



Championing Children and Young People in England

**Office of the Children's Commissioner:**

**Briefing for the Rt Hon Michael Gove MP, Secretary of State for Education, on the emerging findings of the Office of the Children's Commissioner's Inquiry into Child Sexual Exploitation in Gangs and Groups, with a special focus on children in care**

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## **Foreword**

The sexual exploitation of children was brought sharply to public notice by the recent court case in Rochdale. It exposed the appalling violations to which some children are being subjected and raised serious questions about how society responds to and protects highly vulnerable children.

In October 2011 the Office of the Children's Commissioner (OCC) launched a two year Inquiry into child sexual exploitation in gangs and groups. Year one is focusing on identifying prevalence and year two will examine how best to prevent the sexual exploitation of children and support the recovery of those who are already victims. The Inquiry is supported by a panel of experts (see Appendix A) and an interim report on year one findings will be published in September 2012 with the final report available in autumn 2013.

This accelerated report has been produced at the request of the Secretary of State for Education who, like so many others, was deeply shocked by the circumstances exposed by the Rochdale case. He therefore asked for an early report of the Inquiry's emerging findings together with any necessary recommendations to improve the protection of children in residential care who may be at risk of being sexually exploited.

Our findings show that the sexual exploitation of children is widespread and that the majority of children who are sexually exploited are living in their family home with a disproportionate number of victims living in care homes. These words alone do not convey the full horror of what is perpetrated. Children have told me how they have been abducted and serially raped by multiple perpetrators; how they have lost all sense of self respect and come to believe that they are worthless. Tragically this can too often be compounded by adults refusing to believe them when they try and tell someone about what is happening. And the reality is that what is being done to them is at times so terrible that it does indeed beggar belief. But believe it we must if we are to protect children and not compound their sense of despair and abandonment.

I am pleased to provide this accelerated report albeit with some caution as the full data analysis is not yet complete. It will be published in full in the autumn interim report. It is extremely encouraging that the Government is taking such a close interest in this matter with the National Action Plan published last November being an important milestone. I hope that this report and the recommendations put forward will lead to increased protection for children suffering this pernicious form of abuse and provide evidence to assist the police in their task of disrupting and apprehending perpetrators.

I would like to thank Carlene Firmin, Jenny Clifton, Gareth Edwards, Sandy Gulyurtlu and Denise Malcolm for their unstinting commitment in producing this report in an extraordinarily short timescale. They have been magnificent.



**Sue Berelowitz**

Deputy Children's Commissioner and Chief Executive,  
Office of the Children's Commissioner

## **About the Office of the Children's Commissioner**

The Office of the Children's Commissioner is a national organisation led by the Children's Commissioner for England, Dr Maggie Atkinson. The post of Children's Commissioner for England was established by the Children Act 2004. The United Nations Convention on the Rights of the Child (UNCRC) underpins and frames all of our work.

The Children's Commissioner has a duty to promote the views and interests of all children in England, in particular those whose voices are least likely to be heard, to the people who make decisions about their lives. She also has a duty to speak on behalf of all children in the UK on non-devolved issues which include immigration, for the whole of the UK, and youth justice, for England and Wales. One of the Children's Commissioner's key functions is encouraging organisations that provide services for children always to operate from the child's perspective.

Under the Children Act 2004 the Children's Commissioner is required both to publish what she finds from talking and listening to children and young people, and to draw national policymakers' and agencies' attention to the particular circumstances of a child or small group of children which should inform both policy and practice.

The Office of the Children's Commissioner has a statutory duty to highlight where we believe vulnerable children are not being treated appropriately in accordance with duties established under international and domestic legislation.

### **Our vision**

Children and young people will be actively involved in shaping all decisions that affect their lives, are supported to achieve their full potential through the provision of appropriate services, and will live in homes and communities where their rights are respected and they are loved, safe and enjoy life.

### **Our mission**

We will use our powers and independence to ensure that the views of children and young people are routinely asked for, listened to and that outcomes for children improve over time. We will do this in partnership with others, by bringing children and young people into the heart of the decision-making process to increase understanding of their best interests.

## **Executive Summary**

### **Purpose of the Accelerated Report**

Following the convictions of nine men for group-associated child sexual exploitation (CSE) in Rochdale, the Rt Hon Michael Gove MP, Secretary of State for Education, asked the Office of the Children's Commissioner (OCC) to produce an accelerated report on the emerging findings of its Inquiry into Child Sexual Exploitation in Gangs and Groups (CSEGG). In particular, the Secretary of State requested that the OCC consider whether any recommendations are required to better protect children in care<sup>1</sup> and those living in residential units from child sexual exploitation.

This document has been produced as a result of that request. It is intended to provide the Secretary of State with:

- Information on the emerging findings from the CSEGG Inquiry
- Recommendations for protecting children in care from CSE.

The full interim report on the first year's findings of the OCC's CSEGG Inquiry, outlining the scale, scope, extent and nature of child sexual exploitation in gangs and groups, will be published in September 2012.

### **Confidentiality and restrictions on the data**

The Office of the Children's Commissioner is nine months into a two-year Inquiry into Child Sexual Exploitation in Gangs and Groups. We are currently in the process of analysing the evidence gathered during phase one of the Inquiry, and some of this evidence is still being submitted to the CSEGG Inquiry team. As a result, the emerging evidence which is included in this accelerated report is still being analysed. A full report of phase one evidence will be published in September 2012.

In order to meet the request made by the Secretary of State, this emerging evidence, and the recommendations we have produced from it, are focused on the prevalence and nature of group and gang associated child sexual exploitation as it affects children in care. It is important to note that our emerging evidence clearly indicates that children outside of the care system are also being sexually exploited. The full details of our work on the extent to which children are subject to such abuse and exploitation will be available in September 2012.

### **Outline of key emerging findings**

#### **Prevalence of child sexual exploitation in gangs and groups**

The CSEGG Inquiry has received 115 written evidence submissions, from 70 local areas across England. In addition we have spoken to 167 individuals across 78 agencies during 14 site visits, and taken oral evidence from 68 individuals across four formal oral evidence days. This data, which covers a 14 month period, is currently being analysed to ascertain the scale, scope, nature and extent of known child sexual exploitation in gangs and groups across England.

From our emerging findings we have ascertained that children are being victimised through gang and group associated sexual exploitation from the age of 10 upwards, and are both female and male (although predominantly female). They come from a full range of ethnic backgrounds represented in England, and some are disabled. The abuse is taking place across England in urban, rural and metropolitan areas. Children are being sexually exploited by groups and gangs made up of people who are both the same, and different, ages, ethnicities and social backgrounds from those that characterise them as victims. Both children in care and those not in care are being sexually exploited. While the majority of children being sexually exploited are not in care, a disproportionate number of them are. The

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<sup>1</sup> The phrase 'children in care' is used in this report to refer to all children looked after. It does not therefore refer, as does the legal definition, only to those in care as a result of orders from the court.

sexual abuse concerned has come to the attention of safeguarding boards, children's services, specialist Child Sexual Exploitation (CSE) services, the police, youth offending teams, Child and Adolescent Mental Health Services (CAMHS), Accident and Emergency (A&E) departments and, youth offending teams, violence against women agencies, youth services, housing providers, family and friends, sexual health services, the fire service, drug and alcohol services and education providers.

The ages of those known to be perpetrating this abuse range from 12 to 65; they are predominantly male (although some females have been identified) and are from a range of ethnicities. There is little intelligence on the incidence of disability among offenders.

### Emerging evidence

- Both perpetrators and victims are ethnically diverse - see tables 3 and 5
- Both perpetrators and victims come from all social backgrounds
- Perpetrators sometimes operate within highly restricted areas, such as their immediate neighbourhood only. Others, by contrast, are moving children significant distances.
- The Inquiry has received multiple reports that children who have been sexually exploited have a history of having been sexually abused as children in an intra-familial setting. Despite research into CSE suggesting this prior abuse is both perpetrated and known about, it has rarely been formally recognised or addressed by the statutory agencies. We note that very few children have child protection plans under the criterion of child sexual abuse.
- Buses and trains are used to transport children, as are taxis run by taxi companies in some localities.
- The abuse takes place in private houses, warehouses, transportation vehicles, public spaces, parks, schools, hotels and hostels.
- Some groups of abusers are linked to extended or immediate family of some of the victims, with some overlap with intra-familial abuse
- There are clear differences as well as some overlaps between group associated and gang associated child sexual exploitation.
- The use of threats, violence, power or status, or a mixture of these, is significant within patterns of intimidation and control of victims.
- There are some links to adult based prostitution and brothels.
- Young men and boys as well as adults are involved in perpetrating sexual exploitation and abuse.
- The use of drugs and alcohol occurs as part of the abuse in some, but not all instances.
- The use of mobile technology and messaging systems is significant in the facilitation, instigation, sustaining of and perpetrators' engagement in abuse.
- Victims are linked to each other through schools, the internet, mobile phones, social gatherings, children's homes, neighbourhoods and public spaces such as shopping centres, funfairs, take away shops and coffee shops.
- There are potential biases in the way that child sexual exploitation is identified which means that agencies are more likely to identify victims who are girls than boys, who are white than from an ethnic minority, who are already known to children's services rather than those who are not. This results in a partial identification of victims and a consequential failure to protect all children at risk.
- The Inquiry so far has identified enough victims who are boys, who are from ethnic minority communities and who are not known to targeted or specialist children's services, to be confident that these children are being victimised. However, when they are identified it is often in a different way from the means by which sexually exploited children have traditionally been recognised. This does not in any way diminish the awful reality of the abuse of those already identified.

The great complexity of these emerging findings will be explored in detail in the interim report and when the process of analysing and quantifying the data is complete.

The CSEGG Inquiry is also collecting national figures on the number of children hitting specific risk

indicators of child sexual exploitation. A nearly complete data set has been obtained<sup>2</sup> from one local authority and a related police force enabling an initial analysis to be undertaken. The local authority concerned is primarily rural with no large conurbations and is reasonably affluent in comparison to national averages. The analysis demonstrated that 2,200 unique child records hit at least one CSE indicator. In relation to multiple indicators of risk 438 of this cohort of children (19.4%) hit two or more indicators. At the highest end of risk 15 children hit four or more unique indicator data sets or seven or more interdependent indicators (where there are multiple indicators within one data set) of CSE.

*Table 8: Number of unique child records across local authority and police requested dataset:*

<b>CSE indicators</b>	<b>Volume</b>
5 or more	1
4 or more	15
3 or more	105
2 or more	438
1 or more	2255

*Table 9: Number of unique child records recorded against CSE indicators (including where there are multiple indicators within an individual data set):*

<b>CSE indicators</b>	<b>Volume</b>
7 or more	15
6 or more	31
5 or more	54
4 or more	109
3 or more	203
2 or more	610
1 or more	2255

At this stage of the OCC's analysis, it is not possible to state that any single indicator, or combination of indicators, is evidence that a child is at risk of sexual exploitation. However, our cautious estimation, based on this single complete case study, is that several thousand children nationally are likely to display three or more risk factors for sexual exploitation. When we publish our interim report in September we will provide a more definitive figure on the numbers of children we consider to be at risk, and the characteristics of the children who present with risk indicators.

Note that findings from the research led by Bedfordshire University as part of the CSEGG Inquiry will also produce both qualitative and quantitative findings in July 2012 (in preparation for our Inquiry's interim report) and September 2013 (in preparation for the final report).

## **Themes in Relation to Children in Care**

Existing literature on child sexual exploitation indicates that the proportion of sexually exploited children, who are also children in care ranges between 20% and 35% (Jago et al 2011, CEOP 2011). Of those submissions to the CSEGG Inquiry which specifically provided data on individual children's care status 21% of children identified as being sexually exploited were in the care system. Of the total responses received to the CSEGG Inquiry's call for evidence 42.6% made reference to children in the care system. Of the Oral Evidence Sessions 81% referenced children in care, and of the meetings held during 14 nationwide site visits 100% of areas referenced children in care as likely to be particularly susceptible. In order to produce this accelerated report we have conducted specific analysis on our emerging

<sup>2</sup> Data contained missing persons (LA or police), YOT data, sexual offence crime data, Children Missing Education, Looked After Children, Children on Care Plans, children accommodated in hostels. No PCT or school/ PRU truancy or expulsion data.

evidence base to pull out information on children in care, and have engaged with 41 key stakeholders and agencies to ascertain:

- Whether children in care were specifically vulnerable to child sexual exploitation
- What changes were required to protect children in residential care from child sexual exploitation

Children in care are inherently vulnerable and therefore require greater vigilance in terms of their protection. Most of those in residential care are aged 12 and over with the peak age range being 14 to 16 years old. Abuse or neglect remains the key primary reason for placement (45%) and almost half (49%) of children are placed in a care home for a duration of less than three months. Of those children placed in a home, the data indicates that 29% have had at least five previous placements with only 24% being on their first placement. Residential children's homes may be perceived as a placement of last resort, rather than as the most appropriate placement for a child. Placement in residential care often occurs either following multiple placement breakdowns, or following a child's late arrival into care with longstanding unrecognised problems (Schofield 2012; Berridge et al 2012). Invariably, the most damaged children and young people are placed in residential care, often with relatively largely unsupported and poorly trained care staff (Pearce 2009). It is therefore necessary to consider the effectiveness of residential children's homes in the context of their role within the wider child care and child protection systems. Concerns about how local authorities assess children's needs and identify placements are particularly pertinent. For example, if a child is placed in an inappropriate setting without an accurate assessment of their needs, the staff in any children's home could struggle to keep them safe.

Local authorities (LA) in the North West of England have the highest number of providers and places in the country. Several English LAs have no children's homes within their geographical area and it has become relatively common practice for those LAs who have children needing a place in a care home to place them outside their local authority boundaries. On average, 45% of children in care live in care homes outside the LA which has primary responsibility for them.

The current body of literature on child sexual exploitation consistently cites children in care as being particularly vulnerable to child sexual exploitation (Pearce and Pitts, 2011, Pearce 2009, Creegan 2005, Scott and Skidmore 2006, Coy 2008, Brodie et al, 2011). Children may be in care as a result of child sexual exploitation or may be vulnerable to child sexual exploitation due to histories of intra-familial abuse and neglect which resulted in their care placement.

The impact of multiple placement breakdowns (Coy 2008) has been cited as creating a particular vulnerability by reducing children and young people's ability to feel loved or form close relationships. However, the literature also acknowledges that while children in care account for a disproportionate number of children known to be sexually exploited, the majority of known sexually exploited children are not children in care. In addition there is a significant likelihood that many other victims of child sexual exploitation, whether in care or not, are yet to be identified.

