IN THE MATTER OF AN APPLICATION FOR JUDICIAL REVIEW

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION
ADMINISTRATIVE COURT

BETWEEN:

REX (upon the application of)

THE MAGGIE OLIVER FOUNDATION (A CHARITY)

Claimant

AND

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Defendant

STATEMENT OF FACTS AND GROUNDS

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1. The Claimant brings an application for judicial review of:

   (i) The decision of the Defendant as set out within the Secretary of State's Tackling Child Sexual Abuse Progress Update (announced on 8 April 2025 and dated 9 April 2025), and ongoing, not to accept and implement in full the 20 recommendations made by the Independent Inquiry into Child Sexual Abuse (**"IICSA")** in its Final Report published on 20 October 2022.

   (ii) Alternatively, the decision of the Defendant (announced on 8 April 2025 and dated 9 April 2025 and ongoing) not to accept and implement in full the 19 of the 20 recommendations made by IICSA in its Final Report published on 20 October 2022.

   (iii) The failure of the Defendant to provide a timetable for the implementation of the IICSA recommendations from its Final Report

   (iv) The refusal by the Defendant to implement Recommendation One of the recommendations made by the Independent Inquiry into Child Sexual Abuse ("IICSA") in its Final Report published on 20 October 2022 (A single set of core data relating to child sexual abuse and child sexual exploitation).

   (v) The ongoing refusal of the Defendant to implement Recommendation One of the IICSA final report in view of the findings and conclusions of the National Audit

on Group-Based Child Sexual Exploitation and Abuse by Baroness Casey, dated June 2025.

(vi) The decision of the Defendant dated 8 April 2025 and ongoing to reject the Inquiry's recommendation to prohibit the use of pain inducing restraint techniques in detention centres (Recommendation 5).

(vii) The decision of the Defendant to reject the Inquiry's recommendation to amend the Children Act 1989 to give parity of legal protection to children in care (Recommendation 6).

(viii) The decision of the Defendant to delay implementation of recommendations 2, 7, 8, 12, 16 and 20, of the IICSA Final Report and, instead of implementing the same, to require that any implementation would be contingent on further consultation, monitoring, review or other action.

(ix) Alternatively, the failure of the Defendant to provide a detailed timetable for implementing recommendations 2, 7, 8, 12, 16 and 20.

Relief sought

2. The Claimant seeks the following relief:

(i) An order to compel the Defendant to issue a decision confirming that the 20 recommendations by IICSA within its Final Report have been accepted by the Government.

(ii) Alternatively, an order to compel the Defendant to issue a decision confirming that 19 recommendations by IICSA have been accepted.

(iii) A declaration that the Claimant is entitled to a legitimate expectation that 19 (alternatively 20) of the IICSA final recommendations will be implemented.

(iv) An order to compel the Defendant to provide a timetable for implementation and detailed proposals as to how the aforesaid 20 (alternatively 19) recommendations will be implemented.

(v) An order to compel the Defendant to implement Recommendation 1 of the IICSA recommendations

(vi) A declaration that the Defendant's failure to establish, *"A single set of core data relating to child sexual abuse and child sexual exploitation*" is unreasonable and/or unlawful.

(vii) A declaration that the ongoing refusal to implement Recommendation One is unreasonable in light of the findings made within Baroness Casey's review dated June 2025.

(viii) An order to compel the Defendant to confirm implementation Recommendation 5 of the IICSA recommendations

(ix) Alternatively, an order to compel the Defendant to confirm that pain inducing compliance techniques have been prohibited, as per Recommendation 5 of the IICSA Final Report.

(x) A declaration that pain inducing compliance techniques inflicted upon children are unlawful.

(xi) A declaration that the Claimant is entitled to a legitimate expectation that Recommendation 5 will be implemented.

(xii) A declaration as to the meaning of paragraph 5.28 of the Defendant's policy entitled Use of Force, Restraint and Restrictive Practices in the Children and Young People Secure Estate (CYPSE).

(xiii) An order to compel the Defendant to implement Recommendation 6 of the IICSA recommendations

(xiv) A declaration that the Defendant's failure to amend the Children Act 1989 to give parity of legal protection to children in care (Recommendation 6) was unlawful and/or unreasonable.

(xv) Alternatively, an order to compel the Defendant to confirm steps that it will take to provide parity of legal protection for children in care and to provide a timetable for the implementation of those steps.

(x) An order to compel the Defendant to implement recommendations 2, 7, 8, 12, 16 and 20 of the IICSA final report, and to provide a timetable for such implementation.

(xi) In the alternative, an order that the Defendant is to set aside her decisions refusing to implement the IICSA final recommendations numbered 1,5 and 6 and that the Defendant do reconsider those decisions within a reasonable timeframe.

(xii) In the further alternative, an order that the Defendant is to set aside her decisions refusing to implement recommendations 2,7.8,12, 16 and 20 until further consultation, monitoring, review or other action is undertaken and that the Defendant do reconsider those decisions.

(xiii) Declarations that the conduct of the Defendant breaches Articles 3 and 34 of the UN Convention on the Rights of the Child

(xiv) Declarations that the conduct of the Defendant breaches the positive obligations imposed on the Defendant under Article 3 of ECHR

(xv) Declarations that the conduct of the Defendant breaches the positive obligations imposed on the Defendant under Article 8 of ECHR

(xvi) Any such further relief as the court think fit.

(xvii) Costs

FACTUAL BACKGROUND

1. The Claimant, The Maggie Oliver Foundation, was founded by Maggie Oliver, who is a retired detective constable of the Greater Manchester Police. The Claimant is a charity which provides legal advocacy and emotional support for survivors of child sexual abuse (CSA) and child sexual exploitation (CSE). Furthermore, the Claimant highlights the problem of CSA and CSE nationally, and the continuing inadequacies of institutional responses to those phenomena. Since 2019 the Foundation has helped more than 4,285 survivors of child sex abuse.

2. Mrs Oliver was a core participant in the Independent Inquiry into Child Sexual Abuse (IICSA), and provided evidence to the IICSA Child Sexual Abuse by Organised Networks Investigation, which reported in February 2022.

THE INDEPENDENT INQUIRY INTO CHILD SEXUAL ABUSE (IICSA)

3. On 7 July 2014, Theresa May MP, the Secretary of State for the Home Department ('SSHD') announced the establishment of the Inquiry, initially in non-statutory form. She made a Statement to the House of Commons outlining the following principles behind the Government's announcement (emphasis added):

> *"In my Statement today I want to address two important public concerns: first, that in the 1980s* ***the Home Office failed to act on allegations of child sex abuse****; and, secondly, that public bodies and other important institutions have* ***failed to take seriously their duty of care towards children****. As I do so, I want to set three important principles. First, we will do everything we can to allow the full investigation of child abuse and the prosecution of its perpetrators, and we will do nothing to jeopardise those aims. Secondly, where possible, the Government will adopt a presumption of* ***maximum transparency****. Thirdly, we will make sure that wherever individuals and institutions have failed to protect children from harm, we will expose these failures and* ***learn the lessons****."*
>
> (Vol 755, Col 54)

4. On 22 January 2015, the SSHD made a further statement in the House of Commons describing the Inquiry as a *"once-in-a-generation opportunity"* to deliver justice for survivors of child abuse. In her statement, she emphasised the need for the Inquiry to make recommendations that would prevent such abuse from occurring again in future (emphasis added):

> *"In July last year, I announced the establishment of the independent panel inquiry into child sexual abuse. The inquiry will consider whether public bodies and other, non-state institutions have taken seriously their duty of care to protect children from sexual abuse. As I said when I established the inquiry, it must expose the failures of the past and* ***must make recommendations to prevent them from ever happening in the future****.*

...

It is important that the inquiry can get on with its work, but it is also vital that it has the right chairman, the right structures and the full confidence of the people for whom it has been established. ***We face a once-in-a-generation opportunity to expose the truth, to deliver justice to those who have suffered and to prevent such appalling abuse from ever happening again. That is what survivors of child abuse deserve and that is what I remain determined to deliver.****"*

(Vol 591, Col 367)

5. In February 2015, the Inquiry was reconstituted as a statutory inquiry under the Inquiries Act 2005, enabling it to compel witnesses and request any material necessary to investigate where institutions failed to protect children in their care.

6. The scope of the Inquiry, as set out in its Terms of Reference, was to (emphasis added):

> *" ... consider the extent to which State and non-State institutions have failed in their duty of care to protect children from sexual abuse and exploitation; to consider the extent to which those failings have since been addressed; to identify further action needed to address any failings identified;* ***to consider the steps which it is necessary for State and non-State institutions to take in order to protect children from such abuse in future****; and* ***to publish a report with recommendations****."*

7. The Inquiry's Terms of Reference required it to produce an Interim Report. This was published as the *Interim Report of the Independent Inquiry into Child Sexual Abus*e in April 2018.

8. The Inquiry completed 15 separate investigations which examined the extent to which institutions took sufficient care to protect children from sexual abuse, and the extent to which the institutions involved knew or should have known about the abuse, and how they responded. One of these investigations was The Sexual Abuse of Children in Custodial Institutions Investigation, which considered the sexual abuse of children detained within the criminal justice system.

9. Many Core Participants who contributed to the work of the Inquiry over a period of seven years were victims and survivors of child sexual abuse. Through participation in the Inquiry significant numbers of victims subjected themselves to re-traumatisation because they had been led to believe that IICSA represented a unique opportunity for the government (i) to address the scourge of historic child abuse and (ii) to ensure that their experiences and those of other victims of child sexual abuse and exploitation would be addressed in such a manner to ensure future generations of children would be properly safeguarded from the horrific and systemic abuse perpetrated against children in the UK from the 1950s to 2000s.

