

Truth Project Thematic Report

Child sexual abuse in custodial institutions

Executive summary

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 INDEPENDENT INQUIRY
CHILD SEXUAL ABUSE

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This research report has been prepared at the request of the Inquiry's Chair and Panel. The views expressed are those of the authors alone. The information presented in Truth Project research outputs does not constitute formal recommendations by the Inquiry's Chair and Panel and is separate from legal evidence obtained in investigations and hearings.

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Executive summary

Introduction

The Truth Project is a core part of the Inquiry, alongside public hearings and research. It was set up to hear and learn from the experiences of victims and survivors of child sexual abuse in England and Wales. It offers victims and survivors an opportunity to share experiences of child sexual abuse. By describing their experiences, Truth Project participants make an important contribution to the work of the Inquiry. With the consent of participants, the Inquiry uses Truth Project information in a variety of ways, including for ongoing research and data analysis carried out by the Inquiry's Research Team.

This is the third research publication in a series of thematic reports examining the experiences of victims and survivors of child sexual abuse as shared with the Truth Project. It details the research findings in relation to experiences of abuse in custodial institutions.

A range of terminology is used throughout this report to describe the types of custodial institutions in which children have been held both in the past and currently. The names and terms used for such institutions have changed over the years. This report uses the term 'custodial institutions' to describe establishments in operation for children and young people in the youth justice system in England and Wales, both in the past and currently. Nowadays, such institutions tend to be collectively known as the 'youth secure estate'.

The youth secure estate, and the legislation, policy and practices relating to it, have been subject to considerable change over the years. These changes have shaped the focus of the youth justice system, in particular the evident shift between punishment and welfare responses to children and young people who offend (Bateman, 2011; Bottoms and Kemp, 2007; Williams, 2004; Hagell, Hazel and Shaw, 2000). Developments since the mid 1980s have been shaped by identified safeguarding failures and concerns about the welfare of children in custody.

Although there have been some successes, more recent reviews have continued to highlight the need for further progress in the youth secure estate (Brooks et al., 2019; Taylor, 2016). Work within the Inquiry to date has also identified a number of continuing issues. For example, the Inquiry's recent investigation report *Sexual Abuse of Children in Custodial Institutions: 2009-2017* highlighted the shocking decline of safety in the secure estate in recent years, and concluded that children in young offender institutions and secure children's homes are still not safe from harm, either sexual or physical. The Inquiry's research study exploring recent perceptions and experiences of safeguarding in the youth secure estate (published in the report *Safe inside? Child sexual abuse in the youth secure estate*) also found that children in the youth secure estate did not always feel safe or protected from harm, and that work is still required to develop the culture around safeguarding within custodial institutions.

This report describes the experiences of Truth Project participants who told us they were sexually abused in custodial institutions between the 1950s and 2010s, with the most recent case in our sample beginning in the early 2010s.

The information analysed in this thematic report was provided by victims and survivors who came to the Truth Project between June 2016 and January 2020. The analysis was undertaken by members of the Inquiry's Research Team between September 2019 and January 2020.

In particular, the analysis aims to address research questions concerning:

- the nature of child sexual abuse experienced by participants in custodial institutions;
- what, if anything, could have been done to prevent the abuse;
- how much the institutions knew about the abuse at the time;
- victims and survivors' experiences of disclosing the abuse and of the responses;
- barriers and facilitators for disclosure;
- the impacts of child sexual abuse in custodial institutions; and
- victims and survivors' suggestions to improve the protection of children in the youth secure estate in future.

This thematic report complements the Research Team's rapid evidence assessment into child abuse in custodial institutions (Mendez Sayer et al., 2018), their primary research into perspectives on child sexual abuse in the youth secure estate (Soares et al., 2019b), and the Inquiry's investigation into child sexual abuse in custodial institutions (Jay et al., 2019).

Sample and methods

Of the 3,701 people who shared an experience between June 2016 and January 2020, 47 (1.3 percent) described child sexual abuse that related to a custodial institution. Cases were included where the sexual abuse took place in the following custodial institution types:

- young offender institutions
- borstals
- approved schools
- assessment centres
- remand centres
- detention centres
- secure children's homes/care units.

Given the small number of people sexually abused in the context of custodial institutions who had participated in the Truth Project to January 2020, we have adopted a qualitative approach in the analysis undertaken for this report.

