

## Impact case study (REF3)

<b>Institution:</b> University of Edinburgh		
<b>Unit of Assessment:</b> 28 (History)		
<b>Title of case study:</b> Historicising 'Historic' Child Sexual Abuse and Safeguarding Practices		
<b>Period when the underpinning research was undertaken:</b> 2008 – 2018		
<b>Details of staff conducting the underpinning research from the submitting unit:</b>		
<b>Name(s):</b>	<b>Role(s) (e.g. job title):</b>	<b>Period(s) employed by submitting HEI:</b>
Louise Jackson	Professor of Modern Social History	August 2005 – present
Louise Settle	Project Researcher	November 2014-April 2015
<b>Period when the claimed impact occurred:</b> 2014 – 2019		
<b>Is this case study continued from a case study submitted in 2014?</b> No		
<b>1. Summary of the impact</b>		
<p>Since 2013 non-recent child sexual abuse (CSA) has become an issue of major public concern in England and Wales, leading to the setting up of a series of official enquiries. Historical research conducted at the University of Edinburgh (UoE) has enabled professionals leading, supporting or giving evidence to these enquiries to understand the wider social, political and criminal justice contexts in which such CSA has been situated. The research has directly informed the NHS/Department of Health inquiries into matters relating to Jimmy Savile, findings published by the Independent Inquiry into Child Sexual Abuse (IICSA), and the work of Her Majesty's Prison and Probation Service (HMPPS). The research has prevented 'hindsight bias', reconstructed 'institutional memory' and – by tracing dominant social attitudes, legal norms and safeguarding practices across time – enabled those involved in enquiries to assess institutional failings.</p>		
<b>2. Underpinning research</b>		
<p>Louise Jackson, Professor of Modern Social History, has worked collaboratively with historians and criminologists at the Universities of Sheffield and Cambridge to chart changing attitudes and responses to CSA and to safeguarding practices in England and Wales since c. 1920.</p> <p>In 2014 she won an ESRC Urgency Grant (as PI) together with Adrian Bingham (University of Sheffield) and Lucy Delap (University of Cambridge) to conduct rapid research using digitised criminal justice statistics and newspapers to chart historical trends in prosecution/conviction and in public discourse. Research was also undertaken at the National Archives, Kew, on policy and professional practice. Louise Settle assisted Bingham with newspaper searches. As part of the project, which ran Nov 2014-June 2015, Jackson undertook the first major historical analysis of criminal justice statistics relating to known CSA prosecutions 1918-1970, revealing previously un-collated trends [3.1]. She demonstrated that in excess of 400 people were convicted per year during the 1920s, rising to over 4000 by the 1960s. She also demonstrated decline in the proportion of guilty verdicts, particularly those involving female complainants aged 13-15 across 1918-70. This built on Jackson's earlier published work on the policing of post-war youth [3.2 and 3.3], which showed that adolescent females were blamed for placing themselves at risk despite awareness in the 1960s amongst police, local authorities and civil servants that clubs and music venues might be sites of danger.</p> <p>The ESRC-funded research led to the publication of an article that was equally co-authored by all four researchers (Bingham et al 2016 [3.4]), which demonstrated (amongst other aspects)</p>		

that, although CSA is a recent concept, the idea of harm that it conveys has long been recognised, whilst what constitutes duty of care has changed across time. An important example of this was the implementation of policies to safeguard children in state schools since the 1890s (through the framework of 'blacklisting' teachers for misconduct), although its extent was limited and it was not mirrored in the private sector until the 1960s and beyond. Moreover very public exposure in the press of the abuse of boys by teachers in the 1950s was presented in relation to debates regarding homosexual law reform which saw the vilified figure of the 'homosexual' elided with that of the child abuser.

