



Department of  
**Justice**  
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# Tackling Child Sexual Exploitation in Northern Ireland

**First Progress Report**  
October 2015



## Background

In November 2014, the Justice Minister, David Ford, received the Report of the Inquiry in to Child Sexual Exploitation (CSE) in Northern Ireland, otherwise known as the Marshall Report. The Departmental Working Group, originally established to contribute to the Inquiry, was reconvened and throughout December and January 2015 considered the related recommendations.

The Departmental Response to the report and future plans were outlined to the Justice Committee in early February 2015 indicating that the Department would develop an Action Plan for those recommendations falling solely to the Department by 31 March 2015. The Department of Justice revised the Action Plan in August 2015 to reflect changes in lead delivery<sup>1</sup> as well as provide greater detail on the cross departmental recommendations relating to the development of a CSE regional strategy and cross border information sharing.

The purpose of the action plan was to build upon the progress already made at the time of publication as well as continuing to focus attention on how to strengthen the existing partnerships in order to respond effectively and collaboratively to this issue throughout Northern Ireland. Throughout its development, the Department of Justice, and its partners utilised key themes identified within the Marshall Report that would provide a structure for the work ahead, some of which relate specifically to co-joined recommendations.

This Progress report provides an update on the work of the Department and the work of the wider criminal justice system since the publication of the initial Action Plan in early April 2015.

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<sup>1</sup> Key recommendation 3 regarding the development of advice to parents, carers and residential workers as well as supporting recommendations 54 and 55, relating to out of hours service provision, are no longer referenced within the Departmental Action Plan as the Health and Social Care Board are leading on delivery. Progress will be reported by Department of Health, Social Services and Public Safety.

ENGAGING WITH VICTIMS AND COMMUNITIES				
Recommendation	Action	Target Date	Outcome	Indicators and Progress
<p><b>Supporting Recommendation 2</b></p> <p>PSNI should take action to strengthen enforcement of licensing laws and especially those concerning the supply of alcohol to young people. Police and Community Safety Partnerships should lead localised approaches to address the issue.</p> <p><b>Supporting Recommendation 12</b></p> <p>Police and Community Safety Partnerships should seek to add value to the policing of communities by creating innovative mechanisms to hear and reflect issues of local concern. This should specifically reflect issues affecting children and young people.</p>	<p>PCSPs, following their reconstitution as part of Local Government Reform, will be encouraged to continue to develop innovative mechanisms, informed by SBNI, to specifically reflect issues affecting children and young people.</p> <p>PCSPs will continue to work in partnership with designated bodies and local communities to develop responses to locally identified issues.</p> <p>The Department will deliver awareness training on human trafficking to PCSPs that will include human trafficking for the purposes of Child Sexual Exploitation.</p>	<p>Spring 2016</p> <p>Ongoing</p> <p>Autumn 2015</p>	<p>Issues of local concern reflected in PCSP Action Plans</p>	<p><b>Status:</b> (Delivered / <b>Delivering</b> / Delayed)</p> <p><b>Progress</b></p> <p>PCSPs have been reconstituted and a number of young people have been appointed as independent members.</p> <p>Awareness training for all PCSP members and managers has been scheduled for delivery as they begin the process of setting their strategic priorities for the next three years.</p>
<p><b>Supporting Recommendation 44</b></p> <p>The Department of Justice should continue to seek to develop and improve the experiences of young witnesses, taking into account research and learning from other countries. This should include consultation with stakeholder groups and with young witnesses.</p>	<p>The Department will undertake and publish research with victims of sexual abuse / violence, with a view to improving services provided.</p> <p>The Department will undertake and publish research with young victims of crime with a view to improving services provided.</p>	<p>March 2016</p> <p>March 2017</p>	<p>Increased understanding of the needs of young victims and witnesses of CSE.</p>	<p><b>Status:</b> (Delivered / <b>Delivering</b> / Delayed)</p> <p><b>Progress</b></p> <p>Preparatory work has been undertaken on research with victims of Sexual Abuse/Violence with the field work scheduled for completion in early 2016.</p> <p>The field work with young victims of crime is scheduled to commence by Spring 2016.</p>
<p><b>Supporting Recommendation 56</b></p> <p>All agencies, especially HSC trusts and PSNI must ensure that appropriate feedback is given to any person making a report regarding CSE.</p>	<p>Criminal Justice Agencies will ensure their response to those reporting Child Sexual Exploitation is in line with relevant frameworks such as UNOCINI.</p>	<p>Ongoing</p>	<p>Framework standards met for reports of CSE.</p>	<p><b>Status:</b> (Delivered / <b>Delivering</b> / Delayed)</p> <p><b>Progress</b></p> <p>The delivery of this recommendation is led by the Safeguarding Board for Northern Ireland (SBNI) and Departmental Agencies will continue to contribute to this piece of work in their capacity as members of that organisation.</p>

