set up their own redress schemes. The government should maintain a list of institutions from which they seek contributions, and publish a list of those which contribute. Where institutions do not respond or their contributions are considered insufficient, further action may be considered, such as publication of a list of institutions which refrain from contributing or from contributing sufficiently.

¹⁵⁴³ Alastair Gillespie 27 November 2019 155/21-156/23; David Bonehill 28 November 2019 61/7-13, 72/25-73/7, 112/15-20; Philippa Handyside 5 February 2020 71/10-72/20, 73/18-75/4

¹⁵⁴⁴ Ravi Nayer 5 February 2020 72/21-73/17, 75/22-76/13; Philippa Handyside 5 February 2020 75/12-21

Part J

Evolving challenges

Evolving challenges

J.1: Introduction

1. The risks to children from child sexual abuse and exploitation are evolving. These challenges may be entirely new and arise, for example, as a result of technological advances. Alternatively, they may arise as a result of developments in how society understands and responds to a particular risk. Institutions and leaders must recognise developing challenges and ensure that their responses are capable of rapid adaptation to the evolving nature of the threat.

2. The Inquiry considers that emerging technologies and the globalised nature of child sexual abuse are key aspects of the future challenges to protect children properly. It is critical that statutory agencies, the institutions which interact with children and the online safety regulator are better able to anticipate and respond to risks.

J.2: Globalisation

3. The sexual abuse of children is not confined to any specific region, country or continent. A recent review *“conservatively estimated that 1% of the global male population is affected by paedophilia*

(sexual attraction to prepubescent children)”¹⁵⁴⁵

The worldwide scale of the problem is also apparent from the fact that the UK is one of a number of countries, including the US, Australia, the Republic of Ireland and Germany, to have established their own inquiries into child sexual abuse. The Roman Catholic Church has initiated inquiries in Germany, France, Spain and Japan.

4. In 1996, the UK hosted 18 percent of the worldwide total of online child sexual abuse imagery. By 2020, this figure was 0.1 percent, with only 180 URLs (web addresses) in the UK displaying child sexual abuse imagery.¹⁵⁴⁶ By way of comparison, in 2020:

- the Netherlands hosted 117,544 URLs;
- the USA hosted 8,257 URLs;
- Russia hosted 3,742 URLs; and
- Thailand hosted 1,299 URLs.¹⁵⁴⁷

5. That the UK hosts a relatively small amount of this material may be deceptive. A recent report by the Centre for Social Justice noted that “*Britons are the third largest consumers of indecent images of children behind only America and Canada.*”¹⁵⁴⁸ In relation to live streaming, individuals who purchase

¹⁵⁴⁵ [INQ006749_045](#)

¹⁵⁴⁶ [INQ006725_001](#)

¹⁵⁴⁷ [INQ006921_003](#)

¹⁵⁴⁸ [INQ006704_026](#)

or view this material are predominantly based in Europe, North America and Australia.¹⁵⁴⁹ Online perpetrators in the UK contribute to the increasing demand for child sexual abuse material, so the UK government and Welsh Government must take robust action as part of the global response.

6. In June 2018, following a recommendation by the Inquiry, the UK government ratified the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (also known as the Lanzarote Convention).¹⁵⁵⁰ The Lanzarote Convention sets out a wide range of measures that must be in place to protect children from sexual abuse, including:

- introducing preventive measures (such as the screening, recruitment and training of people working with children, and making children aware of the risks of child sexual abuse);
- establishing programmes to support victims and survivors, encourage the reporting of suspected child sexual abuse, and set up telephone and internet helplines for children; and

¹⁵⁴⁹ [INQ006749_060](#)

¹⁵⁵⁰ *Government response to the Ratification of Lanzarote Convention recommendation in the Interim Report of the Independent Inquiry into Child Sexual Abuse dated 20 June 2018*

- ensuring that engaging in sexual activities with a child (such as grooming and overseas child sexual abuse) are criminalised.

7. In 2022, the Lanzarote Committee (the body established to monitor whether parties implement the Lanzarote Convention effectively) published guidance to governments about self-generated child sexual abuse imagery.¹⁵⁵¹ It also reported on the measures taken by some Member States to protect children affected by the refugee crisis in Europe from child sexual abuse and exploitation.¹⁵⁵² These publications emphasised and reinforced that the institutional response, in particular that of the government and law enforcement, must therefore include an international dimension and cooperation with other countries and international organisations and bodies.

International engagement

8. There are a number of State and non-State institutions in England and Wales that operate on the international stage.

¹⁵⁵¹ [INQ006936](#)

¹⁵⁵² [INQ006863](#)

8.1. The Virtual Global Taskforce was established in 2003 as a collaboration between international law enforcement agencies and industry. The UK’s National Crime Agency (NCA) is a member.¹⁵⁵³

8.2. The WeProtect Global Alliance was established in 2014 as a forum to improve the global response to online-facilitated child sexual abuse. In 2022, it has over 200 members, bringing together governments, companies, civil society organisations and international organisations.¹⁵⁵⁴ In its *Global Threat Assessment 2021*, the Alliance stated that the reporting of child sexual exploitation and abuse online had “reached its highest levels”, with evidence of increases in:

- the incidence of online grooming;
- the volume of child sexual abuse material available online;
- the sharing and distribution of child sexual abuse material; and
- live streaming for payment.¹⁵⁵⁵

¹⁵⁵³ *The Internet Investigation Report*, Part B.3 para 34.1

¹⁵⁵⁴ *The Internet Investigation Report*, Part B.3 para 34.3; INQ006717_001

¹⁵⁵⁵ INQ006749_005

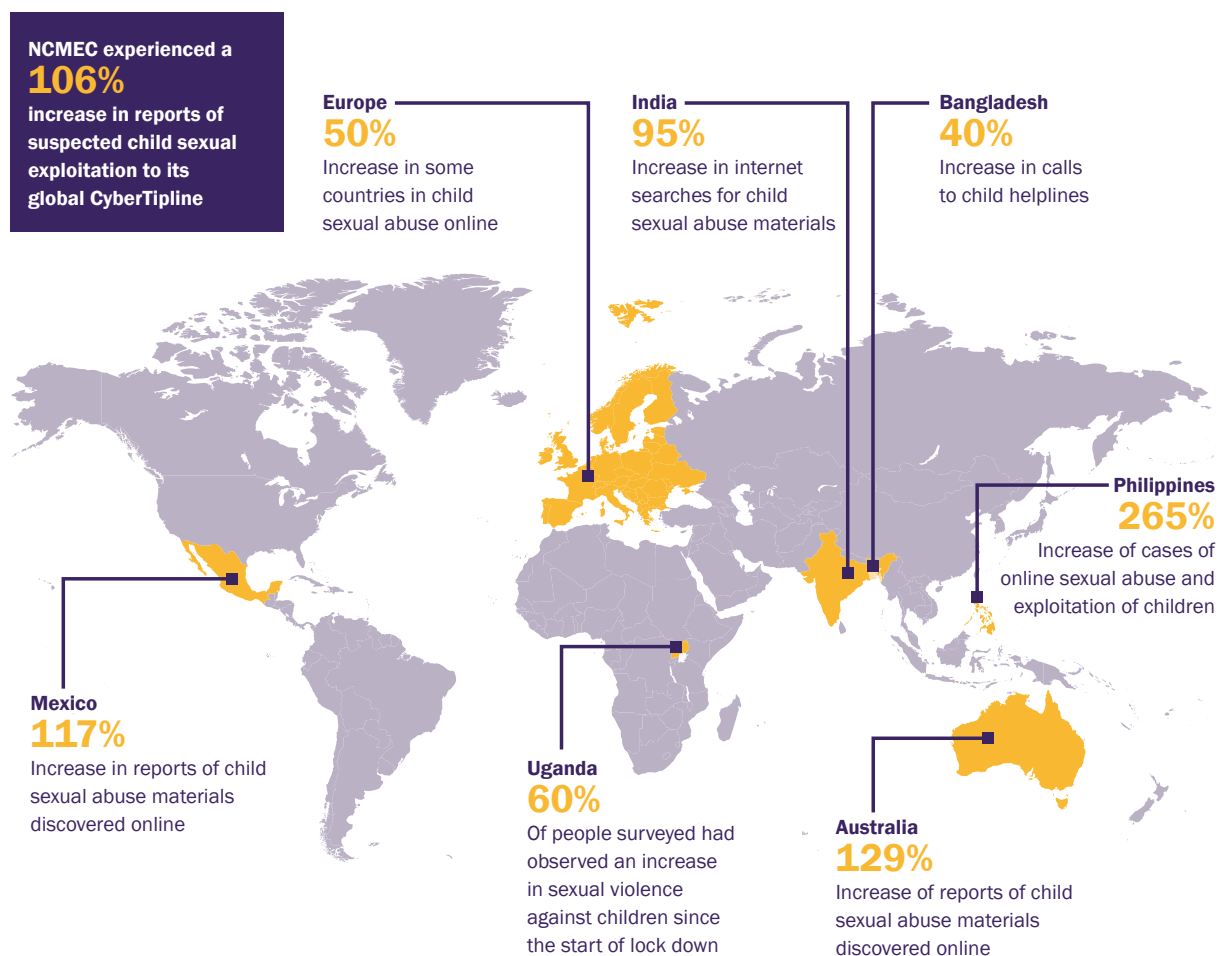


Figure J.1: *Increases in child sexual abuse during COVID-19*

Source: WeProtect Global Alliance, Global Threat Assessment 2021, figure 5

8.3. The UK is also one of the five countries (along with the US, Canada, Australia and New Zealand) participating in the ‘Five Eyes’ Ministerial, an alliance to promote and assist the sharing of intelligence between governments. In July 2019, the Ministerial met with digital industry representatives (Facebook, Google, Microsoft, Roblox, Snap and Twitter) to discuss the role of the digital industry in combating online child

sexual exploitation on their platforms. One outcome of that meeting was an agreement among the Ministerial that government officials would work with industry to develop voluntary principles to guide private sector efforts in this regard. In March 2020, the Ministerial set out 11 voluntary principles which “*aim to provide a framework to combat online child sexual exploitation and abuse, and are intended to drive collective action*”.¹⁵⁵⁶

8.4. The Internet Watch Foundation (IWF) is an independent charity which searches for and removes online records of child sexual abuse. The IWF works with local governments, the police, industry, funders and charities to enable the reporting of suspected online child sexual abuse directly to the IWF’s analysts in the UK.¹⁵⁵⁷ It hosts 43 reporting portals worldwide. The portals offer a mechanism for reporting online child sexual abuse imagery for countries that do not currently have this facility. Recent additions include reporting portals in Morocco (February 2021) and Tunisia and Kenya (both June 2021).¹⁵⁵⁸

¹⁵⁵⁶ [INQ006726_001](#)

¹⁵⁵⁷ [INQ006718](#)

¹⁵⁵⁸ [INQ006701](#); [INQ006713](#)

9. Perpetrators who travel from the UK and sexually abuse and exploit children overseas are known by law enforcement agencies as transnational child sex offenders.¹⁵⁵⁹ The Inquiry's *Children Outside the UK Phase 2 Investigation Report* (published in January 2020) noted the underuse of domestic legislation which enables UK nationals to be prosecuted in England and Wales for sexual abuse that they have committed abroad.¹⁵⁶⁰ It also recommended that legislation be enacted to enable the NCA to establish and maintain a list of countries where children are considered to be at high risk of sexual abuse and exploitation from overseas offenders. This should be made available to the police and used to help determine whether a person who has been charged with sexual offences against a child poses a risk to children overseas based on their travel history and/or plans. Where such a risk exists, the list of countries should be admissible in court and used when considering whether a foreign travel restriction order should be made under the Sexual Offences Act 2003 and, if so, to which countries

¹⁵⁵⁹ *Children Outside the United Kingdom Investigation Report*, Part A.2 para 8

¹⁵⁶⁰ *Children Outside the United Kingdom Investigation Report*, Executive Summary

it should apply.¹⁵⁶¹ In June 2022, the legislation giving effect to the Inquiry's recommendation came into force.¹⁵⁶²

10. In addition to the work undertaken internationally, there is growing concern about the ways in which child sexual exploitation is being facilitated by modern slavery and trafficking.

10.1. In 2020, the United Nations Office on Drugs and Crime reported that globally about a third of detected victims of trafficking were children, with sexual exploitation and forced labour comprising the main forms of child trafficking.¹⁵⁶³ The WeProtect Global Alliance's *Global Threat Assessment 2021* considers that trafficking will further complicate live streaming investigations:

“The crossover between livestreaming and trafficking is likely to become increasingly blurred as more traffickers move their business models online to circumvent the impact of COVID-19 restrictions.”¹⁵⁶⁴

¹⁵⁶¹ *Children Outside the United Kingdom Investigation Report*, Part F.2 (Recommendation 2)

¹⁵⁶² *The Police, Crime, Sentencing and Courts Act 2022*, Section 172

¹⁵⁶³ [INQ006865_082](#)

¹⁵⁶⁴ [INQ006749_061](#)

10.2. The government's *Tackling Child Sexual Abuse Strategy* (2021) acknowledges that some victims and survivors of child sexual exploitation will also be victims of modern slavery (which includes human trafficking, slavery, servitude and forced or compulsory labour for the purpose of exploitation).¹⁵⁶⁵ The strategy sets out the use of independent child trafficking guardians (ICTGs) to support victims and survivors and provide advice to trafficked children. The Home Office will continue the national roll out of ICTGs as part of the National Referral Mechanism (NRM) Transformation Programme.¹⁵⁶⁶

10.3. In the UK, it is difficult to quantify the number of children who have been trafficked and, of those victims, to determine the numbers of children trafficked for sexual exploitation – not all victims will come to the attention of the authorities and be referred through the NRM. However, in 2020/21, of those children referred to the NRM, sexual exploitation was the second most commonly recorded reason for the referral. The UK was recorded as the country of origin

¹⁵⁶⁵ [INQ006448_070](#) para 218; Statutory Guidance for local authorities is also found in [CRS000024](#)

¹⁵⁶⁶ [INQ006448_070](#) para 218

for the majority of referrals, but countries such as Vietnam, Sudan, Albania, Romania, Afghanistan and Iraq were also listed.¹⁵⁶⁷

11. The need for the national response to incorporate the wider context of the global problem is obvious. Increased international cooperation between governments, law enforcement agencies and other organisations is therefore vital in combating the harm being done to children worldwide.

J.3: Technological developments

Computer-generated imagery

12. The digital technologies used to facilitate child sexual abuse are continually expanding. While computer-generated imagery (CGI) is not a new innovation, it enables individuals to create artificial child sexual abuse material.

13. ‘Deepfake’ technology is a form of CGI that uses artificial intelligence (AI) to manipulate a still or moving image, thereby replacing one person’s likeness with another. It is easily accessible via mobile or computer-based apps and is a harmful, emerging form of image-based sexual abuse. In 2020, sexualised ‘deepfake’ images of more than 100,000 women and apparently underage girls were generated by users of an AI bot (an

¹⁵⁶⁷ [INQ006864_009](#)

automated software programme) that ‘removed’ items of clothing from non-nude photos taken from social media. The messaging app Telegram was then used to distribute the images.¹⁵⁶⁸

14. As with laws criminalising the possession of indecent photographs and videos of children, it is also illegal to possess non-photographic child sexual abuse images.¹⁵⁶⁹ The legislation therefore prohibits possession of material such as comics, cartoons, drawings, manga (Japanese comic books) images and CGI that depict a defined set of sexual acts with a child.¹⁵⁷⁰ The IWF operates a non-photographic imagery URL list which helps companies block access to website addresses that contain this kind of material.¹⁵⁷¹

15. While the possession of non-photographic material does not cause direct physical harm to a child, it is a powerful indicator that the individual has a sexual interest in children and may be a risk to children. Moreover, this material is still harmful because *“it fuels very real fantasies, encourages the propensity of sexual predators, and contributes to maintaining a market for child sexual abuse material”* and *“it creates a culture of tolerance for the sexualisation of children and thereby cultivates*

¹⁵⁶⁸ [INQ006750](#)

¹⁵⁶⁹ [Coroners and Justice Act 2009, section 62](#)

¹⁵⁷⁰ [Coroners and Justice Act 2009, section 62](#)

¹⁵⁷¹ [INQ006716](#)

demand".¹⁵⁷² If CGI images become so lifelike that they cannot be distinguished from a real image, it may become more difficult and time-consuming for law enforcement to identify genuine child victims and take steps to protect them.

16. However, not every country has legislated against the possession of non-photographic material.¹⁵⁷³ The absence of this legislation is not just symbolic – it hampers law enforcement’s ability to take action against those who pose a risk to children, and also creates “*a sense of impunity to further fuel offending, not least because offenders have been noted to purposely target children in jurisdictions with weak provisions*”.¹⁵⁷⁴

The metaverse

17. Interactive games where children communicate with other players online have long been used as a means of grooming children and exposing them to other forms of sexually exploitative activity. Virtual reality (VR) games, along with augmented reality (AR) games (which superimposes digital content such as images, sounds and text over a real-world environment), can be used by offenders to exploit

¹⁵⁷² [INQ006705_015](#)

¹⁵⁷³ [INQ006702_009](#)

¹⁵⁷⁴ [INQ006749_029](#)

children. For example, in AR a child might explore their local area, with some games enabling the location of the child to be tracked.¹⁵⁷⁵

18. More recently, a number of companies, including Roblox (a children's online gaming platform that allows players to build and play their own games together) and Meta (formerly known as Facebook), have developed their own virtual worlds known as the metaverse. The metaverse is a VR space where users can interact with a computer-generated environment and other users. It also has the potential to become a 'safe space' for sex offenders who use it as a tool for the sexual exploitation and abuse of children.

18.1. Its immersive nature means that it poses an enhanced threat when compared with other digital landscapes. For example, unlike social media, where the ability to initiate an interaction is mostly limited to text-based messages and emojis, the metaverse enables the sensation of physical touch. The VR company Emerge, for example, recently launched a product that enables 'bare-hands' tactility.¹⁵⁷⁶ This would allow sexual predators to feel and be felt by their victims, without the need for physical contact.

¹⁵⁷⁵ [NCA000363_023](#) para 54

¹⁵⁷⁶ [INQ006706](#)

18.2. Safety policies are extremely difficult to monitor and enforce in virtual spaces. Unlike mobile phones, computers or gaming consoles, VR headsets cannot be externally monitored by parents and they do not store records of users' interactions.¹⁵⁷⁷

18.3. It is also an environment where sexual offenders are able to hide behind anonymous avatars, which are digital representations of themselves. Users' identities are not verified and children can access adult-only features simply by ticking a box to declare that they meet the minimum age requirements.

18.4. Meta's virtual world, introduced in 2019, enables users to create avatars and interact with others using VR headsets. Meta's age policies have been described as "*a paper tiger*", in that once a headset is linked to an adult's account, it can be used freely by people of any age.¹⁵⁷⁸ In spring 2022, Meta added parental controls to its headsets which enable a parent or guardian to prevent access to specific games and apps.¹⁵⁷⁹

¹⁵⁷⁷ [INQ006751](#)

¹⁵⁷⁸ [INQ006710_005](#)

¹⁵⁷⁹ [INQ006956](#)

19. Recent news stories highlight the ease with which children, particularly those under the age of 13, are exposed to the risk of sexual harm.

19.1. The VR app VRChat allows people to socialise as 3D avatars in a variety of online spaces. The app has a minimum age rating of 13 years but can be downloaded without any age verification or identity checks. Research conducted by the Centre for Countering Digital Hate (CCDH) found that users of the app were exposed to abusive behaviour every seven minutes. This included children being exposed to graphic sexual content, sexual harassment and grooming.¹⁵⁸⁰ For example, a young person's avatar was followed by "*two heavily breathing men*" and another male joked in front of a child that he was a "*convicted sex offender*".¹⁵⁸¹

19.2. A BBC News researcher investigated VRChat while posing as a 13-year-old girl. She visited rooms where child users could interact freely with adults, including pole dancing and strip clubs. The researcher witnessed sexual harassment, rape threats and a group of avatars who were simulating sex. She was also shown sex paraphernalia and was propositioned by several adult men. A safety campaigner told

¹⁵⁸⁰ [INQ006707](#)

¹⁵⁸¹ [INQ006724__002-003](#); [INQ006707](#)

the BBC that he had spoken to children who had been groomed and forced to take part in virtual sex.¹⁵⁸²

19.3. In June 2018, a seven-year-old girl’s avatar was sexually assaulted in Roblox’s virtual playground.¹⁵⁸³ In February 2022, it was reported that Roblox had hosted games featuring rooms where children could watch avatars involved in simulated sexual acts. While the article stated that Roblox “*stressed that it was very unlikely a child would stumble across these rooms unless actively looking for them and that the games were usually only up online for as little as an hour before moderators discover and take them down*”, Figure J.2 provides an example of the kind of game that children could access.

1582 [INQ006715](#)

1583 [INQ006753](#)



Figure J.2: *An example of a screenshot from Roblox*

Source: The Times, 16 February 2022, Nazi sex parties hosted on children's game Roblox

19.4. Another parent discovered that graphic messages had been sent to her young son, who was groomed into sending sexually explicit images of himself.¹⁵⁸⁴ Players can earn 'Robux', a digital currency used to purchase in-game upgrades and accessories. There have been reports of children using their avatars to exchange lap dances for Robux in virtual strip clubs.¹⁵⁸⁵

¹⁵⁸⁴ INQ006719_002

¹⁵⁸⁵ INQ006722

19.5. In December 2021, during trials of the VR platform Horizon Worlds, several users alleged that they were sexually assaulted or harassed while using the system. One victim was “groped” by a stranger while others watched.¹⁵⁸⁶ Another user reported that her avatar was “*virtually gang-raped*” by a group of male avatars.¹⁵⁸⁷

20. Head of online child safety at the National Society for the Prevention of Cruelty to Children (NSPCC), Mr Andy Burrows, said about the metaverse that:

*“We are seeing products rolled out without any suggestion that safety has been considered”.*¹⁵⁸⁸

21. The Home Office’s *Interim Code of Practice on Online Child Sexual Exploitation and Abuse* (Interim Code, see below) makes clear that VR child sexual abuse material (along with photographs, videos and other material) should be reported.¹⁵⁸⁹ Security controls and safety measures are required, however, to prevent sexually abusive behaviour from taking place in VR. These need to be implemented before the metaverse becomes widely adopted and accessible.

¹⁵⁸⁶ [INQ006944](#)

¹⁵⁸⁷ [INQ006727_002](#)

¹⁵⁸⁸ [INQ006715_003](#)

¹⁵⁸⁹ [INQ006672_045](#) para 1

The role of artificial intelligence

22. There are also benefits to many technological advances. In particular, the ability of artificial intelligence (AI) to process large volumes of data means that it can be employed to create a safer online environment for children.

22.1. AI can be used to help infiltrate offender networks. In 2013, a computer-generated image of a fictional child known as the ‘Sweetie’ avatar was used to identify more than 1,000 online predators in 71 countries.¹⁵⁹⁰

22.2. ‘Chat-bots’ can carry out text-message conversations with buyers and providers of sexual services, thereby obtaining additional information with which to prosecute perpetrators.

22.3. In February 2021, Government Communications Headquarters (GCHQ) published a report outlining how AI can be used to tackle issues including child sexual abuse and trafficking.¹⁵⁹¹ This includes training AI tools to identify potential grooming behaviour.¹⁵⁹²

¹⁵⁹⁰ [INQ006703](#)

¹⁵⁹¹ [INQ006902_010](#)

¹⁵⁹² [INQ006902_011](#)

22.4. In February 2022, Meta added a ‘Personal Boundary’ feature to its VR experiences. This prevents avatars from coming within a set distance of each other, thereby making it easier to avoid unwanted contact.¹⁵⁹³

J.4: Online-facilitated child sexual abuse

23. As set out in Part B, within the lifetime of this Inquiry, the scale of online-facilitated child sexual abuse has continued to escalate, year on year. In the UK, there has been a rapid increase in the amount of self-generated child sexual imagery, the age of children at risk of online harm has decreased and, worldwide, the number of referrals to law enforcement runs into the tens of millions.

24. Given the “*exponential increase in reports of abuse*” to the police, it is unlikely therefore that law enforcement could ever keep pace with the scale or rapid development of the threat.¹⁵⁹⁴ This uncomfortable reality led a number of witnesses to state that they believed that the police “*can’t simply arrest our way out*” of the scale of offending.¹⁵⁹⁵

¹⁵⁹³ [INQ006711_002](#)

¹⁵⁹⁴ [Simon Bailey 20 May 2019 113/20; *The Internet Investigation Report*, Part C.2 para 62](#)

¹⁵⁹⁵ [Jim Gamble 23 January 2018 28/10; *The Internet Investigation Report*, Part C.2 paras 62–66](#)

This is not just a problem facing England and Wales. The WeProtect Global Alliance’s *Global Threat Assessment 2021* indicated that the “*sustained growth*” in the scale of child sexual exploitation and abuse online is “*outstripping our global capacity to respond*”.¹⁵⁹⁶

25. The IWF reported that self-generated sexual imagery of children aged from 7 to 10 years old has increased three-fold, making it the fastest growing age group. In 2020, there were 8,000 instances; in 2021 there were 27,000 – a 235 percent increase.¹⁵⁹⁷ Children have expressed concern about repeat victimisation because self-generated sexual images may remain available on the internet.¹⁵⁹⁸ In summer 2021, it was announced that the IWF had partnered with Childline to launch an online tool, Report Remove, that empowered children and young people to remove nude videos or images of themselves from the internet. The tool can be used by anyone under the age of 18 to report a nude photo or video of themselves. The IWF subsequently reviews the report and has the content deleted if it breaks the law. Throughout the process, the young person can stay anonymous if they wish, and Childline ensures that they are

¹⁵⁹⁶ [INQ006749_003 para 1](#)

¹⁵⁹⁷ [INQ006684_002-003](#)

¹⁵⁹⁸ [The Internet Investigation Report, Part C.1 para](#)

safeguarded and supported.¹⁵⁹⁹ Given the growth in self-generated imagery, Report Remove is likely to become an increasingly useful tool to help prevent children being harmed by the knowledge that an image of them is available online to be viewed and shared with others.

The dark web

26. There are growing concerns about the increase of offending via the dark web. Statistics from the NCA show that, in 2020, 2.88 million accounts were registered globally across the most harmful child sexual abuse dark web sites, with at least 5 percent believed to be registered in the UK.¹⁶⁰⁰ A recent survey of just over 1,500 individuals who used the dark web found that 42 percent of respondents reported that they had sought direct contact with children through online platforms after viewing child sexual abuse material. While contacting a child may not necessarily lead to the sexual abuse of a child, 58 percent of respondents described feeling afraid that viewing such material “*might lead to sexual acts with a child or adult*”.¹⁶⁰¹ The results of the survey also supported the researchers’ hypothesis that respondents who reported using child sexual

¹⁵⁹⁹ [INQ006679_002](#); [INQ006735_001](#)

¹⁶⁰⁰ [INQ006902_011](#)

¹⁶⁰¹ [INQ006693_002](#)

abuse material depicting infants and toddlers (aged 0 to 3 years) were the most likely to report contacting children online.¹⁶⁰²

27. The dark web provides a relative ‘safe haven’ for a significant number of the most depraved and committed perpetrators. The risk of harm to children caused by, and linked to, abusive material available on the dark web must not be ignored.

J.5: The Online Safety Bill

28. In March 2022, the Online Safety Bill was laid before Parliament.¹⁶⁰³ When enacted, the Online Safety Bill will mean that companies which host user-generated content and search engines will be regulated for the first time and will have duties of care to users. Those duties include “*to mitigate and effectively manage*” the risk of harm caused by illegal content and to protect children from harm on those parts of the service which children can access.¹⁶⁰⁴ The definition of illegal content covers child sexual exploitation and abuse content.

29. In summary, the duties of care imposed by the legislation require:

- all providers to conduct risk assessments relating to illegal content;

¹⁶⁰² [INQ006693_015](#) para 5.5

¹⁶⁰³ [INQ006939](#)

¹⁶⁰⁴ [INQ006896_034](#), section 24(2)

- where the service can be accessed by children, providers to conduct “*children’s risk assessments*” (which must be kept up to date and be updated before the service makes a significant change) and to protect children’s safety online;
- providers to use “*proportionate systems and processes*” designed to minimise the presence of illegal content on the service in the first place; where the illegal content is uploaded, to minimise the time for which it is present and its dissemination, and to remove the illegal content they are made aware of, or become aware of, as soon as possible.¹⁶⁰⁵

30. The proposed legislation does not prescribe the use of specific technologies in order to prevent harm taking place but instead makes clear that companies should be using technology to address these harms. The Home Office’s Interim Code sets out the voluntary action the government expects providers to take before the regulator is established. The Interim Code states that companies “*should take reasonable steps*” to seek to prevent known child sexual abuse material being made available or accessible on their platforms.¹⁶⁰⁶ The Office of Communications (Ofcom), as the regulator, will be able to require a company to use

¹⁶⁰⁵ [INQ006896_034-038](#), sections 23–26

¹⁶⁰⁶ [INQ006672_007-008](#)

such technology where other measures do not work. The Interim Code also states that companies should “*proactively identify*” newly generated child sexual abuse material and identify and combat child sexual exploitation and abuse activity such as grooming.¹⁶⁰⁷ The drafting of any future code should make clear, for the avoidance of doubt, that aspects of the companies’ response to online child sexual exploitation and abuse are mandatory.

31. Ofcom will have a range of enforcement powers to tackle non-compliance, including the power to impose a fine of up to £18 million or 10 percent of global annual turnover (whichever is the higher). In addition, it will have powers to require additional information from companies under investigation, to enter companies’ premises and access documentation, data and equipment, and to interview companies’ employees.

32. In addition to the Bill, there are plans for action by the government and Ofcom on education. The government’s 2021 *Child Sexual Abuse Strategy* states that the Home Office “*will work to deter individuals from abusive behaviour, investing in evidence-based public education campaigns that can prevent offending*”.¹⁶⁰⁸ Ofcom is expected to promote education about online safety and the use of safety technologies to empower users

¹⁶⁰⁷ [INQ006672_009-012](#)

¹⁶⁰⁸ [INQ006448_007](#)

and tackle online harms. The detailed plans for this, including to evaluate the efficacy of Ofcom's activity, are not yet known.

33. The Department for Digital, Culture, Media & Sport (DCMS) also published an official 'one-stop shop' containing guidance for businesses on keeping children safe online. This came after research had shown that smaller companies were less confident in their ability to find information on online child safety than bigger businesses. DCMS noted that the new guidance was separate from the forthcoming regulations in the Online Safety Bill.¹⁶⁰⁹ The guidance provided advice on data protection and privacy, delivering age-appropriate content, addressing harmful conduct and protecting children from online sexual exploitation and abuse. It also recommended applying and enforcing minimum age limits.

34. The UK is not the only country moving towards regulation of online service providers.

34.1. In Australia, the Online Safety Act 2021 (which came into force in January 2022) requires service providers to take reasonable steps to minimise access to child sexual exploitation material. The Act also requires the development of new mandatory industry codes to regulate illegal and restricted content. The codes require

¹⁶⁰⁹ [INQ006678](#)

online platforms and service providers to detect and remove illegal content such as child sexual abuse material.

34.2. Ireland is proposing to introduce a regulatory regime for online safety in its Online Safety and Media Regulation Bill.

34.3. The European Union’s (EU) Digital Services legislation, when brought into force, will improve mechanisms for the removal of illegal content online in States which are EU members.¹⁶¹⁰ In May 2022, the EU also announced that it was proposing legislation to make it mandatory for companies to “*detect, report and remove child sexual abuse material on their services*”.¹⁶¹¹

35. Regulation in other areas and industries, for example by the Health and Safety Executive, has led to safer working conditions and has improved good working practices across a vast range of businesses. Taken as a whole, the government’s proposals to introduce a regulatory regime in respect of online child sexual abuse and exploitation are welcome. However, concerns remain about the ability of the proposed legislation to address issues surrounding age and identity verification.

¹⁶¹⁰ [INQ006749_033](#)

¹⁶¹¹ [INQ006943](#)

Age verification

36. Protecting children from online child sexual abuse is not the responsibility of a single institution. A multifaceted, collaborative approach is required which prevents harmful content being available, removes it when it becomes known, denies underage children access to services and platforms, and makes sites and platforms safe from the outset.

37. The Interim Code states companies should use “*safety by design approaches*” and “*adopt enhanced safety measures with the aim of protecting children*”. The Code envisages that reasonable steps include companies having “*safety processes and default settings that are appropriate to the actual age of their users and that make provision for the possibility of underage users*”.¹⁶¹²

38. The vast majority of participants in the Inquiry’s Engagement with Children and Young People project stated that they had accessed social media apps before the minimum age requirement. They noted that there were few restrictions in place to prevent this and expressed surprise that technology was not being used to strengthen identity verification controls.¹⁶¹³

¹⁶¹² [INQ006672_019](#)

¹⁶¹³ [Engagement with children and young people](#), IICSA, June 2021, p30

39. The Inquiry’s Internet investigation highlighted the harm being done to young children by online-facilitated sexual abuse. For children aged under 13, the risk of being groomed online was “*particularly acute*”.¹⁶¹⁴ Those aged 11 to 13 also featured prominently in images and videos of live streamed child sexual abuse that were analysed by the IWF.¹⁶¹⁵

40. As noted in Part F, technological developments that help detect online-facilitated child sexual abuse are welcome. However, they fail to deal with the Inquiry’s fundamental concern that children under the age of 13 are able to access social media platforms and services by too easily evading overly simplistic age verification requirements (processes that ensure users must prove their age to access certain platforms). Many services require nothing more than entering a date of birth.

Age verification in the context of access to adult pornographic material

41. Repeated exposure to self-generated sexual images of children, and to pornography, has in some instances led to desensitisation – where such incidents become accepted as everyday life

¹⁶¹⁴ *The Internet Investigation Report*, Part D.4 para 32

¹⁶¹⁵ *The Internet Investigation Report*, Part B.2 para 9.1

and so are less likely to be reported.¹⁶¹⁶ Children who participated in the Inquiry’s research for *Learning about Online Sexual Harm* identified exposure to pornography as being one of a number of examples of online sexual harm.¹⁶¹⁷ Evidence heard in the Residential Schools investigation suggested that it would not be unusual for a young person with autism who had accessed a highly inappropriate pornographic website not to understand why the site should be censored.¹⁶¹⁸

42. Chief Constable Simon Bailey, at that time the National Police Chiefs’ Council Lead for Child Protection and Abuse Investigations and now retired, considered that the availability of pornography was:

“creating a group of men who will look at pornography and the pornography gets harder and harder and harder, to the point where they are simply getting no sexual stimulation from it at all, so the next click is child abuse imagery. This is a real problem. It really worries me that children who should not be being able

¹⁶¹⁶ *Learning about online sexual harm*, IICSA, November 2019, pp4–5

¹⁶¹⁷ *Learning about online sexual harm*, IICSA, November 2019, p4

¹⁶¹⁸ *Residential Schools Investigation Report*, Part B.3 para 96; *SLS000108_026* para 99

*to access that material ... are being led to believe this is what a normal relationship looks like and this is normal activity”.*¹⁶¹⁹

43. These views echo the findings of the government’s Equalities Office, which concluded that there was “*substantial evidence of an association*” between the use of pornography and harmful attitudes and behaviours towards women and girls.¹⁶²⁰ Young victims and survivors, and support service organisations, told the Inquiry that online pornography had particularly normalised and promoted violent sex and rape fantasies.¹⁶²¹

44. In 2016, the government proposed legislation (the Digital Economy Act) that restricted access to pornographic websites to those aged 18 or over. However, in 2019, the government decided not to implement that part of the Digital Economy Act, stating that:

*“It is important that our policy aims and our overall policy on protecting children from online harms are developed coherently ... this objective of coherence will be best achieved through our wider online harms proposals”.*¹⁶²²

¹⁶¹⁹ [Simon Bailey 24 January 2018 148/16-24](#)

¹⁶²⁰ [INQ006736_028](#)

¹⁶²¹ [Engagement with children and young people, IICSA, June 2021, p31](#)

¹⁶²² [INQ006773_001](#)

45. In February 2022, the government announced a “*new standalone provision*” to the Online Safety Bill requiring “*providers who publish or place pornographic content on their services to prevent children from accessing that content*”.¹⁶²³

This provision is intended to capture commercial providers of pornography in addition to sites that allow user-generated content that were already within the scope of the Bill.¹⁶²⁴ The announcement specifically stated that preventing access “*could include adults using secure age verification technology to verify that they possess a credit card and are over 18 or having a third-party service confirm their age against government data*”. It added that age verification technologies:

- do not require “*a full identity check*”;
- must be “*secure, effective and privacy-preserving*”; and
- are increasingly common practice in other online sectors, including online gambling and age-restricted sales.¹⁶²⁵

46. While the Bill refers to age verification as an example of how a provider might prevent children encountering pornographic content, it does not mandate age verification.

¹⁶²³ [INQ006737_002](#)

¹⁶²⁴ [INQ006737_002](#); [INQ006896_071](#) section 68(2)

¹⁶²⁵ [INQ006737_002-003](#)

47. Instead, it imposes the duties of care and it will be for the company to decide how to comply with those duties. Age verification is only one measure a company may use to demonstrate to Ofcom that they can fulfil their duty of care and prevent children accessing pornography. The government states that the Bill “*does not mandate the use of specific solutions as it is vital that it is flexible to allow for innovation and the development and use of more effective technology in the future*”.¹⁶²⁶

48. However welcome it is to prevent children from accessing pornography, the draft Bill does not expressly go far enough to protect children from the potential harm caused by accessing social media platforms and services on which they can be groomed and sexually abused. The current age verification requirements provide insufficient protection to young children, particularly those aged under 13. Where access to a service or platform is age restricted, those restrictions must be robustly enforced. The Inquiry therefore reiterates its recommendation that stronger age verification techniques be required.

Recommendation 20: Age verification

The Inquiry recommends (as originally stated in its *The Internet Investigation Report*, dated March 2020) that the UK government introduces legislation requiring providers of online services and social media platforms to implement more stringent age verification measures.

Identity verification

49. In addition to concerns about age verification, there are also concerns about the ease with which offenders adopt a false identity in order to carry out their abuse.

49.1. The Internet Investigation heard how 13-year-old IN-A1 and her 12-year-old brother, IN-A2, were groomed online by a 57-year-old man who initially pretended to be a 22-year-old woman named ‘Susan’. His grooming of IN-A1 was such that when ‘Susan’ revealed he was a man, IN-A1 was not able to break contact with him. He made IN-A2 sexually touch IN-A1 and suggested that IN-A2 should have sexual intercourse with her. He made IN-A1 commit sexual acts for him over webcam.¹⁶²⁷

¹⁶²⁷ *The Internet Investigation Report*, Part D.3 paras 8–11

49.2. In 2021, David Wilson was sentenced to 28 years' imprisonment for 96 child sexual abuse offences against 52 boys aged 4 to 14 years old. The offending occurred between May 2016 and April 2020, when Wilson approached more than 5,000 boys worldwide by adopting personas of teenage girls – principally on Facebook – and blackmailed some victims into abusing younger siblings or friends and sending him the footage. Using unregistered phones, Wilson scoured social media sites for vulnerable victims. Over the course of the investigation, Facebook made numerous referrals to the National Centre for Missing and Exploited Children (NCMEC), including identifying 20 accounts of boys aged 12 to 15 years who had sent indecent images of themselves to an account seemingly belonging to a 13-year-old girl (Wilson).¹⁶²⁸

50. Given that many platforms do not require a user's identity to be verified, it is all too easy for perpetrators to set up a fake online profile (also known as catfishing) which enables them to masquerade as a child or as someone else.

51. While data protection considerations about handling large volumes of personal data will need to be taken into account, many of the young victims and survivors told the Engagement team that they

¹⁶²⁸ [INQ006730](#)

were “*surprised that technology is not being used to strengthen identity verification controls*”. They referred, understandably, to the ease with which children can access online sites when compared with how difficult it can be for an adult to get into their own banking app.¹⁶²⁹

52. The Online Safety Bill includes measures which would provide adults (but seemingly not children) with the option not to interact with unverified users. Ofcom may therefore wish to give more consideration to identity verification when it publishes its code of practice for child sexual exploitation and abuse.

53. It is unrealistic, however, to assume that age and identity verification will, by themselves, prevent underage access to internet services and platforms and protect children from online harm. There needs to be increased emphasis and focus on making children’s use of the internet safer by design and, once established, all platforms and services need to have the capacity and capability to respond to emerging patterns of child sexual abuse. The new Child Protection Authorities will play an important role in helping to provide advice on these and other developing challenges in the future.

¹⁶²⁹ *Engagement with children and young people*, IICSA, June 2021, p30

Part K

A summary of the Inquiry's recommendations

A summary of the Inquiry's recommendations

K.1: Child sexual abuse

The nature and scale of child sexual abuse

1. Children are sexually abused every day in England and Wales. In the year ending September 2021, police forces recorded a total of 67,675 sexual offences against children. One recent estimate – described as “*conservative*” – suggested that around 500,000 children are abused in a single year. Another estimate suggested at least 15 percent of girls and 5 percent of boys are sexually abused before the age of 16. The abuse includes sexual exploitation by groups, involving the most degrading and destructive acts, including being repeatedly raped or sexually assaulted, sometimes over months or years. There has been a rapid escalation in the number of children being groomed on social media platforms as online-facilitated abuse and sexual exploitation increasingly overlap. As the government’s April 2019 *Online Harms White Paper* observed, the “*sheer scale of CSEA* [child sexual exploitation and

abuse] *online is horrifying*". The internet has been used to live stream the sexual abuse of children from around the world for as little as 93 pence.

2. Each act of sexual abuse is a crime. In 2021, the National Crime Agency estimated that there were between 550,000 and 850,000 individuals in the UK who posed varying degrees of sexual risk to children. Chief Constable Simon Bailey, at that time the National Police Chiefs' Council Lead for Child Protection and Abuse Investigations and now retired, told the Inquiry that the police were seeing "*an exponential increase in reports of abuse*", but also "*levels of depravity that are – if they could get worse, are getting worse. We are seeing babies being subjects of sexual abuse*".

Improving the understanding of the scale of child sexual abuse

3. As set out in the UK government's *Tackling Child Sexual Abuse Strategy* (2021), child sexual abuse offences, including indecent image offences, recorded by police increased approximately 267 percent between 2013 and March 2020. It recognised that:

"it is difficult to truly understand the scale of offending and how many victims and survivors remain unidentified because of under-

reporting, under-identification of victims and survivors by agencies, and a lack of robust survey data”.

4. Limitations with current methods of data collection have hampered the Inquiry’s ability to conduct a realistic assessment of how many of the 12.7 million children in England and Wales have been sexually abused, or are at risk of sexual abuse, by whom and in what settings. There is no consistent approach to the recording of data, with different organisations developing their own approaches to categorising and recording child sexual abuse. There are also high levels of non-reporting. The Inquiry is in no doubt, however, that the scale of child sexual abuse and exploitation is considerably greater than is currently recorded.

5. The government’s *Tackling Child Sexual Abuse Strategy* (2021) recognised that “*the quality and extent of data that is collected on offender and victim characteristics, including, but not limited to, age, gender and ethnicity, is inadequate*”. Public agencies rely on accurate and detailed data to make the best strategic and operational responses for the protection of children. This is not possible if the nature of the abuse and changing patterns are not well understood. The Inquiry therefore recommends improvements to the data collected about child sexual abuse by the introduction of a single core data set.

Recommendation 1: A single core data set

The Inquiry recommends that the UK government and the Welsh Government improve data collected by children's social care and criminal justice agencies concerning child sexual abuse and child sexual exploitation by the introduction of one single core data set covering both England and Wales.

In order to facilitate this, these agencies should produce consistent and compatible data about child sexual abuse and child sexual exploitation which includes:

- the characteristics of victims and alleged perpetrators of child sexual abuse, including age, sex and ethnicity;
- factors that make victims more vulnerable to child sexual abuse or exploitation; and
- the settings and contexts in which child sexual abuse and child sexual exploitation occur.

Data concerning child sexual abuse and child sexual exploitation should be compiled and published on a regular basis. This should be capable of being collated nationally as well as at regional or local levels.

K.2: Prioritising the protection of children

6. The effective protection of children from harm is an essential feature of a civilised society. Despite this, child sexual abuse occurs in many institutions, contexts and settings. The Inquiry's work revealed physical violence as well as neglect and emotional harm that individually, or in combination, created an environment in which sexual abuse could take place. Many institutions did not respond effectively, or at all, to child sexual abuse. A number of examples did not involve finely balanced decisions but were cases where action was obviously necessary and often urgent but none was taken. Reputations tended to be valued above the interests of children.

Reforming the system for safeguarding and child protection

7. The legal and policy requirements for child protection and safeguarding are often complex. This complexity can lead to assumptions that every aspect of child protection and safeguarding is already covered by existing frameworks. That is not the case. An additional problem was the failure to implement and comply with the child protection arrangements that were in place.

8. The cornerstone of the system is multi-agency working. When child protection concerns arise, the relevant local authority has a statutory duty to make enquiries and decide whether to take any action to safeguard or promote the child's welfare. The police are responsible for investigating allegations of criminal offences of child sexual abuse. If there is sufficient evidence to proceed and it is in the public interest to do so, the Crown Prosecution Service will authorise a prosecution. Nonetheless, despite successive policy initiatives to work better together, the statutory agencies have not always collaborated efficiently and effectively. On occasions, this has been marked by an absence of collective leadership by statutory agencies.

