

# Independent Panel Inquiry into Child Sexual Abuse

## Terms of Reference

### Purpose

1. 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.
2. In doing so to:
  - (a) Consider all the information which is available from the various published and unpublished reviews, court cases, and investigations which have so far concluded;
  - (b) Consider the experience of survivors of child sexual abuse; providing opportunities for them to bear witness to the Inquiry, having regard to the need to provide appropriate support in doing so;
  - (c) Consider whether State and non-State institutions failed to identify such abuse and/or whether there was otherwise an inappropriate institutional response to allegations of child sexual abuse and/or whether there were ineffective child protection procedures in place;
  - (d) Advise on any further action needed to address any institutional protection gaps within current child protection systems on the basis of the findings and lessons learnt from this inquiry;
  - (e) Disclose, where appropriate and in line with security and data protection protocols, any documents which were considered as part of the inquiry;
  - (f) Liaise with ongoing inquiries, including those currently being conducted in Northern Ireland and Scotland, with a view to (a) ensuring that relevant information is shared, and (b) identifying any State or non-State institutions with child protection obligations that currently fall outside the scope of the present Inquiry and those being conducted in the devolved jurisdictions;
  - (g) Produce regular reports, and an interim report by the end of 2018; and
  - (h) Conduct the work of the Inquiry in as transparent a manner as possible, consistent with the effective investigation of the matters falling

within the terms of reference, and having regard to all the relevant duties of confidentiality.

## **Scope**

3. State and non-State institutions. Such institutions will, for example, include:
  - (a) Government departments, the Cabinet Office, Parliament and Ministers;
  - (b) Police, prosecuting authorities, schools including private and state-funded boarding and day schools, specialist education (such as music tuition), Local Authorities (including care homes and children's services), health services, and prisons/secure estates;
  - (c) Churches and other religious denominations and organisations;
  - (d) Political Parties; and
  - (e) The Armed Services.
4. The Inquiry will cover England and Wales. Should the Inquiry identify any material relating to the devolved administrations, it will be passed to the relevant authorities;
5. The Inquiry will not address allegations relating to events in the Overseas Territories or Crown Dependencies. However, any such allegations received by the Inquiry will be referred to the relevant law enforcement bodies in those jurisdictions;
6. For the purposes of this Inquiry "child" means anyone under the age of 18. However, the panel will consider abuse of individuals over the age of 18, if that abuse started when the individual was a minor.

## **Principles**

7. The Inquiry will have full access to all the material it seeks.
8. Any allegation of child abuse received by the Inquiry will be referred to the Police;
9. All personal and sensitive information will be appropriately protected; and will be made available only to those who need to see it; and
10. It is not part of the Inquiry's function to determine civil or criminal liability of named individuals or organisations. This should not, however, inhibit the Inquiry from reaching findings of fact relevant to its terms of reference.