



HM Government

# **Government Response to the Final Report of the Independent Inquiry into Child Sexual Abuse**

May 2023





# **Government Response to the Final Report of the Independent Inquiry into Child Sexual Abuse**

Presented to Parliament  
by the Secretary of State for the Home Department  
by Command of His Majesty

May 2023



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## Foreword

No crime is more horrific than the sexual exploitation and abuse of children. Listening to victims and survivors recount the terrible abuse they suffered and their courageous efforts to overcome mental and physical scars – often through many decades of their adult lives – has been one of the most harrowing, yet profoundly humbling, experiences of my life.

In October last year, the Independent Inquiry into Child Sexual Abuse published its Final Report. Seven years of investigation. Over four million pieces of evidence examined. More than 6,000 individual stories and testimonies from victims and survivors, some of whom had never previously spoken about what had happened to them. The Inquiry gives us a huge wealth of evidence, painstakingly examined and considered. The human suffering that lies behind it is almost too terrible to comprehend. Yet comprehend it we must. This is systemic rape, sexual assault, brutalisation, and traumatising of generation upon generation of children who had nowhere to run and were ignored, disbelieved, and even mocked when they tried to seek help.

This Government response to the Inquiry's final recommendations is for them – and for every victim and survivor of this most heinous crime. I want you all to know that your strength cannot be overstated. This Government has listened. We cannot erase what happened to you, but we can acknowledge it and protect other children from suffering as you have suffered. The Inquiry revealed fundamental systemic failings, with adults and organisations repeatedly putting their reputations ahead of protecting vulnerable children – either ignoring or actively covering up abuse. At the heart of the Government response lies our resolve to ensure that the institutions of the present and future are not like those of the past, and to support victims and survivors in finding, as one put it, 'life after abuse'.

The commitments we make in this response build on the UK's position as a world-leader in our work to stop child sexual abuse. We have introduced tougher sentencing for perpetrators through the Police, Crime and Sentencing Act, and are driving forward our Online Safety Bill with its ground-breaking duties on companies to keep children safe. Last month, the Government announced tough new measures to crack down on grooming gangs, committing to introduce a mandatory reporting regime as recommended by the Inquiry, and setting up a Police Taskforce to support local forces with their investigations.

I am delighted that we have accepted the need to act on all but one of the Inquiry's recommendations, and so demonstrate how seriously the Government takes the Inquiry's findings. Each of those recommendations covers an extensive programme of work which will deliver real change for the future. I hope you will take the time to read our response to each in detail. But here I want to highlight three key measures which underscore the weight of our commitment to victims and survivors.

I know how important it is for victims and survivors to hear that we know what happened to them was wrong; it was not their fault; they were failed in the most appalling way. We cannot go back and erase what happened, but we can start to atone for the past. That is

why we accept the Inquiry's recommendation to set up a redress scheme for victims and survivors of child sexual abuse. We will engage widely and listen carefully to victims and survivors as we consider how best to design this scheme. This is a landmark commitment by Government. Delivering it will be complex and challenging, but it will be a testament to our desire to make amends and support those who were not supported or protected as children. It is absolutely right to honour the Inquiry's legacy in this way.

We recognise the importance for child victims of high-quality, timely therapeutic support and accept there is more we can do to ensure that those who have suffered get access to the provision they need to help them recover and rebuild their lives. We will elicit views on the future of therapeutic support, including possible systemic changes to provision, through the extensive engagement and consultation we are undertaking on redress. It is right that we consider these together, so that we can deliver the right support for child and adult victims and survivors in the past, present and future.

We are acting quickly on our commitment to introduce a mandatory reporting duty for those working with children in England to report child sexual abuse. Today I am launching a twelve-week Call for Evidence, the results of which we will use to help us decide on how best to implement this. Mandatory reporting of child sexual abuse will underscore that there is no excuse for turning a blind eye to a child's pain.

The Government will oversee the delivery of our commitments through our newly established Child Protection Ministerial Group, which will embed scrutiny from victims, survivors, and wider partners. We will keep Parliament as well as victims and survivors regularly updated on our progress. I want to extend my thanks to the Chair of the Inquiry, Professor Alexis Jay, the Victims and Survivors Consultative Panel, and everyone who contributed to the Inquiry for their fearless dedication and commitment in uncovering generations of horrendous societal, professional, and institutional failings.

This Government response is not an end to the Inquiry's work, it is a beginning. I hope the Inquiry and our response to it, provides victims and survivors with a moment of national acknowledgment, and kickstarts a national conversation about child sexual abuse, a subject which has been overlooked for far too long.

The Inquiry found that for far too long stopping child sexual abuse was seen as no-one's responsibility. We must now make it everyone's responsibility. I hope you will help us to seize this moment for change.



**Rt Hon Suella Braverman KC MP**  
**Home Secretary**

## Executive Summary

1. The report and research of the Independent Inquiry into Child Sexual Abuse constitutes a landmark moment in our whole of system efforts to tackle child sexual abuse. The Inquiry was established in 2015 to investigate the extent to which State and non-State institutions across England and Wales have failed in their duty of care to protect and safeguard children from sexual exploitation and abuse. Its Final Report is a crucial step in learning from the past and making sure we do not fail children and young people moving forward. The findings are profoundly shocking – shining a light on failings in child protection and hearing evidence of child sexual abuse going back decades.
2. We recognise that the Inquiry heard a wealth of evidence from victims and survivors, including over 6,000 victims and survivors who came forward to contribute to the Inquiry's Truth Project, as well as those who have shared their testimonies separately. In doing so have showed unimaginable courage and bravery in campaigning for change. The Inquiry also benefitted from the valued input of a seven-member Victims and Survivors Consultative Panel, providing advice and guidance to the chair and Panel from an advocacy and support of victims and survivors perspective. 1,700 survivors participated in the Victim and Survivors Forum, contributing to discussions and planning around the Inquiry's research, reports and engagement. Victims' and survivors' voices remain at the heart of all our work to tackle this crime.
3. The Government's programme of work to tackle child sexual abuse is comprehensive and well-established, with more than £60 million a year invested directly by the Home Office in tackling this crime, supported by the work of other departments across Government. The Government's Tackling Child Sexual Abuse Strategy, published in January 2021, set out our long-term ambition to tackle all forms of child sexual abuse, whether it takes place online or in families, institutions or communities, here in this country or overseas. The Strategy drives forward our programme of action, to stop offenders in their tracks, bring them to justice, safeguard children and provide support to victims and survivors. And given the transnational nature of this crime, we are also committed to driving forward international leadership, including with Five Country and G7 partners, to establish common global standards and build and strengthen international capacity to combat this complex and evolving threat.
4. And we have seized every opportunity to push our agenda forward. Since the publication of the Strategy, we have driven strong legislative progress. Through the Police, Crime, Sentencing and Courts (PCSC) Act 2022 we have strengthened sentencing for those who seek to arrange or facilitate the abuse of a child, ensuring the sentencing reflects the seriousness of the crime. Through the Act, we have also placed a requirement on applicants of Sexual Risk Orders and Sexual Harm Prevention Orders to have regard to a list of countries at high risk of child sexual abuse by UK nationals and residents, to support the application of necessary foreign travel restrictions. This was a key Inquiry recommendation.
5. We are also working to provide further support to frontline professionals, including in education, social care, health and policing, to ensure that they are equipped with the right training and resources to build their confidence and capability in identifying and responding to signs, concerns or cases of child sexual abuse and improve how they work with child victims and survivors. To that end we are continuing to invest in the independent Centre of Expertise on Child Sexual Abuse (CSA Centre) and the police's



Vulnerability Knowledge and Practice Programme (VKPP). We are also investing £200 million by 2024-25 to address urgent issues facing children and families now, to lay the foundations for whole system reform, and set national direction for change. In addition, the Government is dedicated to ensuring there is an excellent child and family social worker for everyone who needs one. In addition, we will continue to invest over £50 million each year in recruiting and developing child and family social workers to have the capacity, skills and knowledge to support and protect vulnerable children.

6. Through our investment, the CSA Centre continues to deliver an ambitious programme of work to improve understanding of the scale and nature of child sexual abuse and strengthen the ability of professionals to identify and respond effectively to it. In February 2023, the CSA Centre published *Child Sexual Abuse in 2021/22: Trends in Official Data*, which brings together available data from children's social care, policing, criminal justice and health to build a picture of how agencies identify and respond to child sexual abuse and provides important insights into changing trends in practice. The CSA Centre's *Child Sexual Abuse Response Pathway*, piloted in three local areas, aims to ensure that professionals are clear about their roles and responsibilities and have access to high quality, evidence-based resources to support them in their practice and decision making.
7. In April, the Home Secretary announced a Child Sexual Exploitation Police Taskforce, which will give practical, expert, on the ground support for local forces investigating child sexual abuse, with a particular focus on complex and organised child sexual exploitation, including 'grooming gangs'. The Taskforce will support forces to build strong cases to bring more offenders to justice. The Tackling Organised Exploitation Programme (TOEX) has also been rolled out nationally – a vital programme which brings together force-level, regional, and national data and intelligence, and expert analysis to give a clearer and richer picture of the complex networks involved in all forms of organised exploitation.
8. The Government is clear that tackling child sexual abuse must be a key priority for the police. We know that scrutiny of performance metrics is a crucial factor in ensuring the police and criminal justice system prioritise and respond effectively to child sexual abuse. We also know that child sexual abuse and exploitation is under-identified, under-reported and has in the past been under-recorded by the police. That is why one of our core strategic objectives is to drive up reporting and accordingly to see year-on-year increases in the volume of police recorded crime for child sexual abuse and exploitation offences. We also want to see year-on-year rises for the volume of charges for these offences. By pushing on these two key measures - increasing the number of reports as well as increasing the numbers of successful charges - we can incentivise two key strategic objectives – encouraging victims to have the confidence to report, and ensuring the police to treat all reports seriously, bringing more offenders to justice. In this way, victims are safeguarded, more offenders are dealt with, and both victims and society feel a sense of justice. Closely monitoring police data will also allow us to identify where the police need other partners, like technology companies, to improve their own response to achieve these aims.
9. Protecting victims and survivors, and improving their experience and the support they receive, is one of this Government's top priorities. That is why we have already announced that through the Support for Victims and Survivors of Child Sexual Abuse Fund, we are allocating up to £4.5 million over three years to seven organisations to

support victims and survivors. This is another step towards ensuring that we are providing vital support for children and young people who have experienced sexual abuse, adult survivors, and parents and carers of victims.