9. Scrutiny and inspection arrangements are also important features of the current system, with a number of organisations playing an important role in the oversight of child protection and regulation. Although there is a regime for thematic inspection of child protection across the statutory services, external and independent statutory scrutiny of child protection practice is in some ways fragmented. Inspection activity does not always identify poor practice, particularly given the necessarily wide-ranging nature of many inspections. Some private or voluntary institutions receive little, if any, independent assessment of their child protection practices.

10. The challenges are considerable and growing. As the UK recovers from the consequences of a worldwide pandemic and as the scale of online-facilitated child sexual abuse increases, those challenges are likely to last well into the future.

Child Protection Authorities for England and for Wales

11. Child protection must be given a much-needed and enhanced focus as well as a consistency of approach. It should not be subsumed into other areas of practice within institutions or be permitted to drift into institutional obscurity. There is a very real risk that unless there is long-lasting and focussed vigilance, institutions may continue or revert to poor practice and, worse still, actively downplay child sexual abuse. To address and respond to the complex challenges of child sexual abuse at local and national levels, the Inquiry recommends the establishment of independent Child Protection Authorities for England and for Wales.

Recommendation 2: Child Protection Authorities for England and for Wales

The Inquiry recommends that the UK government establishes a Child Protection Authority for England and the Welsh Government establishes a Child Protection Authority for Wales.

Each Authority's purpose should be to:

- improve practice in child protection;
- provide advice and make recommendations to government in relation to child protection policy and reform to improve child protection; and
- inspect institutions and settings as it considers necessary and proportionate.

The Child Protection Authorities in England and in Wales should also monitor the implementation of the Inquiry's recommendations.

Introducing a cabinet Minister for Children

12. The introduction of the Child Protection Authorities should be coupled with the introduction of a cabinet Minister for Children, to provide a sharper focus on critical issues within government and the cohesive leadership, focus and influence

needed. A minister at cabinet level would be able to work across government departments to enable the welfare of children to remain a high priority, bringing the diverse strands of policy development together and giving a voice to the child's perspective.

13. To signify the importance attached to the effective leadership of child protection, the Inquiry therefore recommends that the UK government establish a Minister for Children with cabinet status. The position will cover a wide range of responsibilities for children's welfare, including child protection, so that children's safety and well-being receive the attention they deserve.

14. Given the ministerial arrangements in Wales, the Inquiry's recommendation is couched differently, to provide an appropriate degree of flexibility in its implementation.

Recommendation 3: A cabinet Minister for Children

The UK government

The Inquiry recommends that the UK government creates a cabinet-level ministerial position for children.

The Welsh Government

The Inquiry recommends that the Welsh Government ensures that there is cabinet-level ministerial responsibility for children.

Attitudes to child sexual abuse

15. Alongside elevating the status of children in the political sphere, public awareness about child sexual abuse must be improved. Myths and stereotypes about child sexual abuse are still held by many. The Inquiry has seen recent examples of sexual abuse or exploitation being characterised as the result of children's 'lifestyle choices'. As a result, some children and young people have been given the impression that they were not believed to be worthy of protection, creating and perpetuating notions of 'deserving' and 'undeserving' victims of child sexual abuse.

16. While child sexual abuse remains a difficult subject to discuss, it is important to bring those discussions into the public arena so that young people are well informed, and can navigate the risks of abusive and exploitative sexual relationships. While some – particularly professionals, such as youth workers – are well equipped to have these discussions, children and young people should feel able to raise these subjects more routinely with their families, teachers

and peers. The Inquiry therefore recommends that there should be a wide-ranging programme to increase public awareness of child sexual abuse.

Recommendation 4: Public awareness

The Inquiry recommends that the UK government and the Welsh Government commission regular programmes of activity to increase public awareness about child sexual abuse and the action to take if child sexual abuse is happening or suspected in England and in Wales.

The programmes should:

- challenge myths and stereotypes about child sexual abuse;
- make maximum use of different approaches including, but not limited to, public information campaigns, the use of positive role models and creative media, such as television drama; and
- be supported by continuous evaluation to measure their impact.

K.3: Empowering children and young people

17. Society's response to child sexual abuse reflects its attitude towards children. Adults frequently thought children were not telling the truth when they tried to disclose abuse. For a variety of reasons, adults disbelieved children and crimes committed against children were minimised.

18. While the measures by which the State protects vulnerable children from abuse have developed, engagement directly with children and young people has been slow. Their views are increasingly sought and taken into account, and their rights and entitlements are taken more seriously than they were in the past. Their technological literacy has had a demonstrable impact on traditional power dynamics, as the Everyone's Invited movement illustrated. Educating children about the risk of sexual abuse and the identification of those risks play an important role in keeping them safe, but the responsibility for taking steps to address these risks rests with adults and institutions.

19. Some children and young people are more vulnerable to sexual abuse than others. For example, disabled children are almost three times more likely to experience sexual violence than non-disabled children. Children with complex

needs may struggle to overcome communication difficulties, either because of the nature of a disability or because their carers may not understand their method of communication.

20. There is also a lack of knowledge, understanding and awareness about the sexual abuse of vulnerable children. In particular, many professionals, carers and the wider community need a better understanding of sexual exploitation involving children with disabilities to ensure that the risks to those children are identified and appropriate action taken.

Children in custody

21. Children in custody are particularly vulnerable to abuse, especially as they include a high proportion of “*highly complex, high-needs young people*”. Some children come from unstable family backgrounds, some have experienced sexual abuse prior to being in custody. Many have emotional, behavioural or educational problems, including mental health difficulties.

22. This combination of challenging behaviour and vulnerability often presents difficulties in safely managing and caring for these children and young people. As a result, there are occasions when staff in custodial institutions consider it necessary to physically restrain children. The use of force against children contributes to the perception that

an institution condones violence, which is likely to discourage reporting of sexual (and indeed other) abuse. Any review of the relevant guidance and related techniques should concentrate on restraint that does not inflict pain of any kind. The deliberate infliction of pain as a method of control is wrong.

Recommendation 5: Pain compliance

The Inquiry recommends (as originally stated in its *Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report*, dated February 2019) that the UK government prohibits the use of any technique that deliberately induces pain (previously referred to by the Inquiry as 'pain compliance techniques') by withdrawing all policy permitting its use in custodial institutions in which children are detained, and setting out that this practice is prohibited by way of regulation.

Looked after children

23. Children in the care of local authorities (known as 'looked after children') – especially those in residential care and in foster care – are particularly vulnerable to sexual abuse and exploitation. Experiences of trauma while living in the parental home are likely to have occurred. The Inquiry heard a number of examples of the

abuse of children in care. Its investigations into children in the care of Lambeth Council and the Nottinghamshire Councils found abuse akin to that uncovered by inquiries of the 1990s, with the true number of victims of child sexual abuse likely to be higher than the local authorities had been able to identify.

24. Young people are uniquely placed to identify what needs to change to keep them safe, with an acute awareness of problems in their care planning, distance from their birth family and living in inappropriate locations. However, those who are in care are in a different legal position from those who are not. Decisions are made on their behalf by local authorities, which act as their ‘corporate parent’ and organise their placement with alternative carers.

25. While courts can make orders under the Children Act 1989 to limit or mandate how parents exercise their parental responsibility, a court has no such ability in respect of a child in care. The legal position of children in care should be improved, so that they can be empowered to challenge aspects of local authority decision-making for themselves. The Inquiry therefore recommends an amendment to the Children Act 1989, to provide a route by which looked after children can apply to the family courts for orders to mandate or limit a local authority’s exercise of its parental responsibility.

Recommendation 6: Children Act 1989

The Inquiry recommends that the UK government amends the Children Act 1989 so that, in any case where a court is satisfied that there is reasonable cause to believe that a child who is in the care of a local authority is experiencing or is at risk of experiencing significant harm, on an application by or for that child, the court may:

- prohibit a local authority from taking any act (or proposed act) which it otherwise would be entitled to take in exercising its parental responsibility for the child; or
- give directions for the purpose of determining a specific question which has arisen, or which may arise, in connection with any aspect of the local authority's exercise of parental responsibility for a child.

K.4: Creating a more protective environment for children

26. No system can guarantee the eradication of child sexual abuse. There are measures that institutions, organisations and settings which work with or come into contact with children should take to help to create a protective environment for children. Key to this is vetting applicants

to recruit the right people, putting effective child safeguarding policies and procedures in place, and providing appropriate training and monitoring to ensure those policies are understood and implemented.

27. The Inquiry has made many recommendations to improve protective measures. It has also identified several key areas in which increased professional regulation would improve child protection. Workforce regulation requires those who work with children to comply with professional standards of competence, ethics and integrity set by an independent regulatory body defined in legislation. Although certain workplaces are regulated to ensure adherence to appropriate standards, individuals working in those institutions are not necessarily subject to any form of workforce regulation.

Regulation of the workforce: education

28. Regulation of the education workforce varies considerably between England and Wales, but neither has a comprehensive system of regulation. For example, in Wales, registration with the Education Workforce Council is not compulsory for those who work in the independent (fee-paying) education sector and as a result those who are unregistered are not covered by its

misconduct jurisdiction. In England, although there is professional regulation of those engaged in 'teaching work', there is no longer a system of registration for the education workforce. Disciplinary regulations do not apply to the approximately 500,000 teaching assistants and learning support staff as they are "*subject to the direction and supervision of a qualified teacher or other person nominated by the head teacher*".

29. The government has announced an extension of the teacher misconduct regime in 2022, but it does not appear that this will address these issues or the Inquiry's previous recommendations in March 2022 in *The Residential Schools Investigation Report*.

Regulation of the workforce: children's homes

30. The Inquiry's investigations regarding the sexual abuse of children looked after by local authorities highlighted sexual abuse of children in residential care by staff. There were also failures by staff to identify and act upon clear signs that children were being sexually abused and exploited by adults or other children, and failures to respond appropriately to allegations of abuse.

31. There have been a number of changes to local authority practice over time. While Ofsted will assess the fitness of a person to manage a

children's home, it is not a workforce regulator. It may deregister a children's home, but it does not have any disciplinary function by which to regulate registered managers and hold them to professional standards of competence and conduct. There is also no system of registration for the approximately 35,000 workers in care roles in England. In Wales (as well as in Scotland and Northern Ireland), children's social care workers must register with a regulatory body.

32. In April 2018, the *Interim Report of the Independent Inquiry into Child Sexual Abuse* (the *Interim Report*) recommended the introduction of arrangements for the registration of staff working in care roles in residential care settings. In July 2021, the government agreed, in principle, that professional regulation of staff in children's homes in England could provide an effective additional means of protecting children and that it would keep the recommendation under review. This response is inadequate. Workforce regulation is necessary in order to better protect children in residential settings, including those in secure children's homes. The Inquiry therefore reiterates its recommendation that all staff working in care roles in children's residential care settings, including secure children's homes, are subject to registration with an independent regulatory body.

Recommendation 7: Registration of care staff in children's homes

The Inquiry recommends (as originally stated in its *Interim Report*, dated April 2018) that the UK government introduces arrangements for the registration of staff working in care roles in children's homes, including secure children's homes.

Registration should be with an independent body charged with setting and maintaining standards of training, conduct and continuing professional development, and with the power to enforce these through fitness to practise procedures.

Regulation of the workforce: custodial institutions

33. Children in custodial institutions are “*very vulnerable children in a very dangerous place*”.

34. In March 2019, the Inquiry's *Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report* highlighted concerns that the workforce in custodial institutions is unregulated and that staff lacked specialist training, skills and qualifications. A requirement was introduced in March 2022 that all staff working with children

in the secure estate must undertake specialist training to gain qualifications for working with young people and children.

35. While this is welcome, it is unacceptable that there are still no sector-wide standards for those working with such a vulnerable cohort of children. A Youth Custody Service review in October 2019 proposed that it should develop a code of conduct for all adults in the youth custody sector, and that guidance and supervision should include professional conduct. This falls far short of professionalising the workforce through registration with an independent body, as recommended by the Inquiry in February 2019 in its *Sexual Abuse of Children in Custodial Institutions Investigation Report*.

36. In November 2021, the Ministry of Justice stated that it had reviewed evidence collected through a targeted consultation on professional registration, and was considering the issue. In May 2022, more than three years after the Inquiry's recommendations regarding the children's secure estate were published, the Inquiry was informed that the Ministry of Justice was considering the review and would subsequently publish a response to this recommendation. No timescale for the response has been provided.

37. A requirement for all staff with responsibility for the care of children in the secure estate to register with a regulatory body would improve the quality of care and the protection of highly vulnerable children. The Inquiry reiterates its recommendation regarding the professional registration of staff in roles responsible for the care of children in young offender institutions and secure training centres.

Recommendation 8: Registration of staff in care roles in young offender institutions and secure training centres

The Inquiry recommends (as originally stated in its *Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report*, dated February 2019) that the UK government introduces arrangements for the professional registration of staff in roles responsible for the care of children in young offender institutions and secure training centres.

Recruitment, vetting and barring

38. Another central aspect of protecting children is the use of safer recruitment procedures for those who come into contact with children, whether through paid or voluntary work. Throughout its investigations, the Inquiry encountered examples

of poor recruitment practice, including failures to obtain the appropriate record checks, in many settings, including schools, local authorities and religious organisations. Often people classed as ‘volunteers’ were allowed open access to children without any vetting, as a result of which children were exposed to unnecessary risk of harm.

39. In February 2022, the Home Office announced that it had commissioned an independent review of the disclosure and barring regime to provide assurance on its effectiveness, to identify key issues of concern about the current regime, and to assess and advise on risks and opportunities. The review, which will include recommendations for improvement, is due to be completed by summer 2022. While this review may lead to significant and wide-ranging changes to the existing regime of disclosure and barring, the Inquiry has identified important deficiencies relating to the current system.

40. Obtaining the appropriate level of Disclosure and Barring Service (DBS) check – a disclosure ‘certificate’ – is an important element of safer recruitment as it contains information about an individual’s criminal record. It is not, however, generally compulsory for employers to obtain a DBS check on a prospective employee and the regime is framed in terms of ‘eligibility’ for a particular level of check. The DBS issues four

types of certificate (basic, standard, enhanced and enhanced with a barred list check), the extent of the check for each depending upon the role to be undertaken.

41. The DBS has the power to bar any person it considers to pose a risk of harm to children from undertaking 'regulated activity' with children in England, Wales and Northern Ireland.

42. The concept of 'regulated activity' was created and defined in the Safeguarding Vulnerable Groups Act 2006. It has a complex definition, including specific activities, positions and certain work in specified establishments (such as schools) which involves frequent or close contact with children. Regulated activity does not mean, however, that the activity itself is regulated by any supervisory body or that the worker engaged in such activity is regulated by a professional regulatory body. Very many of those engaged in regulated activity with children are working in occupations that are not subject to workforce regulation.

43. Where certain work falls within the definition of regulated activity with children, staff or unsupervised volunteers are eligible for an enhanced certificate with a barred list check (which is not available as a standalone check). Increasingly, very little police intelligence is included on enhanced certificates. As it is the addition of this information which distinguishes

the enhanced certificate from a standard certificate, this omission diminishes the value of enhanced certificates.

Improving access to the barred list

44. There are a number of circumstances in which a barred list check would clearly be desirable in order to protect children better but is not permitted under the current disclosure regime.

45. It is the employer's responsibility to determine whether a role falls within the definition of regulated activity and to apply for the appropriate level of check, but the majority of queries received by the DBS from employers concern uncertainty about whether a role amounts to regulated activity.

In 2012, the definition of regulated activity was narrowed to exclude those people with roles which are subject to "*day to day supervision*" by another person who is engaging in regulated activity. As a result, a role may involve a degree of close contact with children but may not fall within the statutory definition of regulated activity (such as volunteers supervised to a greater or lesser degree by a member of staff). Enhanced certificates together with barred list checks can only be requested by an organisation which is registered by the DBS as a regulated activity provider. This is a limitation on access to the children's barred list, preventing for example self-employed people and those engaging their services from obtaining relevant checks.

46. All employers of adults who work with children (whether paid or voluntary) should be able to check whether applicants have been included on the children's barred list, in order to help to ensure that children are kept safe from those who pose a risk of harm. The Inquiry therefore recommends its greater use.

Recommendation 9: Greater use of the barred list

The Inquiry recommends that the UK government enables any person engaging an individual to work or volunteer with children on a frequent basis to check whether or not they have been barred by the Disclosure and Barring Service from working with children. These arrangements should also apply where the role is undertaken on a supervised basis.

Improving notifications to the Disclosure and Barring Service

47. Employers have a legal duty to notify the DBS (known as making a 'referral') when they have dismissed or removed an individual from undertaking regulated activity or when an individual has resigned from such a role, where there is concern that the individual may pose a risk of harm to children.

48. Despite this, the DBS has indicated that it does not receive the number of referrals it would expect from employers. Similarly, supervisory authorities (workforce and workplace regulators and inspectorates) have the power to refer individuals to the DBS to consider for inclusion on the barred list, but do not have a legal duty to refer or to share information with the DBS unless in response to a specific request. The DBS has developed information-sharing protocols with some workforce regulators, but not all inspectorates or regulators routinely share information with the DBS about resignations and dismissals in circumstances where child protection or safeguarding concerns have been raised.

49. In its *Interim Report*, the Inquiry recommended that the Safeguarding Vulnerable Groups Act 2006 be amended to place keepers of relevant registers under a duty to refer information about practitioners who had been removed from the register to the DBS. It also recommended that, upon receiving the referral, the DBS should be under a duty to automatically bar the practitioner from working with children. In July 2019, the government responded, stating that the Home Office had asked the DBS to continue its “*close engagement*” with professional bodies and regulators to ensure effective information-sharing takes place.

50. The Inquiry remains concerned that individuals who have ceased working in a setting with children and who have acted in a manner which indicates they may pose a risk of harm to children are not always referred to the DBS, enabling them to move on to a different setting without potential risk of harm being considered. The Inquiry therefore recommends that action is taken to improve regulated activity providers' compliance with their statutory duty to refer concerns about the suitability of individuals to work with children to the DBS.

Recommendation 10: Improving compliance with the statutory duty to notify the Disclosure and Barring Service

The Inquiry recommends that the UK government takes steps to improve compliance by regulated activity providers with their statutory duty to refer concerns about the suitability of individuals to work with children to the Disclosure and Barring Service, including:

- all relevant regulators and inspectorates include compliance with the statutory duty to refer to the Disclosure and Barring Service in their assessment of safeguarding procedures during inspections;
- the National Police Chiefs' Council works with relevant regulators and inspectorates to ensure that there are clear arrangements in place to refer breaches of the duty to refer to the police for criminal investigation; and
- an information-sharing protocol is put in place between the Disclosure and Barring Service and relevant regulators and inspectorates.

Disclosure for those outside the UK

51. DBS checks on citizens or residents of England and Wales cannot be accessed by employers based overseas. The non-statutory International Child Protection Certificate (ICPC), which some overseas organisations choose to utilise, does not include access to the DBS children's barred list. These territorial limitations on the DBS disclosure regime facilitate predatory offenders from England and Wales obtaining employment working with children overseas.

52. In its *Children Outside the UK Phase 2 Investigation Report*, the Inquiry recommended that the geographical reach of the DBS be extended. In its response, the Home Office indicated that it considered that the information provided on an ICPC was broadly similar to that on an enhanced certificate. The absence of barred list information on the ICPC creates a significant risk to the safety of children in the UK and abroad. The Inquiry therefore reiterates its recommendation that the disclosure and barring regime should be extended to those working with children overseas.

Recommendation 11: Extending disclosure regime to those working with children overseas

The Inquiry recommends (as originally stated in its *Children Outside the United Kingdom Phase 2 Investigation Report*, dated January 2020) that the UK government introduces legislation permitting the Disclosure and Barring Service to provide enhanced certificates with barred list checks to citizens and residents of England and Wales applying for:

- work or volunteering with UK-based organisations, where the recruitment decision is taken outside the UK; or
- work or volunteering with organisations based outside the UK, in each case where the work or volunteering would be a regulated activity if in England and Wales.

Safeguarding and child protection policies

53. All organisations which work with children or whose members may come into contact with children should adhere to basic child protection standards and have suitable safeguarding policies and procedures in place. While there is a requirement for institutions in certain sectors to

set policies, others are under no legal obligation to do so, despite children visiting their facilities, attending their events or otherwise being involved in the organisation. For example, a child might go to school during the day, play football with a club in the afternoon, attend a prayer group in the evening and then spend time at night on a social media platform. Of these four activities and settings, only the school has a legal obligation to have child protection and safeguarding policies and procedures in place.

54. Variation between organisations is inevitable, given the different types of settings and institutions which work with children. It would not be realistic or helpful to propose one single set of safeguarding and child protection policies for all institutions, but there are a number of useful sources which provide a starting point for an appropriate policy.

55. It is critical that safeguarding and child protection policies should be clear and easy to follow and implement. They should set out how the organisation will protect children from harm, ensure child protection concerns can be raised and respond to allegations or incidents, including reporting to the relevant authorities. They should also be subject to regular scrutiny or review to monitor their implementation and effectiveness. This will assist in protecting children from individuals who may seek to establish

relationships of trust and authority with children in order to create opportunities for abuse. In due course, this may be a matter on which the Child Protection Authorities recommended by the Inquiry could assist.

K.5: Identifying and reporting child sexual abuse

56. Child sexual abuse may come to the attention of institutions in different ways and at different times. Sometimes the child may make a disclosure, but many do not disclose what has happened to them until years, sometimes decades, later. Child sexual abuse almost invariably happens in private, making the chances of witnessing abuse or observing obvious physical injuries resulting from the abuse rare.

Identifying child sexual abuse

57. The ability of adults to identify children who are being sexually abused or are at risk of sexual abuse is fundamental to the institutional response. Institutions and organisations – as well as those working in them such as carers, social workers, doctors and teachers – should have procedures and training in place to identify potential indicators of child sexual abuse or exploitation. Despite this, the Inquiry encountered numerous examples of failures to both identify and report abuse to the

police or social services. These matters should be dealt with in the policies and procedures of an institution, and may be aided further by the Inquiry's recommendations for a public awareness campaign and for the introduction of mandatory reporting.

58. While there is no typical child abuser, there are similarities in the ways perpetrators behave, particularly in the methods used to groom children. Enabling institutions, and individuals working in them, to understand warning signs and indicators of potential child sexual abuse exhibited by a perpetrator is an important preventive measure.

Detecting online child sexual abuse

59. The number of perpetrators accessing child sexual abuse images continues to grow. Techniques for detecting child sexual abuse images vary depending on whether the image has previously been identified by law enforcement or industry as a child sexual abuse image (a 'known' child sexual abuse image). Technological tools are used to detect such imagery.

60. In the US, where known child sexual abuse images are detected, there is a legal obligation for the matter to be reported. Where that report relates to the UK, the matter is passed to the National Crime Agency, which responds to the most serious reports itself and passes others to local police

forces for investigation. This form of mandatory reporting has had a significant positive impact on the way US institutions report child sexual abuse material and an equally positive impact in assisting UK law enforcement to identify perpetrators based in the UK. Once the Online Safety Bill is passed, UK companies will be under a duty to report any child sexual exploitation and abuse content directly to the National Crime Agency.

61. Pre-screening, however, enables internet companies to prevent child sexual abuse images from ever being uploaded to platforms and social media profiles. The image cannot therefore be viewed or shared; this prevents access to the material and therefore much of the resulting harm. As a result, in its *The Internet Investigation Report* (published in March 2020), the Inquiry recommended that the government should require internet companies to pre-screen for known child sexual abuse images before material is uploaded. In its response, the government referred to the *Interim Code of Practice on Online Child Sexual Exploitation and Abuse* (Interim Code) and its “*expectation that all companies will prevent access to known child sexual abuse material*”.

62. This does not go far enough in circumstances where the technology to pre-screen exists and is effective in preventing known child sexual abuse material from being made available to users.

63. In due course, it will be for the Office of Communications (Ofcom) as the online safety regulator to issue the code of practice, but it is not clear how long it will take for the Bill to come into force, what provisions will be enacted and in what precise form. It is imperative that pre-screening is utilised to its fullest extent. The Inquiry therefore recommends that pre-screening for known child sexual abuse images should be a mandatory feature of the code of practice.

Recommendation 12: Pre-screening

The Inquiry recommends that the UK government makes it mandatory for all regulated providers of search services and user-to-user services to pre-screen for known child sexual abuse material.

64. A number of notable impediments to the future detection of child sexual abuse material remain. One of the most significant impediments to detection is end-to-end encryption, the process of converting information or data into a code that makes it unreadable to unauthorised parties. While the Interim Code acknowledges the threat posed by encryption and requires companies to consider the potential harm, it falls short of proposing any solution to the problem. In November 2021, the

government announced that £555,000 had been awarded to five projects as part of the Safety Tech Challenge Fund, one of which was to develop an integrated plug-in for encrypted social platforms to detect known child sexual abuse material.

Such technological advances are positive steps to be encouraged and may contribute to changes proposed to the Online Safety Bill giving Ofcom the power to issue a company with a Notice to use “*best endeavours*” to develop technology to prevent, identify and remove child sexual abuse material, including on services that are encrypted.

Reporting child sexual abuse

65. The Inquiry heard numerous examples of individuals who received disclosures or were aware of child sexual abuse yet failed to report this to statutory authorities.

66. One prominent reason that individuals and institutions failed to report child sexual abuse to statutory authorities was a desire to protect an individual or institution from reputational damage. When concerns arose that were politically or professionally inconvenient for an individual to report, they sometimes did not do so. Failing to report an allegation of child sexual abuse out of a misguided sense of wanting to ‘protect their own’, a shared sense of defensiveness or a fear that making a report would bring their community into disrepute also featured in the evidence received.

In other instances, factors such as confusing or subjective procedures for handling reports of child sexual abuse led to reports not being made.

67. Many of the individuals who failed to report abuse to the police or social services, in the instances examined by the Inquiry, may have failed to meet their professional or moral obligations, but they did not break any laws in doing so. The Inquiry therefore considers that systemic change is needed to ensure reporting of allegations of child sexual abuse.

68. A number of other countries have introduced legislation which places specified persons, or members of the public, under a statutory obligation to report child abuse or neglect to a designated agency. This is commonly referred to as 'mandatory reporting'. Victims and survivors, some senior religious leaders and some organisations argued strongly in favour of mandatory reporting, which is also supported by a body of international evidence.

Mandatory reporting for England and for Wales

69. Having considered a range of views during its investigations and the various possible approaches to a scheme, the Inquiry has concluded that mandatory reporting is required so that those who

work with children in certain roles are under a legal duty to report child sexual abuse to the police or social services.

70. The core elements of the Inquiry's recommendation are that:

- as well as an obligation to report witnessed or disclosed child sexual abuse, there should be an obligation to report abuse based on well-recognised indicators of child sexual abuse;
- criminal liability should attach where there is a failure to make a mandatory report in certain specified circumstances;
- those engaged in regulated activity or positions of trust as well as police officers should be subject to a law of mandatory reporting; and
- reports should be made to local authority children's social care or the police.

Recommendation 13: Mandatory reporting

The Inquiry recommends that the UK government and Welsh Government introduce legislation which places certain individuals – 'mandated reporters' – under a statutory duty to report child sexual abuse where they:

- receive a disclosure of child sexual abuse from a child or perpetrator; or

- witness a child being sexually abused; or
- observe recognised indicators of child sexual abuse.

The following persons should be designated 'mandated reporters':

- any person working in regulated activity in relation to children (under the Safeguarding and Vulnerable Groups Act 2006, as amended);
- any person working in a position of trust (as defined by the Sexual Offences Act 2003, as amended); and
- police officers.

For the purposes of mandatory reporting, 'child sexual abuse' should be interpreted as any act that would be an offence under the Sexual Offences Act 2003 where the alleged victim is a child under the age of 18.

Where the child is aged between 13 and under 16 years old, a report need not be made where the mandated reporter reasonably believes that:

- the relationship between the parties is consensual and not intimidatory, exploitative or coercive; and
- the child has not been harmed and is not at risk of being harmed; and

- there is no material difference in capacity or maturity between the parties engaged in the sexual activity concerned, and there is a difference in age of no more than three years.

These exceptions should not, however, apply where the alleged perpetrator is in a position of trust within the meaning of the 2003 Act.

Where the child is under the age of 13, a report must always be made.

Reports should be made to either local authority children's social care or the police as soon as is practicable.

It should be a criminal offence for mandated reporters to fail to report child sexual abuse where they:

- are in receipt of a disclosure of child sexual abuse from a child or perpetrator; or
- witness a child being sexually abused.

K.6: The justice system response to child sexual abuse

71. The criminal and civil justice systems play an important role in the way the State responds to child sexual abuse.

The criminal justice system

72. Investigating and prosecuting those who commit criminal offences involving the sexual abuse of children is rightly a matter of significant public interest. Inadequate responses of the police, Crown Prosecution Service and courts therefore featured in many of the Inquiry's investigations and was a matter frequently raised by Truth Project participants when giving their accounts. The length of time taken to investigate and prosecute child sexual abuse cases was, and remains, a matter of significant concern. Delay within the criminal justice system adds to the harm caused by the abuse itself, and can have a profound impact on victims, survivors and complainants as well as those against whom allegations have been made.

73. While it is unrealistic to expect that law enforcement will be able to prevent all offences of child sexual abuse from being perpetrated, there are steps that can be taken to make abuse as difficult as possible to commit and in doing so reduce the risk of harm to children. A sexual harm prevention order may be made by a court after a person has been convicted of a sexual offence, such as rape, sexual assault or possession of indecent images of children. A sexual risk order may be made where there has been no conviction but the court "*is satisfied*" that the individual has engaged in "*an act of a sexual nature as a result of*

which it is necessary to make such an order". The police also use child abduction warning notices – which do not require a court order – to make it more difficult for the offender to meet with the child. For the use of such tools to be effective, the police need to access such information easily, and the terms of the notice or order need to be monitored. Better evidence is also required about the extent to which these notices and orders are being issued.

74. The Inquiry identified a number of failings by police forces investigating allegations of child sexual abuse. For example, there were failures to investigate fully due to assumptions about the credibility of the child. Some children, particularly those in care, were often considered as being less worthy of belief which led to a less than thorough investigation. Victims and survivors' experiences of the criminal justice system were often affected by the knowledge, skills and attitude of individual officers. Allegations must be properly investigated in fairness to both the complainant and the accused. Investigations into child sexual abuse should not be driven by an investigator's view about whether the complainant is worthy of belief, or any subjective view about the veracity of the complaint. All allegations need to be taken seriously and dealt with professionally.

75. Not every allegation of child sexual abuse will enter the criminal justice system. Only an estimated 7 percent of victims and survivors informed the police at the time of the offence and only 18 percent told the police at any point. Where allegations are reported to the police, fewer still result in a conviction. Some of the cases examined by the Inquiry identified procedural and legal errors – as well as delays – in the Crown Prosecution Service decision-making process. Where the allegation predominantly relies on the account of the complainant, as very frequently occurs in child sexual abuse cases, this can create difficulties in meeting the evidential test for bringing a prosecution.

76. Between 2016 and 2020, the numbers of both prosecutions and convictions fell by around 25 percent. This is seemingly indicative of a broader decline in the number of prosecutions for offences of rape, such as that recorded in the *End-to-End Rape Review Report on Findings and Actions* (the Rape Review, June 2021). The Rape Review identified a number of factors contributing to the decline in cases reaching a court, including “*delays in investigative processes, strained relationships between different parts of the criminal justice system, a lack of specialist resources and inconsistent support to victims*”.

Victims' experience of the criminal justice system

77. Delays within the system and in ensuring that victims, survivors and complainants are able to give their best evidence and are supported throughout the process remain specific causes of concern. In addition to delays at the investigative and charging stage, for the year ending 31 December 2021, it took an average of 252 days for a case of child sexual abuse at the Crown Court to be completed. The emotional strain that delay places on victims and survivors and the accused cannot be underestimated. Such delays may lead some individuals to withdraw their allegations, which will typically mean that a prosecution is not possible. The government's 2021 *Tackling Child Sexual Abuse Strategy* acknowledges "*the importance of swift case progression for victims' and survivors' wellbeing*", although it does not set out any specific plan to minimise delay. Measures have been introduced to try to minimise delay on victims and complainants, but it is unclear whether they will succeed in doing so. At the end of December 2021, there were 58,818 outstanding cases at the Crown Court, the entirety of which cannot be attributed to the COVID-19 pandemic as there was already a backlog of 37,434 cases pre-pandemic resulting from cuts to budgets for the criminal justice system.

78. Delay is a challenge facing the criminal justice system as a whole, but improving the experience of victims and survivors is more easily addressed. While the *Code of Practice for Victims of Crime in England and Wales* (Victims' Code) sets out “*the services and a minimum standard for these services that must be provided to victims of crime*”, it is not uniformly adhered to and there is no mechanism to monitor and enforce compliance with the Code.

79. In April 2018, the Inquiry's *Interim Report* recommended a joint inspection of compliance with the Victims' Code. The first national compliance report was due in early 2020, but in October 2020 the Ministry of Justice indicated that the operational demands of the COVID-19 pandemic had meant that further development of the Victims' Code compliance monitoring framework had not been possible.

80. Evidence gathered subsequently by the Inquiry suggests that the Victims' Code is still not being consistently applied and followed. There are also ongoing concerns about access to special measures, which seek to improve the quality of a witness's evidence given in court. In December 2021, the government launched a consultation on the Victims Bill to “*build on the foundations provided by the Victims' Code to substantially improve victims' experiences of the criminal justice*

system”. In June 2022, the government responded to the consultation and committed to “*enshrine the Victims’ Code in law*” and to place criminal justice agencies “*under a duty to review their compliance with the Victims’ Code – using data and victim feedback to improve their performance*”. This includes bringing in legislation so that “*criminal justice inspectorates carry out regular joint inspections on victims’ issues*”.

81. However, legislative change will not happen immediately. In the interim, greater focus is required on compliance with the Victims’ Code. The Inquiry therefore reiterates its recommendation that there should be a joint inspection regarding compliance with the Victims’ Code.

Recommendation 14: Compliance with the Victims’ Code

The Inquiry recommends (as originally stated in its *Interim Report*, dated April 2018) that the UK government commissions a joint inspection of compliance with the Victims’ Code in relation to victims and survivors of child sexual abuse, to be undertaken by His Majesty’s Inspectorate of Constabulary and Fire & Rescue Services, His Majesty’s Crown Prosecution Service Inspectorate and His Majesty’s Inspectorate of Probation.

The civil justice system

82. Victims and survivors may separately bring a civil claim and face a number of difficulties when seeking to obtain compensation via the civil justice system.

83. Claims can be brought directly against an abuser but are usually brought against the institution in which the abuse took place or against those responsible for that institution. It can be unclear whether the defendants have public liability insurance in place, as a result of which, in April 2018 and September 2019, the Inquiry made recommendations about the establishment of a public liability register.

84. Much of the approach during the process turns on the attitude of the defendants and their relationships with their insurers and their solicitors. In recent years some insurance companies have developed guidance to assist their claims handlers in dealing with child sexual abuse claims. A code of practice, recognising the long-term emotional and psychiatric or psychological effects of child sexual abuse on victims and survivors, is awaited from the Local Government Association (the national membership body for local authorities).

85. Even when claims succeed or are settled, many victims and survivors are dissatisfied with the outcome as they do not ordinarily obtain an explanation or apology for what had happened to

them. This likely reflects that the primary purpose of a civil claim is to obtain financial compensation, which does not always align with objectives such as having their 'day in court' and obtaining some acknowledgement. Claims may be settled without an admission of liability, acceptance of responsibility or an apology; for some victims and survivors, these may be more important than financial compensation.

The limitation period

86. Most claims are modest in value and many claims do not result in compensation being paid. A significant number of claims are prevented from proceeding by statutory time limits, known as limitation periods, after which time claims can no longer be pursued. There is an extendable three-year limitation period for personal injury claims relating to sexual abuse. In all cases involving children, the limitation period does not start to run until the claimant reaches the age of 18, giving all claimants until at least the age of 21 to commence legal proceedings. Very few victims and survivors of child sexual abuse bring claims before the expiration of the limitation period and therefore, if the defence of limitation is raised, they must very often ask the court to exercise its discretion to allow their claims to proceed.

87. The Inquiry has received evidence that the defence of limitation operated unfairly as a barrier at three stages: in claims being taken on by lawyers, because often funding cannot be obtained unless it is likely that the claim will succeed; when valuing and settling claims, given the risk of losing on the grounds of limitation; and at trial, when limitation issues can be both intrusive for claimants and difficult to predict in terms of outcome. As accepted by a number of defendant solicitors and insurers, limitation therefore presents a barrier to justice for victims and survivors.

88. The Inquiry has considered a number of ways in which the current regime might be changed, as it was clearly not designed with the needs of victims and survivors of child sexual abuse in mind. They have different needs and require different treatment from personal injury claimants more generally. The very nature of child sexual abuse can make it difficult for victims and survivors to discuss their experiences. Other jurisdictions around the world have reformed the law of limitation relating to child sexual abuse claims. The Inquiry recommends that the limitation period should be removed in all cases involving child sexual abuse, other than those that have been dismissed or settled, while preserving the right to a fair trial.

Recommendation 15: Limitation

The Inquiry recommends that the UK government makes the necessary changes to legislation in order to ensure:

- the removal of the three-year limitation period for personal injury claims brought by victims and survivors of child sexual abuse in respect of their abuse; and
- the express protection of the right to a fair trial, with the burden falling on defendants to show that a fair trial is not possible.

These provisions should apply whether or not the current three-year period has already started to run or has expired, except where claims have been:

- dismissed by a court; or
- settled by agreement.

They should, however, only apply to claims brought by victims and survivors, not claims brought on behalf of victims and survivors' estates.

K.7: Supporting victims and survivors

89. The support needs of victims and survivors of child sexual abuse vary greatly and can change over time, triggered at different points in their lifetime, sometimes in unpredictable ways. They might need practical support about how to report abuse and obtain medical assistance, advocacy support and therapeutic support such as counselling and psychotherapy. For some, recovery may be dependent on being able to understand their history and they therefore need access to their records.

Current support services

90. Accessing the right support at the right time from the most appropriate service can be difficult for both adult and child victims and survivors. Support services can be accessed by those involved in the criminal and civil justice process or from the health service or specialist voluntary sector organisations. On occasions, services may also be accessed via the institution where the sexual abuse occurred.

91. For those who become involved in the criminal justice system, the Victims' Code gives them the right to be referred to support services and to have services tailored to their needs. The Inquiry heard evidence of the positive support

offered by specialist independent sexual violence advisers and also by the ‘Barnahus’ or Child House model. This model provides a single service-point for forensic interviews with the child, medical examination, therapeutic services and family counselling or support in a child-friendly environment. However, the quality and availability of support varies considerably between local areas.

92. The Inquiry heard that during civil proceedings victims and survivors will not always have access to the support they need. In 2019, the Inquiry recommended the introduction of a code to ensure that victims and survivors bringing civil claims can access therapy and support as soon as possible. The International Underwriting Association of London has been working to introduce such a code, which the Inquiry hopes can be issued in the near future.

93. Support can be provided by the health service, such as GPs and Children and Young People’s Mental Health Services (CYPMHS, but referred to in this report by its previous acronym CAMHS). There is, however, often a high threshold for treatment. Victims and survivors also told the Inquiry that health services were often only accessible if the impacts of abuse that they experienced matched a specific physical or mental health problem recognised by the NHS.

94. Cope and recover services – which include therapy as well as support such as advocacy and employment advice – provided by charities and voluntary organisations are often highly rated but can be difficult to access. Many suffer from short-term funding and availability varies considerably between local areas, creating “*a postcode lottery*”.

95. Some victims and survivors do not wish to access therapy from the institution where the abuse may have occurred. However, some institutions offer formal support in the form of access to advice, therapy and counselling. Initiatives such as ‘Safe Spaces’ (funded by the Church of England, the Church in Wales and the Catholic Church, and operated by Victim Support) are welcome, but there is often inconsistency and inadequacies in the provision of or referrals to services such as counselling and therapy by institutions. As a reflection of their moral responsibility for abuse, institutions should provide – either directly or by commissioning – therapeutic support for victims and survivors who would like to access such support.

Improving support services

96. Therapeutic services are beneficial to victims and survivors of child sexual abuse. Indeed, the National Institute for Health and Care Excellence recommends therapeutic interventions for children, young people and families following

episodes of sexual abuse, including services such as trauma-focussed cognitive behavioural therapy, counselling, and socio-educative and creative therapy.

97. There are, however, a number of problems. Victims and survivors are not consistently directed towards relevant support services by institutions connected to the abuse or by other statutory agencies, and there are different statutory duties and referral mechanisms. There is variation in the availability of support services nationally and locally. Victims and survivors can often experience long delays waiting for support, ranging from months to years. The number of sessions available differs dramatically depending on the type of support accessed and where in the country the support is being accessed. Support may be inaccessible to those without a qualifying medical diagnosis or the right personal circumstances. Specialist services – reflecting for example, sex, ethnicity, sexual orientation and age – are often difficult to obtain.

98. This reflects, in part, the fragmented and complex funding and commissioning of support services across England and Wales from the public, private and voluntary (or third) sectors. The Ministry of Justice has acknowledged that the support available to children and young people who have experienced sexual abuse encompasses

a wide range of services, funded by several different national and local commissioners, which can lead to variations and inconsistencies in local provision. It makes accessing support difficult and confusing for victims and survivors.

Support to child victims

99. Recent research shows that early interventions are effective at reducing the impact of child sexual abuse and preventing significant mental health problems in later life. Timely support can reduce long-term detrimental impacts. Conversely, delayed or inadequate support can have serious consequences, such as physical or mental health issues, dependency issues, or antisocial or criminal behaviours. As well as simplifying access to support services for all victims and survivors, there is an urgent need to provide specialist therapeutic support for children who have experienced sexual abuse. The Inquiry therefore recommends the introduction of a national guarantee to enable child victims of sexual abuse to access specialist therapeutic support in a timely way.

Recommendation 16: Specialist therapeutic support for child victims of sexual abuse

The Inquiry recommends that the UK government and the Welsh Government introduce a national guarantee that child victims of sexual abuse will be offered specialist and accredited therapeutic support. There should be sufficient supply of these services so that children in all parts of England and Wales can access support in a timely way.

These services should be fully funded. Responsibility for commissioning these services should be given to local authorities.

There must be no eligibility criteria for children to access these specialist therapeutic services other than having been a victim of child sexual abuse.

Access to records

100. Victims and survivors who wish to understand their past – including decisions about their care, the circumstances in which the abuse took place and why the abuse was able to continue – often wish to access their records. Relevant records may include social care records and safeguarding records, as well as for example safeguarding

policies and procedures, personnel records and details of investigations or disciplinary procedures. Many records are also often of significance in criminal and civil proceedings. The absence of records hindered a number of police investigations into allegations of child sexual abuse considered by the Inquiry. Some records were simply missing, others had been destroyed in accordance with retention policies in place at the time.

101. Retention periods vary across institutions, as permitted under data protection legislation. However, the retention of records by institutions in the context of child sexual abuse cases is particularly important, as years may elapse before victims and survivors feel able to disclose sexual abuse. The Inquiry encountered cases where records had been destroyed in accordance with the retention policies in place at the time. By the time victims and survivors wished to access them, it was too late.

102. Specific records relating to child sexual abuse should also be subject to a longer retention period, to allow for delayed disclosure and to recognise the difficulties that may be faced by victims and survivors in being able or ready to access this information. Longer retention periods exist in other areas. For example, records relating

to adoption are retained for 100 years, and those concerning a looked after child are kept until his or her 75th birthday.

103. Victims and survivors have also faced difficulties when requesting their records from institutions under subject access provisions, including long delays, procedural hurdles, and poor communication and explanations from the institutions. They may also need practical and emotional support when exercising their legal rights, as records may bring back traumatic memories and cause distress.

104. The Information Commissioner's Office (ICO) already has a general code setting out how organisations should respond to subject access requests. The Inquiry recommends that the Secretary of State directs the ICO to address the issue of access to records about child sexual abuse.

Recommendation 17: Access to records

The Inquiry recommends that the UK government directs the Information Commissioner's Office to introduce a code of practice on retention of and access to records known to relate to child sexual abuse.

The retention period for records known to relate to allegations or cases of child sexual abuse should be 75 years with appropriate review periods.

The code should set out that institutions should have:

- retention policies that reflect the importance of such records to victims and survivors, and that they may take decades to seek to access such records;
- clear and accessible procedures for victims and survivors of child sexual abuse to access such records;
- policies, procedures and training for staff responding to requests to ensure that they recognise the long-term impact of child sexual abuse and engage with the applicant with empathy.

K.8: Making amends

105. It is clear from the Inquiry's investigations that, over many decades, there have been serious and wide-ranging failures by both State and non-State institutions to protect children from child sexual abuse and exploitation or the risk of such abuse in a broad range of settings. Appropriate and meaningful reparation and redress, including by the State, may help alleviate some of this impact.