Specific challenges arising from the need to respond to issues of children who go missing, and the need to hold and sustain relationships with children to decrease their vulnerability are regularly cited. In relation to children reported missing, research indicates that while children in care are three time more likely to run away than children at home (The Children's Society 2011), the majority of children reported missing are children going missing from the family home (Hayden 2012). Whether a child has a positive experience and good outcome from their stay in residential care will be largely dependent on the quality of care offered to them and whether or not the placement is the most appropriate to their needs. There are recommendations across the literature for a 'more professionally equipped workforce', and the need for more consistent support and training for staff working in children's residential care. Many children report valuing positive and consistent relationships that they build while in residential care, and not all have negative experiences. The benefits of reflective practice, both with foster carers and those working in residential care are routinely considered by researchers who, above all else, place the quality of the relationships between staff and children as the most effective tool for keeping children safe from harm. Challenges exist in the way that information about the children concerned is collected and shared. There

is, for example, a lack of a national picture about the quality, specialism and geography of residential children's homes. Current provision nationally is therefore unlikely to be matched against the needs of children.

We received different messages about whether changes are required to legislation, regulation, guidance or practice in order to improve the protection of children in residential care. Some agencies and individuals stated no changes were required to legislation, whilst others stated changes were necessary. Key issues to be addressed are as follows:

- The process of assessing the needs of children and the appropriateness of placements
- The need to consider the place of children's residential homes within the wider child care and child protection system
- Care planning and safety planning arrangements for children
- Empowering of staff through improved standards of training and support
- Greater consistency regarding data collection, information sharing and responses to children at risk within children's homes and across the local authority and independent sectors
- Improvements to support for staff and children and relationship building in order to reduce incidences of missing children
- Data sharing and multi-agency working to improve intelligence on child sexual exploitation and protection of children
- Concerns about the use of foyers, bed and breakfast and hostel accommodation for 16 - 17 years olds
- Focus on child sexual exploitation as it applies to children in care, and the lack of attention paid to the risks of CSE to other children including boys
- Concerns about the criminalisation of children in care.

When we draw together the evidence from the CSEGG Inquiry, and the additional submissions received to enable the preparation of this accelerated report, we are able to identify consistent themes. Key issues arising are:

- Children in care, particularly those in residential children's homes, are vulnerable
- While children in care account for a disproportionate number of children known to be sexually exploited, the majority of sexually exploited children are not in care
- In some areas agencies, counter-evidentially given the previous point, are focusing exclusively on children in care or known to social care services when seeking to identify children at risk of or known to be sexually exploited
- Children are being sexually exploited when living in a range of circumstances, and may be sexually exploited prior to living in residential care
- Relationships with parents, care staff, outreach workers, social workers and other trusted adults, together with proactive action to prevent, disrupt and convict perpetrators, will impact most positively to protect children from sexual exploitation
- Questions about the use of restraint and restriction of liberty as an approach to protecting children from sexual exploitation.

## **Responses to the Submissions Received**

Having considered all the additional submissions received, in accordance with the CSEGG Inquiry evidence base and the expertise within the OCC, we agreed with the vast majority of suggestions submitted. This is demonstrated in the recommendations we propose as part of this accelerated report.

Careful consideration was given to the question of whether residential care staff should be given increased powers of restraint and deprivation of liberty, better to protect children at risk of or actually being sexually exploited. Of the 41 submissions, three requested that such increased powers should be recommended. A further four submissions asked for greater clarity on the issue, and nine stated unequivocally that there should be no increase in powers of either restraint or the restriction of liberty.

The remainder did not comment on this issue. All those in the first group were private home providers. Those in the latter two groups came from all other sectors, including some private home provider representatives.

It was also noted that the Chief Inspector of the former Commission for Social Care Inspection in his letter issued in 2007 stated that 'there is no legitimate status of "semi-secure"; an establishment is either using its premises for the purpose of restricting liberty or it is not'. (See Appendix E)

Current statutory guidance, regulations and National Minimum Standards were examined to assess whether they are fit for purpose. The relevant sections on restraint and deprivation of liberty are reproduced in this report for reference. In addition, the statutory guidance on children who run away and go missing from home or care (2009) was examined to determine whether it is sufficiently comprehensive.

It is our view that the existing legislation and statutory guidance provide a sound balance between the permission to restrain a child or deprive him/her of liberty in order to protect that child or others at risk, whilst having in place appropriate protections to ensure such measures are not misused. Such misuse could result in children being abused, either by intent or inadvertently.

Volume 5 of the Children Act 1989 Regulations and Guidance sets out unambiguously that a children's home must provide a homely and caring environment. The best outcomes are achieved when the children and young people living there are cared for by well trained, supportive, actively engaged adults, with whom they can develop appropriate attachments and make positive relationships. Children and young people need both good adult role models, and the freedom and space to develop coping strategies, approaches to relationships, and strong respect for other individuals.

We have also sought to identify any evidence that might demonstrate that periods of deprivation of liberty or use of restraint are either effective or quick-fix solutions to prevent ongoing sexual exploitation of children. It has not been possible to identify any such evidence.

On the contrary, our extensive evidence shows that children who are being sexually exploited are inexorably drawn to their abusers. They may take years to escape. This can be compounded by threats to hurt family or friends if the child seeks to escape. The result is that children return repeatedly to their abusers in much the same pattern as is seen in women who are victims of domestic violence. Whilst such behaviour apparently defies logic, the evidence is that an intense emotional dependence on, and/or fear of the abusers is created. This cannot be fractured by short term restrictions on a child's liberty.

This issue has been discussed with the Coalition for the Removal of Pimping (CROP), a voluntary sector agency that represents parents of children who have been sexually exploited. They have told us that while some parents in desperation have sought to lock their children inside the family home, ultimately these parents themselves state such an approach does not work with their own children.

The question also arises as to how long any such deprivation of liberty ought to last in order for it to be effective; and whether such actions are tolerable in a society which values children's psychological and physical integrity. Again, no evidence exists to demonstrate the minimum time such deprivation of liberty must last in order to be effective. The risks of lengthy periods in isolation for a child so detained are acute and it is important to remember the lessons from the Pindown Inquiry conducted by Alan Levy QC in 1990/91.

We are therefore satisfied that the current legislation, guidance, regulations and National Minimum standards require little change.

## Recommendations

The Office of the Children's Commissioner was asked whether any specific changes were required in legislation, regulation, guidance or practice to better protect children in residential care.

The following recommendations must not deflect attention from children who are affected by sexual exploitation and who are not in care. The CSEGG Inquiry will be making interim recommendations on prevalence and patterns, and on tackling child sexual exploitation in gangs and groups, in September 2012. We will make full recommendations on policy and practice at the close of the CSEGG Inquiry in September 2013.

We are aware of some excellent work being done by residential children's homes and across the wider child protection system to protect children from sexual exploitation. Some local areas, and the residential homes within them, are working considerably beyond what the regulations require, in order to protect children. It is such practice that we want to see mirrored across the country. We are also aware of the work being conducted by the Department for Education's support and improvement programme for children's homes.

The following recommendations take into account the place of residential care within the wider care and child protection system, and in addition, the connections to policymakers' and society's broader concerns around child sexual exploitation. The evidence submitted for this accelerated report raised a range of observations and recommendations about children in care, irrespective of their being either subjected, or vulnerable, to child sexual exploitation. Whilst some recommendations are directly related to the ability of residential children's homes to better protect children from sexual exploitation, they are linked to recommendations about both residential children's homes, and the care and child protection systems more broadly.

In order for staff in residential children's homes to be empowered and supported to safeguard the children in their care, and to enable some of the most vulnerable children in society to live in a safe and supportive home, the Office of the Children's Commissioner makes the following recommendations:

1. Government should undertake a thorough examination of residential care, including the profile of children, location and type of homes, recruitment, qualification and training of staff, and analyses of how local authorities are meeting their duties under the sufficiency requirements. For full recommended scope of a thorough examination of residential care please see Appendix D.
2. Government should amend the Care Planning, Placement and Case Review Regulations 2010 and related Guidance to state that a child's care plan should include a safety plan when the child/young person is at risk of or has experienced CSE. This should be based on a thorough assessment of need and explicitly address the risks the child faces, be negotiated with the child and engage family, supporting adults and, as appropriate, the police.
3. Regulations should proscribe any child in care, or leaving care, from being placed in bed and breakfast accommodation.
4. Amendment should be made to Regulation 33 of the Children's Homes Regulations 2001 (as amended by the Children's Homes (Amendment) Regulations 2011). Monthly inspection visits to private children's homes should be by a person independent of the organisation running the home and appointed or approved by the local authority.
5. Consideration should be given to current planning regulations in relation to children's homes. Safeguards need to be put in place to ensure that children's homes are not opened in areas that present a high risk to the children being placed. This must include checks on numbers of registered sex offenders in the area.
6. The Government should amend the Care Standards Act 2000 (Registration) (England)

Regulations 2010 to allow Ofsted to routinely share its information about the location of children's homes with the police.

7. All references in Guidance and Regulation to 'prostitution' when speaking of children should be amended to 'child sexual exploitation'. (For example Schedule 5 of the Children's Homes Regulations 2001 (as amended by the Children's Homes (Amendment) Regulations 2011).
8. Consideration should be given to amending Regulation 11(2)(d) of the Care Planning, Placement and Case Review (England) Regulations 2010. Currently this requires authorities to notify the area authority where the child is to be placed. This could be strengthened by requiring the placing authority to consult with the area authority to assist their assessment that the placement is the most appropriate placement available and that it will meet the child's needs identified in the care plan. This would enable the placing authority to establish, for example, if there is known intelligence locally of sexual exploitation associated with the children's home or local area.
9. Consideration should be given, in the National Child Sexual Exploitation Action Plan, to the role of Local Safeguarding Children's Boards in having oversight of:
  - a. The relationships between police and local authority children's homes in the local area, so that intelligence about groups of exploiters in the area and support to staff and young people can be provided
  - b. Children who go missing and children at risk of or who have experienced exploitation: ensuring analysis of information gathered through Runaway Children and Missing From Care (RCMFC) records.
10. In line with the 2009 statutory guidance on children who run away and go missing from care, regulations should be amended to ensure when children have run away from care, that all return interviews involve an independent person, preferably an advocate or trusted adult from outside the home. These should enable young people to talk about any concerns including about the home. The content should feed into local police intelligence about sexual exploitation. Police 'safe and well' interviews should be considered as well – with the young person's agreement. Possibly through amendment to Sec 16 (4) (b) of the Children's Homes Regulations 2001 (as amended by the Children's Homes (Amendment) Regulations 2011).
11. The Care Planning, Placement and Case Review Regulations 2010 and related Guidance should be amended to ensure that a child's Independent Reviewing Officer (IRO) should be informed when children run away and consider bringing forward the review. The IRO service should be informed about the pattern of absences or running away by children in care.

Once we have completed evidence gathering and our fuller analysis on best practice, the OCC will make full recommendations on the following issues. We are extremely concerned about them, and urge the Government to give them due consideration:

- Whether there should be standard arrangements for recording incidents of children going missing, including from care and school; and equally standard recording of incidents where they affect those considered at risk of, or who have experienced, sexual exploitation.
- Whether specific changes are required to ensure that effective measures are in place to safeguard children aged 16 – 18 accommodated in foyers and hostels.
- Whether there should be an extension to the age limit from 16 years to 18 years within the provisions of the Child Abduction Act 1984 regarding the abduction warnings process and that these should be issued with or without parental consent, if deemed necessary.
- Whether amendments are required to the Care Planning, Placement and Case Review Regulations 2010 and related Guidance to ensure that independent advocacy is available to all children in all children's homes.

## **Introduction**

### **Purpose of the Inquiry into Child Sexual Exploitation in Gangs and Groups (CSEGG)**

In October 2011 the Office of the Children's Commissioner launched a two-year Inquiry into child sexual exploitation in gangs and groups (CSEGG). The CSEGG Inquiry is seeking to assess the:

- Scale, scope, extent and nature of child sexual exploitation in gangs and groups
- Remedial activity required to tackle child sexual exploitation in gangs and groups

Specific purposes of the Inquiry are as follows:

1. To promote children's rights to protection from sexual exploitation in accordance with the United Nations Convention of the Rights of the Child which states that every child shall be protected from all forms of exploitation, victimisation and abuse and receive help. Specifically:
  - a. Article 19 Protection from all forms of violence
  - b. Article 34 Protection from sexual abuse and exploitation
  - c. Article 35 Protection from abduction
  - d. Article 37 Protection from torture
  - e. Article 39 Right to rehabilitation from abuse, exploitation and torture
2. To conduct the CSEGG Inquiry in the spirit of, and in compliance with:
  - a. Article 3 The best interest of the child must be a top priority in all actions concerning children
  - b. Article 12 Every child has the right to say what they think in all matters affecting them, and to have their views taken seriously
3. To ensure that the Government is fully informed about the nature and extent of gang and group associated child sexual exploitation, victimisation and abuse, in support of its plans for preventing and combating this abuse of children.

For full terms of reference please see the Office of the Children's Commissioner's website.

### **Purpose of the Accelerated Report**

Following the convictions of nine men for group-associated child sexual exploitation (CSE) in Rochdale, the Rt Hon Michael Gove MP, Secretary of State for Education, asked the Office of the Children's Commissioner (OCC) to produce an accelerated report on the emerging findings of its Inquiry into Child Sexual Exploitation in Gangs and Groups (CSEGG). In particular, the Secretary of State requested that the OCC consider whether any recommendations are required in order to better protect children in care<sup>3</sup> and those living in residential units, from child sexual exploitation.

This document has been produced as a result of that request. It is intended to provide the Secretary of State with:

- Information on the emerging findings from the CSEGG Inquiry
- Recommendations for protecting children in residential care from CSE

The full interim report on the findings of the first year of the CSEGG Inquiry, outlining the scale, scope, extent and nature of child sexual exploitation in gangs and groups will be available in September 2012.

### **Methodology**

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<sup>3</sup> The phrase 'children in care' is used in this report to refer to all children looked after. It does not therefore refer, as does the legal definition, only to those in care as a result of orders from the court.

In order to produce this briefing for the Secretary of State, we have drawn upon the emerging findings from the CSEGG Inquiry, initiated specific engagement with selected stakeholders who have specific expertise on the issues of children who go missing, children in care and child sexual exploitation, and gathered the views of a small number of children and young people.

## CSEGG Inquiry Methodology

The CSEGG Inquiry has adopted a number of methods during the phase one evidence gathering process.

1. Call for evidence: published in October 2011, this document provided agencies with the opportunity to inform the CSEGG Inquiry of all known cases of child sexual exploitation in gangs and groups during the 14 months prior to October 2011. Please see the Office of the Children's Commissioner's website for the full document.
2. Site Visits: from November 2011 – February 2012 the CSEGG Inquiry Chair and panel members visited 14 sites across England, speaking to professionals and children and young people using a question proforma focused on the scale, scope, extent and nature of child sexual exploitation in their local area.
3. From February 2012 onwards data requests were issued to collect information on the numbers of children who have presented with the indicators of child sexual exploitation from April 2010 – March 2011.
4. In March 2012 four thematic oral evidence hearing sessions were held to further understand and contextualise data that had been gathered during the call for evidence and site visits.
5. Attending the Research Advisory Group for the Bedfordshire University led research into sexual exploitation in gang affected neighbourhoods which is being conducted as part of the Inquiry.