10. The Victims and Prisoners Bill and accompanying measures will also form a crucial pillar of the wide-ranging work across Government to ensure that the needs of victims and survivors are prioritised. The bill was introduced to Parliament on 29 March 2023, and is accompanied by a wider package of measures which aim to improve the experiences of victims and survivors and help them navigate the criminal justice system. Beyond the Bill, on 16 June 2022, the Ministry of Justice announced an additional £6.6 million funding for services supporting victims and survivors of sexual violence and domestic abuse, including children. The funding will be made available on a multi-year basis throughout this Spending Review period.
11. Victims and survivors told the Inquiry of sustained and horrendous abuse, revealing deep failures of those who should have kept these children safe. The Government commits to implementing a redress scheme for victims and survivors of non-recent child sexual abuse (recommendation 19). We will launch an extensive engagement exercise to listen to the views and concerns of a wide range of stakeholders – particularly victims and survivors – on how best to give that acknowledgement through a redress scheme. The detail of the scheme, including eligibility, types of redress available, and application process, will be considered following that engagement exercise. No apology or compensation is enough to put right the abuse these victims and survivors suffered, but it is incumbent on Government to address past failures in child protection, and provide victims and survivors with justice and compensation.
12. In addition, we are determined to improve victims' experience of the criminal justice system, and the Criminal Justice Joint Inspectorates will inspect experience of victims and survivors of child sexual abuse in the criminal justice system (recommendation 14). As regards limitation rules in cases of personal injury (recommendation 15), the Government will publish a consultation paper exploring options on how the existing judicial guidance on child sexual abuse cases could be strengthened, as well as setting out options for the reform of limitation law in child sexual abuse cases.
13. We are committed to making sure that children in custodial institutions are supported and properly cared for (recommendation 5), and to removing techniques which can be used to deliberately inflict pain. However, as mentioned in Charlie Taylor's independent review of the use of pain-inducing techniques acknowledged in 2020, it is essential that staff are trained for every aspect of their role, including where they may need to intervene to prevent serious physical harm to a child or adult. We sympathise with the Inquiry's intent to amplify the voices of children in care (recommendation 6), and have committed, in the Stable Home, Built on Love strategy, to strengthen the voice of children to raise concerns about their care through improved rights to advocacy.
14. We are also determined that, moving forward, support for victims and survivors should be as effective and readily available as possible. We are committed to making sure these services are available to victims and survivors of child sexual abuse (recommendation 16). We will elicit views on the future of therapeutic support, including possible systemic changes to provision, through extensive engagement and consultation as part of our response to recommendation 19 on victim redress. Similarly, we are committed to improving how the Criminal Injuries Compensation Scheme (CICS) addresses instances of child sexual abuse (recommendation 18). The

Government has considered stakeholder views on eligibility rules for CICS for victims and survivors of child sexual abuse and will consult on whether to change the definition of what amounts to a violent crime for the purposes of the scheme.

15. Those who work or volunteer with children share in the responsibility to keep them safe. The Inquiry heard too many examples of individuals and organisations allowing the children in their care to be subject to sexual abuse. The Government agrees that a mandatory reporting duty could improve the protection and safeguarding of children and provide an important mechanism to hold those responsible for such failings to account in the future. We will implement a mandatory reporting regime for child sexual abuse (recommendation 13), which will be subject to a full public consultation, beginning with the publication of a [Call for Evidence](#) alongside this response. This will gather insight from affected sectors and shape the parameters of such a duty and how it should be implemented.
16. It is essential that all who work with children are recruited with the appropriate safeguards, including vetting. In this vein, Government will continue its work to ensure that the disclosure and barring regime is effective at safeguarding children (recommendations 9, 10 and 11). Staff working with children should have appropriate training and oversight to ensure they are properly safeguarding, supporting and caring for children in their care. Government set out plans to reform children's social care in our response to the Independent Review of Children's Social Care, including a commitment to explore proposals for professional registration of the residential childcare workforce (recommendation 7). Similarly, staff in custodial institutions must have the right skills, values and experience to support the children in their care. The Ministry of Justice consulted with stakeholders on professional registration to young offender institutions and secure training centres and concluded that internal registration is most appropriate for the relatively small workforces involved (recommendation 8).
17. The Inquiry published its Internet Investigation Report in March 2020. This Government has committed to make the UK the safest place to be online and introduced the Online Safety Bill in March 2022. The bill is a ground-breaking piece of legislation, which will give effect to the regulatory framework outlined in the Full Government Response to the Online Harms White Paper, published in December 2020. Tech companies will need to remove and limit the spread of illegal content, including child sexual exploitation and abuse material (recommendation 12), and will be accountable to an independent regulator. Tech companies will also need to do far more to protect children from being exposed to harmful content or activity, using technologies such as age verification (recommendation 20).
18. We are driving initiatives to increase reporting of this too-often hidden crime, including awareness-raising campaigns (recommendation 4), and to improve the confidence and capabilities of frontline professionals to identify and respond to child sexual abuse. We have committed to develop an Early Career Framework for Child and Family Social Workers: a programme of support which will be based on a new framework document setting out the skills and knowledge social workers need at different points in their career. We will work with sector experts to ensure that the Framework supports social workers to respond to different forms of harm, including child sexual abuse. We are targeting offenders by investing in the National Crime Agency, Government Communications Headquarters (GCHQ), Regional Organised Crime Units, new technology and giving the police stronger powers.

19. We have made significant improvements in the collection of data on child sexual abuse, helping us to remain as flexible and adaptable as possible in tackling this complex and evolving threat (recommendation 1). We are striving to continually build a better picture of the scale and nature of child sexual abuse in the UK, to inform our approach across the whole system of safeguarding children and protecting them from abuse.
20. We sympathise with the difficulties in acquiring records of non-recent child sexual abuse, that the Inquiry heard from so many brave victims. With regard to the Inquiry's recommendation about the retention of records (recommendation 17), the Information Commissioner's Office will review its current guidance and explore issuing additional guidance to support victims and survivors of child sexual abuse and organisations that hold their records.
21. We agree with the Inquiry about the continued need for strong leadership in protecting children. The Secretary of State for Education provides a voice at cabinet for the safeguarding and protection of children and will continue to make sure their voices are consistently heard at cabinet level (recommendation 3). We agree with the spirit of the recommendation to create a new Child Protection Authority in England (recommendation 2), but many of the functions set out by the Inquiry for a new Child Protection Agency already exist within current statutory and non-statutory bodies. We commit to explore a strengthened role for the Child Safeguarding Practice Review Panel, and a more formalised role with inspectorates (Ofsted, His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS), Care Quality Commission and HMI Probation).
22. We are driving forward engagement and action right across Government, education, children's social care, health, policing and law enforcement, and are working with industry, international and civil society partners to ensure we are all doing all that we can to tackle this horrific crime. Following the publication of the Tackling Child Sexual Abuse Strategy in 2021, the Home Office introduced robust cross-Government governance structures to track effective delivery against our progress tackling this crime. We will continue to monitor progress of agreed recommendations across Government through this governance process.
23. We have also established a new Child Protection Ministerial Group to ensure that child protection is jointly championed at the highest levels. Ministers from Home Office, Department for Health and Social Care and Department for Education committed to attend the Group as the three lead departments for safeguarding. The overall role of the Group is to provide ministerial oversight of the child protection system, to discuss and resolve cross-cutting child protection issues; provide national cross-departmental views on safeguarding issues and reform; and ensure a combined grip on high-profile child protection cases. We will of course continue to deliver the child protection reforms as set out in the Stable Homes, Built on Love – the Implementation Strategy for reforming Children's Social Care, published on 2 February 2023, which takes a whole system approach.
24. The Inquiry constitutes a watershed moment in the fight against child sexual abuse. The voices of victims and survivors can be heard through all its recommendations, and those voices inform all our work to tackle this crime. The report plays a crucial role in informing ongoing efforts across the whole system to tackle child sexual abuse: its recommendations are transformational, and we have considered them in the context of the wide range of ongoing work already underway to tackle these issues.

25. The Government response sets out ways in which we are augmenting that approach, in line with the recommendations from the Inquiry. We have considered each recommendation with the due attention it deserves, while situating responses in our ongoing whole system approach, and have reflected critically on where we can go further.

## Summary of responses to recommendations

| No. | Inquiry Recommendation   | Government Response  |
|-----|--|--|
| 1   | A single set of core data relating to child sexual abuse and child sexual exploitation.    | We accept that robust data collection on the scale and nature of child sexual abuse is critical to underpin and drive a more effective response to child sexual abuse. We have made a number of improvements in data collection and will additionally be driving further improvements to police performance data.  |
| 2   | Creation of a Child Protection Authority in England and in Wales.                          | We accept the need for a stronger safeguarding system. We will ensure the relevant actions included within our reform programme, Stable Homes, Built on Love, fulfil this recommendation.  |
| 3   | Creation of a cabinet-level Minister for Children.   | We accept the importance of placing the best interests of the child front and centre in policy and decision making at the highest level of Government. This role is already fulfilled through the work of the Secretary of State for Education.  |
| 4   | A public awareness campaign on child sexual abuse.   | We accept the importance of bringing child sexual abuse out of the shadows and creating more national awareness of the scale and nature of the issues and how to report concerns and cases of child sexual abuse. We have funded and delivered several public awareness campaigns and will continue to explore the most effective ways of raising awareness of child sexual abuse. |
| 5   | A ban on the use of pain compliance techniques on children in custodial institutions.      | It is essential that staff are equipped to keep children safe in custodial institutions. That is why they must be trained in the use of safe pain-inducing techniques for scenarios where they may need to prevent children from self-harming or causing physical harm to other children.  |
| 6   | Amendment of the Children Act 1989 to give parity of legal protection to children in care. | We accept the absolute need for children and young people to have their voices heard, raise concerns and challenge any aspect of their care, including where they may be experiencing or at risk of serious harm. We will address this through the reforms in our Stable Homes, Built on Love strategy.  |

| No. | Inquiry Recommendation  | Government Response   |
|-----|---|---|
| 7   | Registration of staff working in care roles in children's homes.  | We accept that rigorous registration of staff working in care roles in children's homes is essential and we are looking at how best to implement this as part of the Stable Homes, Built on Love strategy.  |
| 8   | Registration of staff in young offender institutions and secure training centres.   | We accept the need for registration, noting that internal registration is most appropriate for the young offender institution and secure training centre workforce. We are exploring proposals for how it could operate.  |
| 9   | Extended use of the barred list of people unsuitable for work with children.  | We accept subject to further assessment of feasibility and impact, taking into account the findings of the Bailey Review of Disclosure and Barring Regime, published in April 2023.   |
| 10  | Improved compliance with statutory duties to inform the Disclosure and Barring Service about individuals who may pose a risk of harm to children. | We accept the need to improve compliance with statutory duties to inform the Disclosure and Barring Service about individuals who may pose a risk of harm to children. We will work with the relevant bodies to do so.  |
| 11  | Extending the disclosure regime to those working with children overseas.  | We accept the need to review whether disclosure arrangements can be further strengthened for those working with children overseas, and we will consider the scope of further strengthening the regime, taking into account the findings of the Bailey Review of the Disclosure and Barring Regime published in April 2023.  |
| 12  | Mandatory online pre-screening for sexual images of children.   | We accept the need to hold companies to account for removing, reporting and limiting the spread of child sexual abuse material on their services. The UK's world-leading Online Safety Bill will address this by including the strongest duties for companies to identify and remove child sexual abuse content from their services. We expect the bill to receive Royal Assent this Parliamentary session. |

