

REPORT OF THE LEADER OF THE COUNCIL

INDEPENDENT INQUIRY INTO CHILD SEXUAL ABUSE

Purpose of the Report

1. To update on the Council's response to the Independent Inquiry into Child Sexual Abuse (IICSA).

Information and Advice

Background

2. The County Council is committed to the Independent Inquiry into Child Sexual Abuse (IICSA). The Council fully supports the principles of the Inquiry and welcomes the review and the transparency that this investigation will provide for victims/survivors of historic abuse.
3. IICSA is an independent statutory Inquiry which will investigate whether public bodies and other non-state institutions in England and Wales have taken seriously their responsibility to protect children from sexual abuse, and make meaningful recommendations for change in the future.
4. The Inquiry was announced in 2014 and is led by Professor Alexis Jay. The Inquiry consists of thirteen investigations, across a wide range of institutions including local authorities, the police, the Crown Prosecution Service, the Immigration Service, the armed forces, schools, hospitals, churches, charities and voluntary organisations.
5. The Inquiry will identify: institutional failings where they are found to exist; will demand accountability for past institutional failings; will support victims and survivors to share their experience of sexual abuse; and will make practical recommendations to ensure that children are given the care and protection they need.
6. To date the following public hearings have taken place:
 - a. Children Outside the UK (Child Migration Programmes Case Study) – 10 to 21 July 2017
 - b. Cambridge House, Knowl View and Rochdale Council – 9 to 27 October 2017
 - c. Child Sexual Abuse in the Roman Catholic Church - 27 November to 15 December 2017
7. The next phase of hearings are as scheduled below:
 - a. The Internet and Child Sexual Abuse - 22 to 26 January 2018
 - b. Child Sexual Abuse in the Anglican Church – 5 to 23 March 2018

- c. Sexual Abuse of Children in Custodial Institutions – 9 to 20 July 2018
 - d. Child Sexual Abuse in the Anglican Church (Peter Ball case study) – 23 to 27 July 2018
 - e. Children in the Care of Nottinghamshire Councils – 1 to 26 October 2018
 - f. Child sexual abuse in the Roman Catholic Church (Archdiocese of Birmingham case study) – 12 to 16 November 2018
 - g. Accountability & Reparations for victims and survivors of child sexual abuse - w/c 26 November 2018 - w/c 10 December 2018
 - h. Child Sexual Abuse in the Roman Catholic Church - (Ealing Abbey case study) - w/c 4 February 2019
 - i. Children Outside the UK - w/c 11 February 2019
 - j. Westminster Investigation - w/c 4 March 2019 - w/c 25 March
8. Further information on all of the investigations is available at www.iicsa.org.uk

Children in the Care of Nottinghamshire Councils Investigation

Scope

- 9. The Nottinghamshire Councils (Nottingham City and Nottinghamshire County Council) investigation is focussed on children who lived in residential homes and with foster families.
- 10. The investigation is considering the experience of victims and survivors and will examine the scale and nature of the abuse that may have taken place under the care of the relevant authorities, dating back from the 1940s to today.
- 11. It will critically consider how both Councils responded to allegations that children were being sexually abused and will seek to identify any common themes and failings. It is important to note that the County Council also had responsibility for social care functions within the Nottingham City Council administrative area between 1 April 1974 and 31 March 1998.
- 12. Alongside the Nottinghamshire Councils investigation, the investigations into local authorities in Lambeth and Rochdale, will provide the Inquiry with a sound basis from which to consider contemporary, national issues concerning the sexual abuse and exploitation of children in care.

Progress

- 13. The Council is responding to IICSA in a corporate manner. IICSA does not just impact on children's services, the Inquiry will consider how the Council as a whole responded to concerns and investigated allegations, including Members in their role as corporate parent.
- 14. Since February 2016, the Council has submitted a significant quantity of information to the Inquiry over four information requests; and information searches are ongoing. Information submitted includes allegations, civil claims, investigations, follow-up actions, policies, procedures and training records.
- 15. At the Council's first Preliminary Hearing on 11 May 2017, the County Council was confirmed as a Core Participant in the investigation. There are currently 72 individual core participants involved in the Nottinghamshire Councils investigation; and 5 group core participants, namely the two Councils, Nottinghamshire Police, the Secretary of State for Education and the Crown Prosecution Service.