From November 2017 to February 2018 Jackson worked with Delap, criminologists Caroline Lanskey (project leader) and Lorraine Gelsthorpe and researcher Ben Jarman (all Institute of Criminology, University of Cambridge) on commissioned research for the HMPPS (Historic) Child Abuse Team (H-CAT) to examine the safeguarding of children within what is now known as the 'secure estate'. Historically what is now 'the secure estate' has comprised a complex and shifting range of residential institutions which received children sentenced to custody by a court. The researchers' co-authored report [3.5] demonstrated that within the secure estate c.1960-1980 policies regarding safeguarding of those under 18 tended to be reactive, ill-developed and poorly implemented; development of proactive preventive approaches from the 1980s resulted in protection that was improved but not without problems. It concluded that 'cultural blind spots will always be possible' and thus 'protections for whistle-blowers' constitute a 'key measure to protect children from abuse' (p. 68), as well as stressing the need to recognise how language plays into organisational culture and decision-making.

### 3. References to the research

- 3.1 L.A. Jackson (2015). Child sexual abuse in England and Wales: prosecution and prevalence 1918-1970. *History & Policy* website, <http://www.historyandpolicy.org/policy-papers/papers/child-sexual-abuse-in-england-and-wales-prosecution-and-prevalence-1918-197>. Refereed policy paper based on original robust research findings.
- 3.2 L.A. Jackson (2008). "The Coffee Club Menace": Policing Youth, Leisure and Sexuality in Post-war Manchester. *Cultural and Social History* 5(3), 289-308. [\[https://www.tandfonline.com/doi/abs/10.2752/147800408X331407\]](https://www.tandfonline.com/doi/abs/10.2752/147800408X331407)
- 3.3 L.A. Jackson with A. Bartie (2014). *Policing Youth. Britain 1945-70*. Manchester University Press. ISBN 978 0 7190 81781. (Can be supplied by HEI on request)
- 3.4 A. Bingham, L. Delap, L.A. Jackson and L. Settle (2016). Historical child sexual abuse in England and Wales: the role of historians. *History of Education* 45(4) 411-29. <http://www.tandfonline.com/doi/full/10.1080/0046760X.2016.1177122>. 'Most read' electronic article to date in the journal *History of Education*, attracting 14,709 downloads by 31/7/2020.
- 3.5 B. Jarman, L. Delap, L.A. Jackson, C. Lanskey, H. Marshall and L. Gelsthorpe (2018). *Safeguarding children in the secure estate 1960-2016*. Independent report, commissioned by HMPPS. <https://www.crim.cam.ac.uk/documents/safeguarding-children-report>. 30,000 word report combining synthesis with original research on primary/archival sources.

### 4. Details of the impact

In 2015, in the wake of high-profile allegations, the Home Secretary announced an independent public inquiry into how complaints of historic CSA had been handled by institutions in England and Wales. The work of this IICSA has attracted very significant media coverage and public debate. Jackson's research has contributed to the work of this and previous CSA enquiries, and to public understanding of historical contexts surrounding CSA and safeguarding. This has been achieved through collaboration with the History & Policy network (the UK academic consortium that provides high-quality historical resources specifically for media and policy-makers), dissemination of articles and reports, and participation in key events.

The UoE research has enabled professionals leading, supporting or giving evidence to these enquiries to evaluate whether (and to what extent) CSA was ignored in the past because of wider (shared) social and legal attitudes or because of specific institutional failure. It has thus provided contextual knowledge and information to enable assessment of institutional responsibility. Three examples are provided below.

### 1. National Health Service (NHS) / Department of Health (DH) investigation relating to Jimmy Savile

Jackson presented research on legal data and historical attitudes towards CSA [3.1-3.3] at a History & Policy event in May 2013, commissioned by Kate Lampard QC (independent overseer of the three NHS and DH investigations relating to CSA allegations regarding former disc-jockey and TV presenter Jimmy Savile). Lampard stated this event helped her 'avoid hindsight bias and added significantly to the rigour, thoroughness and fairness of their investigation reports' [5.1]. Thus the event (and presentation papers supplied to Lampard) enabled the past to be understood on its own terms as well as through the legal and ethical lens of today's society.

