

<b>For Information</b>	
<b>Public/Non Public*</b>	<b>Public</b>
<b>Report to:</b>	<b>Strategic Resources and Performance Meeting</b>
<b>Date of Meeting:</b>	<b>4<sup>th</sup> September 2019</b>
<b>Report of:</b>	<b>Chief Constable Guildford</b>
<b>Report Author:</b>	<b>Ch Supt Rob Griffin</b>
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<b>Agenda Item:</b>	<b>11</b>

\*If Non Public, please state under which category number from the guidance in the space provided.

## IICSA Investigation

### 1. Purpose of the Report

- 1.1 To update the Strategic Resources and Performance meeting on the IICSA Investigation.

### 2. Recommendations

- 2.1 It is recommended that members note the summary for the IICSA report.

### 3. Reasons for Recommendations

- 3.1 To ensure that members of the meeting are fully sighted on the content of the IICSA report.

### 4. Summary of Key Points

- 4.1 The report only makes 2 recommendations (neither of which are for the police.) The report is explicit in relation to who is required to respond: ("Councils to respond to the Inquiry within 6 months of today.")
- Recommendation 1 (G:2 para 40 page 141) – Both councils (Nottm City/County Council) should assess potential risks posed by current and former foster carers directly provided by the council in relation to the sexual abuse of children. They should also ensure that current and former foster carers provided by external agencies are assessed by those agencies. Any concerns which arise should be referred to the appropriate body or process, including DBS, the LADO, the fostering panel and the Police
  - Recommendation 2 - Nottm City and **child protection partners** should commission an independent external evaluation of their practice concerning harmful sexual behaviour including responses, prevention, assessment, intervention and workforce development. An action plan should be set up to ensure that any recommendations are responded to in a timely manner and progress should be reported to the City's Safeguarding Partnership.

Plainly, the reference to “child protection partners” will require the police to work with the City LA on this second recommendation.

#### 4.2 Key points within the report:

##### Executive summary

(iii)- For more than 5 decades the councils failed in their statutory duty to protect children.....the councils exposed them to risk.....neither of them learned from their respects

(The first reference within the report to the police is at page (v) of the executive summary “in 2015 a victim came forward to the police and they felt that they believed him ” – which is a positive reference.)

(v)- Re foster carers, there was too much willingness on the part of council staff to take the side of foster carers and disbelieve the children

(vi)- Although improved there continued to be weaknesses in foster care practice in both councils.....HSB neither council have a satisfactory approach to addressing this issue....the County has taken steps to audit it, the City have not taken steps to improve.....

The first reference to Nottinghamshire Police, in a negative light is at (vi) of the executive summary:

- Daybreak not adequately resourced
- Didn't treat allegations with sufficient seriousness
- Time lost in the investigation
- Since 2015 – prosecutions brought about increased confidence in our commitment.
- Only now have the Police began to address the HMIC recommendations.

(vii)- The report is very critical of City's approach to apology..... Provision and consistency of support and counselling remains an issue.

##### The pen portraits section has a combination of positive and negative comments

- Page 2 - One female victim speaks very positively about her treatment from Police.
- Page 3 - One victim was pleased about being kept updated about their investigation.
- Page 8 para 7 - Indicates the media turned on Notts Police in 2015 due to lack of progress.
- Page 14 para 2 - Describes the 80's 'deep rift' between the Police and LA.

- Page 17 para 13 - Describes the inconsistent approach to investigations in the 80's
- Page 23 para 28 - HMIC national weaknesses
- Page 23 para 29 - In 1995 most officers per capita in CAIU
- Page 23/24 para 30 - Details the HMIC and inspection criticism and how the PCC was surprised, and disappointed and more than a little irritated.....
- Page 25 para 31 - Griffin says there has been an investment in PP and Equinox.....
- Page 26 para 36 - Describes how the CPS Cherry pick cases to prosecute

#### Operation Daybreak section:

- B:8 para 44 page 29 - Evidence from witnesses involved in Daybreak and from reviews carried out at the time suggests the investigation was hampered by:

(i) The lack of a dedicated SIO – which had a negative impact.

(ii) Staffing levels were at a minimum from the outset – articulated concerns about insufficient staffing levels raised from '11. The Peer review 2014 said resources *'not sufficient to match demand'*. Nottinghamshire police now accepts that the resourcing for the scale of the investigation was *"wholly inappropriate"* and *"affected the pace of the investigation"* (footnote oral evidence of Rob Griffin)

(iii) Attempts to downscale investigation – despite requests for more resources, senior officers requested in 2014 that the investigation be scaled down (footnote evidence of Yvonne Dales). A 2015 external review recommended investigation should continue.

Senior police officers should have ensured that the investigation was prioritised and adequately resourced.

- Para 45 page 30 - Compliments as helpful, early engagement between police and CPS
- Para 46 page 31 - EMSOU say decisions not to prosecute were understandable.
- B:8 para 46 page 30 - There were no successful prosecutions for sexual abuse during the lifespan of Op Daybreak.

#### Xeres

- B:8 para 47 page 31- By June 2015, Operation Xeres had stalled due to 'staffing issues'.

