



CHILD SEXUAL EXPLOITATION IN NORTHERN IRELAND

AN INSPECTION OF THE CRIMINAL
JUSTICE SYSTEM'S RESPONSE

SUMMARY

JUNE 2020



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Laid before the Northern Ireland Assembly under Section 49(2) of the Justice (Northern Ireland) Act 2002 (as amended by paragraph 7(2) of Schedule 13 to The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010) by the Department of Justice.

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LIST OF ABBREVIATIONS

ABE	Achieving Best Evidence
CAIU	Child Abuse Investigation Unit (within PSNI)
CAWN	Child Abduction Warning Notice
CHISVA	Children's Independent Sexual Violence Advocate Service
CJA	Criminal Justice Agencies
CJI	Criminal Justice Inspection Northern Ireland
CPR	Child Protection Register
CPS	Crown Prosecution Service (in England and Wales)
CRU	Central Referral Unit (within PSNI)
CSE	Child Sexual Exploitation
DIR	Decision Information Request
DoH	Department of Health
DoJ	Department of Justice
ETBB	Equal Treatment Bench Book
EU	European Union
GDPR	General Data Protection Regulations
HMICFRS	Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (formerly Her Majesty's Inspectorate of Constabulary - HMIC)
HSCT	Health and Social Care Trust
ISA	Information Sharing Agreement
LPT	Local Policing Team (within PSNI)
MPSU	Missing Persons Support Unit
MSHTU	Modern Slavery and Human Trafficking Unit (within PSNI)
NCA	National Crime Agency
NI	Northern Ireland
NICTS	Northern Ireland Courts and Tribunals Service
NIPB	Northern Ireland Policing Board
NSPCC	National Society for the Prevention of Cruelty to Children
PACE	Police and Criminal Evidence (Northern Ireland) Order 1989
PBNI	Probation Board for Northern Ireland
PEEL	Police Effectiveness, Efficiency and Legitimacy (HMICFRS/HMIC assessments)
PPANI	Public Protection Arrangements Northern Ireland
PPB	Public Protection Branch (within PSNI)
PPS	Public Prosecution Service for Northern Ireland
PPU(s)	Public Protection Unit(s) (within PSNI)
PSNI	Police Service of Northern Ireland
RoSHO	Risk of Sexual Harm Order
SBNI	Safeguarding Board for Northern Ireland
SCAIDP	Specialist Child Abuse Investigators Development Programme
SCR	Serious Case Review
SCU	Serious Crime Unit (within PPS)
SOPO	Sexual Offences Prevention Order
UK	United Kingdom
UN	United Nations
UNCRC	United Nations Convention on the Rights of the Child
VOYPIC	Voice of Young People in Care
YDO(s)	Youth Diversion Officer(s)
YJA	Youth Justice Agency

A NOTE ABOUT TERMINOLOGY USED IN THIS REPORT

Legal terms for sexual offences

Statutory terms for sexual offences have legal meaning. However, Criminal Justice Inspection Northern Ireland was struck by how inapt many were for conveying the coercion and abuse that Child Sexual Exploitation (CSE) entailed.¹ This report has sought to limit use of terms such as 'sexual activity with...', 'paying for sexual services...', 'sexual communication with...' to accounts of legislation or suspected sexual offences apparent from police or prosecutorial documents.

Children

'Children' is used to reflect the obligation to ensure the entitlement of all up to 18 years of age to continuing protection from all forms of exploitation and abuse.² Its use is not intended to undermine the importance of recognising children's evolving capacities, and the importance of facilitating choice in their engagement with criminal justice agencies.³

- 1 On use of language when discussing a child who has been, or is at risk of being exploited, see National Police Chiefs' Council in collaboration with The Children's Society and Victim Support: Appropriate Language: Child Sexual and/or Criminal Exploitation: Guidance for Professionals (www.csepoliceandprevention.org.uk/sites/default/files/Guidance%20App%20Language%20Toolkit.pdf); see also Interagency working group on sexual exploitation of children (2016) Terminology Guidelines for the protection of Children from Sexual Exploitation and Sexual Abuse, p.30 luxembourgguidelines.org.
- 2 UN Committee on the Rights of the Child: General comment No.20 (2016) on the implementation of the rights of the child during adolescence (tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGC%2f20&Lang=en).
- 3 In engaging with police child safeguarding processes, children and young people have highlighted the importance of facilitating choice and control. See Beckett, H., Warrington, C., Ackerley, E., and Allnock, D. (2015) Children's Voices Research Report: Children and young people's perspectives on the police's role in safeguarding: a report for Her Majesty's Inspectorate of Constabularies. (www.beds.ac.uk/media/86277/hmic-uob-report-final.pdf).