## Process of Analysis

The aim of the interim report is to identify the scale, scope, nature and extent of CSEGG. Both quantitative and qualitative data have been collected to achieve these Inquiry objectives, and hence the analysis focused primarily on exploring these areas.

*Table 1: Outline of analysis process*

<b>Inquiry objectives</b>	<b>Method for data collection</b>	<b>Data source</b>	<b>Method for analysis</b>
Scale, Scope, Nature and Extent	1. Call for evidence	115 Individuals and public, private and voluntary organisations	<p><b>SPSS</b> Analyse the frequencies of and relationship between the different indicators</p> <p><b>NVIVO</b> Content analysis of emerging themes. Analyse the frequency in which different issues/themes emerge</p>
Scale, Scope, Nature and Extent	2. Site Visits – using proforma questionnaires and written records	<p>167 specialists from public, private and voluntary organisations</p> <p>15 children and young people</p>	<p><b>Mapping</b> Area maps produced from each site visit recording each model of CSE identified during the visit period</p>

Scope, Nature and Extent	3. Oral Evidence Hearing	68 specialists from public, private and voluntary organisation	<b>NVIVO</b> Content analysis of emerging themes. Analyse the frequency in which different issues/themes emerge.
Scale, Scope, and Extent	4. Datasets	52 specific data sets which feature as indicators of CSE. Requests vary from individual and amalgamated/ thematic data provided by local and national agencies	<b>Microsoft Excel and Access</b> Data cleansing Cross tabulation of data to identify matching individual records which feature across multiple CSE indicators  <b>SPSS</b> Analyse the frequencies of and relationship between the different indicators

As the above table outlines, data is currently being analysed using SPSS and NVivo, to count the numbers of known victims and known perpetrators, and to identify themes in the nature of the abuse. Microsoft Excel, Access and SPSS are being used to develop data models to analyse the dataset. This complete evidence base will be presented in the CSEGG Inquiry interim report in September 2012.

### Accelerated Report Methodology

To produce the accelerated report the following approaches have been adopted:

1. Inclusion of CSEGG Inquiry emerging findings from the:
  - a. Initial thematic analysis of the call for evidence data
  - b. Emerging statistical data available from the call for evidence data
  - c. Case studies from the site visits and the call for evidence data
  - d. Anticipated data from the dataset
  - e. Anticipated gaps in the evidence base.
2. Responses from 41 stakeholders who were contacted for the specific purposes of producing the accelerated report
3. Information from children and young people who have gone missing from care, via services who work with them

### Restrictions of the Accelerated Report

#### Incomplete Data Analysis:

The CSEGG Inquiry interim report is due for publication in September 2012. The OCC is in the process of analysing the call for evidence, Oral Evidence Hearings and site visit data, and the deadline for responding to the indicator dataset is mid-June. This accelerated report includes evidence that is emerging during the analysis process in which the OCC is currently engaged. Full analysis will be completed for the interim report published in September 2012.

#### Focus on Children in Care:

The Secretary of State has specifically asked for recommendations on children in care. The CSEGG Inquiry is concerned with all children who are at risk of sexual exploitation in gangs and groups, and there was not a specific focus on children in the care system during the phase one methodology. This accelerated report focuses on the evidence emerging on children in the care system, while also contextualising this with evidence emerging on children who are not in the care system. The CSEGG Inquiry interim report will have a broader focus.

### Capacity and Timescales:

This accelerated report has been produced in a four-week time period, and is an additional report to the CSEGG Inquiry interim report which will be issued in September. The evidence base in the accelerated report is that which could be processed and analysed by the OCC within the four week period, and should not be seen as indicative of the overall evidence base collected throughout the phase one process of the CSEGG Inquiry.

### Limitations of the Evidence:

Given the hidden nature of child sexual exploitation, and the inconsistent identification of the abuse at a local level, there are a number of gaps in the data that the OCC holds or is anticipating receiving. These are as follows:

- Individual Characteristics: Not all submissions received were able to provide data on the characteristics of victims and perpetrators. There are evident inconsistencies in the recording of ethnicity and nationality, disability and faith. Not all submissions provided detailed information on the looked-after status of victims.
- The call for evidence did not specifically inquire about looked after children or children in care. Therefore the evidence received was partial.
- Area bias: Where local agencies are actively looking for, and recording, incidence of child sexual exploitation in gangs and groups they are able to provide information on more children. This means that the 'national' picture is inevitably skewed and therefore there is an element of compromise.
- Data being collected as part of the dataset process will also fluctuate based on how local areas record data; as such there may be challenges in comparing indicators across aggregated data.
- Child sexual exploitation and gang association is not always recorded in datasets in a way that is easy to extract or identify; sometimes this may be hidden in records on offending (in relation to gang association) or broader categories of child sexual abuse or missing in the case of child sexual exploitation
- Recording of missing incidents is inconsistent. Centrally held data only accounts for children missing for 24 hours; in other instances data is only collected when children are missing overnight. In addition, missing from home data is reliant upon parents reporting children as missing from home. Where children have been thrown out of home, are at risk of forced marriage or abuse in the home, or are in families that are resistant to statutory engagement, such children may not be reported as missing by their families.
- Reported multiple perpetrator sexual offences: Inconsistent practices exist around the coding of reported sexual offences against children whereby groups of individuals are reported to have carried out the offence or directly facilitated its occurrence. This prohibits accurate data capture and quantification nationally of this area in terms of actual abuse.
- Indicators of CSE: A number of indicators for CSE exist which are the subject of focussed data collection as part of the Inquiry. The ownership of each individual data set crosses a number of departments/ agencies and are only of true value when joined up. Based on the responses to date, it is clear that there are a number of data gaps both in relation to a range of the indicators and the quality of data recorded within them. This restricts meaningful analysis at both a local and national level.
- Despite the definitions provided, there was a lack of consistency throughout the data on the definition of Child Sexual Exploitation, Groups and Gangs. This led to variations in the data.
- Some submissions omitted large chunks of data on specific indicators, which may influence our results.
- There was a fluctuation between aggregated and individual level data in the call for evidence. Individual level data would allow us to explore in more detail the relationship between the different indicators, but as a number of submissions provided aggregated data, we will have to analyse it separately.
- Health: A number of potentially significant indicators of Child Sexual Exploitation are captured by health providers, including Primary Care Trusts, at a local level. Health providers are listed as key

stakeholders in the identification of children at risk of CSE within national literature. OCC initially sought to obtain individual level data under its powers conferred under section 2(9) of the Children's Act (2004) of children who have had more than one abortion and those which are repeatedly presenting at a range of family planning clinics with more than one Sexually Transmitted Infection (STIs) to compare against other known CSE indicators. However, legal counsel has highlighted that the specific legislation which covers the handling of abortion data (Abortion Act 1967, Abortion Regulations 1991) prohibits this sharing. Legislation/guidance around the handling and sharing of STI data is however less clear (NHS (Venereal Diseases) Regs 1974 (SI 1972/29) supplemented by NHS Trusts and PCT (sexually transmitted diseases) Directions 2000) with differing legal opinions held by the Department of Health (DH), OCC & PCTs. This has prevented these key CSE indicators from featuring in our revised data request. Whilst there is clearly a need to protect the confidentiality of the child around these sensitive data areas, this data could provide a valuable insight into CSE and provision should be considered around how this data could be shared in a lawful manner to inform the national OCC Inquiry and also to direct Local Safeguarding Children's Board activity in relation to the potentially most vulnerable children.

## **Ethical Framework**

The CSEGG Inquiry is being run within a strict ethical framework, supported by an accredited risk assessment, privacy impact assessment and additional legal counsel. This framework places strict limitations on how the information received as part of the CSEGG Inquiry can be disseminated and shared. The OCC is restricted from publishing any identifiable information on individuals or localities and all evidence published will be fully anonymised. Full copies of the ethical framework, risk accreditation and privacy impact assessment are available upon request.

## **Emerging Findings**

### **Emerging evidence on children who were sexually exploited by gangs and groups**

The following section outlines the evidence-base that we are currently analysing in relation to known cases of child sexual exploitation in gangs and groups, in the 14 months prior to the launch of the CSEGG Inquiry.

Call for Evidence:

Total Submissions Received: 115 (removing multiple submissions and those that are not of relevance).

Total number of local areas submitting evidence: 71 individual local areas, plus 11 responses from voluntary organisations and one from health which covered multiple local areas (disclaimer: some submitted evidence saying they had not identified abuse and others submitted previously published reports).

Oral Evidence Sessions:

Total number of individuals attending: 68

Total number of agencies represented: 60

Total number of accommodation providers attending: 3

Site Visits:

Total number of sites visited: 14

Total number of meetings held: 48

Total number of agencies met with: 78

Total number of individuals met with: 167

Total number of agencies contributing to evidence: 252

*Table 2: Number of agencies that contributed evidence*

<b>Organisation</b>	<b>Agencies engaged in call for evidence</b>	<b>Agencies engaged in site visits</b>	<b>Agencies engaged in oral evidence sessions</b>	<b>TOTAL</b>
Safeguarding Children's Boards	28	10	3	41
Voluntary Organisations	17	20	19	56
Police	13	13	8	34
Children and Young People's Services	13	5	4	21
Community Safety Teams	8	2	1	11
Borough Councils	7	2		9
Schools and Colleges	5	5	1	11
Youth Offending Services	4	8	3	15
Mental Health Service	4	2	3	9
Drug and Alcohol Services		2	2	4
Hospitals	4			4
Safeguarding People Services	2	2		4
Borough	2			2
Sexual Health	1	1	2	4
Fire and Rescue Services	1			1
Individuals	1		2	3
Union	1			1
Educational Social Work	1			1

Services				
PCT	1	3		4
SARC		1		1
Housing	2	2	3	7
Secure Estate			2	2
Central Government			3	3
Inspectorates			2	2
Universities			2	2
<b>Total</b>	<b>115</b>	<b>78</b>	<b>60</b>	<b>252</b>

## Victim Characteristics

- Gender: Are male and female, although overwhelmingly female
- Age: Generally range in age from 10 – 19 but with 18 of the total submissions indicating victims between 4 and 9 years of age
- Ethnicity and nationality: Responses to the call for evidence classified victims into the ethnicities identified below. These are not ONS categories, and are a direct reflection of all the ethnicities attributed to victims by respondents. There were large inconsistencies in the recording and reporting of ethnicity across services, and even greater inconsistency in relation to nationality. The table below is therefore not indicative of the nationalities of any of the victims, as we were unable to ascertain nationality from the responses we received. For example a victim may have been of Bangladeshi origin but of British or Bangladeshi nationality, or have been of Polish origin and of either Polish or British nationality. Thus we are unable, at this stage, to ascertain which of the categories below were of British nationality. What this list does demonstrate is the range of ethnicities recorded for victims, in a range of ways, by a range of agencies. At this stage of the analysis we are unable to quantify the numbers of victims identified against any of these ethnicities, and would remind the reader to note that ethnicity was not recorded in every submission.

Table 3: Characteristics of victims by ethnicity

Ethnicity	Specific attribution identified by respondent
Asian	Bangladeshi Chinese/Japanese/South East Asian Pakistani Unknown
Black	African Caribbean Somali Unknown
Mixed	African/Caribbean British/Somali Caribbean/British Unknown White Mediterranean/Kurdish White/African White/Black
Other/Unknown	Libyan Unknown
White	Afghan Arabic British Eastern European Gypsy/Traveller Iraqi

	Irish Kurdish Mediterranean/Hispanic Other European Polish Turkish Unknown
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Table 4: The following disabilities were identified in relation to victims (taken verbatim from submissions):

<b>Disabilities</b>
Learning Disability
Unknown
Autistic Spectrum Disorders (ASD)
Behaviourally Based Disability (including ADHD)
Visual Impairment
Mental Health Needs
Cerebral Palsy
Achondroplasia
Yes - Unknown
Behavioural and Learning Based Disability
Communication Difficulties
ASD/Developmental Delay
Emotional and Behavioural Difficulty (EBD)/Language Delay
EBD/Learning Disability
ASD/Learning Disability
Learning and Physical Disability
Deaf

At this stage of analysis we are unable to quantify the above characteristics. Quantification against all of the above characteristics will be provided in the interim report.

### **Perpetrator Characteristics**

Emerging evidence on those who are perpetrating abuse in both group and gang contexts indicates that perpetrators:

- Are male and female, although predominantly male
- Range in age from 12 to 65

As was the case with victim data, responses to the call for evidence classified perpetrators into the ethnicities recorded below. These are not ONS categories, and are a direct reflection of all the ethnicities attributed to perpetrators by respondents. There were large inconsistencies in the recording and reporting of ethnicity across services (see victim data).

Table 5: Perpetrator characteristics by ethnicity

Ethnicity	Specific attribution identified by respondent
Asian	Asian Unknown Bangladeshi Bengali British Chinese/Japanese/Southeast Asian Indian Pakistani Sri Lankan
Black	African British Caribbean Congolese Nigerian Somali Ugandan
Mixed	Asian/African British/Mediterranean Caribbean/British Mauritian/Other White/African White/Arabic White/Asian White/Black White/Latin American White/Other
Other/Unknown	Libyan Mauritian other unknown
White	Afghan Azerbaijani British Eastern European Greek Gypsy/Traveller Hungarian Iranian Iraqi Irish Kurdish Lithuanian Mediterranean/Hispanic Other Other European Polish Turkish

Table 6: The following disabilities were recorded for perpetrators:

<b>Disabilities</b>
Learning Disability
Behaviourally Based Disability (including ADHD)
Yes - Unknown
Unknown

At this stage of analysis it is not possible to quantify the above characteristics. Quantification against all of the above characteristics will be provided in the interim report.

### **The nature of the abuse and exploitation**

Until the data analysis has been completed it is not possible to give a definitive answer on the number of different ways in which children are being sexually exploited by gangs and groups across England. However, emerging evidence would indicate that:

- Common to all forms of abuse is an imbalance of power between the victim and the perpetrator/s
- The vast majority of perpetrators are male
- The abuse experienced is often extremely violent both physically as well as sexually
- Technology facilitates, enables, and sustains the abuse, and is used to control victims
- The safety of victims, and of their families, is regularly threatened by their abusers
- In each local area where child sexual exploitation has been identified, there is more than one model of abuse taking place, and some of these models overlap while others are distinct and unique
- Pornography is affecting thresholds in terms of what is deemed to be healthy and acceptable sexual behaviours and attitudes.

## **Evidence on children at risk of child sexual exploitation: the CSEGG Inquiry dataset**

In February 2012 the CSEGG Inquiry issued a dataset request on the indicators of child sexual exploitation. Following an extensive consultation process the request was refined and reissued in May 2012 requesting data by mid June 2012. The dataset covers the key risk indicators for child sexual exploitation identified in current literature (CEOP 2011), and is supported by the emerging CSEGG evidence. This includes children missing from home, from care and from school, children on child protection plans, children who self harm, children who are offending, children excluded from school (Please see Appendix C for the full dataset).

