

<p>1 Tuesday, 21 November 2017 2 (10.00 am) 3 Welcome by THE CHAIR 4 THE CHAIR: Good morning, everybody. I am Alexis Jay. As 5 you know, I'm am the chair of the Independent Inquiry 6 into Child Sexual Abuse. May I introduce the other 7 panel members: Ivor Frank, Professor Sir Malcolm Evans 8 and Drusilla Sharpling. 9 As you know, the topic of today's seminar is 10 understanding how the criminal justice system handles 11 child sexual abuse cases, and I am pleased to welcome 12 those of you who have agreed to take part to assist us 13 and to see so many people and so many familiar faces in 14 the public gallery. Welcome to you all. Thank you. 15 Today's seminar sits within a wider programme of 16 inquiry seminars designed to gather information and 17 views on a range of important topics. Seminars make 18 a valuable contribution to the inquiry's work. Although 19 the seminars cannot be formal evidence-gathering 20 sessions, the information we hear during them helps us 21 in a number of ways, and two in particular I want to 22 draw your attention to are that it helps us to identify 23 areas that require further investigation and scrutiny, 24 and it also assists us in gathering current opinion on 25 the matters which the inquiry is considering, including</p> <p style="text-align: center;">Page 1</p>	<p>1 experiences with us. 2 We are pleased that representatives from such a wide 3 range of organisations are present today and will be 4 listening to the discussions with interest and, as 5 I have said, we want to thank you also for agreeing to 6 take part. 7 Matthew Hill, who is one of the inquiry's counsel 8 team, will be facilitating the discussions today and 9 tomorrow, and he will say more about the format of 10 the seminar and about the parameters we must abide by in 11 a minute. 12 The seminar, as I think you know, is being live 13 streamed over the internet with a short delay to allow 14 those who are unable to attend in person to follow the 15 proceedings. 16 Once again, my thanks to everybody who is 17 participating and those who have taken the trouble to be 18 present today in the public gallery. 19 Mr Hill? 20 MR HILL: Thank you very much, chair. 21 Opening remarks by MR HILL 22 MR HILL: I am a barrister, and I am instructed by the 23 inquiry, and my role today is to facilitate this seminar 24 discussion. It is not to cross-examine anybody, it is 25 not to make any legal submissions.</p> <p style="text-align: center;">Page 3</p>
<p>1 the opinions of those whose work or experiences give 2 them a frontline perspective on the issues. 3 This is the sixth seminar in the inquiry's 4 programme, and will be spread across two days. 5 Throughout the seminar, we will focus on the 6 experiences of complainants, victims and survivors of 7 child abuse in relation to the criminal justice system 8 and changes that can be made to the system or are being 9 made to the system to improve how it works. 10 The panel members and I are very conscious that in 11 the time we have we will only be able to skim the 12 surface of the topics for discussion. We hope that what 13 we hear today and tomorrow will help to shape the focus 14 of the inquiry's future work in this area. Given the 15 range and breadth of topics which we will be 16 considering, we will need to use the time well and 17 address the topics in hand as thoroughly as we can, so 18 we look forward to an open, ordered and respectful 19 discussion. 20 Today's discussion will involve members of 21 the inquiry's Victims and Survivors' Forum, who will be 22 talking about their personal experiences of the criminal 23 justice system. I would like to take this opportunity, 24 on behalf of myself and the panel, to say thank you to 25 all of those of you who have chosen to share your</p> <p style="text-align: center;">Page 2</p>	<p>1 I should also say at the outset that I don't 2 practise in criminal law. I have no personal experience 3 or personal prejudice to bring to this discussion and 4 hence approach it from a position of independence. 5 The chair and the panel are going to wish to hear 6 from our contributors and not from me. 7 To my right is Grace Forbes, who is also a barrister 8 instructed by the inquiry, and she does practise in 9 criminal law and will be assisting me today. 10 We have a lot of ground to cover and some very broad 11 topics, so I thought it might be helpful to set out 12 briefly the approach that we are going to take. We have 13 designed the seminars on a broadly chronological basis, 14 following a complainant's journey through the criminal 15 justice system. 16 So that we all have our bearings, I will begin by 17 asking Grace to set out very briefly the different 18 stages involved from the initial report of child sexual 19 abuse or child sexual exploitation to a trial, and 20 indeed beyond the trial as well. We will then look at 21 each of those stages and the relevant matters of debate 22 that arise from them. 23 In today's seminar, we will hear from those who have 24 personal experience of going through this process. This 25 morning, we are joined by three such people who have</p> <p style="text-align: center;">Page 4</p>

<p>1 kindly agreed to participate in our discussion today, 2 and they have chosen to waive their anonymity to do so. 3 I will ask them now if they could introduce 4 themselves, starting with you, please, Jon. 5 Session 1: Victim, Survivor and Complainant 6 Experiences of Reporting, Identification and 7 Initial Investigation 8 MR CLARK: I am Jon Clark. I represent victims and 9 survivors/complainants and I am here today just to go 10 through the process outlined by Matthew. 11 MS EVANS: Hi, my name is Lissa Evans. I'm a survivor and 12 I'm here today to put forward what happened to me and 13 hopefully make things better for anybody else in the 14 future. 15 MR HILL: Thank you. And Chris? 16 MR BAKER: Hello, I'm Chris Baker. I'm a survivor from 17 a boarding school and I will be talking about my 18 problems in not getting through the criminal justice 19 system, so not getting to court. My case did not get to 20 court so I will be discussing ideas around alternatives. 21 MR HILL: We are also joined by a number of people from 22 various groups and organisations who have experience of 23 assisting those who have reported child sexual abuse or 24 exploitation or who have studied the area. I will ask 25 them now to introduce themselves as we go around the</p> <p style="text-align: center;">Page 5</p>	<p>1 tackling child sexual exploitation. I have previously 2 managed a multi-agency CSE service and worked through 3 the criminal justice system with victims. 4 MS WARRINGTON: I'm Camille Warrington from the University 5 of Bedfordshire International Centre. My research is 6 focused on children and young people's experiences of 7 support after child sexual abuse, with a particular 8 focus on the criminal justice system. 9 MS COFFEY: Hello. My name is Luciana Coffey and I am from 10 Mosac. I'm an advocacy manager there. We support 11 parents of sexually abused children and also we support 12 the children. 13 MS CREER: Hello. My name is Rosie Creer, I'm from Respond. 14 Respond work with people with learning disabilities and 15 autism who have experienced abuse and trauma. I manage 16 the young people service. We work from 5 to 25 but we 17 also work with adults and we also have a specialist ISVA 18 service for people with learning disabilities and 19 autism. 20 BARONESS NEWLOVE: Good morning. I'm Baroness Newlove. 21 I am the Victims' Commissioner for England and Wales. 22 MS LARA: Hi. My name is Almudena Lara. I'm the head of 23 policy at the NSPCC, the National Society for the 24 Prevention of Cruelty Against Children. One of our 25 goals is supporting children in the criminal justice</p> <p style="text-align: center;">Page 7</p>
<p>1 table, starting with you, please, Luke. 2 MR MARTIN: My name is Luke Martin. I'm the domestic and 3 sexual violence training lead for Brighton & Hove City 4 Council. I previously practised as an independent 5 sexual violence adviser. 6 MS NOBES: Hi. My name is Hayley, I'm from Hamara and a CSE 7 project worker. I work with young people from the age 8 of 11 to 18 to educate them and help them through 9 one-to-one support. 10 MS NAYLOR: Hi, my name is Amanda Naylor. I lead the child 11 sexual abuse strategy at Barnardo's across the four 12 nations of the UK. 13 MS SMITH: Good morning, my name is Catherine Smith. I 14 manage the rape and sexual assault support centre in 15 Lancashire. As well as therapeutic and counselling 16 services, we also have ISVA provision supporting 17 children as young as 4 through to older adults through 18 the criminal justice system. 19 MS CLARE: Hi there, I'm Christy Clare from Imara in 20 Nottingham. I'm a play therapist and a trauma care 21 practitioner. We are an early intervention service 22 following the video interview and disclosure to the 23 police. 24 MR ASHFORD: Good morning, my name is Phil Ashford. I work 25 for NWG, a national charity that supports practice in</p> <p style="text-align: center;">Page 6</p>	<p>1 system. 2 MR HILL: Thank you all, and thank you for taking the time 3 to prepare for and attend today's session. If I could 4 ask you all just to slightly pull the microphones down 5 so that they are towards you. They are directional. So 6 if you speak towards them, they will pick you up. Thank 7 you. 8 There will be some changes in personnel after lunch, 9 and we will go through those then. 10 As can be seen from the attendees, the focus of 11 today's sessions is on the experience of those who go 12 through the system as people who have suffered abuse and 13 made complaints of abuse to the relevant authorities. 14 We will hear of their experiences, negative and 15 positive, within the criminal justice system, and 16 tomorrow we are going to hear from professionals who 17 work within or who comment upon that system. 18 It is the inquiry's intention to produce a report 19 following the seminars today and tomorrow which will 20 summarise the discussion and any further materials that 21 are provided in relation to these topics. These may 22 include any written accounts that Lissa, Jon, Chris and 23 others may wish to give us. 24 The purpose of these written accounts is to allow 25 people an opportunity to set out their experiences in</p> <p style="text-align: center;">Page 8</p>

<p>1 greater detail than time will allow for today. The 2 written account will also allow authors to set out their 3 stories in the way that they feel most comfortable with, 4 rather than being constrained by the way in which we 5 have structured the seminar discussion. 6 The approach we are going to take today is to start 7 each of the sessions we look at with the experiences of 8 those who have chosen to join us today and share them, 9 before turning to a wider discussion amongst the other 10 participants. 11 At the end of that discussion, I will invite some 12 observations from the public gallery, and I will say 13 more on that when the time comes, but those will be 14 observations on the topics that have arisen during that 15 session. 16 As the chair has said, because of the sensitive 17 matters we are dealing with in this inquiry, we have 18 a five-minute delay on the public feed of our live 19 broadcasts. If any matter does come up that I consider 20 to be sensitive, I will pause and I will ask the chair 21 to address it. 22 Let us begin, then, with the criminal justice route 23 map, as we have been calling it, and, Grace, if I could 24 turn to you. 25 Very briefly, what is it that we are seeking to set</p> <p style="text-align: center;">Page 9</p>	<p>1 operate in practice. You will of course be hearing 2 about some individual experiences with how these parts 3 of the system work or don't work throughout the seminar. 4 Finally, this map and this presentation is looking 5 specifically at the complainants' interaction with the 6 criminal justice system. It is not looking at the 7 system from the perspective of a person who is accused 8 or a defendant, and it is not looking at how the system 9 is successful or unsuccessful in balancing competing 10 interests and needs of different parties. Both of those 11 things are important, but they are beyond the scope of 12 this presentation. 13 MR HILL: Thank you. With those caveats in mind, let's turn 14 to each of the stages. The first one is what we have 15 been referring to as the reporting stage. This is when 16 an individual or somebody else comes forward with 17 a report of child sexual abuse or child sexual 18 exploitation. What will the police do at this stage in 19 response to that report? 20 MS FORBES: At this stage, the police will be taking an 21 initial statement from the person reporting and create 22 a crime report. It is worth noting the police code at 23 this stage includes what's broadly referred to as a duty 24 to believe, and that's the policy that a complainant 25 allegation is believed unless evidence emerges that</p> <p style="text-align: center;">Page 11</p>
<p>1 out with this map and what are we not trying to do? 2 MS FORBES: Good morning. I will briefly introduce myself. 3 I'm Grace Forbes. I am a criminal barrister, 4 practising. I am also instructed by the inquiry. 5 I have some professional experience of course within the 6 criminal justice system. I don't intend to comment on 7 my own experience, but, rather, set out the overview of 8 the journey through the criminal justice system. 9 The seminar team have produced a helpful map setting 10 out the points at which a complainant is likely to come 11 into contact with the criminal justice system. It is 12 hoped that that map will be useful firstly in setting 13 out how the different parts of the system fit together, 14 and, secondly, in identifying where the opportunities 15 and challenges lie in terms of the individuals' 16 experience. 17 I set out three caveats about the map and about this 18 overview. 19 Firstly, it is very much intended as just that, just 20 an overview. It of course can't and doesn't capture 21 every part of an individual's contact with the system. 22 Secondly, it is a broad representation of what 23 a complainant's journey is likely to look like. It 24 can't and it doesn't attempt to set out the experience 25 of every individual or delve into how these stages</p> <p style="text-align: center;">Page 10</p>	<p>1 undermines the credibility of that allegation. Again, 2 I won't delve into that, but there is debate around how 3 that should operate. 4 MR HILL: That's something that we will be returning to no 5 doubt in the next couple of days. 6 The challenges at this stage, both for the 7 individual concerned and indeed for the police? 8 MS FORBES: I think, broadly, this is the first time that 9 a complainant will be coming into contact with the 10 criminal justice system. It may well be the first time 11 that they are speaking about an incident or allegation 12 in a formal setting, which has obvious challenges. In 13 terms of recent offences, the details may be very fresh 14 and painful, and in terms of non-recent offences, there 15 may be difficulties with being asked to remember very 16 specific details which may not be easy to recall. 17 MR HILL: What support services are available, or at least 18 should be available, for those who are making the 19 complaints at this stage? 20 MS FORBES: The Ministry of Justice has a code of practice 21 for victims of crime. It is a statutory document that 22 the police consider, and that sets out what services and 23 information complainants are entitled to at this stage. 24 One example of many would be the Independent Sexual 25 Violence Advisers service. That's specifically for</p> <p style="text-align: center;">Page 12</p>

<p>1 victims and survivors of rape and sexual assault, and 2 the purpose of that body is really to provide practical 3 and emotional support for victims and survivors to help 4 during the court process and help individuals understand 5 how the criminal justice process works. 6 MR HILL: We will come back and speak to those who have been 7 involved in providing those services during today. 8 Moving on to the second stage, which is the 9 investigative stage and the process of gathering 10 evidence, in general terms, what will the police be 11 doing here? 12 MS FORBES: Once an allegation has been made to the police, 13 that kicks off the investigation process, and that will 14 involve further investigation and gathering evidence. 15 That might involve taking a more formal account from 16 a complainant in the form of a witness statement. It 17 may also involve taking visually recorded interviews 18 where there is someone who is vulnerable or an 19 intimidated witness or a child, and that's a process 20 known as achieving best evidence, and you will hear that 21 referred to as ABE evidence. Of course, at this stage 22 is when we would be looking at forensic evidence 23 gathering as well, so evidence from the scene of 24 a crime, which may include a complainant's home, it may 25 involve examining a complainant's clothes and of course</p> <p style="text-align: center;">Page 13</p>	<p>1 the second test is the public interest test. 2 MR HILL: If a decision is taken at this stage not to 3 proceed with the case, what are the rights of the person 4 who has made the complaint? 5 MS FORBES: This is something known as the CPS Victims' 6 Right to Review Scheme, and that's the avenue for 7 a complainant to challenge a decision not to charge. 8 I note here, this is broadly in line, moving on to 9 slide 2 now, or the second page of the map. 10 MR HILL: Is there also a right to be informed of 11 the decision that has been taken and the reasons for it? 12 MS FORBES: Absolutely. Again, that's coming back to the 13 Victims' Code, and the code puts it in fairly strong 14 terms on that point, that an individual must be informed 15 on the decision about whether something will be charged, 16 what those charges are, the reasons for those decisions 17 and informed about the possibility of review. 18 MR HILL: If the decision is taken to charge, we move on to 19 the next stage, which is the beginning of the court 20 process. The defendant will be asked to make a plea of 21 guilty or not guilty. Is it right that a defendant can 22 alter the plea at any stage? 23 MS FORBES: Yes, that's right. As soon as a defendant comes 24 into contact with the criminal justice system, their 25 first court appearance, they will be asked to formally</p> <p style="text-align: center;">Page 15</p>
<p>1 it may involve a bodily examination of some kind. 2 MR HILL: We will come back in our discussion to some of 3 the challenges that that presents for all involved later 4 on. 5 The third stage, the charging decision. Obviously 6 at this stage the involvement of the CPS and a test that 7 they apply as to whether or not charges should be 8 brought. Can I ask you to briefly run through what that 9 test is? 10 MS FORBES: Yes. It is a two-stage test that the police and 11 perhaps with the advice of the CPS will be making at 12 this point. The first stage is referred to as the 13 evidential test and the threshold is whether there is 14 sufficient evidence to provide a realistic prospect of 15 conviction on each charge. Unfortunately, where that 16 evidential test isn't met, there is simply no option for 17 proceeding. 18 This is a stage where the burden and standard of 19 proof will come into play, the burden being that it is 20 for a prosecution to prove and the allegation and the 21 standard being that a jury must be made sure. So where 22 that evidential test is being applied, they will be 23 looking at what the prospect of a conviction, applying 24 that threshold, is. 25 If an allegation passes the evidential stage, then</p> <p style="text-align: center;">Page 14</p>	<p>1 enter or at least indicate their plea. If they enter 2 a not guilty plea at any point up until a verdict that 3 defendant can change their plea to guilty. 4 MR HILL: People will be aware from various sources of plea 5 bargains, deals done between prosecution and defence. 6 What is the position in England and Wales on plea 7 bargains? 8 MS FORBES: In England and Wales there is no formal scope 9 for plea bargains, and there's fairly strong guidance 10 against that. However, there's a number of parts of 11 the system which many would perceive as coming close to 12 plea bargains. 13 So, for example, credit for guilty plea. That's 14 a discount or a reduction on the sentence that 15 a defendant will receive if they enter a guilty plea, 16 and that decreases as it gets closer to trial. That has 17 very good policy reasons behind it. The idea is, it is 18 meant to act as an incentive for those who are guilty to 19 hold their hands up early and not take things to trial 20 unnecessarily, but of course that discount can itself be 21 seen as akin to some parts of a plea bargain. Another 22 example of something that might be perceived in that way 23 is what's known as a basis of plea, where a defendant 24 accepts that they are guilty of an offence but a version 25 of events or certain account is put forward in writing</p> <p style="text-align: center;">Page 16</p>

<p>1 to the prosecution, and they will be sentenced on that 2 basis if the prosecution accept that. 3 A third example is decisions to allow charges to lie 4 on file, and what that means is, there is no verdict 5 entered on those charges of guilty or not guilty, and it 6 is not formal terminating those charges, but it can only 7 be re-opened with the leave of court. None of those 8 three things are plea bargains, but they are things that 9 can be perceived as akin to that. 10 MR HILL: Moving on to the trial, as you have said, it is 11 for the prosecution to prove their case, and the 12 presumption of innocence is a matter that is developed 13 over many centuries of common law, and it is also within 14 the European Convention of Human Rights. 15 In terms of the role of the defence at a trial, what 16 must the defence barrister do during the trial? 17 MS FORBES: In a trial, the prosecution will present their 18 case first, so that may involve calling a complainant in 19 evidence or playing what I referred to earlier as the 20 ABE evidence. The defence will then have the 21 opportunity to cross-examine a complainant or any other 22 prosecution witness, and they have a duty to do what's 23 referred to as putting their case, and that means they 24 have to very explicitly and very clearly suggest to 25 a witness if they are saying they are lying or they are</p> <p style="text-align: center;">Page 17</p>	<p>1 simplistic terms, it is rather harder for the 2 prosecution to appeal a sentence. A complainant can 3 also ask for a sentence to be reviewed if they feel it 4 was unduly lenient. 5 MR HILL: Thank you very much, Grace. We will now go back 6 to the start of that journey, the reporting stage. 7 I would like to begin by asking you, Lissa, if you could 8 tell us about your experiences of that stage. 9 MS EVANS: Thanks, Matthew. Back in 2004, which was some 10 20-ish years on from my abuse, I made the decision to 11 report to my local police. I was dealt with by what 12 I believed to be competent people. Unfortunately, they 13 weren't a specific public protection unit. 14 I was almost made to feel like I was reporting 15 a burglary or something, you know, not quite as serious 16 as I expected it to be. 17 I was invited to give video evidence, which I did. 18 The perpetrator was located, arrested, interviewed. 19 I had to keep chasing for information. There was no 20 communication forthcoming from the police. It was me 21 constantly chasing them for what was happening. 22 Basically, the last sort of interaction I had with 23 them, the perpetrator had corroborated every single 24 piece of my evidence apart from the abuse, and it was 25 deemed, therefore, that it was my word against his and</p> <p style="text-align: center;">Page 19</p>
<p>1 mistaken about anything. 2 MR HILL: We won't go through all of the different stages 3 and permutations of what could happen at trial. They 4 are no doubt matters that will arise later, including in 5 respect of special measures that can be put in place to 6 assist those who are giving evidence. 7 Following the trial, if there is a conviction, there 8 will be a sentencing process, and is it right that at 9 that stage the victim will have an opportunity to give 10 a victim personal statement? 11 MS FORBES: Yes, that's right. It is a victim personal 12 statement, some people refer to it as a victim impact 13 statement. That's something that's formally provided by 14 the complainant to the police at an earlier stage, 15 setting out what impact an offence has had on them in 16 their life, and that's something that will then be read 17 out typically in open court at the sentencing stage so 18 that the court can actively take that into account when 19 considering sentence. 20 MR HILL: Finally, the appeal process. What can and can't 21 a defendant and the prosecution appeal? 22 MS FORBES: To put it in simple terms, the defence can 23 appeal a conviction, only in certain circumstances, and 24 both the prosecution and defence can appeal sentence, 25 but a different threshold applies, and, again, in very</p> <p style="text-align: center;">Page 18</p>	<p>1 nothing further was going to happen. 2 I wasn't referred to any specialist support. I kind 3 of had to go and seek help myself, which I did. 4 I managed -- I was successful in actually getting 5 support through my GP and the local mental health team 6 at the time, and I thought I had got closure, and then 7 in 2015 the perpetrator's face appeared on the front 8 page of my local media. He'd been convicted for another 9 sexual offence. And the police openly stated in that 10 media article that they were aware of somebody 11 complaining back in 2004, but they had no details and 12 they wanted that person to come forward. 13 It was a mixture of emotions, because obviously 14 somebody had gotten through the system, but they knew 15 about me but they didn't know about me. I was led to 16 believe when I first reported it that the incident would 17 be put on file so that if he ever came to the attention 18 of the police again, I would be informed, and obviously 19 I hadn't been. 20 I must admit, the reporting process back in 2015 was 21 a lot better. It was a dedicated officer from the local 22 force public protection unit. I had to give my video 23 evidence again. 24 I was made aware -- they actually put me in contact 25 with the local ISVA, who were brilliant from start to</p> <p style="text-align: center;">Page 20</p>

1 finish. They were absolutely fantastic. They supported
 2 me the whole way, making appointments for me at the
 3 doctors, things like that. The police were very good.
 4 They made it quite clear that they may not get my case
 5 to court because I'd already made an allegation and
 6 because I'd had psychotherapy, effectively, my new
 7 evidence could be coloured in some way, and that was
 8 what the defence would probably argue.

9 As it was, other complainants came forward, which
 10 sort of helped my case as well. Obviously they didn't
 11 have to track him down this time, he'd been given
 12 a custodial sentence, but I just felt as though the
 13 whole reporting process the second time around was far
 14 more positive because I was kept up to date, you know,
 15 and they had to cancel a couple of visits to the prison,
 16 I was kept informed of that, I was kept informed of his
 17 charges.

18 For me, obviously I knew -- they'd said that other
 19 people were involved as complainants, but they didn't
 20 say how many at the time. As that sort of went on,
 21 there ended up being three of us, because the defence
 22 was that it was cohesion and collusion, that we'd kind
 23 of all got together and sort of decided that he was the
 24 nasty man. Obviously, you know, we all had to sign
 25 paperwork, et cetera, et cetera, to say we didn't know

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1 each other, we had never met each other.
 2 But, yes, I would say that the reporting process the
 3 second time around, I couldn't fault it, but it just
 4 annoyed me that back in 2004, regardless of whether it
 5 was a specialist team or not, if those allegations were
 6 supposed to be left on file, why couldn't they find me?

7 MR HILL: I am going to turn now -- thank you very much,
 8 Lissa -- to Chris, and, again, I understand you have two
 9 experiences of reporting and I wonder if you could tell
 10 us about those?

11 MR BAKER: Yes. I'm Chris Baker. I was at a boarding
 12 school and was raped in the early '70s once by two
 13 teachers at the school. I kind of didn't have any
 14 memories of the abuse for a long time and didn't report
 15 them until 1991 when there was a cursory investigation
 16 done by the police. It didn't get very far. The two
 17 suspects were interviewed -- arrested and interviewed
 18 and released.

19 I then had quite a lot of counselling and various
 20 pauses where I felt it wasn't really worth pursuing it.
 21 I had appealed it through the police hierarchy and got
 22 nowhere. I pursued it with the police several times and
 23 then had a more persistent attempt in mid 2015, and the
 24 police took it more seriously then, and did what I would
 25 regard as a fairly sort of bog-standard investigation.

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1 They spoke to various people at the school, there was
 2 a church involved. They certainly arrested and
 3 interviewed the two suspects again.

4 They wouldn't give me much information about the
 5 rest of the investigation, but said that they -- well,
 6 gave me the impression that they had interviewed or
 7 perhaps spoken to by email or phone maybe a handful of
 8 my peers, the other pupils who were with me at the
 9 school at the time.

10 They found a few other allegations that weren't as
 11 serious as mine. There were written allegations on
 12 a website from pupils from the school, which again were
 13 lesser. But they decided there wasn't enough evidence
 14 to proceed. Although, as I said, they felt there was
 15 kind of a bad smell around the suspects.

16 For example, a teacher at the school -- sorry,
 17 a parent at the school at the same time as me had
 18 withdrawn their child from the school and asked for
 19 compensation because of sexual activity by one of
 20 the teachers -- one of the suspects on their child, and
 21 also a matron had resigned from the school, quoting that
 22 the teachers were interfering with the children
 23 inappropriately.