CHIEF INSPECTOR'S FOREWORD

There is a well-known saying that “it takes a village to raise a child”, if that were true then it takes a community to protect their children.

Child sexual exploitation in our community is both an uncomfortable truth and a reality. It is child abuse. It is happening in our rural communities and in our towns and cities. It involves children who live with their parents almost as much as those who are currently in care or have previous experience of the care system.

It is a strategic issue that requires a strategic response. While a new Programme for Government is being contemplated, the existing outcome ‘*To give our children and young people the best start in life*’ holds true. Keeping our children and young people safe, free from abuse and able to fulfil their potential, is something we can all agree on.

This inspection focussed on the criminal justice system response to child sexual exploitation but as is true of so many issues in our community, its reach and required response is well beyond that of the justice system alone. While I am mindful of my statutory remit for inspection, it is not possible to meaningfully inspect child sexual exploitation without recognising the vital role Health and Social Care and Education partners have in ensuring effective and enduring child safeguarding and protection.

This report makes two strategic recommendations and seven operational

recommendations to enable a better criminal justice system response.

Developing a comprehensive picture of the extent and nature of child sexual exploitation, led by the Police Service of Northern Ireland in conjunction with the Department of Justice, will be vital in understanding and agreeing collaborative approaches across statutory and non-statutory partners to tackle it and create a shared child protection response. ‘Problem Profiles’ to help understand child sexual exploitation have been developed in other jurisdictions and a similar approach is much needed in Northern Ireland.

Quality multi-agency training, a consistent regional approach and swift information sharing enabled by technology will also be key. Prevention and disruption of offenders and prompt action between all partners, who look beyond the obvious and take a truly ‘whole child’ protection approach to identifying children who are being, or are at risk of being, sexually exploited is essential. The way the police and the Public Prosecution Service for Northern Ireland deal with this issue is vital. It is important that all lines of enquiry are followed and robust cases built to support an effective prosecution and secure convictions. Critical examination of all the aspects and sources of information and intelligence available is essential to disrupt child sexual exploitation.

This includes understanding patterns of offending and other behaviour such as missing children reports and concerns for their safety.

Effective identification of individual needs resulting in the provision of tailored high quality services to provide support is essential for child victims and witnesses and these should continue for as long as they are needed.

While the commitment and dedication among criminal justice professionals was evident during this inspection, gaps in practice were identified. This meant risks to the safety of children, both known and unknown, could not be ruled out. Work has commenced to address the inspection recommendations but there is much to be done to ensure children are safeguarded immediately and that systems, both internal and cross-Government, support frontline professionals to do this effectively and, crucially, demonstrate how children and young people identified at risk of child sexual exploitation have been helped.

The Covid-19 public health crisis has shown how powerfully and decisively government can work together, how

organisational boundaries can be set aside and innovative solutions found with a common imperative to protect the most vulnerable in our community.

Effective implementation of these recommendations will demonstrate how those with a statutory duty and voluntary and community sector partners will meaningfully collaborate to protect and deliver better outcomes for our children and young people.

I am grateful to Dr Roisin Devlin who led this inspection, supported by David MacAnulty, Dr Ian Cameron and Stevie Wilson. I am also grateful to Inspectors from Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services who assisted with important aspects of this work. My thanks also to all those who helped inform the inspection, and the criminal justice organisations who facilitated its work.

I am especially thankful to the victims and those at risk of child sexual exploitation and their supporters who shared their experiences of the criminal justice system with us.



Jacqui Durkin

Chief Inspector of Criminal Justice
in Northern Ireland

June 2020

EXECUTIVE SUMMARY



PROTECTING CHILDREN FIRST

Tackling child sexual exploitation is about protecting children. Child safeguarding needs to frame the Government's approach to tackling child sexual exploitation and children identified at risk require a child protection response. This depends on commitments reaching far beyond the justice system; all Departments have a role in discharging the Government's obligation to protect children from sexual harm. Public education, supporting children and families and effective early interventions are at the heart of this.