Once collated, the data will enable us to reveal, for the first time, the numbers of children who are vulnerable to child sexual exploitation across England. We will achieve this by assessing the numbers of children who have multiple presentations of the indicators listed in Appendix C.

As this data is collected and ultimately owned by a range of organisations analysis is traditionally limited to each individual organisations' own data which it reviews for its own specific purposes. Joined up analysis across the multiple data sets for the specific purpose of identifying children who hit the indicators of CSE has not been done on such a scale previously nationally or indeed at a local area level.

The aggregate characteristics of a number of indicators of CSE have also been requested by age, ethnicity, gender and disability where available (See Appendix C for full dataset).

This will enable greater context to be provided to the individual level data and for us to be able to comment in more detail around the broader trends being experienced nationally. At present there is varying availability of the data requested, and varying ability of local areas/services to respond to the request. At the point of publication the following responses have been received with over two weeks left of data collection:

*Table 7: Data submissions received so far*

<b>Organisation</b>	<b>Responses to date</b>	<b>% Received</b>
Local Authorities	80	52.63%
Police	33	82.50%
PCT	20	12.90%
Other	6	
Secure Estates	7	30.43%
DfE	3	
<b>Total</b>	<b>149</b>	

It is too early to comment on the content of current returns as analysis on the dataset is incomplete and the deadline for submissions is mid-June. However, this approach is supporting us in understanding the hidden aspects of child sexual exploitation, and will enable us to ascertain the numbers of children who are at risk of abuse.

A nearly complete data set has been obtained<sup>4</sup> from a local authority and merged with its related police force enabling an initial analysis to be undertaken. The local authority concerned has no large conurbations and is reasonably affluent in comparison to national averages. The analysis demonstrated that 2,255 unique child records hit at least one unique CSE indicator. This is of a possible eight for which data was provided. In relation to multiple indicators of risk, 438 of this cohort of children (19.4%) hit two or more indicators. At the highest end of risk 15 children from this cohort hit four or more unique indicator

<sup>4</sup> Data contained missing persons (LA or police), YOT data, sexual offence crime data, Children Missing Education, Looked After Children, Children on Care Plans, children accommodated in hostels. No PCT or school/ PRU truancy or expulsion data.

data sets.

To provide further detail, some of the unique indicator data sets contain multiple individual indicators of CSE within them. For example data collected from the youth offending team, which would be counted as one in the above data, contains information on 10 individual indicators of CSE (e.g. child displays sexually inappropriate behaviour, has a lack of age appropriate friends). In total data was collected on 21 possible indicators of CSE (within the eight data sets), of which 15 children within this cohort hit seven or more indicators.

*Table 8: Number of unique child records across local authority and police requested dataset:*

<b>CSE indicators</b>	<b>Volume</b>
5 or more	1
4 or more	15
3 or more	105
2 or more	438
1 or more	2255

*Table 9: Number of unique child records recorded against CSE indicators (including where there are multiple indicators within an individual data set):*

<b>CSE indicators</b>	<b>Volume</b>
7 or more	15
6 or more	31
5 or more	54
4 or more	109
3 or more	203
2 or more	610
1 or more	2255

At this stage of analysis, it is not possible to state that any single indicator, or combination of indicators, is evidence that a child is at risk of sexual exploitation. However, our cautious estimation, based on this case study, is that several thousand children nationally are displaying three or more indicators of sexual exploitation. When we publish our interim report in September we will be able to provide a more definitive figure on the numbers of children we consider to be at risk, and the characteristics of the children who present with risk indicators.

## **Emerging evidence on children in care and sexual exploitation**

This accelerated report has been compiled using the available evidence from CSEGG sources, together with additional evidence on children in care sought from a range of targeted experts and stakeholders. See Appendix B for requests for submissions to the accelerated report.

### **Context**

Ofsted submitted evidence that as at 31 March 2012 there were 2074 registered children's homes in England providing a total of 11,765 registered places, and 16 secure children's homes, providing 281 places. 72% of homes were owned by the independent sector and 28% were operated by health and local authorities. 36% of children's homes provide places for between one and three children, 31% provide places for four or five children, and 33% can accommodate six or more children.

The Department for Education's recently produced data pack on children's homes in England provides additional contextual information around children's homes in England as of March 2011 (Children's Homes in England Data Pack – March 2012). It indicates that there are a higher proportion of boys (63%) than girls placed in children's homes. Most are aged 12 and over with the peak age range being 14 to 16 years old. Abuse or neglect remains the key primary reason for placement (45%) and almost half (49%) of children are placed in a care home for a duration of less than three months. Of those children placed in a home, the data indicates that 29% have had at least five previous placements with only 24% being on their first placement.

It is also clear that differing practices exist in relation to the use of children's homes across local authorities. Local authorities in the North West of England have the highest number of providers and places. Several LAs have no children's homes within their geographical area and it is reasonably common practice for those LAs with children in care homes to place them outside of the local authority boundary. On average forty-five percent of children in care live in care homes which are outside of the LA which has primary responsibility for them.

### **Research on vulnerability of children in care being sexually exploited**

In 2011 the Child Exploitation and Online Protection Centre (CEOP), the OCC, and the University of Bedfordshire all published literature reviews, as part of wider reports into child sexual exploitation in either gangs or groups. The current body of literature on child sexual exploitation consistently cites children in care as being particularly vulnerable to child sexual exploitation (Pearce and Pitts, 2011, Pearce 2009, Creegan 2005, Scott and Skidmore 2006, Coy 2008, Brodie et al, 2011). Children may be in care as a result of child sexual exploitation or may be vulnerable to child sexual exploitation due to histories of abuse and neglect which resulted in their care placement. Specific data on the proportion of sexually exploited children, who are also children in care ranges between 20% and 35%: Jago et al. (2011) found that 21% of CSE victims were children in care, Sheffield Safeguarding Children Board Sexual Exploitation Service reported that in 2009/10, 23% of children and young people referred to the service were in care at the time of referral, and CEOP found that 34.7% of CSE victims were children in care (CEOP, 2011). The impact of multiple placement breakdowns (Coy 2008) has been cited as creating a particular vulnerability by reducing children and young people's ability to feel loved or form close relationships. However, the literature also acknowledges that while children in care account for a disproportionate number of children known to be sexually exploited, or who are in contact with specialist sexual exploitation services the majority of known sexually exploited children are not children in care. In addition there is a significant likelihood that many other victims of child sexual exploitation, whether in care or not, are yet to be identified.

In relation to broader literature on children in care, and children missing from residential children's homes, research has generally focused on populations in local authority residential children's care (Berridge et al 2011, 2012, Hayden 2012, Biehal et al 2000, 2003), as opposed to independent children's homes. Literature clearly indicates that children in care, particularly those in residential children's homes are vulnerable. The fact that residential children's homes may be perceived as a placement of last resort,

rather than as the most appropriate placement for the child, is problematic. Placement in residential care often occurs either following multiple placement breakdowns, or following a child's late arrival into care with longstanding unrecognised problems (Schofield 2012; Berridge et al 2012). It is therefore necessary to consider the effectiveness of residential children's homes in the context of their role within the wider care and child protection systems. Concerns about how local authorities assess children's needs and identify placements are particularly pertinent. If a child is placed in an inappropriate setting without an accurate assessment of their needs, the staff in a children's home may struggle to keep them safe.

Specific challenges of responding to children who go missing, and the need to hold and sustain relationships with children to decrease their vulnerability are regularly cited. In relation to children reported missing, research indicates that while children in care are three times more likely to run away than children at home (The Children's Society 2011), the majority of children reported missing are children from the family home (Hayden 2012). Whether a child has a positive experience and good outcome from their stay in residential care will be largely dependent on the quality of care offered to them and whether or not the placement is the most appropriate. There are recommendations across the literature for a 'more professionally equipped workforce', and the need for more consistent support and training for staff working in children's residential care. Many children report valuing positive and consistent relationships that they build while in residential care, and not all have negative experiences. The benefits of reflective practice, both with foster carers and those working in residential care are routinely considered by researchers who place, above all else, the quality of the relationships between staff and children as the most effective tool for keeping children safe from harm.

### Evidence from the CSEGG Inquiry

When the phase one call for evidence was disseminated we did not specifically ask about the care status of children. Therefore, we are unable to determine the percentage of all reported cases that involved children in care. However, some agencies did provide specific information and case histories on children who had been in the care system. Other submissions made general references to children in the care system, but did not quantify these references. In order to inform this accelerated report submissions received have been analysed to identify where children in care were referenced, in addition to sourcing specific cases of children in care. This additional analysis has been conducted specifically for the purposes of this accelerated report and has uncovered that:

- of the 115 call for evidence submissions 42.6% referenced children in care
- of the Oral Evidence Sessions 81% referenced children in care
- of the meetings held during site visits 100% areas referenced children in care

Although references to children in care were thematically present across 42.6% of evidence submissions, only nine responses to the call for evidence process included empirical data on the care status of individual children. Two of these groups fell out of the 14 month time period that was established for assessing prevalence, however all nine are included in the table below:

*Table 10: Analysis of data from the nine responses that included empirical information on children in care*

Submission to call for evidence/site visits	Number of CSEGG victims	Number of CSEGG victims who were children in care	Percentage of CSEGG victims who were children in care	Within the 14 month time period
A	306	19	6%	NO
B	221	74	33%	NO
C	26	9	35%	YES
D	7	6	86%	YES
E	56	23	41%	YES
F	60	42	70%	YES

G	135	11	8%	YES
H	509	125	13%	YES
I	511	51	10%	YES
<b>Total</b>	<b>1831</b>	<b>360</b>	<b>20%</b>	<b>21%</b>

As the table demonstrates on average 20% of victims, where empirical data was available, were children in care. However it should be noted that the range extends from 6% to 86%. When this is restricted to those that fell within the 14 month period of concern, 21% of victims were children in care. This reflects existing research (Jago et al, 2011), (CEOP, 2011).

However, it is important to note the victimisation of children in care, as is consistently asserted in the literature, may be easier to identify than children at home. During CSEGG Inquiry location visits we have been aware that a number of agencies may be focusing attention on children in care, or those known to children’s social care, and as such failing to identify other sexually exploited children. One joint police/local authority CSE team presented us with detailed files on children in these categories all of whom were either known to or in the care of the local authority concerned. When asked about the incidence or risk of sexual exploitation with other children, we were informed that the unit focused exclusively on children in care or known to children’s social care services. Detailed discussions with other agencies in this area revealed evidence that sexual exploitation was far more widespread than was understood by the joint unit.

In order to gain a greater understanding of the representation of children in care, and more specifically children in residential care who have been sexually exploited, a detailed analysis of data submitted by two locations has been undertaken. These two locations provided specific information on the care status of children who were sexually exploited, even though the call for evidence didn’t specifically request this. The following tables have been produced for two areas, Location A and Location B and examine:

- Whether children who were sexually exploited were also reported missing
- The care status of children who were sexually exploited

The data on missing reports and the care status of children have also been drawn together to demonstrate the frequency of missing episodes with children living in a range of circumstances.

While the quality of the data differs between Location A and Location B, with higher levels of unknown missing incidents in Location A, both demonstrate that for sexually exploited children:

- the majority of missing reports across the two locations are for children missing from their family home
- missing incidents are inconsistently recorded in both locations
- on occasions when missing incidents are unknown children are living at the family home with or without social worker involvement
- there are occasions where it is unknown whether children have gone missing or not even when they have a designated social worker.

In relation to Location B, children who have been sexually exploited are living in a range of circumstances: living with perpetrators of sexual exploitation; living with foster carers; have been adopted; living in secure accommodation; living in supported accommodation; serving custodial sentences; living in hostels; are homeless; are living with a family member or family friend; living in residential care. The vast majority however are living in their family home.

There were similar findings for Location A.

The evidence therefore indicates that it is not the fact of living in a residential children’s home that results in child sexual exploitation. Children are being sexually exploited when living in a range of circumstances, and may be exploited prior to entering residential care.

Evidence indicates that it is the relationships within the homes, and the “pull” factors of the exploitation outside of the home, that will influence whether, and how regularly a child runs away. Similarly our

emerging findings indicate that it is the relationships with parents, care staff, outreach workers, social workers or another trusted adult that are the most critical factors in protecting children from sexual exploitation together with proactive intervention to prevent, disrupt and convict perpetrators that will impact most positively on children's susceptibility to being sexually exploited.

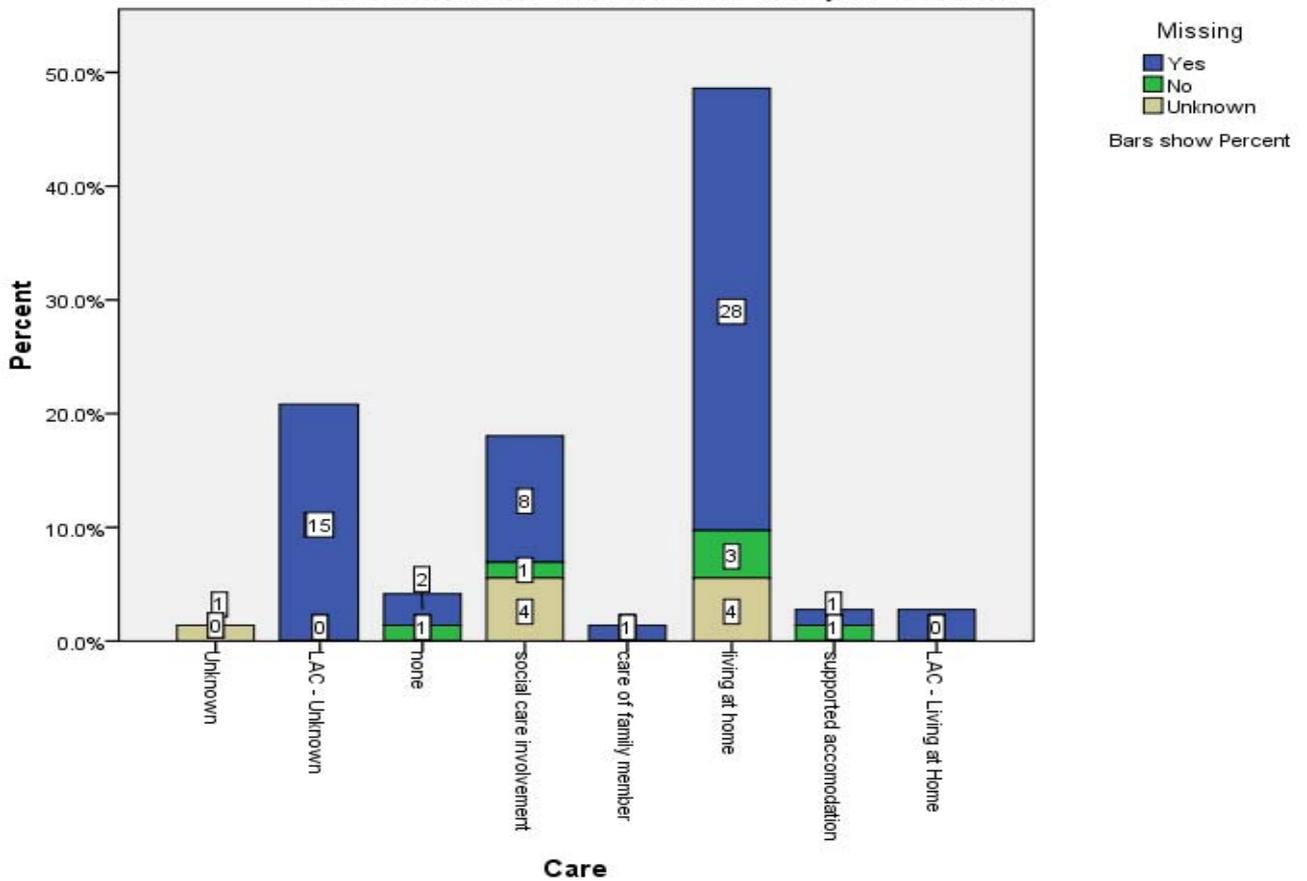
Table 11: Missing rates for sexually exploited children in Location A and Location B:

Missing	Number of children Location A	Number of children Location B	Percentage Location A	Percentage Location B
Yes	61	19.9	19	86.0
No	6	2.0	30	13.6
Unknown	10	3.3	1	0.5
No data	229	74.8		
<b>Total</b>	<b>306</b>	<b>100.0</b>	<b>221</b>	<b>100.0</b>

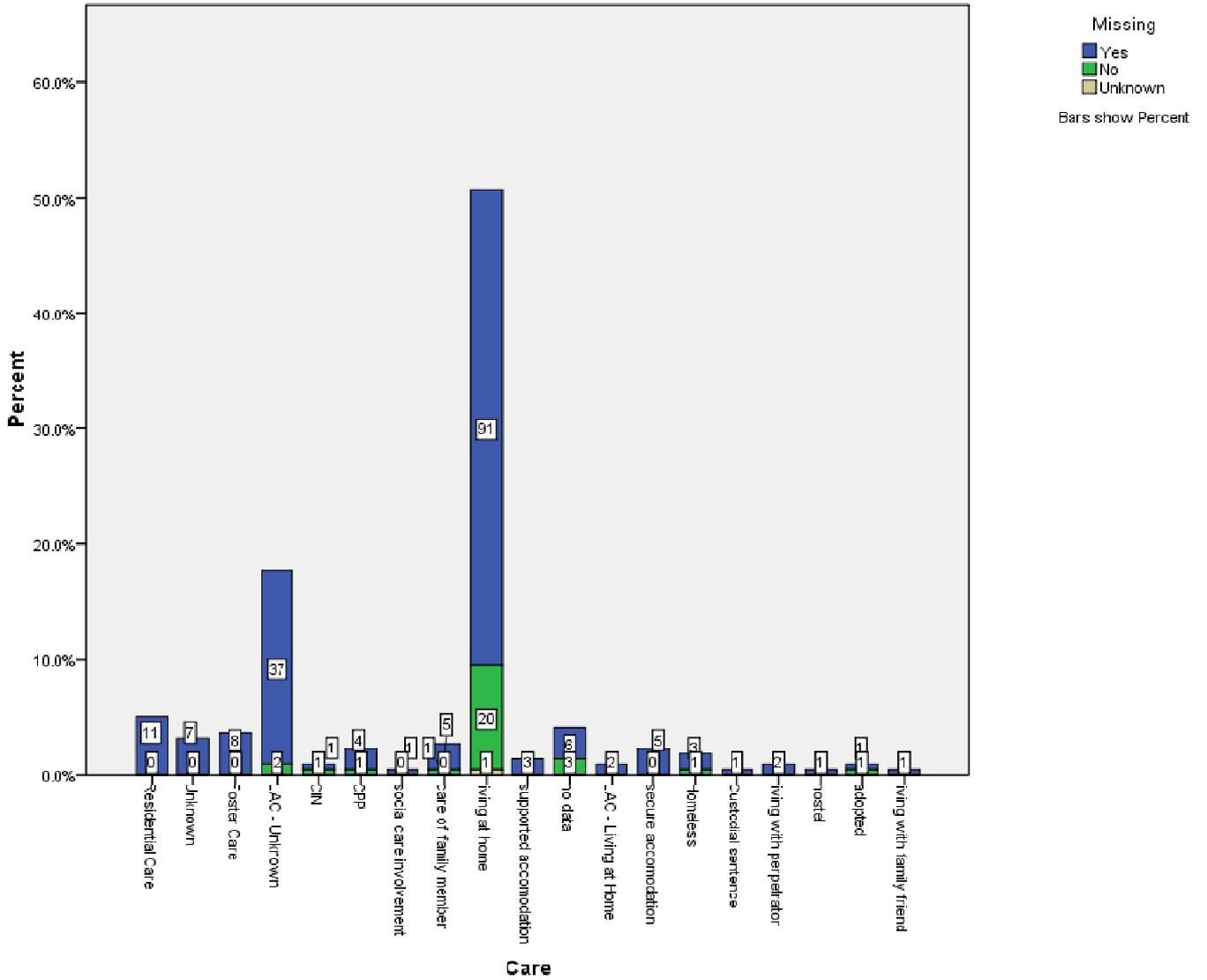
Table 12: Care status of sexually exploited children in Location A and Location B:

Legal status/ care arrangements	Number of children Location A	Number of children Location B	Percent Location A	Percent Location B
Adopted		2		0.9
Care of family member	1	6	0.3	2.7
Child in care - living at home	2	2	0.7	0.9
Child in care - Unknown	15	39	4.9	17.6
Child in need		2		0.9
Child Protection Plan		5		2.3
Custodial sentence		1		0.5
Foster care		8		3.6
Homeless		4		1.8
Hostel		1		0.5
Living at home	35	112	11.4	50.7
Living with family friend		1		0.5
Living with perpetrator		2		0.9
No data	234	9	76.5	4.1
None	3		1	
Residential care		11		5.0
Secure accommodation		5		2.3
Social care involvement	13	1	4.2	0.5
Supported accommodation	2	3	0.7	1.4
Unknown	1	7	0.3	3.2
<b>Total</b>	<b>306</b>	<b>221</b>	<b>100.0</b>	<b>100.0</b>

**Bar Chart Showing the Percentage of Missing by Different Care Arrangements (excluding cases where no data was recorded) in Location A**



Bar Chart Showing the Proportion of Missing Children by Different Care Arrangements in Location B



Within the CSEGG dataset, a range of data with specific relevance to children in care has been requested from local authorities, the police and the Department for Education. While the deadline for submissions is June 13th 2012 the following data has been received against the relevant indicators and is of particular interest to this accelerated report. Column 4 indicates the predicted accuracy and range of data available.

*Table 13: Data with specific relevance to children in care*

<b>Indicator</b>	<b>Provider</b>	<b>Volume of submissions to date &amp; reviewed</b>	<b>Completeness of dataset</b>
Children in care	DfE	Awaited	Complete (Based on SSDA903 returns)
Children on child protection plans where sexual abuse is latest category	DfE / LAs	Individual level data awaited.  Summary figures with age/ sex/ ethnicity breakdown provided.	Partial (Based on Children in Need Census). 8 LAs directly approached to complete dataset
Children identified as being in need at initial assessment for abuse of neglect, whether a plan was formed and the latest category of the plan	DfE / LAs	Awaited	As above
Children reported missing from care (child reported as missing for 24 hours or long)	DfE	Awaited	Complete (Based on SSDA903 returns)
Children recorded as missing from care to the local authority	LAs	5	40% (provided data but unclear whether this differs from DfE data at this stage).
Children reported as missing	Police	15	87% of returns provided complete data

In relation to children in care, the completed dataset, both at individual and aggregate level, will be able to demonstrate to us:

- The numbers of looked after children who also hit multiple risk indicators of child sexual exploitation
- Any particular patterns in relation to children in care and reporting of missing from care in relation to gender, age and ethnicity
- Differences between children being reported as missing to the police and those recorded as missing to the Department for Education
- Any particular patterns in relation to children in care and specific indicators of risk of child sexual exploitation

Being able to identify these patterns, and quantify numbers at risk will give us a more coherent picture of identified and hidden victims by the time the interim report is published in September 2012.

Early indications are that the full data response will reveal the following gaps:

- Varying responses in knowledge about children in care aged 16 and over who goes missing
- Inconsistencies in the recording of missing incidents from care
- Differing recording and reporting of child sexual abuse in child protection plans
- Differing patterns in children who are reported missing from home

A full breakdown on gaps in, and questions about, the dataset will be published with the interim report.

### Additional submissions for the accelerated report

*Table 14: Forty-three individuals and agencies responded to our request for additional evidence either in writing or over the telephone as follows:*

Agency type/ individual	Number of responses
ADCS	1
Office of the Children's Rights Director	1
Expert Advisors to Government	3
CEOP	1
Expert Advisor to Private and Independent Children's Home Sector	1
Ofsted	1
Independent Children's Homes or Children's Homes' Providers	9
Academics	5
Children's Services and Safeguarding Children's Boards	7
Police Forces	3
MP (Chair APPG on Missing Children)	1
Member of House of Lords	1
Voluntary Sector Agencies	5
Independent Reviewing Officers	4

Responses received provided consistent messages about both the experience that children in care have of child sexual exploitation, and the changes required to better protect them in the future.

The responses can be summarised as follows:

#### 1. Are children in care at increased vulnerability to child sexual exploitation?

Children in care are vulnerable. Many of the children in residential children's homes have already experienced multiple placement breakdowns. Data provided by a range of local areas indicates that children in care, and children in residential units, are disproportionately represented in known cases of child sexual exploitation. However, respondents were keen to acknowledge that the multiple vulnerabilities experienced by children who are placed in care means that they are vulnerable to child sexual exploitation, and additionally children who are not in care are also sexually exploited. In addition, many children report valuing positive and consistent relationships that they build while in residential care (OCC response to call for submissions), and not all have negative experiences.

Specific reference was made to vulnerability in relation to other children within residential units being at risk of being drawn into sexual exploitation if a child in the unit was being sexually exploited. This same vulnerability, however, would apply to schools where one child who was being sexually exploited could draw other children into exploitation.

Challenges exist in the way that information is collected and shared. There was a lack of a national picture about the quality, specialism and geography of residential children's homes. As such current provision was not matched against the needs of children.

Data collection on missing incidents generally, and from care specifically was inconsistent and

provided barriers in understanding the extent of the problem. Different approaches were being piloted by police forces, and different children's homes have varying thresholds for recording missing incidents.

## **2. Are changes required in legislation, guidance and regulation?**

We received mixed responses to this query, with some agencies and individuals stating that no changes were required to legislation and others stating that changes were necessary.

Key areas of change which were called for, and would require legislative change were as follows:

- a. Amend the Care Standards Act 2000 (Registration) (England) Regulations 2010, for Ofsted to share locations of children's homes with police forces
- b. Amend the Child Abduction Act 1984 to extend the provision of the act to children aged 16-17 years of age regarding the abduction warnings process
- c. Amend Regulation 33 of Children's Homes (Amendment) Regulations 2011 to ensure that monthly inspection visits to private children's homes are conducted by an independent person
- d. Clarity is required in the Children's Homes Regulations 2011 and subsequent guidance in relation to what staff can use in relation to physical restrictions, such as locking doors. This was also linked by some respondents to the letter CI(2007)4 from the (then) Chief Inspector of the Commission of Social Care Inspection re: restriction of liberty under Section 25 Children Act 1989
- e. Consider whether changes are required to planning regulations to ensure that in order to be registered with Ofsted a children's home must have received planning permission from the local authority, and that such planning permission consider risks in the locality as well as the potential for a concentration of children's homes in local areas where cheaper housing is available

## **3. Are changes required in practice?**

The majority of agreement and consistency amongst respondents was in the area of practice. Respondents stated that there were multiple areas of practice in need of improvement. These were as follows:

- a. While regulation requires all children's homes to have established and agreed protocols for responding to missing incidents, there are no regulation standards against which the quality of the response and practice is variable
- b. All children's homes should prepare an individual risk assessment and plan when receiving a child, taking into consideration child sexual exploitation, however not all of them do
- c. All placing local authorities should consider the vulnerability of a child to sexual exploitation when assessing appropriate placements, including the type of placement, the risks in the location of the home, and other children already in placement, however not all of them do
- d. Not all children's homes have staff who are qualified, trained and supported to identify child sexual exploitation and know how to respond to it
- e. Not all placing local authorities notify a receiving local authority, or the receiving police force, of the placement of children out of area
- f. Not all children's homes are part of multi-agency arrangements to respond to missing and/or child sexual exploitation
- g. Providing the appropriate support to a sexually exploited child is essential. Such children will present with multiple vulnerabilities and staff need to be able to hold and support that child throughout a process in order to achieve stability; not all staff are able to do this, and that results in the focus being placed on controlling the child's behaviour rather than keeping them safe from the behaviour of others
- h. There is a limited level of knowledge about the independent children's homes' sector.

Some respondents argued that these changes would be needed in regulation or guidance in order to ensure that the above practices were adhered to. However, other respondents regarded the legislation

and regulations to allow for the above practice, but that inconsistencies needed to be addressed.

## Consideration of Submissions Received

Having considered all of the additional submissions that we received, in accordance with the CSEGG Inquiry evidence base, and the expertise within the OCC, the evidence supports the vast majority of suggestions submitted, and this is demonstrated in the recommendations we propose.

The question of whether residential care staff should be given increased powers of **restraint and deprivation of liberty** in order to better protect children at risk of or actually being sexually exploited was very carefully considered. Of the 43 submissions, three requested that such increased powers should be recommended with, a further four submissions asked for greater clarity on the issue, and nine stating unequivocally that there should be no increase in powers of restraint or restriction of liberty. All those in the former group were private home providers while those in the latter two groups came from all other sectors and included some private home representatives. The remainder did not comment on this issue.

It was also noted that the Chief Inspector of the former Commission for Social Care Inspection in his letter issued in 2007 stated that ‘there is no legitimate status of "semi-secure"; an establishment is either using its premises for the purpose of restricting liberty or it is not’. (See Appendix E)

Current statutory guidance, regulations and National Minimum standards were examined to assess whether they are fit for purpose. The relevant sections on restraint and deprivation of liberty are reproduced here for reference.

### 1. Children Act 1989 Guidance and Regulations Volume 5 , Children’s Homes , (amended 2011)

#### Use of restraint

2.95. In December 2004, the Children’s Rights Director published – Children’s Views of Restraint. The report stressed:

- the importance of all children’s homes having genuinely predictive strategies in place to avoid the use of restraint;
- the need for any means of physically intervening with a child to be based on their specific individual personal needs; and
- the importance of staff being competent to deliver physical intervention in such a way that children are not hurt.