24 But nonetheless there wasn't enough specific
 25 evidence the police felt to corroborate my allegations.

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1 The other reason they didn't proceed -- there were
 2 two other reasons, really. One, they had found an
 3 adverse report from a mental health professional who had
 4 seen me in I think about 2002. There was quite a lot of
 5 other mental health evidence that was more positive but
 6 they chose one particular letter, or one psychiatrist,
 7 who had an adverse report. The third reason was there
 8 was contamination from another case. One of
 9 the suspects had been convicted at another school of
 10 a similar allegation but then later that conviction was
 11 quashed for various reasons, but they felt that case in
 12 the other jurisdiction contaminated my case. So there
 13 were three reasons, really, why they decided not to
 14 proceed.

15 I don't know if you want me to talk more about my --

16 MR HILL: We will come back later to what you were told and
 17 weren't told about that decision, but thank you for now.

18 I will turn, if I may, to Jon as well to give his
 19 experience of the reporting stage.

20 MR CLARK: Thank you. My name is Jon. My experience falls
 21 somewhere between what you have just heard there. To
 22 give some background, I was sexually abused by a family
 23 member throughout most of my teenage years.

24 In 1987 or 1988, I was sexually assaulted in my
 25 relative's van. This was in an isolated location and

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<p>1 unconnected with this police were carrying out an 2 investigation in the area. They spotted the van, opened 3 up the back door, thinking that the van was abandoned, 4 and caught my relative red handed abusing me. 5 Bizarrely, I was reprimanded for this by the 6 officers. I don't know why that was. But one also made 7 a note in his notebook. This reinforced to me that 8 there was really no protection for me. I carried that 9 until 2012. I wasn't really watching it, but the 10 Panorama documentary about Jimmy Savile had been on, and 11 I was half sort of listening to it, and some of the 12 reasons why some of the victims felt they couldn't come 13 forward resonated with me. There were very similar 14 reasons that I have experienced. 15 At the end of the documentary, there was a helpline 16 number, which I called, and I suppose that would be the 17 initial reporting stage. 18 I'm very pleased to say that that was passed on to 19 my local police force, which was the same police force 20 that had behaved quite differently in the '80s. I made 21 that call at about 10 o'clock at night. By 8 o'clock 22 the following morning, I received a phone call from 23 a detective who specialised in the area of sexual abuse 24 very, very keen to speak to me. 25 Apart from the very bad experience I went through in</p> <p style="text-align: center;">Page 25</p>	<p>1 evidence they had, and should any more evidence come to 2 light in future, they would keep him informed and would 3 obviously revisit his case. 4 The evidence from me obviously was enough to bring 5 him back to court as well. Sorry, I'm losing my way 6 a bit there. 7 I obviously didn't know that there were other 8 victims until quite late into the investigation. None 9 of them were known to me. I was told not to look for 10 them because that would be detrimental to any court 11 case. 12 There was a two-year investigation from the initial 13 reporting to getting to court. In that time, I was 14 offered support: some I took, some I didn't feel 15 I needed. Due to the type of person the offender was, 16 we received, the family, a certain amount of police 17 protection. We did experience very sort of bizarre 18 forms of intimidation which I reported and that ceased 19 quite abruptly, so I can only assume that that was dealt 20 with by the police. 21 I can say that my experience of the criminal justice 22 system has been broadly positive since 2012. The 23 outcome of the trial was that after two years of going 24 not guilty, the offender on the first day of trial 25 offered a plea of guilty, but he wouldn't plead guilty</p> <p style="text-align: center;">Page 27</p>
<p>1 the '80s, in 2012 it was very, very different. I gave 2 my evidence, and not in a police station, in a very 3 nondescript house on a housing estate. It was recorded 4 by video. I think, looking back, I think I did two of 5 these. One was a very brief outline and the other was 6 a more in-depth witness statement, both recorded in the 7 same way. 8 I understand that there was evidence that I didn't 9 know about, the main one being the notebook which was 10 tracked down all those years later. It had been 11 archived. I remembered the time of the year it was, 12 I remembered what year it was, and so the detective 13 investigating was able to narrow down where that 14 notebook would be if it was indeed still in existence, 15 which it was. 16 This tied in with many other victims and I found out 17 after the case was dealt with that one of the victims 18 had reported -- given about a week of statements nine 19 years previous to this. Unfortunately, his case 20 couldn't proceed due to lack of evidence. I understand 21 that other victims weren't considered reliable, for 22 various different reasons. 23 I found out from the other victim after the case -- 24 they showed me a letter from the CPS saying that, while 25 they did believe him, they couldn't proceed on the</p> <p style="text-align: center;">Page 26</p>	<p>1 on the basis of our ages, he would only plead guilty if 2 we were seen as adults at the time the offences were 3 committed. That didn't stand up because of the dates 4 provided by the notebook. He was sentenced to 12 years 5 for all offences against me and the other victim, and 6 I think mine were five specimen charges I offered that 7 could all be corroborated and backed up. Others I felt 8 were unnecessary to report because I couldn't prove 9 them, it would have been my word against his, and it 10 would have meant revisiting potentially a lot of painful 11 memories that I really didn't want to do. 12 The only hiccup since that trial has come from the 13 Victim Contact Scheme, which started out quite 14 positively, and then, for reasons which I became aware 15 of later, contact ceased very abruptly and it turned out 16 that the person assigned to me had gone on maternity 17 leave and the person who had been assigned my case 18 hadn't picked it up. It was only on my contact's return 19 to work after maternity leave that she made contact with 20 me again, very apologetic, and explained the situation. 21 I do have cause through my employment to go into 22 various prisons near to me. The defendant I know is in 23 one of these particular prisons, and both my employers 24 and the prison service have put measures in place where 25 we can't come into contact.</p> <p style="text-align: center;">Page 28</p>

<p>1 As far as the what I would call mishandling of 2 the offence in the '80s goes, I have never been given 3 any kind of explanation or apology from the police force 4 concerned, or indeed the two detectives as far as I know 5 have never been brought forward to explain themselves, 6 and that is one issue that's left glaringly outstanding 7 for me. 8 MR HILL: Thank you very much, Jon. 9 I am going to turn to the other attendees for 10 a wider discussion of some of the issues raised, both in 11 those experiences and more widely within the criminal 12 justice system. 13 Before I do, I just wish to make a couple of points. 14 The first is that these are of course extremely broad 15 topics, and we have limited time and a number of 16 contributors, so I would ask you all to bear that in 17 mind and indeed to bear with me as we try to move the 18 discussion along. 19 Second, and related, the discussion is to help 20 inform the inquiry's work, and we hope to inform the 21 public debate as well. It is part of a wider process. 22 It is not the end of that process. There will be 23 opportunities outside of this seminar to make points and 24 to raise evidence. I would ask that that is kept in 25 mind both by those at the table and those who may wish</p> <p style="text-align: center;">Page 29</p>	<p>1 The inquiry team are very conscious that many of 2 the issues that we are discussing will cause distress 3 amongst those who are here today. If at any stage 4 anybody wishes to leave the room, please don't hesitate 5 to do so. As has been said earlier, there are support 6 services available here today as well. 7 If we could start by looking at some barriers to 8 reporting, Rosie, if I could turn to you and the work of 9 Respond in working with those who have learning 10 difficulties and the barriers that they face? 11 MS CREER: Thank you. I guess that people with learning 12 disabilities and autism really experience many barriers 13 to even reporting, so in particular recognising 14 themselves that they have experienced abuse, that 15 something is not okay; generally, having lack of a voice 16 altogether, to have always experienced not being heard, 17 not being seen, often very much hidden members within 18 special schools or not so fully part of their mainstream 19 education, so an internalised experience generally of 20 not being heard so therefore believing they are not 21 going to be heard, but then also whether they can 22 articulate themselves, whether they can actually use 23 their voice or their language to explain what's 24 happened, whether the professionals they are reporting 25 to will have enough skills to understand what's being</p> <p style="text-align: center;">Page 31</p>
<p>1 to contribute from the public gallery as well. 2 Thirdly, the intention of the discussion is not to 3 put anybody on the spot or to force them to justify 4 a position that they or their organisation have taken. 5 There may come a time when the inquiry wishes to test 6 certain ideas, certain approaches, but that is further 7 down the line. For now, we are just trying to 8 understand the parameters of the topics that we are 9 discussing, the range of experiences and the breadth of 10 views. I suspect that everybody will think that that is 11 an ambitious enough task for today. 12 We can only do this if people are given an 13 opportunity to speak openly and to speak freely. Again, 14 I am sure that everybody here will share the desire, as 15 the chair has expressed, for a frank and respectful 16 discussion. 17 Finally, this is not a forum to re-litigate cases or 18 to level criticisms at individuals or indeed at 19 organisations about particular specific failings. We 20 will of course hear and discuss positive and negative 21 experiences and practices. No-one should feel in any 22 way inhibited when describing what has happened to them 23 or their thoughts or their feelings about it, but it 24 would not be fair to name somebody who isn't present and 25 who cannot at this time respond.</p> <p style="text-align: center;">Page 30</p>	<p>1 communicated to them. 2 I mean, how to report a crime: do they know, do they 3 actually know how cognitively to report a crime 4 themselves and if something is a crime? 5 Also, in terms of sort of the impact I think of 6 learning disability in terms of memory and cognitive 7 capacity to sequence events, often our experience is 8 that people are seen already as unreliable witnesses 9 because the way they tell something becomes jumbled, 10 they are nervous, they already have associated anxieties 11 around this, so that alongside their learning disability 12 and the trauma, everything becomes very jumbled, and 13 therefore in most cases become seen as unreliable 14 witnesses. 15 MR HILL: What is being done either by Respond or by other 16 organisations or the police in order to try to overcome 17 some of those barriers? 18 MS CREER: Respond is very small, but as much as possible, 19 we try to sort of work with police to kind of -- around 20 training and gaining awareness around those issues, but 21 also sort of preventative work with young people and 22 their families to kind of really support people to know 23 what's abusive and what's not. But I certainly think 24 there needs wider -- we have independent sexual violence 25 advisers who are specialist around learning</p> <p style="text-align: center;">Page 32</p>

1 disabilities, but in my experience there needs to be far
 2 more of them. We are based in London, but if you have
 3 a learning disability/autism you are far more likely to
 4 experience abuse, yet the provision doesn't match up to
 5 that.

6 MR HILL: Thank you. Amanda, I think you wanted to come in
 7 with a point?

8 MS NAYLOR: Amanda Naylor from Barnardo's. I think one of
 9 the challenges with the question around barriers to
 10 reporting is that often when we are looking at children
 11 and young people and young people from marginalised
 12 groups -- Barnardo's did some research in 2006 named
 13 "Not on the Radar" and that included barriers from young
 14 people who identified as lesbian, bisexual, transgender
 15 and questioning boys and young men, younger children and
 16 children from black and minority ethnic communities.
 17 I think the focus on barriers to reporting almost takes
 18 away the responsibility of professionals and adults in
 19 communities to identify children that are vulnerable and
 20 that may be struggling. Because what we know around
 21 these children and young people is it is incredibly
 22 difficult to report in the formal way that adults
 23 respond to reporting. Quite often through their
 24 behaviours, through their communications, through their
 25 changes in appearance or through no symptoms whatsoever,

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1 they will be trying to get the attention of adults and
 2 professionals, and one of the things I think it is
 3 really important to focus on is if we are always looking
 4 at children to report, there will be a group of very
 5 marginalised children who are never identified and we
 6 need to widen that debate.

7 MR HILL: Thank you. Just picking up the point about some
 8 of the groups that you have mentioned there, male
 9 under-reporting. Luke, I look to you as I think this is
 10 an area that you have done some work on?

11 MR MARTIN: Yes. Luke Martin, Brighton & Hove City Council.
 12 There being lots of reasons why generally any victim of
 13 CSE or sexual assault may not make a disclosure, but
 14 looking at men specifically, there being additional
 15 challenges around men and masculinity and what that
 16 means, what it looks like. When we look at the
 17 reporting route, if you are going to present to somebody
 18 like the police, you are looking at a very patriarchal
 19 structure. Especially if we look back to some of
 20 the disclosures made today that we are talking about in
 21 the '80s and '90s, most definitely in that time it was
 22 very much embedded within that culture, and the fact of
 23 coming forward as a man talking about your experiences
 24 of rape or sexual assault and speaking to other men,
 25 there being a huge barrier around the language that we

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1 use and young men, older men, not being equipped with
 2 that language to talk about rape and sexual assault.
 3 There is something that's very emotive and that being
 4 a barrier.

5 Also, there being a lack of specialist services that
 6 often work with men that historically we predominantly
 7 set up sexual violence services to work with women. It
 8 is only sort of in the last decade or so that we are
 9 seeing an increase in services specifically targeting
 10 men. There not being the same promotion necessarily
 11 when we talk to adult victims of rape or sexual assault.
 12 I'd say we have seen a huge shift when we talk about
 13 children and young people's experiences of rape and
 14 sexual assault and how that looks in society. But also
 15 when we are talking about education, in the education,
 16 we have seen a huge shift in where we are now with our
 17 education system in the UK and how we talk about child
 18 sexual abuse and sexual assault. Again, looking at the
 19 cases that have been raised today, that we're talking
 20 about the '80s and '90s, and that education most
 21 definitely wasn't there.

22 MR HILL: Thank you. Another of the groups that Amanda
 23 mentioned were black minority/ethnic groups. Hayley,
 24 I think Hamara have done some work on this?

25 MS NOBES: Yes. The work we do at Hamara, we work with

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1 individuals from the BME community. I mainly find that
 2 if a young person has to report the incident, there is
 3 a language barrier. The support maybe at home is not as
 4 great because parents don't understand what's going on
 5 with a child that can speak English trying to convey
 6 that to their parent who can't speak English, so there
 7 is a massive divide with the people trying to talk to
 8 their parents to get that support to go forward.

9 As Luke said about the education, a lot of the young
 10 people I work with don't even know what CSE is. If they
 11 don't what it is and their parents don't know what CSE
 12 is, then reporting the crime is -- actually, do they
 13 understand that what's going on in their lives is
 14 a crime?

15 MR HILL: In terms of the discussion being predominantly
 16 about child sexual abuse, in terms of the distinction
 17 between that and child sexual exploitation, I know that
 18 NWG work on this area, if I could turn to you, Phil, to
 19 just discuss some of the specific issues that gives rise
 20 to in terms of reporting?

21 MR ASHFORD: I think it's already been touched on to some
 22 extent. Victims of child sexual exploitation may often
 23 not perceive themselves to be victims at the point where
 24 the abuse is taking place. So when we talk about the
 25 reporting of a crime, that may not often happen soon

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1 after the commission of the crime, and may also require
 2 a large degree of support to work with that victim for
 3 them to understand what has taken place and that what
 4 has happened is abusive. They may often initially see
 5 their perpetrator as a boyfriend or a girlfriend and in
 6 some ways a positive aspect of their life. So it is --
 7 there are additional challenges there in unpicking the
 8 nature of the grooming process which probably feeds into
 9 some of the things that have already been mentioned here
 10 about the difficulties around reporting.

11 What we are dealing with with child sexual
 12 exploitation and abuse is an imbalance of power, and
 13 that again relates to difficulties for children and
 14 young people in some instances to report abuse. We have
 15 heard from some of those present today about abuse
 16 within institutions, be that education settings, sports
 17 arenas, where again there is an imbalance of power which
 18 leads victims to believe that they will not be believed
 19 and there are systems in place which reaffirm that
 20 belief, unfortunately. Particularly with child sexual
 21 exploitation there is a significant amount of work that
 22 needs to be done before even reaching the stage where
 23 a victim may consider themselves a victim and report
 24 a matter.

25 MR HILL: Thank you. I am going to turn to the support

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1 services that are available a little later in our
 2 discussion, but of course it will come back to this
 3 point here. I just want to pick up on something that
 4 Phil said there about the sense that they won't be
 5 believed, which ties in with something mentioned by
 6 Grace and the duty to believe on the police according to
 7 their guidance at the moment.

8 A highly controversial area, and recently criticised
 9 by Sir Richard Henriques in his report about Operation
 10 Midland.

11 Baroness Newlove, I know that you have some thoughts
 12 on this, if I could ask you to just discuss the duty to
 13 believe and your views on it.

14 BARONESS NEWLOVE: On this question, I just want to go back
 15 about being believed.

16 Before we even get to reporting, I understand where
 17 victims don't believe they are victims, but it is also
 18 a case of other -- the education understanding,
 19 especially with special needs people who are sexually
 20 abused. I have heard stories of many victims' families
 21 where actually they have been threatened they would take
 22 their children away. Before you jump to reporting to
 23 the police, we have got to get better workers to
 24 understand special needs children, we have got to
 25 understand children per se. We are just presuming --

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1 the criminal justice system just presumes that they will
 2 report. You're a child, you've got this, you've got
 3 that. Actually, it doesn't follow through. When you go
 4 to MARACs and MAPPAs and all this, you are talking about
 5 families that you have really just reports in front of
 6 you. You are not speaking to them personally. I would
 7 like that to be put into this area before we even get
 8 within the criminal justice system because to threaten
 9 families who have autistic children who have been
 10 sexually abused and for the education services to just
 11 dismiss it and say, actually, the stress from the
 12 parents is causing the stress to the children, and
 13 threaten to take them away, I think is something that
 14 should be raised and it is becoming more and more that
 15 I'm getting.

16 Regarding the report, I actually spoke in the House
 17 of Lords about this because I disagree with Sir Richard.
 18 This report was based on high-profile cases of people
 19 who were accused of sexual abuse and rape. I don't
 20 believe that's the right way to do it. To call a victim
 21 a complainant, which I heard Grace call them, which is
 22 the process that Grace works in, so it is no disrespect
 23 to Grace, actually, they are not complainants, they are
 24 victims of somebody who sexually abused them, they have
 25 had something traumatic to them. That's why I disagree

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1 with Sir Richard's inquiry -- report, sorry. Because if
 2 you are going to -- you're taking steps backwards to
 3 make them feel less believed, less worthy, and how do
 4 you gain confidence through the criminal justice system
 5 if you start at the baseline of a complainant. We
 6 call -- you know, a defendant is a defendant in the
 7 dock, then he's an offender and a perpetrator. If we
 8 are going to play around with words you are going to set
 9 a parapet that nobody will go forward. Victims and
 10 survivors is labels that people want to do, but to make
 11 them survivors you have got to understand the trauma
 12 they have gone through. So there is a lot of work to
 13 do. I totally disagreed and it is in Hansard. I have
 14 to say, my ears were burning when I saw this because
 15 this is the back of high-profile, very wealthy people
 16 who can put up a report. Not many people have the
 17 wealth and the legal team to look at a report and do
 18 this. For me, we need to understand that person who is
 19 a victim, we understand what journey they are living and
 20 actually the energy it takes to tell you about what's
 21 happened to them on day 1.

22 MR HILL: If I could perhaps just go back to Lissa at this
 23 stage, when you spoke about your 2015 experience, were
 24 you told in advance that you would be believed if you
 25 came forward with your allegation and did that make any

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1 difference to you at that time?
 2 MS EVANS: It didn't. I think I was just that desperate
 3 that somebody actually had got a conviction and the fact
 4 that the police publicly stated that they wanted me --
 5 you know, that the complainant from 2004 to come
 6 forward.
 7 But going back to Baroness, I think the education
 8 service as a whole needs a bit of a wake-up call. Back
 9 in the '80s, apparently, the two other victims had made
 10 complaints to the police and because they were perceived
 11 to have been from "broken homes", their cases were
 12 dismissed. The judge actually said when he sentenced,
 13 I believe -- this is only from media reports, because
 14 I wasn't there at the time -- had their cases been
 15 listened to, I wouldn't have been a victim. And that
 16 kind of cuts.
 17 So whilst the police did everything in their power
 18 to make sure that they knew that I was being believed
 19 and that things would happen, to then find that out at
 20 the end of the process is -- to be honest, I thought
 21 I was quite good up until that point, and that just
 22 opened a can of worms again, and always will, if I'm
 23 being honest.
 24 BARONESS NEWLOVE: That really goes into Sir Richard
 25 Henriques' report where he wants police to go at

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1 a neutral stance. So when you ask about being believed,
 2 actually to go from a neutral stance, that's nothing to
 3 do with believed, you are just reporting facts and they
 4 treat you as a piece of evidence. So it really is
 5 reporting.
 6 I'm a little bit cynical -- while I'm really pleased
 7 for you, and I think it is horrendous how you found out,
 8 media has a big issue on reporting this.
 9 I opened Twitter the other day and my husband's
 10 photograph was on Twitter. I had no knowledge. I have
 11 three daughters, so I really -- media and social media
 12 is another issue. But the whole point I'm cynical, they
 13 had to do well for you because it was in the press.
 14 They should have come and done it before any of that.
 15 I don't mean that to be a negative to you, but for me it
 16 is a bit -- if we are going to do something in this
 17 inquiry, we have got to really pick at this and get the
 18 police to support victims. So I'm really pleased for
 19 you but there's another thing that police need to do and
 20 not to be window dressing.
 21 MR HILL: Hayley, I think you wanted to come in on this
 22 point?
 23 MS NOBES: Just going back to how -- because I work with
 24 just young people. Before young people even get to
 25 reporting it to the police, actually talking to people

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1 in the education system. So I teach CSE within
 2 colleges, schools and primary schools, and I hear a lot
 3 of teachers say, "Oh, they're just trying to get
 4 attention, don't listen to it too much", and it is
 5 really painful to hear as a CSE project worker that
 6 teachers are just disregarding these children that are
 7 screaming out for help because they're seen as the
 8 "problem children" within the school.
 9 MR HILL: Catherine?
 10 MS SMITH: I agree with a lot of what's been said about
 11 reporting and supporting reporting taking place before
 12 children make that decision to do that. It's about
 13 creating safe spaces for children. Children are groomed
 14 to feel unsafe and be really fearful of reporting. So
 15 absolutely in our schools we need to create safe spaces
 16 for children to disclose and then respond to those
 17 appropriately.
 18 Also in relation to adults, most of our ISVA clients
 19 who have actually reported and are going through the
 20 criminal justice process had seriously considered not
 21 reporting due to this perception of victim blaming that
 22 still prevails. In reality, it is not the case. Both
 23 Jon and Lissa have talked about improved experiences,
 24 but there is still a perception that there is going to
 25 be victim blaming. There is also an understanding of

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1 what's going to come once they make that decision to do
 2 that, the fear of what lays ahead, the fear of sexual
 3 history being disclosed, what the Crown Court trial is
 4 like. A recent story on Coronation Street has depicted
 5 incorrectly cross-examination of a witness, it puts
 6 people off. So there's still a really strong perception
 7 of that in adult survivors of CSE. 60 per cent of those
 8 is the clients we are working with.
 9 MR HILL: How do you counter that erroneous perception of
 10 what will happen? That's a very tough question. Does
 11 anybody have any views on level of education?
 12 MS NAYLOR: I think there's been some really good progress
 13 across a number of charities around depicting in an
 14 accessible way what the criminal justice system will be
 15 like for children and it is so important that we do that
 16 because children can only make informed decisions around
 17 the support they need through the criminal justice
 18 system if they understand the process and they
 19 understand the Victims' Code. So charities like
 20 Victim Support, for example, have developed an
 21 interactive criminal justice system which actually tells
 22 them of their rights, of every step of the process and
 23 through the court process and their rights within all of
 24 that. I think it is up to all of us to understand the
 25 criminal justice system because children will choose the

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1 professional they trust but that professional may not
 2 understand the criminal justice system. It is very
 3 important we have tools available for those frontline
 4 practitioners that children do talk to to really
 5 reinforce and dispel some of the myths that are around
 6 the CJS.
 7 MR HILL: Just to note, we will have somebody coming from
 8 Victim Support this afternoon and we will ask them about
 9 it at that stage as well. I will come to you in
 10 a second, Luke. Almudena would like to say something as
 11 well.
 12 MS LARA: What I wanted just to echo some of the things that
 13 have been said, but the real importance of cultural
 14 norms throughout. So whether it is within the family
 15 where the victim lives and how a view is perceived by
 16 the family or the embarrassment and the guilt that might
 17 come with the disclosure of abuse, but also within
 18 schools, the real importance of the schools to be really
 19 well equipped and the NSPCC really support more effort
 20 being put in relationship and sex education being taught
 21 properly in the schools following a whole-school
 22 approach that actually involved the teachers, the
 23 teaching community, the students and also the community
 24 around the school, so that everybody understands what
 25 abuse is and how to identify it and how to cull it out.

