

Welcome to this Autumn issue of the *Journal of Adult Protection*. As in most issues of the journal, we present a number of news items relating to safeguarding that have appeared in the past few months that readers may have missed, or which may be worthy of further consideration. Please see below for a selection of these items, loss of bonus might not matter too much.

It was during April that Barclays, an established British bank, got into deep water about whistle blowing. That is, the Barclays Chief Executive, Jes Staley, admitted that he had sought to find out the identity of a whistle blower with the assistance of the bank's internal security team[1]. Two letters had made allegations about the conduct of an associate who Staley had brought to the bank. As a result, the Financial Conduct Authority and the Bank of England's Prudential Regulation Authority are investigating Staley, and he is taking a significant cut to his bonus. However, since his fixed pay is around £2.35 m [...].

Whilst we are musing about banks, which were remorseful after the 2008 banking crash, it is the Bank of England's turn to feel uncomfortable. It seems that "rigging" the London Interbank Offered Rate, or Libor to those in the know (it refers to the rate at which banks lend to each other, setting a benchmark for mortgages and loans for bank customers), was not wholly down to a handful of phenomenally well-paid traders[2]. Panorama's The Big Bank Fix showed that senior figures in the big banks were also involved. A treasury spokesperson uttered the all too familiar refrain: "The government is absolutely clear that we must learn from the lessons of the past [...]"[3].

There is a rare bit of good news for people with progressive conditions such as rheumatoid arthritis, Parkinson's disease, multiple sclerosis and motor neurone disease. Reason is prevailing as MPs and patient groups are calling for an end to repeat assessments, which are resulting in people losing some of their support, only to have it reinstated on appeal. Repeated tests to establish their continuing eligibility for personal independence payments (PIPs) make no sense to people with progressive conditions[4]. This will be welcome news to those people with dementia who have had their payments stopped because their condition has miraculously improved[5]. However, see the final point in this section of news items to evidence that perhaps hopes of improvements in the system were raised too soon earlier in the year.

Next is the impacts of inequality. Following a revelation in *The Guardian* that responsibility for refugees and asylum seekers in England had fallen to less than a third of the country's poorest councils, the prime minister's spokesman was nudged to propose that a more equitable spread might be achieved[6]. The numbers confirm that the Labour-led authorities have taken 11.6 asylum seekers per 10,000 population compared with 0.7 in Conservative-led ones. It is needless to note that the costs of education and health care are not factored at all into the "asylum dispersal system".

The image from the Spring of Saffiyah Khan smiling at the leader of the English Defence League[7] at a demonstration was astonishing and hopeful. She appeared unmoved by the angry man in the same image, subsequently noting simply: "I don't like seeing people getting ganged up on in my town".

The beginning of May heralded the trial of Ann Corbett, Zahid Zaman, Myra Wood and Kay Rayworth who tortured and killed Jimmy Prout, described as a "vulnerable man". He had believed that these four were his friends[8]. Following a lengthy trial, the defendants were found guilty of the charges laid against them; Corbett and Zaman were jailed for substantial periods (27 and 33 years, respectively), whilst Rayworth and Wood were also jailed for shorter periods (12 and 9 years, respectively) for causing or allowing the death of a vulnerable man[9].

The use of “unreasonable force” during restraint by the police claimed the life of Oleseni Lewis in a mental health ward at Bethlem Royal Hospital during 2010. That was the conclusion of the coroner responsible for the inquest hearing into this untimely death. However, the Crown Prosecution Service determined that the officers involved had no criminal case to answer, and no charges of corporate homicide were to be brought against the hospital[10].

Cyber crime reared its ugly head during May as businesses around the world were compromised by the malicious software – ransomware – demanding a ransom for access. This was hugely disruptive and was declared a major incident by the NHS in England[11]. In a further twist, the young security researcher who was credited with disarming and resolving that particular malware crisis was later detained whilst in the USA and accused of helping to create, spread and maintain a previous cyber attack, that used the Kronos malware to attack banks between 2014 and 2015[12].

The first child sex prosecution under Modern Slavery Act 2015 was secured when a Romanian couple were sentenced to 14 years each for trafficking a 14-year-old girl and eight others into the UK for sexual exploitation. The Metropolitan Police dismantled the criminal network of Petre Niculescu and Romelia Radu[13].

