

## List of Issues

This List of Issues has been prepared in order to provide guidance as to the interpretation of the Inquiry's Terms of Reference and give an indication of the issues that will be examined during the Inquiry's work.

The List of Issues is not a prescriptive list and is not intended to cover all issues that will be investigated; it is a guide only to assist understanding and interpretation of the Inquiry's Terms of Reference. The List of Issues is a live document and may be added to and amended during the course of the Inquiry. Additions or amendments will be made in tracked changes. Nothing in the drafting of the List of Issues should be taken as an indication of the views of the Chair on the issues to be investigated.

**Date: 3 October 2019**

### The Issues

1. *The **nature, extent and patterns** of CSE in Telford.* The Inquiry will be exploring specific instances of CSE to understand the circumstances under which such crimes are committed, which will include establishing a factual account of:
  - 1.1 The approximate number of victims of CSE in Telford during the relevant period;
  - 1.2 The methods by which CSE takes place and the form the exploitation takes;
  - 1.3 The location/s where CSE happens; and
  - 1.4 Whether there are any patterns and common features of CSE in Telford.
2. *The **impact** of CSE on victims and survivors, as well as on their partners, parents, children, families, and others close to them, including the mental, physical, social and economic impact.* The Inquiry will look to investigate both the short term and long term impact on survivors and victims of CSE, and those close to them. This will include:
  - 2.1 The impact on their health, both physical and mental health;
  - 2.2 The impact on their education and future working life;
  - 2.3 The impact on their families, including children in their care; and
  - 2.4 Exploring whether victims and survivors were, and are, criminalised for circumstances associated with their exploitation, and/or treated differently, and the impact that has had in the future.
3. *The history of changes made to **practice, policy and/or legislation** in place to identify and address CSE in Telford, and the sufficiency of such changes.* The Inquiry will look to investigate organisations and bodies who had a duty to protect victims and survivors, and potential victims and survivors, from CSE, examining the policies, procedures and practices that were in place during the relevant time

to (i) identify CSE (ii) act when there are concerns, and (iii) prevent CSE, including:

- 3.1 When were any policies, practices and guidance introduced, how did they develop and what is in place now;
- 3.2 Whether those policies, procedures and practices are/were sufficient and “joined up”;
- 3.3 The extent to which such policies, procedures and practices are/were known, understood and implemented across the relevant organisation/s. This will involve an examination of training, and management and supervision of relevant personnel;
- 3.4 The extent to which available resources are/were used to support the implementation of policies, procedures and practices; and
- 3.5 The extent to which there is/was oversight to ensure policies, procedures and practices are working.
4. *The **attitude, and changes in attitude**, towards CSE and victims and survivors of CSE, including whether, when and how those attitudes changed.* In particular, the Inquiry will look at:
  - 4.1 Whether CSE has been/is readily recognised and addressed by professionals? If not, why not?
  - 4.2 Has there been, and is there, a level of insensitivity when dealing with victims and their families?
  - 4.3 Were there victim-blaming attitudes within organisations, and if so, does this still exist?
  - 4.4 Did/do any of these attitudes affect the way that organisations addressed and intervened in CSE cases?
  - 4.5 Has there been any perceived public shift in attitudes to CSE in Telford if/when attitudes changed, and what impact (if any), did this have on the reporting of CSE.
5. *The local **taxi industry** and taxi licensing, and the night-time economy, and the impact that has had on CSE.* The Inquiry will examine the suggestion that taxis have been used to facilitate CSE offences and that the licensing regime has allowed taxi licenses to be used inter-changeably without detection, allowing CSE offences to be committed more easily. The use of the word ‘night-time economy’ is to describe other outlets and premises, that are open during the evening, that may also have been used to facilitate CSE offences, such as restaurants, take away outlets, pubs and clubs. The Inquiry will therefore also examine the extent to which the night-time economy has played a role in the committing of such offences. In doing so, the Inquiry will look at:
  - 5.1 The operation of the taxi industry and night-time economy and their role in CSE;
  - 5.2 The local authority’s management and oversight of these industries; and

