1	Thursday, 12 July 2018	1	can take that down now, thank you you have been
2	(10.30 am)	2	instructed to provide expert evidence in two broad
3	Welcome and opening remarks by THE CHAIR	3	streams of work, if I can call them that: one is that
4	THE CHAIR: Good morning, everyone, and welcome to Day 4 of	4	you have given some perhaps generic evidence, which you
5	the first substantive hearing of children in custodial	5	are going to address today
6	institutions investigation.	6	A. Yes.
7	Today the inquiry will hear further evidence from	7	Q around things like prevalence, difficulties in
8	people with specialist knowledge, and also part 1 of	8	disclosure, the key elements of an appropriate response
9	the evidence from the expert witness Mr Alan Wood. We	9	for disclosure, things like that; and then, secondly,
10	will also hear from a representative from the Department	10	and we will hear from you next week in this regard, you
11	for Education and there will be some read evidence as	11	have, on behalf of the inquiry, reviewed a significant
12	well.	12	number of allegations of sexual abuse that were made by
13	So if there are no matters to deal with prior to	13	children in custody I think over 70 altogether?
14	hearing the witnesses, I now invite the counsel to the	14	A. That's right, yes.
15	inquiry to call the first witness. Thank you, Ms Hill.	15	Q. You have looked at the institutional responses and you
16	MS HILL: Thank you, chair. Just before I do so, can	16	will come next week to give your views on that pot of
17	I indicate by way of housekeeping, after we have heard	17	material, if I can call it that?
18	Mr Wood's evidence this morning, which we anticipate	18	A. That's correct, yes.
19	will go to the mid-morning break and possibly a little	19	Q. Thank you. So far as today is concerned, I am going to
20	bit after that, we then propose to read the evidence	20	address principally your first report, the answers to
21	from Phillip Noyes of the NSPCC, who was timetabled	21	the questions posed by Howe & Co, and then some elements
22	yesterday, and then we hope to read the remaining group	22	of your fourth report. I am going to follow the topics
23	of witnesses who were already down to be read this	23	list that I think has been circulated to you and all the
24	morning. But I will proceed first of all, please, to	24	core participants.
25	call Alan Wood.	25	A. Yes.
	Page 1		Page 3
1	MR ALAN WOOD (affirmed)	1	Q. Can I take you, please, to your first report, which is
2	Examination by MS HILL	2	INQ001652. Broadly, the way that your report is
3	MS HILL: Thank you very much. You are Alan Wood; is that	3	structured, Mr Wood, is that you were asked some
4	right?	4	questions by the inquiry and you have given answers to
5	A. That's right.	5	those questions at various points punctuated by
6	Q. You have been instructed by the inquiry as an	6	vignettes, if you like, of experiences with particular
7	independent expert to assist this investigation in	7	children?
8	a range of ways. Can I, first of all, bring up, please,	8	A. Yes, that's right.
9	your background CV to just assist the chair and panel	9	Q. Chair, with your permission, I would like to formally
10	and the public, please. It is INQ001653_001.	10	adduce the entirety of INQ001652. While I am doing
11	Broadly, is this right, Mr Wood, that you are	11	that, please, also INQ001233, which is Mr Wood's reply
12	a qualified and approved social worker with experience	12	to the Howe & Co questions. Then also, for today's
13	in childcare since 1995, and essentially the entirety of	13	purposes, his fourth report, which is INQ001752.
		l .	purposes, his fourth report, which is in Q001732.
14	your career has been focused around child protection and	14	Mr Wood, in light of the adducing of the entirety of
	safeguarding practice in a range of different ways and	l .	
14	safeguarding practice in a range of different ways and across a range of different sectors, including the	14 15 16	Mr Wood, in light of the adducing of the entirety of your report, what I would like to do, if it is all right, please, is put to you each of the questions that
14 15 16 17	safeguarding practice in a range of different ways and across a range of different sectors, including the private sector, the public sector, the voluntary sector	14 15 16 17	Mr Wood, in light of the adducing of the entirety of your report, what I would like to do, if it is all right, please, is put to you each of the questions that you were asked by the inquiry.
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14 15 16 17 18 19	safeguarding practice in a range of different ways and across a range of different sectors, including the private sector, the public sector, the voluntary sector and the NSPCC and other contexts; is that right? A. That's right, yes.	14 15 16 17 18 19	Mr Wood, in light of the adducing of the entirety of your report, what I would like to do, if it is all right, please, is put to you each of the questions that you were asked by the inquiry. A. Yes. Q. But ask you perhaps to pull out some key themes, because
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1	at risk of sexual abuse or is in fact being abused? So	1	risk in terms of sexual abuse. So it is very complex in
2	you answer that question over several pages. Perhaps	2	terms of how those things interconnect.
3	just give the chair and panel some sense of the key	3	The key thing for me is that relationship between
4	themes that you have drawn out there?	4	custody, control, punishment and care, how those things
5	A. Absolutely, yes. I think one of the complex factors in	5	are actually experienced by children and young people.
6	terms of children who are in custodial institutions is	6	Q. I think a few of the other factors that you brought out
7	the fact that the experience tends to be enhanced. So	7	under this heading were things like potentially sexually
8	for any child who is experiencing sexual abuse, the	8	harmful behaviour towards others can be a reaction to
9	disclosure part is going to be very complex and very	9	prior abuse?
10	difficult and, for the vast majority of experiences,	10	A. Yes.
11	that tends to be concentrated within the custodial	11	Q. You have also, I think I should have perhaps adduced
12	setting. Due to the fact of isolation, the fact that	12	this from you in the beginning, forgive me. You,
13	they're in conflict, the fact that their understanding	13	yourself, have experience of working within some
14	about why they're in custody may not be entire; I think	14	elements of the secure estate?
15	also the fact that some of the "symptoms and signs",	15	A. I do, yes. As well as having a child protection
16	which would be showing with children in the wider	16	background? I do, yes. Just to say also that I've got
17	community may be picked up by a wider range of people as	17	experience of looking after children from a foster care
18	well. So a child within a custodial institution is	18	point of view as well who exhibit dangerous sexual
19	going to be dependent upon those professionals they come	19	harmful behaviour. So I think in terms of having
20	into contact with to pick up those signs.	20	a holistic perception of the entire span, actually it's
21	The complicated thing, in terms of the relationship	21	there.
22	between shame and anger, is a common factor in terms of	22	My experience in terms of working I was seconded
23	sexual abuse, in my experience, and, again, shame and	23	by the Department of Health for 12 months to go into an
24	anger are going to be complicated and enhanced within	24	institution, which I did, and I think in terms of
25	the custodial arena, for a whole range of issues to do	25	the culture and the atmosphere, it isn't always
23	the custodial arena, for a whole range of issues to do	23	the culture and the atmosphere, it isn't always
	Page 5		Page 7
1	with the police, to do with being in your feelings	1	conducive to remaining focused on the child's
2	may not be recognised in the right way, so the generic	2	appropriate, sort of, needs. So I think for me it was
3	themes in terms of how children may display and	3	a matter of understanding how the culture could actually
4	I think in the report I say some children will	4	impact across a wider range of experiences of children
5	externalise that, so they would show those symptoms and	5	and young people.
6	signs through running away, through being aggressive,	6	Q. I think was that time in a youth treatment centre, as
7	through being upset. Other children would internalise	7	it then was?
8	those themes, so that's normally exhibited through	8	A. It was, yes.
9	isolation, depression, some self-harming incidents as	9	Q. Of the various vignettes that you have given in answer
10	well.	10	to this question, are there any that you think you would
11	Within the custodial arena, those symptoms and signs	11	like to draw particularly to the panel's attention?
12	may be present due to the fact they're reacting to that	12	A. I think the first one, perhaps, in terms of the young
13	custodial arena. So it can be difficult, I think, to	13	person who was exhibiting externalised behaviour, that
14	pick up those things and understand why a child's	14	sort of summarised to me
15	behaviour may be changing.	15	Q. This is 1.7, if we can scroll down to that.
16	The dichotomy, I suppose, in terms of the custodial	16	A. Okay. That's the one, yes. So for me, that summarised
17	settings, is it's about control and about depriving	17	what can happen in terms of how professionals may
18	a child of some choices. That's the inevitable	18	perceive behaviour and respond to that behaviour and
19	experience of a child to be in a custodial arena.	19	•
20	•	20	what the true meaning was for the young child in this
	So how those institutions manage the relationship	1	example and how quickly it can move from a child
21	between custody, care, control, punishment and also	21	experiencing abuse and harm to a child's behaviour
22	protection is a really key theme for me. So it actually	22	becoming the main point of contact with professionals.
23	enhances that.	23	Q. Let's scroll down, please. I think we need to look at
	Children in custody are inherently at high risk of	24	the whole of that italicised section, beginning at 1.7.
24	·	2.5	Dest =====41=11, 41==1 11 11 1 1 1 1 1 1 1 1 1 1 1 1 1 1
25	a whole range of issues which may also increase their	25	But essentially, the child's behaviour, you say towards
	·	25	But essentially, the child's behaviour, you say towards Page 8

1	the end of 1.11, I think, escalated to a point of being	1	get over before you can do that within a custodial
2	involved in an attack upon a police officer, and this	2	arena. So I think the immediacy of the response, the
3	whole experience here is perhaps one example of the way	3	focus of the response, the very fact that a child's in
4	in which externalising behaviour is a sign of abuse or	4	custody for a reason, if the child is in custody due to
5	potential sign of abuse?	5	criminal behaviour, all of those things actually make it
6	A. That's right, yes. I think for me the irony for this	6	more complex.
7	young person was that it was when he was actually in	7	Q. We will come to look at perhaps some more points of
8	custody, when he reached the point whereby no other	8	detail about the nature of the response in due course.
9	options are open to him, his life had stopped, in	9	Can I ask you then to deal with questions perhaps at
10	essence. That was when he decided then to talk about	10	an earlier level. Question 3, please. It is on
11	his experiences.	11	INQ001652_010. You were asked:
12	Q. If you go to 1.12, I think we can see that. You say	12	"What factors generally reduce the likelihood that
13	there that it was clear that his early life experience	13	a child will disclose?"
14	was one dominated by his needs failing to be met, there	14	So what sort of things make it likely, or increase
15	were various risk factors for abuse there.	15	the likelihood, that a child will not disclose abuse
16	A. Yes.	16	that's happened to them?
17	Q. Then you say it culminated in him being unable to	17	A. Any child, in my experience, who has experienced sexual
18	express his feelings or experiences and emotions in	18	abuse, the leap of faith it takes to disclose that to an
19	a safe and appropriate manner, ultimately led him to be	19	adult is huge due to unknown consequences. So to trust
20	incarcerated, "But then within the safety", you say, "of	20	adults to do that and to act in an appropriate way is
21	an externally imposed control of custody, that is when	21	a huge leap of faith. The children in custodial arenas,
22	he felt able to disclose the abuse many years earlier"?	22	often the relationship between themselves and adults has
23	A. That's right, yes.	23	broken down completely.
24	Q. Can I move then to the next question, please, of what	24	So the element of trust, which is an essential
25	should be done or what should be considered if those	25	element in terms of a child feeling they are going to be
	Page 9		Page 11
1	warning signs are present?	1	heard, understood, acting in an appropriate manner,
1 2	warning signs are present? A. Yes. I think in terms of the institutional response to	1 2	heard, understood, acting in an appropriate manner, there's blocks and walls being built in the way of that,
2	A. Yes. I think in terms of the institutional response to	2	there's blocks and walls being built in the way of that,
2 3	A. Yes. I think in terms of the institutional response to warning signs, one of the key factors for me was to	2 3	there's blocks and walls being built in the way of that, due to the very fact they're actually in a custodial
2 3 4	A. Yes. I think in terms of the institutional response to warning signs, one of the key factors for me was to—from the material I reviewed, it was difficult at some points actually to find what the route was. Q. Let's perhaps focus at a general level. I am going to	2 3 4	there's blocks and walls being built in the way of that, due to the very fact they're actually in a custodial arena.
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1	become more enhanced within the arena, a custodial	1	A. That's right, yes.
2	arena.	2	Q. Just for the panel's note, at 2.6 on INQ001233_009, you
3	Q. You were asked I think a similar question by Howe & Co.	3	set out for the panel statistics about the prevalence of
4	Can I perhaps pull up your answer to that, which is at	4	mental health issues among young people in custody.
5	INQ001223_007. In relation to that question, you were	5	11 per cent of children in custody have attempted
6	asked about psychiatric disorders, gangs, drugs and	6	suicide, you quote, and over the page, perhaps we can
7	substance abuse and the relationship between physical	7	scroll in on those bullet points, 60 per cent have
8	abuse and sexual abuse. But, actually, your generic	8	communication difficulties, 25 per cent have a learning
9	answer, at 2.5.3, again you set out a list of factors	9	disability, 33 per cent have a mental health disorder
10	there that may be applicable to the custodial	10	that's young people in custody many have a history of
11	environment. So you talk there about isolation and	11	abuse, about which we have heard. All of those things,
12	separation, stereotypes, so this concern about being	12	I think you are saying, are further barriers to
13	seen as weak or a threat, things like that?	13	disclosure in custody; is that right?
14	A. That's right.	14	A. That's right, yes.
15	Q. Then there are various other factors you set out at	15	Q. Go back, please, to your first report, paragraph 4.1.
16	2.5.3, including some things perhaps we haven't looked	16	INQ001652_013, please. That's the flip-side, perhaps,
17	at. So as well as the prior experience of abuse or	17	of the same question, which is, what circumstances are
18	neglect before going into custody, exposure to being	18	generally recognised as encouraging a child to feel able
19	retraumatised. But you talk about this:	19	to disclose abuse and seek help rather than discourage?
20	"The heightened risk in relation to exclusion or	20	A. Yes.
21	detachment from education provision."	21	Q. Do you want to pull out the key themes that you have
22	What do you mean by that?	22	given in your answer there?
23	A. One of the strongest protective factors for children and	23	A. Absolutely. I think the NSPCC's very helpful overview
24	young people is having a positive educational	24	in terms of what to do when a child does actually talk
25	experience. That's due to a whole range of factors in	25	about abuse are quite helpful, and that's an added fact
	Page 13		Page 15
1	terms of self-esteem, about self-awareness, about the	1	into this as well which is talked about in the report.
2	connection with learning, about with adults and	2	I think in terms of enabling children to feel it is
3	a trusted relationship, all those sorts of things.	3	a safe environment to disclose starts from a cultural
4	I think for me the detachment or the exclusion from	4	experience of the child as well. So I think, in terms
5	education is a really big risk factor. You get	5	of the simple messages to children within custodial
6	a different perception, different approach from	6	settings that, "This is a safeguarding arena. Your
7	education approaches as well. So it is also having peer	7	safety is our number one issue", that needs to be
8	contact in that arena as well, understanding the	8	inherently embedded across all those sort of things.
9	holistic needs that children and young people have, they	9	I think further down — go further down on the page.
10	learn what the blocks are, and it does enable children	10	Q. We can scroll in on the answers to this.
11	to access key themes and thoughts as well. So I think	11	A. On this one, please, yes, that would be helpful.
12	the consistency and the amount of education taking place	12	Q. Is it the next page you want?
13	in the custodial arena is a cause of concern in terms of	13	A. Yes, please, the next page.
14	an overall view.	14	Q. INQ001652 014.
15	Q. You have picked up a couple of other themes, the	15	A. There I think it's we are talking about in terms of
16	prevalence of mental health issues in prison, but also	16	the individual experience of children who have made
17	the risk that is heightened by the fact that they may	17	a disclosure of abuse. I think the inherent thing
18	not be recognised or treated properly in a custodial	18	within custodial settings, and also within residential
19	setting. The custodial setting creating detachment from	19	settings, is, confidentiality is quite hard to achieve
20	adults and there being less opportunity for delegated	20	in terms of the child going to talk to somebody else
21	one-to-one time that you would have in residential or	21	about what they have talked about. So in terms of
22	foster care.	22	there's acceptance about that, confidentiality is quite
23	A. Yes.	23	difficult to achieve. But the child's experience is
24	Q. They are some other factors I think you have brought	24	going to be passed on to other children and young people
25	out; is that right?	25	within the arena, so a cultural view then emerges in
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	Page 14		Page 16

1	terms of what's likely to happen if we do talk about	1	children's experience of adults and there's a basic
2	abuse and sort of disclose abuse.	2	from an attachment perspective, anyway, there's a basic
3	I think the professionals, in terms of training and	3	issue in terms of how trust grows and develops.
4	support, and exhibiting professional behaviours towards	4	So the standpoint which I would take is that
5	children and young people which enable them to see their	5	I wouldn't assume a child would trust me, even though
6	relationship as being a positive and supportive one is	6	I say I'm a safe adult. I need to show that through my
7	also essential. I do recognise that, within the	7	behaviours and my responses. So I need to earn that
8	custodial arena, relationships may be focused upon other	8	trust.
9	areas, so that's much more difficult to achieve as well.	9	I think sometimes, certainly working within
10	I think, in terms of who a child decides to	10	residential settings and in the custodial settings, the
11	disclose to is interesting, I think, in terms of my	11	issue is that children need to earn the trust of adults.
12	experience. I mean, some children the perception may	12	It's the other way around. That is my perception. By
13	be that children need a really strong relationship with	13	having a joint work approach, that's easier to work
14	a professional to disclose to. Some children	14 15	through. Children have got a choice then.
15	I certainly have experience of and have worked with would find that really difficult because they would see	16	I think in terms of the initial response to
16 17	that disclosure impacting on that relationship.	17	a disclosure of sexual abuse, it can actually set the scene then. We may come to it later. This is why
18	Q. And they would prefer to speak to somebody they don't	18	children actually withdraw any allegations.
19		19	Q. We will come to deal with that as a separate topic.
20	know as well? A. Samehady completely independent they don't know at all	20	Perhaps more practically, for immediate purposes, on
21	A. Somebody completely independent they don't know at all, that's right, yes. So some children would much prefer,	21	INQ001233_019, you were asked what steps could be taken
22	though, to talk to somebody they have a trusting	22	to assist a child in making a complaint, and you set out
23	relationship with. So I think in terms of	23	at 2.18, I think, some suggestions that all members of
24	the institutional response, it has to be led by what the	24	staff are appropriately trained in recognising and
25	child needs, not what the institution perhaps does.	25	responding to child sexual abuse; ensuring there's an
23	clina necus, not what the institution perhaps does.	23	responding to clind sexual abuse, ensuring there's air
	Page 17		Page 19
1	That's complex and also difficult to achieve across	1	embedded message to all those involved in custody that
2	a wide range, but that for me is one of the key things.	2	safeguarding is its central function; that it's
3	Q. Can we scroll down to section 7 on the next page? You	3	essential that children have an age- and
4	have brought those threads together by saying the most	4	developmentally-appropriate written and online form
5	successful interventions in terms of enabling abuse that	5	I know we will come to this a little bit more next week,
6	you have come across are ones that perhaps have both of	6	but that's separate to, or integrated into, a complaints
7	those options available. So somebody who is a social	7	form within which an issue of concern can be written
8	worker or family support worker who is working very	8	down, and that support is given to assist children in
9	closely with the family?	9	filling in such a form if they are unable to do it
10	A. Yes.	10	themselves. Is that what you have suggested?
11	Q. But then other people who are less involved	11	A. Yes, that's right.
12	A. Yes.	12	Q. Can I go back, please, then, to this issue of some of
13	Q but whom the child would have access to?	13	the other practical points you have made.
14	A. That's right, yes. I mean, my experience of it is in	14	INQ001652_015. You were asked more nuanced questions
15	terms of, this is a joint work approach, really,	15	about, are independence from the alleged perpetrator and
16	I suppose, in terms of having the option. So in	16	confidentiality important? Can you help with what you
17		1.7	have said about that?
18	essence, the child or the adult, in terms of	17	have said about that:
10	essence, the child or the adult, in terms of the community experience of sexual abuse, the needs of	18	A. I think the answer I gave earlier, just in terms of
19			
	the community experience of sexual abuse, the needs of	18	A. I think the answer I gave earlier, just in terms of
19	the community experience of sexual abuse, the needs of both the adult and the child are met and the child feels	18 19	A. I think the answer I gave earlier, just in terms of the fact that the organisational response to children's
19 20	the community experience of sexual abuse, the needs of both the adult and the child are met and the child feels that the adult's needs are being met as well. From my	18 19 20	A. I think the answer I gave earlier, just in terms of the fact that the organisational response to children's needs, that should be the starting point, I suppose,
19 20 21	the community experience of sexual abuse, the needs of both the adult and the child are met and the child feels that the adult's needs are being met as well. From my experience, actually, it can give a very clear message	18 19 20 21	A. I think the answer I gave earlier, just in terms of the fact that the organisational response to children's needs, that should be the starting point, I suppose, really. So some children will respond to a perception
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actually handled and worked through, it is important, particularly in a custodial setting whereby children may not have access to a wider range of support networks, that independence is seen as the response.

The difficulty, I think, in terms of some experiences, is that if allegations are made against a member of staff, say — in any institution, this is — the very fact that that member of staff has got working relationships with other people in the same institution is an issue, and may be one of the reasons why children may not want to disclose the abuse in the first place.

So the risk factors, from the child's point of view, are going to be enhanced by those sort of things as well.

I think further on there are other issues which I bring up which would be useful just to see.

Q. We will scroll through the report briefly. You have gone into a little bit more detail about this idea of adults earning the trust of children, steps taken to build that trust. I think you have made the point at (f), which is on internal page 18, that the treatment of children by staff more generally might be relevant, and so what you, I think, broadly say in response is that it is all about a culture where the child's needs are important being conveyed to the child. Is that right?

Page 21

Q. That's about supervision of the staff, is it? That's about support for the actual staff doing the work?

A. That's right. I think from my experience of providing arm's length supervision in terms of a clinical supervision point of view, clinical supervision is really helpful because you're not embedded or involved in the institution itself, you're not responsible for procedures and that. So I think having external supervision is actually quite useful for people in that position as well.

I think also, in terms of the — from a key worker point of view, to have some support and input from outside the institution would be useful. I think in terms of having an agreed approach to that as well, I mean, every child would need a slightly different approach from a key worker, and I think sometimes the modelling is that the key workers are trained in a particular way, but the child has to fit into that model. I think my perception would be actually the model needs to develop around what the child's needs are, not the child having to fit into the sort of mode there as well.