2.96. Physical interventions to restrain or protect children and young people can only be justified within a context in which children are offered positive care that meets their individual needs and respects their personal integrity. Any technique for restraining a child should never be intended to inflict pain. This could be an electronic record, but this must be accessible to all who have a need to see this including the young people to whom the record refers. All records must be in formats that can not be tampered with after the event – e.g. bound numbered records or electronic entries that are then “barred” so that they cannot be amended at a later date.

2.99. The measure of restraint must be proportionate and no more force than is necessary should be used. This will be the minimum amount of force necessary to avert injury or serious damage to property applied for the shortest possible time.

2.100. Any attempt to restrain a child or young person carries risks. These include causing serious physical injury, psychological trauma or emotional disturbance.

#### Deprivation of liberty

2.109. states: "Semi-secure" children’s homes have no basis in law. An establishment is either using its premises for the purpose of providing care in a setting which restricts the liberty of a child and has been

approved by the Secretary of State as a secure children's home or it is not. Placing authorities, parents or even young people themselves cannot give their own consents for a child to have their liberty restricted. Therapy and behaviour management do not provide a reasonable excuse for restricting the liberty of a child in a children's home which is not approved as secure accommodation.

## **2. Children's Homes Regulations 2001 revised 2011**

### **17A Restraint**

(1) Subject to paragraph (2) a measure of restraint may only be used on a child accommodated in a children's home for the purpose of -

- (a) preventing injury to any person (including the child who is being restrained);
- (b) preventing serious damage to the property of any person (including the child who is being restrained); and
- (c) in the case of a child accommodated in a children's home which is a secure children's home, preventing the child from absconding from the home, and then only where no alternative method of preventing the event specified in sub-paragraphs (a) to (c) is available.

(2) Where a measure of restraint is used on a child accommodated in a children's home-

- (a) the measure of restraint must be proportionate, and
- (b) no more force than is necessary should be used.

## **3. National Minimum Standards:**

### **STANDARD 3 – Promoting positive behaviour and relationships**

Methods to de-escalate confrontations or potentially violent behaviour are used wherever appropriate to avoid the use of physical restraint. Restraint is only used in exceptional circumstances, to prevent injury to any person (including the child who is being restrained) or to prevent serious damage to the property of any person (including the child who is being restrained). In a secure children's home a child may be restrained for the purposes of preventing the child from absconding.

3.14 Restraint is not used as a punishment, nor to force compliance with instructions where significant harm or serious damage to property are not otherwise likely. Use of restraint is set out in the home's behaviour management policy and is in line with any relevant government guidance on restraint and approved approaches to the application of physical intervention and restraint.

3.15 Where children's homes use restraint, staff are trained in the use of physical restraint techniques and only use the home's agreed techniques. Training is regularly refreshed.

3.16 Where there has been physical restraint, children's homes must be able to call on medical assistance as required and children are always given the opportunity to be examined by a registered nurse or medical practitioner.

3.17 All children and staff are given an opportunity to discuss incidents of restraint they have been involved in, witnessed or been affected by, with a relevant adult.

3.18 Where any sanctions, disciplinary measures or restraint are used, children are encouraged to have their views recorded in the records kept by the home.

3.19 No children's home restricts the liberty of any child as a matter of routine or provides any form of secure accommodation unless that home is an approved secure children's home.

### **STANDARD 10 – Providing a suitable physical environment for the child**

Each home is situated in a location that supports its aims and objectives and proposed models of care for children and young people. This includes children being able to access external services, recreational activities and to maintain and develop relationships with family and friends.

10.2 The home's location and design promotes children's health, safety and wellbeing and avoids factors such as excessive isolation and areas that present significant risks to children.

10.3 The home provides a comfortable and homely environment and is well maintained and decorated. Avoidable hazards are removed as is consistent with a domestic setting. Risk reduction does not lead to an institutional feel.

10.4 Physical restrictions on normal movement within or from the home are not used unless this is necessary to safeguard children and promote their welfare and development. Such measures are only used where agreed with the responsible authority and, if appropriate, the parents. Such restrictions for one child do not impose similar restrictions on other children.

10.5 For children's homes that are not secure children's homes, where specific measures, including electronic devices, are used to monitor children, there is a written policy that sets out how they should be used, how they promote the welfare of children, how children will be informed of their use, how legitimate privacy of children will be protected and how children will be protected from potential abuse of such measures.

In addition, the statutory guidance on children who run away and go missing from home or care (2009) was examined to determine whether it is sufficiently comprehensive.

It is our view that the existing legislation and statutory guidance provide a sound balance between the permission to restrain a child or deprive him/her of liberty in order to protect that child or others at risk whilst having in place appropriate protections to ensure that such measures are not misused resulting in children being abused either by intent or inadvertently.

Volume 5 of the Children Act 1989 Regulations and Guidance sets out unambiguously that a children's home must provide a homely and caring environment. It states under key principles and values: A children's home should provide a positive, supportive and caring living environment. Staff must be trained and supported to create and maintain such an environment. The best outcomes are achieved when the children and young people are cared for by well trained, supportive and actively engaged adults, with whom they can develop appropriate attachments and make positive relationships. Children and young people need good adult role models, and the freedom and space to develop their coping strategies, approaches to relationships and strong respect for other individuals.

We have also sought to identify any evidence that might demonstrate that periods of deprivation of liberty or use of restraint are effective and quick-fix solutions to prevent the on-going sexual exploitation of children.

It has not been possible to identify any such evidence.

On the contrary, the evidence shows that children who are being sexually exploited are inexorably drawn to their abusers and may take years to escape. This can be compounded by threats to hurt family or friends if the child seeks to escape. The result is that children return repeatedly to their abusers in much the same pattern as seen in women who are victims of domestic violence. Whilst such behaviour may apparently defy logic, the evidence is that an intense emotional dependence on, or fear of, the abusers is created which cannot be fractured by short term restrictions on liberty. Having also discussed this issue with CROP, who represent parents of children who have been sexually exploited, while some parents in desperation have sought to lock their children in, ultimately parents themselves state that this approach does not work.

The question then arises as to how long any such deprivation of liberty must last in order for it to be effective and whether such actions are tolerable in a society which values children's psychological and physical integrity.

Again, no evidence exists to demonstrate the minimum time such deprivation of liberty must last in order

to be effective. The risks of lengthy periods in isolation for a child so detained are acute and it is important to remember the lessons from the Pindown Inquiry conducted by Alan Levy QC in 1990/91.

Pindown was a method of punishment used in children's homes in Staffordshire, England in the 1980s. It involved locking children in rooms called "pindown rooms", sometimes for periods of weeks or months, similar to a lockdown in prisons. The children were kept in solitary confinement with little furniture, no conversation and repetitive occupations.

Between 1983 and 1989 a total of at least 132 children, aged nine and upwards, experienced what came to be called 'pindown'. It varied in length but did last, in one instance, up to 84 continuous days. 'Pindown' was punishment for such activities as running away from care or school, petty theft, bullying and threats of violence.

The 'Pindown' Inquiry found that the practice was decisively outside anything that could properly be considered as good childcare practice. In the view of the Inquiry it was an unethical, unprofessional and unacceptable practice, and unlawful.

We are therefore satisfied that the current legislation, guidance, regulations and National Minimum standards require little change.

"Georgia" was sexually exploited from the ages of 13 -15 whilst under a full care order and living in a local authority residential children's home. She was exploited in a group associated context and was regularly abducted by her exploiters for anything from 2- 8 days at a time. "Georgia" described to us how she would be held without access to food, water or any washing facilities during these periods. Men would be brought to the place where she was being held and she would be serially raped until finally released. She told us that she would return to her children's home hungry, filthy and sometimes covered in sores but that nobody ever tried to talk to her about where she was going or what was happening to her. She has now been diagnosed with a serious mental health condition.

## **Overall Discussion**

### **Evidence of the known scale, scope, extent and nature of child sexual exploitation in gangs and groups**

Emerging findings from the CSEGG Inquiry indicate that child sexual exploitation is happening across England, to children and young people from a range of backgrounds, and in a variety of ways.

The recent case in Rochdale highlighted the use of a take-away shop by nine men to groom and abuse vulnerable girls, more than 50% of whom were known to social care services, with a third of those having experienced episodes in care. The use of take-away shops to groom and abuse girls in groups is a model of abuse that we have seen in other parts of the country as part of the call for evidence and site visit processes. However, this is not the only model that we have identified and the interim report will set out in detail the range of ways in which children are being sexually exploited and the methods used to control them, in addition to who is doing what to whom. Emerging evidence indicates the following:

- Both perpetrators and victims are ethnically diverse - see tables 3 and 5 above.
- Both perpetrators and victims come from all social backgrounds.
- Perpetrators sometimes operate within highly restricted areas, such as their immediate neighbourhood only. Others, by contrast, are moving children significant distances.
- The Inquiry has received multiple reports that children who have been sexually exploited have a history of having been sexually abused as children in an intra-familial setting. Despite research into CSE suggesting this prior abuse is both perpetrated and known about, it has rarely been formally recognised or addressed by the statutory agencies. We note that very few children have child protection plans under the criterion of child sexual abuse.
- Buses and trains are used to transport children, as are taxis run by taxi companies in some localities.
- The abuse takes place in private houses, warehouses, transportation vehicles, public spaces, parks, schools, hotels and hostels.
- Some groups of abusers are linked to extended or immediate family of some of the victims, with some overlap with intra-familial abuse.
- There are clear differences as well as some overlaps between group associated and gang associated child sexual exploitation.
- The use of threats, violence, power or status, or a mixture of these, is significant within patterns of intimidation and control of victims.
- There are some links to adult based prostitution and brothels.
- Young men and boys as well as adults are involved in perpetrating sexual exploitation and abuse.
- The use of drugs and alcohol occurs as part of the abuse in some, but not all instances.
- The use of mobile technology and messaging systems is significant in the facilitation, instigation, sustaining of and perpetrators' engagement in abuse.
- Victims are linked to each other through schools, the internet, mobile phones, social gatherings, children's homes, neighbourhoods and public spaces such as shopping centres, funfairs, take away shops and coffee shops.
- There are potential biases in the way that child sexual exploitation is identified which means that agencies are more likely to identify victims who are girls than boys, who are white than from an ethnic minority, who are already known to children's services rather than those who are not. This results in a partial identification of victims and a consequential failure to protect all children at risk.
- The Inquiry so far has identified enough victims who are boys, who are from ethnic minority communities and who are not known to targeted or specialist children's services, to be confident that these children are being victimised. However, when they are identified it is often in a different way from the means by which sexually exploited children have traditionally been recognised. This does not in any way diminish the awful reality of the abuse of those already identified.

This complexity will be explored in detail in the interim report and when the process of analysing and

quantifying the data will be complete.

## Significant themes

At this stage of analysis it can be confidently stated that:

- Group and gang associated child sexual exploitation is taking place across England
- Group and gang associated sexual exploitation is being perpetrated by people of varying ages, ethnicities and social backgrounds
- In some areas agencies have a stronger focus on identifying group-associated child sexual exploitation, and others have a stronger focus on gang-associated child sexual exploitation
- Some services are better able to identify gang-associated child sexual exploitation than others, and as such even within a local area different services provide different intelligence on both victims and perpetrators
- Children are being sexually exploited by groups and gangs made up of people who are of both the same, and different, age, ethnicity, religion and social backgrounds to them
- Children in care and children not in care are being sexually exploited. While the majority of children being sexually exploited are not in care, a disproportionate number are in care.

The full interim findings will be published in September 2012.

## Evidence of the potential scale, scope, extent and nature of child sexual exploitation in gangs and groups

Emerging findings from the indicator dataset imply that the scale, scope and extent of child sexual exploitation in gangs and groups are greater than that which is currently known. The site visits, in particular, have enabled us to identify victims who are not necessarily labelled as such by the local authority. In addition, we have emerging concerns that:

- not all children who are missing from home will be reported and this can lead to them not being identified as being at risk
- children aged 16 and over are not identified as readily as those who are younger
- child sexual exploitation happens during the day as well as at night, but daytime missing incidents are not viewed as seriously
- children who have become involved in criminal activity, or who live in particularly violent neighbourhoods are not identified as missing or as at risk of child sexual exploitation at the same rate as other children
- the health impacts of child sexual exploitation such as poor mental and emotional health (including self harm and attempted suicide), repeat actual and feared contracting of sexually transmitted infections, repeat actual or feared pregnancy, and other injuries, are not identified consistently
- risks to older children in hostels, bed and breakfast accommodation and foyers is frequently not identified
- missing from school data is not used as readily as missing from home data to identify victims
- specific models in specific localities are being focused on, to the detriment of children who are being victimised in different ways.

Given these concerns, it is important to note that the number of cases that we have been notified of via our call for evidence is not representative of all cases of child sexual exploitation. A data request based on the indicators of child sexual exploitation has been issued and is key to ascertaining:

- the total number of children who are vulnerable to child sexual exploitation
- potential patterns and themes in the indicator set in relation to gender, age, ethnicity and disability

The deadline for submissions on the dataset is in mid-June 2012 and the analysis will be completed in time for our interim report in September 2012.

## **Evidence of the specific impact of child sexual exploitation in gangs and groups on children in care**

When we draw together the evidence from the CSEGG Inquiry, and the additional submissions that we received for this accelerated report, we are able to identify consistent themes. Key issues arising are:

- Children in care, particularly those in residential children's homes, are vulnerable
- While children in care account for a disproportionate number of children known to be sexually exploited, the majority of sexually exploited children are not children in care
- In some areas agencies are focusing exclusively on children in care or known to social care services when seeking to identify children at risk of or known to be sexually exploited
- Children are being sexually exploited when living in a range of circumstances, and may be sexually exploited prior to living in residential care
- Relationships with parents, care staff, outreach workers, social workers and other trusted adults, together with proactive action to prevent, disrupt and convict perpetrators, will impact most positively to protect children from sexual exploitation
- There are conflicting opinions on the use of restraint and restriction of liberty as an approach to protecting children from sexual exploitation.

**In addition the following themes emerge throughout the evidence base:**

### **The care system and care planning**

The protection of children in care from exploitation raises a number of issues about the care system and about care planning for individual children. These do not just concern the use of residential care but relate to assessment and planning for the right placement for each child where the child can have stability and high quality care. If residential care is to be used it must be the placement of choice, matched to the child's needs and not a last resort.

Emerging evidence makes repeat references to: inconsistencies in the quality of assessment and risk assessment; instability and lack of choice in placements; lack of support for foster parents; lack of information on child protection plans, and a reduced recognition of child sexual abuse as indicated by child protection plans; an inability to appropriately identify placement by type, specialism and geography.

### **Targeting of children's homes**

There is evidence from around the country that some residential children's homes have been targeted by those who want to sexually exploit children. In some cases specialist child sexual exploitation services have developed working relationships with residential children's homes to support staff and children. Given the nature of turnover of placements in residential units, there is a constant flow of vulnerable children for perpetrators to exploit. As a result, some services have reported having worked with the same residential unit over a number of years, as different children arrive and leave the unit over that time period.