| No. | Inquiry Recommendation   | Government Response   |
|-----|--|---|
| 13  | Introduction of a statutory requirement of mandatory reporting for child sexual abuse.   | We accept the need for mandatory reporting; the Government has agreed to implement a mandatory reporting regime for child sexual abuse which will be informed by a full public consultation, beginning with the publication of a <a href="#">Call for Evidence</a> alongside this response.   |
| 14  | Compliance with Victims Code: Government to commission joint inspection of compliance with the Victims' Code in relation to victims and survivors of child sexual abuse. | We accept the need to ensure compliance with the Victims Code. The Criminal Justice Joint Inspectorates have included an inspection on the 'experiences of victims of child sexual abuse of the criminal justice system' in their 2023-25 inspection programme, with Code compliance proposed to feature. We will also consider this recommendation through the Victims and Prisoners Bill, with complementary measures to improve victims' experiences of the criminal justice system. |
| 15  | Removal of the three-year limitation period for personal injury claims brought by victims.   | We accept the critical issue this recommendation seeks to remedy, and we will consult on strengthening existing judicial guidance in child sexual abuse cases and set out options to reform limitation law in child sexual abuse cases.   |
| 16  | A guarantee of specialist therapeutic support for child victims of sexual abuse.   | We accept that victims and survivors must be able to access effective systems for provision of therapeutic support. We will elicit views on the future of therapeutic support, including possible systemic changes to provision, through extensive engagement and consultation as part of our response to recommendation 19 on victim redress.  |
| 17  | A code of practice for access to records pertaining to child sexual abuse.   | We accept the importance of access to records. We will engage with the Information Commissioner's Office on implementing this recommendation.   |
| 18  | Further changes to the Criminal Injuries Compensation Scheme.  | We accept the need to consider changes to the scheme, and we will consult on whether or not to amend the scope and time limits.   |



| No. | Inquiry Recommendation   | Government Response   |
|-----|--|---|
| 19  | National redress scheme for victims and survivors of child sexual abuse and exploitation in England and Wales. | We accept the need to introduce a redress scheme to acknowledge the institutional failures that led to the suffering of victims and survivors. The detail of the scheme, including eligibility, types of redress available, the extent of any financial component, and application process, will be considered following extensive engagement, including with victims and survivors, third sector organisations, local authorities, insurers and lawyers. |
| 20  | More robust age-verification requirements for the use of online platforms and services.                        | We accept the need to protect children from harmful and age-inappropriate content. The Online Safety Bill requires all in-scope companies to assess whether their service is likely to be accessed by children and, if so, deliver safety measures for them.  |

## Recommendations and Responses

### 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.

### Government Response to Recommendation 1

**We accept that robust data collection on the scale and nature of child sexual abuse is critical to underpin and drive a more effective response to child sexual abuse. We have made a number of improvements in data collection and will additionally be driving further improvements to police performance data.**

#### Detail

26. The Government recognises how accurate and complete data, right across the system, is paramount to continue improving our understanding of the scale and nature of child sexual abuse in this country; develop further operational insights and responses; and assess what more should be driven forward to tackle this horrific crime. And that is why we, together with delivery partners, are working to strengthen the data collection and how it is used, to increase awareness of this crime and understand what is working to respond and address it across the system.
27. A key part of these efforts is delivered through the independent Centre of Expertise on Child Sexual Abuse (CSA Centre), established by the Home Office in 2016, with the aim of driving forward system-wide improvements in the ability of professionals to understand, identify and respond to concerns of child sexual abuse. Hosted by Barnardo's, the CSA Centre brings together a multi-disciplinary team comprising expertise from policing, social care, health, youth work, education, justice and academia.
28. Through our investment, the CSA Centre continues to deliver an ambitious programme of work. This includes its Scale and Nature of child sexual abuse research programme, which has produced a series of reports analysing available survey data

and bringing together agency data to build a picture of trends in data and the gaps in our understanding of child sexual abuse in England and Wales. The latest report in the series, *Child Sexual Abuse in 2021/22: Trends in Official Data*,<sup>1</sup> was published on 8 February 2023.

29. The CSA Centre has also taken forward valuable work to support voluntary and statutory organisations, including local authority children's services, policing and health, who are responding to child sexual abuse agencies to improve their data, and in 2019 published a data collection template which sets out a list of 30 data fields to support fuller and more consistent data collection.<sup>2</sup> The data collection template supports the collection of data relating to victims and survivors of abuse, perpetrators, the context of the abuse and the services involved in responding to it. The CSA Centre also published a practical guide for organisations on how to use the data collection template, as well as an interactive data improvement tool so that organisations and local safeguarding arrangements can quickly and easily review the data they currently collect and identify any key data fields that need improving or amending.<sup>3</sup>
30. Regarding the policing and law enforcement response, robust data collection on suspects and offenders, including ethnicity data, is critical to inform problem profiling and activities to disrupt and investigate offenders. And that is why we are working with police to drive improvement in the collection, analysis and use of data on child sexual exploitation and abuse. We are funding dedicated child sexual exploitation and abuse analysts in every policing region, to improve data quality, analysis, intelligence and tasking. As well as informing local tasking to support forces in tackling child sexual exploitation, the analysts form a network which is improving understanding of this offending nationally as well as driving up data quality.
31. The Government has been supporting the Tackling Organised Exploitation programme (TOEX), which brings together local, regional and national data to ensure police can effectively uncover exploitation and prosecute perpetrators of it, since 2021 when we provided £4 million in funding. This year we contributed £6.4 million in support to the TOEX. This programme develops a whole system approach to improving intelligence, analysis and tasking to enhance law enforcement responses to the organised exploitation of vulnerable people.
32. We have invested £2 million in the National Policing Vulnerability Knowledge and Practice Programme (VKPP) which identifies and promotes best practice, ensuring that the most effective approaches to investigating these crimes and safeguarding victims, including multi-agency working, are taken up by forces across the country.
33. Additionally, the Home Office works with police forces to improve the way they record data for the Annual Data Requirement. For example, through the National Data Quality Improvement Service (NDQIS) programme we are working to improve and refine identification of child sexual abuse crimes in police recorded crime data. NDQIS is a computer-assisted classification tool which uses a common set of criteria to identify crime types of interest more consistently across different police forces.

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<sup>1</sup> Trends in official data - CSA Centre

<sup>2</sup> Improving agency records - CSA Centre

<sup>3</sup> Improving your data on child sexual abuse

34. The Home Office continues to work with the Office for National Statistics (ONS) to improve data collection related to child sexual abuse. In 2020, the ONS published *Child sexual abuse in England and Wales*,<sup>4</sup> which includes data related to adults who experienced sexual abuse before the age of 16 years.
35. The ONS has been gathering feedback on the module of the Crime Survey for England and Wales which collected data on adults' experiences of sexual abuse as a child in the 2018/19 survey. The module will collect data in 2023/24 and include improvements such as measuring experiences of sexual abuse before the age of 18 rather than 16, to align with the legal definition of a child. The module will also look to measure child on child sexual abuse and sibling sexual abuse to address current data gaps.
36. The ONS is carrying out a feasibility study<sup>5</sup> to understand whether a new survey could effectively measure the current scale and nature of child abuse and neglect, including child sexual abuse. Findings so far have been positive and have indicated there is no fundamental reason not to conduct the proposed survey. The ONS is currently developing the questionnaire and safeguarding procedures for the survey. This will be followed by a pilot which will determine the final recommendation on whether a survey is viable. If so, new funding would then be required to implement such a survey.
37. In addition, the Department for Education is driving forward an ambitious agenda to improve the use of data in safeguarding and children's social care. This includes a detailed look into whether a consistent child identifier could improve data linking in this space. The Government will deliver a report to Parliament by summer 2023 setting out ways to improve information sharing between safeguarding partners, as required by the Health and Care Act 2022. This report will contain recommendations for potential technical and non-technical solutions to this longstanding challenge.
38. The Department for Education will also publish the first part of its Children's Social Care data strategy at the end of the year, developing it with the sector and experts, to set clear standards around data analysis, management, storage, sharing and use. The department is also learning best practice from local authorities on how they are using existing child exploitation data to inform future practice through predictive analytics.
39. More broadly, we are continuing to transform the way local safeguarding agencies work together. In a survey of safeguarding partnerships in England, 90% of respondents agreed that the reforms introduced by the Children and Social Work Act 2017 were having a positive impact on multi-agency strategic decision making.<sup>6</sup>
40. The Government continually adds to and develops a suite of analytical outputs according to user needs and feedback, balancing trustworthiness, quality and value, in line with guidance from the Code of Practice for statistics.<sup>7</sup> As part of this effort, we added additional variables into the criminal court Outcomes by Offences<sup>8</sup> data tools in 2017, to include identifiers such as ethnicity of defendants, and subsequently updated

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<sup>4</sup> Child sexual abuse in England and Wales - Office for National Statistics ([ons.gov.uk](https://ons.gov.uk))

<sup>5</sup> Exploring the feasibility of a survey measuring child abuse in the UK - Office for National Statistics ([ons.gov.uk](https://ons.gov.uk))

<sup>6</sup> Wood Review of multi-agency safeguarding arrangements ([publishing.service.gov.uk](https://publishing.service.gov.uk))

<sup>7</sup> Code of Practice for Statistics ([statisticsauthority.gov.uk](https://statisticsauthority.gov.uk))

<sup>8</sup> Criminal Justice System statistics quarterly: June 2022 - GOV.UK ([www.gov.uk](https://www.gov.uk))

age variables to provide greater detail. These data now include sex, age, ethnicity and area (by police force).

## **Recommendation 2: Child Protection Authorities for England and 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.

## **Government Response to Recommendation 2**

**We accept the need for a stronger safeguarding system. We will ensure the relevant actions included within our reform programme, *Stable Homes, Built on Love*, fulfil this recommendation.**

### **Detail**

41. Child protection is a critical issue across many different situations and settings. We agree with the spirit of the recommendation to create a new Child Protection Authority in England, and plan to achieve the desired effect of the recommendation without the creation of a new body, but rather ensuring that the existing mechanisms are all working as effectively and as cohesively as possible to properly safeguard, support and protect children from harm, including child sexual abuse. Any changes to statutory duties or frameworks will be subject to full public consultation.
42. Responding effectively to child sexual abuse requires a whole of system response. In the same way that various professionals in local multi-agency safeguarding arrangements work together to protect children, various Government departments work together to continually adapt and improve our national approach to tackling child sexual exploitation and abuse. The Department for Education is responsible for Government policy and legislation on child safeguarding and protection, working closely with the Home Office and Department for Health and Social Care, which hold joint responsibility for safeguarding partners. These departments work closely to ensure the child's voice is reflected in all policy decisions, and that the child's experience and wellbeing is consistently brought to the forefront.
43. Child protection is a priority for the Government. We have established a new cross departmental Child Protection Ministerial Group to ensure child protection is championed at the highest level. On 2 February 2023 the Department for Education

published a bold and ambitious implementation strategy – Stable Homes, Built on Love – which included commitments to achieve a decisive, multi-agency child protection system. This strategy sets out a large-scale reform to children’s social care including strengthening child protection across local authorities, Integrated Care Boards/NHS, police and education. This is backed by £200 million investment in this Spending Review, so that we can begin making progress immediately. This builds on the £3.2 billion provided in the Autumn Statement 2022 for children and adult’s social care over the next two years.