So it is complicated, but I think in terms of being allocated to children and young people, the feeling that work is actually done with and not done to is quite an

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Is that a broad summary?

A. That's right. That's right, yes.

regularly can be a useful person. Just scroll in on what you say at (g), which is page 19. The whole of (g), please. This is about the nature of the relationship between a child and a key worker. Do you want to pull out the key themes from that section?

Q. You have stressed again that a key worker who is seen

A. Absolutely. I think in terms of the key worker role, that can be very helpful. I think there are added complications in terms of, if the child is concerned about the key worker's response to him or her, so often I think the response sometimes from institutions or other areas is that the person to talk to about any concerns or issues you have as a child or young person is your key worker. If that person is the cause of those issues or concerns, then often that ends at that point. That's a complicated factor about that which is useful I think to have overall.

I think in terms of the support for key workers, it's important as well. So undertaking that role, understanding a child's point of view and perception is a demanding role, so I think in terms of the strategies around that and support around that it's really important.

important aspect.

Q. From the child's perspective, you mean?

A. From the child's perspective, absolutely. There are many complicating factors around this as well in terms of how a child may respond to that, and children, particularly, who have experienced abuse and neglect over a long period of time, are going to find it very difficult to engage in that type of work.

My view and my experience is that to be as nondirective as possible is actually quite helpful. So you're reflecting the child's needs and you're meeting those needs, being led by the child. It is a totally different way to think about it, I think, from the institutional point of view, but I think if the outcomes we are wanting are for children to learn and to move forward in a positive way, I think it's quite important.

Q. Perhaps the next question, please, at the end of that page 8, so if we can go over to the top of 020, please, the sort of information that should be given to children to best ensure that they will make a disclosure.

I think, is this fair, that the evidence that you have given is broadly that children need to be given information not only about what is abusive or neglectful behaviour so they can identify it, but also given practical information about, if they do make

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Page 22

6 (Pages 21 to 24)

1	a disclosure, that it will be taken seriously and that	1	first place and offload all that information to
2	they will be supported and it is not their fault? They	2	somebody, if at that point then they are asked then to
3	need to be given both those sort of pots of information.	3	say, "Well, you need to write this down", that is
4	Is that fair?	4	immediately a block. Some children may do, other
5	A. That's right, yes. That's right. I think for me one	5	children may say, "Actually, I don't want to put this
6	of the key points there for me is that children may not	6	down. I have given you the information". So that's one
7	realise that they are being harmed, due to their past	7	immediate sort of route out.
8	experiences. It may just be, "This always happens to	8	Children and young people asked to explain things
9	me. This is what I expect. This is what I am going to	9	over again about their experiences, it can be quite easy
10	get", which puts them particularly at risk, I think, in	10	to say, "Well, I just don't want to get involved in
11	terms of abuse.	11	that". I think also, another complicating factor from
12	Q. The other part is you are saying it is also important	12	the custodial arena is children's experience of
13	that children, particularly perhaps in an institutional	13	the police, in terms of getting involved in child
14	setting, are aware of what will happen if they make	14	protection investigations, may be framed by their
15	a disclosure?	15	experience of the police prior to that.
16	A. Absolutely. I think in terms of having a very clear,	16	So child protection police are trained in
17	simple, direct, mentally-appropriate and age-appropriate	17	a different way, and a very helpful way, but still
18	way to explain that is really key. Otherwise, that leap	18	representing the police. So I think immediately that's
19	of faith becomes even more difficult, because children	19	another block which can come up and children may choose
20	don't know what's going to happen to the information	20	at that point to go.
21	they have shared, who is going to access that, what is	21	There are other issues in terms of mental health and
22	going to be done about it, who else is going to be made	22	physical health issues. I think one interesting,
23	aware of that. And we are talking about very personal	23	I think, relationship which I pulled out in terms of
24	experiences, and I think unless it is very clearly	24	some of the factors is some work don,e by Epstein which
25	defined and children know that prior to making any	25	is about why people in domestic abuse relationships
	D 25		D 07
	Page 25		Page 27
1	allegations, you know, I mean, the most effective,	1	actually withdraw allegations. There is a list there,
2	I think, thing I've seen, really, is going to various	2	it is a mental health and physical health issue,
3	institutions, social care institutions, where the very	3	a feeling of letting down the community, the fear
4	first thing you see is, "This is a safeguarding home",	4	aspect, "What is going to happen next?". So that is
5	so right from the start the child is aware that	5	listed further down, but I think for me retraction is
6	safeguarding is at the heart of everything which the	6	a common feature. For children and young people also
7	organisation actually does. That very simple message	7	who are "known" to make allegations, multiple
8	actually sets the scene for their experience.	8	allegations
9	Q. Then you touched on this before, but question (j),	9	Q. This is what you deal with at 1 to 3, this idea that
10	please, on internal page 21 was about this issue of	10	someone becomes labelled as "prone to make allegations"?
11	retraction of disclosures. So try and, please that	11	A. Absolutely.
12	answer I think goes over to the following page.	12	Q. Then it sort of becomes a vicious cycle, does it, if
13	A. Yes.	13	they are actually abused, but then they are perceived in
14	Q. What are the key themes that you have drawn out of that?	14	that way and they are not believed, then they are less
15	Because we will come to look, I think, at some examples	15	likely to disclose?
16	of this next week. Perhaps help the panel with the	16	A. That's right, yes. I have certainly got experience of
17	typical situations or factors that increase the prospect	17	children who are "known" to make allegations and staff
18	of a child retracting a disclosure they have made?	18	are very aware of that and respond in a different way to
19	A. I think one of the really key ones for me is having to	19	those children and young people and that's picked up by
20	explain to different people the same event over and over	20	the children and young people. The power of
21	again. So I think the pressure on children and young	21	relationship alters in that. So a child's sense of
22	people in terms of having to provide the evidence for	22	power is, "I am going to make an allegation against
23 24	the allegation they are making is quite high.	23 24	you", so it becomes a vicious loop, really, and children
25	Children — in my experience, anyway, children who have gone through the process of having to disclose in the	25	get locked into that.
23	gone amough the process of having to discusse in the	23	Also, unfortunately, that can be exploited by some
	Page 26		Page 28

1	adults in terms of children who are not going to be	1	to pin down what the facts actually are. It's very
2	believed in terms of sexual harm towards those children	2	difficult to actually look at those things because it is
3	as well.	3	a wide range of things are written down in certain ways,
4	So, again, I think for me the common features and	4	different forms are used, different responses are used.
5	I think the Epstein points are very helpful. The common	5	So actually getting to the hard facts is really
6	features are concentrated because the whole range of	6	difficult.
7	issues about being disconnected to the community, about	7	Q. It is hard to understand the data?
8	being able to check out what responses are going to be.	8	A. Yes.
9	So it is quite a common thing, I think, for children and	9	Q. It is hard to get an accurate picture of prevalence,
10	young people who want to disclose abuse of any form to	10	I think?
11	check out, through a series of behaviours or responses	11	A. Absolutely.
12	to adults, what's their response going to be. That may	12	Q. We understand that.
13	be from a behavioural point of view, so externalising	13	A. It is really hard, I think. I think, for me, the
14	behaviours may increase prior to a child wanting to	14	fundamental question for me comes back to the fact in
15	disclose abuse. The problem, I think, from a custodial	15	terms of the risks which are sort of known risks. So if
16	setting point of view, is that the behaviour is	16	a lot of children and young people who are in the
17	responded to and not the thought or feeling behind that,	17	custodial arena, a lot of prior awareness is there,
18	because that's what	18	I don't know how much of that is actually used to inform
19	Q. Because of the nature of the environment, meaning that	19	that. So the risk management of children and young
20	the bad behaviour is responded to at its face value; is	20	people tends to be focused upon the behaviour, not upon
21	that right?	21	what's known about their prior experiences.
22	A. At its face value, yes.	22	I think it does say I mean, all the research says
23	Q. A few more questions along these themes and I will move	23	it is very difficult getting access, the collection,
24	perhaps to the elements of the response. At 652_022 you	24	understanding of the approach, how you separate those
25	were asked about the impact of somebody being in foster	25	things out in terms of sexual harmful behaviour between
	Page 29		Page 31
1	or residential care. I think what you have drawn from	1	children, to a child or from an adult as well, about
1 2	or residential care. I think what you have drawn from	1 2	children, to a child or from an adult as well, about
2	this is that the residential environment itself creates	2	consent, a whole range of issues which are complicated.
_	this is that the residential environment itself creates some additional risks because, by definition, a child is	2 3	consent, a whole range of issues which are complicated. I know the other information today will draw those
2 3 4	this is that the residential environment itself creates some additional risks because, by definition, a child is separated from their family, they are coming into	2 3 4	consent, a whole range of issues which are complicated. I know the other information today will draw those things out.
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1 complaint using a form -- and every institution has got 1 2 2 a slightly different approach to that and understanding 3 3 of that, and the pathway is different -- to me, that is 4 not an appropriate way to handle that. 4 5 5 Allied to that, from a cultural perspective, the way 6 in which children are responded to is going to be shared 6 7 7 across and within children and young people. So a child 8 will say to another child in an institution, "There is 8 9 no point in talking about that", or, "There is a point 9 10 in talking about that". So their lived experience is 10 11 important. 11 12 12 I suppose for me, looking at all the information 13 I have been asked to look at, the fact in terms of 13 14 the numbers, the analysis, the hard facts are difficult 14 15 to grab hold of, but the lived experience is there. 15 16 O. We will come to look at those a little bit more next 16 that's 2.4.2. 17 week? 17 A. Yes. 18 A. Absolutely, yes. 18 19 Q. Thank you. Just some more specific questions. You were 19 20 asked about what you know about children in custody in 20 21 terms of their understanding of consent, whether it is 21 22 understood and respected, and you have given a long 22 23 answer to that at 2.2 on INQ001233 004. I think, 23 24 broadly, you have talked about the prior experience of 24 25 abuse or neglect, meaning that children may have 25 Page 33 1 a skewed idea of what is a consensual act and what 1 2 isn't. You have talked about the difference between 2 3 3

consent means to both those children may be different. A child's view, in terms of what they can consent to and what they can't consent to, and also professionals' responses to relationships is difficult, I think.

I think for me the issue of consent is difficult enough to understand for anybody, and a child who is experiencing relationships and also stresses and strains in a custodial institution, it is much more complex.

Q. Just picking up on the issue of peer-on-peer abuse, you address this I think over the page into page 6 of this report. You were asked about the prevalence of peer-on-peer abuse in custodial institutions. I think, doing the best you can, you have quoted some statistics that show that police recorded peer-on-peer sexual offences between children generally have increased. So

Q. And you have made the point that the impact of placing children and young people who have been convicted of sexual offences alongside other children is an area that's been highlighted already by the REA?

A. Yes, that's right. I think for me it is about understanding the risk that some children may pose to other children or adults in the custodial arena as well, but also understanding in terms of sexual health or

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a child's chronological and emotional age and sometimes professionals can focus on the actual chronological age of a child, not their emotional age? A. Absolutely, ves. Q. You have talked about a range of other factors. Do you want to just pull out a couple of key themes from that answer, please, Mr Wood? A. Absolutely, yes. I think, in terms of the very fact that a custodial institution is generally dealing with children at a stage of their development which is complicated, so between 12 and 18 years of age, the whole range of emotions/feelings/behavioural responses/sexual responses/sexual urges/development is

all happening all at once. I think the way that's actually responded to is hard. I think, in terms of the issue of consent, it is a complicated area, I think, in terms of concerns. The issue about consent may be appropriate at one point and then not appropriate at the next point is an important factor, I think. So there's sometimes a view that consent has been given to a relationship, so to children in a custodial institution perhaps consenting to that relationship. However, the understanding of what

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behaviour about where that may be a reaction to that child's own experience of abuse as well. So their only form of communication/relationship building is through 4 the sexual harm of others. 5

There are issues. I mean, certainly my experience has been that sometimes children are placed alongside of other children and young people with a range of risky behaviours, and the assumption is that the institution can actually control those risky behaviours, but a child who is determined enough will actually find a way to harm somebody else.

Q. You have made the point, as we see at 2.4.5 -- I think we have already looked at this -- the REA quoted statistics to show that children are disproportionately represented among the victims of recorded assaults in custody. So there are a certain percentage, they make up 1 per cent of the total custodial estate and around 11 per cent of recorded assaults. I think you draw from that that although that doesn't explicitly link with sexual abuse, it raises a concern in your mind that they might also be overrepresented in sexual assaults if they were indeed recorded in that way?

A. Absolutely. I think for me, in terms of the analysis and the breakdown of the hard facts and from a statistical point of view, it's really hard to get at

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1	what there facts are. But there figures there would	,	of the volationship between 2.7.2 thous in towns of
1 2	what those facts are. But those figures there would indicate to me that there is an issue. I know that the	1 2	of the relationship between 2.7.2 there, in terms of the circular relationship between the emotional
		3	•
3 4	general population of children in custody has actually dropped, but the proportion of harm has actually gone	4	responses and also the fear responses and how that can fit into substance misuse
5	up, which may indicate the additional needs of children	5	Q. I think you were saying there is often a constellation
6	are left behind in the custodial arena.	6	of factors here to do with bullying and isolation,
7	Q. I think you make some recommendations in relation to	7	self-esteem
8	peer-on-peer abuse at 2.4.7. You were asked go over	8	A. Absolutely, yes.
9	the page, please, to where that is how the number of	9	Q that you see packaged together, you are saying at
10	incidents of peer-on-peer sexual abuse might be reduced.	10	2.7.2, with trauma and substance misuse as part of that?
11	Again, I think you focused, in (a) through to (f),	11	A. That's right.
12	taking it broadly, on training; a consistent message to	12	Q. You would have thought the risk and vulnerability to
13	the children about bullying and sexually harmful	13	substance misuse and sexual abuse are heightened for
14	behaviour in a clear and unambiguous way; proper sex	14	that reason?
15	education; risk assessment processes that take into	15	A. That's right. My other experience, in terms of work
16	account known risk, including the impact of trauma and	16	outside this arena, is supervising a drugs team, and one
17	abuse prior to custody, but amending or becoming	17	of the key things actually I was thinking about when
18	being flexible as appropriate; ensuring there is proper	18	I was writing this is the evidence will point out the
19	support available to the victims and the alleged	19	fact that if you want to reduce children and young
20	perpetrators; and including appropriate therapeutic	20	people's use of illegal substances, the most effective
21	interventions for those displaying potentially sexually	21	way is to build up their relationships of trust, and
22	harmful behaviour.	22	their capacity to resist the issues about drugs is
23	Just pausing there, you gave a little bit more	23	related to that. So relationship skills, self-esteem
24	detail about the sex education aspect. If I can just	24	skills, are a key factor in reducing that risk to
25	take you back, please, to the foot of the previous page,	25	exposure to drugs. That's another added complicating
	D 27		D 20
	Page 37		Page 39
1	internal page 5, you quoted there the Taylor Report from	1	factor in this in terms of what to do about that. And
2	2016 to the effect that it is the foot of that	2	the fact that if you have got low self-esteem, you're
3	page children were only accessing around 17 hours of	3	being picked on, you're isolated from the community,
4	education or training a week as opposed to an	4	a sense of having no sense of direction, then your
5	expectation of 30 hours. I think in the next paragraph	5	self-esteem is going to be dramatically affected by
6	you posited that within that 17 hours it was unlikely	6	that. So, therefore, your risk of exposure or risk of
7	that there was provision of adequate sex education,	7	being exposed to drugs actually is quite high.
8	given the challenges of delivering that complex topic	8	Q. Is this fair, that if you scroll down, please, to 2.9 on
9	within a custodial setting?	9	the next page, there are not dissimilar themes that
10	A. Yes.	10	arise in answer to your question about gang membership
11	Q. But beyond that, you couldn't offer any views. But the	11	within custody?
12	sense you have is that these may well be a group of	12	A. That's right, yes.
13	children who did not have adequate sex education made	13	Q. So you broadly pulled out there, going down through
14	available; is that right?	14	2.9.1, a series of factors around secrecy, peer
15	A. That's right, yes.	15	pressure, a sense of identity, the notion of trauma
16	Q. I will deal then with some specific points you were	16	bond that's people I think bonded together through
17	asked to address by Howe & Co, if I can. You were asked	17	a common shared experience. Those are the sort of
18	to deal with the issue of mental health issues, which	18	things that might lead to gang membership within the
19	I think we have looked at, but you were then asked to	19	secure estate; is that right?
20	look at the issue about drugs, at 2.7, which is	20	A. Absolutely. I think, you know, it's a survival
21	INQ001233_011. Trying to pull together your answers	21	approach. To survive some institutions, some
22	there, what can you offer to the panel on that topic?	22	relationships, we do need to feel part of something
23	A. I think in terms of the the REA did actually point	23 24	else, and I think, you know, children and young people
24 25	out in terms of the how available illegal substances actually are in the custodial arena. I think in terms	25	who experience those things are at really high risk of being embedded into a gang approach, which is obviously
23	actuany are in the custouiai arena. I think in terms	23	being embedded into a gang approach, which is obviously
	Page 38		Page 40

characteristics are overrepresented as victims of sexual reflected in terms of the wider community. But, again, 1 1 2 2 abuse. I think -- I'm not sure you're able to give much I think, within the concentrated arena for custodial 3 3 institutions, all these pressures become much -more statistical information than the REA on that? 4 4 Q. Become heightened? 5 A. Heightened. 5 Q. You did quote that the HMIP survey found no significant 6 differences between white and black, minority ethnic 6 Q. I think what you are trying to say -- and the panel can 7 rates of sexual abuse but there are limits, as we know, 7 read this part of the report -- is that all these things 8 on that data? 8 that would lead to someone becoming involved in gangs, 9 9 if sexual abuse occurs, are perhaps barriers to it being A. Yes. 10 disclosed, because if there is a secrecy element or peer 10 Q. As far as whether or not the diversity of staff might be an issue, again, we know that there is a divergence on 11 11 pressure or a sense of identity as being part of 12 the figures between BAME children in terms of statistics 12 the group, this is another risk factor, effectively, for 13 and the staff. Can you offer anything from your own 13 sexual abuse not being uncovered? 14 14 A. Absolutely right, yes. experience about that? 15 15 Q. You were asked at 2.10 whether you accept that violence A. I think in terms of a positive experience for a child 16 and the threat of violence is endemic in youth custodial 16 from a black and ethnic minority background in terms of 17 17 care, if their cultural needs aren't represented in institutions. I'm not sure how much you can add to what 18 terms of the makeup of the workforce, it is actually 18 the statistics tell us about that from your own 19 knowledge. But you have quoted some figures there. 19 quite hard. I think there's a common factor which 20 20 But I think what you are asked is whether or not the actually can link across those things. 21 increase or the level of violence in youth custody 21 I think it is complex, in terms of children and 22 22 young people from different minority communities in institutions increases the risk of sexual abuse, and 23 23 perhaps you can help a bit more with that. What do you terms of the fact that some children I'm certainly aware 24 24 say about that? of, and some families I have worked with, would prefer 25 A. I think my view would be that an experience -- a daily, 25 not to work with people from their own ethnic background Page 41 Page 43 1 lived experience based upon fear which may be replicated 1 due to the fact that the community may actually become 2 within an institution, which is also existing from 2 aware of issues. So it is complicated in terms -- but 3 3 outside that institution, for a child or young person is for me, for a child who is isolated in terms of coming 4 going to heighten their risk factors in terms of being 4 into a custodial institution, to at least have the 5 isolated, being able to be selected by children and 5 perception or the experience of the reflection of young people or some staff members in terms of sexual 6 6 the community actually made up in the institution is 7 abuse risk issues. I think in terms of the very fact 7 actually quite helpful. For some children that isn't 8 8 that children and young people rely on adults to spot the experience. 9 those things and to build up that level of trust is Q. I just have a few more questions based on the Howe & Co 10 another really big factor for me. 10 report, if I can call it that, and then I will take you to some of the other documents if I may. You were asked 11 Gang-related issues and drug-related issues are 11 12 often interconnected, from my experience, as well. So 12 a practical question at 2.14, INQ001233 016, please, 13 it's not a clearly defined gap between those two things. 13 about how can recruitment in custodial institutions 14 14 comply with best practice to identify and prevent the They become very enmeshed, those two things as well. 15 Again, I think, from my experience and my point of 15 recruitment of potential child abusers. So what is the 16 view, those known risk factors which are difficult 16 way in which recruitment can be done to comply with best 17 enough to collect in the community, in terms of 17 practice in that area? 18 the actual statistics, are heightened within the 18 A. I think for me there is a fundamental issue in terms of 19 19 custodial arena. the -- the issue that some of the workers working in 20 Q. Just finally a few more points from the Howe & Co 20 institutions, the level of stress, the level of demand 21 questions. You were asked about different aspects of 21 upon those workers isn't always reflected in the amount 22 22 the diversity topic, if I may put it that way. of pay they get. So I think in terms of the worth which 23 23 is seen in terms of those roles -- it's very similar to 24 Q. One was about whether you could add to anything from the 24 workers I work with with children in children's homes, 25 REA about whether children with protected 25 dealing with very complicated, relationship-based