Acknowledgement, apologies and assurances

106. Acknowledgement that sexual abuse occurred is often an important form of reparation for victims and survivors. Recognition may be provided by individuals, institutions and wider society. Institutions often dismissed or did not sufficiently act on disclosures or reports of abuse, from both children and adults, and refused to meet with victims and survivors. They also responded without compassion or respect, reacted defensively and were driven by concerns about legal liability and reputations rather than concerns for those who have been abused. While some institutions have begun recently to acknowledge the abuse experienced by so many in their care, in many

instances this came after decades of poor responses and refusals to acknowledge that child sexual abuse had occurred.

107. Similarly, apologies are a valuable form of reparation for victims and survivors. They must, however, be genuine, meaningful and, if requested, face-to-face. Those apologies that are accompanied by significant change are likely to have the most impact.

108. Some institutions are reluctant to apologise due to concerns that an apology may amount to an admission of liability and be relied upon in civil litigation. In September 2019, the Inquiry recommended that the government should amend the Compensation Act to make clear that institutions may apologise for abuse by persons for whom they may be vicariously liable without those apologies amounting to admissions of legal liability. In March 2021, the government made a commitment to consult on the issue of apologies. No consultation has yet been launched but it is expected to take place in 2022.

109. Some victims and survivors want to be given assurances that the institution would not let child sexual abuse happen to other children. Informing victims and survivors about preventive steps which have been taken to protect children since the abuse occurred can be of real significance. Not only can it reassure the individual who has been

abused, but it can also help institutions prioritise the identification of failings in order to prevent future abuse.

Financial redress

110. Victims and survivors are entirely justified in seeking redress. While no amount of money can fully compensate a victim for child sexual abuse, it can provide reparation and help them to access valuable support and therapy.

111. Victims of ‘violent crime’ in England and Wales (as well as Scotland) may be awarded compensation under the publicly funded Criminal Injuries Compensation Scheme. The *Interim Report* (April 2018) and the *Inquiry’s Accountability and Reparations Investigation Report* (September 2019) made several recommendations to improve access to the Scheme for victims and survivors of child sexual abuse. Despite these changes, concerns about the Scheme remain. Its continued focus on ‘crime of violence’ fails to take into account that child sexual abuse, particularly online sexual abuse, may occur without physical contact. Under the 2012 Scheme, no award is made to applicants who have unspent criminal convictions for offences that resulted in certain sentences or orders. This fails to recognise the impact of child sexual abuse and, specifically, that abuse may have directly contributed to instances of offending; there is often, for example, a close link

between sexual exploitation, grooming and criminal behaviour. There is also a two-year time limit for making a claim. Although this may be extended where there are 'exceptional circumstances', such a period is inadequate for victims and survivors of child sexual abuse.

112. The Inquiry therefore recommends further changes in relation to the focus on crimes of violence, the provisions relating to 'unspent convictions' and the time limits for applications to the scheme.

Recommendation 18: Criminal Injuries Compensation Scheme

The Inquiry recommends that the UK government changes the Criminal Injuries Compensation Scheme to:

- include other forms of child sexual abuse, including online-facilitated sexual abuse;
- amend the rule on unspent convictions so that applicants with unspent convictions are not automatically excluded where offences are likely to be linked to the circumstances of their sexual abuse as a child; and
- increase the time limit for child sexual abuse applications so that applicants have seven years to apply from (a) the date the offence was reported to the police or (b) the age of 18, where the offence was reported whilst the victim was a child. In either circumstance, the claims officer's discretion to extend the time limit remains.

A single redress scheme for England and Wales

113. A single redress scheme has a number of benefits over existing systems of civil justice and criminal compensation in England and Wales, which often do not provide the accountability and

reparation sought by victims and survivors of child sexual abuse. Existing systems can be difficult to access and some of the rules may deter or prevent victims and survivors from pursuing their claims; the process can also be protracted and re-traumatising.

114. In order to acknowledge the State's responsibility to protect children from sexual abuse and the consequent harm experienced over many decades, the Inquiry recommends that a national redress scheme be established in England and Wales. The current systems of financial redress should continue to exist alongside this scheme. It will provide much-needed public acknowledgement and practical reparation to victims and survivors of child sexual abuse.

115. While it will be for the government to consider the detailed rules of, and funding for, a national redress scheme, the Inquiry's recommended approach encompasses the following key components:

- the scheme should be for victims and survivors of child sexual abuse and exploitation that occurred in England and Wales, including that perpetrated by other children;
- there should be a clear connection between an institution in England and Wales (whether State or non-State) and the sexual abuse experienced by the individual;

- the scheme should apply to child sexual abuse that took place prior to its establishment and be open for a period of five years;
- the scheme should not allow an applicant to receive money twice for the same matter;
- the scheme should comprise a two-tier system, the first being a modest, fixed flat-rate recognition payment with the option for applicants who wish to provide more details and evidence to apply for a second-tier payment;
- the process must be accessible, straightforward and sensitive to the needs and vulnerabilities of victims and survivors of sexual abuse; and
- the scheme should be funded by central and local government, in accordance with devolved funding principles, with voluntary contributions sought from non-State institutions.

This is underpinned by the need for the scheme to be as simple and non-adversarial as possible.

Recommendation 19: Redress scheme

The Inquiry recommends that the UK government establishes a single redress scheme in England and Wales, taking into account devolved responsibilities.

The detailed rules of, and funding for, this redress scheme should reflect the following core elements.

Eligibility

- Victims and survivors of child sexual abuse and exploitation that occurred in England and in Wales should be eligible to apply.
- Applicants must have experienced child sexual abuse and exploitation where there is a clear connection to State or non-State institutions in England and Wales.
- The scheme should be open to any victim of child sexual abuse that took place prior to its establishment.
- The scheme should deduct any previous award from any payment under the scheme (or in the case of payments made by the Criminal Injuries Compensation Authority, it may order that they be repaid).
- Applicants who have previously brought civil claims which have been rejected by the court should be excluded from applying to the scheme, save where their cases have been rejected due to limitation.

Redress provided

- The scheme should provide payments to eligible applicants through a two-tier system, based on a fixed flat-rate recognition payment, with the option to apply for a second-tier payment.

Process

- The application process must be accessible and straightforward, and be sensitive to the needs and vulnerabilities of victims and survivors of child sexual abuse. The process should provide for streamlined checks and verification of applications, but not be adversarial.
- There should be special provisions to accelerate awards for older or terminally ill applicants.

Duration

- The scheme should run for five years.

Funding

- The scheme should be funded by central and local government, in accordance with devolved funding principles, with voluntary contributions sought from non-State institutions.

K.9: Evolving challenges

116. The risks to children from child sexual abuse and exploitation are constantly evolving. They may arise, for example, as a result of technological advances or as a result of developments in how society understands and responds to a particular risk. It is already apparent that emerging technologies and the globalised nature of child sexual abuse will pose challenges in the future to the protection of children.

117. The UK government and other agencies and organisations already work internationally, and there must be robust action as part of the global response to the sexual abuse of children which is not confined to any specific region, country or continent. There is, for example, growing concern about the ways in which child sexual exploitation is being facilitated by modern slavery and trafficking. There is more that could be done, for example, to enable UK nationals to be prosecuted in England and Wales for sexual abuse committed abroad, which will be addressed as part of the UK government's *Tackling Child Sexual Abuse Strategy*.

118. Digital technologies used to facilitate child sexual abuse are continuing to be developed. Interactive games where players communicate online have long been used as a means to groom and sexually exploit children. More recent

developments such as virtual worlds known as the metaverse have the potential to become a tool for the sexual abuse and exploitation of children. Unlike social media, where interaction is mostly limited to text-based messages and emojis, the metaverse enables the sensation of physical touch. Unlike mobile phones, computers or gaming consoles, virtual reality headsets cannot be externally monitored by parents and they do not store records of users' interactions. Offenders are able to hide behind anonymous avatars as users' identities are not verified and children can access adult-only features simply by ticking a box to declare that they meet the minimum age requirements.

119. The Online Safety Bill, laid before Parliament in March 2022, will strengthen the response to such challenges. As proposed, the legislation will not prescribe the use of specific technologies to prevent harm, but instead makes clear that companies should be using technology to address these harms. It includes a "*new standalone provision*" requiring "*providers who publish or place pornographic content on their services to prevent children from accessing that content*", but it will be for the provider to decide how to comply with this duty. There are also plans for action by the government to deter individuals from abusive behaviour and by Ofcom to promote education about online safety.

120. These proposals fail to deal with the Inquiry's fundamental concern that children under the age of 13 are able to access social media platforms and services too easily, for example by evading overly simplistic age verification requirements (processes that ensure users must prove their age to access certain platforms). Many services require nothing more than entering a date of birth. The Inquiry therefore reiterates its recommendation that stronger age verification techniques are required.

Recommendation 20: Age verification

The Inquiry recommends (as originally stated in its *The Internet Investigation Report*, dated March 2020) that the UK government introduces legislation requiring providers of online services and social media platforms to implement more stringent age verification measures.

121. Institutions and leaders must recognise developing challenges and ensure that their responses are capable of rapid adaptation to the evolving nature of the threat. In particular, it is critical that statutory agencies, the institutions which interact with children and the online safety regulator are better able to anticipate and respond to risks. The new Child Protection Authorities will

play an important role in helping to provide advice on these and other developing challenges in the future.

K.10: Recommendations to better protect children from sexual abuse

122. The Inquiry has encountered extensive failures – by a range of statutory agencies as well as other institutions and organisations – to keep pace with the increase in the pernicious and constantly evolving sexual abuse of children. Those State and non-State institutional failings identified across the Inquiry’s work suggest that large numbers of victims and survivors have been let down by the institutions that should have protected them, today as well as in the past. Addressing the past and present concerns requires prompt and effective action.

123. This report includes the Inquiry’s 20 concluding recommendations (including six from earlier reports which are reiterated). In total, the Inquiry has made 107 recommendations during the course of its work to 33 specified institutions as well as a number of other organisations and settings (see Annex 3). Those recommendations are designed to provide a comprehensive response by the State, as well as institutions and organisations which work with children, to address

the very current problems in preventing, reporting and responding to child sexual abuse. Together they will better protect children from sexual abuse and the harm that results.

The concluding recommendations of the Independent Inquiry into Child Sexual Abuse

1. A single set of core data relating to child sexual abuse and child sexual exploitation.
2. Child Protection Authorities for England and for Wales.
3. A cabinet-level Minister for Children.
4. A public awareness campaign.
5. Prohibiting the use of pain compliance techniques.
6. The amendment of the Children Act 1989.
7. Registration of care staff in children's homes.
8. Registration of staff in care roles in young offender institutions and secure training centres.
9. Greater use of the Disclosure and Barring Service barred list.
10. Improvements to compliance with statutory duties to refer concerns to the Disclosure and Barring Service.







11. Extending the disclosure regime to those working with children overseas.
12. Pre-screening for illegal images of children.
13. Mandatory reporting of child sexual abuse in certain circumstances.
14. Compliance with the Victims' Code.
15. The removal of the three-year limitation period for personal injury claims brought by victims and survivors of child sexual abuse.
16. A national guarantee of specialist therapeutic support for child victims.
17. A code of practice on access to records about child sexual abuse.
18. Further changes to the Criminal Injuries Compensation Scheme.
19. A tiered redress scheme.
20. Age verification in relation to online services and social media platforms.

124. The Inquiry expects the UK government, the Welsh Government and the specified institutions to act upon its recommendations promptly. In the interests of transparency and openness, the Inquiry asks that each institution publish details of the steps they will take in response to each recommendation in this report, including the timetable involved, within six months of the publication of this report. It is anticipated that, in

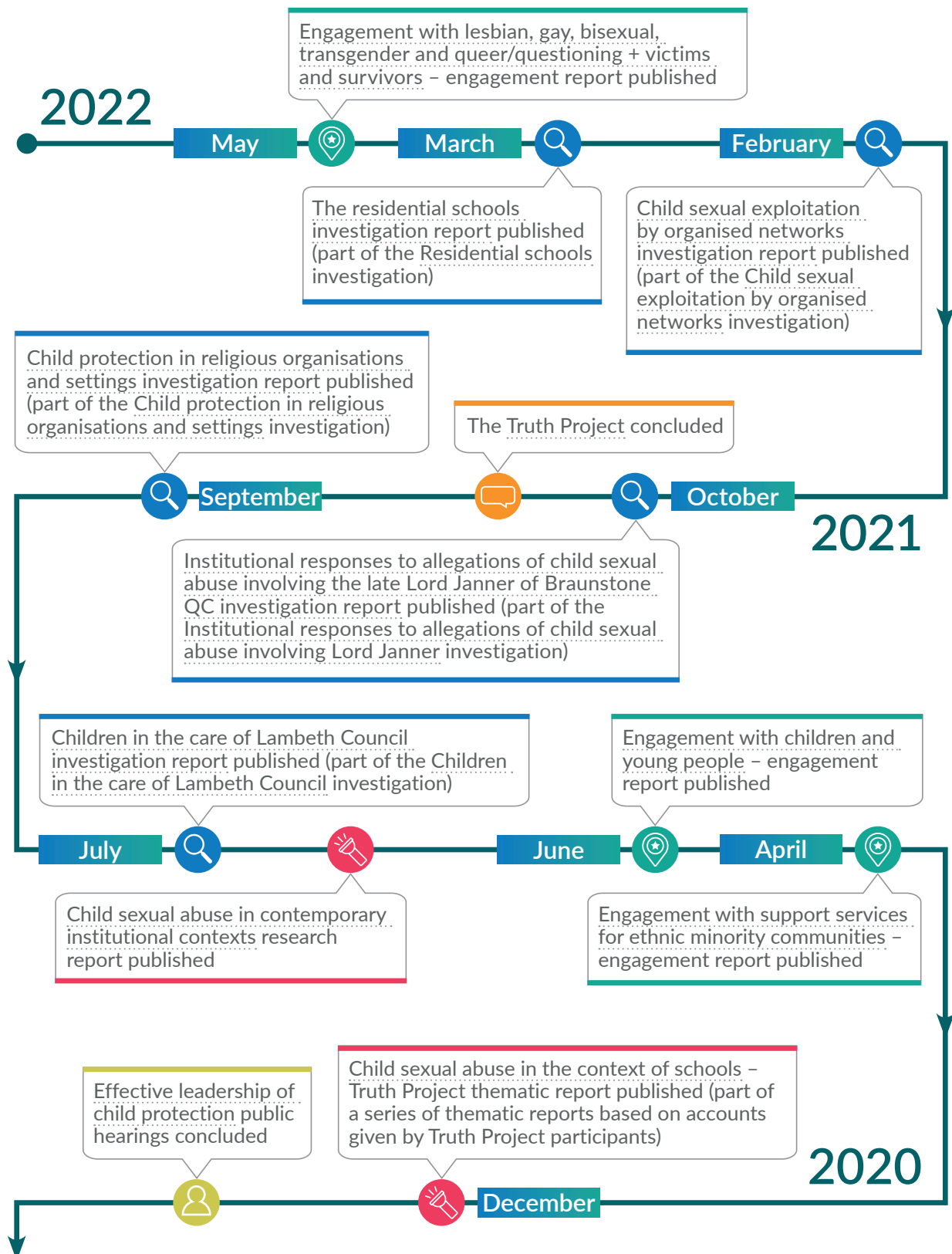
due course, implementation of, or compliance with, the Inquiry's recommendations will be regularly monitored and reported upon by the Child Protection Authorities for England and for Wales, and that pending the establishment of these agencies the Minister for Children and the equivalent minister in Wales will undertake the same role. It is the hope and expectation of the Inquiry that reporting should happen at least annually, in order to ensure the focus and prioritisation of the improvements necessary better to protect children in England and Wales from sexual abuse.

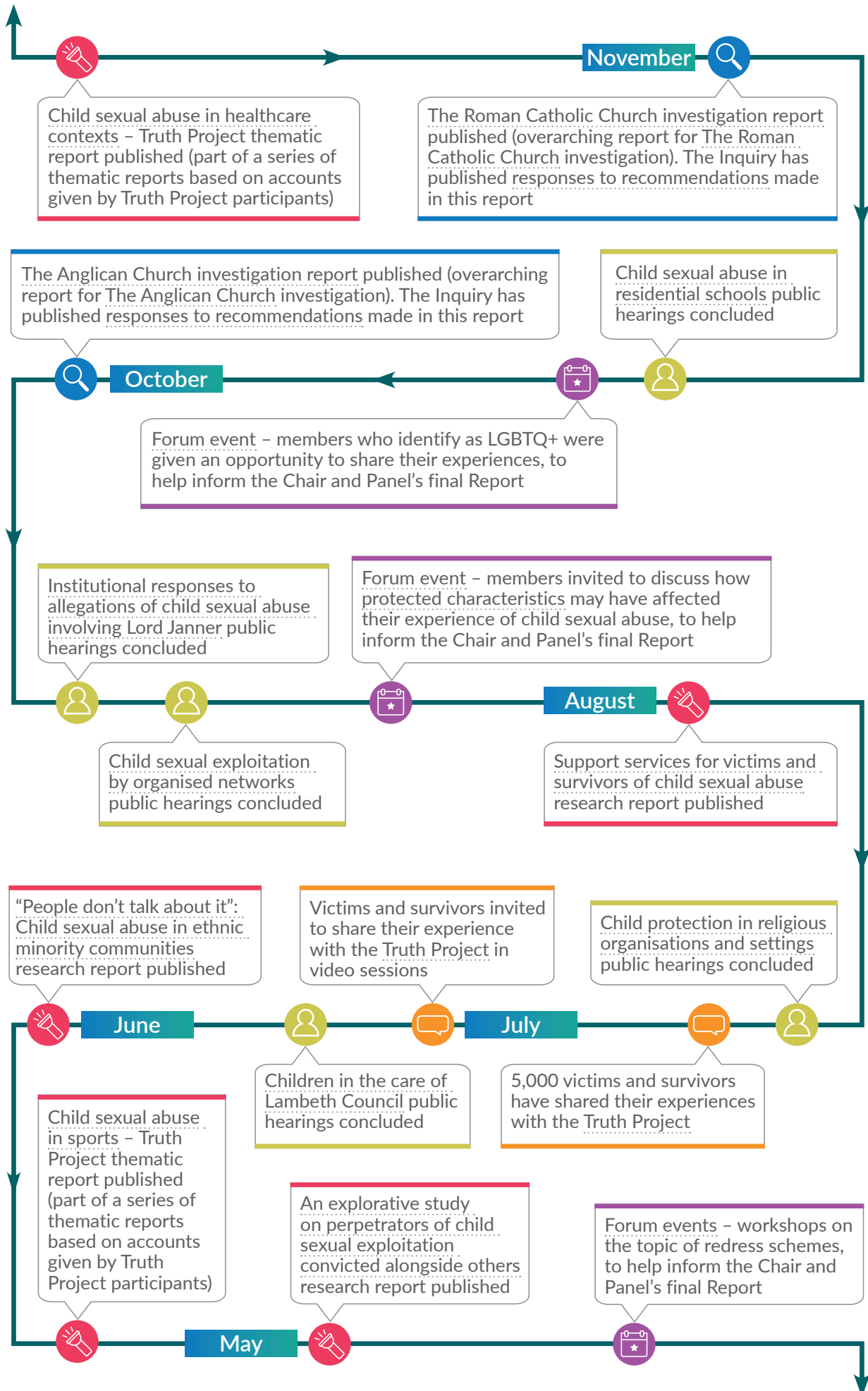
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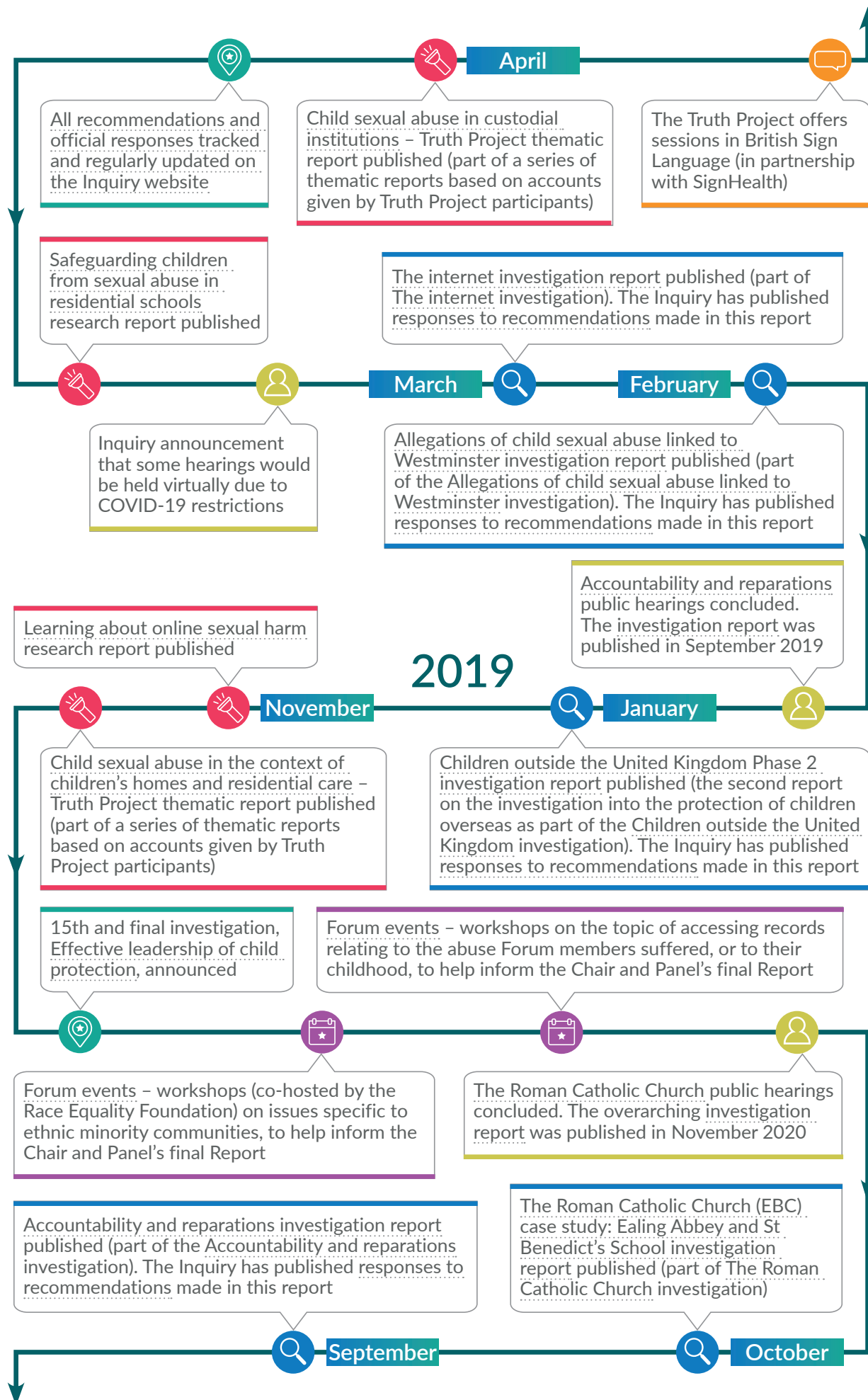
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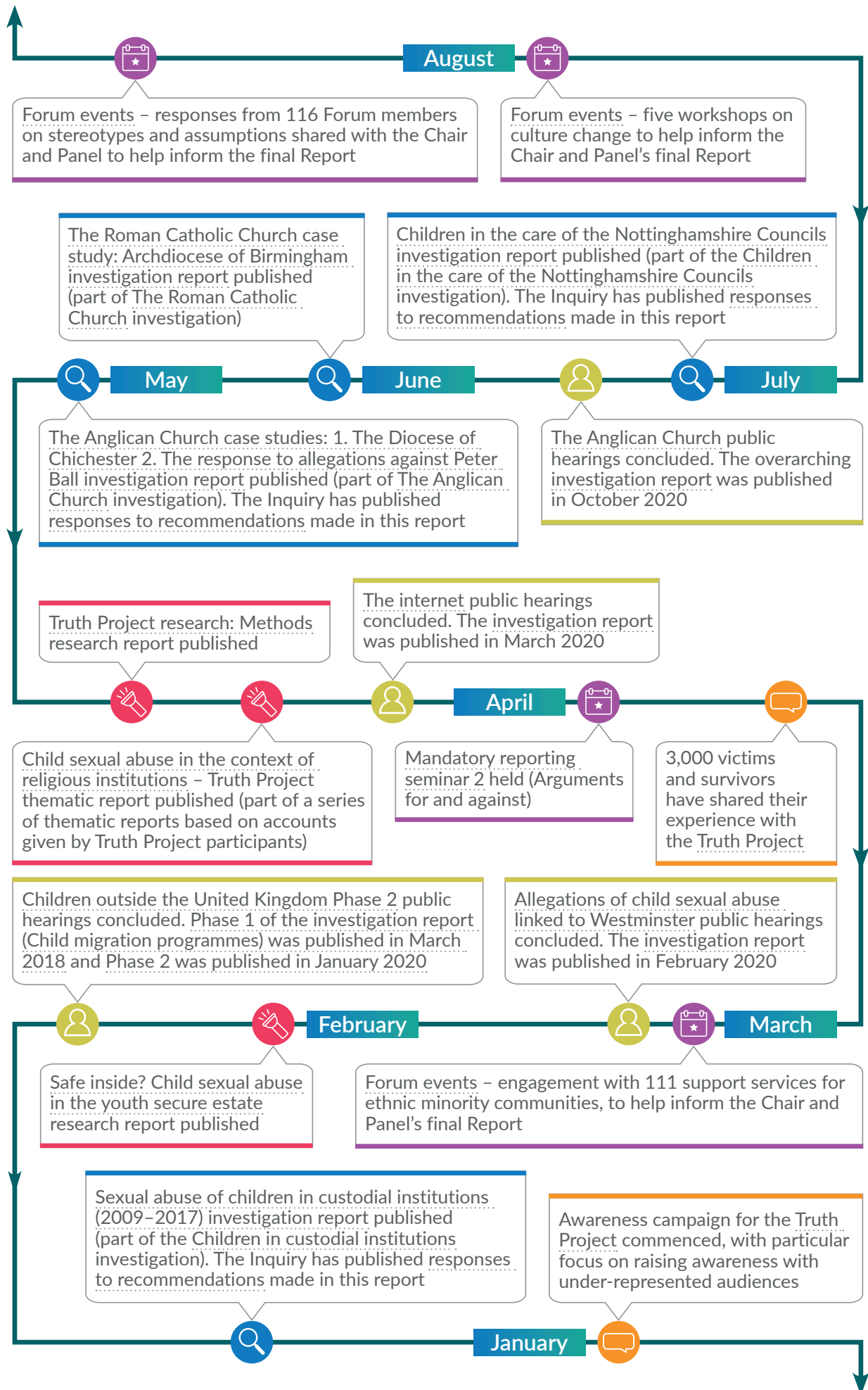
-  Research reports
-  Truth Project
-  Public hearings
-  Seminars and events
-  Investigation reports
-  Other Inquiry milestones

The background to this Inquiry and its methodology

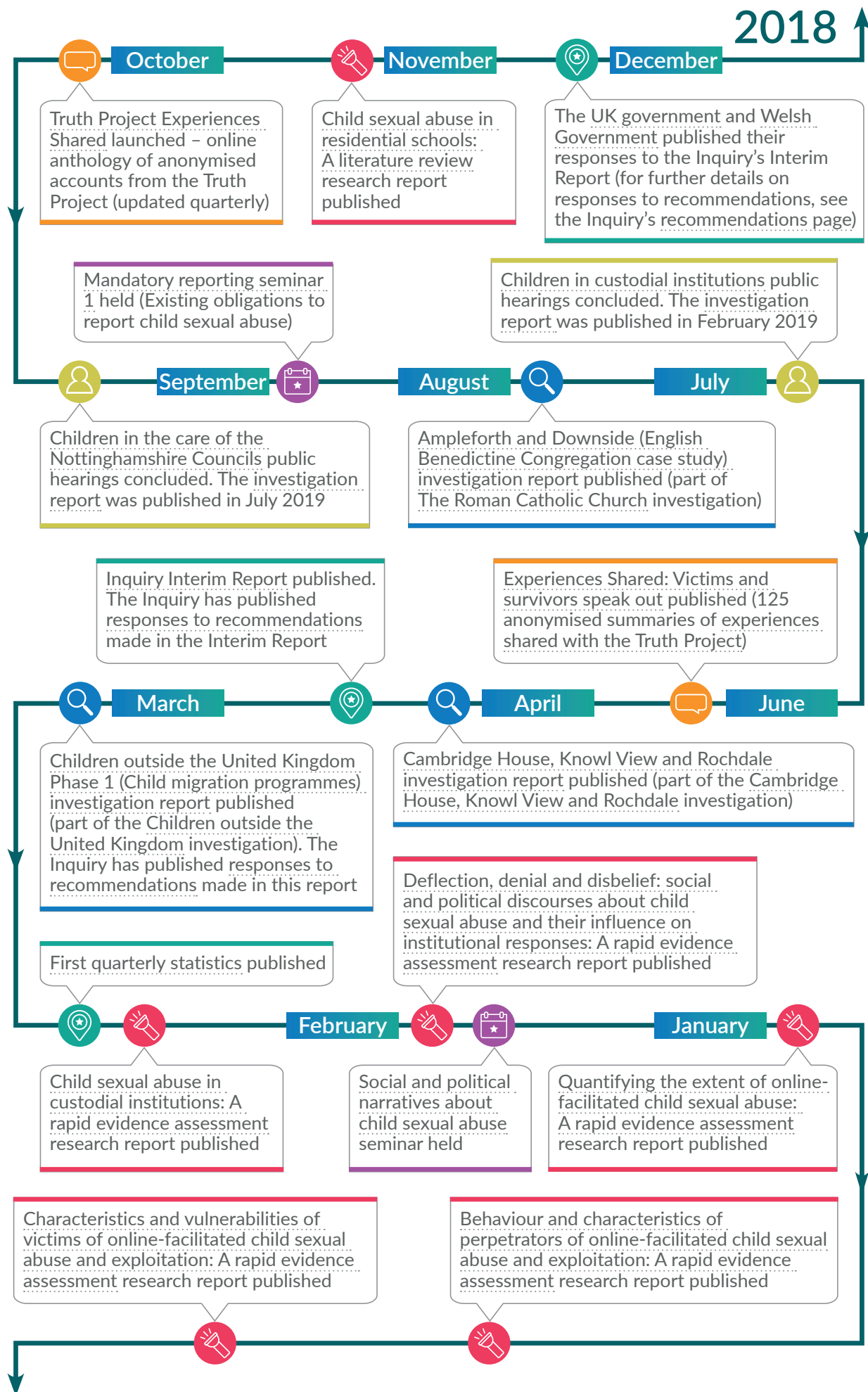


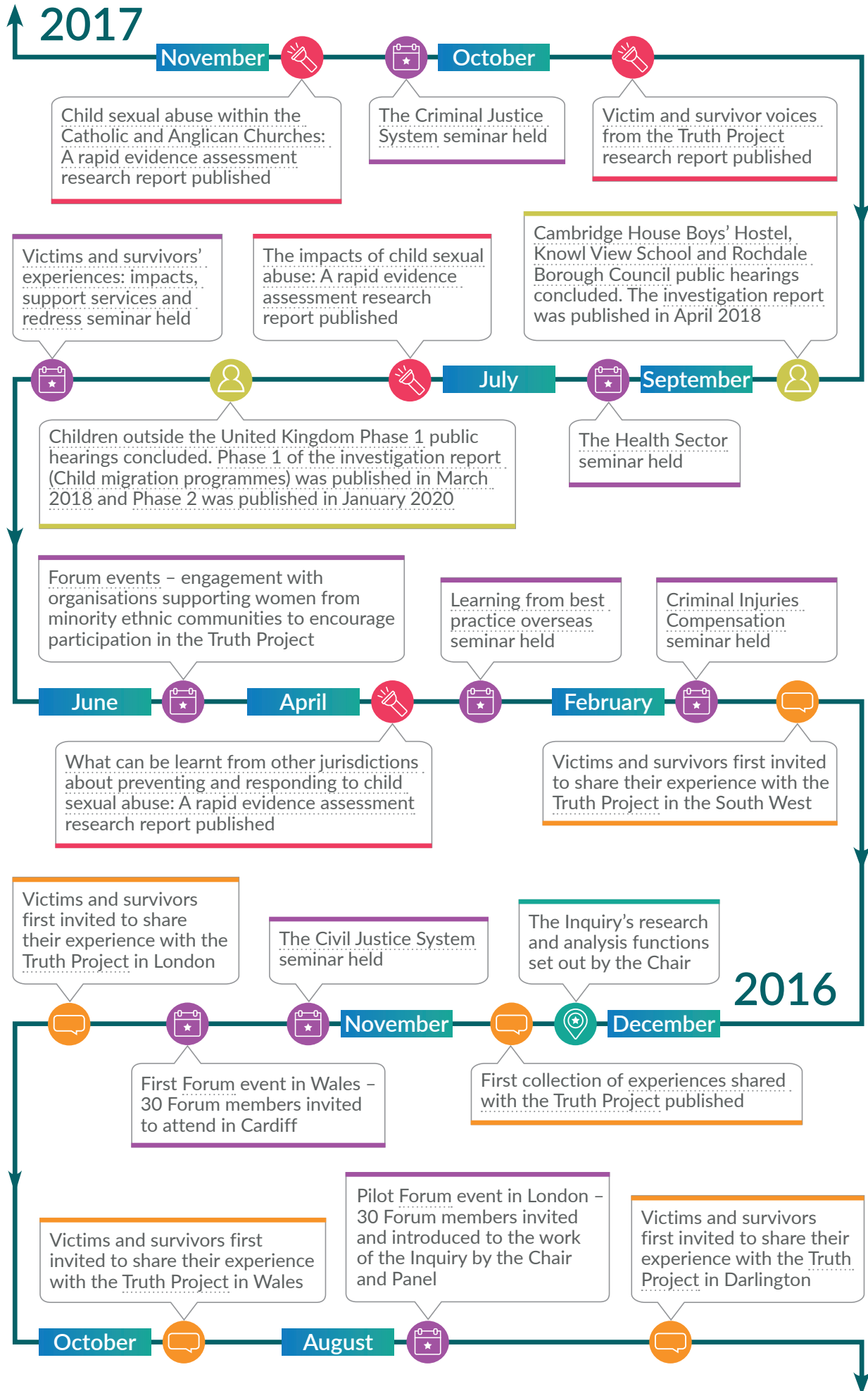


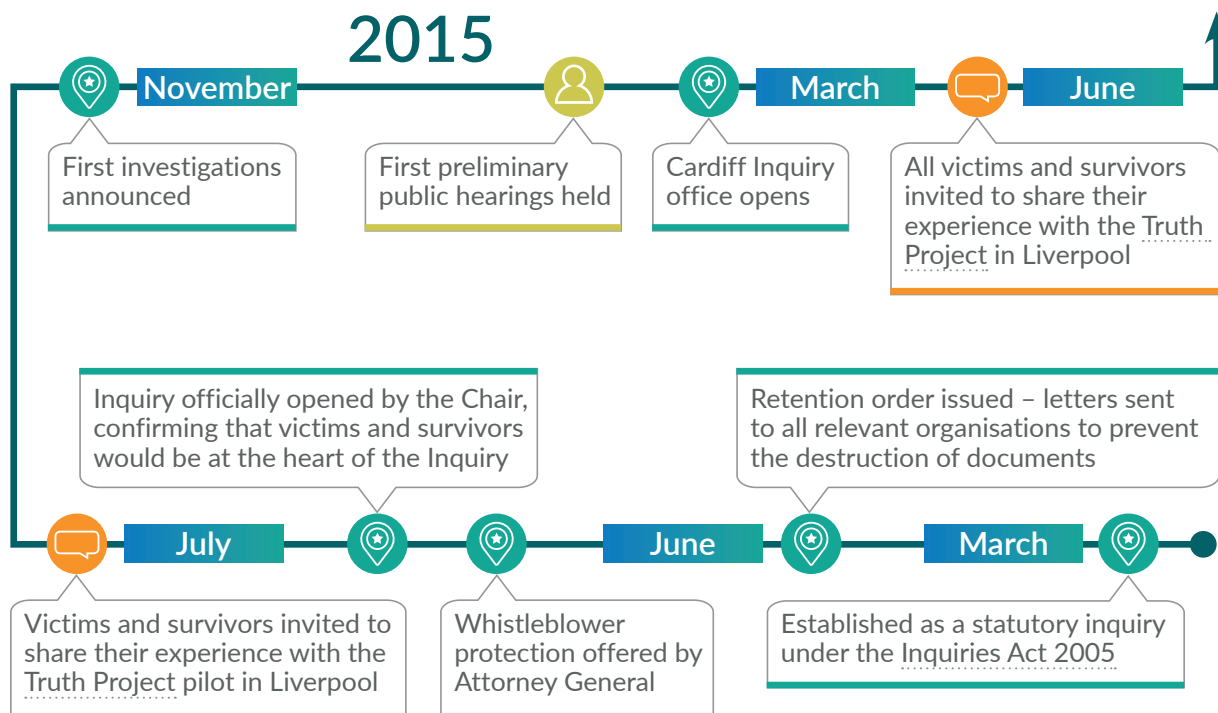




2018







Timeline of the Inquiry

Background

1. In July 2014, the then Home Secretary Theresa May MP announced the establishment of this Inquiry, initially in non-statutory form. In February 2015, it was reconstituted as a statutory inquiry under the Inquiries Act 2005, enabling it to compel witnesses and request any material necessary to investigate where institutions failed to protect children in their care.

2. Since the 1940s, there has been a myriad of investigations and inquiries related to the sexual abuse of children. Many dealt with issues at a regional or local level, rather than considering the wider application of themes and lessons that should be learned. This Inquiry has provided an opportunity to consider many complex issues of

potential relevance to institutions in England and Wales and beyond in order to protect children from such abuse in future.

Scope

3. The scope of the Inquiry, as set out in its Terms of Reference, was to:

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

4. Consequently, the Inquiry focussed on the conduct of institutions and their response or failure to respond to allegations of child sexual abuse. Its purpose has not been to examine the truth of allegations against individuals, but to investigate what institutions knew about them and how – if at all – they responded. The Inquiry’s scope did not include sexual abuse of children which occurred within a family setting, as opposed to within an institution. It did, however, include circumstances in which a child disclosed familial abuse to a person

in an institution, such as a school or a church, and that person or persons failed to act upon this information or otherwise failed to identify child sexual abuse.

5. In addition to evidence it received, the Inquiry has considered information available from various published and unpublished reviews and investigations, together with the experience of victims and survivors of child sexual abuse.

Overview of the Inquiry's methodology

6. In order to approach these issues in a comprehensive manner, the Inquiry established several strands of work, which are summarised below and in relation to which regular reports were published and laid in Parliament. The themes, evidence and material from all these strands have informed this report and its recommendations to protect children in the future.

Interim report

7. As required under its Terms of Reference, the Inquiry published its *Interim Report of the Independent Inquiry into Child Sexual Abuse* in April 2018. At the time, the Inquiry had held five public hearings, published a number of reports about specific parts of its work – including the findings of two public hearings – and held a

series of seminars to discuss issues relevant to child sexual abuse. More than 1,000 victims and survivors of child sexual abuse had shared their experience with the Inquiry's Truth Project. The *Interim Report* provided an update on the Inquiry's work and what had been learned to date.

Investigations

8. Through its investigations, the Inquiry examined the extent to which institutions took sufficient care to protect children from sexual abuse, and the extent to which the institutions involved knew or should have known about the abuse, and how they responded. A number of the public hearings were conducted virtually given restrictions resulting from the COVID-19 pandemic.

Investigations

- **15 investigations, involving 385 complainants, 93 institutions or organisations, and 41 other groups or individuals.**
- **325 days of public and preliminary hearings, involving 725 witnesses – the proceedings were broadcast and transcripts are available on the Inquiry’s website.**
- **2,457,543 pages of evidence.**
- **87 recommendations to 33 specified State and non-State institutions (including the UK government and various departments, the Welsh Government, several local authorities, the Anglican Church and the Roman Catholic Church) as well as a number of other organisations and settings such as political parties and religious organisations.**

9. As set out in the Inquiry’s Criteria for Selection of Investigations, investigations were either:

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

The Inquiry also considered whether situations appeared: (a) to be typical of a pattern of child sexual abuse occurring in the sector or context involved; (b) to be practically capable of detailed examination through oral and written evidence; (c) to involve no significant risk to the fairness and effectiveness of any ongoing police investigation or prosecution; and (d) likely to result in currently relevant conclusions and/or recommendations.

10. On this basis, the Inquiry selected and completed the following 15 investigations.

10.1. The extent to which institutions failed in their duty to protect children abroad by, for example, employing individuals who should not work with children, was considered in two phases. The first phase, Child Migration Programmes, dealt with the experiences of children removed from their families, care homes and foster care in England and Wales who were sent to institutions or families abroad, primarily during the post-Second World War period. In the Children Outside the United Kingdom Phase 2 investigation, the Inquiry focussed on the response by institutions in England and Wales to the sexual abuse of children outside the UK.

10.2. One of three local authority investigations, Cambridge House, Knowl View and Rochdale, examined allegations made about the sexual abuse and exploitation of children including by former Liberal Party MP, Cyril Smith.

10.3. The Sexual Abuse of Children in Custodial Institutions investigation considered the sexual abuse of children detained within the criminal justice system.

10.4. The second local authority investigations considered the experiences of Children in the Care of the Nottinghamshire Councils from the 1960s onwards, when sexual abuse was widespread in both residential and foster care.

10.5. Through five case studies, spanning from the 1960s to the present day, the Accountability and Reparations investigation considered the ways in which perpetrators can be held to account under criminal and civil law and the potential reparations available.

10.6. Similarly, the Allegations of Child Sexual Abuse Linked to Westminster investigation examined institutional responses to allegations involving persons of public prominence associated with Westminster.

10.7. The growing problem of online-facilitated child sexual abuse – ranging from sharing indecent images of children, viewing or directing

the abuse of children via online streaming or video conferencing, to grooming or otherwise coordinating contact offences against children – was considered in The Internet investigation.

10.8. The Anglican Church overarching investigation assessed the extent to which the Church of England and the Church in Wales protected children from sexual abuse in the past and the adequacy of its safeguarding policies and practices. As part of this investigation, The Anglican Church Case Studies: 1. The Diocese of Chichester 2. The Response to Allegations Against Peter Ball considered two examples where perpetrators were allowed unrestricted access to children and young people.

10.9. The Roman Catholic Church investigation examined the extent of institutional failings by the Roman Catholic Church in England and Wales to protect children from sexual abuse as well as the Church's current safeguarding regime. As part of its wider investigation into the Roman Catholic Church, the Inquiry also considered more than 130 allegations of child sexual abuse made against 78 individuals in The Roman Catholic Church Case Study: Archdiocese of Birmingham since the 1930s. It also reviewed the abbeys and related schools of Ampleforth and Downside (English Benedictine Congregation Case Study), where appalling

sexual abuse was inflicted over decades on children aged as young as seven at Ampleforth School, and aged 11 at Downside School. The Roman Catholic Church Case Study: English Benedictine Congregation: 1. Ealing Abbey and St Benedict's School 2. Ampleforth and Downside: update second investigation concerned the only Benedictine day school in England, adjacent to Ealing Abbey, where there was extensive child sexual abuse resulting in a number of convictions.

10.10. In its third local authority report, the Inquiry examined the scale and nature of the sexual abuse experienced by Children in the Care of Lambeth Council over several decades since the 1960s, for which a succession of elected members and senior professionals ought to have been held accountable.

10.11. The thematic Child Protection in Religious Organisations and Settings investigation augmented the dedicated investigations into the Anglican and Roman Catholic Churches, and considered 38 various religious organisations with a presence in England and Wales.

10.12. In the Institutional Responses to Allegations of Child Sexual Abuse Involving the Late Lord Janner of Braunstone QC investigation, the Inquiry considered the response of Leicestershire Police, the Crown

Prosecution Service, Leicestershire County Council, the Labour Party and other institutions to allegations of child sexual abuse involving Lord Janner. This investigation provided the Inquiry with the opportunity to consider the institutional response in circumstances where there has been no criminal conviction or civil finding of fact that alleged sexual abuse occurred.

10.13. The Inquiry's Child Sexual Exploitation by Organised Networks investigation examined individual cases in six geographical case study areas to seek to understand current practice in relation to the sexual exploitation of children at a strategic level. Accounts were also received from children who had been sexually exploited and abused in other geographical areas, as well as drawing on wider knowledge about child sexual exploitation in England and Wales.

10.14. Having considered the sexual abuse of children in educational settings in several of its previous investigations, The Residential Schools investigation examined residential specialist music schools and residential special schools as well as other types of schools in which staff had been convicted of the sexual abuse of pupils or in which serious safeguarding concerns had arisen. Counsel to the Inquiry also prepared a written account regarding allegations of child

sexual abuse using the information gathered from a number of sources in relation to eight schools which no longer exist or are under new management (*Non-Recent Sexual Abuse in Residential Schools: An account submitted by Counsel to the Inquiry concerning eight closed residential schools*, first published in September 2019).

10.15. The *Effective Leadership of Child Protection* investigation focussed on practical experiences of leaders and management and examined how effective leadership can better protect children from sexual abuse. Due to its thematic nature, material from this investigation has not been published separately, but has been taken into account in this report.

