



**Office of the Children's Commissioner**

# Inquiry into Child Sexual Abuse in the Family Environment (CSAFE)

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Call for evidence

**13 October 2014**

**FOR ACTION – DEADLINE 28 NOVEMBER**

# About the Office of the Children's Commissioner

The Office of the Children's Commissioner (OCC) is a national public sector organisation led by the Children's Commissioner for England, Dr Maggie Atkinson. We promote and protect children's rights in accordance with the United Nations Convention on the Rights of the Child and, as appropriate, other human rights legislation and conventions.

We do this by listening to what children and young people say about things that affect them and encouraging adults making decisions to take their views and interests into account.

We publish evidence, including that which we collect directly from children and young people, bringing matters that affect their rights to the attention of Parliament, the media, children and young people themselves, and society at large. We also provide advice on children's rights to policy-makers, practitioners and others.

The post of Children's Commissioner for England was established by the Children Act 2004. The Act makes us responsible for working on behalf of all children in England and in particular, those whose voices are least likely to be heard. It says we must speak for wider groups of children on the issues that are not-devolved to regional Governments. These include immigration, for the whole of the UK, and youth justice, for England and Wales.

The Children and Families Act 2014 changed the Children's Commissioner's remit and role. It provided the legal mandate for the Commissioner and those who work in support of her remit at the Office of the Children's Commissioner to promote and protect children's rights. In particular, we are expected to focus on the rights of children within the new section 8A of the Children Act 2004, or other groups of children whom we consider are at particular risk of having their rights infringed. This includes those who are in or leaving care or living away from home, and those receiving social care services. The Act also allows us to provide advice and assistance to and to represent these children.

## **Our vision**

A society where children and young people's rights are realised, where their views shape decisions made about their lives and they respect the rights of others.

## **Our mission**

We will promote and protect the rights of children in England by involving children and young people in our work and ensuring their voices are heard. We will use our statutory powers to undertake inquiries and our position to engage, advise and influence those making decisions that affect children and young people.

## Foreword by the Deputy Children's Commissioner

In November 2013 the Office of the Children's Commissioner's (OCC) produced its final Inquiry report into Child Sexual Exploitation in Gangs and Groups (CSEGG). This brought to an end over two years' worth of work. We are confident that our work has resulted in some notable improvements in the response to this issue and a heightened level of awareness for victims, professionals and members of the general public. During the Inquiry every submission to the call for evidence to informed our work.

Whilst the Inquiry has finished, our work continues.

During the Inquiry, we found that many victims of child sexual exploitation had previously been sexually abused in the family context and that this earlier abuse was often neither identified nor addressed ([Berelowitz et al., 2012](#)). The OCC therefore commissioned a Rapid Evidence Assessment into child sexual abuse in the family environment ([Horvath et al., 2014](#)), which showed that 1 in 20 children in the UK have been sexually abused, 90% of them by someone they knew. Some prevalence studies of Intrafamilial child sexual abuse place this figure much higher. However, of the 43,000 children in England who are subject to a child protection plan at any given time, only around 5% are on a plan for sexual abuse.

The OCC has therefore launched a new two-year Inquiry into Child Sexual Abuse in the Family Environment (CSAFE). This will be conducted in the spirit of the previous Inquiry and under the Children's Commissioner's powers in the Children Act 2004 (as amended in the Children and Families Act 2014). In Phase 1 of the CSAFE Inquiry, we aim to throw light on the scale, scope, nature and impact of sexual abuse in the family environment. In Phase 2, we will be looking at practice.

To inform the Inquiry, we are issuing this call for evidence to **organisations, professionals** and **adults** working with children and young people who are victims and survivors to identify the full picture of the nature and impact of CSAFE. Accurate data is essential so that Government, police, local authorities, schools, the youth justice sector and health professionals can effectively prevent CSAFE from happening and identify, protect and support child victims. We request your support by submitting to our call for evidence by the **28 November 2014** to [Inquiry.research@childrenscommissioner.gsi.gov.uk](mailto:Inquiry.research@childrenscommissioner.gsi.gov.uk).