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1 But also the cultural norms within all the agencies
 2 that we have listed here in this page where actually
 3 their understanding and the sensitivity towards victims
 4 really needs to be worked through and there are loads of
 5 useful guidances for police and for the judiciary, but
 6 it is how that really translates into day-to-day
 7 practice when they come into contact with victims.
 8 The point has been made about ethnic minorities or
 9 LGBT, and I think that that sensitivity and
 10 understanding of issues really plays a huge part for
 11 those people that might consider themselves to be in
 12 a minority to come forward, because they just -- the
 13 sense of not being believed and the lack of trust for
 14 authority that plays a big role in some of these groups
 15 is a really barrier to come forward.
 16 The other point that I wanted to make is that we are
 17 looking at the criminal justice system, and that is
 18 really important, but it is the interrelation between
 19 the criminal justice system and the public family law
 20 and how those two systems play a key role in addressing
 21 the issues that victims might suffer.
 22 MR HILL: Just on that last point, we are fully aware of
 23 the difficulty of that interaction of the different
 24 jurisdictions. I'm afraid it is not something that we
 25 are going to have time to cover today, but it is

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1 important to raise it as something to keep in mind.
 2 A number of people want to come in. Just before
 3 they do, because you raised the point about families and
 4 norms within families, I would just like to turn to
 5 Luciana from Mosac, because I know that is an area in
 6 which Mosac is heavily involved. If I could ask you for
 7 your thoughts on (a) what you do, and (b) what you have
 8 found to be effective.
 9 MS COFFEY: The first thing I would like to point out is the
 10 vast majority of families, victims and parents we work
 11 with don't actually wish for a punitive system. There
 12 is very much a focus on gaining access to services once
 13 you have been through the criminal system. You are not
 14 even recognised as being a victim often unless that
 15 criminal system recognises you as a victim. But most
 16 people don't actually want that. They want protection.
 17 They want services to help heal. That's what they
 18 really want, and that is really lacking. So I just
 19 wanted to sort of point that out first and take it all
 20 back a step, because the punitive system is not the one
 21 that works the best, frankly, for most people.
 22 The second thing I would like to look at is the
 23 disclosure. I would have to say, again, caveat
 24 everything, because we very rarely see parents who are
 25 not protective at Mosac. Obviously there is a whole

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1 different ball game for victims where there is no
 2 parental support for the victim and there is a whole
 3 different scenario of disclosure issues, but the main
 4 thing we find is that sexual abuse occurs within the
 5 family as a whole. Those are the cases that we see, the
 6 vast majority of, and that the victims are extremely
 7 young, between 3 to 5 years old. Very, very rarely do
 8 I see ages much over that in terms of sort of family
 9 sexual abuse.
 10 The victims are so young that they are not able to
 11 give clear disclosures, and the last people children
 12 will disclose to will be social services and the police
 13 because they are total strangers who come in for maybe
 14 one or two sessions. I understand the legal reasons
 15 behind that, but they only come in for one or two
 16 sessions so they are complete strangers to the child and
 17 the child won't disclose. The formal disclosure route
 18 for a child of that age will be their parent, a sibling
 19 or a friend. Those are the three disclosure routes --
 20 and schools. But mostly it is a protective parent they
 21 will disclose to and the offender has had plenty of time
 22 to discredit that parent. For a long period of time
 23 they will plan for a long, long time on how to deal with
 24 the disclosure if it comes. I hope that helps a little.
 25 MR HILL: Camille wished to say something. After that, we

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1 are going to take some observations from the public
 2 gallery but we will return to the discussion after the
 3 break.
 4 MS WARRINGTON: I just wanted to echo some of the things
 5 that have been said in evidence --
 6 MR HILL: If I could ask you briefly to set out what the
 7 research was.
 8 MS WARRINGTON: We have done a number of pieces of research
 9 specialising in working collaboratively with children
 10 and young people with experience of services after child
 11 sexual abuse. We have done research both with young
 12 people after familial sexual abuse and abuse within the
 13 family network and also a number of distinct pieces on
 14 young people who have been affected by child sexual
 15 exploitation, in most cases outside the family home,
 16 including gang-associated sexual violence, so there are
 17 a number of distinct pieces. One of those was just
 18 focused on criminal justice experiences after sexual
 19 exploitation.
 20 I think what comes across very clearly, which echoes
 21 what's been said, is that disclosure is very rarely
 22 a proactive, purposive decision. It is a process for
 23 children and young people, and recognising that is
 24 really important, and obviously the implications that
 25 has for those around a child, to recognise disclosure

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1 that isn't necessarily verbal.
 2 Police obviously, as has been said, are very rarely
 3 the first point of contact, so the role of others needs
 4 to be considered, and that includes those within
 5 children's communities, and peers has been mentioned.
 6 Certainly in the research we did most recently,
 7 talking to 53 children and young people who have been
 8 abused within the family network, the role of peers as
 9 the first point of contact was very significant and that
 10 echoes other research as well. That has quite a lot of
 11 implications we need to think about for those who are
 12 abused and those who receive those reports as peers: how
 13 do we equip children and young people themselves to
 14 support and deal with that without putting
 15 responsibility on them to do so?
 16 There is a clear message from across the research
 17 about the importance of first response, when children do
 18 first come into contact with the police, even though
 19 that's unlikely to be the first point of disclosure.
 20 People have mentioned vulnerable groups. Certainly
 21 within sexual exploitation research, a significant
 22 proportion of young people may be care experienced, may
 23 have had significant contact with the police in youth
 24 offending scenarios, on a very different side of
 25 the criminal justice process, and that will have an

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1 enormous influence on their sense of trust in the
 2 police, their confidence in whether the police can keep
 3 them safe.
 4 Somebody mentioned the significance of protection,
 5 and when children talk about the decision-making
 6 process, that's a really important part of the decision:
 7 "Can people keep me safe?" Children have a number of
 8 well-founded reasons in some cases to lack confidence
 9 that the police can keep them safe, particularly in
 10 cases where there was gang-associated sexual violence
 11 I would say that's particularly acute and those fears
 12 are quite well founded.
 13 Then I think just another kind of really significant
 14 bearing on children's decision-making processes as they
 15 describe them in terms of whether to report, again
 16 echoing what's been said, it's about the impact on
 17 families and children's sense of responsibility for safe
 18 carers, non-abusing family members and their recognition
 19 of whether support will be given not just to them but
 20 also to those safe carers as well.
 21 MR HILL: Thank you very much. I am conscious of the time,
 22 and we will return to this discussion, but I would now
 23 like to open the matter up to those who are in the
 24 public gallery.
 25 The panel and chair are very keen for you to take

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1 part in the discussion this morning as well, and I would
 2 invite anybody who wishes to make observations to do so
 3 now. Please wait until the microphone gets to you. As
 4 I am sure everybody realises, we are concentrating on
 5 the themes and the topics that we have discussed this
 6 morning and we cannot discuss individual cases. If
 7 people would like to submit written accounts of their
 8 experiences as part of this process, please let us know
 9 about that.
 10 May I ask first if there are individuals designated
 11 as core participants who wish to make observation?
 12 Observations from THE PUBLIC GALLERY
 13 PUBLIC GALLERY: I'm a core participant. My name is
 14 [redacted], I am a core participant, a survivor of
 15 Forde Park School in Newton Abbot in the '70s.
 16 Firstly, I want to show respect to Chris and to
 17 Karen and Jon for their contribution so far. I know how
 18 difficult it is to express what's happened to you over
 19 the years.
 20 With Chris at boarding school, raped twice, I know
 21 what that's like, Chris. I was at Forde Park School and
 22 from the age of 12 to 14 I was raped twice daily by
 23 a special constable from Devon constabulary who was
 24 a friend of the school. I'm not going to name him, but
 25 he was a friend of the school, for two years. My

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1 problem after with Devon constabulary was that --
 2 because I chose to live in that area, although I'm from
 3 Hampshire, I was quite often arrested wrongfully for
 4 offences that I didn't commit to start with, and I felt
 5 I was persecuted by the police because I'd pointed
 6 out -- although he's a special constable, I'd singled
 7 him out. I felt -- this is really difficult to try to
 8 put this into words, but I felt I was damaged goods.
 9 I got to the point where I just couldn't take it to any
 10 authority because I didn't think I was worthy of it.
 11 I didn't think there was any respect there for me.
 12 I had a pretty difficult time with that.

13 I'm nearly 60 years old now and I'm still struggling
 14 with this. But to go on to the reporting, my biggest
 15 issue with the reporting, with the police at the time,
 16 and the gentleman down there mentioned, it is difficult
 17 for guys to try and express themselves with something of
 18 a sexual nature. I tried, and I fought a battle with
 19 myself to find a way to stand here and talk to you. But
 20 I've done it. I'm shaking like you wouldn't believe,
 21 but I have done it. I'm proud of myself. I'm proud
 22 I have done this. It is difficult.

23 But my biggest concern, especially today, is social
 24 media, it's Facebook, with reporting. There are known
 25 groups out there now of men and women who will invade

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1 Facebook with -- how do I say this? The victim can
 2 become demonised on Facebook, and there doesn't seem to
 3 be any control. I mean, there are reporting
 4 restrictions with regards to the media, with regards to
 5 newspapers, TV, but not on social network, and I feel
 6 very strongly, and it is an issue that I focused on in
 7 the last few years, since discovering social media,
 8 because I'm a bit of a technophobe -- even this mic is
 9 giving me problems. But it is there. The tragic thing
 10 is, there are organised groups of people, men and women,
 11 who will go after victims to help a paedophile get off
 12 his charges, by way of a miscarriage of justice -- or
 13 not so much a miscarriage, but they try -- the idea is
 14 that he's not going to get a fair trial or she's not
 15 going to get a fair trial because of the bombardment of
 16 negative information on Facebook. I think that needs to
 17 be addressed and policed and is it possible.

18 I think I will leave it there. I did have other
 19 points, but I think I'll leave it with you. Thank you.

20 MR HILL: Thank you very much. Are there any other core
 21 participants who wish to make a contribution?

22 PUBLIC GALLERY: Hello. I'm also a core participant within
 23 the Forde Park Survivor Group. My issue is, when we do
 24 report to people, some of the people who claim to give
 25 us help are actually younger than my children. We can't

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1 relate to these young people who want to talk and help
 2 us because they are so young. Their life experiences
 3 don't seem to bear up to what ours are. I fail to see
 4 how they can actually support older people when they are
 5 younger than our children. We have problems talking
 6 about it in the first place, let alone to someone
 7 younger than my children. I feel there should be some
 8 way for older people to talk to older people. I know it
 9 seems irrelevant to some people, but it doesn't to me.
 10 We go through this every day and we need somebody we can
 11 relate to. Unfortunately, some of the experts I have
 12 been to see, some of the therapists, as I have said, are
 13 very young and I do have problems relating my
 14 experiences to these young people. That's how I feel.

15 MR HILL: Thank you. That's something we will pick up in
 16 the next session when we are talking about support
 17 services. Thank you. I think there is one other core
 18 participant. There will be an opportunity for people
 19 who aren't core participants as well.

20 PUBLIC GALLERY: First of all, Peter Robson. I have
 21 a colleague who reported his in 1999. Since then, a lot
 22 has happened. He said some of the people he accused was
 23 dead and all that and then it's been re-opened. It's
 24 got to the stage now, they found two of his abusers.
 25 The police who went to see him said that they believe

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1 that they are paedophiles, to put it bluntly, yet
 2 nothing is being done.

3 When these people are found, who makes the decision
 4 that they shouldn't be prosecuted? What's the matter
 5 with court and a jury? Why can't we use that system
 6 like we had where that man can have his say in court and
 7 get his piece over and face his accusers? On that
 8 statement alone. I have something else to mention but
 9 I will mention it tomorrow. I wanted to mention that
 10 first, and that's F30 in the listings.

11 MR HILL: Thank you very much. Again, in the next session
 12 we are going to discuss the decision-making about not
 13 proceeding with cases and we are going to hear from
 14 Chris about his experiences of that as well.

15 PUBLIC GALLERY: Nigel O'Mara, East Midlands Survivors and
 16 core participant. What I was struck by was,
 17 particularly with regard to non-reporting of abuse, is
 18 the fact that very often the survivor feels the only
 19 person who is showing them any care in the first place
 20 is the person who is abusing them. Taking that very
 21 abuser away from them may well damage not only
 22 themselves but also their familial situation and other
 23 situations around them. That is more often the case
 24 than not. Thank you.

25 MR HILL: For the sake of the transcript, there was an awful

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<p>1 lot of nodding around the table as that point was made. 2 After you, sir, we will turn to the non-core 3 participants who are here as well. Thank you. 4 PUBLIC GALLERY: Core participant of Bryn Alyn children's 5 homes. The thing I hear today is children, children, 6 children fail to report and stuff, or when they want to 7 report. We are survivors of abuse. We have been 8 through that avenue and we are still struggling with the 9 civil justice system. So how the hell do we expect 10 children to go through a system what we are already 11 struggling with today. I am an ex-criminal as well 12 after care. All I have had is police problems all 13 throughout my life which I brought on myself. I don't 14 disregard that in any sense. But still how am 15 I expected to go to them police officers after being the 16 way I have been after care and then having to talk about 17 or trying to set up a case to go through the civil 18 justice system, which they are not going to listen to 19 me. They are never going to listen to me. Do you know 20 what I mean? They still don't listen to us today. We 21 are struggling every single day of the week to get this 22 point across. This happened. We are living proof that 23 this happened, do you know what I mean? We are still 24 struggling to get the point across. All these 25 inquiries, all these seminars and stuff like that, we</p> <p style="text-align: center;">Page 57</p>	<p>1 a survivor myself and work with survivors on a daily 2 basis. I'm also going through an ongoing police case at 3 the moment so I know what I can and can't say. 4 I reported when I was 9 and when I was 18. Those 5 records are now missing. So I feel, like many people 6 that contact me when their records go missing, that what 7 you went through is not validated and you as a person 8 are not validated. So that's one point I want to bring 9 up. 10 I also know that there is a child at risk right at 11 this moment and we have done everything that we can and 12 we phoned social services up and said, "Have you 13 received the referral?", and they were laughing and 14 joking in the background -- this is this week -- as if 15 this child doesn't really matter because their case load 16 is so high that they can't deal with it. You know, we 17 have great issues around this child at the moment. This 18 child comes from an ethnic background and her parents 19 have told her not to open the door to the police and not 20 to worry about the police and yet she's going into 21 a nursery and telling this to the person that is looking 22 after her in the nursery, and this girl is becoming more 23 and more subdued and this is an ongoing thing and it is 24 not being dealt with for whatever reason. That's not 25 good enough.</p> <p style="text-align: center;">Page 59</p>
<p>1 are still struggling and we need to all work together at 2 making a point of not having to struggle. We are the 3 ones who went through it. We shouldn't have to 4 struggle. We are the reason why you are all here, do 5 you know what I mean? That's the point. We are still 6 struggling with it. 7 MR HILL: Thank you. The point about offenders who are also 8 victims of abuse is one that was raised earlier as well. 9 I think it is something we will explore tomorrow 10 particularly with the representatives of the police 11 service who are going to be joining us tomorrow, about 12 how they approach such situations and the work they are 13 doing there. 14 PUBLIC GALLERY: Can I just add one thing: what protection 15 did we have when we were subject to a full care order? 16 Because the thing I look at when I see the full care 17 order is the only people it was protecting is them. It 18 weren't protecting us. Our families couldn't even come 19 and fight for us back under a full care order. There is 20 none existing. We didn't have no protection from that. 21 MR HILL: Thank you. I can see somebody else wanting to 22 make a point. I think you're not a core participant; is 23 that right? 24 PUBLIC GALLERY: No, I'm a member of the VSCP, the inquiry 25 Victims and Survivors' Consultative Panel, so I'm</p> <p style="text-align: center;">Page 58</p>	<p>1 Going back to 9 and 18 and not being listened to, 2 told social services, told teachers at school, nothing 3 was done. That in itself makes you silent, okay, and 4 I know that it is going on to this day, because my 5 friend is reporting this about this little girl but 6 she's getting no conversation back about protecting this 7 little girl. 8 Also, some of you who have ISVAs around the table. 9 I know for a fact that ISVAs are not available in the 10 London area, and that's not good enough. So the police 11 are there to investigate crimes that are going on. They 12 are not there for emotional support. Yet I expect them 13 to be there for emotional support but they are not. So 14 ISVAs are really badly needed for everybody going 15 through this system. 16 I'm married to a police officer who does great work, 17 but he is not in child protection, but some police 18 officers do not have the training and skill set that 19 they need to work with victim/survivors and I know 20 personally the damage that caused me and my family and 21 the stress that caused me and my family. So that all 22 needs looking into as well. Thank you. 23 MR HILL: Thank you very much. We will be picking up those 24 points, particularly about ISVAs, at the next session. 25 Thank you. There will now be a break and we will be</p> <p style="text-align: center;">Page 60</p>

<p>1 back in 15 minutes. 2 (11.40 am) 3 (A short break) 4 (11.57 am) 5 Session 1 (continued) 6 MR HILL: Thank you. In this session, I would like to go on 7 to talk about support services that are available. But 8 before I do, and because it was a point that was raised 9 from the public gallery, I would like to begin by asking 10 Chris about the decision that was made in his case not 11 to continue and what you were told and not told about 12 that decision-making process and your thoughts on it in 13 retrospect. 14 MR BAKER: Chris Baker, one of the survivors. I would like 15 to start with a more general point, which is that 16 I think there was a Ministry of Justice and Home Office 17 and Office for National Statistics report I think about 18 2010 saying that something like only 3 per cent of rape 19 victims actually expect their attacker to be brought to 20 justice. So I like to think I'm one of the I suppose 21 97 per cent who hasn't seen justice. That's been my 22 concern throughout, really, that the criminal justice 23 system doesn't seem to be able or fit for purpose to 24 help people who have been through a serious crime in 25 private many decades ago, with no evidence at all and no</p> <p style="text-align: center;">Page 61</p>	<p>1 and say something to my local media, but of course that 2 is risky and difficult. I might consider doing that in 3 my own time. 4 Another option might be some kind of private 5 prosecution. I did go to solicitors, including 6 Slater & Gordon, very well-known solicitors. They 7 turned down my case for the same reasons the police and 8 the CPS turned it down: lack of evidence, the mental 9 health question and the contamination from another case 10 involving one of the suspects. 11 So the only other remaining option I could think of 12 was some kind of mediation/reconciliation/restorative 13 justice/alternative dispute resolution, call it what you 14 like, perhaps along the lines -- as I understand it, 15 restorative justice is often only really used for people 16 who have already got a conviction and is sometimes 17 considered not appropriate for serious crimes like rape, 18 but I think we do need to look at other options for the 19 97 per cent of people who don't reach the very 20 understandably high threshold of evidence required to 21 get through the court system. 22 Maybe some other informal methods. For example, in 23 employment situations there are processes for dealing 24 with allegations of abuse, for example, in a school or 25 a care setting. There are employment processes where</p> <p style="text-align: center;">Page 63</p>
<p>1 witnesses, and that's the case in my situation. 2 To be more specific, during the police investigation 3 and afterwards, I have been left with very few options 4 to pursue, really. The police, as I say, did 5 a reasonably good investigation, but they did ask me, 6 I suppose quite rightly from the criminal justice point 7 of view, not to contact any other potential survivors or 8 other people who may have been through the same thing at 9 the school at the same time of course in case the 10 defence might argue that we were conspiring to make 11 a case to claim damages and make money out of the court 12 system, and also of course after I got the decision from 13 the police and the CPS that they weren't proceeding, 14 they advised me not to contact the suspect because the 15 police didn't want to be spending their time dealing 16 with me as a potential harassment perpetrator against 17 the suspects. 18 So I'd been thinking about what my options might be 19 and I consulted my MP and came up with some ideas. 20 I could do my own investigation, but that would mean 21 contradicting police advice to avoid contacting pupils 22 from my school, and also potentially I could contact the 23 suspects but it is very risky doing that. 24 I could go public, I suppose, and ask if anybody 25 else from the school would like to come forward perhaps</p> <p style="text-align: center;">Page 62</p>	<p>1 people can be investigated or disciplined, for example. 2 Maybe there are lessons to learn from that process. Or 3 from the wider scale processes for justice in places 4 like South Africa where there has been reconciliation 5 for serious crimes in the past, and in Rwanda and, of 6 course, in Northern Ireland. Maybe there are things 7 school governors could put in place, where they could 8 perhaps invite the suspects to give their side of 9 the story informally without perhaps anything being 10 recorded or written down, but some kind of informal 11 process for the survivors or victims to put their case 12 and also for the suspects to put their case, perhaps 13 with both parties not being present at the same time so 14 they both have space to be heard and don't feel in fear 15 of each other. 16 I have spoken through my MP to the chair of 17 governors at the school I was at and also to the church 18 diocese which employed one of the suspects subsequently 19 and they have said they would only cooperate with 20 processes like that and some kind of reconciliation 21 process if I first approached the suspects and got them 22 to agree to participate. So I am considering that 23 option. It would mean perhaps going through a third 24 party like my member of parliament or somebody else to 25 approach the suspects to do that.</p> <p style="text-align: center;">Page 64</p>

1 If anybody else has any other ideas on how the
 2 97 per cent of people who don't go through the justice
 3 system can get some kind of address or help in
 4 a semi-formal way, I would be very grateful to hear it.
 5 MR HILL: Thank you, Chris. Does anybody have any ideas or
 6 is anybody aware of any work which goes on in this area?
 7 There is nothing coming forward from anybody who is
 8 here. Sorry, Luke?
 9 MR MARTIN: I think just to raise my concern with
 10 restorative justice as a practice we use in sexual
 11 abuse, quite often what victims/survivors want to know
 12 is why that incident took place, "Why me as the person
 13 you chose to do that to?" My concern would be that by
 14 going to a restorative justice seminar is that you are
 15 not going to get a lot of those questions that you are
 16 expecting answers to answered, and for a lot of
 17 survivors, that can be really traumatising and
 18 re-traumatising. I think, like you say, this notion of
 19 having a restorative justice setting where you speak to
 20 each party separately could work potentially, but that
 21 risk of the re-traumatisation when we are looking at
 22 restorative justices practice.
 23 BARONESS NEWLOVE: I think restorative justice is a process
 24 but it has to be facilitated in a professional way. You
 25 don't want to put yourself in a risk as well. In a way,

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1 I respect what you say, Luke, but I have also met people
 2 who have done restorative justice and it's been
 3 facilitated. It is not over a couple of weeks, it can
 4 take up to two years. And the questions you ask can be
 5 put. So I think, you know, if it is done in the right
 6 way and it is facilitated professionally and you get
 7 your answers to the questions -- some people just want
 8 to look at the perpetrator in the eye, and I have met
 9 some that were really angry about what they did to them,
 10 and actually angry that they put on weight in prison and
 11 looked a lot healthier than they did beforehand, but
 12 then there was a turning point where they did meet them
 13 and it gave them that empowerment, that closure, because
 14 once they opened up and told them their feelings, that
 15 person actually felt like the smaller person and the
 16 victim felt like the bigger person. So I think every
 17 case is different and it is what every victim or
 18 survivor wants to do and should be listened to. You
 19 know, 97 per cent is quite high not to go through the
 20 criminal justice system. I think you have raised a very
 21 valid point, but more importantly, I think it should be
 22 the opposite way, we should listen to these people who
 23 have been abused so they have more confidence.
 24 MR HILL: Chris, I think you wanted to come back on that
 25 directly and then I will turn to others.

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1 MR BAKER: Yes, Chris Baker again. One thought I had was
 2 actually by giving space, ironically or oddly, to the
 3 perpetrator to speak their side of the story for them,
 4 for example, in my case at the school it was quite an
 5 abusive, violent culture with lots of corporal
 6 punishment and physical punishment; for them to have
 7 space to speak about what they remember of the culture
 8 of the school, for example, the head teacher who didn't
 9 abuse me did mete out physical punishments to the
 10 children, but also I imagine it was pretty unpleasant
 11 for the teachers themselves. They may well have been
 12 attacked or abused themselves and maybe that's part of
 13 the reason why I got attacked. If they had some space
 14 to describe the culture or their memories of the school,
 15 I think that would be helpful, for them to open up and
 16 remember their side of the story and perhaps be more
 17 willing to be forthcoming about what they did. For
 18 a matron to resign because they felt teachers were
 19 interfering, for a parent to withdraw their child
 20 because they felt their child was being abused, it must
 21 have been a culture of something problematic going on
 22 which the school would find helpful or the people there
 23 at the time would find helpful to go through, both as
 24 children who were at the school but also for the
 25 teachers and ancillary staff who might have been part of

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1 that abusive and violent culture in the 1970s.
 2 MR HILL: Thank you. Amanda, I think you were going to
 3 raise a point and, Luciana, I think you wanted to as
 4 well. Amanda, if I could ask you first, please?
 5 MS NAYLOR: Following on from what Chris says, I think it's
 6 got huge relevance for children and young people today.
 7 We know from various research between 33 per cent, at
 8 the most conservative estimate, and 66 per cent in
 9 Radford's research of sexual abuse is between children,
 10 and actually these children are often sharing the same
 11 schools, the same communities, the same spaces, and
 12 actually whether we talk about restorative justice or
 13 whether we talk about restorative approaches and how we
 14 support young people to be safeguarded within their own
 15 communities where that is happening, where the criminal
 16 justice system may not be either the right route
 17 potentially or the route that is available to getting
 18 some kind of resolution, I think is really important,
 19 both to the schools, the parents, community leaders, how
 20 do we manage abuse in communities where we know the
 21 criminal justice system isn't necessarily going to be
 22 the answer. Barnardo's is working on an eight-year
 23 programme exploring some of that and I think it is
 24 really important we take on adult perspectives on that
 25 and start to understand what that means for everyday

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1 lives for children.
 2 MS COFFEY: I think the first thing from our perspective at
 3 Mosac is the difficulty in being recognised as a victim
 4 and being heard as a victim, being believed as a victim.
 5 If you can't be heard, believed or understood to be
 6 a victim, how on earth do you get access to any form of
 7 service? That's the first step.
 8 Then the second step after that would be to listen
 9 to what the victim or those protecting them need. That
 10 may vary over time. I think what has struck me today is
 11 that younger children would not want a punitive system
 12 at all, yet as they grow they may well want a more
 13 punitive system or they may well want to feel a sense of
 14 some sort of justice. But when they are younger they
 15 tend to just want protection and access to services to
 16 help them.
 17 I think, really, again, to reiterate what Baroness
 18 Newlove said, we need to be listening and understanding
 19 and providing services for victims at different stages
 20 of need, basically. Thank you.
 21 MR HILL: Thank you. I would like to turn to the services
 22 that are available currently, and in particular I would
 23 like at this stage to turn to Christy and to talk about
 24 work that Imara does, and particularly the length of
 25 work that you do with those who use your services.

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1 MR HILL: What have you found to be effective when working
 2 with individuals?
 3 MS CLARE: I think the relationship with the child, a lot of
 4 people have spoken about having a person of trust. The
 5 person of trust needs to understand the system. So
 6 I suppose we develop the trust. I'm a therapist, I work
 7 therapeutically. We have advocacy workers. Once they
 8 have established that relationship of trust with you,
 9 you can then go through the entire system and they rely
 10 on you to bring you the updates. Quite often, we don't
 11 get the updates from the police that we would get and we
 12 don't get updates from social care. So we try to tie it
 13 together so that we give the true story as it is
 14 happening to the child because they are left at school
 15 every day not knowing at all what is happening and that
 16 causes great trauma and distress, obviously. We often
 17 find as well that during school the behaviour alters and
 18 I think when people were talking about education earlier
 19 there is an education with the school staff because the
 20 behaviour alters because the child's disclosed, gone to
 21 video interview, had a medical examination, their lives
 22 have been completely intruded on and then their
 23 behaviour goes wrong at school, and the majority of
 24 teenagers we work with are out of the education system
 25 completely because they can't do a managed move, they

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1 MS CLARE: Hello. We are an early intervention service. We
 2 work with the child straight after the video interview
 3 with the police and we pick up the children and their
 4 siblings and their families throughout the Crime
 5 Prosecution Service, which obviously can be 18 months
 6 sometimes before it even gets to the fact it is going to
 7 go through that. We often end up working with the
 8 families afterwards. We have families that went through
 9 the legal system quite a few years ago now but they
 10 still come back and with the things that echo the
 11 survivors' stories, it stays with them day in, day out
 12 for the rest of their lives.
 13 Somebody mentioned about the damaged goods and we
 14 work about changing the outfit that we are left with;
 15 our abusers leave us with an outfit and we try and
 16 change the outfit so you don't feel like damaged goods.
 17 Our service is predominantly for children, but like
 18 I say, we do end up working with a lot of the adults as
 19 well. We often find that the children who we work with
 20 bring their parents and very soon afterwards we find out
 21 the parents themselves have been abused at some stage
 22 and gone through that '70s/'80s style system and haven't
 23 been heard or it's been swept under the carpet by
 24 grandma or things like that. It is an ongoing piece of
 25 work.