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obviously open to DBS checks and reference checks, which is entirely how it should be, but sometimes I think the process of recruitment thosen't always get down to why people. It is fundamental things which I looked at. I know the NSPCC have developed a toolkit which is looked at. I know the NSPCC have developed a toolkit which is looked at. I know the NSPCC have developed a toolkit which is looking at what beliefs people have and how you can actually understand people's beliefs and where they come from in an interview process, which is not just about the technical aspects of the job, it is about how you are going to handle relationships. That's useful, process. I think, in terms of embedding that into any recruitment process. I think, in terms of embedding that into any recruitment process. I think, in terms of embedding that into any recruitment process. I think, in terms of embedding that into any recruitment process. I think is to process. A ves. I page 45 Page 45 A ves. Q You say, on a practical level, recruitment processes a should comply with those, as well as incorporating, a think you describe, values-based interviewing points, I think (d) and (e), are regular audits of the recruitment process and points, I think (d) and (e), are regular audits of the recruitment process and points, I think (d) and (e), are regular audits of the recruitment process and points, I think (d) and (e), are regular audits of the recruitment process and points, I think (d) and (e), are regular audits of the recruitment process and points, I think (d) and (e), are regular audits of the recruitment process and professionals in roll that expectation to safeguarding. A hosboultely, yes. The view I would have is, in terms of an approach to those areas of training, before people actually are confirmed in their areas of professionals involved are doing? A hosboultely right, yeah. My experience of Local Safeguarding is embedded. A basolutely right, yeah. My experience of Local Safeguarding is mithit stopic, if I may,				
workers are the least experienced people dealing with those things. So it is a fundamental question about what worth we actually place upon this job role, which is a bigger question, I think. In terms of the process of interviewing the procedures in terms of those things, people are obviously open to DBS checks and reference checks, which is entirely how it should be but sometimes I think the process of recruitment doesn't always get down to why people. It is fundamental things which I looked at. I know the NPCC have developed a toolkit which is looking at what belies people have and how you can actually understand people's beliefs and where they come from in an interview process, which is not just about the technical superes of the job, it is about how you are going to handle relationships. That's useful, I think, in terms of embedding that into any recruitment process. 21 22 23 24 24 25 25 26 29 20 20 20 20 20 20 20 21 30 21 30 21 41 30 22 42 30 21 43 44 45 45 45 46 57 46 46 57 47 57 46 47 47 57 48 47 48 47 48 48 49 40 41 41 41 41 41 41 41 41 41 41 41 41 41	1	issues, very complicated tasks, trauma, abuse and	1	A. Absolutely. I think in I mean, the records I have
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20 at those. But it is important to understand that there 20 all the connections then start to be clear at that point			1	
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21 is that resource available? 21 and people understand about the relationship between			1	•
22 A. There is, yes. 22 those different professions.				
23 Q. Then 2.15, please, INQ001233_017. You were asked about 23 I think for me one of the fundamental aspects of			1	-
24 improvements in training. Can you perhaps help us with 24 that really is about this idea that which is			1	-
			1	I think, we will come on to later, I'm sure, and perhaps
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1			
-	next week about the complaints approach, is that	1	to be embedded as well for the workers.
2	there is a risk, unless you do multi-agency training,	2	Q. Then my final topic, please, before our break. You were
3	that people can feel, "Well, I have done my form.	3	asked at 2.17 about independent external inspections,
4	That's my responsibility ended". Whereas in actual	4	and we have heard a lot about the various ways in which
5	fact, we have all got a responsibility to see to the end	5	custodial institutions are inspected. The question you
6	point of that. That's one risk of having	6	were asked is, what conditions need to be fostered in
7	a non-multi-agency approach from a safeguarding point of	7	order to allow or perhaps encourage children to make
8	view.	8	complaints to these inspectors?
9	Q. I will take the final two topics before we have our	9	A. I think for me the issue about having a presence is
10	break, please. 2.16. Help us with your views, please,	10	actually quite important, I think. The issue, from an
11	on the importance of retention of staff? So that's	11	inspection point of view, about inspectors coming at
12	perhaps avoiding a high turnover of staff?	12	certain points and their being seen in terms of
13	A. I think it's inherently difficult, I think. I think in	13	a certain sort of job role, having a regular visit to
14	terms of the I mean, the culture, the environment,	14	the institution by the same group of inspectors so
15	the atmosphere is equally going to have an impact upon	15	children can actually see those inspectors coming in and
16	staff and young people. So the stability of	16	having access to those inspectors, the inspectors are
17	the workforce, my understanding is that it's quite	17	very clear about what their roles are, what their
18	a high rate of turnover and churn than that. The	18	responsibilities are as well, can actually add to the
19	pressures of the role in terms of the custodial estate	19	sense of somebody else for the child to talk to.
20	are high.	20	I think the difficulty is that, you know, we need to
21	So I think in terms of having a different view in	21	make sure that inspectors represent the children and
22	terms of what weight and what approach we take in terms	22	young people as well. Having access to children and
23	of what the job role actually is, I would imagine that	23	young people is actually quite key. So let's think
24	is a conflict between the care and control element of	24	about what the role of the inspection actually is. If
25	that job, so some people would be more interested in the	25	you hold at the heart of the institution that
	P 40		T
	Page 49	-	Page 51
1	caring aspect than the people who are interested in the	1	safeguarding is the heart of what we are doing here, the
2	control aspect. There's conflicts in the workforce	2	inspection then will be formed to look at how that
3	around those sort of things, which you see quite a lot	3	actually a lived experience actually is based upon
4	of.	4	that. So inspection is not just about, have the correct
5	For me, the support and supervision and the training	5	forms been completed in the right timescales, it is
6	and understanding about the progression people can make		
7		6	about what the experience of children actually is in
	within those different aspects is key.	6 7	
8	within those different aspects is key. I think, for me, having clinical or long-arm		about what the experience of children actually is in
8 9	• •	7	about what the experience of children actually is in that institution.
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1	have just pulled out some particular issues that apply	1	a concern is what? Help us with what that means?
2	to a disclosure of sexual abuse in custody around, for	2	A. A concern would be a practice issue. So the thing about
3	example, how a child can be given therapeutic support if	3	these things are that they are actually interconnected
4	they're involved in a criminal trial or care	4	and, unfortunately, it may be the case that a child
5	proceedings, how they can be given that kind of support	5	starts to talk about a practice issue which would lead
6	when they are not living in a settled placement?	6	then to a complaint
7	A. Yes.	7	Q. But a concern in this context would be what?
8	Q. The ability or willingness of people to engage in	8	A. A concern may be about the way in which a member of
9	relationship-based support work with children. Then you	9	staff has spoken to a child. It may be about their
10	talk about an inconsistency in regards to the what,	10	response to a child when they wanted some assistance.
11	when, how and who regarding communication with the	11	So it is a practice issue, really, in terms of
12	child. Is that a sort of fair summary of the sort of	12	fulfilling what their sort of job role is.
13	points you have tried to bring out here?	13	Q. The other definitions that you have used that are
14	A. It is, yes.	14	interconnected are I think allegation and complaint?
15	Q. Then in terms of the more procedural aspects of best	15	A. Complaint, yes.
16	practice, can I ask you, please, to turn up	16	Q. So how do you differentiate between these things?
17	INQ001652_003. You were asked: generally, what is the	17	A. A complaint would be about a young person saying they
18	best practice in responding to allegations of sexual	18	felt they had been unfairly spoken to or treated in
19	abuse? Your answers to this I think run throughout	19	a different way, they had been refused access to some
20	question 6, that goes over several pages long, because	20	aspect of like TV or something to do with an
21	you were asked to consider certain different elements of	21	actual complaint.
22	it. So it runs, I think, from 023 through to 030. But	22 23	Q. How is that different to expressing a concern about a member of staff?
23 24	you have used the London Safeguarding Children Board as	24	A. A concern would be about a practice issue. So
25	one benchmark for good practice? A. Yes.	25	a complaint a concern is about practice. A complaint
23	A. 168.	23	a compianit a concern is about practice. A compianit
	Page 53		Page 55
1	O. Van harrada anformad Likinda ta the NCDCC anidaman	,	
1	Q. You have also referred, I think, to the NSPCC guidance;	1	may be about practice, but then it moves on to the next
2	is that right?	2	stage whereby the child is saying, "I want to make
2 3	is that right? A. That's right, yes.	2 3	stage whereby the child is saying, "I want to make a formal complaint about this".
2 3 4	is that right? A. That's right, yes. Q. If you look at the bullets or the bold sections	2 3 4	stage whereby the child is saying, "I want to make a formal complaint about this". Q. Okay.
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2 3 4 5 6	is that right? A. That's right, yes. Q. If you look at the bullets or the bold sections beginning at 6.15, please, these are, I think, perhaps key themes that you have pulled out from some of this	2 3 4 5 6	stage whereby the child is saying, "I want to make a formal complaint about this". Q. Okay. A. So there would be a process to actually use that. So concerns are sometimes most difficult to work with
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1	a disclosure is made, then safeguarding procedures	1	your response here?
2	should sort of take place, actually, as a consequence of	2	A. Can that be brought up on the screen?
3	that as well.	3	Q. Sorry, INQ001652_028. You talk about following the good
4	Q. You have talked about some practical things around	4	practice guide, given the likelihood of retraction.
5	having face-to-face meetings with colleagues to decide	5	This is the answer to 6.32(a). I think you were asked
6	on the future strategy, if possible, that's best	6	whether or not they should be told anything about their
7	practice, but otherwise telephone or Skype can be used.	7	allegation, and I think what you have said is I think
8	You have obviously talked about decisions about whether	8	the question that you are addressing here is whether
9	the adult should be suspended from their employment.	9	children should be told that they are believed or will
10	Timescales for completion need to take into account the	10	be believed. What do you say about that?
11	need to be fair and balanced, but from the point of view	11	A. I think in terms of the need to follow a fair, open and
12	of a child, a timescale of 4 to 12 weeks is likely to	12	transparent approach to any allegation being made,
13	feel challenging?	13	I suppose the way I would respond would be to say that
14	A. That's right, yes.	14	it is really important that you have informed me of
15	Q. Support for a child within that process is essential.	15	that". I wouldn't say at that point "I believe
16	Then there are some concerns about the outcome if the	16	everything you have told me". I think, for me, there is
17	child is deemed to be someone who has made a false	17	an issue in terms of the process needing to be looked
18	allegation?	18	at, I think.
19	A. That's right, yes.	19	I think, for me, there is an issue, in terms of
20	Q. It is essential that the child is, in those	20	saying on point 3 there because I think there is
21	circumstances which may indicate that the child has in	21	a consequence potentially if the process is followed in
22	effect transferred earlier experiences of abuse, that	22	the correct way and the allegation is investigated and
23	they don't feel stigmatised, because they may is this	23	then the outcome is it is not a proved allegation, or
24	what you are meaning by that be alleging sexual abuse	24	substantiated, or a false allegation, then that
25	but really what's happened is a refreshing of an earlier	25	relationship, in terms of the child and the person they
	Page 57		Page 59
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			Ü
1	traumatic memory?	1	have spoken to, may be impacted by that.
2	traumatic memory? A. That's right, yes. I think the added complicated factor	2	have spoken to, may be impacted by that. So I think it is a better approach to say, "It is
2 3	traumatic memory? A. That's right, yes. I think the added complicated factor there is it's through the experience of being restrained	2 3	have spoken to, may be impacted by that. So I think it is a better approach to say, "It is really important that you have told me that. I am now
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1	"Working Together is clear in its ambition"	1	investigation will look at all the evidence. That's my
2	This is the new version, I think, of	2	perception.
3	Working Together; is that right?	3	Q. Then I think the final question on this topic, you were
4	A. Yes.	4	asked originally also some questions about training at
5	Q. " it points out that children and young people want	5	section 7. If we just go over the page, please, to
6	the following from all practitioners, all of which can	6	INQ001652_032. You have given another list, perhaps,
7	be related directly to the support given following	7	here of the sort of topics that generally professionals
8	a disclosure of sexual abuse: vigilance; understanding	8	working with children and young people would have
9	and action; stability; respect; information and	9	knowledge of or training in?
10	engagement; explanation; support; advocacy; protection.	10	A. That's right, yes.
11	"This provides a useful checklist in terms of	11	Q. I would just like to go briefly to one part of your
12	agencies being able to evidence how they are supporting	12	fourth report, please, before coming back to the
13	children and young people following a disclosure."	13	conclusions you reach overall here. Paragraphs 1.1 to
14	A. That's right.	14	1.11 of your fourth report, INQ001752, you were asked to
15	Q. I think, as a broad framework, when you have come to	15	give an overview of the role of Social Services within
16	look at the particular case studies, you have tried to	16	the secure estate. This may be material that's very
17	apply these principles to see if they were present; is	17	familiar to the panel, but, broadly, you have set out,
18	that right?	18	I think, in here that I don't know if we can bring up
19	A. That's right.	19	the second substantive page of this document. You have
20	Q. You have referred to the fact that the London Child	20	set out here some key themes. Section 11 of
21	Protection Procedures set out different outcomes,	21	the Children Act sets out the organisational
22	substantiated allegations, malicious, false,	22	responsibilities; Local Safeguarding Boards are in
23	unsubstantiated or unfounded. What's the sort of theme	23	place, although I think we understand about their roles
24	that you have elicited or that you would like to stress	24	changing. The key principles here, I think, are really
25	to the panel under this heading?	25	this, are they, that section 17 and section 47 are
	Page 61		Page 63
	A T41: 1:4: 4 4 4 4 4 4 6	1	4 2 H C 11 1 2 2 14 1 4
1	A. I think it is important, I suppose, in terms of	1	potentially applicable, because we see quite a lot about
2	understanding the process, a child protection	2	section 47. So as far as a child in custody is
2 3	understanding the process, a child protection investigation process, may result in those things.	2 3	section 47. So as far as a child in custody is concerned, what are those key elements of the role of
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1	A. Section 17 of the Children Act would be about a child	1	correctly, there is a LADO that has certain
2	who is in need. So there is a duty on local authorities	2	responsibilities, but then there are also social workers
3	to assess children in need. A child with a learning	3	who work within the estate?
4	difficulty, physical disability, is automatically	4	A. That's right.
5	a child in need in terms of additional need. So there's	5	Q. That group, help us with what they do.
6	assessments around those things like need.	6	A. That group would be there to ensure access to a worker
7	Section 47 of the Children Act is about a child in	7	from a social care background, so children should have
8	need of protection. So there is a definition in terms	8	access to those workers to make sure the safeguarding
9	of what significant harm is. The job is to look at	9	procedures are embedded within the service, to link in
10	whether a child has suffered or is likely to suffer	10	terms of any allegations being made against a member of
11	significant harm. So the local social care team would	11	staff, so they have got a connection between the
12	be the lead people on that alongside the police if	12	safeguarding procedures from a professional point of
13	a criminal investigation is deemed to be required at	13	view
14	that point as well.	14	Q. Sorry, if you go up to 1.8, please, that's where you
15	Q. We can look in due course at the policies, but	15	summarise what this group do, I think, the social
16	section 47 is what's likely to trigger, is it, the child	16	workers?
17	protection plan, a child protection conference and	17	A. That's right, yes. So it summarises there. There is an
18	things of that nature?	18	issue I think in terms of provision of support and
	_	19	• • • • • • • • • • • • • • • • • • • •
19	A. That's right.	20	also a different multi-agency perspective for members of
20	Q. There's a whole regime that goes underpinning it?	1	staff as well. So it is a point of — a sort of
21	A. That's right.	21	reference as well.
22	Q. As far as social workers within the secure estate are	22	Q. Just briefly, before I leave this report, you were asked
23	concerned, we will hear a little bit more about the LADO	23	to review certain material from The Howard League about
24	next week. Can you help with what their role is, as far	24	sex in prison.
25	as you understand it, within the custodial estate?	25	A. Yes.
	Page 65		Page 67
	1 age 05	-	1 age 07
1	A. Yes, certainly. My understanding is that they are	1	Q. I'm just conscious of what your areas of expertise are.
2	brought in to ensure that children's needs were being	2	The panel can of course read these. But with your
3	looked at and met and from an assessment point of	3	professional background, was there anything in
4	view and from a provision of service point of view. So	4	particular that you pulled out from those briefing notes
5	there was a need, I think, in terms of to make sure	5	and reports?
6	that children in custody receive the same type of	6	A. I think in terms of the lack of support and from an
7	support from an assessment perspective.	7	education point of view for children and young people in
8	Q. Pausing there, if we go to 1.9, please, which is	8	terms of what healthy relationships are, there are
9	internal page 3 of this document, and scroll in on the	9	issues in terms of how you access children and young
10	bullet points there, I think you have set out here what	10	people, in terms of knowing what the stats are, from
11	you understand the job of LADO is to cover; is that	11	a statistical point of view. The issue at 2.3 I think
12	right?	12	is really interesting in terms of that reflected other
13	A. Yes.	13	things I had thought about and written down, that the
14	Q. So these are the various things you understand that	14	good staff/prisoner relationship is the most important
15	they're responsible for doing?	15	protective factor. Again, it goes to
16	A. Yes, that's the LADO, yes, which is different to the	16	a relationship-based practice approach, that the best
17	work actually embedded within the home.	17	way to protect people from harm within a prison setting
18	Q. One of the roles of the LADO, though, is around	18	is to have that good staff/prisoner relationship
19	progressing any allegation that's been made against	19	embedded there.
20	a member of staff; is that right?	20	There are issues it highlights issues in terms of
21	A. That's right, yes.	21	what consent is and the complex relationship in terms of
22	Q. And if there is a concern about the safety of the member	22	how prison staff would respond to young people having
23	of staff to work with children in future?	23	a consensual relationship within that arena as well, and
24		1	•
	A That's right ves	74	what we mean by that and the complexities around that
	A. That's right, yes. O. Social workers, though, if I have understood it	24 25	what we mean by that and the complexities around that. I think it also highlights the fact that children
25	A. That's right, yes. Q. Social workers, though, if I have understood it	24 25	what we mean by that and the complexities around that. I think it also highlights the fact that children

1	from certain backgrounds are more likely to be at risk	1	overarching one is perhaps the child-focused approach to
2	of harm, so if children self-identify as being gay	2	safeguarding, but there is then specific guidance on
3	within the custodial setting, my understanding is that	3	roles and responsibilities, and perhaps for
4	there is no official statistics which are collated in	4	completeness, please, I will bring that up, it's
5	terms of children's identity, sexual identity, within	5	INQ001502. There is within that document, which is
6	the prison setting, so it is difficult to show what the	6	quite long, it is about 50-something pages, very clear
7	impact of that is.	7	sections about, if you go to the front of it, you can
8	So it is very helpful, in terms of looking at it	8	scroll down, just perhaps scroll down through the
9	from The Howard League's perspective, in terms of purely	9	contents page. You can see that it covers the
10	focusing upon those areas.	10	responsibilities of a whole range of different
11	Q. I would like to do three more broad areas, please, with	11	professionals. If you carry on to the next page, you
12	this evidence for today's purposes, Mr Wood. Firstly,	12	will see at 3.17 it specifically covers the secure
13	can I ask you just to assist in adducing some documents,	13	estate.
14	and this may be material that's very familiar to the	14	If we then go to internal page 44, please, that sets
15	panel already. But you have referred quite a bit to the	15	out, if we scroll in on 3.17, over three and a half
16	LCPP, the London Child Protection Procedures. Could	16	pages or so, particular guidance on the application of
17	I pull up the index, please, at INQ001728_001. These	17	these principles to YOIs, the secure training centres
18	are the standard London Safeguarding Children Board	18	and secure children's homes.
19	procedures?	19	It gives fundamental guidance, if you scroll down
20	A. That's right.	20	through it, about the duty to safeguard children, the
21	Q. Just to anchor this, I think it is right, is it, that	21	need for an annual review of the safeguarding policy, it
22	other safeguarding children's boards may have their own	22	refers to Prison Service instruction 08/2012 which we
23	procedures?	23	will come to. It stresses the duty to promote the
24	A. Their own procedures, yes.	24	welfare of children, and the need for all governors,
25	Q. But you have used these because these are publicly	25	directors and senior managers to have a duty to put in
	D (0		D 54
	Page 69	-	Page 71
1	available, they are well known?	1	place appropriate procedures. Then it drills down to
2	A. They are, yes.	2	some further points of detail about young offenders'
3	Q. Are they particularly well respected or thorough or why	3	institutions, and over the page, you will see at the top
4	have you chosen these ones?	4	of that page at 3.17.8:
5	A. I think because they cover such a large geographical	5	"Governors of YOIs must ensure a multi-agency child
6	area as well. So all agencies in that geographical area	6	protection committee exists within the establishment,
7	would be bound by these. I mean, most of the policies	7	bringing together the different heads of healthcare."
8	and procedures from most Local Safeguarding Boards would	8	For example, the YOT, things like that. Secure
9	have these key areas.	9	training centres, at the foot of that page, then have
10	Q. But we can see, I think, if you look on part A, that	10	specific provision. Then at the top of the following
11	those blue lines indicate guidance by those topics?	11	page, a similar section involving secure children's
12	A. That's right.	12	homes.
13	Q. So there is then from each of those a separate area?	13	You would expect, would you, that similar provision
14	A. There is, yes.	14	is made by other Local Safeguarding Children's Boards?
15	Q that deals with that particular topic. So we don't	15	A. It is, yes.
16	need to pull them up independently, but they give clear	16	Q. This is all fairly standard stuff?
17	guidance about each of those different sections.	17	A. It is, standard, yes.
18	7, you will notice, deals with what happens when	18	Q. I don't want to dismiss it, but it is common practice?
19	allegations are made against staff or volunteers who	19	A. Standard, yes.
20	work with children, and so on. That's what's called the	20	Q. Taking this quite shortly, if I may, there is a separate
21	core procedures. Then if you go to part B, please,	21	document, INQ001511, that deals with supervision.
22	INQ001553, I think, if it were printed out, it would be	22	That's the need in particular is this right? to
23	chapter 2 or part 2, it is part B, the more	23	provide effective supervision to those involved in
24	nuts-and-bolts practice guidance. This sets out very	24	day-to-day work with children?
25	specific guidance around particular issues. The	25	A. That's right.
	D 70		D 70
	Page 70		Page 72