Finally, I would just like to take the opportunity to remind you that all data provided will be dealt with in confidence and in line with our strict ethical framework. We will not name any individual police forces or areas in public documents without their express written consent, and only where we identify good practice which we would like to highlight to a national audience.

I look forward to hearing from you and thank you for your cooperation in this important matter.



**Sue Berelowitz**  
**Deputy Children's Commissioner for England**

# About the Child Sexual Abuse in the Family Environment (CSAFE) Inquiry

The Office of the Children Commissioner's (OCC) is conducting a two year Inquiry into Child Sexual Abuse in the Family Environment. The Inquiry into Child Sexual Abuse in the Family Environment (CSAFE) will:

- assess the scale and nature of this form of abuse in England including among BME, LGBT, disabled and other minority groups of children and young people estimating the prevalence of that which is detected and undetected by statutory agencies
- assess inter-agency and individual practice for preventing and responding to child sexual abuse in England, and its impact on children and young people
- make recommendations for improving the identification and prevention of child sexual abuse and child protection/law enforcement responses to child sexual abuse.

This Inquiry will focus on child sexual abuse perpetrated or facilitated in or out of the home, against a child under the age of 18, by a family member, or someone otherwise linked to the family context or environment, whether or not they are a family member. This definition of CSAFE includes individuals who are involved in caring for the child in the family home on an informal basis, including babysitters and child minders and other adults who are recognised and identified by the child as a member of their extended family. For a full definition, please consult Annex A.

The Deputy Children's Commissioner, Sue Berelowitz, chairs the CSAFE Inquiry. She is aware that, all around the country, people are supporting children who have been sexually abused. We have opened this call for evidence to capture the information held by practitioners which will support our Inquiry.

Consequently, under the powers granted to the Children's Commissioner in the Children Act 2004 (as amended by the Children and Families Act 2014 – see Annex C for the full legal context) the CSAFE Inquiry will use the following methods to develop our evidence base:

- 1)** Call for evidence (this document)
- 2)** Data requests to national, local statutory bodies to access data on children who are identified victims of intra familial CSA and the related Child Protection response. Non-compliance to the request can be sanctioned with a fine or imprisonment
- 3)** Area and service visits

- 4) Review individual case files of incidents which were recorded as, or indicate the possibility of, child sexual victimisation and abuse in the family environment
- 5) Visit children in a range of services using our right of entry powers in the Children Act 2004 (as amended by the Children and Families Act 2014)
- 6) Commissioned research with children and young people who have been victims of CSAFE
- 7) Interviews and focus groups with children, young people who have been victims of CSAFE
- 8) Public call for evidence
- 9) Interviews and focus groups survivors of CSA
- 10) Oral evidence hearings with key experts and stakeholders

## About the call for evidence

**This call for evidence is for use by professionals and adults only.** Given the emotional, sensitive and traumatic nature of child sexual abuse, it is not appropriate for children and young people to engage directly in this aspect of the evidence gathering process. Please use evidence and intelligence from your work with children, young people and adults to submit your response, rather than speaking with children and young people to gather your evidence.

For the purpose of the CSAFE Inquiry the following definitions will apply:

- Sexual Abuse *'involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.'*<sup>1</sup>

This Inquiry will focus on child sexual abuse in the family environment, defined as child sexual abuse perpetrated or facilitated by a family member, or otherwise linked to the family context or environment, whether or not by a family member; or by a family member, whether in or out of the home, against a child under the age of 18.

