Welcome to the first issue of 2018, and our first in this, our 20th anniversary year. As in many of our issues of the journal, we initially present a number of news items relating to safeguarding that have appeared in the past few months that readers may find interesting. Before introducing the main contents of this issue, please see below for a selection of these items that appeared across the news media.

In October 2017, media of different types revisited that all too familiar subject of sexual harassment, misconduct and assaults, this time with ramifications for film-makers, fashion photographers, “stars” and politicians. No workplace is immune from employees who struggle with the concept of consent. The default and complicit stance of so many employers is to take no action to protect staff that report harassment and bullying. The urgency of cultural change to address demeaning workplace offences has never been clearer.

The Criminal Injuries Compensation Authority, an executive agency of the Ministry of Justice, has issued guidelines to ensure that the victims of child sexual abuse are not denied compensation on the mistaken grounds that they provided consent to the abuse that happened to them. During July, a coalition of charities had warned the justice secretary that children were being denied payments even if their abusers had been imprisoned[1]. The CICA’s chief executive acknowledged the contribution of the charities in revising its guidance so that victims are not refused rightful compensation[2].

The Salvation Army has reported a 300 increase in the number of victims of modern slavery referred for their support in the last six years, that is, from 378 during 2011 to 1,554 last year[3]. This includes an increase in the number of men from Vietnam trafficked to work in illegal cannabis farms. The highest number of victims overall came from Albania, the majority of whom were women trafficked for sexual exploitation. Needless to report that these victims are forced into forms of employment, which they have not chosen and for which they are not paid, in conditions that are unlawful. Their “debts” increase exponentially and threats of violence are commonplace.

Her Majesty’s Inspectorate of Constabulary and Fire and Rescue Services published “Stolen freedom: the policing response to modern slavery and human trafficking[4]”. This states that its:

[...] review of current and recent cases of modern slavery and human trafficking in our ten fieldwork forces [...] raises serious concerns about the quality of investigations. We found that investigations are being closed prematurely, with lines of enquiry still open. In some cases, victims and witnesses were not even spoken to by the police. As a result of these failings, victims are left unprotected while offenders are not brought to justice, leaving them free to continue to exploit people as commodities. Too much police work in this area is reactive, showing little understanding of the nature and scale of modern slavery and human trafficking. It was disappointing to find that some frontline officers did not consider modern slavery to be an issue in their force area. We were also concerned to encounter some neighbourhood officers who said that they avoided raising the issue of modern slavery and human trafficking with local communities because they did not believe the public were either interested in or sympathetic to victims of these crimes [...] Government estimates previously suggested there were between 10,000 and 13,000 potential victims of modern slavery and human trafficking in the UK in 2013. However, the true number is likely to be far higher, because many victims are unable or reluctant to engage with authorities (or may not be recognised as victims of this kind of offending if they do) and may be moved frequently across geographical boundaries. While the plight of victims remains unseen and unresolved, offenders can and will continue to exploit them.

As many readers of the journal will be aware, we have published two papers in the last year that considered the issues related to modern slavery. And additionally, under the remit of the Care Act
modern slavery is an area of focus for safeguarding adults and requires co-ordinated and multi-agency responses.

A report commissioned by Theresa May during 2015 concerning deaths in custody was published at the end of October 2017[5]. Dame Elish Angiolini QC wrote “The Report of the Independent Review of Deaths and Serious Incidents in Police Custody”. This included the events leading up to such incidents, as well as existing protocols and procedures designed to minimise the risks. The report looked at the immediate aftermath of a death or serious incident, and the various investigations that ensue. Most importantly it examined how the families of the deceased are treated at every stage of the process. The report notes that every prosecution relating to a death in custody over the last 15 years has ended in an acquittal, despite a number of “unlawful killing” verdicts by coroners. It remains to be seen how many of the report’s 110 recommendations for overhauling the way the police and health authorities deal with adults with mental health problems and how the police complaints watchdog investigates these incidents are implemented, and when.

The Financial Conduct Authority has determined that BrightHouse, Britain’s biggest rent to own retailer, must repay and compensate nearly 250,000 customers who were victims of high-cost credit practices. For example, BrightHouse charged more than £1,000 over three years for its cheapest washing machine[6]. It is an expensive lesson for irresponsible lending.

The month of November 2017 confirmed that some topics will not be drained from the safeguarding plumbing. For example, conflicts of interest – who would have thought that “hundreds of local councillors in England’s rental hotspots are landlords or own second properties, including more than a third of members in some town halls[7]? Why have not these conflicts of interests of councillors with property interests, who are receiving housing benefit payments, been centre stage during local elections?

The Child Poverty Action Group published “The Austerity Generation: the impact of a decade of cuts on family incomes and child poverty[8]”. The chief executive of the CPAG confirmed that the promise of increased rewards from being employed has been broken and this clearly represented a failure of public policy.

The National Independent Safeguarding Board and the Welsh Government hosted a “Safeguarding and Sport” conference on 13 November – heralding the start of Safeguarding Week in Wales. Once the decision had been made to be proactive in engaging with audiences with few, if any, connections to health and social care, some familiar topics have surfaced: the poor handling of allegations of racism[9], inadequate scrutiny of practice, inattention to player welfare[10] and the determination to quickly learn lessons.

Seminars in tax avoidance for the tycoon rich were gifted to us via the “Paradise Papers[11]”. For those aspiring to join the global elite, all you need to do is set up a company in a country that does not levy corporation tax. The rather irksome downside is the decreased revenue the government has to spend on public services and this represents a legal and disgraceful failure of successive governments. Time to get offshore affairs in order […].