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1 can't go into a PRU. Somebody needs to manage it at
 2 some stage and realise that.
 3 MR HILL: You mentioned the therapeutic input you have had.
 4 In terms of the interaction between that and the
 5 criminal justice system, is there any difficulty or any
 6 tension between the work that you are doing and the
 7 investigation that is ongoing?
 8 MS CLARE: We are changing pre-trial therapy. So the run-up
 9 to the trial is pre-trial therapy. As I understand, in
 10 our area there are no other organisations that do that.
 11 It is tense because you can't lead, you can't -- you
 12 know, there is a possibility more disclosures come out
 13 in that time. We have to stipulate to the parents and
 14 the families in the beginning that everything in that
 15 time can't remain confidential. As a therapist, we work
 16 with confidential matter and it can't remain
 17 confidential in that time. So you're already saying to
 18 them: I will work with you therapeutically and we can do
 19 that, but actually at any stage the police can ask to
 20 see my notes, they can call me into court. So the
 21 family have to be aware of that.
 22 It doesn't, in my experience, cause a barrier, but
 23 that's because of the relationships we build up with the
 24 families. But they do have to be aware of that. We
 25 have got to be very open and clear with them.

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<p>1 MR HILL: You said you believe you're the only organisation 2 doing what you do in your area. 3 MS CLARE: In our area. 4 MR HILL: What area is that? 5 MS CLARE: We are in Nottingham. At the moment our boundary 6 is Nottingham City. We do pick up things in the county. 7 We would love to be bigger, if anybody wants to give us 8 any money. It is just one of those early interventions. 9 The referrals come direct from the police. That's the 10 only place we take our referrals from. The disclosure 11 could come in on a Sunday and we are involved with the 12 family by Tuesday. We are with them. 13 MR HILL: Thank you. I think Camille wants to come in on 14 that. 15 MS WARRINGTON: I just wanted to add something around 16 pre-trial therapy because it is one of the most striking 17 findings from a number of pieces of research. Having 18 interviewed children and young people and practitioners 19 around the country, the inconsistency in messages that 20 children and young people and practitioners are 21 receiving about children's entitlement to pre-trial 22 therapy is extremely striking. From messages that you 23 aren't allowed to access any form of therapeutic support 24 prior to a case reaching court or a decision, to 25 children being told they can access therapeutic support</p> <p style="text-align: center;">Page 73</p>	<p>1 I do, the skills and the competence, Christy, where did 2 Imara get them from? 3 MS CLARE: Cath, our director, trains us in pre-trial 4 therapy so I would need to go back and find out where 5 she got it from. But it is out there and you can do it. 6 Actually, I think we were talking in the room earlier 7 about it and actually it is kind of classed as this big 8 training that you have and actually it isn't, a lot of 9 it is commonsense, but it is just having that grounding 10 so that you know that when you're called to court or 11 you're asked something about it you know that what you 12 are doing is concrete and not leading in any way. 13 MR HILL: I think that's a point -- again, a lot of heads 14 are nodding and it is a point that has been raised 15 earlier, the need to know and to be competent in what 16 you are doing. 17 Rosie, I think you wanted to come in? 18 MS CREER: Just to pick up on the idea of having therapy 19 pre-trial. We have referrals where CAMHS have said, "We 20 can't work with you because you ..." so there is an 21 assumption but then there is also a drag. So a young 22 person will get caught between bureaucratic systems of 23 being referred here and there. Meanwhile they are still 24 having to hold on and not have experience to tell their 25 story.</p> <p style="text-align: center;">Page 75</p>
<p>1 but actually they won't be able to talk about anything 2 about their feelings or abuse, to services like Imara 3 who have skills and confidence in being able to deliver 4 it. That has been echoed by practitioners who again 5 have told me really mixed messages about their 6 understanding about what they are entitled to do and 7 I think that is really significant in terms of 8 the barriers to support the children. 9 One of the most kind of striking quotes around this 10 a young person shared with me was she sabotaged her own 11 achieving best evidence interview because she had been 12 told she wouldn't be able to access therapy until the 13 investigation was finished, so she talked about 14 sabotaging her evidence so she could access therapy 15 because that was more important to her than the case. 16 MR HILL: Where are they getting the mixed messages from? 17 MS WARRINGTON: I think -- I don't know if I know the exact 18 routes but I think people's access to the training, to 19 the guidance obviously from CPS, the interpretation of 20 that guidance seems to be wildly different. Messages 21 come from police, come from voluntary sector, statutory 22 sector, and there's clearly a communication and skills 23 issue there. 24 MR HILL: I'm going to turn to Rosie in a second, who has 25 been waiting patiently to make a point. Just before</p> <p style="text-align: center;">Page 74</p>	<p>1 My feeling is, the earlier the better. There's 2 a business case to say that the sooner people have an 3 experience where they can be understood and heard, the 4 less likely their trauma symptoms will have an impact 5 later. 6 It is to do with the current environment where there 7 is quite a lot of organisational anxiety, that people 8 are so stretched that the last thing they need is to be 9 dragged out and say, "Well, you shouldn't have done this 10 piece of work. Let's bring you into court with your 11 notes", where people are sort of working very, very hard 12 with what little resources they have within the 13 organisation. 14 MR HILL: Phil? 15 MR ASHFORD: It was just to pick up on some of the points 16 raised there, I think Camille has raised a point. From 17 our point of view, the CPS guidance, the way I read it 18 it's quite clear in terms of allowing pre-trial therapy 19 and counselling, and it is good to hear there are 20 organisations who are skilled in delivering that so that 21 it doesn't cross any boundaries. 22 Listening to some of the observations from the 23 public audience this morning, one of the gentlemen 24 mentioned about having someone more his age to speak to, 25 and I think the crucial thing really is to be able to</p> <p style="text-align: center;">Page 76</p>

1 provide to victims a choice about who they speak to and
 2 engage with and whether that is about whether it is
 3 a male or a female worker, an older or younger worker or
 4 the ethnicity and background of that worker, it's to not
 5 prejudge what a victim may choose around the
 6 circumstances. It's very easy, and I would probably say
 7 lazy, to assume that a young person from a black or
 8 minority ethnic background will want a worker from that
 9 same background. So it is about giving that choice.
 10 Part of that is around the flexibility of the
 11 services. So we have heard about therapeutic input
 12 here. Obviously it is not for me to say that -- therapy
 13 is a very skilled and nuanced area of work. But
 14 actually there are services out there and there are
 15 provision now where professionals within other
 16 organisations have been trained and supported to do
 17 therapeutic work. It doesn't mean they are providing
 18 therapy but they are working in a therapeutic way and
 19 they then have access to clinical psychologists to go
 20 through some of the work that they are doing to make
 21 sure they are all supervised in a way. That will allow,
 22 where established relationships have been made with
 23 victims who don't want to start working with a new --
 24 don't want to start telling their story to a new person
 25 straight away, so they can maintain the relationship

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1 they have with that point of contact and the trust, but
 2 that individual is supported by other agencies to make
 3 sure that they are best supported to support the victim.
 4 MR HILL: Baroness Newlove, I think you wanted to come in?
 5 BARONESS NEWLOVE: I agree with what everybody says, there
 6 is a mixture, but also it is lining all the ducks up, so
 7 to speak. It is presumption of what that person needs.
 8 I agree with the gentleman in the audience about
 9 having somebody his own age. The other flip coin is my
 10 daughter saw a therapist and actually she was young and
 11 she felt -- she's got no life skills so she really
 12 didn't engage, so I think it works both ways. We do
 13 really need to look at that. But also it is about
 14 perception and how the courtroom experience -- it is
 15 a bit like cross-examination when you apply for criminal
 16 injuries. It is all about money. But actually we have
 17 got to start listening to these people because these
 18 young ones, like these gentlemen, the adults, this is
 19 the journey they are still going through. They are
 20 taking their lives here. Nobody understands the Frances
 21 Andrade case, what happened there, and people are really
 22 scared because it is about conviction rates.
 23 So while the CPS guideline is very clear, it is
 24 actually clear to who -- how they interpretate it,
 25 because the police interpretate it completely different.

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1 So we have to have clear scripts on training here.
 2 If somebody is accountable for not giving the right
 3 information, they have to be addressed and that's why
 4 I'm moving on to a victims' law. It is the only way you
 5 are going to protect all of this resource and this
 6 information for victims so they know a straight path to
 7 go down with no added pressure to what they are going
 8 through.
 9 MR HILL: Thank you. Almudena?
 10 MS LARA: I just wanted to mention that just looking at this
 11 chart and the graph that we were discussing before, one
 12 of the striking things is how many interactions a child
 13 or adult will have. For every one of these steps, it
 14 will be often not just one person but a multitude of
 15 people.
 16 I think that that is a serious problem, and that's
 17 where a lot of the confusing messages and different
 18 interpretations come through. So simplifying that
 19 process for the victim is very important, and one of
 20 the things that MOPAC here in London with the
 21 Home Office is trialling and the NSPCC is involved in is
 22 the setup of the child house that brings together the
 23 therapeutic support and the support of the legal system.
 24 I think there is something -- maybe the child house --
 25 it has proven evident in other countries and it is

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1 definitely something that is worth trialling. But even
 2 if one is not to go for that very secure system,
 3 Rolls Royce system, of how to deal with the mental
 4 health support needs and the legal support needs of
 5 a victim, I think there are a lot of lessons to be
 6 learned from it in terms of simplifying the journey for
 7 the victim and having that one point of contact and
 8 access to the mental health support that is also so
 9 important to secure actually the journey through the
 10 criminal justice system, because a lot of -- in every
 11 step of the journey, there are risks of the case
 12 dropping because of the resilience of the victim being
 13 tested over and over again. So anything that can be
 14 done to ensure the resilience of the victim actually --
 15 to actually achieving justice rather than the other way
 16 around. I think we often see messages of, if you
 17 support -- if victims get therapy throughout the system,
 18 that actually might play against justice. I think it is
 19 often the other way around. I think if you support the
 20 victim, you are more likely to secure justice because
 21 you have more resilient victims and families.
 22 MR HILL: Thank you. The children's house is a topic that
 23 was discussed at a previous seminar, so I won't go into
 24 any further detail here. But it does seem that a common
 25 theme is the need for an individual point of contact, be

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<p>1 it an individual support worker or an individual 2 organisation or an individual place to assist the 3 individual through the entirety of the process. 4 Amanda, I think you wanted to come in on something? 5 MS NAYLOR: I think it builds on everything everybody has 6 just said, really, which comes to, what are the key 7 barriers in the criminal justice system for children. 8 What children tell us is that the criminal justice 9 system re-traumatises, it is a scary place, it is 10 confusing, it is unfamiliar. If we look at how we work 11 with children in every other setting, the paramouncy of 12 our work with children is their well-being and their 13 safety, it is safeguarding. However, when it comes to 14 the criminal justice system suddenly the paramouncy 15 shifts quite often. In some of the large investigations 16 we have been involved in in supporting children, 17 suddenly it is around, how do we not undermine the case. 18 The pursuit of justice becomes more important than the 19 individual's safety and safeguarding of the child. 20 Somehow we need to address that element, because we 21 cannot keep expecting children, I think, quite often, to 22 hold on to the end of the trial, which, as some people 23 have said, could be, you know, a year, two years, three 24 years, to hold on for that period and then say, "Then we 25 can start recovery work". Children need their</p> <p style="text-align: center;">Page 81</p>	<p>1 a couple of weeks and my analyst is behind in there and 2 she will be going like this -- is actually registered 3 intermediaries. We are having cases without children 4 being supported with registered intermediaries, and 5 I think that is something that's not been raised here -- 6 MR HILL: Can I just say, we will be talking about 7 intermediaries this afternoon. 8 BARONESS NEWLOVE: No, I'm not going into detail. That's 9 fine for me, you're all right. But I just think it's 10 not -- we are not pulling that even from this morning's 11 session at the end of the day. Listening to everybody, 12 nobody is believing the child. We are looking at 13 barriers but actually I think we are creating the 14 barrier because we are feeding into the barriers that 15 are already around. I think we need to believe children 16 as they are and their well-being and their health's 17 well-being is to understand. I think even before we get 18 to the criminal justice system I'm just listening to 19 everybody, myself included, with the barriers that are 20 already out there and these people are proof there were 21 barriers in the '80s, '70s and they must be so 22 frustrated because they are still being talked about but 23 not being brought into it, in a sense. 24 MR HILL: I would like to turn to another source of support, 25 which are ISVAs. They have been mentioned at various</p> <p style="text-align: center;">Page 83</p>
<p>1 interventions at the point they need them. That may 2 undermine cases and it may mean prosecutions don't 3 happen, but it may mean children are safeguarded, and 4 somehow we need to start to discuss the balance of, how 5 do we keep children safe through an adversarial system 6 that in itself places children in a risky and 7 re-traumatising situation. 8 MR HILL: In terms of the distinction between the guidance 9 and the practice, is anybody around the table here 10 critical of the current CPS guidance or is it the way 11 that it is implemented that is the problem? 12 MS NAYLOR: For me, it is the postcode lottery of 13 the implementation. So you see some great examples of 14 CPS following the guidelines, and also being very 15 creative in the way that they support young people 16 through that process and work with the team around the 17 child. In other areas, you see that not happening at 18 all, and yet there is no system to audit the quality and 19 consistency of implementation around the Victims' Code 20 in particular, and as Baroness Newlove stated, maybe 21 a victims' law may help in terms of bringing that 22 consistency around the piece. 23 BARONESS NEWLOVE: I think it is a postcode lottery, but 24 what we have not discussed around this table -- and I am 25 going to be really good because I have a review out in</p> <p style="text-align: center;">Page 82</p>	<p>1 points today. Catherine, I think I will turn to you for 2 an explanation of what ISVAs are and the strengths and 3 weaknesses of that system, "system" used in a very broad 4 sense. 5 MS SMITH: ISVAs are independent sexual violence advisers. 6 I think from what people have been saying there is 7 inconsistency around the country in their availability. 8 They work really well, certainly in relation to 9 Lancashire and the work that we do. In the four years 10 we have been delivering ISVA services we haven't had 11 a survivor that's changed their mind and backed out of 12 the criminal justice process. Lots of NFA decisions and 13 they have stopped it there, but not in relation ... 14 You asked a question earlier in relation to how we 15 can change the perception of survivors and their 16 confidence in the criminal justice process. That's 17 a real challenge because it is a harrowing experience 18 for survivors. However, what we will do is take 19 referrals even before the point at which somebody has 20 made that decision to report and set out for the 21 survivor what that process may look like and then what 22 support they will get right the way through that. 23 What's happening is, they are making a really informed 24 decision in relation to what they decide to do and an 25 ISVA is with that person each step of the way preparing</p> <p style="text-align: center;">Page 84</p>

<p>1 them for the process, assessing their wider support 2 needs, making onward referrals. It is kind of really 3 wide ranging and they will support right up to and after 4 the criminal justice process, including in relation to 5 putting criminal injuries compensation application forms 6 in and supporting them to do that, signposting them on. 7 I think something that's really relevant to the 8 discussion that's just taken place in relation to 9 pre-trial therapy, that's something that we do do in 10 Lancashire. It is intended to be short-term therapy 11 that steadies and contains people to maintain 12 a resilience through the criminal justice process, but 13 where the challenge is, if it is six, maybe up to 12 14 weeks, we have criminal justice processes that go on for 15 far too long -- two years. While an ISVA will support 16 them with some of their low-level emotional needs, often 17 they benefit massively from pre-trial therapy as well, 18 but the difference in length of time between a criminal 19 justice process and pre-trial therapy is just immense. 20 I think that's a real issue both for adults and families 21 going through, the time it takes to progress even 22 getting a decision. We have one at the moment where it 23 is two years since we brought and we have not had 24 a decision. So that's something that really needs 25 addressing.</p> <p style="text-align: center;">Page 85</p>	<p>1 I'm not quite sure what the professional term for that 2 is, it was just a process I was going through to get me 3 through to the actual trial. 4 So whilst it is very good that these things are in 5 place now, like you say, it is still a postcode lottery 6 as to what services you can access and how you can 7 access them. 8 MR HILL: Thank you. Hayley, I think you wanted to come in 9 on that point? 10 MS NOBES: Yes. Just going back to the idea of believing 11 the victim, working with young people, young people 12 really struggle to get the police to understand what 13 they are saying, to get them to believe them. I spoke 14 about them being "the problem children". So that's 15 always an issue. Also, people from the BME community. 16 They are less likely to go to the GP surgeries to even 17 get the support to even report it. So the ISVA service 18 is fantastic, but if we can't get communities to go to 19 the GP surgeries to speak out about what's going on 20 because of the cultural norms, then we are still failing 21 them. 22 MR HILL: Luke, I think you have personal experience of 23 working as an ISVA. Can I ask for your thoughts on the 24 role, its limitations and the difficulties in its 25 current form.</p> <p style="text-align: center;">Page 87</p>
<p>1 MR HILL: I think we are going to hear some personal 2 testimony on that this afternoon, on that exact point. 3 Lissa, I think you wanted to come in? 4 MS EVANS: Yes. Sort of in relation to ISVAs and the 5 previous conversation. Whilst my reporting -- the 6 differences in my reporting went from negative to 7 positive, I actually feel in some ways that support 8 services went from positive to negative between the two 9 reporting periods. 10 When I first reported, as I said previously, 11 I managed to get access to psychotherapy through my GP 12 service. When I re-reported in 2015, the police put me 13 straight in touch with an ISVA, but they were very 14 adamant that they couldn't provide any kind of therapy 15 to me until post trial. So they would refer me to my 16 GP, who referred me on to the local mental health team. 17 I regaled my story to them and they referred me for 18 cognitive behaviour therapy. I went, "I think I'm a bit 19 past that". I actually got to the point where I kind of 20 gave up on myself and I just -- I functioned, but how 21 I did it, I don't know, because to me -- by locking 22 myself down, that was the only way that I could actually 23 get through day to day. Whilst I had regular contact 24 with my ISVA, and you go through the however many 25 questions, "How do you feel, 0 to 10", blah, blah, blah,</p> <p style="text-align: center;">Page 86</p>	<p>1 MR MARTIN: The role of the ISVA, not generally being 2 a therapeutic role, generally being an advocate in 3 supporting someone. The role was introduced to 4 encourage people to follow through to trial without 5 there being any barriers around withdrawing statements. 6 Quite often it is just that, it is about an advocate who 7 is linking in with other professionals bodies and, 8 Lissa, as you say, your advocate should be acting on 9 your behalf rather than you having to retell your story 10 to every professional you come into contact with. What 11 we know about survivors' journeys is you might have to 12 make that disclosure tens, hundreds of times, depending 13 on what kind of service you access, and your advocate 14 acting in your best interest -- I was an independent 15 sexual violence adviser here in London. As a male ISVA, 16 there being very limited services -- so Survivors UK, 17 the national male rape charity, have a male ISVA. That 18 male ISVA is expected to cover the whole of London but 19 also to take referrals in from other parts of the UK. 20 I was based in a women's aid organisation here in London 21 and they had female ISVAs; I know there are still some 22 of those floating about in London. But the remit you 23 have to cover is huge and quite often those roles are 24 buddied up with an ISVA role, so I was a part-time ISVA 25 domestic violence adviser and part-time ISVA, giving me</p> <p style="text-align: center;">Page 88</p>

<p>1 very limited capacity to be able to do ongoing frontline 2 work. Like you say, the notion about pre-trial therapy 3 being a real challenge, I worked with a client who 4 didn't access pre-trial therapy because actually there 5 wasn't that much promotion of services that were 6 offering it. When he got a guilty conviction after 7 being orally raped by a stranger, criminal compensation 8 scheme turned around to him and said he hadn't suffered 9 emotionally because he hadn't accessed any kind of 10 emotional support. Obviously looking at the barriers 11 that men might face, talking about that experience being 12 huge, but also to tell somebody they couldn't possibly 13 have suffered emotionally for not accessing support 14 being an issue. And obviously that was appealed and he 15 was granted a compensation. But the role of the ISVA 16 being fairly stretched and it being run very differently 17 in different organisations. There is no real governing 18 body as to what that service looks like and that's 19 something that we see across the board. So each 20 service, depending on how it is funded and who it is 21 funded by, will quite often have a very different remit. 22 MR HILL: On that exact question, who is funding them? 23 MR MARTIN: Generally they are funded by local authorities. 24 So in Brighton & Hove we commission a local sexual 25 violence service. You also get organisations that apply</p> <p style="text-align: center;">Page 89</p>	<p>1 the sector, but that then putting a huge barrier in the 2 age of those professionals that are supporting victims. 3 MR HILL: Chris, I think you wanted to come in, and Baroness 4 Newlove. 5 MR BAKER: Just a short point. I'm having trouble 6 remembering everybody's name and organisation, and even 7 seeing some of the people at the other end of the room. 8 Would it be possible for everyone, please, to say their 9 name and their organisation each time they speak, just 10 to remind us who they are and help us if we can't see 11 them. 12 MR HILL: Thank you, yes. Baroness Newlove, if I could ask 13 you? 14 BARONESS NEWLOVE: I think you can see my name tag. I am 15 all right there? I'm not being facetious there. 16 Baroness Newlove, Victims' Commissioner. 17 Just on the ISVAs, it's very interesting that 18 recently LimeCulture has done a training package for 19 independent sexual violence advisers and the Home Office 20 has funded and they have produced a guidance for that. 21 So they are raising above it. 22 But also there is the Police and Crime 23 Commissioner role that is in charge of the victim 24 services money, budget and I work -- I travel around the 25 country -- I'm on my 24th visit to see them, I love</p> <p style="text-align: center;">Page 91</p>
<p>1 for pots of money through Comic Relief funds that will 2 plug gaps quite often. What we are quite often looking 3 at are short-term contracts and that limited funding 4 making it really hard to establish services because 5 they're going from a very small pot of funding to a very 6 small pot of funding and to try to embed good practice 7 within a local authority is really difficult. 8 MR HILL: Chris, just before I turn to you, the point that 9 was raised from the public gallery about the 10 difficulties in finding people who aren't young people, 11 and you've spoken as well about the difficulties of 12 finding male ISVAs, is that something that you 13 recognise? 14 MR MARTIN: Yes. The difficulty that we find is that it's 15 people with the skill set or, as we actually discussed 16 in the break, the cost that it is to train as a sexual 17 violence adviser is huge to a small organisation. So if 18 you have got one role within your 20 staff, actually 19 spending thousands of pounds to upskill that person to 20 be able to deliver that is going to be a huge barrier, 21 and actually it being very varied on who we have come 22 forward for these roles. We might have somebody who is 23 a survivor of sexual violence who has a vested interest 24 in doing that work, but a lot of the time what we are 25 finding is young graduates who want to get involved in</p> <p style="text-align: center;">Page 90</p>	<p>1 trains -- is actually to encourage them to look at where 2 their ISVAs are working. Again, this is something I am 3 working with with Vera Baird on piloting. I'm 4 independent victims adviser, which isn't the specialist, 5 but Vera chaired the crime culture guidance notes from 6 the Home Office, and I'm doing close works. So I get 7 where you are coming from. It is money from the local 8 authority and it's also funding from the Police and 9 Crime Commissioners and we must make sure that the two 10 are quality. It is not about somebody stepping in to do 11 this. You need proper training and safeguarding for the 12 victim and survivor and the person delivering the 13 service. So this has to be more professionalised, but 14 I think it is on the right path of doing that and 15 LimeCulture have been out there doing that with a lot of 16 the Police and Crime -- I'm not doing an advertisement 17 for LimeCulture, it is just that I was at that 18 conference with Vera as well. We do need national 19 guidelines and the Home Office have just produced them 20 to make sure there is some safeguarding protection there 21 for everybody. 22 MR HILL: The point about the need for continuous funding as 23 well, would that tie in -- the training is one thing, 24 but, as Luke and others have said, in order to invest 25 the time in the training, you need to know that</p> <p style="text-align: center;">Page 92</p>

1 there's --
2 BARONESS NEWLOVE: That's down to government and that's
3 another thing that I have written to the victims
4 minister because I disagree. The formula funding is on
5 a 12-month basis. You couldn't operate a business like
6 that, you just couldn't. For me it is about, well, then
7 you are not recognising the quality of workers. People
8 have mortgages to pay, rents to pay and shopping and
9 food on the table. For me, I'm picking up this
10 information from the Police and Crime Commissioners that
11 this funding formula is incorrect. I brought them to
12 the minister and asked for a three-year formula, so that
13 protects the person doing the work and protects, more
14 importantly, the victims that are on their case load
15 and, more importantly, you recognise the skill of that
16 worker. The Police and Crime Commissioners are actually
17 putting that money in themselves, but at the time of
18 writing to the minister, which is on my website quite
19 clear, he disagrees and wants to look at more quality
20 evidence and quantity evidence. I'm saying you're not
21 recognising what's needed now. As we are speaking here,
22 you're losing skilled workers and also workers who are
23 being served redundancy notices and that's not helpful
24 for anybody at the end of the day.
25 MR HILL: I am going to come to Rosie in a second. Before