1			
1	Q. For the reasons you have gone through. There is at	1	a child-centred approach and the principles clearly
2	INQ001513 a whole section on safer recruitment; is that	2	outlined in Working Together and the documents we just
3	right?	3	looked at:
4	A. That's right.	4	"Independence in relation to the investigation of
5	Q. For the reasons you have gone through. Then just two	5	child sexual abuse is [key]"
6	more, please. At INQ001515, there is a particular part	6	Number 5:
7	about safeguarding sexually active children?	7	"Issues of 'trust' are [key]"
8	A. That's right.	8	Number 6:
9	Q. Which may well apply to some of those in the custodial	9	"It is helpful to understand retraction of child
10	estate?	10	sexual abuse disclosures in relation to the range of
11	A. Yes.	11	possible pressures that may impact upon this phenomena."
12	Q. Then finally, there are other ones about children in	12	It is not perhaps to be taken at face value is
13	gangs and so on, but at INQ001524, children living away	13	I think what you mean by that?
14	from home, and one of the groups dealt with in that	14	A. That's right.
15	section, as well as, for example, children at boarding	15	Q. "Children and young people need to be supported
16	school or children in hospital, is children in custody?	16	regardless of the outcome or if the disclosure is
17	A. That's right.	17	retracted.
18	Q. So if we go, please, to INQ001524_010, there is, again,	18	"Practitioners need to participate in relevant
19	a whole section about the responsibilities to children	19	skills and practice-based training and reflexive
20	in custody?	20	supervision in order to remain focused upon ensuring
21	A. That's right.	21	that the needs of children and young people remain
22	Q. The second thing I would like to do, please, to finish	22	central."
23	your evidence, is just pull together the themes that you	23	A. That's right.
24	drew out at the very end of your first report. I am	24	Q. Those are the key themes you are trying to bring out
25	conscious that we have covered a lot of ground. Can	25	today?
23	conscious that we have covered a lot of ground. Can	23	today:
	Page 73		Page 75
1	I please bring up INQ001652_032. Then try to bring the	1	A. Yes.
2	next page up alongside it, please, because we have your	2	Q. Finally forgive me. There may have been one document
2 3	next page up alongside it, please, because we have your summary, Mr Wood, of the key themes you are trying to	2 3	Q. Finally forgive me. There may have been one document I forgot to take you to. Just bear with me a minute.
2 3 4	next page up alongside it, please, because we have your summary, Mr Wood, of the key themes you are trying to bring out in this phase of your evidence. They are	2 3 4	Q. Finally forgive me. There may have been one documentI forgot to take you to. Just bear with me a minute.While we are on the subject of training, there was one
2 3 4 5	next page up alongside it, please, because we have your summary, Mr Wood, of the key themes you are trying to bring out in this phase of your evidence. They are numbered I think from 1 to 8. Perhaps we can go through	2 3 4 5	Q. Finally forgive me. There may have been one document I forgot to take you to. Just bear with me a minute. While we are on the subject of training, there was one further document, INQ001429, please. It is at the back
2 3 4 5 6	next page up alongside it, please, because we have your summary, Mr Wood, of the key themes you are trying to bring out in this phase of your evidence. They are numbered I think from 1 to 8. Perhaps we can go through those?	2 3 4 5 6	Q. Finally forgive me. There may have been one document I forgot to take you to. Just bear with me a minute. While we are on the subject of training, there was one further document, INQ001429, please. It is at the back of our bundle. It is particular guidance on
2 3 4 5 6 7	next page up alongside it, please, because we have your summary, Mr Wood, of the key themes you are trying to bring out in this phase of your evidence. They are numbered I think from 1 to 8. Perhaps we can go through those? A. Absolutely, yes.	2 3 4 5 6 7	Q. Finally forgive me. There may have been one document I forgot to take you to. Just bear with me a minute. While we are on the subject of training, there was one further document, INQ001429, please. It is at the back of our bundle. It is particular guidance on safeguarding training, a guide to the responsibilities
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19 (Pages 73 to 76)

1	panel?	1	to reach and not just children who find it easy to deal
2	A. I looked at all of them, yes, I looked at all of	2	with those sort of things.
3	the recommendations. I think in terms of the first one,	3	The twelfth one, in terms of the specialist groups,
4	in terms of the issue about statistics, it's essential	4	it's really important that, I think, and it is the
5	that happens, I think, in terms of having the	5	statement there in terms of the black and minority
6	overarching responsibility for that.	6	ethnic groups is a correct statement from my perception,
7	The second one, in terms of the child custodial	7	and that needs to be embedded in terms of the wider
8	approach, it can be really helpful to have that,	8	understanding around those things as well. So not just
9	I think, in terms of making sure we are steered and	9	that one area, but a wider perspective as well.
10	there's analysis taking place around that and designated	10	The thirteenth one, in terms of the gangs, I agree
11	responsibility across the whole issue.	11	with completely.
12	The third one, in terms of all staff, I think it is	12	The fourteenth one, in terms of HM YOI, I agree that
13	drawn out in terms of the procedures, in terms of	13	it's essential that a care plan approach is actually in
14	training from the safeguarding procedures, that to me	14	place.
15	means all staff, including the senior staff, as well as	15	Q. I think the proposal here is a proposal that care plans
16	the practitioners, so it's really important that all	16	be included in national guidance on child protection in
17	staff in institutions have specialist knowledge about	17	custody?
18	their own areas of responsibility.	18	A. That's right, yes. I think for me, in terms of
19	The fourth one, in terms of the oath, that could be	19	understanding about the creation of those, setting key
20	embedded in terms of the contractual arrangements,	20	performance indicators linked to the care plan,
21	I think, and it should be embedded in the contractual	21 22	reviewing those, it's really important to catch all that
22	arrangements.	22 23	information as well.
23	The fifth one and the sixth one, in terms of	23	The prevalence of drugs in custodial institutions.
24 25	the control elements, my own personal perspective is	25	We talked earlier just in terms of the fact that the
23	that it is not appropriate at all to induce pain or	23	evidence is around about self-esteem as being the most
	Page 77		Page 79
1	a chemical control in any child or young person. That's	1	effective way to reduce drug use, so it's important
2	my own personal opinion. So I would agree with those	2	people know the facts, but actually it's a wider issue
3	two points.	3	than that. It is much more linked into self-esteem.
4	The seventh one, which is the violence reduction	4	Specialist mental health training, absolutely agree.
5	coordinator, that links to me in terms of the key worker	5	I think it is important there to complete training in
6	approach, and that would be something really helpful.	6	terms of the connection between mental health
7	The eighth one I agree with completely.	7	difficulties and previous experience of trauma and harm.
8	The ninth one, in terms of the standardised form,	8	The review of mental health services, I think that's
9	I agree in terms of what I've seen in terms of	9	important. I agree with that completely.
10	documents, in terms of how important it's going to be to	10	The sex and relationship education element, I think
11	have a standardised approach, but also flexible enough	11	that's something where peer input would actually be
12	to meet the needs of children and young people.	12	embedded in that. Children tend to listen more to
13	The tenth one, in terms of the young people, in	13	children and young people their own age and their
14	terms of enabling peer-to-peer contact, there are	14	experiences, so that would be useful as well.
15	complexities around that in terms of training and	15	The wearing of body-worn cameras, I think it's clear
16	support for that, but a pilot scheme should be	16	from reviewing the material that would be really helpful
17	developed, I think, in terms of that.	17	in terms of protecting staff and also protecting
18	The User Voice issue, that is also a very important	18	children and young people.
19	one. I think, however, it does need to be as	19	The 20th one, in terms of the private provision, my
20	representative as possible. My experience of	20	view I suppose on that is it's more important to think
21	peer-to-peer involvement and peer-led involvement is	21	about engagement, protection and outcomes in terms of
22	that sometimes it's the children and young people who	22	it doesn't really matter what the sort of mode of
23	have the confidence who get involved in that and the	23	Q. Who is providing it, it is the quality of the provision?
24	ones who have no confidence don't get involved in it.	24	A. Exactly. It is the quality of the provision.
25	So it's important to represent those ones who are hard	25	The last point in terms of the training point,
	Page 78		Page 80

1	I agree completely. I think requiring specialist input	1	over, at its request, Childline, the widely respected
2	in terms of the key areas around trauma and abuse will	2	and heavily used helpline for children in danger or
3	be important as well.	3	distress."
4	There is nothing I don't think is fine. I agree	4	Going on:
5	with all of it.	5	"With the exception of a Childline helpline for
6	MS HILL: Thank you very much, Mr Wood. Those are all the	6	young people in custody, which I refer to below, the
7	questions I have for today. Chair and panel? Do you	7	NSPCC has not provided services for children in custody
8	have any questions? You will be hearing lots more from	8	and so our direct experience is limited. However, the
9	him next week.	9	NSPCC does have considerable experience and expertise in
10	THE CHAIR: No, thank you. That was very comprehensive.	10	working with children and young people who have been
11	Thank you very much.	11	sexually abused, working with their parents and in
12	MS HILL: Thank you very much, Mr Wood.	12	recent years some experience of working with sex
13	(The witness withdrew)	13	offenders, and in particular with children and young
14	MS HILL: Chair, for the remainder of the morning session my	14	people with harmful sexual behaviour. All of this work
15	learned friend Ms Faure Walker will read the evidence of	15	has informed the questions that we answer here."
16	Phillip Noyes which I think will fit well with the	16	Paragraph 6 is in response to the inquiry's
17	topics you have just been hearing about. Then,	17	question 3, which concerned whether there are warning
18	depending on the time, we may or may not get to some of	18	signs involving the background of a potential victim.
19	the IMB evidence.	19	Chair, you have the relevant letter at tab B of your
20	Statement of MR PHILLIP NOYES (read)	20	bundle in case you need to refer to it. But the
21	MS FAURE WALKER: Thank you. Chair, this is the witness	21	response is this:
22	statement of Phillip Noyes, reference NSP00025. It's at	22	"Any child can be affected by sexual abuse but
23	your bundle-file 3, tab 8A. It is a statement dated	23	research and our experience suggest that there are
24	17 October 2016. I will be reading most of it, some	24	a number of factors which may increase a child's risk of
25	parts I will be summarising. It is Phillip Noyes of the	25	sexual abuse."
	D 01		P
	Page 81		Page 83
1	National Society for the Prevention of Cruelty to	1	Perhaps if I could ask the evidence handler to bring
2	Children. He says:	2	up the statement NSP000025_002 at this point, please.
3	"I am the NSPCC's chief adviser on child protection	3	And if the next page could also be brought up because
4	reporting to the chief executive officer and have been	4	the bullet points go over the page. The points are:
5	in this role since 2014."	5	"A history of previous sexual or other forms of
6	He goes on to state his qualifications and	6	abuse and neglect;
7	experience and involvement in this area generally,	7	"Having a disability;
8	including being a former chair of the Children's Rights	8	"Having a disrupted home life;
9	Alliance for England and a member of the Home Office	9	"Social isolation."
10	National Working Group on Sexual Violence against	10	Then over the page:
11	Children and Vulnerable People from 2013 to 2016.	11	"Gender research suggests that girls are more
12	At paragraph 3:	12	likely to experience contact sexual abuse than boys.
13	"I am making this statement on behalf of the NSPCC	13	"Age."
14	in response to the request made by the inquiry."	14	Paragraph 7:
15	He then sets out details in relation to that.	15	"Children who are experiencing sexual abuse may:
16	In paragraph 4 he gives some background in relation	16	"Avoid being alone with specific individuals;
17	to the NSPCC, its establishment in 1884 and some of	17	"Seem frightened of a person or reluctant to
18	the services that it provides. But if I could just deal	18	socialise with them;
19	with the parts about helplines, just over halfway down	19	"Show sexual behaviour that's inappropriate for
20	that paragraph:	20	their age"
21	"In 1989, the NSPCC set up a national helpline for	21	Some examples are given:
22	adults concerned about the abuse of children. This	22	"Have physical symptoms such as anal or vaginal
23	helpline has become widely used as part of police	23	soreness", et cetera:
24	investigations, for example, Operation Yewtree, that	24	"Exhibit self-harming behaviour."
25	followed the Savile exposure. In 2006, the NSPCC took	25	Paragraph 8:
			7
	Page 82		Page 84

1	"A high number of incidents of sexual abuse may go	1	"Using age and developmentally appropriate words and
2	unreported, undetected, unprosecuted and untreated.	2	communication styles.
3	This is particularly likely to happen when child neglect	3	"Giving children a safe space to talk
4	or other concerns are the primary reason for referral.	4	"Giving children time to tell
5	Young or disabled children may not be able to tell	5	"Giving children a sense of control over the process
6	someone what's happening, or may not understand that	6	of disclosure, both in terms of their anonymity and
7	they're being abused."	7	confidentiality.
8	May I now go to paragraph 10. This is in response	8	"Taking prompt action to protect children.
9	to the inquiry's question 4, which is whether there are	9	"Giving children better information about
10	warning signs involving the current behaviour of	10	boundaries, their rights to protection and safety,
11	a potential abuser which indicate he or she poses a risk	11	healthy relationships and where and how to seek help."
12	of sexually abusing children. The answer is:	12	Then over the page, more points:
13	"In the experience of the NSPCC and the consensus	13	"Children, particularly teenagers, may disclose to
14	from the research literature is that child sexual	14	their peers. Young people need to know how to respond
15	abusers are a diverse group of individuals. Sexual	15	and what to do if a friend tells them about abuse."
16	abuse is committed by men, women, teenagers and other	16	Chair, you will hear a little bit more about the
17	children. There is no one 'type' of person."	17	research behind that in due course:
18	That is elaborated on in the rest of that paragraph,	18	"Investigating police officers and other
19	and the point is made. Paragraph 11:	19	professionals such as teachers, social workers and
20	"There is considerable variation in how abusers	20	health practitioners should be trained to recognise the
21	select and groom children, in their sexual and other	21	ongoing impact of sexual abuse and how their words and
22	related behaviours and how they avoid detection. They	22	presentation could affect this.
23	will also use a variety of grooming strategies to gain	23	"Police should also be prepared to listen to the
24	the trust of and undermine other adults such as carers,	24	emotional impact of the abuse rather than focusing
25	professionals and other members of the community.	25	solely on the facts of an allegation.
	Page 85		Page 87
	0		0
1	Research found that some children who experienced sexual	1	"Delaying disclosure and making partial or gradual
2	abuse reported that interactions escalated to involve	2	disclosures is common, yet this can hinder successful
3	a sexual element very soon after an initial contact,	3	legal investigations and prosecutions. The legal
4	rather than following a more protracted grooming	4	profession needs to build a knowledge base of
5	process."	5	the complexities involved
6	Could I now take you to paragraph 19 of	6	"Children and young people need information from the
7	the statement, please, on page 8. This is in response	7	police and legal professionals about the legal process,
8	to question 7. The question was whether improvements	8	the possible consequences of disclosure and ongoing
9	can be made to enable abuse to be disclosed, whether by	9	developments in legal proceedings."
10	children or others. The witness was asked to consider	10	Thank you:
11	particular examples in that context. The answer is:	11	"We recognise that in order to help children (and
12	"The NSPCC considers that there are a number of ways	12	indeed adults) disclose sexual abuse sooner, cultural
13	that professionals and nonprofessionals can make it	13	change in organisations is needed. This involves
14	easier."	14	committed leadership and governance; clear
15	Can I ask that this is brought up, page 8 of	15	accountability; appropriate workforce development and
16	the statement, please, going on to page 9:	16	training; and sensitive processes. If asked to
17	"These include:	17	summarise these in a word, the word would be kindness.
18	"Being aware of, recognising and responding	18	It would be the kindness that we would wish for our
19	appropriately to emotional distress, behavioural changes	19	children and loved ones."
20	and other signs and symptoms of abuse. Sometimes	20	Chair, could I now take you to paragraph 25, which
21	children do not talk about experiences of abuse because	21	deals with the evidence provided by the NSPCC in
22	no-one ever asks them what's wrong.	22	relation to prevalence:
23	"Asking sensitive questions, encouraging an open	23	" in 2012, Childline set up a service with nine
24	conversation and reassuring them they will not get into	24	young offenders' institutions"
25	trouble.	25	Pausing there, as you know, chair, there are now
	Page 86		Page 88
	- 450 00		- 1150 00

The next part I would like to go to, please, is in 1 fewer than that, there are now only five: 1 2 2 "... which gave detainees access to a phone allowing the second column, again, it is about a third of the way 3 them to contact ChildLine directly for emotional 3 down that column, starting "While young people made 4 support. The line was set up in conjunction with the 4 initial disclosures", please. This touches upon some of 5 Ministry of Justice and worked to a protocol agreed with 5 the themes you have heard about this morning and the 6 the MoJ. The YOIs were self-selected. The protocol 6 evidence indeed of Ms Hibbert yesterday when she spoke 7 7 ended in March 2016. about children being placed far away from friends and 8 8 "Unlike other Childline records, these records were family and who a child would want to talk to about 9 given a specific dropdown which enabled them to be 9 abuse. What it says here is: 10 searched for and accessed. The inquiry has asked about 10 "While young people made initial disclosures to 11 the accessibility of relevant records. We can confirm 11 a range of people, three-quarters were to informal 12 that they are accessible." 12 recipients of disclosure, most often their mothers and 13 If I can summarise paragraphs 27 and 28, the 13 friends. For most young people, their friends provided 14 ChildLine service has records of incidents where sexual 14 emotional, practical and moral support and noticed 15 abuse has been disclosed, and the figures are set out 15 worrying changes in behaviour. For some young people, 16 there, but, chair, you will bear in mind that this is 16 their experience of telling friends was negative ..." 17 the statement as of 17 October 2016. It has since been 17 There is further detail about that. Then a little 18 18 updated. All of the relevant data that falls within the bit further down, please, towards the end of that 19 parameters of the inquiry's questions in this regard is 19 paragraph, "One quarter of initial disclosures to formal 20 20 recipients were most often made to teachers. No social factored into the prevalence analysis. The updated 21 position I can relay is there are over 60 incidents of 21 workers received initial disclosures, even though some 22 22 sexual abuse falling within the parameters that we asked families were at that time involved with 23 about that have been provided to us, evidence of which 23 Children's Services." 24 has been provided to us by the NSPCC. 24 Thank you. Could we go to page 7, please, of 25 25 the same document, the top of the page, the first Those are the extracts I was going to read from that Page 89 Page 91 statement. Chair, I would invite you to adduce the 1 1 2 entirety of the statement. 2 "An important finding was that some young people did The next document is INQ001489. Chair, it is at 3 not feel that they could disclose their abuse at the 3 4 4 time but they would have liked someone to notice and ask your tab C. Again, I invite you to adduce this in its 5 entirety. I am going to read certain parts of it. This 5 them. A number of the young people had contact with professionals (particularly Police and Social Services) 6 is the document, and perhaps the first page of it --6 7 7 and believe that professionals should have asked more thank you very much -- "No-one noticed, no-one heard: 8 questions to uncover the nature of their depression and 8 A study of disclosures of childhood abuse". It is 9 9 self-harming behaviours which stemmed directly from the research based on conversations with 60 young men and 10 women aged 18 to 24 who told the researchers about their 10 abuse they were experiencing." 11 Then could we go to the section below that under the 11 accounts and their experiences of abuse, and disclosures 12 12 heading "What promoted disclosures?". Thank you. The of it. The executive summary is at pages 6 to 7, if 13 that could be brought up, please. Chair, you will no 13 third sentence: 14 14 doubt consider the entirety of this in your own time, "It is a very powerful motivator for young people to 15 but just to home in on certain aspects of it. In the 15 disclose if an adult takes notice of their struggles and 16 asks them. Some young people described how others asked 16 first column, the first paragraph, in approximately the 17 17 a direct question, whereas other young people said their middle of that paragraph, it refers to: 18 18 disclosures were promoted over time through building "80 per cent -- 48 of the 60 young people we spoke 19 19 to -- attempted to disclose the abuse before they were trust ...", and so forth. 20 18 years old. Some of these disclosures led to 20 Top of the next column of that page, please: 21 protective action and some did not. Research has 21 "How professionals communicated with the young 22 people was key to the experience being viewed as either 22 suggested that sexual abuse is unlikely to be 23 23 positive and helpful or negative and unhelpful." disclosed -- and yet 38 of the 44 young people ... who 24 suffered from sexual abuse did disclose during 24 Further detail is given on the same page. 25 25 Further down, the third paragraph in that column, childhood ..."