10. Overall, the reports from the Inquiry's 15 investigations made 87 recommendations to 33 specified State and non-State institutions – including the UK government and various departments, and the Welsh Government – as well as more generally (for example political parties and religious organisations). Institutions were asked to act upon its recommendations promptly and, in the interest of transparency and openness, to publish details of the steps they would take in response to each recommendation within six months of its publication.

11. In addition to public hearings, the Inquiry's conclusions and recommendations derived from accounts given to the Truth Project, which was designed to enable victims and survivors to share their accounts in a confidential setting. As described in the Inquiry's Final Report at page 14:

> *"More than 6,200 victims and survivors contributed to the Truth Project – for some, it was the first time they had spoken about the child sexual abuse they had suffered. Across the Inquiry's work, victims and survivors recounted the barriers they faced when reporting abuse. Many felt a deep sense of shame about what had been done to them; they worried about the consequences of reporting the abuse. Some victims and survivors were too young at the time of the abuse to recognise that what had happened to them was abusive; some did not have the vocabulary to describe that abuse."*

The Sexual Abuse of Children in Custodial Institutions Investigation

12. The *Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report*, published in February 2019, examined evidence of child sexual abuse and institutional failures to protect children in the youth secure estate in England and Wales. The report found that children held in young offender institutions and secure training centres were not protected from sexual abuse. The report also found that the number of reported incidents of child sexual abuse was much higher than was previously understood, and that the closed nature of the secure estate – and its focus on containment and control – did not provide an environment that protected children from either physical or sexual abuse.

13. Consequently, the Inquiry made seven recommendations, including that the use of pain compliance techniques should be prohibited (recommendation 5).

14. These recommendations appear at page 102 of the Investigation Report as follows:

> ***"Recommendation 5***
>
> *The Chair and Panel consider that the use of pain compliance techniques should be seen as a form of child abuse, and that it is likely to contribute to a culture of violence, which may increase the risk of child sexual abuse.*
>
> *The Chair and Panel recommend that the Ministry of Justice prohibits the use of pain compliance techniques by withdrawing all policy permitting its use, and setting out that this practice is prohibited by way of regulation."*

The Child Sexual Exploitation by Organised Networks Investigation

15. In September and October 2020 IICSA held public hearings in relation to its Organised Networks Investigation, in which Mrs Oliver was a Core Participant. In February 2022 IICSA published a report in relation to that investigation. The report considered the need for accurate profiles at Section H of the report and noted at Section H that there were widespread failures to record data about the ethnicity of both perpetrators and victims in the case study areas that the Inquiry considered. The Inquiry materially stated: (emphasis added)

> *"30. Problem profiling involves the drawing together by the police of information about child sexual exploitation from different agencies into one place. As the Children's Commissioner made clear in 2013, a profile should include data about how many children and young people have been sexually exploited, intelligence on places of concern, and information on gangs and other networks, groups and individuals who present a risk of sexual harm.*
>
> *31. Despite this,* ***none of the police forces in the case study areas had an accurate profile setting out a clear picture of the networks sexually exploiting children in their area. Profiles were often based on limited, inaccurate or incomplete data. Issues with the flagging process contributed to these problems. There were widespread failures to collect data about the ethnicity of perpetrators and victims in the case study areas."***
>
> *32. As a result, none of the police forces or local authorities in the case study areas had an accurate understanding of the networks sexually exploiting children in their area.*
>
> *33. The improved collection and use of data is critical to the response to child sexual exploitation if these offences are to be properly investigated and resourced.*
>
> *(H4) …… collating accurate and reliable data on the ethnicity of victims and perpetrators has long been recognised as an important exercise.* ***The failures to do so in the case study areas mean that the police and other agencies in those areas are unable to identify local patterns and trends of child sexual exploitation in respect of ethnicity.*** *This is compounded by the subsuming of data about child sexual exploitation victims and perpetrators within the wider category of child sexual abuse and exploitation, detrimentally affecting the quality of data that is produced and so the adequacy of the response by institutions, including to children who have already been abused……*
>
> *(H5) It was clear from the evidence that none of the police forces or local authorities in the case study areas in this investigation had an accurate understanding of networks sexually exploiting children in their area…….*
>
> *(H6) Typically the profile was no more than a snapshot in time, based on inaccurate or incomplete data……*
>
> *(H8)* ***The inadequacy of profiles, as described above, reflects a problem throughout England and Wales****…..*

16. IICSA made the following recommendation in its Organised Networks report:

> *Recommendation 5: Child sexual exploitation data*
>
> *Police forces and local authorities in England and Wales must collect data on all cases of known or suspected child sexual exploitation and child sexual exploitation by networks. These data should be separated from other data sets, including data on child sexual abuse, and be disaggregated by the sex, ethnicity and disability of both the victim and perpetrator.*
>
> *This disaggregated data should be used by police forces to inform problem profiling and activities to disrupt and investigate offenders. Local authorities should take account of the disaggregated data when commissioning services for children.*
>
> *The UK Government and the Welsh Government should take steps to ensure that these data are being collected and disaggregated in a consistent and accurate way by police forces and local authorities.*

The Final Report of IICSA – 20 October 2022

17. In its Final Report published on 20 October 2022, the Inquiry made 20 'conclusions and recommendations for change', including six from earlier reports which were reiterated. These are set out in full in Section II, Part K of the Final Report (pages 326-354).

18. This IICSA first recommendation arose from the IICSA's Child Sexual Abuse by Organised Networks Investigation. The Inquiry recommended that the UK (and Welsh) governments:

> 1. Introduce a single set of core data relating to child sexual abuse and child sexual exploitation.
>
> 2. Create a Child Protection Authority in England and in Wales.
>
> 3. Create a cabinet-level Minister for Children.
>
> 4. Commission regular programmes of activity to increase public awareness about child sexual abuse.
>
> 5. Prohibit the use of any technique that deliberately induces pain (previously referred to by the Inquiry as 'pain compliance techniques') by withdrawing all policy permitting its use in custodial institutions in which children are detained, and setting out that this practice is prohibited by way of regulation.
>
> 6. Amend the Children Act 1989 to give parity of legal protection to children in care.
>
> 7. Introduce the registration of care staff in children's homes.

8. Introduce professional registration of staff in roles responsible for the care of children in young offender institutions and secure training centres.

9. Make arrangements to enable any person engaging an individual to work or volunteer with children on a frequent basis to check whether or not they have been barred by the Disclosure and Barring Service from working with children.

10. Take steps to improve compliance by regulated activity providers with their statutory duty to refer concerns about the suitability of individuals to work with children to the Disclosure and Barring Service

11. Extend the disclosure regime to those working with children overseas.

12. Introduce a mandatory requirement for all regulated providers of search services and user-to-user services to pre-screen for known child sexual abuse material.

13. Introduce legislation which places certain individuals ('mandated reporters') under a statutory duty to report child sexual abuse in certain circumstances.

14. Commission a joint inspection of compliance with the Victims' Code in relation to victims and survivors of child sexual abuse.

15. Remove the three-year limitation period for personal injury claims brought by victims and survivors of child sexual abuse.

16. Provide a national guarantee of specialist therapeutic support for child victims.

17. Direct the Information Commissioner's Office to introduce a code of practice on retention of and access to records known to relate to child sexual abuse.

18. Implement further changes to the Criminal Injuries Compensation Scheme to: include other forms of child sexual abuse, including online-facilitated sexual abuse; amend the rule on unspent convictions; and increase the time limit for child sexual abuse applications.

19. Establish a single, tiered redress scheme in England and Wales, taking into account devolved responsibilities.

20. Introduce legislation requiring providers of online services and social media platforms to implement more stringent age verification measures.

19. In its concluding remarks, the Inquiry stated that *"addressing the past and present concerns requires **prompt and effective action**"* and as such, it *"expects the UK*

government, the Welsh Government and the specified institutions to act upon its recommendations promptly" (Part K, paras 122, 124). It also commented that *"**the recommendations are designed to provide a comprehensive response by the State**, as well as institutions and organisations which work with children, to address the very current problems in preventing, reporting and responding to child sexual abuse"* (Part K, para. 123) (emphasis added).

Further ministerial statements

20. On 24 October 2022, two days after the publication of the Inquiry's Final Report, the then SSHD, Grant Shapps MP, made a statement to Parliament (emphasis added):

> *" ... I have laid a copy of the inquiry's report before Parliament. It is only right that the Government will now take time to carefully consider its findings and recommendations in full. **We will respond comprehensively** and in line with the inquiry's deadline, but let me make this promise now: **I will use all available levers to protect our children and right the wrongs exposed by the inquiry's findings**, **I will do all in my power to improve how law enforcement and the criminal justice system respond to child sexual abuse**, and I will work with ministerial colleagues and across party lines to hold organisations to account, bring perpetrators to justice and support victims and survivors with compassion and total care.*
>
> *[...]*
>
> *Child sexual abuse is a terrible but preventable crime—and we must prevent it. **We will do so with the inquiry's recommendations in front of us and with the words of heroic survivors ringing in our ears.** I commend this statement to the House."*

21. In response to a statement made by Theresa May MP, the SSHD stated (emphasis added):

> *"I thank my right hon. Friend for all that she did in setting up the inquiry. This has involved seven years, 725 witnesses, 20 reports across 15 investigations, 24 research reports and, as I mentioned, the processing of 2 million pages of evidence. **It is extremely important that we take all this information and ensure that we act on it, and I give an undertaking from the Dispatch Box today to honour the spirit in which she set up the inquiry in the first place**."*

22. Finally, the SSHD stated as follows (emphasis added):

> *" ... As I mentioned, the problem of sexual abuse happens in so many different settings, so we have to act simultaneously on all fronts. This seven-year report—brilliantly commissioned by my right hon. Friend the Member for Maidenhead, as many colleagues have mentioned—is just the start. **We now need to make sure that we enact all the recommendations.**"*
>
> (Vol 721, Col 46-60)

The Government's Response to the Final Report – Commitment to act on 19 of the 20 recommendations.