- Section 27 of the Sexual Offences Act 2003 specifies family relationships – subsection 2 specifies parent, foster parent, grandparent, brother, sister, half-brother, half-sister, aunt or uncle; subsection 3 specifies step-parent, cousin and step-brother/sister; subsection 4 specifies someone who lives in the same household and is involved in caring for the child, including the 'partner' of a parent where they live together in an enduring relationship.
- In addition to the family members described in 5.3.1, this definition of intra-familial CSA includes individuals who are involved in caring for the child in the family home on an informal basis, including babysitters and child minders; and other adults who are recognised and identified by the child as a member of their extended family.
- This definition includes abuse perpetrated by an adult against a child, where their relationship falls within 5.3.1 or 5.3.2, at a location outside of the family home.

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<sup>1</sup> DfE (2013) *Working Together to Safeguard Children*. Available at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/281368/Working\\_together\\_to\\_safeguard\\_children.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/281368/Working_together_to_safeguard_children.pdf) [accessed August 2014].

- A forced marriage is *‘where one or both people do not (or in cases of people with learning disabilities, cannot) consent to the marriage and pressure or abuse is used. It is an appalling and indefensible practice and is recognised in the UK as a form of violence against women and men, domestic/child abuse and a serious abuse of human rights.’*<sup>2</sup>

We want to hear from professionals who work in the following fields:

- 1) Voluntary and community sector groups working in the areas of: child sexual abuse, violence against women and girls, forced marriage, sexual health, missing, children in care, supporting BME or refugee and asylum seeking children
- 2) Community safety teams
- 3) Local police forces
- 4) Local Safeguarding Children Boards
- 5) Local authority children’s services
- 6) Education providers (including Pupil Referral Units)
- 7) Young offender’s institutions, secure training centres and secure children’s homes
- 8) Housing providers
- 9) Health agencies including sexual health, mental health, family nurse partnerships and accident and emergency
- 10) Youth offending services
- 11) Health and wellbeing boards and Clinical Commissioning Groups.

We have developed a specific research and participation strategy for separately engaging children and young people in the evidence gathering process. This strategy adheres to specific ethical and safeguarding protocol for the engagement of children and young people throughout the CSAFE Inquiry. We only seek to engage with children and young people in accordance with this strategy and in a way that is overseen by the Office of the Children’s Commissioner. If you work with children and young people who you feel would benefit from engaging in the CSAFE Inquiry please notify the CSAFE Secretariat for support, advice and assistance.

This call for evidence supports the CSAFE Inquiry and is therefore focused on the scale, scope, nature and extent of child sexual abuse in the family environment and how it is being addressed. **We want to know what is happening, to whom, where, when and how often, who is doing it and what is being done about it.** When submitting evidence please provide answers to as many of the following questions as possible: **[instructions on how to respond are found below]**

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<sup>2</sup>See definition at: <https://www.gov.uk/forced-marriage>

## Scale and scope

1. How many children and/or young people have you worked with, or been notified or concerned of, between April 2012 – April 2014, who are victims sexual abuse in the family environment. If you are able to provide a breakdown of victims by the following characteristics then please do so:
  - a. Initials<sup>3</sup>
  - b. Date of birth
  - c. Age (please provide age on the 7 September 2014)
  - d. Local authority area
  - e. Gender
  - f. Ethnicity
  - g. Nationality
  - h. Faith/Religion
  - i. Disability
  - j. Care status
  - k. Relation to perpetrator
  - l. Any other pertinent information (e.g. victim forced into marriage prior to abuse, etc)
  - m. Are there any other children who are, or have, been victims of CSAFE living in the same household
  - n. Are there any other children who are not, or have not, been victims of CSAFE living in the same household
  
2. How many people (of all ages) have you worked with, or been notified of, between April 2012 – April 2014, who are perpetrators of child sexual abuse in the family environment. If you are able to provide a breakdown of perpetrators by the following characteristics then please do so:
  - a. Initials<sup>4</sup>
  - b. Date of birth (if not possible to provide dates of birth please provide age on the 7 September 2014)
  - c. Age (please provide age on the 7 September 2014)

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<sup>3</sup> For the purposes of the data analysis we only require the first and last initial from your data. This includes where the surname is hyphenated. For example if a child's surname is John Andrew O'Neill the initials we would require in the data set is JO.