Further details regarding each investigation are included in Annex 2, which summarises each of the Inquiry's publications.

11. In each investigation, in accordance with rule 5 of The Inquiry Rules 2006 and the Inquiry's protocol for considering applications, the Chair designated a number of core participants. These were individuals, organisations or institutions with a specific interest in a particular investigation. Core participants have rights in the Inquiry process including receiving disclosure of documentation, being represented, making legal submissions and

suggesting lines of enquiry. They were also able to apply to the Inquiry for funding to cover legal and other costs.

12. Witnesses were invited by the Inquiry to provide a statement if they had evidence relevant to a particular investigation, for example, if they had been failed by or worked in an institution being examined. Most gave their evidence in person, although some did so anonymously (for example, to protect their identity while the police were investigating the sexual abuse they suffered) or via video link (for example, if they were infirm or abroad); some evidence was read aloud on their behalf. Witnesses and core participants were offered emotional support both before and after they gave evidence.

13. On 15 August 2016, the Chair issued a Restriction Order under section 19(2)(b) of the Inquiries Act 2005, granting general anonymity to all complainant core participants. It prohibited (i) the disclosure or publication of any information that identified, named or gave the address of a complainant core participant, and (ii) the disclosure or publication of any still or moving image of a complainant core participant. This Order reflected section 1 of the Sexual Offences (Amendment) Act 1992, which applies to the Inquiry's work; it provides victims and complainants of sexual offences with lifelong anonymity and prevents

any matter being published about a complainant which might enable the public to identify them. As a result, all complainant core participants were granted anonymity, unless they did not wish to be anonymous. This Order was amended in March 2018 and March 2019 to vary the circumstances in which a complainant core participant could disclose their own status. More than 100 further restriction orders were issued in the course of the Inquiry's investigations to prevent the disclosure or publication of sensitive information.

14. As set out in each investigation report, some material obtained was redacted and, where appropriate, ciphers applied in accordance with the Inquiry's protocol on the redaction of documents. As a result, for example, absent specific consent to the contrary, the identities of complainants and victims and survivors of child sexual abuse and other children were redacted; and if the Inquiry considered that their identity appeared to be sufficiently relevant to the investigation, a cipher was applied. In this report, the Inquiry has used ciphers as applied in published investigation reports.

15. Warning letters were sent in accordance with rule 13 of the Inquiry Rules 2006, and responses were considered before finalising this report as well as each investigation report.

16. The Inquiry's investigation reports made 87 recommendations to 33 specified State and non-State institutions – including the UK government and various departments, and the Welsh Government – as well as more generally (for example political parties and religious organisations). This report contains 20 further recommendations. Institutions were asked to act upon its recommendations promptly and, in the interest of transparency and openness, to publish details of the steps they would take in response to each recommendation within six months of its publication. The Inquiry monitored responses through a formal process, and a summary of recommendations together with progress achieved up to 30 June 2022 is included in Annex 3.

Truth Project

17. Victims and survivors provide a uniquely-informed contribution to the process of understanding and learning from past mistakes and improving child protection in the future. Most importantly, they are entitled to choose to give their accounts and opinions, be listened to respectfully and have their feelings of hurt, frustration and anger acknowledged. This underpinned the Inquiry's determination to put victims and survivors at the centre of its work and give them a voice, most notably through the Truth Project.

18. The Inquiry's Truth Project was a complex and extensive listening exercise, which offered 6,226 victims and survivors of child sexual abuse an unprecedented opportunity to share their experiences. Their accounts provided the Inquiry with a better understanding of the long-term impact of child sexual abuse on victims and survivors.

Truth Project

- **6,339 accounts of child sexual abuse shared with the Truth Project by 6,226 victims and survivors.**
- **4,440 private sessions held.**
- **1,899 written accounts received.**

In the period from June 2016 to October 2021, 5,862 victims and survivors consented to the information they provided being used for research purposes:

- **70% of participants were female, 29% were male, and <1% identified as 'other';**
- **the average participant was 49 years old – the youngest participant was 18 and the oldest 87;**
- **89% were sexually abused by men only;**
- **approximately 7 in 10 said they were first abused when they were 4 to 11 years old (67%), and around a fifth when they were 12 to 15 years old (18%); and**

- **36% said that at least one incident of sexual abuse they experienced took place in an institution.**

19. The Truth Project was piloted in November 2015 with private sessions commencing in June 2016. From then until March 2021, more than 6,000 people came forward to share an experience. Truth Project participants made an important contribution to the work of the Inquiry. Their experiences contributed to the Inquiry's findings and helped inform its recommendations for improving child protection in institutions across England and Wales.

20. Most participants decided to attend private sessions in person, which were recorded with permission and some were transcribed for the purposes of analysis; others submitted a written account. Regardless of the approach, it was up to each individual to decide what they wanted to tell the Inquiry. The participants were not questioned or challenged and the information they provided was not verified or tested. Professionally trained support workers were available for those who wished to access this type of support.

21. Where victims and survivors agreed that their accounts could be used by the Inquiry for research purposes, they were analysed for themes and patterns, in order to shape its work and inform its

conclusions and recommendations. In order to ensure that the Inquiry is able to keep victims and survivors' information confidential, the Chair issued a Restriction Order to protect the anonymity of those who engaged with the Truth Project and the experiences they shared. While the Inquiry kept this information confidential, its Terms of Reference required it to refer all allegations of child abuse to the police.

22. The Inquiry has published a [data compendium](#), which comprises all the data which support the analysis presented in this report. Tabs 3 to 12 include the final counts and percentage breakdowns from the 5,862 victims and survivors who shared their experiences of child sexual abuse with the Inquiry's Truth Project, and consented for the information they provided to be included in the Inquiry's research. Tabs 13 to 19 include figures, not already available in the public domain, that were provided by government departments and organisations at the request of the Inquiry. Tabs 20 to 22 provide summation tables for government department data already in the public domain. Information about how the data were analysed and presented is presented in the notes section of the compendium (tab 1).

23. Further information about the Truth Project can be found on the [Truth Project website](#).

Research

24. The purpose of the Inquiry's dedicated research function was to bring together existing knowledge about child sexual abuse, identify knowledge gaps, and to ensure the best use of high-quality data across all strands of the Inquiry's work. The research and analysis programme improved the understanding and knowledge about child sexual abuse, by examining a significant number of published and unpublished reviews and investigations. It consolidated existing knowledge and generated new insights about child sexual abuse, and also monitored the Inquiry's Truth Project.

Research

- **1,489 reports reviewed.**
- **24 research reports published, including rapid evidence assessments (REAs) to establish what was already known and primary research reports to fill specific knowledge gaps.**

25. The Inquiry also used research to generate new or additional information, ranging from issues concerning a specific investigation (such as residential schools) to those of cross-cutting relevance (such as child sexual abuse in ethnic minority communities). Research was also

commissioned to pursue new lines of inquiry separate from the investigations (such as on support services for victims and survivors).

26. Research was undertaken by the in-house research team which, for example, analysed victim and survivor accounts of child sexual abuse shared with the Inquiry's Truth Project. Other research projects, which required extra capacity or particular technical expertise, were externally commissioned. New research projects were considered by a Research Ethics Committee, comprised of external experts in the field of child sexual abuse, to ensure that each met the requirements of an ethical approval process.

27. Reports were also used for internal purposes – for example a literature review or research briefing note to inform the work of other Inquiry teams, but most reports were published. Publication followed an internal review and external peer-review process designed to maintain the integrity and quality of the research.

27.1. Rapid evidence assessments

summarised the existing material and identified gaps which could be filled by further primary research. Nine rapid evidence assessments were completed (four carried out in-house and five commissioned externally).

27.2. Primary research explored a particular set of defined research questions on a given topic, in depth. Primary data were collected through different methods, such as interviews or focus groups with targeted stakeholder groups. The data were then analysed using qualitative and quantitative approaches. Seven pieces of primary research and corresponding reports (three in-house and four externally) were completed. Subjects included the youth secure estate, safeguarding in residential schools, support services, and child sexual abuse in ethnic minority communities, exploring 24 different research aims and resulting in 46 key research findings.

27.3. Truth Project thematic research and analysis involved the quantitative and qualitative analysis of accounts of child sexual abuse shared by Truth Project participants. Six thematic Truth Project reports – incorporating 45 key research findings – were published looking at child sexual abuse within different institutional contexts, including sports, healthcare, schools, religious institutions, residential care and custodial settings. Each report drew on the available participant accounts at the time of analysis, with the most recent reports' analysis based on participants who took part in the Truth Project between June 2016 and July 2020.

27.4. A Truth Project dashboard, published twice a year, included the experiences of those who were abused within a family, an institution or in another context. The dashboard provided information from the Truth Project about:

- the victims and survivors of child sexual abuse who chose to share their experience with the Truth Project;
- the nature of the abuse that they experienced;
- where the sexual abuse took place and who the perpetrators were;
- the impacts of child sexual abuse; and
- whether those victims and survivors told anyone about the abuse.

The final Truth Project dashboard for the period from June 2016 to October 2021 is available in Annex 4.

28. The research portfolio explored a range of issues and themes relating to child sexual abuse:

- victims and survivors, including the nature of child sexual abuse victimisation, the impact of child sexual abuse and support for victims and survivors;
- perpetrators;
- institutions;

- society, including the relationship between societal and cultural discourses and child sexual abuse.



Overview of the research portfolio

29. Quarterly statistics were produced to provide an update on the Inquiry's three core projects – the Truth Project, investigations and public hearings, and research. They also contained correspondence data to provide a picture of how many people contacted the Inquiry.

Seminars

30. The Inquiry also conducted seminars to gather information and views about important topics, and to help to identify areas for further investigation and scrutiny. Each seminar had a structured discussion among the invited participants (including relevant stakeholders and victims and survivors' groups), led by a member of the Inquiry Counsel team. Invitations were issued to relevant stakeholders and victims and survivors' groups to actively participate in the structured discussion. The structured discussion would either follow a presentation of research work conducted for the Inquiry or an 'expert presentation'.

Seminar topics

- **The civil justice system (November 2016)**
- **Criminal injuries compensation (February 2017)**
- **Preventing and responding to child sexual abuse – learning from best practice overseas (April 2017)**
- **Victims and survivors’ experiences: impacts, support services and redress (July 2017)**
- **The health sector (September 2017)**
- **The criminal justice system (November 2017)**
- **Social and political narratives about child sexual abuse (February 2018)**
- **Mandatory reporting of child sexual abuse (September 2018, April 2019)**

31. After each seminar, the Inquiry published transcripts and a video recording of the event, as well as a report providing a summary of the seminar on its website, further details of which are included in Annex 2.

Victims and Survivors Forum, Victims and Survivors Consultative Panel and Ethnic Minority Ambassador

32. The Inquiry established the Victims and Survivors Forum, and the Victims and Survivors Consultative Panel, for victims and survivors to engage with its work. It was also assisted by an Ethnic Minority Ambassador.

Victims and Survivors Forum

More than 1,700 victims and survivors joined the Forum.

Enabled victims and survivors to be involved in and contribute to the Inquiry's work, and also provided opportunities for Forum members to meet other members.

Following discussions with members of the Forum, five summary reports were published.

Victims and Survivors Consultative Panel

Provided consultative advice to the Inquiry, drawing on the experience of panel members with considerable experience in supporting adult survivors of child sexual abuse.

Ethnic Minority Ambassador

Provided advice to the Inquiry on the challenges faced by groups that are often marginalised and under-represented.

33. The Victims and Survivors Forum provided an opportunity for more than 1,700 victims and survivors to engage with the Inquiry, and contribute to its work through consultations and events. Forum membership was open to any victim or survivor of child sexual abuse with many following on from their engagement with the Truth Project into the Forum.

34. The Forum provided a continuous link between victims and survivors and the ongoing work of the Inquiry. Forum members contributed directly to the Inquiry's work detailing experiences of the criminal justice system, accessing records, redress schemes, protected characteristics and suggestions for creating a cultural change. Members were also regularly updated with the latest Inquiry news.

35. Members of the Inquiry's Victims and Survivors Consultative Panel brought significant experience, and provided support and advocacy for victims and survivors of child sexual abuse. The panel also acted as an important sounding board for the Inquiry's research and were fundamental in the establishment of the Truth Project. The panel

ensured that the victim and survivor voice ran through many of the key activities delivered by the Inquiry and also provided consultative advice and guidance to the Chair and Panel.

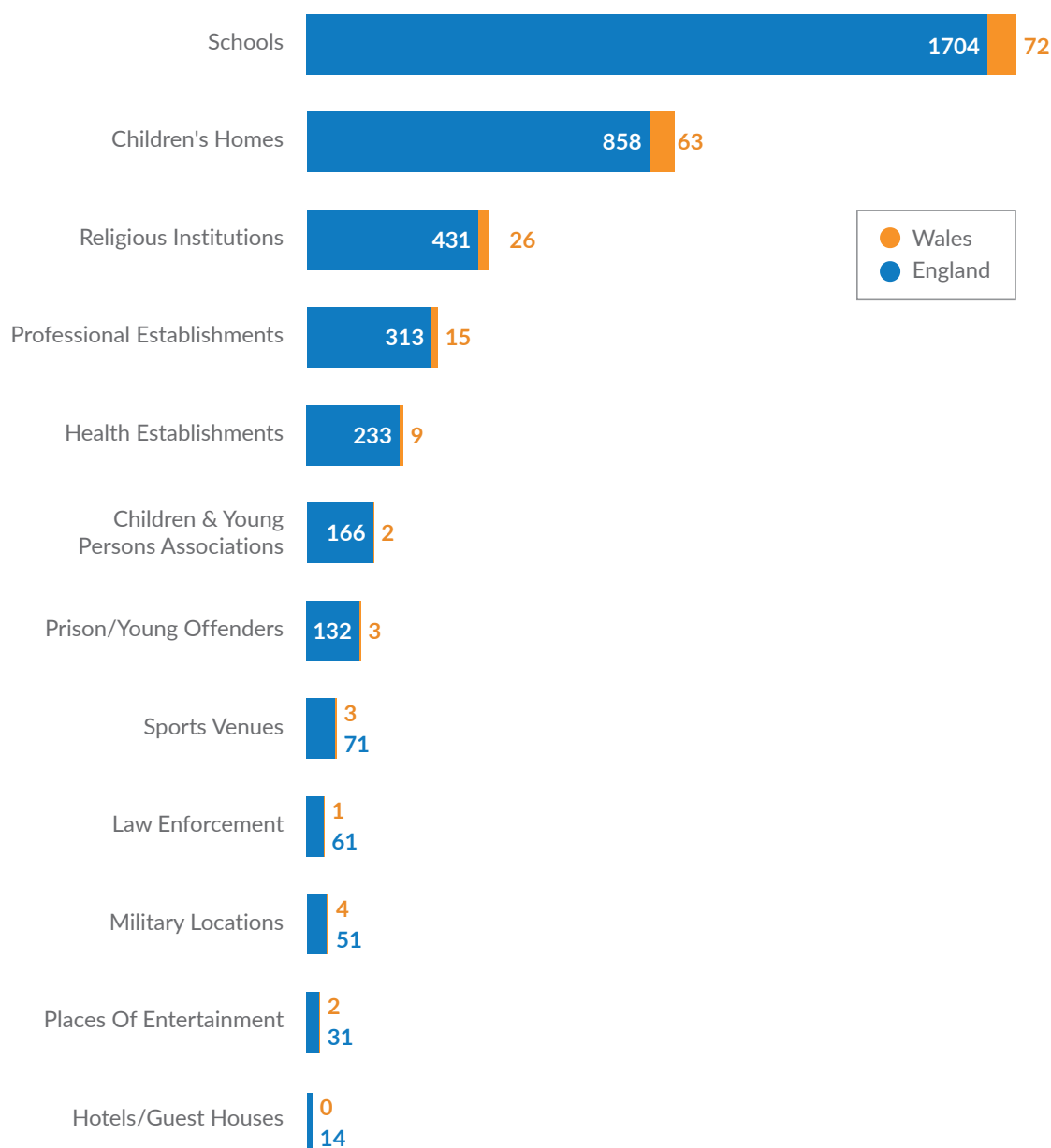
36. The Inquiry was also assisted in its work by an Ethnic Minority Ambassador. The Ethnic Minority Ambassador supported the Inquiry to be reflective and inclusive of the challenges faced by groups across England and Wales who are often marginalised and under-represented.

Referrals to the police

37. The Inquiry was required to refer all allegations of child abuse that it receives to the police so that they can be investigated. Referrals were passed to Operation Hydrant, a coordination body established by the National Police Chiefs' Council, to disseminate allegations of non-recent child sexual abuse from a range of organisations to relevant police forces for investigation.

Operation Hydrant

- **10,431 referrals were made by the Inquiry between March 2015 and March 2022.**
- **12 types of institutions where abuse was alleged in referrals.**
- **As a result of these referrals, there were 101 convictions and 40 more suspects have been charged and are awaiting trial.**



Types of institutions where child sexual abuse took place in Inquiry referrals to Operation Hydrant

Source: See [data compendium to this report](#)

38. The high number of ‘no further action’ outcomes reported for allegations made to Operation Hydrant reflects the fact that many could not be acted upon. As per the Inquiry’s Terms of Reference, any allegation of child abuse (including sexual, physical and emotional abuse, as well as

neglect) received by the Inquiry was referred to the police through Operation Hydrant. This included cases where the abuse occurred many years ago and so the perpetrators had since died, and cases where the participant gave no identifying information about the perpetrator.

The outcome of Inquiry referrals to Operation Hydrant in England and Wales

Outcome	England	Wales
No further action	8,830	444
Ongoing investigation	336	5
Charged and awaiting trial	40	0
Convicted	96	5
Not convicted	43	2
Offence occurred outside the UK	37	0

Source: See [data compendium](#) to this report

Terminology and references

39. Terms such as ‘CSA’ (child sexual abuse) and ‘CSE’ (child sexual exploitation) are often used by practitioners as an abbreviation. The Inquiry does not use such acronyms, except when repeating words used in evidence or in a record.

40. Terms and acronyms used in this report are set out in Annex 5, although the key terms are highlighted to assist the reader.

40.1. Those who have alleged abuse are referred to as ‘**complainants**’, and where abusers have been convicted (or where the fact of the abuse has been established formally in some other way) they are referred to as ‘**victims and survivors**’.

40.2. In recognition of the varying degrees of organisation that may characterise the sexual exploitation of children where there are associations between offenders, the terms ‘**group**’ is used in this report.

40.3. As social care is a devolved function, England and Wales each has different legislative frameworks, policies, procedures and oversight structures at a governmental and local authority level. In contrast, criminal justice matters are largely non-devolved. In general terms, local authorities have statutory responsibility for the strategy and effectiveness of children’s services, including securing the provision of services to address the needs of children and young people.¹⁶³⁰ Throughout this report, staff within local authorities with statutory responsibility for children are referred to as ‘**children’s social care**’ for consistency.

¹⁶³⁰ Children Act 2004, section 18(1); Social Services and Well-being (Wales) Act 2014, part 6

40.4. Where reference is made to ‘**professionals**’, this means those working in the three primary agencies: children’s social care, police forces or healthcare services.

40.5. Children and young people’s mental health services (CYPMHS) is now used as a term for all services that work with children and young people who have difficulties with their mental health or well-being. The previous term for children and adolescent mental health services (**CAMHS**) is generally used in this report, referring to the main specialist NHS mental health community services that are now provided within the wider CYPMHS.

41. References in the footnotes of the report such as ‘INQ006739’ or ‘INQ006739_003’ are to documents that have been adduced in evidence and posted on the Inquiry website. A reference such as ‘Simon Bailey 20 May 2019 113/20-23’ is to the witness, the date he or she gave evidence, and the page and line reference within the relevant transcript (which are available on the Inquiry website). While inevitably institution or investigation-specific, the footnotes refer to the Inquiry’s previous conclusions which illustrate the issues covered in this report. These examples are not exhaustive and so should be read in conjunction with the Inquiry’s complete range of

previous publications. They reflect the position at the time of the relevant investigation and do not necessarily represent the position now.

Annex 2

Publications by the Independent Inquiry into Child Sexual Abuse

Summary of Inquiry publications

1. Since its establishment in 2015, the Independent Inquiry into Child Sexual Abuse has published more than 1,500 reports and other material. These include:

- 1 Interim Report;
- 19 investigation reports;
- 24 research reports;
- 9 seminar summaries;
- 8 engagement reports; and
- 1,100 ‘Experiences shared’ narratives.

The Inquiry also published statistics quarterly and a Truth Project dashboard twice a year. Further details of the Inquiry’s published material are set out below, while a summary of recommendations made by the Inquiry is included at Annex 3.

The Interim Report

2. *The Interim Report of the Independent Inquiry into Child Sexual Abuse* was published in April 2018, and provided an overview of the progress

that the Inquiry had made and what it had learned. The report drew on public hearings that had taken place, as well as research, seminars and learnings from the Truth Project, and set out key issues emerging from the Inquiry's work. In addition to re-stating three recommendations which arose from the *Child Migration Programmes Investigation Report*, the Interim Report included 15 recommendations, including in relation to:

- compliance with the Victims' Code;
- revisions to the Criminal Injuries Compensation Scheme to remove barriers faced by victims and survivors of child sexual abuse;
- the feasibility of a register of public liability insurers to assist claimants locating the insurers relevant to their claim, and how it would operate;
- the amendment of primary legislation and the Civil Procedure Rules to ensure that victims and survivors can provide the best evidence in civil court cases;
- ratification of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (the 'Lanzarote Convention');

- operational policing experience and accreditation in the role of the police service in preventing and responding to child sexual abuse for any police officer wishing to progress to Chief Officer cadre;
- the registration of staff working in care roles in children's homes; and
- the establishment of the level of support available for victims and survivors and public expenditure on these services.

Investigation reports

3. The *Child Migration Programmes Investigation Report*, published in March 2018, examined the experiences of children who were removed from their families, care homes and foster care in England and Wales and were sent to institutions or families abroad, primarily during the post-Second World War period. Successive British governments failed to ensure there were sufficient measures in place to protect child migrants from all forms of abuse, including sexual abuse ranging from sexual touching to rape, sometimes repeatedly and over many years. The policy was allowed to continue despite evidence repeatedly showing that children were suffering. As a result, the Inquiry made three recommendations:

- the financial compensation of all child migrants by the government through a redress scheme;

- apologies by organisations involved in implementing the migration programmes; and
- the retention and preservation of remaining records relating to the Child Migration Programmes.

4. The *Cambridge House, Knowl View and Rochdale Investigation Report*, published in April 2018, considered allegations of sexual abuse and exploitation of children at institutions where their placement was arranged or provided by Rochdale Borough Council. The investigation concluded that multiple institutions had failed to keep children in its care safe from sexual abuse. The issues and conclusions from this investigation were considered alongside evidence relevant to the protection of children in the care of local authorities in subsequent investigations.

5. The first report on the Roman Catholic Church investigation – *Ampleforth and Downside (English Benedictine Congregation Case Study) Investigation Report*, published in August 2018 – concerned institutional failures at Ampleforth and Downside schools to protect children from sexual abuse. Both Ampleforth and Downside prioritised the monks and staff as well as their own reputations over the protection of children, and did no more than pay lip service to implementing the Nolan Report. An update on Ampleforth and Downside was published in October 2019 (see

below) and the evidence from this case study was considered further in the overarching Roman Catholic Church Investigation Report (see below).

6. The *Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report*, published in February 2019, examined evidence of child sexual abuse and institutional failures to protect children in the youth secure estate in England and Wales. Focusing on the period from 2009 to 2017, the report found that children held in young offender institutions and secure training centres were not protected from sexual abuse. The report also found that the number of reported incidents of child sexual abuse was much higher than was previously understood, and that the closed nature of the secure estate – and its focus on containment and control – did not provide an environment that protected children from either physical or sexual abuse. As a result, the Inquiry made seven recommendations, including that:

- children should only be placed in custody as a last resort;
- staff in roles responsible for the care of children in young offender institutions and secure training centres should be professionally registered; and
- the use of pain compliance techniques should be prohibited.

7. The first report on the Anglican Church investigation – *The Anglican Church Case Studies: 1. The Diocese of Chichester 2. The Response to Allegations Against Peter Ball Investigation Report* – was published in May 2019. It considered the Diocese of Chichester, where there were multiple allegations of child sexual abuse, and whether there were inappropriate attempts by people of prominence to interfere in the criminal justice process after Bishop Peter Ball was first accused of child sexual offences. As set out in the report, disclosures of child sexual abuse were handled inadequately, with responses failing to display an appropriate level of urgency or appreciation of the seriousness of allegations made and the Church putting its own reputation above the needs of victims and survivors. As a result, the Inquiry made five recommendations, including that:

- safeguarding guidance should be introduced for religious communities affiliated to the Church;
- Canon C30 (the canon requiring clerics to comply with the Bishop’s Guidance on Safeguarding) should be clarified; and
- the government should amend law to include clergy within the definition of a position of trust (to criminalise sexual activity between clergy and a young person aged 16 to 18).

8. In June 2019, *The Roman Catholic Church Case Study: Archdiocese of Birmingham Investigation Report* was published and formed part of the Inquiry's wider investigation into the Roman Catholic Church. It examined the Church's response to child sexual abuse by investigating the cases of four priests, and considered whether independent reports succeeded in bringing about major reforms. The report found that the Church prioritised its reputation and that the plight of victims was ignored or swept under the carpet, allowing perpetrators to continue sexually abusing children. Evidence from this case study was drawn upon in the overarching Roman Catholic Church Investigation Report (see below).

9. The *Children in the Care of the Nottinghamshire Councils Investigation Report* was published in July 2019. It considered the sexual abuse of children in the care of Nottingham City and Nottinghamshire County Councils, and the adequacy of steps taken to protect children from sexual abuse. Physical violence and sexual abuse occurred in many of the councils' children's homes and foster care, and both councils failed in their statutory duty to protect children from sexual abuse. The report concluded that neither of the councils learned from their mistakes despite decades of evidence and made specific recommendations regarding their practices.

10. *The Accountability and Reparations*

Investigation Report, published in September 2019, assessed the extent to which existing support services and available legal processes effectively delivered reparations to victims and survivors of child sexual abuse. The report found that none of the avenues for redress examined were able to adequately provide victims and survivors with the accountability and reparations that they sought. This included civil justice, criminal compensation and support services. As a result, the Inquiry made seven recommendations, including that:

- the Victims' Code should be revised to improve signposting of civil and criminal compensation;
- codes of practice (aimed at eliminating unnecessary distress to claimants) should be produced and followed throughout civil claims for child sexual abuse; and
- criminal justice compensation should be revised to increase the use of Criminal Compensation Orders.

11. *The Roman Catholic Church (EBC) Case Study: Ealing Abbey and St Benedict's School*

Investigation Report, published in October 2019, formed part of the Inquiry's wider investigation into the Roman Catholic Church. Extensive child sexual abuse was facilitated at Ealing Abbey for decades, due to a culture of cover-up and denial, and significant opportunities to stop perpetrators

in the school were not acted upon. The report also provided an update on changes to the leadership and governance of Ampleforth and Downside, and identified themes in responses to child sexual abuse by the wider English Benedictine Congregation. This included a closed and defensive culture, where teachers and monks were reluctant to support allegations of child sexual abuse for fear it would undermine the institutions and the Church. Evidence from this case study was considered in the overarching Roman Catholic Church Investigation Report (see below).

12. The *Children Outside the United Kingdom Phase 2 Investigation Report*, published in January 2020, examined the civil framework that aims to prevent people known to be a risk to children from offending abroad. This included civil orders, section 72 of the Sexual Offences Act 2003 (which permits the prosecution of British citizens for sexually abusing children while abroad), and disclosure and barring regimes. The report found that gaps and limits to the civil framework enabled offenders to sexually abuse children overseas. As a result, five recommendations were made, including that:

- a national plan of action should be coordinated to address child sexual abuse overseas by UK nationals and residents of England and Wales;

- a list of countries (where children are considered to be at high risk of sexual abuse from overseas offenders) should be established and used routinely to help identify whether a person who has been charged with sexual offences against a child poses a risk to children overseas; and
- the geographical reach of the Disclosure and Barring Service scheme should be extended.

13. *The Allegations of Child Sexual Abuse Linked to Westminster Investigation Report*, published in February 2020, considered evidence relating to allegations of child sexual abuse committed by persons of public prominence associated with Westminster. Although no evidence was found of an organised ‘Westminster paedophile network’, there were significant failures in the response of Westminster institutions to allegations of child sexual abuse. Particular themes included that police, prosecutors and political parties showed deference towards politicians and others believed to have some importance in public life; that wealth and social status kept perpetrators of child sexual abuse from being brought to justice, to the detriment of the victims of their alleged abuse; and that institutions failed to put the needs and safety of children first. The report made five recommendations, including that:

- the criteria for forfeiture of all honours must be formally extended to include convictions and cautions involving child sexual abuse offences;
- the policy on posthumous forfeiture should be re-examined, in order to consider the perspectives of victims and survivors; and
- the government, political parties and other Westminster institutions must have whistleblowing policies and procedures covering child sexual abuse and exploitation.

14. *The Internet Investigation Report* was published in March 2020. It focussed on the growing threat of online-facilitated child sexual abuse and the adequacy of the response of government, law enforcement and the internet industry. The report found that regulation of the internet industry is urgently required and that industry has failed to do all it can to prevent access to images of child sexual abuse. It concluded that access to child sexual abuse images must be stopped and that internet companies must do more to identify the true scale of offending. As a result, four recommendations were made, including that:

- industry should be required to pre-screen material before it is uploaded to the internet to prevent access to known indecent images of children;

- more action should be taken internationally to ensure that countries hosting indecent images of children implement legislation and procedures to prevent access to such imagery; and
- legislation should be introduced requiring providers of online services and social media platforms to implement more stringent age-verification techniques on all relevant devices.

15. *The Anglican Church Investigation Report*, published in October 2020, considered the extent to which the Church of England and the Church in Wales protected children from sexual abuse, drawing on earlier case studies. It found that in the context of child sexual abuse, the Church's neglect of the physical, emotional and spiritual well-being of children and young people in favour of protecting its own reputation was in conflict with its mission. It also concluded that diocesan and provincial safeguarding officers – not clergy – are best placed to decide which cases to refer to the statutory authorities, and what action should be taken by the Church to keep children safe. The report made eight recommendations, including that:

- a formal information-sharing protocol should be implemented and include the sharing of information about clergy who move between the two Churches;

- information-sharing protocols should be in place at a local level between dioceses and statutory partners; and
- a Church-wide policy should be introduced on the funding and provision of support to victims and survivors of child sexual abuse concerning clergy, Church officers or those with some connection to the Church.

16. *The Roman Catholic Church Investigation Report* was published in November 2020 and examined the extent of institutional failings by the Roman Catholic Church in England and Wales to protect children from sexual abuse, drawing on earlier case studies. It found that the Church's response to allegations of child sexual abuse focussed too often on the protection of the clergy and the Church's reputation, and that those in the Church who perpetrated child sexual abuse and turned a blind eye to it betrayed the Church's moral purpose. It also concluded that weaknesses in leadership have been significant in the failures to address child sexual abuse, including a reluctance to acknowledge responsibility, to hold individuals to account or to make sincere apologies. The report made seven recommendations, including that:

- a lead member of the clergy for safeguarding should be nominated to provide leadership and oversight on safeguarding matters;

- safeguarding training should be mandatory for all staff and volunteers in roles where they work with children or victims and survivors of abuse; and
- a clear framework should be published for dealing with cases of non-compliance with safeguarding policies and procedures.

17. The *Children in the Care of Lambeth Council Investigation Report*, published in July 2021, examined the scale and nature of sexual abuse experienced by children in the care of Lambeth Council. It also considered the extent of institutional failures to protect children in care from sexual abuse. There were a number of decisions and actions that made it possible for child sexual abuse to occur, including keeping adults who posed a risk to children in its employment and failing to investigate employees where they were suspected of child sexual abuse, exposing children to the risk of sexual abuse. As a result, the Inquiry made four recommendations, including that:

- elected members should receive training on safeguarding and corporate parenting; and
- the application of recruitment and vetting procedures should be reviewed for all foster carers.

18. The *Child Protection in Religious Organisations and Settings Investigation Report*, published in September 2021, examined the

protection of children by and response of religious organisations. It found that many religious organisations and settings did not consistently undertake appropriate checks of those who had contact with children, and that there remain religious organisations which have no process of risk assessment for convicted or accused sexual offenders who wish to continue in their religious practice in communal settings. As a result, two recommendations were made:

- all religious organisations should have a child protection policy and supporting procedures; and
- legislation should be introduced to amend the definition of full-time education and provide Ofsted with sufficient powers to examine the quality of child protection when inspecting suspected unregistered schools.

19. The *Institutional Responses to Allegations of Child Sexual Abuse Involving the Late Lord Janner of Braunstone QC Investigation Report* was published in October 2021. It focused on the institutional responses to allegations in circumstances where there was no criminal conviction or civil finding of fact that the alleged abuse occurred. The report considered issues such as deference to powerful individuals or superiors, the barriers to reporting faced by children (particularly those in care), and the need

for institutions to have clear policies and practices on responding to allegations of child sexual abuse. It concluded that complaints were not properly investigated by Leicestershire Police and that Leicestershire County Council also failed to take adequate steps in response to concerns raised by victims and survivors.

20. The *Child Sexual Exploitation by Organised Networks Investigation Report* was published in February 2022. Despite child sexual exploitation having been a designated strategic policing priority since 2015, it concluded that the sexual exploitation of children by groups of associated abusers continued to be widespread and greater than official statistics indicated. Local authorities and police forces failed to keep pace with the changing nature of this crime. It also concluded that there appears to be a flawed assumption that child sexual exploitation is decreasing. As a result, the Inquiry made six recommendations, including that:

- the Sentencing Act 2020 should be amended to provide a mandatory aggravating factor in sentencing in the case of the commission of an offence relating to a child, where child sexual exploitation by organised networks has occurred;

- an enhanced version of the government's Child Exploitation Disruption Toolkit should be published; and
- national government guidance on child sexual exploitation should be reviewed and updated.

21. *The Residential Schools Investigation Report* was published in March 2022. It examined institutional responses to child sexual abuse in residential specialist music schools, residential special schools (for children with special educational needs) and mainstream schools (a boarding school, a day secondary school and a primary school). It also considered the safeguarding system in education more broadly (inspection, oversight and teacher misconduct). It concluded that, despite 20 years of enhanced focus on safeguarding, schools were not as safe for children as they should be, and that children's interests did not always come first when allegations or concerns of sexual abuse arise. The report also identified shortcomings and failings in current systems of protection, regulation and oversight. As a result, seven recommendations were made, including that:

- all residential special schools should be inspected against the quality standards used to regulate children's homes in England and care homes in Wales;

- a set of national standards for local authority designated officers in England and Wales should be introduced to promote consistency; and
- the Independent School Standards should be amended to include the requirement that there is an effective system of governance.

Research reports

22. In April 2017, the Inquiry published *Rapid Evidence Assessment: What can be learnt from other jurisdictions about preventing and responding to child sexual abuse*. It considered whether there was a comprehensive approach combining primary prevention and response in a number of jurisdictions. In terms of changing attitudes and behaviour, the assessment concluded that none of the jurisdictions had a comprehensive approach. It also found that training, proactive identification and promoting expertise and good practice through specialist mobile teams or task forces in health, justice and child protection can have a positive impact. Support for children through prosecution and the court process was considered generally poor.

23. In July 2017, the Inquiry published *The impacts of child sexual abuse: A rapid evidence assessment*. It categorised a range of impacts or outcome that have been associated with child sexual abuse, including physical health

and emotional well-being, mental health and internalising behaviours. It found that the consequences of child sexual abuse could vary greatly between individual victims and survivors, and groups, and set out the ways wider society can affect how victims and survivors can remain healthy or recover following child sexual abuse.

24. In October 2017, the Inquiry published *Victim and survivor voices from the Truth Project*. This was the first publication looking at information shared with the Truth Project and analysed 249 accounts from between June 2016 and June 2017. In addition to key figures on the demographics of Truth Project participants, it considered emerging themes and patterns from the accounts, including reasons for attending a Truth Project session and experiences of child sexual abuse.

25. In November 2017, the Inquiry published *Child sexual abuse within the Catholic and Anglican Churches: A rapid evidence assessment*. This reviewed and summarised existing research on the scale and nature of child sexual abuse in the Churches, the institutional factors that might have contributed to the occurrence of child sexual abuse and the Churches' response to child sexual abuse.

26. In January 2018, the Inquiry published *Rapid Evidence Assessment: Quantifying the extent of online-facilitated child sexual abuse*. This considered sources that measured the scale

of child sexual abuse facilitated online by the number of reported offences, number of victims, number of perpetrators and number of images viewed, downloaded or exchanged. It found that all four measures produced different figures and concluded that none of these measures were likely to reveal the true extent of online-facilitated child sexual abuse.

27. *Rapid Evidence Assessment: Characteristics and vulnerabilities of victims of online-facilitated child sexual abuse and exploitation* was also published in January 2018. It found that there was strong evidence to suggest that girls are more likely to be victims of online-facilitated child sexual abuse than boys. It also noted that prior experience of neglect or abuse, disability, social isolation, the amount of time spent online and other risky behaviour – such as alcohol or drug use – might put some children at greater risk.

28. A third report – *Behaviour and characteristics of perpetrators of online-facilitated child sexual abuse and exploitation: A rapid evidence assessment* – was also published in January 2018. It found an absence of research about the demographic profile of perpetrators of online-facilitated child sexual abuse. Studies suggested that more perpetrators were male,

aged 18–25 and were less likely to have previous convictions compared to other perpetrators of child sexual abuse.

29. In February 2018, the Inquiry published *Deflection, denial and disbelief: social and political discourses about child sexual abuse and their influence on institutional responses: A rapid evidence assessment*. This summarised existing research about social and political discourses concerning child sexual abuse in England and Wales. It considered both dominant discourses (ideas relating to child sexual abuse that appear to be taken for granted as ‘truths’) and counter discourses that challenge the former.

30. *Child sexual abuse in custodial institutions: A rapid evidence assessment* was published in March 2018. It reviewed a variety of research evidence, policies and guidance in relation to the prevalence of child sexual abuse in custodial institutions, factors associated with failures and the nature of safeguarding systems in place in youth custody. Existing research indicated that children in custody were very vulnerable, and faced high levels of victimisation and violence. It also noted that around 1 percent to 3 percent of children in custody reported having experienced sexual abuse by other children or staff while in custody.

31. In November 2018, the Inquiry published *Child sexual abuse in residential schools: A literature review*. The review stated that, although there was little information available about the scale and nature of child sexual abuse in schools, children in residential schools might be more at risk due to the out-of-home setting. It also noted that children with disabilities were at more risk of child sexual abuse than children who were not disabled. The review stated that a range of factors influence the incidence of and responses to child sexual abuse in schools, including power imbalances between staff and pupils and a lack of confidence in addressing sexual abuse.

32. *Safe inside? Child sexual abuse in the youth secure estate* was published in February 2019. The research investigated the extent to which children feel safe from sexual abuse in the youth secure estate and the role of staff, systems and processes within this. It found that some practices did not seem to serve the best interests of the child and measures designed to keep children safe did not always reduce risk or promote safety. The research also found that children did not always feel safe or kept free from harm and were not well equipped to have healthy sexual relationships. Both children and staff struggled with knowing what constitutes abuse and inappropriate sexual behaviour.

33. In May 2019, the Inquiry published *Truth Project Research: Methods*, which described the methods used to analyse information from the Truth Project: quantitative analysis using numbers to answer the research questions and qualitative analysis using words and themes to answer the research questions.

34. In May 2019, the Inquiry published *Truth Project Thematic Report: Child sexual abuse in the context of religious institutions*, which was based on the accounts of victims and survivors who spoke to the Truth Project from June 2016 to November 2018. This research looked at experiences of child sexual abuse that were perpetrated by individuals connected to religious institutions (such as members of the clergy) or which occurred in religious institutions. The research found that those who were sexually abused in a religious context often did not report the abuse while it was ongoing, due to feelings of shame or embarrassment, and often shared that they knew of others being abused in the same institution or by the same perpetrator. Participants considered that the power, authority and reverence bestowed upon religious institutions and the individuals working within them meant that the conduct of perpetrators went unquestioned.

35. In November 2019, the Inquiry published *Truth Project Thematic Report: Child sexual abuse in the context of children's homes and residential care*, based on the accounts of victims and survivors who spoke to the Truth Project from June 2016 to March 2018. It considered experiences of child sexual abuse by individuals connected to residential care or children's homes (such as members of staff) or which took place in those settings. It found that more victims and survivors abused in residential care reported a disability or long-term illness than those sexually abused in other contexts. It also noted that, while the majority of perpetrators were male, there was a higher proportion of sexual abuse involving female perpetrators in the context of residential care.

36. *Learning about online sexual harm* was also published in November 2019. It examined the perspectives of children and young people about being online, education received about online sexual harm and what should be done to better protect children and young people from online sexual harm. It found that listening to the views of children and young people was critical in ensuring that the ongoing development of protective efforts are relevant and beneficial. It was also a common experience for children and young people to be exposed to the risk of

online sexual harm, about which they needed access to appropriate education before spending unsupervised time online.

37. In April 2020, the Inquiry published *Safeguarding children from sexual abuse in residential schools*. It explored the understanding of child sexual abuse in residential schools from the perspectives of school staff, children, parents and local authority staff, and their views on safeguarding practices in residential schools. It found that residential schools faced distinct and complex challenges in effectively preventing and responding to incidents of child sexual abuse. Residential special schools recorded nearly 10 times the number of concerns per student than other residential schools. Across both special and mainstream schools, prevention work was multi-faceted, including awareness-raising and training of staff, students and parents.

38. The Inquiry also published *Truth Project Thematic Report: Child sexual abuse in custodial institutions* in April 2020. It was based on the accounts of victims and survivors who spoke to the Truth Project from June 2016 to January 2020, and examined the experiences of child sexual abuse perpetrated by individuals connected to custodial institutions (such as custodial staff) or which took place there. Findings included that child sexual abuse usually occurred from the outset of entering

a custodial institution as the positional power and control of perpetrators meant they did not need to groom victims.

39. *An explorative study on perpetrators of child sexual exploitation convicted alongside others* was published in May 2020. It aimed to understand the motivations of perpetrators of child sexual exploitation who operated in organised networks. It also sought to identify interventions and approaches that could prevent or disrupt perpetrators. The research found that perpetrators could be loosely clustered around three groups according to their lifestyle, motivation, sexual interest and attitude towards conviction. Some perpetrators acknowledged their behaviour to varying extents, with some using minimisation and justification to explain their motivations and offending behaviours.

40. In June 2020, the Inquiry published *Truth Project Thematic Report: Child sexual abuse in sports*, which was based on accounts of victims and survivors who spoke to the Truth Project from June 2016 to March 2020. It considered experiences of child sexual abuse that were perpetrated by individuals connected to sports institutions (such as sports coaches) or which took place there. The research found that physical contact was a specific enabling factor and was sometimes used as a pretext by perpetrators to

sexually abuse children. Perpetrators sometimes used sports-related rewards, such as allowing the child to play in a more senior team, as a method of grooming or coercion.

41. The Inquiry also published *“People don’t talk about it”: Child sexual abuse in ethnic minority communities* in June 2020. This research report looked at the views of those in ethnic minority communities and their experiences of disclosing and reporting child sexual abuse. It also explored their views on and experiences of interactions with institutions in relation to child sexual abuse, and about the nature of support received by victims and survivors. Participants stated that cultural stereotypes and racism could lead to institutions and professionals failing to identify and respond to child sexual abuse, and could make it difficult for people from ethnic minorities to speak up about child sexual abuse. Perceptions and responses to child sexual abuse in ethnic minority communities could be influenced by expectations about gender, and by the shame and stigma sometimes associated with child sexual abuse.

42. In August 2020, *Support services for victims and survivors of child sexual abuse* considered victims and survivors’ experiences of support services. This included services that victims and survivors accessed, why they would or would not access them, what made accessing easier, and

barriers that they faced. Most of the victims and survivors surveyed had not accessed support services and some of them did not feel they needed it. Those who did access support took a long time to do so and rated them as mediocre; the most highly rated forms of support across all services were those provided by voluntary sector specialist services.

43. In December 2020, the Inquiry published *Truth Project Thematic Report: Child sexual abuse in healthcare contexts*, based on the accounts of victims and survivors who spoke to the Truth Project from June 2016 to July 2020. It looked at experiences of child sexual abuse perpetrated by individuals connected to healthcare institutions (such as doctors, nurses or dentists) or which took place there. The research found that vulnerabilities were heightened in these settings due to the unique nature of the position of trust and authority occupied by healthcare practitioners. Participants also described a lack of appropriate safeguarding or effective responses to allegations by healthcare practitioners.

44. In December 2020, the Inquiry published *Truth Project Thematic Report: Child sexual abuse in the context of schools*, based on accounts of victims and survivors who spoke to the Truth Project from June 2016 to June 2020. This report looked at experiences of child sexual abuse perpetrated by

individuals connected to schools (such as teachers or education assistants) or which took place there. Findings included that the majority of perpetrators were male teachers or other educational staff, who often manipulated and groomed children and young people, staff and parents. Many had good reputations with staff and parents, or were seen as ‘cool’ by pupils. Some victims and survivors believed that they were in ‘relationships’ with the perpetrators.