Material from the May event featured in sections on broader national context in the final 2014 Investigation Report on Broadmoor Hospital. Jackson's contribution, including work on prosecution and conviction levels [3.1], was quoted directly [5.2, s. 4.5, and n. 6]. Lampard and Ed Marsden commented, in a 2015 overview report to the Secretary of State for Health, that the History & Policy event enabled the NHS investigation teams 'to gain evidence and understanding of the culture and circumstances that would have influenced Savile's behaviour and how others responded to him' [5.3, s. 7.2]. Jackson's presentation was directly cited [5.3, s.7.8] as demonstrating that 'the Criminal Law Amendment Act 1885 raised the age of consent to 16 ... but, until the present day, courts have been reluctant to believe and convict on the evidence of older child victims of sexual abuse'. Lampard/Marsden concluded that 'Savile's ability to continue to pursue his activities without effective challenge was aided by ... social attitudes of the times'; but there had been 'shortcomings in hospital governance processes at a local level that allowed the Savile scandal to occur' [5.3, s. 17.1 and s. 15.3].

### 2. The IICSA

The ESRC-funded team (Bingham, Delap, Jackson and Settle) submitted policy papers and articles [including 3.1 and 3.4] directly to the IICSA. **TEXT REMOVED FOR PUBLICATION**

The research has enabled the IICSA to understand why CSA was ignored in the past and to identify institutional failure. This can be traced through the following reports:

- a. A Rapid Evidence Assessment (REA) (published Feb 2018) summarising existing literature referenced 'Bingham and colleagues' [3.4] on 15 occasions. It drew attention to their findings that "sexual misconduct" in the education sector has been described as blurring the boundaries between immorality and criminality and between harm to others and reputational damage' [5.5, p. 7 and p. 30] and to the ways in which in the 1950s 'media coverage of the sexual abuse of boys by male professionals' was used to argue against decriminalisation of homosexuality [5.5, p. 85]; this deflected away from harm caused to children. Thus the research [3.4] contributed to the REA's overall finding that the dominant discourses relating to CSA since the 1940s have been those of 'deflection, denial and disbelief' [5.5, p. 107].
- b. Historians of child migration Stephen Constantine and Gordon Lynch, commissioned to produce written reports for IICSA's investigations into child migration, directly referenced the findings of Bingham et al and Jackson (2015) [3.4 and 3.1] in their overview of social and legal attitudes towards CSA across the twentieth century. The research contributed to their conclusions regarding the extent to which children's experience as 'victims of sexual offences' was 'obscured' in the historical past [5.6, s. 2.4].
- c. The Investigation Report on Child Migration Programmes states, in discussing whether institutions should have known about CSA in the past: 'We have ... considered three *History and Policy* papers written on issues relating to child sexual abuse ... based on peer-reviewed research', including Jackson's 2015 paper [3.1; 5.7, p. 19, n. 87]. It quotes Jackson's data: 'An analysis of criminal justice statistics suggests that well over 1,000 persons a year were found guilty of sexual offences against minors in England and Wales between the wars,

increasing to over 4,000 by the 1960s.' [5.7, p. 19, s. 12]. Material on the 'blacklisting' system in schools is taken directly from Bingham et al [3.4; 5.7, p. 20, s. 14, a, b, d and e], including: 'in 1909 the Board of Education referred to a duty to preserve a "strict standard of morality among teachers" and, as a priority, the need to "think much more of the welfare of the children than of the teacher"'. The research thus provided evidence that has informed the conclusion that in the case of child migration 'sending agencies did know or should have known of the risk of sexual abuse, and this was something in relation to which an organisational response was required' [5.7, p. 21].

### 3. Her Majesty's Prison and Probation Service (HMPPS)

IICSA's public hearings into CSA in custodial settings took place 9-20 July 2018. One of those submitting evidence was HMPPS, which manages institutions caring for those under 18. Jackson was commissioned to co-author a report [3.5] to enhance HMPPS's 'institutional memory' and inform their IICSA submissions. Jackson and co-authors were invited to discuss the report's findings at a full-day workshop for HMPPS's (Historic) Child Abuse Team (H-CAT) at the Prison Training College, Newbold Revell, on 25 June 2018. The report was used by HMPPS in the following ways and with the following impacts:

- a. Reconstituting 'institutional memory'. The shape of 'the secure estate for young people' has been subject to constant change over the last 60 years (rendering it unfamiliar to current practitioners), whilst definitions of who is a child (requiring protection) have changed significantly. To prepare submissions for IICSA, the H-CAT needed to understand this turbulent institutional history. On behalf of the H-CAT, its Intelligence and Information Manager has commented that the report [3.5] 'provided invaluable insight into the estate's chronology as well as defining the age of the child throughout the report period. What appeared a convoluted and ever-changing environment was presented in a well-structured and clear document which has deepened the HMPPS understanding of the historic configuration of the youth estate' [5.8].
- b. Identifying weaknesses and solutions. The report aimed to review the operation of past safeguarding practices in the youth estate, identify points of weakness and suggest improvement. The H-CAT has commented that 'As well as reinforcing already identified themes', the report's authors 'were able to provide insight into new themes that may not have been apparent [to HMPPS] without such a wide-scoping exploration' [5.8].
- c. Preparation for IICSA hearings. The H-CAT has commented that the report 'assisted HMPPS to structure its approach to responding to witness statement requests, preparing its witnesses in giving oral evidence and recommending improvements ahead of the public hearing taking place' [5.8].
- d. Changing policy. The report has fed into HMPPS's plans for policy change, the H-CAT stating it 'was shared with the Youth Custody Service [YCS], Directors and key staff to encourage dialogue regarding learning and improvements' [5.8]. In October 2019 the YCS published a *Safeguarding Review* which endorsed the report's finding that 'protection for whistle-blowers is key to protecting children from abuse' [5.9, p. 16, n. 38], with key recommendations in this area [5.9, p.16, 2.2.6 and 2.2.7]. It also highlighted the report's findings on the role of language in shaping culture as 'an important consideration' for those 'influencing and driving change' [5.9, p. 14, n. 34].

### 5. Sources to corroborate the impact

5.1. Project webpage 'Historical Child Sex Abuse', hosted by *History & Policy*.  
<http://www.historyandpolicy.org/projects/project/historical-child-sex-abuse>

5.2. West London Mental Health NHS Trust and the Department of Health. (2 June 2014). *Jimmy Savile Investigation: Broadmoor Hospital* (p. 14).  
<https://www.gov.uk/government/publications/jimmy-savile-investigation-broadmoor-hospital>

5.3. Secretary of State for Health (26 February 2015). *Themes and Lessons Learnt from the NHS Investigations into Matters Relating to Jimmy Savile* (pp. 36-37, 119 & 121).  
<https://www.gov.uk/government/publications/jimmy-savile-nhs-investigations-lessons-learned>

5.4. [TEXT REMOVED FOR PUBLICATION]

5.5. Independent Inquiry into Child Sexual Abuse (IICSA) (February 2018). *Deflection, Denial and Disbelief: Social and Political Discourses about Child Sexual Abuse and their Influence on Institutional Responses. A Rapid Evidence Assessment* (pp.7, 30, 85 & 107).  
[https://www.iicsa.org.uk/key-documents/5381/view/social-political-discourses-about-child-sexual-abuse-their-influence-institutional-responses-full-report\\_0.pdf](https://www.iicsa.org.uk/key-documents/5381/view/social-political-discourses-about-child-sexual-abuse-their-influence-institutional-responses-full-report_0.pdf)

5.6. Written evidence of Professors Constantine and Lynch (March 2018), submitted to IICSA, EWM000455\_016. [https://www.iicsa.org.uk/key-documents/4571/view/EWM000455\\_016-019.pdf](https://www.iicsa.org.uk/key-documents/4571/view/EWM000455_016-019.pdf)

5.7. IICSA (March 2018). *Investigation Report on Child Migration Programmes* (p19-21).  
<https://www.iicsa.org.uk/key-documents/5380/view/child-migration-programmes-case-study-investigation-report-march-2018-with-hyperlinks.pdf>

5.8. Intelligence and Information Manager. *H-CAT, HMPPS* (email testimonial to Dr. Caroline Lanskey, 22 January 2019).

5.9. HM Prison & Probation Service and Youth Custody Service (October 2019). *Youth Custody Service Safe-Guarding Review*.  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/836753/YCS\\_Safeguarding\\_Review.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/836753/YCS_Safeguarding_Review.pdf)