Debates about the nature of child sexual exploitation and its definition did not detract from the core duty to protect children from abuse and disrupt those responsible for hurting them. For frontline criminal justice professionals, particularly Police Officers, it was important to ensure that helping children within a system that measured arrest rates and prosecutions was highly valued, and that the criminal justice system also measured 'success' in the investigative and child safeguarding actions undertaken.

LEADERSHIP AND ACCOUNTABILITY

Ultimately this inspection focused on practice on the ground with the result that those working every day to tackle child sexual exploitation faced the greatest level of scrutiny. While this was correct, Criminal Justice Inspection Northern Ireland (CJI) was mindful that at the time of the inspection fieldwork the absence of a Northern Ireland Executive and gaps in strategic direction, had left the frontline unsupported in important respects.⁴

For example, there was no comprehensive problem profile for child sexual exploitation in Northern Ireland. CJI acknowledges the work the Police Service of Northern Ireland had undertaken in developing this, but to have real meaning beyond what was already known to police, it required multi-agency leadership and support.

There had been great efforts to enhance the response to child sexual exploitation following the Marshall Report.⁵ Nevertheless, a cross-Departmental strategy that set out desired outcomes for children at risk of sexual abuse including child sexual exploitation was absent. There was no tangible trend data to evidence how children at risk of child sexual exploitation had been helped.

4 The Northern Ireland Executive was suspended in January 2017. There was full restoration of the Northern Ireland Executive and Assembly on Friday 10 January 2020.

5 Marshall, K. (2014) Child Sexual Exploitation in Northern Ireland: Report of the Independent Inquiry.
(www.health-ni.gov.uk/sites/default/files/publications/dhssps/csereport181114_0.pdf).

In England and Wales, a 'step change' in leadership was declared following inquiry findings about failures in dealing with child sexual exploitation.⁶ This included clear and unambiguous direction on information sharing with Secretaries of State asserting '*...no justification for failing to share information that will allow action to be taken to protect a child.*' In Scotland, as well as England and Wales a strategic framework for joint child protection inspection existed. CJI was unable to find this step change in leadership and accountability in Northern Ireland.

DELIVERING CHILD PROTECTION

Policing Child Sexual Exploitation

Broadly, there was good understanding about the nature of child exploitation, as well as the complex vulnerabilities for many of the children at risk of child sexual exploitation. Dedication, tireless work and genuine care was evident among criminal justice professionals CJI Inspectors spoke to. However, there were gaps in practice with risk of serious consequences for the safety of children. These were raised with police at the time of fieldwork and are highlighted where appropriate in this report.

Children assessed at risk of child sexual exploitation were placed on a 'list' (previously known as a 'master list') and it was these children that the Police Service of Northern Ireland worked with alongside child sexual exploitation social work leads. The 'list' included only children for whom the child sexual exploitation risk was deemed 'high'. Concerns about suspected sexual abuse of children in cases below this threshold were apparent in the small number of files reviewed by Inspectors.

Even when high risk had been identified, important information and intelligence appeared not to have been recorded on the police system. This meant frontline Officers were not informed about the wider child sexual exploitation risks. Proactive work with children required to be better evidenced. Crucially, child protection actions and outcomes were not evident from the system; and it was not always apparent if all children assessed at risk of child sexual exploitation had been referred for a child protection investigation.

CJI acknowledge that lack of resources had resulted in the five Public Protection Units operating different models of practice to deal with child sexual exploitation. This risked inconsistency and proposals by the Police Service of Northern Ireland to address this needed to be progressed. The co-located child sexual exploitation social work model was hugely beneficial for information sharing and it was important this continued to be supported.

6 Jay, A. (2014) Independent Inquiry into Child Sexual Exploitation in Rotherham 1997-2013, (www.rotherham.gov.uk/downloads/file/1407/independent_inquiry_cse_in_rotherham); and other reviews, for example, Coffey, A. and Lloyd, T. (2014) Real Voices: Child Sexual Exploitation in Greater Manchester (www.basw.co.uk/system/files/resources/basw_103119-3_0.pdf); OFSTED (2014) The sexual exploitation of children: it couldn't happen here, could it? (www.gov.uk/government/publications/sexual-exploitation-of-children-ofsted-thematic-report).