45. In July 2021, the Inquiry published *Child sexual abuse in contemporary institutional contexts*. It examined the Disclosure and Barring Service’s ‘discretionary cases’ over 10 years to better understand the behaviours of perpetrators who have sexually abused children in institutions. The research found that alleged perpetrators used similar tactics and methods to sexually groom and abuse children. It also found that there were numerous missed opportunities to safeguard children because concerns were not escalated, disclosures were not always believed, and institutions and staff did not share, record and respond appropriately to concerns.

Seminar summaries

46. The Inquiry published *Civil Justice System Seminar: An update report* in March 2018, which summarised discussions from a two-day seminar about the challenges faced by victims

and survivors in the civil justice system. Topics of discussion included civil litigation, limitation, compensation, other types of accountability and reparation, and potential areas for reform.

47. In April 2018, the Inquiry published the *Criminal Compensation Seminar: An update report*. The report set out key points of discussion from a one-day seminar that explored issues with criminal compensation. This included victim and survivor eligibility for awards under the Criminal Injuries Compensation Scheme, the administration of the Criminal Injuries Compensation Scheme and potential areas for reform.

48. The Inquiry published *Health Sector Seminar: An update report* in May 2018. The report summarised discussions from a two-day seminar that examined arrangements to prevent and respond to child sexual abuse in healthcare settings. Key areas of discussion included the education and training of healthcare workers, recruitment and employment practices, preventing unsupervised or inappropriate access to children and reporting child sexual abuse.

49. The Inquiry published *Learning from the Best Practice Overseas Seminar: An update report* in July 2018. The report set out key points of discussion from a day-long seminar that sought

to explore what could be learnt from different jurisdictions about the role of institutions in preventing and identifying child sexual abuse.

50. In July 2018, the Inquiry also published *Victims' and Survivors' Experiences Seminar: An update report*. The report provided a summary of a two-day seminar that discussed victims and survivors' experiences of the impact of child sexual abuse, victim and survivor support needs, and support services for adult and child victims and survivors.

51. In August 2018, the Inquiry published *Criminal Justice System Seminar: An update report*, which summarised discussions from a two-day seminar on how cases of child sexual abuse were dealt with by the criminal justice system. Key areas of discussion included barriers to reporting child sexual abuse, delays in the criminal justice process, support services for victims and survivors, ineffective coordination and interaction within and between organisations working in the criminal justice system, and strained resources and funding.

52. The Inquiry published *Social and Political Narratives about Child Sexual Abuse Seminar: An update report* in August 2018. The report set out key points of discussion from a half-day seminar that explored how existing ways of thinking and talking about child sexual abuse could help or

hinder effective and sensitive responses to child sexual abuse, and how best to challenge unhelpful narratives where necessary.

53. In December 2018, the Inquiry published *Mandatory Reporting Seminar 1 – Existing Obligations to Report Child Sexual Abuse: A Summary Report*. This report summarised discussions that took place at a day-long seminar that looked at existing obligations to report child sexual abuse in England and Wales. The seminar also explored how mandatory reporting laws operate in a number of other countries, and the impact these laws may have had on preventing and responding to child sexual abuse.

54. The Inquiry published *Mandatory Reporting Seminar 2: A Summary Report* in August 2019. This report summarised discussions from a two-day seminar that considered the arguments for and against the introduction of mandatory reporting legislation in England and Wales, and the practical considerations involved. Areas of discussion included the impact of mandatory reporting in other jurisdictions, experiences of reporting child sexual abuse and key features of mandatory reporting models.

Engagement publications

55. In May 2019, the Inquiry published *Victims and Survivors Forum Consultation on the Criminal Justice System: Summary Report*. The report provided a summary of the most prominent themes that emerged from five workshops held with members of the Inquiry's Victims and Survivors Forum ('the Forum'), and an online questionnaire, about their experiences of the criminal justice system.

56. In November 2019, the Inquiry published *Victims and Survivors Forum Consultation on Culture: Summary Report*. This report summarised discussions at five workshops with Forum members and responses to an online questionnaire about individuals, institutions and how society talks about child sexual abuse.

57. The Inquiry published *Victims and Survivors Forum Consultation on Accessing Records: Summary Report* in March 2020. The report summarised discussions at a series of workshops with Forum members and responses to an online questionnaire about their experiences of accessing records kept by institutions, the impact of those experiences and the steps that should be taken to improve victims and survivors' experiences of accessing records.

58. In October 2020, the Inquiry published *Victims and Survivors Forum Consultation on Redress: Summary Report*. The report combined a summary of responses to an online questionnaire sent to Forum members and discussions at one workshop which Forum members participated in. Through the workshop and the online questionnaire, Forum members shared their views and experiences of various forms of redress, including financial compensation, apologies and support.

59. The Inquiry published *Victims and Survivors Forum Consultation on Protected Characteristics: Summary Report* in February 2021. The report summarised the responses received to a questionnaire sent to Forum members, which asked members how their protected characteristics affected their experiences of child sexual abuse.

60. In April 2021, the Inquiry published *Engagement with support services for ethnic minority communities*, which explored the barriers faced by victims and survivors from ethnic minority communities when disclosing experiences of child sexual abuse. A number of themes emerged after speaking to over 100 community support organisations, including a lack of trust in services, language barriers and living in closed communities.

61. The Inquiry published *Engagement with children and young people* in June 2021. The report considered how children should be better

protected by listening to the experiences of 56 young victims and survivors of child sexual abuse and over 70 specialist child sexual abuse support workers. Key themes that emerged included hearing that young victims and survivors face delays in accessing support, that relationships and sex education in schools is not reflective of the challenges that children face, and that creators of social media apps and internet platforms should take greater responsibility.

62. *Engagement with LGBTQ+ victims and survivors* was published in May 2022, based on the views of 31 LGBTQ+ victims and survivors and 31 LGBTQ+ support organisations. The report explored the challenges that can make LGBTQ+ children and young people vulnerable to sexual abuse, and the barriers LGBTQ+ victims and survivors face when disclosing experiences of child sexual abuse. These included that society's views of LGBTQ+ victims and survivors are often built on harmful myths and stereotypes, and that relevant support services are hard to find.

Quarterly publications

63. The Inquiry's Truth Project offered more than 6,000 victims and survivors of child sexual abuse the opportunity to share their personal experiences and be respectfully heard, in order to improve understanding of child sexual abuse. This listening exercise produced 1,100 *'Experiences shared'*

narratives which were published on a regular basis. These narratives remain available on the Inquiry's website.

64. The accounts of victims and survivors who came forward to the Truth Project were recorded, anonymised and analysed by the Inquiry's research team, in order to provide a legacy for future study and learning. Statistical reports, using data gathered from the Truth Project Experiences Shared, were published every quarter.

65. The Truth Project Dashboard has been published twice a year up to summer 2021, showing the findings from the most recent analysis of the experiences shared by victims and survivors who consented to be part of the Research programme, and were in scope of the Research remit, whilst engaging with the Truth Project. The final Truth Project Dashboard, containing 5,862 victims and survivors' accounts, is included in Annex 4.

Annex 3

Recommendations made by the Independent Inquiry into Child Sexual Abuse

Since its establishment in 2015, the Independent Inquiry into Child Sexual Abuse has made 107 recommendations to 33 specified State and non-State institutions (including the UK and Welsh governments and various government departments, several local authorities, the Anglican Church and the Roman Catholic Church), as well as a number of other organisations and settings such as political parties and religious organisations. The table below includes a summary of each recommendation and whether it has been accepted or rejected by the receiving institution. It also sets out the action taken to date based on information that was provided to the Inquiry by the receiving institution, which can also be found on the [Inquiry website](#).

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
Child sexual abuse (see Part B)				
<p>1. Collect data on child sexual exploitation and child sexual exploitation networks</p> <p>Police forces and local authorities in England and in Wales must collect data on all cases of known or suspected child sexual exploitation and child sexual exploitation by networks. These data should be separated from other data sets, including data on child sexual abuse, and be disaggregated by the sex, ethnicity and disability of both the victim and perpetrator.</p> <p>This disaggregated data should be used by police forces to inform problem profiling and activities to disrupt and investigate offenders. Local authorities should take account of the disaggregated data when commissioning services for children.</p> <p>The UK government and the Welsh Government should take steps to ensure that these data are being collected and disaggregated in a consistent and accurate way by police forces and local authorities.</p>	<p>February 2022</p> <p><i>Child Sexual Exploitation by Organised Networks Investigation Report</i></p> <p>Recommendation 5</p>	<p>See comments</p>	<p>On 30 June 2022, the UK government provided the Inquiry with its provisional response to this recommendation. The UK government stated its final response to this recommendation would be provided within six months of the report's publication date, by 1 August 2022, and it will then be available on the Inquiry's website.</p> <p>On 30 June 2022, the Welsh Government stated that in March 2021 it introduced statutory guidance which requires relevant partners of the Safeguarding Board across Wales to establish arrangements which address the matters contained in this recommendation.</p>	

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>2. A single core data set</p> <p>The Inquiry recommends that the UK government and the Welsh Government improve data collected by children's social care and criminal justice agencies concerning child sexual abuse and child sexual exploitation by the introduction of one single core data set covering both England and Wales.</p> <p>In order to facilitate this, these agencies should produce consistent and compatible data about child sexual abuse and child sexual exploitation which include:</p> <ul style="list-style-type: none"> • the characteristics of victims and alleged perpetrators of child sexual abuse, including age, sex and ethnicity; • factors that make victims more vulnerable to child sexual abuse or exploitation; and • the settings and contexts in which child sexual abuse and child sexual exploitation occur. <p>Data concerning child sexual abuse and child sexual exploitation should be compiled and published on a regular basis. Data should be capable of being collated nationally as well as at regional or local levels.</p>	October 2022	<i>The Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 1		

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
Prioritising the protection of children (see Part C)				
<p>3. Ensure complaints relating to police handling of child sexual abuse cases are considered</p> <p>The Chair and Panel recommend that the National Police Chiefs' Council ensures that complaints relating to child sexual abuse are no longer 'disapplied' by police forces on the grounds that the incident involved took place more than 12 months before the complaint was submitted.</p>	<p>April 2018</p>	<p><i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i></p> <p>Recommendation 16</p>	<p>Accepted</p>	<p>On 16 January 2019, Chief Constable Craig Guildford (National Police Chiefs' Council lead for Complaints and Misconduct) advised all Chief Officers that complaints relating to child sexual abuse should no longer be disapplied on the ground that it took place more than 12 months before the complaint was submitted. This interim measure was implemented with immediate effect.</p> <p>On 1 February 2020, the Independent Office of Police Conduct published statutory guidance on the police complaints system. The statutory guidance no longer includes a chapter on disapplication.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>4. Develop a national plan of action to address child sexual abuse and exploitation overseas</p> <p>The Home Office should coordinate the development of a national plan of action addressing child sexual abuse and exploitation overseas by UK nationals and residents of England and Wales, involving input from all lead governmental agencies in the field.</p>	January 2020	<p><i>Children Outside the United Kingdom Phase 2 Investigation Report</i></p> <p>Recommendation 1</p>	Accepted	<p>On 21 January 2021, the Home Office confirmed that it would implement this recommendation as part of the UK government's Tackling Child Sexual Abuse Strategy. The strategy sets out the government's national plan of action for tackling transnational child sex offenders (TCSOs).</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>5. Revise how the Church of England responds to safeguarding complaints</p> <p>The Church of England should make changes and improvements to the way in which it responds to safeguarding complaints (whether related to allegations of abuse, or a failure to comply with or respond to the Church’s safeguarding policies and procedures) to:</p> <ul style="list-style-type: none"> • disapply the 12-month time-limit for all complaints with a safeguarding element brought under the Clergy Discipline Measure; • reintroduce the power to depose from holy orders where a member of the clergy is found guilty of child sexual abuse offences; • introduce a mandatory ‘code of practice’ to improve the way that safeguarding issues are handled across the Clergy Discipline Measure and capability procedures, including a framework for responding to issues that do not amount to misconduct; • make clear that penalty by consent must never be used in relation to such complaints; 	<p>October 2020</p>	<p><i>The Anglican Church Investigation Report</i></p> <p>Recommendation 2</p>	<p>Accepted</p>	<p>On 29 March 2021, a joint response from the National Safeguarding Steering Group, the House of Bishops and the Archbishops’ Council endorsed the proposals of the Clergy Discipline Measure working group to replace Clergy Discipline Measure 2003 with a new set of provisions. Those provisions would include a disciplinary process and be accompanied by a mandatory code of practice (or similar), which would emphasise the standard of conduct which is required of clergy. The proposed Clergy Discipline Measure reform would disapply the 12-month time-limit for all safeguarding-related complaints. The Church of England also stated that legislation to reintroduce the power to depose from holy orders would be brought forward as soon as practicable.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<ul style="list-style-type: none"> ensure confidentiality agreements are not put in place in relation to such complaints; and ensure that those handling such complaints are adequately and regularly trained. 				<p>The joint response also supported a replacement provision which enables respondents to acknowledge their misconduct early in the process, reducing the need for victims and survivors to be subject to the delay and trauma of a tribunal process.</p> <p>The joint response stated that the National Church Institutions' Legal Office had taken steps to introduce new training for those who handle complaints in dioceses in connection with the special measures that may be required.</p> <p>The Church of England informed the Inquiry that it intended to present proposals for the reform of clergy discipline to the General Synod.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>6. Redraft the canonical crimes relating to child sexual abuse</p> <p>The Catholic Bishops' Conference of England and Wales should request that the Holy See redraft the canonical crimes relating to child sexual abuse as crimes against the child.</p>	<p>November 2020</p>	<p><i>The Roman Catholic Church Investigation Report</i> Recommendation 5</p>	<p>Accepted</p>	<p>On 30 September 2021, the Catholic Council for the Inquiry confirmed that Book VI of the Code of Canon Law determines the penal norms in order to give precise and sure guidance to those who must apply them. The Catholic Council for the Inquiry also confirmed that the offence of child abuse is now framed as an offence committed against the dignity of the human person. It includes clerics, non-clerical religious and lay persons who occupy certain roles in the Church.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>7. Publish a national policy for handling complaints in the Roman Catholic Church</p> <p>The Catholic Bishops' Conference of England and Wales and the Conference of Religious should publish a national policy for complaints about the way in which a safeguarding case is handled.</p> <p>The policy should deal with communication with complainants during the complaints process and set out an escalation process for all complainants to have their complaint assessed by an independent adjudicator, if they are unhappy with how their complaint has been handled.</p>	November 2020	<p><i>The Roman Catholic Church Investigation Report</i></p> <p>Recommendation 7</p>	Accepted	<p>On 30 April 2021, the Catholic Council for the Inquiry stated that a framework and template for complaints was ratified by the Bishops. The framework and template include the need for clear communication between the complainant and those handling the complaint, and an escalation of the process if the outcome is unsatisfactory. In November 2021, the Catholic Safeguarding Standards Agency website was launched and set out the National Safeguarding Standards, the National Safeguarding Policy, and practice guidance documents.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>8. Introduce legislation to change the definition of full-time education and unregistered educational institutions providing full-time education</p> <p>The government should introduce legislation to:</p> <ul style="list-style-type: none"> change the definition of full-time education, and to bring any setting that is the pupil's primary place of education within the scope of the definition of a registered educational setting; and provide the Office for Standards in Education, Children's Services and Skills (Ofsted) with sufficient powers to examine the quality of child protection when it undertakes inspections of suspected unregistered institutions. 	<p>September 2021</p>	<p><i>Child Protection in Religious Organisations and Settings Investigation Report</i> Recommendation 2</p>	<p>See comments</p>	<p>On 2 March 2022, the UK government stated that in 2020 it had consulted to legislate to amend the registration requirements for independent education settings. It confirmed that it had considered responses to the consultation and would publish its response. The UK government also stated that the Department for Education previously committed to increasing the powers available to Ofsted when conducting inspections under section 97 of the 2008 Act, including in the <i>Integrated Communities Action Plan 2019</i>.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>9. Provide a mandatory aggravating factor for sentencing networks of child sexual exploitation offenders</p> <p>The government should amend the Sentencing Act 2020 to provide a mandatory aggravating factor in sentencing in the case of the commission of an offence under Part 1 of the Sexual Offences Act 2003 relating to a child, where (1) the child was exploited, (2) 'exploitation' means the child was controlled, coerced, manipulated or deceived into sexual activity and (3) two or more persons were concerned in the exploitation.</p>	February 2022	<p><i>Child Sexual Exploitation by Organised Networks Investigation Report</i></p> <p>Recommendation 1</p>	See comments	<p>On 30 June 2022, the UK government provided the Inquiry with its provisional response to this recommendation. The UK government stated its final response to this recommendation would be provided within six months of the report's publication date, by 1 August 2022, and it will then be available on the Inquiry's website.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>10. Publish an enhanced Child Exploitation Disruption Toolkit</p> <p>As referenced in its Tackling Child Sexual Abuse Strategy, the government should publish an enhanced version of its Child Exploitation Disruption Toolkit as soon as possible. This Toolkit must:</p> <ul style="list-style-type: none"> • specify that the core element of the definition of child sexual exploitation is that a child was controlled, coerced, manipulated or deceived into sexual activity; • include specific guidance on building effective problem profiles for child sexual exploitation and child sexual exploitation by networks, as differentiated from other forms of exploitation; • specifically state the sources and types of data that agencies should use to build problem profiles; and • indicate the minimum frequency at which problem profiles should be updated. 	<p>February 2022</p>	<p><i>Child Sexual Exploitation by Organised Networks Investigation Report</i> Recommendation 2</p>	<p>See comments</p>	<p>On 30 June 2022, the UK government provided the Inquiry with its provisional response to this recommendation. The UK government stated its final response to this recommendation would be provided within six months of the report's publication date, by 1 August 2022, and it will then be available on the Inquiry's website.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>11. Ban the unregulated placements of children</p> <p>The Department for Education should ban the placement in semi-independent and independent settings of children aged 16 and 17 who have experienced, or are at heightened risk of experiencing, sexual exploitation. This should be implemented without delay.</p>	February 2022	<p><i>Child Sexual Exploitation by Organised Networks Investigation Report</i></p> <p>Recommendation 6</p>	See comments	<p>On 30 June 2022, the UK government provided the Inquiry with its provisional response to this recommendation. The UK government stated its final response to this recommendation would be provided within six months of the report's publication date, by 1 August 2022, and it will then be available on the Inquiry's website.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>12.</p> <p>Child Protection Authorities for England and for Wales</p> <p>The Inquiry recommends that the UK government establishes a Child Protection Authority for England and the Welsh Government establishes a Child Protection Authority for Wales.</p> <p>Each Authority's purpose should be to:</p> <ul style="list-style-type: none"> • improve practice in child protection; • provide advice and make recommendations to government in relation to child protection policy and reform to improve child protection; and • inspect institutions and settings as it considers necessary and proportionate. <p>The Child Protection Authorities in England and in Wales should also monitor the implementation of the Inquiry's recommendations.</p>	<p>October 2022</p>	<p><i>The Report of the Independent Inquiry into Child Sexual Abuse</i></p> <p>Recommendation 2</p>		

	Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
13.	<p>A cabinet Minister for Children</p> <p><u>The UK government</u></p> <p>The Inquiry recommends that the UK government creates a cabinet-level ministerial position for children.</p> <p><u>The Welsh Government</u></p> <p>The Inquiry recommends that the Welsh Government ensures that there is cabinet-level ministerial responsibility for children.</p>	October 2022	<p><i>The Report of the Independent Inquiry into Child Sexual Abuse</i></p> <p>Recommendation 3</p>		

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>14. Public awareness</p> <p>The Inquiry recommends that the UK government and the Welsh Government commission regular programmes of activity to increase public awareness about child sexual abuse and the action to take if child sexual abuse is happening or suspected in England and in Wales.</p> <p>The programmes should:</p> <ul style="list-style-type: none"> • challenge myths and stereotypes about child sexual abuse; • make maximum use of different approaches including, but not limited to, public information campaigns, the use of positive role models and creative media, such as television drama; and • be supported by continuous evaluation to measure their impact. 	<p>October 2022</p>	<p><i>The Report of the Independent Inquiry into Child Sexual Abuse</i></p> <p>Recommendation 4</p>		

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
Transforming attitudes and empowering children (see Part D)				
<p>15. Establish why there is a high population of children on remand</p> <p>The Inquiry was told that children should only be placed in custody as a last resort. However, it was concerned to hear evidence that some children are remanded in custody because of a lack of appropriate community provision. Given that the proportion of children in custody on remand is so high, this is an issue of significant concern.</p> <p>The Chair and Panel recommend that the Youth Custody Service commissions research into why the child remand population is as high as it is. If the reason is a lack of appropriate community provision (nationally or in certain areas), or otherwise unrelated to a genuine need for those children to be remanded in custody, the Chair and Panel recommend that the Youth Custody Service, with appropriate partner agencies, puts an action plan in place to address this.</p>	February 2019	<p>Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report</p> <p>Recommendation 1</p>	Accepted	<p>On 26 January 2022, the Ministry of Justice published its Review of Custodial Remand for Children. The review’s findings challenged the narrative that remand is overused and highlighted several factors that have impacted the increase in the proportion of children on remand over the past 10 years. It noted the ongoing issue with the number of short remand episodes that do not result in custodial sentences and the “ethnic disproportionality of remand”.</p> <p>The review reiterated the UK government’s commitment to legislate changes, through the Police, Crime, Sentencing and Courts Bill, to tighten the legal tests courts must satisfy to impose custodial remand on a child. It also committed to strengthen operational delivery and frontline practices, and consider greater use of bail and local authority provision as an alternative to custody.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>16. Review the practice of placing children in secure children’s homes for welfare reasons</p> <p>The Chair and Panel recommend that the Department for Education and the Youth Custody Service conduct a full review of the practice of placing children for justice and welfare reasons together in secure children’s homes to establish whether it increases the risk of sexual abuse to children. If so, appropriate action should be taken, including consideration of alternative models. The review should be completed within three months, and an action plan should be published within six months.</p>	<p>February 2019</p>	<p><i>Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report</i> Recommendation 2</p>	<p>Accepted</p>	<p>On 28 April 2022, the Bill received Royal Assent and section 157 of the Police, Crime, Sentencing and Courts Act 2022 reflects the above-mentioned change.</p> <p>On 7 May 2021, the Department for Education published its review of placement practices in secure children’s homes. It concluded that the practice of placing children in mixed justice and welfare homes does not create or exacerbate systemic risk of child sexual abuse. In light of the review, the Department for Education stated that it did not propose exploring alternative models as recommended by the Inquiry.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>17. Prohibit the use of pain compliance techniques in the youth secure state</p> <p>The Chair and Panel consider that the use of pain compliance techniques should be seen as a form of child abuse, and that it is likely to contribute to a culture of violence, which may increase the risk of child sexual abuse.</p> <p>The Chair and Panel recommend that the Ministry of Justice prohibits the use of pain compliance techniques by withdrawing all policy permitting its use, and setting out that this practice is prohibited by way of regulation.</p>	February 2019	<p><i>Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report</i></p> <p>Recommendation 5</p>	Rejected	<p>On 18 June 2020, the Ministry of Justice published the <i>Charlie Taylor review of pain-inducing techniques in the youth secure estate</i>. The review recommended that the Minimising and Managing Physical Restraint (MMPR) programme should be amended to remove the use of pain-inducing techniques from its syllabus. The review also recommended that: (a) staff in young offender institutions and secure training centres may use a pain-inducing technique to prevent serious physical harm to a child or adult, and (b) that an Independent Restraint and Behaviour Panel (IRBP) should be established to review incidents in which serious injuries or warning signs have been identified, or where a pain-inducing technique has been deployed.</p> <p>On 18 June 2020, the Ministry of Justice also published the <i>UK government's response to the review</i>. It stated that the Ministry of Justice would remove the sections on pain-inducing techniques from the MMPR manual.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
18.				<p>In April 2021, the Ministry of Justice confirmed that the Youth Custody Service had established the IRRP.</p> <p>A second Inquiry recommendation on the use of pain compliance was made (see row 20).</p>
<p>Ensure there is cross-departmental responsibility for safeguarding children in custodial institutions</p> <p>The Chair and Panel recommend that the Ministry of Justice and the Department for Education share policy responsibility for managing and safeguarding children in custodial institutions. This is to ensure that standards applied in relation to children in custody are jointly focussed on discipline and securing child welfare.</p>	February 2019	<p><i>Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report</i></p> <p>Recommendation 7</p>	Rejected	<p>On 23 July 2019, the Ministry of Justice stated that it has joint working relationships with the Department for Education on secure children's homes, safeguarding and establishing secure schools. It stated that it aims to replace all young offender institutions and secure training centres with secure children's homes and secure schools.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>19. Evaluate practice concerning harmful sexual behaviour between children</p> <p>Nottingham City Council and its child protection partners should commission an independent, external evaluation of their practice concerning harmful sexual behaviour, including responses, prevention, assessment, intervention and workforce development. An action plan should be set up to ensure that any recommendations are responded to in a timely manner and progress should be reported to City's Safeguarding Children Partnership.</p>	July 2019	<p><i>Children in the Care of the Nottinghamshire Councils Investigation Report Recommendation 2</i></p>	Accepted	<p>On 29 July 2021, Nottingham City Council stated that the NSPCC undertook an independent external evaluation of its practice in relation to harmful sexual behaviour. The NSPCC identified opportunities for further strengthening and an action plan was developed to disseminate learning and recommendations.</p>

	Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
20.	<p>Reiterated recommendation: Pain compliance</p> <p>The Inquiry recommends (as originally stated in its <i>Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report</i>, dated February 2019) that the UK government prohibits the use of any technique that deliberately induces pain (previously referred to by the Inquiry as ‘pain compliance techniques’) by withdrawing all policy permitting its use in custodial institutions in which children are detained, and setting out that this practice is prohibited by way of regulation.</p>	October 2022	<i>The Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 5		

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>21.</p> <p>Children Act 1989</p> <p>The Inquiry recommends that the UK government amends the Children Act 1989 so that, in any case where a court is satisfied that there is reasonable cause to believe that a child who is in the care of a local authority is experiencing or is at risk of experiencing significant harm, on an application by or for that child, the court may:</p> <ul style="list-style-type: none"> • prohibit a local authority from taking any act (or proposed act) which it otherwise would be entitled to take in exercising its parental responsibility for the child; or • give directions for the purpose of determining a specific question which has arisen, or which may arise, in connection with any aspect of the local authority's exercise of parental responsibility for a child. 	<p>October 2022</p>	<p><i>The Report of the Independent Inquiry into Child Sexual Abuse</i></p> <p>Recommendation 6</p>		

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
Creating a more protective environment for children (see Part E)				
<p>22. Develop a national policy on the training and use of chaperones in England</p> <p>The Chair and Panel recommend that the Department of Health and Social Care develops a national policy for the training and use of chaperones in the treatment of children in healthcare services.</p> <p>The Chair and Panel recommend that the Care Quality Commission considers compliance with national chaperone policies (once implemented) in its assessments of services.</p>	<p>April 2018</p>	<p><i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i></p> <p>Recommendation 10</p>	<p>Accepted</p>	<p>On 22 July 2019, the UK government stated that NHS England had developed chaperone guidance notes which set out principles of chaperoning and included examples of good practice. It also stated that the Department for Health and Social Care would continue to require the Care Quality Commission to assess providers' policies and protocols on their inspection visits.</p>
<p>23. Develop a national policy on the training and use of chaperones in Wales</p> <p>The Chair and Panel recommend that the Welsh Government develops a national policy for the training and use of chaperones in the treatment of children in healthcare services.</p> <p>The Chair and Panel recommend that Healthcare Inspectorate Wales considers compliance with national chaperone policies (once implemented) in its assessments of services.</p>	<p>April 2018</p>	<p><i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i></p> <p>Recommendation 11</p>	<p>Accepted</p>	<p>On 6 January 2020, the Welsh Government published guidance for health boards and trusts in respect of good working practice for the use of chaperones during intimate examinations or procedures within NHS Wales.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>24. Ensure care staff working in children's homes are professionally registered</p> <p>The Chair and Panel recommend that the Department for Education introduces arrangements for the registration of staff working in care roles in children's homes. Registration should be with an independent body charged with setting and maintaining standards of training, conduct and continuing professional development, and with the power to enforce these through fitness to practise procedures.</p> <p>The Chair and Panel recognise that registration may require a period of phasing in, and therefore recommend that priority be given to professional registration of children's home managers.</p>	<p>April 2018</p>	<p><i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i></p> <p>Recommendation 14</p>	<p>Rejected</p>	<p>On 8 July 2021, the Department for Education published the findings of a Call for Evidence on the children's homes workforce and a literature review. The UK government informed the Inquiry that it will continue to keep the recommendation for a professional register of the residential childcare sector under review.</p> <p>A second Inquiry recommendation on the professional registration of care staff working in children's homes was made (see row 65).</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>25. Ensure professionals who pose a risk or harm to children are barred from working with children</p> <p>The Chair and Panel recommend that the Home Office ensures that the Safeguarding Vulnerable Groups Act 2006 is amended so that, where a fitness to practise hearing has been conducted by the keeper of a relevant register and has resulted in removal of a practitioner from that register for reasons relating to harm or risk of harm to children:</p> <ul style="list-style-type: none"> the keeper of the register has a duty to refer that information to the Disclosure and Barring Service; and the Disclosure and Barring Service, on receiving the referral, has a duty to automatically bar the practitioner from working with children, allowing them the opportunity to make representations to the Disclosure and Barring Service if they consider the bar to be disproportionate or unfair. 	<p>April 2018</p>	<p><i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 15</p>	<p>Rejected</p>	<p>On 19 December 2018, the UK government stated that the Home Office would ask the Disclosure and Barring Service to continue its close engagement with all professional bodies to ensure that effective information sharing takes place at all stages of their respective decision-making processes, and to inform the department of any emerging issues.</p> <p>On 22 July 2019, the Home Office stated that there were no emerging issues.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>26. Ensure staff in secure estates receive safeguarding training</p> <p>The Chair and Panel recommend that the Youth Custody Service takes steps to ensure that its training provides staff with an appropriate understanding of safeguarding in the context of the secure estate, and that this is regularly reviewed and updated.</p>	<p>February 2019</p>	<p><i>Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report</i></p> <p>Recommendation 3</p>	<p>Accepted</p>	<p>On 23 July 2019, the Ministry of Justice stated that the Youth Custody Service would review the mandatory training for all its frontline staff – including at management level – alongside a review of the content and material where necessary.</p> <p>On 4 October 2019, the Youth Custody Service published its national safeguarding review. It recommended that the Youth Custody Service sites, in conjunction with the local authority designated officer (LADO), develop specific and localised training that meets the emerging needs and threats of the sector. The review also recommended that staff dealing with Matters of Concern should receive appropriate and sufficient training in safeguarding and child protection.</p> <p>On 4 May 2022, the Ministry of Justice stated that the Youth Custody Service was drafting ‘Keeping Children Safe in Secure Settings’ guidance. This aims</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
				<p>to set out requirements for sites that hold children on remand and custodial sentences to: protect children from abuse, respond appropriately to their complaints and set the same safeguarding expectations as all other agencies providing a service to children. The Ministry of Justice confirmed that the guidance will complement mandatory safeguarding training for all new staff and will be subject to targeted public consultation. The Ministry of Justice also stated that the Youth Custody Service intends to publish a Safeguarding Strategy that will outline longer term plans for safeguarding training.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>27. Ensure staff in young offender institutions and secure training centres are professionally registered</p> <p>As the Inquiry set out in its <i>Interim Report</i>, professional registration of the workforce in settings responsible for the care of vulnerable children complements regulation of institutions by a separate, independent regulator.</p> <p>The government has agreed in principle that professional regulation of staff in children's homes in England could provide an effective additional means of protecting children. It has indicated that it will be conducting an evidence-gathering exercise to inform further action.</p> <p>The Chair and Panel now recommend that the Ministry of Justice introduces arrangements for the professional registration of staff in roles responsible for the care of children in young offender institutions and secure training centres. The <i>Interim Report</i> recommendation already applies to staff working with children in secure children's homes.</p>	February 2019	<p>Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report</p> <p>Recommendation 4</p>	See comments	<p>On 5 November 2021, the Ministry of Justice stated that it had reviewed the evidence it collected through a targeted consultation on professional registration. On 4 May 2022, the Ministry of Justice stated that it is considering the review.</p> <p>A second Inquiry recommendation on the professional registration of staff in young offender institutions and secure training centres was made (see row 66).</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>28. Revise Prison Service Instruction 08/2012</p> <p>The Chair and Panel note that Prison Service Instruction 08/2012, which sets out the mandatory actions for young offender institutions and secure training centres for ‘maintaining a safe and secure environment’, has expired. The Chair and Panel recommend that the Ministry of Justice revises and publishes this Prison Service Instruction to provide clear guidance on how custodial institutions must respond to allegations of child sexual abuse. This should include a requirement for all allegations to be referred to a child protection professional who is independent of the institution.</p> <p>The Chair and Panel also recommend that all institutions, including those which are privately run, publish their safeguarding local procedures in full as well as regular reports about their use, to aid scrutiny and increase transparency.</p>	<p>February 2019</p>	<p><i>Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report</i></p> <p>Recommendation 6</p>	<p>Accepted</p>	<p>On 23 July 2019, the Ministry of Justice stated that work had begun to revise or replace Prison Service Instructions (PSIs) with “policy frameworks”. In advance of updating PSI 08/2012, the Youth Custody Service published a policy framework that replaced some aspects of PSI 08/2012 relating to behaviour management of children. On 4 May 2022, the Ministry of Justice stated that early work had started on producing the Care and Management of Young People framework that will replace PSI 08/2012.</p> <p>On 23 July 2019, the Ministry of Justice also stated that the Youth Custody Service would work with the Department for Education to produce ‘Keeping Children Safe in Custody’, which would thereafter be updated annually. On 4 May 2022, the Ministry of Justice confirmed that the Youth Custody Service was drafting ‘Keeping Children Safe in Secure Settings’ guidance. For more information on this update, see row 26.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>29. Introduce safeguarding guidance for religious communities</p> <p>The Church of England should introduce appropriate guidance which deals with safeguarding within the context of a religious community affiliated to the Church. It must ensure that these organisations meet adequate requirements for safeguarding and child protection. The needs of victims should be prioritised when designing safeguarding policies and practices.</p> <p>The regulation and management of religious communities should include a mandatory requirement both to have and to follow safeguarding guidance. The requirement to comply with this safeguarding guidance should be the same as would be expected in any other Church institution. There needs to be clarity in respect of how safeguarding should be managed in these communities, along with appropriate auditing of compliance.</p>	May 2019	<p><i>The Anglican Church Case Studies: 1. The Diocese of Chichester 2. The Response to Allegations Against Peter Ball Investigation Report</i></p> <p>Recommendation 1</p>	Accepted	<p>On 27 June 2019, the National Safeguarding Steering Group stated that the General Synod would be asked to give final approval to amending Canon 40. The National Safeguarding Steering Group stated that the amendment inserts new provisions into the Canons of the Church of England relating to religious communities and will impose conditions regarding the safeguarding of children and vulnerable adults.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>30. Amend Canon C30 requiring clerics to comply with the Bishop’s Guidance on Safeguarding</p> <p>The Church of England should amend the current canon requiring clerics to comply with the Bishop’s Guidance on Safeguarding. The use of the words ‘due regard’ in Canon C30 is an acceptable term of art, but lacks sufficient clarity. Very few individuals who gave evidence to the Inquiry said they understood what this meant, including the Archbishop of Canterbury himself.</p>	<p>May 2019</p>	<p><i>The Anglican Church Case Studies: 1. The Diocese of Chichester 2. The Response to Allegations Against Peter Ball Investigation Report</i> Recommendation 2</p>	<p>Accepted</p>	<p>On 26 April 2021, the General Synod approved the Safeguarding (Code of Practice) Measure which strengthens and clarifies the obligation to follow safeguarding guidance. The statutory code replaces the existing duty to have ‘due regard’ to safeguarding guidance. On 20 October 2021, the Measure came into force.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>31. Impose sanctions for failures to comply with safeguarding procedures in the Anglican Church</p> <p>Individuals engaged in regulated activity who have failed to undergo a Disclosure and Barring Service check or complete compulsory training should not be permitted to hold voluntary offices within the Church. Failure by ordained clergy to comply with either requirement should result in disciplinary proceedings.</p>	<p>May 2019</p>	<p><i>The Anglican Church Case Studies: 1. The Diocese of Chichester 2. The Response to Allegations Against Peter Ball Investigation Report</i> Recommendation 4</p>	<p>Accepted</p>	<p>On 27 June 2019, the Church of England agreed that those in regulated roles who have failed to undergo a Disclosure and Barring Service check or complete mandatory safeguarding training should not be allowed to continue in their voluntary role. The Church of England stated that leaders such as clergy who knowingly allow volunteers to remain in regulated roles without having fulfilled these requirements should be considered under Section 5 of the Safeguarding and Clergy Discipline Measure 2016. The Church also stated that the National Safeguarding Team would review key pieces of guidance to ensure that this position is reflected clearly.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>32. Disclose internal reviews by religious organisations of safeguarding incidents to the national review body If religious organisations have undertaken internal reviews or enquiries into individual safeguarding incidents, their findings should be sent to the national review body (set up under the Children and Social Work Act 2017).</p>	<p>May 2019</p>	<p><i>The Anglican Church Case Studies: 1. The Diocese of Chichester 2. The Response to Allegations Against Peter Ball Investigation Report</i> Recommendation 5</p>	<p>Accepted</p>	<p>On 27 June 2019, the Church of England stated that its National Safeguarding Team would liaise with the Child Safeguarding Practice Review Panel to ensure that “the right cases” are reported to them in accordance with the principles outlined in <i>Working Together to Safeguard Children</i> and the safeguarding arrangements arising from the Children and Social Work Act 2017. The Church of England noted that the agreed approach will be reflected in House of Bishops guidance. On 12 July 2022, the Church of England stated that all independent learning lessons case reviews commissioned by the Archbishops’ Council have been shared with their designated contact on the Child Safeguarding Practice Review Panel, who will meet with the Church’s National Director of Safeguarding every six months. In addition, the Church of England stated that updated</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
				<p>arrangements for safeguarding case reviews will be detailed in forthcoming House of Bishops' safeguarding policy, which is due to go out to full consultation, including with victims and survivors, in September 2022. It is anticipated to be presented for approval at the National Safeguarding Steering Group in December 2022.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>33. Assess the potential risks posed by foster carers and residential care staff in Nottinghamshire</p> <p>Nottingham City Council should assess the potential risks posed by current and former foster carers directly provided by the council in relation to the sexual abuse of children. They should also ensure that current and former foster carers provided by external agencies are assessed by those agencies. Any concerns which arise should be referred to the appropriate body or process, including the Disclosure and Barring Service, the local authority designated officer (LADO) or equivalent, the fostering panel and the police.</p> <p>Nottinghamshire County Council should assess the potential risks posed by current and former residential care staff and foster carers, which are directly provided by the council, in relation to the sexual abuse of children. They should also ensure that current and former staff in residential care provided by external agencies, and current and former foster carers provided by external agencies, are assessed by those agencies. Any concerns which arise</p>	<p>July 2019</p>	<p><i>Children in the Care of the Nottinghamshire Councils Investigation Report</i> Recommendation 1</p>	<p>Accepted</p>	<p><u>Nottingham City Council</u> On 20 December 2021, <u>Nottingham City Council</u> stated that an internal fostering review was complete. External assurance of the review was also complete. The review concluded that no further referrals were required in relation to former carers and found no evidence that carers assessed as ‘suitable’ presented a risk of sexual harm to children.</p> <p><u>Nottingham City Council</u> also stated that it had, in partnership with Nottinghamshire County Council, written to all Independent Fostering Agencies with whom it had placed a child since 2013. All agencies confirmed that they had reviewed information to assess the risk posed by current and previous foster carers.</p> <p><u>Nottinghamshire County Council</u> On 21 June 2021, <u>Nottinghamshire County Council</u> stated that it is reviewing existing and former members of residential care</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>should be referred to the appropriate body or process, including the Disclosure and Barring Service, the relevant regulatory body, the local authority designated officer (LADO), the fostering panel and the police.</p>				<p>staff. In relation to reviewing existing and former foster carers, Nottinghamshire County Council stated that a joint approach was taken with Nottingham City Council to engage with relevant independent fostering agencies who completed their own reviews. A report of responses was brought to a joint meeting of Nottinghamshire and Nottingham City Children's Safeguarding Partnership Board, which will provide recommendations if further actions are required.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>34. Extend the geographical reach of the Disclosure and Barring Service scheme</p> <p>The Home Office should introduce legislation permitting the Disclosure and Barring Service to provide enhanced certificates to UK nationals and residents of England and Wales applying for:</p> <ol style="list-style-type: none"> 1. work or volunteering with UK-based organisations, where the recruitment decision is taken outside the UK; or 2. work or volunteering with organisations based outside the UK, in each case where the work or volunteering would be a regulated activity if in the UK. 	<p>January 2020</p>	<p><i>Children Outside the United Kingdom Phase 2 Investigation Report Recommendation 3</i></p>	<p>Rejected</p>	<p>On 21 January 2021, the Home Office stated that the UK government would continue to work with ACRO to publicise the existence of the International Child Protection Certificate, and to improve employers' understanding of the certificate and when it can be used. On 17 June 2021, the UK government stated that its position had not changed in relation to this recommendation.</p> <p>A second Inquiry recommendation on the geographical reach of the Disclosure and Barring Service scheme was made (see row 69).</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>35. Extend the mandatory nature of disclosure and barring</p> <p>The Home Office should introduce legislation making it mandatory for:</p> <ol style="list-style-type: none"> all UK nationals and residents of England and Wales to provide a prospective employer overseas with an enhanced Disclosure and Barring Service certificate before undertaking work with children overseas which if in the UK would be a regulated activity; and UK government departments and agencies to require their overseas partners to ensure that UK nationals and residents of England and Wales obtain an enhanced Disclosure and Barring Service certificate before undertaking work with children overseas which if in the UK would be a regulated activity. 	January 2020	<p><i>Children Outside the United Kingdom Phase 2 Investigation Report</i></p> <p>Recommendation 4</p>	Rejected	<p>On 21 January 2021, the Home Office stated that although part 1 of this recommendation envisaged placing the legal obligation of providing overseas employers with an enhanced Disclosure and Barring Service certificate on UK nationals, it would in effect amount to the UK government legislating in respect of employment practices in foreign countries. The Home Office stated that it did not consider this approach to be effective, and stated that it would continue to publicise the existence of the International Child Protection Certificate.</p> <p>Regarding part 2 of this recommendation, the Home Office stated that it recognised the need for government bodies to take reasonable steps to ensure that overseas partners have robust safeguarding policies, and that those partners carry out all appropriate criminal records checks along with broader recruitment checks such as</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
				<p>references. It stated that the Foreign, Commonwealth and Development Office is working to strengthen the employment cycle across the aid sector. This aims to prevent individuals with a known history of misconduct from working in the sector, regardless of their nationality.</p> <p>On 17 June 2021, the UK government stated that its position had not changed in relation to this recommendation. On 17 December 2021, the UK government stated that the Foreign, Commonwealth and Development Office had set up a working group with the Home Office, Disclosure and Barring Service, ACRO and the Charity Commission to look at the issue of criminal record checks for the international aid sector.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>36. Issue explanatory guidance on the Disclosure and Barring Service scheme for recruiting organisations outside the UK</p> <p>The Home Office should ensure explanatory guidance is issued, providing clarity to recruiting organisations and individuals concerning the use of the Disclosure and Barring Service scheme for work and volunteering outside the UK.</p>	January 2020	<p><i>Children Outside the United Kingdom Phase 2 Investigation Report</i></p> <p>Recommendation 5</p>	Accepted	<p>On 21 January 2021, the Home Office stated that the Disclosure and Barring Service signposts applicants to the International Child Protection Certificate if their work abroad makes them ineligible for Disclosure and Barring Service certificates.</p> <p>On 28 April 2022, the UK government stated that a working group – led by the Foreign, Commonwealth and Development Office – had identified the need for further clarity and guidance around the eligibility of roles within the sector for criminal record checks, through either the Disclosure and Barring Service or ACRO. The UK government confirmed that the guidance was being finalised. It also stated that it had commenced a review of the disclosure and barring regime in February 2022, to provide assurance on its effectiveness in safeguarding the vulnerable.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>37. Ensure government departments and political parties have whistleblowing policies and procedures</p> <p>Government, political parties and other Westminster institutions must have whistleblowing policies and procedures which cover child sexual abuse and exploitation. Every employee must be aware that they can raise any concerns using these policies and that the policies are not limited to concerns specific to a person's employment.</p>	<p>February 2020</p>	<p><i>Allegations of Child Sexual Abuse Linked to Westminster</i> <i>Investigation Report</i> Recommendation 3</p>	<p><u>UK government</u> Accepted</p> <p><u>Political parties</u> Accepted by 10 organisations</p>	<p>On 18 September 2020, the UK government confirmed that all government departments have whistleblowing policies in place. It confirmed that Civil Service HR has a model policy to support departments in ensuring their policies are effective. With regards to Parliament, the UK government stated that internal policies and procedures are a matter for both Houses and that the UK government respects the exclusive cognisance of each House to conduct its own internal affairs. It stated that it is clear that all institutions should have appropriate policies and procedures in place to ensure that they fulfil their responsibilities to safeguard children.</p> <p>In July 2020, the Co-operative Party stated that it had whistleblowing policies and procedures in its staff handbook. Between June 2020 and March 2021, the Green Party, the Labour Party, the Liberal Democrats, the</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
38. Review the safeguarding policies and procedures of government departments The Cabinet Office must ensure that each government department reviews its child safeguarding policy or policies in light of the expert witness report of Professor Thoburn. There must also be published procedures to accompany their policies, in order that staff know how to enact their department's policy. All government departments must update their safeguarding policies and procedures regularly, and obtain expert safeguarding advice when doing this.	February 2020	Allegations of Child Sexual Abuse Linked to Westminster Investigation Report Recommendation 4	Accepted	Conservative Party, Plaid Cymru, the Ulster Unionist Party, the Social Democratic and Labour Party, the Democratic Unionist Party and the Scottish National Party stated that they had updated policies and/or staff handbooks. On 18 September 2020, the UK government confirmed that all government departments were aware of Professor Thoburn's report. It also stated that Civil Service HR had launched a model safeguarding policy and 'Health Check' process, which enables departments to check their own procedures and practices to ensure they are fit for purpose. On 25 August 2021, Civil Service HR stated that they had conducted a survey to review departmental use of the model policy and 'Health Check' and that it gave assurance of progress in the Civil Service.