PROSECUTING PERPETRATORS				
Recommendation	Action	Target Date	Outcome	Progress
<p><b>Key Recommendation 9</b></p> <p>The DOJ should establish an inter-agency forum drawn from across the criminal justice sector and third sector stakeholders to examine how changes to the criminal justice system can achieve more successful prosecutions of the perpetrators of CSE. This must be informed by the experiences and needs of child victims.</p> <p><b>Supporting Recommendation 43</b></p> <p>PSNI and criminal justice partners in the Prosecution Service and Court Service should continue to develop their approach to responding to victims of CSE in a way that treats them fairly and sensitively and avoids blaming them for offending behaviour associated with their abuse. This involves attitude, not just policy or process.</p>	<p>The Department of Justice will hold a workshop or series of workshops, if appropriate, to examine whether there are potential changes relevant to the criminal justice system that would assist in the prosecution of perpetrators and/or further support the needs of child victims.</p>	<p>March 2016</p>	<p>Increased understanding of the requirements to achieve more successful prosecutions</p> <p>Increased understanding of the needs of young victims and witnesses of CSE.</p>	<p><b>Status:</b> (Delivered / <u>Delivering</u> / Delayed)</p> <p><b>Progress</b></p> <p>The Department's Marshall Delivery Group has established a working group to consider and bring forward options for future delivery.</p> <p>This work will involve engagement with a range of Criminal Justice bodies to identify appropriate third sector representation and explore mechanisms to explore how best the experiences and needs of child victims can be heard.</p>
<p><b>Supporting Recommendation 47</b></p> <p>While we acknowledge the work already undertaken by the Department of Justice in order to avoid delay, robust case management is necessary. The DOJ should ensure that both statutory case management and statutory time limits are introduced in Northern Ireland. Both have already been the subject of clear recommendations by the Criminal Justice Inspection in Northern Ireland.</p>	<p>Provision for statutory case management has been included in the Justice Bill and the Department will introduce statutory time limits in the youth court.</p> <p>Following enactment of the Justice Bill, case management regulations imposing duties on the court, prosecution and defence will be drafted for consultation.</p> <p>The Department will keep the need for statutory time limits in the adult courts under review and will be considered in the context of the impact made by time limits in the youth court, the effect of the introduction of statutory case management and a range of other administrative reforms that have been introduced to speed up processing times for criminal cases.</p>	<p>October 2015</p> <p>Summer 2016</p> <p>Ongoing</p>	<p>Avoidable delay in the Criminal Justice System reduced.</p>	<p><b>Status:</b> (Delivered / <u>Delivering</u> / Delayed)</p> <p><b>Progress</b></p> <p>The Justice (Northern Ireland) Act 2015 received Royal Assent on 24 July 2015 and the Department will make regulations which will impose duties on the court, prosecution and defence. The arrangements for consultation on Statutory Case Management regulations are on target.</p> <p>The regulations will also confer functions on the in the magistrates' courts and the Crown Court, and will define the court's key case management responsibilities.</p> <p>The Minister remains committed to STLs and the Department is engaging with the Justice Committee on a range of proposals and will shortly consult with key stakeholders on improving processing times for cases within the Youth Court.</p>