Page 90

1	starting "Disclosures that resulted", please. Thank	1	"We consider that there are no circumstances that
2	you:	2	warrant the use of pain or distraction techniques on
3	"Disclosures that resulted in a positive experience	3	children. Furthermore, while restraint may be used in
4	for young people accounted for only 10 per cent and had	4	custodial settings for the purpose of safety, it must
5	three key features:	5	not be used as a form of behaviour management. Many
6	"The young person felt believed;	6	children in custody have experienced violence or abuse
7	"Some action was taken to protect the young person,	7	prior to entering detention. Being restrained can not
8	such as a report to another professional;	8	only make these previous experiences more vivid, it can
9	"The young person received some kind of emotional	9	also encourage the child in question to react violently
10	support to help them through the process.	10	in response."
11	"Young people want someone to notice when things are	11	The next document, and I am not going to read any
12	not right, someone to ask when they have concerns and	12	part of this, but just again ask that it is adduced, is
13	someone to hear them when they do disclose."	13	INQ001149. It is the NSPCC document "People should be
14	The next document, which is at your tab D,	14	helped to feel safe: Child protection and safeguarding
15	INQ001490. Again, I invite you to adduce this in full.	15	in young offender institutions, secure training centres
16	This is the NSPCC response to the Secure College Rules	16	and secure children's homes". It is guidance to improve
17	and, chair, as you will know, the Secure College	17	the effectiveness of Local Safeguarding Children's
18	Institution wasn't in the end commissioned, but what may	18	Boards in safeguarding and promoting the welfare of
19	be of note in this document is some of the information	19	children in custody. The focus of the NSPCC's attention
20	that the NSPCC provided in this consultation response.	20	is children who have been placed in custody following
21	Pages 2 and 3, please. The third paragraph and the	21	arrest or conviction for criminal offences,
22	bullet points that fall below it and then going on to	22	dated November 2014. Thank you, chair. I see the time.
23	the next page:	23	THE CHAIR: Thank you, Ms Faure Walker. We will now take
24	"Between April 2012 and March 2013, 5,200 young	24	our lunchbreak and return at 2.00 pm.
25	people detained in young offender institutions (YOIs)	25	(1.00 pm)
	Page 93		Page 95
			70***
		1	
1	contacted Childline, an anonymous counselling service	1	(The short adjournment)
1 2	contacted Childline, an anonymous counselling service for children."	1 2	(The short adjournment) (2.00 pm)
			· · · · · · · · · · · · · · · · · · ·
2	for children."	2	(2.00 pm)
2 3	for children." Chair, you have already heard a little about that:	2 3	(2.00 pm) MS HILL: Thank you, chair. I call, please,
2 3 4	for children." Chair, you have already heard a little about that: "Of these contacts, major themes included suicidal	2 3 4	(2.00 pm) MS HILL: Thank you, chair. I call, please, Carolyne Willow.
2 3 4 5	for children." Chair, you have already heard a little about that: "Of these contacts, major themes included suicidal feelings, experience of bullying and anger management	2 3 4 5	(2.00 pm) MS HILL: Thank you, chair. I call, please, Carolyne Willow. MS CAROLYNE WILLOW (affirmed)
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1 long time. You have been a qualified social worker, 1 Q. Just for completeness, can I bring up paragraph 10 of 2 I think, but more recently have been involved in more 2 your statement, please, INQ001073 003. There is a list 3 campaigning-type work. Is that a fair summary? 3 at section 10 of that document and on to the next page, 4 A. I'm still a qualified social worker, a registered social 4 please. These are publications, I think, Ms Willow, 5 worker for 30 years. My whole career has been about 5 that you have contributed to or written that relate to 6 children and children's rights and child protection. 6 children's rights in residential care or in other 7 Q. For around 12 years, from 2000 until 2012, you were the 7 institutional settings; is that right? 8 national coordinator for the Children's Rights Alliance 8 A. Yes. Most I've written, ves. 9 for England; is that right? 9 Q. Written or edited, forgive me. 10 A. That's right. 10 A. Yes. 11 Q. That organisation was focused on seeking the full Q. We can see they go back to 1996. I think the most 11 12 implementation within England of the United Nations 12 recent publication is your book "Children behind bars". 13 Convention on the Rights of the Child? 13 Although we will come to look at some of your more 14 A. That's correct. 14 recent briefing work? 15 Q. You have been involved in lobbying for amendments to the 15 A. Yes. 16 Children Act; is that right? 16 Q. Thank you, you can take that down. 17 17 Help me, then, with the key themes that you have 18 Q. Is there anything else in particular, apart from, of 18 pulled out from your early career about the sort of 19 course, the research that you have done for your book, 19 settings or cultures in which children can be sexually 20 from your background that you feel I should bring out 20 abused? I think you deal with this at paragraphs 11 and 21 for the panel? 21 onwards of your witness statement. So the sort of 22 22 A. I entered children's rights specialist posts because of themes that you have identified as being the places or 23 the widespread revelations of abuse in residential care 23 settings in which abuse tends to occur? 24 in the late '80s and '90s, so that's what got me into 24 A. Where there is a culture of violence, of subjugation of 25 dedicated posts with "children's rights" in the title, 25 the child's integrity and individuality, where Page 97 Page 99 1 1 children's reputations before they even enter into the and that background, in my formative years of my early 2 career, is what makes me so driven to expose the abuse 2 institution have been tarnished, and that's really 3 3 significant in two parts. One, because it tells the of children in prison. 4 Q. I think you say in your witness statement at 4 child that they are different from other children and 5 paragraphs 6 and 7 that two key influences for you, 5 are less worthy of protection and support than other 6 I think, have been reports which have concluded, 6 children; but it also tells the adults that are around 7 firstly, by Sir William Utting and, secondly, by 7 those children, including the adults who work in the 8 Lord Ramsbotham, that prison is no place for a child, 8 institution, that these children are not the same as 9 and that is I think your firm view. Is that a fair 9 other children, and that practices, treatment and 10 10 summary? mistreatment that would not be tolerated for other 11 A. Absolutely. 11 children can be tolerated for this group of children. O. For this group. 12 Q. You have quoted there, as I say, reference to 12 13 Sir William Utting's report. He was the patron of 13 A. Actually, that was one of the formative messages from 14 Article 39, as you say. His report from 1997, "People 14 the '80s and the '90s, was that you do not banish 15 like us", and then Lord Ramsbotham, the Chief Inspector 15 children away from families and communities, literally 16 of Prisons, as he then was, a report of the same year. 16 banish them, send them off to huge institutions many 17 So that has been a driving influence, is that right, in 17 miles from home, with reputations in tatters. You don't 18 the work that you have done? 18 categorise them as another -- a different type of child 19 19 A. Yes. Sir William Utting is still a patron of and sever links that are there for other children in the 20 Article 39. And the review of safeguards of children 20 community to protect them. But, really, reputation --21 living away from home that he undertook, which was the 21 the reputation and status and dignity of the child is 22 first generic review of safeguards, for all children in 22 absolutely critical to whether or not the child 23 23 themselves believes they are worthy of protection and all types of institutional and alternative care, was set 24 up in the aftermath in the '80s and '90s of 24 those that are immediately around them that should be 25 25 the widespread revelations of abuse. looking after them and respecting them and treating them

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1 well believe they are worthy of the same kind of 1 then what children who have been mistreated, abused, 2 2 neglected or suffered great trauma need on top of those protection that other children are entitled to. 3 Q. I think for those children who are in custody, if we can 3 ordinary needs. 4 pull up, please, paragraph 16 of your statement, it's 4 Q. You conclude this section, I think, by saying that 5 1073_005. Paragraphs 16 and 17 perhaps pull together 5 34 children have died in prison since 1990, many of them 6 these themes about the elements of the custodial culture 6 taking their own lives after telling their parents and 7 7 others of their deep distress and pleading to be moved that I think you're alluding to. 8 8 somewhere else. You say that that testifies to the You talk at 16 and 17 about penal practices, the 9 9 sort of things that we have heard about -unsuitability of custodial institutions: 10 strip searching; pain-inducing restraint; solitary 10 "There is no other institutional environment where 11 this level of misery and fear among children would be 11 confinement; the structural neglect of hunger; lack of 12 fresh air, education and healthcare: 12 13 "[These] are the antithesis of what children need to 13 A. Absolutely. There is a part -- the end chapter of my 14 feel safe and cared for. The ordinary conditions and 14 book, I bring together the kind of final bit of 15 treatment within [custody] and the very act of excluding 15 the stories of the 34 children that have died in 16 children from wider society, powerfully communicates 16 custody, and them pleading, them telling their families, 17 that they are unworthy of love, respect and protection. 17 "This is the worst place in the world", or "Please let 18 A child who feels his or her integrity has been 18 me move to a children's home", is a recurring theme, and 19 irredeemably damaged through being cast as a criminal is 19 I cannot think -- this is since 1990, since when we 20 20 unlikely to expect adults to listen to, believe and signed up to the UN Convention on the Rights of 21 respond to [concerns about abuse] ..." 21 the Child, so this is modern, this is new ways of 22 22 You talk about the power imbalance between children thinking and respecting and treating and protecting 23 23 and staff, the closed and hierarchical nature of children, and I cannot think -- I do not know of any 24 the institutions, narrow representations of masculinity 24 other institution in our society where a child could be 25 within boys' prisons, especially the prison privileges 25 sat in a visiting room with a parent, where they are not Page 101 1 scheme that rewards children who are subservient and 1 allowed to touch the parent, they are not allowed to hug 2 compliant, and that children whose behaviour is erratic, 2 3 3 challenging and troubled, which may be seen as a sign of 4 trauma or abuse, are punished in ways unimaginable in 4 5 5 other settings. Is that pretty much a fair summary of 6 6 what you have said? 7 A. Absolutely. And if we were to go back four or five 7

their parent, crying their eyes out and saying, "This is the worst place in the world. Please get me out of here", and of course the children that I document did go on to die as a prisoner in a prison cell on their own in a prison. Q. Can I move on now to some of the statistical information 8 that you have provided, and trying to summarise it in 9 this way. Is this right, that part of the research that you have done in order to write your book, and I think generally, was to look at the survey material provided by the HM Inspectors' surveys and that you have replicated them in your witness statement. I think you may know that the inquiry has also done some work on prevalence. Perhaps rather than looking at the figures, the point I will draw out is that at paragraph 20 of your witness statement, which is where you say that your

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you say at paragraph 20 of your witness statement: "At a local level, it would be my expectation that any child reporting sexual abuse via the prison surveys would automatically become the subject of a child protection inquiry under section 47 of the Children Act.

concern is I think not just about the prevalence that

these statistics indicate, but that you don't understand

that there has been any response to these figures, and

Page 104

10 11 12

24

25

8 decades, and indeed probably for other investigations Q that the inquiry itself is conducting, that paragraph 10 would stand for residential care of previous decades, 11 and it stood for institutions that I was visiting or 12 hearing about when I was a child protection social 13 worker. 14 Q. But they stand today for custodial institutions I think 15 is what you are saying? A. Absolutely. Absolutely. So two things there. Firstly, 16 17 we are already, as a society, meant to have learnt about 18 what can happen when children are in utterly unsafe 19 environments, and we did learn with children's homes and 20 large residential care; and, secondly, we do know what 21 children ordinarily need. We have one of the most 22 advanced -- arguably the most advanced -- child 23 protection and welfare system for children in the world. 24 We do know, and we have decades of knowledge and 25 intelligence as to what children ordinarily need and Page 102

26 (Pages 101 to 104)

1		١.,	
_	I am not confident this always happens in practice	1	allegations based on the data that I was able to
2	because, based on my reading of successive inspection	2	collect, because the majority of local authorities were
3	reports", you have seen inspectors repeatedly	3	not able to provide, or did not provide, the detailed
4	highlighting the failure of institutions to refer	4	information detailed but basic child protection
5	safeguarding concerns to local authorities. Is that	5	information that I sought.
6	what you have said?	6	Q. I think, broadly, you also set out in your witness
7	A. Yes, that's absolutely correct.	7	statement that you tried to get information from local
8	Q. I think your understanding is that HMIP refers any	8	authorities or from the Prisons Inspectorate or from, as
9	concerns it has to the prison rather than directly to	9	it then was, NOMS about the numbers of sexual abuse
10	the local authority; is that right?	10	allegations in custody. For a range of reasons, it was
11	A. Yes, and that information came from the	11	very hard to get hold of that data and, if you did get
12	Prisons Inspectorate itself to me through an FOI	12	hold of that data, it was very hard to understand
13	response.	13	whether, where there was a list of assaults, any of them
14	Q. You have also made the point that your research has	14	were sexual assaults, for example. So there were
15	identified that in a low proportion of referrals so	15	hindrances to the ability to understand the prevalence
16	that's those cases that are referred to the local	16	issue that you came up against?
17	authority around 24 per cent result in a section 47	17	A. Which is absolutely remarkable. Prisons are places
18	inquiry. Is that right?	18	where people who have been convicted of sexual crimes
19	A. Yes.	19	against children are held. These are not institutions
20	Q. I think the broad point you're trying to make is this	20	that don't know that children are raped and sexually
21	right is that there's insufficient involvement of	21	assaulted, because that's where the adults who do that
22	Social Services with these children?	22	to children go. So it is absolutely astonishing that
23	A. Absolutely. It's only at the point at which a child	23	NOMS and I'm not confident that it's still not the
24	protection allegation is subject to a section 47 inquiry	24	situation today record sexual abuse under the heading
25	that there is a legal duty to see the child and hear	25	of "Inappropriate relationship with a prisoner". It's
	Page 105		Page 107
1	from the child, and that is the bit of the law that you	1	the same heading for child prisoners and adult
2	referred to at the very beginning that I drafted the	2	prisoners.
3	amendment to the '89 Children Act in order to get that	3	Q. Just if I can pull up, please, section 29 and thereafter
4	into law, and that came into law in 2005.	4	
5			of your witness statement. You deal there with the
-	So if only 24 per cent of allegations that go		of your witness statement. You deal there with the outcome of the research you had carried out. I think
6	So if only 24 per cent of allegations that go from so in terms of hurdles, these are allegations	5	outcome of the research you had carried out, I think,
6 7	from so in terms of hurdles, these are allegations	5 6	outcome of the research you had carried out, I think, into staff who had been disciplined or sacked as
7	from so in terms of hurdles, these are allegations that actually get from the prison to the Local Authority	5 6 7	outcome of the research you had carried out, I think, into staff who had been disciplined or sacked as a result of child abuse. Perhaps pull up paragraph 30,
7 8	from so in terms of hurdles, these are allegations that actually get from the prison to the Local Authority Designated Officer, so even before you get to that set	5 6 7 8	outcome of the research you had carried out, I think, into staff who had been disciplined or sacked as a result of child abuse. Perhaps pull up paragraph 30, please. You asked for information from NOMS about the
7 8 9	from — so in terms of hurdles, these are allegations that actually get from the prison to the Local Authority Designated Officer, so even before you get to that set of statistics, you have to question how many didn't get	5 6 7 8 9	outcome of the research you had carried out, I think, into staff who had been disciplined or sacked as a result of child abuse. Perhaps pull up paragraph 30, please. You asked for information from NOMS about the number of members of staff who had been disciplined or
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7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	from — so in terms of hurdles, these are allegations that actually get from the prison to the Local Authority Designated Officer, so even before you get to that set of statistics, you have to question how many didn't get out of the institution. So even of those referrals to the local authority, only 24 per cent — and you will have seen from my witness statement that the statutory guidance is very clear that it's a high threshold for allegations to go to the Local Authority Designated Officer. These are serious concerns that a member of staff has harmed a child, committed a crime or they're not safe to work with children. So that's quite a threshold. That's not just having a bit of a concern or a bit of a suspicion. This is referring an allegation. So once the allegations are passed to the local authority, the data that I collected shows that only 24 per cent of those are subject to the statutory child	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	outcome of the research you had carried out, I think, into staff who had been disciplined or sacked as a result of child abuse. Perhaps pull up paragraph 30, please. You asked for information from NOMS about the number of members of staff who had been disciplined or dismissed and you were told, I think, 62 members of staff were disciplined — this is the period 2009 to December 2013, so it is a four-year period. Six were disciplined for an inappropriate relationship with a prisoner or ex-prisoner. They all worked in juvenile YOIs or units within women's prisons where girls were detained. The response also stated that NOMS had removed any cases that had been withdrawn, auto-closed as "no outcome received" or "employee resigned". I think you took from that, then, that the six were those who had actually been disciplined for that? A. And my questions were very clearly about sexual assault of a child by a prison officer working with them. Q. You have also asked, if we can scroll down, please, to

Day 4	IICSA Inquiry Children in Cus	todial	Institutions Investigation 12 July 20
1	juvenile public or privately run prisons, the number of	1	unregulated activity that you would have in other
2	individuals referred to the DBS because they were	2	settings.
3	thought to have harmed a child or children or present	3	And so I think this epitomises the well, I know
4	a risk of harm or because they'd received a caution, and	4	professionally, I know that sexual abuse of children
5	you asked for those figures from HMPPS, NOMS, G4S and	5	happens everywhere, so my starting point was that it
6	Serco. I think you got 59 referrals over the five	6	lacked credibility to believe that there's a particular
7	years. Is that right?	7	institution that is immune from people who would hurt
8	A. That's right.	8	children and assault them sexually. But this
9	Q. Then the breakdown you were able to distil:	9	particularly crystallises.
10	"DBS was able to tell me there were 24 instances	10	Also, that he had had such a long career in the
11	where the primary case number related to children over	11	Prison Service, and going back to my early career as
12	the five-year period."	12	a child protection social worker, whenever we had
13	That shows the breakdown you got. I think you try	13	referrals of a child being abused in a group setting, or
14	to pull those conclusions together at 35; is that right?	14	even within families, you would be proactively taking
15	A. That's correct.	15	steps to check that other children are safe and to find
16	Q. That children consistently report sexual abuse in penal	16	out which other environments the individual that had
17	institutions. Prison staff have been sacked,	17	violated the child had been in, where there had been
18	disciplined and imprisoned in recent years for sexually	18	children, and I am absolutely not confident that that
19	abusing children. Much of the data is in plain sight to	19	has happened, or does happen, within the Prison Service.
20	agencies most closely connected to and responsible for	20	Q. That related to Warren Hill YOI; is that right?
21	penal institutions. You say there is a conspicuous	21	A. It did, yes.
22	absence of public acknowledgement from agencies that	22	Q. You have also set out some information in your statement
23	this abuse is occurring, coupled with a failure by	23	about issues to do with the women's prison at Downview.
24	policy to address the risk in prison. Is that right?	24	You were trying to establish the extent to which girls
25	A. Correct.	25	had been sexually abused there. One individual was
	Page 109		Page 111
1	Q. You have provided some information in your witness	1	jailed in July 2011 for five years for misconduct in
2	statement and in your book about various male prison	2	a public office between 2006 and 2010, after coercing
3	officers convicted of sexual offences against children	3	a young female prisoner to engage in sexual acts with
4	between 2002 and 2013. You in particular talk about	4	him. You established, I think, that there was a concern
5	William John Payne in 2010. So perhaps tell us a little	5	about other officers. Eventually, you were told that
6	bit about that, please, because that is within the	6	four officers working at Downview had been suspended,
7	timeframe that we are looking at?	7	dismissed or convicted between January 2009 and
8	A. The reason I wanted to draw particular attention to him	8	October 2013 as a result of sexually inappropriate
9	was because prosecuting counsel said he was able to	9	behaviour with women prisoners or a young offender.
10	abuse the boy at every opportunity.	10	Do you know when that sexual abuse was alleged to
11	Q. Sorry, forgive me. I'm quite rightly reminded the Act	11	have taken place, how historic it was relative to those
		1	

in question may have fallen slightly earlier than our

our timeframe, so carry on.

incarcerated.

time frame, but, forgive me, the conviction was within

A. The reason that was significant was because prosecuting

counsel said that the officer was able to sexually abuse

When I was conducting research for my book and

beforehand, talking to various people who were around in

a naive assumption that sexual abuse couldn't happen in

prisons because there's so much scrutiny and because

the child at every opportunity whilst the child was

the children's sector -- parliamentarians, policy

officers are not often alone or don't have the

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makers -- what struck me was that there was often

y 2011 for five years for misconduct in ice between 2006 and 2010, after coercing nale prisoner to engage in sexual acts with stablished, I think, that there was a concern officers. Eventually, you were told that s working at Downview had been suspended, or convicted between January 2009 and 13 as a result of sexually inappropriate with women prisoners or a young offender. now when that sexual abuse was alleged to have taken place, how historic it was relative to those acts of suspension or not? Do you have a sense of when roughly it had taken place? A. I believe it was roughly within the preceding five years. When they refer to a "young offender", that means a girl. Q. You have been asked some general questions about the warning signs that indicate somebody may be being abused. I'll just adduce that briefly, if we look at paragraph 39 of your witness statement. These are warning signs in a child's behaviour that you have been asked to comment on that may indicate they're being sexually abused or at risk of it. If we can just bring that up, please, paragraph 39. It is 012. Thank you.

The panel can read there, there's a range of things that

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28 (Pages 109 to 112)

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you have set out there. 1 asked about the barriers to children disclosing sexual 2 2 You say at the end of that page: abuse. I will take this relatively briefly. You have 3 "One of most upsetting aspects of child imprisonment 3 talked about the general difficulties that children have 4 for me is the knowledge that any of the above behaviour 4 in disclosing sexual abuse, and then you have referred 5 could be met with harsh punishment, including long 5 at 44 and onwards to these particular factors that periods in solitary confinement, even if it is 6 perhaps apply in custody. So you have referred to the 6 7 7 a behavioural sign that indicates an underlying abuse statistics about children feeling unsafe. You say: 8 situation." 8 "One obvious child protection question is whether 9 9 there is any process in place for considering moving Is that right? 10 A. Mmm. All this behaviour indicates deep distress and 10 children who tell inspectors they feel unsafe. If 11 anxiety and agitation and fear in children. Yes. 11 protective action is not taken after children report 12 I mean, I use the word "could", but it does. That is 12 feeling unsafe at the moment, what is the purpose of 13 the environment which children are in. 13 asking them this question?" 14 Q. I think you made a point earlier in your statement that 14 You go on to say: 15 I should have adduced before, that at a more fundamental 15 "My extensive research into child imprisonment shows 16 level you say that because we know that a large 16 me that children can be in the most desperate 17 proportion of children who are detained in custody have 17 situations, suffering from profound mental illness 18 18 and/or anguish, terrified of violence, plagued by previously suffered abuse and have been in care and had 19 difficult backgrounds before they come into custody, you 19 bullying and exhibiting numerous behavioural signs of 20 20 make the point that it therefore appears that the Youth distress and still they are kept in the same dire 21 Custody Service is responsible for the care of 21 conditions. I know, from many years of research around 22 22 a significant proportion of teenagers who are already the abusive use of physical restraint, that it is very 23 23 categorised as having suffered significant harm, which uncommon for staff in prisons to break rank and support 24 is perhaps the context in which this should be 24 a child's version of events when he or she reports 25 considered. Is that fair? 25 abuse." Page 113 Page 115 A. Yes, absolutely. This is probably the single biggest 1 1 I think you go on to say that if children see they 2 type of institution in which teenagers, teenage boys, go 2 are being taken seriously, that may give them the 3 who we know who have been officially categorised as 3 confidence to talk to a trusted adult about abuse, but 4 children who have been seriously abused and maltreated. 4 if they have little or no expectation of protection, 5 The other thing to say with that is that that of 5 then they won't. Is that a broad summary? 6 course gives you an insight into -- all children who get 6 A. Absolutely. Again, prisons are the only institution in 7 sent down are terrified. All of their parents, all of 7 which parents are not allowed to see where their child 8 the people that care for those children, are terrified. 8 sleeps, unless their child has died in custody, in which Q All of us here would be terrified if our children were 9 case they are allowed into the cell to collect their 10 to be sent down. 10 belongings. 11 Children who have been raped or sexually assaulted 11 So even children at their absolute most dire need, 12 in other ways, if you can measure terror, are even more 12 where they are being kept and monitored 24 hours in 13 terrified. If you pore over the annual surveys, 13 a gated cell, that is a cell that the door is a gate so 14 published surveys, by the Prisons Inspectorate, which 14 a member of staff can sit there and just watch them the 15 tells you in very good detail of children's experiences, 15 whole time. They could be in what is euphemistically you will see that the children who most fear and most 16 16 called "protective" or "safe" clothing and have nothing 17 feel unsafe -- that's not to deny that they don't -- you 17 in their cell, but still the love and the compassion and 18 know, all children feel unsafe. But it's children who 18 the care and the kindness that a parent or a carer or 19 have been in care, it's disabled children. So it's 19 a social worker may be able to give them is denied to 20 children that have already had serious violations who 20 them. Still they are on their own. So they are 21 are then being put into the most unsafe environment --21 completely and utterly physically isolated, which in 22 the most unsafe type of institution we have in our 22 turn makes them psychologically isolated. 23 23 country. Q. I would like to ask you some questions, please, about 24 Q. Just the last part, please, of your first witness 24 your second witness statement. INQ001765, please. You 25 25 statement, 013, please, internal page 13. You were set out some further details, I think, in your second