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>39. Ensure all political parties have safeguarding policies and procedures</p> <p>All political parties registered with the Electoral Commission in England and in Wales must ensure that they have a comprehensive safeguarding policy.</p> <p>All political parties must also ensure that they have procedures to accompany their policies, in order that politicians, prospective politicians, staff and volunteers know how to enact their party's policy, which must be published online. All political parties must update their policies and procedures regularly, and obtain expert safeguarding advice when doing this.</p> <p>The Electoral Commission should monitor and oversee compliance with this recommendation.</p>	<p>February 2020</p>	<p><i>Allegations of Child Sexual Abuse Linked to Westminster Investigation Report</i></p> <p>Recommendation 5</p>	<p><u>Electoral Commission</u></p> <p>Rejected</p> <p><u>Political parties</u></p> <p>Accepted by 9 organisations</p>	<p>On 3 July 2020, the Electoral Commission stated that given the statutory scope of its remit, introducing a requirement that the Commission should monitor and oversee compliance of the safeguarding policies of political parties would require a change in the law. The Commission also noted that it does not have experience and expertise in child protection matters. The Commission considered it would be more appropriate for the recommendation to be directed towards other organisations.</p> <p>Between February 2020 and September 2021, the Co-operative Party, the Conservative Party, the Democratic Unionist Party, the Green Party, the Labour Party, the Liberal Democrats, the Scottish National Party, the Social Democratic and Labour Party and the Ulster Unionist Party stated that they have safeguarding policies and procedures in place.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
40.	<p>Publish the interim child sexual abuse and exploitation code of practice</p> <p>The government should publish, without further delay, the interim code of practice in respect of child sexual abuse and exploitation as proposed by the Online Harms White Paper (published April 2019).</p>	<p>March 2020</p> <p><i>The Internet Investigation Report</i> Recommendation 4</p>	Accepted	<p>On 15 December 2020, the UK government published the <i>Interim Code of Practice on Child Sexual Abuse and Exploitation</i>.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>41. Improve the safeguarding structure in the Church of England</p> <p>The Church of England should create the role of a diocesan safeguarding officer to replace the diocesan safeguarding adviser. Diocesan safeguarding officers should have the authority to make decisions independently of the diocesan bishop in respect of key safeguarding tasks, including:</p> <ol style="list-style-type: none"> i. escalating incidents to the National Safeguarding Team, statutory authorities and the Charity Commission; ii. advising on the suspension of clergy in safeguarding matters; iii. investigating and/or commissioning investigations into safeguarding incidents; iv. risk assessments and associated plans for church officers and members of the congregation; and v. supporting complainants in safeguarding-related issues. <p>Diocesan safeguarding officers should be employed locally, by the Diocese Board of Finance. The diocesan safeguarding</p>	<p>October 2020</p>	<p><i>The Anglican Church Investigation Report</i> Recommendation 1</p>	<p>Accepted</p>	<p>On 29 March 2021, a joint response from the National Safeguarding Steering Group, the House of Bishops and the Archbishops' Council stated that Canon C30 and the associated Diocesan Safeguarding Advisor Regulations would be amended to: (a) ensure the diocesan safeguarding adviser is replaced by the diocesan safeguarding officer (DSO), (b) strengthen and clarify that safeguarding decisions are to be made by the DSO, and (c) set out the independence of the DSO.</p> <p>The joint response also stated that the National Safeguarding Team had begun incorporating the principle that voluntary roles must follow House of Bishops' safeguarding requirements into work to revise national safeguarding policies.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>officer's work should be professionally supervised and quality assured by the National Safeguarding Team. The National Safeguarding Team should set the broad requirements for anyone applying to be a diocesan safeguarding officer (adapting as required the existing requirements in respect of diocesan safeguarding advisers).</p> <p>It should be enshrined in policy that those who are volunteers and who do not follow the directions of diocesan safeguarding officers should be removed from responsibility of working with children.</p>				

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>42. Improve the safeguarding structure in the Church in Wales</p> <p>The Church in Wales should make clear that the operational advice of provincial safeguarding officers must be followed by all members of the clergy and other Church officers.</p> <p>It should be enshrined in policy that those who are volunteers and who do not follow the directions of provincial safeguarding officers should be removed from working with children.</p>	<p>October 2020</p>	<p><i>The Anglican Church Investigation Report</i></p> <p>Recommendation 3</p>	<p>Accepted</p>	<p>On 7 April 2021, the Church in Wales stated that its safeguarding policy, procedural documents and training materials would make it clear that the operational advice of provincial safeguarding officers should be followed by all church officers, including clergy. The Church in Wales also introduced a new cause of action in the Disciplinary Tribunal, with sanctions including removal and disqualification from holding any office or membership in the Church in Wales. There is also a power of suspension while investigation or disciplinary proceedings are ongoing. The Church in Wales also noted that some volunteers would not be directly subject to the jurisdiction of the Disciplinary Tribunal. The Church in Wales stated that it would revise its procedural guidelines to make clear the expectation that such volunteers should be removed from working with children.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>43. Introduce record-keeping policies in the Church in Wales</p> <p>The Church in Wales should introduce record-keeping policies relating to safeguarding, complaints and whistleblowing. These should be implemented consistently across dioceses. The Church should develop policies and training on the information that must be recorded in files.</p> <p>The Church should provide its provincial safeguarding officers with the right to see personnel files of clergy, office holders, employees or others if concerns and complaints are raised about child protection or safeguarding.</p>	<p>October 2020</p>	<p><i>The Anglican Church Investigation Report</i> Recommendation 4</p>	<p>Accepted</p>	<p>On 7 January 2022, the Church in Wales stated that the timetable for adopting its updated procedural guidance was delayed.</p> <p>On 7 April 2021, the Church in Wales stated that its national online safeguarding case management and record-keeping system had launched, serving as a single searchable repository of all Church in Wales safeguarding and whistleblowing case data, while its safeguarding policy sets out that casework of a safeguarding nature is undertaken at a national level to ensure consistent implementation. It also stated that it is developing procedural guidance to document what information is held, and how information should be exchanged between the safeguarding case management systems and personnel records held at a diocesan local level. Relevant staff would be trained in accordance with this guidance.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
44.				<p>The Church in Wales stated that provincial safeguarding officers already have the right to view the personnel files of clergy and agreed that its procedural guidance needs to make clear to the various employers of other church staff that the same applies to lay personnel.</p> <p>On 7 January 2022, the Church in Wales stated that the timetable for adopting updated procedural guidance had slipped.</p>
44.	<p>Share information between the Church of England and the Church in Wales</p> <p>The Church of England and the Church in Wales should agree and implement a formal information-sharing protocol. This should include the sharing of information about clergy who move between the two Churches.</p>	<p><i>The Anglican Church Investigation Report</i></p> <p>Recommendation 5</p>	Accepted	<p>On 24 June 2021, the Church of England announced that the updated version of the House of Bishops' handling of Clergy Personal Files policy covers data sharing between the Church of England and the Church in Wales, and clarifies the lawful basis on which clergy personal data are processed.</p> <p>On 28 July 2021, the Bishops of the Church in Wales approved a new personal files policy for the clergy.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>45. Share information between the Church of England, Church in Wales and statutory partners</p> <p>The Church of England, the Church in Wales and statutory partners should ensure that information-sharing protocols are in place at a local level between dioceses and statutory partners.</p>	October 2020	<p><i>The Anglican Church Investigation Report</i></p> <p>Recommendation 6</p>	Accepted	<p>On 29 March 2021, a joint response from the National Safeguarding Steering Group, the House of Bishops and the Archbishops' Council stated that it would develop template information-sharing agreements which may be adapted and used by dioceses on a local level with statutory partners, such as local authorities. The joint response also stated that initial discussions with the National Association of Police Chief Officers were held, and an information-sharing agreement has been proposed for use between the police, the Church of England and the Church in Wales.</p> <p>On 7 April 2021, the Church in Wales stated that it was involved in joint meetings with representatives of the National Police Chiefs' Council and the Church of England with a view to agreeing a national information-sharing agreement, or a template-sharing agreement with national guidance on how it should</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
				<p>be rolled out across each church organisation and each police force. The Church in Wales also stated that discussions were continuing with the Church of England about the best means of taking forward coordinated national conversations with other statutory partners.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>46. Introduce independent external auditing of the Church in Wales and the Church of England</p> <p>The Church in Wales should introduce independent external auditing of its safeguarding policies and procedures, as well as the effectiveness of safeguarding practice in dioceses, cathedrals and other Church organisations. Audits should be conducted regularly and reports should be published.</p> <p>The Church of England should continue independent external auditing of its safeguarding policies and procedures, as well as the effectiveness of safeguarding practice in dioceses, cathedrals and other Church organisations. Audits should continue to be conducted regularly and reports should continue to be published.</p>	<p>October 2020</p>	<p><i>The Anglican Church Investigation Report</i></p> <p>Recommendation 8</p>	<p>Accepted</p>	<p>On 29 March 2021, a joint response from the National Safeguarding Steering Group, the House of Bishops and the Archbishops' Council stated that it remained committed to their programme of five-yearly independent audits. The joint response also stated that it would introduce a new quality assurance framework and develop national safeguarding standards against which the Church's safeguarding practice can be measured. The draft standards were developed and will undergo further consultation.</p> <p>On 7 April 2021, the Church in Wales stated that it plans to undertake an audit of a random sample of safeguarding casework and agreed to a programme of internal and external peer review. The Church in Wales intends to publish the findings from these external audits and that they become a regular part of quality assurance.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>47. Provide leadership and oversight on safeguarding matters in the Roman Catholic Church in England and in Wales</p> <p>The Catholic Bishops' Conference of England and Wales and the Conference of Religious in England and in Wales should each nominate a lead member of the clergy for safeguarding to provide leadership and oversight on safeguarding matters to their respective Conferences and the wider Roman Catholic Church in England and in Wales.</p>	<p>November 2020</p>	<p><i>The Roman Catholic Church Investigation Report</i> Recommendation 1</p>	<p>Accepted</p>	<p>On 30 April 2021, the Catholic Council for the Inquiry stated that the role description for the Lead Bishop for the Catholic Bishops' Conference of England and Wales was approved and Bishop Paul Mason was appointed to the role. The role description of Lead Safeguarding Religious was approved and Fr David Smolira SJ was appointed.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>48. Ensure mandatory safeguarding training for staff and volunteers in the Roman Catholic Church in England and in Wales</p> <p>The Catholic Bishops' Conference of England and Wales should ensure that safeguarding training is mandatory for all staff and volunteers in roles where they work with children or victims and survivors of abuse. It should also be a requirement that regular refresher training is completed. The training should consider the impact of child sexual abuse, including the impact of trauma and the perspective of victims and survivors, and should be developed in conjunction with the Survivor Advisory Panel.</p>	November 2020	<p><i>The Roman Catholic Church Investigation Report</i></p> <p>Recommendation 2</p>	Accepted	<p>On 30 April 2021, the Catholic Council for the Inquiry stated that it had mandated that clergy and parish safeguarding representatives must undergo baseline safeguarding training, supplemented by biennial refresher training. The reach of mandatory training was extended to volunteers.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>49. Publish how cases of non-compliance with safeguarding policies and procedures are dealt with in the Roman Catholic Church</p> <p>The Catholic Bishops' Conference of England and Wales and the Conference of Religious should publish a clear framework for dealing with cases of non-compliance with safeguarding policies and procedures. That framework should identify who is responsible for dealing with issues of non-compliance at all levels of the Church, and include the measures or sanctions for non-compliance.</p>	<p>November 2020</p>	<p><i>The Roman Catholic Church Investigation Report</i> Recommendation 3</p>	<p>Accepted</p>	<p>On 30 September 2021, the Catholic Council for the Inquiry stated that the trustee bodies of all Catholic dioceses and religious orders were invited to subscribe to the Catholic Safeguarding Standards Agency. The Catholic Safeguarding Standards Agency was established as a professional standards agency for the Catholic Church, and includes a dedicated audit function with necessary powers of sanction, which would provide a framework for dealing with cases of non-compliance with the national safeguarding standards and the related national safeguarding policies and procedures.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>50. Introduce independent external auditing of the Roman Catholic Church in England and in Wales</p> <p>The Catholic Safeguarding Advisory Service should have the effectiveness of its audit programme regularly validated by an independent organisation which is external to the Church. These independent reports should be published.</p>	November 2020	<p><i>The Roman Catholic Church Investigation Report</i></p> <p>Recommendation 4</p>	Accepted	<p>On 30 September 2021, the Catholic Council for the Inquiry stated that the Catholic Safeguarding Standards Agency (CSSA) Board is committed to the independent verification of its audit processes, and would undertake a formal process of appointment of a suitable external body.</p> <p>The Catholic Council for the Inquiry also stated that safeguarding standards would be formally launched, and the CSSA would work with Dioceses and Religious Life Groups to ensure that they are fully aware of what would constitute good practice in relation to each of the standards. In November 2021, the National Safeguarding Standards was published.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>51. Review the policies and procedures manual of the Catholic Safeguarding Advisory Service</p> <p>The Catholic Safeguarding Advisory Service should review its policies and procedures manual and the documents within it to ensure that they are consistent, easier to follow and more accessible.</p>	<p>November 2020</p>	<p><i>The Roman Catholic Church Investigation Report</i></p> <p>Recommendation 6</p>	<p>Accepted</p>	<p>In November 2021, the Catholic Safeguarding Standards Agency website was launched. It contains the National Safeguarding Standards, the National Safeguarding Policy, and practice guidance documents.</p>
<p>52. Publish an action plan in response to the <i>Children in the Care of Lambeth Council Investigation Report</i></p> <p>Lambeth Council should develop and publish a comprehensive action plan which details the actions that it will take in response to the issues raised throughout the Inquiry's investigation report. The action plan should be developed and published within six months of the publication of this investigation report, and should be accompanied by timescales for completing identified actions as soon as possible.</p>	<p>July 2021</p>	<p><i>Children in the Care of Lambeth Council Investigation Report</i></p> <p>Recommendation 1</p>	<p>Accepted</p>	<p>On 15 December 2021, Lambeth Council published an action plan in response to the Inquiry's report, including timescales for planned actions.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>53. Ensure elected councillors in Lambeth Council receive safeguarding training</p> <p>All Lambeth Council elected members should receive training on: (i) safeguarding and (ii) corporate parenting. Newly elected members should receive training on these matters as soon as possible following their election. Training should be mandatory and repeated on a regular basis.</p> <p>The training content should be regularly reviewed and updated.</p>	<p>July 2021</p>	<p><i>Children in the Care of Lambeth Council Investigation Report Recommendation 2</i></p>	<p>Accepted</p>	<p>On 27 July 2021, Lambeth Council stated that all councillors are required to complete safeguarding training as well as training on corporate parenting. Councillors were provided with a handbook explaining the role of corporate parenting to help them fulfil their obligations.</p> <p>On 15 December 2021, Lambeth Council published an action plan. The Council stated that it would ensure that all newly-elected councillors complete mandatory corporate parenting, safeguarding, and Equalities, Diversity and Inclusion training as part of their induction, and have refresher training each year for the duration of their term. The Council also stated that it would review mandatory training requirements for elected Members and the process for monitoring completion.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>54. Review the recruitment and vetting procedures for foster carers and children’s home staff</p> <p>Lambeth Council should review the application of recruitment and vetting procedures for all current foster carers directly provided by Lambeth Council, to ensure that the procedures have been followed correctly.</p> <p>In addition, Lambeth Council should seek assurances from external agencies and other local authorities, in which children in the care of Lambeth Council have been placed, that recruitment and vetting procedures have been followed correctly for all foster carers and residential children’s homes’ staff working with children.</p>	<p>July 2021</p>	<p><i>Children in the Care of Lambeth Council Investigation Report</i> Recommendation 3</p>	<p>Accepted</p>	<p>On 15 December 2021, Lambeth Council stated that staff working with children, councillors and foster carers had appropriate and up-to-date Disclosure and Barring Service certificates. It also stated that it would implement an online Disclosure and Barring Service process that enables better monitoring of compliance in line with safer recruitment practice. Lambeth Council also stated that it will ensure that its commissioned services and placements have robust safer recruitment practices in place for staff working with children and young people.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>55. Ensure religious organisations have child protection policies, procedures and training</p> <p>All religious organisations should have a child protection policy and supporting procedures, which should include advice and guidance on responding to disclosures of abuse and the needs of victims and survivors. The policy and procedures should be updated regularly, with professional child protection advice, and all organisations should have regular compulsory training for those in leadership positions and those who work with children and young people.</p>	September 2021	<p><i>Child Protection in Religious Organisations and Settings Investigation Report</i></p> <p>Recommendation 1</p>	Accepted by 9 organisations	<p>Between January and March 2022, Methodist Church, Triratna Buddhist Order and Community and United Reformed Church stated that they had updated their safeguarding policies and practices, and The Baptist Union for Great Britain stated that it had approved its next three-year safeguarding plan. Jehovah's Witnesses informed the Inquiry that it had updated its child protection policy.</p> <p>Between September 2021 and June 2022, Inter Faith Network, Muslim Council of Britain and Quakers in Britain committed to taking steps to protect children in religious settings. United Synagogue informed the Inquiry that it was monitoring its policies.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>56. Review government guidance on child sexual exploitation</p> <p>The Department for Education should review and publish an updated version of its guidance on child sexual exploitation. The update should specify that the core element of the definition of child sexual exploitation is that a child was controlled, coerced, manipulated or deceived into sexual activity.</p> <p>It should also include detailed information on:</p> <ul style="list-style-type: none"> the role of the internet in the perpetration of child sexual exploitation; and how to identify and respond to child sexual exploitation perpetrated by networks of offenders. <p>The Welsh Government should also update its guidance on child sexual exploitation to provide detailed information on how to identify and respond to child sexual exploitation perpetrated by networks of offenders.</p>	<p>February 2022</p>	<p><i>Child Sexual Exploitation by Organised Networks Investigation Report</i> Recommendation 3</p>	<p>See comments</p>	<p>On 30 June 2022, the UK government provided the Inquiry with its provisional response to this recommendation. The UK government stated its final response to this recommendation would be provided within six months of the report's publication date, by 1 August 2022, and it will then be available on the Inquiry's website.</p> <p>On 30 June 2022, the Welsh Government stated that it would consider what amendments may be needed to its <i>Working Together to Safeguard People</i> guidance. It also stated that work to develop further practice advice on the identification and response to risk of or abuse through child sexual exploitation would include detailed advice on how to identify and respond to child sexual exploitation perpetrated by networks of offenders.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>57. Ensure government guidance distinguishes between the risk and harm in relation to child sexual exploitation</p> <p>The Department for Education and the Welsh Government must ensure that their updated national guidance makes clear that signs that a child is being sexually exploited must never be treated as indications that a child is only ‘at risk’ of experiencing this harm.</p> <p>In line with this, local authorities in England and in Wales should ensure that their assessment of risk and harm enables them to accurately distinguish between:</p> <ul style="list-style-type: none"> • children who are at risk of experiencing sexual exploitation; • children who are experiencing or have already experienced sexual exploitation; and • children who have experienced sexual exploitation and are at risk of experiencing further abuse. 	February 2022	Child Sexual Exploitation by Organised Networks Investigation Report Recommendation 4	See comments	<p>On 30 June 2022, the UK government provided the Inquiry with its provisional response to this recommendation. The UK government stated its final response to this recommendation would be provided within six months of the report’s publication date, by 1 August 2022, and it will then be available on the Inquiry’s website.</p> <p>On 30 June 2022, the Welsh Government stated that the term ‘child at risk’ has a legal basis in Wales and is defined in the Social Services and Well-being (Wales) Act 2014 as a child who “is experiencing or is at risk of abuse”. Therefore, it stated that references to a child as ‘at risk’ in legislation and statutory guidance which inform practice are not intended to suggest that a child ‘at risk’ is not already experiencing abuse.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>58. Improve inspection and standards in residential schools</p> <p>The Department for Education and the Welsh Government should:</p> <ul style="list-style-type: none"> require all residential special schools to be inspected against the quality standards used to regulate children's homes in England and care homes in Wales; reintroduce a duty on boarding schools and residential special schools to inform the relevant inspectorate of allegations of child sexual abuse and other serious incidents, with professional or regulatory consequences for breach of this duty; if the recommendation above is implemented, residential special schools will automatically be subject to this duty; and introduce a system of licensing and registration of educational guardians for international students which requires Disclosure and Barring Service and barred list checks to be undertaken. 	<p>March 2022</p>	<p><i>The Residential Schools Investigation Report</i> Recommendation 1</p>	<p>See comments</p>	<p>On 30 June 2022, the UK government stated that it was still of the view that the best way to protect children in residential special schools was to strengthen the National Minimum Standards (NMS), and did not commit to implementing the first part of this recommendation. It stated that it will consider how the NMS could be strengthened, drawing on the children's homes quality standards. In respect of the second part of this recommendation, the UK government stated that residential special schools which are dual registered as children's homes must comply with the children's homes quality standards, which include notification requirements. It will consider reporting requirements as part of its broader consideration of mandatory reporting. It also stated that it was considering options to strengthen the safeguarding of international students, including the registration and licensing of educational guardians.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
				<p>On 30 June 2022, the Welsh Government stated that it would use regulation-making powers to regulate the care and support aspect of residential special schools in Wales. The date for this to come into force is to be agreed; however it could be December 2023. The Welsh Government also stated that notification requirements will be included as part of the proposed regulation of residential special schools, and that work to implement the final part of the recommendation would be taken forward alongside work on National Minimum Standards for boarding schools.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>59. Respond to allegations and concerns in residential schools</p> <p>The Department for Education and the Welsh Government should:</p> <ul style="list-style-type: none"> introduce a set of national standards for local authority designated officers in England and in Wales to promote consistency; and clarify in statutory guidance that the local authority designated officer can be contacted for informal advice as well as when a concern or allegation needs to be referred. 	<p>March 2022</p>	<p><i>The Residential Schools Investigation Report</i> Recommendation 2</p>	<p>See comments</p>	<p>On 30 June 2022, the UK government stated that it was considering the scope and timetable for a review of the statutory guidance <i>Working Together to Safeguard Children</i>. It stated that it will consider revised content on the role of local authority designated officers, and that it will consider running a full public consultation on changes to the statutory guidance.</p> <p>On 30 June 2022, the Welsh Government stated that in most, if not all, cases designated officers are qualified social workers and, as such, already adhere to professional standards. However, in addition, Social Care Wales are working on national minimum standards for safeguarding training.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>60. Amend the governance and registration processes for independent schools</p> <p>The Department for Education and the Welsh Government should:</p> <ul style="list-style-type: none"> • amend the Independent School Standards to include the requirements that there is an effective system of governance, based on three principles of openness to external scrutiny, transparency and honesty within the governance arrangements, and the ability of governors to have difficult conversations both internally and with those providing external scrutiny; • amend the Independent School Standards to stipulate that the proprietor cannot be the designated safeguarding lead; and • amend the current system of registration of independent schools to apply the same standards to registrants as those applying to open a free school or early years provision. 	<p>March 2022</p>	<p><i>The Residential Schools Investigation Report</i> Recommendation 3</p>	<p>Accepted</p>	<p>On 30 June 2022, the UK government stated that it agreed with the first two points of the recommendation in principle. It stated that it intended to consult on revised Independent School Standards in 2023 and was making changes through <i>Keeping Children Safe in Education</i> guidance to stipulate that the proprietor cannot be the designated safeguarding lead.</p> <p>The UK government also stated that it will continue to explore the registration system and ensure, where appropriate, that the registration system for independent schools is reflective of the system for early years and free schools.</p> <p>On 30 June 2022, the Welsh Government stated that it will amend and strengthen the Independent School Standards Regulations in line with each point set out in this recommendation, including in respect of the designated safeguarding lead and the three principles set out in the</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>61. Ensure there is safeguarding training and effective relationships, sex and health education in schools</p> <p>The Department for Education and the Welsh Government should:</p> <ul style="list-style-type: none"> • set nationally accredited standards and levels of safeguarding training in schools; • make the highest level of safeguarding training mandatory for headteachers, designated safeguarding leads in England or designated safeguarding persons in Wales, designated safeguarding governors, or the proprietor or head of the proprietorial body; and • undertake an urgent review in order to improve the provision and effectiveness of relationships, sex and health education (RSHE) for children with special educational needs and disabilities, both for children who are in mainstream settings and for those in special schools. 	<p>March 2022</p>	<p><i>The Residential Schools Investigation Report</i> Recommendation 4</p>	<p>See comments</p>	<p>recommendation, and that it will amend the registration process for independent schools in Wales.</p> <p>On 30 June 2022, the UK government stated that it will consider setting nationally accredited standards and levels of safeguarding training in schools further. It also stated that <i>Keeping Children Safe in Education</i> guidance was strengthened and sets a 'strong framework' for a higher level of training to be undertaken by designated safeguarding leads and headteachers.</p> <p>The UK government also stated a national evaluation of Relationships and Sex Education implementation, including in special schools, is planned and that it would consider the options for a specific piece of work to support teachers of Relationships and Sex Education in special schools.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
				<p>On 30 June 2022, the Welsh Government stated National Minimum Safeguarding Training Standards and a framework of training requirements by role are being developed by Social Care Wales. This will apply to independent schools. It also stated that as part of the strengthening of the independent school regulations, options for strengthening the requirements for safeguarding training and prescribing the levels of training for those identified in the recommendation will be considered. In addition, it will consider the provision and effectiveness of its new Relationships and Sexuality Education Code for children with additional learning needs in Wales.</p>

62.	Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
62.	<p>Inform inspectorates of Disclosure and Barring referrals</p> <p>The Department for Education and the Welsh Government should:</p> <ul style="list-style-type: none"> require schools to inform the relevant inspectorate when they have referred a member of staff to the Disclosure and Barring Service, the Teaching Regulation Agency or the Education Workforce Council; and include in the national standards for local authority designated officers a requirement that local authority designated officers should share information on referrals from schools with the relevant inspectorate (see recommendation 2 of <i>The Residential Schools Investigation Report</i>). 	March 2022	<p><i>The Residential Schools Investigation Report</i></p> <p>Recommendation 5</p>	See comments	<p>On 30 June 2022, the UK government stated that it was cautious about creating a reporting mechanism that only related to the Disclosure and Barring Service and Teaching Regulation Agency when its position in <i>Keeping Children Safe in Education</i> guidance is to have a ‘simple’ system that applies equally across the system. The UK government also stated that it will consider a requirement that local authority designated officers should share information on referrals from schools with the relevant inspectorate, as part of an update to <i>Working Together to Safeguard Children</i> guidance.</p> <p>On 30 June 2022, the Welsh Government stated that it accepted this recommendation in principle but that it does not currently have the powers to ‘require’ and there is a need to establish this. It stated it will work to establish the necessary vehicle to implement this recommendation and take appropriate action.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>63. Vetting and barring in schools</p> <p>The Department for Education should amend the Teachers' Disciplinary (England) Regulations 2012 to bring all teaching assistants, learning support staff and cover supervisors within the misconduct jurisdiction of the Teaching Regulation Agency.</p> <p>The Department for Education and the Welsh Government should amend <i>Keeping Children Safe in Education</i> and <i>Keeping Learners Safe</i> to:</p> <ul style="list-style-type: none"> • provide more detailed guidance as to the quality, nature and degree of supervision required for supervised volunteers working with children in schools; and • make clear that Disclosure and Barring Service checks are free of charge for supervised volunteers, and should be obtained wherever practicable. <p>The Department for Education and the Welsh Government should amend the regulations to provide that inclusion on the children's barred list automatically disqualifies the individual from being a governor or proprietor of any school.</p>	<p>March 2022</p>	<p><i>The Residential Schools Investigation Report</i> Recommendation 6</p>	<p>Accepted</p>	<p>On 30 June 2022, the UK government stated that anyone undertaking teaching work can be referred to the Teaching Regulation Agency (TRA) and this could include teaching assistants and learning support staff. The TRA does not consider a person's specific job role or position and the UK government did not propose a change but stated that it will continue to monitor and review how the teacher misconduct regime operates.</p> <p>The UK government stated that it agrees in principle with the recommendation to provide more detailed guidance on supervised volunteers and will consider how and when to update <i>Keeping Children Safe in Education</i> (KCSIE). It also stated that it accepts the recommendation in respect of DBS checks and has reflected this in KCSIE 2022.</p> <p>The UK government stated that the Department for Education</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>The Home Office should amend the Safeguarding Vulnerable Groups Act 2006 so that proprietors and members of the proprietorial body and governors should be checked against the children's barred list.</p>				<p>will consider whether proprietors or governors should be checked against the children's barred list and, if so, will work with the Home Office and DBS to implement this.</p> <p>On 30 June 2022, the Welsh Government stated that it accepts this recommendation in principle and will consider it and make the necessary changes to the <i>Keeping Learners Safe</i> guidance. It also stated that it considers that the Independent School Standards (Wales) Regulations 2003 already fulfil the recommendation in respect of the children's barred list, as they already apply to proprietors and staff at independent schools. However, it will consider whether the relevant provision can be amended to apply to governors.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>64. Improve standards in schools in Wales</p> <p>The Welsh Government should:</p> <ul style="list-style-type: none"> • update the Independent School Standards as a matter of urgency; • update the national minimum standards for boarding schools as a matter of urgency; • legislate so that all residential special schools are judged against the quality standards in place for care homes in Wales; • ensure that all teachers and learning support staff in independent schools in Wales are required to register with the Education Workforce Council; and • consider extending the duty to report a child at risk of harm in section 130 of the Social Services and Well-being (Wales) Act 2014 to independent school staff. 	<p>March 2022</p>	<p><i>The Residential Schools Investigation Report</i> Recommendation 7</p>	<p>Accepted</p>	<p>On 30 June 2022, the Welsh Government stated that it will amend and strengthen the independent school regulations, and that work is ongoing to draft the legislation. The Welsh Government also stated that it will use regulation-making powers to regulate the care and support aspect of residential special schools in Wales. The date for this to come into force is to be agreed; however it could be December 2023.</p> <p>In addition, the Welsh Government stated that it will update the requirements for staff in independent schools to register with the Education Workforce Council (EWC). Work is currently ongoing to draft legislation to require teaching staff and learning support workers at independent schools to register with the EWC.</p> <p>The Welsh Government also stated that it is aware that the Duty to Report needs updating to include areas not previously</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>65. Reiterated recommendation: Registration of care staff in children’s homes</p> <p>The Inquiry recommends (as originally stated in its <i>Interim Report</i>, dated April 2018) that the UK government introduces arrangements for the registration of staff working in care roles in children’s homes, including secure children’s homes.</p> <p>Registration should be with an independent body charged with setting and maintaining standards of training, conduct and continuing professional development, and with the power to enforce these through fitness to practise procedures.</p>	<p>October 2022</p>	<p><i>The Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 7</p>		<p>included. It has begun work to amend legislation to extend the duty of care provision to areas that were not previously included, including independent schools.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>66. Reiterated recommendation: Registration of staff in care roles in young offender institutions and secure training centres</p> <p>The Inquiry recommends (as originally stated in its <i>Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report</i>, dated February 2019) that the UK government introduces arrangements for the professional registration of staff in roles responsible for the care of children in young offender institutions and secure training centres.</p>	October 2022	<p><i>The Report of the Independent Inquiry into Child Sexual Abuse</i></p> <p>Recommendation 8</p>		
<p>67. Greater use of the barred list</p> <p>The Inquiry recommends that the UK government enables any person engaging an individual to work or volunteer with children on a frequent basis to check whether or not they have been barred by the Disclosure and Barring Service from working with children. These arrangements should also apply where the role is undertaken on a supervised basis.</p>	October 2022	<p><i>The Report of the Independent Inquiry into Child Sexual Abuse</i></p> <p>Recommendation 9</p>		

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>68. Improving compliance with the statutory duty to notify the Disclosure and Barring Service</p> <p>The Inquiry recommends that the UK government takes steps to improve compliance by regulated activity providers with their statutory duty to refer concerns about the suitability of individuals to work with children to the Disclosure and Barring Service, including:</p> <ul style="list-style-type: none"> • all relevant regulators and inspectorates include compliance with the statutory duty to refer to the Disclosure and Barring Service in their assessment of safeguarding procedures during inspections; • the National Police Chiefs' Council works with relevant regulators and inspectorates to ensure that there are clear arrangements in place to refer breaches of the duty to refer to the police for criminal investigation; and • an information-sharing protocol is put in place between the Disclosure and Barring Service and relevant regulators and inspectorates. 	<p>October 2022</p>	<p><i>The Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 10</p>		

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>69. Reiterated recommendation: Extending disclosure regime to those working with children overseas</p> <p>The Inquiry recommends (as originally stated in its <i>Children Outside the United Kingdom Phase 2 Investigation Report</i>, dated January 2020) that the UK government introduces legislation permitting the Disclosure and Barring Service to provide enhanced certificates with barred list checks to citizens and residents of England and Wales applying for:</p> <ul style="list-style-type: none"> • work or volunteering with UK-based organisations, where the recruitment decision is taken outside the UK; or • work or volunteering with organisations based outside the UK, in each case where the work or volunteering would be a regulated activity if in England and Wales. 	<p>October 2022</p>	<p><i>The Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 11</p>		

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
Identifying and reporting child sexual abuse (see Part F)				
<p>70. Amend the definition of ‘a position of trust’ in the Sexual Offences Act 2003 to include clergy</p> <p>The government should amend Section 21 of the Sexual Offences Act 2003 so as to include clergy within the definition of a position of trust. This would criminalise under s16–s20 sexual activity between clergy and a person aged 16–18, over whom they exercise pastoral authority, involving the abuse of a position of trust.</p>	May 2019	<p><i>The Anglican Church Case Studies: 1 The Diocese of Chichester 2 The Response to Allegations Against Peter Ball Investigation Report Recommendation 3</i></p>	Accepted	<p>On 9 March 2021, the Ministry of Justice and Home Office stated that the government would introduce the Police, Crime, Sentencing and Courts Bill. The Bill sought to extend the definition of a ‘position of trust’ to prevent sports coaches and religious leaders from engaging in sexual relationships with young people under the age of 18.</p> <p>On 28 April 2022, the Bill received Royal Assent and section 47 of the Police, Crime, Sentencing and Courts Act 2022 reflects this change.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>71. Pre-screen images before they are uploaded to the internet</p> <p>The government should require industry to pre-screen material before it is uploaded to the internet to prevent access to known indecent images of children.</p>	<p>March 2020</p>	<p><i>The Internet Investigation Report</i> Recommendation 1</p>	<p>Rejected</p>	<p>On 10 November 2020, the UK government stated that it had launched the Voluntary Principles to Counter Online Child Sexual Exploitation and Abuse alongside the US, Australia, Canada and New Zealand. The interim code of practice on tackling child sexual abuse and exploitation and the Voluntary Principles set out the UK government's expectation that all companies will prevent access to known child sexual abuse material, which includes pre-screening.</p> <p>On 12 May 2021, the UK government published a draft Online Safety Bill. The Bill includes a clause that imposes duties on regulated search services with regards to illegal content, including child sexual abuse and exploitation material. The clause requires service providers to have proportionate systems and processes to minimise the risk of users encountering illegal content on their services, because they</p>

	Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
72.	<p>Pre-screening The Inquiry recommends that the UK government makes it mandatory for all regulated providers of search services and user-to-user services to pre-screen for known child sexual abuse material.</p>	October 2022	<p><i>The Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 12</p>		<p>have been alerted to it or they become aware of it in some other way. A second Inquiry recommendation on pre-screening images online was made (see row 72).</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>73. Mandatory reporting</p> <p>The Inquiry recommends that the UK government and Welsh Government introduce legislation which places certain individuals – ‘mandated reporters’ – under a statutory duty to report child sexual abuse where they:</p> <ul style="list-style-type: none"> • receive a disclosure of child sexual abuse from a child or perpetrator; or • witness a child being sexually abused; or • observe recognised indicators of child sexual abuse. <p>The following persons should be designated ‘mandated reporters’:</p> <ul style="list-style-type: none"> • any person working in regulated activity in relation to children (under the Safeguarding and Vulnerable Groups Act 2006, as amended); • any person working in a position of trust (as defined by the Sexual Offences Act 2003, as amended); and • police officers. 	<p>October 2022</p>	<p><i>The Report of the Independent Inquiry into Child Sexual Abuse</i></p> <p>Recommendation 13</p>		

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>For the purposes of mandatory reporting, ‘child sexual abuse’ should be interpreted as any act that would be an offence under the Sexual Offences Act 2003 where the alleged victim is a child under the age of 18.</p> <p>Where the child is aged between 13 and under 16 years old, a report need not be made where the mandated reporter reasonably believes that:</p> <ul style="list-style-type: none"> • the relationship between the parties is consensual and not intimidatory, exploitative or coercive; and • the child has not been harmed and is not at risk of being harmed; and • there is no material difference in capacity or maturity between the parties engaged in the sexual activity concerned, and there is a difference in age of no more than three years. <p>These exceptions should not, however, apply where the alleged perpetrator is in a position of trust within the meaning of the 2003 Act.</p> <p>Where the child is under the age of 13, a report must always be made.</p>				

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
	<p>Reports should be made to either local authority children's social care or the police as soon as is practicable. It should be a criminal offence for mandated reporters to fail to report child sexual abuse where they:</p> <ul style="list-style-type: none"> • are in receipt of a disclosure of child sexual abuse from a child or perpetrator; or • witness a child being sexually abused. 			
The justice system response to child sexual abuse (see Part G)				
<p>74. Ensure compliance with the Victims' Code</p> <p>The Chair and Panel recommend that the Ministry of Justice, Home Office and Attorney General commission a joint inspection of compliance with the Victims' Code in relation to victims and survivors of child sexual abuse.</p> <p>The Victims' Commissioner should be consulted on the inspection approach to ensure that it is fully informed by the experiences of victims and survivors of child sexual abuse.</p>	April 2018	<p><i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i></p> <p>Recommendation 4</p>	Rejected	<p>On 23 October 2020, the Ministry of Justice stated that the operational demands of the COVID-19 pandemic on both the Ministry of Justice and criminal justice agencies meant that development of the Victims' Code compliance monitoring framework had not been possible. The Ministry of Justice confirmed that it was looking to restart this work and would renew its engagement with the Criminal Justice Board.</p> <p>On 25 May 2022, the Ministry of Justice published a response to</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
				<p>its consultation on the Victims Bill to understand how to improve victims' experiences of the criminal justice system. The Ministry of Justice stated that it will introduce a wide range of measures within the Victims Bill and, as issues raised in the consultation cannot be addressed through legislation alone, that the Bill will sit alongside additional measures.</p> <p>A second Inquiry recommendation on compliance with the Victims' Code was made (see row 83).</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>75. Consider introducing a register of public liability insurers to help victims and survivors</p> <p>The Chair and Panel recommend that the Association of British Insurers considers whether a register of public liability insurers could be introduced to assist claimants in child sexual abuse cases in locating the insurers relevant to their claim, and how it would operate.</p> <p>The Chair and Panel recommend that the Association of British Insurers sets out its consideration of the issue and the conclusions it has reached in a written update within 12 months of the publication of this report.</p>	April 2018	<p><i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i></p> <p>Recommendation 8</p>	Accepted	<p>On 24 April 2019, the Association of British Insurers formally responded to this recommendation by raising a number of questions about the merits of such a register and the challenges that may be faced by its introduction.</p> <p>The response from the Association of British Insurers was referred to in the <i>Accountability and Reparations Investigation Report</i> (page 101), and a second Inquiry recommendation on a register of public liability insurers was made (see row 80).</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>76. Ensure that victims and survivors of child sexual abuse can provide the best evidence in civil court cases</p> <p>The Chair and Panel recommend that the Ministry of Justice provides in primary legislation that victims and survivors of child sexual abuse in civil court cases, where they are claiming compensation in relation to the abuse they suffered, are afforded the same protections as vulnerable witnesses in criminal court cases.</p> <p>The Chair and Panel understand that cost is already a barrier to victims and survivors considering a civil claim. In considering how to fund the implementation of this recommendation, the Ministry of Justice must ensure that this barrier is not further increased.</p> <p>The Chair and Panel recommend that the Civil Procedure Rule Committee amends the Civil Procedure Rules to ensure that judges presiding over cases relating to child sexual abuse consider the use of protections for vulnerable witnesses.</p>	<p>April 2018</p>	<p><i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 9</p>	<p>Accepted</p>	<p>On 19 December 2018, the UK government stated that the Civil Justice Council had agreed to consider the issues raised by this recommendation. In February 2020, the Civil Justice Council published its report on vulnerable witnesses and parties within civil proceedings.</p> <p>In April 2021, the Civil Procedure Rules were amended to require courts to provide special measures for vulnerable parties and witnesses in court (CPR Practice Direction 1A).</p> <p>The UK government also decided to legislate for special measures in civil proceedings in the Domestic Abuse Act 2021. The Act enables the court to make a special measures direction in relation to victims and alleged victims of “specified offences”, and victims, or those at risk of being victims, of domestic abuse. It also enables a court to give a direction prohibiting the cross-examination of a victim.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
				<p>of a “specified offence” in civil proceedings by a person who has been convicted or cautioned for that offence, where it is likely to diminish the quality of the victim’s evidence, or would cause significant distress to the victim. A “specified offence” is to be set out in regulations made by the Lord Chancellor and will include child sexual abuse offences.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>77. Amend training and accreditation requirements for Chief Officers</p> <p>The Chair and Panel recommend that any police officer (or staff equivalent) who wants to progress to the Chief Officer cadre must first be required to:</p> <ul style="list-style-type: none"> • have operational policing experience in preventing and responding to child sexual abuse; and • achieve accreditation in the role of the police service in preventing and responding to child sexual abuse. <p>The Home Office should amend entry requirements using its powers under the Police Regulations 2003 to achieve this.</p> <p>The Chair and Panel recommend that the College of Policing develops the training content and accreditation arrangements.</p>	<p>April 2018</p>	<p><i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i></p> <p>Recommendation 13</p>	<p>Rejected</p>	<p>On 22 July 2019, the UK government stated that the Home Office and College of Policing had drawn up a programme of non-legislative changes which sought to ensure that there is an understanding of safeguarding and vulnerability across all levels of leadership in policing. Its response also stated that the Home Office had not identified any need for legislative changes but that it would keep this under review.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>78. Revise the Victims' Code to ensure victims and survivors are signposted to civil and criminal compensation</p> <p>The Ministry of Justice should revise the Victims' Code to make clear that victims and survivors of child sexual abuse must be advised by the police that:</p> <ol style="list-style-type: none"> 1. They are entitled to seek civil compensation through the civil courts and, if they wish to do so, should seek legal advice – they should be signposted to specialist lawyers identified by the Ministry of Justice. 2. They are entitled to assistance completing any application to the Criminal Injuries Compensation Authority, should they require it. Such assistance should be provided by independent sexual violence advisers or other suitably qualified and trained persons. 3. At the conclusion of any criminal proceedings, the court may make orders for the payment of criminal compensation by convicted offenders to their victims. 	September 2019	<i>Accountability and Reparations Investigation Report</i> Recommendation 1	Accepted	<p>On 16 January 2020, the College of Policing made changes to its Authorised Professional Practice to require police officers to provide victims with information on their rights and entitlements under the Victims' Code.</p> <p>On 16 March 2021, the Ministry of Justice confirmed that a new Victims' Code would come into force on 1 April 2021. The Victims' Code was restructured so that victims are the primary audience and to focus on 12 key overarching rights. It sets out victims' rights to be provided with information about how to claim compensation for any loss, damage or injury caused as a result of a crime; that victims of child sexual abuse may be entitled to compensation through the Criminal Injuries Compensation Scheme; and that the victim has the right to be told by the police how to seek court-ordered compensation.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>4. They are entitled to be referred to organisations supporting victims of sexual abuse. They should be signposted to the support services available in their local area.</p> <p>The College of Policing should make changes to its guidance (currently Authorised Professional Practice) to require police officers to provide oral and written information on each of these matters.</p> <p>The Ministry of Justice should also provide further information on how the new compliance framework, and any other developments, will improve compliance with the Code for victims and survivors of child sexual abuse.</p>				<p>The Ministry of Justice also stated that it had issued the first iteration of a framework to monitor compliance with the Victims' Code to Local Criminal Justice Boards and police crime commissioners. It was agreed that police crime commissioners would oversee a new monitoring process.</p> <p>The Ministry of Justice noted that although progress on this recommendation was suspended due to the COVID-19 pandemic, work was underway to develop and test a new framework to enable reporting to resume.</p> <p>On 5 November 2021, the Ministry of Justice stated that it intended to consult on a Victims Bill to ensure the delivery of victims' rights under the Victims' Code.</p> <p>On 25 May 2022 the Ministry of Justice published a response to its consultation on improving victims' experiences of the justice system. The Ministry of Justice stated that it will introduce a wide range of measures within the Victims</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
				<p>Bill and, as issues raised in the consultation cannot be addressed through legislation alone, that the Bill will sit alongside additional measures.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>79. Produce Codes of Practice for responding to civil claims of child sexual abuse</p> <p>The Local Government Association and the Association of British Insurers should each produce codes of practice for responding to civil claims of child sexual abuse.</p> <p>The codes should include recognition of the long-term emotional and psychiatric or psychological effects of child sexual abuse on victims and survivors, and acknowledgement that these effects may make it difficult for victims and survivors to disclose that they have been sexually abused and to initiate civil claims for that abuse.</p> <p>The codes should also include guidance that:</p> <ol style="list-style-type: none"> 1. claimants should be treated sensitively throughout the litigation process; 2. the defence of limitation should only be used in exceptional circumstances; 3. single experts jointly instructed by both parties should be considered for the assessment of the claimants' psychiatric, psychological or physical injuries; and 	<p>September 2019</p>	<p><i>Accountability and Reparations Investigation Report</i> Recommendation 2</p>	<p>Accepted</p>	<p><u>Association of British Insurers</u> In August 2021, the <u>Association of British Insurers</u> published a <u>Code of Practice on Responding to Civil Claims of Child Sexual Abuse</u>. It seeks to improve certain aspects of the civil claims process that are within insurers' control for victims and survivors of child sexual abuse.</p> <p><u>Local Government Association</u> On 16 August 2021, the <u>Local Government Association</u> stated that it had worked with several member councils and national organisations to develop a draft code of practice. On 25 April 2022, the <u>Local Government Association</u> stated that the draft code of practice would be going to its Executive Advisory Board for final approval and would then be published on its website.</p>

	Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
	4. wherever possible, claimants should be offered apologies, acknowledgement, redress and support.				