44. We want a child protection system which identifies likely or actual significant harm quickly and accurately and takes rapid and effective protective action; a system where interventions are meaningful, and practice feels clear and compassionate for children and families. To achieve this, we have already committed to actions which improve practice in child protection, including updating Working together to safeguard children guidance and publishing national multi-agency child protection standards.
45. The Department for Education supports the need for a sharper focus on improving practice in child protection. However, many of the functions set out by the Inquiry for a new Child Protection Agency already exist in current statutory and non-statutory bodies. This includes oversight and monitoring of child protection, undertaking inspections and advising Government on improvements to child protection policy and practice. And we are committed to continuing to keep those bodies under review and strengthening their functions and activities where we can.
46. For example, the Child Safeguarding Practice Review Panel, established in June 2018, is an independent committee comprising experts from a range of relevant child protection professional disciplines and expertise. The Panel already provides oversight of all serious incidents and of the system of local reviews; they can, and do, commission reviews of serious child safeguarding cases and of wider child protection themes (such as criminal exploitation, non-accidental injury). Their current remit focuses on improving child protection through learning from serious incidents. The Panel has published five national reviews all of which have advised and made recommendations to Government in relation to child protection policy and necessary reforms to improve child protection. We think that this makes the Panel an ideal body in England for providing some of the additional protections described in the Inquiry’s Final Report, and plan to explore the options for doing this. Furthermore, the Stable Homes, Built on Love strategy already commits to broadening the role of the Panel, which is developing a learning support offer to maximise the impact of local safeguarding reviews. This support offer will be co-produced with a small number of safeguarding partners and will begin in spring 2023.
47. A further expansion of the Panel’s role would require a detailed proposition and consultation with the Panel and is likely to require legislative changes, amending their role as outlined in the Children Act 2004. We will explore the feasibility of strengthening the Panel’s role beyond oversight of learning from serious incidents. We will consider how the Panel’s expertise might be used more extensively to support and challenge safeguarding agencies to improve local practice. This may include activities such as analysing and disseminating evidence about the effectiveness of both local and national multi-agency child protection systems; sharing best practice; and advising on new and emerging forms of harm, and how best they can be tackled in a multi-agency environment.

48. While the Panel and the inspectorates have already established working relationships, we think these could be further formalised. For example, the Office for Standards in Education, Children's Services and Skills (Ofsted), as the lead inspectorate for joint inspection of child protection, could formally share the findings from joint targeted area inspections (JTAs) with the Panel to inform their plan of work. Similarly, the Panel could draw on the expertise of the inspectorates as part of their activities to improve practice.
49. Institutions with responsibility for child protection are inspected by Ofsted, the Care Quality Commission (CQC), His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) and HMI Probation. These inspectorates announced the restart of their programme of joint targeted area inspections (JTAs) in March 2022, which includes two types of inspection: one type evaluates the multi-agency response to identification of initial need and risk; the other type looks at a particular theme or cohort of children. The methodology for JTAs has undergone substantial review and has a stronger focus on how multi-agency safeguarding arrangements enable local leaders and professionals to work together to identify and respond to children at risk of harm. The two types of JTA mean there is an in depth understanding of how agencies work together to identify initial need and risk, supplemented by a forensic scrutiny of the response to different types of abuse and neglect through thematic approaches. The inspectorates have focused greater attention on the quality of partnership working and this is reflected in how they identify areas for improvement – with an even greater focus on accountability.
50. We have already committed to continue to work with inspectorates to ensure the joint and single agency inspection frameworks reflect the strengthened role of safeguarding partners which will be set out in revised guidance. Beyond this, we have committed to explore the feasibility of strengthening the focus of individual agency contributions in single agency inspections, such as inspecting Local Authority Children's Services, and the relationship with joint inspections.
51. The inspectorates will keep their programmes under review so that changes in the system are captured in inspections. They will also flag to the Department for Education what impact the reforms are having on the ground, acting as an alert system about what is working well and where there may be areas for improvement.
52. We will also look at options to address any gaps in non-regulated sectors, such as out-of-school settings, to strengthen child protection. We are already working closely with the Office of the Children's Commissioner, out-of-school settings sector representatives and parent groups to develop proposals for how we might further enhance safeguarding in these settings, which we will look to consult on later this year.
53. In the meantime, we are updating our safeguarding code of practice for out-of-school settings, to support providers to put in place arrangements to protect children from harm and are updating the accompanying guidance for parents to help them choose safe settings for their children. To complement this, we will be launching a new free-to-access e-learning package for providers and strengthen their understanding of safeguarding and the important role they play in keeping our children safe. We will also be working closely with partners, including local authorities, to review and strengthen our existing local authority guidance on safeguarding children in unregistered independent schools and out-of-school settings, to ensure local

authorities are making full use of the existing legal powers available to them, to take child protection action where concerns are identified.

54. The Home Office-funded independent Centre of Expertise on Child Sexual Abuse is taking forward work to identify and address gaps in frontline practice to tackle child sexual abuse and is leading system-wide improvement through close collaboration and coordination with other key partners, improvement bodies and programmes. It has a team of multi-agency practice improvement advisers, and develops, evaluates and delivers evidence-based training for professionals across the multi-agency workforce, training in the region of 4,000 practitioners in the last year alone. The CSA Centre has produced a suite of practice improvement resources to address priority gaps in practice, these include the Signs and Indicators Template, guidance on Communicating with children about child sexual abuse, and Safety planning guidance for schools.<sup>9</sup> The CSA Centre's Child Sexual Abuse Response Pathway, piloted in three local areas, aims to ensure that professionals are clear about their roles and responsibilities and have access to high quality evidence-based resources to support them in their practice and decision making.

### **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.

## **Government Response to Recommendation 3**

**We accept the importance of placing the best interests of the child front and centre in policy and decision making at the highest level of Government. This role is already fulfilled through the work of the Secretary of State for Education.**

### **Detail**

55. We are in complete agreement that critical issues that affect children should be given priority and importance in Government. The Secretary of State for Education already fulfils this role of a cabinet minister for children, attending cabinet with responsibility for children's social care and early years, as well as education. She works across Government at the most senior ministerial level to raise the profile of matters of child protection and to ensure a coordinated approach to ensure the protection and safety of children. The Department for Education is also responsible for overseeing domestic implementation of the United Nations Convention on the Rights of the Child and leading the reporting process on behalf of the UK to the United Nations.

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<sup>9</sup> Practice improvement - CSA Centre



56. In addition, last year three reviews were published,<sup>10</sup> including the Independent Review of Children’s Social Care, which provided the impetus and vision to transform children’s social care. In response to these reviews, we have set up a Child Protection Ministerial Group (CPMG). The CPMG helps to ensure that safeguarding is championed at the highest level by Government departments which provide services to children and families. This CPMG will bolster the Education Secretary’s ability to champion child protection at cabinet level and will allow for more effective working across Government.
57. The CPMG involves ministers from the Department for Education, Department of Health and Social Care, Home Office, Department for Levelling Up, Housing and Communities and Ministry of Justice. This Ministerial Group performs much of the role that the Inquiry has described, in terms of providing a sharper focus on and influencing matters of child protection and welfare.

#### **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.

#### **Government Response to Recommendation 4**

**We accept the importance of bringing child sexual abuse out of the shadows and creating more national awareness of the scale and nature of the issues and how to report concerns and cases of child sexual abuse. We have funded and delivered several public awareness campaigns and will continue to explore the most effective ways of raising awareness of child sexual abuse.**

#### **Detail**

58. In January 2021, the Government published the Tackling Child Sexual Abuse Strategy, reaffirming our commitment to continue increasing public awareness around child sexual abuse. We agree with the Inquiry’s findings that myths and stereotypes continue to exist and as such we have been working with delivery partners and

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<sup>10</sup>Independent review of children’s social care - GOV.UK ([www.gov.uk](http://www.gov.uk))

National review into the murders of Arthur Labinjo-Hughes and Star Hobson - GOV.UK ([www.gov.uk](http://www.gov.uk))

Children’s social care market study final report - GOV.UK ([www.gov.uk](http://www.gov.uk))

stakeholders to tackle myths, increase public awareness around child sexual abuse and understand what action can be taken in response to concerns or cases.

59. We have funded and delivered several campaigns across Government, which include:

- the Stop Abuse Together campaign,<sup>11</sup> focused on empowering parents and carers to understand better the potential signs of child sexual abuse and be signposted to further support through the NSPCC helpline.
- the Children's Society Prevention Programme,<sup>12</sup> funded by the Home Office, works across England and Wales to prevent child sexual exploitation and abuse. Since 2020 the Programme has delivered the #LookCloser campaign,<sup>13</sup> which focuses on improving public and business sector awareness of child exploitation and abuse that may be visible in public spaces and their role in supporting and reporting concerns.
- ParentWise,<sup>14</sup> a cross-harm regional pilot campaign, led by the Home Office with support from other Government departments, signposted concerned parents to a central website featuring advice and guidance on a range of harms, including child sexual abuse, as well as knife crime, radicalisation and county lines. Several innovative tactics were tested as part of the ParentWise pilot, including an interactive online advert, working with influencers and community teams to distribute materials at a grassroots level and developing compelling video content for regional media.
- the No Place To Hide<sup>15</sup> campaign, led and delivered by a coalition of child safety organisations, charities, tech experts and survivors of child sexual abuse, focused on increasing public awareness of the risks posed by end-to-end encryption on social media messaging platforms without appropriate safeguards in place to protect children from online sexual abuse.

60. We have also funded national and local initiatives to divert people away from offending, through the Lucy Faithfull Foundation's Stop It Now!<sup>16</sup> helpline, services and campaign. Stop It Now! aims to prevent child sexual abuse by offering advice and support to people who suspect abuse and to those who are concerned about their own behaviour. We have committed to continuing this work with the Lucy Faithfull Foundation and exploring new digital channels, to ensure activity reaches the relevant audience. Stop it Now! and the Lucy Faithfull Foundation will also continue to establish relationships with adult entertainment companies, to serve deterrence messaging where advertising cannot reach.