Monday, 22 May, will be remembered most particularly in Manchester when the malice of terrorism targeted an audience of young people as they left a pop concert at the Manchester Arena. It resulted in the loss of 22 lives and life-changing injuries for dozens more. The suicide bomber bore a weapon, which was crammed with nails and bolts to maximise the injuries and damage. The rapid response of the emergency services and that of citizens confirm our merited faith in magnificent humanity. It is a lethal reminder that prevention resides not in the escalation of conflict and divisive commentary. As Hugh Muir[14] noted:

There is a leadership that says we will all pull together, because we always do. But just once I'd like to see that allied to leadership that also says: we understand this is a time of great tension; we know that there are opportunities for those of malign intent to exacerbate those tensions – for political gain, for notoriety, or financial enrichment; and we need them to be aware that the wider society we represent will not tolerate it.

Such leadership says this is not open season. There will be no intellectual equivalent of looting amid the devastation. Society will protect the vulnerable. The rule of law will apply. Those who breach it in word or deed render themselves liable to prosecution.

There is all-pervasive incivility in this angry age of illiberalism and social media – that, as democrats, we have to stomach. There are those who would attack us with bombs and knives. We expect nothing from them but nihilism and brutality. But a society undermined from within at a time of crisis needs champions unequivocally prepared to protect it. We elect and employ such people. It is their job, and they should leave no doubt that they will do it.

A coroner controversially exonerated the manager and employees of an Audi garage in Reading for the suicide of an 18-year-old apprentice who had experienced mental health problems. George Cheese had been subjected to appalling bullying, rebadged as “horseplay”, “a prank” and “banter” during the inquest. George was locked in a cage, pressure washed, driven around in the boot of a car, had his clothes doused in brake fluid and set on fire at the garage. Since George's suicide during April 2015, the remedial actions of the garage – which included “taking a management course with the charity Mind” – appear to have satisfied the coroner that this suicide resulted from a “combination of factors” in this young man's life[15].

Of more recent note, there is something particularly perplexing about drafting an editorial for the *Journal of Adult Protection* when two psychiatrically wanting world leaders are threatening to unleash their nuclear arsenals. It is challenging also to promote safeguarding values when Trump's administration exudes vulgarity and vitriolic dysfunction[16]. However, we will endeavour to provide this as far as we are able to [...].

There is now a new political landscape in the UK with a prime minister whose misjudgements and misreading have severely compromised her party. We have a Labour party in opposition, which was severely punished in the media and did not anticipate the scale of either youth turnout or support in the election held in June. After years of austerity, disquiet concerning underfunded public services, benefit delays and stuck wages, and political

uncertainty prevails. Not that the agenda is straightforward: suicide bombing, stabbings, acid attacks and ploughing vehicles into crowds all sow uncertainty, disbelief and dread in many countries across the globe.

The Social Mobility Commission's "Time for Change" is a damning report concerning the failure of Labour and Conservative's social mobility policies and the new divides across income groups and generations. Child poverty has risen in the aftermath of the recession, graduate employment for disadvantaged students has barely improved and wages have stagnated[17].

The blackened husk of Grenfell Tower serves as a bleak memorial. As Kensington and Chelsea politicians gave council taxpayers a rebate, local services were starved of funds. The tower had been refurbished and had a management organisation, which was unaccountable to its own tenants, even those expressing concern about safety. Some were even threatened with legal action for defamation[18]. At least 80 people lost their lives in the fire that consumed the tower block and it appears that shortcuts were taken in relation to the external cladding that was used on the building during the refurbishment. Fingers are pointing at deregulation and profit-driven outsourcing. One outcome of the Grenfell Tower inferno has been the discovery of the unoccupied homes in Kensington and Chelsea worth around £664 m[19]. Why is it that the UK is so toothless in challenging the owners of the richest boltholes?

During July, Avon and Somerset police officers were criticised by the Independent Police Complaints Commission for having failed to protect a disabled Iranian refugee. He had made 85 calls to the police between 2007 and 2013 to report racist abuse, criminal damage and threats to kill. The IPCC concluded that if the police had acted properly, this man's dispute with his neighbours might not have resulted in his subsequent murder. "Police consistently failed to apply their own hate crime policy which would have triggered serious investigation [and] failed to take action against named offenders[20]".

