

<p>1 Thursday, 14 May 2020</p> <p>2 (10.30 am)</p> <p>3 THE CHAIR: Good morning, everyone, and welcome to Day 5 of</p> <p>4 this public hearing. Please go ahead, Ms Scolding.</p> <p>5 MS SCOLDING: Good morning, chair. This morning we will</p> <p>6 hear from three representatives on behalf of Safer</p> <p>7 Children's Partnerships from various parts of England --</p> <p>8 Ms Sanghera, Mr Baldwin and Mr Tilby. To all three of</p> <p>9 you, can you both see and hear me?</p> <p>10 MR BALDWIN: Yes.</p> <p>11 MS SANGHERA: Yes.</p> <p>12 MS SCOLDING: Mr Hughes, would you mind swearing or</p> <p>13 affirming the three witnesses, please?</p> <p>14 MS JASVINDER SANGHERA (affirmed)</p> <p>15 MR RICHARD BALDWIN (affirmed)</p> <p>16 MR GRAHAM PAUL TILBY (sworn)</p> <p>17 Examination by MS SCOLDING</p> <p>18 MS SCOLDING: Good morning to all of you. Thank you very</p> <p>19 much for coming. We particularly appreciate you giving</p> <p>20 up your time to come and give us evidence, given the</p> <p>21 work that undoubtedly you are all doing to deal with</p> <p>22 this emergency. You are all literally on the front line</p> <p>23 of this, for which we are incredibly grateful.</p> <p>24 We recognise how much time this hearing must have</p> <p>25 taken out of your preparation, and we thank you very</p> <p style="text-align: center;">Page 1</p>	<p>1 much for your willingness still to attend.</p> <p>2 The next point to make is that this is not a test of</p> <p>3 memory. Please feel free to refer to your witness</p> <p>4 statement and to any other documents in the bundle that</p> <p>5 you should all have in front of you. We would ask,</p> <p>6 however, that during any breaks or over the lunch time</p> <p>7 that you don't speak or have any communication with</p> <p>8 other people whilst you are giving your evidence.</p> <p>9 We are due to stop at 11.30 am for a break, in any</p> <p>10 event, but if you need a break at any other time, please</p> <p>11 just, in the old-fashioned way, raise your hand and we</p> <p>12 can organise that.</p> <p>13 In the course of my questions, I will be asking for</p> <p>14 some documents to come up on a screen. We will be able</p> <p>15 to see them, if the technology works as planned, so if</p> <p>16 you hear me asking somebody called Danny to put</p> <p>17 something on a screen, then it should appear in the</p> <p>18 middle of your screen. Again, if there are any problems</p> <p>19 with that, please do raise your hand, and we will see</p> <p>20 what we can do to resolve them.</p> <p>21 I should also say that some of your colleagues in</p> <p>22 other Safer Children's Partnerships are likely to be</p> <p>23 coming to give evidence in August this year, and you</p> <p>24 have examples of their witness statements in your</p> <p>25 bundle. We have chosen you as three examples, but only</p> <p style="text-align: center;">Page 2</p>
<p>1 that, of large local authorities with very diverse</p> <p>2 populations.</p> <p>3 I should also say that, if the technology breaks</p> <p>4 down for any reason, please do not worry. We have</p> <p>5 a very experienced AV provider who should be able to get</p> <p>6 you back online, and we will obviously stop the hearing</p> <p>7 if your feed breaks.</p> <p>8 We also recognise that dogs, cats and the postman</p> <p>9 can occasionally appear. We hope that doesn't happen,</p> <p>10 but we recognise that it may. If there is anything</p> <p>11 during the course of anybody else's evidence that you</p> <p>12 feel you would like to contribute to, as we are hearing</p> <p>13 from three of you simultaneously, please, again, do</p> <p>14 raise your hand, but I will try to ensure that all three</p> <p>15 of you have an equal chance to answer the same or</p> <p>16 similar questions, or certainly around the same topics.</p> <p>17 Ms Sanghera, could I turn to you first, please?</p> <p>18 MS SANGHERA: Yes.</p> <p>19 MS SCOLDING: Could I ask you to turn to tab A2 of</p> <p>20 the bundle, which should be your witness statement.</p> <p>21 Chair and panel, tab A2 should be Ms Sanghera's witness</p> <p>22 statement.</p> <p>23 At the rear of that statement, there was</p> <p>24 a signature. It's been covered over on mine for data</p> <p>25 protection reasons. But can I double-check, did you</p> <p style="text-align: center;">Page 3</p>	<p>1 sign this witness statement, Ms Sanghera?</p> <p>2 MS SANGHERA: Yes.</p> <p>3 MS SCOLDING: Have you had a chance to read it recently?</p> <p>4 MS SANGHERA: I have, yes.</p> <p>5 MS SCOLDING: Are its contents true, to the best of your</p> <p>6 knowledge and belief?</p> <p>7 MS SANGHERA: Yes.</p> <p>8 MS SCOLDING: Ms Sanghera, please could you briefly of</p> <p>9 briefly tell us your full name and job title?</p> <p>10 MS SANGHERA: Jasvinder Sanghera, Leeds Safeguarding</p> <p>11 Children's Partnership independent chair for the</p> <p>12 children's board.</p> <p>13 MS SCOLDING: Thank you. I will come back to you in</p> <p>14 a moment. Turning next to Mr Tilby, again, could I ask</p> <p>15 you to turn to tab A5 of the bundle. That is your</p> <p>16 witness statement. Can I ask you to confirm that you</p> <p>17 signed that witness statement, Mr Tilby?</p> <p>18 MR TILBY: I did.</p> <p>19 MS SCOLDING: That witness statement is very short because</p> <p>20 it largely relies upon and basically adopts the witness</p> <p>21 statement of Ms Penny Thompson, who is the independent</p> <p>22 chair of Birmingham Safeguarding Children's Partnership.</p> <p>23 Can you confirm that you have read the witness statement</p> <p>24 of Ms Thompson, which, chair and panel, is behind tab A3</p> <p>25 of your bundle, and, Mr Tilby, for your benefit as well.</p> <p style="text-align: center;">Page 4</p>

<p>1 Have you had an opportunity to read that witness 2 statement recently? 3 MR TILBY: I have. 4 MS SCOLDING: Is it true -- I'm afraid, Mr Tilby, you're 5 slightly faint. Would you mind coming forward? If 6 necessary, leaning slightly into the computer, if you 7 wouldn't mind. 8 MR TILBY: Is that better? 9 MS SCOLDING: Yes. It is like night and day. Yes. Are the 10 contents true, to the best of your knowledge and belief? 11 MR TILBY: Yes, they are. 12 MS SCOLDING: The contents of my questions will rely upon 13 the witness statement of Ms Thompson, which you, in 14 effect, have adopted. 15 Last but by no means least, Mr Baldwin -- I'm 16 terribly sorry, before I pass over to Mr Baldwin, I'm 17 afraid, Mr Tilby, I forgot to ask you your full name and 18 job title. It is particularly important for you because 19 we have obviously seen you in another strand of this 20 investigation wearing a different hat. 21 MR TILBY: Yes. It is Graham Paul Tilby. I'm the assistant 22 director for safeguarding in Birmingham Children's 23 Trust. 24 MS SCOLDING: Thank you very much. Turning now to 25 Mr Baldwin. I apologise for that slight delay. Please</p> <p style="text-align: center;">Page 5</p>	<p>1 could you turn to tab A1 of your bundle, Mr Baldwin. 2 The last page, page 26, would have had your signature on 3 it. Can I ask you to confirm, did you sign this witness 4 statement? I'm afraid, Mr Baldwin, I can't hear you. 5 MR BALDWIN: Sorry, I will unmute myself. Yes, I did. 6 MS SCOLDING: Are the contents of the statement true, to the 7 best of your knowledge and belief? 8 MR BALDWIN: They are. 9 MS SCOLDING: What I first wanted to do is to explore what 10 a safer children's partnership is and what 11 responsibilities it has for child protection generally. 12 I'm going to turn first to Ms Sanghera, because you 13 provide an explanation of this at paragraph 5 onwards of 14 your witness statement. 15 That is, Danny, LEC000004_002-003, paragraphs 4 16 through to 6. It is behind tab A2, chair and panel and 17 everybody else who might have the bundle. 18 My understanding, which is undoubtedly imperfect in 19 this respect, is you describe at paragraph 5 that, prior 20 to 2019, there was something called the Local 21 Safeguarding Children's Board that was created in 2006, 22 which replaced, in turn, something which used to be 23 called the Area Child Protection Committee. This, as 24 I understand it, is the same for every local authority 25 in England. Wales has slightly different processes, as</p> <p style="text-align: center;">Page 6</p>
<p>1 do Scotland and Northern Ireland. 2 But what then happened was, in 2017, the Children 3 and Social Work Act, following something called the 4 Wood Review, which Sir Alan Wood, who was a senior 5 Social Services manager for a number of years, 6 identified changes. So you now run what's known as the 7 Local Safeguarding Children's Partnership, and I am 8 going to apologise in advance, because I cannot help but 9 call it the Local Children's Safeguarding Partnership 10 rather than the Local Safeguarding Children Partnership. 11 So I'm going to apologise in advance for that. 12 Can you summarise what the LSCP is and the bodies 13 that make it up, please, Ms Sanghera? I think you 14 identify that at paragraph 7. 15 MS SANGHERA: Yes. So the Leeds Safeguarding Children's 16 Partnership is what the LSCP stands for. It is 17 structured to support the implementation of 18 the multi-agency safeguarding arrangements under 19 Working Together 2008. 20 So the structure includes an executive, and that 21 executive comprises of three statutory agencies: so 22 local authority and health through the Clinical 23 Commissioning Group and police. They all have equal 24 responsibility and accountability for safeguarding 25 across the city, in order to achieve safer outcomes for</p> <p style="text-align: center;">Page 7</p>	<p>1 children and families in the city. 2 MS SCOLDING: That is a similar, but not identical, 3 structure to the one that was in place under the old 4 regime, so to speak, the LCSB. Are you able to confirm 5 that, Ms Sanghera? 6 MS SANGHERA: It is a similar structure, yes. 7 MS SCOLDING: You are the independent chair? 8 MS SANGHERA: Yes. 9 MS SCOLDING: What does your role and responsibility 10 involve, therefore, as an independent person on that 11 board? 12 MS SANGHERA: I think the first thing to note is that across 13 England and Wales, you do not have to have an 14 independent chair. Leeds chose to have an independent 15 chair in that role. 16 My role is to provide independent scrutiny of 17 the safeguarding arrangements and the effectiveness of 18 the safeguarding partnership in the City of Leeds across 19 the partnership. To achieve that, we have a variety of 20 means. So that can be auditing, it can be reviews, 21 engaging with front-line practitioners, seeking views of 22 children and young people, to ensure the responsibility 23 to section 17, children in need, and section 47, 24 safeguarding children. 25 MS SCOLDING: Can I stop you there, Ms Sanghera? We are</p> <p style="text-align: center;">Page 8</p>

<p>1 having to run these hearings as if people don't 2 understand -- or people have relatively limited 3 knowledge of any internal statutory processes. 4 MS SANGHERA: Okay. 5 MS SCOLDING: Just for clarification, section 17 and 6 section 47. Section 17 is the statutory duty under the 7 Children Act 1989 which is power for local authorities, 8 using, if necessary, health and the police and other 9 public bodies as well, to look after children who are in 10 need. 11 MS SANGHERA: Yes. 12 MS SCOLDING: "Children in need", as I understand it, is 13 identified as those who may be at some risk of harm, 14 whether that's physical, emotional, social or 15 educational, and/or children with disabilities. Is that 16 correct? 17 MS SANGHERA: Yes. 18 MS SCOLDING: Section 47 is, in effect, the power that the 19 local authority has to run an investigation if it is 20 concerned that a particular child is at risk -- 21 MS SANGHERA: Yes. 22 MS SCOLDING: -- which can ultimately, if appropriate, 23 result in the local authority seeking to exercise its 24 powers of corporate parenting and removing them from the 25 family home; is that correct?</p> <p style="text-align: center;">Page 9</p>	<p>1 MS SANGHERA: That's correct. 2 MS SCOLDING: Thank you. Sorry, Ms Sanghera. I interrupted 3 you midflow. Please carry on with the rest of your 4 answer. 5 MS SANGHERA: That's fine. So that's my role. It is one of 6 independent scrutiny. I attend the non-exec board 7 meetings and I also chair those meetings. 8 MS SCOLDING: Okay. Mr Tilby, turning now to you, is it 9 right that arrangements in Birmingham have gone through 10 a similar evolution? Ms Thompson sets this out at 11 paragraph 10 of her witness statement, which is, Danny, 12 BMC000047_003, paragraph 10 and paragraph 11. This is 13 Ms Thompson. Mr Tilby, perhaps you would like to tell 14 us about the arrangements in Birmingham? You obviously 15 work for a trust, so possibly to explain the arrangement 16 there as well. 17 MR TILBY: Yes. It is a very similar arrangement. 18 Following the Wood Review, Birmingham was invited to be 19 an early adopter, but went a little bit early in terms 20 of setting up what was a kind of shadow partnership. 21 The partnership arrangements were launched on 22 1 April 2019. The arrangements are similar to as has 23 just been described in terms of those three key 24 statutory partners and they form the kind of equal kind 25 of partnership in terms of executive.</p> <p style="text-align: center;">Page 10</p>
<p>1 In terms of the Birmingham Children's Trust, because 2 we are a trust set up, in effect commissioned by the 3 Birmingham City Council, to provide statutory social 4 care, we have a membership on the children's 5 partnership, but we are technically a relevant partner. 6 It's the council, West Midlands Police and the 7 commissioning group that are the three equal statutory 8 partners as part of that executive. 9 MS SCOLDING: The trust operates on a day-to-day basis and 10 provides the statutory services on behalf of, in effect, 11 the local authority in this respect? 12 MR TILBY: Yes, that's correct. Statutory social work, 13 which would include family support services as well. 14 But providing statutory social work in line with what 15 has just been described in section 17 and section 47 of 16 the Children Act. 17 MS SCOLDING: As I understand it, the reason that it is 18 a trust was because there have been concerns about, 19 shall we say, the management and effective operation of 20 Birmingham Children's Services for a number of years; is 21 that a correct assumption? 22 MR TILBY: Yes, that would be correct. A number of Ofsted 23 inspections have deemed previous social care to be 24 inadequate. I'm pleased to say at the Children's Trust, 25 we're now on a path to (interference). Been advised by</p> <p style="text-align: center;">Page 11</p>	<p>1 Ofsted. 2 MS SCOLDING: Mr Baldwin, turning to you, do you operate 3 similar safeguarding partnership arrangements within the 4 London Borough of Tower Hamlets or have you chosen to 5 operate a slightly different mechanism and partnership? 6 Perhaps you'd like to tell us about that? 7 MR BALDWIN: Yes. Obviously the arrangements that we have 8 are very, very similar to -- as Ms Sanghera has 9 outlined. The only kind of difference is that we 10 call -- we have named the role that she has as our lead 11 scrutineer, but as she has outlined, it sounds very 12 similar. There is clearly a level of scrutiny involved 13 in her role, but we chose to call it a slightly 14 different name. 15 MS SCOLDING: Thank you very much. Now that we know what 16 the operational structure is of the children's 17 partnership, under the new multi-agency safeguarding 18 arrangements, you have to set out in your published 19 arrangements which organisations and agencies you work 20 with to safeguard and promote the welfare of children. 21 As public bodies, you are all under a duty under 22 section 11 of the Children Act 2004 to safeguard and 23 promote the welfare of children and you're under a duty 24 to all co-operate with each other, as public bodies, in 25 doing so.</p> <p style="text-align: center;">Page 12</p>

<p>1 You can engage what's known as relevant agencies --</p> <p>2 that's what the statutory guidance calls them -- other</p> <p>3 relevant agencies, which can include religious</p> <p>4 organisations within them.</p> <p>5 Mr Baldwin, turning to you first, do you have any</p> <p>6 faith organisations as relevant agencies in your area</p> <p>7 and are part and parcel of the partnership?</p> <p>8 MR BALDWIN: No, we don't.</p> <p>9 MS SCOLDING: I will come on to Ms Sanghera and Mr Tilby in</p> <p>10 a minute, because, Mr Baldwin, what I wanted to explore</p> <p>11 with you is, in order for you to be able to co-opt</p> <p>12 people into being relevant agencies, firstly, if you are</p> <p>13 a relevant agency, what, if any, does that mean that the</p> <p>14 organisation has to do with you or you can do with it,</p> <p>15 Mr Baldwin, on a practical level?</p> <p>16 MR BALDWIN: A lot of the relevant agents will have, as part</p> <p>17 of their remit, a very clear role in relation to the</p> <p>18 welfare of children. That's probably the easiest way</p> <p>19 that I can put that.</p> <p>20 MS SCOLDING: So it enables everybody who has something to</p> <p>21 do with the welfare of children to work together, in</p> <p>22 effect, and create a sort of strategic plan which</p> <p>23 everybody buys into.</p> <p>24 MR BALDWIN: Typically, it would be some of our schools, it</p> <p>25 could be voluntary organisations in the community, but</p> <p style="text-align: center;">Page 13</p>	<p>1 with a very specific remit and focus around the welfare</p> <p>2 of children.</p> <p>3 MS SCOLDING: Is there any particular reason why you don't</p> <p>4 have any religious organisations as relevant partners at</p> <p>5 the moment, Mr Baldwin?</p> <p>6 MR BALDWIN: I think the answer to that goes very much to</p> <p>7 the heart of some of the conversations that I think you</p> <p>8 want us to have today, which is, it's that difficulty in</p> <p>9 engaging some of our faith organisations in that and</p> <p>10 really making sure that that conversation has very much</p> <p>11 a safeguarding kind of focus to it.</p> <p>12 MS SCOLDING: One of the first things, if you wanted</p> <p>13 a religious organisation to be a relevant partner, is,</p> <p>14 you would need to know which ones exist in your local</p> <p>15 area and what they do. Is there any mapping system or</p> <p>16 any way of knowing what religious organisations exist in</p> <p>17 your area, Mr Baldwin?</p> <p>18 MR BALDWIN: There is no mapping system. As I set out in</p> <p>19 the statement, one of the challenges that we have</p> <p>20 particularly in our borough is that a number of these</p> <p>21 organisations are very fluid. They start, they stop,</p> <p>22 they close down, they reappear under different names</p> <p>23 with slightly different personnel. So the mapping of</p> <p>24 those organisations is very difficult and, if we were to</p> <p>25 do it, it would be very time consuming.</p> <p style="text-align: center;">Page 14</p>
<p>1 MS SCOLDING: Is there any kind of easy way for you to</p> <p>2 identify -- obviously some organisations would register</p> <p>3 with your registrar services to carry out marriages and</p> <p>4 funerals, I would assume?</p> <p>5 MR BALDWIN: Yes.</p> <p>6 MS SCOLDING: They would have to register with you for</p> <p>7 funerals, I know they do for marriages. Is that a way</p> <p>8 for you to recognise religious organisations or does</p> <p>9 that just capture a tiny number of them?</p> <p>10 MR BALDWIN: You're absolutely right. Registration would be</p> <p>11 one way of doing this. But, again, you know, the</p> <p>12 central question here is, should that be voluntary or</p> <p>13 should it be compulsory, because, clearly, a voluntary</p> <p>14 scheme, you may not capture everyone that is undertaking</p> <p>15 that role.</p> <p>16 MS SCOLDING: Mr Baldwin, that was a very helpful answer,</p> <p>17 but, in fact, I think I was not as clear as I should</p> <p>18 have been in the question I asked, which is: a way you</p> <p>19 can know whether some religious organisations from your</p> <p>20 area is through your registrars of births, deaths and</p> <p>21 marriages, because, if you want to carry out marriages,</p> <p>22 you have to register as a religious organisation that</p> <p>23 wants to carry out marriages. Would that be an</p> <p>24 effective way of finding out which religious</p> <p>25 organisations were in your area?</p> <p style="text-align: center;">Page 15</p>	<p>1 MR BALDWIN: I guess it would be one way, yes. Yes.</p> <p>2 MS SCOLDING: Have you ever thought about using that as</p> <p>3 a mechanism in?</p> <p>4 MR BALDWIN: No, we haven't.</p> <p>5 MS SCOLDING: You say in your witness statement that,</p> <p>6 although you have a power to audit statutory bodies in</p> <p>7 the statutory sector who look after children in some</p> <p>8 way, shape or form, you have no such powers in respect</p> <p>9 of the faith sector. Is that correct?</p> <p>10 MR BALDWIN: That's correct.</p> <p>11 MS SCOLDING: You also identify at paragraphs 54 to 55 of</p> <p>12 your witness statement -- Danny, this is LBT004244_017.</p> <p>13 It says that, as far as you, as a local authority, which</p> <p>14 is not the entirety of the Safer Children's Partnership</p> <p>15 but obviously is a component of it, you say you have not</p> <p>16 had a comprehensive and resourced strategic plan for</p> <p>17 this area of work, but you have done some work in</p> <p>18 particular with the Muslim community and then you go on</p> <p>19 to talk about some work that you have done with the</p> <p>20 Evangelical African church movement as well.</p> <p>21 Can I identify, is the reason you haven't had</p> <p>22 a comprehensive plan about religious organisations and</p> <p>23 child protection because of local circumstances or</p> <p>24 because of lack of resources?</p> <p>25 MR BALDWIN: I don't think there's any one reason. I mean,</p> <p style="text-align: center;">Page 16</p>