On 5 November, another US gunman massacred 26 people. Devin Kelley had been court martialed in 2012 and sentenced to a year in a military prison for assaulting his wife and child; he received a bad conduct discharge during 2014; and his CV contained inaccuracies[12]. How many more times do we need to be reminded that guns and a history of domestic violence present a lethal and toxic mix?

Very few “honour” based crimes such as forced marriage and female genital mutilation are being referred to the Crown Prosecution Service[13]. Of the 5,000 honour crimes reported to the police during 2016-2017, only 256 were reported to the CPS, and these resulted in 122 convictions. This has led the Executive Director of the Iranian and Kurdish Women’s Rights Organisation to conclude that those seeking justice are being failed by the system.

As usual, this issue of the journal contains a number of papers about the different aspects of adult safeguarding. Our first paper is a contribution from Australia and concerns abuse of adults with intellectual disabilities. As one of the key barriers found in such situations involves the reporting of such abuse, Ellen Fraser-Barbour and colleagues from Flinders University undertook a study that
explored the perceptions of professionals working in violence or disability-related services about the barriers and facilitators that affect support for individuals reporting sexual abuse. Although this was a relatively small-scale study, some common themes emerged relating to lack of knowledge about practical ways for professionals to offer support to enable people to report abuse and also the need for both the development of resources and for education for professionals to assist and develop this area of work. The need for increased community engagement and strengthening of inter-agency working is also highlighted.

The following paper in this issue is by Daniel Wilcox and colleagues from the West Midlands and also concerns intellectual (or learning) disability. This paper, from a legal perspective, considers the impact of mental capacity on the situation of parents with intellectual (or learning) disabilities who are involved in family law and childcare proceedings in England and Wales. The paper reviews the application of government guidance within such cases and explores a number of cases in which work to enhance individuals’ capacity and the provision of psychological assessments and support have assisted the parents involved in the hearings.

It also includes an analysis of reports by independent mental health foundations, official inquiries and other public bodies and refers to academic and practitioner material and government guidance. To date, there has been little research on the number of cases where parents may require capacity assessments and associated support, so this is a useful addition to this area of work.

The third paper in this issue is by Independent Consultant Steve Moore, which reports on a study undertaken to expand current knowledge about the nature and extent of abuse in independent care homes for older people. A postal survey was sent to recently appointed care staff in six care homes and asked about the nature of abuse that had been witnessed in previous care settings in which they had worked. Of the 194 respondents, some 140 offered reports about abuse in such settings. The data (both quantitative and qualitative) mainly related to psychological and physical forms of abuse, together with neglect. Although the survey was relatively small, the data obtained from respondents indicate that abuse and neglect continue to happen in some care homes for older people. The author concludes that some changes are needed to existing investigation of practices in care homes and methods of external enquiry in order to prevent such situations from occurring.

Our fourth paper also encompasses legal perspectives and is by Laura Pritchard-Jones of the Keele University (also in the Midlands). The paper revolves around issues relating to the term vulnerability and aims to examine and critically analyse conceptual and terminological shifts that have occurred from vulnerability to adult at risk in recent years within England (through the introduction of the Care Act 2014) and in Wales (via the Social Services and Well-being (Wales) Act 2014). The paper explores to what extent these shifts address the criticisms that were levelled at use of the term vulnerable and suggests that use of the term adult at risk actually relies on characteristics that are very similar to those used for vulnerable adult. However, the paper indicates that safeguarding provisions that have been introduced within the two Acts appear to have resulted in some positive changes when compared to the previous legal and policy provisions (and use of vulnerable adult), particularly in relation to interventions that might be used with individuals, although there is also an acknowledgement of the need for further research to determine how the legal changes are being embedded in practice.

The final paper of this issue is by Independent Consultants Mike Briggs and Adi Cooper and provides an update of the Making Safeguarding Personal (MSP) initiative that has been taking place within adult social care. The paper reports on the results of a survey of local authorities in England, which was undertaken in 2016. Of a response rate from some three-quarters of local authorities (76 per cent), a comparison is made on the progress being made with implementation of MSP approaches, particularly in relation to Safeguarding Adults Boards and associated partner organisations. From the survey findings, it appears that the MSP approach is having a positive impact on adults at risk of harm. A good number of councils had altered their systems to incorporate MSP into everyday working practice, albeit to varying levels. The findings from the survey indicate that there has been marked progress since a previous survey, but that such progress has largely happened within adult social care services. More specific results reveal that whilst most partner organisations had agreed to the MSP approach at strategic level, most had only made patchy progress in translating it into operational provision. The greatest blocks to full
implementation of the approach were reported as the shortage of resources and increasing demand for services, although organisations appeared to be finding innovative solutions to such issues. The final part of the paper introduces the guidance and recommendations, targeted at directors of Adult Social Care and chairs of Safeguarding Boards at a number of different levels (local, regional and national) that have been developed as a result of the survey. As the MSP programme is ongoing, we can expect to see further updates about progress and implementation in future.

Our final contribution in this issue is a book review provided by Co-editor Margaret Flynn. Many readers will know of Connor Sparrowhawk, and his untimely death in Slade House Assessment and Treatment Unit for adults with disabilities, in Oxford. This book about his story was written by his mother, Sara Ryan, and makes for both compulsive and compulsory reading for those concerned with safeguarding and also for those with interests in the field of intellectual disability.

We hope that this issue of the journal will provide items and ideas for readers to consider and reflect on about the broad field that is adult safeguarding. As the readers of the journal are aware, we are always interested in hearing from potential contributors and to discuss ideas for possible papers relating to research, policy and/or practice in this increasingly broad topic area. 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.

Notes

1. www.bbc.co.uk/news/uk-41429906
3. www.salvationarmy.org.uk/Anti_Human_Trafficking_Latest_Report
9. www.bbc.co.uk/sport/football/41617223