The Care Quality Commission has reported that one in every three nursing homes have failed official inspection[21]. Inspectors making unannounced visits to care homes found situations where medicines were administered unsafely, alarm calls went unanswered and residents did not get help to either eat or use the toilet. In some situations, it was found that care workers on night shifts woke some residents, washed them and put them back to bed, apparently to make life easier for staff. Although the situation was described as unacceptable by the government minister for social care, given the apparent crisis within the care sector generally and the lack of appropriate measures to resolve the issue, it is not clear at present what remedial action is likely to be taken by government.

It turns out that men are more likely than women to have force used against them by the Metropolitan Police, and also that 36 per cent of the 12,605 uses of force during April to June 2017 involved people who identified themselves as black, even though such people account for around 13 per cent of London's population[22].

It turns out too that there has been an increase in serious crimes committed by offenders while on probation[23]. This situation post dates the privatisation of the service [...].

At the beginning of August, an optometrist who did not spot the symptoms of an eight-year old's brain condition won her appeal against a gross negligence manslaughter conviction. The child's family contended that if the optician had not breached her duty of care, he would still be alive. Judge Leveson stated that it was "not appropriate to take into account what the defendant would have known but for his or her the breach of duty [since] to do so would fundamentally undermine the established legal test of foreseeability [...] which requires proof of a 'serious and obvious risk of death' at the time of breach". He explained that implication of doing otherwise would be that medical and other professionals would be guilty of gross negligence manslaughter if they negligently failed to carry out routine tests, even if it would not have been obvious at the time that the test would have helped[24].

Following intense judicial intervention, on 7 August, Sir James Munby issued an additional judgement. Two paragraphs (17 and 18)[25] in particular are worth noting since these are relevant to the circumstances of young people with mental health problems.

The response [...] of Professor Wendy Burn, the President of the Royal College of Psychiatrists, as quoted in the media, was:

It is a great relief to hear that a suitable bed has been found for patient X. We must learn from this situation and keep up the momentum on this issue. Securing the right support for others like X should not be, and cannot be, dependent on one of the highest judges in the land showcasing his outrage and frustration. We urgently need to devise a national strategy so that people with personality disorders are supported from their adolescence into adulthood.

Quite so:

Conscious of the dangers of falling into the fallacious trap of post hoc ergo propter hoc, I cannot escape the powerful feeling that, but for my judgment, the steps subsequently taken would have been neither as effective nor as speedily effective as appears to have been the case. This, however, is not a matter for congratulation; on the contrary, it is, of itself, yet further cause for concern. The provision of the care that someone like X needs should not be dependent upon judicial involvement, nor should someone like X be privileged just because her case comes before a very senior judge. I emphasise this because a mass of informed, if anecdotal, opinion indicates that X's is not an isolated case and that there are far too many young women in similar predicaments. How are they to be protected?

Sir James Munby had criticised the country's "disgraceful and utterly shaming" lack of mental health provision for a suicidal teenager, adding for emphasis, "we will have blood on our hands".

It was also in August that we glimpsed "the reality of modern slavery in the UK" when the circumstances of "vulnerable" victims, aged between 18 and 63, were clearly set out. Traveller family members, consisting of ten men and one woman, ran a driveway surfacing company. Their exploited employees (there were at least 18 of them) worked long hours, which funded the lavish lifestyles of their employers. In contrast, the employees resided in fear in squalid and insanitary conditions[26]. It is believed that at least one man had lived in such conditions for something like 26 years[27]. Sentencing of the guilty parties will begin during September 2017. There is little wonder that the National Crime Agency's director believes that the scale of modern slavery is more prevalent than previously imagined[28].

Also in August, three men who converted a former nuclear bunker into a giant cannabis farm were jailed[29]. The underbelly of their convictions involved four trafficked Vietnamese men who had been locked in windowless rooms, urinating into plastic tubs with no access to fresh air or compassionate company[30].

Finally, breaking news from the DWP: yet another individual with dementia has had his benefits cut after an assessment for the much-heralded PIP. What does the DWP know that experts do not? Joy Watson from Salford – a campaigner for the rights of people with dementia who was awarded the PM's "Points of Light" Award by David Cameron – is now £400 a month poorer because the assessment concluded that she no longer meets the criteria for disability-related benefits. Her husband Tony has also lost his carer's allowance; fortunately, he has not downed tools and continues to cook meals, make hot drinks and supervise Joy's medication, none of which she can manage safely for herself. She may have to wait until Christmas for a tribunal hearing to review the decision.