<p>1 both of the reasons that you mentioned play into that, 2 certainly. Certainly resources is a significant one for 3 local authorities these days, and, as I have just 4 outlined, the number of organisations that we have in 5 our borough is a significant number, and they are 6 ever-changing and ever-evolving. So staying on top of 7 that would be, in resource terms, a significant 8 undertaking. 9 MS SCOLDING: We obviously know that if people want to 10 conduct marriages, they would need to register with your 11 registrar and be seen as a suitable place for 12 a marriage. Do religious organisations have to register 13 with you for any other reason? So, for example, food 14 hygiene, fire reasons, health and safety reasons, 15 anything like that, as far as you're aware, Mr Baldwin? 16 MR BALDWIN: No, they don't. 17 MS SCOLDING: Do they have to register with you in respect 18 of tutoring, the provision of after-school clubs, any 19 sort of youth provision? Do they have to register with 20 you at the moment? 21 MR BALDWIN: No. 22 MS SCOLDING: Do some of them voluntarily register or appear 23 on your radar because they want to be part of what's 24 called the local offer of services, because you publish 25 documents about, you know, what's available, where it's</p> <p style="text-align: center;">Page 17</p>	<p>1 going on. Is that a way you can find out about some 2 religious organisations and the work they do with 3 children? 4 MR BALDWIN: It is, and you're absolutely right. Where we 5 have got a relationship or we have developed some good 6 communication with some of those agencies, that can 7 happen if they choose to engage with us like that, yes. 8 MS SCOLDING: Do you provide, at the moment, any grants to 9 any religious organisation who looks after children in 10 respect of youth clubs or holiday club provision or 11 anything like that? 12 MR BALDWIN: I'm not sure I have a definitive -- I could 13 give you a definitive answer on that. No. I could go 14 away and find out, but at the moment I don't know. 15 MS SCOLDING: Thank you very much. 16 Ms Sanghera, if I could turn to you now, at 17 paragraph 11 of your witness statement, you say -- 18 Danny, would you mind getting up LEC000004_004 -- that 19 you have a relevant partner as being the third sector 20 and that that is via an organisation called Young Lives 21 Leeds, which is a forum which supports third-sector 22 organisations that work with children and young people. 23 MS SANGHERA: Yes. 24 MS SCOLDING: Is there a reason why your engagement with the 25 faith sector is via this forum? Is it just for</p> <p style="text-align: center;">Page 18</p>
<p>1 convenience, or was there any particular reason why that 2 vehicle was chosen to be the relevant partner, rather 3 than religious organisations in and of themselves? 4 MS SANGHERA: Young Lives Leeds is an organisation that 5 supports the third sector and, given that we regard 6 faith organisations as identified relevant partner that 7 is within the voluntary and community sector, we use 8 Young Lives Leeds because they have access to these 9 organisations and are working with them. 10 MS SCOLDING: How does having this link help you link into 11 religious organisations on a practical basis? 12 MS SANGHERA: It supports us in a number of ways, because 13 they actively have a membership database and they engage 14 with a number of organisations, of which faith-based 15 communities are one, and we also engage with Young Lives 16 Leeds to disseminate information. So information that 17 we have with regards to safeguarding children and young 18 people that is relevant to the third sector is 19 disseminated through those forums. 20 So we have an active communication role with them 21 also to, basically, our work, to take it to the heart of 22 the organisations they engage with, of which one is 23 faith organisations. 24 MS SCOLDING: Other than obviously the work you have done 25 with Young Lives Leeds, have you done any work mapping</p> <p style="text-align: center;">Page 19</p>	<p>1 the existence of religious organisations who work with 2 children or perform youth activity at all? 3 MS SANGHERA: As a partnership, no, we haven't. 4 MS SCOLDING: Mr Baldwin has touched upon some of 5 the challenges, in terms of not really knowing who they 6 are, where they are, there being no obligation to 7 register. 8 MS SANGHERA: Yes. 9 MS SCOLDING: Is there anything you would like to add about 10 that, over and above that which Mr Baldwin has said, in 11 respect of the difficulty of identifying who is it who 12 is doing what in your local area? 13 MS SANGHERA: I have to concur with what Mr Baldwin has said 14 here, because we have no idea how many organisations 15 there are, particularly in terms of the smaller 16 organisations. 17 In terms of faith-based organisations, one of 18 the areas where we know they are engaging is on the 19 website. So our website has got a lot of information on 20 there with respect to support for faith organisations 21 and we are able to get the analytics in relation to how 22 many are engaging on those pages. 23 MS SCOLDING: So there is sort of some mechanism? 24 MS SANGHERA: Yes. 25 MS SCOLDING: As part and parcel of some work that Leeds</p> <p style="text-align: center;">Page 20</p>

<p>1 have done in safeguarding within faith communities, 2 there is a project that was undertaken by Voluntary 3 Action Leeds, a safeguarding body, back in 2016/2017. 4 MS SANGHERA: Yes. 5 MS SCOLDING: Chair and panel, it is behind tab 24 of 6 the bundle. Danny, it is LEC000007_001. 7 There was a faith communities product -- Danny, if 8 you wouldn't mind getting up _003, which explains, 9 really, the background. So it was a pilot project 10 specifically to work with groups and organisations 11 within faith communities. 12 MS SANGHERA: Yes. 13 MS SCOLDING: Could you tell us a little, Ms Sanghera, about 14 what the project involved and then we will come on to 15 discuss what the outcomes were from that? So, 16 Ms Sanghera, could you tell us a little bit about how 17 this project worked, if you wouldn't mind? 18 MS SANGHERA: Absolutely. So this is an example of working 19 with Voluntary Action Leeds, the organisation that works 20 with the third sector, of working with us as 21 a partnership. At the beginning of the pilot, there was 22 an agreement between ourselves and Voluntary Action 23 Leeds in terms of what the outputs would be, the 24 objective being to improve an understanding and 25 responsibilities towards safeguarding of children and</p> <p style="text-align: center;">Page 21</p>	<p>1 young people across religious institutions. 2 The outputs are there in terms of the project, in 3 terms of what we aim to deliver, and the agreement would 4 be that VAL -- Voluntary Action Leeds -- would produce 5 an evaluation report. 6 If you go over to the next pages, you will see it is 7 grouped into groups A, B, C. So these are the 8 organisations that VAL worked with. The important thing 9 to note is that this was as a result of a referral to 10 the LADO. So where there's a referral to the LADO, 11 there's been a concern of a safeguarding concern. So 12 actually it's that that initiates the engagement with 13 the organisation, there's an opportunity. 14 MS SCOLDING: In effect, there were four groups which had 15 all had problems which resulted in referral to the LADO, 16 not necessarily about sexual abuse, but about -- in one 17 case, in group A, it's to do with physical chastisement; 18 in group B, it was they'd been subject to a number of 19 historical disclosures. 20 MS SANGHERA: Yes. 21 MS SCOLDING: In group C, there had been referral to the 22 LADO following concerns, and they were a madrassa, and 23 in group D they had been investigated by West Yorkshire 24 Police in respect of issues around child protection, 25 including possible sexual exploitation.</p> <p style="text-align: center;">Page 22</p>
<p>1 So you basically met with these organisations, 2 attempted to find out what they knew, what they didn't 3 know, and try and signpost them, in effect, to better 4 governance and management; is that a broad summary of 5 the work you did -- the work Voluntary Action Leeds did. 6 MS SANGHERA: Also met with the group to hear their 7 concerns, and also in terms of training. Training was 8 delivered to them. But also an opportunity to engage 9 with their governance structure, so with their trustees 10 also. 11 MS SCOLDING: So the conclusions of that we can see that the 12 key findings from the pilot project are at _009. Danny, 13 do you mind getting that up? LEC000007_009. "Key 14 findings are". Would you mind just talking us through 15 what, in effect, you found out from this particular 16 project? 17 MS SANGHERA: Yes. So the first thing was that these 18 groups, on a local level, respond to support at 19 a community level. So one of the things that was noted 20 of this report is that the need to have one-to-one 21 engagement was key. Some of them were relatively small 22 groups, of under 18 children, and they were not huge 23 organisations, and their knowledge, being a small group, 24 also limited their understanding of safeguarding. 25 Actually, some of them said that, because they were</p> <p style="text-align: center;">Page 23</p>	<p>1 small, they didn't actually think they needed to have 2 a safeguarding process, for example. So there was an 3 opportunity to talk about that. 4 The second one is, support from outside the 5 community is viewed as more preferable. That is also 6 linked to the fact that there's less stigma attached to 7 going outside of the community and seeking that guidance 8 and support on safeguarding issues. It was a bridge 9 where the religious leaders felt that they could become 10 the individuals to reassure people within the 11 organisation once they had the knowledge. 12 MS SCOLDING: Right. So it was a case -- it seems clear 13 from that that there's need for there to be really very 14 direct engagement on a nonjudgmental level. 15 MS SANGHERA: Yes. 16 MS SCOLDING: People who understand cultural and religious 17 sensitivities. 18 MS SANGHERA: Absolutely. The fact that VAL, Voluntary 19 Action Leeds, are not part of the statutory sector made 20 them more well placed, actually. 21 MS SCOLDING: Why is that? 22 MS SANGHERA: Well, because, within communities, there is 23 this almost nervousness around the statutory sector 24 becoming involved in terms of social care, in terms of 25 police, in terms of the fact that the third sector</p> <p style="text-align: center;">Page 24</p>

<p>1 doesn't have that statutory function. So they felt 2 safer in that space. That is another reason why we 3 engaged with the third sector in this way, to engage 4 with faith organisations. 5 Then the third bullet point, an awareness of 6 safeguarding but a perception that small organisations 7 are exempt. I think I have made that point already. 8 MS SCOLDING: Can I just double-check, so we are clear about 9 the timescale of this. These are all organisations 10 which had been referred to the LADO between 2016 and 11 2017. So this is fairly recent. This is within the 12 past five years that these organisations have been 13 referred. 14 MS SANGHERA: Yes. 15 MS SCOLDING: Just to double-check that. Right. 16 MS SANGHERA: And that the involvement of the wider 17 community is important. I mean, this came from the -- 18 working with the groups, which I think is really 19 positive, actually. 20 So all the groups talked about varying degrees of 21 the difficulties faced in getting the wider community on 22 board. 23 MS SCOLDING: What are the difficulties getting the wider 24 community on board with the safeguarding agenda? What's 25 meant by that? Who doesn't want to get on board and</p> <p style="text-align: center;">Page 25</p>	<p>1 why, if you know? 2 MS SANGHERA: Again, it goes back to this nervousness around 3 talking about the issues of abuse within the 4 communities, and this almost -- and I'm speaking as an 5 individual now. This is my view. It's not part of this 6 report, if I may. Almost an impenetrable wall of 7 silence that exists where to talk about these issues is 8 quite taboo. And that taboo extends across the 9 communities whereby in some shape or form there's almost 10 a cultural belief and practice, almost an unwritten code 11 of conduct, whereby silence is a positive thing and not 12 a negative thing in this space, actually, and where 13 a community -- and certainly it was talked about, and 14 I've heard this talked about within my role, whereby the 15 responsibility to silence and the issue around shaming 16 is more important than reporting abuse. 17 MS SCOLDING: The issue around shaming. Would you like to 18 unpack that for us a little more, if you may? 19 MS SANGHERA: Yes, sure. So shame and the responsibility to 20 shame, the responsibility to upholding the honour within 21 the community, is important, and the role that -- 22 MS SCOLDING: When you say "community", what community do 23 you mean? Do you mean all religious communities or any 24 particular religious communities in which ideas of shame 25 and honour are particularly problematic, or can be</p> <p style="text-align: center;">Page 26</p>
<p>1 problematic? 2 MS SANGHERA: Again, speaking from my experience of working 3 with communities, not in my role as independent chair, 4 I am talking about South-Asian communities. They cut 5 across all religions -- Hindu, Islam, Sikhism, 6 et cetera. So within my experience of working in 7 communities, there is not an openness to want to talk 8 about the issues of child abuse, child protection or 9 safeguarding arrangements. There is more a likelihood 10 to deal with it in-house and to deal with it within the 11 community. So to speak outside is breaking the silence, 12 and to speak outside is a cause of shame. 13 So the fact that this report highlights the 14 involvement of wider community as a positive thing is an 15 opportunity to build on. That's how I see this. 16 MS SCOLDING: Right. Okay. What do you think could be done 17 to try and build on that, on a very practical basis? If 18 you've got a group saying, "Look, we really want to get 19 the wider community on board" -- Danny, would you mind 20 getting the document up again? LEC000007_009. Let's 21 look back at the document. It says that the main 22 barrier to effectively implementing their policies and 23 procedures was the difficulties in getting the wider 24 community on board. So there was clearly a need, it 25 said, for community to receive information about</p> <p style="text-align: center;">Page 27</p>	<p>1 policies and procedures within an organisation and feel 2 confident: 3 "... there is a clear need for safeguarding to be 4 owned by the group and community. Having respected 5 community members who recognise the importance and 6 benefits of safeguarding is expected to lead to better 7 community engagement." 8 I suppose the question in my mind is, how do you do 9 that on a practical level? What does it practically 10 involve in order to get the community on board with 11 safeguarding in this respect? 12 Ms Sanghera, maybe we should identify now, you have 13 identified that you are the independent chair of 14 the Leeds Safer Children's Partnership -- I managed to 15 get it right that time. Perhaps you would like to just 16 explain briefly, when you said, "I'm speaking personally 17 from my role working with various forms of 18 the South-Asian community", just a little bit about your 19 background in the third sector and non-governmental 20 organisations and charitable organisations in that 21 respect? 22 MS SANGHERA: Yes. Well, my -- I spent 25 years working 23 within the third sector. I founded a charity that 24 supports victims of forced marriages and honour-based 25 abuse. I, myself, am a survivor. I have experience --</p> <p style="text-align: center;">Page 28</p>

<p>1 I have a deep understanding around how religion is used 2 as a tool to oppress individuals and to silence 3 individuals from my own family dynamic. So I have that 4 understanding. 5 I have worked directly with victims who have been 6 affected within religious organisations and unregulated 7 institutions as well. 8 So I can speak from that background, if it is 9 helpful to the inquiry, actually. 10 MS SCOLDING: The organisation you founded, Karma Nirvana, 11 we have somebody coming tomorrow, but you are a founder 12 of that organisation, just so we are absolutely 13 transparent about your role and background in that 14 respect. 15 MS SANGHERA: Yes, I am founder. I stepped down as chief 16 executive in 2018. 17 Just to make one point, in one of the groups here in 18 this document, you could see the nervousness of one of 19 the organisations in wanting to engage, even with 20 Voluntary Action Leeds, and they requested a local 21 councillor attend the meeting. 22 MS SCOLDING: LEC000007_007. This is group D. 23 MS SANGHERA: Yes. 24 MS SCOLDING: If we could just get that up quickly, Danny, 25 if you wouldn't mind. Thank you very much, Ms Sanghera,</p> <p style="text-align: center;">Page 29</p>	<p>1 that's very helpful. Let's just pause while Danny gets 2 it up: 3 "Arranged initial meeting with the chair of the 4 board which was also attended by a councillor who had 5 been concerned about the referral." 6 MS SANGHERA: The reason I raise that point is because, in 7 my opinion, it is a very important point, because we 8 have to think about those in positions of power and 9 influence, and that individual was able to broker that 10 conversation. 11 So in terms of moving forward, I do believe that, 12 within these communities, people of influence are very 13 often the leaders, and they also involve political 14 leaders -- be it politicians, be it councillors, be it 15 religious leaders, et cetera. They are the individuals 16 that communities will look to for guidance and advice, 17 but they also are in a position whereby they can have 18 a role in speaking about these issues to give people 19 permission to talk about them. 20 MS SCOLDING: How do we get the leaders on board? Because 21 there is an issue -- your organisation and others who 22 are coming to talk to us tomorrow have said one of 23 the difficulties is that people appoint themselves 24 leaders of the community who aren't necessarily leaders 25 of the community and who may have more socially</p> <p style="text-align: center;">Page 30</p>
<p>1 conservative views, shall we say, may be interested in 2 keeping the status quo rather than changing things. How 3 can you get those religious leaders on board? What can 4 happen? Is it something which is mandatory or is it 5 something which really needs to work from deep and 6 intensive voluntary engagement? 7 MS SANGHERA: I think you need both, actually. First and 8 foremost, those people in a position of responsibility 9 are engaging with partnerships. So they are engaging 10 with people on a local authority level, engaging with 11 partnerships and, therefore, we have a responsibility to 12 make them aware of their duty and their role in relation 13 to that duty, and I feel that needs to be spelt out. 14 MS SCOLDING: Sorry, Ms Sanghera, I don't mean to interrupt 15 you. I was just going to say, Danny, would you mind 16 getting the document down. Otherwise, obviously, 17 Ms Sanghera is just in the corner rather than in the 18 centre. Thank you. 19 MS SANGHERA: So there is an opportunity to engage with 20 those leaders who we engage with across all partners, to 21 have a conversation with them about, you know, "What do 22 you understand about safeguarding? What is your role in 23 relation to this?", and if they don't feel they have 24 a role in relation to that, then we should be thinking 25 about what that role means and actually spelling that</p> <p style="text-align: center;">Page 31</p>	<p>1 out, and understanding how they will be communicating 2 that to the communities across the city. 3 MS SCOLDING: Do you think it is a case of religious leaders 4 just not realising that they can have a role, or 5 actively avoiding having the leadership role in respect 6 of child protection? 7 MS SANGHERA: I think there is some mileage to say that some 8 of them don't know what the role is. However, within 9 the communities, there is this avoidance of wanting to 10 talk about it because it's not a popular issue; it 11 requires you to raise your head above the parapet. 12 You're not going to be liked for this. And I will say 13 that from experience of campaigning an issue where it 14 was a taboo issue within a community. 15 But, again, we have to hold them to account if they 16 are in that position of influence. 17 Going back to your point, Fiona, earlier, about 18 representatives representing victims who may be affected 19 by these issues, I have to say that it is really 20 important to have representatives who are women as well 21 as men, because, you know, in the history -- and I speak 22 again from my personal view -- I have not seen those 23 leaders within my community representing the issues that 24 I was experiencing, not being able to report abuse 25 because of the fear of shaming, the fear of taboo, the</p> <p style="text-align: center;">Page 32</p>

<p>1 fear that community and family members would align 2 themselves with the perpetrator and the victim would be 3 blamed. 4 So I think it is really important that, where we 5 engage with leaders, we are also thinking about 6 cross-engagement. Again, the third sector is well 7 placed to organise groups with women, to hear their 8 voices within that space. 9 MS SCOLDING: I think yesterday we did ask -- certainly we 10 had representatives from -- both on Tuesday and 11 Wednesday, we asked about the gender balance of trustees 12 and senior management within various religious 13 organisations and bodies, and there was a variation. On 14 some occasions, there was a relatively equal balance; on 15 other occasions, there wasn't. From your experience and 16 expertise in this area, is there a need for religious 17 organisations to have more women at a trustee level or 18 senior management level in the context of religious 19 organisations, and is it practical to expect that to 20 happen, or are there other ways in which women need to 21 become engaged, to take a leadership role in the context 22 of child protection and safeguarding within these 23 communities? 24 MS SANGHERA: In my view, I feel there is an absolute need 25 to have women in that leadership role, but it may be</p> <p style="text-align: center;">Page 33</p>	<p>1 that they need to have the permission to be in those 2 leadership roles. 3 I remember going to a Bangladeshi community centre 4 once in the north-east -- I won't name the city -- and 5 I was talking about -- (inaudible) protection orders in 6 this space. As I walked in, there were pictures of 7 people on the committee and there were two black 8 shadows, and you could see all the men. I asked the 9 question of who were the black shadows, and I was told, 10 "Oh, they were women, but we don't show their faces". 11 I really struggled with that. Because the fact that 12 they were invisible women but had a role, it almost felt 13 tokenistic, if I may say that, in all honesty. 14 I have to say that the community conversations, in 15 terms of raising the issue, women will also understand, 16 and I speak from experience, that you do face being 17 ostracised for speaking out. 18 So we do need men in their leadership roles to be 19 supporting the roles of women. 20 The denial of the fact that abuse even exists is 21 a real issue. If communities acknowledged it, it would 22 make it easier for us to tackle it. 23 MS SCOLDING: So the first thing that needs to happen is 24 people need to say, "This happens". 25 MS SANGHERA: Yes. Absolutely. Because to say that this</p> <p style="text-align: center;">Page 34</p>
<p>1 happens breaks the secret. It actually enables parents 2 to have the conversation. Because in my experience, 3 community pressure leads to parents withdrawing 4 complaints or not wanting to speak about the issue. 5 Parents don't want their children to be abused. But 6 they do want to seek support and that support very often 7 is going to be directed inwardly to communities as 8 opposed to outside, because of the reasons I have 9 already talked about. 10 MS SCOLDING: Ms Sanghera, just to sort of discuss that 11 a little more. Firstly, obviously sexual abuse has been 12 taboo not just within the South-Asian community, but 13 within all communities in this country, until very 14 recently. Is the South-Asian community in a different 15 place from your personal perspective than other 16 communities are in 2020? What's the difference? 17 Because you could say, well, shame, secrecy, not 18 reporting, that's something we, as an inquiry, have 19 heard across different strands, from people who have no 20 faith and belief at all to people in religious 21 organisations. So what's different in respect of 22 the South-Asian community, if anything? 23 MS SANGHERA: I think the first thing that I would say is 24 different is, when we think about cultural traditions 25 and beliefs of family, it can lead to abuse. So the</p> <p style="text-align: center;">Page 35</p>	<p>1 belief that children and young people are property of 2 parents; the belief that physical chastisement, 3 reasonable chastisement, is acceptable. The fact 4 that -- the responsibility that I have, as a woman, to 5 my family in adhering to those practices and codes is 6 something that I am taught is important to family. As 7 a young person, I love my family. I don't want to let 8 my family down, and I have that responsibility and 9 I carry that responsibility, which is reinforced within 10 religious organisations and unregulated institutions to 11 me over and over again. 12 So then my rights and wrongs become skewed, 13 actually, if that makes any sense, because -- 14 MS SCOLDING: It does. But I suppose, to a degree, that's 15 present in the context of all family structures, isn't 16 it? All family structures reinforce a series of codes 17 about acceptable behaviour and unacceptable behaviour 18 and what's appropriate and what's not and what is -- you 19 know, some people would say it's doing the right thing 20 and doing the right thing is X and Y and Z. 21 Is there a particular slant or skew in the 22 South-Asian community about what the right thing is when 23 it comes to the behaviour of women and girls that is out 24 of step with people of other religions or people who are 25 secular in that respect? Or different to. "Out of</p> <p style="text-align: center;">Page 36</p>

<p>1 step" is the wrong word; different to, in terms of 2 the cultural norms and expectations. 3 MS SANGHERA: I would say -- and having supported thousands 4 of victims in this space, and advocated -- you know, one 5 of the expectations around female sexuality, for 6 example, and the need to be modest, the need to act in 7 a certain way whereby, you know, you have to protect 8 your virginity, you have to protect your sexuality, and 9 it's linked to family and it's linked to family honour. 10 So the honour of the family is invested in how I behave, 11 my dos and what I don't do. 12 If I were to report, say, for example, sexual abuse, 13 I could be perceived as somebody who has violated 14 herself and who has lesser honour as opposed to somebody 15 else. So, in fact, I'm damaged goods, let's just say. 16 So that would affect my family, the reputation; you 17 know, the elders not wishing to accept that I was abused 18 and my parents being pressured to deal with me, not as 19 a victim, but as somebody that allowed this to happen. 20 MS SCOLDING: Ms Sanghera, that was a slight -- we have gone 21 slightly off-piste from where we started. That's 22 absolutely fine. Thank you very much. 23 Mr Tilby, if I could come to you briefly just before 24 the break, I understand that the Birmingham Council of 25 Faiths has been identified by the Birmingham Safer</p> <p style="text-align: center;">Page 37</p>	<p>1 Children's Partnership as one of its relevant agencies. 2 Can you tell us about the Birmingham Council of Faiths, 3 who it's made up of and why that was chosen to be the 4 relevant agency, why it was being co-opted in that way, 5 Mr Tilby? 6 MR TILBY: Yes, it is perhaps just worth saying a little bit 7 about context in terms of Birmingham, because I think 8 that's quite important. Obviously, it's the second 9 biggest city in the UK, the size of the population is 10 1.14 million, 42 per cent are from black and minority 11 ethnic groups, 50-plus languages. The 2011 census 12 indicates that 800,000 people -- around 75 per cent -- 13 have a faith. Now, that doesn't mean that they're all 14 practising, but I think the context of diversity, of 15 poverty as well. So that, I think, is some of 16 the challenge of the size of the system, and I think for 17 any local authority or any safeguarding partnership, 18 trying to promote safeguarding across a big system where 19 it's not just about safeguarding children 20 partnerships -- there's adult safeguarding boards, 21 there's community safety partnerships, there's 22 neighbourhoods and stuff. 23 So I think that's the kind of context of 24 the challenge. You talk about sort of mapping and, you 25 know, I think that is a challenge for us all in terms of</p> <p style="text-align: center;">Page 38</p>
<p>1 knowing actually what religious communities are there. 2 The safeguarding partnership decided that the best 3 way of engaging all these different faith groups and 4 denominations was to have an umbrella body -- 5 MS SCOLDING: Mr Tilby, could I stop you slightly, which is, 6 obviously, as you have given evidence to the inquiry 7 before, you know that there are usually two ladies 8 typing very hard. They are still typing very hard, and 9 you're speaking just a little bit quickly. So if you 10 wouldn't mind just slowing down slightly. 11 MR TILBY: No problem. So, yes, Birmingham Safeguarding 12 Children Partnership thought the best way to engage 13 the different range of faith groups and denominations 14 was to have kind of an umbrella organisation, so 15 Birmingham Council of Faiths. So that has 16 representation membership from 11 faiths. Its kind of 17 primary aim is to promote interfaith relationships, to 18 promote dialogue between faiths, to have a kind of 19 public voice. 20 So we have something called -- one of 21 the challenges, I think, of the change from Local 22 Safeguarding Children Boards to safeguarding 23 partnerships is that the executive membership is 24 a smaller group of people. 25 When I used to be part of a safeguarding board, you</p> <p style="text-align: center;">Page 39</p>	<p>1 might have 30, 35, 40 partners sitting around the table, 2 which would give you the opportunity to have a broader 3 range of partners and including maybe even lay members 4 as well that may represent the community. 5 So I think we have something called the Safeguarding 6 Leaders Assembly, which is an opportunity, chaired by 7 the independent chair, to bring those broader partners 8 together, safeguarding leaders, across the different 9 systems. Birmingham Council of Faiths would be part of 10 that and attended the last safeguarding assembly in 11 last October. 12 So we see them as a vehicle to have a dialogue with 13 those different faith groups, and that's what we are 14 currently in, in terms of -- you know, we will perhaps 15 come on to talking about section 11 audits a bit later 16 and how we might do that in Birmingham via the 17 Birmingham Council for Faiths. They are the key kind of 18 body we will talk to. That doesn't say there aren't 19 other faith groups represented in other partnerships, 20 and I think that's the challenge of this kind of mapping 21 of, who are the best people to talk to that can bring 22 some sort of representative kind of voice, if you like, 23 from those different denominations. I think that's the 24 challenge. 25 MS SCOLDING: So you, like other organisations, there is no</p> <p style="text-align: center;">Page 40</p>