23. On 22 May 2023, the SSHD, Suella Braverman MP, published the *Government Response to the Final Report of the Independent Inquiry into Child Sexual Abuse* policy paper.

24. In her Forward to the Government Response, the SSHD claimed that she had *"**accepted the need to act on all but one of the Inquiry's recommendations**"* (page 2) (emphasis added). She specifically rejected Recommendation 5, the suggested ban on the use of pain compliance techniques on children in custodial institutions.

25. However, whilst the SSHD purported to accept the other 19 recommendations, this acceptance was often qualified:

    (i) Recommendations 1, 2, 3, 4, 12, 14 and 20 – the SSHD stated that the recommended course of action was already in place or in progress.

    (ii) Recommendations 6, 7 and 8 – the SSHD expressed an intention to address the recommendation through alternative means.

    (iii) Recommendations 9 and 11 – the SSHD stated that acceptance would be subject to further assessment or consideration.

    (iv) Recommendations 15, 16, 18 and 19 – the SSHD stated the Government would engage in further consultation to explore how the recommendations might be addressed in future.

26. On the same day, the SSHD stated in Parliament that: *"The interests of victims and survivors are at the heart of the inquiry's report, and of the Government's response … Today is about ensuring their voices are heard and reflected in our work, so that future generations do not suffer as they did. I promise that their courage will count"*. She reiterated that ***"we are accepting the need to act on 19 of the inquiry's 20 final recommendations"*** (Vol 733, Col 41-43).

27. Several MPs raised questions in response to the SSHD's statement. Yvette Cooper MP said as follows (emphasis added):

> *"May I also say to the Home Secretary that the **rest of the statement is inadequate** as a Government response to such a serious and weighty report? I am glad that she has accepted the need to act on 19 of the 20 recommendations, **but that is not the same as accepting the recommendations or as setting out what action she is actually going to take**. For example, the inquiry said that victims and survivors should receive "a guarantee of specialist therapeutic support", but all her statement says is: "We will elicit views on the future of therapeutic support".*

We know that that therapeutic support is inadequate and that there are lots of views already—the whole point of the inquiry was to gather those views and that evidence. ***On many of the recommendations, there is little detail****.* ***All that the Home Secretary has done is simply point to what the Government are doing already****. I hope that there is more in the full report to which she refers, but there is far too little in the statement today to give us any confidence."*

(Vol 733, Col 43-44)

28. The SSHD responded (emphasis added):

" ... ***The Government have accepted the need to act on 19 out of the 20 recommendations.*** ***We are accepting the vast majority of them****. I hope that that reflects our genuine and real commitment to getting this right ... Let me be clear: we will do whatever it takes and whatever is necessary to protect children from abuse—****no ifs and no buts****."*

(Vol 733, Col 44-46)

29. On or around 30 May 2023 the IICSA panel (Alexis Jay OBE, Drusilla Sharpling CBE, Ivor Frank and Sir Malcolm Evans) wrote a letter to the Times Newspaper and stated:

" Sir, We are writing to express our deep concern at the government's inadequate response to the 20 recommendations in the final report of the Independent Inquiry inti Child Sexual Abuse. The Inquiry lasted seven years, published 52 reports and made more than 100 recommendations. These were based on exhaustive investigations, research, consultation and formal evidence taking from victims, experts and a wide range of organisations and institutions.
By its response the government seems to have failed to understand the recommendations either in substance or significance, Some are deemed to be 'accepted' when, in reality, they clearly are not, while others are conditional on yet more research, review or consultation. To none is a timeline attached or a committed action plan. We fear that for the sake of other political priorities, action will be deferred indefinitely.
While the government is free to reject or partially accept the recommendations of a statutory public inquiry, what it ought not to be free to do is purport to accept them through what is little more than a very weak and, at times, apparently disingenuous official response. As a result, the hopes and expectations of victims and survivors will be dashed yet again, and the scourge of child sexual abuse will continue to increase unabated."

30. On 16 January 2025 the Secretary of State for the Home Department made a statement and confirmed that the Government has accepted the 20 recommendations of the Independent Inquiry into Child Sexual Abuse ('IICSA') in full. On that day the Home Secretary published an Oral statement to Parliament, entitled 'Next steps to tackle

child sexual exploitation'. The Oral statement to Parliament included in particular the following relevant statements: (emphasis added)

> "*But despite all those national inquiries, reports and hundreds of recommendations, far too little action has been taken and shamefully little progress has been made. That has to change……*
> ***So before Easter, the government will lay out a clear timetable for taking forward the 20 recommendations from the final report. Four of those are specifically for the Home Office. I can confirm that we have accepted them in full**, including on disclosure and barring, and work is already under way. A cross-Government ministerial group is considering and working through the remaining recommendations, and that group will be supported by our new victims and survivors panel. In addition, I can confirm today that the Government will implement all the remaining recommendations in the child abuse inquiry's separate stand-alone report on grooming gangs from February 2022, including updating key Department for Education guidance.*
>
> *Nothing matters more than the safety of our children, yet for too long, this horrific abuse was allowed to continue. Victims were ignored, perpetrators were left unpunished, and too many people looked the other way. Even when these shocking crimes were brought to light and national inquiries were commissioned to get to the truth, the resulting reports were too often left on the shelf as their recommendations gathered dust. Under this Government, that has changed. **We are taking action not just on those recommendations, but on the additional work that we need to do to protect victims, put perpetrators behind bars and uncover the truth wherever things have gone wrong. This is about the protection of children, the protection of young girls, and the radical and ambitious mission that we have set for this Government to halve violence against women and girls in a decade.** I hope all Members will support that mission and support the measures that we have outlined today to help achieve that aim. I commend this statement to the House."*

31. Furthermore, during recent PMQs in the House of Commons, the Prime Minister made the following statement: *'I strongly believe that we should implement the recommendations that have already been made. And that is what we are doing.'* (30th April 2025)

32. However in the progress update dated 9 April 2025, the Defendant confirmed that the Secretary of State has agreed to implement Recommendations 4, 9, 10, 11, 13, 14, 15 and 17 (8 of the recommendations) that were made by the Independent Inquiry into Child Sexual Abuse ('IICSA') in its final report. The Defendant has rejected recommendations 1, 3, 5, 6, 18 and 19 (6 of the recommendations). The Defendant has failed to reach a decision to implement recommendations 2, 7, 8, 12, 16 and 20 (6 of the recommendations), but instead wishes to subject those matters to further consultation, monitoring, review or other action.

33. The Claimant issued a pre-action letter on 16 June 2025 in respect of the continuing failure of the Defendant to implement the IICSA recommendations, to which the Defendant responded on 30 June 2025.

34. The Claimant's concern, and that of the victims to whom the Claimant provides help and assistance, is that the failure by the Defendant to implement the 20 recommendations made by the IICSA's in its final report dated October 2022 has placed children across the UK at heightened risk of Child Sexual Abuse and Child Sexual Exploitation by organised groups of child predators.

35. The concerns expressed by Baroness Casey in her review of 16 June 2025 and by the Claimant refer to the continuing failure by successive governments to properly address the prevalence of child sexual abuse and child sexual exploitation in the United Kingdom (with particular reference to inadequate data). The Claimant submits that the failure by the Defendant to implement the October 2022 recommendations of IICSA is a significant component of this continuing failure.

36. In particular, the Claimant is concerned as to the Defendant's failure or refusal to implement recommendations 1, 5 and 6 of the IICSA Final Report.

THE IICSA RECOMMENDATIONS

THE FIRST RECOMMENDATION – SINGLE SET OF CORE DATA

37. IICSA's first recommendation in its final report (Recommendation one) was that the Government establish, *"A single set of core data relating to child sexual abuse and child sexual exploitation."*

38. At page 147 of its final report the Inquiry stated: (emphasis added)

> *The UK government's Tackling Child Sexual Abuse Strategy (2021) recognised that: "the quality and extent of data that is collected on offender and victim characteristics, including, but not limited to, age, gender and ethnicity, is inadequate". It identified a "need to improve the quality and extent of data collected in relation to the modus operandi of offending". It indicated the Home Office would "engage with criminal justice partners, academics, think tanks, charities and frontline professionals on improving the range of data currently collected, the quality of data collected, and drawing out insights from the data to help protect children by preventing and detecting offending". As at June 2022, no further information has been published, although the government has published – in line with its 2021 End-to-End Rape Review Report on Findings and Actions " –performance scorecards" to monitor progress against key metrics, including timeliness, quality and victim engagement in relation to adult rape offences.*
>
> ***Urgent steps should be taken – led by the UK government and the Welsh Government – to improve the data on child sexual abuse. This should include***

recording when sexual crimes against children take place outside the family setting, both in prevalence surveys and data collected by the criminal justice agencies and local authorities. *These agencies have operational intelligence or risk assessment information about the circumstances in which child sexual abuse has reportedly taken place. That information should be recorded and reported in a way that allows abuse of children outside the family setting to be measured. The Inquiry therefore recommends improvements to the data collected about child sexual abuse and the regular publication of that improved data.*

39. The Inquiry made the following recommendation:

The Inquiry recommends that the UK government and the Welsh Government improve data collected by children's social care and criminal justice agencies concerning child sexual abuse and child sexual exploitation by the introduction of one single core data set covering both England and Wales. In order to facilitate this, these agencies should produce consistent and compatible data about child sexual abuse and child sexual exploitation which includes:

• the characteristics of victims and alleged perpetrators of child sexual abuse, including age, sex and ethnicity;

• factors that make victims more vulnerable to child sexual abuse or exploitation; and

• the settings and contexts in which child sexual abuse and child sexual exploitation occur.