61. The work of the UK's National Crime Agency's CEOP Education Team<sup>17</sup> also helps to protect children and young people from online child sexual abuse by developing and promoting their education programme and resources to professionals working with

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<sup>11</sup> Let's stop abuse together - Stop Abuse Together

<sup>12</sup> Child Exploitation Programmes | The Children's Society ([childrenssociety.org.uk](https://childrenssociety.org.uk))

<sup>13</sup> #LookCloser To Spot Exploitation | The Children's Society ([childrenssociety.org.uk](https://childrenssociety.org.uk))

<sup>14</sup> ParentWise – A helping hand for parents and carers

<sup>15</sup> No Place to Hide

<sup>16</sup> Contact the Stop It Now! child sexual abuse helpline - Stop It Now

<sup>17</sup> CEOP Education ([thinkuknow.co.uk](https://thinkuknow.co.uk))

children, young people and their families. Their recent #CEOPTalksRelationships<sup>18</sup> campaign promoted healthy relationships to young people via signposting to a range of free resources for teachers and school staff to use to raise awareness of online sexual abuse and harassment, nude image sharing and staying safe online.

62. We are committed to continuing to explore the most effective ways of raising awareness of child sexual abuse and delivering and supporting programmes which: help parents and carers spot signs and ensure they are signposted to support, learning from best practice about how to engage those who are not already in contact with support services; ensure potential perpetrators are diverted to support services; and help professionals with a duty of care to know how to recognise signs and refer concerns.
63. To achieve this, we will continue to explore innovative techniques and opportunities, focusing on using diverse platforms, partnerships and trusted voices to best engage our target audiences. We will also continue working with stakeholders and subject matter experts to inform our communications, valuing their authority and knowledge to maximise the impact and reach of activity.

#### **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.

#### **Government Response to Recommendation 5**

**It is essential that staff are equipped to keep children safe in custodial institutions. That is why they must be trained in the use of safe pain-inducing techniques for scenarios where they may need to prevent children from self-harming or causing physical harm to other children.**

#### **Detail**

64. The Government is fully committed to making sure that children in custodial institutions are supported and properly cared for.
65. In our response to the recommendation in Charlie Taylor’s Review of the Youth Justice System in England and Wales, we committed to remove techniques which can be used to deliberately inflict pain from the Minimising and Managing Physical Restraint (MMPR) syllabus which staff are trained to use in our under-18 young offender institutions and the secure training centre, so that it only includes training on behaviour management and restraint.<sup>19</sup> However, as the review acknowledged, it is essential that staff are trained for every aspect of their role, including where they may need to

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<sup>18</sup> CEOP Talks Relationships ([thinkuknow.co.uk](http://thinkuknow.co.uk))

<sup>19</sup> Independent review of the use of pain-inducing techniques in the youth secure estate

intervene to prevent serious physical harm to a child or adult. In recognition of this, staff will continue to be trained in the safe use of pain-inducing techniques as part of an intentionally separate package of emergency interventions which are reserved for scenarios where they may need to prevent serious physical harm to other children.

66. Any response must be necessary, reasonable and proportionate in view of the risk of harm which is present. All instances where a pain-inducing technique is used are subject to detailed scrutiny by the national MMPR Team as well as by members of the Independent Restraint Review Panel (IRRP).
67. Revisions to the MMPR syllabus and the training package for the responding to prevent serious physical harm to a child or adult are currently being piloted at Wetherby young offender institution and, once evaluated, we expect them to be rolled out to the other young offender institution and the secure training centre. We also expect to shortly publish a new framework which will confirm our policy position in this respect.

### **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.

### **Government Response to Recommendation 6**

**We accept the absolute need for children and young people to have their voices heard, raise concerns and challenge any aspect of their care, including where they may be experiencing or at risk of serious harm. We will address this through the reforms in our Stable Homes, Built on Love strategy.**

#### **Detail**

68. It is of the utmost importance to the government that children who are in the care of local authorities receive the best possible care. If there are safeguarding concerns regarding looked after children, these must be addressed immediately.
69. Currently, courts can make a decision to override parental responsibility and place a child in care of a local authority, but only local authorities can make decisions about children who are in care. The court has powers under section 8 of the Children Act 1989 to make orders with regards to children (child arrangements orders, prohibited steps orders and specific issue orders), but section 9 provides that the court cannot consider an application in respect of a child in care.

70. The recommendation proposes that a child in care, or someone on their behalf, could apply to the court for an order preventing the local authority from exercising their parental responsibility in relation to the child or to give directions as to a specific question arising from the local authority's exercise of their parental responsibility. It would mean that courts would be able to make a wide range of orders against a local authority.
71. We are exploring whether the solution to this issue can be more effectively addressed by the work we are doing in response to the recommendations in the Independent Review of Children's Social Care (Care Review) and National Panel Reviews, and strengthening existing mechanisms. We have committed in the Stable Homes, Built on Love strategy to strengthen the voice of the child and ability to raise concerns over the safety of their care including their placements by:
- Consulting, as necessary, from autumn 2023 on an opt-out model of independent advocacy where it is offered to children in care;
  - Consulting, as necessary, from autumn 2023 on the National Standards for the Provision of Children's Advocacy Services (2002);<sup>20</sup>
  - Reviewing options for improving the role of the Independent Reviewing Officer (IRO) as part of the wider review of the standards of care. We plan to review and strengthen how this role operates to ensure it provides a vital safeguarding check as part of the overall system; and
  - Working with external partners to robustly evaluate the role of Regulation 44 visitors which will inform the Standards of Care work.
72. We have concerns that implementation of this recommendation could have adverse effects in practice. For example, it would enable courts to have a say in local authority decisions and there may be substantial resourcing implications if new powers are introduced – for legal funding of additional support to children in care to make such applications, in terms of allocation of court time to deal with such applications and in relation to local authority time and resources as a party to proceedings. We are concerned that this added complexity and potential conflict in decision making could negatively affect outcomes for the children themselves.

### **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.

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<sup>20</sup> Advocacy services for children and young people - GOV.UK ([www.gov.uk](http://www.gov.uk))

## Government Response to Recommendation 7

**We accept that rigorous registration of staff working in care roles in children’s homes is essential and we are looking at how best to implement this as part of the Stable Homes, Built on Love strategy.**

### Detail

73. The Government recognises the important contribution of the residential childcare workforce in caring for some of the most vulnerable children in our society and the importance of ensuring they have the skills required to safeguard, support and care for them.
74. Following the Inquiry’s recommendation in its Interim Report to introduce professional registration of the workforce, the Department for Education undertook a Call for Evidence and Literature Review to understand the impact this would have on the workforce and on improving outcomes for children in residential care.<sup>21</sup> The conclusion of the Literature Review was that there was insufficient evidence to suggest professional registration alone would improve child protection for children and young people in children’s homes. It was not, however, dismissive of further regulation, especially when combined with continuing professional development. The Government’s conclusion at that time was to keep this recommendation under review pending further investigation of the evidence base and developing the skills of the residential childcare workforce more generally.
75. On 23 May 2022, the Independent Review of Children’s Social Care published its Final Report and recommendations. This also recommended professional registration of the residential childcare workforce, starting with managers of children’s homes. On 2 February 2023, the Government published its response<sup>21</sup> to the Care Review’s Final Report, Stable Homes, Built on Love, and set out its plans to reform children’s social care. This includes a commitment to explore proposals for professional registration of the residential childcare workforce alongside work to develop a programme to support improvements in the quality of leadership and management in the children’s homes sector. We are continuing to take that work forward and will announce further details in due course.

### **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.

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<sup>21</sup> Children’s homes workforce literature review and call for evidence - GOV.UK ([www.gov.uk](http://www.gov.uk))

## Government Response to Recommendation 8

**We accept the need for registration, noting that internal registration is most appropriate for the young offender institution and secure training centre workforce. We are exploring proposals for how it could operate.**

### Detail

76. The Government is committed to ensuring that staff in young offender institutions (YOIs) and secure training centres (STCs) have the right skills, values, experience and the support they need for the important work they do and that they do not represent a risk to children. In response to the Inquiry's report, Sexual Abuse of Children in Custodial Institutions in 2019, the Government recognised that a new register of staff in the youth secure estate could provide an additional means of protecting children and committed to gathering evidence to consider further action.
77. The Ministry of Justice consulted with stakeholders on applying professional registration to staff in YOIs and STCs and evaluated the benefits of different registration models, including registration by existing regulators, the creation of a new regulator and internal registration. The Ministry of Justice has concluded that an internal register is most appropriate for the relatively small YOI and STC workforce and is exploring proposals for how internal registration could operate.
78. It is important to emphasise that, in addition to exploring internal registration, there is substantial work completed or underway to improve protections for children held in the youth estate. The Government's response to the Inquiry's report, Sexual Abuse of Children in Custodial Institutions, referenced providing more advanced training for frontline staff. There is now a compulsory, child-focused Youth Justice Worker qualification that all youth justice workers must have taken, or be undertaking, to work in the youth estate. The Youth Custody Service (YCS) has commissioned a review to understand the effectiveness of the qualification. Internal registration offers a further opportunity to recognise the specialism and expertise of those working with children in the youth estate.
79. YCS is reviewing how staff are recruited to further ensure that applicants are suitable to work with children and that those who are not are identified at the earliest opportunity. YCS is also developing a new safeguarding strategy, with activities overseen by a new Safeguarding Governance Board that brings together the YCS and partner agencies. The board will drive improvements in safeguarding children in YOIs and STCs and scrutinise actions taken.
80. Additionally, individuals recruited to work with children in YOIs and STCs currently undergo Enhanced Disclosure and Barring Service (DBS) checks before appointment and every five years subsequently. An 'exclusions register' records YOI staff dismissed on the grounds of serious misconduct who should not be further employed by His Majesty's Prison and Probation Service (HMPPS) for a specified time and this register is checked by both YOIs and STCs during the recruitment process.

### **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.

### **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.

### **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.

## **Government Response to Recommendations 9, 10 and 11**

**Recommendation 9: We accept subject to further assessment of feasibility and impact, taking into account the findings of the Bailey Review of Disclosure and Barring Regime published in April 2023.**



**Recommendation 10: We accept the need to improve compliance with statutory duties to inform the Disclosure and Barring Service about individuals who may pose a risk of harm to children. We will work with the relevant bodies to do so.**

**Recommendation 11: We accept the need to review whether disclosure arrangements can be further strengthened for those working with children overseas, and we will consider the scope of further strengthening the regime, taking into account the findings of the Bailey Review of the Disclosure and Barring Regime published in April 2023.**

## Detail

81. The disclosure and barring regime, operated by the Disclosure and Barring Service (DBS), plays a crucial role in the safeguarding of children, and the Government is determined to ensure the regime remains effective at this. It provides for the disclosure of relevant criminal records to support informed recruitment decisions and barring those who pose a risk of harm to children from working in roles which provide close access to them. To complement the Inquiry's work, the Home Office commissioned Simon Bailey to carry out an independent review specifically focused on the disclosure and barring regime. This concluded early in 2023 and made several recommendations for improvement which are being considered alongside those of the Inquiry.
82. The Government addresses the particular risks and sensitivities of roles working most closely with children by identifying them in legislation as 'regulated activity', by providing employers with the fuller criminal record information they need to inform suitability decisions and by placing a statutory duty on those employers to refer any instances of harm/ or potential harm to the DBS, for consideration for barring.
83. The Government is sympathetic to the Inquiry's concerns about access to barred list information as set out in Recommendation 9. The Home Office and Ministry of Justice are already looking at the feasibility of access to enhanced with barred list checks for the self-employed and we are now reviewing the supervision exemption in the definition of regulated activity with children. This will include an assessment of the impact of any change which will be undertaken in consultation with those likely to be affected. A change to eligibility for checks along the lines recommended by the Inquiry would require legislation.
84. In response to Recommendation 10, we will work with the relevant bodies with a view to improving compliance by regulated activity providers with their statutory duty to the DBS. DBS and sectoral guidance documents specify the responsibilities of regulated activity providers, including the duty to refer; for example, the statutory guidance, Keeping Children Safe in Education, clearly sets out the legal duty placed on schools and colleges to make referrals to the DBS. The DBS will continue to offer its wide range of stakeholder engagement, including at the most senior levels, and its programme of outreach activity, which includes workshops with health and social care sectors, to ensure that regulated activity providers understand their duties and how to comply. As well as these national events, ongoing work and engagement by the DBS Regional Outreach Service takes place with providers of regulated activity, including the NHS, across England, Wales and Northern Ireland and where appropriate,

collaborates with these bodies to develop tailored resources about the duty to refer, which are distributed by those organisations to their members.