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1	witness statement about the difficulty you had in	1	should be referred directly to children's social care
2	obtaining statistics and information from local	2	rather than to the LADOs?
3	authorities. I think you also referred to the NSPCC	3	A. Yes, to the child protection team.
4	research let me pull up the right page for that.	4	Q. Just help the panel understand that recommendation or
5	That's the research at paragraph 2 of your statement,	5	proposal?
6	which reported that in 2011 to 2012 the rate of abuse	6	A. Just to go back to the number of allegations, the total
7	allegations in residential care was 15.41 out of every	7	number of allegations was higher in children's homes and
8	100 children in residential care. The confirmed abuse	8	secure children's homes, but of course there's more
9	rate was found to be 3.34 out of every 100 children. So	9	institutions. So if you look at the actual number of
10	about 20 per cent of allegations resulted in confirmed	10	institutions per the allegations, custodial institutions
11	abuse. What did you draw from that, as far as the	11	were way above any of the other category of institutions
12	custody setting is concerned?	12	in terms of
13	A. Well, the NSPCC did not disaggregate, so that was the	13	Q. I think you
14	motivation for Article 39, to ask the local authorities	14	A allegations.
15	for disaggregated data for the different settings.	15	Q had, overall, four institutions over three years
16	Q. Because of your request then I think is this	16	generated 241 abuse/neglect allegations; is that right?
17	right? you found out that you many local	17	A. That's right, yes.
18	authorities were not able to give you clear data and	18	Q. Then help us, please, with your proposal in relation to
19	also many used outcome headings, which you have	19	direct referrals from the custodial institution to
20	described as being in guidance drafted for schools and	20	children's social care, not to the Local Authority
21	colleges, that you don't consider, I think, are	21	Designated Officers?
22	appropriate. So they were described as "substantiated",	22	A. So the Local Authority Designated Officers deal with all
23	"malicious", "false" and "unsubstantiated"; is that	23	questions, concerns, allegations relating to children
24	right?	24	who come into contact with sports coaches, play groups,
25	A. That's correct. There is no dedicated statutory	25	schools, colleges, right up to prisons. So the whole
23	71. That's correct. There is no dedicated statutory	23	schools, coneges, right up to prisons. So the whole
	Page 117		Page 119
		1	
1	guidance for local authorities on how to respond to	1	range of environments.
2	allegations from institutional settings.	2	The vast majority of children who the LADOs will be
2 3	allegations from institutional settings. Working Together, which is the statutory guidance for	2 3	The vast majority of children who the LADOs will be advising settings on go home to their families at night
2 3 4	allegations from institutional settings. Working Together, which is the statutory guidance for responding to abuse allegations generally, is written	2 3 4	The vast majority of children who the LADOs will be advising settings on go home to their families at night or are not in institutional settings.
2 3	allegations from institutional settings. Working Together, which is the statutory guidance for responding to abuse allegations generally, is written essentially for investigations and caring and looking	2 3 4 5	The vast majority of children who the LADOs will be advising settings on go home to their families at night or are not in institutional settings. So the risk for the — and it has been borne out by
2 3 4 5 6	allegations from institutional settings. Working Together, which is the statutory guidance for responding to abuse allegations generally, is written essentially for investigations and caring and looking after children who have been abused in families, within	2 3 4 5 6	The vast majority of children who the LADOs will be advising settings on go home to their families at night or are not in institutional settings. So the risk for the — and it has been borne out by the data collection that I did — the risk for
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1	be a referral directly to Children's Services; is that	1	You explain the FOI requests and so on that you made.
2	right?	2	There is a series of findings along the lines we have
3	A. Yes. The last three or four revisions of	3	been talking about, about the number of areas that were
4	Working Together, including the most recent, which	4	providing information to you.
5	I think came out last week, has repeatedly said all new	5	I think where you reach your observations is
6	LADOs should be qualified social workers. So they have	6	internal page 10, section 8. You distil it into some
7	never actually said, "From this point in time, they	7	key recommendations that I would like to go through.
8	should be qualified social workers". So there is no	8	Recommendation 1. That the Department for
9	requirement because post holders presently, and it also	9	Education, as the government lead on child protection
10	says that if they move from other local authorities into	10	and safeguarding, and inspectorate bodies, consider the
11	a different authority as a LADO, that new requirement	11	routine publication of data on abuse allegations and
12	doesn't apply to them.	12	outcomes relating to all children's institutional
13	Q. If I can just take you back to paragraph 47 of your	13	settings.
14	first statement, because I'm trying to pull out here the	14	Recommendation 2, on the next page, I think this
15	sort of recommendations or proposals you're perhaps	15	reflects what we have already talked about, that there
16	making, paragraph 47 is INQ001073_014. You are of	16	be developed by the Department for Education distinct
17	the view, I think, that it is child protection	17	guidance for local authorities on responding to
18	professionals who should carry out the investigation	18	institutional abuse allegations, bringing together the
19	into allegations, and if we look, please, in 47, that's	19	known barriers which can prevent children in
20	one of a series of recommendations you are making here.	20	institutions from being heard and being believed and
21	Article 39 has as a key objective, perhaps broader	21	advice on creating a safe and fair and inclusive
22	objective, pressing for dedicated statutory guidance on	22	process, which would cover a range of issues about, is
23	responding to institutional child abuse allegations;	23	it right that local authorities don't have the power to
24	secondly, or perhaps as part of that, there is	24	remove children from custody; for example, should
25	a proposal that child protection professionals	25	independent advocates be automatically informed what
	Page 121		Page 123
1	investigate the allegations independent of	1	kind of support should a child living in an institution
2	the institution; third, that children will receive	2	be offered? Some kind of statutory guidance across the
3	high-quality support from independent advocates and	3	institutions generally, but would obviously apply to
4	appropriate protective action taken, including	4	custody. Is that right?
5	potentially moving them to a safer setting. Is that	5	A. Absolutely, it would be general but it would look at the
6	a sort of summary of some of the proposals you are	6	particular barriers that present themselves for
7	making?	7	different types of institutions or backgrounds or
8	A. Yes, absolutely. The referrals to LADOs can be	8	characteristics of children. So all of the knowledge we
9	concluded and recorded the outcome recorded as false	9	have gained collectively over the last 50 years, but,
10	or unsubstantiated without the child ever being seen.	10	say, 30 in particular, there's a huge as this
11	The child protection system we have in place for	11	inquiry as everybody else would know, there is a huge
12	families should equally there shouldn't be	12	amount of knowledge and intelligence about keeping
13	a second-tier child protection system for children in	13	children safe in institutions and what helps children to
14	institutional settings. They should be given the same	14	get the help to which they are entitled, and that should
15	level of attention, of support and skilled interviewing	15	be distilled in that guidance.
16	and work with them by people who know how to listen, how	16	Q. Your third recommendation over the page, please, is that
17	to be with children, how to pick up signs from children,	17	the Department for Education commission qualitative
18	how to work with children over time, to help them feel	18	research into children's experiences of the child
19	safe enough to talk about what's happening to them.	19	protection system when they are living in institutional
20	Q. Can I take you now, please, to your very	20	settings. The role of independent advocacy ensuring
21	recent November 2017 briefing paper by Article 39. It	21	children are heard and taken seriously should be part of
22	is INQ001412. It is headed "Abuse in children's	22	this research. Because I think you think there is a gap
23	institutional settings: how much is known?". I think	23	there. Is that right?
24	you have built on some of the statistical analysis that	24	A. Yes. If I may, I will just go back to one of my very
25	you have got. You set out some background in the paper.	25	earlier roles in my career, when I was a children's
23	jumane got. Tou out out some outraground in the paper.	23	carner roles in my career, when I was a clinuren s
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rights officer. These were posts that were set up from the late '80s onwards in response to the widespread revelations of abuse in children's homes, and it was our job to make sure that children would never again stand alone and be silenced and be pushed over by the organisations and stepped over, and I'm not being alarmist in the use of the words that I'm choosing.

One of the parts of my role was, whenever a child alleged abuse in foster care or residential care, that I was automatically notified -- not the detail, because of their right to privacy, but I was told and then I proactively went to see the child to remind them that I was their children's rights officer and I was there to help them get the protection to which they were entitled, and I attended meetings of professionals and also for athat the child was present, in order to make sure that the child was visible in all settings, whether they were truly there or being discussed. That's a really key safeguard. I have to say, having moved into that role from being a child protection social worker, that was a huge learning for me. As a child protection social worker, I was respected, I was seen as somebody who was very skilled, very experienced at hearing from children, at helping children to speak, to get help, very child focused.

they should be in secure children's homes, which are welfare based and about meeting their needs and protecting them and helping them to change their behaviour. So that's my starting point.

Q. You make the point at 21 of your second statement that where detention is genuinely a last resort as required by article 37(b) of the UN Convention on the Rights of the Child, if anywhere, you believe children should be in secure children's homes, if anywhere?

A. Absolutely.

Q. If that isn't the case, what is the view would you would like to offer on the Howe & Co proposals?

A. The child custodial safeguarding authority, I think that's worth exploring but not just for custody. It's worth exploring whether in policy terms there is a gap of a body that has oversight of the safety and protection of children in institutional settings.

The oath I think also is very interesting and it could be part of thinking about whether the duty of candour which exists in health settings, including institutions, mental health inpatient units and hospitals, whether something similar, merging the two, the oath and the duty of candour, something could be formulated for all children's settings.

Obviously I fully endorse that pain-inducing

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When I moved into being a children's rights officer, other professionals treated me with great -- children responded much, much more positively to my new title, but other professionals were suspicious, hostile, they tried to close down spaces where I could advocate for children who were alleging abuse in residential or foster care, and that was a huge learning about the power of organisations and institutions and professionals coming together and losing sight of what it is we're all there for. Q. Then finally on the subject of reform, can I bring up,

please, INQ001751, which is the list of proposals provided by Howe & Co that I believe you have had a chance to consider, Ms Willow. Can you give us your views on any of the reforms that you'd like to comment

A. They are very good, and I can go through some of them. But I just want to preface that by saying I absolutely don't believe that custodial institutions can be reformed.

21 Q. At all?

22 A. At all. I believe, and I'm not alone in this, 23 and it's supported by international law and human rights 24 standards, that children who absolutely cannot live 25 safely, for them or others, within the community, that

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1 restraint and the chemical use of restraint, when not in 2 a health setting and not part of dignified healthcare, 3 should be prohibited.

Violence reduction coordinator. I'm thinking of 5 a different setting, so not within prisons, because I don't think they can be reformed, and that's many, 6 7 many years of researching and being close to the area. That proposal would work in secure children's homes and 9

in other settings that children are.

The emphasis on good quality training is of course fundamentally important.

Q. Pausing there, if I may, for the sake of completeness, can I adduce INQ001747_025, which is page 71 of your book, where you deal with training issues, and you make the point that working with children in close proximity, in particular these very vulnerable children, is a highly skilled and demanding job. You make the point that social workers train for three years in order to do

A. I mean, I trained for four years, but I think it's three

Q. Child psychiatrists train for a minimum of 13 years, you say. Carry on, please?

A. Yes, and I believe it's still the case that in penal settings the only mandatory training is on the

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32 (Pages 125 to 128)

coulture at Medways to earbiest fire for left that they on the minimisting and managing physical restraints there are no qualifications required on entry. Q. We are exettainly trips to explore those issues, but thank you. Carry on with the Howe & Co proposals, please. A. So the complaints form. That has been an ongoing issue that children — it is an adult system that has been as made as the trips. He was a considered in the case of the third with the six of which it is an adult system that has been as made as the complaints form. That has been an ongoing issue that children — it is an adult system that has been as understanding the complaints form. That has been an ongoing issue that children — it is an adult system that has been as understanding to the complaints form. That has been an ongoing issue that children — it is an adult system that has been an ongoing issue that children — it is an adult system that has been as the complaints form. That has been an ongoing issue that children — it is an adult system that has been an ongoing issue that children — it is an adult system that has been an ongoing issue that children — it is an adult system that has been an ongoing issue that children — it is an adult system that has been an ongoing issue that children — it is an adult system that has been an ongoing issue that children — it is an adult system that has been an ongoing issue that children — it is an adult system that has been an an angle of the children — it is an adult system that has been an an angle of the children — it is an adult system that has been an an adult system that has been an an adult system that has been an angle and the children — it is an adult system that has been an analysis of children who are presently in the following after them that has been an advertised that h	1		,	culture at Madayay to anable staff to feel that they
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1		1	would like to wisk out from those? If you are content
1	get to those "not substantiated" or sometimes	1	would like to pick out from those? If you are content
2	"malicious" if there's a number of prison officers	2	to proceed for a few more minutes, then her evidence
3	versus one individual child.	3	will be finished, I think.
4	Q. I think you have made the point in your second statement	4	THE CHAIR: Yes.
5	that, as far as CCTV is concerned, you're a bit more	5	MS HILL: Is there anything else on the Howe & Co proposals
6	ambivalent because of the privacy issues for children;	6	that you would like to bring out?
7	is that right?	7	A. Very comprehensive and I respect it.
8	A. Yes. Fundamentally, you know, prisons are not safe, so	8	Q. Very briefly, then, from me, I would just like to
9	having to sleep at night, you would need cameras	9	formally adduce some parts of your book, if I may. We
10	absolutely everywhere, and that would be	10	have provided copies of certain parts of your book, just
11	a disproportionate breach of children's privacy. They	11	to adduce it formally, it is INQ001747. Internal page 1
12	need to be in a safe setting and cameras need to be used	12	I think is your introduction. Can I then go through,
13	when there are periods of conflict, or restraint is	13	please, to internal page 71, which is underscore
14	used, or there's other practices that the individuals	14	internal 25, sorry, it is the book page 71 but internal
15	involved in those incidents know that there will be	15	25, where you have given the evidence that I took you to
16	monitoring and scrutiny and learning from the incident	16	about training that the panel can have regard to.
17	with the child.	17	There is then a section in your book, the next page
18	Q. May I just put to you, and I'm sorry that we don't seem	18	down, the book page 73 sorry about the scribbling on
19	to have this copy, but is this right, that in one part	19	the right-hand side. This is your chapter, is it not,
20	of your book, between pages 243 and 257, you deal with	20	about the impact of strip searches in particular on
21	how allegations of abuse are investigated and you just	21	children who have experienced prior abuse; is that
22	conclude, I think, this section by saying:	22	right?
23	"Unless corroborative CCTV evidence exists, or	23	A. Mmm.
24	a member of staff backs up the allegation, my impression	24	Q. That runs through to your page 97, our internal page
25	is that it's virtually impossible that a child will be	25	numbering 50.
	70		70 445
	Page 133		Page 135
1	believed when alleging abuse in a penal environment."	1	Then can I go, please, to our internal 51, where
2	Is that right?	2	there are two pages where you talk about the size of
3	A. Absolutely.	3	establishments, where I think broadly you make the point
4	Q. It shows the importance of it for investigative purposes	4	that in your view well, what do you say the
5	as well; is that correct?	5	relationship is between size and safety?
6	A. It is. But going back to when I was a child protection	6	A. Children feel safer in smaller establishments. They can
7	social worker, and child protection social workers today	7	build up closer relationships, trusting relationships,
8	with children in families, we don't go in expecting	8	with staff in smaller establishments. It's very clear
9	video footage in order to believe children in all other	9	to people going to work in smaller establishments that
10	settings. So it does we have got to a very low point	10	these are loving, caring environments. They are not
11	where a child can only be believed, truly believed, if	11	formal, institutionalised, militarised institutions
12	there is something on screen or audio that backs up what	12	where there is a very marked power differential between
13	they're saying.	13	children and adults.
14	I want us to be in a position where children's	14	So in terms of being able to develop and maintain
15	integrity is not automatically questioned. We are not	15	a therapeutic environment, internationally it is
16	there, and children will be in prison next week and the	16	recognised that it needs to be smaller establishments.
17	week after, so until we close the child prisons, of	17	It's recognised here. That is the nature of our
18	course we need these really last-resort methods. But it	18	secure children's homes.
19	is not a solution. I don't want children to only feel	19	Q. I think you made the point that where the then Justice
20	that they will only be believed if there's something on	20	Secretary Chris Grayling had said to the Parliamentary
21	a screen.	21	Human Rights Committee that he wasn't aware of any
22	MS HILL: Chair, I see the time. I have about two or three	22	research that showed a link between the size of an
23	minutes' worth of questions, unless Ms Willow has	23	establishment and its safety, that that cannot have been
24	anything else to say on the Howe & Co proposals that you	24	based on a proper understanding of the material; is that
25	would like to come back on. Is there anything else you	25	right?
	Page 134		Page 136

1	A. It clearly wasn't.	1	MS HILL: Perhaps until 3.15 pm, chair?
2	Q. You have given further information, beginning at	2	THE CHAIR: A little longer, 3.20 pm.
3	page 138, our internal 053, about the use of force in	3	MS HILL: Thank you.
4	particular, and you have given some examples of what	4	(3.06 pm)
5	your understanding is of the pain techniques that we	5	(A short break)
6	have heard a little bit about. Yes?	6	(3.21 pm)
7	A. Mmm.	7	MS HILL: I call, please, if I may, Katherine Willison.
8	Q. Do you have any particular view on pain-induced	8	MS KATHERINE WILLISON (affirmed)
9	techniques that you want to offer?	9	Examination by MS HILL
10	A. Intolerable for children. The UN Torture Committee, the	10	MS HILL: Thank you, Ms Willison. You are
11	UN Committee on the Rights of the Child, the European	11	Katherine Willison; is that right?
12	Torture Committee, the Joint Committee on Human Rights,	12	A. I am, yes.
13	the Prisons Inspectorate, the four UK Children's	13	Q. You have provided this inquiry with three witness
14	Commissioners, anybody from a children's perspective and	14	statements dated respectively 7 July 2017, 1 May 2018
15	a human rights perspective that have looked at this have	15	and 15 June 2018, respectively DFE000581, 594 and 596,
16	said it cannot be permitted that, in order to restrain	16	and you refer back to a statement of your colleague,
17	a child, you deliberately set out to severely hurt them.	17	Ann Gross, dated 14 October 2016, DFE000591. Chair,
18	Q. I think you have covered quite a lot of detail in this	18	with your leave, I formally adduce all those statements.
19	in your book up to page 153. You have dealt with the	19	Thank you very much.
20	issue of contact with families from our internal	20	Ms Willison, you are employed by the Department for
21	page 68, your book page 163, where you have set out	21	Education as the Director of Children's Social Care,
22	a range of concerns about children not being able to	22	Practice and Workforce; is that right?
23	have sufficient contact with their families; is that	23	A. Yes, that's right.
24	right?	24	Q. You have worked for the DfE since June 2015, and I think
25	A. Mmm.	25	been in your present role since April 2017?
	72		70 140
	Page 137		Page 139
1	Q. Then finally on our screen, internal page 083, is your	1	A. Yes, that's correct.
2	concluding chapter called, I think, "They shouldn't be	2	Q. You are responsible for the DfE's work in respect of
3	there", perhaps symbolising the thrust of your overall	3	child protection and safeguarding, family law, children
4	position. Is that right?	4	in care, adoption and children and family social work
5	A. Yes. Can I say one thing about families, in terms of	5	reform?
6	the level of mistrust there is within the penal setting?	6	A. Yes, that's right.
7	The last child to die in custody was in 2015,	7	Q. You are effectively here to make a statement on behalf
8	Daniel Adewole, and he died from epilepsy, and he'd	8	of the DfE, who are a core participant in this
9	missed a paediatric appointment because his family knew	9	particular institution investigation?
10	the date of the appointment, and the prison procedure is	10	A. Yes, that's right.
11	that families must not know when prisoners have external	11	Q. You have come to give evidence broadly to cover topics
12	appointments because it's a security risk.	12	such as the overall role of the Department for Education
13	Q. Then the final part of your book that I wanted to adduce	13	in child protection and safeguarding, but perhaps with
14	is a section beginning on page 211 that runs through to	14	a particular focus on how that applies to these three
15	229 that deals with the level of violence and physical	15	different institutions. Is that fair?
16	incidents that are there in prison. The heading you	16	A. I think that's right, although it should probably be
17	give in that chapter is "The violence is unbelievable".	17	clear that my department does have oversight for secure
18	That's perhaps a context for some of what you have said	18	children's homes, it doesn't have oversight of youth
19	today?	19	offending institutions or secure training centres.
20	A. And a child said that, yes.	20	Those are the responsibility for the
21	MS HILL: Chair, those are all the questions I have for	21	Ministry of Justice. So I can talk in some detail
22	Ms Willow, unless there is anything you or the panel	22	around the practice in secure children's homes. I don't
23	would like to ask.	23	have expertise in the practice
24	THE CHAIR: No, there are no questions from us. Thank you	24	Q. No, the focus of your evidence is very much as to secure
25	very much, Ms Willow.	25	children's homes
	T		D
	Page 138		Page 140
			35 (Pages 137 to 140)