The qualitative information is predominantly drawn from 8 of the 47 Truth Project accounts relating to child sexual abuse in custodial institutions. The majority of participants described abuse that had taken place in custodial institutions prior to 1990, and this is reflected in the spread of the cases selected for the qualitative sample. The eight accounts were selected within a sampling framework designed to ensure we included a range of characteristics and circumstances, such as the time period in which the abuse occurred, victim's age and victim's gender.

We have not broken down our analysis by the specific type of custodial institution discussed by victims and survivors, because it is not systematically recorded in the data-collection process and is also not always shared by participants.

A detailed explanation of the process used for carrying out analysis of Truth Project information can be found in a separate report, *Truth Project Research: Methods* (King and Brähler, 2019).

Ethics

All social research conducted or commissioned by the Inquiry is subject to approval from the Inquiry's Research Ethics Committee, which is independent of the Research Team. Truth Project research is subject to rigorous ethical scrutiny, as the data collected are highly personal and sensitive. In order to safeguard these data, each component of the research process was reviewed in line with strict ethical standards by the Inquiry's Research Ethics Committee. Ethical approval was obtained prior to the collection and analysis of the data.

Information is only included where Truth Project participants have agreed to their accounts being used for research purposes. All information analysed for this report was anonymised prior to analysis, and all identifying information has been removed.

Key findings from the research

The research findings from this study indicate key features and characteristics of sexual abuse in custodial institutions in the past. Although Truth Project analysis is still underway, ongoing analysis and review of wider Truth Project sessions' data suggests that abuse in custodial contexts features some particular characteristics:^{1,2}

- The particular geographical and social isolation of such institutions left children almost completely isolated from outside contact, meaning they were completely under the power of the adults charged with their care; they literally had nowhere to run.
- Sexual abuse usually occurred from the very outset of entering a custodial institution. The positional power and control the perpetrators had meant they did not need to groom their victims.

¹ Please note that these research findings are not necessarily representative of the wider population.

² Comparisons between experiences across different institution types and time periods will be made at a later point when we have the opportunity to carry out a fuller comparative analysis.

- A high degree of violence and sadism featured in the abuse in custodial institutions. This may have been linked to the culture of punishment within such establishments and also potentially with the motivations of the perpetrators in those particular environments.
- Participants described how perpetrators were able to act with impunity within the custodial regime. Non-abusing adults did little to actively protect the children.
- Participants found that their backgrounds of being in custody as children, as well as the serious impact of the poor education they received there, meant they often faced long-term employment and financial difficulties.

Background of children abused in custodial institutions

This cohort of participants described having experienced unstable childhoods where their parents and carers were unable to provide suitable and safe homes or meet their children's basic needs. Home and family environments featured domestic abuse, substance misuse and extreme poverty.

“ It didn't take long before I became a punch bag for both of my parents to vent their anger on. By the time I was three years old it had become the norm.

Truth Project participant abused in custodial institution

Abuse and neglect were common in the participants' early lives, and some experienced child sexual abuse prior to being placed in a custodial institution. Perpetrators of this early childhood sexual abuse were siblings (male and female), other peers, mothers and their mothers' adult male partners. As a result of these family backgrounds and circumstances, participants had often been placed in institutional care at a young age.

Participants felt there was no genuine reason for them to have been placed in custodial institutions in the first place. Reasons for being in custody included punishment for minor misdemeanours or because participants were perceived as requiring protection from their own behaviour.

Context and nature of the abuse

Sexual abuse in custodial institutions was perpetrated by a range of individuals, including correctional officers as well as educational, welfare and support staff. Some participants reported being abused by a peer or older child. Abuse by multiple perpetrators was common, with perpetrators sometimes described as operating in collusion.

Participants were subjected to a wide range of sexually abusive behaviour, including rape, forced oral sex and masturbation. Some of the abuse was extremely violent in nature, and participants also witnessed the sexual and physical abuse of their peers. All participants in the qualitative sample experienced physical abuse in custodial institutions and most spoke of other non-sexual abuse they experienced while in custody, including mental and emotional abuse, humiliation and forced labour.

In addition to the inherent vulnerability of being children in custodial institutions in the first place, some of the victims and survivors were particularly vulnerable at the time of the abuse, experiencing mental health issues or behavioural difficulties, and being particularly naive as a result of their previous institutionalisation in care.