<p>1 sort of list, map, you don't have a mapping of any 2 religious organisations within your local authority? 3 MR TILBY: No, we don't, but, again, I think it is part of 4 the challenge of the system. So I suspect in parts of 5 the partnership working and the arrangements with the 6 council or Community Safety Partnership, there are 7 elements of -- not registers as such, but intelligence. 8 So out of schools, we will come on to later, we have 9 a kind of voluntary database. So there will be elements 10 where we have got intelligence there, there will be 11 other places where I think, if we could bring that 12 together in a more coherent way, it would give us 13 a better understanding. 14 I don't know how many worship settings there are, 15 places of worship, across Birmingham. It's likely to be 16 hundreds, probably in the thousands, given what I said 17 about the number of people -- the population of 18 Birmingham and the diversity of Birmingham. I think our 19 challenge and our dialogue with Birmingham Council for 20 Faiths will be about how do we get a better sense of 21 the overall picture and where do we target the sort of 22 work that we need to do. 23 MS SCOLDING: I note the time, chair. Mr Tilby, we are 24 going to pick that up after the break. But, chair, if 25 we may have, with your permission, chair, the 15-minute</p> <p style="text-align: center;">Page 41</p>	<p>1 break now. 2 THE CHAIR: Thank you. We will return at 11.45 am. 3 MS SCOLDING: Thank you very much. Thank you all. 4 (11.30 am) 5 (A short break) 6 (11.45 am) 7 MS SCOLDING: Mr Tilby, if I can turn back to you, we had 8 just started talking with you about the Birmingham 9 partnership and the Birmingham Council of Faiths, and 10 you were exploring the fact that you didn't really know 11 what organisations there were and what they did. 12 One way of you finding out is something called 13 a section 11 audit. Can you tell us a little bit about 14 what a section 11 audit is and what it asks 15 organisations to do? 16 MR TILBY: Yes. So section 11 is section 11 of 17 the Children Act 2004, which is fundamentally the duty 18 to safeguard. It really is about the arrangements that 19 key agencies should have in place regardless of who they 20 are. Working Together guidance in 2018 is very clear 21 that, actually, not just the statutory sector, but 22 partners like the voluntary sector and faith 23 organisations should adopt the same approach. 24 So what we try to do with the section 11 audit is 25 really look at how organisations organise themselves, in</p> <p style="text-align: center;">Page 42</p>
<p>1 terms of leadership around safeguarding; do they have 2 a designated safeguarding lead; have they got policies 3 and procedures that are clear. So, for example, does 4 anybody in the organisation know what to do if they're 5 worried about a child, who would they talk to, how would 6 a referral be made to the statutory sector? What 7 training people have, what their safer recruitment 8 processes look like. How they may include the voices of 9 children and of people in the organisations. So there 10 are a range of standards, if you like, and we have 11 developed that into -- as most safeguarding partnerships 12 will do this, a section 11 self-assessment for partner 13 organisations. 14 I think the challenge for partnerships is that much 15 of the focus -- and certainly in Birmingham it has been 16 about statutory partners, making sure they are compliant 17 with section 11. The challenge for us -- and we are 18 just beginning to step into this -- is about how, then, 19 we have what I would say is a slightly lighter touch, 20 maybe a more proportionate approach, with religious 21 organisations. One of the things Ms Sanghera was just 22 talking about was the diversity of size of some of 23 the religious organisations, and perhaps easier to go to 24 the Church of England or the Catholic Church or maybe 25 Green Lane Mosque and say, "Do a section 11 audit, be</p> <p style="text-align: center;">Page 43</p>	<p>1 part of this", but some of the very small organisations, 2 faith-based organisations, that lack infrastructure will 3 look at you and say, "I don't know where to start". 4 MS SCOLDING: In fact, we have evidence about that from the 5 Union of Orthodox Hebrew Congregations, who say they 6 have been approached by local authorities where they 7 live and asked to perform a section 11 audit and they 8 say, "But there are two of us and we are only volunteers 9 and we don't know what most of this terminology means". 10 So is a way forward the construction of some form of 11 audit tool that local authorities can send out to 12 religious organisations that recognises that they won't 13 necessarily understand the jargon and recognises the 14 volunteer nature of much of the child protection lead 15 work that's done there? 16 MR TILBY: Yes. I think there are two things. We developed 17 something which we call the safeguarding toolkit for 18 faith organisations, which is part of Ms Thompson's 19 statement. I think the chair and panel will have 20 access -- 21 MS SCOLDING: Let's maybe have a look at the safeguarding 22 toolkit. This, as I understand it, has been developed 23 with Birmingham University and the LADO. Danny, would 24 you mind bringing it up, please, BMC000005_001. I don't 25 have the tab number, chair and panel. I can just have</p> <p style="text-align: center;">Page 44</p>

<p>1 a quick look. It is tab B26, chair and panel. 2 Now, this was designed in 2015, as I understand it. 3 Can you summarise, what's the purpose of this toolkit 4 and who is it aimed at? 5 MR TILBY: First of all to say it was also developed with 6 Faith Associates, and they gave evidence to the inquiry 7 earlier this week. It was important, I think, that we 8 engaged a variety of people to develop this toolkit that 9 had experience of coming from the faith sector. So it 10 wasn't something that was seen as the local authority or 11 a secular kind of body imposing something. 12 So I think the primary aim is for those 13 organisations -- small, medium or large -- in the faith 14 settings to have a step-by-step process to work through. 15 There are other examples of this -- the NSPCC have 16 similar processes, that's one of its bases of 17 approaches. This was really to try and kind of journey 18 with people. One of the things I think is really 19 important, the challenge presents for us, is to give 20 somebody a section 11 audit or even a toolkit and say, 21 "Here it is. Go and do it", and like a bit of 22 a checklist, I think it has limited value. 23 So whilst this takes people through steps about how 24 they can move towards better safeguarding arrangements, 25 the importance of community work that sits behind this</p> <p style="text-align: center;">Page 45</p>	<p>1 is something I really want to stress, and particularly 2 we focused on this with the out-of-schools settings, is 3 that you do have to have relationships, local 4 relationships, with the council and with the partnership 5 to build up some trust and actually journey with people 6 as they complete this process, rather than just saying, 7 "Here it is, go away and do it". 8 But this is really aimed at those organisations, to 9 help them go through those steps, look at policies, look 10 at safer recruitment, how well are they doing, make sure 11 they have the right things in place and that there is 12 a greater consistency of safeguarding across those 13 settings. 14 MS SCOLDING: It is largely aimed, as I understand it, about 15 out-of-school or supplementary settings. That's what it 16 was largely devised for. Is that right? 17 MR TILBY: Yes. I think the issue that we were identifying, 18 as I said earlier on, is some of the work that the LADO 19 service was doing, identifying issues, particularly in 20 out-of-school settings, concerns about very small 21 organisations or even small -- you know, madrassas 22 meeting in a home, for example. So I think we were 23 really trying to be on the front foot, in a sense. Some 24 of our responses are reactive, inevitably, as a LADO 25 service. You have an allegation, you go through</p> <p style="text-align: center;">Page 46</p>
<p>1 a process. Then the LADO service kind of walks away and 2 gets on with the next kind of job, if you like. 3 MS SCOLDING: So can I -- we are going to come on to the 4 role of LADOs later, but just for everybody to 5 explain -- for those people who aren't familiar with 6 local authority jargon, what is a LADO and when would 7 somebody be referred to them? 8 MR TILBY: It's a local authority designated officer. The 9 term has changed a little bit in later versions of 10 Working Together, but it's really a team within -- in my 11 context within Birmingham, who would respond to any 12 concerns or allegations against people working with 13 children. Some of those may be working in regulated 14 activity settings, some we might say are in a position 15 of trust. But anybody who is working in any context -- 16 paid or voluntary -- where they may pose a risk to 17 a child or there may be something in their own personal 18 family situation that causes that potential risk to be 19 transferred into the setting. So in the context of 20 a church, it could be not just a vicar, it could be 21 a volunteer who may pose a risk in that voluntary role 22 in terms of working with children. 23 So we would promote the service across the city, 24 anyone who has concerns to ring the LADO service and 25 then they go through a process and usually working with</p> <p style="text-align: center;">Page 47</p>	<p>1 the police, if appropriate. 2 MS SCOLDING: Looking at this in particular -- Danny, would 3 you mind just getting up a couple of pages so we can see 4 what the toolkit looks like. We saw the front page, 5 which looks beautiful, but maybe, Danny, can we get up 6 BMC000051_022 and 023, so we can see an example of 7 the way in which the guide is written and the sorts of 8 things it covers. 9 This is just about safe behaviour when working with 10 children and adults. So it's written in quite a sort of 11 clear, focused manner, Mr Tilby, and the aim of it, I'm 12 assuming, is just to sort of provide a helpful entry 13 point for organisations which are looking to improve 14 their safeguarding standards. Is that right? 15 MR TILBY: Yes, it is, and I think sometimes, when you've 16 worked in safeguarding, and particularly in the 17 statutory sector, you can lose sight of -- you know, we 18 often think about quite complex issues that we deal 19 with, particularly in social care. This is really 20 trying to land it, actually, at more of a grass roots 21 level about, what are the situations you might find 22 yourself in where you have to think about your own 23 behaviour? Those are usually the things people on the 24 front-line will talk about. This is written in a way of 25 the dos and don'ts, helping people to kind of journey</p> <p style="text-align: center;">Page 48</p>

<p>1 with what is safeguarding, why is it important, why do 2 I need policies in place, in terms of how we behave in 3 our organisation, how do we involve children, what are 4 the safer recruitment processes we need to go through 5 and so forth. It is written in a style that hopefully 6 is engaging and people find accessible. 7 MS SCOLDING: Can we have another look at the accessibility, 8 which is _017, Danny, if you wouldn't mind. We can see 9 "Recognising abuse". We can see it is in pictorial 10 form, and "Why do people abuse?", as well. So it is 11 written in a way that even kind of children would be 12 able to understand some aspects of that, I'm assuming. 13 MR TILBY: Yes. 14 MS SCOLDING: Was this just written in English or was it 15 written in other languages as well? 16 MR TILBY: I believe it's available in other languages. I'm 17 not 100 per cent sure about that. Ideally, that would 18 be the case, given the diversity of our community. 19 MS SCOLDING: What feedback have you had on the usefulness 20 of this document? I understand at the moment it's 21 offered, or it has been offered, to supplementary 22 settings, out-of-school settings, supplementary 23 settings -- I think the terms are interchangeable, 24 really -- where a concern is raised but they don't meet 25 the threshold for statutory intervention now. What does</p> <p style="text-align: center;">Page 49</p>	<p>1 that mean, not meeting the threshold for statutory 2 intervention, and how useful has this guide been to 3 those sorts of organisations? 4 MR TILBY: Yes. You will see a number of situations, and 5 I think probably the table that we presented in terms of 6 some of the referrals to the LADO service. Often the 7 outcome isn't what I would describe as a statutory 8 outcome. It either could be a criminal outcome, it 9 could be a child protection outcome or it could be 10 a referral to the Disclosure and Barring Service. Those 11 would be the kind of, in a sense, the statutory 12 outcomes. 13 Often, the situations you find yourselves in are 14 situations where it doesn't meet that threshold. What 15 do we now do? This organisation seems to be presenting 16 with very little understanding of safeguarding. 17 Sometimes you form that view because the leader might 18 come to a strategy meeting and you can clearly see they 19 are trying to get their head around what does it mean to 20 be -- you know, safe practice, and so forth. So this is 21 designed to be helping them move forward, working with 22 them through a kind of community work sort of 23 approach/journey with them to help move them forward. 24 So we don't just sort of walk away as a statutory 25 service and say, "Let's wait until the next allegation".</p> <p style="text-align: center;">Page 50</p>
<p>1 Let's do something proactive to actually help this 2 organisation develop. The LADO service itself doesn't 3 have that capacity but, in terms of out-of-school 4 settings, we have a team within the council very 5 proactive in doing this work and journeying with people 6 to help work through the toolkit. 7 MS SCOLDING: Ms Sanghera, your hand was up. Would you like 8 to say something at this stage, and then we will go back 9 to Mr Tilby? 10 MS SANGHERA: I do apologise. I just wanted to come in just 11 to say that section 11 audits are incredibly useful but 12 the important thing to remember is it is an opportunity, 13 it is not mandatory. I think it's really important to 14 make that point, because, if we go back to our concern 15 around we have no idea how many organisations exist and 16 how can we actually get section 11 audits to them, and 17 we are really relying upon the engagement of those 18 organisations with us. So we will raise awareness about 19 the section 11 audits, which we do, at the LSCP, on the 20 website, et cetera. We have got some useful information 21 that tells us, from 2018 to February 2020, 82 22 third-sector organisations engaged. But in terms -- and 23 we have a breakdown of how many of those are faiths, but 24 I think are around five or six. But the point I'm 25 making is that, you know, it hasn't got the teeth that</p> <p style="text-align: center;">Page 51</p>	<p>1 we really want. I just wanted to make that point. 2 MS SCOLDING: That's absolutely fine. Mr Tilby, do you 3 agree that that is the downside to a section 11 audit, 4 is it's -- and the tool, using that as a tool, it's very 5 much something which only works if people are willing to 6 engage with you? 7 MR TILBY: Yes, I do. But I just need to make 8 a distinction. So the toolkit isn't our section 11 9 audit. This is a much more proactive approach to try 10 and engage and journey with organisations in different 11 settings to try to help them improve their safeguarding. 12 So it is not the section 11 audit. 13 But I entirely agree. Obviously in this context, 14 organisations, even coming through the LADO process, 15 could say, "Thanks very much, but I don't really want to 16 do this", and sometimes there's very little power that 17 we have to actually effect change. So it is still very 18 much about a dialogue and trying to build relationships 19 and build trusts in order to journey through the 20 toolkit. 21 With section 11, I totally agree. I think we have 22 achieved -- as I'm sure other colleagues have said, we 23 have achieved very good compliance, I think, with the 24 statutory sector. Now we are entering a journey or 25 a conversation about, how do we roll this out to the</p> <p style="text-align: center;">Page 52</p>

<p>1 voluntary sector, given the diversity of the voluntary 2 sector, including faith communities, and even if we take 3 a lighter touch, more proportionate approach, not quite 4 so evidence based, it is still having to be very, very 5 challenging and ultimately we haven't got the powers to 6 say, "You must do this". So absolutely. 7 MS SCOLDING: Mr Tilby, we will come back in a moment to 8 talk about out-of-school settings, which we are all 9 interested in and the work you have done with 10 supplementary schools. But I will just pass over to 11 Mr Baldwin. 12 Section 11 audits. Is that something that you, as 13 a local authority, Mr Baldwin, have used as a tool or 14 a mechanism to try and get greater compliance from 15 religious organisations, or work out where they are on 16 their safeguarding journey, I suppose, although I'm not 17 sure I ever like the word "journey". It is a little too 18 TV for me. 19 MR BALDWIN: The short answer is, yes, we have. We have 20 used those section 11 audits. But, again, just to make 21 clear, those section 11 audits are usually undertaken by 22 the safeguarding partnership. Obviously, I'm 23 representing or have done my statement as a local 24 authority officer. So it's just important to make that 25 distinction there.</p> <p style="text-align: center;">Page 53</p>	<p>1 But, yes, we have used those -- 2 MS SCOLDING: How effective do you find them to be? 3 MR BALDWIN: I mean, where people engage with them, they are 4 incredibly effective. But I think what you have, and 5 I think both my colleagues have highlighted this, is 6 that, because it is voluntary, in many senses, you're 7 talking to the choir here. You are getting the 8 responses from the people that are actively engaged in 9 this conversation and want to be. The challenge is, how 10 do you reach those that are less engaged and are less 11 committed to being engaged? 12 MS SCOLDING: Right. Again, obviously your two colleagues 13 have both identified that, in their partnerships, one of 14 the issues is that section 11 is seen as quite 15 complicated, and obviously you have no power to make 16 organisations perform these sorts of audits or provide 17 you with this sort of information. Is that something 18 that you think it would be useful for you to be able to 19 do, to at least find out what's going on in these 20 organisations? 21 MR BALDWIN: Yes, absolutely. But just to push that 22 a little bit further, again, as my colleagues have said, 23 you know, where you have got that engagement, it's 24 incredibly -- you get an incredible richness of 25 information. But they are time consuming and, as Graham</p> <p style="text-align: center;">Page 54</p>
<p>1 was saying, if you are going to small organisations that 2 are only, you know, two-person or three-person kind of 3 outfits, that's a really difficult undertaking to do. 4 MS SCOLDING: As far as you're aware, do you know if your 5 safeguarding partnership has designed anything like -- 6 we have just seen a Birmingham safeguarding toolkit, 7 which is something that can be given which isn't 8 a section 11 audit but which is a starting point. Do 9 Tower Hamlets have any kind of similar materials to that 10 or are they -- the safer partnership or the local 11 authority, do you provide any materials like that? 12 MR BALDWIN: Yes, we do. Possibly not as good as the one 13 that Birmingham have, but, yes, we do. 14 MS SCOLDING: I wanted to move on now, and, Mr Baldwin, I am 15 going to start with you, about supplementary schooling, 16 and in particular the difficulties that I think all of 17 you have encountered with some -- by all means not 18 all -- religious organisations who run madrassas, 19 yeshivas and Sunday schools and the work you, as a local 20 authority, have been doing and the concerns you have 21 about a very small number, but a number, of these 22 organisations. 23 Can I take you to paragraph 11 of your witness 24 statement, which sets out some difficulties that you 25 have got. So that is LBT004244_005. Paragraph 11,</p> <p style="text-align: center;">Page 55</p>	<p>1 please. 2 You identify that you have had some very recent 3 difficulties engaging with organisations within 4 Tower Hamlets to ensure that they engage with and comply 5 with matters to do with health and safety, safeguarding, 6 fire, et cetera, et cetera. You have said: 7 "We have had, for example, difficulty engaging two 8 Maktabas." 9 Could you tell me what a Maktab is? 10 MR BALDWIN: I think the term is broad, but certainly my 11 understanding is it is a Muslim elementary school, 12 a sort of entry school for younger children for 13 religious education. 14 MS SCOLDING: They said they offered Arabic classes of under 15 18 hours per week. Now, can we identify, at the moment, 16 there is no cut-off point for when something is seen to 17 be full-time schooling and something isn't. But the 18 Department for Education seems to suggest that if you're 19 providing education for more than 18 hours a week, you 20 should consider it to be full-time education or the 21 equivalent thereof. So that's why you have said the 22 term "under 18 hours a week". 23 MR BALDWIN: That's correct. What we highlight here is 24 that, in order to avoid that regulation and avoid that 25 registration with the DfE, a lot of these organisations</p> <p style="text-align: center;">Page 56</p>

<p>1 will operate at just under 18 hours in order to avoid 2 that level of kind of regulation. 3 MS SCOLDING: What are your concerns about child protection, 4 and, in particular, issues around child sexual abuse, 5 within the context of some of these settings? What are 6 your concerns that have been raised? 7 MR BALDWIN: Some of the obvious ones, clearly, are around 8 the requirement for DBS checks, so that's clearly one. 9 It is also -- you know, in terms of -- some of 10 the more, you know, kind of workaday issues around 11 health and safety issues, fire safety issues, you know, 12 and the avoidance or the unnecessary kind of engagement 13 in some of those issues. So it is, in the broadest 14 safeguarding terms, you know, are these children in safe 15 buildings, are they -- do they have -- you know, the 16 people that are providing oversight in these 17 organisations, have they been checked and are they safe 18 to be around children? 19 MS SCOLDING: There is no way at the moment that you can 20 find that information out in any realistic fashion? 21 Nobody has got any power to tell you that information? 22 MR BALDWIN: No. The only way that necessarily that might 23 come to our attention is should a member of 24 the community raise some concerns, or something like 25 that.</p> <p style="text-align: center;">Page 57</p>	<p>1 MS SCOLDING: You in particular deal with some issues that 2 you have identified at paragraph 17 of your witness 3 statement, which is LBT004244_007, Danny. You set out 4 the risks posed, and you talk about unregistered schools 5 and settings. I think you identified that there is 6 often a difficulty identifying whether these are 7 schools, in which case they should be registered and 8 Ofsted should inspect them, et cetera, et cetera, and 9 those which we would call supplementary schools, which 10 are there for 18 hours a week. You said it is very 11 difficult sometimes to tell which is which; is that 12 right? 13 MR BALDWIN: It is. As we list there, you know, just going 14 back to your previous question, the issues that we pick 15 up there are often that there's -- that children may be 16 chastised in an inappropriate way. It links in to kind 17 of concerns that we have around forced marriage and FGM, 18 and also, you know, what is the curriculum of some of 19 these establishments? You know, often we find that it 20 is a very narrow, very religious-focused curriculum that 21 doesn't -- it doesn't concur with the kind of curriculum 22 requirements for a wider education around mathematics, 23 geography, history, for instance. 24 MS SCOLDING: I understand that in respect of schools which 25 are posing as supplementary schools but in fact are</p> <p style="text-align: center;">Page 58</p>
<p>1 full-time schools. But could you tell me, are some of 2 the children who are attending these settings not 3 attending any other school setting, even if it's only 4 being used on a supplementary basis? Where are they 5 getting their education and how does this feed into 6 concerns you might have about them in other respects? 7 MR BALDWIN: It absolutely feeds into a cohort of children 8 that may be on the margins of a lot of organisations, 9 and what was interesting for me reading the bundle is, 10 a lot of the witnesses here today and that you have 11 coming up talk about "invisible children", and I think 12 this is a really important concept, because often what 13 you have is children from families that have no recourse 14 to public funds, so they will be -- 15 MS SCOLDING: Recourse to public funds -- for those, 16 again -- if you work in statutory services you know, but 17 for the general public, what is "no recourse to public 18 funds" and what are the implications of that? 19 MR BALDWIN: It is a person that doesn't have settled status 20 in the United Kingdom, so they don't have any legal 21 right or recognised right to be there. So these are 22 families and children that would be on the margins of 23 society. They may live in very insecure housing, they 24 may -- their parents may work in very insecure 25 employment and, therefore, coming to the attention of</p> <p style="text-align: center;">Page 59</p>	<p>1 authorities and organisations may be something people 2 would be very worried about. But it does make them very 3 vulnerable. It adds an additional level of 4 vulnerability to those children and that's why it is of 5 concern within the safeguarding arena. 6 MS SCOLDING: You also identify you have had a number of 7 concerns from parents about unregulated private teachers 8 who aren't anything to do with any official religious 9 organisation but who provide Quranic lessons or Arabic 10 lessons in the home. Could I take you to paragraph 18 11 of your witness statement, which is the next paragraph 12 down from the one we were looking at, LBT004244_007: 13 "... received referral from a number of parents with 14 concerns about unregulated private tutors between 15 1 November and 30 June." 16 I think that's 2018 over to 2019. 17 MR BALDWIN: Yes. 18 MS SCOLDING: You have had 13 referrals about home tutors, 19 mostly regarding overchastisement: 20 "The vast majority of these are directly engaged by 21 parents without any connection to a mosque or Islamic 22 centre." 23 Is 13 referrals a lot or not very many? 24 MR BALDWIN: It's always very difficult to tell, because -- 25 as I think I and my colleagues have said, because of</p> <p style="text-align: center;">Page 60</p>