### **Recruitment inside children's homes**

In addition to the external targeting of some children's homes, there is also emerging evidence that children who are being sexually exploited may introduce other children within children's homes to their exploiters. In some cases there is clear evidence of coercion, where sexually exploited children are forced and threatened to bring other children with them when meeting exploiters. Local authorities have reported concerns about children in some children's homes going missing together where there is evidence that these children are missing as a result of sexual exploitation. In some cases this can mean that children who are not sexually exploited, but who are in a children's home, may be drawn into sexual exploitation through other children that they have met during their placement. The process of

'introduction' is not restricted to children's homes, and there is evidence of the same approach being used in other settings, such as in some schools. If the exploited child's needs are not recognised, the Statement of Purpose for a home is not adhered to or perhaps because of an emergency placement, the inappropriate placement of a young person who is being exploited may lead to harmful impact on the needs of the wider group.

"Juliette" was an 11 year old girl who was serially exploited by a group of teenage boys. She appeared to have a history of intra-familial child sexual abuse. This had not been identified and she was not on any order at the point at which police disrupted the abuse and arrested the young males concerned. The police placed Juliette in emergency care under a Police Protection Order. She was placed in a residential children's home within her area. There were two other older girls with histories of CSE already living in this home. On Juliette's first night, they absconded with her and took her to some abandoned houses where they were all plied with drink and drugs and were further sexually exploited. They returned voluntarily the next day.

### **Safe travel**

During the CSEGG Inquiry phase one visits schedule the Inquiry Chair and Panel were informed about children being expected to arrange their own travel back to their residential unit late at night. This was a concern raised by a range of services who were working with sexually exploited children in a number of localities and we therefore do not consider it to be an isolated incident.

### **Reporting of missing incidents**

Emerging phase one evidence indicates an inconsistency with the reporting and recording of missing incidents from residential units. The Department for Education only receives reports of children who were missing for more than 24 hours, and the emerging evidence indicates that children who are sexually exploited may sometimes go missing for much shorter periods of time. Submissions to the call for evidence process have asked us to specifically consider this issue.

### **Criminalisation of children**

The Inquiry has received reports of children in residential units being criminalised as a result of their behaviour towards staff and property. While it is right and proper that appropriate boundaries are imposed and the safety of residents, staff and property is prioritised, staff working in care homes need to have the skills to recognise and respond to the uncontained distress and anger that children may feel as a result of their abusive life experiences. In the recent court case in Rochdale, some media coverage highlighted the arrest of a victim who smashed up the reception of a take-away shop that was owned by her abusers. The act of lashing out, as with self harming, may be an expression of violent rage, impotence, self loathing or despair on the part of a child who is suffering on going abuse. It is critical that staff have the skills, knowledge, support and awareness to identify the underlying causes of such behaviour and to respond appropriately.

### **Differential responses to boys and girls who go missing**

While the majority of known sexually exploited children are girls, boys too are exploited. Concerns have been raised that when boys go missing from residential units, or are picked up by groups of older males, sexual exploitation is not something that is considered; this is particularly the case when boys are seen to be "exploring their sexuality". This differing perception of risk is not unique to staff who work in children's homes, and is more indicative of the ways in which risk to boys is perceived differently to risk to girls.

### **Staff support and training**

The most consistent plea to the request for additional evidence for this accelerated briefing was for improved training, professional development and support for staff working in residential care. The

National Minimum Standards require that managers of children's homes are qualified to level 5 and staff are qualified to level 3. There is no requirement for managers to have a qualification in one of the core professions of health, education or social care. It is of considerable concern that the workforce tasked with caring intensely for some of our most troubled children is one of the least qualified workforces in the social care sector. This is in contrast to social work which is now an all degree profession. There are also no minimum requirements for on-going professional development and the standards for supervision and support are ill-defined allowing for considerable latitude in terms of quality. There is no requirement for any training on recognising the signs and symptoms of sexual exploitation.

### **Foyers, bed and breakfasts and hostel accommodation**

Children aged 16 and over who are being housed in foyers, bed and breakfast and hostel accommodation are at significant risk. For children placed in such provision key concerns are:

- They are being accommodated with young adults up to age of 25 in many cases
- They are at risk of sexual exploitation by residents as well as from those who may be targeting residents
- The response to those who went missing was even less proactive than children who went missing from children's homes
- In some cases the placement was unstable.

It is of grave concern that children from the age of 16 who are classed as "leaving care" and often lack resilience and have few resources, social, psychological and material, on which to draw are being placed in such risky accommodation. The Inquiry heard of unaccompanied asylum seeking children aged 16 -17 being placed in mixed hostels with up to 300 residents and where violence, intimidation and exploitation were commonplace.

"Rachel" is a 17 year old young woman who was sexually exploited in a group context over a two year period. She was under a full care order as a result of her sexual exploitation and her mother felt she was unable to protect her if Rachel continued to live at home. Rachel was placed in a residential unit and was supported by a specialist CSE service. When we met her, Rachel was approaching her 18<sup>th</sup> birthday and preparations were being made for her to leave her children's home. She was intensely anxious as the plan was to place her in either bed and breakfast or hostel accommodation. Rachel was told that, once categorised as a care leaver, the support she received from the specialist CSE service would be terminated as she would no longer be eligible. This was a source of considerable distress to her as was the fact that she would be living without the care provided by her children's home. Rachel said to us: "I'm not ready to be on my own."

### **Use of local authority secure children's homes (LASCH)**

There appears to be inconsistent use of, and occasional over-reliance on, secure children's homes as a means of seeking to protect children from sexual exploitation. Some areas report using LASCHs far more frequently than others, and this differing level of usage does not appear to be linked to differing prevalence rates for sexual exploitation within specific localities; rather it seems that some areas prefer to use secure accommodation than do others. While there are undoubtedly some circumstances under which the use of secure accommodation is in the best interests of a child, placement must be on the basis of a thorough assessment and cannot be a substitute for effective long term treatment and care. In addition, there are concerns about the potential institutionalisation of children who come to rely on secure units in order to feel safe, the limited time available to offer intensive support while a child is in the secure setting, and the continued need for long-term solutions that are community-based.

### **Non-specialist nature of provision for children in care**

A key challenge for those providing accommodation for children in care, be they foster carers, residential children's homes, foyers, hostels or secure units, is that the majority of the staff who work in those units are not specialists working with highly troubled children and young people nor in child sexual

exploitation. Compared to the staff who work in a domestic abuse refuge for example, the level of support and training offered to the majority of staff is inadequate in relation to the need they are tasked with meeting. Much of the provision is mixed gender, non-specialist and doesn't sit within a wider network of support services. Literature indicates that where residential units, or foster carers, for example, are connected to a specialist service for the children, or have strong working relationships with the police, such gaps start to be filled. The same applies to the inclusion of care staff in multi-agency training on sexual exploitation. At this stage of the CSEGG Inquiry it is not possible to make a full recommendation on this issue, as phase two of the work will consider good practice etc. However the lack of expertise is evident in our emerging evidence base and therefore requires noting here.

## **Recommendations**

The Office of the Children's Commissioner was asked whether any specific changes were required in legislation, regulation, guidance or practice to better protect children in residential care.

The following recommendations must not deflect attention from children who are affected by sexual exploitation and who are not in care. The CSEGG Inquiry will be making interim recommendations on prevalence and patterns, and on tackling child sexual exploitation in gangs and groups, in September 2012. We will make full recommendations on policy and practice at the close of the CSEGG Inquiry in September 2013.

We are aware of some excellent work being done by residential children's homes and across the wider child protection system to protect children from sexual exploitation. Some local areas, and the residential homes within them, are working considerably beyond what the regulations require, in order to protect children. It is such practice that we want to see mirrored across the country. We are also aware of the work being conducted by the Department for Education's support and improvement programme for children's homes.

The following recommendations take into account the place of residential care within the wider care and child protection system, and in addition, the connections to policymakers' and society's broader concerns around child sexual exploitation. The evidence submitted for this accelerated report raised a range of observations and recommendations about children in care, irrespective of their being either subjected, or vulnerable, to child sexual exploitation. Whilst some recommendations are directly related to the ability of residential children's homes to better protect children from sexual exploitation, they are linked to recommendations about both residential children's homes, and the care and child protection systems more broadly.

In order for staff in residential children's homes to be empowered and supported to safeguard the children in their care, and to enable some of the most vulnerable children in society to live in a safe and supportive home, the Office of the Children's Commissioner makes the following recommendations:

1. Government should undertake a thorough examination of residential care, including the profile of children, location and type of homes, recruitment, qualification and training of staff, and analyses of how local authorities are meeting their duties under the sufficiency requirements. For full recommended scope of a thorough examination of residential care please see Appendix D.
2. Government should amend the Care Planning, Placement and Case Review Regulations 2010 and related Guidance to state that a child's care plan should include a safety plan when the child/young person is at risk of or has experienced CSE. This should be based on a thorough assessment of need and explicitly address the risks the child faces, be negotiated with the child and engage family, supporting adults and, as appropriate, the police.
3. Regulations should proscribe any child in care, or leaving care, from being placed in bed and breakfast accommodation.
4. Amendment should be made to Regulation 33 of the Children's Homes Regulations 2001 (as amended by the Children's Homes (Amendment) Regulations 2011). Monthly inspection visits to private children's homes should be by a person independent of the organisation running the home and appointed or approved by the local authority.
5. Consideration should be given to current planning regulations in relation to children's homes. Safeguards need to be put in place to ensure that children's homes are not opened in areas that present a high risk to the children being placed. This must include checks on numbers of registered sex offenders in the area.

6. The Government should amend the Care Standards Act 2000 (Registration) (England) Regulations 2010 to allow Ofsted to routinely share its information about the location of children's homes with the police.
7. All references in Guidance and Regulation to 'prostitution' when speaking of children should be amended to 'child sexual exploitation'. (For example Schedule 5 of the Children's Homes Regulations 2001 (as amended by the Children's Homes (Amendment) Regulations 2011).
8. Consideration should be given to amending Regulation 11(2)(d) of the Care Planning, Placement and Case Review (England) Regulations 2010. Currently this requires authorities to notify the area authority where the child is to be placed. This could be strengthened by requiring the placing authority to consult with the area authority to assist their assessment that the placement is the most appropriate placement available and that it will meet the child's needs identified in the care plan. This would enable the placing authority to establish, for example, if there is known intelligence locally of sexual exploitation associated with the children's home or local area.
9. Consideration should be given, in the National Child Sexual Exploitation Action Plan, to the role of Local Safeguarding Children's Boards in having oversight of:
  - a. The relationships between police and local authority children's homes in the local area, so that intelligence about groups of exploiters in the area and support to staff and young people can be provided
  - b. Children who go missing and children at risk of or who have experienced exploitation: ensuring analysis of information gathered through Runaway Children and Missing From Care (RCMFC) records.
10. In line with the 2009 statutory guidance on children who run away and go missing from care, regulations should be amended to ensure when children have run away from care, that all return interviews involve an independent person, preferably an advocate or trusted adult from outside the home. These should enable young people to talk about any concerns including about the home. The content should feed into local police intelligence about sexual exploitation. Police 'safe and well' interviews should be considered as well – with the young person's agreement. Possibly through amendment to Sec 16 (4) (b) of the Children's Homes Regulations 2001 (as amended by the Children's Homes (Amendment) Regulations 2011).
11. The Care Planning, Placement and Case Review Regulations 2010 and related Guidance should be amended to ensure that a child's Independent Reviewing Officer (IRO) should be informed when children run away and consider bringing forward the review. The IRO service should be informed about the pattern of absences or running away by children in care.

Once we have completed evidence gathering and our fuller analysis on best practice, the OCC will make full recommendations on the following issues. We are extremely concerned about them, and urge the Government to give them due consideration:

- Whether there should be standard arrangements for recording incidents of children going missing, including from care and school; and equally standard recording of incidents where they affect those considered at risk of, or who have experienced, sexual exploitation.
- Whether specific changes are required to ensure that effective measures are in place to safeguard children aged 16 – 18 accommodated in foyers and hostels.
- Whether there should be an extension to the age limit from 16 years to 18 years within the provisions of the Child Abduction Act 1984 regarding the abduction warnings process and that these should be issued with or without parental consent, if deemed necessary.
- Whether amendments are required to the Care Planning, Placement and Case Review Regulations 2010 and related Guidance to ensure that independent advocacy is available to all children in all children's homes.

## **Future timetable for the CSEGG Inquiry**

## **Interim report - September 2012**

The CSEGG Inquiry interim report will be published in September 2012. The report will outline:

- Presentation of the full evidence base gathered during phase one
- The scale, scope, extent and nature of recorded cases of child sexual exploitation in gangs and groups over a 14 month period
- The potential scale, scope, extent and nature of child sexual exploitation in gangs and groups over a one year period
- Quantified characteristic breakdowns of victims and perpetrators
- Qualitative thematic data on the nature of the abuse, with themes identified across England within and across a group and gang context
- Future thoughts for phase two and immediate remedial activity required.

## **Phase two launch - September 2012**

Following the publication of the CSEGG Inquiry Interim Report, we will publish our work programme for phase two including a call for evidence to gather information on current and required remedial activity.

## **Final report - Autumn 2013**

In autumn 2013 we will publish the final CSEGG Inquiry report including full recommendations for responding to, and preventing, child sexual exploitation in gangs and groups.

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## **Appendix A: CSEGG Panel Members**

Sue Berelowitz, Deputy Children's Commissioner and Chief Executive – Office of the Children's Commissioner

Carlene Firmin MBE, Principal Policy Advisor - Office of the Children's Commissioner and Advisor and Head of the Secretariat for the CSEGG Inquiry

Deborah Hodes, Consultant Community Paediatrician - Royal College of Paediatrics and Child Health

Martin Houghton-Brown, Chief Executive - Missing People

Whitney Iles, Founder - No Sex Without Love

Commander Christine Jones - Association of Chief Police Officers

Marai Larasi MBE, Director - Imkaan and Co-Chair of Women's Aid

Professor Jenny Pearce – University of Bedfordshire University

Professor John Pitts – University of Bedfordshire University

Stanley Ruszczyński, Clinical Director and Consultant Adult Psychotherapist - Portman Clinic and Tavistock and Portman NHS Foundation Trust

Dr Mike Shaw - Consultant Child and Adolescent Psychiatrist

Sheila Taylor MBE, Director - National Working Group

Kate Wallace, Programme Manager - Barnardo's

**Full biographies are available on the Office of the Children's Commissioner's website**

## **Appendix B: Call for evidence for the accelerated report**

In October 2011 I launched a two-year Inquiry into Child Sexual Exploitation in Gangs and Groups (CSEGG), with the objective of establishing the scale, scope, extent, and nature of such abuse in England, and what remedial activity is required to tackle it. The recent court case in Rochdale and consequent media commentary, have thrown into sharp relief the importance of the work we are undertaking to establish an evidence base for the prevalence of Child Sexual Exploitation (CSE) in England.