85. The Government will build on work which is already in place to ensure effective information-sharing between DBS and the relevant inspectorates and regulators; DBS currently has formal data sharing agreements with the Care Quality Commission (CQC), Estyn and with the Government in Wales which cover the care and healthcare inspectorates in Wales, and is pursuing the establishment of agreements with Ofsted and the Charity Commission. We will continue to discuss with the DBS, regulators, inspectorates and the National Police Chiefs' Council (NPCC) to ensure that the existing requirements and referral mechanisms are clearly understood by regulated activity providers and that we identify and remove any barriers to their effective use to protect children and the most vulnerable.
86. Recommendation 11 was included in the Inquiry's report on Children Outside the UK. The Government took the view at the time that the International Child Protection Certificate (ICPC) provided by ACRO is an effective tool to provide criminal record and police information to overseas employers to consider as part of their suitability decisions. To bring further clarity to this and after consultation with ACRO and the Charity Commission, in July 2022 the DBS issued new guidance to charities and the aid sector on eligibility for DBS checks and the ICPC.
87. However, the Government recognises the Inquiry's concerns and is committed to ensuring that those making recruitment decisions overseas have access to appropriate UK criminal record information to keep children safe. We are therefore reconsidering this recommendation and will work with the DBS, ACRO and others to assess the effectiveness of what is currently available and review whether further steps can be taken to address the Inquiry's concerns.

### **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.

## **Government Response to Recommendation 12**

**We accept the need to hold companies to account for removing, reporting and limiting the spread of child sexual abuse material on their services. The UK's world-leading Online Safety Bill will address this by including the strongest duties for companies to identify and remove child sexual abuse content from their services. We expect the bill to receive Royal Assent this Parliamentary session.**

### **Detail**

88. Technology is constantly evolving, with people increasingly relying on it from a young age, and it is therefore crucial that we do everything we can to keep children safe online. That is why the Government has prioritised and is driving forward the Online Safety Bill, which was introduced on 17 March 2022 and is currently undergoing passage through Parliament. This ground-breaking piece of legislation will deliver the

Government's manifesto commitment of making the UK the safest place in the world to be online, while protecting free expression, with the strongest protections in the bill protecting the interests and rights of children.

89. The bill is a key measure in our efforts to tackle the growing threat of online child sexual exploitation and abuse. For the first time in the UK, tech companies will be placed under clear legal duties to remove and limit the spread of illegal content. Child sexual exploitation and abuse has been designated priority illegal content in the bill to reflect how serious and prevalent a harm it is online. This will mean that tech companies will have to proactively tackle child sexual exploitation and abuse content, including livestreaming and grooming, by assessing the risk of such content being present on their platforms and taking proportionate steps to effectively mitigate that risk on an ongoing basis. Risk assessments must be kept up to date and reconsidered before any significant design changes are implemented by that company. The decisions taken by a company on the design or functionality of their service, including their use of encryption, will not exempt them from needing to comply with the online safety framework, or with other regulatory requirements. Ofcom will be responsible, as the independent regulator, for holding tech companies to account on these legal duties and will set out in Codes of Practice steps companies can take to meet their duty of care, including a specific Code of Practice for child sexual exploitation and abuse.
90. Pre-screening is one example of a technology that is effective in preventing known child sexual exploitation and abuse content from being uploaded or shared on a service. Pre-screening technology uses hash lists of known child sexual exploitation and abuse content to identify known child sexual exploitation and abuse content in an automated way. That content can then be blocked from being shared or uploaded and reported to law enforcement. Pre-screening can also be used in end-to-end encrypted environments to detect child sexual exploitation and abuse content with reduced impact on users' privacy.
91. Although pre-screening is effective, its effectiveness would be reduced if it were used on a service with which pre-screening was not compatible: for example, a service with an identified risk of livestreaming, rather than the sharing of known content. So, it would not be appropriate to mandate the use of pre-screening on services in scope of the Online Safety Bill.
92. Many companies already use a variety of technologies to identify and remove child sexual exploitation and abuse content on their platforms and the Government will continue to support this practice once the legislation is in force, where the use is appropriate and proportionate. We recognise that the types of technology a company can use will depend on the nature of its service, including its size, design and functionalities. Technologies that may be suitable for one service may not be compatible with the design of another.
93. As such, the bill will not prescribe the use of specific technologies and instead remains technology neutral, which both future proofs the legislation and ensures sufficient flexibility for companies to implement appropriate systems and processes that work best on their service.
94. If a company fails to effectively tackle child sexual exploitation and abuse on its platform, even where it is fulfilling its safety duties, Ofcom will have the power to require the company to take specific action. Where necessary and proportionate, Ofcom can issue a notice requiring companies either to use accredited technology or

develop and/or source new technology to deal with child sexual exploitation and abuse content on any part of its service. A notice will only be issued where there are no alternative, less intrusive measures capable of achieving the necessary reduction in child sexual exploitation and abuse content appearing on the service. The regulator will only require companies to use technology that is highly accurate in only detecting child sexual exploitation and abuse content.

95. Under a notice, a company can be required to use accredited technology or make best endeavours to develop and/or source technology to identify and remove child sexual exploitation and abuse content on their platform and prevent users from encountering this content. Where appropriate, Ofcom will be able to require the use of pre-screening tools either as an accredited technology or as part of the company's efforts to develop a pre-screening technology that is compatible with its service. Platform design has a significant impact on a company's ability to detect child sexual exploitation and abuse. The flexibility of the power ensures that companies can be required to develop tools that work effectively with their service and stimulates innovation in the safety technology industry.
96. The Government has been working closely with Ofcom to ensure that the necessary implementation period following passage of the legislation is as short as possible, but in the meantime, companies are encouraged to proactively take steps to tackle child sexual exploitation and abuse on their platforms.

### **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.

## Government Response to Recommendation 13

**We accept the need for mandatory reporting; the Government has agreed to implement a mandatory reporting regime for child sexual abuse which will be informed by a full public consultation, beginning with the publication of a Call for Evidence alongside this response.**

### Detail

97. The Government is clear that no individual or organisation is above the law, and we all have a moral duty to report crimes and protect children against all types of abuse and neglect. We are working to ensure that adults working with children are equipped to build their confidence and capability in identifying and responding to abuse and improve how they work with child victims and survivors. This includes work to drive system-wide improvements in professional practice being taken forward by the Home Office-funded Centre of Expertise on Child Sexual Abuse. The Stable Homes, Built on Love strategy,<sup>22</sup> published in February 2023, sets out our transformative reform programme to ensure that children are better safeguarded and protected from all types of harm.

98. We agree that implementing a new mandatory reporting duty could improve the protection and safeguarding of children, as well as holding to account those who fail in their responsibilities. A successful reporting regime will ensure that the individuals and organisations with a responsibility to safeguard children provide a robust and consistent response to abuse, putting the needs of children first.

99. However, we know that the introduction of a new duty to report would impact a range of individuals, organisations and workforces, and that implementation will need to be

<sup>22</sup> Children's social care: stable homes, built on love - GOV.UK ([www.gov.uk](http://www.gov.uk))

carefully managed. To understand how best to implement a duty which will put the needs of children first and ensure that perpetrators are held to justice, we are committed to working closely with potentially affected sectors.

100. Alongside the publication of this response, we have announced a full consultation process, beginning with a Call for Evidence. The information gathered through this exercise will inform a consultation later this year on a shortlist of developed policy options. The Call for Evidence can be found [here](#).

#### **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.

#### **Government Response to Recommendation 14**

**We accept the need to ensure compliance with the Victims Code. The Criminal Justice Joint Inspectorates have included an inspection on the 'experiences of victims of child sexual abuse of the criminal justice system' in their 2023-25 inspection programme, with Code compliance proposed to feature. We will also consider this recommendation through the Victims and Prisoners Bill, with complementary measures to improve victims' experiences of the criminal justice system.**

##### **Detail**

101. We are moving forward with a range of measures to improve victims' experiences of the criminal justice system.
102. In their Business Plan published 27 March 2023, and in response to this recommendation, the Criminal Justice Joint Inspectorates (CJJI) have included an inspection on 'experiences of victims of child sexual abuse of the criminal justice system' in their 2023-25 inspection programme, with Victims' Code compliance proposed to feature. The Ministry of Justice submitted a consultation response to the CJJI requesting that this inspection be prioritised in the 2023-2025 period. CJJI will engage with Government officials as they scope out this work, with the inspection report expected to be published in 2024-25. The Victims and Prisoners Bill will introduce a power for the Secretary of State (in practice this is expected to be the Home Secretary and the Justice Secretary), the Lord Chancellor and the Attorney General to require that the inspectorates carry out a joint inspection assessing victims' experiences and treatment, and will introduce a new duty on the inspectorates to consult the Victims' Commissioner in developing their inspection programmes. The improved focus will help to ensure that there is a clearer and sharper focus on how victims and survivors are treated across the system, allowing issues to be identified and solved.

### **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.

### **Government Response to Recommendation 15**

**We accept the critical issue this recommendation seeks to remedy, and we will consult on strengthening existing judicial guidance in child sexual abuse cases and set out options to reform limitation law in child sexual abuse cases.**

#### **Detail**

103. The Government recognises, as reinforced by the Inquiry, that it might take years, and in many cases decades, for victims and survivors of child sexual abuse to come forward and feel ready to disclose their trauma.

104. The present law on limitation in England and Wales is set out in the Limitation Act 1980. It sets a range of time limits for various types of civil claims. The current three-year limit, most common in historic child sexual abuse claims, is not absolute. Section 33 of the Limitation Act allows the court to disapply the time limit if it considers that it is just and equitable to do so, with regard to all the circumstances of the particular case. There is existing case law and guidance on how the court should exercise its discretion under Section 33 in claims of this nature.