<p>1 the unregulated nature of this, it's difficult to tell. 2 I would say, my experience, that 13 referrals is 3 actually quite a high proportion, given some of 4 the concerns that we are talking about in relation to -- 5 as my colleague from Leeds was saying about the notions 6 of shame and the -- some of the ways that some of these 7 organisations and establishments put pressure on people 8 not to tell. So I think that's high. 9 I think one of the reasons that we are able to -- 10 that it is high in Tower Hamlets is because of the time 11 and the investment that we have made in the two very 12 specific roles that I also refer to in the statement 13 that have built up the relationships in our communities. 14 I think that helps. 15 MS SCOLDING: We are going to come on to talk specifically 16 about those roles in about five minutes' time. 17 Turning to the unregistered schools, you have 18 identified the issues and the concerns that it raises. 19 In your witness statement, you have identified some of 20 the problems and that you have a certain number of 21 concerns about unregistered schools which plays into the 22 supplementary school and out-of-school setting. We have 23 got a briefing note at LBT004247 behind tab 34, which 24 I think really sets out your concerns about a particular 25 school, but which sort of feeds over into other issues.</p> <p style="text-align: center;">Page 61</p>	<p>1 I think this was written, I believe, by one of your 2 colleagues back in 2016. 3 So this is sort of an example, so to speak. So this 4 is the Al Siddeeq Academy, and it was meant to be 5 offering just supplementary study. However, Ofsted 6 became concerned and said it was, in effect, offering 7 just over 18 hours, which is considered to be the sort 8 of cut-off point, not in statute but generally, and 9 mainly to children who were supposedly being electively 10 home educated by their parents. 11 So there was a concern here, and you raised a number 12 of concerns. Could you perhaps explain to us the 13 concerns that there were about this institution, whether 14 or not they related at all to child sexual abuse and the 15 more general issues which are raised by regulation of 16 this sector? 17 MR BALDWIN: Let me deal with that point first, if I may, 18 because I think one of the key issues that you will see 19 that we raise in this document you have got up at the 20 moment that also relates to those 13 referrals that we 21 had, is this issue around the protected status, or 22 non-protected status, of terms like, "school", "college" 23 and "academy". We feel this is really important because 24 it does allow those people that are not qualified 25 teachers or registered teachers to promote themselves as</p> <p style="text-align: center;">Page 62</p>
<p>1 being teachers, and often -- because of the point I was 2 making earlier about some of these invisible families, 3 and, again, some of these families will not have English 4 as their first language. 5 It is quite easy for some people to give the 6 appearance of being a bona fide teacher or being a bona 7 fide school or being allied to some kind of 8 establishment, which is just not the case, and I think 9 that's really important, and you will see from this 10 document it is one of the things that we feel very 11 strongly about. 12 MS SCOLDING: You also indicate that a number of these 13 children were being electively home educated, but, in 14 fact, were receiving broadly their entire education 15 through this school. At the moment, there is no 16 registration scheme for children who are electively home 17 educated, is there? You are entitled to go and have 18 a look to see if their education is suitable, but 19 I suppose you need to know who they are, where they are 20 and the education they are receiving in order to do 21 that. Is that right, Mr Baldwin? 22 MR BALDWIN: It is, and in this particular case we did 23 absolutely that. We raised those concerns, we passed 24 them on to Ofsted. Actually, because of its unregulated 25 nature, the only way that we were able to kind of get</p> <p style="text-align: center;">Page 63</p>	<p>1 some real traction and teeth in closing this particular 2 establishment was through fire regulations, rather than 3 through safeguarding or education routes, which, you 4 know, is quite telling, I think. 5 MS SCOLDING: So you identified that the placement wasn't 6 suitable. It then got closed down because of fire. But 7 it then -- a number of those children then moved to 8 another school where the same problems emerged. Danny, 9 would you mind getting up LBT004247_002, and then over 10 to _003, please. Chair and panel, behind tab B34. 11 So, following that, a number of children then went 12 to an independent primary school with a number of 13 exactly the same staff members, and there was then 14 a problem which then led to the Department for Education 15 becoming involved, and there was then a right of appeal 16 and they were then deregistered. But then, from 2016, 17 it's then relocated to yet another placement. 18 So what does this case show are the gaps in the 19 system at the moment and what needs to be done to plug 20 those gaps? 21 MR BALDWIN: I think this is absolutely illustrative of some 22 of the points that we were making in the first section, 23 which is the very fluid nature of some of these 24 schools -- they close down, they pop up again -- so it's 25 really hard to track them, it's really hard to keep tabs</p> <p style="text-align: center;">Page 64</p>

<p>1 on where they are, in terms of their buildings, but also 2 who is teaching within them. 3 So I think, where does that lead us? It absolutely 4 leads us into this conversation around the need for 5 greater regulation to make sure that, you know, if you 6 are setting up a school, it has to be registered, it has 7 to be approved, and it has to have an accountability to 8 inspection not only in safeguarding terms, but in 9 academic terms, and also in health and safety, public 10 health terms, you know, fire safety terms. All of those 11 aspects of school that are really important. And 12 I think it is really important that we make that point, 13 that this is a broad issue, it isn't -- you know, whilst 14 we are looking at safeguarding, and it is absolutely 15 right that we do, there are a number of other aspects of 16 this. 17 So any regulation that may or may not come about 18 from this has to be regulation that is on the broadest 19 level. It cannot be a siloed safeguarding type of 20 regulation. It has to be much broader than that. It 21 has to be, as we say, if you look on that second page 22 there, it has to be around the suitability of premise, 23 the recruitment of staff, the content of the curriculum, 24 issues of radicalisation and also of safeguarding, in 25 that bottom right-hand corner, you will see.</p> <p style="text-align: center;">Page 65</p>	<p>1 MS SCOLDING: I think we can see an action. Because if we 2 go over to tab B35, chair and panel, the third setting 3 in which there were problems, LBT004248_001, Danny. 4 There was then a situation where, in fact, that 5 individual then set up another organisation, and there 6 was then an allegation of sexual abuse made of a child 7 by a member of staff within that provision, and there 8 was a child protection investigation. 9 Now, what I'm really interested in is: 10 "In light of this serious safeguarding concern, the 11 local authority initiated a further round of meetings 12 with parents ..." 13 This is the bottom paragraph: 14 "... known to have attended [such] Centre to alert 15 them to this concern and the risk of such incidents 16 happening to their own children in such an unregistered 17 education provision. Most parents chose to withdraw 18 their children from the summer school provision and it 19 subsequently closed." 20 How much work needs to take place with parents 21 around the potential unsuitability of these sorts of 22 settings and what work have you, as a local authority, 23 sought to do around that? 24 MR BALDWIN: My view on this, and I think it is borne out 25 from some of the experiences that we have had within</p> <p style="text-align: center;">Page 66</p>
<p>1 Tower Hamlets, is that it is very much about engagement. 2 It is very much, as my colleague from Leeds said, about 3 relationships, about developing those links with 4 communities, and I think you have to do it on a very 5 local level. It has to be, as she describes, small-time 6 engagement, I think, because that is where you get the 7 benefits of having those links with the community, 8 having that discussion with the community, and putting 9 stuff on the table so that it isn't secret, you know, 10 that it is okay and it is acceptable to talk about 11 things where members of the community or parents might 12 be worried about what is happening in these 13 establishments. 14 MS SCOLDING: In fact, I think your engagement has led to 15 positive matters. If we go to the next page, please, 16 Danny, LBT004248_002. When you did do the extensive 17 follow-up it said it had a very positive outcome. Most 18 parents subsequently chose to "enrol their children at 19 registered schools ... Only one child continued to be 20 electively home educated. None of the children [are 21 attending centres]." 22 It says: 23 "[It] highlights the risks of vulnerability to 24 exploitation and abuse of the parents and children 25 involved [in such] education provisions. Parents who</p> <p style="text-align: center;">Page 67</p>	<p>1 are electively home educating children can be vulnerable 2 ..." 3 Can I just identify, do you have any idea how many 4 parents are home educating their children in 5 Tower Hamlets? 6 MR BALDWIN: I'm afraid I don't, no. It may be that some of 7 my colleagues do. But at this point, I don't have those 8 figures in front of me. 9 MS SCOLDING: But is the number of children involved in 10 elective home education -- my understanding from the 11 figures that Ofsted and the DfE have given us is that 12 those figures have gone up considerably over the past 13 decade; is that right? 14 MR BALDWIN: That would certainly be my understanding and 15 experience, yes. 16 MS SCOLDING: You have talked about some parents who might 17 be in insecure employment, insecure education. You are 18 obviously talking about, in the context of all of your 19 areas, there will be some children whose parents are not 20 legal immigrants so may well not want to surface on the 21 radar at all for the fear of what's happening. Are they 22 the sorts of children that within your area are some of 23 the children who might be ending up being home educated? 24 MR BALDWIN: Yes, they may well be, yes. 25 MS SCOLDING: So, as a result of this experience and others,</p> <p style="text-align: center;">Page 68</p>

<p>1 you developed a protocol on multi-agency information 2 sharing, which we can find behind tab B36. Danny, would 3 you mind getting that up, please, that's LBT004249_001. 4 And _005 is the strategy that you have. Danny, if you 5 wouldn't mind getting up _005, please. It is the sort 6 of indicators of the operation of an unregistered 7 school. Can I just ask, who does this document go to? 8 Who is it aimed at? 9 MR BALDWIN: This is aimed at all of our mosques and our 10 churches and our communities across Tower Hamlets. 11 MS SCOLDING: So it's trying to sort of say to them, "Look, 12 these are the sorts of things you need to look out for", 13 and how useful have you found it in terms of alerting 14 churches, religious organisations, to the need to look 15 out for these issues? This is something very positive 16 that religious organisations could do in this respect, 17 isn't it? 18 MR BALDWIN: It is. We found it very positive. That's not 19 to say it is universally successful because, as we have 20 already acknowledged, there are some establishments that 21 are very clear that they want -- they don't wish to 22 engage and wish to remain outside of the orbit of 23 councils, but we feel that we have a real duty, as 24 a council, to engage with our communities. It's our way 25 of remaining relevant and having that dialogue with our</p> <p style="text-align: center;">Page 69</p>	<p>1 communities. 2 I think the other broader point is, and it links 3 back to the conversation we were having a minute ago, 4 which is about where I think this is successful is, 5 because it allows parents to have some kind of informed 6 decision making. It provides some information in terms 7 of, you have a choice as a parent whether you're on the 8 margins in one of those invisible families or whether 9 you're something slightly different from that. It is 10 about making sure that people -- that parents understand 11 that they have some choices in where and how their 12 children are educated. 13 MS SCOLDING: As well as those choices, before I come to 14 Ms Sanghera and Mr Tilby, because I am going to ask both 15 of you about this issue, but, as I have Mr Baldwin here, 16 I wanted to ask, you, in particular, employ a Muslim 17 children's safeguarding coordinator who runs a range of 18 workshops in partnership with mosques and community 19 settings. Can you describe how that role came about, 20 please? 21 MR BALDWIN: Yes. We have had that role probably for about 22 19 years, and it came about, to my understanding, as 23 part of some developments around community cohesion 24 around about the turn of the century. 25 We have been very lucky that the person that we</p> <p style="text-align: center;">Page 70</p>
<p>1 employed and continue to employ is a respected and 2 trusted member of his Muslim community. I think it's 3 also fair to say that we have a similar role as well, 4 which is referenced in my statement, for some of our 5 black African families as well, and it's important that 6 we are able to speak to both of those communities. 7 But the fact that we have had it, and it's an 8 established post and we fought hard to ensure that we 9 maintain it, is a really powerful way of getting our 10 voice into those communities. It is trusted in the 11 main -- not universally, but in the main -- and it 12 really helps also not only in terms of safeguarding, but 13 it's a way in and has benefits around community cohesion 14 as well. 15 MS SCOLDING: I would quite like for us to briefly look at 16 a couple of examples of the documents and the sorts of 17 work and seminars that are run. Can we look at 18 LBT004251_001, Danny, please. Chair and panel, tab B37. 19 So this, in fact, is run at the Maryam Centre, which 20 we heard about yesterday, which is a centre, I think, 21 designed and aimed at women in the Muslim community, 22 which is run by the East London Mosque. Is that right? 23 MR BALDWIN: It is. I think this is one of the really 24 exciting and innovative aspects of what this particular 25 member of staff does. It very clearly identifies the</p> <p style="text-align: center;">Page 71</p>	<p>1 role of women -- and I think we referenced this earlier 2 in the conversation -- is really important, and having 3 a space where women only can meet and have a voice is 4 really important in terms of kind of having that 5 conversation around extremism, radicalisation, gangs and 6 criminal and sexual exploitation, as well as sexual 7 abuse and safeguarding issues. 8 MS SCOLDING: I think we can see that there's various issues 9 which are raised, some of which are explicitly about 10 sexual exploitation, grooming and abuse, and also the 11 lived reality of young Muslim women and girls, so 12 looking at the practical issues, and this, I assume, is 13 aimed primarily at -- I understand from your witness 14 statement this is aimed primarily at mothers of 15 children. 16 MR BALDWIN: Yes, it is. It is a really good example of how 17 we have developed some responses through conversations 18 with -- and listening to some of our community about 19 what it is they want, what it is that they're worried 20 about. 21 MS SCOLDING: In particular, I think we have to remember 22 that within Tower Hamlets you have had a number of young 23 women -- it is very well publicised -- who have -- in an 24 element of grooming, who have been groomed and then gone 25 abroad to be part of the Syrian uprising, so to speak,</p> <p style="text-align: center;">Page 72</p>

<p>1 and become -- "Jihadi brides" is the way the press would 2 characterise them. I suspect you would characterise 3 them in a slightly different way? 4 MR BALDWIN: Yes. We certainly recognise that certainly we 5 have had to deal with those issues, and indeed the 6 aftermath of those issues, within our communities. Just 7 to make the point that, obviously, you mentioned 8 grooming, and grooming happens in a radicalisation 9 context just as much as it does within a sexual abuse 10 context. So the issue of grooming and that power 11 imbalance that was referenced earlier is really 12 important and relevant here. 13 MS SCOLDING: In particular, when we are looking at sex 14 education, you have done some work particularly with the 15 Muslims Family Group about talking about sex. If I go 16 to behind tab 40, chair and panel, that's LBT004257, 17 Danny, if you wouldn't getting that up. It's called 18 "Let's Talk About Sex", that famous Salt-N-Pepa song, 19 but it mentions various things to do with talking about 20 the subject, context setting, issues related to taboos, 21 stigma, Islamic sex education framework. So could you 22 tell us a little bit about who this seminar is aimed at 23 and whether or not it is something that is run 24 regularly? 25 MR BALDWIN: Yes. I mean, it is aimed at a number of</p> <p style="text-align: center;">Page 73</p>	<p>1 groups. It's aimed at adolescent young people as well 2 as parents, and it's designed to make sure that some of 3 those conversations can be had in a safe space where 4 young people might be afraid or where parents might be 5 worried that there is a family member or a family friend 6 that they are worried about in relation to being 7 a perpetrator of abuse. It has that knowledge and 8 understanding to be able to spot what might be happening 9 and has the confidence and the ability to report that 10 and to know where to go and what happens when that is 11 reported. 12 MS SCOLDING: Is that something which has been helpful in 13 engaging, particularly, parents and young people in 14 making themselves safer, so to speak? 15 MR BALDWIN: It has. I think, again, this is something that 16 we feel has been really important in the evolving 17 dialogue that we have in our communities, and it's been 18 really important because it's challenged some 19 stereotypes about, you know, "You can't talk about 20 this". Again, I think my colleague from Leeds 21 referenced this earlier, in terms of, you know, that 22 notion of shame. These workshops, these sessions, 23 really try to make inroads into that notion of shame and 24 that this is something that you cannot talk about. 25 Actually, this is something that you need to talk about</p> <p style="text-align: center;">Page 74</p>
<p>1 for your own safety and the safety of members of your 2 family. 3 MS SCOLDING: I think what seems to be interesting is, 4 yesterday Mr Khan from the East London Mosque said, 5 "Well, we get all our safeguarding training from the 6 local authority" in comparison to some of the other 7 mosques who indicated that hadn't necessarily been the 8 case. In particular, you have provided us with a list, 9 which I'm not going to get up because I don't think 10 I need to, but it's got all the different mosques and 11 Muslim associations that you have trained over the past 12 sort of 15 years, and I would say -- and when they have 13 their training. I would probably say there were sort of 14 75 to 100 organisations on there, including a number of 15 different mosques and other forms of Muslim 16 associations. 17 What do you think characterises your possible -- 18 I think we have to be realistic here. You have a very 19 large Muslim population, so you are in a slightly 20 different position to a number of other people. But 21 what do you think has made your engagement with mosques 22 and the Muslim community more successful, maybe, than 23 other local authorities have found? 24 MR BALDWIN: We need to give credit to the person who 25 undertakes that role. He's been very persistent and</p> <p style="text-align: center;">Page 75</p>	<p>1 very diligent around that. 2 But I think on a more strategic level, I think it 3 does show that we have taken some leadership here, and 4 it does show that -- and, again, as we have referenced 5 earlier, that, actually, in order to have that dialogue 6 you have to be a little bit -- you have to go out on 7 a limb a little bit, you have to push the boundaries 8 a little bit. Again, I think some of the things that my 9 colleagues in Birmingham and Leeds were saying are 10 clearly just as innovative. But I think what joins the 11 dots between those is that it is about trying to do 12 something proactively, showing some leadership, because, 13 at the moment, without that compulsion to do so, 14 actually, the authorities that seem more successful in 15 this are the ones that have kind of grasped the nettle 16 a little bit and really gone out. 17 I think, you know, if we go back to some of the kind 18 of bigger issues that we are talking about here, if this 19 is about compulsion and regulation, actually, what that 20 allows and encourages all local authorities to do is to 21 do that and get out and be more proactive. 22 MS SCOLDING: The last thing I just wanted to point out, 23 because it seemed to be something which is quite useful, 24 is, as a result of the work you have done with the 25 issues you have got about Arabic and the Quranic</p> <p style="text-align: center;">Page 76</p>

1 teachers who are not aligned to mosques, you have --
 2 this is behind tab B42, LBT004265_001, Danny. This in
 3 fact is a sort of cheat sheet, really, or a useful sheet
 4 for parents, "How to choose a teacher of Arabic for your
 5 children". So what qualifications, references, ask if
 6 they have a copy of a DBS check, and all of these things
 7 might seem obvious to people who operate within the
 8 context of statutory services, but who does this
 9 document go to and how helpful has it been?
 10 MR BALDWIN: This goes out through some of our mosques and
 11 our other establishments. This goes out to parents and
 12 it goes to church and mosque leaders for distribution.
 13 It is that example about that information is power.
 14 Again, we come back to those invisible families, those
 15 families where English may not be their first language.
 16 It does give them the opportunity to structure some of
 17 those conversations and have an understanding of what is
 18 expected and what should be normal within this, rather
 19 than accepting what someone might tell them from
 20 a position of power relative to their own.
 21 MS SCOLDING: Thank you very much, Mr Baldwin for that.
 22 I will come back to you a bit later.
 23 Mr Tilby, can I just get up something you have done,
 24 which, again, is about empowering parents in
 25 a supplementary school setting. We have got a parent

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1 has that proven useful for you?
 2 MR TILBY: Extremely useful, because I think it provides
 3 a much more potentially neutral narrative. I think
 4 when -- we have obviously had some difficult issues in
 5 terms of community cohesion -- Trojan Horse and other
 6 issues in Birmingham. I think this has provided a very
 7 useful way of actually having a dialogue where the right
 8 to have a faith and belief and religion are respected
 9 along with the rights to protect children from harm. So
 10 it's provided a really kind of much more neutral space
 11 to build some narratives where you can have some of
 12 those tensions. But actually, you know, I would say
 13 education -- I will come back to parents in a few
 14 moments, but education in terms of the generations of
 15 children that are coming through our schools, actually
 16 growing up in this -- where you can talk about rights
 17 and respecting rights in this context, is going to build
 18 resilience for the future. So it's been very effective
 19 and I think we have got over 250 schools part of that
 20 programme now in a partnership with UNICEF and it is
 21 something that we feel -- particularly in the context of
 22 some of the things that Richard was saying, some of
 23 the history here in some of our minority communities,
 24 I think this has been a really powerful tool.
 25 MS SCOLDING: You mentioned briefly the Trojan Horse affair.

