

EXECUTIVE COUNCIL

PUBLIC

Title: Falkland Islands Safeguard Children Board Annual Report 2016-17

Paper Number: 20/17

Date: 8 February 2017

Responsible Director: Director of Health and Social Services

Report Author: Director of Health and Social Services

Portfolio Holder: The Honourable Mike Summers OBE

Reason for paper: This paper is submitted to Executive Council:
For policy update/information
To meet a statutory requirement

Publication: Yes

Previous papers: 103/15

List of Documents: Falkland Islands Safeguarding Annual Report 2016-17

1. Recommendations

Honourable Members are recommended to approve:

- (a) Note the Annual report of the Falklands Islands Safeguarding Board (FISCB)
- (b) That the Annual report be passed to the Legislative Assembly

2. Additional Budgetary Implications

None

3. Executive Summary

- 3.1 The FISCB has continued to operate to provide governance, direction and guidance to the FIG's safeguarding responsibilities and support a culture of continuous improvement.

3.2 The Annual Report of the FISCBC is produced by the chair who acts as far as possible in an independent capacity as befitting the role. The position is currently held by the DHSS.

4. Background and Links to Islands Plan and Directorate Business Plan/s

4.1 The report links to FISCBC's overview of the Island Plan Safety and Security objective to implement child protection legislation, policies and procedures (done) and ensure our residents are protected from harm.

5. Options and Reasons for Recommending Relevant Option

5.1 Not relevant

6. Resource Implications

6.1 Financial Implications

None

6.2 Human Resource Implications

None

6.3 Other Resource Implications None other than comment on continuing action plans that are either within current Directorate operational budgets or the subject of their own work streams and ExCo papers.

7. Legal Implications

7.1 The report in itself contains no further legal implications above those already within FIG's Safeguarding responsibilities and liabilities.

7.2 The production of an annual report is a requirement of the Children Ordinance 2014, Section 84:

“84. Safeguarding Children Board: annual reports

(1) At least once in every 12 month period, the Safeguarding Children Board must prepare and publish a report about safeguarding and promoting the welfare of children.

(2) The Board must submit copies of the report to the Governor and the Legislative Assembly.”

8. Environmental & Sustainability Implications

8.1 None

9. Significant Risks

- 9.1 There are significant risks if a sustainable Safeguarding system was not maintained and developed continuously on the Islands. These are covered by existing Risk Registers within the Directorates concerned and by cross Directorate safeguarding projects where relevant.

10. Consultation

- 10.1 FISC B operates on an open basis except where personal and confidential information is concerned. The press and public are welcome to all meetings (Part 1).

11. Communication

- 11.1 The Annual report is recommended to go to Legislative Assembly as the next step in its public access.



Falkland Islands Children's Safeguarding Board

Annual Report 2016-17

Ian Bainbridge

January 2017



Contents

Foreword by Ian Bainbridge, Chair

Introduction	page 3
Membership	page 4
The Falkland Islands Context	page 4
Safer Families	page 6
Lucy Faithfull Foundation	page 6
Domestic Violence Campaign	page 9
Falklands Safeguarding Roadmap	page 10
Protocols on Offenders Returning to Live in the Community	page 10
Review of Social Services Files	page 11
Dealing with Historical Allegations	page 11
The Wass Report	page 12
Nurseries	page 13
The Social Services Database	page 14
Family Law Review	page 15
Child Protection Register	page 15

Appendices

..... Appendix i – Summary Report Review of Social Services Files 2015-16	page 18
------------------------------------------------------------------------------------	---------

Foreword



The responsibility carried by the Falkland Islands Safeguarding Board (FISCB) to oversee current service responses and guide strategic developments where these are seen as necessary, has been discharged by the Board members during the reporting period.

This has been a busy time with a healthy development program alongside the operational elements that deliver safeguarding responses across FIG Directorates and Mount Pleasant. Staff have applied their commitment, insight and perseverance to respond to the community's needs although there is still much to be done in the year ahead.

Although services have sometimes been short staffed due to recruitment challenges, a prioritised approach has enabled good responses to new referrals to be made and also significantly the start of preventive initiatives to be offered under "Children in Need" (CIN). For the long term, this shift from a reactive service to one that can strengthen the community and support family capacity is of considerable value.

Ian Bainbridge,

Director H&SS and chair of FISCB (Feb 2015 to Jan 2017)

Introduction

This second annual report of the Falkland Islands Safeguarding Board (FISCB) covers a period during which Safeguarding Services have seen peaks of



sustained pressure from referrals as well as planned developments to move forward with the safeguarding agenda.

Times of pressure may often prove to be opportunities for growth and maturity, this has largely been the case for the whole systems contributing to FISCB agendas and over which FISCB has oversight. There is still much to be done and progress will be maximized by a willingness to respond to learning opportunities and review across all professional disciplines.

The period from the second Lucy Faithful Foundation (LFF) review (April 2015) to the end of 2016 saw a continuing maturing and strengthening of the safeguarding systems now in place. An awareness of what needed to be done next and the priorities that were adopted into action plans, laid a good basis for continuous improvement. However, as stated by the LFF reviewers, while services were now largely good and robust, the FIG should be on guard against complacency in regard to safeguarding.

The sections that comprise the body of this report cover the main areas of work reviewed and promoted by the FISCB during the reporting period.

Membership

The Board comprises the following members in addition to the Chair who is currently the Director of Health and Social Services.

- i. Chief of Police



- ii. Chief Nursing Officer
- iii. Attorney General's Representative
- iv. Director of Education
- v. Director of Emergency Services
- vi. Social Work Head of Service
- vii. Assembly Members including Children's Champion, Barry Elsby
- viii. Deputy Governor, Alex Mitham (previously Sandra Tyler-Haywood) (observer)
- ix. Chief Medical Officer
- x. Probation Officer
- xi. Ministry of Defence Representative(s) from Mount Pleasant

The Falkland Islands Context

- Challenges and Opportunities

The Falkland Islands context is unique. The community is small and isolated geographically from other British territories and the UK itself and this presents its own challenges. It shares characteristics with other Overseas Territories, but despite the population being small it still needs good infrastructure, especially in light of the need to be robust and resilient for future economic expansion of trade, but not large enough to be able to offer a full range of services for children locally in need of specialist services and placements. There is limited anonymity in the Falklands and this can adversely impact on the effects of abuse and domestic violence upon children and families.