1		_	
1	A. That's correct.	1	A. It's a statutory document which local authorities and
2	Q but some of the guidance we are going to hear about	2	all the other bodies that work with children must have
3	like Working Together	3	regard to in carrying out their functions.
4	A. Absolutely	4	Q. I think you have made it clear that this applies across
5	Q and things like that, applies?	5	all three types of institutions within the secure
6	A Working Together covers all three. The oversight	6	estate
7	that I have covers secure children's homes, yes.	7	A. Yes.
8	Q. Help us, please, with this, just very briefly: overall,	8	Q not just secure children's homes. Is that right?
9	the DfE's responsibility for child protection and	9	A. That is correct, and the document itself specifies that
10	safeguarding is to set the legislative and policy	10	in chapter 4, where it is very clear that it applies to
11		11	
12	framework. Is that broadly right?	12	all three types of institution.
13	A. Yes, that's correct.	13	Q. I think we have in the bundle we can bring up
	Q. Do you want to give any particular features of	1	the April version, INQ001610_001, please. I'm sure the
14	the current legislative and policy framework that you	14	panel are familiar with this, but they perhaps can just
15	think the panel need to be aware of, apart from perhaps	15	look go to the internal page 72, which deals with the
16	Working Together that we will come to?	16	secure estate. You can see I'm sure the panel have
17	A. Yes.	17	looked at this document in other investigations that
18	Q. Is there anything in particular? I know you have given	18	it covers just to help orientate the panel, a whole
19	a lot of legal background. We can see this is at	19	range of topics around assessing need, providing help
20	section 1(a) of your statement. Perhaps we can bring up	20	A. There is nothing on the screens.
21	DFE000581_002. You have set out quite a bit of	21	Q. I'm sorry, forgive me. I'm getting to that page anyway.
22	information about the role of the department?	22	I think we can agree amongst ourselves that there is
23	A. Yes. I mean, I think it probably is fairly clear from	23	some generic information at the beginning of
24	my statement. The Secretary of State overall in the	24	the document that goes up to the end of chapter 1 that
25	1989 Children Act has a duty to promote the well-being	25	deals with section 47 enquiries, how to carry out an
	Page 141		Page 143
	1.100 1.11		1 1150 1 10
1	of all children, but that Act also gives statutory	1	assessment, all those sort of overarching themes?
2	responsibilities to local authorities, and that is how	2	A. That's right.
3	often the Secretary of State's responsibilities are	3	Q. When we get to chapter 2, there are a range of
4	carried out in practice, to protect the rights of	4	institutional sections, and I think we are helpfully now
5	children and to support children who are in need of	5	in the section on the secure estate that's on internal
6	safeguarding or protection.	6	page 72. Is that right?
7	Q. Then please just explain to the panel, though I'm sure	7	A. That's right. It might help the panel, and I'm afraid
8	this is familiar, what is the status of Working Together	8	I have a copy of the July document, so I'm afraid
9	as a document?	9	I can't be in front of me, which is probably not
10	A. Yes. I'm afraid the timing of this is quite complex.	10	helpful in terms of page numbering, but at the beginning
11	Literally in between the statements I made to you, the	11	of that chapter 2 it also sets out the overall
12	first statements were made when Working Together to	12	responsibilities that all of those individual
13	Safeguard Children 2015 was still in force. It was only	13	organisations are subject to. In my copy it's pages 56
14	last week, I believe, that we published a revised update	14	and 58. If you go to the beginning of chapter 2, that
15	to that, Working Together to Safeguard Children 2018.	15	should take you there.
16	Before that, there was a period of consultation on that	16	Q. I think if we go to 61 in our copy, that's a similar
17	document, so you may also have in your witness bundle	17	point, I think.
18	a document dated April. That was the consultation	18	A. That just gives you a helpful list, I think, of
19	document and that is now replaced and the statutory	19	the obligations that are covered by all of the bodies in
20	guidance which is in force and the regulations were	20	the secure estate.
21	passed is the one dated July 2018 and that is the one	21	Q. So we can see sorry, to go back to internal 61,
22	that will continue and is in practice and in force now.	22	I think what you are saying is that the list of bodies
23	Q. Just help the chair and panel briefly with what its	23	at paragraph 3 on internal 61 is the same in the latest
24	status is as a legal document, if you like? How does it	24	version; is that right?
25	fit in terms of obligations or guidance?	25	A. That's correct, yes, no change there.
	Page 142		Page 144

1	Q. That is a standard phrase that hasn't changed	1	a local authority. It is a fairly substantial section.
2	A. That's right.	2	MR FRANK: Page 46, if that helps.
3	Q that a section 11 of the Children Act duty is placed	3	MS HILL: Of the 2018, the April version?
4	on all those bodies including governors and directors of	4	MR FRANK: There is another one there are several.
5	YOIs, directors of secure training centres?	5	MS HILL: I think there are a few flowcharts that deal with
6	A. That's correct. If you go to the next paragraph, it	6	things like child protection plans and so on. I'm
7	sets out the expectations at the top.	7	looking for the more generic one about institutional
8	Q. Paragraph 4 is what those key arrangements have to be?	8	response that would apply in custody. I may be
9	A. That's right.	9	misremembering. Perhaps I can come back to that. Not
10	Q. The panel can just scroll in on section 4. It goes over	10	to worry.
11	to the next page. Those are of generic application,	11	As far as your concern, then, let's move on to the
12	I think, aren't they?	12	discrete responsibilities about the different
13	A. They are.	13	institutions, if I may. Help us with formally, please,
14	Q. All around accountability, listening, whistleblowing,	14	what you say at paragraphs 4 to 11 of your statement,
15	safe recruitment, and so on?	15	your second statement, about the extent of the DfE's
16	A. That's right, yes.	16	responsibility for YOIs and STCs?
17	Q. Then we do get to the internal 72, which is the secure	17	A. Sorry, I'm not sure I understand the question.
18	estate section?	18	Effectively, our responsibility is that we don't have
19	A. Yes.	19	direct oversight of what happens in those institutions.
20	Q. I think this perhaps just makes it very clear, does it,	20	The oversight is carried out through Working Together
21	that this applies to all types of institution, the three	21	and that overarching framework.
22	that we are looking at STCs, YOIs, SCHs Secure	22	Q. I think if you look on the table in front of you,
23	College or School, if in fact they are in existence, and	23	Ms Willison, you will find a question that flows from
24	then it goes on to deal with the work with youth	24	that I have been asked to ask you from Howe & Co.
25	offending teams	25	I don't know if you can find a loose piece of paper
	Page 145		Page 147
		١.	4.0
1	A. That's right.	1	there?
2	Q who feed into the custodial estate?	2	A. Yes, I have that.
2	Q who feed into the custodial estate?A. And secure children's homes would be covered by the	2 3	A. Yes, I have that.Q. I think, following on from that, our understanding from
2 3 4	Q who feed into the custodial estate?A. And secure children's homes would be covered by the paragraph before under "Children's homes".	2 3 4	A. Yes, I have that.Q. I think, following on from that, our understanding from your evidence is that the DfE's responsibility does sort
2 3 4 5	 Q who feed into the custodial estate? A. And secure children's homes would be covered by the paragraph before under "Children's homes". Q. As specified also in paragraph 38? 	2 3 4 5	 A. Yes, I have that. Q. I think, following on from that, our understanding from your evidence is that the DfE's responsibility does sort of end at setting the legal framework for these
2 3 4 5 6	 Q who feed into the custodial estate? A. And secure children's homes would be covered by the paragraph before under "Children's homes". Q. As specified also in paragraph 38? A. Yes. 	2 3 4 5 6	A. Yes, I have that. Q. I think, following on from that, our understanding from your evidence is that the DfE's responsibility does sort of end at setting the legal framework for these institutions. I think the question that's being put to
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2 3 4 5 6 7 8 9	 Q who feed into the custodial estate? A. And secure children's homes would be covered by the paragraph before under "Children's homes". Q. As specified also in paragraph 38? A. Yes. Q. Is there anything else in particular from Working Together that you feel the panel need to understand for the custodial framework? 	2 3 4 5 6 7 8 9	 A. Yes, I have that. Q. I think, following on from that, our understanding from your evidence is that the DfE's responsibility does sort of end at setting the legal framework for these institutions. I think the question that's being put to you, if you go to the second page of this, you will see that your own witness statement is quoted in italics? A. Yes.
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2 3 4 5 6 7 8 9 10 11	 Q who feed into the custodial estate? A. And secure children's homes would be covered by the paragraph before under "Children's homes". Q. As specified also in paragraph 38? A. Yes. Q. Is there anything else in particular from Working Together that you feel the panel need to understand for the custodial framework? A. Not other than it does seek to put in place a protective environment with a certain basic set of rules around training and safeguarding and the need to have policies 	2 3 4 5 6 7 8 9 10 11 12	 A. Yes, I have that. Q. I think, following on from that, our understanding from your evidence is that the DfE's responsibility does sort of end at setting the legal framework for these institutions. I think the question that's being put to you, if you go to the second page of this, you will see that your own witness statement is quoted in italics? A. Yes. Q. Then the point is made that the witness statements indicate for the MoJ that the YCS has taken on responsibility for the safeguarding aspect of youth
2 3 4 5 6 7 8 9 10 11 12 13	 Q who feed into the custodial estate? A. And secure children's homes would be covered by the paragraph before under "Children's homes". Q. As specified also in paragraph 38? A. Yes. Q. Is there anything else in particular from Working Together that you feel the panel need to understand for the custodial framework? A. Not other than it does seek to put in place a protective environment with a certain basic set of rules around training and safeguarding and the need to have policies on those that should be in place across the entire 	2 3 4 5 6 7 8 9 10 11 12 13	 A. Yes, I have that. Q. I think, following on from that, our understanding from your evidence is that the DfE's responsibility does sort of end at setting the legal framework for these institutions. I think the question that's being put to you, if you go to the second page of this, you will see that your own witness statement is quoted in italics? A. Yes. Q. Then the point is made that the witness statements indicate for the MoJ that the YCS has taken on responsibility for the safeguarding aspect of youth custody.
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1	framework. That then is in place and we expect the	1	them into Working Together might be possible to do that,
2	different institutions who are covered, that framework,	2	but the wholesale movement of those institutions and the
3	to meet their legal obligations which are set out in	3	oversight of them to the Department for Education
4	Working Together. The Department for Environment the	4	I think would be a more considered a more significant
5	Department for Education does not effectively police	5	shift.
6	that. The oversight of the institutions, YOIs and	6	I should also say I think what you would probably be
7	secure training centres, that oversight is carried out	7	looking at there is a machinery of government change as
8	by the Youth Custody Service and that reports up to the	8	well, in terms of responsibilities between departments,
9	Ministry of Justice.	9	and that would be something that would be for the
10	Q. So is what you are trying to say, then, that your	10	Prime Minister effectively to decide because government
11	responsibility for safeguarding in these two first types	11	responsibilities and how they flow down into the
12	of institutions is to set the standard in	12	effectively different sectors is something that the
13	Working Together?	13	Prime Minister essentially decides the remits of
14	A. That's right.	14	different departments. So you would also be looking at
15	Q. But implementation of that	15	a change of that nature.
16	A. Yes.	16	Q. Thank you. I think coming back to your statement, if
17	Q through those particular institutions is with the	17	I may, is it fair to say look, please, at your first
18	YCS?	18	statement, that ends with 581. We don't need to bring
19	A. Yes, that's right.	19	it up on screen at the moment. Is it fair to say,
20	Q. Then if you look at the specific questions at the foot	20	Ms Willison, that statement offers a very high-level
21	of page 2, please, here, in order to make possible	21	understanding of what the DfE's work is to do with
22	changes which might be recommended by the inquiry,	22	children and gives the inquiry information about various
23	simply by way of example, the suggestions around things	23	projects to do with child sexual exploitation and things
24	like the oath that staff members might take, specialist	24	across the whole range of the spectrum to do with
25	training, and so on, I think what's being asked is how	25	children?
	Page 149		Page 151
1	is that to be brought into effect practically? Is it	1	A. Yes, that's right.
2	something that is within the YCS responsibility or the	2	Q. I'm not sure there's anything specific in that first
3	Department for Education responsibility? I think that's	3	statement that applies directly to custody, but if there
4	what it's aiming at, isn't it?	4	is, please let me know?
5	MR STEIN: The points we are seeking to consider are the	5	A. I don't think there is. That was a broad statement
6	procedural steps that would need to be taken to put	6	that, as I understood it, didn't apply to individual
7	these matters into place, so the oath might be a matter	7	strands but was the overall flavour of our
8	that could be written into a contract, whereas on the	8	responsibilities.
9	other end of the scale, major change, such as removing	9	Q. There is one detail you can bring up at the foot of
10	the child custodial estate from the	10	internal 12, DFE000581_012, just because it happens to
11	Ministry of Justice and putting that into the Department	11	be an institution we are looking at. 7.7 at the bottom,
12	for Education, would, I assume, take primary	12	in Aycliffe. As it happens, it's one of the six
13	legislation. So it is the steps that are required to	13	custodial institutions we are looking at. At 7.7
14	get such matters put into place: the committee that	14	I think that is one of the places where some innovative
15	would be required to review it, to consider it and make	15	work around CSE is being done. Is that right?
16	the changes, on one level, and then through to the major	16	A. Yes, I believe so, yes.
17	steps on the other.	17	Q. Moving then to your second statement, please, then,
18	MS HILL: Can you help with that, Ms Willison?	18	which you will have in your bundle. It's the one ending
19	A. I can't help. I'm afraid I haven't had sufficient	19	594. We have dealt with the provisions of
20	warning to consider what the legal position would be on	20	Working Together. I think we have covered that already.
21	changing that. I'm afraid I would need more warning to	21	Is there anything else from your second statement that
	- 9 9 · · · · · · · · · · · · · · · · ·	1	you feel I need to have regard to or can draw out for
22	consider that. I imagine it is extremely likely it	1 22	
22 23	consider that. I imagine it is extremely likely it would need primary legislation, but I can't say that	22 23	
23	would need primary legislation, but I can't say that	23	the panel?
		1	the panel? A. Can you tell me the date of that one, please?
23 24	would need primary legislation, but I can't say that with authority. I think there are some things here that if you wrote	23 24	the panel? A. Can you tell me the date of that one, please? Q. 1 May. It mainly deals with Working Together, I think,
23 24	would need primary legislation, but I can't say that with authority.	23 24	the panel? A. Can you tell me the date of that one, please?

and the fact that the responsibility for the DfE is 1 1 Q. Give us, please, the headline figures there? Do we see 2 limited to that as far as YOIs and STCs are concerned? 2 at the end of your paragraph 5 on 000596_002, we see in 3 A. Yes, that tries to put on the record the relationship of 3 terms of the March 2017 figures, 389,430 children 4 the department to children's homes, YOIs and STCs, so, 4 identified as being in need, a decrease of 1.3 per cent 5 no, I don't have anything to add to that. 5 from the previous year. We have got the numbers of 6 Q. Then as far as your third statement is concerned, you 6 children who were subject to a child protection plan or 7 7 explain, if you turn up, please, the 15 June statement, who were looked after. An increase from the previous 8 that the Children and Social Work Act 2017 has led to 8 year. 9 9 some changes of name. Perhaps just explain what that A. Yes. 10 has led to. That's come in since your colleague's 10 Q. Perhaps particularly for our purposes, the children accommodated in SCHs are 203, gone down slightly from 11 earlier statement? 11 12 A. I would say it's probably more significant than simply 12 210. 51 per cent of those were welfare placement 13 13 children and 49 per cent were justice placement changes of name. 14 Q. I wasn't intending to be disrespectful. I'm sorry if it 14 children; is that right? 15 sounded that way? 15 A. That's correct, yes. 16 A. That's fine. I'm very happy to explain. I think the 16 Q. Just while we are in your third statement, please, you 17 most significant change it made was in two areas. The 17 go on to explain a little bit about the memorandum of 18 18 understanding between the DfE and Ofsted. Perhaps we first is to establish a National Safeguarding Panel, and 19 that changes effectively the way that notifiable 19 can go to paragraph 10 of your statement that's on DfE 20 20 000596_004. Tell us a little bit, please, about that incidents are made to the department and how those 21 incidents are considered, and I am happy to talk 21 MOU that I think has been updated recently? 22 22 A. Yes, that's right. It's simply a document that sets out a little bit more about that if that is helpful. 23 23 clearly what the responsibilities and communications The second is the change arrangements for 24 multi-agency safeguarding, so that effectively sets out 24 between Ofsted and the Department for Education will be 25 that Local Safeguarding Children's Boards will 25 around secure children's homes, and there are two main Page 153 Page 155 1 areas in which that would be effectively the case. The 1 transition out over the next year and will be replaced 2 by safeguarding partnerships between local authorities, 2 first is around the notifying incidents to the 3 3 Department for Education. Under regulation 40 of the health and the police, and it tries to make those 4 4 the Children's Home Regulations, secure children's homes partnerships less of a tick-box exercise and more of an 5 effective set of partnerships. There are some other 5 are required to notify Ofsted if a serious event has 6 taken place in that home. What this then also does is 6 small changes it makes, but I think, for the purposes of 7 7 it requires Ofsted to provide the department with this inquiry, those are the significant ones. 8 Q. I think it was me in fact muddling two bits of your 8 information on those events. So that is the first point 9 9 statement. What you are also telling us later in the it makes. 10 statement is that there has been a change in the name of 10 Then the second is to do with sharing around the 11 the minister responsible? 11 secure children's homes effectiveness in the built 12 environment because the Department for Education has 12 A. That's right. I really don't think that's significant. 13 Ministers do change their titles, but we shouldn't read 13 a capital programme which it provides funding to secure 14 14 anything into that. It's just depending on the children's homes to support the safeguarding of 15 Prime Minister at the time and what they want to call 15 children. It pays, for example, for things like CCTV or the minister. 16 for any damage that might have occurred and the 16 17 17 Q. It's now the Undersecretary of State for Children and memorandum covers the exchange of information to allow 18 18 us to carry out -- to target those capital grants Families? 19 19 A. That's right. appropriately. 20 Q. You have given by way of update, please, if I can go 20 Q. I think, for completeness, we do have, on this occasion, 21 back to paragraph 5 of this statement, some further 21 I think the most up-to-date one? 22 statistics to update your colleague's previous 22 A. You do, yes. 23 23 Q. The April 2018 one. It is OFS007942 001. That is the 24 A. I have. We just took the opportunity to update those 24 memorandum of understanding. I think it is relatively 25 25 short, actually, as a document itself. numbers. Page 154 Page 156

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- A. It is.
- Q. Is there anything from the text the panel need to have
 regard to other than what you have explained?
- 4 A. I don't think so, no.
- Q. Help us a little bit with the significance of
 the notifiable incidents changes. How does that impact
 on the sort of issues that we are considering?
- 8 A. I think this is quite a complex area. I'm very happy to 9 seek to explain. Effectively, there are two processes, 10 and they are different, by which incidents are notified 11 to government. The first is the one that I described 12 which was changed under the recent legislation, the 13 Children and Social Work Act, and that put in place 14 a new arrangement whereby local authorities, when they 15 are made aware of an incident in which there is serious
- harm to a child, are under a duty to notify the National
 Safeguarding Panel within five working days of hearing
 about that incident, and there is then a process by
 which the local authority will decide whether to carry
- out a serious case review, and the National Panel will review that position and will decide whether it itself needs to carry out any form of learning review of that
- needs to carry out any form of learning review of that incident.
- That process effectively means that the
 National Panel will have oversight of all the incidents

- our purposes, does that mean, then, that if there are
- 2 incidents of sexual abuse that are reported as such
- 3 notifiable incidents, that this is the beginnings of
- 4 some way of auditing those across this particular group?
 - A. Yes. That should be the case, absolutely. Yes.
- 6 Q. Sorry, carry on with your second --
- 7 A. It is tricky. It does take a while to get your head
- 8 around it. The second relies specifically to secure
- $9\,$ children's homes. In the regulations that govern secure
- children's homes there is a regulation that requires
- 11 registered managers of children's homes to notify Ofsted
- 12 if there has been any serious event that takes place in
- 13 the home. That information is collated by Ofsted and
- used by Ofsted to form lines of enquiry in the way they
- regulate those homes. So they might, for example, look
- at them and decide that at their next inspection, which is carried out every six months, there is a particular
- concern in that home that they will focus on. They
- might, if they are seriously concerned, trigger an
- $20 \hspace{1cm} \textbf{inspection more quickly than they would otherwise do.} \\$
- 21 So those events are ones that are specifically designed 22 to allow Ofsted to have insight into what is taking
- place in those homes and to pursue that as part of their
- 24 regulatory function. So it is effectively a bit of an
- 25 extra oversight over secure children's homes that we

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of serious harm to children that take place across the range of different institutions, because there is also an obligation on Working Together that the institutions covered by Working Together notify local authorities when there is an incident of serious harm.

It will allow the National Panel to have an oversight of those incidents of serious harm, to carry out analysis or trends which concern them and the National Panel can decide either to carry out its own investigation of a particular incident, if it believes there is a national interest, or it will allow it to look at those trends and to identify an issue that it believes is of concern, which could, for example, be abuse in custodial institutions, and then carry out a thematic review of that.

So that is a new process. It came into place at the same time as Working Together and the National Panel has been newly instituted under Edward Timpson and that is an independent body. It has a secretariat supported by the Department for Education but the body itself is independent so it makes its own decisions and it can make recommendations to government. So that is the first process by which notifiable incidents are made to

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Q. Just to pause there, on a -- trying to break it down for

have in place.

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Q. Can I just turn now to some more elements, please, of the legal framework in respect of secure children's

homes. Can I ask you to go back, please, now to the
 statement of your colleague, Ann Gross, DFE000591 005,

paragraph 2.6, please. It may be that we have covered

this already to some degree, but broadly a reminder that secure children's homes fulfil a dual function. There

9 are children on justice placements and children on 10 welfare placements in such premises.

11 If you go down to 2.8, please, your colleague says 12 that those children who are welfare or justice children, 13 secure children's homes providers have the same duties 14 to both welfare and justice children. Is that right?