The abuse began almost immediately after arrival into the institution. The power and control the perpetrators had over victims meant they did not need to groom them. Victims were coerced predominantly by fear (of physical violence and retribution) or by the use of drugs in the abuse. Sexual abuse took place in both communal and private spaces within the custodial institution. Abuse in dormitories at night was common (or being taken from dormitories to more isolated spaces), as was abuse during or after showering or bathing.

“ Every day – this went on from the second day of being there – you had to have, 5:00am, a cold shower. They put you in a cold shower, completely naked and the guy in charge, he’ll pull you out, different guy at times, do sexual things to you in a room at the side of this place. What could you do? Nothing you could do. Just scream and shout. No one takes any notice.

Truth Project participant abused in custodial institution

Often the sexual abuse only ceased after the victim and survivor was either released from custody or moved to another institution, rather than as a result of any form of positive intervention.

Institutional context and knowledge of the abuse

Custodial institutions were described by participants as harsh, brutal and isolated environments. They were run as military-like regimes where most staff were male and many were ex-service members.

“ Because the place was a – it was a really rough place, it was unreal to think like – It’s hard to explain to you. Although it was, it was really rough ... it was brutal.

Truth Project participant abused in custodial institution

Children were shown little support or encouragement other than from a few isolated members of staff who tried to protect them from abuse. A culture of bullying, rivalry and extreme competitiveness also existed among the children in custodial institutions themselves.

Custodial institutions were often physically and socially isolated, with a lack of external supervision or monitoring taking place, enabling the abuse to occur undetected. Participants described how staff members would be aware of perpetrators taking them away alone somewhere or even abusing them in the presence of others. Staff would also ignore behaviours and signs in the children that were potential indicators of abuse.

“ I try now to understand how the staff didn’t know what was going on and I have wondered whether they in fact were turning a blind eye to it or participating in the abuse themselves because they all seemed to have favourites who they would pamper.

Truth Project participant abused in custodial institution

Children in custody were aware of the abuse of their peers, either because they had directly witnessed it or because they knew there were particular adults they needed to be wary of.

Experiences of disclosure and responses by institutions

It was unusual for victims and survivors in this sample to have disclosed or reported any of the abuse to the institution at the time. Where they had done so (to teachers, staff and external adults), nothing was done about it and most participants who disclosed then experienced physically violent or threatening responses from the staff, governor or their peers when their reports became known. Participants spoke of the fact that there was no one for them to tell and there was no encouragement to open up and disclose in any indirect ways either. A key theme identified was that attempts to disclose the abuse at the time generally made the participants' situations much worse, resulting in further sexual or physical abuse or in them being moved elsewhere, where further abuse took place anyway.

“ Not a lot you could do about it. I'd already learnt that from my past experience, and when I had tried to say anything it was not wise. You were better off keeping quiet. And I accept that as well. Nobody wants to hear a noisy child rumbling about abuse. It's not really what people want to hear, particularly those that are helping you, particularly those that tell you how much of a burden you are to society while they're abusing you and reminding that you are nobody and you're nothing.

Truth Project participant abused in custodial institution

Most participants who disclosed as adults found the process traumatic and difficult but ultimately a positive experience when they disclosed to counsellors, support services, family and friends. They were relieved to finally have the opportunity to open up about what had happened and, for some, to seek counselling and support. However, those participants who reported to authorities generally felt let down by the authorities they reported to. They described a lack of compassion and insufficient action taken by authorities with regard to providing them with information, accepting responsibility, apologising and awarding compensation.

Connecting with other victims and survivors provided positive support in dealing with their experience of disclosing childhood sexual abuse. Barriers to disclosing as adults mentioned by participants were not wanting to tell their own families, fearing they would be viewed differently, and their cultural and social backgrounds making it difficult to describe the abuse in detail when making reports.

Participants' experiences of the criminal justice system and of reporting to the police as children were generally negative. This led to a lack of trust in the police throughout the participants' lives. Participants described mixed experiences when dealing with the police and criminal justice agencies as adults. Some individual officers were supportive and helpful; others lacked compassion and focused only on the allegations of sexual abuse, ignoring the physical and emotional abuse. Some participants reported very negative experiences of being approached by police unexpectedly to be involved in investigations into specific institutions or individuals when allegations had been made by other victims and survivors. Participants also conveyed the challenge they faced after reporting abuse to the police themselves, and how difficult it was in both of these circumstances to deal with the investigations and legal battles at the very point in their lives where they felt extremely vulnerable.