Data concerning child sexual abuse and child sexual exploitation should be compiled and published on a regular basis. This should be capable of being collated nationally as well as at regional or local levels.

40. The Claimant is particularly concerned that this recommendation has not been implemented and that there should be mandatory recording of the age, ethnicity, religion and occupation of all perpetrators of child sexual abuse and their victims. The failure to implement Recommendation One of the IICSA Final Report has been a matter of public concern.

41. Notwithstanding the significance of Recommendation One, the Defendant has refused to implement the recommendation. In the 9 April 2025 'Tackling child sexual abuse: progress update' the Defendant stated that the Government will take the following actions:

    (i) Publish crime survey data providing an updated estimate on how many adults had experienced CSA before the age of 18;

    (ii) Support delivery of the ONS' new "Safety During Childhood Survey" to measure the prevalence of child abuse, which includes child sexual abuse (subject to agreement on funding).

(iii) Continue funding the CSA Centre which, through its Trends in Official Data report to provide analysis and updates.

(iv) Take forward a wider programme of work to support better multi-agency data sharing. This will include measures in the Children's Wellbeing and Schools Bill; an improved police performance framework; setting out a timetable to act on bareness Casey's audit; working with stakeholders across the criminal justice system.

42. The inadequacy of data is a key theme of the Baroness Casey 16 June 2025 review on Group-based Child Exploitation and Abuse. Indeed, Baroness Casey has used the word 'data' on 502 occasions within the review (particularly within Chapter 6 of the review). The review contains the following material findings *inter alia* : (emphasis added)

> ***Forward.*** *The British public are rightly appalled when they hear of group-based child sexual exploitation and expect it to be investigated thoroughly, offenders brought to justice and punished severely. They, undoubtedly, also expect that this country has the right systems in place to understand child sexual exploitation: why it is happening, where it is happening and who is perpetrating it, so we can seek not only to tackle it when it occurs but so that we can prevent it from happening in the first place.*
>
> ***The appalling lack of data on ethnicity in crime recording alone is a major failing over the last decade or more. Questions about ethnicity have been asked but dodged for years. Child sexual exploitation is horrendous whoever commits it, but there have been enough convictions across the country of groups of men from Asian ethnic backgrounds to have warranted closer examination. Instead of examination, we have seen obfuscation. In a vacuum, incomplete and unreliable data is used to suit the ends of those presenting it. The system claims there is an overwhelming problem with White perpetrators when that can't be proved. This does no one any favours at all, and least of all those in the Asian, Pakistani or Muslim communities who needlessly suffer as those with malicious intent use this obfuscation to sow and spread hatred. Debates take place while the victims are left forgotten, a sideshow as data is used to suit each sides' own ends. No one in the last decade has established the truth one way or another, eroding the very trust in our institutions which we need****. Institutions which bear responsibility for how these crimes were handled then fail to give victims the accountability they seek. We're in a vicious circle; it is this lack of clarity and transparency which leads to people feeling they have no choice but to call for statutory inquiries……..*
>
> ***If we'd got this right years ago – seeing these girls as children raped rather than 'wayward teenagers' or collaborators in their abuse, collecting ethnicity data, and acknowledging as a system that we did not do a good enough job - then I doubt we'd be in this place now****……..*
>
> ***Executive Summary****. Given how under-reported child sexual exploitation is, the flaws in the data collection and the confusing and inconsistently applied definitions, it is highly unlikely that this accurately reflects the true scale of child sexual exploitation, or group-based exploitation.* ***It is a failure of public policy***

over many years that there remains such limited, reliable data in this area……

The ethnicity data collected for victims and perpetrators of group-based child sexual exploitation is not sufficient to allow any conclusions to be drawn at the national level. ***There are flaws in the way data is collected and then presented.*** *The latest data (COCAD) covers all child sexual abuse and exploitation committed by two or more perpetrators. It therefore includes a wide range of offending including familial abuse, child-on-child abuse, abuse in institutions as well as group-based child sexual exploitation. That obscures the picture*

Page 49*: This audit has found that there is limited data on child sexual abuse in England and Wales. As child sexual exploitation is a subset of child sexual abuse, by definition there is even less data on child sexual exploitation and, within that, less on child sexual exploitation committed by groups of perpetrators.* ***Child sexual exploitation is almost invisible in data collected by services.***

Page 76*:* ***The Independent Inquiry into Child Sexual Abuse (IICSA)*** *examined ethnicity issues in relation to child sexual abuse as a whole and in its more focussed report on child sexual exploitation by organised networks.* ***Like many other preceding reviews, it found a paucity of data on ethnicity.***

Page 77: *The Home Office 2020 paper, 'Group-based Child Sexual Exploitation: Characteristics of Offending'135, found research on offender ethnicity is limited and tends to rely on poor quality data.*

Page 105: *However, the evidence from policing problem profiles and the accompanying self-assessments on child sexual exploitation suggest that in some cases police were often relying primarily on their own data and systems, with limited integration of data from partners.* ***A sizeable proportion of problem profiles did not include partnership data.***

Page 108*:* ***Data is not available on prosecutions and convictions for group-based child sexual exploitation***

Chapter 6 - *Summary*

- *Despite reviews, reports and inquiries raising questions about men from Asian or Pakistani ethnic backgrounds grooming and sexually exploiting young White girls,* ***the system has consistently failed to fully acknowledge this or collect accurate data so the issue can be examined effectively****.*

• Instead, flawed data is used repeatedly to dismiss claims about 'Asian grooming gangs' as sensationalised, biased or untrue. ***This does a disservice to victims and indeed all law-abiding people in Asian communities…….***

43. It is relevant to note that Baroness Casey referred to Mrs Oliver at page 10 of her Review and referred to the IICSA Final report findings on the issue of data at Page 76.

44. Notwithstanding the submissions advanced on behalf of the Claimant in her pre-action letter dated 16 June 2025 and the findings of Baroness Casey, which the Defendant has taken into account within in her pre-action response letter of 30 June 2025, the Defendant maintains her decision to refuse to implement Recommendation One of the ICCSA Final Report. The Defendant stated as follows in the pre-action response:

As to the first recommendation, while the Government has not established a single set of core data relating to child sexual abuse and child sexual exploitation, it is taking several actions to address the concern underlying that recommendation as set out at §§29 – 30 of the Progress Update. Baroness Casey has made further recommendations in the Audit in relation to the collection of data on child sexual abuse and exploitation and the sharing of information between statutory safeguarding partners. The Audit Response has set out a range of commitments to address these recommendations.

THE FIFTH RECOMMENDATION - PROHIBITION OF PAIN COMPLIANCE TECHNIQUES.

45. In its final report IICSA made the following recommendation, which is derived from its Recommendation 5 from the *Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report* : (emphasis added)

Recommendation 5: Pain compliance
The Inquiry recommends (as originally stated in its Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report, dated February 2019) that the UK government ***prohibits the use of any technique that deliberately induces pain*** *(previously referred to by the Inquiry as 'pain compliance techniques') by withdrawing all policy permitting its use in custodial institutions in which children are detained, and setting out that this practice is prohibited by way of regulation.*

46. It is relevant to note that the Inquiry identified three techniques in its final report, which it determined to be child abuse. The Inquiry stated at paragraphs 15.2 and 16 of its final report as follows at page 172 as follows: (emphasis added)

> *"15.2 There are also three techniques which are deliberately designed to cause pain to the child – a* ***mandibular angle technique*** *(applying pressure directly under the ear lobe in the crease between the jaw and the neck****), thumb flexion and wrist flexion*** *(often misdescribed as 'pain-inducing 'techniques or restraint, but also referred to as 'pain distraction 'or 'pain compliance'). The intention is that the infliction of brief, sharp pain will cause a child to desist and comply with instructions. The MMPR guidance states that use of these techniques may be "justifiable" in the case of "immediate risk of serious physical harm".*

*16**. The deliberate infliction of pain is a form of child abuse** and is likely to contribute to a culture of violence as well as to an environment where sexual abuse may be more likely to occur and also less likely to be reported if it does occur. As a result, in its Sexual Abuse of Children in Custodial Institutions: 2009–2017 Investigation Report (published in February 2019), the Inquiry recommended that the government should prohibit these practices."*

47. On 17 August 2023 the previous government appeared to confirm that staff were no longer permitted to use restraint techniques which deliberately cause pain, the government which amended paragraph 5.28 of the Use of Force, Restraint and Restrictive Practices in the Children and Young People Secure Estate (CYPSE). The amendment was made on 17 August 2023 and effective from February 2024. It reads as follows: (emphasis added)

*"5.28 **Staff are not permitted to use restraint techniques which deliberately cause pain,** however there may be instances where they are responding to an incident where the life of a child or someone is at threat or there is risk that they will suffer a significant or life changing injury and the common law principle of using an intervention which is reasonable, necessary and proportionate with the intended outcome will apply. All such instances will be subject to detailed and thorough review and staff members who were involved will be expected to be fully accountable for the action taken"*

48. It appears that the government accepted in 2023 that instead of using pain compliance techniques, reasonable force could be used 'which is necessary and proportionate'. The Claimant understood in 2023 that the government had implemented Recommendation 5 , through its amendment of the Use of Force, Restraint and Restrictive Practices in the Children and Young People Secure Estate as per paragraph 5.28 above – and had accepted that the mandible angle technique, thumb flexion technique and wrist flexion technique (and other techniques deliberately intended to inflict pain to ensure compliance) would not be accepted as 'necessary and proportionate.'