<sup>4</sup> Similar to the above, for the purposes of the data analysis we only require the first and last initial from your data. This includes where the surname is hyphenated. For example if a child's surname is John Andrew O'Neill the initials we would require in the data set is JO.



- d. Local authority area
- e. Gender
- f. Ethnicity
- g. Nationality
- h. Faith/Religion
- i. Disability
- j. Care status
- k. Relation to victim
- l. Any other pertinent information

### **Nature and impact**

- 3. Where you have further details please provide us with information on the nature and impact of the victimisation and abuse that took place:
  - a. How old was the child when the abuse first started?
  - b. What happened? (E.g. is the abuse historic or current, what type of abuse was experienced, when did it start, how old was the child when it started happening, over what length of time did the abuse take place, etc.)
  - c. How did it happen? (e.g. what grooming tactics were used, had the perpetrator abused any other children, was the internet used to facilitate perpetration of abuse, were images of the abused taken and/or circulated, were siblings also abused, etc.)
  - d. How long did the abuse last?
  - e. What was the impact? (E.g. did the child disengage from education, was the child in contact with youth justice agencies, what were the mental and emotional health implications, sexually transmitted infections or pregnancy, etc.)

### **Recognition and identification**

- 4. Where you have further details please provide us with information on the recognition and identification of the victim:
  - a. How did the child first come to your attention? (e.g. you noticed something was wrong, self-referral, a referral from another agency, etc)
  - b. By whom? (the victim, a family member, another agency or professional, etc)

- c. What immediate action was taken? (referral to another agency, risk assessment, etc)

**Impact and recommendations**

5. Please provide us with information on how the recognition and identification of victims of CSAFE and how their needs are addressed can be improved:
  - a. What, if any, barriers were there in the recognition and identification of the victims and in addressing their needs?
  - b. What could have been improved in their identification and recognition and in addressing their needs?
  - c. How can the recognition and identification of children and/or young people at risk victims of CSAFE improved more generally and who needs to be involved?
  - d. How can the immediate needs of children and/or young people at risk victims of CSAFE be addressed more effectively and who needs to be involved?

If you are interested in providing us with further case studies to illustrate your work and/or happy for us to contact you for further information please indicate this in your response.

# How to submit

## How to respond

We have prepared three different ways in which you can respond to the answers above. Please select **ONE** of the following ways to respond:

### Individual level data

If you are providing individual level data, please use tabs 1, 2 and 3 in the [Excel answer sheet](#).

### Accumulated/aggregated responses and data

If you are providing accumulated/aggregated responses and data please **either** use:

- The [word version answer sheet](#)
- or**
- Tabs 1, 4 and 5 in the [Excel answer sheet](#).

## How the data will be held

The data security arrangements for the Inquiry have been formally assessed and assured as appropriate and proportionate using the HMG Information Assurance (IA) process (as described in HMG IA standards No. 1 and No. 2). The assessment process has been led by an independent security specialist registered under the CESG Listed Adviser Scheme (CLAS), and IA Accreditation expertise has been provided to OCC by the DfE IA Accreditation Team and Departmental Security Officer. Interim accreditation has been received and a copy of the RMAD is available on request. It is anticipated that full accreditation will be awarded imminently.

In addition the privacy impact assessment (PIA) analysis has concluded that the steps taken are appropriate and adequate.

## How can this information be sent securely?

The Inquiry email address is part of the Government GSI secure network and electronic software is fully encrypted to GSI standard and held within a secure building that has 24/7, 365 days a year security. Paper files are stored securely in lockable cabinets that can only be accessed by the Inquiry team. Data security is fully compliant with all Government data protection and information security standards. Information being sent to this email address can only be accessed by the Inquiry Chair (The Deputy Children's Commissioner), the Principal Policy Advisor, the dedicated Senior Research Advisor and Data Analyst. Should you have access to a .gsi, .pnn or gcsx encrypted email account then please send using this. If you do not, then we require that all information is encrypted (using winzip or similar software) and password protected before being sent. The password should then be communicated separately either by phone or to the email address provided in the data request on a separate email. The password should be complex and include letters, numbers and

symbols.