Prosecuting offenders

A review of a sample of files held by the Public Prosecution Service for Northern Ireland showed that where the Police Service of Northern Ireland had passed files to prosecutors, evidence of case building and identification of factors pertinent to child sexual exploitation was at times good. However, the Public Prosecution Service for Northern Ireland needed to better support prosecutors to reflect how factors related to exploitation and grooming had been weighted in decisions. Myths and stereotypes including about children having 'demonstrated affection' required to be addressed in the planning of cases. Public Prosecution Service for Northern Ireland staff instructions specific to child sexual abuse and exploitation were needed.

Court

Where cases did progress to court, support for children was required. The National Society for the Prevention of Cruelty to Children (NSPCC) Young Witness Service, Registered Intermediaries and provision for other special measures had existed at the time of the inspection. It was positive that Victim Support Northern Ireland had received charity funding to pilot a Children's Independent Sexual Violence Advocate service, but nevertheless disappointing this type of service was not core funded by the Department of Justice. The Department of Justice indicated its commitment to work being taken forward on an advocacy service more generally, to include assistance to young victims of domestic or sexual violence and abuse. The Gillen Review⁷ made recommendations relevant to the progress of serious sexual offence cases in court including for child victims. There was no benefit in CJI duplicating these. However, within the Public Prosecution Service for Northern Ireland and the Northern Ireland Courts and Tribunals Service, a tailored child safeguarding procedure to enhance internal governance and direction on this, including the considerations that the Equal Treatment Bench Book outlined, would be of benefit.

CJI supported the view expressed by stakeholders that implementation of the Icelandic therapeutic Barnahus (children's house) model was preferred to an approach that simply tweaked the existing system and suggests this is taken forward in a future strategic approach to tackle child sexual abuse and exploitation.

7 Gillen Sir John, Review, Report into the Law and Procedures in Serious Sexual Offences in Northern Ireland, (Gillen Review), www.justice-ni.gov.uk/sites/default/files/publications/justice/gillen-report-may-2019.pdf.

OUTCOMES: HOW MANY CHILDREN HAVE BEEN HELPED?

The numbers of children protected and helped as a result of having been identified at risk of child sexual exploitation was the vital measure, and future strategy needed to support collection of this type of data. 'Success' in terms of prosecution was difficult to demonstrate. This was because cases had often not progressed this far but also because the Public Prosecution Service for Northern Ireland could not easily identify child sexual exploitation within its caseload. A sustained focus on learning lessons to advance prosecutions was required. The Marshall Report recommended an interagency forum to do this and CJI urge this is implemented. Learning was also required to understand more about the appropriateness of treatment and outcomes for child suspects who were victims of child sexual exploitation.

Victims and their supporters called on those in authority to look past children's immediate behaviours - whether that be, for example, going missing or suspected offending - to find out what was really going on. The opportunity to build a relationship with a named Police Officer had been crucial. There were calls for communications in the form of prosecution letters to be drafted in a manner that children could understand. Language that made children feel unbelievably and blamed had to be avoided. Victims needed to see criminal justice focused on perpetrators' conduct rather than assessing their behaviour. As it was, few children had experience of perpetrators being held responsible for the crimes against them and, as highlighted by a stakeholder, this risked communicating to children that the system expected them 'to be the fix.'

RECOMMENDATIONS

STRATEGIC RECOMMENDATIONS

STRATEGIC RECOMMENDATION 1

Within six months of the publication of this report, the Department of Justice take forward a cross-Departmental strategic response to tackle child sexual abuse and exploitation, which is linked to any existing and future strategic plans for child protection. Targets for the development of a comprehensive problem profile and improved outcomes - measured by children identified and protected, and perpetrators disrupted - should be included, as well as multi-agency evaluated training as recommended by the United Nations Convention on the Rights of the Child, and a framework for independent joint child protection inspection.