- 5.3 The extent to which changes could be made to help prevent such industries being used to help facilitate CSE.
6. *The **response** of third party organisations to CSE, or suspected CSE, both generally and in specific cases, including but not limited to Telford & Wrekin Council and its relevant departments as well as the local safeguarding board, Police, local NHS organisations, education providers, care homes and others. In particular, the Inquiry will consider:*
- 6.1 *The nature, adequacy and timeliness of any response, or lack of a response. The Inquiry will explore how individual organisations responded, and respond, to CSE concerns and CSE cases, for example:*
- 6.1.1 where concerns were raised or CSE indicators displayed, how were these addressed?;
- 6.1.2 what actions were/are taken to both protect children and bring perpetrators to justice?;
- 6.1.3 were, and are, adequate risk assessments carried out?;
- 6.1.4 when did organisations become aware that CSE was an issue locally? When should they have become aware?;
- 6.1.5 if there was/is a lack of action, why was this?
- 6.2 *sharing of information and the extent of multi-agency working in respect of CSE. How and when was, and is, information shared between agencies. The Inquiry will look to address this by considering the extent to which there was, and is, any sharing and triangulation of data and intelligence across relevant organisations, for example:*
- 6.2.1 how was/is intelligence collected by organisations and how was/is it shared between organisations?;
- 6.2.2 when and how would, and do, organisations raise and report concerns to others?;
- 6.2.3 if information was/is shared and reported, what was/is then done with this information, and is it acted on?;
- 6.2.4 was/is intelligence from Police investigations shared with Social Services, and others, to ensure victims were/are protected on an ongoing basis?;
- 6.2.5 was/is there a cross agency strategic plan for identifying victims and perpetrators?;
- 6.2.6 were, and are, professionals adequately trained and made aware of CSE, potential indicators and what to do and who to speak to?;
- 6.3 *any missed interventions. The Inquiry will be looking to identify whether there are specific cases where organisations failed to intervene, missed an opportunity to do so, or did not take adequate steps to protect an individual. This will include*

identifying whether there are instances where concerns were raised and not followed up, and whether there are specific cases where conducting a Serious Case Review would have been appropriate, but was not carried out?

- 6.4 *how complaints related to CSE were dealt with, including the handling of whistleblowers.* The Inquiry will examine the complaints and whistleblowing policies and procedures of relevant organisations, looking at when they were introduced, the nature of the policies and procedures, and how complaints and whistleblowing reports are managed in practice. This will cover both internal and external complaints and whistleblowing reports. The Inquiry will particularly look at all complaints and whistleblowing reports that relate to CSE and the way that these have been addressed. For example: has there been any attempt to suppress concerns and/or have any whistleblowers been forced out of their employment for speaking out about CSE? Have organisations used non-disclosure agreements to prevent individuals from speaking out further?
- 6.5 *the decision-making process behind the prosecution of cases.* The Inquiry will investigate the decisions made by the Police which determined the files that were submitted by the Police to the Crown Prosecution Service ("CPS") for consideration, and establish:
- 6.5.1 the standards and relevant guidelines that should have been applied when investigating allegations and referring files for prosecution;
- 6.5.2 whether or not those standards and guidelines were followed and, if not, identifying the reasons for this.
- 6.6 *the response to, and impact on, those who reported CSE crimes.* The Inquiry will look to establish an overview of the reporting systems that were/are in place within organisations to handle disclosure by children and others of concerns about CSE over the relevant period? A review of these systems will also include an examination of:
- 6.6.1 with whom was any disclosure shared;
- 6.6.2 what was the response to the individual making the report and what impact did this have;
- 6.6.3 at what point would the police become involved (if the report was not made directly to the Police);
- 6.6.4 what guidance and procedures did/do the police have in place for managing and investigating such allegations; and
- 6.6.5 the extent to which individuals were/are trained on handling such disclosures, and whether this developed over time.
- 6.7 *the extent to which any failures by those third party organisations have been addressed by changes to practice, policy or legislation.* In order to ensure the Inquiry is able, if appropriate, to make recommendations for the future to effect positive change, the Inquiry will need to examine the extent to which any concerns, weaknesses or failures related to CSE have been addressed by

organisations, changes made and the impact of those changes. In so doing, the Inquiry will also need to look at:

- 6.7.1 any assessments, reports, reviews, guidance and other documents that highlighted organisational failures or weaknesses associated with CSE; and
- 6.7.2 the extent to which the findings were taken on board and addressed.