The messages from this and similar decisions are clear:

- if you speak up for yourself or other people with dementia to show that it is possible to live well with this devastating condition, you will be deemed to be independent and not in need of any disability-related benefits; and
- four years after diagnosis, you can expect to improve to the point where you and your carer will not need any help.

When will this nonsense end? It is time the government recognised that the PIP assessment process is deeply flawed and ensure that people with dementia and their carers – along with all disabled people – are treated with respect and consideration when seeking the necessary help and support to enable them to live well with their condition.

This issue of the journal contains a number of papers about different aspects of adult safeguarding. Our first paper, by Lorna Montgomery and colleagues in Northern Ireland, reports

on a piece of research to obtain the perspectives of service users who had experience of adult safeguarding procedures. This pilot project demonstrated that a broader initiative, already in use to obtain the views of patients, service users, carers and staff across both health and social care sectors in the province could be effectively adapted for use within adult safeguarding. Although the pilot project was undertaken at a relatively small scale, further work to extend the project is being planned as there has been a lack of such work in relation to adult safeguarding in Northern Ireland in the past.

The second paper in this issue, by Sarah Wydall and Rebecca Zerk, from Aberystwyth University in Wales, reports on work undertaken as part of a wider project, looking specifically at professionals' views about potential barriers to help seeking for older individuals who experience abuse in the domestic setting. Within this qualitative study, 50 practitioners and managers from statutory services from all but one of the local authorities in Wales were interviewed about their perceptions. One of the key findings from the study was the extent to which age discrimination by practitioners could affect help seeking by older people and act to restrict the support that might be available. Further work, in particular in obtaining the perspectives of older people themselves, is emphasised in the paper.

Our third paper, from Sahani Takerkhani and colleagues in Iran, also explores issues relating to help seeking, this time to identify barriers to seeking help reported by younger adult women who have experienced abuse in the domestic setting. Although the study was comparatively small, the participants identified barriers in relation to apparent lack of resources, fear about negative consequences (of reporting or seeking help) and prior knowledge about individuals not receiving support. These findings perhaps resonate with the Welsh study above and highlight the potential need for comparative research on help seeking.

The following paper, by Maggie Leese and Sean Russell (a Police Colleague), considers the area of mental health and policing. The paper relates to the specific issue of custody provision for individuals with mental health conditions and reports on a case study undertaken across a large police area. Telephone interviews were held with all levels of staff working in custody areas and explored how individuals from the range of different roles involved worked to safeguard people with vulnerabilities associated with mental health. A number of interesting findings emerged, including relatively high levels of frustration for staff about the lack of appropriate mental health services in the community that could assist to obviate the need for police custody. Further work on obtaining appropriate and timely access to mental health services (including assessments) as well as additional training and support for staff was also identified as needed.

The fifth paper in this issue, by Jill Manthorpe and Stephen Martineau, reports on an analysis of SCRs/SARs to explore recommendations made about pressure ulcer treatment and prevention in care home settings within a safeguarding context. The study included 18 SCRs and one SAR in England in which a person had either died or experienced significant harm including (at least one) pressure ulcer. A number of themes were identified, and most of the reports identified failings in the care home but also within broader health and care systems – specifically in relation to communication within and between agencies. The paper highlights a number of areas, from a safeguarding perspective, in which future work is needed.

The final paper in this issue also concerns safeguarding in the context of care home settings and is a further paper by Steve Moore, this time reporting on a study of the qualifications held by staff from nursing and care homes in the private sector who had acted abusively over a 12-month period. The information was obtained via a postal survey that was sent to local authority safeguarding teams across England. Although the overall response rate was relatively low (23 per cent), the data obtained imply that care staff who have had recognised training (and had either a professional or vocational qualification) were disproportionately represented amongst staff who were established to have committed abuse against a resident(s). Further work is clearly indicated in relation to this issue and relating to the potential for training to be effective in preventing the occurrence of abuse.

As editors of the journal, we are always interested in hearing from potential contributors and to discuss ideas for possible papers relating to research, policy and/or practice. If this is the case, do

make contact with one of us and we will be pleased to provide advice and offer support on this. Our contact details appear on the inside cover of the journal and are also available on the journal website. We hope that this issue will be of interest to readers and provide ideas for further consideration related to the world of safeguarding.

Notes

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