Options for caring for vulnerable children are therefore limited and some have had to travel to the UK to have specialist needs met. It is not straightforward to recruit staff with the required skills to come to the islands on an ad hoc basis.

The constitutional rights of children and young people to live in the Falkland Islands are a fundamental freedom which is respected, in accordance with the law. A child who may already have been abused once may be at risk of being emotionally disadvantaged for a second time as a result of remoteness from his or her homeland and family. Therefore particular skill and bespoke approaches are needed to maximise the outcomes for children in difficult circumstances.



Yet the advantages of a small community include the ability of agencies to identify problems early on and act on them, because of the small scale of the population and numbers of children involved. However, this will require a proactive approach, together with maintaining a heightened awareness of professionals, parents and the community.

On its own small scale, the Falklands has the opportunity to become a model of best safeguarding practice and a safe place in which children may live and thrive. It also has an opportunity to link with other Overseas Territories in the formulation of common systems of information-sharing, laws and procedures to assist children who move between territories and the UK and for whom a common legal context would be an added safeguard. The Falkland Islands Safeguarding Roadmap is an initiative that has supported this and travelled from concept to delivery as well as being referenced in the Prime Minister's New Year message.

Within this approach there is also opportunity to tackle the movement of persons between territories who work with children, about whom information is known but may not formally be shared, recorded and retained, for the protection of children.



Safer Families

A significant development has been the move towards more proactive approaches and supports to strengthening parenting and families facing difficulties. The 'Child in Need' Social Work post was filled after almost a two year vacancy. The post holder has begun initiatives to support vital preventative work.

There has been a course for adults affected by sexual abuse and further courses are being offered. At the end of these courses, there are agreements made for ongoing progress on family issues and where necessary ways to keep the family safe. Participants who have been unable to complete courses are followed up and encouraged to participate in another group session, or alternatively if they prefer, support and development sessions can be done on an individual basis.

Lucy Faithfull Foundation

In September 2015 the Board had the opportunity for further discussion on the second LFF report and its recommendations and agreed a specific action plan that was then mandated by ExCo paper along with the formal response to the LFF recommendations. The recommendations are worthy of note and are;

1. The Nursery sector needs to be regulated, with minimum standards in terms of staffing ratios, the suitability of buildings, and training for staff. There is a strong expectation that any changes will be implemented gradually and incrementally, and that some form of state subsidy will be necessary to support a sector that is central to the islands' economic future as well as the safety and welfare of its children. The work already undertaken by the Early Years Steering Group should serve as a basis for discussion in this respect.
2. The Social Services Department should give active thought to the recruitment of a Social Worker with experience of family trauma and parenting difficulties, to improve the Departments' ability to manage complex family cases in the long term.



3. Both schools should offer, on an annual basis, internet safety lessons for both children and parents.
4. The Offender Manager/Probation Officer should be provided with an opportunity to receive external supervision.
5. Thought should also be given to the recruitment of an additional post, to be located in the health department, of a practitioner with CAMHS experience.....should aim to provide a service to children with physical, behavioral and learning disabilities.
6. Arrangements should be made for inmates of HMP Stanley to receive adult education, according to their assessed needs.
7. There should be a public education campaign, along similar lines to the 'Know What's Right' campaign in relation to the issue of domestic abuse; in advance of that campaign, the Falkland Islands Safeguarding Children Board should ensure that the infrastructure for addressing domestic abuse is in place. This might be done in consultation with the UK's National Centre for the Study and Prevention of Violence and Abuse, the NCSPVA.
8. To counteract the threat posed by alcohol misuse to children's wellbeing, the health of the community and the Falklands' economy, there should be further exploration of the benefits of either linking a public campaign to the Domestic Violence campaign, or of designing an alcohol public awareness strategy in its own right. Expert consultation from UK sources might prove important to ensure productive and co-operative connections with the community to reduce children's exposure to a prominent drinking culture.
9. The RFIP should attend all initial child protection conferences.
10. A younger driver and passenger education programme should be offered to 15 and 16 year old children based on the 'Green Light' programme in the UK, to increase their awareness of the consequences of dangerous driving.



11. Issues relating to children's health and lifestyles, particularly in early adolescence, might be addressed through an initiative involving service personnel from MPA or FIDF with suitable CRB clearance, involving an initiative focused on outdoor pursuits.

12. Thought should be given to the practicalities of recruiting a Reserve Police Officer who would be stationed on West Falkland, and act as a Community Police Officer.

13. Active consideration should be given to allowing all children to remain on school premises during lunchtimes; this would be more manageable if the two schools in Stanley were to occupy a single site.

14. There needs to be a formalised multi-agency strategy in relation to child sexual exploitation.

15. Resources should be provided to allow the re-launch of the 'Incredible Years' programme, to improve the social and emotional competence of children through an engagement with their parents.

16. There should be an annual process of Multi Agency Case File Audits (MACFA), coordinated by the Children's Safeguarding Board, in order to identify and model good practice.

17. The Child Safeguarding Board should undertake 'table top' exercises to practice and embed skills in dealing with child death, managing complex cases, and in managing information-sharing across agencies.

ExCo approved the FIG responses to the LFF recommendations and the action plan has been brought to subsequent Board meetings to update members on progress. At the close of the reporting period, many items had been achieved and most items outstanding had been adopted as work streams in their own right and are the subject of ongoing Board scrutiny (e.g. Nurseries and Domestic Violence), while provision of a specialist police officer seconded to Safeguarding work has been and will be subject to budget bids and development of a fresh approach to alcohol abuse is to be developed by the CPN service.



The Board received further update progress reports at periods in 2016.

Domestic Violence Campaign

A project lead was appointed to progress this initiative and the Board agreed proposed Terms of Reference.

The campaign to raise awareness about Domestic Violence (DV) is scheduled to be launched in February 2017. It was agreed that it would be important to circulate the campaign as widely as possible, using more than one language if necessary.