### **Existing local reviews/reports**

- 7. *in light of its findings, the Inquiry will consider whether the following **existing reviews/reports** drew accurate conclusions:*
  - 7.1 *Telford & Wrekin Council's Safeguarding Children Board's report on Child Sexual Exploitation Learning, April 2014;*
  - 7.2 *Telford & Wrekin Council's Children and Young People Scrutiny Committee's review of Multi-Agency Working Against CSE, May 2016; and*
  - 7.3 *Ofsted's 2016 report on Telford & Wrekin Council's services for children in need of help and protection, children looked after and care leavers, and a review of the effectiveness of the Local Safeguarding Children Board.*
- 8. The Inquiry will examine the reports to establish whether, in light of its own findings, the conclusions reached were a fair and accurate representation at the time, bearing in mind the information available, and if not, why accurate conclusions were not reached.

### **Timeframe and Location**

- 9. *The Inquiry will hear from all victims and survivors regardless of when they experienced CSE, and will make evidential findings where possible.* This means that anyone who has evidence to give concerning CSE in Telford is invited to come forward. The Inquiry will make findings where they can be supported by evidence.
- 10. *It is however acknowledged that due to availability of documentation, and the fact that practices will have moved on, it will be more difficult to make meaningful conclusions for earlier periods of time. Therefore, in respect of drawing conclusions and making recommendations for the future, the focus will be on the period from 1989<sup>1</sup> up until such date as the Chair may determine.<sup>2</sup>* What this means in practice is that, when the Inquiry is seeking documents that are relevant to the Inquiry's Terms of Reference from organisations, it will make general requests for any and all relevant documents, but the searches for such documentation are likely to be limited in timescale to 1989 onwards. If however the Inquiry becomes aware that earlier, relevant documents may still be available, it can make specific requests to organisations for that documentation to be disclosed.
- 11. *The scope of the Inquiry is limited to those cases of CSE where there is some link to Telford. For example, the victims/survivors may have been living in Telford at*

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<sup>1</sup> This being the date that the Children Act 1989 came into force.

<sup>2</sup> This date not being earlier than the appointment of the Commissioning Body on 22 January 2019.

*the time they were exploited, or the first instance of their exploitation, they may have been educated in Telford or they may have been trafficked to Telford to be exploited.*

## Definitions

12. *For the purposes of this Inquiry and instances of CSE, 'Child' means a person up to the age of 18, or in certain circumstances up to 21 or 25.<sup>3</sup> If however a 'Child' suffers their first instance of exploitation whilst within this age bracket, and that exploitation continues beyond the relevant age, the circumstances of the exploitation throughout the period it subsists will fall within the Terms of Reference of this Inquiry. The Inquiry recognises that even though the exploitation first occurs whilst a victim/survivor is still a 'Child', it can continue beyond this age, and the incidents of CSE in such circumstances are still relevant to the Inquiry's Terms of Reference.*
13. *For the purpose of this Inquiry, "Child Sexual Exploitation" is taken to refer to a situation, relationship or context where another individual/s manipulates, controls, intimidates or threatens a child, or those who are close to the child, to perform sexual activities on them, or others, or allow them, or others, to perform sexual activities on the child. In some cases the child may receive something in return; in others the child may be controlled by fear and/or violence; it may be a combination of both. The perpetrator may be an adult, or may be a peer. The child may become commoditised, with them being sold between perpetrators and trafficked.*

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<sup>3</sup> The Children Act 1989 places duties on local authorities to provide services and support to 'looked after' and previously 'looked after' children as they exit the care system, for such persons up to the age of 21, or up to 25 if in full time education. The Inquiry's remit will include examining the response of organisations, including local authorities, to reported or suspected cases of CSE. Therefore, given these obligations, it is important that the Inquiry's Terms of Reference considers cases where the first instance of exploitation took place when the victim/survivor was a "former relevant child" or a "qualifying person" within the sense of s.23C or s.24 of the Children Act 1989.