## **Confidentiality**

If you would like your evidence to be treated in confidence, please make this clear at the time of submission. We will honour all requests for confidentiality within the Freedom of Information Act rules and guidance. Any evidence which could be used to identify the personal circumstances of individuals should be anonymised before submission. We will not publish any evidence that could compromise the safety of individuals and will not publish any initials and dates or births provided to us. All other evidence submitted will be made available publicly through the Office of the Children's Commissioner's website at the end of the CSAFE Inquiry process.

## **Timeline and next steps**

We anticipate that the timeline for Phase 1 call for evidence will be as follows:

Launch of Call for Evidence	13 October 2014
Deadline for Submissions	28 November 2014
Publication of Interim Report	July 2014

For further information please visit [www.childrenscommissioner.gov.uk](http://www.childrenscommissioner.gov.uk), or contact Dr. Graham Ritchie, Principal Policy Advisor and Head of the Secretariat for the CSAFE Inquiry or Dr Sandra S. Cabrita Gulyurtlu, Senior Research Advisor: [inquiry.research@childrenscommissioner.gsi.gov.uk](mailto:inquiry.research@childrenscommissioner.gsi.gov.uk)

## Annex A: What we mean by child sexual abuse in the family environment

For the purpose of the CSAFE Inquiry the following definitions will apply:

- Child and young person – anyone up to the age of 18.
- Sexual Abuse *'involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.'*<sup>5</sup>

This Inquiry will focus on child sexual abuse in the family environment, defined as child sexual abuse perpetrated or facilitated by a family member, or otherwise linked to the family context or environment, whether or not by a family member; or by a family member, whether in or out of the home, against a child under the age of 18.

- Section 27 of the Sexual Offences Act 2003 specifies family relationships – subsection 2 specifies parent, foster parent, grandparent, brother, sister, half-brother, half-sister, aunt or uncle; subsection 3 specifies step-parent, cousin and step-brother/sister; subsection 4 specifies someone who lives in the same household and is involved in caring for the child, including the 'partner' of a parent where they live together in an enduring relationship.
- In addition to the family members described in 5.3.1, this definition of intra-familial CSA includes individuals who are involved in caring for the child in the family home on an informal basis, including babysitters and child minders; and other adults who are recognised and identified by the child as a member of their extended family.
- This definition includes abuse perpetrated by an adult against a child, where their relationship falls within 5.3.1 or 5.3.2, at a location outside of the family home.

A forced marriage is *'where one or both people do not (or in cases of people with*

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*learning disabilities, cannot) consent to the marriage and pressure or abuse is used. It is an appalling and indefensible practice and is recognised in the UK as a form of violence against women and men, domestic/child abuse and a serious abuse of human rights.<sup>6</sup>*

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<sup>6</sup>See definition at: <https://www.gov.uk/forced-marriage>