The University of Worcester as a center of excellence, had agreed to support and advise on the campaign and it was agreed that the report of Crown Counsel (Safeguarding) on themes arising from the review of historic case files would be shared to ensure that advice was tailored to the particular circumstances of the Falklands.

The question of the linked issue of alcohol abuse received some consideration and the DV project lead is considering how an alcohol awareness campaign can also be planned using past reports from the CPN service and the Lucy Faithful Foundation.

Falklands Safeguarding Roadmap

The Falklands Safeguarding Road Map was reviewed by the Board and by ExCo and launched at the AG's conference and then the BOT Directors' conference hosted by the FCO. Subsequently the Roadmap was discussed at JMC and raised in UK Parliament with the Falkland Islands regarded in positive terms.



The Roadmap was noted as a framework for sharing good practices and frameworks particularly with other overseas territories and thus the FCO conference discussed setting up a sharing repository of resources, mutual learning and collaboration. The Roadmap is a framework representing an opportunity for BOTs to collaborate; it is not binding but represents a significant step in safeguarding children. The Board offered thanks to the FCO for supporting the infrastructure to form the collaboration.

Protocols on Offenders Returning to Live in the Community

The Board discussed a revision of this protocol, which supports a shared understanding for all involved, about what should happen when an offender of sexual or violent offences is released to a position in the community where there may be contact with children.

This shared understanding underpins the approach that it is not the responsibility of any one agency of government but everybody's business to support safety of children and rehabilitation of offenders, without any confusion that children's needs will always have priority if and when there are any conflicts of interest. Risks will not be taken with children's safety but wherever possible, ex-offenders will be also be considered in terms of their reintegration into community.

Review of Social Services Files

Arising from a suggestion from the Lucy Faithful reviewers, the Board had commissioned work on a review of historic files and been kept informed since September 2015 of progress. An aim of the Review was to gather information about trends in child protection and children in need, to inform future FISCBS priorities and preventative strategies.



The Board understood that a process to discuss any matters arising with those concerned continued to function well and that an overview would be considered and a report made to the Board on themes arising and any learning to be gained.

The report on themes arising from *the Review of Historic Social Services Files* was considered by the Board after the necessarily extensive work was completed and it was recognised that there were areas where the Board may wish to consider future policy and learning.

Of the 20 recommendations arising most points had already been covered or were currently being progressed. This themes report is attached at Appendix 1. It was also noted that the school curriculum reinforces all the learning areas.

The Board recognised that by its nature the historic review showed that in the past there had been challenging situations within some parts of the community, but it was reiterated that if any person feels that they need help they are encouraged to contact the authorities.

Dealing with Historical Allegations

In light of the *Review of Historic Social Services Files* a number of historical cases had come to review which required further follow-up. These fell into two categories and FISCBS agreed that the procedure followed by the multi-agency team in normal circumstances should stand where new information was received, and cases be closed where no new information was available and where No Further Action was appropriate. It was agreed that in situations of potential concern, a critical issue was to determine whether it was process or outcome which would not pass muster by today's standards, but noted that previous times were judged then under the available resources and standards of the day.

Key issues were clearly whether people who may have been abused in the past had received the help they needed at the time and whether it was likely that the alleged perpetrator would still be in the community; appropriate multi-agency follow up would be agreed where/if necessary. It was also noted that Social Services are offering voluntary services including non-offending parenting programs and PANTS work.



The Board were kept updated in general terms through mid-2016 and up to December 2016 when media considerations were discussed and appropriate channels agreed. A press release was noted and the support of the Media Liaison Officer to whom any queries should now be referred.

The potential role of Mental Health services in the islands was discussed and it was confirmed that any increase in the number of referrals for counselling should be resourced separately and alternative channels to trained and experienced counsellors should be used. The DHSS is following this up for agreement of resources at the Strategy Group of which he is part.

The Wass Report

Crown Counsel (Safeguarding) presented to the Board an analysis of her report and recommendations that considered the FCO commissioned Wass report into Safeguarding issues in St Helena, and explored any implications for the Falklands. The board concluded that an action plan from the analysis' key points and the separate FCO recommendations for all BOTs would be considered by the Training Sub-committee. Broadly though the LFF reviews of the Falkland Islands safeguarding arrangements were not undermined by the Wass report on St Helena.

In December 2016 the Board considered an update from the Training Sub-committee that covered the necessary points arising. Amongst these were:

- The Director of Health and Social Services' ability to question front-line staff. There needs to be further discussion on the Director's role to prioritise safeguarding (there is soon to be change of Director and the successor will need to discharge the necessary whole systems approach across professional disciplines).
- Police availability of suitably qualified officers and the application by all agencies of safeguarding procedures.
- Ability to provide foster care: It was commented that more foster carers are needed in Stanley.
- Disregard for the plight of vulnerable people (not just children). ExCo have signed off on a Vulnerable Persons Policy. There now needs to be discussion on how we provide governance and oversight of the policy.



Further consideration should now be given to providing a Vulnerable Adult Safeguarding Board. This needs discussion as to whether the FISCB would include Adult Safeguarding – meaning amended Terms of Reference and ExCo agreeing to a change of policy – or whether a new Board should be separately formed. It was noted that there has been a lot of work going into the Older Persons and Vulnerable Adults Service, and also that the Young Persons Unit were of necessity working with the 'transition group', looking at older children reaching adulthood and young adults with particular ongoing needs.

A FISCB Training Prospectus has been developed and the Board agreed that this can be shared with Government House and the FCO. Thanks were given to everyone involved for the work invested to achieve this product.

Nurseries

As an ongoing work stream springing originally from LFF Reviews this received ongoing attention at the Board in support of the Director of Education's work to find appropriate and sustainable options for ExCo decision. It was noted that there have been 'near miss' situations at some nurseries where accidents had only just been averted. Examples had resulted in subsequent multi-agency meetings as per safeguarding procedures but the police investigation ensuing found insufficient evidence to proceed: the example however continues to raise the lack of legislation covering nurseries.