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>80. Introduce a register of public liability insurance policies to help victims and survivors</p> <p>The Department for Work and Pensions¹⁶³¹ should work with the Association of British Insurers to introduce a national register of public liability insurance policies. The register should provide details of the relevant organisation, the name of the insurer, all relevant contact details, the period of cover, and the insurance limit. These requirements should apply to policies issued and renewed after the commencement of the register, and those against which a claim has already been made.</p> <p>The Financial Conduct Authority should make the necessary regulatory changes to compel insurers that provide public liability insurance to retain and publish details of all current policies.</p>	<p>September 2019</p>	<p><i>Accountability and Reparations Investigation Report</i> Recommendation 4</p>	<p>Accepted</p>	<p>On 5 November 2021, the Ministry of Justice stated that it had commenced discussions with the Association of British Insurers on a public liability register and would be exploring the feasibility of the proposed reform. On 4 May 2022, the Ministry of Justice stated that its work on this recommendation had paused due to other delivery priorities and the COVID-19 pandemic.</p> <p>On 2 December 2021, the Financial Conduct Authority stated that it had conducted a survey of public liability insurance firms, and had engaged with consumer organisations, including survivors' charities, to better understand the issues faced by victims and survivors in accessing insurance.</p>

¹⁶³¹ The Department for Work and Pensions is responsible for matters related to workplace compensation and insurance in the UK. It consulted on the introduction of the Employers' Liability Tracing Office (ELTO) in 2010.

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
				<p>On 25 April 2022, the Financial Conduct Authority stated that organisations representing survivors found it challenging to provide data and the responses that it had received were limited, and that it was considering its next steps.</p> <p>The Financial Conduct Authority also stated that it needed to align its work with that of the Association of British Insurers and Department for Work and Pensions (or other relevant government departments) to ensure its intervention is compatible with the public liability insurance register (if it is introduced).</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>81. Revise the <i>Guidelines for the Assessment of General Damages in Personal Injury Cases</i></p> <p>The Judicial College should revise its <i>Guidelines for the Assessment of General Damages in Personal Injury Cases</i> to include a freestanding section on the damages that may be appropriate in cases of child sexual abuse.</p> <p>This new section of the guidelines should advise the court to take into account the nature and severity of the abuse itself, any short-term and long-term physical, emotional and psychiatric or psychological injuries, and the general effect of the abuse on the claimant's capacity to function throughout their life. The latter may include the ability to sustain personal and sexual relationships, to benefit from education and to undertake paid employment.</p>	<p>September 2019</p>	<p><i>Accountability and Reparations: Investigation Report</i> Recommendation 5</p>	<p>Accepted</p>	<p>The Judicial College informed the Inquiry that the revised edition of its <i>Guidelines for the Assessment of General Damages in Personal Injury Cases</i> was published on 11 April 2022. The Judicial College stated that the new edition includes a section on sexual abuse, which incorporates the factors to be taken into account in valuing general damages for sexual abuse. These include the nature and duration of the abuse, the physical and/or psychological effects caused and the effect on the injured person's ability to sustain personal and sexual relationships.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>82. Consider grounds for investigating the death of LA-A2</p> <p>The Metropolitan Police Service should consider whether there are grounds for a criminal investigation into Lambeth Council's actions when providing information to the coroner about the circumstances surrounding LA-A2's death.</p>	<p>July 2021</p>	<p><i>Children in the Care of Lambeth Council Investigation Report</i> Recommendation 4</p>	<p>Accepted</p>	<p>The Metropolitan Police Service informed the Inquiry that it has accepted this recommendation.</p>
<p>83. Reiterated recommendation: Compliance with the Victims' Code</p> <p>The Inquiry recommends (as originally stated in its <i>Interim Report</i>, dated April 2018) that the UK government commissions a joint inspection of compliance with the Victims' Code in relation to victims and survivors of child sexual abuse, to be undertaken by His Majesty's Inspectorate of Constabulary and Fire & Rescue Services, His Majesty's Crown Prosecution Service Inspectorate and His Majesty's Inspectorate of Probation.</p>	<p>October 2022</p>	<p><i>The Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 14</p>		

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>84. Limitation</p> <p>The Inquiry recommends that the UK government makes the necessary changes to legislation in order to ensure:</p> <ul style="list-style-type: none"> • the removal of the three-year limitation period for personal injury claims brought by victims and survivors of child sexual abuse in respect of their abuse; and • the express protection of the right to a fair trial, with the burden falling on defendants to show that a fair trial is not possible. <p>These provisions should apply whether or not the current three-year period has already started to run or has expired, except where claims have been:</p> <ul style="list-style-type: none"> • dismissed by a court; or • settled by agreement. <p>They should, however, only apply to claims brought by victims and survivors, not claims brought on behalf of victims and survivors' estates.</p>	<p>October 2022</p>	<p><i>The Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 15</p>		

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
Supporting victims and survivors (see Part H)				
<p>85. Ensure remaining records on former child migrants are retained and preserved</p> <p>The Chair and Panel have recommended that all institutions which sent children abroad as part of the child migration programmes should ensure that they have robust systems in place for retaining and preserving any remaining records that may contain information about individual child migrants, and should provide easy access to them.</p>	April 2018	<p><i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i></p> <p>Recommendation 3</p>	Accepted	<p>Between January and July 2020, Action for Children, Barnardo's, Catholic Church in England and Wales, Cornwall Council, Father Hudson's Care, Salvation Army UK, Sisters of Nazareth, The Children's Society and The Prince's Trust committed to retaining and preserving remaining child migrant records.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>86. Establish the level of support available for victims and survivors and public expenditure on these services in England</p> <p>The Chair and Panel recommend that the Department of Health and Social Care, the Department for Education, the Ministry of Justice and the Home Office work together to establish current levels of public expenditure, and the effectiveness of that expenditure on services for child victims and adult survivors of child sexual abuse in England.</p>	<p>April 2018</p>	<p><i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i></p> <p>Recommendation 17</p>	<p>Accepted</p>	<p>On 22 July 2019, the UK government stated that the Ministry of Justice had established a cross-government working group, and had gathered data on the current level of public expenditure on support services for victims and survivors of sexual abuse.</p> <p>On 26 February 2020, the Ministry of Justice, Department of Health and Social Care, Department for Education and the Home Office stated that they had reviewed public expenditure. They stated that the UK government's strategy on child sexual abuse seeks to take a whole-system approach to addressing the provision of support services.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>87. Establish the level of support available for victims and survivors and public expenditure on these services in Wales</p> <p>The Chair and Panel recommend that the Welsh Government and the relevant UK government departments work together to establish current levels of public expenditure, and the effectiveness of that expenditure on services for child victims and adult survivors of child sexual abuse in Wales.</p>	<p>April 2018</p>	<p><i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i></p> <p>Recommendation 18</p>	<p>Accepted</p>	<p>On 24 February 2022, the Welsh Government stated that it had obtained levels of public expenditure for support services to victims and survivors of child sexual abuse in Wales. The Welsh Government also stated that it had asked the National Independent Safeguarding Board for Wales to verify the sums and effectiveness of spend for victims and survivors.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>88. Produce a Code to ensure victims and survivors of child sexual abuse are able to access therapy and support when bringing civil claims</p> <p>The International Underwriting Association of London should take the lead in the production of a code for the benefit of claimants who are bringing civil claims for child sexual abuse. The aim should be to produce a code, comparable to the Rehabilitation Code or for inclusion in that code, with the objective of ensuring that victims and survivors of child sexual abuse are able to access the therapy and support they need as soon as possible.</p>	<p>September 2019</p>	<p><i>Accountability and Reparations Investigation Report</i> Recommendation 7</p>	<p>Accepted</p>	<p>On 23 February 2021, the International Underwriting Association of London stated that it had established a working party to develop a rehabilitation code. On 14 December 2021, the International Underwriting Association of London stated that it had agreed to fund engagement with a group of victims and survivors for feedback on the rehabilitation code via a charitable donation to the Survivors' Trust. It hoped to finalise a draft rehabilitation code following these meetings. On 21 April 2022, the International Underwriting Association of London stated that work was carried out to source willing survivors to populate the group, which resulted in challenges that have affected the progression of this project.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>89. Introduce a policy in the Church of England and Church in Wales on the funding and provision of support to victims and survivors of child sexual abuse</p> <p>The Church of England and the Church in Wales should each introduce a Church-wide policy on the funding and provision of support to victims and survivors of child sexual abuse concerning clergy, Church officers or those with some connection to the Church. The policy should clearly set out the circumstances in which different types of support, including counselling, should be offered. It should make clear that support should always be offered as quickly as possible, taking into account the needs of the victim over time.</p> <p>The policy should take account of the views of victims and survivors. It should be mandatory for the policy to be implemented across all dioceses.</p>	<p>October 2020</p>	<p><i>The Anglican Church Investigation Report</i> Recommendation 7</p>	<p>Accepted</p>	<p>On 7 April 2021, the Church in Wales stated that it had introduced Independent Sexual Violence Adviser (ISVA) support for survivors. The Church in Wales committed to offer funding towards counselling recommended by an ISVA where the abuse was committed by Church in Wales clergy, or in a Church context. The Church in Wales also stated that the sufficiency of this provision will be reviewed regularly, in consultation with its Safeguarding Panel, Safeguarding Committee and the providers of the ISVA service.</p> <p>On 17 December 2021 the Archbishops' Council of the Church of England published an update stating that the National Safeguarding Steering Group has approved amended guidance on responding to victims and survivors of abuse. The guidance stipulates what Church bodies must do if abuse is disclosed, requires Church bodies to provide</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
90.				accessible information about reporting abuse to statutory services and makes provision for mandatory support. General updates on the Interim Support Scheme and National Redress Scheme were also provided.
<p>Specialist therapeutic support for child victims of sexual abuse</p> <p>The Inquiry recommends that the UK government and the Welsh Government introduce a national guarantee that child victims of sexual abuse will be offered specialist and accredited therapeutic support. There should be sufficient supply of these services so that children in all parts of England and Wales can access support in a timely way.</p> <p>These services should be fully funded. Responsibility for commissioning these services should be given to local authorities.</p> <p>There must be no eligibility criteria for children to access these specialist therapeutic services other than having been a victim of child sexual abuse.</p>	October 2022	<i>The Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 16		

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>91.</p> <p>Access to records</p> <p>The Inquiry recommends that the UK government directs the Information Commissioner's Office to introduce a code of practice on retention of and access to records known to relate to child sexual abuse.</p> <p>The retention period for records known to relate to allegations or cases of child sexual abuse should be 75 years with appropriate review periods.</p> <p>The code should set out that institutions should have:</p> <ul style="list-style-type: none"> • retention policies that reflect the importance of such records to victims and survivors, and that they may take decades to seek to access such records; • clear and accessible procedures for victims and survivors of child sexual abuse to access such records; • policies, procedures and training for staff responding to requests to ensure that they recognise the long-term impact of child sexual abuse and engage with the applicant with empathy. 	<p>October 2022</p>	<p><i>The Report of the Independent Inquiry into Child Sexual Abuse</i></p> <p>Recommendation 17</p>		

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
Making amends (see Part I)				
<p>92. Apologise to former child migrants The Chair and Panel have recommended that institutions involved in the child migration programmes who have not apologised for their role should give such apologies as soon as possible. Apologies should not only be made through public statements but specifically to those child migrants for whose migration they were responsible.</p>	<p>April 2018</p>	<p><i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 1</p>	<p>Accepted</p>	<p>An apology by the Sisters of Nazareth was repeated during the Child migration programmes investigation (p126). Between January 2020 and July 2020, Action for Children, Barnardo's, Catholic Church in England and Wales, Church of England, Cornwall Council, Father Hudson's Care, Royal Over-Seas League, The Salvation Army UK, The Children's Society and The Prince's Trust apologised to former child migrants.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>93. Establish a financial redress scheme for former child migrants</p> <p>The Chair and Panel have recommended that the UK government establishes a financial redress scheme for surviving former child migrants, providing for an equal award to every applicant. This is on the basis that they were all were exposed to the risk of sexual abuse.</p> <p>Given the age of the surviving former child migrants, the UK government was urged to establish the financial redress scheme without delay and expects that payments should start being made within 12 months (of the original report being published), and that no regard is given to any other payments of compensation that have been made in particular cases.</p>	April 2018	<p><i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i></p> <p>Recommendation 2</p>	Accepted	<p>On 22 July 2019, the UK government stated that an ex gratia payment scheme opened to applicants on 1 March 2019. This included any former British child migrant who was alive on 1 March 2018 or the beneficiaries of any former child migrant who was alive on 1 March 2018 and had since passed away. Each eligible former British child migrant was entitled to receive £20,000, regardless of their individual circumstances or payments received from other governments or through private legal action. As of 15 July 2019, the scheme had made over 1,400 payments to eligible applicants.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>94. Revise the Criminal Injuries Compensation Scheme to remove barriers faced by victims and survivors in relation to criminal convictions</p> <p>The Chair and Panel recommend that the Ministry of Justice revises Criminal Injuries Compensation Authority rules, so that awards are not automatically rejected in circumstances where an applicant's criminal convictions are likely to be linked to their child sexual abuse. Each case should be considered on its merits.</p>	<p>April 2018</p>	<p><i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 5</p>	<p>Rejected</p>	<p>On 14 May 2021, the Ministry of Justice stated that, following its consultation on reform proposals for the Criminal Injuries Compensation Scheme, the UK government concluded that it did not propose any change to the existing rule on unspent convictions. It stated that individuals with unspent convictions that have resulted in community and custodial sentences should not be eligible for state-funded compensation, given the harm done to others and the cost to society of offending behaviour. The Ministry of Justice confirmed that it would publish a government response in due course.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>95. Revise the Criminal Injuries Compensation Scheme to remove barriers faced by victims and survivors in relation to caseworkers</p> <p>The Chair and Panel recommend that the Criminal Injuries Compensation Authority ensures that claims relating to child sexual abuse are only considered by caseworkers who have specific and detailed training in the nature and impact of child sexual abuse.</p>	<p>April 2018</p>	<p><i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i></p> <p>Recommendation 6</p>	<p>Accepted</p>	<p>On 19 December 2018, the UK government stated that all Criminal Injuries Compensation Authority operational staff are given training on handling sexual abuse cases, including child sexual abuse. It also stated that the Criminal Injuries Compensation Authority provides a dedicated caseworker to applicants in particularly complex and difficult cases.</p> <p>On 22 July 2019, the UK government stated that the Criminal Injuries Compensation Authority provides specialist application support and named caseworkers for those affected by the “same roof” rule who wish to apply or reapply for compensation.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>96. Revise the Criminal Injuries Compensation Scheme to remove barriers faced by victims and survivors in relation to the ‘same roof’ rule</p> <p>The Chair and Panel recommend that the Ministry of Justice revises the Criminal Injuries Compensation Authority rules so that all applicants who previously applied for compensation in relation to child sexual abuse – but were refused solely due to the ‘same-roof’ rule – should be entitled to reapply for compensation and have their claim approved by the Criminal Injuries Compensation Authority.</p>	<p>April 2018</p>	<p><i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i> Recommendation 7</p>	<p>Accepted</p>	<p>On 22 July 2019, the UK government confirmed that the ‘same roof’ rule had been removed. The amended Criminal Injuries Compensation Scheme provides for past claimants refused under the rule, whether or not that was the sole ground on which an award was withheld, to be able to reapply.</p>
<p>97. Revise the Compensation Act 2006 to facilitate apologies, offers of treatment or other redress</p> <p>The government should introduce legislation revising the Compensation Act 2006 to clarify that section 2 facilitates apologies or offers of treatment or other redress to victims and survivors of child sexual abuse by institutions that may be vicariously liable for the actions or omissions of other persons, including the perpetrators.</p>	<p>September 2019</p>	<p><i>Accountability and Reparations</i> Recommendation 3</p>	<p>See comments</p>	<p>On 16 March 2021, the Ministry of Justice stated that it would consult on the subject of apologies, including consideration of the use of apologies in civil proceedings generally. On 4 May 2022, the Ministry of Justice confirmed that it still planned on consulting on the law of apologies and that the government would then consider necessary substantive reform.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>98. Increase the use of criminal compensation orders</p> <p>The Ministry of Justice should consult with the Sentencing Council, the Judicial College, the Crown Prosecution Service and other relevant bodies, in order to increase the use of criminal compensation orders, where appropriate, in cases involving child sexual abuse by, amongst other things, implementing guidance for the judiciary and prosecutors in the Crown Courts and Magistrates' Courts.</p>	September 2019	<p><i>Accountability and Reparations Investigation Report</i></p> <p>Recommendation 6</p>	Accepted	<p>On 6 April 2020, the Ministry of Justice stated that it had consulted with the Judicial College and the Sentencing Council in respect of implementing guidance for the judiciary in the Crown Court and Magistrates' Courts, and with the Crown Prosecution Service in respect of guidance for prosecutors. The Ministry of Justice stated that relevant guidance is sufficient.</p> <p>The Ministry of Justice also stated that it would explore its understanding of the reasons why courts make low numbers of compensation orders in cases of child sexual abuse. On 4 May 2022, the Ministry of Justice stated that it found courts make low numbers of criminal compensation orders in cases of child sexual abuse as: (a) the level of financial recompense provided by a criminal compensation order is unlikely to reflect the damage and trauma suffered by a victim, (b) the payment process for financial</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>99. Extend the forfeiture criteria for honours The criteria for forfeiture of all honours must be formally extended to include convictions, cautions and cases decided by trial of the facts involving offences of child sexual abuse. This must be set out in a published policy and procedure, which must include a clear policy on how forfeiture decisions are made public. The Inquiry expects the Forfeiture Committee to take a lead on this matter.</p>	<p>February 2020</p>	<p>Allegations of Child Sexual Abuse Linked to Westminster Investigation Report Recommendation 1</p>	<p>Accepted</p>	<p>impositions may deter pursuit of a criminal compensation order, and (c) quantification of compensation in cases of child sexual abuse is often difficult and complex. The Ministry of Justice also confirmed that the Crown Prosecution Service and Sentencing Council have strengthened their guidance on criminal compensation orders and that the Ministry of Justice will publish updated pages on gov.uk to clarify the different types of compensation.</p> <p>On 30 September 2021, the Cabinet Office updated its guidance in relation to honours forfeiture. Anybody convicted of a sexual offence will be considered for forfeiture regardless of the sentence they receive. Anybody found to have committed a sexual offence following a 'trial of the facts' will also be considered.</p>

	Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
100.	<p>Re-examine the posthumous forfeiture policy for honours</p> <p>The Cabinet Office should re-examine the policy on posthumous forfeiture, in order to consider the perspectives of victims and survivors of child sexual abuse.</p>	February 2020	<p><i>Allegations of Child Sexual Abuse Linked to Westminster Investigation Report Recommendation 2</i></p>	Accepted	<p>On 30 September 2021, the Cabinet Office updated its guidance in relation to honours forfeiture. The policy allows for a formal statement to be published in instances where forfeiture proceedings would have been initiated if the deceased recipient was living and convicted in a court of law.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>101.</p> <p>Criminal Injuries Compensation Scheme</p> <p>The Inquiry recommends that the UK government changes the Criminal Injuries Compensation Scheme to:</p> <ul style="list-style-type: none"> • include other forms of child sexual abuse, including online-facilitated sexual abuse; • amend the rule on unspent convictions so that applicants with unspent convictions are not automatically excluded where offences are likely to be linked to the circumstances of their sexual abuse as a child; and • increase the time limit for child sexual abuse applications so that applicants have seven years to apply from (a) the date the offence was reported to the police or (b) the age of 18, where the offence was reported while the victim was a child. In either circumstance, the claims officer's discretion to extend the time limit remains. 	<p>October 2022</p>	<p><i>The Report of the Independent Inquiry into Child Sexual Abuse</i></p> <p>Recommendation 18</p>		

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>102.</p> <p>Redress scheme</p> <p>The Inquiry recommends that the UK government establishes a single redress scheme in England and Wales, taking into account devolved responsibilities.</p> <p>The detailed rules of, and funding for, this redress scheme should reflect the following core elements.</p> <p><u>Eligibility</u></p> <ul style="list-style-type: none"> • Victims and survivors of child sexual abuse and exploitation that occurred in England and in Wales should be eligible to apply. • Applicants must have experienced child sexual abuse and exploitation where there is a clear connection to State or non-State institutions in England and Wales. • The scheme should be open to any victim of child sexual abuse that took place prior to its establishment. • The scheme should deduct any previous award from any payment under the scheme (or in the case of payments made by the Criminal Injuries Compensation Authority, it may order that they be repaid). 	<p>October 2022</p>	<p><i>The Report of the Independent Inquiry into Child Sexual Abuse</i></p> <p>Recommendation 19</p>		

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<ul style="list-style-type: none"> Applicants who have previously brought civil claims which have been rejected by the court should be excluded from applying to the scheme, save where their cases have been rejected due to limitation. <p><u>Redress provided</u></p> <ul style="list-style-type: none"> The scheme should provide payments to eligible applicants through a two-tier system, based on a fixed flat-rate recognition payment, with the option to apply for a second-tier payment. <p><u>Process</u></p> <ul style="list-style-type: none"> The application process must be accessible and straightforward, and be sensitive to the needs and vulnerabilities of victims and survivors of child sexual abuse. The process should provide for streamlined checks and verification of applications, but not be adversarial. There should be special provisions to accelerate awards for older or terminally ill applicants. <p><u>Duration</u></p> <ul style="list-style-type: none"> The scheme should run for five years. 				

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p><u>Funding</u></p> <ul style="list-style-type: none"> The scheme should be funded by central and local government, in accordance with devolved funding principles, with voluntary contributions sought from non-State institutions. 				
Evolving and future challenges (see Part J)				
<p>103. Ratify the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (also known as the ‘Lanzarote Convention’)</p> <p>The Chair and Panel recommend that the UK government ratifies the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (the ‘Lanzarote Convention’) without further delay. They also recommend that ratification is followed, again without further delay, by action to implement the Lanzarote Convention.</p> <p>The Chair and Panel recommend that the Home Office, as the lead UK government department, publishes the timetable for ratifying the Lanzarote Convention and taking any additional steps required to make the UK fully compliant by June 2018.</p>	<p>April 2018</p>	<p><i>Interim Report of the Independent Inquiry into Child Sexual Abuse</i></p> <p>Recommendation 12</p>	<p>Accepted</p>	<p>On 20 June 2018, the UK government ratified the Lanzarote Convention.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>104. Establish a list of countries where children are considered to be at high risk of sexual abuse and exploitation</p> <p>The Home Office should bring forward legislation providing for the establishment and maintenance by the National Crime Agency of a list of countries where children are considered to be at high risk of sexual abuse and exploitation from overseas offenders. This list should be kept under regular review.</p> <p>The list of countries should be made available to the police, and used routinely to help identify whether a person who has been charged with sexual offences against a child poses a risk to children overseas based on their travel history and/or plans. If the person is considered to pose a risk of sexual harm to children overseas, the police should submit an application for a foreign travel restriction order under the Sexual Offences Act 2003.</p> <p>The list of countries should be admissible in court and used when considering whether a foreign travel restriction order should be made under the Sexual Offences Act 2003 and if so, to which countries it should apply.</p>	<p>January 2020</p>	<p><i>Children Outside the United Kingdom Phase 2 Investigation Report Recommendation 2</i></p>	<p>Accepted</p>	<p>On 21 January 2021, the Home Office confirmed that it would bring forward the necessary legislation to give effect to this recommendation when parliamentary time allows. The Home Office stated that it had commissioned the National Crime Agency to produce a list of countries where children overseas are considered to be at high risk of sexual abuse and exploitation from UK nationals and residents.</p> <p>On 28 February 2022, the Home Office stated that the <i>Police, Crime, Sentencing and Courts Bill</i> would confer a power on the Secretary of State to prepare (or direct a relevant person, such as the National Crime Agency, to prepare) a list of countries deemed to be at “high risk” of child sexual abuse by UK nationals. This list would be considered by applicants and the courts when applying for – or making – a Sexual Harm Prevention Order or Sexual Risk</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
105.				<p>Order, for the purpose of protecting children outside the UK from the risk of sexual harm from a UK national.</p> <p>On 28 April 2022, the Bill received Royal Assent, and sections 172 and 173 of the Police, Crime, Sentencing and Courts Act 2022 reflect these changes.</p>
<p>Remove indecent images of children online, internationally</p> <p>The government should press the WeProtect Global Alliance to take more action internationally to ensure that those countries hosting indecent images of children implement legislation and procedures to prevent access to such imagery.</p>	March 2020	<i>The Internet Investigation Report</i> Recommendation 2	Accepted	<p>On 10 November 2020, the UK government committed to continue working with the WeProtect Global Alliance to make combating indecent images of children, grooming and live streaming a priority. It stated that it would do this via board meetings and ensuring the WeProtect Global Alliance develops and disseminates key resources.</p>

Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
<p>106. Implement stringent age verification techniques online The government should introduce legislation requiring providers of online services and social media platforms to implement more stringent age verification techniques on all relevant devices.</p>	<p>March 2020</p>	<p><i>The Internet Investigation Report</i> Recommendation 3</p>	<p>Accepted</p>	<p>On 12 May 2021, the UK government published a draft Online Safety Bill, which includes a clause that will require providers of regulated services to conduct an assessment of whether children are likely to access their service. On 29 June 2021, the UK government published online safety guidance. The guidance included advice for companies on providing an age-appropriate experience for children through using tools such as age assurance and verification methods.</p> <p>On 8 February 2022, the UK government announced that the Online Safety Bill will include a new legal duty that requires all sites hosting pornographic material to have age verification technology. Companies will be fined for not complying and senior managers could be held criminally liable.</p> <p>A second Inquiry recommendation on the need for age verification techniques online was made (see row 107).</p>

	Recommendation	Date	Report	Accepted or rejected	Summary of action taken (at 30 June 2022)
107.	<p>Reiterated recommendation: Age verification</p> <p>The Inquiry recommends (as originally stated in its <i>The Internet Investigation Report</i>, dated March 2020) that the UK government introduces legislation requiring providers of online services and social media platforms to implement more stringent age verification measures.</p>	October 2022	<p><i>The Report of the Independent Inquiry into Child Sexual Abuse</i></p> <p>Recommendation 20</p>		

Annex 4

Truth Project Dashboard, June 2016–October 2021

1. This dashboard is based on the accounts of 5,862 of the victims and survivors who have shared their experiences with the Truth Project.

2. We would like to thank all of the victims and survivors who have shared their experiences with the Truth Project. You can find out more about the Truth Project, and read some of the experiences shared with us, on the Truth Project website: truthproject.org.uk/i-will-be-heard. To find out more about our research programme, please visit our website: www.iicsa.org.uk

3. The Independent Inquiry into Child Sexual Abuse was set up because of serious concerns that some institutions had failed and were continuing to fail to protect children from sexual abuse.

4. Our Truth Project offered victims and survivors of child sexual abuse the opportunity to share their experiences and be respectfully heard, and helped us to better understand child sexual abuse.

5. The Truth Project heard the experiences of thousands of victims and survivors, and every experience is unique. This dashboard includes the experiences of those who were abused within a family, an institution or other context.

6. We have produced this dashboard as part of our research programme. It provides information from the Truth Project about:

- the victims and survivors of child sexual abuse
- the nature of the abuse that they experienced
- where the sexual abuse took place and who the perpetrators were
- the impacts of child sexual abuse, and
- whether those victims and survivors told anyone about the abuse.

Characteristics of those who have taken part in the Truth Project

Current gender of victim and survivor

7. Seven in 10 of those who took part in the Truth Project were female.

70%

Female



29%

Male

<1% Other / Prefer not to say

Ethnic background

8. Around 9 in 10 people were from a white ethnic background.

90%

White

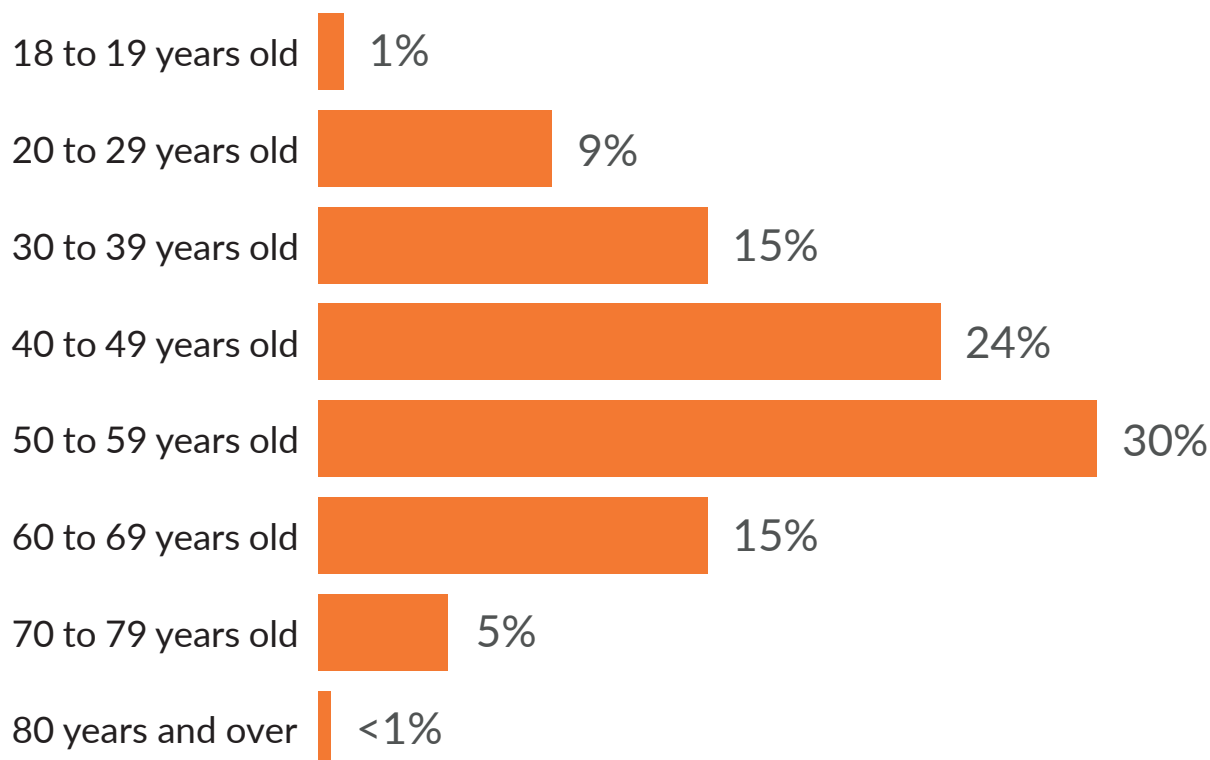


10%

Black, Asian,
ethnic minority

Age when took part

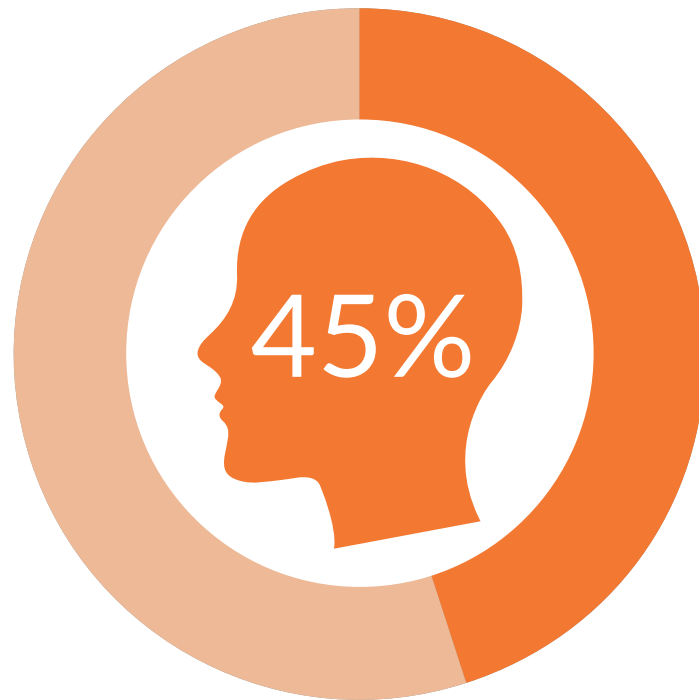
9. The Truth Project heard from adult victims and survivors of child sexual abuse. Those taking part ranged in age from 18 to 87. The most common age for those sharing their experience was between 50 and 59.



Where percentages do not add up to 100 this is due to rounding.

Illnesses or conditions that affect daily life

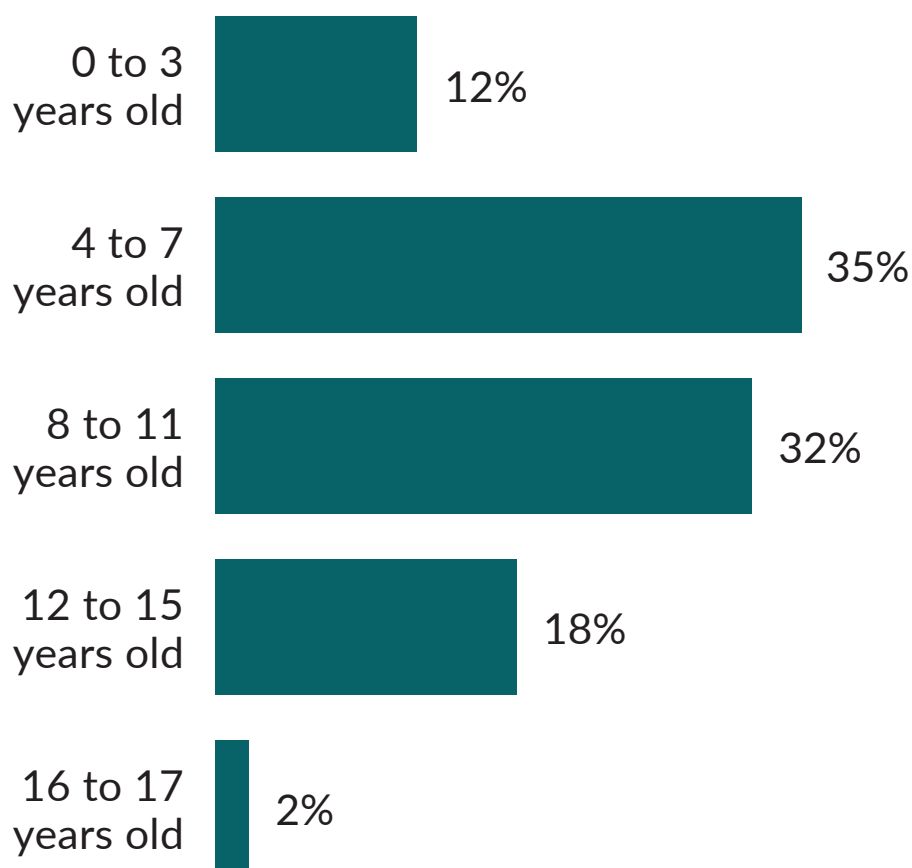
10. Nearly half of victims and survivors told us that they have an illness or condition that affects their everyday lives.



Nature of abuse experienced

Age when sexual abuse started

11. Child sexual abuse means sexual abuse that a person experienced before the age of 18. The majority of victims and survivors first experienced child sexual abuse when they were primary-school age.



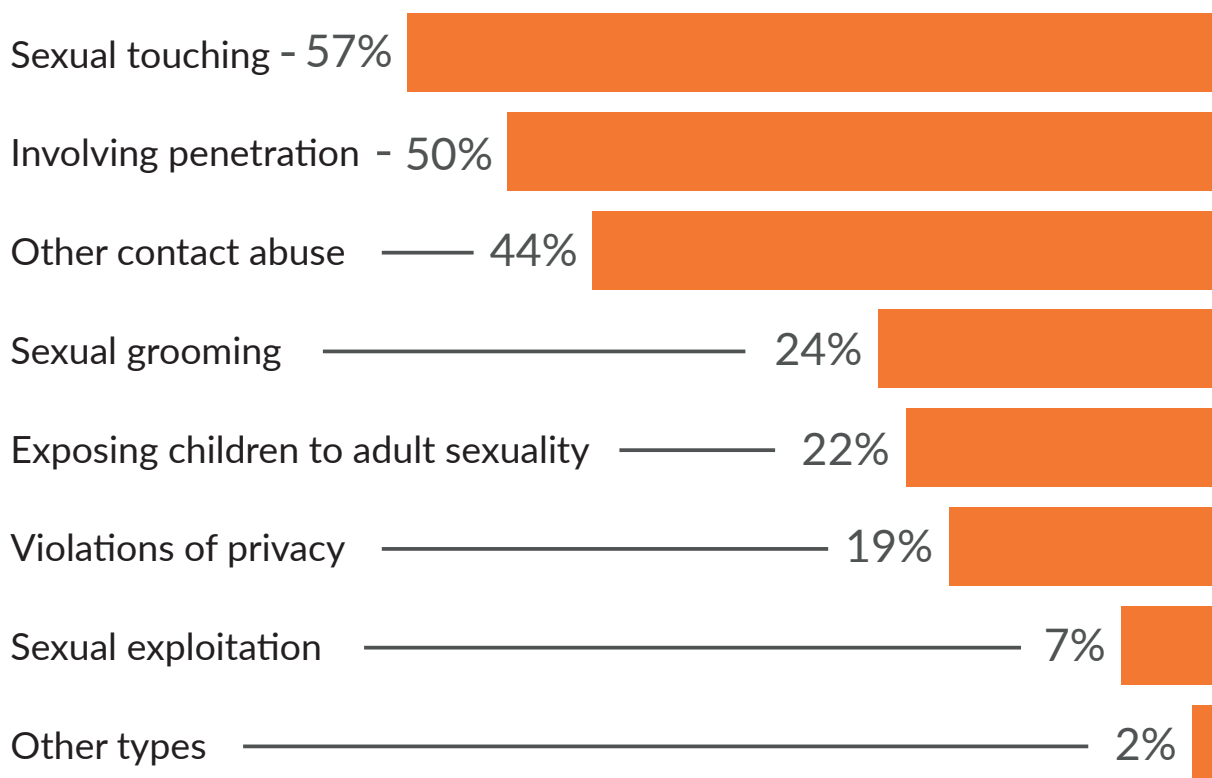
12. Fifty-two percent of victims and survivors told us about experiencing other forms of abuse in addition to sexual abuse.



52%

Sexual abuse experienced

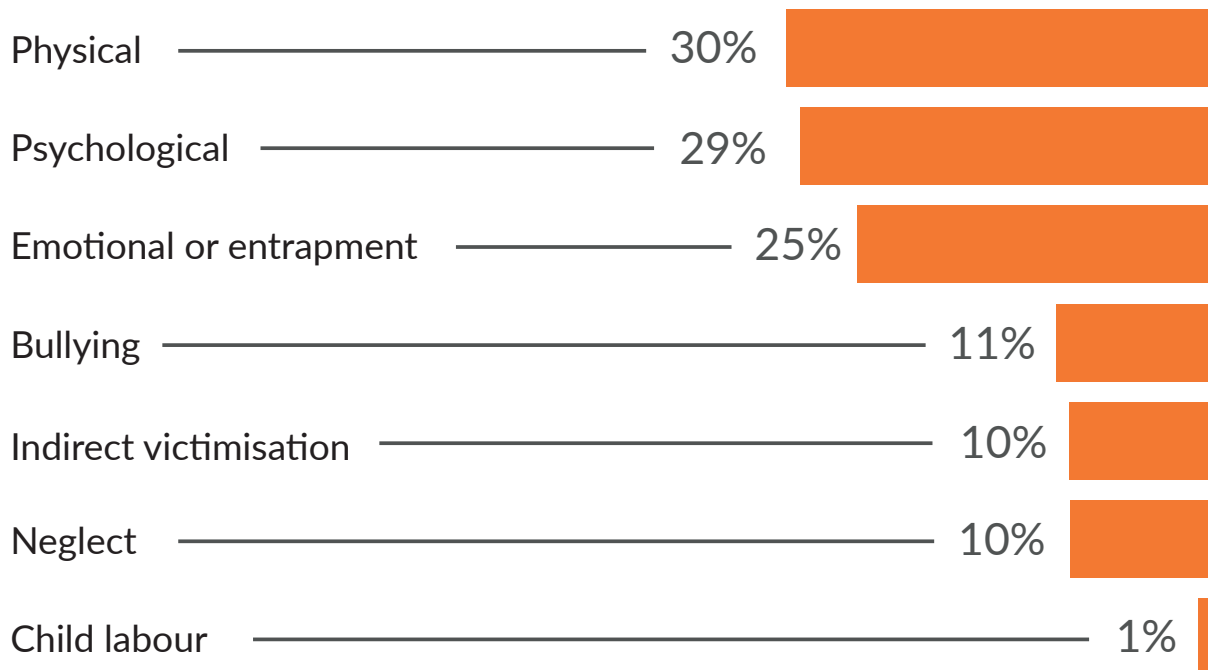
13. Over half of victims and survivors told us that they had experienced sexual abuse involving sexual touching, and half experienced abuse involving penetration.



Some victims and survivors told us about experiencing more than one type of sexual abuse, so the percentages add up to more than 100. There are definitions of these types of sexual abuse at the end of this annex.

Other forms of abuse experienced

14. The most commonly experienced forms of abuse were physical and psychological abuse.



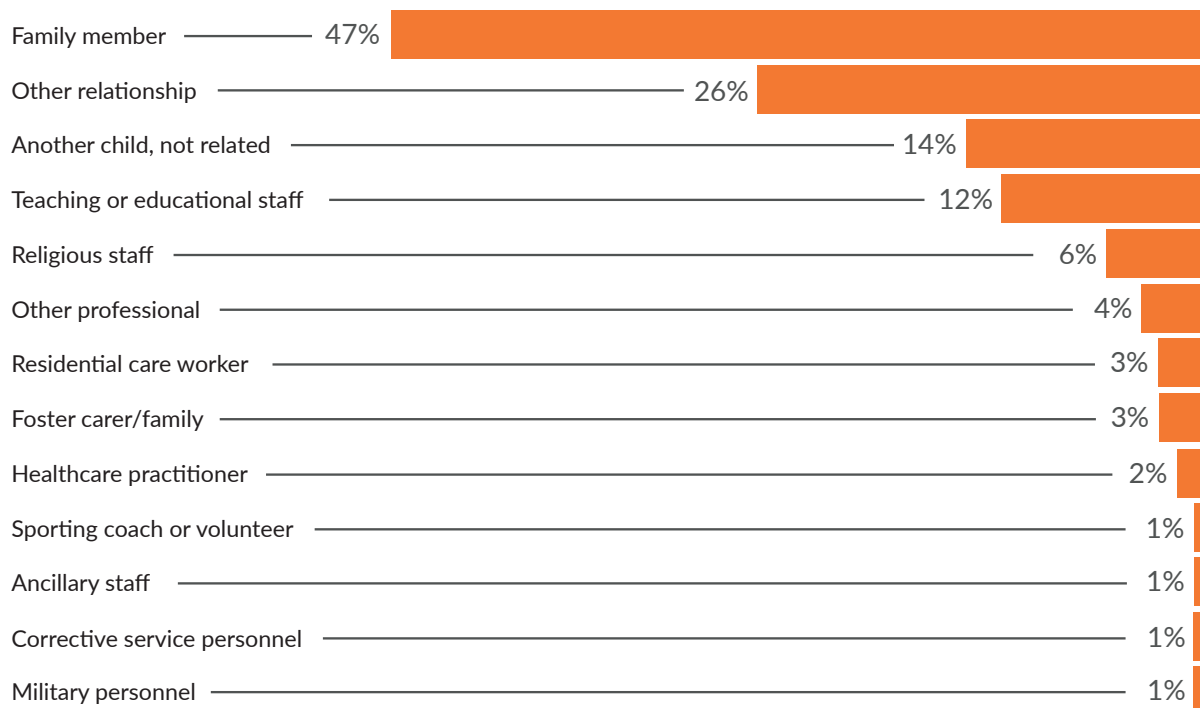
Some victims and survivors told us about experiencing more than one other form of abuse, so the percentages add up to more than 100. There are definitions of these other forms of abuse at the end of this annex.