While the CSEGG Inquiry interim report will be published in September 2012, last week Michael Gove, Secretary of State for Education, asked me to provide him with a very early report setting out emerging findings, with particular consideration to children in care; this will be with him for early June. At the Secretary of State's request, the June report will also contain recommendations to amend legislation or statutory guidance to improve practice for children in care or in residential units in relation to protecting them from CSE. As we are only 8 months into a two year Inquiry, and given that we are concerned with a broader remit than children in care, I am contacting a select number of stakeholders to ascertain whether you hold any additional evidence or recommendations that are of relevance to the June report. In particular:

- What evidence is there that children in care are at increased risk of sexual exploitation?
- Are there any changes required in legislation, guidance or practice to assist the protection of children in care from child sexual exploitation?
- Are there any changes required in legislation, guidance or practice to improve responses to children in care who go missing?
- We are interested in the experiences of children throughout the care system, including those in foster care and residential units, the use of secure units, as well as 16 and 17 year olds who may be in foyer, hostel or bed and breakfast accommodation.

We want to ensure that the evidence provided in the June report is as robust as possible to ensure change for children. Given the urgency that the Secretary of State has placed on receiving the emerging findings and early recommendations, there is an extremely tight deadline for receipt of submissions. Submissions therefore need to be emailed to the CSEGG mailbox, [CSEGG.Inquiry@childrenscommissioner.gsi.gov.uk](mailto:CSEGG.Inquiry@childrenscommissioner.gsi.gov.uk) by the close of play 22<sup>nd</sup> May in order to ensure that the content is included in this report. Please combine multi-agency submissions into one report.

## **Appendix C: CSEGG Dataset**

<b>#</b>	<b>Indicator</b>	<b>Requested from</b>
1	Children missing from school roll (measured as CME group – child missing education)	Local Authority (LA)
2	Children accommodated in hostel, foyer, bed and breakfast and other semi-supported or unsupported housing	LA
3	Children reported missing from local authority care – for less than 24 hours	LA
4	Children referred to child protection services on the grounds of child sexual exploitation Of those above: - Number of child protection plans initiated - Number where child protection case conference initiated (We are aware that this is not a primary category and therefore may not be recorded. If it is not recorded please respond to inform us that this data is not available)	LA
5	Number of children referred to child protection services as being at risk of gang-related violence or gang association Of those above: - Number of child protection plans initiated - Number where child protection case conference initiated (We are aware that this is not a primary category and therefore may not be recorded. If it is not recorded please respond to inform us that this data is not available)	LA
6	Based on ASSET data the children who: Have breached due to non-compliance Are on the sex offenders' register Has looked-after status Are living with a partner Are of no fixed abode Are absconding Are living with a partner who has been involved in a criminal activity Have a lack of age appropriate friendships Are putting their health at risk through his/her behaviour Display sexually inappropriate behaviour	LA
10	Children accessing CAMHS services where a record is made that the child has experienced or witnessed violence against self, perpetrated by self or witnessed others being violent to a third party	Primary Care Trusts (PCT)
11	Children recorded by a CAMHS service as self harming or having suicidal intent	PCT
12	Children accessing the services of Drug and Alcohol teams	PCT
13	Children presenting at Sexual Assault Referral Centres	PCT
14	Recorded multiple perpetrator rape offences when the victim is a child (multiple individuals reported to be involved in the commission of the offence).	Police (POL)
15	Recorded single perpetrator rape offences when the victim is a child (excluding intra-familial abuse)	POL
16	Recorded sexual exploitation related offences (as introduced in the Sexual Offences Act 2003) where the victim is a child 17A Sexual Assault on a Male aged 13 and over 17B Sexual Assault on a Male Child under 13 19C Rape of a Female aged 16 and over 19D Rape of a Female Child under 16 19E Rape of a Female Child under 13	

	19F Rape of a Male aged 16 and over 19G Rape of a Male Child under 16 19H Rape of a Male Child under 13 20A Sexual Assault on a Female aged 13 and over 20B Sexual Assault on a Female Child under 13 21 Sexual Activity involving a Child under 13 22A Causing Sexual Activity without Consent 22B Sexual Activity involving a Child under 16 23 Incest or Familial Sexual Offences 24 Exploitation of Prostitution 27 Soliciting for the Purpose of Prostitution 70 Sexual Activity etc with a Person with a Mental Disorder 71 Abuse of Children through Prostitution and Pornography 72 Trafficking for Sexual Exploitation 73 Abuse of Position of Trust of a Sexual Nature 88A Sexual Grooming 88C Other Miscellaneous Sexual Offences 88D Unnatural Sexual Offences 88E Exposure and Voyeurism	
17	Children reported as missing (including number of times if available)	POL
18	Children recorded by the police as repeat misper across the entire year and within the following time frames: (Missing 3 times in 90 days) (Missing 3 times in 2 weeks)	POL
19	Children on a school roll but missing from education (measured by persistent absence using 15% threshold)  State-funded primary and secondary schools	Dept for Education (DFE)
20	Children on a school roll but missing from education (measured by 15% persistent absence) Special schools and pupil referral units	DFE
21	Fixed and permanent exclusions for: sexual misconduct physical assault against a pupil Drug and alcohol related Maintained primary, state-funded secondary and special schools Can be multiple records per pupil	DFE
22	Fixed and permanent school exclusions for: sexual misconduct physical assault against a pupil Drug and alcohol related Pupil referral units Can be multiple records per pupil	DFE
23	Fixed and permanent exclusions for: sexual misconduct physical assault against a pupil Drug and alcohol related Maintained primary, state-funded secondary and special schools Can be multiple records per pupil	DFE
24	Fixed and permanent exclusions for: sexual misconduct physical assault against a pupil Drug and alcohol related Pupil referral units Can be multiple records per pupil	DFE

25	Number of pupil enrolments that were persistent absentees (15%) State-funded primary, secondary and special schools	DFE
26	Number of pupil enrolments that were persistent absentees (15%) Pupil referral units	DFE
27	Children in local authority care	DFE
28	All children that went missing from local authority care at least once during the period. Further information on type of 'missing' 1. Children who were absent from their agreed placement but were in a refuge for children at risk, 2. Children who were absent but their whereabouts were known to social services 3. Children who were absent with whereabouts unknown.	DFE
47	Children in the establishment who staff consider to have experienced sexual exploitation	Secure Estate (SE)
48	Children in the establishment who staff consider to be at risk of sexual exploitation when in the community	SE
49	Children in the establishment considered to have perpetrated sexual exploitation of other children	SE
50	Children in the establishment considered to be at risk of perpetrating sexual exploitation of other children when they were in the community	SE
51	Children in the establishment considered to be gang associated	SE
52	Children in the establishment convicted of a group-based offence	SE

## CSEGG Dataset 2

29	Children in local authority care	Requested from
30	Children subject to a child protection plans where sexual abuse is the latest category of need	DFE
31	Children identified as being a Child in Need after Initial Assessment, including: - Information on the Primary Need at Initial Assessment (either "Abuse or Neglect" or "Other" category - Yes/No indicators whether Child then went on to have a child protection plan. If CPP present: - The latest category of abuse for the child protection plan. (Sexual Abuse/Multiple Abuse/Other)	DFE
32	Children presenting on at least one occasion within a year at: GUM* or family planning clinics Teenage pregnancy services Children and young people's sexual health services For non-routine appointments *Health protection agency can only provide data for GUM clinics and for instances where Chlamydia was diagnosed within other settings.	Health Protection Agency (HPA)
33	Children presenting on more than one occasion within a year at: GUM* or family planning clinics Teenage pregnancy services Children and young people's sexual health services For non-routine appointments *Health protection agency can only provide data for GUM clinics and for instances where Chlamydia was diagnosed within other settings.	HPA

34	Children (10 to 13 years old) presenting with any incident of acute sexually transmitted infections	HPA
35	Children (10 to 13 years old) presenting with more than one acute case of a	HPA

	sexually transmitted infection within one year.	
36	Children (14 to 17 years old) presenting with any incident of acute sexually transmitted infections	HPA
37	Children (14 to 17) presenting with more than one acute case of a sexually transmitted infection within one year.	HPA
38	Children applying for more than one termination of pregnancy within one year	DH
39	Children accessing CAMHS services where a record is made that the child has experienced or witnessed violence against self, perpetrated by self or witnessed others being violent to a third party.	Unavailable
40	Children recorded by a CAMHS service as self harming or having suicidal intent	Unavailable
41	Children accessing the services of drug and alcohol teams	Unavailable
42	Children presenting at Sexual Assault Referral Centres	Unavailable
43	Recorded sexual exploitation related offences (as introduced in the Sexual Offences Act 2003) where the victim is a child 17A Sexual Assault on a Male aged 13 and over 17B Sexual Assault on a Male Child under 13 19C Rape of a Female aged 16 and over 19D Rape of a Female Child under 16 19E Rape of a Female Child under 13 19F Rape of a Male aged 16 and over 19G Rape of a Male Child under 16 19H Rape of a Male Child under 13 20A Sexual Assault on a Female aged 13 and over 20B Sexual Assault on a Female Child under 13 21 Sexual Activity involving a Child under 13 22A Causing Sexual Activity without Consent 22B Sexual Activity involving a Child under 16 23 Incest or Familial Sexual Offences 24 Exploitation of Prostitution 27 Soliciting for the Purpose of Prostitution 70 Sexual Activity etc with a Person with a Mental Disorder 71 Abuse of Children through Prostitution and Pornography 72 Trafficking for Sexual Exploitation 73 Abuse of Position of Trust of a Sexual Nature 88A Sexual Grooming 88C Other Miscellaneous Sexual Offences 88D Unnatural Sexual Offences 88E Exposure and Voyeurism	Home Office (HO)
44	Identified gang nominals in the identified Ending Gang Violence areas	HO
45	The number of children breached for non-compliance.	Youth Justice Board (YJB)
46	The number children convicted of a sexual offence.	YJB

## **Appendix D: Recommended scope of a thorough examination of residential care**

The thorough examination of residential care should as a minimum, cover the following:

- The place of residential care within the wider care and child protection system
- A workforce review similar to that conducted into social work by the Social Work Taskforce, led by Moira Gibb and currently being implemented by the Social Work Reform Board. This should examine recruitment, qualifications and training for both managers and staff in residential children's homes
- Examination of the nature and frequency of the supervision provided to staff and the qualification of supervisors
- Mapping of children's residential care across England including: the type of provision, such as specialisms; ownership, whether local authority or private; location, including in terms of deprivation indices, and numbers of registered sex offenders in the locality
- Examination and analysis of the profile of children in care, taking into account the reason for granting of a care order, distance from home, numbers placed out of authority, care status and care history, numbers of children reported missing and frequency of incidents, history of sexual exploitation, offending history, age, asylum status, disability, faith, ethnicity, gender, nationality, and any other relevant information
- Analysis of numbers and distribution of emergency beds, including by placement type
- Analysis of whether, and how, local authorities are meeting their duties under the sufficiency requirements
- Analysis of cost of placements
- Analysis of local authority commissioning priorities when awarding contracts
- Analysis of the nature of multi-agency relationships including agreed protocols with police and health services
- Analysis of the provision of mental health and other therapeutic services
- Analysis of the numbers of children leaving residential care and being placed in bed and breakfast, foyers and hostels
- Consideration of any further regulatory changes that may be required to enable personalised, high quality, provision to children across the country

## Appendix E: Letter to Directors of Children's Services from Paul Snell, Chief Inspector Commission for Social Care Inspection



*Making Social Care  
Better for People*

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CSCI – CI(2007) 4 2007

To: Directors of Children's Services

cc: Chief Executives

cc: HM Chief Inspector, Ofsted

Dear Director

### **Restriction of Liberty in Children's Homes**

From our registration and inspection work, I have become aware of a small number of children's homes which are restricting the liberty of children without being approved by the Secretary of State for this purpose. I am also aware that some authorities have sought placements in such homes. Some of these homes state that they offer "semi-secure" accommodation, using locked doors or physical restraint without legal authority or lawful excuse, with the aim of preventing children from leaving the premises.

The legal position for approval of secure accommodation is intended to ensure the welfare of children whose liberty is restricted, and children are particularly vulnerable in establishments which are not approved for that purpose. Children placed in such settings may be vulnerable to being inappropriately restrained and to loss of their legal rights without the protections of regulations and court processes. Legitimate uses of physical restraint are covered under previous guidance, namely "Guidance on Permissible Forms of Control and Restraint in Children's Residential Care" Department of Health, 1993.

I am therefore writing to remind all authorities of the legal provision for restriction of liberty, which is that in order to safeguard the welfare of these children, liberty can only legally be restricted in premises approved as secure accommodation by the Secretary of State, and only in respect of children who are the subject of an order made under Section 25 of the Children Act 1989 and where the local authority are satisfied that the criteria set out in Section 25 are met.

There is no legitimate status of "semi-secure"; an establishment is either using its premises for the purpose of restricting liberty or it is not. Placing authorities, parents or even young people themselves cannot give their own consents for a child to have their liberty restricted. The needs

of therapy or behaviour management do not provide a reasonable excuse for restricting the liberty of a child in care in a home not approved as secure accommodation.

Wherever it is demonstrated that a child in care meets the criteria, on welfare grounds, for having their liberty restricted, a placement in a local authority children's home approved for the purpose under the Children Act 1989, or other approved facility, is the appropriate course of action. The absence of an available place in a secure children's home should not be used to justify adapting the function of other children's homes to restrict the liberty of a child.

Other practices that may cause the liberty of children to be restricted are only justifiable where there is "lawful excuse", such as locking external doors at night for the purposes of keeping people out, rather than to keep children in.

Of course, local authorities are encouraged to develop a range of alternatives to secure accommodation in their area, and indeed Schedule 2, Paragraph 7(c) of the Children Act 1989 places local authorities under a specific legal duty to "take reasonable steps designed to avoid the need for children within their area to be placed in secure accommodation." I am aware of many excellent initiatives to that effect. However, this duty should not be interpreted as giving permission to providers to develop premises in children's homes in a way likely to cause children's liberty to be restricted.

I seek your support in ensuring that homes not legally approved to do so do not operate in such a way, and that placements are not made in such homes.

The Commission for Social Care Inspection has recently published a report on the use of single placement children's homes, which also address the question of restriction of liberty in some such establishments.

From 1<sup>st</sup> April 2007, Her Majesty's Chief Inspector for Education, Children's Services and Skills will have responsibility for regulating, inspecting and reviewing child care services across all sectors. I am therefore copying this letter to the Chief Inspector for her consideration of the implications for future registration of children's homes.

I appreciate your support and attention to this issue.

Yours sincerely,

A handwritten signature in black ink that reads "Paul Snell". The signature is written in a cursive style with a horizontal line underneath the name.

**Paul Snell**  
**Chief Inspector**  
**Commission for Social Care Inspection**



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