ExCo had approved a steering group who are addressing long term steps and continuing concerns. Smaller incremental steps have already brought about improvements including training updates, project plans and surveys of buildings used by nurseries. The Board noted that the Director of Education (DEd) reported that because there is no legislation in place, the people running the nursery organisations are exposed to greater risk rather than less under the law.

In June 2016 the Board noted that there had been nursery staff training paid for in the financial year, but there was no identified funding for next year. The Nursery Liaison Officer has helped with the training for nursery staff and helping to set up policies and procedures.

MPC Board members reported that the Early Years program (including Nurseries) on MPC follows UK regulations and regularly exceeds the requirements.



DEd is developing recommendations for FIG, for legislation for the nurseries, of development that sets minimum standards as a base-line for nurseries with room to improve from there. The situation was considered by the Board to be urgent since there have been some further investigated allegations of unacceptable care and/or treatment of children in the nurseries.

In December 2016 there was a widespread consultation including any stakeholders involved. All nurseries involved were spoken to as was anyone who may be involved in changes in nurseries. Options regarding regulation and funding are to be looked at and a public meeting is to be held in January 2017 with the expectation that this will go to the next available ExCo for decision.

The Social Services Database

Concern had been raised over a period of time regarding the lack of provision of one comprehensive database for Social Services records and case management. This is seen as a vital tool for an effective and efficient approach to safeguarding apart from other valuable work at Social Services. In September 2015 the Board heard that resources had been ring-fenced and Synergy were drawing up details to install an IT system This was progressed with the contractual support of Legal Services and training was due to take place for the database in early 2016.

However through the winter, the Board were updated that work on installing the database was still ongoing and in September 2016 the installation and training went ahead with satisfactory outcomes. It is reported to be a good user friendly system. The Board noted thanks due to Government House and the FCO for making this possible by making a substantial contribution to the cost (match funded by FIG).

A written report on the system was provided to Government House as this may be useful for other small Overseas Territories. The Social Services Department are already discussing the system with St Helena.

Following a discussion on issues about entering historical file data into the system, it was decided that resources may be requested from the Historic Review Strategic Group to pay for someone dedicated to entering such data. It would be important that any person chosen for this task should be qualified and know the key points of each case.



Family Law Review

The FISCB received updates and discussed the Family Law Review which involved a Public Consultation process including a visit to the West in October 2015.

There were media presentations, public meetings in Stanley and Fox Bay and a survey to which one hundred responses were received.

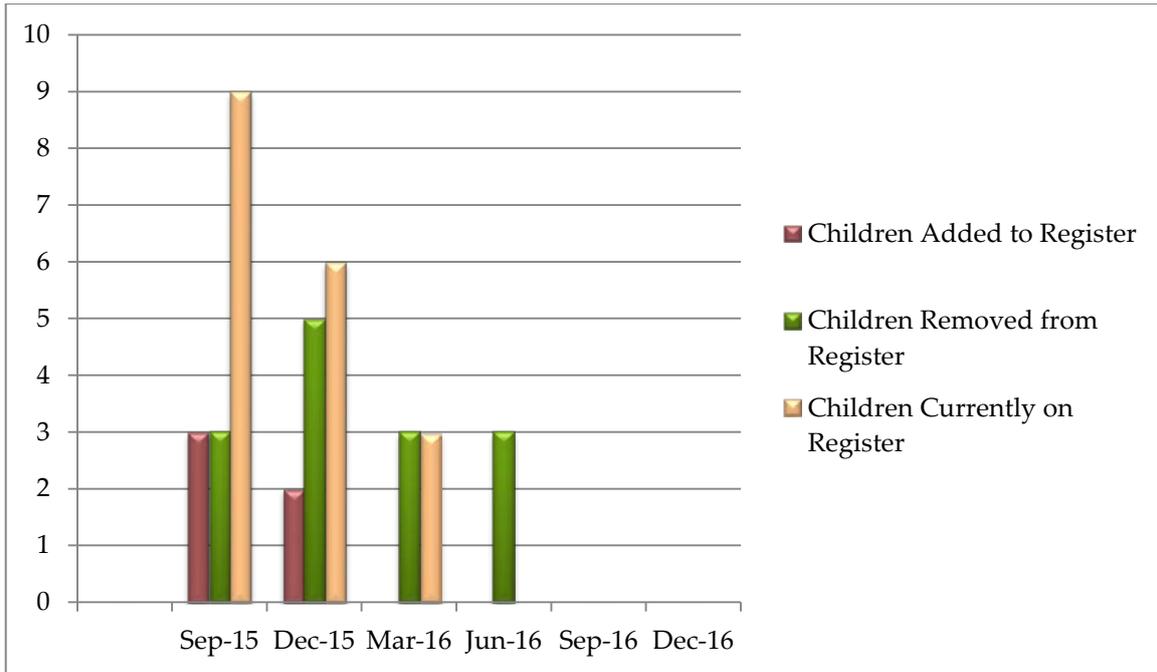
The areas of the Family Law review which were specifically connected with safeguarding were highlighted and included the recommendation of special guardianship orders. Other areas of interest highlighted were in relation to domestic violence where civil law could be expanded and also safe recruitment. The review was concluded in a paper for ExCo.

Child Protection Register

The Board as a matter of course monitors the changing number of children on the Child Protection Register, their gender and at times has discussed the categories for which they need to be on the register. It is understood that inclusion on the register can provide a safety net in itself as a multi-disciplinary focus can assist a family to manage in often difficult circumstances. Understandably families will sometimes see being on the register as a mark of disapproval rather than support and staff have to work with ambivalence and at times polarized viewpoints in this respect.

Having few children on the register is not necessarily a good thing or a bad thing. It would be dangerous if few children were identified if there were in fact some who should be on the register, and conversely if too cautious an approach meant that children remained on the register when they did not need to be. A healthy situation in a small community is one where numbers fluctuate according to need and there is a confidence that a realistic grasp of presenting need is being reflected via alert staff and good use of inter disciplinary communication and procedures. The histogram at Fig 1 below shows that over a 15 month period there have been considerable fluctuations.