Impacts of abuse

Participants described extensive and long-term harm to their mental health, social and sexual relationships, behavioural patterns and economic circumstances, as well as impacts on their physical health and the consequences for their families and others.

“ I think you'll find that the vast majority of people are doing life sentences. What should have been a three-month is a life sentence. I'm here. I'm doing a life sentence. And many, many others.

Truth Project participant abused in custodial institution

As children, participants experienced emotional and psychological distress, and some attempted suicide or witnessed the suicidal behaviour of other child victims. Participants described the intense feelings of anger, hate and powerlessness they felt as children in custodial institutions and as young adults after release. This impacted their behaviour, and they spoke of violence and aggression towards others, becoming involved in criminal activity, drug and alcohol misuse, self-harm and self-neglect, and running away. For some, this carried on through most of their adulthood.

Participants also felt guilt and self-blame about what had happened, which impacted their self-esteem and self-confidence. Socially, they found their early relationships difficult, and some described volatile relationships with partners and difficulties in their relationships with their own children. Some experienced confusion about their sexuality and said they had distorted views about what a healthy sexual relationship should be. Relationship difficulties and family breakdown were also typical in the longer term.

As a result of their experiences and the impact on their lives, participants often found it difficult to obtain or maintain employment, both in young adulthood and throughout their lives. Some also experienced instability in housing or homelessness. Others had had successful careers but described how they lost these following a breakdown in later life when dealing with their childhood trauma.

Experiences of recovery and support

Participants employed different coping mechanisms to help them manage the impacts of the abuse, including deliberately isolating themselves, psychologically trying to block out their thoughts and feelings, and using alcohol and gambling. Negative coping mechanisms were not successful in the long term, and participants eventually confronted their thoughts and feelings, generally many years after the abuse had occurred. Thereafter they sought support or counselling and began to find ways of coping better.

Negative experiences with institutions and agencies after disclosing the abuse had extremely adverse consequences, which were considered by participants to be as bad as or worse than the actual abuse itself. Difficulties in accessing information and the lack of funding for legal assistance hampered the ability of participants to progress in their recovery and seek justice or compensation.

Insufficient counselling was a hindrance to recovery. Difficulties in accessing or funding counselling and the short-term nature of provided counselling inhibited participants' ability to fully work through their extensive trauma. For some, medication was the only alternative way to cope when counselling was not available.

“ *It's not a chemical cosh it's practically a chemical coma just so that I can function and make a little sense occasionally. This is no way to live. It's not living in any shape or form.*

Truth Project participant abused in custodial institution

Positive and effective coping mechanisms described were: connecting with other victims and survivors; appropriate longer-term counselling; support from specialist charities and organisations; and the assistance of knowledgeable specialist solicitors in seeking justice. Advancing their education in later life and creative activities were also an aid to recovery for some participants.

Victims and survivors' suggestions for change

Many participants in this sample experienced abuse prior to the 1990s, during a period when the youth secure estate was set up in a different way to how it is currently. However, participants had experienced many difficulties throughout their lives and made a number of suggestions to improve child protection and assist victims and survivors of child sexual abuse in future.

Structurally, participants felt there should be an end to remaining barriers and limitations impacting on victims and survivors' ability to gain justice and recognition. They felt that local police forces should not be allowed to investigate allegations of non-recent child abuse in institutions in their own geographical area. Financially, participants said date limitations preventing the ability to make compensation claims should be removed. They also felt that emotional and practical support needed to be in place for those victims and survivors receiving financial compensation following the abuse. Participants also thought there needed to be provision for more specific support services, locally available, for young people. Culturally, participants felt that, as a society, we need to be open and speak out about sexual abuse, and that cultural views and the stigma about people living in poverty and children who have spent time in custodial institutions need to change. There was also a view that reporting concerns should become a more familiar and expected process in society. Participants also said that both professionals and members of the public need to listen carefully to children and observe their behaviour for signs of abuse. Politically, it was felt that the state needs to be held responsible and accountable for responses to child sexual abuse and institutional failure.

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Note on language

Please see Appendix A for a glossary which contains definitions of various terms used throughout this report.

Where the term 'abuse' is used, throughout the report, we are generally referring to sexual abuse unless otherwise stated.