49. However, it would now appear that the Defendant has reverted to a position in which she does not accept Recommendation 5 of the IICSA final report. In the Defendant's 9 April 2025 update the Defendant appears to suggest that 'these techniques' i.e the mandible angle technique, thumb flexion technique and wrist flexion technique are acceptable, but only as a last resort. The 9 April 2025 update states as follows: (emphasis added)

*The Government recognises the particular vulnerability of children in custody but to protect all children in custody, and staff, where physical safety is at significant risk, **it is important that trained staff are able to use these techniques, as a last resort in an emergency, to bring an incident to a safe conclusion**. We will work with the Youth Custody Service to ensure that staff continue to be appropriately trained in their safe use and that independent oversight, through an Independent*

Restraint Review Panel, ensures scrutiny and transparency over all uses of these techniques.

50. The Claimant requested clarification in the pre-action letter dated 16 June 2025 from the Defendant in relation to the conflict between the wording of the Use of Force, Restraint and Restrictive Practices in the Children and Young People Secure Estate Regulations and the position stated in the 9 April 2025 update. The Defendant responded as follows in the pre-action response letter of 30 June 2025:

    As to the fifth recommendation, the Government has not accepted this recommendation for the reason set out in the Progress Update. We note for the avoidance of doubt that paragraph 5.28 of the Use of Force, Restraint and Restrictive Practices in the Children and Young People Secure Estate ("UFRRP") remains in place….

    For the avoidance of doubt, the Government has not removed that passage. However, that does recognise that there may be situations in which intervention is justified at common law, if strictly necessary. While such techniques should never be used except as a last resort in an emergency in the circumstances permitted at common law, failing to recognise the possibility of such an emergency would potentially put people at risk. We note that Independent Restraint Review Panel will ensure scrutiny and transparency over the use of the techniques.

51. In the circumstances the Defendant has resiled from a position in 2023 where Recommendation 5 had been accepted.

52. It is the Claimant's position that the failure to implement Recommendation 5 breaches Article 3 of the UN Convention on the Rights of the Child ("UNCRC"), to which the UK is a party and is otherwise contrary to the duties on the Defendant to act in the best interests of children.

53. Furthermore, the Claimant submits that, following from the assessment by IICSA that the pain compliance techniques (which the Defendant seeks to retain) amounts to 'a form of child abuse', the retention of those techniques breaches the positive obligations upon the Defendant to avoid breaches of Article 3 ECHR. The Claimant will say that child abuse, through the deliberate inflicting of pain or otherwise, amounts to inhuman or degrading treatment for the purposes of Article 3.

RECOMMENDATION SIX - AMEND THE CHILDREN ACT 1989 TO GIVE PARITY OF LEGAL PROTECTION TO CHILDREN IN CARE.

54. The Inquiry noted in its final report (at page 176) that the number of looked after children has increased every year since 2010 and that the circumstances that such

children face makes looked after children particularly vulnerable to sexual abuse and exploitation[1].

55. The Inquiry stated at page 177 of its Final Report : *Around half of children whose cases were considered as part of the Inquiry's Child Sexual Exploitation by Organised Networks Investigation Report were children in care. Prevailing prejudices concerning a person's vulnerability, such as social isolation and prior trauma, can be manifested as additional barriers for a looked after child who discloses sexual abuse. This makes it even more difficult for those children to get the help they need.*

56. The Inquiry commented at page 178 of the Final Report on the regime under the Children Act 1989 and its impact on children in care: (emphasis added)

> *"The Children Act 1989 (the 1989 Act) separates the powers of courts from those of local authorities. Courts can make orders under section 8 of the 1989*
>
> *responsibility**. A court has no such ability in respect of a child in care. Where a court finds that parents 'actions have caused a child to experience, or be at risk of, significant harm, it may make a care order so that a local authority effectively has 'overriding 'parental responsibility over that child.***
>
> *The local authority then has day-to-day care of, and control over, the child as their 'corporate parent'. Section 9 of the 1989 Act prevents section 8 orders being made against parents in respect of children who are the subject of a care order.*
>
> ***The effect of this legal regime is to create a separation of powers between courts and local authorities. Courts can make decisions about children who are not in care, but only local authorities can make decisions about children who are in care.***
>
> ***In a number of cases, senior judges have observed that this 'separation of powers 'gave rise to serious practical and legal problems for children.** The government responded by introducing an Independent Reviewing Officer, who can refer a child's case to court. However, that power is rarely used in practice and in a number of cases senior judges have commented on their limited utility."*

57. The Inquiry went on to consider that children in care have limited ways of controlling the actions of a local authority. There is a power to ask the court to discharge a care order, but this has limited value where the child has no alternative carer. Children can bring human rights challenges, but rarely do so. Furthermore, children in care can bring applications for judicial review, but this remedy is used little and posits a high threshold. The Claimant will refer to pages 176 to 181 of the IICSA Final Report.

58. The Inquiry concluded by making the following recommendation: (emphasis added)

> ***Recommendation 6: Children Act 1989***

[1] At page 177

The Inquiry recommends that the UK government ***amends the Children Act 1989 so that, in any case where a court is satisfied that there is reasonable cause to believe that a child who is in the care of a local authority is experiencing or is at risk of experiencing significant harm****, on an application by or for that child, the court may:*

• prohibit a local authority from taking any act (or proposed act) which it otherwise would be entitled to take in exercising its parental responsibility for the child; or

• give directions for the purpose of determining a specific question which has arisen, or which may arise, in connection with any aspect of the local authority's exercise of parental responsibility for a child

59. In the April 2025 Progress Update, the Defendant confirmed that she/ the government has refused to implement Recommendation 6. The Update states as follows:

> *"The Government also recognises the vulnerability of children living in residential care and the unique responsibilities on those caring for them to ensure they are well looked after. While there are a range of systems in place to ensure a child's care plan is properly implemented, and to enable children in residential care to raise concerns by talking to trusted adults, the Government agrees that more should be done to ensure children's voices are heard in decision-making. Their rights in the Children Act 1989 must be respected, with children in care having clear and timely routes to raise concerns about any aspect of their care, including where they are experiencing or at risk of experiencing serious harm, and such concerns must be acted upon.*
>
> *To enable this strengthening of protections for children looked after by local authorities, we will introduce new National Standards for Advocacy for Children and Young People and revised statutory guidance on Providing Effective Advocacy for Children and Young People Making a Complaint under the Children Act 1989 in 2025. This does not need an amendment to the Children Act 1989, but this will include new standards on:*
>
> *• The provision of specialist non-instructed advocacy for children with complex needs and learning disabilities (as recommended by the Child Safeguarding Practice Review Panel's report on Safeguarding children with disabilities in residential settings).*
>
> *• Requirements for advocacy in the safeguarding of children – being clear on the role of advocates in the identification of concerns and the need to make direct referrals and to escalate where necessary"*

60. The Claimant maintains that the proposed creation of national advocacy standards does not bring about parity of legal protection for children in care. The Defendant has failed to provide any reasoned or rational justification for its failure or refusal to implement a fundamental recommendation that was made by IICSA.

61. The Defendant's position as stated in her pre-action response letter dated 30 June 2025 is that Parliament cannot be compelled to legislate. The Claimant maintains that it is incumbent on the Defendant, if unable or unwilling to amend primary legislation, to take steps to address the lacuna identified by the Inquiry whereby courts can make decisions about children who are not in care, but only local authorities (which may be failing to prevent sexual abuse or exploitation) can make decisions about children who are in care (see page 179 of the IICSA final report). The Defendant has failed to take steps to address the problem identified by IICSA in a manner which addresses the lack of parity.

RECOMMENDATIONS 2, 7, 8, 12, 16 AND 20

62. The Claimant challenges the decision of the Defendant to delay implementation of recommendations 2, 7, 8, 12, 16 and 20, of the IICSA Final Report and, instead of implementing the same, to require that any implementation would be contingent on further consultation, monitoring, review or other action. The Claimant further challenges the failure of the Defendant to provide a detailed timetable for implementing recommendations 2, 7, 8, 12, 16 and 20.

Recommendation Two - Create a Child Protection Authority in England and in Wales.

63. The Defendant has stated that the government will create a Child Protection Authority ('CPA') in England (but , not in Wales). However, the Defendant has not stated that the government will implement the recommendation of the Inquiry. Rather, it will embark on a consultation exercise 'on a roadmap to a CPA'.

64. The Defendant has also stated that the CPA, when eventually implemented, will not have any powers of inspection. The Defendant has set out a number of initiatives in the April 2025 update, which do not directly bear on the establishment of a CPA. Furthermore, the Defendant has failed to provide any timetable is provided for the establishment of a CPA, which is stated to be conditional on a consultation process.