Figure 1 Numbers of children on the Child Protection Register



The high numbers may reflect times of high referral rates 6 months after the public awareness campaign about sexual abuse of children. This was an expected feature. The actual number of children involved was higher than appears since at times reports would show numbers coming off the register matched by those going on. Of cases going off the register it was noted that often this was a result of interventions by social services staff and planning with families.

It was noticeable over the reporting period that children were not identified as needing to be on the register due to the category of Physical Abuse. Small numbers in the population could clearly explain this in the short term, but over a period the Board's responsibility to identify trends or anomalies means that this was noted and will need continuing monitoring in the future. The threshold within the culture and/or the approach of multi-disciplinary professionals in this respect is likely to be a factor since over the reporting period, such a result is highly unlikely. Therefore the Board should continue to be vigilant in monitoring this trend and asking professionals involved how they might redouble their efforts to ensure that at the point of assessment there is not an over optimistic assumption being made or that inconsistent explanations are not being accepted too easily.

It may be difficult for professionals working in such a small community to adopt the independent perspective necessary to "think the unthinkable" at times but



this continues to be the professional challenge for doctors, nurses and social workers not just in terms of sexual abuse where there is a high degree of social consensus but also in terms of Physical Abuse.

Ian Bainbridge

Chair – FISCBS

January 2017

Appendices

Appendix I - Review of Historic Social Services Files – Themes and Learning



Falkland Islands Government Legal Services

SUMMARY REPORT



**ON THE 2015-16 REVIEW OF SOCIAL SERVICES ARCHIVED FILES
FOR THE FALKLAND ISLANDS SAFEGUARDING CHILDREN BOARD**

1. Introduction

- 1.1. The Review of Social Services Files was commissioned by the Falkland Islands Government (FIG) and formed part of the Action Plan of the Falkland Islands Safeguarding Children Board (FISCB) in 2014-5, following the Child Safety Review of 2013. The Lucy Faithfull Foundation did not specifically recommend such a review in its report, but there was reference made to the fact that there may exist matters which were known of, but may not have been fully confronted.
- 1.2. The Social Services function on the islands has undergone significant modernisation over recent years. It now has a qualified and experienced Team Leader, social workers qualified to British standards and the Director of Health and Social Services who has relevant qualifications and experience. Formerly, there were no qualified social workers and work used to be carried out by social welfare staff, based at the hospital. Decisions about children's welfare were made by doctors and other relevant professionals.
- 1.3. No expectation could be made that those working with children and families in previous decades had sufficient expertise to identify and deal with child abuse in all its forms. This lack of expertise, perhaps unsurprisingly, extended to other relevant government departments. Where nowadays there is an expectation of a high degree of specialisation in the serious and complex work of child protection, in particular in child sexual abuse and historical, organised and multiple abuse, there was previously very little.
- 1.4. Such concerns are not limited to small, rural British Overseas Territories but have been common throughout Britain itself in all established professional contexts, including the caring professions, education, social work, police, the media, churches, voluntary groups and political parties, inter alia. It is therefore appropriate that any past failures are now promptly addressed and that any trends identifiable from archived social services files inform bespoke strategies for further improvements in child safeguarding on the islands.
- 1.5. The review of the archived files has been carried out by Crown Counsel, Penny Nicholson, a child protection specialist lawyer employed by the Falkland Islands Government.

2. Terms of Reference



- 2.1. The Terms of Reference were approved by the Falkland Islands Safeguarding Children Board.
- 2.2. A total of 1078 files were reviewed. These were across the full range of file types, i.e. not only children's files. The Review spanned 68.25 working days, over the period February 2015 to March 2016. At a mid-point in the Review, it was decided by the Falkland Islands Safeguarding Children Board that the reviewer should be more discerning in selecting those which were likely to contain child safeguarding information, because of limitations upon available time.
- 2.3. A total of 70 files which were included on an electronic list of files provided to the Reviewer were not present in the archives at the time of the Review. These files included files which were out with social workers conducting current cases. Some subjects may have died and their files filed elsewhere. A separate collection of deceased person's files were not read.
- 2.4. The archived files are all paper files and concern children, adults, finances for those claiming welfare benefits (which are administered by the Social Services Department), probation and other miscellaneous matters. The various file types, although filed alphabetically, do not inhabit separate sections, so that all files had to be viewed to determine their relevance. This included reviewing adults' files as occasionally relevant information was contained within them, especially in very early files.
- 2.5. Not all files were read in their entirety. Matters which the reviewer had dealt with personally in court proceedings were not read, along with matters considered irrelevant, duplicated elsewhere or disproportionate in terms of time available, or where there existed potential for separate future serious case review. Copies of police papers where included were not read. Statistical information was gathered sufficient to identify trends. In such information, no distinction was made between suspicions and allegations of abuse and those proven in court.
- 2.6. File contents have not been audited. It is well recognised that file contents were deficient in the past and are now up to standard in most cases. It was considered poor use of the reviewer's time to list all omissions and faults in file contents. It is broadly true to say that the files are as well ordered as may be expected, with the variety of standards of recording and assessment which have applied over the last four decades of the existing available records.

First Aim of the Review: to identify issues for further investigation

- 2.7. Any issues identified which were thought may touch upon present risk or potential further enquiry were referred to the Social Work Team Leader in liaison with Police Detective Inspector, to assess the necessity for any further action. Details of any such actions are not within the remit of this report.



Secondary Aim of the Review: to gather information about trends in child protection and children in need to inform future FISCB priorities and preventative strategies

- 2.8. This report will deal with the secondary aim of the Review.
- 2.9. Categories included in the Terms of Reference were used to gather data, in the form of noting which files contained reference to certain issues. These categories were modified as the Review got underway, to reflect the prevalence of information contained within the files.
- 2.10. Statistics gathered give a picture of problems faced by children and families and the extent to which certain factors may give rise to poor outcomes for children. A broad-brush approach is used to identify trends, to assist the FISCB in future planning.

Tertiary Aim: to make recommendations for the requirements of an electronic recording system.

- 2.11. One of the major shortcomings of a paper system is the inability of that system readily to retrieve information and to make links between people and patterns of abuse, to assist professionals in protecting children in the future. This situation is being remedied through the introduction of a bespoke electronic case management and recording system.
- 2.12. The Reviewer will provide a separate report for the department regarding matters for consideration in the migration of the archived files onto the new system.