105. The Government will publish a consultation paper later this year exploring options on how the existing judicial guidance in child sexual abuse cases could be strengthened as well as setting out options for the reform of limitation law in child sexual abuse cases.

### **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.

## Government Response to Recommendation 16

**We accept that victims and survivors must be able to access effective systems for provision of therapeutic support. We will elicit views on the future of therapeutic support, including possible systemic changes to provision, through extensive engagement and consultation as part of our response to recommendation 19 on victim redress.**

### Detail

106. We are committed to holding victims and survivors at the centre of our work to tackle this horrific crime, ensuring that they feel confident in being able to seek justice and access support at every stage of the process. As the Inquiry identifies, ‘recovery is often a non-linear process and victims and survivors might need practical support about how to report abuse and get medical assistance, advocacy support as well as therapeutic support such as counselling and psychotherapy’ (p. 262). We will do our utmost to ensure that access to high quality support for victims and survivors of child sexual abuse exists, regardless of where or when the abuse occurred. Government will elicit views on the future of therapeutic support, including possible systemic changes to provision, through extensive engagement and consultation as part of our response to recommendation 19 on victim redress.
107. The support available to children and young people who have experienced sexual abuse encompasses a wide range of statutory and non-statutory services funded by several different national and local commissioners.
108. Children and young people need different types of care and support. This will be dependent on their circumstances, the pace of their recovery and the level of expertise and support they receive at the point when abuse is identified or disclosed, as reflected in the strategic direction for sexual assault and abuse services. There is no ‘one-size fits all’ approach, as the consequences and outcomes which can arise from child sexual abuse are broad. Other forms of abuse and trauma experienced in childhood can also give rise to similar needs. Child sexual abuse involves a profound disruption of trust in adults, and as this report shows, this is particularly harmful when perpetrated by those in positions of responsibility and care. Children who have been subjected to child sexual abuse may have many different outcomes of mental disorder, which they will have in common with other adverse childhood experiences (ACEs). Operationally and clinically, rather than standalone services, it may be preferable to have services for children and adults which are well informed on the impact of child sexual abuse but that can address more of the contributing factors to poor mental health.



109. Support is also available for the families, parents and carers of children and young people who have experienced (or are at risk of) sexual abuse. Often, traumatic experiences impact not only the direct victim, but also the other members of the family unit. Holistic, 'wraparound' support is available for families through local family support services, including through programmes such as Supporting Families, delivered by the Department for Levelling Up, Housing and Communities.
110. Local authorities have responsibility in law for the delivery and quality of services for children in their area. The main legislative vehicles are the Children Acts of 1989 and 2004 (as amended by the Children and Social Work Act 2017), which are supported by statutory guidance, Working together to safeguard children (2018). The legislation also requires local authorities, working with their police and health care partners to make local arrangements for safeguarding and promoting the welfare of children.
111. Child sexual abuse support services are primarily commissioned at the local level with local authorities, integrated care boards (ICBs) and Police and Crime Commissioners (PCCs) all playing a key role in commissioning appropriate services. For example, local authorities commission specialist sexual health services, ICBs are responsible for mental health services and PCCs commission support services for victims and survivors of crime.
112. At a national level, NHS England commissions a network of paediatric sexual assault referral centres and the Ministry of Justice funds specialist services for victims and survivors of all forms of sexual abuse, including child sexual abuse. Through the Support for Victims and Survivors of Child Sexual Abuse (SVSCSA) fund, the Home Office also provides grant funding to voluntary organisations providing nationally accessible services to support victims and survivors of child sexual abuse.
113. We are committed to making it easier for all victims, including victims and survivors of child sexual abuse, to access support. We know that sometimes children and young people can face long waits to access support. That is why in February 2022, NHS England published the outcomes of its consultation on the potential to introduce five new access and waiting time standards for mental health services as part of its clinically led review of NHS Access Standards.<sup>23</sup> One of these is for children, young people and their families/carers presenting to community based mental health services, to start to receive help within four weeks of referral. This would include survivors of child sexual abuse. As a first step, NHS England has recently shared and promoted guidance with its local system partners to consistently report waiting times to support the development of a baseline position. The Department for Health and Social Care is now working with NHS England on the next steps for introducing the new access and waiting time standards for mental health services. In the longer term, the NHS Long Term Plan set out an ambition for 100% of children and young people who require access to specialist support to have this by the end of the decade. This would include those victims and survivors of child sexual abuse who required therapeutic support.
114. On 1 April 2021, the Government launched a revised Victims' Code, setting out the minimum level of information and services that victims and survivors of crime can expect at every stage of the criminal justice system. Under the Victims' Code, all victims and survivors have the right to be referred to support services when they

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<sup>23</sup> Mental health clinically-led review of standards

report a crime to the police, regardless of whether anyone has been charged or convicted of a criminal offence, and regardless of whether they decide to report the crime to the police or do not wish to co-operate with the investigation. When victims and survivors report a crime, the police must provide them with information on where and how to get advice and support, including psychological support such as pre-trial therapy and counselling.

115. Furthermore, on 29 March 2023 we introduced our landmark Victims and Prisoners Bill to Parliament to improve victims' experience of the criminal justice system. This will include placing a duty on PCCs, local authorities and ICBs to collaborate when commissioning support services for victims and survivors of sexual abuse, as well as domestic abuse and other serious violent crimes. As part of this duty, local commissioners are required to consider the needs of children, who may need tailored support services.

116. The bill aims to strengthen the roles of Independent Sexual Violence Advisors (ISVAs) who work with children, young people and their families. These advisors are crucial to supporting victims and survivors of sexual violence, with research showing that victims were almost 50% more likely to stay engaged with the criminal justice process with this support.

### **National Support Service Provision**

117. In June 2022, the Home Office also launched its Support for Victims and Survivors of Child Sexual Abuse (SVSCSA) Fund for 2022-2025, providing grant funding of up to £4.5 million to voluntary sector organisations in England and Wales providing nationally accessible services, such as support lines and counselling, to children, adult survivors and families affected by sexual abuse. Services supported through the 2022-25 fund include 1:1 trauma-informed therapy, post therapy support and specialist support to LGBTQ+ survivors.

118. In December 2022, the Ministry of Justice launched the 24/7 Rape and Sexual Abuse Support Line to provide specialist help and information to victims and survivors whenever they need it, regardless of when the sexual abuse occurred. Support is delivered by Rape Crisis England and Wales and available to victims and survivors of childhood sexual abuse aged 16+. Additionally, the Ministry of Justice provides grant funding to several national helplines and webchats which support victims and survivors of child sexual abuse, these include:

- the National Association of People Abused in Childhood (NAPAC) to contribute towards their national helpline offer to victims and survivors of sexual abuse in childhood, age 18-65+;
- the SurvivorsUK chat and text support service, for any man, boy or gender nonconforming person aged 13 and above who has experienced sexual violence; and
- Safeline helpline to support both adults and children who have experience sexual abuse rape and sexual exploitation.

### **Regional and Community-Based Service Provision:**

119. Currently NHS England commissions a network of paediatric Sexual Assault Referral Centres (SARCs). These centres offer counselling and can help access to specialist support, including NHS commissioned and funded mental health services, which can offer assessment for mental health needs and risks and evidence-based treatments for children and young people with mental health needs, including anxiety, depression and post-traumatic stress disorder. There are also evidence-based treatments for children and young people with complex trauma and some risk-taking behaviours (self-harm). In some areas, Enhanced Mental Health services are being developed for adult victims and survivors of sexual assault and abuse with complex trauma-related mental health needs and/ or comorbid factors that may result in their presentation being more complex. Subject to evaluation of this programme in 2024, NHS England will look to expand this model to services for children and young people.
120. The Ministry of Justice provides £21 million per year to specialist community-based support services through the Rape and Sexual Abuse Support Fund (RASASF). The RASASF supports specialist, community based sexual violence support services to help child and adult victims and survivors of rape and sexual abuse to cope, recover, build resilience and move forward with their lives. As highlighted in the Inquiry's Final Report, the Ministry of Justice is also using additional ringfenced funding to increase the number of Independent Sexual Violence Advisers (ISVAs) and Independent Domestic Violence Advisers (IDVAs) by 300 to over 1,000 by 2024/25, providing vital advice and support to survivors of sexual and domestic violence, including children. The Ministry of Justice also provides a ringfenced grant to PCCs to fund services supporting victims and survivors of sexual violence and domestic abuse, including for non-recent and recent victims of child sexual abuse.
121. Furthermore, the Home Office is supporting local leaders in their approach to supporting victims and survivors, having published guidance in 2021 for local partnerships on the Child House model – a multi-agency, wraparound service model supporting children, young people and non-abusing parents, carers and family members following child sexual abuse. The guidance outlines cross-cutting principles and activities that enable effective and coordinated interventions for children and young people following sexual abuse and can be used by any area seeking to develop a multi-agency, child-centred approach to commissioning and providing support.
122. The Supporting Families programme (delivered by the Department for Levelling Up, Housing and Communities) funds local authorities to work together with their partners to identify families facing multiple, interconnected problems and provide them with support before they hit crisis point. The programme's Outcomes Framework encourages local areas to use police data and practitioner assessments to identify children at risk of or experiencing sexual exploitation, and to provide them and their family with effective, keyworker-led support. Backed by £695 million, the programme is aiming to help 300,000 more families achieve successful outcomes by 2025.
123. We have significantly increased funding for support services across the country, which victims and survivors can access throughout their lifetime to help them cope with the devastating impact of sexual abuse. But as the Inquiry has detailed, more needs to be done to ensure victims and survivors can access therapeutic support in a timely manner.
124. Through our investment, the Centre of Expertise on Child Sexual Abuse is undertaking work to strengthen the response to victims and survivors of child sexual abuse. This includes work to map the provision of specialist child sexual abuse

support in a State of the Sector report. This will be valuable in supporting funders and commissioners to commission services effectively on the basis of a better knowledge of existing provision and need.

125. NHS England has also developed the Framework for Integrated Care (Community) that is designed to support partnership working across multiple agencies including health, local authority, education and youth justice to support children and young people with complex needs. Twelve vanguards have been selected with one in each of the seven NHS England regions, plus an additional vanguard site in the Midlands and two in London. The vanguards will be required to demonstrate partnership working across multiple agencies including health, local authority, education and youth justice agencies demonstrating how they will deliver the Framework for Integrated Care (Community) and the outcomes in it. A national dataset started collecting data for July-September 2022 in October. The dataset aims to collect information on the needs of and outcomes for children in the community, evidence that key objectives of the Framework are being met to enable national and regional commissioners to identify and target improvements in health inequalities.

### **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.

### **Government Response to Recommendation 17**

**We accept the importance of access to records. We will engage with the Information Commissioner's Office on implementing this recommendation.**

#### **Detail**

126. We sympathise with the difficulties experienced by many victims and survivors in getting records about their historic abuse. The Government is working with the Information Commissioner's Office (ICO) to consider this issue further, including how any guidance could be updated to put in place such a code.