## Annex B: Inquiry Team

**Inquiry Chair** Sue Berelowitz, Deputy Children's Commissioner for England

### **Inquiry Panel**

- **Akima Thomas** Clinical Director at Women and Girls Network
- **Annie Hudson** Chief Executive of the College of Social Work
- **Deborah Hodes** Member of the Royal College of Paediatrics and Child Health (RCPCH) and Designated Doctor in Child Protection and Child Protection Advisor to UCLH
- **Donald Findlater** Director of Research and Development at The Lucy Faithful Foundation
- **Professor Jenny Pearce OBE** Professor of Young People and Public Policy and Director of The International Centre: Researching Child Sexual Exploitation, Violence and Trafficking
- **Jon Brown** Head of Strategy and Development at the NSPCC
- **Professor Julia Davidson** Co-Director Centre for Abuse & Trauma Studies at Middlesex University, Professor of Criminology at Middlesex University, Adjunct Professor at Queensland University of Technology and Co-Director at Centre for Abuse & Trauma Studies
- **Dr Miranda Horvath** Reader in Forensic Psychology and Deputy Director of Forensic Psychological Services
- **Shaista Gohir MBE** Chair of the Muslim Women's Network and Director at SNG Consultancy (UK) Ltd
- **Tink Palmer** Chief Executive of Marie Collins Foundation
- **Pete Saunders** Chief Executive of NAPAC

**Clinical Consultant** Danya Glaser, Visiting Professor at UCL and honorary consultant child & adolescent psychiatrist at Great Ormond Street Hospital for Children

**Principal Policy Advisor and Head of the Secretariat** Dr Graham Ritchie

**Senior Research Advisor** Dr Sandra S. Cabrita Gulyurtlu

**Senior Data Analyst:** Gareth Edwards

**Director of Communications and Participation** Ollie Berman

**Communications and Engagement Officer** Vikki Julian

**Head of Participation** Shaila Sheikh

**Personal Assistant** Charlotte Grant

In addition to the panel, the Deputy Children's Commissioner has established an advisory group, government officials group and a number of specialist advisory groups to ensure dialogue with the wide range of stakeholders who have shown interest in the CSAFE Inquiry.

The participation of children in the CSAFE Inquiry is essential and a participation strategy has been devised to ensure that the voices of children are heard throughout the Inquiry in a safe and secure way, influencing its process and outcomes.



# Annex C: Inquiries by the Office of the Children's Commissioner

## Subject context

The OCC is concerned about the level of child sexual abuse in England and the way in which it is being addressed. During the OCC's Inquiry into Child Sexual Exploitation by Gangs and Groups (CSEGG), it was found that the needs of victims of sexual abuse were not identified and addressed at the time of the initial episode.

Professionals raised concerns throughout the CSEGG Inquiry about the level of prevalence of CSA and the impact it has on the victim's wellbeing and their vulnerability to further abuse and exploitation. There is a concern on how CSA is being identified and tackled through child protection processes.

According to the Department for Education, on March 2013 there were 2,030 children and young people in the UK subject to a child protection plan on the grounds of sexual abuse and a further 4,870 on the grounds of multiple forms of abuse (which may include CSA).

However, the NSPCC's 2012–13 report on Childline, *Can I tell you something*,<sup>7</sup> stated that 18,600 children were counselled about sexual abuse during 2012–13. According to the Office National Statistics (2013), in 2012–13 there were 18,915 sexual crimes committed in England and Wales against children under 16 years of age.<sup>8</sup> The NSPCC's recent prevalence study of child maltreatment demonstrated that 34% of children who were sexually abused by an adult and 90% who were abused by a peer did not tell anyone about it.<sup>9</sup>

Based on the above, we are concerned that there may be a significant number of children and young people who have been sexually abused whose needs are not being identified and addressed through child protection processes.

## Purpose

The primary purpose of the CSA Inquiry is to promote children's rights to protection from sexual abuse in accordance with the UN Convention of the Rights of the Child, which states that every child shall be protected from all forms exploitation, victimisation and abuse, and receive help. Specifically:

- Article 9 – Separation from parents
- Article 19 – Protection from all forms of violence
- Article 20 – Children deprived of family environment
- Article 34 – Protection from sexual abuse and exploitation
- Article 35 – Protection from abduction

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<sup>7</sup> [http://www.nspcc.org.uk/news-and-views/media-centre/press-releases/2014/childline-report/childline-report-can-i-tell-you-something\\_wdf100354.pdf](http://www.nspcc.org.uk/news-and-views/media-centre/press-releases/2014/childline-report/childline-report-can-i-tell-you-something_wdf100354.pdf)

