

Guardian : "Yarl's Wood staff criticised for poor investigation into child sex case" - 14/06/10

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by Rachel Williams

"Detention centre did not deal properly with case of five-year-old boys found engaging in sexual activity, report finds.

Social workers failed to properly investigate a case of two five-year-old boys found engaging in sexual activity at Yarl's Wood detention centre and concerns an older child may have abused one of them, an official report found today.

The independent review by Bedford and Central Bedfordshire safeguarding children boards also criticised police, the UK Borders Agency and Serco, which runs the centre.

It said the case highlighted a gap in the regulation of services to children in immigration detention, with no single agency having enough overarching responsibility.

The coalition government has pledged to end the practice of keeping children detention centres within the next few months. More than 1,000 children a year are held in such centres.

Medical evidence, including a report from the Royal Colleges of paediatricians, GPs and psychiatrists, has found that the detention of children in the asylum system is linked to serious physical and psychological harm. The policy has been criticised by the government's inspectorate and the former children's commissioner for England.

"None of the agencies involved in this case gave adequate weight to the particular inherent vulnerability of children in detention, nor to the issues of diversity affecting these children and their families," the executive summary of the review said.

After the two five-year-olds were discovered behaving in a sexual nature in September 2009 it was alleged one had been the subject of sexual assaults by an older child aged 11 or 15.

The case should have triggered "complex inquiries", but the authorities did not respond appropriately. Social workers failed to make enough effort to get police involved and did not act because they thought the children were too young to know what they were doing, the board concluded.

Police who were told about the situation after the boys' mother complained wrongly ended their involvement without talking to officers with a specialist child protection background.

Although they rightly took their lead from the local authorities, the arrangements to keep children safe employed by UKBA and Serco were "ultimately ineffective and relied too heavily on the input and decisions of other agencies".

"The local authorities' managers and social workers misunderstood the significance which should attach to the age of criminal responsibility in such circumstances," the report said.

"They took the view, in error, that their inquiries into the adequacy of safeguarding arrangements for these children could be limited by the fact that the children could not be the subject of criminal charges... Furthermore, they failed to investigate concerns that older children may also have been involved in the sexual abuse of a child, and that these older young people might pose a continuing threat to other detainees."

Nor did local authority social workers interview the mother of the child said to have been abused, it concluded. Her repeated concerns about the investigations that had been carried out were "effectively dismissed by all the agencies involved".

One of the children involved was seen by a GP from the company employed to deliver health services to families in detention but the doctor failed to recognise it was a child protection situation and decided the child should not be seen by a paediatrician.

The report recommended that Serco should review and update its internal arrangements on keeping children safe from harm.

"Serco should ensure that it can discharge its specific duty to safeguard and promote the welfare of children, in a way that is not solely reliant on other agencies."

The children and their families have all been deported so were not involved in the review.

Malcolm Stevens, a former senior government adviser on social services and the the director of independent social justice provider Justicecare Solutions, said: "Here is evidence of whole system failure in and around Yarl's Wood. This calls into question whether the children there now are being properly looked after.

"It calls into question the competence of UKBA to conduct the current review into arrangements for children.

"The government urgently needs to appointment someone with independence, experience and professional competence to run the review into ending child detention."

A spokeswoman for the member agencies of the safeguarding children boards, who include police and local authorities, said: "We consider the care and safety of all children in Bedfordshire to be our top priority." The summary of the review was being published in the interests of openness and transparency, she added.

A spokesman for Serco said: "We welcome publication of the findings … and recognition that we reported the incident to the appropriate authorities.

"Children are cared for at Yarl's Wood by our qualified, specialist staff in line with national best practice and guidelines.

"We accept the findings of the report and will continue to keep all our child protection policies and practice under review."

David Wood, head of criminality and detention at UKBA, said: "It is imperative that any incident of this nature is investigated, which is why we have cooperated fully in the review.

"The safeguarding children board acknowledges the strength of the arrangements in place at Yarl's Wood to promote the care of children and prioritise child welfare, in particularly the speed and appropriateness of our referral of this incident to the local authority children's services team.

"We will continue to work with Bedford borough council to ensure we are doing absolutely everything in our power to ensure children are safeguarded in the future.

"The new government is carrying out its review of child detention, which will be concluded within weeks. We are determined to replace the current system with something that ensures a process that is firm, fair and dignified for families who have no right to remain in the UK."

On the Guardian website

Independent review by Bedford and Central Bedfordshire safeguarding children boards - download the review