3. Categories of Harm

- 3.1. Data was gathered under headings according to the table at Appendix 1, which is intended to reflect trends and patterns in information contained within the files read. Many files contained incomplete information, but figures reflect what available information indicated, in the opinion and experience of the reviewer. Numbers do not relate to individuals, but to the number of files where such issues were in evidence. It is not always possible from notes on files to distinguish between proven and unproven information, so no such distinction is made. Police information relating to results of investigations was not routinely included on files.
- 3.2. The most prevalent of the above categories were those of alcohol (with 1/4 linked to domestic violence and abuse), child sexual abuse, mental health issues



(with almost 1/3 pertaining to child mental health), and domestic violence and abuse (female victim – males were 4 times less likely to be the victim). Then came physical abuse, lack of supervision of a child, housing problems, camp issues, lack of available foster carers or adopters, neglect and generational abuse, in that order. Not insignificant were child sexual exploitation (relating to teenagers), grooming for sexual abuse, the use of an implement in physical or sexual abuse and social work involvement in private family contact, residence and parental responsibility matters. There were significant numbers of people coming forward to be assessed as foster carers but withdrawing from the process.

3.3. Please see Appendix 1 for further statistical information.

4. Mental health issues

- 4.1. High numbers of people accessed help for mental health problems. Many of these are children, some of whom self-harm. Some people struggled with the effects of childhood abuse and neglect or domestic abuse. Some were parents. Children were impacted by the effects of parents' mental ill-health.
- 4.2. The onus to deal with all counselling appears to rest with the mental health service.
- 4.3. A high level of confidentiality risked failing to share child protection information
- 4.4. The legacy of the 1982 conflict was not insignificant.
- 4.5. There was a clear link to alcohol misuse.
- 4.6. Young people who received a custodial sentence were lonely as they were segregated from other prisoners.
- 4.7. Poor mental health was a feature for those who had suffered abuse.

5. Child Sexual Abuse, Exploitation, Grooming and Risk from Known Offenders

- 5.1. Child Sexual Abuse, whether suspected, alleged or prosecuted, was an identified in a large number of files. Identification of the signs of abuse, effective investigation jointly with the police and support of victims have been variable in the past and the FISCB will need to monitor consistent training in and adherence to safeguarding procedures.



- 5.2. Sexualised behaviour in children, which may or may not be linked to abuse, appeared in a number of files.
- 5.3. Sexual exploitation of teenagers is something which has only recently been recognised by the authorities. In the past responses have been less than robust to problems of vulnerable young people who involve themselves in abusive relationships.
- 5.4. Online exploitation has occurred in the Falklands, with serious consequences. Such offending knows no geographical boundaries and international assistance has been used effectively to investigate it. Teenager vulnerability, coupled with inadequate parental control of internet use, can lead to experimentation and exploration online.
- 5.5. Styles of grooming including those particular to the Falklands context are linked to the increase in vulnerability of certain children and an increase in the likelihood of exploitation. Of the files which contained issues of grooming, half concerned 'spinning' or taking children for drives in a vehicle. This aspect relates to the geography of the islands where fuel is cheap and going for drives in the countryside is an inexpensive and frequently enjoyed pastime. It is attractive to young people who may see themselves as having few opportunities for escape from the town environment. Facilities at the Mount Pleasant Complex are also an attraction for young people and there is information that offenders have taken groups of children there.
- 5.6. Grooming of parents also featured, offenders persuading them of their innocence or minimising their offences and thereby gaining access to children.
- 5.7. It is an aspect of the Falklands context that a vast majority of parents work. This leads to a need not only for nursery care, but also for private child-minding. Vulnerable families may fall into risky arrangements through a lack of money and also a lack of awareness of risk. There remains a continuing risk that unsuitable people may gain access to children through unregulated child-minding and this problem was noted in a significant number of files.
- 5.8. Linked to the need for background checks for those who care for children, including prospective foster carers and adults who form part of a household where there are child protection concerns, is the need to ensure applications for UK checks via the Royal Falkland Islands Police are followed up, which require the provision of fingerprints. Some people who had previously lived in the UK remained unchecked, except locally, as a result of fingerprints not being provided.



- 5.9. Persons who were subsequently identified as offenders, or about whom concerns were raised, had had access to children in various work environments. It was noted that recruitment processes needed to be more robust.
- 5.10. Problems concerning workers in environments which afford access to vulnerable people include staff at the Leisure Centre, Stanley House, the hospital and also taxi-drivers. In some cases people have taken up posts without sufficient checks being carried out. It has similarly been the case that vulnerable adults have worked at nurseries, with an emphasis on the value of their employment opportunity over child protection.
- 5.11. There is no formal mechanism to check the suitability of parents whose children are or have been on the Child Protection Register to be employed working with children, including as nursery workers and private child-minders. The fact that remuneration in such posts is very low may make it more likely that vulnerable parents will take such work.
- 5.12. Some parents have refused to place their children in nurseries as a result of the lack of safeguards.
- 5.13. A relatively high number of people made contact with social services to put themselves forward to be foster carers, but then withdrew from the process. Some of these withdrew for valid reasons recorded on file, but others simply failed to complete an assessment.

6. Domestic Violence and Abuse

- 6.1. Domestic violence and abuse were not always dealt with in a way which protected the victims, or their children, from further harm. However, in certain cases there was good evidence that a regime of protection had been put into place to include risk assessment, MARAC (Multi-Agency Risk Assessment Conferences), provision of a mobile phone, bleeps, safe accommodation, correspondence from police to spell out serious risk (Osman letters), proactive arrest and charge by police, refusal of bail by the court and access to the Freedom Programme to assist victims to make changes. This showed that when required, such measures can be employed and are provided through the resourcefulness of those professionals who understand the problem and what is required. The quality of the response appeared to be dependent on the skills, experience and knowledge of individual workers.
- 6.2. In cases where victims have felt they cannot be protected in the future, some have taken their own action by going to live permanently in the UK.