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1 charter that you have provided us with. Danny, it's --
 2 chair and panel, it's tab B28, and it's BMC000054. This
 3 is a parent charter. Would you mind, Mr Tilby, just
 4 telling us, how did this come about? Who does it go to?
 5 And how successful has it been?
 6 MR TILBY: Yes. This is part of the DfE pilot project,
 7 out-of-schools pilot project, that Birmingham is I think
 8 one of 16 local authorities. I guess, listening to
 9 Richard, I think there is a number of elements to the
 10 work that we are trying to do in terms of out-of-school
 11 settings. Some of it is addressing some of
 12 the organisational issues, they may be very small
 13 organisations, and better train and educate those who
 14 are running them so we have got a partnership with the
 15 University of Birmingham working in terms of sort of --
 16 a sort of safeguarding programme there. Some of it is
 17 about actually the work we do with children. So you
 18 will see in Penny Thompson's statement a lot of work
 19 around respecting rights and the UNICEF work, trying to
 20 actually build resilience in children, and then --
 21 MS SCOLDING: By respecting rights and the UNICEF work, what
 22 Ms Thompson seems to say is, a way in to sort of buy-in
 23 in respect of safeguarding is to identify using the
 24 UN Convention on the Rights of the Child and having that
 25 as the focus of awareness work, safeguarding work. How

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1 I'm assuming you're saying that that had a deleterious
 2 impact upon the relationship between statutory bodies
 3 and certain, in particular, Islamic organisations as it
 4 was those organisations or some of those schools that
 5 were involved in those difficulties?
 6 MR TILBY: Yes. I think, you know, again we are talking
 7 minority communities within some of the Muslim
 8 community, but I think certainly issues about trust,
 9 trust in terms of the statutory sector, but also Ofsted,
 10 and some others, and I think that's -- and that's the
 11 importance, I think -- I have said it, you know, earlier
 12 on about community work, is that -- community
 13 development work, is you have to rebuild trust. You can
 14 only do that on the ground with people that are skilled,
 15 much like, I guess, Richard's work has, you know, the
 16 skills to go in and assist and develop trust, and we
 17 have found this particular UNICEF work has been a kind
 18 of really good platform for that.
 19 The parents' charter has been an opportunity --
 20 I think the other strand then is, how do you empower
 21 parents? I think we have got lots of examples where we
 22 would perhaps sit back as -- and think, how did these
 23 parents send a child to some of this provision? We have
 24 got similar examples Richard has talked about in terms
 25 of unregistered schools where squalid environments,

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<p>1 health and safety issues, let alone safeguarding issues, 2 how did we get to that situation? So it really is 3 important about how we equip parents. So, you know, the 4 work that Tower Hamlets are doing I think in terms of 5 what you have just looked at, our parents' charter is 6 about trying to give them information about, what should 7 you be looking for in an out-of-school setting, what 8 could you expect from the out-of-school setting in terms 9 of them taking safeguarding seriously and what are the 10 kind of issues that you may want to ask questions about. 11 So that's the parents' charter. 12 We involved some parents and focus groups who have 13 children in out-of-school settings to try and get 14 a sense of what the key issues were for them as well. 15 MS SCOLDING: Ms Sanghera, I think I will come to you 16 because it is nearly lunchtime, unless you can say 17 something in a minute, but immediately after lunch, I'm 18 going to come to you about out-of-school settings. 19 Please, I can see, how can ... Ms Sanghera, you're on 20 mute, sorry to say that. 21 MS SANGHERA: Apologies. It's really enlightening to hear 22 about the engagement. I was just listening really 23 attentively and thinking about what the impact is of 24 reporting as a result of that engagement, which I know 25 we are talking about later. But the one thing I wanted</p> <p style="text-align: center;">Page 81</p>	<p>1 to point out was about what I believe to be power 2 imbalances related to -- (Pause) -- or why you want 3 someone of the same ethnicity to go into a community to 4 build relationships of trust and confidence. However, 5 I think it's really important that that confidence and 6 trust is built with all professionals, unless there is 7 a language barrier. 8 What I can tell you from my own personal experience 9 in my work with victims is that, when we report, we 10 rarely want to report to somebody from the same 11 background as us, because there is a real fear that that 12 individual may know somebody in our community or within 13 our family, so this is why you see national helplines 14 are, you know -- more reports will be going to national 15 helplines as opposed to local helplines for people from 16 minority communities because of that safety net. 17 I just feel it's important that, you know, all -- 18 I don't want professionals not from the same background 19 to feel inhibited in any way or fearful that they're not 20 able to respond to a safeguarding issue because they're 21 not from that ethnicity. I just wanted to make that 22 point. 23 MS SCOLDING: Ms Sanghera, that's very helpful. I think 24 that's a very useful point for us to finish on at lunch 25 time.</p> <p style="text-align: center;">Page 82</p>
<p>1 You are all coming back after lunch. Chair and 2 panel, if now is an appropriate moment to take a lunch 3 break? 4 THE CHAIR: Yes. Thank you, Ms Scolding, we will return at 5 1.45 pm. 6 MS SCOLDING: Thank you very much. 7 (12.45 pm) 8 (The short adjournment) 9 (1.45 pm) 10 MS SCOLDING: Thank you, chair and panel. Ms Sanghera, as 11 we finished with you this morning, I would like to start 12 with you this afternoon. Can you see me and hear me? 13 MS SANGHERA: Yes. 14 MS SCOLDING: Sorry, I have to say that so you appear on the 15 screen. Otherwise, I am literally talking into 16 darkness. 17 MS SANGHERA: Oh, okay. 18 MS SCOLDING: Ms Sanghera, is there anything you would like 19 to add about the challenges that Leeds Safeguarding 20 Partnership have found in working in respect of 21 out-of-school settings that your colleagues Mr Baldwin 22 and Mr Tilby haven't identified? 23 MS SANGHERA: I just think that there should be some regard 24 for the risk factors identified within the space of 25 belief and how culture contributes to risk. One of</p> <p style="text-align: center;">Page 83</p>	<p>1 the things that we are aware of is -- from the reporting 2 from the LADO, I'm sure we will talk about that -- risk 3 factors for abuse is the belief of the use of physical 4 punishment as a form of discipline, for example. That 5 is a belief in some of the communities. We know that. 6 We, at our Leeds Safeguarding Partnership, had 7 conversations with our partners because of the concerns 8 of health in relation to this very issue, which resulted 9 in us developing a leaflet which was distributed amongst 10 professionals and amongst communities to talk about how 11 it's not acceptable. 12 I just think it would be helpful to understand the 13 risk indicators in this space for children and young 14 people. 15 MS SCOLDING: What are the risk indicators in the faith 16 settings space for children and young people? 17 MS SANGHERA: From my perspective, when we think about 18 physical -- where there is some level of acceptability 19 within the communities of behaviours that are clearly 20 safeguarding issues as regard the law or what we expect 21 in society. So physical punishment is one. Child 22 marriage is another one. You know, and the fact that, 23 where children are absent, there are real concerns in 24 terms of that space of them being at more risk of 25 particular risks of FGM, child marriage, physical</p> <p style="text-align: center;">Page 84</p>

<p>1 chastisement, all these different things, whereby, by 2 virtue of the fact that -- we talk about "hidden 3 children". What we need to understand is, them being 4 hidden means, what does child abuse look like in this 5 space beyond what we understand around sexual 6 abuse/neglect? I just want to have some sort of 7 understanding with regards to, from a cultural 8 perspective, what some of our children and young people 9 experience in this space. 10 MS SCOLDING: Obviously those are things, particularly child 11 marriage and FGM, I'm thinking, physical chastisement, 12 but child marriage and FGM is something which obviously 13 only occurs in some communities and not others, in 14 effect? 15 MS SANGHERA: Yes. You know, in the physical chastisement, 16 when we look at that and look behind that, what is 17 happening to our children. You know, being told to 18 stand in one space for a number of hours. You know, 19 being slapped or hit or hair pulled, these kind of 20 things. What is behind the reporting? 21 MS SCOLDING: Is that something which is widespread or is 22 that something which is -- I mean, I know yesterday all 23 the gentlemen from the mosques indicated that certainly 24 20, 30 years ago the level of physical chastisement 25 within the context of things like madrassas and Islamic</p> <p style="text-align: center;">Page 85</p>	<p>1 schools was unacceptable and things would happen, but 2 then they said, well, you have to recognise that the 3 context in the '60s, '70s and '80s -- let's face it, 4 corporal punishment was still legal in this country in 5 all school settings until 1984 and was legal in 6 independent schools until 1996. 7 So is it something which is qualitatively different 8 within the context of the communities you've discussed 9 than might be the case in some communities in this 10 country which don't have any faith or belief? 11 MS SANGHERA: I think you could apply that to other forms of 12 abuse, domestic abuse being one, where rape in marriage, 13 once upon a time, was acceptable. So we have shifted 14 completely in terms of our attitude with 15 a zero-tolerance approach. I don't think the same thing 16 has happened in these communities, in terms of achieving 17 that level of hearing this is wrong and unacceptable and 18 against the law. I don't think we have got there. 19 I still think we have got a long way to go. 20 "File on 4", in 2006, talked about -- they did talk 21 about madrassas and the real concerns about children and 22 young people and physical chastisement and the 23 reluctance for communities to take this on as an issue, 24 not wishing to accept child protection was an issue, 25 actually.</p> <p style="text-align: center;">Page 86</p>
<p>1 So I think unless we see the evidence -- I have not 2 seen that personally, in terms of that shift -- there is 3 a lot of work to do. 4 MS SCOLDING: Okay. You say that there is a lot of work to 5 do in terms of the particular risk factors. How about 6 language? Are linguistic factors -- we have seen -- the 7 majority of the material -- obviously, the material 8 that's been given to us is in English, but is there 9 still a need for this material to be produced in 10 a number of different languages and for there to be 11 a variety in linguistic provision, or is that not 12 needed? 13 MS SANGHERA: I think one should not make the assumption 14 that people read in English. Certainly elders and 15 women, some women can be prevented from being educated, 16 actually. I think, for younger people, you know, 17 most -- if I go back to my Karma Nirvana hat, if I may, 18 back on the helpline days of receiving over 900 calls, 19 the majority of these callers are British citizens whose 20 first language is English and some don't actually speak 21 their own language. You have to look at that on a local 22 level. We know our communities and we have new emerging 23 communities all the time. It's becoming more and more 24 diverse. I think we'd need to respond to that in terms 25 of knowing who our communities are.</p> <p style="text-align: center;">Page 87</p>	<p>1 MS SCOLDING: Can we move now to the LADO referrals? You 2 say at paragraph 26 of your witness statement -- this is 3 LEC004009. Chair and panel, tab A2. 4 You say that there's been 105 notifications to the 5 LADO. Page 9, Ms Sanghera, of your witness statement, 6 "with regard to a religious setting". So there's been 7 105 notifications to the LADO service with regard to 8 religious organisations and settings with over half 9 having been in relation to mosques and madrassas. 10 Danny, if you wouldn't mind going over the page to 11 27 and 28, please. If you can get all that up together. 12 37 resulted in an allegations meeting, which includes 13 notifications in relation to faith-based supplementary 14 schools. What's an allegations meeting, if you wouldn't 15 mind explaining that to us? 16 MS SANGHERA: So an allegations meeting is called where 17 there's been a concern made to the LADO. The LADO, 18 therefore, have a need to be concerned and then they 19 will call a meeting with the relevant organisation to 20 discuss the concern of the allegation, and in relation 21 to here, physical chastisement or sexual abuse, there 22 will be a management meeting to discuss that and to 23 think about the actions to take in terms of 24 the individual and the person to whom the allegation has 25 been made, and also how you can respond to that and also</p> <p style="text-align: center;">Page 88</p>

<p>1 in terms of, is there a need to do some more work within 2 that organisation? 3 MS SCOLDING: But you say at paragraph 28, which was the 4 question I was going to come on to ask, are these 5 referrals likely to be representative of the number of 6 problems there are within faith or religious 7 organisations in respect of children and young people? 8 MS SANGHERA: I don't believe they are, no. I mean -- 9 MS SCOLDING: How many religious -- I suppose, putting it 10 bluntly, do religious organisations refer things to the 11 LADO? 12 MS SANGHERA: The interesting thing here is, when we look at 13 this reporting, the majority of the reportings are via 14 schools, so mainstream institutions. So not from the 15 institutions themselves. That's an important point to 16 note, I think. Because, you know, these are young 17 people who have disclosed in a mainstream setting and 18 the concern has come from a teacher to the LADO and then 19 the conversation happens. 20 The period is 2013 to October 2019, 105 21 notifications. 22 MS SCOLDING: One of the things is that there are some 23 issues about the limits to recording information, 24 particularly about the type of data that's kept about 25 the type of religious organisation, et cetera,</p> <p style="text-align: center;">Page 89</p>	<p>1 et cetera. Is there any standardised data that you have 2 to keep, or does it just vary from local authority to 3 local authority as to the detail, the granular detail, 4 of the information they keep about LADO referrals? 5 MS SANGHERA: My understanding is that it varies. That's my 6 understanding. 7 MS SCOLDING: Do you think that there is still a tendency in 8 some religious institutions or in faith settings for 9 there to be an internal investigation, rather than 10 referring it to the LADO, which is what's meant to 11 happen if it's somebody involved in the institution, in 12 effect, not a family issue. 13 MS SANGHERA: I absolutely do think there is more of 14 a tendency for parents to deal with it internally, and, 15 therefore, the people they go to to deal with it 16 internally because, you know, not to is going against 17 the wishes of the communal -- these people operate 18 communally, actually. So in terms of parents, families, 19 elders, et cetera, there is a need to look to those that 20 you look up to first. 21 Again, to go outside of that, for all the reasons 22 I won't go into again, you know, it's -- again, you are 23 not doing what is expected of you in terms of looking to 24 your community first and going outside. There's 25 a nervousness attached to that, you're involving</p> <p style="text-align: center;">Page 90</p>
<p>1 agencies, and all the issues around the silence and 2 shame attached to that. 3 MS SCOLDING: Mr Tilby, can I turn to you -- thank you very 4 much, Ms Sanghera -- if I may. Ms Thompson, in her 5 witness statement, says that the LADO received nearly 6 3,000 referrals between 2017 and 2019. This is 7 paragraph 44, which is -- Danny, if you wouldn't mind 8 getting it up, it is BMC000047_010. There were nearly 9 3,000 referrals to the LADO in Birmingham. Birmingham 10 is an extremely large, urban, densely-populated area. 11 But, of those, only 3.6 per cent related to a faith 12 setting, and the vast majority of those seemed to relate 13 to the Church of England, the Catholic Church, the 14 Pentecostal and Free Churches, with over a third 15 appertaining to mosques. If, Danny, we could bring up 16 BMC000052, and if it is possible to get all the pages up 17 for this. These are all the faith-based referrals that 18 you identified, Mr Tilby, as having taken place in 19 Birmingham over a two-year period. 20 I think what I'm interested in is, other than one 21 Church of England and two Roman Catholic, the 22 Roman Catholic ones both being in respect of non-recent 23 abuse, all the rest came via the police or children's 24 social care or the sex offenders management team. So is 25 that reflecting what Ms Sanghera is saying, that there</p> <p style="text-align: center;">Page 91</p>	<p>1 is the possibility of under-reporting by faith 2 organisations to the LADO of allegations in respect of 3 abuse, whether sexual or otherwise? 4 MR TILBY: Yes. I mean, I think it ties in with a number of 5 situations. Some I think is the established 6 relationships that the LADO will have with certain parts 7 of faith communities. So there may be more established 8 relationships, for example, with the Church of England 9 because they have a professional safeguarding advisor. 10 If you take that down into the very small churches or 11 the independent Christian churches or mosques, it is 12 less likely they have somebody in a designated role. 13 Then we go back to some of the issues we talked about 14 earlier, about training and the level to which they are 15 aware of the need to report to the LADO. 16 So I think -- I mean, it is a similar picture to 17 what's been described in Leeds. It is a low level of 18 reporting directly from religious settings, as opposed 19 to the police and schools. 20 We do have -- it is interesting to me. I think we 21 just had a recent case of self-reporting. So there are 22 situations where -- perhaps you don't see this in other 23 parts of the sector -- where people come in -- so, in 24 this particular case, a man went into a police station 25 and said, "I have been accessing indecent images". So</p> <p style="text-align: center;">Page 92</p>

<p>1 there are small numbers of those kind of cases. But, 2 fundamentally, I think it reflects an under-reporting 3 across all faiths, but particular faiths as well. 4 MS SCOLDING: Am I correct in thinking that referrals to the 5 LADO here are less than you would identify being the 6 case, given the number of children that religious 7 organisations look after? So as a proportion, you would 8 expect a certain number. So schools, other 9 organisations, there's a sort of certain number that get 10 reported across, or does this reflect -- yesterday, we 11 had a representative from the Mosques and Imams National 12 Advisory Board who seemed to indicate that the reason 13 for the low level of referrals might be because there is 14 simply less abuse within these communities and religious 15 organisations. 16 MR TILBY: I think my experience in my previous role in the 17 Church of England, as well as in safeguarding for many 18 years, wouldn't align with that second view. I think it 19 is a level of under-reporting. As I say, I think there 20 are areas that now have improved in that reporting, but 21 I think there's still more to do. I think it does 22 reflect the need for LADO services and the services we 23 talked about earlier, in terms of kind of out-of-school 24 settings, to be more proactive in engaging the smaller 25 faith sector and the smaller faith settings, for</p> <p style="text-align: center;">Page 93</p>	<p>1 example, more independent churches in particular, to 2 ensure that they are reporting. 3 My colleague in Leeds talked about some of 4 the barriers to reporting earlier. I think there were 5 a number of different scenarios in different faith 6 settings why people don't report. Sometimes it is about 7 self investigation; sometimes it is about the role of 8 honour; some of the cultural attitudes that can be 9 apparent; the lack of infrastructure within some of 10 those faith settings and lack of awareness; and 11 sometimes, unfortunately, there are elements of 12 concealment and minimisation and denial. So there's 13 a range of factors I think lead to under-reporting, but 14 I think we have to be perhaps more proactive, as LADO 15 services, to engage and make sure that people are aware 16 of the need to report. 17 MS SCOLDING: Mr Baldwin, in your witness statement, you 18 identify that between November 2018 and October 2019 19 there were three referrals against pastoral staff in 20 a religious setting; only one concerned allegations of 21 a sexual matter. However, I think what you say is, 22 before November 2018, there wasn't a consistent system 23 of referrals in respect of CSA in religious settings for 24 you to be able to put that data together. Again, do you 25 think that that is an under-reporting in comparison to</p> <p style="text-align: center;">Page 94</p>
<p>1 what you see in terms of referrals from other 2 organisations about children, given the number of 3 children that are cared for by religious organisations 4 in your area? 5 MR BALDWIN: I would agree with my colleagues. I think that 6 that figure is an under-reported figure. 7 MS SCOLDING: I suppose the question is -- the question that 8 follows from that -- I'm afraid your -- you were 9 slightly glitchy. Sorry, you are better. 10 MR BALDWIN: I'm back with you. 11 MS SCOLDING: I paused briefly as you fleetingly froze. 12 What can you, as a local authority, do to encourage 13 more referrals? Because we have seen the excellent 14 work -- some of the excellent work you have been doing 15 with some parts of the community. What more do you 16 think you could do to try to encourage greater 17 referrals? 18 MR BALDWIN: The first-off is, more of the same. So more of 19 that community work, more of that engagement. I think 20 that there's also something around, how do we bring in 21 some of those organisations onto local -- you know, onto 22 the safeguarding partnerships and doing that actively. 23 I think the third phase is, again, I think it comes 24 back to this idea of, do we need something that compels 25 people in terms of regulation to engage.</p> <p style="text-align: center;">Page 95</p>	<p>1 MS SCOLDING: I think we are now sort of moving on and, 2 Mr Baldwin, I will take you first, as far as this is 3 concerned. In your witness statement, you are clear 4 that you think that out-of-school settings and 5 provisions, whether religious or not, should be required 6 to formally register with the Department for Education 7 and the local authority. Do you have any idea or any 8 definition of -- I think you have articulated why you 9 think it needs to be compulsory. What sort of settings 10 would you say needed to register? 11 MR BALDWIN: I mean, I think that has to be broad. 12 I think -- you know, although we are talking here about 13 safeguarding in religious settings, we know that 14 safeguarding happens in all sorts of settings. So 15 I think it has to be broad. 16 I think -- I'm also aware of some of the comments in 17 some of the other statements in the bundle about, if it 18 is only religious settings. I think there is a worry 19 that the debate becomes, you know, far more kind of 20 focused on the state interfering with religion, and 21 that's a very difficult minefield to get into. 22 I think it has to be broad. 23 MS SCOLDING: When you say they have to register, what are 24 you proposing on a practical level? Who would they 25 register with and what sort of body should oversee it</p> <p style="text-align: center;">Page 96</p>

1 and what sort of things should they have to do?

2 MR BALDWIN: I think that's a debate to be had. I come into

3 this with views, but, you know, I think that becomes the

4 next stage of the conversation, once we agree or not

5 whether it needs regulation. But I would certainly see

6 a role for the local authority in that. I think, you

7 know, local authorities know their communities, they

8 engage with their communities, and that's a good start.

9 MS SCOLDING: Obviously, some religious organisations would

10 say, "Well, we are not very happy about having to

11 register with the local authority because you're not

12 a religious body". What would be your answer to that?

13 As we've seen before the break, before lunch, you've

14 engaged quite successfully with quite a few religious

15 organisations to quite a high degree in your local

16 authority. Do you have anything you'd like to say about

17 that?

18 MR BALDWIN: I mean, I think what we would say is certainly

19 that's a model that's worked for us, but, you know, it

20 can't be a "one size fits all".

21 The other point that I would make, which, again,

22 I made before lunch, which is that that level of

23 regulation has to be across the board. It cannot be

24 just one part of a local authority or one local

25 authority having that sole responsibility. It may be

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1 organisations register with? I mean, would you know?

2 MR BALDWIN: No, I'm not sure I would. I guess that's what

3 brings me back to where I think -- I think the -- if you

4 like, the offer or the proposal that the umbrella sits,

5 or the broad responsibility sits, with the local

6 authority is one that works.

7 MS SCOLDING: Do you think local authorities -- I mean,

8 local authorities have just had ten years' worth of

9 austerity. They are going to be coming out of -- well,

10 we don't really know what's going to happen at the end

11 of this process. But do you think it's something that

12 is doable within the context of local authorities?

13 MR BALDWIN: I think the resources have to follow -- if

14 these are added responsibilities, which they clearly

15 will be, then the resources have to follow with that.

16 MS SCOLDING: Do you think that it would be preferable for

17 the local authority to be involved, rather than, for

18 example, the Charity Commission to take on a greater

19 regulatory role in respect of religious organisations?

20 MR BALDWIN: Again, I think that's possibly a debate, you

21 know, that is worthy further down the road. I think the

22 issue -- you know, for me, the issue is, let's break

23 that down. Let's establish whether we feel that we want

24 regulation or not. If we do, then I think that becomes

25 a conversation with some of the religious bodies about

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1 the lead, but I think that regulation has to be that

2 there is a level of compulsion from housing groups or

3 landlords or educationalists to be involved in having

4 some responsibility. Otherwise, it becomes quite

5 siloed.

6 MS SCOLDING: The other suggestion you make in your witness

7 statement is the fact that, if there was some sort of

8 registration and compulsion scheme, you could obviously

9 use section 11 of the Children Act to act as an auditing

10 framework to create transparency and accountability. Do

11 you think it would be helpful for local authorities,

12 even if there's no power to register organisations, to

13 have the power to audit compliance with basic

14 safeguarding standards?

15 MR BALDWIN: Yes, I do. Again, we touched on it this

16 morning. Actually, section 11, when it is done well,

17 works very effectively. So let's build on what we know

18 works and what works well.

19 MS SCOLDING: The last suggestion that has been made by

20 Ofsted is that settings could be registered sort of

21 sectorally. So you would have all the Brownies

22 registering with the Brownies, all the Scouts

23 registering with the Scouts, all the sports clubs

24 registering with the FA or the ECB. The question,

25 I suppose, that's posed is, who would religious

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1 how that works. I guess what I'm saying is, I think,

2 personally, that local authorities are well placed to do

3 that.

4 MS SCOLDING: Thank you very much, Mr Baldwin. Ms Sanghera,

5 can I pass over to you? Firstly, do you think that

6 there should be some sort of registration obligation if

7 religious organisations want to undertake youth work

8 with children and families with young people, people

9 under the age of 18?

10 MS SANGHERA: I absolutely do, because, you know, if we

11 really mean what we say, that safeguarding is

12 everybody's business, it cannot be the case that

13 preserving one's cultural beliefs and values trumps

14 safeguarding. From my perspective, we are -- the

15 engagement with these organisations, it's about, let's

16 go back to why we are here. This is about our concerns

17 about children and the risks to children, and, actually,

18 it's important that all faith organisations respond to

19 the requirements expected of the law and society.

20 So, you know, why wouldn't they engage in that?

21 They have got nothing to hide. You know, we want you to

22 be part of this conversation. So the moral argument.