## EXPLORING LEGISLATIVE CHANGE

Recommendation	Action	Target Date	Outcome	Progress
<p><b>Key Recommendation 14</b></p> <p>The DOJ should lead on a project to examine legislative issues highlighted in this report and bring forward proposals for change. These include:</p> <ul style="list-style-type: none"> <li>a) Ensuring compliance with international standards by extending protection to children up to the age of 18, specifically, the Child Abduction (Northern Ireland) Order 1985 and the Sexual Offences (Northern Ireland) Order 2008.</li> <li>b) Providing for a Recovery Order under the Child Abduction (Northern Ireland) Order 1985, on the model of that in section 69 of the Children (Northern Ireland) Order 1995.</li> <li>c) Replacing all references to child “prostitution” with “child sexual exploitation”.</li> <li>d) Extending the offence of “grooming” to include “enticing”.</li> <li>e) Reversing the rebuttable presumption in the Sexual Offences (Northern Ireland) Order 2008 in relation to “reasonable belief” as regards the age of a child.</li> <li>f) Whether recent legislation in England and Wales relating to hotels, guest houses and bed and breakfast accommodation would be helpful in addressing CSE in Northern Ireland. These are contained in the Anti-Social Behaviour, Crime and Policing Act 2014.</li> </ul>	<p>The Department will give detailed consideration to the legislative issues highlighted in the Marshall Report</p> <p>If appropriate, bring forward proposals for change.</p>	<p>December 2015</p> <p>As agreed</p>	<p>Legislative Change explored.</p>	<p><b>Status:</b> (Delivered / <u>Delivering</u> / Delayed)</p> <p><b>Progress</b>                      Departmental Officials are engaging with relevant criminal justice organisations to assess these proposals for legislative change.</p> <p>Work is continuing towards establishing possible provisions to bring forward for future consultation and presentation to the Northern Ireland Assembly.</p>

RAISING AWARENESS				
Recommendation	Action	Target Date	Outcome	Progress
<p><b>Supporting Recommendation 1</b></p> <p>All agencies involved in awareness-raising should ensure that language used is meaningful to the target groups.</p> <p><b>Supporting Recommendation 11</b></p> <p>All agencies both statutory and non-statutory should work with local communities to identify how they can best engage together in a way that will build up trust.</p>	<p>The Department of Justice and Agencies will continue to promote local community engagement, informed by SBNI's approach to awareness raising, in order to ensure a consistent and meaningful message is disseminated at a local level.</p>	<p>Ongoing</p>	<p>Increased awareness of CSE in local communities.</p>	<p><b>Status:</b> (Delivered / <u>Delivering</u> / Delayed)</p> <p><b>Progress</b></p> <p>The delivery of these recommendations is led by the Safeguarding Board for Northern Ireland (SBNI). Departmental Agencies will continue to contribute to these pieces of work in their capacity as members of that organisation.</p> <p>PBNI's procedures have been amended and include SBNI's definition of CSE,</p> <p>Chairs of Local Area Protection Panels (LAPPs) have been briefed on the issue and are improving links with other stakeholders in order to better manage offenders who may be involved in CSE and associated risk management plans will include actions to disrupt CSE activities.</p> <p>PBNI also convenes multi-agency strategy meetings in respect of individuals, under PBNI supervision, who are subject to Harbours Warning Notices.</p>