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1 I do, Jon, I think you wanted to raise a point?
2 MR CLARK: Thank you. Jon Clark, victim and survivors. One
3 of the things I picked up on as different people from
4 different organisations have been speaking is one of
5 funding, and you mentioned investment. I do know from
6 the three of us who have spoken today that we are not
7 the only victim of each abuser. Every pound that's
8 stopped and every barrier that's put up into bringing
9 paedophiles and abusers to justice will create more
10 victims, more victims, more strain on the system.
11 So if we are talking, as Baroness Newlove mentioned,
12 about evidence, quantity of evidence, well, have a look
13 around the room. If you want more of us, go and invest.
14 If you want to stop this, invest. Simple as.
15 MR HILL: Rosie, I think you wanted to make a point?
16 MS CREER: Yes, just to pick up about ISVAs and ages and
17 funding and value. I guess we are lucky at Respond, we
18 have an ISVA in her 50s and an ISVA in her 70s, so we do
19 have experienced ISVAs. I think in part they are valued
20 in terms of what their salaries are but I think there is
21 a big issue around the duration of funding and the
22 anxieties and the value placed on these roles and how to
23 prevent burnout. It is not a therapeutic role but it is
24 an emotionally draining role to hold. That's not often
25 reflected in the funding. Our funding -- we have two

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1 specialist ISVAs that work specifically with people with
2 learning disabilities but they are the only ones that
3 I currently know about, and they work across London so
4 they are very stretched.
5 MR HILL: Luke, yes, please?
6 MR MARTIN: I think what we are looking at -- sorry, Luke
7 Martin -- is the cost of a good service and ultimately
8 we can look at workers who are going to be experiencing
9 vicarious trauma because they spend every day listening
10 to victims' and survivors' experiences of sexual
11 violence and abuse and quite often that not being
12 considered when we look at costing these services
13 ultimately. A lot of professionals I work with now are
14 being denied clinical supervision because that is not
15 written in their bid because they need to undercut
16 another service that's going to offer the same provision
17 for less, and quite often that's, as you say, unskilled
18 professionals, that ultimately what we are seeing is
19 a huge increase in housing providers coming forward and
20 offering domestic and sexual abuse services and they are
21 most definitely not being best paid and quite often
22 having an impact on retaining staff because actually
23 they are not supported.
24 MR HILL: I'm going to move on, I'm afraid, because of
25 the pressures of time. Briefly, it has been mentioned

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1 earlier the ABE interviews and video interviews.
2 Camille, if I could turn to you, the research you have
3 conducted in that area, how effective are those
4 interviews proving?
5 MS WARRINGTON: Camille Warrington from the University of
6 Bedfordshire. I don't think it is possible from our
7 research to say how effective they are because that is
8 another piece of evidence we haven't been looking at.
9 In terms of what we have found about children and young
10 people's experiences of them, they are often, aside from
11 court, described as the single most traumatic aspect of
12 children and young people's experience. Again, it is
13 a recurring theme, inconsistency in how they are
14 undertaken. One of the most striking things for me is
15 often what children and young people themselves are
16 saying would have made it better are things that are
17 there in guidance already as good practice in terms of
18 the special measures guidance which aren't being
19 implemented. Choices which aren't being given to young
20 people. Children and young people still undertaking ABE
21 interviews without the offer of a supporter present,
22 without a choice in who is present. A lot of messages
23 about the spaces in which they are done being really
24 problematic. It is interesting, having visited an
25 organisation called Triangle, which some of you may be

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<p>1 aware of, in Brighton, who have an incredibly 2 child-friendly ABE remote space, comparing that to the 3 descriptions of other spaces in which children are taken 4 into which they then -- one young person described the 5 space as like a horror house, the locks on police doors 6 and how that -- it was not conducive to best evidence. 7 Children themselves, young people, saying, "I wasn't 8 able to give my best evidence" and themselves coming up 9 with lots of very practical ways in which the space, the 10 rapport building, choices, could have really supported 11 them to give better evidence and there's a number of 12 kind of recommendations throughout.</p> <p>13 Also, testimonies from practitioners, advocates and 14 children and young people about being denied things that 15 we know. There is potential for them to have in 16 practice, not just a supporter but things they want to 17 go in to fiddle with, toys to fiddle with. Very simple 18 things and the irony that, yes, that prevents their best 19 evidence being given.</p> <p>20 MR HILL: This common theme that there are matters which are 21 raised in the guidance with which there is general 22 agreement around the table that they are not being 23 implemented, is there any answer to what is proving to 24 be effective in terms of guidance and what is not? Is 25 there any rhyme or reason about why things are being</p> <p style="text-align: center;">Page 97</p>	<p>1 this work around this room, is connecting with that one 2 individual.</p> <p>3 MR HILL: Phil, if I could turn to you, please?</p> <p>4 MR ASHFORD: Obviously, some of the guidance we have talked 5 about today -- the CPS guidance around prosecuting 6 sexual abuse, and the Victims' Code has been mentioned, 7 and perhaps more so the CPS guidance, I would -- 8 speaking to practitioners, and this is broadly around 9 research and guidances, these are reasonably weighty 10 documents and for a frontline member of staff, be that 11 a police constable, a DC, a special worker, whoever, who 12 may be under pressure elsewhere, picking one of those 13 documents up and absorbing that into your practice can 14 be a challenge. That's not to say it -- you know, it's 15 important that that guidance is understood.</p> <p>16 From experience of going around and engaging with 17 professionals from a range of settings, I think that 18 a crucial aspect of how you make that real for people, 19 picking up from Baroness Newlove's point there about how 20 that guidance is personalised, is making sure that we 21 have got people within those professions who have seen 22 the positive benefit of implementing that guidance.</p> <p>23 So where we have barristers who have successfully 24 prosecuted cases and have used the guidance as 25 a positive tool, use them to engage with their</p> <p style="text-align: center;">Page 99</p>
<p>1 picked up or a particular organisational way of doing 2 things?</p> <p>3 If we could start with Baroness Newlove and then 4 I will come on to you, Phil, in a second.</p> <p>5 BARONESS NEWLOVE: Guidance is an issue that gets everybody 6 hot headed and very angry, and speaking to victims 7 around the country, guidance is guidance, but you can be 8 creative outside the guidance. What helps and what 9 makes it better guidance is an individual actually, it 10 is not the guidance itself. It is the advocate, whether 11 it is within the Victim Contact Scheme or whether it is 12 an IDVA or an ISVA, it is actually that individual that 13 makes that real relationship work.</p> <p>14 Most of them who don't, it's because they say, 15 "Well, we have guidance", but it doesn't mean to say you 16 hide under the guidance.</p> <p>17 That's the work I do, is actually training victim 18 liaison officers, working with ISVAs, working with 19 everybody.</p> <p>20 Guidance is in place, but it doesn't mean to say you 21 have to have it set in stone. It is that individual 22 relationship, that individual person who goes the extra 23 mile. You see it with family liaison officers: they are 24 police officers, they are investigating officers, but 25 they go that extra mile, and that's the key to making</p> <p style="text-align: center;">Page 98</p>	<p>1 colleagues.</p> <p>2 It is no good me, with a background in youth work, 3 going to barristers, with the greatest respect to 4 myself, and trying to tell barristers how to do their 5 job. You do find that quite often it is better coming 6 from someone within that professional circle.</p> <p>7 But just a caveat on that is that, at the same time, 8 I think, where opportunities do arise for multi-agency 9 training and understanding of that guidance, there is 10 a positive there as well, so that we can try and avoid 11 those situations that some of the victims have spoken 12 about today, where different services have interpreted 13 things differently. That will always happen, but if we 14 can have those discussions before the interaction with 15 the victim or survivor, we can sort out those 16 differences before it starts impacting on someone's 17 experience.</p> <p>18 MR HILL: Almudena, yes, please?</p> <p>19 MS LARA: Almudena Lara from the NSPCC. You mentioned that 20 we are going to discuss the registered intermediaries 21 this afternoon in relation to the court experiences, but 22 I think they are very important as well in relation to 23 achieving best evidence.</p> <p>24 Maybe we can park that for later, but I just wanted 25 to make the point that some of the best ABEs are when</p> <p style="text-align: center;">Page 100</p>

<p>1 they are mediated by registered intermediaries that can 2 actually voice some of the concerns that Camille was 3 mentioning for children who often have difficulties to 4 express their feelings and their experiences, and 5 I think in interpreting the guidance also comes the 6 point of how the officer carrying out the interview sees 7 and interprets what is being said by the child. 8 I think that, although it is right to do it in the 9 afternoon, they also need to be considered as part of 10 the ABE process. 11 MR HILL: Thank you. It is an important point. It is 12 purely the way we are structuring the discussion but it 13 is important point to raise. 14 MS LARA: I realise. I just wanted to make sure it is made. 15 MR HILL: It is important to do so. 16 Before I turn to the public gallery and we break for 17 lunch, I would just like to go to each of our victims 18 and survivors who are here today to ask if there is 19 anything further that they would wish to say at this 20 stage -- don't feel compelled to do so if you don't wish 21 to -- because there are going to be a different group of 22 three people after lunch. I will turn to each of you 23 now in turn. I begin with you, Chris. 24 MR BAKER: Chris Baker, I'm a survivor. Picking up on 25 a recent point Baroness Newlove was making and others,</p> <p style="text-align: center;">Page 101</p>	<p>1 MS EVANS: Not really on this morning. I think I concur 2 with Chris. Whilst there is a lot of emphasis on 3 support from ISVAs, the wider mental health agencies 4 also I guess need to be a bit more clued up. As I say, 5 I was very lucky the first time I reported it that I got 6 the access that helped me, but it was very much 7 a negative process the second time I reported it, and if 8 it hadn't been for the ISVA, I honestly don't know what 9 state I would be in now. 10 MR HILL: Thank you. Jon? Nothing further. Thank you very 11 much. 12 If I could turn then to the public gallery? We only 13 have a few minutes before lunch. Is there anything that 14 anybody wishes to say about the discussion that we have 15 had in this session? Again, if we could start with core 16 participants. Again, I stress that we are unable to 17 discuss individual cases or individual strands or 18 individual investigations, but the points that have been 19 raised this morning instead. 20 Observations from THE PUBLIC GALLERY 21 PUBLIC GALLERY: Hello again. I'm going to sit down. You 22 lot can sit down, so so can I. 23 Being abused in the '70s -- Chris brought it up -- 24 I have difficulties because the agencies that I would 25 report to, you'd expect to report to the police,</p> <p style="text-align: center;">Page 103</p>
<p>1 I think mental health has cropped up quite a few times, 2 and from the public gallery as well early on. It 3 certainly affected my case. It was alleged that my 4 mental health might have contributed to me imagining the 5 abuse, for example. 6 It just occurred to me the police were relying, 7 really, on just going through my records, my health 8 records, my GP's records, for an assessment of my mental 9 health. I think they were really left with making quite 10 a lot of guesses about my mental health. I think it 11 might be better in future, when police are gathering 12 evidence and the CPS are considering evidence, if they 13 could have an independent mental health report about the 14 survivor that is not just based on police guesswork and 15 a police summary of the records they have been given. 16 It seems to me that having a formal process where 17 there was some kind of mental health assessment of 18 the survivor, both at the time when they are submitting 19 the evidence and making the allegations, but also 20 throughout their past history back to when the alleged 21 abuse took place, some kind of independent mental health 22 assessment to guide the police and the prosecution 23 service I think could be helpful. 24 MR HILL: Thank you. Lissa, is there anything further that 25 you would like to say?</p> <p style="text-align: center;">Page 102</p>	<p>1 social services, education, the church, were all the 2 agencies that let me down and that were abusing me in 3 the first place, so that's difficult. 4 Getting on to mental health and support, in Devon 5 there's a two-year waiting list for me to have 6 a specialist therapist, if you like. I did have one. 7 I won't name her. She was very good. But she only 8 lasted three months because she blew up. She couldn't 9 cope with the information she was getting from me and 10 she resigned her post as a direct result. 11 Now I'm told that -- there's the two-year waiting 12 list, but in that two years, the funding could be 13 withdrawn. So I might not ever get that sort of 14 therapy. So in the meantime, the mental health team has 15 seen fit for me to take escitalopram, clonazepam, 16 mirtazapine, pregabalin and Prozac on a daily basis. So 17 I'm not chemically coshed, I'm practically in a coma. 18 But it is the only reason I'm sat here and able to talk 19 to you. It's wrong. It really is seriously wrong. 20 I don't want to be on these drugs. I hate these drugs. 21 But I cannot cope without them at the moment. But I do 22 feel that I could cope with proper therapy if it was in 23 place. It needs to be in place. I have lived 60 years, 24 of which 50 have been after I was abused. I think in my 25 twilight years I should have some -- I should have</p> <p style="text-align: center;">Page 104</p>

1 a comfortable life. I should be able to put this behind
 2 me and just have maybe a few years -- I will tell you
 3 what I really want more than anything is some teeth.
 4 I would. If you could see fit, anyone, to get me some
 5 teeth for Christmas, I'd be bloody happy, I tell you.
 6 But let me have my twilight years. Let me get this
 7 behind me and let me just go fishing and relax and find
 8 peace. Thank you.
 9 MR HILL: Thank you. Again, for the benefit of
 10 the transcript, when you were talking about the lack of
 11 services available to you and the waiting list, there
 12 was an awful lot of nodding of heads amongst those
 13 around you as well.
 14 PUBLIC GALLERY: I'm the same area, and I'm the same,
 15 they've have told me two years. But I had therapy
 16 already running. I was two and a half years into it,
 17 EMDR, and then the funding just stopped. So they had to
 18 sort of close that up rather quickly, which they never
 19 did properly. Do you know what I mean?
 20 But I've been told two years, the same. The
 21 support -- I think the gentleman on the end there picked
 22 up on it quite early on in the start of this morning, in
 23 the sense of, it's hard for a man. It's hard for a man
 24 to step forward and admit that there's something wrong,
 25 you know what I mean, and especially if you are sat at

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1 I was lucky. When I turned 18, I had two people who
 2 supported me, trusted me and gave me a good job, so that
 3 took me away from that form of life.
 4 But what gets me nowadays is when you hear in the
 5 news about women being raped and the police giving them
 6 a caution. Where's the justice in that? You know. As
 7 I said to you earlier on, why can't my colleague have it
 8 in court in front of a jury to decide whether that
 9 person or them people that he's accused did it or not.
 10 As you know, because of the expressions and what you see
 11 in faces, that makes a lot with the jury.
 12 You know, it's like getting a speeding camera. A
 13 camera has got nothing, it doesn't show you nothing.
 14 But when you're in front of people, they can see how
 15 you've suffered, and I think you can see now some of the
 16 suffering over the time as well. Thank you.
 17 MR HILL: Thank you. I think we have time for one more
 18 comment before the lunchbreak.
 19 PUBLIC GALLERY: Going back to charging decisions, the pound
 20 control, whether it be an institution or within the
 21 family home, the day in, day out mental and physical
 22 abuse allows an environment where sexual abuse can take
 23 place because there is just not one incident but it is
 24 a culture. Now, a charge can't be brought for that
 25 unfortunately because there were no laws in the '70s and

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1 home, you're a parent, you've got three young children,
 2 you have to be the man of the house, you know what
 3 I mean, and it's hard to open up about what happened to
 4 your past, do you know what I mean, knowing you still
 5 have to keep that strong stability in a family unit.
 6 Therapy would be the -- it was helping me immensely.
 7 It was giving me strength, it was giving me courage to
 8 step forward and that's why I stepped forward, in the
 9 sense of it, because of it, but then it was stopped for
 10 no reason, just through lack of funding.
 11 MR HILL: Did you get much notice of the fact that it was
 12 going to be stopped?
 13 PUBLIC GALLERY: Two weeks' notice and then they had to
 14 close EMDR in that two weeks, that was two sessions,
 15 they had to try and close it, which never happened.
 16 MR HILL: Thank you. Anybody else?
 17 PUBLIC GALLERY: What I'd like to mention is, as Baroness
 18 said, she said the '70s and '80s. It goes back to the
 19 '60s and '50s. In my case, the '60s; in some cases,
 20 it's the '50s.
 21 When I was a child, in my youth, you did owt wrong,
 22 you were -- "Don't do it". When we went to the
 23 institutions -- as I said, there but for the grace of
 24 God, a lot of people left them institutions and ended up
 25 in and out of gaol because of the way they were tret.

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1 '80s to protect children. I'm saying if non-recent
 2 abuse is disclosed in this day and age, the perpetrator
 3 should be charged against current laws in my opinion.
 4 That's what I would like to see changed.
 5 Going back to education, when you're in trauma, the
 6 brain can't be in survival mode and fight mode at the
 7 same time, so the education system needs to listen to
 8 children or respond to children going through this.
 9 I know of a recent case where a school was asked to help
 10 with a GCSE student this year and the school refused to
 11 put that girl's GCSEs back so she had to struggle on.
 12 For me, the CJS system has not changed, but our new
 13 learning has been forced to go into the old system and
 14 that needs to change. I have been in meetings with CCGs
 15 and MOPAC meetings about ISVAs. MOPAC funded ISVAs in
 16 London for two years in order for the CCGs to see the
 17 importance of ISVAs, but they don't. Some CCGs do, some
 18 don't. So until they do, we won't get a well-rounded
 19 ISVA system nationwide because all the CCGs need to know
 20 the value of ISVAs when responding to child sexual
 21 abuse.
 22 Also, I had meetings with a chief superintendent who
 23 was really up for ISVAs in the London area and the child
 24 protection teams, the CAIU teams and SOIT teams that had
 25 been put in place to deal with non-recent abuse

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<p>1 specifically have now been disbanded after a year 2 because of cuts. So more and more people coming forward 3 for non-recent child sexual abuse but the police system 4 is not there to respond to it, the specialism is not 5 there to respond to it, the therapy is not there to 6 respond to it, the criminal justice system is not there 7 to respond to victim and survivors and so until we sort 8 all of this out, which is an investment, then nothing is 9 going to change. 10 PUBLIC GALLERY: The themes that I heard in all of 11 the evidence that I just heard there is the first one, 12 a running theme, was about people having recognition of 13 people as victims. Victims themselves don't always 14 recognise that they are victims specifically with CSE. 15 So there has to be recognition. There has to be -- 16 people have to trust that they are going to be believed 17 but they also have to be heard. I think trust is 18 a running theme in all of this. We have to have trust 19 in the system. Often victims have had their trust 20 eroded by the abuse they have suffered. They then come 21 into a system they don't have trust in. Also, I hear 22 professionals talking about issues with interpretation. 23 That isn't so much a trust of themselves having a trust 24 in, say, CPS guidelines but if they are unsure and it is 25 a postcode lottery, you are then asking victims to trust</p> <p style="text-align: center;">Page 109</p>	<p>1 Session 2: Victim, Survivor and Complainant 2 Experiences of the Court Process 3 MR HILL: If we could start by introducing the people who 4 are joining us this afternoon who weren't here 5 beforehand. If I could start with you, please, Karen. 6 MS McLACHLAN: Hi, I'm Karen McLachlan, I'm 7 a victim/survivor. 8 MR HILL: Ian as well, please? 9 MR ACKLEY: Hi, my name is Ian Ackley and I have a lived 10 experience of childhood sexual abuse. 11 MR HILL: Thank you both for joining us. We have Kath here 12 as well, if you could introduce yourself. 13 MS SPEIGHT: Hi, I'm Kathryn Speight, a survivor, here to 14 talk about my experiences of the court process. 15 MR HILL: Thank you, Kathryn. 16 Finally, Hayley Fisher as well. Apologies, I'm 17 looking up the table. Hayley from Victim Support, if 18 you could introduce yourself. 19 MS FISHER: Hayley Fisher, team leader for Victim Support, 20 Humber, South Yorkshire. 21 MR HILL: The focus of this afternoon's session is going to 22 be on the stages before trial, at trial and after trial, 23 but of course the three individuals Kath, Karen and Ian 24 have been here this morning as well and their 25 experiences go beyond that. I would like to begin by</p> <p style="text-align: center;">Page 111</p>
<p>1 that you know what you are doing, and you can achieve 2 best evidence, and it is very difficult. That needs to 3 be looked at. 4 The other thing I would like to say is, when I heard 5 you all speaking about how many times you have to make 6 a disclosure to the varying professionals, I thought of 7 something that professionals perhaps should bear in 8 mind. Every time you speak to a victim, you should 9 perhaps view it as a carbon footprint, and that every 10 time these meetings are arranged, that decisions should 11 be thought about about how many times, what imprint each 12 time we step on this person are we going to leave, what 13 impact and what trauma, and all of that is going to have 14 an impact on them staying within the criminal justice 15 system and remaining resilient. That's it. Thank you. 16 MR HILL: Thank you very much. We are going to break now 17 for lunch, and I will hand over to the chair. 18 THE CHAIR: Thank you very much for your participation this 19 morning. It's been extremely interesting. But I would 20 particularly like to thank Chris, Lissa and Jon for 21 their very valuable contributions. I hope you are going 22 to stay and participate further. Thank you. 23 (1.07 pm) 24 (The short adjournment) 25 (2.05 pm)</p> <p style="text-align: center;">Page 110</p>	<p>1 asking them to pick up on any points, either from their 2 own experiences or from this morning's discussion, that 3 they would like to raise and talk about now. If I could 4 begin with you, please, Ian. This morning we heard 5 particularly from Lissa and Chris and Jon about 6 relatively positive experiences of making recent reports 7 of child sexual abuse. I know your experience is 8 somewhat different. If I could ask you to share that 9 with us? 10 MR ACKLEY: So my experience of reporting wasn't a very 11 positive one. I actually went to the police myself, 12 they didn't seek me out. When I went to speak to them, 13 I was asked to recount what happened to me over the 14 telephone to a complete stranger in absolute detail. As 15 you can imagine, that was quite traumatising. It was 16 something I hadn't looked at in a considered way for 17 quite a number of years, and I felt that at that point 18 I'd said what I needed to say, and that hopefully 19 I would get a response. 20 Unfortunately, some weeks went by whereby I received 21 another phone call from another officer from a different 22 police force where it had been passed to. That police 23 officer actually called me somebody else's name. So not 24 only did they not say that they were the police, but 25 they asked for this person by name, and I had to figure</p> <p style="text-align: center;">Page 112</p>

1 out for myself that it was the police on the end of
 2 the phone by asking them who it was who was calling.
 3 Thankfully I don't remember that person's name, although
 4 they had obviously broken data protection by disclosing
 5 that person.
 6 That person then asked me to -- asked what my
 7 experience was and why I was calling, at which point
 8 I was then required to recount my entire experience
 9 a second time, in complete detail, both in relation to
 10 my recent involvement and also historically. That
 11 officer then said they would get back to me and some
 12 weeks went by.
 13 Then I had a third phone call, where I had to
 14 recount my experiences yet again to another complete
 15 stranger in the same detail and also put it into context
 16 as to where I fitted in historically. That officer then
 17 said that they would get in touch with me.
 18 Several more weeks went by. By now obviously we're
 19 several months later. I then ended up speaking to the
 20 original officer that I had first spoke to, who then
 21 took my case on as a live case and I effectively had to
 22 recount my experiences to three people that I just
 23 simply didn't need to recount that to. That's not to
 24 mention the fact that obviously every time that you
 25 recount your experiences, the words might change

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1 slightly, the emotional state that you are in may be
 2 slightly different, the way the person responds to you
 3 will be different, and, as such, you could actually
 4 contradict or give conflicting information which may
 5 take away from any criminal case down the line. I just
 6 felt it was a really poor way certainly to be introduced
 7 to the police and the whole process of reporting.
 8 Had I not already reported several decades ago
 9 originally, I think I should probably have given up on
 10 the process there and then and withdrawn from that
 11 process as it really didn't give me any faith in the
 12 system at all, especially having been passed around to
 13 what were effectively three different police forces
 14 before getting passed back to the original one.
 15 MR HILL: Just so we are clear, Ian, this was last year?
 16 MR ACKLEY: Yes, November 2016.
 17 MR HILL: Thank you.
 18 Kath, if I could turn to you, because I think you
 19 have experience as well of having to give repeated
 20 interviews, albeit at a slightly later stage in the
 21 process?
 22 MS SPEIGHT: I first gave a video interview in March 2013,
 23 and there were four perpetrators, but they did the
 24 interview -- the police officer did one video interview
 25 with them all included on that.

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1 One of the perpetrators died while we were waiting
 2 to go to trial, so then I had to go back and give
 3 another three separate interviews of the same thing, and
 4 my evidence, I suppose just putting it down to memory,
 5 some of it conflicted -- only one part, but they used
 6 that against me in court. But you simply can't recount
 7 everything exactly the same. It is just not possible.
 8 But that was used against me because they used both the
 9 old video and the new one in court -- and the three new
 10 ones in court.
 11 MR HILL: Again, we are talking about a period that's
 12 relatively recent?
 13 MS SPEIGHT: Yes. It went to trial in September 2016 and
 14 finished end of October.
 15 MR HILL: Another point from your case, Kath, is the length
 16 of time that the entire process took.
 17 MS SPEIGHT: Yes. I first reported it I think it was
 18 about January 2013. I was assigned an ISVA, who has
 19 been absolutely fantastic. We had to make an
 20 appointment at a police station that was a different one
 21 to where I lived so that -- because I was aware that two
 22 of the perpetrators were unlicensed and I didn't want to
 23 bump into them at that police station. So we made an
 24 appointment but it took ages, and then the video
 25 interview was set up for the March, and the case just

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1 snowballed. It took until -- more victims came forward,
 2 there were another three victims, and the case just got
 3 bigger and bigger and bigger and it just took so long to
 4 investigate that it were 2016 before it came to
 5 court, October -- September 2016.
 6 MR HILL: The best part of four years down the line?
 7 MS SPEIGHT: Yes.
 8 MR HILL: During that time, had you been offered support and
 9 therapy?
 10 MS SPEIGHT: I was offered intensive psychotherapy by the
 11 mental health team, and when they found out that it was
 12 going to trial, they said that I couldn't do it, I had
 13 to delay it until afterwards because it would be too
 14 traumatic for me to do both. But the trial was another
 15 year before it came to court, so I could have done the
 16 psychotherapy in that time but we didn't realise it was
 17 going to take another year. So then I had to go back
 18 into the mental health system and start down the route
 19 again. From October last year, I'm still waiting and it
 20 will be February next year when I start the
 21 psychotherapy.
 22 MR HILL: Karen, if I could turn to you, a delay in court
 23 proceedings featured in your case as well. If you could
 24 take us through that?
 25 MS McLACHLAN: From the first time going to court?

