



# INDEPENDENT INQUIRY CHILD SEXUAL ABUSE

## Child sexual abuse in the youth secure estate

### Live streamed research presentation for the Victims and Survivors Forum

On 17 April 2019, the Inquiry's research team hosted an online presentation, live streamed to members of the Victims and Survivors Forum using the IICSA YouTube channel. The aim was to share the research and investigation findings examining child sexual abuse in the youth secure estate. We invited Forum members to send in questions and comments; all of the questions from Forum members and the comments from the research team are below. We have responded to all questions.

We would like to thank all Forum members for their questions and their interest in the Inquiry's research programme.

#### Questions about the research

Q1) Please can you clarify whether or not there were any discernible differences in the responses from young people from BAME groups and whether or not children of different faiths and cultures were represented in the research?

Approximately half of the children interviewed were from BAME groups, however there were no noticeable differences in their experiences or understanding compared to the children interviewed from non-BAME backgrounds. We did, however, learn that where staff members are from the same ethnic background as a child, this may help the fostering of positive relationships between children and staff. In relation to faith and culture, we did not collect this level of information from participants.

Q2) Also whether or not there were discernible differences in the responses from the girls as compared to the boys as a whole?

Due to the number of girls included our sample and the small proportion of girls overall in the youth secure estate we did not carry out any analysis to look for discernible differences between boys and girls.

#### Questions about the youth secure estate

Q3) Could you inform me what constitutes abuse whilst attending these centres?

One of the research questions was to explore the nature of different types of abuse taking place in the youth secure estate in England and Wales, including sexual abuse. We examined abuse of a sexual nature and inappropriate sexual behaviours. During the interviews the children also referred to high levels of violence amongst the children as well as alluding to violence and physical assault from some staff members which could be classified as physical abuse. The high levels of bullying were also a theme in the research.

Q4) The rules in the seventies and eighties were for a short sharp shock for a period of six weeks at youth detention centres and six months - two years at borstal. Would you say that the state (UK) gave permission for staff to physically, sexually and mentally abuse children?

This piece of research sought to get a contemporary snapshot of perceptions and experiences of safeguarding from the perspective of both children and staff in the youth secure estate in England and Wales. We did not look at the nature of custody or



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possible abuse that may have occurred in the 1970s and 1980s. The legal investigation was focused on the period from 2009 to 2017; however we did also hear from victims and survivors who had experienced sexual abuse in these settings in decades prior to this. The investigation report highlights a number of institutional failings in relation to children in custodial institutions.

Q5) Would the withholding of education be deemed abuse?

All children under the age of 18 should receive at minimum 25 hours of education a week while in custody. There are some situations whereby individual children may not attend classes or receive that amount of education, for example when attending legal or court appointments. The type and level of education provided will vary between establishments and may not cover all the subjects and topics that children would receive at school, however the provision for education is there.

Q6) Would the loss of all custody records of an individual or total loss of all records for all children be deemed unlawful?

Custodial institutions have a number of legal obligations in relation to retention and destruction of records, including obligations under the General Data Protection Regulation and Data Protection Act 2018 and potentially also the Inquiries Act 2005. The individual circumstances are likely to vary and we are unfortunately not in a position to advise on particular cases.

Q7) Are sufficient steps taken to eradicate racism and bullying in custodial places which can lead to mental illness, suicide, and sexual abuse?

Based on the research conducted we are not able to answer this question as we did not explore whether sufficient steps are taken to eradicate racism and bullying nor did we explore mental illness and suicide. However it is widely accepted that levels of bullying and violence in the youth secure estate are high. At the establishments included in the research, efforts were being made to improve and strengthen the safeguarding arrangements to create a safe environment for children. The staff included in the research understood that safeguarding encompassed behaviours such as racism and bullying and the need to address these. Safeguarding was seen as being everyone's concern and that a whole establishment approach, championed by senior leadership, was needed to ensure that behaviours such as bullying were addressed. It was acknowledged by staff at all of the establishments included in the research that more work was needed to promote and embed a culture of safety whereby inappropriate behaviours were consistently challenged by staff.

Q8) What constitutes restraint?

Restraint is the manner in which children are physically handled in order to protect themselves or others from harm or as a behaviour management technique, for example using specified carrying techniques or holds to move a child to an alternative location. There are different types of restraint currently authorised for use in the youth secure estate, some of which authorise the use of pain to get children to comply. One of the recommendations of the investigation is that the use of pain compliance techniques should be seen as a form of child abuse, and that it is likely to contribute to a culture of violence, which may increase the risk of child sexual abuse.

Q9) Do these places ever have someone go in with lived experience and talk to these kids?



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We are not able to confirm whether or not children in the youth secure estate are provided with the opportunity to hear from and talk to people with lived experiences of child sexual abuse. This question would need to be directed to individual establishments or Her Majesty's Prison and Probation Service.