16. The Inquiry is progressing its review of the material provided in response to requests for disclosure; and requests have been made for witness statements from all complainant core participants, the Councils, Nottinghamshire Police and the Crown Prosecution Service. The Inquiry has asked the Council to submit its draft corporate witness statement by 31 January 2018.
17. The Council's second preliminary hearing is scheduled to take place on 31 January 2018 and will focus on four proposed case studies that the Inquiry have identified based on their review of material submitted so far. The Inquiry's intention is that the case studies will provide the Inquiry with the opportunity to look at a broad span of themes and issues on the one hand, whilst giving the Inquiry sufficient time to focus on the evidence in each one.
18. As outlined in paragraph 7, the full public hearing for the Nottinghamshire Councils investigation is scheduled to begin on 1 October 2018 and is listed for three weeks (the hearing will be split into two parts with a break of one week in the week commencing 15 October 2018).
19. To date, the public hearings have taken place in London. However, at the first Nottinghamshire preliminary hearing in May 2017, a request was made by victims/survivors for the full public hearing to take place in Nottingham, which Professor Alexis Jay said she would consider further.
20. Prior to the Public Hearing, the Council will be required to complete a significant amount of preparatory work, including responding to further information requests and reviewing submitted material, including that of other core participants.

Sexual Abuse of Children in Custodial Institutions

21. In addition to the Children in the Care of Nottinghamshire Councils investigation, the Council has also been involved in the Sexual Abuse of Children in Custodial Institutions investigation. Namely, the Council has responded to two witness statement requests, in relation to the Council's secure accommodation unit, Clayfields House. At this stage, the Council has not applied for core participant status in this investigation, because Clayfields House is not identified in the Inquiry's interim investigation proposals, which were published in October 2017.

Children Outside the UK

22. The Council is not actively involved in this investigation, but has been referenced by the Child Migrants Trust in their submissions to the Child Migration Programmes case study, in terms of the Councils support to the organisation. The Child Migrants Trusts was established by Margaret Humphreys CBE, OAM; a Nottinghamshire Social Worker. It addresses the devastating impact of the deportation of children from Britain, a practice that continued as late as 1970.

Other Options Considered

23. None. The Inquiry is a statutory process.

Reason/s for Recommendation/s

24. All councillors have a duty as a corporate parent for looked after children. The Council wishes to support investigations into allegations of historical abuse by individuals previously in the care of the local authority. The Council will facilitate a thorough and accurate response to IICSA.

Statutory and Policy Implications

25. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Data Protection and Information Governance

26. IICSA is subject to the Inquiries Act 2005 and the Inquiry Rules 2006. Other relevant legislation includes the Data Protection Act 1998, the Public Records Act 1958 and once the Inquiry has closed, the Freedom of Information Act 2000. IICSA have published an Information Management Policy and an Inquiry protocol on redaction of documents. Both documents are available at www.iicsa.org.uk

Financial Implications

27. To ensure the Council has adequate resource to help support the Council's response to IICSA, financial resources have been approved by Policy Committee. Namely, on 15 June 2016 Policy Committee approved a total of £356,000 of initial additional staff resource over financial years 2016/17 and 2017/18; and on 20 December 2017 Policy Committee approved a further £560,000 for 2018/19. These costs do not include the costs of external legal advice, which is currently estimated to be at a cost of up to £0.5m. There is also the potential for a significant amount of further costs, which will need to be taken into account in the Medium Term Financial Strategy.

Safeguarding of Children and Adults at Risk Implications

28. IICSA will investigate whether public bodies, including Nottinghamshire County Council, and other non-state institutions in England and Wales have taken seriously their responsibility to protect children from sexual abuse, and make meaningful recommendations for change in the future.

RECOMMENDATION/S

- 1) That Full Council supports the actions taken to respond to the Independent Inquiry into Child Sexual Abuse.
- 2) That a further update report be brought to a future meeting of Full Council.

**Councillor Mrs Kay Cutts MBE
Leader of the Council**

For any enquiries about this report please contact:

Helen Lester

Programme Manager

Resources

T: 0115 977 4383

E: helen.lester@nottscc.gov.uk

Constitutional Comments GR 08/01/2018

29. The recommendations contained within this report fall within the delegated authority to Full Council.

Financial Comments SAS 19/12/2017

30. The financial implications of the report are contained within paragraph 27 above.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- Staffing Resources for the Independent Inquiry into Child Sexual Abuse - Report to Policy Committee 15 June 2016
- Response to Historical Child Abuse – Resources Report to Policy Committee 20 December 2017

Electoral Division(s) and Member(s) Affected

- All