Recommendation 7 - Introduce the registration of care staff in children's homes

65. The Defendant has not confirmed that the government will implement this recommendation within a defined timescale. The Defendant states in the April 2025

update that the government will consider consultation with 'key stakeholders' by 2028/29 'to determine whether registration is the right approach'.

Recommendation 8 - Introduce professional registration of staff in roles responsible for the care of children in young offender institutions and secure training centres

66. Again, the Defendant has not confirmed that she will implement this recommendation within a defined timescale. The Defendant states in the April 2025 update that the government will consult with key stakeholders and assess current and future options and costs for implementing a registration framework. As part of this work the Defendant will 'explore the merits of external registration' and announce a decision by March 2026.

Recommendation 12 - Introduce a mandatory requirement for all regulated providers of search services and user-to-user services to pre-screen for known child sexual abuse material.

67. The Defendant has not agreed to implement this recommendation, but rather will conduct an ongoing assessment of whether the measures contained in the Online Safety Act will enable Ofcom to achieve this objective. It is unclear whether the Online Safety Act provides the necessary level of protection recommended by ICCSA.

Recommendation 16 - Provide a national guarantee of specialist therapeutic support for child victims

68. The Defendant has failed to provide the guarantee as per the Inquiry recommendations. It has committed to fund initiatives in 2025/26 and to 'use the learning' from a CSA Centre programme to support and wider roll out, 'subject to funding'. The Defendant says that the Government will work on ambitious proposals for improving the therapeutic support offer.

Recommendation 20 - Introduce legislation requiring providers of online services and social media platforms to implement more stringent age verification measures.

69. The Defendant states that the Government will continue to monitor whether the Online Safety Act is appropriately tackling the issue of children accessing social media below the minimum ages set in firms' terms of service. If this is found not to be the case, the Government will consider what further intervention is needed to strengthen the

enforcement of minimum age limits. It is unclear whether the Online Safety Act provides the necessary level of protection recommended by ICCSA.

LEGAL BACKGROUND

Legitimate Expectation

70. The Supreme Court in ***Re Finucane's Application for Judicial Review*** **[2019] UKSC 7; [2019] 3 All ER 191** reviewed several of the leading cases on substantive legitimate expectations. Lord Kerr (with whom Lady Hale, Lord Hodge and Lady Black agree) stated at **[62]**:

> *"62. From these authorities it can be deduced that where a clear and unambiguous undertaking has been made, the authority giving the undertaking will not be allowed to depart from it unless it is shown that it is fair to do so. The court is the arbiter of fairness in this context. And a matter sounding on the question of fairness is whether the alteration in policy frustrates any reliance which the person or group has placed on it. This is quite different, in my opinion, from saying that it is a prerequisite of a substantive legitimate expectation claim that the person relying on it must show that he or she has suffered a detriment."*

71. Statements addressed to the public at large (or a subsection of it) may give rise to legitimate expectations. This includes statements made to, or answers given in, Parliament: ***R (Abbasi) v Secretary of State for Foreign and Commonwealth Affairs*** **[2002] EWCA Civ 1598; [2003] UKHRR 76** at **[91]**; and ***R (British Civilian Internees (Far East Region)) v Secretary of State for Defence*** **[2003] EWCA Civ 473; [2003] 3 WLR 80** at **[2]**.

72. More weight might be placed on expectations of a fundamental human right, such that some rights are entitled to greater protection than others: see for example ***R (Reprotech (Pebsham) Ltd) v East Sussex CC*** **[2002] UKHL 8; [2003] 1 WLR 348** at **[34]** where Lord Hoffman contrasted the right to a home with ordinary property rights which *"are in general far more limited by considerations of public interest"*.

Article 3 and 8 ECHR

73. Section 6 of the Human Rights Act 1998 provides that it is unlawful for a public authority to act in a way which is incompatible with an ECHR right.

74. Article 3 ECHR provides that *"no one shall be subjected to torture or to inhuman or degrading treatment or punishment"*. The principles governing Article 3 are well

established and are summarised in ***X v Bulgaria*** **[2021] 50 BHRC 244** at **[177]-[178]** as follows:

> *"177. The obligation of the High Contracting Parties under Article 1 of the Convention to secure to everyone within their jurisdiction the rights and freedoms defined in the Convention, taken together with Article 3, requires States to take measures designed to ensure that individuals within their jurisdiction are not subjected to ill-treatment, including ill-treatment administered by private individuals ... Children and other vulnerable individuals, in particular, are entitled to effective protection ...*
>
> *178. It emerges from the Court's case-law as set forth in the ensuing paragraphs that the authorities' positive obligations under Article 3 of the Convention comprise, firstly, an obligation to put in place a legislative and regulatory framework of protection; secondly, in certain well-defined circumstances, an obligation to take operational measures to protect specific individuals against a risk of treatment contrary to that provision; and, thirdly, an obligation to carry out an effective investigation into arguable claims of infliction of such treatment. Generally speaking, the first two aspects of these positive obligations are classified as "substantive", while the third aspect corresponds to the State's positive "procedural" obligation."*

75. In ***R (BLZ) v Secretary of State for the Home Department and Leeds City Council*** **[2025] EWHC 153 (Admin)** Fordham J stated at [29] that Articles 2 and 3 ECHR required a state to put in place appropriate legal and administrative systems for protecting lives and safeguarding against inhuman and degrading treatment. Fordham J additionally stated:

> *This is called the Systems Duty. It means having in place effective criminal law and effective arrangements for its enforcement. But at a so-called "lower-level", it extends to a duty to have administrative or regulatory arrangements, in particular where a public authority undertakes, organises or authorises dangerous activities, or has a sufficient control or responsibility. Where it arises, such a lower-level duty is to take proportionate administrative measures reducing risk to a reasonable minimum.*

76. In ***R(MG) v SSHD*** **[2023] 1 WLR 284** Johnson J stated (at [6]) that the lower level extends to *cases where a public body is responsible for the welfare of individuals within its care and under its exclusive control—particularly young children who are especially vulnerable…* See also Bourne J in ***R (CSM) v Secretary of State for the Home Department 2021]*** **EWHC 2175 (Admin) (at [71]) :** *The State has a positive duty to put in place a legislative and administrative framework to secure the health and well-being of those in detention so as to avoid harm of a kind which would engage Article 3.*

77. Article 8 ECHR provides, so far as relevant:

"1. Everyone has the right to respect for his private and family life …

2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others."

78. In ***Bevacqua and S v Bulgaria*** **(App no. 71127/01, 12 June 2008)**, the ECtHR summarised the relevant principles in cases where an authority had failed to take the necessary measures to secure an individual's Article 8 rights and failed to protect them from violence from another individual. The relevant principles were set out at **[64]-[65**]:

"64. While the essential object of Article 8 is to protect the individual against arbitrary action by the public authorities, there may in addition be positive obligations inherent in effective "respect" for private and family life and these obligations may involve the adoption of measures in the sphere of the relations of individuals between themselves. Children and other vulnerable individuals, in particular, are entitled to effective protection (see X and Y v the Netherlands, judgment of 26 March 1985, Series A no. 91, pp. 11-13, §§ 23-24 and 27, and August v. the United Kingdom (dec.), no. 36505/02, 21 January 2003).

65. … As regards respect for private life, the Court has previously held, in various contexts, that the concept of private life includes a person's physical and psychological integrity. Furthermore, the authorities' positive obligations – in some cases under Articles 2 or 3 and in other instances under Article 8 taken alone or in combination with Article 3 of the Convention – may include, in certain circumstances, a duty to maintain and apply in practice an adequate legal framework affording protection against acts of violence by private individuals (see the judgments cited in paragraph 85 above and, also, Osman v. the United Kingdom, judgment of 28 October 1998, Reports 1998-VIII, §§128-130, and M.C. v. Bulgaria, no. 39272/98, ECHR 2003-XII) … "

United Nations Convention on the Rights of the Child

79. Article 3 of the UN Convention on the Rights of the Child (**"UNCRC"**), to which the UK is a party, provides that:

"Article 3 – Best Interests of the Child

In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration."

80. Article 34 UNCRC specifically concerns the sexual exploitation of children. It provides:

> *"Article 34 – Sexual Exploitation of Children States*
>
> *Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent: (a) The inducement or coercion of a child to engage in any unlawful sexual activity; (b) The exploitative use of children in prostitution or other unlawful sexual practices; (c) The exploitative use of children in pornographic performances and materials."*

GROUNDS

Ground One – Breach of legitimate expectation

Failure to implement

1.1

81. The Defendant has acted unreasonably and/or in breach of a legitimate expectation in failing to implement the 20 recommendations of the ICCSA report, in line with the public statement made by Suella Braverman MP, as Secretary of State for the Home Department on 22 May 2023 within the Forward to *Government Response to the Final Report of the Independent Inquiry into Child Sexual Abuse* policy paper.

82. The then Home Secretary confirmed that she had *"accepted the need to act on all but one of the Inquiry's recommendations".* The only recommendation which was not to be 'acted upon' was recommendation 5 in relation to the prohibition of pain compliance techniques on children.

83. In these circumstances the government has committed to taking action and implementing 19 out of the 20 recommendations and had implemented the single recommendation that had not formed part of that commitment. On that basis the Claimant is entitled to a legitimate expectation that those 19 recommendations will be implemented.