## Equinox

- B:8 para 49 page 31 - Several successful prosecutions arising out of Equinox – Logins 2016, Pick 2017, Gathercole 2018, Bamkin 2018, Metcalfe 2018, Gallop 2018 and Robinson 2019
- B:8 para 51 page 32 - Op Equinox remains ongoing, Ch/Supt Griffin told us that Nottinghamshire Police has established a dedicated non recent CAI unit which will continue beyond the lifespan of Equinox. It is unclear whether this will continue indefinitely or how this will be structured.

Para 22 Page 40 - Positive news concerning convictions in the 80's and 2000's re Beechwood

Para 50 Page 47 - One survivor says he reported abuse but was told they would not get involved.

Para 79 Page 53 - One survivor says police said... "stop lying and I was making it up"

Para 84 Page 54 - Police unable to work out that Mr Logan was Logins

Para 88 Page 55 - Police had no record of allegations made at the time.

## Nottinghamshire Police approach to non-recent harmful sexual behaviour

- E:6 para 72 page 116 - We have not seen any guidance or specific policy to the investigation of harmful sexual behaviour by Nottinghamshire police (no Hydrant guidance either). We were told that "*generally these cases are dealt with in a way that is similar to other cases of abuse*".
- E:6 para 77 page 117 - Ch/Supt Griffin confirmed that a complainant's earlier decision not to proceed with allegations would not be a bar to the police now taking his complaint forward, and that on the face of it there should have been an investigation into L43's allegations. Despite the police not pursuing an investigation, Ch/Supt Griffin had not sensed any reluctance in general to investigate non-recent allegations of harmful sexual behaviour.
- E:6 para 79 page 118 - Neither the Police or CPS appear to have specific guidance non-recent harmful sexual behaviour. This means that there is no specific guidance on some of the issues in these cases, such as the extent to which someone should be held responsible for offences carried out many years

ago whilst he/she was a child in care and how the question of consent should be approached

- Para 16 Page 124 - Complainants have expressed concern about level and quality of support during police investigations

#### Recent responses to complaints

- F:2 para 20 page 125 - From the start of Daybreak until at least 2013, if the police came into contact with a complainant who they felt needed support, they would direct them to their GP. DI Dales accepted this may not have been the best approach.....support for victims not prioritised early enough in the investigation.
- F:2 para 21 page 126 - Several complainants were dissatisfied with their contact with the police during Op Daybreak, Xeres and Equinox. Including the initial method of contact, frequency of contact and communications during investigations – some disliked the way the outcome was communicated. Positivity about current Ch/Supt Griffin's approach; he didn't "butter things up" and his way communicating with complainants was helpful.
- F:2 para 22 page 126 - During Op DB, there was no protocol on approaching victims.... Nott's police didn't always get it right
- F:2 para 23 page 126 - DI Dales told us decision not to prosecute usually "ideally" made in person. Evidence from complainants suggests this did not happen in each and every case.
- Para 27-31 page 127 - Deals with the councils apologies

#### Conclusions

- G:1 para 6 page 136 – '*deep rift*' between children's social care and Nottinghamshire Police
- G:1 para 36 page 140 – Daybreak not adequately resourced for supported until 2015 – Senior police officers should have done more to support the operation – Police did not treat the allegations with sufficient seriousness.
- G:1 para 37 page 140 - When Daybreak turned to Equinox there have been a number of prosecutions and there now appears to be a greater confidence in the force's commitment amongst complainants
- G:1 para 38 page 141 - Nottinghamshire Police has consistently shown a lack of urgency and failed to address the weaknesses identified and the

recommendations made in recent inspections and reviews. Responsibility for this rests with the force itself.

- G:1 para 39 page 141 - Experience of engagement with the police and CPS has been mixed. The police have had to improve how they communicate with complainants following criticisms, including the means of initial contact with complainants, irregularity of subsequent contact and issues with the notification that an investigation has concluded.

#### 4.3 Key points for National Policing

- E:6 para 72 page 116 - We have not seen any guidance or specific policy to the investigation of harmful sexual behaviour by Nottinghamshire police (no Hydrant guidance either). We were told that *“generally these cases are dealt with in a way that is similar to other cases of abuse”*

### **5. Financial Implications and Budget Provision**

5.1 There are no financial implications arising from this report.

### **6. Human Resources Implications**

6.1 There are no HR implications arising from this report.

### **7. Equality Implications**

7.1 There are no equality implications for this report

### **8. Risk Management**

8.1 N/A

### **9. Policy Implications and links to the Police and Crime Plan Priorities**

9.1 The Head of Public Protection will be asked to link in Hydrant and the College of Policing to consider the development of a policy for the management of harmful sexual behaviour.

9.2 Police (and recommend PCC) continue to lobby LA's to fund support for survivors.

9.3 The Head of Public Protection will be asked to link in with Hydrant and nationally to consider the development of a “best practice” for contact with victims during these investigations.

9.4 The Head of public Protection will secure the support of victims/survivors to continue to develop training for officers working in this area.

9.5 The Head of public Protection will work with Nottingham City Council and secure support from the HMIC to assist in the delivery of recommendation 2.

## **10. Changes in Legislation or other Legal Considerations**

10.1 N/A

## **11. Details of outcome of consultation**

11.1 N/A

## **12. Appendices**

12.1 N/A