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1 MR HILL: Yes. And then we will be coming back on the other
2 issues as well.
3 MS McLACHLAN: The first time I actually went -- with my
4 case, I actually ended up going to court twice. The
5 first time I actually went to court it was a year and
6 11 months after the report. On getting to court, I was
7 told it would be a week's trial. On the Tuesday -- it
8 started on the Monday. On the Tuesday, I was then
9 notified, after the jury and everything had been sworn
10 in, that the judge wanted to take the Friday off, which
11 obviously then kind of made the case down to four days.
12 We were then informed that a jury member had changed
13 their mind and wished to go to a funeral, which then
14 kind of brought the case down again. We were then
15 informed that three days for the case wouldn't be long
16 enough, so I was taken into an office and it was
17 explained to me by my barrister that we would have to
18 postpone and come back to court. My being naive at the
19 time, I presumed, this being the Tuesday, that they
20 would mean the Monday following, to then learn they
21 actually meant the next gap in the court, the Crown
22 Court, which was actually 38 weeks later, so I actually
23 had to wait 8 months on top of what I had already waited
24 to get back to court.
25 MR HILL: What were you told during those 8 months about how

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1 I'm only going back beginning of this year. My case
2 was the beginning of this year. So it's still happening
3 now and it just shouldn't be.
4 MR HILL: When you say you were getting this knowledge
5 yourself, where were you getting it from and who was
6 helping you and who wasn't helping you?
7 MS McLACHLAN: My advocate really was my counsellor. I know
8 for a fact she went above and beyond. Without wanting
9 to sound really dramatic, I would not be here now if it
10 wasn't for her, and I don't just mean in this room,
11 I just mean I would not be here.
12 She was my ISVA, she was my best friend, she was my
13 counsellor. She was contacting the police. She was
14 contacting the CPS. She was -- she seemed to be doing
15 everybody else's job. Just a phone call off the police,
16 as I say, or a phone call off the CPS. It wasn't her
17 role, it was not her job to do that, but if she hadn't
18 have done it, nobody would have done it. The police
19 kind of treat you -- I wasn't a human being, I was
20 a case number. That's how I felt and that's how I was
21 treated, and I'm sorry, but to be a victim/survivor,
22 people need to be educated and taught how to deal with,
23 if you like, because -- I don't mean this in any
24 disrespect, but we are not the norm, you can't -- we
25 have been talking, me and the other victim/survivors,

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1 the process was developing?
2 MS McLACHLAN: Communication was diabolical. For me, that
3 was one of my big, major issues. I felt like I wasn't
4 informed at all. Even if nothing had happened, to even
5 just receive a phone call, just to say, "We haven't
6 forgotten about you, but nothing is progressing, there's
7 nothing happened", would have meant the world. At some
8 point I wasn't hearing anything for 12 weeks. I didn't
9 know the system then. I didn't know what was happening.
10 I didn't know the paperwork, I didn't understand it,
11 because it is not really explained to you, and obviously
12 Joe Bloggs off the street who doesn't go to court or
13 deal with the police on a daily basis, you haven't got
14 a clue. I had never heard of the CPS, let alone -- the
15 CPS had my case for five months, but, again, it was
16 myself and my counsellor from the Rape Crisis Centre who
17 actually constantly contacted them.
18 The detrimental effect that that had, not being
19 told -- with being abused and sexually assaulted and all
20 the rest of it, anyway, you lose control. It is taken
21 away from you. So then I've kind of learnt now,
22 knowledge is my power, knowledge is control, and then
23 not to be told what's going on, you're losing your power
24 again. So you kind of become a victim again, and that's
25 unacceptable.

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1 and it's nice to talk to somebody and you're nodding
2 because you understand each other, you know where you're
3 coming from. You can say things and it's "I know where
4 you're coming from, I know what you mean". Talking to
5 somebody who hasn't been -- no disrespect meant --
6 abused in any way, shape or form, it's a kind of a tilt
7 of the head and you get the pity. We don't want pity.
8 We want justice, we want to be listened to. We want
9 a system that's in place to work for. We have got
10 police officers saying, "Come and give us your story".
11 I give them my story and then it's like, "Thanks very
12 much. Crack on". You can't do that to people.
13 It's historic -- sexual abuse, yes, it's physical,
14 but the mental abuse lasts forever. The physical abuse
15 comes and goes, kind of. You forget the pain of
16 the physical side of it, but the mental abuse until the
17 day I die -- until the day I die, I -- I'm a victim, if
18 you like, because it doesn't matter what situation I'm
19 in -- I could be in a party and having the best time of
20 my life, but I could smell something or somebody could
21 say something or somebody could touch me and I'm right
22 back to the abuse, and until the day I die that's never
23 going to change. It doesn't matter how much therapy
24 I get or -- I don't know, people are going on about
25 money. "Oh, well, the compensation" -- it's never going

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1 to change anything. It doesn't take anything away, it
 2 doesn't make anything better. It's still going to be
 3 there. But personally I'm here today to try and help
 4 future people going through the system not going through
 5 what I went through.

6 MR HILL: In terms of educating people, something you
 7 mentioned there, who is it who needs to be educated and
 8 where do they need to get the education from?

9 MS McLACHLAN: Unfortunately -- my personal experience,
 10 I felt everybody needs reeducating -- maybe not
 11 reeducating, but with all due respect, and I mean this
 12 in no disrespect whatsoever, people can go to college
 13 and university and they can be taught everything under
 14 the sun, but no amount of names or anything after --
 15 letters or names after your name will ever educate you
 16 as much as being a victim/survivor, ever. You'll never
 17 understand it. That's not meant in any disrespect
 18 whatsoever.

19 I'm not sure if bringing it into schools to educate
 20 children is right. You will get some parents that are
 21 against that, but would they be against that if it was
 22 their child being abused? Would they not want their
 23 child to then not have that knowledge?

24 I've got -- Baroness Newlove, this morning I was
 25 sitting kind of "Spot on". Personally, I didn't want to

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1 report because I'd read years ago that if you've been
 2 abused, you will abuse, and when I actually disclosed to
 3 a counsellor, I begged and pleaded first, "I promise
 4 you, I've done nothing to my children", and I was
 5 literally -- oh, it was horrific, because I was
 6 panicking if I came out with my story that they were
 7 going to take my children away from me.

8 Obviously now we know that's not the case, but it's
 9 not out there enough to -- it should be more out there.
 10 People should know.

11 This morning we have hit loads on children and,
 12 again, I believe the child side is -- obviously
 13 especially at the moment, kids are all about the
 14 internet and things -- again, me being naive, I actually
 15 went on the internet to look for help, and on putting
 16 things into the internet I actually found solicitors
 17 coming up first, saying, "Have you been accused of rape
 18 or childhood rape? We'll get you off. We'll help you.
 19 Have you been found with pornographic pictures? We will
 20 help get you off". That's what I was finding when I was
 21 looking for help. So, again, everybody is, like,
 22 sitting on this side saying, "We do this, we do that",
 23 but it's not -- it needs to be more out there, it needs
 24 to be in kids' faces, it needs to be in more schools and
 25 things.

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1 Again, with reporting, he was -- it was very much
 2 across the board, "Innocent until proven guilty".

3 However, I felt -- I live in quite a small community,
 4 and it got out rather quickly what had happened and
 5 things. I straight away was deemed a liar, and it
 6 wasn't -- basically, I was a liar until he was proven
 7 guilty, even though he wasn't guilty until it was
 8 proven. Again, how does that work? Even going onto the
 9 stand, I felt his barrister -- well, he was, he was
 10 accusing me of lying. How does that work? He's classed
 11 as innocent until proven guilty and yet straight away
 12 I'm deemed a liar until he's proven guilty.

13 MR HILL: You mentioned the counsellor and the good
 14 relationship that helped get you through that. How did
 15 you find her?

16 MS McLACHLAN: Again, I'm actually one of the lucky ones, so
 17 I have learnt. Obviously looking into the process and
 18 things now, I'm quite a no-nonsense kind of person.
 19 I knew I'd hit a point of depression. I went to the
 20 doctor, said, "Look, I'm depressed". The doctor
 21 actually sent me just to see a normal counsellor, on
 22 which I then discovered the counsellor in floods of
 23 tears, bless her, stating that I needed specialist
 24 counselling, and, like I say, I was really lucky because
 25 I literally waited weeks, if a couple of months maximum,

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1 and I was -- I'm now with the Rape Crisis Centre again.
 2 It is disgusting to think it needs to come down to
 3 money, but funding, I have now been seeing my counsellor
 4 for five years -- five years -- and I'm only just now
 5 starting to find my feet. If my case hadn't gone the
 6 way it did, being that my perpetrator is now in gaol and
 7 he will be for 16 years, I don't think I would be
 8 sitting here talking the way I am.

9 But then to learn that through the NHS you get given
 10 six spates of counselling, to then be told,
 11 "Technically, six spates of counselling for one hour
 12 each, now you are sorted. If you are not, you can come
 13 back in 18 months to be reassessed if you need
 14 counselling again", was just diabolical.

15 Like I say, until the day I die, until the day we
 16 all die, we are always going to be victims/survivors, so
 17 how dare someone have the audacity to have someone turn
 18 around and say, "After six spates of counselling, you're
 19 cured" or "You should be all right now"? Sorry, it's
 20 disgraceful.

21 MR HILL: Kath, if I could turn to you, through your
 22 extremely long process, what kind of support did you
 23 get? What was helpful and what wasn't?

24 MS SPEIGHT: I had the support of an ISVA and she's still
 25 with me now because obviously I have a case still

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<p>1 ongoing. That's the only reason. She's been absolutely 2 fantastic, but I found out last week that -- she works 3 for the rape counselling centre in Kirklees and they 4 have just withdrawn funding. It stops in April next 5 year. So everybody that -- there's 120 people or 6 something at least. Everybody that gets counselling 7 from there, it's all going to stop next year. 8 I think that it needs to be -- they need to be 9 ploughing more money into it, not less. The service is 10 just absolutely bursting at the seams and they are 11 taking money away. I think it needs to be funded by the 12 government. 13 MR HILL: In terms of what that ISVA has provided for you 14 over those years, what has she done for you? 15 MS SPEIGHT: Like Karen said, I wouldn't be here today, like 16 physically, if it weren't for her. She's cajoled with 17 me, laughed with me, she's been there every step of 18 the way. I have agoraphobia, so it is a miracle I'm 19 here today, but I'm here. If it weren't for her, I'd 20 probably be -- I'd still be at home. She's made me come 21 out of the house, she has come to visit me at my house, 22 but she will like do a deal with me, "If I come to see 23 you at home, you have to come and see me next time", 24 just to make me go out. Otherwise, I get stuck at home. 25 She's done a CICA application, which I didn't</p> <p style="text-align: center;">Page 125</p>	<p>1 supported me every single step of the way. I feel like 2 I've been quite lucky in finding her and I know that's 3 not everybody's experience. 4 MR HILL: Put shortly, would you have been able to go 5 through the criminal justice system and get the 6 conviction that resulted at the end of the trial if you 7 hadn't had that support? 8 MS SPEIGHT: No. The time between reporting it and it going 9 to court, I actually rang the police and said, "Forget 10 about it. I don't want to do it. It's taking too long. 11 It's just gone on for so long". I just couldn't take it 12 anymore. She came with the police officer and they 13 spoke to me and I said, "Well" -- they sort of persuaded 14 me to carry on. That went on for about two years. How 15 long are you supposed to wait? It's unacceptable to 16 have to wait four years. 17 I mean, a year between them -- the CPS deciding they 18 are going to prosecute and then actually going to trial? 19 That's ridiculous. 20 Also, one of the perpetrators has Parkinson's 21 disease, and he was able to say, "I can only sit in the 22 afternoon", so that meant that the trial lasted six 23 weeks, because we had to come just in the afternoons. 24 If we'd have done all days, morning and afternoon, it 25 would have run less than three weeks. Now, I understand</p> <p style="text-align: center;">Page 127</p>
<p>1 really want her to do, but we went through it, but that 2 also went -- I was told by the police officer that was 3 dealing with our case that I shouldn't apply for 4 compensation while we were waiting to go to trial 5 because I could be asked the question. You know, the 6 barrister may suggest that I was doing -- in this for 7 the money, and I don't think that should be allowed to 8 happen. It shouldn't be allowed. I think it's 9 disgraceful that barristers are allowed to say, "You 10 have applied for compensation. Are you doing this for 11 the money?" I wasn't asked the question, but I would 12 have done. It's not fair to assume that -- I mean, no 13 amount of money -- if somebody gave me £1 million, it is 14 never going to change how I feel when something 15 triggers -- you know, when one of the triggers happens 16 and it brings me right back there again. No amount of 17 money is going to change that. 18 She's helped me with things like debt and -- you 19 know, I -- debt solutions, things like that; just all 20 sorts of things, you know, like, stuff like ringing 21 people, you know, because sometimes I have been at the 22 stage where I haven't actually -- I've put off ringing 23 somebody, you know, that's important and she's either 24 done it for me or she's persuaded me to do it while 25 she's been there. Just things like that. She's</p> <p style="text-align: center;">Page 126</p>	<p>1 that perfectly, but I have a problem with sitting down 2 for a long time or standing up for a long time, but 3 I didn't plead that -- you know, I didn't make that an 4 issue for the court, whereas he did, and I felt like he 5 had more rights than I had. 6 You know, I could have said, "Well, I can only sit 7 in the morning". What would we have done then? It 8 would have been an absolute farce. 9 MR HILL: If I could turn at this point to Baroness Newlove, 10 you have heard the experiences there of Karen and Kath 11 and Ian as well, and we will come back to Ian's story 12 later. But are these typical stories, typical of 13 the experiences and the stories that you hear from 14 victims? Specifically adult victims within the criminal 15 justice system. 16 BARONESS NEWLOVE: Yes. It saddens me to hear this. I keep 17 nodding like a nodding dog because I have heard this for 18 years, and we are saying the same conversation every 19 time we see it. It saddens me to hear this. 20 You do need that individual. As we spoke about 21 guidance this morning, it is not the guidance, it is the 22 individual who supports you right through, who goes the 23 extra mile. This is where all the information gets 24 down -- placed down wrongly, from the criminal injuries. 25 They have to apply within two years otherwise they are</p> <p style="text-align: center;">Page 128</p>

1 out of time, yet police give this information because
 2 they are scared of actually not informing the victims
 3 but also then the prosecution -- the cross-examination
 4 from defence is all about money. But actually I think
 5 the judge should direct and stop that, not just the
 6 barristers. It should be pulled up within our
 7 courtrooms. That has got nothing to do with the
 8 circumstances. If you are doing this on evidence that's
 9 produced there, that's not evidence, that's perception
 10 and only perceived by one individual. So for me
 11 criminal injuries is not fit for purpose as well. We
 12 have to understand there is a landscape here. Whatever
 13 this inquiry comes to, there has to be a pot of money to
 14 support all these people who have opened wounds that are
 15 struggling to heal even today.

16 For me this is really sad. ISVAs are ideal people,
 17 but what also isn't mentioned is that some courts don't
 18 recognise an ISVA. I have been in areas where the
 19 presiding judge will not have ISVAs in court. To do
 20 that and leave a victim who has built a relationship up
 21 and not allow them in the courtroom when they are not
 22 interfering with any of the adversarial system is quite
 23 appalling, yet you wouldn't put an offender without
 24 a legal advocate in the room, and if it is a juvenile
 25 you wouldn't let them go without the parents being sat

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1 beside them. So it is very imbalanced, very unjust.
 2 For listings as well, it is another issue, that's owned
 3 by judiciary. To have it in the afternoon, we are
 4 looking at costing, looking at court closures. If that
 5 court was closed -- there are lots of dynamics here
 6 people are raising. Actually, there comes a time in
 7 question when you speak to other organisations and
 8 departments that are there for funding, and to hear that
 9 that ISVA is going to lose, you know, the funding next
 10 year, this is what I raised earlier this morning. It is
 11 not appropriate when you are only doing window dressing
 12 but you are actually not making whatever you are selling
 13 sustainable for people that need it.

14 MR HILL: Just turning back to Kath and Karen, when you went
 15 to court, did you have your ISVA or your counsellor with
 16 you?

17 MS SPEIGHT: She came for the sentencing. She couldn't come
 18 for all of it because obviously it lasted for weeks and
 19 she has other clients. Sorry, she came for the verdict
 20 and then she came for the sentencing. She was there --
 21 she took me on the days that I gave evidence as well,
 22 because I had to give evidence on the Friday and then
 23 obviously because it were only in the afternoon I had to
 24 come back on the Monday, but I'd been in the court from
 25 the Monday before because I didn't know what day

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1 I needed to give evidence. So I was in court, you know,
 2 waiting for nearly a week and then I had to come back on
 3 the Monday and I had to wait the whole weekend just
 4 because he couldn't go in the morning. I had to go on
 5 a Friday and then come back on Monday. It just dragged
 6 it out even longer for me. I do understand it's because
 7 he was ill, but I just -- I don't suppose there's any
 8 way around that, but I just felt like he had more say in
 9 what was happening and how long it were going to go on
 10 for than I did. Nobody even asked me if I needed to --
 11 if I needed any, I suppose, extra measures because of my
 12 health problems and things like that. Clearly, they
 13 asked him, or his barrister did or whatever. Nobody
 14 even asked me that question.

15 MR HILL: Karen, your experience of actually being at court
 16 and giving evidence. Did you have your counsellor with
 17 you and what were your wider experiences at that time?

18 MS McLACHLAN: When I actually gave evidence, I spoke to my
 19 counsellor before going to court and I actually asked
 20 her if she would like to come with me to court. I'd
 21 actually been seeing my counsellor at this point for
 22 a considerable amount of time, because originally when
 23 I went to see my counsellor, it wasn't to actually
 24 report, it was -- I'd gone on the understanding I was
 25 going to see a counsellor to sort my head out, to move

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1 on with my family, nothing to do with reporting or
 2 anything. Actually it came out under an issue that he
 3 was around children again, so it was actually taken out
 4 of my hands, and went to the police that way.

5 When I requested or asked my counsellor if she would
 6 come to court, she was actually really lovely about it
 7 and said that she'd wanted to anyway. When we'd
 8 mentioned this -- no disrespect again -- to the police
 9 officer in charge at that point, but she turned around
 10 and said, "Oh, well, there's no need for you to go", to
 11 the counsellor, "You don't need to be there". But my
 12 counsellor had gone through the whole process with me,
 13 so it wasn't just closure for me, it was closure for her
 14 as well. But through the whole counselling process, she
 15 was not only my counsellor, she's now a really -- I hold
 16 her really close as a friend. I have told her things
 17 that nobody else on this planet knows. So it was more
 18 of a confidant than an advocate for me. Unfortunately,
 19 again, coming back to a case number, again with all due
 20 respect to the police officer in charge, she didn't
 21 really understand the emotional side of it, leaving me
 22 feeling I needed my counsellor there not as
 23 a counsellor -- she wasn't there as a counsellor, she
 24 was there as a friend, but the police officer was just,
 25 "Well, you don't need to be there. There is no point in

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<p>1 you going". I mean, bearing in mind over a three-year 2 period I actually had three police officers in charge of 3 my case, never once being told that one had actually 4 left my case, to then being appointed another one. At 5 one point, it was like nine weeks, I hadn't heard 6 anything. My counsellor contacted them, to be told, 7 "Actually, that police officer has been taken off the 8 case, it is new one". And to reiterate what was said 9 this morning, I then had to go through the whole process 10 again of explaining everything and building a rapport 11 with that new police officer in charge.</p> <p>12 It is a kind of, how are you supposed to instil 13 trust into somebody with something that is so vast in 14 your life to think, how are you going to defend me, how 15 are you going to support and look after me and get that 16 outcome that I'm hoping for when you don't know it. You 17 need to build bonds, you need the trust there and to be 18 constantly changing police officers and things, again, 19 it's unacceptable.</p> <p>20 BARONESS NEWLOVE: I think it is really important for people 21 to understand the dynamics of all of this, really brave 22 ladies to talk about something traumatic, is the fact 23 that -- is it Kathryn? The cost of getting to that 24 court every afternoon, nobody gives you the funding to 25 get to a courtroom. They just presume you can get</p> <p style="text-align: center;">Page 133</p>	<p>1 see where you are coming from in terms of your 2 frustration because for a professional to build up 3 a relationship with a child or a really vulnerable 4 adult, and in a situation that we were in, myself and 5 colleague, we were trying to build up trust with people 6 that have not been believed for a long, long, long time, 7 and then to get to court three years later to be told 8 that we couldn't sit in the courtroom, the usher would 9 take them down the judge's bench, you know, for me, the 10 total gap was -- and it took great fight for us as 11 professionals to say, "Actually, through our enhanced 12 service and our constant, consistent approach, we have 13 built up a massive rapport with these people. It is not 14 about me wanting to be there for them victims, it is 15 about what they want. It is not me saying, "I really 16 want to come into court with you today", it is about 17 them asking, you know, "She's been here for three years 18 and built up this relationship", and to be told that we 19 are not able to sit with the witnesses or we are not 20 able to even sit with them when they're giving evidence, 21 we work really, really hard to not talk about evidence 22 in terms of our role. We understand how important that 23 is. Because we are not here to coach witnesses but we 24 are purely here to guide them through that journey, 25 however long that is, and that was our aim. Again,</p> <p style="text-align: center;">Page 135</p>
<p>1 there. So the travel is quite expensive if it is on 2 a daily basis.</p> <p>3 Secondly, the ISVAs are important because -- they 4 are not actually doing anything in the courtroom. They 5 sit there. But what they do give is the energy and the 6 confidence for that victim to actually speak. Knowing 7 that somebody behind you, like your comfort blanket, who 8 is not saying anything, not looking at you or anything, 9 gives you that energy to say, there is somebody there 10 that I know I can say that, and that is completely 11 missed to give confidence in victims. Even ushers don't 12 recognise ISVAs. I have had many victims who have taken 13 an ISVA and the usher has said, "Are you a family 14 member? We will take her from here". With the greatest 15 of respect, these are the little bits you need to fill 16 in the gaps because going in and giving that evidence 17 for an experienced police officer or barrister is so 18 crippling, so to take that crutch away is just not right 19 in this day and age to encourage victims to come 20 forward.</p> <p>21 MR HILL: Hayley, I saw you nodding away from 22 Victim Support. If I could ask for your views on that 23 area.</p> <p>24 MS FISHER: I can't speak from experience but I'm obviously 25 speaking from a professional point of view. I really do</p> <p style="text-align: center;">Page 134</p>	<p>1 I come back to what you have said, Baroness Newlove: 2 basically, we sat with our hands underneath just at the 3 back of people and that was a massive, massive waiting, 4 and as a professional I don't understand what the 5 barrier there is, and I never have really. We work 6 really well. We do have a multi-agency approach. We 7 work well with the CPS, we work well with the witness 8 service, and, yes, we all had a great part to play in 9 the case that I was on, but the little things was the 10 ones where we really had to fight and that was purely 11 about what that victim and that witness needed at that 12 time.</p> <p>13 Again, I think it still happens, but from our point 14 of view, we have to concentrate on that witness and 15 actually look and constantly assess that need. It might 16 just be that someone gets really nervous, but because 17 I have built up that rapport I can see maybe they want 18 a break, where other people that don't know them might 19 not and might bypass that. We have been in that 20 situation but I can only really speak from 21 a professional point of view there.</p> <p>22 MR HILL: Thank you. Ian, if I could come back to you, your 23 experience is somewhat different in terms of the stages 24 of the process that you went through. But a theme that 25 has come out of it is the communication given to you,</p> <p style="text-align: center;">Page 136</p>

1 not always accurately, about what was happening in your
2 case. If you could just tell us a little more about
3 that and how it affected you, both at the time and
4 subsequently?
5 MR ACKLEY: It had a dramatic impact on me, actually. When
6 I disclosed to the police -- in some respects, I was
7 fortunate, in that my abuse took place in a football
8 setting, so I was able to access therapy and support
9 from Sporting Chance Clinic, which provide absolutely
10 superb therapeutic provision.
11 On the other side of the coin, really, as far as the
12 criminal justice system is concerned, or the police or
13 Victim Support or anything like that, I've not been
14 communicated anything at all whatsoever, I've not been
15 really offered any support or help. That's been very
16 frustrating.
17 I actually contacted Victim Support because I learnt
18 that my abuser was living approximately 30 miles away
19 from me and had been doing for a number of years, which
20 was of great concern to me because I had four children
21 all of what might be considered a predatory age to this
22 person. Not only did he live very close, but as a rugby
23 coach I took and my children played in the same town as
24 what this person lived, and so I tried to contact to get
25 some support around why I hadn't been informed of this

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1 and why I had been placed and my children had been
2 placed in potentially unnecessary and undue risk. Had
3 I been in a different state of mind, I might well have
4 felt like seeking revenge myself and I wouldn't be sat
5 here as a victim or a person with a lived experience,
6 but I would be a perpetrator of a crime myself, and
7 I felt there was a real risk that that potentially could
8 have happened, maybe not for myself but for somebody
9 else who was not in the right place at the right time.
10 All that really needed was a phone call to inform me of
11 where that person was. I'm aware they wouldn't be able
12 to remove that person, but at least I would have known
13 that person was there and to avoid that area and to
14 possibly inform my sports club I coached at to be aware
15 if we went to those areas, to be aware of that person or
16 be mindful of it. I simply wasn't informed of it, which
17 led to great anxiety and really did sort of impact on
18 me, particularly initially. Like I say, I found this
19 out on the internet. When I did try to phone up to find
20 out why I hadn't been called, I then found out actually
21 this chap had been moved for his own safety to another
22 place, from St Albans to Stevenage, and Stevenage was
23 even closer to me. The impact led to more anxiety and
24 more distress.
25 I really didn't sort of expect that. When I tried

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1 to ask what the reasoning was for this, why I hadn't
2 been informed, I was told that they'd find that out for
3 me to try to alleviate some of that anxiety and stress.
4 I think I found about half a dozen times, being
5 passed to various different people, and the -- I was
6 told by the Victim Support that actually it wasn't their
7 responsibility, it was the probation service's
8 responsibility and they would look into it. So I still
9 don't know who it was I was supposed to be getting any
10 support from or what support I was supposed to receive
11 or information I was supposed to receive.
12 I put in an official complaint, but, again, I have
13 not heard anything at all about that whatsoever. So,
14 really, I have just been left in a complete isolation.
15 I've been fortunate, like I say, to be able to access
16 weekly therapy, which I'm incredibly grateful for.
17 Without it I would be in a far different place to what
18 I am now. But it was through no help or provision or
19 thought or understanding by any of the criminal justice
20 system or any of their partner agencies whatsoever.
21 I've just been left in isolation.
22 Actually, again, going back to the communication,
23 that's really impacted on me. The impact it's had on me
24 since November to now has been the greatest impact it's
25 ever had on me in my life, even including when

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1 I originally disclosed. I'm now in a position whereby
2 I'm left unemployed, arguably unemployable, 50 years of
3 age, without any sense of career, and really feel by
4 entering through this process again that I have
5 effectively committed financial and professional
6 suicide.
7 I can tell you, it's no fun telling four children
8 that there isn't Christmas. It's not fun telling them
9 one year, it's certainly no fun telling them two years
10 on the run. As such, my experience of being supported
11 by the criminal justice system is one that I've got to
12 say I don't feel like I have at all, especially
13 considering I was told that things may well progress and
14 I would be taken seriously, only to find out actually
15 I was given eight months of false hope and that's not
16 going to happen. In short, I suppose, I don't feel like
17 I have been supported whatsoever on that side.
18 MR HILL: In terms of your experience of the allegations
19 that you made, I understand that you originally made
20 a disclosure in the '90s and were told that one
21 charge -- there was a conviction on one charge and the
22 other five would lie on file.
23 MR ACKLEY: That's correct.
24 MR HILL: That the perpetrator was then rearrested more
25 recently, which is how you re-entered the system.