A. Yes, that's right. So effectively the regulations and the quality standards that apply in children's homes apply to all children in that home irrespective of the route by which --

- Q. How their route in there was.
- 20 A. How they arrived there, yes, absolutely.
- Q. In particular, can I ask you to look at 2.12, which is internal page 7, please. I think that sets what is
- 23 still the key --

A. That's right.

Q. -- legal framework here. There are three -- forgive me,

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40 (Pages 157 to 160)

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that's the person registered with Ofsted, who is defined 1 two main documents. The regulations themselves, the 1 2 2 Children's Homes (England) Regulations and then the under the regulations, and that is a person who has 3 3 guide to those regulations? certain regulatory responsibilities, if I can put it 4 A. That's right. 4 that way, under the regulations? 5 Q. It is those standards that will apply to the justice 5 A. That's right, yes. 6 children and the welfare children? 6 Q. Then if we look further down into that paragraph, they 7 7 must ensure that these regulations are met. There are A. Absolutely. And our understanding of practice in those 8 8 specific responsibilities in relation to staff issues, homes, I might add, is that there is no distinction made 9 9 between those children, and that the staff, indeed, and so on, as set out below. But that is the sort of 10 encourage the children not to make their own 10 governance or regulatory structure? 11 11 distinctions around how they arrived there and their A. Yes, that's right. 12 12 Q. Then just to go scroll down, please, 3.6.2, we have got backgrounds. 13 13 the regulations themselves but they are summarised here, Q. Just going over the page, please, to internal page 15, 14 you give a little more detail about secure children's 14 that these are the ways in which the regulations seek to 15 homes. That there is no minimum age as such, you say at 15 ensure that those children have the benefit of a strong 16 3.5.2. 16 culture of safeguarding? 17 A. Yes. 17 A. That's right. It is probably worth mentioning the 18 Q. Children aged 13 do need a certain level of approval to 18 quality standards at the same time. I mean, there 19 be there or the placing authority would need to get such 19 really isn't time to go through them all, but 20 approval. In some cases, young people who have reached 20 effectively the quality standards set a very strong 21 18 may be accommodated there pending their movement? 21 framework which Ofsted inspects against across a range 22 22 A. That's right. of different areas of the child's life, including their 23 23 Q. SCHs can be provided by the local authorities, by the education, their health, protection, their wishes and 24 voluntary or by the private sector. At the time of this 24 feelings, all of which the registered person and manager 25 statement, there were 14 SCHs in England, one in Wales. 25 are required to ensure that staff work to and that Page 161 Page 163 1 I think those figures have changed slightly but perhaps 1 I think provide a reasonably strong safeguarding and 2 not very significantly. Or have I got that wrong? 2 sort of therapeutic basis for the treatment of 3 A. No, my understanding is those figures are the same. 3 the children. 4 Q. Is that right? 4 Q. Is the summary of the regulations at 3.6.2 here, which 5 A. Yes. Sorry, I must apologise, I don't cover Wales. 5 focuses on things like engaging with the wider system to 6 I only cover England. So the figures for England are 6 ensure children's needs are met, developing positive 7 7 relationships with the child, meeting the health and the same. 8 Q. Thank you. 8 well-being needs of the child, ensuring, if you like 9 9 A. That may well be the difference. It might perhaps just over the page, if we scroll down to internal page 17, 10 be worth adding for the record that obviously all 10 ensuring that staff have the mandatory qualifications 11 children who are sent to secure children's homes are 11 which are level 3 residential childcare for care staff 12 12 sent there by a court order. The provisions for and level 5 in leadership and management of residential 13 under 13s continues to be by court order and there is an 13 childcare, a record of training for employees, that the 14 14 registered manager is a person of integrity and good extra protection where before that court order is sought 15 the agreement of the Secretary of State for Education 15 character, et cetera, that sufficient staff are made 16 must also be sought. 16 available to provide care and continuity. There's 17 Q. I would just like to focus on a couple of the regulation 17 a policy for the protection of children: notify Ofsted 18 provisions that apply, given that you have made clear 18 of any criminal offences that someone employed by the 19 that these apply to justice children and welfare 19 home is convicted of and review the suitability of 20 children. 20 the location. That's the sort of key elements insofar 21 21 as how they might protect a child from sexual abuse are A. Yes. 22 Q. Your colleague sets them out very clearly in the 22 concerned. Is that fair? 23 statement. 3.6.1, please, internal page 16. 23 A. Yes, I was about to say --24 24 Q. I mean, they are much wider than that --A. Yes. 25 Q. There is the concept of the registered person, I think 25 A. -- I think it's a reasonable --Page 162 Page 164

Q. -- but for our purposes -- sorry. 1 terms of how the staff should relate to the children and 2 2 A. I think it is a reasonable summary. As you say, they how they should risk assess and be aware of the risk of 3 3 are much wider than that, but it gives you an oversight abuse. 4 of the areas that they cover, yes. 4 Q. That's internal page 41, please. That sets out the 5 5 Q. For completeness, the regulations themselves I can standard, again in the grey box, but then, as you have adduce, INQ001426. The quality standards that you 6 6 rightly said, gives very clear guidance about, if you 7 7 referred to, Ms Willison, I think are set out in the just scroll down to the next page, please -- about 8 accompanying guide to the regulations. Is that right? 8 working in partnership with others, managing risk, 9 9 a safeguarding culture and ethos on the next page, and A. That's right, yes. 10 Q. That is then, please, INQ001439. We can see, I think, 10 then, perhaps most pertinently for us, on internal 44 at 11 if you look to internal page 2, Ms Willison, the quality 11 the top: 12 standards are all set out on the contents page. You can 12 "Children should be supported by staff to understand 13 see them there easily. Scroll in on them. These are, 13 what abuse is. They should be given information about 14 as I think you've explained, the standards against which 14 how to report abuse. They should be able to access in 15 the institutions are judged? 15 private relevant websites or helplines. They must be 16 A. That's right. If I might add, they are also enshrined 16 listened to and enabled to report any allegations at the 17 within the regulations as well as the guidance, so they 17 earliest opportunity. Staff should report any 18 are in both. 18 allegation of abuse immediately. Any allegation of harm 19 O. But what I think the guidance tries to do is take each 19 or abuse must be addressed in line with the home's child 20 of the --20 protection policy. Clear arrangements in place for the 21 A. That's right. 21 management and oversight of allegations against people 22 Q. -- standards and then say what that means in practice --22 that work with children. Involvement of the LADO", and 23 A. That's right. 23 24 Q. -- is that right? 24 Then policies for the protection of children, and 25 25 specification guidance for children who are missing from A. Yes. Page 165 1 1 Q. Is that a fair way --2 A. Yes, so it gives a little more -- less legislative 2 3 3 explanation of what we would expect to see under those 4 4 standards, yes. 5

home, from the children's home.

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Then perhaps also for our purposes if we go to internal 46, please, a whole section on control, discipline, restraint and behaviour management. I think if we can just scroll down, that restraint guidance continues through page 47 and on to page 48 and on to page 49, and indeed on to page 50, which deals with additional matters. Is there anything else from the guide, Ms Willison, that you think we need to focus on?

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- A. I think I would say it's quite hard to cover it in brief because there is a vast amount in there, so --
- 12 Q. Well, the panel can look at it in due course, but --13
 - A. I was about to say I think I would commend it to you in its entirety because it seeks to provide a sort of very strong safeguarding therapeutic guide for staff in secure children's homes which offers the chance to protect and support children, to educate them, to look after their health. I think, you know, it is really worth spending some time looking at it.
 - Q. The panel can look at that in due course, but it does include some points of detail that we might look at eventually along the lines of, for example, that staff should not generally go in children's rooms without their permission -- that's at paragraph 320, I think.

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- 5 Q. So by way of example, if one looks at internal page 13, 6
 - please, of this guide, as you rightly say, the actual standard is set out in the regulation, the text of the regulation here talks about the quality and purpose of the care, and that's in the greyed-out box, I think. But then I think through the rest of that chapter, if you scroll down just through it, you see several pages that try and put some practical meat on those bones. Is that right?

14 A. Yes.

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Q. Then we see that that runs for several pages. Perhaps we can just go now to internal page 20, which does something similar about the standard, about the need for the children's views, wishes and feelings to be considered, developing positive relationships and things like that?

21 A. Yes.

- Q. That's a pattern that you see throughout that guide?
- 23 A. That's right, and the protection of children standard is 24 also one that I think is highly important for this
- 25 inquiry in terms of the -- what it sets out there in

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42 (Pages 165 to 168)

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1	There is an emphasis on creating positive relationships	1	or the children's home with other agencies
2	and a culture of openness and things of that nature.	2	appropriately, that's something that Ofsted will monitor
3	There is quite a lot in there that is applicable and,	3	under its inspection framework?
4	just to be clear, all of this is what is required of	4	A. Yes, that hasn't been changed by the update to the
5	the justice placement children in the SCHs?	5	legislation, no.
6	A. Absolutely. It applies to all children in those	6	Q. You have given a certain amount of other evidence about
7	placements, yes.	7	the role of other agencies here about local authorities,
8	Q. We can put that to one side now, please. A couple of	8	the LADOs, the Local Safeguarding Children's Board.
9	other points of detail. You explain that part of	9	I think we have probably covered that. I don't propose
10	the DfE funding for secure children's homes is for CCTV.	10	to adduce that in any detail but the panel have your
11	I think the understanding from your evidence is that	11	written evidence about that if need be.
12	that records all the areas except bedrooms and	12	Can I turn to some other discrete topics, please,
13	bathrooms; is that right?	13	one of which is a question that you know has been posed
14	A. Yes, that's right. It seeks to obviously, it is	14	about some of the evidence that came out of the REA
15	difficult at times not to ensure the odd blind spot.	15	analysis about the different systems for monitoring the
16	What we seek to do through our funding is to manage as	16	institutions that are holding children and whether or
17	effectively as possible that all areas are covered other	17	not there is an uncoordinated approach because of
18	than areas where children should be private, ie,	18	the fact that there are different regulatory frameworks
19	bedrooms and bathrooms. We also provide funding for	19	in place for YOIs, STCs and SCHs.
20	updated systems.	20	Can you offer any view on that, on whether or not
21	Q. Can you help with whether it includes any audio or just	21	some reform of that system would be appropriate to
22	video, the CCTV?	22	ensure a more coordinated response?
23	A. It provides video only.	23	A. I think the main view I have on that is that the
24	Q. Is part of the rationale for the use of that CCTV an	24	regulatory and the inspection framework that covers
25	attempt to help keep children safe and keep staff safe?	25	secure children's homes is effectively the same
			·
	Page 169		Page 171
1	A Its only numbers is to sefect and children so that is	1	framework that severs nonseaure shildren's homes
1	A. Its only purpose is to safeguard children, so that is	1 2	framework that covers nonsecure children's homes,
2	very clear, and I believe is set out in our guidance.	2	residential children's homes, and is geared towards
2 3	very clear, and I believe is set out in our guidance. As I said, I commend the guidance to you, it covers so	2 3	residential children's homes, and is geared towards a therapeutic environment that supports the children.
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1	terms of inspecting homes, is that something you can	1	involving staff in children's homes which identified
2	help with or is it better left to the Ofsted witness?	2	a series of skills that staff should have.
3	A. I'm sure they're more expert than me, but I'm	3	This applies across the secure children's home
4	Q. Well, no disrespect to anyone intended, but	4	framework as well; is that right?
5	A very happy to give it a go.	5	
_			A. Yes.
6	Q are you able to assist with that, because this is to	6	Q. To all children's homes?
7	do with	7	A. That's right, yes.
8	A. I can certainly –	8	Q. Are you able to comment on whether, in principle, those
9	Q yes, SCHs.	9	sort of skills are reasonably expected of those working
10	A. I should be able to assist in a broad sense	10	in the other custodial environments?
11	Q. Go ahead.	11	A. I think, again, you're taking me beyond my expertise
12	A it depends how much detail you want.	12	there. Because of that, I don't have oversight of
13	Q. Try to help in a limited sense then?	13	those. I think these are reasonable skills to be
14	A. Sorry, I thought you had a specific question, but you're	14	expected in secure children's homes.
15	inviting me to explain	15	Q. Then the final document, I think, from the DfE to bring
16	Q. It is more about	16	up is INQ001608. This is, again, a document produced by
17	A. Is that right?	17	HM Government, I think, quite broadly; is that right?
18	Q if Ofsted have serious concerns about the way in	18	It is not necessarily a DfE publication. But perhaps
19	which a home is being run, what their sanctions or	19	you can just scroll through to pages 5 and 6. This is
20	powers are?	20	quite general, high-level advice about what to do if you
21	A. My understanding is that they have the power to suspend	21	think a child is being abused and gives, for example,
22	the registration of the home, so they would first go in	22	some indicators of neglect and abuse, and so on.
23	and provide detailed recommendations for a home to make	23	Would you feel confident that staff working in
24	improvements, they would set a fairly limited timetable	24	secure children's homes were fully aware of these fairly
25	for that to happen. If there were concerns that those	25	basic principles, perhaps, in this guidance?
	Page 173		Page 175
	0		
1	improvements hadn't been made, they have the power to	1	A. Yes, I think I would expect that. And, indeed, when
2	suspend or, indeed, to close the home, to cancel its	2	Ofsted goes and inspects homes, they check the level of
2 3	suspend or, indeed, to close the home, to cancel its registration. So they are quite strong powers.	2 3	Ofsted goes and inspects homes, they check the level of training that staff have, and I would expect them to
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Day 4 1 Q. As far as SCHs are concerned? 1 2 A. As far as secure children's homes are concerned. So it 2 3 feels like a number of them are already part of 3 4 the regime of secure children's homes. 4 5 There are some other aspects in here that I think 5 6 would need to be thought through a little more 6 7 7 carefully. Body-worn cameras is an example where 8 I think there is a balance between safeguarding and 8 9 having a recording of everything that is there and the 9 10 regime in children's homes where we encourage people to 10 develop positive relationships and develop mutual trust 11 11 12 and respect. I wonder whether body-worn cameras could 12 13 be an inhibitive factor in that. 13 14 So I think there are issues raised in here that 14 15 I think would bear, you know, consideration of the pros 15 16 and cons of them, and that is one that I sort of draw 16 17 out as one in particular that could actually prevent 17 18 some of those relationships being formed, perhaps. 18 19 I also feel, actually, the principle of privacy in 19 20 bedrooms and bathrooms is quite important for children. 20 21 Q. Just by way of conclusion, then, could I ask you to 21 22 bring up, please, DFE000591_030. This is, in fact, the 22 23 conclusion given by your predecessor, by Ms Gross, or 23 24 your colleague, and she tried to pull together, I think, 24 25 there all of the different strands that we have been 25 Page 177 talking about, so perhaps we can scroll through. 1 1 2 At 5.1, she's dealt with the regulations, which we 2 3 have talked about. At 5.2, she dealt with 3 4 Working Together, which we have talked about. At 5.3, 4 5 she's talked about: 5 6 6 "Poor performance by local authorities or SCHs is 7 tackled through ... Ofsted and, where necessarily, by 7

but do you stand by that? A. I think I do, ves. Obviously, it's really important not to be complacent around the risk of abuse, and I am as conscious as everyone else that closed institutions do present that risk. So the system we have designed seeks to have strong safeguards, strong checks and balances and to be very, very clear around routes of disclosing and talking to people if there are concerns. I think it is probably very difficult to design a system where there is no risk at all. What we have tried to do is design a system that minimises risk. We also try and -- if we learn things that cause us to believe that there is risk in there that we are not taking account of, then we would want to know about that, we would want to put in place improvements, if necessary, and the National Panel, safeguarding panel, that I have talked about is one of those improvements that we have sought to put in place. So we really do

give unequivocal assurance that it will never take

place, the system contains powerful safeguards to

that children are protected."

prevent it and sets out clear processes for dealing with

incidents if and when they do happen in order to ensure

That was your colleague's statement in October 2016,

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... DfE's statutory responsibility to intervene where
 8
 Q
          Children's Services are failing ...
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            "DfE is committed to continuous improvement in the
11
          system."
12
            Doing work around the best commissioning
13
          arrangements, for example, for the SCH sector. She was
14
          saying at that point working with Ofsted to make better
15
          use of the data around sexual abuse incidents -- I think
16
          we have moved on a little bit in that respect?
17
       A. Yes, I think I have explained how that has developed
18
          since then.
19
       Q. I think her final observation, at 5.6, was:
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            "Based on DfE's current knowledge of safeguarding in
21
          secure children's homes and from the information and
22
          knowledge that DfE has available, I consider the
23
          national framework for safeguarding children in secure
24
          children's homes to be effective. Sexual abuse is
25
          clearly unacceptable and while it is not possible to
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Page 178

cannot have any risk in there. That said, the various safeguards I have described -- and, actually, we haven't touched on all of them today; we haven't touched on advocacy, on section 44 visitors. There are a number of other safeguards in the system that we haven't necessarily covered, but I do believe they offer opportunities for children in secure children's homes to disclose, to talk to people if they have concerns, and there are very, very clear procedures to be followed if that does occur.

try not to be complacent that the system is flawless and

- Q. Do you want to headline, just briefly, the schemes that you are talking about in terms of advocacy and section 44? Just headline those briefly for the panel, would you?
- A. All the children in secure homes have the right for an advocate and the Children's Homes Regulations make it clear that that must be explained to them as soon as they arrive in the home, as must the complaints procedure, and that must be done in a way that is appropriate to the age and the understanding of that child, and each home is also visited -- it is called a section 44 visitor because it is under section 44 of the legislation. That is an independent visitor who visits once a month and prepares a report that is sent to Ofsted. They have the opportunity to talk to the

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45 (Pages 177 to 180)

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1	children if they wish to talk to them obviously they	1	children who arrive through the justice routes are often
2	are not forced to.	2	either younger or have more complex needs, and often
3	Q. I will just pull this up briefly, while you are talking.	3	their needs are not vastly different from the children
4	INQ001426_029.	4	who arrive for welfare.
5	A. Children have access to mobile phones or a landline,	5	As I said, within the homes, it is certainly the
6	they have access to calling the Children's	6	case that children are encouraged not to discuss their
7	Commissioner or Childline. So there are you know, we	7	backgrounds or the different routes they came.
8	haven't had a huge amount of time to discuss this today,	8	So, in practice, I think it is working and I think
9	but there are lots and lots of things that seek to build	9	the homes are able to meet the needs of both, and if
10	protections in there so that children can assert their	10	they are not, they are able to say that and not take the
11	wishes and feelings and make themselves be heard.	11	child.
12	Q. Go to the bottom of that page. That's the regulation 44	12	THE CHAIR: Yes, indeed. So what would be the alternative
13	provision I think you were talking about?	13	for the child, in those circumstances?
14	A. That's right. So we do seek to put that in place. But	14	A. Well, there are a number of there are more children
15	we are not complacent. If we find evidence, including	15	referred on welfare grounds to secure children's homes
16	from this inquiry, that those protections are not as	16	than there are places available to be found at times,
17	strong or in practice it is very easy in government	17	and I think that's not a secret.
18	to set out national frameworks and legislation. If we	18	Where local authorities believe a secure place is
19	find that, in practice, things are not operating as we	19	needed but one is not available, then, effectively, they
20	set out, then that is something we would want to know	20	will make arrangements for that child within the other
21	about and to react to.	21	placements available to them, and they are likely to try
22	MS HILL: Thank you very much, Ms Willison. Those are all	22	and manage then perhaps with a higher staff ratio or in
23	the questions I have, chair.	23	a children's home with a much smaller number of children
24	THE CHAIR: Thank you. I think there are a couple of	24	in it.
25	questions here.	25	So, you know, there are alternatives to secure for
	Page 181		Page 183
	-		
1	Questions by THE PANEL	1	welfare children, but obviously local authorities need
2	THE CHAIR: Very briefly, we have heard a number of views	2	to consider what the best interests of the child is.
2 3	THE CHAIR: Very briefly, we have heard a number of views that children currently in custodial institutions are	2 3	to consider what the best interests of the child is. MS SHARPLING: We have heard from a former Chief Inspector
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1	effect. So I imagine he does.	1	review was by the end of the summer.
2	MS SHARPLING: Thank you.	2	A. I would be very happy to look in our records and write
3	MR FRANK: Before I ask my question, I want to make sure	3	to you about that.
4	that you are the right person to ask it of. I say that	4	MR FRANK: I'm very grateful. Thank you very much. Again,
5	because, in fact, I want to refer you, if I may, to	5	looking to the bottom of the document, our page 12,
6	a document that's behind your witness statement but	6	I don't know whether you can scroll down to that, the
7	I think it's an exhibit that was attached to Ms Gross's	7	third paragraph from the bottom, do you see one of
8	witness statement. If we could turn up in our bundle	8	the concerns was: "pending longer term change we must
9	we have got it behind tab 19 at section E.	9	not lose any more homes", was the concern. I don't know
10	MS HILL: This is exhibit AG1, is it?	10	whether you are able to help us at all. Please don't
11	MR FRANK: I'm not sure it is, actually. There are a group	11	feel obliged to if you can't.
12	of exhibits under that description, "AG1". It is	12	A. No, I can't help you with that specific concern.
13	actually on page 11 behind that tab. It is the letter	13	I think the thing on the screen isn't relevant, by the
14	from the Minister of State for Children and Families.	14	way.
15	A. I think that was from Ann Gross's witness statement in	15	I think what I would my best take on it would be
16	the bundle.	16	that we do work with our colleagues in MoJ around the
17	MS HILL: Do you want to bring it up? I can bring you the	17	numbers of beds that are available in secure children's
18	INQ number, if you want.	18	homes, because that has reduced significantly over time.
19	A. It would probably be helpful for me. But I recognise	19	I would imagine that that was that the concern
20	that from the bundle.	20	specifically was around losing further beds.
21	MR FRANK: I wouldn't want to ask you about it if you don't	21	The estate has been relatively stable for a while,
22	even have it front of you and it is not your exhibit.	22	but that was after a significant drop, I believe, in the
23	MS HILL: It is effectively in your bundle as well.	23	early part of this century.
24	A. It is from my bundle.	24	We do work with MoJ around that and, indeed, we are
25	MS HILL: DFE000592_013. 1 April 2016.	25	currently working with Sir Alan Wood, who is the chair
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1	MR FRANK: Thank you very much.	1	of our residential care leadership board, around how to
2	A. I'm happy to talk to that, yes.	2	encourage on a regional basis. We are providing some
3	MR FRANK: I'm grateful. What it does is, it sets out	3	seed funding for feasibility studies to look at
4	a record of the outcome of a discussion with sector	4	establishing new secure children's homes because there
5	colleagues and the minister concerning how the operation	5	are certainly some areas of the country where provision
6	of secure children's homes could be better planned and	6	is very light London and the south-east, for example.
7	coordinated and joined up at the national level, so it	7	We work with MoJ quite closely on that because of their
8	says in the first paragraph.	8	interest in the justice bed side of it. So that is
9	It appears to, in the fourth paragraph, indicate	9	something we are taking forward now with Sir Alan Wood
10	that they were unwilling to go forward without further	10	and, indeed, you know, hope that we can support the
11	data gathering and detailed cost modelling "before we	11	opening of more, if that is what the sector feels is
12	could commit to major structural change".	12	necessary.
13	I wonder if you could help for a moment, what was	13	MR FRANK: Thank you very much. If you can update us when
14	the structural change being considered and being	14	you have had a chance
15	deferred according to this letter? Do you know that?	15	A. I'm happy to look at that specific point and write to
16	A. So I'm afraid the letter was in 2016, which was before	16	you.
17	my role there, so I would need to look in my historic	17	MS HILL: Ms Willison, while you have been in that exhibit,
18	data on this	18	can I just flag up I should have adduced formally, I
19	MR FRANK: I'm not going to press you if you need time, but	19	am sorry DFE000592_015 is another page in Ms Gross'
20	if you can let us know at some point, it would be	20	exhibit that sets out the mandatory qualifications for
21	helpful.	21	those working in secure children's homes.
22	You will see at the bottom of that paragraph it was	22	Further on in that exhibit, DFE000592_018 is the
23	anticipated that some further review would be completed	23	answer to the question, very simply, about action Ofsted
24	before the end of the summer of 2016. So I wonder if we	24	can take with regard to the inspection of children's
25	could learn at some point what the outcome of that	25	homes.
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1	A. Far better than I described it, no doubt.			
2	MS HILL: Thank you for Mr Frank's help with that exhibit.			
3	Those are all the questions, chair. That concludes the			
4	evidence for today, chair.			
5	(The witness withdrew)			
6	THE CHAIR: Thank you.			
7	(4.26 pm)			
8	(The hearing was adjourned to			
9	Friday, 13 July 2018 at 10.30 am)			
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