6.3. There are several factors which are peculiar to the Falkland Islands, which appeared to present barriers to protection of victims, whether men or women, from domestic violence and abuse and thereby to protect children from the risk of emotional and sometimes physical harm. Geographical remoteness, cultural acceptability, alcohol problems, availability of emergency or other alternative housing, Falkland Islands status and immigration issues, financial problems, language barriers, limited access to justice as a result of too few family solicitors and shortcomings of the civil and criminal law have all had a bearing on outcomes.

7. Alcohol

7.1. The prevalence of alcohol consumption is seen by many as integral to the Falklands culture. However, the review of files has revealed the significance of problem drinking, linked to domestic abuse towards family members including children. There is evidence that much domestic violence is alcohol-fuelled. There is evidence of a link between those who are abusive to their partners and those who abuse children. In some households where neglect and multiple abuses were evident, alcohol featured as a major factor.

7.2. Alcohol misuse is linked to other issues, including mental health problems, some of which have their origins in the trauma of the conflict of 1982, and to childhood abuse and neglect, affecting the ability to cope later in life. Even where offenders are prosecuted, some victims have suffered continuing mental health and alcohol abuse problems throughout their lives, impacting on their own ability to parent the next generation.

7.3. In some cases where domestic violence was an issue, this was linked to violence towards children of the family, coupled with alcohol as an aggravating factor. Violence upon family members included sexual as well as physical violence upon adults and children.

7.4. Figures for drug misuse were very low and sometimes related to periods of time in the UK.

8. Physical Abuse

8.1. Physical abuse and corporal punishment of children has occurred frequently in some families and horse-whips, goose wings, hot pokers, burning cigarettes and the buckle end of belts have been used to discipline children, sometimes resulting in injuries requiring hospital treatment. Criminal prosecutions and cautions have been extremely rare. Discipline methods are seen to continue in the next generation.



Children brought up with violence have sometimes perpetrated violence upon other children, upon animals and also upon adults, including their own parents.

- 8.2. There is information that some children were subjected to frequent physical abuse but were told to give innocent explanations to deter suspicion. These explanations were accepted by the authorities and therefore no further action was taken.

9. Neglect and Lack of Supervision

- 9.1. Neglect was linked to sexual and physical abuse. It was also linked to poverty and involved hunger, insufficient clothing, lack of a safe environment, poor housing, contact with unsuitable adults, lack of educational achievement, poor sleep patterns and a lack of parental guidance. Frequently where multiple abuses were identified and care proceedings were initiated, neglect was present. Links between neglect, other forms of abuse and sexual exploitation were apparent.
- 9.2. Staff in education and health settings were especially well-placed to identify neglect in the presentation of the child. Personal hygiene problems, hunger and clothing issues have often been noted, but this has not always led to a referral to social services.
- 9.3. Culturally, children are allowed to roam free more than would be the case in other modern communities. Even so, lack of appropriate supervision of children was identified as a problem. This was sometimes linked to parents' employment, and contributory factors appeared to be costs and availability of organised child care and some vulnerable mothers on low incomes made use of other babysitters, including teenagers, younger children, and other vulnerable adults. This left some children exposed to risk.
- 9.4. A lack of adequate supervision has led to exposure to inappropriate visual material, as well as exposure to risky situations and sexual activity between adults.

10. Issues relating to life in Camp

- 10.1. Outside Stanley, there are traditions of Camp life associated with the lifestyle on settlements and farms. There is a lack of immediate access to law enforcement. Adult and child victims of abuse who rely on those in positions of power, whether in families or the workplace, for money, shelter, warmth, food, communications and transport, are not always in a position to mount a resistance or make changes without significant help from friends, family or the authorities. It was beyond the capabilities of some victims to raise the alarm and to report their abuse.



- 10.2. The tradition of 'two-nighter' events in Camp settlements, an integral part of an important, long-standing Falklands culture, has exposed some children to alcohol, sexual abuse and exploitation.
- 10.3. Lower levels of supervision for children on farms, with young children having access to firearms and vehicles, are seen as culturally acceptable and necessary to the farming way of life.
- 10.4. Transport and weather constraints have occasionally inhibited timely investigation of referrals in remote locations.

11. Housing

- 11.1. Housing problems were widespread on account of a lack of available government housing, financial difficulties in the wake of family break-up or child birth, the non-eligibility of certain non-status holders, the prohibitive cost of private housing and the ineligibility of Falkland Islands status holders who re-enter the country after a period abroad. There was poor planning on the part of some parents who failed to make housing enquiries ahead of their arrival.
- 11.2. Circumstances have arisen where children in need have not been housed in a way which is appropriate to their needs. The housing and benefits systems do not necessarily prioritise the interests of children.
- 11.3. In the above circumstances, the involvement of a social worker has been sought out by those in need and the social work role sometimes became one of negotiator between government departments and other organisations to try to ensure the welfare of any children of the family.
- 11.4. Housing need was frequently connected to financial hardship. Where family and social relationships had broken down, finding adequate housing became extremely difficult. Such needs were often connected to child birth and maternity leave and led some women to return to work soon after childbirth.

12. Generational Abuse

- 12.1. The perpetuation of child abuse in all its forms from one generation to the next was apparent.

13. The Role of the Social Worker



- 13.1. Qualified social workers are a relatively recent development for the Falkland Islands during the last two decades, before which social work, such as it was, was conducted from the hospital. It is therefore possible that further records could exist in some cases amongst medical records. The reviewer did not investigate this possibility.
- 13.2. There are numerous examples of the Social Services being used to fill in gaps for other agencies and services, which either did not exist or which did not function in a way which prioritises child welfare. These include help, advice and counselling during marital and relationship breakdown, witness support for criminal cases even when there had been no involvement in the investigation, mediation and court reports for private children matters including residence, contact and parental responsibility for separated parents or other family members, even when there had been no previous involvement, and trying to ensure the checking of known persons involved in child care.
- 13.3. In private children matters as well as care proceedings, social workers have been used as the court's Guardian ad Litem (now termed Children's Guardian). They did not always have the benefit of legal representation.