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1 MR ACKLEY: Yes.
 2 MR HILL: What were you told about those charges that were
 3 lying on file at that stage?
 4 MR ACKLEY: I was originally told by the officers in the
 5 case that, one, he wouldn't have got a longer sentence
 6 irrespective of these charges being laid on file or not
 7 or being pressed against him, which I now know is
 8 completely untrue, that is not the case; and I was also
 9 told that they would be laid on file and that if he was
 10 ever rearrested, that before he was even charged with
 11 the recent offences these charges would be lifted off
 12 file and that he would be charged with them.
 13 I also know that now -- I now know that that is
 14 impossible. It could never have happened. The reason
 15 being is because the defence and prosecution came to an
 16 agreement with what charges would or wouldn't be pressed
 17 and we talked earlier about there not being plea
 18 bargains. Well, actually, there is an arrangement where
 19 barristers, QCs, did make an arrangement privately in
 20 chambers as to which charges to take forwards and which
 21 ones they didn't.
 22 Like I say, I found out the information I was given
 23 20 years ago was completely inaccurate and incorrect.
 24 I was told this time around that they were going to do
 25 everything they could to resurrect those charges. Eight

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1 months later, and I have no idea why it's taken eight
 2 months or nine months, but almost a year later, I was
 3 informed by the CPS in the form of a letter that
 4 although they weren't saying I wasn't being believed,
 5 that these charges couldn't be resurrected on the basis
 6 that a deal had been done and once a deal is done it
 7 cannot be undone. So effectively this time around I was
 8 given eight/nine months' worth of false hope to believe
 9 that I might actually get some sense of justice, only to
 10 find out that that was never, ever going to be the case,
 11 and I'm still left with a sense of not knowing how and
 12 why I have ended up where I am, in this position. I was
 13 originally the lead person to give the lead statement
 14 that led to the start of the investigation of this
 15 particular person. By the end of the criminal
 16 prosecution, I had the least charges being pressed
 17 against him and it was the least serious offence out of
 18 the six that I had that he agreed to plea to. So out of
 19 the 12 people that prosecuted him, I was the least
 20 significant witness, and still to this day I don't know
 21 how a rape case and a rape victim can be the person that
 22 gives the lead statement and end up the person being the
 23 one with the least significant charges pressed against
 24 the perpetrator. And to be given, 20 years later, this
 25 false hope that you are going to go through this system

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1 and possibly potentially finally see some justice, to
 2 know that that's complete and utter nonsense and that
 3 could never have happened, I have no idea why I was even
 4 told it, and it hugely impacted on me, in the sense
 5 that -- well, I'm in regular therapy and I'm not working
 6 and, like I say, it's had a huge effect on both me and
 7 my family.
 8 MR HILL: You mentioned earlier you were told this by the
 9 CPS by letter.
 10 MR ACKLEY: Yes.
 11 MR HILL: Was there a meeting?
 12 MR ACKLEY: There was. It was explained to me that there
 13 was no appeal process, which I'm still confused as to
 14 why you can't appeal. It seems completely bizarre that
 15 you can't appeal a decision in that forum. But I was
 16 invited to go to Liverpool to meet with the CPS, two
 17 lead police officers and the presiding QC on the current
 18 case, and they agreed that they would at least explain
 19 their rationale, even though I couldn't appeal it. So
 20 I went to Liverpool at my own expense; not only at my
 21 own expense but of course -- I'm not working currently
 22 but if I had been working, I would have had to take that
 23 time off work to do so, more impact. Only to be told
 24 when I got there that the deal had been done by the QCs
 25 and that's why it could never be lifted off file. And

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1 I also asked the CPS why I was allowed to be given this
 2 information about these charges being laid on file and
 3 then being resurrected later when that wasn't correct,
 4 and who was it that allowed for this deal to be done and
 5 for this situation to occur, and I was simply told,
 6 "Well, that was 20 years ago. We don't have the
 7 paperwork anymore", to which I replied I didn't feel
 8 that was an adequate answer and I wasn't satisfied with
 9 it, especially considering at home that I have paperwork
 10 that is over 20 years old that relates exactly to that
 11 case, and if I can keep it in an A4 envelope in the dark
 12 where the typeface is still perfectly legible, then
 13 I would expect the Crown Prosecution Service to have an
 14 adequate administrative system, especially with digital
 15 archiving now, that would be able to keep records for
 16 such a period of time whereby we don't get to
 17 a situation where they're just using that to say, "We
 18 don't have the paperwork" as a reason to get out of any
 19 responsibility for making what in my opinion was a very
 20 poor decision in the first place, and that's really
 21 where I've been left at.
 22 So it is, "Thanks very much, Ian, and off you go
 23 once again".
 24 MR HILL: I'm looking at the time and turning now to those
 25 in the public gallery. I'm not sure if anybody wants to

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<p>1 say anything about their own experiences, but I would 2 ask that people reflect on what has been said in this 3 session and think about what they can add in terms of 4 the experiences that we have heard in particular from 5 Kathryn, from Karen and from Ian. 6 Observations from THE PUBLIC GALLERY 7 PUBLIC GALLERY: Nigel O'Mara, East Midlands Survivors. 8 I would like to pick up on something -- first of all, 9 I would like to say thank you to Ian, Karen and Kath for 10 your contributions today. Thank you very much, as 11 a survivor. 12 Karen particularly picked up on the fact that six 13 hours of counselling is not enough and it doesn't give 14 you any kind of support. I would like to remind the 15 panel that that is the support also offered to core 16 participants and to survivors going through this 17 Truth Project and this inquiry process, even though the 18 inquiry is taking -- going over several years, having 19 things brought up time and time again for survivors, and 20 yet there is still only six hours allowed for them as 21 well as counselling support for this. 22 PUBLIC GALLERY: I've been looking -- I met some of 23 the ladies before. One of the things that they are on 24 about is having the counsellors with them. I had 25 counselling for about nine weeks. If anything happened</p> <p style="text-align: center;">Page 145</p>	<p>1 I listened to the evidence earlier and I heard one of 2 the other victims say, "No-one will understand or have 3 a true understanding of how things affect people", so in 4 our world, you describe them as "vast", in our world 5 they are vast and big, and in professional worlds they 6 are little, but I think there has to be some dialogue to 7 create understanding between what is vast in our world 8 and what are the little things when you are going 9 through the court process and what needs to be done to 10 offer that extra mile of support. 11 MR HILL: I don't know, Hayley, if you want to come back on 12 that at all? 13 MS FISHER: Sorry for the term "little" -- 14 PUBLIC GALLERY: No, no. 15 MS FISHER: For us, they are -- in the bigger world, for the 16 judges and the Crown Prosecution Service, they are the 17 things we fight the hardest for for victims and 18 witnesses. A lot of people say they are just the little 19 things, and for us it is huge because it takes the 20 biggest fight. We find, and this is what we say all the 21 time, we find the biggest fight are the things that 22 people should always have, and that's quite sad for us 23 to see this continuously throughout the criminal justice 24 system. So if we go to the Victim Code of Practice, we 25 find that's very difficult sometimes to fight for what</p> <p style="text-align: center;">Page 147</p>
<p>1 to me, that young lass -- she was young but I tell you 2 what, she done a brilliant job for nine weeks. When you 3 have a lady like we have here who has had a counsellor 4 for years and they are not allowed to take them to the 5 court with them for support, why? Yet that criminal who 6 does that gets all the support he wants in the courts 7 with probation officers and social workers, yet the 8 victim gets nothing. 9 PUBLIC GALLERY: Chris Tuck. Basically, without going into 10 too many details, the delay in the CPS decision, so it's 11 been 18 months now for my and my family, to -- my mum's 12 died in the middle of this, my mum died in June, so 13 that's one perpetrator that can't be brought to court 14 because it's taken so long, and also the fact that two 15 of my siblings now want to drop out because of 16 the stress. So we haven't got a CPS decision and 17 hearing what you guys have said today, God knows when 18 the court case will come around, if it ever does come 19 around, so that's another lot of stress that we have got 20 to look forward to, which I'm not looking forward to. 21 Thank you. 22 PUBLIC GALLERY: I was listening to the evidence from the 23 lady from Victim Support, and you described some of what 24 you wanted to do to support people as "the little 25 things", and I found that really sad because when</p> <p style="text-align: center;">Page 146</p>	<p>1 they should already have when they get to court. 2 A pre-trial visit, they should have that. They should 3 have access to intermediaries, they should have that. 4 They are the biggest fights for us but we continuously 5 see that, and that is quite sad. But thank you for 6 that. 7 MR HILL: Karen, I think you wanted to come in on this as 8 well? 9 MS McLACHLAN: It is actually to go back to the lady that's 10 just around the corner, with her stating that people 11 want to drop out regarding it going on so long. You 12 hear that all the time. I actually, with mine 13 progressing so long I actually contacted the police to 14 state I want to stop, I'm going to pull out, to being 15 told, "Well, it is not actually you taking them to court 16 now, it's the CPS". So it is dragged out of you. They 17 bring all this up, bring up all these emotions and 18 everything, to then be told, "Well, you're just 19 a commodity. You don't really count now. It is the CPS 20 taking them to court, it's not you", but without me you 21 wouldn't have him. I actually put a complaint in to the 22 IPCC. I got a text message to state that they had the 23 complaint and then got a phone call off -- it wasn't the 24 officer in charge of my case, it was kind of their 25 superior, who phoned me and said, "Well, do you</p> <p style="text-align: center;">Page 148</p>

<p>1 understand the workload that we have and we have lack of 2 funding" and kind of "How dare you complain because we 3 are stretched. So put up and shut up". That was my 4 reply with the IPCC, which, once I had that phone call, 5 I have had nothing else since. That was my reply. 6 MR HILL: Thank you for that, Karen. 7 PUBLIC GALLERY: The police lady that we have got currently 8 is absolutely brilliant, but, again, she's a replacement 9 so I have had to go through everything again. But it is 10 me that says to her, "Please, can you keep me informed", 11 because when you don't keep me informed, as you said, it 12 is disempowering and you feel victimised all over again. 13 They don't realise that no news is not good news. You 14 just want to be kept in the loop and be told: there's 15 nothing happening at the moment. That's all you need to 16 hear. When you're not hearing, your subconscious is 17 constantly going: what's going on, what's going on, 18 what's going on. I think that's imperative to keep you 19 empowered in a disempowering process. The communication 20 is absolutely key. 21 MR HILL: Karen, that was a point you raised earlier and 22 I see you nodding in agreement now as well. 23 MS McLACHLAN: Again, it just comes back to losing control. 24 You have got no control anywhere regarding the system. 25 But like Chris is saying, just to receive even on</p> <p style="text-align: center;">Page 149</p>	<p>1 victims feel the level of that value is. Until that 2 disconnect is levelled up, we are always going to have 3 this problem around communication. Where it isn't about 4 money and where it isn't about finances and we can 5 simply prove that we have the resources, then we have to 6 question why we don't have the willingness. 7 MR HILL: Baroness Newlove? 8 BARONESS NEWLOVE: Just one more point. I know I keep 9 interfering but I get so passionate. There is 10 a Victims' Code here and a set of entitlements. 11 Communication is one of the entitlements within the 12 Victims' Code. It has nothing to do with funding or any 13 agency ping-ponging. This is your right under the 14 Victims' Code, and that is why I want to see a victims' 15 advocate and a victims' law because then if they don't 16 give you this information, you can get this readdressed 17 and somebody is accountable and responsible. Until we 18 recognise that, nothing is going to change. But I quite 19 agree with you, this is not about money. That's why 20 I keep challenging because there was pockets of money in 21 the '50s, '60s and '70s and they let people down. This 22 is about people recognising what victims want. 23 MR HILL: On that note, it may be a convenient time to break 24 now and return in 15 minutes. 25 THE CHAIR: Thank you.</p> <p style="text-align: center;">Page 151</p>
<p>1 a Friday a five-second phone call, "Hi, just to let you 2 know, there is nothing happened", or to be told once 3 a fortnight at least to expect that call. But when you 4 don't know what's going on and you haven't been informed 5 and you're waiting weeks, your mind runs away with you 6 and you're imagining all sorts, especially when you 7 haven't gone through the system and you don't know the 8 system. It's kind of like a child having a bad dream. 9 The reality isn't as bad as what your imagination is 10 actually making it out to be. 11 MR HILL: Finally for this session, I think Ian wants to 12 come in on a point as well. 13 MR ACKLEY: I just wanted to say very quickly on that 14 communication, I couldn't agree more. It doesn't take 15 a mathematical genius to work out that this is not 16 a matter of a lack of resources. This is a matter of 17 attitude and perspective. I was simply pointing this 18 out by stating that if you work it out, if you have 100 19 victims and it takes five minutes a phone call, that's 20 500 minutes; in my maths that's six hours' worth, less 21 than a day's phone call. So to say for one officer for 22 100 people to spend less than a day to just keep those 23 people informed is not great task. There has to be 24 a willingness by the organisations in question to want 25 to see this as having value in the same respect of how</p> <p style="text-align: center;">Page 150</p>	<p>1 MR HILL: Thank you all very much. 2 (3.15 pm) 3 (A short break) 4 (3.30 pm) 5 Session 2 (continued) 6 MR HILL: In this final session for today, I would like to 7 pick up on three of the themes, or at least they seem to 8 me themes, of what we heard in the previous session: 9 delay; communication; and the actual experience of 10 giving evidence. 11 I would like to turn to those who have joined us 12 from different organisations on those three topics, and 13 to try to keep in mind as well the different challenges 14 and the different experiences of those going through the 15 criminal justice system as children and as adults, the 16 points where the themes overlap and the points where 17 they diverge. 18 On delay in particular, we have heard from all three 19 of Karen, Kathryn and Ian different aspects of that, as 20 indeed we did this morning as well. Is this a common 21 theme that others are finding -- I see heads being 22 nodded -- a common theme across the criminal justice 23 system? I can see nodding there from Catherine in 24 particular, if I could ask you to take that forward, 25 please?</p> <p style="text-align: center;">Page 152</p>

<p>1 MS SMITH: Yes, it is a common theme. It is not unusual for 2 cases to go on for at least 12 months, sometimes as long 3 as three years. Then that is compounded with the lack 4 of communication that takes place. As Ian mentioned 5 this morning about just a telephone call every now and 6 again, even when there is no progress, is just helpful 7 to ensure that individuals feel that they have not been 8 forgotten about.</p> <p>9 Lots of things become issues within that, so, for 10 example, bail conditions begin to become an issue, 11 because if the perpetrator is bailed every 28 days, 12 survivors build up their hopes there is some progress 13 going to be made as they answer that bail, only to find 14 it is not 28 days' bail given again. Often they are not 15 told. It is really important that a survivor 16 understands what the bail conditions are because that 17 helps them to feel safe and that's a really important 18 part of this process, particularly for children and 19 families, but also for adults too.</p> <p>20 We know that cases can be dealt with more quickly 21 because when a perpetrator is remanded in custody, often 22 a case is done and dusted in six months, so we know it 23 can be done. It is just not happening.</p> <p>24 One of our thoughts as an organisation is that the 25 overemphasis on third party material is one of</p> <p style="text-align: center;">Page 153</p>	<p>1 which says that we have raised the issue of compensation 2 and it is not the survivor that's raised that issue, and 3 therefore it shouldn't be used against them in court.</p> <p>4 So we are trialling that for the very first time 5 with somebody that's coming up to two years post 6 reporting and it is still not finished.</p> <p>7 MR HILL: That's what you have done with the CPS or with the 8 court?</p> <p>9 MS SMITH: CPS. We have done a standard letter. We have 10 said, "Would this work?", and, yes, the CPS will present 11 it to the judge for us.</p> <p>12 MR HILL: Thank you.</p> <p>13 MS SMITH: We will see how that goes.</p> <p>14 MR HILL: Almudena, I think you wanted to come in?</p> <p>15 MS LARA: Yes, Almudena from the NSPCC. Just to say that, 16 totally recognise the comments that have been made in 17 relation to delays. What I wanted to talk about is the 18 potential of section 28 introducing those delays. So 19 section 28 is one of the special measures that was 20 agreed in 1999, Youth Justice and Criminal Evidence Act, 21 and that is for pre-recording the cross-examination of 22 young victims and vulnerable victims.</p> <p>23 It was only in 2013 that three pilots were 24 established, in Leeds, Liverpool and Kingston, and now 25 those pilots are being evaluated and there are plans for</p> <p style="text-align: center;">Page 155</p>
<p>1 the things that massively delays it.</p> <p>2 MR HILL: Sorry to interrupt, by "third party material", you 3 mean getting disclosure of documents and other materials 4 from organisations that aren't the police and aren't the 5 perpetrator and aren't the victim?</p> <p>6 MS SMITH: Yes. And then these materials are often used as 7 the basis -- they distract from the basis of 8 allegations, they drag out the process and become the 9 basis of victim blaming. So this morning I think it was 10 Chris that mentioned that third party material in 11 relation to his mental health was used against him when 12 actually it should have been used to support his case 13 because it was probably very likely to have been 14 symptomatic of what his experiences were.</p> <p>15 So it -- that just kind of adds to this adversarial 16 process which the criminal justice -- the trial is.</p> <p>17 MR HILL: Another example of that was given by Kathryn 18 earlier as well about the application to the Criminal 19 Injuries Compensation Authority.</p> <p>20 MS SMITH: We have kind of found a way around that in 21 Lancashire. We have drawn up -- certainly Trust House 22 are using it -- a letter. We have an alert at 18 months 23 so that we know what date it's been reported and at 24 18 months we will do a letter which has been agreed by 25 CPS, which we will ask to be presented to the judge,</p> <p style="text-align: center;">Page 154</p>	<p>1 further rollout.</p> <p>2 The reason why pre-recorded cross-examination is 3 really important in reducing the delays, or at the very 4 least the experience of the victim of the length of 5 the system, is because the cross-examination can be 6 brought forward and the victim just needs to be 7 cross-examined away from the actual court proceedings 8 and that evidence then gets played in court.</p> <p>9 It also -- for it to be properly implemented, 10 I think it needs to be part as well of a ground rules 11 hearing, the prosecution and the defence lawyers 12 together with the judge agreeing what it is that the 13 victims are going to be questioned on. And I also want 14 to make a point of the use of language and the 15 linguistics that are used when querying the victims.</p> <p>16 I think if all gets brought together with some 17 ground rules hearing, proper use of linguistics and 18 agreeing what the victims can be questioned on and what 19 not and the pre-recording of the cross-examination, that 20 can help enormously in reducing the delay, improving the 21 experience of victims and actually achieving better 22 justice.</p> <p>23 MR HILL: Kathryn, I think you wanted to come in on that.</p> <p>24 MS SPEIGHT: Can I just make an observation, please? 25 I think if you are trying to pilot a scheme where you do</p> <p style="text-align: center;">Page 156</p>

1 the cross-examination before the court, you're taking
 2 away the survivor's power again. Some victims or
 3 survivors may want to face their perpetrators in court.
 4 Will they have a choice?
 5 MS LARA: I think it has to be the choice of the victim, but
 6 I think -- and that's absolutely without doubt because
 7 the victim needs to be in control and needs to be able
 8 to choose.
 9 I think, though, what is important is, in my view,
 10 to reverse the burden of proof in special measures,
 11 because I think that there is a tendency, and a slight
 12 laziness from authorities, to assume that special
 13 measures might not need to be applied, and they might
 14 not apply for them. So I think if there is the default
 15 that the special measures apply but the victim has the
 16 choice to opt out if so they wish, because they want to
 17 face their perpetrators and they want to be in court to
 18 get justice, I think that has to be in place.
 19 MR HILL: My understanding of section 28 -- correct me,
 20 please, if I am wrong -- is that at present the
 21 legislation allows for it to be used on the grounds of
 22 age or the ground of incapacity and potentially on the
 23 grounds of fear of intimidation as well. But if none of
 24 those categories apply, then section 28 and indeed
 25 section 27 can't apply either. Is that right?

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1 MS LARA: Sorry, it would definitely apply to children that
 2 have been subject to sexual abuse, and it can apply to
 3 adults that have been subject to sexual abuse if they
 4 are deemed vulnerable or intimidated. Others can
 5 correct me if I am wrong, sorry.
 6 MR HILL: That's certainly my understanding.
 7 MS NAYLOR: So the pilots were specifically for children.
 8 They had different rules. But actually the rollout,
 9 it's proposed that it comes in line with other
 10 vulnerable victims as outlined in the Victims' Code and
 11 the witness charter, which would include victims of
 12 sexual abuse, whether adults or children, as it would
 13 domestic violence, and so it is widened to that
 14 identified vulnerable and intimidated witness definition
 15 that's in the Victims' Code.
 16 MR HILL: Is one of the purposes of this, as you have said,
 17 to avoid the delay of drawing out the process before the
 18 victim gives evidence in court, would that have the
 19 corollary effect of allowing the victim then to access
 20 the kind of therapeutic requirements that the victim
 21 has, regardless of any concerns, real or imagined, that
 22 there may be about them?
 23 MS NAYLOR: So the evaluation has been published and there
 24 are some key learnings to get from that evaluation,
 25 really. We know that it has improved questioning styles

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1 because of ground rule hearings. We know that's
 2 happened because registered intermediaries have had to
 3 be involved in those pilots. With the rollout, I think
 4 it is very important with the rollout we also look at
 5 registered intermediaries being part of that because we
 6 know the impact that registered intermediaries have at
 7 ground rule hearings.
 8 We know early identification of vulnerability has
 9 meant better support services because people are
 10 assessing for vulnerability at that very early stage,
 11 special measures can be put in place. We know we have
 12 less cracked trials, we have more guilty pleas entered.
 13 However, the issue of time delay was still an issue in
 14 the evaluation. So even though the time was much
 15 reduced there is still an issue around time delay for
 16 children between recorded ABE interviews and
 17 pre-recorded cross-examination.
 18 MR HILL: That work has been done on the basis of the pilot
 19 scheme, which was just children.
 20 MS NAYLOR: Yes.
 21 MR HILL: But I think you were saying the rollout is
 22 intended to cover not just children but also adults with
 23 vulnerabilities such as would generate special measures
 24 in the first place?
 25 MS NAYLOR: That's right, yes.