1.2

84. However, in relation to Recommendation 5, the government changed its position and implemented that recommendation on 17 August 2023 through amending the Use of Force, Restraint and Restrictive Practices in the Children and Young People Secure Estate to state: "*28 Staff are not permitted to use restraint techniques which deliberately cause pain."*

85. In these circumstances, the Defendant has committed to taking action and implementing all 20 recommendations because the single recommendation upon which no action was to be taken (Recommendation 5) was subsequently implemented. On that basis the Claimant is entitled to a legitimate expectation that all 20 of the recommendations will be implemented.

1.3

86. Furthermore, the Defendant has made a number of recent (2025) statements which give rise to a legitimate expectation that the government will implement the 20 IICSA recommendations. On 16 January 2025 the Secretary of State for the Home Department made the following statement to Parliament and subsequently published that statement: *So before Easter, the government will lay out a clear timetable for taking forward the 20 recommendations from the final report. Four of those are specifically for the Home Office. I can confirm that we have accepted them in full,……. We are taking action not just on those recommendations, but on the additional work that we need to do to protect victims, put perpetrators behind bars and uncover the truth wherever things have gone wrong…..*

87. Additionally, the Prime Minister made the following statement on 30 April 2025: *'I strongly believe that we should implement the recommendations that have already been made. And that is what we are doing.*

88. The Government Update of 8 April 2025, which only commits to implementation of Recommendations 4, 9, 10, 11, 13, 14, 15 and 17 (8 of the recommendations) that were made by the Independent Inquiry into Child Sexual Abuse ('IICSA') in its final report, constitutes a breach of a legitimate expectation that the Inquiry's recommendations would be accepted and implemented in full.

89. For the avoidance of doubt the the Defendant has rejected recommendations 1, 3, 5, 6, 18 and 19 (6 of the recommendations). The Defendant has failed to reach a decision to implement recommendations 2, 7, 8, 12, 16 and 20 (6 of the recommendations), but instead wishes to subject those matters to further consultation, monitoring, review or other action.

90. In the circumstances the Defendant has acted contrary to a legitimate expectation which arose from the repeated, clear and unequivocal assurances that the Defendant, her predecessors and the UK government more generally, have made to the effect that the IICSA recommendations would be acted upon, taken forward and implemented.

91. The Claimant avers that the public statements as to implementation were understood to convey that the implementation would be undertaken within a reasonable timeframe.

92. It is not necessary to show detriment to establish a claim of substantive legitimate expectation. The extent of any detrimental reliance, however, is relevant to the question of the fairness or proportionality of the departure from the expectation given. In this case, more than 6,000 individuals have risked retraumatising themselves giving evidence and participating in IICSA under the express promise and expectation that the Inquiry would lead to justice for victims and survivors, and protect children from sexual abuse in future. In the circumstances, the Defendant's departure from the expectation given was unfair and disproportionate.

1.4

86. Further, the Defendant has acted in breach of her duty to consider the interests of children (Article 3 UNCRC) and protect them from all forms of sexual exploitation and sexual abuse (Article 34 UNCRR).

1.5

87. In the circumstances the conduct of the Defendant was unlawful. The Claimant maintains that it is entitled to a legitimate expectation that the 20 (alternatively 19) recommendations are implemented and an order that the Defendant is to provide a timetable for such implementation.

Ground Two – Failure to implement Recommendation One

2.1

89. The Defendant has acted unreasonably in failing or refusing to implement Recommendation One of the recommendations made by IICSA in its Final Report published on 20 October 2022 (A single set of core data relating to child sexual abuse and child sexual exploitation).

90. The Inquiry identified widespread failures to record data concerning *inter alia* the ethnicity of both perpetrators and victims in the case study areas that the Inquiry considered within the Organised Networks Investigation and repeated the findings more generally within its Final Report of October 2022.

91. It is submitted that the Defendant has acted unreasonably in failing to implement this key recommendation from the IICSA Final Report, which arose from six years of hearings during the ICCSA process. ICCSA found that the need for a single set of core data is fundamental to avoidance of CSA, CSE and abuse and exploitation from organised networks of abusers.

2.2

92. The Defendant has acted unreasonably in putting forward proposals in the April 2025 Update, which do not meet the Recommendation for a single set of core data as

recommended by IICSA. The Defendant's proposals - namely to fund CSA data, improve cross agency use of data, introduce a police performance framework, set a timetable to act on a forthcoming review by Baroness Casey and work with stakeholders to agree clear targets and drive up charges and prosecutions - do not meet the recommendation of IICSA.

2.3

93. Furthermore, the Defendant has acted unreasonably in failing to implement Recommendation One since receipt of Baroness Casey's review dated 16 June 2025 on Group-based Child Exploitation and Abuse, upon which the Defendant has committed to act.

94. The Claimant avers that the findings made by Baroness Casey support IICSA Recommendation One. Furthermore, Baroness Casey addressed the inadequacy of data is a key theme of her review. In the circumstances the continues refusal or failure by the Defendant to implement Recommendation One of the IICSA final report is unreasonable.

2.4

95. The Defendant has acted unreasonably and unlawfully in failing to implement Recommendation One because the lack of such implementation is contrary to the Defendant's obligations to take steps to promote the best interests of the child.

2.5

96. Further and alternatively, the actions of the Defendant in failing to implement Recommendation One are unreasonable and unlawful as they are inconsistent with the Defendant's international obligations under Articles 3 and 34 UNCRR.

2.6

97. Furthermore, the conduct of the Defendant in failing to implement Recommendation One is contrary to the positive obligation imposed on member states to avoid breaches of Article 3 ECHR, through taking proportionate administrative measures and otherwise, and thus contrary to section 6 of the Human Rights Act 1998 and unlawful .

2.7

98. Further and alternatively the conduct of the Defendant in failing to implement Recommendation One breaches the requirement imposed on the Defendant under Article 8 ECHR, taken alone or in combination with Article 3 ECHR to adopt measures to provide effective protection of vulnerable children from sexual abuse and exploitation.

2.8

99. Further and alternatively, the Defendant has erred and acted unreasonably in failing to provide adequate reasons for failing to implement this key recommendations from IICSA.

Ground Three - Failure to implement Recommendation Five.

3.1

93. The Defendant's refusal to implement IICSA's recommendation to prohibit the use of pain inducing restraint techniques in detention centres (Recommendation 5) is unreasonable because the Defendant has resiled from the Secretary of State having implemented Recommendation 5 on 17 August 2023 through amending the Use of Force, Restraint and Restrictive Practices in the Children and Young People Secure Estate policy (at paragraph 5.28) to state: "*Staff are not permitted to use restraint techniques which deliberately cause pain."*

3.2

100. Further and alternatively, the Claimant is entitled to a legitimate expectation that Recommendation 5 will be implemented, in particular because the Recommendation *was* implemented in August 2023.

3.3

101. Further and alternatively the Defendant has acted unreasonably in deciding to retain the use of techniques which are intended to deliberately cause pain and which have been categorised by a major national Public Inquiry as amounting to *'a form of child abuse.'*

3.4

102. In the further alternative, the decision by the Defendant in this regard breaches Article 3 and/or alternatively Article 34 of the UN Convention on the Rights of the Child in that the Defendant has failed to act in the best interests of vulnerable children.

3.5

103. Further, the conduct of the Defendant in failing to implement Recommendation Five, which prohibits *'a form of child abuse'* is contrary to the positive obligation imposed on member states to avoid breaches of Article 3 ECHR – inhuman and degrading treatment. Consequently the failure to implement Recommendation Five breaches section 6 of the Human Rights Act 1998 and is unlawful.

3.6

89. Further and alternatively the conduct of the Defendant in failing to implement Recommendation Five breaches the requirement imposed on the Defendant under Article 8 ECHR, taken alone or in combination with Article 3 ECHR to adopt measures to provide effective protection of vulnerable children from impermissible acts of violence and abuse.

3.7

90. The Defendant's responses to Recommendation 5 are unreasonable because they are inconsistent. The Defendant maintains in her April 2025 update that pain inducing techniques are permitted, yet the Use of Force, Restraint and Restrictive Practices in the Children and Young People Secure Estate, a policy which remain extant, clearly states at paragraph 5.28 that "*Staff are not permitted to use restraint techniques which deliberately cause pain."*

3.8

91. Furthermore, the Defendant is entitled to the declaratory relief that it seeks to the effect that pain inducing compliance techniques inflicted upon children are unlawful.

3.9

92. It is additionally averred that the Claimant is entitled to a declaration as to the meaning of paragraph 5.28 of the Use of Force, Restraint and Restrictive Practices in the Children and Young People Secure Estate policy.

Ground Four – Failure to implement Recommendation Six.

4.1

93. The decision of the Defendant to reject the Inquiry's recommendation to amend the Children Act 1989 to give parity of legal protection to children in care (Recommendation 6) (Proposed Ground Four) was unreasonable.

4.2

94. The Inquiry identified a lacuna in the Children Act 1989 whereby the courts are unable to protect children in care in the same way that the courts can protect other children. The court has powers under section 8 of the Children Act 1989 to make orders with regard to children, but section 9 of the Act provides that the court cannot consider an application in respect of a child in care. The Inquiry heard considerable evidence in relation to children who were abused whilst in the care of local authorities and, upon considering such material, recommended that the Act be amended so as to afford the same protection to children in care.

95. In light of the detailed consideration that the Inquiry gave to the issue the Defendant's response to the Recommendation is inadequate and unreasonable.

4.3

96. The Claimant avers that the proposed creation of national advocacy standards and complaint making mechanisms (the action that the Defendant proposes to take in relation to Recommendation Six) amounts to an unreasonable response to the IICSA recommendation.