<sup>8</sup> <http://www.ons.gov.uk/ons/rel/crime-stats/crime-statistics/period-ending-march-2013/rft---appendix-tables.xls>

<sup>9</sup> [http://www.nspcc.org.uk/Inform/research/findings/child\\_abuse\\_neglect\\_research\\_wda84173.html](http://www.nspcc.org.uk/Inform/research/findings/child_abuse_neglect_research_wda84173.html)

- Article 37 – Protection from torture
- Article 39 – Right to rehabilitation from abuse, exploitation and torture

The CSA Inquiry will be compliant with:

- Article 3 – The best interest of the child must be a top priority in all actions concerning children
- Article 12 – Every child has the right to say what they think in all matters affecting them, and to have their views taken seriously
- Further, the CSA Inquiry will ensure that the Government is fully informed about the nature and extent of child sexual abuse, in support of its policies and plans for preventing abuse and safeguarding children and young people.

### **Legal context**

In establishing an Inquiry into Child Sexual Abuse, the Office of the Children's Commissioner (OCC) invokes powers under the Children Act 2004, Part 1 section 3, as amended by the Children and Families Act 2014, and the Local Government Act 1972, s250 (1-6). The OCC will act within the general functions outlined in the 2004 Children Act Part 1 section 2, as amended by the Children and Families Act 2014.

The Children's Commissioner or a person authorised by him/her may for the purposes of his/her function under this section at any reasonable time:

- (a) Enter any premises, other than a private dwelling, for the purposes of interviewing any child accommodated or cared for there; and
- (b) If the child consents, interview the child in private (2004 Children Act – Part 1, s2 (8))

The Children's Commissioner may only conduct an inquiry under this section if he/she is satisfied that the inquiry would not duplicate work that is the function of another person (2004 Children Act – Part 1, s3 (2))

Where the Children's Commissioner has published a report under this section containing recommendations in respect to any person exercising functions under any enactment, he/she may require to person state in writing, within such period as the Children's Commissioner may reasonably require, what action the person has taken or proposes to take in response to the recommendations (2004 Children Act – Part 1, s3 (7))

The Children's Commissioner may summons require any person to attend, at a time and place stated in the summons, to give evidence or to produce any documents in his/her custody or under his/her control which relate to any matter in question at the inquiry, and may take evidence under oath, and for that purpose administer oath. (Local Government Act 1972, s250 (2))

Provided that –

- a) no person shall be required, in obedience to such summons, to attend to give evidence or to produce any such documents, unless the necessary expenses of his attendance are paid or tendered to him/her; and

- b) nothing in this section shall empower the person holding the inquiry to require the production of the title, or any instrument relating to the title, of any land not being the property of a local authority

Every person who refuses or deliberately fails to attend in obedience to a summons issued under this section, or to give evidence, or who deliberately alters, suppresses, conceals, destroys, or refuses to produce any book or other document which he is required to produce for the purpose of this section, shall be liable on summary conviction to a fine not exceeding level three on the standard scale, or to imprisonment for a term not exceeding six months, or to both (Local Government Act 1972, s250 (3))



## Annex E: Help and support

Should you and a child you are in contact with require support or information following this call for evidence please use the following contacts:

[to be inserted]

- For support following sexual violence or assault: <http://www.rapecrisis.org.uk/>  
0808 802 9999 (12 –2.30pm and 7 –9.30pm)
- For 24/7 contact line call Missing People: 0800 700 740
- For confidential advice contact Childline: 0800 1111
- For support to survivors contact NAPAC 08088010331
- In an emergency please dial **999**

Office of the Children's Commissioner  
Sanctuary Buildings  
20 Great Smith Street  
London  
SW1P 3BT  
E [info.request@childrenscommissioner.gsi.gov.uk](mailto:info.request@childrenscommissioner.gsi.gov.uk)