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1 MR HILL: If I could just turn to Karen, I understand at
 2 your trial you were offered the opportunity of giving
 3 evidence from behind a screen, but you decided not to do
 4 so. Is that right?
 5 MS McLACHLAN: No. Actually, to be cross-examined I got
 6 offered videolink, but the police officer in charge
 7 actually promoted to go in to court and just use
 8 screens, due to more face to face, you can see the
 9 emotion, the jury will be able to understand it more,
 10 plus with the process of screens and things, she said
 11 sometimes they can freeze or sound can go wrong and it
 12 would have kind it dragged it out a bit more as opposed
 13 to going in and actually facing the jury.
 14 MR HILL: How did you feel about being given that advice and
 15 how did you feel about the decision that you ultimately
 16 made in that respect?
 17 MS McLACHLAN: Beforehand, obviously, it was pros and cons.
 18 Now I'm really glad I done it and I would promote it.
 19 Have the screens, you can't see the perpetrator. It was
 20 difficult, because I realise his barrister was doing his
 21 job, but sometimes the questioning was -- it felt
 22 personal. In that moment at that time it wasn't the
 23 perpetrator that I disliked, it was the barrister, his
 24 barrister. I felt the questioning, it was personal.
 25 There is no other way of saying it. He made it

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1 personal, to the point practically calling us a liar.
 2 I'd done a video interview beforehand which
 3 obviously the jury had watched before I actually went
 4 into the court, and that was a massive help because
 5 I don't think I would have been able to go into court
 6 and gone through everything that I'd said in the video
 7 interview. So that was a real -- that was a big help
 8 because before going into court I had to watch it back
 9 and even though it was myself that had given the
 10 interview, I couldn't believe the effect it actually had
 11 on me watching it back. So to think I was going to go
 12 through the whole court system and give evidence as well
 13 as possibly having to have given the initial report,
 14 I don't think I could have done that. I think doing it,
 15 the first interview, and then just being cross-examined
 16 on the day really helped. The only point I will say is,
 17 I know it's just like painting a wall, but the room to
 18 do the video interview, I realise it's just to get the
 19 information, but it was very cold, it was -- we do
 20 forums. At the end of the day, a forum, we are all
 21 sitting around the table with a cup of coffee, and we
 22 are not frightened, but you can kind of converse with
 23 each other easily, as opposed to somebody sitting at the
 24 far side of the room to you expecting you to go into
 25 really intimate -- probably the most -- well, it will be

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1 the most traumatic event ever in your life, and you're
 2 sitting there with a box of tissues and this person
 3 is -- you're just in a room surrounded with cameras.
 4 Just small changes, small changes will make a massive
 5 difference.
 6 If anything, just try to start listening to people
 7 that are going through the system. With all due
 8 respect, I mean, we could do these meetings for years
 9 and years. If you are not going to take on board what
 10 victims and survivors are going to say, there's just no
 11 point. We have gone through the system and we are
 12 trying to help change it. There's good points and bad
 13 points.
 14 It was mentioned before regarding the bail
 15 conditions. My perpetrator had bail conditions, broke
 16 them so many times, but I contacted the police. I would
 17 get a message, the phone would be switched off or
 18 something, and when the police officer would get back to
 19 us I would say what the perpetrator had done, "Oh, well,
 20 it's too late now. The time's gone", and he would go
 21 past my children's school, knowing what time they were
 22 getting out. He wasn't allowed to be anywhere near me.
 23 He would wave from a car and, again, without wanting to
 24 constantly repeat the word, the detrimental effect that
 25 had on me and then thinking, "Right, where's my

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1 support?" I phoned the police officer because he's not
 2 allowed to do that. "Oh, well, there's nothing we can
 3 do about that now, it's past tense. He could just be
 4 driving along the street". But what's the point in
 5 having the bail conditions if nothing is going to happen
 6 when he breaks them? We are expected to put our trust
 7 into a system where my personal, again, situation, we
 8 received letters from the courts to state what date
 9 you're going to go to court with really horrific
 10 information on it, personal information, from your name,
 11 your address, the perpetrator's name, to what the
 12 charges are against them, and this is paperwork which is
 13 put in your normal day-to-day post.
 14 Now, I know I've received my neighbour's post, and,
 15 yes, it is illegal to open somebody else's letter, but
 16 I don't believe that everybody doesn't do it. I'm not
 17 saying everybody, but there will be some people. And if
 18 one of my letters had gone to a neighbour and they'd
 19 have opened it, they would have known everything, to the
 20 point I have actually kept one because on it it has got
 21 my old name. This is a system that I'm supposed to be
 22 trusting. It doesn't have the right name and it also
 23 got sent to my ex-husband's address where I have never
 24 lived. And this has got information on it of what my
 25 perpetrator was being accused of, what he had been --

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1 what he was going to court for.
 2 How am I then supposed to go, "Hang on a minute.
 3 You can't even get my name and address right", and yet
 4 you're telling me to put my trust in a system that
 5 can't" -- that's basic. I'm teaching my children now,
 6 who are in junior school, what their name and address
 7 is, and yet this is meant to be a top-notch professional
 8 capacity where they can't get the basics right. If you
 9 can't get that right, what else are they not getting
 10 right.
 11 MR HILL: Just picking up on that theme, there is, as
 12 I understand it, a high level of attrition, for want of
 13 a better word, people going through the criminal justice
 14 system and dropping out part of the way through. In
 15 respect of your research, Camille, obviously concerning
 16 children but perhaps with wider resonance as well, is
 17 there evidence of that kind of attrition rate and are
 18 there any particular pressure points or causes for it?
 19 MS WARRINGTON: I think obviously the research we have done
 20 is with children and young people who have gone through
 21 the system. It is important to recognise the children
 22 and young people we spoke to probably represent the best
 23 in that they are in contact with support services. So
 24 it is important to recognise which voices are missing
 25 from this information in terms of the children and young

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<p>1 people who never get that support or choose not to 2 involve themselves in research like ours. I think the 3 issue of communication is absolutely key and it is just 4 echoing what people have said. All those messages we 5 hear time and time again. And the feeling -- the 6 relationship, rather, between poor communication and the 7 feeling -- lack of control and that replicating feelings 8 that children have experienced in their abuse and 9 feeling out of control and also a lack of understanding. 10 I think there are different issues around 11 communication. There is timely communication, what's 12 going on, also why things are going on and helping 13 children and those supporting them to understand why 14 decisions are being made. We only have to look at that 15 diagram to recognise the complexity of the system, and 16 when we have done research with children and young 17 people, we are also talking to practitioners and 18 professionals and they themselves are saying to us they 19 struggle to navigate the system, they struggle to get 20 the answers to questions for the people they are 21 advocating for. I think that is a big reason for 22 attrition. I think the delays, absolutely, and, again, 23 lots of children and young people talking about picking 24 up the phone and saying, "I want to drop a case. It's 25 gone on too long. My anxiety -- I want to get on with</p> <p style="text-align: center;">Page 165</p>	<p>1 of being used by the system and not having the support 2 at the end of it? 3 MR ACKLEY: Absolutely. It resonates hugely with me, not 4 just with the criminal justice system but the whole 5 landscape before us, I think in fact some parts of 6 the third sector are guilty or could be seen to be 7 guilty to use victim/survivors in order to sustain their 8 survival, and they have certainly experienced that. 9 What strikes me about it as well is something that 10 you said there about having control, but for a person 11 that goes through this experience, I can tell you from 12 my own experience that actually the one thing that you 13 lose in your life is control over everything. As soon 14 as you disclose that information, you no longer are in 15 control. The police can take the investigation. The 16 way people perceive you if you have waived your 17 anonymity, having been involved in trying to change the 18 landscape before us, it all leaves us with a sense of 19 having no control, and as a survivor, a person with 20 lived experience, it's really, really important for me 21 to try to gain and regain control of aspects of my life 22 because when I don't have control of it that's where 23 I feel that the impact of the abuse and the trauma of it 24 are affecting me the most, where I can -- it can lead to 25 recurrent depressive episodes, my PTSD can be incredibly</p> <p style="text-align: center;">Page 167</p>
<p>1 my life, I'm navigating school, relationships, all these 2 other things at the same time, and until this is 3 resolved my life feels like it is on hold and in limbo". 4 Another point which is unrelated but I wanted to 5 make because it has been made, it's been emphasised by 6 children and young people a lot, is about support post 7 court. So many times people have told us however 8 difficult and challenging the court process is, there is 9 a lot of energy and activity around it sometimes which 10 may sustain children and young people in some way or 11 another and when that finishes that feeling that 12 actually nobody cares and feeling very used by the 13 system. There is a recurring theme around children and 14 young people telling us they feel used, they were there 15 to get an outcome from the court. That time post court 16 or post a no further action decision can be when they 17 feel most vulnerable and actually not being able to 18 access support. I know that's different to your 19 question but I just wanted to make sure that was 20 highlighted. 21 MR HILL: It is something I think Ian raised as well. 22 I wonder if he wanted to come back on that aspect at 23 all. Camille is talking about that from the perspective 24 of her work with children and young people. Is it 25 something you felt at the end of your process, a sense</p> <p style="text-align: center;">Page 166</p>	<p>1 heightened, anxiety levels are raised significantly, to 2 the point where -- we use the term loosely, but you 3 literally become the elephant in the room. The impact 4 is so great that just going to the shops or doing 5 ordinary things can cause so much distress that you just 6 cannot function as a human being and add value to what 7 you want to do. 8 If you are a parent or you have a job or you just 9 want to feel good and contribute, the one thing you want 10 is to feel like you have that control so that you feel 11 empowered to be able to think, "Well, I can make 12 a change in my own life, I can be a part of my own 13 destiny, this isn't something that everybody else that's 14 better or more intelligent or more informed can do but 15 it is something I want to own as a victim". Having that 16 control, and a small process is about being informed or 17 being included, are things that make you feel like you 18 have a bit of that control and you regain that in your 19 life. The adverse side to that is when you are not 20 given those opportunities you actually feel more out of 21 control. So by entering into this process, not only are 22 you impacted by the trauma of your abuse and the effect 23 that it has on your lifestyle and any conditions you may 24 suffer from, but it is further impacted by the 25 organisations and the institutions that take away that</p> <p style="text-align: center;">Page 168</p>

<p>1 little bit of control that you are trying to keep hold 2 of. 3 So actively it make the situation worse, not better. 4 I think for me again it is those themes of going back to 5 the same basic rudimentary things of, get the basics 6 right. Do the simple things right: communicate; think 7 before you act; consider that person's opinion. These 8 are all things Baroness Newlove pointed out before. 9 This is not about funding, this is not about the level 10 of resource. This is about the willingness to actually 11 want to go down this journey and embrace this process. 12 Unfortunately, I think we are still steeped in a culture 13 of blame and we don't work in an open and transparent 14 way where we all work in a collaborative, 15 forward-thinking way where we share our resources and we 16 share -- because I know that's what we are trying to do 17 here, but I just feel at an organisational level through 18 the third sector, through the criminal justice system, 19 right through and including victims and survivors, if we 20 actually just listened and did the basic things right, 21 we could improve the landscape beyond recognition and 22 then we can actually deal with the real pertinent 23 barriers which we face, which are the bigger things 24 around funding and social perception and stigma, and we 25 can try to bring this issue into the mainstream and</p> <p style="text-align: center;">Page 169</p>	<p>1 a lead in training mainly speech and language 2 therapists, but other professionals as well, in order to 3 enable those impacted either by communication 4 impairments, kind of mental health issues, or trauma -- 5 and we know that all of those things impact on our 6 ability to understand what's going on in court, but also 7 to be able to give your best evidence. 8 So where there is an impairment in terms of your 9 ability to engage in those proceedings fully, you are 10 entitled to be assessed at the very early stage, so this 11 could be pre-ABE interview, in terms of what your 12 communication needs would be. A registered intermediary 13 would then be with you throughout the entire criminal 14 justice process to enable you to communicate better with 15 the court and give your best evidence and also for the 16 court to be able to communicate in a way that you 17 understand the questions, that they are not tagged, they 18 are not loaded, where rules can be set within ground 19 rules hearings where actually lawyers aren't able to 20 call you a liar, actually, because the way that impacts 21 on a child or an adult who is impacted by trauma will 22 stop them from being able to tell their story. So it 23 enables all sorts of rules to happen in a safer space. 24 It safeguards, actually, those young people who struggle 25 with the communication of the court.</p> <p style="text-align: center;">Page 171</p>
<p>1 start to deal with it in a more effective way. 2 MR HILL: Thank you. Amanda, I think you wanted to come in? 3 MS NAYLOR: I wanted to follow on from that, really, because 4 within the legislation and guidelines the element that 5 victims and survivors should have in terms of control is 6 within special measures. What we have heard today is 7 survivors may be being offered choices: you can either 8 have this or you could have that. Nowhere in the 9 criminal justice Evidence Act or in Victims' Code does 10 it say that you can only have one special measure. 11 There is a whole range of combinations of special 12 measures that should be able to be put in place to give 13 people that best support. They should be choosing what 14 that looks like for them and it should be an informed 15 choice. Because how can we expect children to know what 16 would work for them unless they have been given the 17 relevant information and support to do that. 18 In terms of special measures, I want to go back to 19 registered intermediaries because I feel we are at 20 a crisis in terms of the registered intermediary 21 scheme -- 22 MR HILL: Before you turn to the crisis, can you give us 23 what the registered intermediary scheme is? 24 MS NAYLOR: The registered intermediary scheme at the moment 25 is administered by the Ministry of Justice, who take</p> <p style="text-align: center;">Page 170</p>	<p>1 Despite the massive increase in the amount of cases 2 going to court around child sexual abuse and adults who 3 have non-recent sexual abuse experiences, the numbers of 4 intermediaries have not risen significantly over the 5 last five years. What we are seeing is actually 6 children having to wait six to seven weeks to be able to 7 do an ABE interview because there are no registered 8 intermediaries available. 9 So, actually, instead of the great help -- and there 10 is huge amounts of evidence in terms of the way it has 11 impacted, successfully impacted, on justice, the lack of 12 intermediaries is now actually another barrier and a 13 time delay within a system that's already stretched. 14 MR HILL: If I could turn first to Baroness Newlove and, 15 Luciana, were you seeking to raise a point as well? 16 BARONESS NEWLOVE: I'm glad it's been raised again 17 because -- RIs, I call them -- registered intermediaries 18 are really important. I have a report coming out in two 19 weeks -- or the end of this month, I should say, which 20 I will get shot if I give any heads-up, but in the sense 21 of, to repeat exactly what everybody has been saying, 22 they are important for young people, they are important 23 under section 28 that are going to be ruled out because 24 some of the evidence is where these trials are going on 25 without this support. And these are children we are</p> <p style="text-align: center;">Page 172</p>

1 talking about. So instead of delaying the court, they
 2 are going to go ahead, which is -- you would not do this
 3 to an offender. It is not again battering that side,
 4 but if we have to run justice on equal scales here, this
 5 should not be allowed.

6 I have actually witnessed a section 28, and this was
 7 a 4-year-old girl. When I saw the RIs do what they did
 8 to support this 4-year-old girl, they were absolutely
 9 fantastic. The reason is that there isn't enough on the
 10 register. We already know that. But more importantly,
 11 it's recognising what this individual does for children.

12 Also, when we did the ground rule hearing, I watched
 13 a pilot in Liverpool and Judge Aubrey went to talk to
 14 the child and he said, if anybody has any issue as an
 15 appeal court he takes a recording machine, so everything
 16 is recorded. Most importantly, the child just wants to
 17 play with his wig, in a sense. What was really ground
 18 breaking was to see the defence and the prosecutor go
 19 into the same room and talk to that child. Heart
 20 breaking as it was, it was quite heart warming to see
 21 both of them go down and speak to it. But there is
 22 a delay issue on the section 28. There still is that
 23 cross-examination. But more importantly, if we are
 24 having children with no support whatsoever and they are
 25 entitled to it under the Victims' Code, this means, to

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1 say again, there is going to be a gap and you are going
 2 to face the same situation in 20 or 30 years because you
 3 really traumatised these people from something that
 4 should have protected them and safeguarded them for the
 5 future.

6 MR HILL: Luciana, if I could turn to you now, please.
 7 MS COFFEY: I will try to keep it brief, but this goes back
 8 to what I was saying earlier about the fact that in our
 9 opinion offenders are targeting younger and younger
 10 children for this very reason, that their ability to
 11 give coherent evidence is very, very limited indeed, and
 12 I second everything Amanda has said about the lack of
 13 intermediaries and, frankly, we believe that they should
 14 be brought in at the very earliest stage. Again, our
 15 experience is that very young children will not talk to
 16 total strangers, and especially not total strangers
 17 without sensing something in that person where they feel
 18 that that person understands what they have been through
 19 or can communicate with them effectively and in a way
 20 that is child friendly.

21 So intermediaries are extremely valuable I would say
 22 even before the ABE interview because at the very
 23 beginning there has to be a disclosure for the police to
 24 take any further action in any event. Even before the
 25 ABE there has to be some form of disclosure, which is

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1 often lacking. So the offenders are just getting away
 2 with it time and time again.

3 MR HILL: Thank you. I'm conscious of the time, and in fact
 4 we will be taking some further observations from those
 5 who aren't in the horseshoe now. But before I turn to
 6 them, I would just like to turn back to the people who
 7 joined us this morning and ask if they have any further
 8 comments.

9 If I could ask Sue to bring the microphone over.
 10 Observations from Session 1 Participants

11 MS EVANS: Basically, I wanted to make a comment. I didn't
 12 actually get to go through the trial process. My
 13 perpetrator took his last piece of prayer and pleaded
 14 guilty on the Friday before the Monday before the trial
 15 was due to start. I wanted my day in court. I wanted
 16 to prove to him that he didn't have the power anymore
 17 regardless of the outcome. Unfortunately, the police
 18 didn't keep me informed as to what was happening and the
 19 first that I knew of the sentencing law, the verdict,
 20 was when the police officer contacted me to say that the
 21 judge wanted to sentence, gave me no opportunity to
 22 attend the court, basically sentencing was undertaken
 23 and I really did feel as though that was the end of it.
 24 It was, like, "Well, that's the sentence, off you go,
 25 carry on with your life". As I stated this morning, it

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1 was only when it was reported in the media that I was
 2 actually his trophy victim that the police all of
 3 a sudden got a bit interested in my case, I think purely
 4 because I was threatening the IPCC because of how angry
 5 I was, and, as you can see, how angry I still am.

6 If it hadn't have been for the ISVA, who provided me
 7 with post-trial therapy, I wouldn't be able to be where
 8 I am today, and I think it's very important that we need
 9 to address the help and support that's available to the
 10 perpetrators, as well as the help and support that's
 11 available to the victims and survivors, because
 12 sometimes I do get the impression that even though they
 13 are locked up or they are serving some kind of community
 14 sentence, there's more support for them than there is
 15 for us.

16 MR HILL: Lissa, if I could just ask you, how long before
 17 the sentencing were you told that the sentencing was
 18 going to take place?

19 MS EVANS: About 10 minutes. It was on the day.
 20 MR HILL: And obviously you weren't in court when you were
 21 told that and physically couldn't get to court in time?
 22 MS EVANS: No.
 23 MR HILL: Thank you.
 24 MR BAKER: I'm Chris Baker, one of the survivors. I wanted
 25 to say, I think it was Karen saying earlier on that she

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<p>1 doesn't think that us as survivors need sympathy or 2 support necessarily. Certainly in my case, I don't need 3 thanks for brave contributions as a survivor. What I do 4 want the inquiry to do is to make sure that there are 5 clear and concrete recommendations that do have energy 6 behind them; that we don't spend all the resources of 7 this inquiry, all the time and effort that has gone into 8 it, in just making nice, good recommendations, but we 9 also put them into action and that they are implemented. 10 I do hope that when the report or reports do finally 11 come out, there is a body in place not just to take 12 congratulations for a long and thorough report but there 13 is also a body in place to actually implement the 14 recommendations and see them through. I have seen so 15 many reports produced in the past -- I have worked in 16 the civil service myself -- beautiful reports produced 17 which sit on the shelf and only a few recommendations 18 that see the light of day. I do hope some of the people 19 who feel ownership of this inquiry and have some of 20 the energy behind it, perhaps some of the people on the 21 panel and maybe some survivors, can be in place for the 22 long term after the inquiry to make sure the 23 recommendations are actually put into effect. 24 MR HILL: Finally, from those in the horseshoe, if I could 25 just turn to Ian, Karen and Kathryn and ask if there is</p> <p style="text-align: center;">Page 177</p>	<p>1 really hard to comprehend is, once somebody reports, you 2 report to somebody who is trained in that specific area. 3 They then go off and do reports. It is then passed on 4 to the CPS, who, again, are qualified, trained people in 5 that area. Again, this is then passed on to solicitors 6 or barristers who, again, are professionally trained. 7 No disrespect to a jury, but then it comes down to 8 12 jury members who are Joe Bloggs off the street, 9 aren't trained in any way, don't really understand 10 mentally where a victim/survivor is coming from. I know 11 personally when I was on the stand being asked 12 questions, I still to this day don't know why I did half 13 the things I did do, so if I don't know, how am 14 I supposed to get 12 jurors to understand or to know if 15 I don't know? 16 Somehow, it needs to be implemented, a kind of -- if 17 you are asked to be on a jury, it needs to be brought 18 in, "Look, it is not just, one day somebody screams 19 'sexual abuse/rape', the next day it is at Crown Court". 20 They need to learn the process. It needs to be across 21 the board. Somehow it needs to be brought in, whether 22 it be in schools or whether it be regarding the jury 23 service. If you get asked to join a jury service, they 24 need to learn the process. It is not just, "Somebody 25 screams that and then ..." They need to learn.</p> <p style="text-align: center;">Page 179</p>
<p>1 anything they would wish to add at this stage as well? 2 MR ACKLEY: I just really want to reiterate what's been 3 said. If we are going to spend the amount of time and 4 energy and resources that we are in going through this 5 process, that I urge all the agencies and all the bodies 6 and individuals to really consider the idea of working 7 far more closer together and sharing those resources and 8 skills amongst the organisations and institutions in an 9 ongoing basis, and that to include a range of victims 10 and survivors at the appropriate levels and the 11 appropriate roles so that we can actually effect some 12 positive change and change the landscape for the better. 13 As we know, it is the majority of adults that do 14 disclose but it is the children that are going to be our 15 adults tomorrow, and if which don't want to repeat the 16 situation which we have now, where the average age for 17 a male is over 20 years to disclose abuse and we want to 18 reduce that age and really address the problem, then 19 I really do urge everybody to work cohesively and 20 collaboratively together to that end. 21 MR HILL: Thank you. 22 MS McLACHLAN: Sorry, I just want to throw two things into 23 the mix, just so I can leave here knowing that they have 24 been mentioned. 25 One of the problems I found -- or I still find</p> <p style="text-align: center;">Page 178</p>	<p>1 I also feel very strongly, as I feel once I mention 2 this a few people will, once a perpetrator, if lucky 3 enough as a victim/survivor if the perpetrator does go 4 to gaol, they then can be placed into a scheme to be 5 rehabilitated. I believe this is government funded. 6 Now, this can go on for 15 years -- my perpetrator has 7 got 15 to 16 years, so he can get counselling, he can 8 access any amount of help that he wants, and yet it's 9 his fault, whereas on the outside, we are scrimping and 10 scraping for six hours of much-needed help, and yet he's 11 the perpetrator, it's his fault -- his or her fault, 12 I beg your pardon, but they get any amount of help and 13 support to be rehabilitated. Where is the justice in 14 that? Sorry, I just felt I had to ... 15 MR HILL: Thank you. 16 MS SPEIGHT: I'm here today because I'm hoping that things 17 will change with the system. It would be a complete 18 shame if this report was shelved. That's basically what 19 I want to say. 20 MR HILL: I will turn now to the core participants and those 21 who have joined us in the public gallery. Again, 22 I would ask that we focus very much on the discussion in 23 this final session and ask for contributions firstly 24 from those who do hold core participant status. 25</p> <p style="text-align: center;">Page 180</p>

<p>1 Observations from THE PUBLIC GALLERY 2 PUBLIC GALLERY: Good afternoon. It is nice to be here, to 3 be invited. Speaking from my experience, I'm from the 4 Forde Park Survivor Group. My experience is with the 5 Devon and Cornwall police. 6 Their figures and records are there is 145 alleged 7 paedophiles and only two of them went to prison, do you 8 know what I mean, like, and there was 400 statements 9 given and it is all their figures. 10 Another thing is, I was questioned in the back of 11 a car instead of in a suite and actually I made my 12 statement at home instead of in a suite as well. It was 13 all unprofessional. So, like, that's my horror of it. 14 That's the way it goes. Enough said. 15 MR HILL: Thank you. 16 PUBLIC GALLERY: Chris Tuck had to leave and so she left 17 something to have read out. Is that okay? 18 MR HILL: Yes, please. 19 PUBLIC GALLERY: The title is "The Mental Health Records". 20 She wanted it shared that doctors' records of mental 21 health growing up were non-existent because she was kept 22 away from the doctors by her caregivers, who were her 23 abusers. 24 As an adult, she didn't attend the doctors for CSA 25 because of fear of being an unfit mum or being labelled</p> <p style="text-align: center;">Page 181</p>	<p>1 me a lot this year. It's also affected a lot of people 2 and it's affected a lot of my reactions to the way 3 I have tret people, and people don't understand that. 4 Mine can be such a simple, silly thing, like wanting to 5 know what I'm doing in six months' time. We had this at 6 the last meeting I went to, where people had the same 7 thing as me, they want to know what they're doing and 8 when they're doing it and not be told at the last minute 9 there are all these changes. This has caused an 10 awful lot of problems with me. There are a lot of 11 people here don't understand this and I wish they would. 12 MR HILL: Thank you very much. 13 Closing remarks by THE CHAIR 14 THE CHAIR: Thank you, Mr Robson. 15 Thanks to everybody who has participated today in 16 all of the discussions, and particular thanks this 17 afternoon to Ian, Karen and Kath, thank you very much 18 indeed for attending and participating as fully as you 19 did. Thank you. 20 I know some of you will be returning tomorrow, and 21 we look forward to continuing the discussion with the 22 agencies concerned and trying to explore some of 23 the problems you have raised today, some of the issues, 24 and what might be some of the solutions. 25 So for those of you not returning, thank you for</p> <p style="text-align: center;">Page 183</p>
<p>1 in that way. She had a breakdown and needed the help. 2 Stress was recorded as the cause of the breakdown, 3 instead of the mental health and depression and PTSD, so 4 that it would not impact with her children or her career 5 prospects and this was a real stigma for her. It says: 6 "Now I know what I am experiencing, it is due to 7 karma from childhood. I am sharing the ups and downs 8 with GP and mental health services, but they do not seem 9 to know what to do, other than give me medication or say 10 I am not critical enough for intervention. All I want 11 is for the impact to be recorded and to be listened to. 12 I know that this is what others are looking for, 13 evidence, but more importantly, I want someone to listen 14 and acknowledge the pain that has been caused because of 15 the abuse suffered over many, many years. I want to 16 open professionals' eyes to the impact, the lack of 17 long-term ongoing care." 18 Those are her words. 19 MR HILL: Please go ahead. 20 PUBLIC GALLERY: Once again, the meeting I had a while ago 21 with one of the ladies over here, we are all saying the 22 same thing, and now we have the young man here, Ian. If 23 you see some of your words that are on there quoted 24 somewhere, you're spot on. Because what you have said 25 about people losing control of their life, it's affected</p> <p style="text-align: center;">Page 182</p>	<p>1 your attendance today and we will reconvene tomorrow. 2 Thank you. 3 (4.23 pm) 4 (The hearing was adjourned to 5 Wednesday, 22 November 2017 at 10.00 am) 6 7 I N D E X 8 9 Welcome by THE CHAIR1 10 11 Opening remarks by MR HILL3 12 13 Session 1: Victim, Survivor and5 14 Complainant Experiences of 15 Reporting, Identification and 16 Initial Investigation 17 18 Observations from THE PUBLIC GALLERY52 19 20 Session 1 (continued)61 21 22 Observations from THE PUBLIC GALLERY103 23 24 Session 2: Victim, Survivor and111 25 Complainant Experiences of the</p> <p style="text-align: center;">Page 184</p>

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