14. The Falklands Context

- 14.1. Thresholds for intervention and applications for care orders have sometimes appeared to depend on available resources. Placement of children and contact arrangements have in some cases been guided by availability of carers, which has meant that issues of risk and suitability have not always been sufficiently assessed.
- 14.2. A proportion of children in the Falkland Islands have special needs, whether in the form of a learning difficulty or a behavioural problem, or both. Children whose needs exceeded what could be provided in the Falkland Islands were afforded treatment, education, help and support in the UK. A move to the UK was not necessarily a life-long move for a child or young adult. FIG has ensured continuing contact by relevant departments with those who have moved abroad, which has often resulted in children and their families later returning to live in the Falklands, once children have benefited from specialist support.
- 14.3. The Falkland Islands Employment Programme, which has had various names at various times in the past, is a construction which time and again has assisted those whose needs fall in between eligibility for other services and benefits. In a society of near full employment, young and older parents, some of whom have disabilities including depression and other illnesses, are able to work and receive an earned income in cases where in the UK and elsewhere they may have been long-



term unemployed. This has social benefits, though it is impossible to earn over a certain amount as a result of the restriction on hours. This does not marry up with eligibility for child care credits. Work for the otherwise unemployable has been sourced as a result of the endeavours of committed staff members and a good interaction with Social Services.

- 14.4. The very small population and the versatility, flexibility, capability and industrious qualities of Falkland Islanders has meant that certain citizens have occupied a range of key posts within and outside government. This has the potential to impact on confidentiality of information and on conflicts of interest, which are very difficult to avoid. It is not unusual that one person's career may encompass Education, Social Services, Housing, Health, Police, as well as the private sector.
- 14.5. A significant number of files involve households where one or more household members were not native to Britain or the Falkland Islands. The most prevalent of these were St Helenians. Those who lack status lack an ability to apply for welfare benefits and government housing. This has had relevance for those subject to domestic violence and abuse, which has subjected children to a risk of emotional and physical harm, as there are fewer options for a parent who has no financial independence.
- 14.6. Overseas territories can be havens for those who flee criminal justice or social work intervention abroad. Some cases have required information-sharing with other territories and countries, which has happened effectively, even though informally. In some cases however, reservations about confidentiality have prevented information-sharing.
- 14.7. Some children live with people who do not hold parental responsibility for them. The Children Ordinance, even as updated in 2014, requires any agreement to bestow parental responsibility upon an unmarried father or other person, to be subject to approval by the court. Costs of an application to court were prohibitive for some people.
- 14.8. The lack of staff and resources in the Falklands has resulted in some creative solutions. Remote locations have been used to assist the court with bail and managing risk. A government employee was used to observe an offender at a social gathering in Camp, as no social workers were available.
- 14.9. Shortages in staff have led to professionals being asked to diversify beyond their specialisations. This has not always been shown to be safe.



- 14.10. Free availability of employment feeds into a sense that a criminal record does not bring with it the consequences it might, were there to be no shortage of labour. This has contributed on occasion to a 'no consequences' attitude to offending.
- 14.11. At various times, when required, there has been a Young Person's Unit which acts as a care facility for children who cannot be placed with foster carers. Its existence has been intermittent, even though the need for such a facility is not always predictable. It has closed when not required.

15. Conclusion

- 15.1. The Review has identified trends and links which may assist in future planning.
- 15.2. Some issues, particular to the Falklands context, are unsurprising and reflect what one would expect to find in any small community.
- 15.3. In spite of reduced resources and labour shortages, there are many examples of creative solutions and social workers providing services which otherwise would not exist.
- 15.4. There appears to have been a general chronological improvement in the quality of social work and record-keeping.
- 15.5. Past shortcomings were often related to quality and availability of sufficient trained professional staff, adequate resources, specialist legal support and availability of foster carers. These aspects are at risk of resurfacing at any time.
- 15.6. Suggested future actions are included in the below recommendations. Some of these appear elsewhere in action plans and are not new.



16. Recommendations: The FISCBS should offer its support to:-

1	A swift introduction of an electronic case management system for social services	Ref. para. 2.6, 2.11
2	Introducing a general legal obligation upon the government to consider the welfare of children in its decision-making	11.2, 11.3, 11.4, 14.5, 14.7
3	Ensuring sufficient counsellors are available and promoted to all victims of abuse	4.1, 4.2
4	Produce and publicise a strategy to reduce sexual exploitation amongst young people under 18 and include in ongoing training plans of the FISCBS Training Sub-Group	5.3, 5.4
5	Press for registration of all child minders so that children's safety may be ensured	5.7, 5.11, 5.12
6	Revisit previous foster care applicants to ascertain whether they might reconsider	5.13
7	Revisit the need for fingerprints to be provided for UK police checks and ensure all applications are followed through	5.8
8	Introduce a modernised domestic violence and abuse policy alongside the introduction of updates to the criminal and civil law.	6
9	Form a strategy to access hard to reach victims	0.1, 10.4, 14.5
10	Design an awareness campaign to highlight the dangers of alcohol misuse in families	7
11	Produce a strategy to combat physical abuse and corporal punishment and improve awareness	8.1
12	Consider strategies for intervention to combat generational abuse	12
13	Consider how children can be better supervised in general and protected at social gatherings	10.1, 10.2
14	Produce a policy regarding background and suitability checks, including retrospective checks, for those who work with or have access to children and those who hold relevant positions of influence.	5.8, 5.9, 5.10, 14.9
15	Introduce a joined-up benefits system to include the employment scheme, child care credits, rent rebate and individual assessment of parents in households, ensuring prioritisation of the needs of children	11.2, 11.3
16	Maintain training for professionals on the nature of evidence, the threshold criteria for referral and intervention and skills for the assessment of risk	2, 8.2, 9.2, 14.1
17	Include in procedures a guidance document for confidentiality and information-sharing	4.4, 14.6, 4.3



18	Ensure details of relevant offences investigated by police are included on social services files for use in future assessments of risk to children.	3.1
19	Ensure the existence of a procedure for the checking of taxi-drivers	5.9, 5.10
20	Press for the removal of the court fee payable when the court approves a parental responsibility agreement	14.7
21	Retain the YPU capability even when no children require it	14.11

Crown Counsel (Child Protection)

21.8.16.