Contexts in which child sexual abuse took place

15. Victims and survivors may have experienced child sexual abuse in a family, institution or other context. Some of the victims and survivors told us they were let down by someone in authority.

Relationship of the perpetrator to victim and survivor

16. Almost half of victims and survivors told us that the perpetrator of the child sexual abuse was a family member.



Some victims and survivors reported being abused by more than one category of perpetrator, so the percentages add up to more than 100. There are definitions of these perpetrator groups at the end of this annex.

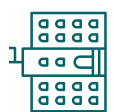
Where child sexual abuse took place

17. Thirty-six percent of victims and survivors who shared their experience with the Truth Project told us at least one incident of sexual abuse they experienced took place in an institution, outside the family home. Again, aside from the family home, schools were the most frequently reported location.



42%

Family home



15%

Schools



6%

Religious institutions



6%

Residential care and children's homes



5%

Other institution



3%

Foster care



2%

Healthcare institutions



1%

Sports locations



1%

Custody



1%

Defence forces

The impact of child sexual abuse experienced by victims and survivors

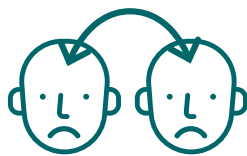
18. Child sexual abuse can have short-term and long-term effects. Everyone is unique, and so the impact experienced is also varied. Ninety-four percent of victims and survivors told us they had experienced some impact from the child sexual abuse. Some victims and survivors reported more than one impact, so percentages will add up to more than 100.



Impact on
mental health

88%

The most commonly reported was **depression**, which **36%** of all victims and survivors reported experiencing.



Impact on
relationships

53%

The most commonly reported was **trust and intimacy difficulties**, which **37%** of all victims and survivors reported experiencing.



Impact on
school or employment

41%

The most commonly reported was **academic difficulties**, which **16%** of all victims and survivors reported experiencing.



Impact on
sex and intimacy

31%

The most commonly reported was **avoidance or phobic reactions to sexual intimacy**, which **13%** of all victims and survivors reported experiencing.



Impact on
physical health

35%

The most commonly reported was **musculoskeletal**, which **12%** of all victims and survivors reported experiencing.



Criminal
behaviour

9%

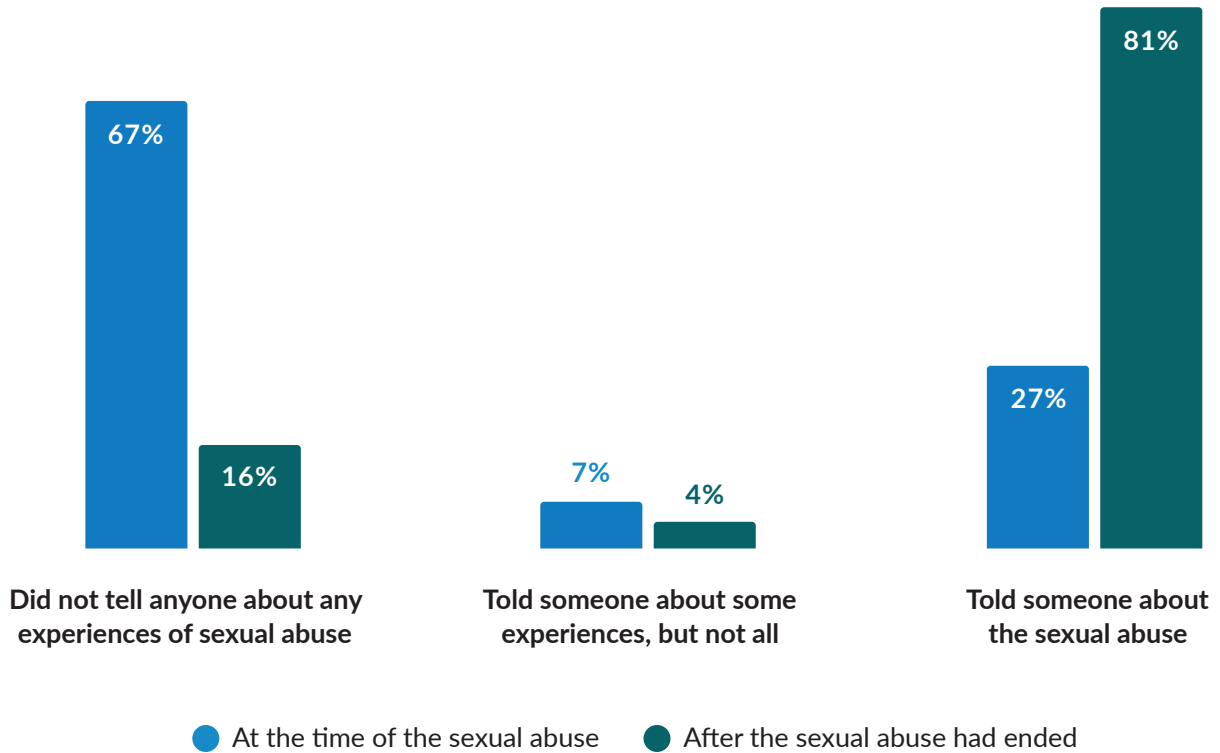
The most commonly reported was **committing minor offences**, which **5%** of all victims and survivors reported.

Telling people about child sexual abuse

19. Child sexual abuse is often very difficult for children to talk about, and so can go unreported or even unidentified for many years. Over time, society's and individual attitudes towards topics that may be considered taboo, such as child sexual abuse, are likely to change, so people may feel more able to share their experience later in life. We found that the proportion of victims and survivors who talked about their experience after the sexual abuse ended was much higher than those who did so at the time.

20. The majority of victims and survivors told us that they **had not told anyone** about the child sexual abuse **at the time it was happening**.

21. The majority of victims and survivors told us that they **had told someone** about at least some of the sexual abuse they experienced **after it ended**.



Due to rounding, figures for 'At the time of the sexual abuse' and 'After the sexual abuse had ended' may appear to not sum to 100 percent.

22. Almost 1 in 10 people who took part in the Truth Project told us that they shared an experience of child sexual abuse for the first time through the Truth Project.



Notes

This dashboard only includes information where victims and survivors shared their own experiences (some people took part in the Truth Project on behalf of victims and survivors) and agreed to their accounts being used for research purposes.

Victims and survivors shared as much or as little as they wanted about their experience. There were no specific questions. This means that those taking part did not always provide information for each area reported in this dashboard. Our findings cannot be applied to the general population of victims and survivors of child sexual abuse.

Nature of sexual abuse experienced

Definitions of the different types of sexual abuse experienced by victims and survivors

- **Sexual touching** relates to touching, masturbating or kissing a child's genitals or making a child fondle an adult's genitals.
- **Involving penetration** relates to vaginal, anal or digital penetration, cunnilingus, fellatio.
- **Other contact abuse** relates to sexual behaviour that involved contact but not penetration such as prolonged kissing, cuddling, french kissing, excessive touching.

- **Sexual grooming** includes both online and physical world grooming for the purposes of sexual contact.
- **Violations of privacy** relates to forcing a child to undress or spying on a child in the bathroom or bedroom.
- **Exposing children to adult** sexuality includes exposure to adult sexuality online or in the physical world.
 - *Online* relates to images, voice, text, gaming.
 - *In the physical world* relates to performing sexual acts in front of a child, exposing genitals, child to be nude for the sexual gratification of the adult, videotaping, or filming of children with the intent to create sexual stimulation.
- **Sexual exploitation** includes sexual exploitation occurring online or in the physical world.
 - *The physical world* here relates to selling a child's services as a prostitute, having a child perform in pornography or exchanging or purchasing child pornography.

Perpetrator groups

This is how we have defined certain groups of perpetrators

- **Other relationship** refers to, for example, friends of the family, known (or trusted) members of the community, media personalities and MPs/Members of the Senedd.
- **Teaching or educational staff** refers to teachers, dormitory or house masters and tutors.
- **Other professional staff** refers to professionals coming into contact with children, not captured in other categories. This includes medical practitioners, corrective service personnel, social workers and police.
- **Foster carer/family** refers to people with caring responsibilities towards the child, including foster carers and their family members, also pre-school and after-school carers.
- **Sporting coach or volunteer** includes sports coaches, Scout/Guide leaders and youth workers.
- **Ancillary staff** relates to staff working in an institution/organisation but with a role that provides support necessary for the operation of the institution, for example gardeners, cleaners, bus drivers, caretakers.

Other forms of abuse experienced

Definitions of other forms of abuse experienced by victims and survivors

- **Physical abuse** relates to experiencing being punched, slapped, pushed, shoved, pinned, choked, kicked, dragged by hair.
- **Psychological abuse** relates to experiencing general fear, fear of abuse continuing, humiliation, strip searches, solitary confinement, lack of intellectual stimulation.
- **Emotional abuse/entrapment**
 - *Emotional abuse* relates to the ongoing emotional maltreatment or emotional neglect of a child.
 - *Entrapment* covers all those factors which make it impossible to end the relationship. It may also relate to experiencing exchanging privileges for sexual favours.
- **Indirect victimisation** includes witnessing the abuse of others, or the victimisation of child sexual abuse victims and survivors as a result of an insensitive, unhelpful or negative societal response to the disclosure or identification of the abuse. Such a response could come from the victim's close network (e.g. family and friends) and/or from the wider system (e.g. the criminal justice system or health services).

- **Bullying** is defined as repeated behaviour which is intended to hurt someone either emotionally or physically, and is often aimed at certain people because of their race, religion, sex or sexual orientation or any other aspect such as appearance or disability. Bullying can take many forms including physical assault, teasing, making threats, name calling, cyber bullying.
- **Neglect** includes experiencing deprivation of basic necessities, failing to protect a child from physical and emotional harm or danger, failing to ensure access to appropriate medical care or treatment.
- **Child labour** relates to children working before they have reached the lawful minimum age (16 years of age in the UK).

Where child sexual abuse took place

This is how we have defined institutions where child sexual abuse took place

- **Healthcare** includes settings such as hospitals, GPs and dentists.
- **Other institution** relates to any type of institution not captured by the other overarching categories.

Impacts

This is how we have grouped impacts experienced by victims and survivors

Participants often told us about the impacts of child sexual abuse on their lives. We have grouped these impacts into the 6 overarching categories shown.

- **Mental health** is made up of 23 subcategories.
- **Relationships** is made up of 4 subcategories.
- **School/employment** is made up of 9 subcategories.
- **Sex and intimacy** is made up of 7 subcategories.
- **Physical health** is made up of 13 subcategories.
- **Criminal behaviour** is made up of 4 subcategories.

Annex 5

Key terminology in this report

Term (acronym)	Description
Achieving Best Evidence (ABE) in Criminal Proceedings	Guidance issued by the Ministry of Justice on interviewing vulnerable witnesses and victims, and using ‘special measures’ in criminal court proceedings. Children are automatically entitled to provide evidence by way of a video-recorded interview with a trained police officer, as are complainants in allegations of sexual offences.
All-Party Parliamentary Group (APPG)	All-Party Parliamentary Groups (APPGs) are informal, cross-party interest groups of Members of Parliament and peers interested in a particular issue.
Artificial intelligence (AI)	A type of computer programme that learns from data given to it, to then identify similar data. Machine learning and classifiers are also examples of such computer programmes.
Association of British Insurers (ABI)	The Association of British Insurers (ABI) is a trade association which represents insurance companies in the UK.
Augmented reality (AR)	An enhanced version of the real physical world which uses digital visual elements, sound or other sensory stimuli delivered through technology.

Term (acronym)	Description
Barnahus model	<p>A child-friendly, multidisciplinary and inter-agency model or centre for responding to child violence and witnesses of violence. Started in Iceland and used across Scandinavia. The model has five key features:</p> <ul style="list-style-type: none"> • a home-like setting (where all services are delivered under one roof, including the forensic interview, medical examination and child/family therapy); • helping victims to disclose abuse; • a minimal number of interviews conducted by child expert staff; • improved evidence through the reduced need for children to testify in court; and • guaranteed and rapid access to therapy.
Buggery	<p>Prior to the Sexual Offences Act 2003, which created the offence of anal rape, offences of anal penetration were referred to and charged as the offence of buggery under the Sexual Offences Act 1956.</p>
Care Inspectorate Wales (CIW)	<p>The Care Inspectorate Wales (CIW) is the independent regulator of social care and childcare in Wales. It registers, inspects and takes action to improve the quality and safety of services for the well-being of the people who use them.</p>
Care Standards Act 2000	<p>An Act of Parliament that created the role of the Children’s Commissioner for Wales. The Commissioner’s remit is set out in the Children’s Commissioner for Wales Act 2001, which amended the Care Standards Act 2000.</p>

Term (acronym)	Description
Centre for Countering Digital Hate (CCDH)	The Centre for Countering Digital Hate (CCDH) is a non-profit, non-governmental organisation that campaigns against online hate and misinformation. It has offices in London and Washington DC.
Centre of expertise on child sexual abuse (CSA Centre)	A multidisciplinary team funded by the Home Office and hosted by Barnardo's. The team works closely with academic institutions, local authorities, health, education, police and the voluntary sector. The Centre's purpose is to understand the causes, scope, scale and impact of child sexual abuse in order to tackle it.
Charity Commission	A public body which regulates and registers charities in England and Wales. Responsible for maintaining an accurate and up-to-date register of charities. It also provides some oversight of those who are registered to administer charities (known as trustees). It can take steps to dismiss individuals from being trustees of charities if they act contrary to their duties.
Child	A person under the age of 18.
Child Abduction Warning Notices (CAWN)	A warning notice issued to an individual prohibiting them from associating with a named child. Breach of this notice is an arrestable offence.

Term (acronym)	Description
Child and Adolescent Mental Health Services (CAMHS)	National Health Service (NHS) provided services that assess and treat children with emotional, behavioural or mental health difficulties. Although the term ‘CAMHS’ is used in this report, this aspect of children’s mental health provision is now part of the wider Children and Young People’s Mental Health Services (CYPMHS – see below).
‘Child House’ model	A Child House is a multi-agency service model supporting children, young people and non-abusing parents and carers following child sexual abuse. It is a child-centred approach in which the organisations involved in supporting the child provide coordinated services in a single, child-friendly environment.
Child independent sexual violence adviser (CISVA)	A child independent sexual violence adviser (CISVA) provides impartial information and advice to child victims and survivors, including about reporting to the police and accessing Sexual Assault Referral Centre (SARC) services.
Child protection (see also ‘Safeguarding’)	Activity to protect a child or children who are identified as suffering, having suffered or likely to suffer significant harm. Often used by practitioners interchangeably with safeguarding, child protection refers to activity in relation to a specific child who has been identified as being at risk, whereas safeguarding is used to refer to measures to keep all children safe.

Term (acronym)	Description
Child protection plan	<p>A written record for parents, carers and professionals which sets out:</p> <ul style="list-style-type: none"> • how social workers will check on the child's welfare; • what changes are needed to reduce the risk to the child; and • what support will be offered to the family.
Child Safeguarding Practice Review Panel (CSPRP)	<p>An independent panel, set up under the Children and Social Work Act 2017, working with the Department for Education. CSPRPs commission national and local reviews of serious child safeguarding cases, with a focus on improving learning, professional practice and outcomes for children.</p>
Child sexual abuse	<p>Sexual abuse of children (which includes child sexual exploitation) involves forcing or enticing a child or young person to take part in sexual activities. Those activities may involve physical contact and non-contact, such as involving children in looking at, or in the production of, sexual images, watching sexual acts, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse including via the internet.</p>
Child sexual abuse material	<p>Any content that shows indecent images or sexual activities involving a child under 18 years old. This includes photographs, videos, live streaming and computer-generated images.</p>

Term (acronym)	Description
Child sexual exploitation	Sexual exploitation of children is a form of child sexual abuse. It involves exploitative situations, contexts and relationships where a child receives something, including as a result of them performing, and/or another or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child realising that they are being sexually exploited; for example being persuaded to share sexual images on the internet or via mobile phones.
Children Act 1989	An Act of Parliament which allocated duties to local authorities, courts, parents and other agencies in the UK to ensure children are protected and their welfare is promoted.
Children Act 2004	An Act of Parliament which imposed duties on statutory bodies to safeguard and promote the welfare of children and cooperate with each other, and to set up local safeguarding children boards. It also created the role of the Children's Commissioner for England.

Term (acronym)	Description
Children in care	<p>A child who has been in the care of their local authority for more than 24 hours is known as a child in care, also referred to as a looked after child.</p> <p>In general, children in care/looked after children are:</p> <ul style="list-style-type: none"> • living with foster parents; • living in a residential children’s home; or • living in residential settings like schools or secure units.
Children’s Barred List	<p>A list maintained by the Disclosure and Barring Service of individuals who have been barred from undertaking ‘regulated activity with children’ as defined in the Safeguarding Vulnerable Groups Act 2006.</p>
Children’s Commissioner for England/ Children’s Commissioner for Wales	<p>A statutory office, independent from the government, responsible for the promotion and protection of children, and for giving children the opportunity to have their voices heard.</p> <p>The Children’s Commissioner for Wales has the power to deal with complaints made by individual children.</p> <p>Both Commissioners can investigate and report on general concerns relating to children.</p>
Children’s home	<p>An establishment that provides care and accommodation wholly or mainly for children.</p>

Term (acronym)	Description
Children’s services and children’s social care	Children’s services and children’s social care are provided by local authorities, which are responsible for setting the strategy for and effectiveness of the provision of services to address the needs of children and young people. In this report, we refer to staff within local authorities with statutory responsibility for children as ‘children’s social care’.
Children and Young People’s Mental Health Services (CYPMHS)	Children and Young People’s Mental Health Services (CYPMHS) is used as a term for all services that work with children and young people who have difficulties with their mental health or well-being.
Civil Procedure Rules (CPR)	Rules used by the Court of Appeal, the High Court of Justice, and County Courts in England and Wales to ensure civil proceedings are understandable and more affordable for non-lawyers.
Claim form	A document setting out brief details of a claimant’s claim, which must be filed with and issued by the court, triggering the formal commencement of civil proceedings.

Term (acronym)	Description
Clergy	<p>Those who are ordained for religious duties, especially in the Christian Church. Ordination means to be set apart from lay people, i.e. to be consecrated, by way of religious ceremony, which then enables them to perform some religious rites not open to be performed (in some Christian denominations) by lay people.</p> <p>The term is also applied to non-Christian religious leaders who are ordained in England and Wales as ‘shorthand’ for a religious leader.</p>
College of Policing	Professional body for everyone working across policing. It is an operationally independent arm’s-length body of the Home Office.
Computer-generated imagery (CGI)	The process of using computer graphics to create images in art, print media, animation, film, television and video games.
Cope and recovery services	Services which offer emotional and practical support to people affected by crime.
Coronavirus pandemic (COVID-19)	An ongoing global pandemic of coronavirus disease 2019, which is an infectious disease caused by the SARS-CoV-2 virus.
Corporal punishment	Physical punishment which is intended to cause physical pain to a person, such as spanking or caning.
Corporate parent	An organisation or person who has special responsibilities for children and young people who are in care.

Term (acronym)	Description
Crime of violence	<p>A person can only apply for an award of compensation from the Criminal Injuries Compensation Scheme (see below) if they sustain a criminal injury that is directly attributable to their being a direct victim of a ‘crime of violence’, which involves:</p> <ul style="list-style-type: none"> • a physical attack; • any other act or omission of a violent nature which causes physical injury to a person; • a threat against a person, causing fear of immediate violence in circumstances which would cause a person of reasonable firmness to be put in such fear; • a sexual assault to which a person did not in fact consent; or • arson or fire-raising.
Criminal Injuries Compensation Authority (CICA)	<p>The Criminal Injuries Compensation Authority (CICA) deals with compensation claims from people who have been physically or mentally injured because they were the victim of a violent crime in England, Scotland or Wales. It is an executive agency of the UK government, sponsored by the Ministry of Justice.</p>
Criminal Injuries Compensation Scheme (CICS)	<p>Publicly funded scheme administered by the Criminal Injuries Compensation Authority. It is intended to be a scheme of ‘last resort’ for victims of violent crime who are unable to seek or obtain financial compensation by other means, such as by making a civil claim.</p>

Term (acronym)	Description
Criminal justice system	The system which investigates, prosecutes, sentences and monitors individuals who are suspected or convicted of committing a criminal offence. This also encompasses institutions responsible for imprisonment, probation and sentences served in the community.
Crown Prosecution Service (CPS)	Independent agency headed by the Director of Public Prosecutions that is responsible for prosecuting criminal cases that have been investigated by the police in England and Wales.
Custodial institution	The term ‘custodial institution’ is used to describe establishments in operation for children and young people in the youth justice system both in the past and currently. In England and Wales, there are currently three types of institutions where children may be detained within the criminal justice system. These are young offender institutions (YOIs), secure training centres (STCs) and secure children’s homes (SCHs).
Dark web (or dark net)	Part of the worldwide web that is only accessible by means of specialist software and cannot be accessed through well-known search engines. Often used by criminals to purchase indecent images of children or to procure abuse of children, or to view extreme pornographic material. Also known as the dark net or deep web.

Term (acronym)	Description
Department for Digital, Culture, Media and Sport (DCMS)	The Department for Digital, Culture, Media and Sport (DCMS) is a ministerial department of the UK government, with responsibility for culture and the arts, broadcasting and the internet, sport, and the tourism and leisure industries.
Designated safeguarding lead (DSL) (England)	Each school in England should appoint a senior member of staff as DSL, with lead responsibility for safeguarding and child protection at the school, including the provision of advice to other staff, supporting staff and attending meetings with statutory agencies. The role is set out in full in Annex C of <i>Keeping Children Safe in Education</i> .
Designated safeguarding person (DSP) (Wales)	In Wales, the senior member of staff from the leadership team of the school with lead responsibility for safeguarding and child protection at the school. Full details and responsibilities are set out in <i>Keeping Learners Safe</i> .
Disclosure and Barring Service (DBS)	An executive non-departmental public body that processes and issues criminal records checks for England, Wales, the Channel Islands and the Isle of Man. It also maintains the vulnerable adults' and children's barred lists and makes decisions as to whether an individual should be included on one or both of these lists. It replaced the Criminal Records Bureau (for disclosure of criminal records) and the Independent Safeguarding Authority (which previously operated the barred lists).

Term (acronym)	Description
Disclosure and Barring Service (DBS) checks (formerly Criminal Records Bureau/ CRB checks)	Checks of an individual's criminal record, intelligence about them not amounting to a criminal conviction or caution, and whether or not they have been barred from working with children or vulnerable adults. There are different levels of checks depending on the role applied for.
Education Workforce Council (EWC)	Independent regulator in Wales for the education workforce, covering teachers, learning support staff in schools and further education, qualified youth workers and work-based learning practitioners. Came into being in April 2015.
Emergency Protection Order (EPO)	An urgent order granted by the Court if the local authority has satisfied the Court that a child is in immediate need of protection from significant harm or a risk of significant harm. These types of applications are usually issued by a local authority.
Encryption	The process of converting information or data into a code that makes it unreadable to unauthorised parties.
End-to-end encryption (E2EE)	Where the content of the communication can only be seen by the sender and recipient, and not by any others – including the providers of the platforms themselves.
English Benedictine Congregation (EBC)	The English Benedictine Congregation (EBC) is an umbrella term for the small number of English Benedictine communities that exist worldwide, which are made up of Roman Catholic monks or nuns. The EBC follows the Rule of St Benedict, which is a book of precepts that establishes a way of life based on the teachings and values of the Gospel.

Term (acronym)	Description
European Convention on Human Rights (ECHR)	A convention of the Council of Europe to protect human rights, political and fundamental freedoms in Europe, created in 1951. The rights set out in the Convention apply to all UK citizens.
'Everyone's Invited'	A movement started by Ms Soma Sara in the summer of 2020 that enables survivors of rape culture to share their stories through testimonies shared anonymously on its website and Instagram profile. Its mission is to " <i>expose and eradicate rape culture with empathy, compassion and understanding</i> ". ¹⁶³² By January 2022, the organisation had received over 50,000 testimonies. ¹⁶³³
<i>Ex gratia</i> payments	A payment made even where there is no legal obligation or liability to pay it, including those made under redress schemes.
Financial Conduct Authority (FCA)	Independent body that regulates the financial services industry in the UK. Its role includes protecting consumers, keeping the industry stable, and promoting healthy competition between financial service providers.
'Five Eyes' Ministerial	An intelligence alliance composed of Australia, Canada, New Zealand, the United Kingdom and the United States. These partner countries share a broad range of intelligence with one another in a multilateral arrangement.

¹⁶³² [INQ006513](#)

¹⁶³³ [INQ006513](#)

Term (acronym)	Description
General Data Protection Regulation (GDPR)	A regulation in EU law on data protection and privacy in the European Union and the European Economic Area. The GDPR is an important component of EU privacy law and of human rights law, in particular Article 8 of the Charter of Fundamental Rights of the European Union. The GDPR has been retained in UK law since leaving the European Union.
Government Communications Headquarters (GCHQ)	An intelligence and security organisation responsible for providing signals intelligence and information assurance to the government and armed forces of the UK.
Grooming	The process of building a relationship with a child in order to gain their trust for the purposes of sexual abuse or exploitation.
Hackathon	An event in which a large number of people meet to engage in collaborative computer programming.
Harmful sexual behaviour	Sexual abuse between children, whether children of different ages or children of a similar age. It may also be referred to as 'sexually harmful behaviour' or 'sexualised behaviour'.
Hash	A unique digital signature of an image.
Health and Care Professions Council (HCPC)	Regulator of health and care professions in the UK.

Term (acronym)	Description
His Majesty's Crown Prosecution Service Inspectorate (HMCPSI)	An organisation that inspects the work carried out by the CPS and some other prosecuting agencies. Its purpose is to enhance the quality of justice and make an assessment of prosecution services which improves their efficiency, effectiveness and fairness.
His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS)	An organisation that inspects and reports to the public and their elected representatives on how well the police do their job. Its purpose is to promote improvements in policing and to keep people safe. HMICFRS provides authoritative information to allow the public to compare the performance of their police force against others.
His Majesty's Inspectorate of Prisons for England and Wales (HMIP)	An independent inspectorate which reports on conditions for and treatment of those in prison, young offender institutions and immigration detention facilities. HM Inspectorate of Prisons works with the Ministry of Justice.
His Majesty's Prison and Probation Service (HMPPS)	An executive agency which carries out sentences given by the courts, in custody and the community and rehabilitates offenders.
Human Rights Act 1998 (HRA)	An Act of Parliament that sets out the fundamental rights and freedoms that everyone in the UK is entitled to. It incorporates the rights set out in the European Convention on Human Rights (ECHR) into domestic British law. The Human Rights Act came into force in the UK in October 2000.

Term (acronym)	Description
iCloud	A cloud storage service that enables users to store important information and data, i.e. photos, files, documents, backups and more.
Identity verification	Software used by some businesses to ensure that users or customers provide information that is associated with the identity of a real person.
Independent Reviewing Officer (IRO)	IROs are senior social workers who oversee and scrutinise the care plan of the child or young person and ensure that everyone who is involved in that child or young person's life fulfils their responsibilities. All local authorities have a duty to appoint an IRO to every child in care.
Independent Schools Inspectorate (ISI)	Government-approved independent inspectorate which inspects some independent, private and fee-paying schools and private further education colleges on behalf of the Department for Education. The ISI undertakes inspections of independent schools against statutory standards, and publishes reports following those inspections.
Independent sexual violence adviser (ISVA)	An ISVA is an adviser who works with people who have experienced rape and sexual assault, irrespective of whether they have reported to the police. They provide specialist tailored support to victims and survivors of sexual violence.

Term (acronym)	Description
Information Commissioner's Office (ICO)	The UK's independent authority, set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals. It is a non-departmental public body which reports directly to the Parliament of the UK and is sponsored by the Department for Digital, Culture, Media and Sport.
Integrated care systems	Partnerships between the organisations that meet health and care needs across a geographic area.
International Child Protection Certificate (ICPC)	A criminal records check for anyone who lives, or has lived, in the UK, and who is looking to work with children overseas. It confirms whether or not the applicant has a criminal history and provides details, including relevant conviction and non-conviction data. The ICPC is a joint initiative by the National Crime Agency and the Association of Chief Police Officers Criminal Records Office.
International Criminal Police Organization (INTERPOL)	An intergovernmental organisation with 195 member countries that helps police to work together to make the world a safer place. INTERPOL assists police with a range of technical and operational support and enables member countries to share and access data on crimes and criminals.
The International Underwriting Association of London (IUA)	The International Underwriting Association of London (IUA) is an organisation that represents non-Lloyd's companies in London providing international and wholesale insurance and reinsurance coverage.

Term (acronym)	Description
Internet Protocol (IP) address	An Internet Protocol (IP) address is a number assigned to a device connected to a computer network.
Internet Watch Foundation (IWF)	An independent, not-for-profit organisation which aims to remove child sexual abuse images and videos from the internet and to minimise the availability of such material.
Joint Inspectorate Review of Child Protection Arrangements (JICPA)	A Wales-only inspection which is similar to the joint targeted area inspections (JTAs) in England (see below).
Joint targeted area inspections (JTAs)	Joint targeted area inspections (JTAs), are carried out by Ofsted, HMI Constabulary and Fire & Rescue Services, the Care Quality Commission, and HMI Probation. These thematic inspections look at how well local agencies work together in an area to protect children.
Judicial College	The official body responsible for the training of judicial office holders in England and Wales and some tribunals around the UK.
<i>Keeping Children Safe in Education</i> (KCSIE)	Statutory guidance for schools and colleges on safeguarding children and safer recruitment practices in England.
<i>Keeping Learners Safe</i>	Statutory guidance for local authorities and governing bodies on arrangements for safeguarding children in Wales.

Term (acronym)	Description
Lambeth Children's Homes Redress Scheme	A redress scheme which pays compensation to people who were abused or lived in fear of being abused while in Lambeth Council's care as children. It is for those who lived in or visited a Lambeth children's home, including those at Shirley Oaks, or attended Shirley Oaks Primary School.
Lanzarote Convention	The Council of Europe's Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (2007).
Law enforcement agencies	A law enforcement agency is a government agency which is responsible for enforcing the law. In the UK this includes the regional police forces and the National Crime Agency.
Lesbian, gay, bisexual, transgender, queer/questioning, other (LGBTQ+)	Terms used to describe a person's sexual orientation or gender identity.
Limitation Act 1980	An Act of Parliament applicable to England and Wales – a statute of limitations providing the timescales within which a claim must be made in respect of negligence and breaches of contract.
Live streaming	In this context, the broadcasting of real-time, live footage of a child being sexually abused over the internet.

Term (acronym)	Description
Local authority designated officer (LADO)	Individual within the Children’s Services Department of a local authority to whom individuals report allegations or concerns about child protection. Responsible under statute for investigating such complaints. Their role is to give advice, liaise with other agencies and coordinate the investigation of allegations on behalf of the local authority.
Local Government Association (LGA)	The Local Government Association (LGA) is a national membership body for local authorities. It is a politically-led, cross-party organisation. It works to support, promote and improve local government, and raise national awareness of the work of local councils.
Looked after child	<p>A child who has been in the care of their local authority for more than 24 hours is known as a looked after child, also referred to as a child in care.</p> <p>In general, children in care/looked after children are:</p> <ul style="list-style-type: none"> • living with foster parents; • living in a residential children’s home; or • living in residential settings like schools or secure units.
Mayor’s Office for Policing and Crime (MOPAC)	A functional body of the Greater London Authority responsible for oversight of the Metropolitan Police. The body is headed by the Mayor of London who acts in a similar capacity to the police and crime commissioners elsewhere in England.

Term (acronym)	Description
#MeToo campaign	A social movement against sexual abuse, sexual harassment and rape culture, in which people publicise their experiences of sexual abuse or sexual harassment.
Ministry of Justice (MoJ)	A ministerial department of the UK government headed by the Secretary of State for Justice and Lord Chancellor.
National Centre for Missing & Exploited Children (NCMEC)	An organisation that provides information to help locate children reported missing (by parental abduction, child abduction or running away from home) and to assist physically and sexually abused children.
National Crime Agency (NCA)	A national law enforcement agency against organised crime; human, weapon and drug trafficking; cybercrime; and electronic crime that goes across regional and international borders.
National Institute for Health and Care Excellence (NICE)	Provides national guidance and advice to improve health and social care. NICE is an executive non-departmental public body, sponsored by the Department of Health and Social Care.
National Police Chiefs' Council (NPCC)	A national coordination body for law enforcement in the UK and the representative body for British police chief officers.
National Society for the Prevention of Cruelty to Children (NSPCC)	A charity founded in 1884 that currently provides extensive and varied services for children, young people and families, such as domestic violence prevention, treatment and therapeutic services, young witness support and young people's centres.

Term (acronym)	Description
Non-governmental organisation (NGO)	Usually a non-profit organisation that operates independently of any government, typically one whose purpose is to address a social or political issue.
Office of Communications (Ofcom)	The UK's communications regulator. Regulates sectors such as television, radio, telecoms and postal services.
Office for National Statistics (ONS)	The UK's largest independent producer of official statistics, and its recognised national statistical institute. Responsible for collecting and publishing statistics related to the economy, population and society at national, regional and local levels, as well as conducting the census in England and Wales every 10 years.
Office for Standards in Education, Children's Services and Skills (Ofsted)	A non-ministerial government department that inspects a range of educational, social care and childcare institutions in England. Its counterparts in Wales are Estyn (for education) and Care Inspectorate Wales (for social care).
Online Safety Bill	The Online Safety Bill was published by the UK government on 17 March 2022. It is intended to improve internet safety and prevent a range of potentially harmful content being accessed online. The Bill would create a new duty of care for online platforms towards their users and require them to take action against illegal and harmful content. Once the Bill is passed, UK companies will be under a duty to report any child sexual exploitation and abuse content that they encounter to the National Crime Agency.

Term (acronym)	Description
Operation Hydrant	A hub established by the National Police Chiefs' Council in 2014 to provide national coordination, oversight and guidance to police forces on allegations of non-recent child sexual abuse concerning persons of public prominence, or which took place within institutional settings.
Paramountcy Principle	The principle that when making decisions about any issue relating to the upbringing of a child, their welfare is the most important factor. See section 1(1) of the Children Act 1989.
PhotoDNA	Technology developed by Microsoft which assists in the detection and removal of known images of child sexual abuse on the internet. PhotoDNA creates a unique digital signature of an image (known as a hash) which is then compared against hashes of other photos to find copies of the same image.
Pre-screening	A process which enables internet companies to identify and prevent known child sexual abuse images from being uploaded to platforms and social media profiles.

Term (acronym)	Description
Regulated activity	<p>Activity from which a person may be barred, as set out in schedule 4 to the Safeguarding Vulnerable Groups Act 2006.</p> <p>A person who applies to do work which is regulated activity with children is eligible for an enhanced Disclosure and Barring Service (DBS) certificate with a check of the relevant barred list. It is an offence for an employer to knowingly engage a barred person to undertake regulated activity.</p>
Rehabilitation Code	<p>Published by the Rehabilitation Working Party, which consists of representatives from the International Underwriting Association of London, the Association of British Insurers, Lloyd's primary insurers, legal groups, care providers and the NHS.</p> <p>The code requires solicitors to consider the best options for their client, including referring them for medical treatment and facilitating compensation claims in addition to financial settlements.</p>
Relationships, sex and health education (RSHE)	<p>In England, it became a mandatory obligation to teach relationships and sex education in all schools from September 2020. Relationships education must be provided for children aged 5 to 16. Sex education is compulsory for children aged 11 to 16, but can be taught in primary settings. Statutory guidance sets out the core content to be taught at each stage. In Wales, it became mandatory from 2022.</p>

Term (acronym)	Description
Return home interview (RHI)	<p>Statutory guidance in England provides that when a missing child is found, a return home interview (RHI) should be offered to the child (although there is no requirement that the child participates in it). This should be conducted within 72 hours of the child returning to their home or care setting. RHIs are not a statutory requirement in Wales but there is an expectation on the part of the Welsh Government that they will be offered after a child has three episodes of going missing. RHIs should be conducted by someone who is not involved in caring for the child, is trained to carry out these interviews and is able to follow up any actions that emerge.</p>
Safeguarding	<p>A term used by statutory bodies and others involved in child protection. It derives from section 10 of the Children Act 2004 and section 17 of the Children Act 1989, and denotes the duty to both protect children and to take active steps to promote their well-being and prevent them from coming to harm, by:</p> <ul style="list-style-type: none"> • protecting children from maltreatment; • preventing impairment of children’s health or development; • ensuring that children are growing up in circumstances consistent with the provision of safe and effective care; and • taking action to enable all children to have the best life chances.

Term (acronym)	Description
'Same roof' rule	<p>Law introduced in 1964 which prevented victims and survivors of domestic violence and sexual violence from claiming compensation if they were living with the perpetrator at the time of the offence.</p> <p>Amended in 1979 but not retrospectively, so potential compensation claimants from offences which took place prior to that date were still unable to claim. It was abolished entirely in 2019, allowing for compensation claims which failed under the 'same roof' rule to be reconsidered by the Criminal Injuries Compensation Board within their usual time limits.</p>
Secure children's homes (SCHs)	<p>Secure children's homes (SCHs) are custodial institutions for children aged between 10 and 14. They are run by local councils and house between 8 and 40 children. They should provide 30 hours of education and training per week.</p>
Secure estate for children and young people	<p>Institutions where children and young people may be detained, including secure training centres, secure children's homes and young offender institutions.</p>
Secure training centres (STCs)	<p>Secure training centres (STCs) are custodial institutions for children aged up to 17. They are run by private companies and house between 50 and 80 young people, split into units of 5 to 8 people. They should provide 30 hours of education and training per week.</p>
Self-generated imagery	<p>A naked or partially naked image of a child taken by the child themselves.</p>

Term (acronym)	Description
Sexual Assault Referral Centres (SARCs)	Sexual Assault Referral Centres (SARCs) offer medical, practical and emotional support to anyone who has been raped or sexually assaulted.
Sexual harassment	Sexual harassment is unwanted conduct of a sexual nature which has the purpose or effect of violating a person’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for another person.
Sexual Harm Prevention Order (SHPO)	A Sexual Harm Prevention Order (SHPO) is a civil order which may be made following a conviction for a sexual offence. It can include a range of restrictions, including on foreign travel.
Sexual Risk Order (SRO)	A Sexual Risk Order (SRO) is a civil order which may be made by a court where there has been no conviction but the person is proven to have done an act of a sexual nature, and it is necessary to make an order to protect the public. It can include a range of restrictions, including on foreign travel.
Social Services and Well-being (Wales) Act 2014	An Act of the Welsh Government which establishes the requirement for a national independent safeguarding board and regional safeguarding boards, made up of representatives from local authorities, local health boards, the police and others.

Term (acronym)	Description
Special measures	A series of provisions that help vulnerable and intimidated witnesses in criminal cases give their best evidence and help to relieve some of the stress associated with giving evidence. These measures may vary depending on whether the witness is an adult or child, but they include screening a witness present in court from the accused, giving evidence via a live link and having video-recorded evidence played as the witness's evidence in chief.
Special school	A state-funded or independent school specially organised to make provision for pupils with special educational needs. It may be maintained by a local authority, an academy or a non-maintained special school.
Spent convictions	The Rehabilitation of Offenders Act 1974 provides that criminal cautions or convictions resulting in no more than 4 years' imprisonment become 'spent' after a certain time period. Spent convictions do not have to be declared when applying for most jobs (although this does not apply to jobs working with children).
Statutory agencies	Institutions set up by law to carry out public activities such as social services, local authorities more broadly, and police and healthcare organisations.
Subject access request (SAR)	Under the Data Protection Act 1998, victims and survivors have a legal right to request copies of records containing their personal information. This is known as the right of access and the request is commonly known as a SAR.

Term (acronym)	Description
Teaching Regulation Agency (TRA)	Executive agency of the Department for Education which regulates the teaching profession in England and maintains a record of those with qualified teacher status (QTS).
Trafficking	Child trafficking is the practice of transporting children into, within and out of the UK or any other country for the purposes of exploitation, including sexual abuse and exploitation.
Truth Project	<p>The Inquiry’s Truth Project gave more than 6,000 victims and survivors of child sexual abuse an opportunity to share their experiences with the Inquiry and put forward suggestions for change.</p> <p>This listening exercise was set up because the Inquiry recognised that victims and survivors could provide a uniquely-informed contribution to understanding and learning from past mistakes and improving child protection in the future.</p> <p>Most importantly, victims and survivors were entitled to give their accounts and opinions, be listened to respectfully, and have their feelings of hurt, frustration and anger acknowledged.</p> <p>Each experience shared with the Truth Project made an important contribution to the work of the Inquiry, enabling it to build an understanding of child sexual abuse and its impact on victims and survivors. Their experiences and views have helped to inform the Inquiry’s final recommendations.</p>

Term (acronym)	Description
Uniform Resource Locator (URL)	A Uniform Resource Locator (URL) is the network identification or address where a particular page or resource, e.g. images or sound files, can be found on the worldwide web.
Unregulated placements	Under the Care Standards Act 2000, services that provide accommodation and care for young people under the age of 18 are required to register with Ofsted. If accommodation without care is provided, the placement is considered 'unregulated'.
Unspent convictions	Records which have not yet reached the defined time as set out in the Rehabilitation of Offenders Act 1974, or which are not eligible to become spent. Unspent convictions will appear on a basic Disclosure and Barring Service (DBS) criminal record check.
Upskirting	Taking a photo under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or to cause the victim humiliation, distress or alarm.

Term (acronym)	Description
Victims' Code	<p>Code of Practice for Victims of Crime. Established by the Domestic Violence, Crime and Victims Act 2004, it came into effect in 2006.</p> <p>It sets out what all UK criminal justice agencies (the police, Crown Prosecution Service, Courts Service and Probation Service) must do for victims and survivors, and the timeframe in which they must do it.</p> <p>Rights under the Code include being kept informed on the progress of cases; the current legal status of suspects and offenders; information regarding compensation and restorative justice schemes; help in giving evidence and making victim personal statements; and referrals to victims' support services.</p>
Victim and survivor	<p>An individual who has experienced child sexual abuse.</p>
Victims and Survivors Consultative Panel (VSCP)	<p>The Victims and Survivors Consultative Panel (VSCP) assisted and advised the Independent Inquiry into Child Sexual Abuse (IICSA) on all aspects of its work.</p>

Term (acronym)	Description
Victims and Survivors Forum	A forum at the Inquiry for all victims and survivors of child sexual abuse, with more than 1,700 members across England and Wales from diverse backgrounds. The Forum provided an opportunity to engage with the Inquiry and to attend a wide range of online and face-to-face events which contributed to its policy and research work. Forum members' comments and suggestions were also shared with the Chair and Panel to inform recommendations in the Inquiry's final Report.
Virtual Global Taskforce	The Virtual Global Taskforce (VGT) is a group of 12 law enforcement agencies from around the world which work together to tackle the global threat from online child sexual abuse. The National Crime Agency (NCA) in the UK is the current chair of the VGT.
Virtual reality (VR)	Virtual reality (VR) is the use of computer modelling and simulation which enables a person to interact with an artificial 3D environment. VR applications can use goggles, headsets, gloves or bodysuits.
Web crawler	A computer programme that automatically searches the internet for, in this context, child sexual abuse images.
<i>Working Together to Safeguard Children</i>	Statutory guidance issued by the Department for Education (and prior to that the Department of Health) since 1991, which provides advice on child protection practices and processes for those working with children across all sectors.

Term (acronym)	Description
Youth Custody Service (YCS)	The Youth Custody Service (YCS) is a distinct part of His Majesty's Prison and Probation Service (HMPPS). It is responsible for the operational running of young offender institutions, secure training centres and secure children's homes.
Young offender institutions (YOIs)	Young offender institutions (YOIs) are custodial institutions for 15–21-year-olds. They are run by the Prison Service and private companies. They house between 60 to 400 offenders, split into groups of 30 to 60 people.

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