WORKING TOGETHER & SHARING INFORMATION (CROSS DEPARTMENTAL ACTIONS)				
Recommendation	Action	Target Date	Outcome	Progress
<p><b>Key Recommendation 15</b></p> <p>The DHSSPS should lead the development of a regional strategy to prevent, identify, disrupt and tackle CSE. It should involve the Departments for Justice and Education and include:</p> <p>a) Be informed by the experiences and views of children, parents and carers.</p> <p>b) Recognise parents and carers as partners in preventing and tackling CSE, unless there are strong indications that they are involved or complicit.</p> <p>c) Recognise the support and training needs of frontline workers in all agencies in relation to CSE.</p> <p>d) Reflect the particular role of schools in raising awareness and identifying concerns about CSE.</p> <p>e) Acknowledge the role of health workers in early intervention, prevention and reporting of CSE, which should be made more explicit in policies, guidance and training.</p> <p>f) Recognise agencies operating in the voluntary (non-statutory) sector as equal and valued partners.</p> <p>g) Equip communities with the information, support and confidence to identify and report concerns about CSE.</p> <p>h) Link into, and build upon, existing work in relation to child trafficking as well as strategies tackling known vulnerabilities for CSE, such as alcohol, drugs (including "legal highs"), sexual health and domestic violence.</p> <p>i) Explore the potential contribution to this issue of strengthening a statutory duty to co-operate among stakeholder agencies.</p> <p>j) Establish a process for promoting and monitoring the implementation of the recommendations of this report.</p>	<p>The Department of Justice will participate in a working group to take forward the development of a draft strategy.</p> <p>Pre-consultation engagement with parents, carers and children and young people</p> <p>Develop draft Strategy for consultation</p> <p>Complete Public Consultation and analyse responses</p> <p>Seek approvals for Final Strategy</p> <p>Publish Final Strategy</p>	<p>May 2015</p> <p>December 2015</p> <p>June 2016</p> <p>November 2016</p> <p>February 2017</p> <p>June 2017</p>	<p>A collaborative response to tackling Child Sexual Exploitation</p>	<p><b>Status:</b> (Delivered / <u>Delivering</u> / Delayed)</p> <p><b>Progress</b></p> <p>A cross departmental Implementation Group was established in May 2015, led by DHSSPS. The group will lead on the development of a regional CSE strategy.</p> <p>A high level plan relating to the development of the strategy was agreed in June 2015 by DE, DOJ and DHSSPS Ministers and is published on the websites of all three departments - (<a href="http://www.dhsspsni.gov.uk/cse-implementation-plan.pdf">http://www.dhsspsni.gov.uk/cse-implementation-plan.pdf</a> )</p> <p>DEL and DARD have recently joined the cross-departmental Implementation Group, specifically because of their responsibilities in the areas of further education, careers service and training.</p> <p>The plan establishes a timetable for the development and publication of the strategy, which will be taken forward by all five departments working jointly.</p> <p>It is intended to consult on a draft strategy in June 2016 and to publish a final strategy in June 2017.</p>

WORKING TOGETHER & SHARING INFORMATION (CROSS DEPARTMENTAL ACTIONS)				
Recommendation	Action	Target Date	Outcome	Progress
<p><b>Supporting Recommendation 8</b></p> <p>DHSSPS in conjunction with DOJ should pursue an All-Ireland Information Sharing Agreements to achieve closer collaboration on CSE and related issues.</p>	<p>A draft child protection/domestic violence Information Sharing Agreement produced jointly by PSNI and An Garda Síochána (AGS) obtained.</p> <p>Recommendation raised at senior officials (DHSSPS and DYCA) NSMC/Child Protection meeting. Draft PSNI/AGS information sharing agreement shared.</p> <p>A further cross-border meeting, involving DHSSPS, DOJ (Northern Ireland), DYCA and Department of Justice and Equality, PSNI and AGS arranged to agree next steps.</p>	<p>January 2015</p> <p>April 2015</p> <p>September 2015</p>	<p>A collaborative response to tackling Child Sexual Exploitation</p>	<p><b>Status:</b> (Delivered / <u>Delivering</u> / Delayed)</p> <p><b>Progress</b> This recommendation will continue to be taken forward under established North/South arrangements.</p> <p>Consideration is being given to mechanisms to facilitate sharing of information between social care agencies across both jurisdictions; between justice agencies across both jurisdictions; and to ensure that these dovetail with established internal (to each jurisdiction) information-sharing arrangements between justice and social care agencies.</p>