127. The ICO already provides advice to help individuals access their personal data (usually referred to as a subject access right or SAR), as well as to organisations to help them comply with these duties. This includes advice on submitting a SAR,<sup>24</sup> checklist,<sup>25</sup> detailed guidance<sup>26</sup> and guidance aimed at smaller organisations.<sup>27</sup> To give best effect to the Inquiry's recommendation around retaining and accessing records, the ICO will review its current guidance. The ICO will also explore issuing additional guidance and resources, in keeping with current or revised legislation and working with relevant stakeholders, to support victims and survivors of child sexual abuse and organisations that hold their records.
128. Individuals have a legal right to request and access data held about them from organisations. Further guidelines dictate what information should be kept and for how long. Under the Data Protection Act 2018, the UK's implementation of the General Data Protection Regulation (UK GDPR),<sup>28</sup> you have the right to find out what information the Government and other organisations store about you. These include the right to access personal data, have data erased and data portability (allowing you to get and reuse your data for different services). This is commonly referred to as a subject access request. In most circumstances this should be free of charge, and organisations should respond without delay (usually within one month of receiving the request).
129. In addition, UK GDPR sets requirements for organisations regarding the use and retention of personal data. Records must be 'adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed'; 'accurate and, where necessary, kept up to date'; and 'kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest ... in order to safeguard the rights and freedoms of ...' individuals.
130. Further guidelines dictating what information should be kept and for how long include regulations 49 and 50 in the Care Planning, Placement and Case Review (England) Regulations 2010. These set out the requirements on local authorities around establishing and maintaining individual case records for each child looked after by them. Regulation 49(2) sets out which types of records should be maintained as part of the case file. Regulation 50(1) states that the case file must be kept until the child's 75th birthday, or 15 years from the date of death in the case of a child who dies before reaching the age of 18. Regulation 50(2) and 49A set out regulatory requirements relating to the storage, preservation and transfer of case records.
131. Retention periods vary when it comes to child sexual abuse records and some sectors, like education and health care have their own guidance. According to the Information and Records Management Society (IRMS), a file should be kept until they are 25 (seven years after leave school age) in England, Scotland and Wales.<sup>29</sup> The NHS Records Management Code of Practice sets the national NHS guidance in

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<sup>24</sup> Preparing and submitting your subject access request

<sup>25</sup> Right of access

<sup>26</sup> Right of access

<sup>27</sup> How to deal with a request for information: a step-by-step guide

<sup>28</sup> Data Protection

<sup>29</sup> Information Management Toolkit for Schools

England for records retention and general records management. The Code outlines a minimum retention of 30 years for sexual assault records, and 25 years for children's records.<sup>30</sup>

132. The Government appreciates that there is a wider sector which continuously provides guidance on how to log and keep records of child sexual abuse.

### **Recommendation 18: Criminal Injuries Compensation Scheme**

The UK Government should make further changes to the Criminal Injuries Compensation Scheme.

- It should include other forms of child sexual abuse, including online-facilitated sexual abuse.
- Victims and survivors with unspent convictions should not be automatically excluded where the crimes are likely to be linked to the sexual abuse they experienced as a child.
- The time limit to apply for compensation should be increased to seven years. This period should run from the date the offence was reported to the police or from the date that the person applying reached the age of 18, where the offence was reported while the victim was a child. In both situations, the discretion to extend the time limit should remain.

### **Government Response to Recommendation 18**

**We accept the need to consider changes to the scheme, and we will consult on whether or not to amend the scope and time limits.**

#### **Detail**

133. We are helping victims and survivors of violent crime to rebuild their lives and get the compensation to which they are entitled.

134. We have undertaken a thorough review of the Criminal Injuries Compensation Scheme, as announced in the Government's Victims Strategy of 2018. A public consultation reporting on the review and seeking views on a number of proposals to reform the Scheme, ran from 16 July to 9 October 2020. We carefully considered a broad range of stakeholder concerns in relation to how eligibility rules and requirements impact applicants being able to access compensation, including those who are the victims and survivors of specific types of violent crime such as child sexual abuse. We subsequently conducted a supplementary consultation, between 9 June and 5 August 2022, on whether to reform the unspent convictions rule as proposed by the Inquiry in its Interim Report in 2018 and restated in the Final Report in recommendation 18.

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<sup>30</sup> Records Management Code of Practice 2021 - NHS Transformation Directorate (england.nhs.uk)

135. To enable us to fully consider the Inquiry's important recommendations for the Scheme, the Government commits to consulting on whether or not to amend its scope by changing the definition of what amounts to a violent crime for the purposes of it, and on changing the time limits for applications to the Scheme. We will also consider the Inquiry's proposals in recommendation 18 in conjunction with its other recommendations on redress through civil justice processes and for a new redress scheme, as well as the findings of two consultations on changes to the Scheme. We will publish this consultation shortly.

### **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.

## **Government Response to Recommendation 19**

**We accept the need to introduce a redress scheme to acknowledge the institutional failures that led to the suffering of victims and survivors. The detail of the scheme, including eligibility, types of redress available, the extent of any financial component, and application process, will be considered following extensive engagement, including with victims and survivors, third sector organisations, local authorities, insurers and lawyers.**

### **Detail**

136. The Government continues to ensure that the voices and perspectives of victims and survivors are placed at the centre of our work on tackling this horrific crime. We will establish a redress scheme to acknowledge the institutional failures which led to children being subject to the most horrendous sexual abuse.
137. We believe it is right to look at the shape and detail of how that scheme will operate through extensive engagement with the wide range of stakeholders who will be interested and potentially affected by it, not least victims and survivors themselves. This approach was explicitly recommended by the Inquiry and will underpin our work to draw appropriate boundaries around the scheme, the eventual design of which will of course be subject to full public consultation. We will, for example, want to look at the types of redress that might be made available, the extent of any financial element, eligibility and application process – and carefully consider these core elements, amongst others, before committing to a detailed design. The Government is keen to use the engagement process which it will shortly launch to help raise public awareness of child sexual abuse and drive the national conversation we need to have about how so many people are affected by this previously ignored crime and what we can all do to stop it.
138. The Government acknowledges that other jurisdictions, including Australia, Scotland and Northern Ireland, have set up redress schemes after similar inquiries into non-recent child abuse, and some institutions, including Lambeth Council and Islington Council, have established redress and support schemes to survivors of abuse while in their care. It is clear from the development of those schemes that there are many challenges, complexities and lengthy timelines involved in the scoping, design and implementation of such schemes and that significant consultation of both institutions and victims and survivors would need to form a part of that.



139. Victims and survivors emphasised to the Inquiry the importance of receiving genuine and meaningful apologies from the institutions they saw as responsible for their abuse, which was not always forthcoming. The Government recognises the use of apologies can help in reducing adversarial behaviour and resolving disputes. That is why it has already accepted the Inquiry's recommendation to consider amending the Compensation Act 2006 to make clear that the provision on apologies extends to cases involving vicarious liability for child sexual abuse. The Government plans to consult on this issue shortly.
140. In February 2010, the then Prime Minister made a formal national apology, expressing regret for the Government child migration policy that had previously existed. The apology was well received by former child migrants, recognised as a genuine expression of regret, and was important for the people who were affected by the child migration policies. Following the Inquiry's Interim Report in March 2018 on Child Migration Programmes, the Government (DHSC) also established an ex-gratia payment scheme for surviving former child migrants, which provided an equal award to every applicant. This was on the basis that they were all exposed to the risk of sexual abuse in being migrated, due to the child migration policy that had previously existed. The payment scheme opened for applications in March 2019, from which over 1,700 payments have been made to date.
141. The Government fully understands that, while victims and survivors are entirely justified to seek financial redress, financial or other types of redress can never fully compensate victims and survivors for the horrific sexual abuse they suffered in the past. But acknowledging their pain and suffering at a national level may go some way towards atoning for the failures of the past.

### **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.

## **Government Response to Recommendation 20**

**We accept the need to protect children from harmful and age-inappropriate content. The Online Safety Bill requires all in-scope companies to assess whether their service is likely to be accessed by children and, if so, deliver safety measures for them.**

### **Detail**

142. The strongest protections in the Online Safety Bill are for children. All companies in scope will need to take robust steps to protect children from illegal content and criminal behaviour on their services. Companies will be required to take proactive steps to prevent users from being exposed to priority illegal content and behaviour, including child sexual exploitation and abuse. Beyond the priority offences, all providers will need to ensure that they have effective systems and processes in place

to quickly take down other illegal content or behaviour once it has been reported or they otherwise become aware of its presence.

143. In addition, all in scope companies will also need to assess whether their service is likely to be accessed by children and if so, deliver safety measures for them. Those safety measures will need to protect children from harmful and age-inappropriate content such as pornography, content promoting self-harm and eating disorders, and behaviour such as bullying. The child safety duties apply across all areas of a service, including the way it is designed and used by children as well as content present on the service. This means that providers will need to review children's use of higher risk features, such as live streaming or private messaging.
144. Ofcom will set out in codes of practice the steps companies can take to protect children from illegal and harmful content on their service. We expect companies to use age verification technologies, designed to prevent children from accessing services which pose the highest risk of harm to children, such as online pornography, and age assurance technologies and other measures to provide children with an age-appropriate experience on their service.
145. To ensure the strongest possible protections for children online, the Government has made changes to the bill to strengthen the child safety duties. This includes making it clearer that providers may need to use age assurance to identify the age of their users to meet the child safety duties. Providers which have age restrictions will also now need to specify in their terms of service what measures they use to prevent underage access and apply these terms consistently. This change will mean providers can be held to account for what they say in their terms of service and can no longer do nothing to prevent underage access.
146. The Government has also made changes to the bill which will require the largest providers to publish summaries of their risk assessments for illegal content and material that is harmful to children. This will allow users to clearly understand the risks presented by these services and the approach platforms are taking to children's safety, empowering parents to make informed decisions about the platforms their children use.
147. The Online Safety Bill also introduces world leading protections for children from online pornography. The bill will cover all online sites offering pornography including commercial pornography sites, social media platforms, video sharing platforms and forums, as well as search services, which play a significant role in enabling children to access harmful and age-inappropriate content online. These companies will have to prevent children from accessing pornography using measures such as age verification or face enforcement action.
148. Age verification is referenced on the face of the bill to make clear that these are measures that the Government expects to be used to comply with the duties to protect children from pornography. While the bill does not mandate that companies use specific technologies to comply with their new duties, to ensure that the bill is future-proofed, we expect Ofcom to take a robust approach to sites that pose the highest risk of harm to children, including sites hosting online pornography. This may include directing the use of age verification technologies.
149. The Government intends to repeal Part 3 of the Digital Economy Act 2017 (DEA 2017) through the Online Safety Bill and deliver the objective of protecting children

from online pornography through the bill. The Online Safety Bill will provide much greater protection to children than the DEA 2017, which was criticised for not covering social media companies, where a considerable quantity of pornographic material is accessible, and also introduces duties on search services, which were not in scope of the DEA 2017.









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