23 So from my perspective, I think that we should have

24 registration possibly with the DfE, Department for

25 Education.

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<p>1 MS SCOLDING: The DfE rather than the local authority?</p> <p>2 MS SANGHERA: Yes.</p> <p>3 MS SCOLDING: Why the DfE rather than a local authority?</p> <p>4 MS SANGHERA: I was going to say, the DfE and the local</p> <p>5 authority. There has to be a role with the local</p> <p>6 authority. That's what I was going to say.</p> <p>7 And even to extend the remit with Ofsted. Again,</p> <p>8 like my colleague, it is another conversation, isn't it,</p> <p>9 to have that conversation, but a compulsory register,</p> <p>10 let's remind ourselves, will enable us to keep track of</p> <p>11 the children that we are concerned about. In this</p> <p>12 space, we acknowledge that there is a concern. So we</p> <p>13 are not -- I know that communities may think, "Well, we</p> <p>14 haven't got a problem", okay, and we can look behind</p> <p>15 that and understand what that denial is about. We are</p> <p>16 not saying you have got a problem, but actually, we are</p> <p>17 saying this is about openness and transparency and about</p> <p>18 reassuring us about children and young people.</p> <p>19 So why wouldn't our leaders engage in that</p> <p>20 conversation and why can we not facilitate our local</p> <p>21 councillors, politicians and individuals to start that</p> <p>22 debate and that conversation?</p> <p>23 From my perspective, that's certainly the</p> <p>24 conversation we are having in Leeds. You know, even</p> <p>25 just doing this exercise with yourselves, it's been</p> <p style="text-align: center;">Page 101</p>	<p>1 a learning curve for us in terms of what we are going to</p> <p>2 be taking forward from this in terms of having that</p> <p>3 broader conversation in the community of Leeds, which is</p> <p>4 incredibly diverse. So here is an opportunity to think</p> <p>5 about this space and about children and keeping children</p> <p>6 safe. That's where we are going to be coming from.</p> <p>7 MS SCOLDING: Now, you know, don't you, that in 2015 the</p> <p>8 Department for Education did suggest a registration</p> <p>9 scheme for out-of-school settings, and there was very</p> <p>10 significant opposition to it, primarily from some</p> <p>11 religious organisations who felt it would interfere, in</p> <p>12 effect, with their religious values and beliefs.</p> <p>13 What would you like to say about that, if anything?</p> <p>14 MS SANGHERA: From my perspective, I would hope people in</p> <p>15 their localities would challenge that, because this goes</p> <p>16 back to safeguarding. We have got to keep on bringing</p> <p>17 it back to safeguarding and the law and what we expect</p> <p>18 in society. You know, absolutely express your belief in</p> <p>19 your value systems, you know; Britain is diverse. But</p> <p>20 the point is, there's never been a greater time from my</p> <p>21 perspective where tolerance and intercultural dialogue</p> <p>22 and respect for diversity is essential but recognising</p> <p>23 that that cultural acceptance does not mean accepting</p> <p>24 the unacceptable, is what I always say. So we have to</p> <p>25 take it back to safeguarding.</p> <p style="text-align: center;">Page 102</p>
<p>1 I don't understand how anybody can make an argument</p> <p>2 against safeguarding, and if they are, then let's</p> <p>3 challenge it.</p> <p>4 MS SCOLDING: Ms Sanghera, do you think, again, that the</p> <p>5 ability of the local authority to audit compliance,</p> <p>6 maybe under section 11 of the Children Act, but maybe</p> <p>7 something that doesn't look exactly like that, would be</p> <p>8 a helpful tool for local authorities?</p> <p>9 MS SANGHERA: I think it would be, in conversation with</p> <p>10 local safeguarding partnerships, in conversation with</p> <p>11 the -- you know, the dialogues that we are going to be</p> <p>12 having and extending with our communities. You know, we</p> <p>13 sit here to discuss safeguarding. Everything around it,</p> <p>14 we will have a conversation about. Absolutely, yes,</p> <p>15 I do.</p> <p>16 MS SCOLDING: Ofsted suggest -- they sort of say, "Look, we</p> <p>17 recognise the fact that when it was tried in 2015, there</p> <p>18 was objection and, therefore, it wasn't continued, but</p> <p>19 you could register settings sectorally", so you have</p> <p>20 sports clubs, Brownies, et cetera. The question,</p> <p>21 I suppose, is, how do you work that in respect of</p> <p>22 religious organisations, most of whom don't have</p> <p>23 an umbrella body to which most people sign up? The</p> <p>24 Church of England, I can see it working there; I can see</p> <p>25 it working with the Roman Catholic Church; I can</p> <p style="text-align: center;">Page 103</p>	<p>1 probably see it working with some other religious</p> <p>2 organisations. But most others don't have -- firstly,</p> <p>3 they don't operate hierarchically -- the</p> <p>4 Church of England will tell us they don't operate</p> <p>5 hierarchically anyway. The mosques yesterday, none of</p> <p>6 them were members of the bodies which said, "This is</p> <p>7 what you do and this is how you should do it". Can you</p> <p>8 see that maybe working if such sectoral associations</p> <p>9 were to be set up, if there were to be a religious</p> <p>10 safeguarding body of some description?</p> <p>11 MS SANGHERA: You see I'm going back to thinking about the</p> <p>12 openness and the transparency of things and sitting with</p> <p>13 a statutory organisation like a local authority, and</p> <p>14 that would be my preference, actually, Fiona. That's</p> <p>15 all I can say on that, in all honesty.</p> <p>16 MS SCOLDING: Thank you, Ms Sanghera. Mr Tilby, turning</p> <p>17 over to you, do you have anything you would like to add,</p> <p>18 particularly in respect of whether or not there should</p> <p>19 be some form of minimum standards which religious</p> <p>20 organisations have to meet? Now, maybe you would like</p> <p>21 to explain, you alluded briefly to the fact that you</p> <p>22 used to work for the Church of England. I'm</p> <p>23 particularly interested because you obviously did work</p> <p>24 for what is, in these terms, a very well-funded and</p> <p>25 well-resourced organisation in comparison to a lot of</p> <p style="text-align: center;">Page 104</p>

<p>1 the organisations we might be talking about today, but 2 whether or not you think that there should be a set of 3 minimum standards that should apply to any faith 4 organisation that seeks to work with children and young 5 people and provide services to them? 6 MR TILBY: Yes, I do. I think there's a place for that. 7 I'm just listening to the debate about the regulation. 8 I think one of the key issues for me is (a) do you have 9 regulation and (b) if you do, is it national or local? 10 I think that's -- I think there's a risk to us, I think, 11 in engaging people well, that where bodies are very 12 separate and distant and maybe -- and are very secular, 13 I think there are some issues and challenges about how 14 we really make that work. 15 There's also, for me, a difference about 16 registration and regulation and I think that's probably 17 worth teasing out. 18 MS SCOLDING: What is the difference between registration 19 and regulation? What would be your preference, then? 20 MR TILBY: I think one of the challenges we have in 21 Birmingham, particularly with the (inaudible), I think 22 there is maybe a different approach taken to 23 out-of-school settings. I'm particularly mindful of 24 what Richard said in his statement about maybe the 25 definitional issues need to be addressed and the issue</p> <p style="text-align: center;">Page 105</p>	<p>1 about the voluntary Code of Practice. I think there is 2 maybe a different approach to take about regulation in 3 that context. 4 One of the difficulties we have when we have 5 allegations is finding, actually, who are the leaders in 6 churches, who do you go to, as the most senior person, 7 to take some responsibility and accountability? Not 8 having a database, not having that mapping that you 9 talked about earlier. There is something about 10 a register, for me, where you're required to register 11 and make sure that the local authority -- I think that 12 is best placed to do this -- has an overarching database 13 of places of worship, key contacts within that 14 organisation, so where there are safeguarding issues, 15 you don't waste a lot of time, as my LADO service does, 16 trying to even find out who to talk to. That's the 17 first thing. 18 I think regulation for me implies a level of power 19 and the ability to actually, you know, in a regulated 20 context with Ofsted actually close places down. I think 21 that's another debate. I think my preference would be, 22 I think, to have a national body of some kind that sets 23 some national standards for safeguarding across all the 24 faith sectors and then maybe to commission maybe some 25 accredited organisations, some of the people that you</p> <p style="text-align: center;">Page 106</p>
<p>1 may be talking to as part of this inquiry, who are 2 reputable, accredited, who understand safeguarding, in 3 the faith setting who can actually then enforce those 4 standards and work with the local authority, in 5 partnership with the local authority and safeguarding 6 partnerships, to engage those communities. 7 So there is something of a hybrid, I guess, really, 8 to what you have been talking about, to say yes to 9 national standards, there should be some form of 10 registration for all faith settings, and I think then it 11 is about maybe a partnership between what you could 12 describe as a more secular organisation like Ofsted or 13 the Charity Commission with those faith organisations 14 and actually forming something that is actually about 15 collaborative. 16 MS SCOLDING: Is your concern about it being -- something 17 being operated solely by the state the fact that 18 organisations would simply go underground, because 19 that's one of the things -- for example, some Islamic 20 organisations would say that one of the unfortunate 21 consequences of things like Prevent is people now go 22 underground, so it becomes more difficult to find the 23 problems than it was maybe 15 years ago. Is that 24 something which is a concern of yours or not? 25 MR TILBY: It is a concern. I think it's back to my earlier</p> <p style="text-align: center;">Page 107</p>	<p>1 point about -- I mean, much of what we are achieving is 2 through relationship. In some ways, it is too slow and 3 I think that's the risk we have. But if you have too 4 far of a distance between a regulatory body nationally 5 and the local relationships, I don't think you take 6 people with you to kind of build that trust and actually 7 get better safeguarding in place. So I think you have 8 got to use the local authority, the local partnerships 9 we are building, and actually, you know, do the work 10 with them to engage these faith settings. 11 So, yes, I think if you have something distant that 12 is being imposed by the state, I think there is a risk 13 of organisations just going underground, yes. 14 MS SCOLDING: Ms Sanghera, you wanted to come back briefly 15 on that. Then I would like to move on to statutory 16 guidance, if I may. Ms Sanghera? 17 MS SANGHERA: Just very quickly. I remember campaigning for 18 the criminalisation of forced marriage and it took ten 19 years to campaign. The strongest argument against was 20 it would make it go underground and people wouldn't 21 report and our victims have multiple perpetrators within 22 the family dynamic and they wouldn't want to criminalise 23 their parents, et cetera, and therefore it shouldn't be 24 criminalised. Actually, the opposite is true. Forced 25 marriage became a criminal offence in 2013 and what you</p> <p style="text-align: center;">Page 108</p>

<p>1 have seen across the sectors is a huge increase in</p> <p>2 reporting and, more importantly, victims owning this as</p> <p>3 a crime and also greater professional engagement on the</p> <p>4 issue and more people being trained in this.</p> <p>5 The challenge, in terms of how, this is abuse, it is</p> <p>6 not part of one's culture, faith or tradition. I just</p> <p>7 wanted to put that in there because, for me, the</p> <p>8 argument was always, so, what should we do? Do nothing,</p> <p>9 actually. But the opposite -- because we have</p> <p>10 a counter-narrative to that, and I just wanted to make</p> <p>11 that point.</p> <p>12 MS SCOLDING: If I could sort of come back on that, though,</p> <p>13 some people would say, if you look at the example of FGM</p> <p>14 where there is now a compulsory duty to report, I know</p> <p>15 that there have been concerns by various bodies that, in</p> <p>16 fact, that has led to things going underground and</p> <p>17 people not going to hospitals and things like that</p> <p>18 because they are concerned about the fact that they will</p> <p>19 then be reported by the health professional. So I think</p> <p>20 there are different experiences of whether</p> <p>21 criminalisation leads to greater levels of reporting and</p> <p>22 visibility of an issue.</p> <p>23 MS SANGHERA: Sure. But, again, if you look at an</p> <p>24 organisation like Oxford Against Cutting, who are doing</p> <p>25 some real engagement work with victims and survivors</p> <p style="text-align: center;">Page 109</p>	<p>1 around FGM, and that has seen a huge increase in</p> <p>2 reporting. They have also got a really good way of how</p> <p>3 they do the interagency working.</p> <p>4 So there are pockets of good practice to look at,</p> <p>5 but I hear what you're saying and I do appreciate that.</p> <p>6 But I just wanted to make the point that some of it is</p> <p>7 anecdotal. What, in the sector, is important is that we</p> <p>8 are raising awareness about what we do in order to reach</p> <p>9 the victims.</p> <p>10 MS SCOLDING: I think probably to Mr Baldwin first, do you</p> <p>11 think that there should be a religious organisation or,</p> <p>12 actually, not just religious, a voluntary sector version</p> <p>13 of Working Together to Safeguard Children and Keeping</p> <p>14 Children Safe in education? Now, at the moment, the</p> <p>15 Charity Commission, the DfE, various statutory bodies</p> <p>16 and local authorities, will say to religious</p> <p>17 organisations and voluntary bodies, "Go and look at</p> <p>18 those documents". But they are drafted for, and in</p> <p>19 respect of, full-time educational professionals and</p> <p>20 local authority social care professionals. Do you think</p> <p>21 there is a space for guidance, particularly if there's</p> <p>22 going to be some kind of registration scheme, for</p> <p>23 religious organisations and voluntary bodies setting</p> <p>24 clearly out the expectations that everybody has upon</p> <p>25 what they should be doing and how they should be doing</p> <p style="text-align: center;">Page 110</p>
<p>1 it?</p> <p>2 MR BALDWIN: I think probably, in the first instance, that</p> <p>3 would be helpful. I guess -- there is a hesitation in</p> <p>4 my answer, and my hesitation is that what you then do is</p> <p>5 set up two levels of scrutiny or two levels of guidance</p> <p>6 and thresholds and so on, which could be confusing.</p> <p>7 However, I do acknowledge that it may be a way of just</p> <p>8 beginning to bring in and engage some of those religious</p> <p>9 settings into this argument.</p> <p>10 But I wouldn't -- my preference would be that, if</p> <p>11 that is the route you go down, that it is relatively</p> <p>12 quickly merged into one, I think, as you say, otherwise</p> <p>13 you have a difference of threshold, a difference of</p> <p>14 guidance, a difference of interpretation.</p> <p>15 MS SCOLDING: Mr Tilby, any views about that?</p> <p>16 MR TILBY: Yes, I think I'm with Richard on that. I would</p> <p>17 have some hesitation, I think. I'm not sure the</p> <p>18 argument is sufficiently strong to have a separate</p> <p>19 document. I think, in the long term, you'd want to make</p> <p>20 Working Together guidance fit for purpose and really</p> <p>21 beef that up in terms of its clarity around voluntary</p> <p>22 organisations and faith communities. One of the simple</p> <p>23 things we could do is make it clear that they should be</p> <p>24 engaging with the Local Safeguarding Children</p> <p>25 Partnerships and whether it's through section 11 or</p> <p style="text-align: center;">Page 111</p>	<p>1 something else, that there is a clear expectation that</p> <p>2 they have national standards in place and that they are</p> <p>3 engaging with their local partnerships and councils, and</p> <p>4 I think that --</p> <p>5 MS SCOLDING: Just to be clear, you and I have had this</p> <p>6 debate in this inquiry but in a different context. Are</p> <p>7 you of the view that Working Together to Safeguard</p> <p>8 Children is adequate in terms of the advice and guidance</p> <p>9 it gives to religious organisations and voluntary</p> <p>10 bodies?</p> <p>11 MR TILBY: I don't think it's sufficiently explicit.</p> <p>12 I think, yes, we can point people to say, here is</p> <p>13 a chapter -- well, actually, it is a couple of</p> <p>14 paragraphs, frankly. It's got stronger.</p> <p>15 MS SCOLDING: Pages now.</p> <p>16 MR TILBY: It needs to be more detailed, more (interference)</p> <p>17 and really articulate the relationship that's expected</p> <p>18 between faith communities and partners. Because,</p> <p>19 actually, safeguarding is across all communities and we</p> <p>20 need to make sure we are joined up, which is why I think</p> <p>21 I'm hesitating about having a separate document, for the</p> <p>22 reasons that Richard is alluding to, because it could</p> <p>23 create a two-tier system.</p> <p>24 MS SCOLDING: I know in Ms Thompson's statement she suggests</p> <p>25 clearer and more explicit expectations of how religious</p> <p style="text-align: center;">Page 112</p>

<p>1 communities should engage with Safeguarding Children's 2 Partnership arrangements. So things like you should be 3 prepared to take part in a section 11 audit, you should 4 be prepared for X and Y and Z. Is that the sort of 5 thing you're thinking of? 6 MR TILBY: Absolutely. It is not just about section 11. 7 That's quite organisationally focused. There is a whole 8 range of things. We just talked about referring to 9 LADO. You know, make it explicit, the expectations that 10 should be in place for all faith settings and how they 11 relate into that wider kind of guidance. 12 MS SCOLDING: Ms Sanghera, is there anything you would like 13 to say about Working Together or Keeping Children Safe 14 in Education and whether or not there should be separate 15 guidance for voluntary bodies and religious 16 organisations in terms of safeguarding? 17 MS SANGHERA: I think what we have doesn't actually tell us 18 enough about the specific risks and challenges, and 19 I think there needs to be more of that. Whatever we do, 20 we have to be able to monitor the implementation of what 21 we do, and that is still missing in terms of not having 22 the teeth. 23 You see, I -- the two paragraphs, I don't think that 24 is good enough, personally, because of the great 25 challenges we face in this space, and I think there</p> <p style="text-align: center;">Page 113</p>	<p>1 needs to be more about -- some honesty about that and 2 the risk to children and what that means, and, 3 therefore, why you need to have a role in this. 4 MS SCOLDING: Okay. Can I ask you all, many religious 5 organisations have said, "Look, we would really like 6 some common training, a faith leader safeguarding 7 qualification, a volunteer safeguarding qualification, 8 template policies, standard policies". We asked every 9 organisation what they thought about these as possible 10 options, and lots of organisations said yes. 11 Ms Sanghera, turning first to you, do you think that 12 the local authority could produce or provide those sorts 13 of template policies and template forms of training and 14 guidance? 15 MS SANGHERA: Yes, I do. But I'd also like to add that, as 16 a local safeguarding partnership, we do have that. So, 17 you know, we have tiers of training -- level 1, 2, 3 -- 18 for the faith sector. The issue is the takeup of it. 19 So it exists. It's actually all-singing and 20 all-dancing, I have to say, and it's there and it's 21 free. So it's really -- and this is the relationship we 22 have with Voluntary Action Leeds and Young Lives Leeds, 23 they have a role in, you know, responding to the 24 training needs. 25 So the training is there, and we do have stats on</p> <p style="text-align: center;">Page 114</p>
<p>1 it. I think it is in there. 2 MS SCOLDING: We have stats on it. 3 MS SANGHERA: If you are an organisation with a budget of 4 under 250K, it's free. So the issue isn't the training 5 and the ability to work with faith institutions around 6 developing responses in terms of policy and practice, 7 it's more about the engagement of that. 8 MS SCOLDING: Mr Baldwin, do you have anything to add or do 9 you concur with Ms Sanghera in that respect? 10 MR BALDWIN: It's certainly about engagement. I think the 11 issue is about, do you develop that nationally or do you 12 develop that locally? My instinct is that there's got 13 to be some kind of continuity between local authorities 14 or safeguarding partnerships as to how they do that. So 15 I think there has to be a core of those templates or of 16 that guidance that runs through the whole country. 17 You may want regionally, or subregionally, to place 18 your emphasis in slightly different places, but I think 19 there's got to be some consistency in that. 20 MS SCOLDING: Mr Tilby, anything to add? 21 MR TILBY: Yes, I would agree, with one proviso, I think. 22 My experience in the Church of England taught me that 23 you do need to access core safeguarding training and 24 everybody should be doing that, and you will know that, 25 you know, it was being promoted for everybody in</p> <p style="text-align: center;">Page 115</p>	<p>1 a worship setting, not just those in sort of leadership. 2 But I think there is something about the connectivity 3 with case studies that are nuanced into some of 4 the roles within churches and some of the theological 5 understanding, and we know that one of the barriers to 6 reporting abuse has been the misuse of theological 7 texts, whether that's in the Quran or whether in the 8 Bible. So there is something about making sure that 9 people are trained, where they have got case studies and 10 a role and particular issues that challenge their 11 mind-sets and their theological thinking, some of 12 the barriers to reporting. So I do think organisations 13 should be doing their own training. Yes, they should 14 absolutely access safeguarding. It's free training in 15 Birmingham, again. We don't charge unless you don't 16 turn up, and then we will charge. But I don't think 17 that's just quite right for those settings. There needs 18 to be something tailored as well and I think 19 organisations, we would say, for basic training, should 20 take responsibility for doing that. But I accept the 21 point that denominations like the Church of England and 22 the Catholic Church are perhaps better resourced to have 23 those national training programmes. Other smaller 24 churches, independent churches, that's a challenge. But 25 there are organisations out there, Thirtyone:eight in</p> <p style="text-align: center;">Page 116</p>

1 the Christian context, other organisations, the NSPCC,
 2 who can provide more bespoke training in a faith
 3 context. SCIE have been doing some of this work as
 4 well.
 5 MS SCOLDING: Can I turn now to DBS checks and, in fact,
 6 Mr Tilby, I'm going to start with you on this, which is,
 7 how often do religious organisations approach you with
 8 concerns about who is or isn't someone who fits within
 9 the concepts of regulated activity and, therefore, what
 10 sort of checks should they get? Is that something which
 11 the local authority experienced problems or concerns
 12 about in respect of religious organisations?
 13 MR TILBY: Yes, we do have queries through to the LADO
 14 service or other parts of the council, out-of-schools
 15 team and others, where there's lots of queries about, is
 16 the person -- should they be subject to a DBS check.
 17 I think there is an issue of clarity there, there is an
 18 issue of maybe a number of roles within those settings
 19 should be subject to DBS checks that currently aren't
 20 defined within regulated activity. So I think there is
 21 a number of places where -- and I saw this again in my
 22 previous role -- there are gaps, where the definition
 23 has not allowed for some people to be DBS checked. So
 24 there is something about definition and there is
 25 something about the clarity because of the nuances of

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1 add about this?
 2 MR BALDWIN: I think Graham makes a good point. I think the
 3 point about leaders is a good one. We have already
 4 referenced leaders have influence, and, you know, with
 5 influence comes responsibility. So I think that's
 6 a point well made.
 7 MS SCOLDING: Ms Sanghera, do you have anything you want to
 8 add about this?
 9 MS SANGHERA: No, that's fine. I agree with all that's been
 10 said there.
 11 MS SCOLDING: Another issue which has been raised quite
 12 often that would be useful to have your perspective is
 13 that, at the moment, the criminal law doesn't make it
 14 a criminal offence for a faith leader to have sex with
 15 someone between the ages of 16 and 18. Obviously
 16 without their consent it is plainly rape, but with their
 17 consent. Whereas, if they were a teacher or a doctor or
 18 an individual within sort of statutory services, so to
 19 speak, it would be a criminal offence.
 20 Ms Sanghera, do you have any views about whether or
 21 not that criminal legislation should be extended in
 22 respect of faith leaders in positions of trust in
 23 respect of young people should not be able to have sex
 24 with them between the ages of 16 and 18 without it being
 25 a criminal offence on the basis that there's an