## SUPPORTING ANNEX - PROGRESS MADE BY THE WIDER CRIMINAL JUSTICE SYSTEM

Recommendation	Owner	Progress
<p><b>Key Recommendation 2</b></p> <p>The Inquiry encourages the PSNI to pursue its commitment to strengthening relationships with communities and with young people as a priority in the context of the current climate of austerity.</p>	<p><b>PSNI</b></p>	<p><b>Status:</b> (<u>Delivered</u> / Delivering / Delayed)</p> <p><b>Progress</b></p> <p>A senior officer was appointed in early 2015 to lead the implementation of the Policing with the Community (PWC) review. The activities were progressed under 4 thematic areas. PSNI worked alongside NI Policing Board (NIPB) to agree how the implementation would be measured as part of the 2015/16 policing plan. In addition to the work being progressed as part of the Review of Public Administration (RPA) element of Service First, the review of front line policing has sought to maximise PWC delivery by addressing the need for cultural change not only through the redesign of role profiles but also through information and awareness sessions and the identification of shift patters and working arrangements that support PWC delivery and engagement activity. The change in District Policing Structures to mirror Council Boundaries also has supported PWC delivery accountability. Clarity has been provided to the service, particularly those in frontline roles, of what engagement is, who should be engaged with and why, and a range of options on how this should be done. This process is complimented by a community engagement tracker. PSNI continue to attend the NIPB Youth Advisory Panel meetings as well as host the Youth Champions Forum to better understand how the organisation can improve service delivery to young people by hearing from key representatives from the youth sector.</p> <p>Throughout 2014/15, the police service, represented on the Safeguarding Board for Northern Ireland, have continued to support the development of cross-agency guidelines on CSE alongside their efforts to raise awareness of this issue, including the first phase of SBNI's campaign which targeted members of the public who potentially are in a position to identify CSE e.g. taxi drivers, hotel staff and off-license staff. The PSNI have also contributed to the delivery of key information about CSE at various SBNI Safeguarding Panel Events, for the public and professionals, across Northern Ireland. Earlier this year, the police service published a 'Sex &amp; the Law' leaflet that provides information to both adults and young people about the law in Northern Ireland, including what is meant by 'consent' and who to contact if you are concerned about someone's behaviour. The leaflet has been translated into a range of languages and is hosted on the PSNI website and disseminated to a range of organisations.</p> <p>In June 2015, PSNI provided support to Barnardos, as part of the CSE Knowledge Transfer Partnership NI, in developing a DVD called 'False Freedom' and resource pack for supply to all post primary schools in Northern Ireland. PSNI is also supporting a Barnardos member of staff in CSE research relating to boys and young men. Finally, the PSNI have developed, and piloted, an E-Safety package, called 'Chat, Share, Think' available for children and young people in NI. 62 Officers have completed training in its delivery.</p>

## SUPPORTING ANNEX - PROGRESS MADE BY THE WIDER CRIMINAL JUSTICE SYSTEM

Recommendation	Owner	Progress
<p><b>Supporting Recommendation 2</b></p> <p>PSNI should take action to strengthen enforcement of licensing laws and especially those concerning the supply of alcohol to young people. Police and Community Safety Partnerships should lead localised approaches to address the issue.</p>	<p>PSNI</p>	<p><b>Status:</b> (Delivered / <u>Delivering</u> / Delayed)</p> <p><b>Progress</b>                      Through the current review of front line policing, District Policing Command seeks to better enforce licensing laws, including the supply of alcohol to young people.</p> <p>A Licensing Officer has been appointed in Belfast with responsibility for ensuring compliance with all aspects of Liquor and Entertainments licensing. This officer meets on a monthly basis with other statutory enforcement agencies responsible for licensing issues to discuss problem premises and review ongoing action plans. Any premises found selling alcohol to young persons will be immediately subject to an action plan leading to robust enforcement actions by all agencies. This partnership working approach has provided positive outcomes in terms of much stricter compliance across Licensed premises in Belfast.</p>
<p><b>Supporting Recommendation 17</b></p> <p>Police evidence about the circumstances in which a child was found after going missing or putting themselves at risk can be vital to protection arrangements. PSNI should review current processes to ensure that, in all circumstances, information is recorded and transmitted appropriately, both internally and to partner agencies.</p>	<p>PSNI</p>	<p><b>Status:</b> (<u>Delivered</u> / Delivering / Delayed)</p> <p><b>Progress</b>                      Protocols on responses to missing from home are contained in 'Runaway and Missing from Home and Care' (RMFHC) Regional Guidance; Service Procedure 'Police Action in Respect of Missing Persons' and the 'Pathway for Promoting the Welfare of Separated and Unaccompanied Children in Northern Ireland'. A review of the above Service Procedure and the RMFHC Guidance has recently been completed, following consultation with young people through VOYPIC and was reissued to the service in August 2015. The above guidance is also complimented by SP 02/14 'Investigating Sexual Crime: Standard Operating Procedures'.</p> <p>In addition to these procedural changes, service structures have also been reviewed and changed so that a dedicated Public Protection Branch, incorporating a Central Referral Unit, facilitates a greater flow of information in a timely manner across relevant agencies. These structural changes, allied with the updated service instructions combine to address this recommendation.</p>
<p><b>Supporting Recommendation 48</b></p> <p>PSNI should conduct a review of resources and operational delivery in respect of digital evidence examination to ensure that any evidence of CSE is provided to investigators in a timely manner, and to avoid delay in the courts.</p>	<p>PSNI</p>	<p><b>Status:</b> (Delivered / <u>Delivering</u> / Delayed)</p> <p><b>Progress</b>                      A review is currently being progressed regarding resource demand modelling which may identify resource deficiencies. Work has also been progressing to automate digital evidence examination services utilising various projects, one of which will improve imaging and dissemination of material for investigators to view and another which is intended to automate the examination of potential CSE material. Both of these projects are currently under development.</p>