(paragraph 2.15)

STRATEGIC RECOMMENDATION 2

A comprehensive child sexual exploitation problem profile to properly understand its scale and nature in Northern Ireland should be developed. This should be police led in conjunction with the Department of Justice with input from partners and should include:

- collation of anonymous data from statutory and non-statutory partners about child sexual exploitation risks;
- the number of children assessed at risk of child sexual exploitation;
- the outcomes of these assessments (numbers at risk, numbers not at risk, and child protection events);
- the number of children and parents/carers supported;
- police investigations; and
- offenders disrupted and prosecuted.

(paragraph 4.16)

OPERATIONAL RECOMMENDATIONS

OPERATIONAL RECOMMENDATION 1

The Police Service of Northern Ireland introduce without delay the proposed IT process to alert within its system children on the Child Protection Register.

(paragraph 2.55)

OPERATIONAL RECOMMENDATION 2

All agencies should review and update procedures applicable to tackling child sexual abuse including child sexual exploitation, and ensure alignment with child protection policy and procedures. In particular:

- the Public Prosecution Service for Northern Ireland and the Northern Ireland Courts and Tribunals Service each require a child safeguarding procedure. This should be tailored to their particular functions and regularly reviewed;
- the Probation Board for Northern Ireland should review its existing child safeguarding procedures to ensure safeguarding in the specific circumstances of child sexual exploitation is covered, and that instruction about the risks of sexual harm to 16 and 17-year-olds is clear;
- the Police Service of Northern Ireland develop a child sexual exploitation operating procedure that is grounded within child protection, and ensure that all other related police procedures and instructions are cross referenced and aligned; and
- the Public Prosecution Service for Northern Ireland develop a staff instruction for prosecutors on child sexual abuse and exploitation. This should include its approach to child suspects who are victims of child sexual exploitation.

(paragraph 2.61)

OPERATIONAL RECOMMENDATION 3

Within six months of the publication of this report, the Police Service of Northern Ireland implement a consistent approach to child sexual exploitation across its five Public Protection Units within a model that is adequately supervised and resourced.

(paragraph 3.13)

OPERATIONAL RECOMMENDATION 4

Within six months of the publication of this report, each inspected agency - the Police Service of Northern Ireland, Public Prosecution Service for Northern Ireland, Probation Board for Northern Ireland, Youth Justice Agency and the Northern Ireland Courts and Tribunals Services - should complete a child protection (including child sexual exploitation) training needs assessment and time bound risk assessed plan for delivery.

(paragraph 3.25)

OPERATIONAL RECOMMENDATION 5

Within three months of the publication of this report, the Police Service of Northern Ireland's Public Protection Branch should develop a routine quality assurance process for how it manages the police response to child sexual exploitation with the aim of ensuring adequate and timely risk assessment and investigative activity including child protection investigation. CJI suggests this includes:

- sampling from the full range of child sexual exploitation risk assessments (risks assessed high, medium, low and no risk);
- Central Referral Unit decision-making particularly decisions for single agency Social Services investigation;
- missing reports including the quality of return interviews, and 'concerns for safety' recorded for children;
- adequacy of referrals to the Rowan Sexual Assault Referral Centre;
- the quality of safeguarding actions including referrals to Social Services;
- the submission and sharing of child sexual exploitation related intelligence;
- the use of disruption tools including Child Abduction Warning Notices and the appropriate alerting of these to the Probation Board for Northern Ireland; and
- information exchange and liaison internally within the Police Service of Northern Ireland including with the Public Protection Arrangements Northern Ireland and the Modern Slavery and Human Trafficking Unit and Youth Diversion Officers.

(paragraph 3.66)

OPERATIONAL RECOMMENDATION 6

The Police Service of Northern Ireland address immediately the process of how it deals with cases of sexual activity between 14 and 15-year-olds so that practice is in keeping with the joint protocol.

(paragraph 3.66)

OPERATIONAL RECOMMENDATION 7

In developing its quality assurance of decision-making in sexual offence cases, the Public Prosecution Service for Northern Ireland should:

- purposively sample child sexual abuse cases;
- work with the Police Service of Northern Ireland to develop quality assurance of child sexual exploitation related cases including where the offence is not sexual such as child abduction, or where the child comes to the Public Prosecution Service for Northern Ireland's attention as a suspect; and
- within this assess how understanding about exploitation and grooming is reflected in decision-making with a view to informing practice improvements.

(paragraph 3.85)



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