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1 some of the faith organisations that they know who is
 2 and who isn't.
 3 MS SCOLDING: Do you think it should be based on quantity?
 4 I mean, largely, at the moment, it is about the role you
 5 do and how often you do it. Do you have any issue about
 6 what I would call the sort of quantity versus quality
 7 argument when it comes to what should be covered and
 8 what shouldn't in respect of regulated activity?
 9 MR TILBY: Yes. I recall in a previous investigation, one
 10 of the diocesan safeguarding advisors talking about, if
 11 I am a child at the front of the church and I look at
 12 somebody and think they are in some sort of position of
 13 authority and trust, some sort of leadership role, then
 14 I might want to talk to them about something. Well,
 15 some of those people aren't currently checked. They may
 16 do something once a week. It may be a worship leader,
 17 for example, in a setting. They may not be DBS checked
 18 because they are not technically working with children
 19 and young people. So I think there is something about
 20 broadening the definition. I would go for not frequency
 21 necessarily, but the roles being clear. Are they people
 22 in positions of leadership and, if they are, regardless
 23 of whether they are paid or voluntary or what that role
 24 is, they should be part of the DBS checking something.
 25 MS SCOLDING: Mr Baldwin, do you have anything you'd like to

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1 imbalance of power?
 2 MS SANGHERA: On the balance of the issue around positions
 3 of trust and the imbalance of power, and what we
 4 understand about our victims in that space, where the
 5 community and these leaders almost hide behind their
 6 morality, their position, as it were, this all-powerful
 7 position, I personally think that it should be extended,
 8 yes, I do, for the same reasons that victims need to own
 9 this as a crime and also that we, in my experience --
 10 and I will put my experience hat on now again, so in my
 11 opinion, not as the chair of the independent chair, what
 12 I have seen in these communities where criminal activity
 13 happens and abuse is that, very often, the community
 14 takes a position of protecting the perpetrator. That
 15 does happen. And they will come around the individual
 16 and protect that individual and not necessarily the
 17 victim. So I do think that needs to be strengthened,
 18 yes.
 19 MS SCOLDING: Mr Tilby?
 20 MR TILBY: Yes, I think I have made my views known on this
 21 subject. I think it's -- I think the important thing is
 22 to extend -- there is an issue about not just extending
 23 it to those who are ordained or have a kind of formal
 24 title, but have a leadership, a clear lay leadership
 25 role in any of those faith settings. Where they are in

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<p>1 a position of trust, I think it should be extended to</p> <p>2 apply to those, yes.</p> <p>3 MS SCOLDING: Mr Baldwin, do you have anything else you wish</p> <p>4 to add?</p> <p>5 MR BALDWIN: Other than, yes, absolutely, I would agree.</p> <p>6 MS SCOLDING: I have no further questions for you. I just</p> <p>7 need to double-check to make sure that there are --</p> <p>8 would one of my team just like to send me a message</p> <p>9 privately as to whether or not there are any questions?</p> <p>10 Right. There aren't any rule 10 questions, but the</p> <p>11 chair and panel, I have no doubt, will have some</p> <p>12 questions for you. So, Professor Jay, thank you very</p> <p>13 much.</p> <p>14 Questions from THE PANEL</p> <p>15 THE CHAIR: Thank you, Ms Scolding. I have a question and</p> <p>16 then I will ask my colleagues if they have any</p> <p>17 questions.</p> <p>18 It is for Ms Sanghera, but actually I'm happy to</p> <p>19 hear any responses. My question concerns whether the</p> <p>20 faith organisations you work with distinguish between</p> <p>21 child sexual exploitation and child sexual abuse? For</p> <p>22 example, I'm thinking of the way in which victims are</p> <p>23 perceived?</p> <p>24 MS SANGHERA: Thank you. I shall come in on that.</p> <p>25 I actually can't really answer that question because</p> <p style="text-align: center;">Page 121</p>	<p>1 I do think that's a conversation that we need to have</p> <p>2 with faith communities, Professor Jay, to be quite frank</p> <p>3 with you. I'd like to think that there is that</p> <p>4 understanding, and I do believe that there is a space</p> <p>5 here to have the broader conversations around</p> <p>6 contextualising safeguarding with faith communities, and</p> <p>7 we need to be having that. But whether they can define</p> <p>8 the difference, I don't think I can answer that.</p> <p>9 THE CHAIR: Thank you. Mr Tilby?</p> <p>10 MR TILBY: I think one of the things we are finding in</p> <p>11 Birmingham is the importance of really seriously</p> <p>12 reflecting on our child protection system. So we are</p> <p>13 establishing a contextual safeguarding hub and looking</p> <p>14 to engage not just the statutory partners, but the</p> <p>15 voluntary sector and the faith communities, in that</p> <p>16 work. I suppose we have got to reflect quite seriously</p> <p>17 about what we have traditionally seen as child sexual</p> <p>18 abuse or child abuse within families to shifting our</p> <p>19 thinking into it being an environmental issue where,</p> <p>20 actually, sometimes families are the people that are</p> <p>21 trying to protect those young people in that setting.</p> <p>22 So I think there is some real thinking for us to do,</p> <p>23 as statutory partners, as well as working with our</p> <p>24 voluntary and community sector kind of partners, to say</p> <p>25 that, actually, there is real opportunity to think</p> <p style="text-align: center;">Page 122</p>
<p>1 differently about safeguarding in this context when we</p> <p>2 are talking about young people at risk of exploitation</p> <p>3 or gangs or county lines, actually sometimes families</p> <p>4 need to be the most protective factors in those rather</p> <p>5 than us thinking the problem is with the family. So</p> <p>6 I think we have all got some thinking to do and we are</p> <p>7 working with Professor Carlene Firman at the University</p> <p>8 of Bedfordshire to really sort of challenge ourselves</p> <p>9 about how we really change the way we think about child</p> <p>10 protection as well.</p> <p>11 THE CHAIR: Thank you. Mr Baldwin, do you have any comment?</p> <p>12 MR BALDWIN: Only to add very quickly, Professor Jay, that</p> <p>13 I think it is very mixed. I think there is a range of</p> <p>14 understanding. I think what we mustn't forget, for many</p> <p>15 lay people, the concept of child sexual exploitation is</p> <p>16 a relatively new one, and therefore it probably isn't as</p> <p>17 rooted in understanding as maybe sexual abuse is for</p> <p>18 some organisations.</p> <p>19 THE CHAIR: Thank you. Ms Sharpling, do you have any</p> <p>20 questions?</p> <p>21 MS SHARPLING: Yes, thank you, chair. Just a question for</p> <p>22 each of the witnesses, if I may, and that is simply to</p> <p>23 ask, if you had a recommendation that you could make to</p> <p>24 improve safeguarding in faith institutions, what would</p> <p>25 it be?</p> <p style="text-align: center;">Page 123</p>	<p>1 MR BALDWIN: I will kick off. For me, it comes back down to</p> <p>2 leadership again. I think it is about empowering some</p> <p>3 of our religious leaders to be more open, to have the</p> <p>4 courage to speak out, and, actually, for the message to</p> <p>5 get across that, actually, having these conversations</p> <p>6 about abuse and exploitation is a strength, it is not</p> <p>7 a weakness, because we know that abuse happens in every</p> <p>8 layer of society, in every setting. And having that</p> <p>9 openness to debate it, to be open and try to deal with</p> <p>10 it and grapple with it is actually a strength and not</p> <p>11 a deficit.</p> <p>12 MS SHARPLING: Mr Tilby or Ms Sanghera?</p> <p>13 MR TILBY: I think, from my perspective, having journeyed</p> <p>14 with this within the Church of England for a number of</p> <p>15 years, I think it builds on what Richard has just said.</p> <p>16 I mean, not to be frightened of this. For too long,</p> <p>17 churches and faith organisations have maybe tried to</p> <p>18 just, you know, conceal or hide or just be, you know --</p> <p>19 minimise what's been happening, partly because they fear</p> <p>20 their reputation. Actually, I think the thing that</p> <p>21 I learnt in that experience was actually to shine</p> <p>22 a light on this is the best way to actually achieve not</p> <p>23 just better support and reactive response to victims and</p> <p>24 survivors of abuse, but actually to achieve a better,</p> <p>25 healthier church. So it is about leadership but it is</p> <p style="text-align: center;">Page 124</p>

1 about cultural change and actually embracing that and
 2 being open and honest about some of the issues that do
 3 happen within all our communities, including faith
 4 communities.
 5 MS SHARPLING: Thank you. Ms Sanghera?
 6 MS SANGHERA: For me, it would be to develop minimum
 7 standards regarding safeguarding for all institutions,
 8 but with the ability to implement the monitoring of
 9 those standards. I'm going to take one more, if I may,
 10 and to have a public campaign of awareness to reach
 11 victims to increase reporting, because my feeling and my
 12 sense is that we have talked a lot about engagement, but
 13 a bit amiss in the jigsaw -- I know you will have this
 14 conversation as an inquiry, I'm sure -- is victim
 15 reporting. You know, what is the impact of our
 16 engagement? It has to be that we are reaching those
 17 victims. So the evidence of victim reporting needing to
 18 increase because of the virtue of it is under-reported
 19 in this space has to be a priority and a recommendation.
 20 MS SHARPLING: Thank you.
 21 THE CHAIR: Mr Frank, any questions?
 22 MR FRANK: No questions from me. Thank you, chair.
 23 THE CHAIR: Sir Malcolm, any questions?
 24 PROF SIR MALCOLM EVANS: Yes, if I may. One rather specific
 25 one to Mr Tilby, although if others have anything to

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1 phrase earlier about those without recourse to public
 2 funds. I was just wondering if any has reflection on
 3 whether you feel there will always be a problem with
 4 those in that category engaging with even registered,
 5 let alone regulated, organisations and how does one seek
 6 to overcome that challenge?
 7 MR BALDWIN: Let me take that, given that I put that on the
 8 table. I think the answer to the broad question is,
 9 yes, I think there will always be elements of our
 10 society that sit on the margins of society, and I think
 11 that's not going to go away. We live in a very
 12 connected world, or at least, until two months ago, we
 13 lived in a very connected world, whereby people move
 14 around and come in and out of our country. So we will
 15 always have people that move into our country that are
 16 struggling to find their place in society, in our world,
 17 and, because of that, are often vulnerable. So this
 18 isn't a problem that is going to go away.
 19 So I think what we are debating and proposing is
 20 a way of reducing those risks. It is not going to
 21 eradicate that and we are not going to get it all right
 22 all in the first go. But it is the right thing to do
 23 because it then gives us some teeth to chase down and
 24 challenge some of those situations that we see where
 25 organisations are not being compliant.

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1 say, please do, and then one quite specific but general
 2 one to all.
 3 First to Mr Tilby. You mentioned registration of
 4 faith settings. Given that virtually anything can be,
 5 at one level, a faith setting, what actually do you
 6 think is feasible, practical and useful to seek to have
 7 registered?
 8 MR TILBY: Yes. I think that is part of the difficulty we
 9 are experiencing, I think, because we are seeing so
 10 many -- a multitude of -- sort of how faith is
 11 manifested. So a meeting in a home could be cast as
 12 a faith setting. So I think there are some real
 13 definitional issues there.
 14 But I think where people are coming together, and
 15 this is obviously in the context of children, children
 16 are involved, whether there is teaching happening or
 17 whether there's, you know, worship happening with
 18 children involved, I think that -- and it has
 19 a religious element, I guess that would form
 20 registration in some shape or form. But it is, by
 21 definition, with some of the issues we are grappling
 22 with and the challenges we have, difficult to actually
 23 get that definition right.
 24 PROF SIR MALCOLM EVANS: Thank you. The perhaps more
 25 general question goes back to the rather euphemistic

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1 MS SANGHERA: May I just add something, please?
 2 PROF SIR MALCOLM EVANS: Yes, please.
 3 MS SANGHERA: At the moment, there is a debate happening
 4 nationally around domestic abuse and the recourse to
 5 public funds and the impact on victims, which may be
 6 helpful to the inquiry. But the one thing I will say in
 7 terms of supporting victims in that space, children and
 8 young people should have the right to safeguarding,
 9 regardless. And what we have found sometimes in this
 10 space is that there has been a reluctance from social
 11 care, actually, to protect those children in that space
 12 because they have no recourse to public funds.
 13 Now, I'm only bringing that to your attention
 14 because that is more about lack of awareness and
 15 understanding, but any child in this country, regardless
 16 of their citizenship, that is at risk should have
 17 protection. But what we find is, when you hear "no
 18 recourse to public funds", they are not getting the same
 19 level of protection, and that certainly is coming out
 20 nationally. And maybe tomorrow, when you hear evidence,
 21 you can talk more to those in the NGO sector about that.
 22 I just wanted to raise that.
 23 PROF SIR MALCOLM EVANS: Mr Tilby, do you have anything to
 24 add on this?
 25 MR TILBY: I would echo what's been said. Particularly at

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1 the moment, with COVID-19, we are experiencing some of
 2 those issues, with that particularly very marginalised,
 3 vulnerable group of people, both in terms of housing and
 4 accommodation and in terms of domestic violence, some of
 5 those other risks. I absolutely agree with what's just
 6 been said. Regardless of all the political kind of
 7 debates around this, we must actually focus on the child
 8 and make sure we firstly safeguard the child, but make
 9 sure those other areas of poverty and deprivation and
 10 inequality are addressed as well.
 11 PROF SIR MALCOLM EVANS: Thank you very much indeed.
 12 THE CHAIR: Thank you. We have no further questions, but
 13 I would like to thank all of the witnesses for a most
 14 informative session. Thank you.
 15 (The witnesses withdrew)
 16 MS SCOLDING: Thank you, chair. May we now take an
 17 afternoon break? We have another witness, Mr Knott,
 18 from the Department for Digital, Culture, Media & Sport
 19 after the break, if we may.
 20 THE CHAIR: Yes, we will return at 3.05 pm.
 21 MS SCOLDING: Thank you very much.
 22 (2.50 pm)
 23 (A short break)
 24 (3.05 pm)
 25 MS SCOLDING: I would now like to call Mr David Knott.

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1 Mr Knott, can I ask you to turn to your witness
 2 statement, please? It is behind tab A1 of your bundle.
 3 In fact, there are two witness statements from you. If
 4 I could ask you to turn to the first one, behind tab A1,
 5 which is dated 11 December 2019. On that last page, can
 6 you confirm that you signed this witness statement?
 7 **A. I did.**
 8 Q. Is it true, to the best of your knowledge and belief?
 9 **A. It is.**
 10 Q. Have you had a chance to read it recently?
 11 **A. I have.**
 12 Q. Could I ask could you to turn to tab A2, which is a much
 13 briefer witness statement from you, dated
 14 31 January 2020. Again, have you had an opportunity to
 15 sign this witness statement?
 16 **A. Yes, that's me.**
 17 Q. Is it true, to the best of your knowledge and belief?
 18 **A. It is.**
 19 Q. Have you had a chance to read it again recently?
 20 **A. I have.**
 21 Q. Mr Knott, you are the director for the Office for Civil
 22 Society at the Department for Digital, Culture, Media &
 23 Sport. Sorry, I have spent most of the last week
 24 calling it "culture, media and sport", forgetting the
 25 "digital".

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1 MR DAVID KNOTT (affirmed)
 2 Examination by MS SCOLDING
 3 MS SCOLDING: Good afternoon, Mr Knott. Thank you very much
 4 for coming. I know you are in charge of the civil
 5 society response to COVID-19, so thank you very much for
 6 taking the time out to do this from what must otherwise
 7 be a very busy schedule.
 8 If, at any point, you cannot see me or hear me --
 9 well, if you can't see me then you can't raise your
 10 hand. If you can't hear me, then please do raise your
 11 hand. Likewise, if at any point there is anything you
 12 wish to interrupt with or particularly you want to say,
 13 in the time-honoured fashion, a raised hand is usually
 14 the way that it works.
 15 We are due to go today until approximately 4.00 pm,
 16 but if you do need a break before that, please do let me
 17 know.
 18 You should have a bundle in front of you with your
 19 witness statement in and various other documents. If
 20 I am making express reference to any of these documents,
 21 I will ask the evidence handler to get the documentation
 22 up.
 23 Last, but by no means least, this isn't a test of
 24 memory, so if you have got notes and you wish to refer
 25 to them, that's absolutely fine.

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1 What is seen as civil society for these purposes?
 2 **A. For these purposes, civil society is considered as**
 3 **encompassing charities, volunteering, community action,**
 4 **social enterprise, social investment. We also have some**
 5 **additional responsibilities pertaining to activities of**
 6 **young people outside of school. But civil society is**
 7 **both the formal and informal set of responsibilities.**
 8 Q. I think you set this out in some detail in your witness
 9 statement at paragraph 4, the first one, which is
 10 DFD000020_002, Danny, if we could get that up. You play
 11 a role, in effect, to do with youth settings,
 12 volunteering and the charity sector; that's right, isn't
 13 it?
 14 **A. That's right.**
 15 Q. What role does DCMS have in respect of
 16 the Charity Commission in particular? What is your
 17 relationship between yourself -- well, the DCMS and the
 18 Charity Commission?
 19 **A. So the Charity Commission is a non-ministerial**
 20 **department, so it's not an executive agency or**
 21 **a nondepartmental public body. What that means is, the**
 22 **Charity Commission is directly accountable to parliament**
 23 **for its own strategy and for its own resources.**
 24 **The responsibility that DCMS and its ministers have**
 25 **are for the appointment of the board of**

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<p>1 the Charity Commission, consistent with a public 2 appointment, and for the law that the Charity Commission 3 regulates under. So it's a non-ministerial department. 4 We do work closely with the Charity Commission, as 5 you will have seen on the safeguarding work, as an 6 example, because we all have collective interests in the 7 health and vibrancy of civil society. 8 Q. Obviously, as you have the policy lead for local youth 9 services and sort of positive volunteering activities 10 and positive activities for children out of school, do 11 you have any responsibility or have you ever done any 12 piece of work about religious organisations and the work 13 that they undertake in respect of voluntary youth work? 14 A. We haven't undertaken any specific work looking at 15 religious organisations alongside -- delivering or 16 alongside youth services. Our responsibilities are 17 primarily in regard to the statutory responsibilities 18 that a local authority will have to deliver adequate 19 youth services in their area, as well as programmes that 20 complement and support and provide opportunities for 21 young people, particularly the National Citizen Service, 22 other programmes like the #iwill programme, to promote 23 meaningful social action and complementary programmes to 24 help young people bring their voice and advocacy into 25 public policy.</p> <p style="text-align: center;">Page 133</p>	<p>1 Q. Obviously, I suppose the follow-up question from that 2 might be, it's interesting, given how much work you do 3 to promote positive youth action, particularly you're 4 talking about the "#iwill", that you haven't ever 5 engaged with, specifically with, religious organisations 6 and settings, despite the fact that, from everything we 7 know, they are likely to be possibly the largest 8 provider of voluntary services for children and young 9 people in this country at the moment. Is there any 10 particular reason why you haven't engaged particularly 11 with religious organisations, given their roles and 12 responsibilities in that arena? 13 A. I would say, in the delivery of these programmes, 14 inherently there will be a close relationship between 15 religious organisations who may be delivering or 16 co-delivering some of those programmes, but from 17 a departmental perspective, we do not have particular 18 responsibilities relating to religious organisations. 19 I'm aware of some of the ways in which some of 20 the programmes will have been delivered in part or have 21 reached a faith organisation, but we haven't 22 specifically looked at the evidence or the policy 23 reached from a faith perspective. 24 Q. One of the pieces of work you identify within your 25 witness statement that you have been doing, however, is</p> <p style="text-align: center;">Page 134</p>
<p>1 work on renewing the youth work curriculum and 2 qualifications. Now, that's at paragraph 40 of your 3 witness statement. That's DFD000020 underscore 010. 4 Page 10, Mr Knott. A very potted explanation here. As 5 I understand it, if you want to undertake youth work on 6 a statutory basis -- you work for a local authority 7 running a youth service, you have to have a certain 8 minimum level of youth work curriculum and 9 qualifications. Am I right in that or is it a voluntary 10 thing? 11 A. I believe you are correct in that, though I would defer 12 to the National Youth Agency. 13 Q. It is said that they will develop generic youth worker 14 safeguarding training for specific areas from 15 this February for anyone who works with young people. 16 Has there been any thought given to trying to promote 17 those curriculum and qualifications to voluntary 18 agencies, which would both be religious voluntary 19 agencies and nonreligious voluntary agencies, in order 20 to try to encourage greater professionalism, shall we 21 say, in the voluntary sector as a whole? 22 A. So that grant that we are referring to there for the 23 National Youth Agency, I believe, was something in the 24 region of £914,000, has been there to renew that 25 curriculum which has been required every five years.</p> <p style="text-align: center;">Page 135</p>	<p>1 I would be almost certain that the National Youth Agency 2 would be delivering that in partnership with voluntary 3 organisations, as youth workers will be employed by or 4 working with voluntary organisations just as much as 5 they will be through a statutory or local authority 6 setting. 7 Q. But my understanding is, there is no requirement for any 8 voluntary organisation, as opposed to a local authority 9 organisation. Now, a local authority could make it 10 a prerequisite of grant funding, for example, but there 11 is no mandate for those who work in voluntary 12 organisations in respect of youth work to have any 13 particular qualification. Am I correct -- would you 14 know the answer to that, I suppose? 15 A. I believe you are correct, but it is not a specific part 16 of our responsibilities there. 17 Q. Whose responsibilities would that be? 18 A. The responsibility there, I believe, would fall to the 19 Department for Education. 20 Q. I see at paragraph 41 -- this is DFD000020_011, the top 21 of the next page, you have given some money to the 22 Uniformed Youth Fund. That's, I'm assuming, 23 Boys' Brigade, Girls' Brigade, Jewish Lads' and 24 Girls' Brigade but not the Scouts and Brownies. Do they 25 not count as a Uniformed Youth Fund?</p> <p style="text-align: center;">Page 136</p>

1 **A. They do count as a uniformed youth organisation and we**
 2 **have funded the Scouts in a variety of different ways in**
 3 **the past. We have had an #iwill programme that has been**
 4 **running certainly since 2015/16 and, on a number of**
 5 **occasions, uniformed youth organisations have been**
 6 **recipients of discretionary grants there. That**
 7 **particular programme was awarded to those organisations**
 8 **that are listed.**
 9 Q. Do you make any requirements before those organisations
 10 can get any money of having any minimum organisational
 11 standards, child protection standards? Are they
 12 requirements of grant? Would you know that question?
 13 **A. Yes, we do have quite clear standards for all our**
 14 **grants, which is, of course, related to the legal**
 15 **requirements that any organisation will have, but also**
 16 **wider things around their ability to show impact and**
 17 **value for money and a certain due diligence process that**
 18 **we will go through with all organisations.**
 19 **By and large, we are not a significant funder with**
 20 **the social sector and aren't a body -- the National**
 21 **Lottery Community Fund will do a much larger amount and**
 22 **many of our #iwill programmes have been delivered**
 23 **jointly with them and they have a whole system for**
 24 **accreditation and due diligence of programmes.**
 25 Q. The National Lottery, it is a public body, so to speak?

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1 **there, and we have regularly undertaken specific**
 2 **assessments to assure ourselves that those safeguarding**
 3 **procedures -- and, indeed, had some external consultancy**
 4 **support to validate those. In those sort of examples,**
 5 **we would take a much more activated -- consistent with**
 6 **the ministerial responsibilities, perhaps somewhat**
 7 **slightly different to resources that are not delivered**
 8 **or funded directly by the department.**
 9 Q. Can I ask you about policy responsibility. Obviously we
 10 are hearing you separately. We were due originally to
 11 be hearing you along with lots of other government
 12 departments. So you're going first. At paragraph 42 of
 13 your witness statement, which is DFD000020_011, Danny,
 14 I think we can see:
 15 "We have contributed broad domestic charity sector
 16 and youth sector perspectives in relation to other
 17 government department policy responsibilities as
 18 follows ..."
 19 There are then four government departments, and this
 20 excludes the Department of Health that might have some
 21 responsibility. So there are five -- and the MHCLG
 22 which we know funds some other things. So there are
 23 possibly six government departments who have some form
 24 of responsibility for some bits of safeguarding in the
 25 voluntary sector, shall I put it like that?