**SUPPORTING ANNEX - PROGRESS MADE BY THE WIDER CRIMINAL JUSTICE SYSTEM**

Recommendation	Owner	Progress
<p><b>Supporting Recommendation 50</b>                      PSNI, in its review and development of the Public Protection Units, should move to develop perpetrator profiling and a greater focus on perpetrators.</p>	<p>PSNI</p>	<p><b>Status:</b> (<u>Delivered</u> / Delivering / Delayed)</p> <p><b>Progress</b>                      The review and restructuring of public protection, within the service, has been completed, taking into consideration matters concerning staff, processes, technology, facilities and, importantly, victims/service users, as well as other key stakeholders. The aim was to better align resources to organisational objectives, including the safeguarding children and tackling child sexual exploitation. This will improve performance management as well as better structured and improved communication between the PSNI and external stakeholders, and ultimately ensure better protection for members of the public.</p> <p>Public Protection Units have been aligned to the 5 Health &amp; Social Care Trusts, under one single command structure, within Crime Operations Department. Public Protection Branch, as it is known, is led by a Detective Chief Superintendent. The Branch incorporates, as well, the work of the Child Internet Protection Team, Rape Crime Units, and Public Protection Arrangements for Northern Ireland (PPANI). Policy Leads have been brought under this same command structure to align practice and policy closer together. One regional Central Referral Unit (CRU) has also been created to, amongst other matters, provide a consistent and robust approach to the management of referrals and information i.e. those relating to child safeguarding and domestic abuse, as well as managing CSE related risk assessments.</p> <p>As part of the new Public Protection Structures, Daily and Monthly Management Meetings are held and focus, amongst other matters, on CSE offenders.</p> <p>Training has been provided to relevant officers in respect of surveillance and CSE. This is complemented with an awareness raising event in September 2015 where information was delivered on relevant legislation and processes associated in surveillance activities. Work continues on improving and updating the current CSE Risk Assessment tool based on the learning gleaned from Operation Owl and from newly appointed CSE officers in post.</p>

## SUPPORTING ANNEX - PROGRESS MADE BY THE WIDER CRIMINAL JUSTICE SYSTEM

Recommendation	Owner	Progress
<p><b>Supporting Recommendation 46</b></p> <p>Awareness-raising about the dynamics of child abuse and CSE in particular should be available for all legal personnel and should be mandatory for all legal professionals dealing with child abuse cases. This should be made the responsibility of the PPS for its own legal staff, the Northern Ireland Bar for its staff and the Judicial Studies Board for Judges.</p>	<p><b>PPS</b> <b>NI Bar</b> <b>JSB</b></p>	<p><b>Status:</b> (Delivered / <u>Delivering</u> / Delayed)</p> <p><b>Progress</b></p> <p><b>Public Prosecution Service</b> The PPS as part of its re-structuring will be establishing a specialist unit to deal with all rape and serious sexual offences. Further training will be provided to senior public prosecutors who will be working within the specialised unit which will include training on sexual offences against children, including CSE.</p> <p><b>Judicial Studies Board</b> The Judicial Studies Board has issued a notice to all members of the Judiciary informing them of the recommendation to raise awareness of the issue. JSB representatives plan to attend and continue to distribute further insight and learning points from CSE related events.</p> <p><b>Northern Ireland Bar</b> The Minister has drawn their attention to this recommendation and they are currently exploring mechanisms for the delivery of training for those called to the Bar of Northern Ireland working in relevant areas of practice such as criminal, family and immigration law.</p>