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1 **A. Yes. So that one is back under -- that is an**
 2 **arm's-length body. So the National Citizens Service and**
 3 **the National Lottery Community Fund are two examples**
 4 **where we do have so-called principal accounting officer**
 5 **responsibilities in the DCMS and, therefore, we are**
 6 **responsible for the funding systems under those**
 7 **organisations. So they are operationally independent**
 8 **but we are responsible for the strategic priorities of**
 9 **those organisations.**
 10 Q. When you're responsible for those strategic priorities,
 11 what emphasis is put upon the need for there to be sort
 12 of minimum standards in respect of child protection and
 13 safeguarding when you're dealing with giving money,
 14 dealing with services that make provision for children
 15 and young people?
 16 **A. A very significant one. I took the example, say, of**
 17 **the National Citizen Service. It's a programme where**
 18 **100,000 young people participate in a range of**
 19 **life-changing experiences, in particular a residential**
 20 **programme over the summer or autumn periods of school**
 21 **break.**
 22 **They have a very detailed safeguarding procedure and**
 23 **at certain levels that will be referred back into us as**
 24 **a department, and I am part of their safeguarding**
 25 **procedure when there are certain thresholds that are met**

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1 **A. That's true, yes. There are at least six departments**
 2 **there.**
 3 Q. It's quite difficult, because some of the evidence
 4 that's been given to us by some of the other departments
 5 is, there appears to be a bit of sort of "pass the hat"
 6 going on, which is, "It's not me, it's him. It's not
 7 him, it's her. It's not her, it's the man around the
 8 corner". What do you do within central government to
 9 try and avoid either you all doing the same things or
 10 you not doing enough? Is there an overall safeguarding
 11 or child protection strategy that runs through central
 12 government?
 13 **A. So it's true there are six departments who have**
 14 **different responsibilities. It's also true that there**
 15 **isn't a collective strategy, in the sense of**
 16 **a capital S, "Strategy", document that guides all of**
 17 **the work there.**
 18 **If I was to perhaps say a little bit about the**
 19 **perspective that we have and the programmes that we have**
 20 **led as part of our safeguarding work, I would say they**
 21 **are a strategic response, prompted by a reaction to**
 22 **certain events that reflect the reach that we have into**
 23 **civil society and the ways in which we can channel those**
 24 **messages.**
 25 **They were themselves guided by work right across**

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<p>1 a range of departments. We have a safeguarding Summit, 2 we have a safeguarding programme group which other 3 departments have been represented on which has informed 4 the development and design of those, and we work quite 5 closely together as departments looking at our 6 collective and individual responsibilities there. 7 So while it is correct there isn't a single 8 strategy, in practice we are working quite closely from 9 a range of different reaches into this challenge. 10 Q. I suppose the question is, you are all reaching into the 11 challenge, but, as you have identified, the work that 12 you identify in your witness statement was largely kind 13 of reactive to, in particular, the issues which were 14 raised in respect of Oxfam and Save the Children and 15 other international NGOs. We see you have done some 16 very valuable work in that setting and sector, but 17 I suppose it begs the question, should there not be 18 a more proactive strategy in respect of child protection 19 which encompasses statutory bodies and voluntary bodies, 20 which is run across Whitehall? Would that be a good 21 idea or would that add a layer of complexity to what is 22 already quite a Byzantine system? To an outsider. I am 23 sure you understand it perfectly, Mr Knott. 24 A. Let me put it like this: I think each of us, as 25 departments, and collectively, will want to reflect</p> <p style="text-align: center;">Page 141</p>	<p>1 carefully on the results of this inquiry what we could 2 do differently as individual and collective departments. 3 Whether that is reaching into this challenge in our 4 existing responsibilities or in a different way than 5 which we might bring them together in the future. 6 I think you will find my colleagues in the other 7 departments will also be looking to learn and reflect 8 from this inquiry. 9 Q. Maybe let's have a brief look at some of 10 the safeguarding activity you have been involved in. 11 You say at paragraph 13 of your witness statement that 12 you have given a considerable sum of money, just over 13 £1 million, in fact, to make generic safeguarding 14 resources available to all domestic charities. 15 DFD000020_004. You have provided quite a lot of money 16 to make generic -- is that via the Charity Commission or 17 is that via another route? 18 A. So the second line there is referring to the National 19 Youth Agency, the grant that I referred to there before. 20 The first one, the 608,000 is referring to the work of 21 the -- primarily the Charity Commission, ACEVO and NCVO. 22 Q. In 2018, as I understand it, as a result of Oxfam, you 23 published a commitment to provide new guidance and 24 support and you identify the four strands it is going to 25 work on at paragraph 18. Danny, DFD000020_005. There</p> <p style="text-align: center;">Page 142</p>
<p>1 are four work strands there: consistency and 2 accessibility of safeguarding guidance; to focus on 3 culture in charities; to provide a digital solution; to 4 provide access to support and advice. 5 I suppose the question I have is, why was it deemed 6 necessary to undertake these four strands of work, and 7 if the idea was to raise awareness in domestic 8 charities, would it not have been better just to have 9 given the money straight to the Charity Commission and 10 got them to do the work on your behalf? Or is that 11 what, in effect, happened? 12 A. So on the first part of that, why was it deemed 13 necessary, I guess I would observe that there has been 14 a sort of a longer history of safeguarding work, and one 15 can see that in earlier policy advice and guidance the 16 Charity Commission had been writing even in the early 17 2000s, particularly prompted a reaction to the Oxfam and 18 Save the Children experience in early 2018, recognising 19 that there was a need for a step change in practice and 20 culture. So that was the particular, I suppose, prompt 21 at that moment. 22 On the second part, in terms of would it have been 23 better only to have given this to the 24 Charity Commission, I would step back and say that our 25 civil society is a patchwork quilt of organisations, and</p> <p style="text-align: center;">Page 143</p>	<p>1 what we were looking to do there was to build on the 2 right forms of messages through the right channels. So 3 obviously, the regulator of the Charity Commission has 4 some strong teeth and can set quite clear expectations 5 and has a specific reach through that. ACEVO, in the 6 second part of that, reaches charitable chief 7 executives. That digital solution was about creating 8 a channel for that wider safeguarding and support. And 9 then the fourth part, principally through the NCVO and 10 the National Lottery Community Fund, is about spreading 11 that training in two parts of it. 12 I think the Charity Commission is a good and an 13 important route to this, as the clear regulator of 14 charities, but those other routes help to promote the 15 practice and spread the culture in a broader way that is 16 probably in recognition of the slightly patchwork-quilt 17 nature of our civil society. 18 Q. Asking in terms of the Charity Commission to improve 19 consistency and accessibility of safeguarding guidance 20 and reporting, obviously we understand where that comes 21 from. I suppose the question is, is that -- what the 22 Charity Commission would say is that their primary role 23 is not as a regulator of charities in respect of their 24 safeguarding functions. They have quite a specific role 25 in roles of identifying whether or not the trustees are</p> <p style="text-align: center;">Page 144</p>

<p>1 in effect following their governance and management 2 strategies, and that the Charity Commission in and of 3 itself has no power to impose particular safeguarding 4 standards upon any charitable organisation. 5 Do you think that one of the -- as your 6 responsibility for the legal part, shall we say, that 7 some consideration should be given as to whether or not 8 all charities, there should be some kind of minimum 9 safeguarding standards, that, if you want to be 10 registered as a charity, you have to meet? They needn't 11 necessarily be wildly onerous. Do you think that's 12 something that this inquiry should consider or you 13 should consider as a policy option? 14 A. So the Charity Commission exists there as the 15 organisation to register and regulate charities, 16 consistent with the legal obligations that they will 17 have, and to hold those trustees to account for that. 18 It doesn't regulate the activities or services of 19 charities in any way, and so, in some other sectors of 20 charities, there are principal regulators who are 21 responsible for the activities or services of charities 22 in those areas. When we have looked before at the 23 experience in other sectors and internationally at 24 Charity Commissions or equivalents, they are, by and 25 large, not performing any regulatory or inspectorate</p> <p style="text-align: center;">Page 145</p>	<p>1 activity on the kind of activities or services of 2 charities. They do, though, have a reach into ensuring 3 that trustees are rightly upholding the law that affects 4 charities and has some additional expectations, in the 5 way that is set out in the Charity Commission's guidance 6 there, that sort of sets a clear standard of the culture 7 and practice that charities should be operating under, 8 with the general sense that those ought to help 9 facilitate the proper safeguarding practices. 10 Q. One of the difficulties of that, Mr Knott, is -- 11 I understand, but the problem is, if you set 12 expectations out, people expect that those expectations 13 can be enforced by way of compliance. So you have 14 a situation at the moment where the Charity Commission 15 will issue guidance which will set various expectations. 16 Various people will therefore say, "Well, why aren't you 17 doing anything about that?" But the reality is that the 18 Charity Commission doesn't have, as you quite rightly 19 identify, the regulatory basis to do anything about it. 20 So doesn't that create kind of an unhappy conundrum, 21 in that you have got a body which could enforce the 22 rules but can't do so because it doesn't have the 23 legal -- really, the legal basis to do so, and you 24 saying, "But we don't think we should give it the legal 25 basis to do so because there should be another regulator"</p> <p style="text-align: center;">Page 146</p>
<p>1 if there needs to be regulation of the activities and 2 services of voluntary bodies"? Is there any policy 3 position that your department has as to whether or not 4 there is the necessity for some form of regulator of 5 voluntary bodies who provide services to children? 6 A. So we don't have a departmental position on that, and 7 I think that's a good example of where there would be 8 a collective need for a government view with a range of 9 departments having a view on that, and there are, I'm 10 sure, lots of considerations about different forms of 11 national or local regulation, statutory or independent 12 regulation. 13 When we last looked most closely at the role of 14 the Charity Commission in the 2016 Charities Act, and 15 looked at that in a range of other international 16 contexts, we took a quite clear view that, although the 17 Charity Commission should have some stronger levers, it 18 would not, at the time, have been seen appropriate to 19 start regulating particular activities or services or 20 taking a broader inspectorate role. 21 Q. Is that for policy reasons or practical reasons, or, you 22 know, policy is practice, but why was that? Why was the 23 decision taken? It's obviously there -- from the sounds 24 of it, there were some discussions around that. What 25 was seen as being unhelpful about the Charity Commission</p> <p style="text-align: center;">Page 147</p>	<p>1 having extra regulatory powers over activities and 2 services? 3 A. I suppose, like, foundationally, it starts with saying 4 the role is registering a range of organisations as 5 charities. Because that charitable status confers 6 significant public benefit on those charities, it needs 7 to ensure that those organisations are delivering that 8 public benefit and upholding practice in the way that 9 people would expect the highest standards of charities. 10 The range of charities goes from universities to 11 parts of the National Health Service to care homes. In 12 each of those cases, there is a principal regulator who 13 is more deeply involved in those activities and 14 services, and it was felt it would be inconsistent with 15 the Charity Commission's framework to pick up additional 16 regulatory or inspectorate-type activity related to the 17 deeper, and I suppose there is a broader, perhaps, 18 question for parliament here about the boundaries 19 between state and charity, as there are between state 20 and faith organisations, and the sort of tradition that 21 the Charity Commission's work operates in is an 22 independent, self-sustaining sector, and there is a fine 23 debate that goes on inside civil society about the role 24 and remit of the Charity Commission and its ability to 25 act as a policeman or otherwise.</p> <p style="text-align: center;">Page 148</p>

<p>1 Q. I suppose the issue here is, I understand entirely the 2 reluctance to get engaged with things which are 3 voluntary, because they are voluntary for a reason. But 4 obviously, as you have identified, being a charity or 5 registering with the Charity Commission confers 6 significant advantage -- financial and otherwise; 7 largely financial -- on organisations, so they get all 8 the advantages, but some people would say they have none 9 of the responsibilities that other organisations, which 10 are performing identical services, do when it comes to 11 children and young people, because there isn't the same 12 regulation.</p> <p>13 Now, I understand the point you make about, well, 14 we've got universities and schools, I understand that, 15 but they are all, in effect, regulated. But you then 16 have this whole sphere of people providing often, as we 17 have found out, significant numbers of children, 18 hundreds of thousands, millions of children, with 19 services, but yet there is no expectation on them to 20 meet even the most basic standards to keep children 21 safe. I suppose that's where the balance, you know, 22 depending on where you come from, you might say, when 23 you're dealing with children and keeping children safe, 24 the balance might be struck in a different way to if 25 you're looking at, I don't know, the donkey sanctuary,</p> <p style="text-align: center;">Page 149</p>	<p>1 although, to be honest with you, the donkey sanctuary 2 would be regulated by the RSPCA probably quite heavily 3 in terms of its animal welfare standards. I suppose you 4 just have to sit there and think, why is it acceptable 5 for us to regulate certain forms of charities but not 6 others?</p> <p>7 A. I think that then goes back to the more fundamental 8 question about where those activities or services ought 9 to be regulated, either as sector-specific regulation or 10 kind of independent regulation in those sectors, because 11 you would have a similar problem there, given that many 12 organisations delivering community benefit are not 13 charities. In some estimates, there is sort of 600,000 14 to 800,000 organisations out there who are not 15 registered as charities but are still delivering local 16 community services.</p> <p>17 The obvious point about faith organisations not all 18 being charities; organisations who have a turnover of 19 less than £5,000 not being part of the charity register. 20 I can see the important point there about the public 21 benefit. There are just lots of boundary questions here 22 that would require some quite careful thought, I think, 23 and whether that would then lead you into more 24 sector-specific regulation or not, is perhaps beyond me 25 alone.</p> <p style="text-align: center;">Page 150</p>
<p>1 Q. One of the points that the Charity Commission make in 2 their witness statement is, in effect, that the Treasury 3 has cut their money a lot. They say it's been cut from 4 £30 million to £22 million, and I'm assuming it is 5 a body funded by the state but you have -- do you have 6 some responsibility and oversight? I have to say, 7 I don't pretend to understand the Treasury financial 8 rules, the relationship between you, the 9 Appropriation Act and the DCMS. But, basically, what 10 they are saying is, you're asking them -- we, as 11 a society, are asking them to do more, particularly in 12 respect of safeguarding and child protection, but on 13 significantly less money. They say there's been 14 a 50 per cent cut in funding since 2007 and their staff 15 have shrunk to under 300, although there has been 16 a growth in the sector. Is this something which you 17 think -- does the balance need to swing in the other 18 direction in terms of money? I say this slightly 19 cautiously on the basis that money is a bit of an issue 20 with everyone now?</p> <p>21 A. So the Charity Commission negotiates its sort of 22 settlement directly with the treasury as 23 a non-ministerial department. Of course it kind of goes 24 back to my point about, we have kind of common and 25 collective interests in the health and vibrancy of</p> <p style="text-align: center;">Page 151</p>	<p>1 the sector, so I will take a close interest in the 2 settlement that the Charity Commission obtains there.</p> <p>3 In the most recent spending review, they had another 4 10 per cent uplift in their resources, and I think the 5 chief executive at the time went on record as saying 6 that enabled them to deliver their strategic plan and 7 enhanced some of their operational capabilities to deal 8 with some of that historic backlog.</p> <p>9 I think it is equally true that the complexity and 10 size and number of charities has grown vastly and the 11 number of serious investigations and serious incident 12 reports I think was in their evidence. I think it 13 becomes a bit more of a matter for judgment -- their 14 resources to be able to deliver beyond their statutory 15 responsibilities, and that may be one for the 16 Charity Commission to report on more.</p> <p>17 Certainly, when we gave the grant to the 18 Charity Commission to upgrade that advice, it was 19 consistent with the recognition that they would need 20 some more resources in order to improve that advice and 21 guidance in between a spending review.</p> <p>22 Q. Just a couple more things. If we go back to 23 paragraph 18 and your four points, so we have dealt with 24 the consistency and accessibility of safeguarding 25 guidance. To focus on culture in charities as the</p> <p style="text-align: center;">Page 152</p>

<p>1 foundation for effective handling of safeguarding 2 incidents, promoting strong leadership. Now, you have 3 done that through giving an organisation called ACEVO -- 4 am I right saying it should be said "ACEVO"? 5 A. Yes. 6 Q. That is, what, the Association of Chief Executives of 7 Voluntary Organisations? 8 A. That's right, yes. 9 Q. You gave them some money about cultural change, in 10 effect, and promoting strong leadership. Why was that? 11 Could you just tell us a little bit about your thinking 12 behind that? 13 A. So that was sort of part of this overall package of 14 trying to use all of the different levers and routes 15 into civil society, and to recognise that this is -- the 16 practice has to start from a culture and a culture of 17 leadership and the Association of Chief Executives, 18 there has the -- is the umbrella body to support chief 19 executives running large and small charities, and so it 20 was felt we're best able to make a step change in that 21 culture, and then, you know, combined with those other 22 levers of providing kind of training and support perhaps 23 to their teams, the grant there brings together those 24 chief executives. 25 Q. The third issue that you identify is better sort of</p> <p style="text-align: center;">Page 153</p>	<p>1 reporting and better information, a digital solution for 2 reporting safeguarding concerns and access to support 3 and advice in one place which is free. Can I turn, 4 thirdly -- I understand this appeared in January 2020, 5 24 January. We have it, chair and panel, behind 6 tab B10. We have a digital sort of guidance, in effect, 7 digital reporting process, flowchart and tool. It is 8 DFE000023. That's the first page of it. Then if we 9 take some examples, "Things to begin with", can we go to 10 _008 and _009. This is a sort of new online portal. So 11 you sort of fill it in, as I understand it, and they 12 then say to you -- and then, roughly, at the end of it, 13 I think you will get something which says, "I think you 14 should report this", or, at the very least, it is meant 15 to prompt questions about, what have you done, have you 16 reported it to anyone, if you haven't, should you, have 17 you done anything internally, and the sort of next 18 steps. For example, if we look to "Further action" at 19 _014 and _015, please, Danny, this is kind of for 20 internal purposes. So this was designed, I understand 21 it, largely with the Scouts and with some other 22 voluntary organisations who came together. 23 It seems, at first blush, like quite a useful tool. 24 How have you tried to get this out to the faith sector, 25 in particular? What have you done to try to work on</p> <p style="text-align: center;">Page 154</p>
<p>1 this? Who are often people who don't necessarily 2 understand the complexities of the different statutory 3 agencies that we are talking about. 4 A. So I would have to come back on what we have done 5 specifically to reach the faith sector for this. You 6 are right that it was developed closely with the Scouts 7 and a sort of effective reporting group, and I know that 8 would have had input from faith organisations on it. 9 I also know we have had over 9,000 visits to that since 10 it was launched in January. So that also tells me it is 11 servicing as a useful decision-making tool for people, but 12 I would have to come back on how specifically we have 13 reached digital organisations through that. 14 Q. Turning, last, to the fourth strand, is a safeguarding 15 training fund, which I understand that there is a sort 16 of phase 2 is currently being implemented and 17 disseminated. Danny, would you mind if we got up 18 DFD000012, behind tab B8, chair and panel. This is, 19 I think, a sort of -- this is probably the bid -- no, 20 Danny. DFD000012_001. That's 22, Danny. Sorry if 21 I got the number wrong. 22 This is a safeguarding training fund, and this is to 23 try and -- well, firstly, there's been the idea that the 24 NCVO is to design a national and generic online 25 safeguarding training package suitable for all</p> <p style="text-align: center;">Page 155</p>	<p>1 charities. Has that happened? That's what it says at 2 the beginning? It says by September 2009. Do you know 3 if that's actually -- 4 A. That refers to the first phase of this work, which is to 5 provide that national generic training. The second 6 phase is then to work with grass-roots organisations to 7 further disseminate and to learn from that as we go. 8 Q. That's set out at _003, I think, of the ambitions for 9 phase 2. So is that currently -- I mean, obviously, 10 none of that is happening at the moment. I completely 11 understand that. But have the bids for this come in and 12 been allocated or has everything been put on hold as 13 a result of COVID? 14 A. Those grants are now active. I believe they are active 15 and will continue up to 2021/2022. That's the six 16 organisations that are listed in my kind of 17 supplementary evidence there. So they have been 18 awarded. 19 Q. When you say small volunteer-led organisations, 20 organisations in remote areas; organisations working in 21 the most challenging areas of our community, such as 22 high unemployment, high drug; diverse communities which 23 may need more specialised safeguarding. Most of 24 those -- other than possibly remote, rural and not 25 primarily working with vulnerable adults, all of those</p> <p style="text-align: center;">Page 156</p>

1 are likely to encompass a large number of religious
 2 organisations or organisations with a faith motivation,
 3 at the very least, aren't they?
 4 **A. Yes, that's correct. And in particular one of those,**
 5 **the Social Care Institute for Excellence, is**
 6 **particularly working with small, faith-based**
 7 **organisations to provide training, webinars, on the**
 8 **application of safeguarding governance.**
 9 Q. The fact that you have produced very recently both some
 10 generic safeguarding resources and a digital reporting
 11 process seems to show that such is really needed in the
 12 context of this sector. Do you think it is something
 13 which should be disseminated more widely than you're
 14 currently proposing? Because lots of religious
 15 organisations have said to us, "Look, we would love to
 16 have template policies, digital reporting tools", all of
 17 the sorts of things that you are starting to work
 18 towards. Do you think it is something whereby there
 19 needs to be a much larger dissemination of these
 20 materials and these resources (overspeaking)
 21 organisations?
 22 **A. Yes, because the data that we have on the demand so**
 23 **far -- I referred to the 9,000 who have gone through**
 24 **that safeguarding, something like 44,000 have used those**
 25 **NCVO tools. We have had over 185,000 usage of**

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1 **Charity Commission guidance. That tells me there's**
 2 **a significant demand. Through this second phase of**
 3 **work, we will be wanting to learn and understand about**
 4 **what more we can do to disseminate and spread,**
 5 **particularly at that kind of grass-roots level, and we**
 6 **will want to take that closely into account and I'm sure**
 7 **ministers will when they think about future phases of**
 8 **the safeguarding work, whether that is from a civil**
 9 **society or broader perspective.**
 10 MS SCOLDING: Mr Knott, I have no further questions, but the
 11 chair and panel may well have further questions for you.
 12 I understand there are no questions from any other core
 13 participants. Thank you very much for coming to give
 14 evidence. I now pass over to Professor Jay.
 15 THE CHAIR: Thank you, Ms Scolding. I have no questions but
 16 I will ask my colleagues whether any of them do have.
 17 Ms Sharpling?
 18 MS SHARPLING: Not from me, chair, thank you.
 19 THE CHAIR: Thank you. Mr Frank?
 20 MR FRANK: No questions from me, thank you.
 21 THE CHAIR: And Sir Malcolm?
 22 PROF SIR MALCOLM EVANS: Not from me. Thank you very much.
 23 THE CHAIR: Thank you. Thank you very much, Mr Knott.
 24 **A. Thank you.**
 25 **(The witness withdrew)**

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1 MS SCOLDING: Thank you, chair. We have no further
 2 witnesses for today, I am sure you will be pleased to
 3 hear. If we may adjourn for today and resume again
 4 tomorrow at 10.30 am, with your permission?
 5 THE CHAIR: Yes, of course, we will do that. Thank you.
 6 MS SCOLDING: Thank you very much. Thank you.
 7 (3.55 pm)
 8 (The hearing was adjourned to
 9 Friday, 15 May 2020 at 10.30 am)

I N D E X

MS JASVINDER SANGHERA (affirmed)1

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