97. The proposed actions of the Defendant do not reasonably bring about parity of legal protection for children in care, particularly where there is a *reasonable cause to believe that a child who is in the care of a local authority is experiencing or is at risk of experiencing significant harm.*

98. In the circumstances the Defendant has acted unreasonably in failing to provide any reasoned or rational justification for its failure or refusal to implement a fundamental recommendation that was made by IICSA.

4.4

99. The Defendant has acted unreasonably, if unable or unwilling to amend primary legislation, to take steps to address the lacuna identified by the Inquiry whereby courts can make decisions about children who are not in care, but only local authorities (which may be failing to prevent sexual abuse or exploitation) can make decisions about children who are in care (see page 179 of the IICSA final report).

100. In the circumstances the Defendant has acted unreasonably in failing to take steps to address the problem identified by IICSA in a manner which addresses the lack of parity and the concern highlighted by IICSA as to safeguarding issues concerning children who are in the care of a local authority.

4.5

101. Alternatively, the decision by the Defendant in this regard breaches the duty upon the Defendant to act in the best interests of the child in accordance with international obligations under Article 3 and/or alternatively Article 34 of the UN Convention on the Rights of the Child.

4.6

102. Further, the conduct of the Defendant in failing to implement Recommendation Six - which addresses a situation where children in care may be suffering from sexual abuse or exploitation as a consequence of inadequate corporate parenting in the care system,

but are denied an effective remedy through the courts - is contrary to the positive obligation imposed on member states to avoid breaches of Article 3 ECHR – inhuman and degrading treatment. Consequently the failure to implement Recommendation Five breaches section 6 of the Human Rights Act 1998 and is unlawful.

4.7

104. Further and alternatively the conduct of the Defendant in failing to implement Recommendation Six breaches the requirement imposed on the Defendant under Article 8 ECHR, taken alone or in combination with Article 3 ECHR to adopt measures and an adequate legal framework to provide effective protection of vulnerable children in care from sexual abuse and exploitation.

4.8

103. In the further alternative, the decision of the Defendant in refusing to implement Recommendation 6 unreasonably discriminates against children in care as against other children.

Ground Five - Recommendations 2, 7, 8, 12, 16 and 20

Failure to implement

5.1

104. The Defendant acted unreasonably in deciding not to implement recommendations 2, 7, 8, 12, 16 and 20, which were the results of seven years of Inquiry investigations, but instead to determine that, notwithstanding assurances that the recommendations would be implemented, any implementation would be contingent on further consultation, monitoring, review or other action.

5.2

105. The Defendant acted unreasonably in responding to Recommendations 2, 7, 8, 12, 16 and 20 individually and cumulatively in such a way that those responses set out within the Defendant's April 2025 update do not amount to a commitment to implement the recommendations, but instead amount *inter alia* to proposals to carry out an unspecified actions on unspecified dates.

5.3

106. In relation to the specific recommendations, the Claimant avers that the Defendant has acted unreasonably - in relation to recommendations 2, 7, 8, 12, 16 and 20 - as follows:

5.4

Recommendation Two - Create a Child Protection Authority in England and in Wales.

107. The Defendant has stated that the government will embark on a consultation exercise 'on a roadmap to a CPA' and that the CPA, when eventually implemented, will not have any powers of inspection. The Defendant has set out a number of initiatives in the April 2025 update, which do not directly bear on the establishment of a CPA.

108. Furthermore, the Defendant has failed to provide any timetable is provided for the establishment of a CPA, which is stated to be conditional on a consultation process.

5.5

Recommendation Seven - Introduce the registration of care staff in children's homes.

109. The Defendant states in the April 2025 update that the government will consider outputs from work commissioned from Social Work England and will ' *improve qualifications, standards and access to training, and continue work to determine whether registration of care staff is the right approach.'*

110. In the circumstances the Defendant has made no commitment to implement the recommendation and has failed to provide any timeframe in relation to any action that it may take.

5.6

Recommendation Eight : Introduce professional registration of staff in roles responsible for the care of children in young offender institutions and secure training centres.

111. In responding to recommendation 8, the Defendant states that the government will undertake a programme of work to improve safeguarding and build workforce capability in the youth justice estate, which will involve reviewing recruitment of staff and the training and qualifications they are provided. The government will also commit to an ongoing programme of work to determine the most suitable registration framework for the youth custody estate. This will involve consulting with key stakeholders and assessing current and future options and costs for implementing a registration framework.

112. It is submitted that the Defendant's response does not amount to a commitment to implement Recommendation 8, but instead amounts to a proposals to carry out ongoing work, consultations and costs assessments. Although a decision on the merits of external registration is to be announced by March 2026 – there is no commitment to implement Recommendation 8.

5.7

Recommendation 12: Introduce a mandatory requirement for all regulated providers of search services and user-to-user services to pre-screen for known child sexual abuse material.

113. The Defendant has not agreed to implement this recommendation, but rather will conduct an ongoing assessment of whether the measures contained in the Online Safety Act 2023 will enable Ofcom to achieve this objective. It is not the position of the Defendant that the Online Safety Act provides the necessary level of protection recommended by ICCSA, rather that the an assessment is required as to whether additional measures, such as pre-screening are required.

114. The Defendant is unable to point to any section or provision within the 2023 Act which imposes a mandatory pre-screening requirement as recommended by ICCSA. In the circumstances Recommendation 12 has not been implemented and the Defendant is unclear as to what actions are required to implement this important safeguarding recommendation that was made by IICSA.

5.8

Recommendation Sixteen: Provide a national guarantee of specialist therapeutic support for child victims.

115. The Claimant avers that it is essential that survivors of child abuse are provided with specialist therapeutic support. The Inquiry recommended that this action be taken. However, the Defendant has only committed to fund initiatives in 2025/26 and to 'use the learning' from a CSA Centre programme to support and wider roll out, 'subject to funding'. The Defendant states that the Government will work on ambitious proposals ('*we know that more must be done'*) for improving the therapeutic support offer and will 'develop options' with victims, experts and local areas.

116. The Defendant has not implemented the recommendation. The as yet unspecified proposals detailed in the April 2025 update do not amount to a commitment to provide the guarantee that was recommended by IICSA.

5.7

Recommendation Twenty - Introduce legislation requiring providers of online services and social media platforms to implement more stringent age verification measures.

117. The Defendant states that the Government has undertaken a feasibility study and will publish relevant findings shortly. The Defendant states that *'we will continue to monitor whether the Online Safety Act is appropriately tackling the issue of children accessing social media below the minimum ages set in firms' terms of service. If this is found not to be the case, the Government will consider what further intervention is needed to strengthen the enforcement of minimum age limits.'*

118. The Defendant's response does not amount to a commitment to implement more robust age-verification requirements for the use of online platforms and services. Rather, the Defendant commits to ongoing monitoring of the 2023 Act and acknowledges the possibility that the Act might not be sufficient to provide the safeguarding anticipated by Recommendation 20.

Ground Six – Failure to set a timetable

6.1

119. On 16 January 2025 the Secretary of State for the Home Department made the following statement to Parliament and subsequently published that statement: *So before Easter, the government will lay out a clear timetable for taking forward the 20 recommendations from the final report.* The Defendant has acted unreasonably in failing to set a definitive timetable for taking forward and implementating the 20 recommendations contained within the IICSA Final Report.

6.2

120. In the alternative the Defendant has acted unreasonably in failing to set a timetable for taking implementing Recommendations 2, 7, 8, 12, 16 and 20.

121. The conduct of the Defendant in failing to provide a timetable for implementation is unreasonable because large numbers of victims and survivors of Child Sexual

Abuse gave evidence before the IICSA[2] and, in many cases, experienced re-traumatisation through having to re-live the experiences of their abuse. Those victims put themselves forward in the hope that future generations of children would not be required to undergo similar abuse from sexual predators in the future.

122. Furthermore, whilst a delay in implementation might in some cases be acceptable – in the instant case the Defendant has acted unreasonably in bringing about a situation whereby the victims and survivors of abuse who contributed to the Inquiry are left in a position where they are unable to know when a number of important recommendations of IICSA will be implemented, if at all.

Costs Capping Order

123. The Claimant applies for a Costs Capping Order under CPR 46. The IICSA Public inquiry and its recommendations are matters of general public importance and amount to public interest proceedings and will significantly affect a substantial number of people. The Maggie Oliver Foundation does not have the means to fund a claim. It is submitted that the Claimant meets the criteria set out at sections 88 and 89 of the Criminal Justice and Courts Act 2015. The Claimant will rely on the witness statement and exhibits of Ms Oliver in relation to the Claimant's application for a Costs Capping Order.

124. It is submitted that the Claimant advances arguable errors of law by the Defendant in this application. It is submitted that the Claimant is entitled to the relief that it seeks. It is further submitted that the issues which arise in the Claimant's grounds amount to matters of particular public importance and concern. In the circumstances it is respectfully submitted that permission to apply for judicial review should be granted.

CHRISTOPHER JACOBS
LANDMARK CHAMBERS

5 JULY 2025

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[2] . The Secretary of State has acknowledged that: '*Over 7 years, that inquiry – expertly led by Professor Alexis Jay – engaged with more than 7,000 victims and survivors, processed 2 million pages of evidence and published 61 reports and publications'.*

ESSENTIAL READING

- This Statement of Facts and Grounds
- Extracts - IICSA Final Report 20 October 2022.
    - Part K - Recommendations from page 326
    - Pages 146 – 148
    - Pages 172 – 181
- Secretary of State's Tackling Child Sexual Abuse Progress Update 9 April 2025
- National Audit on Group-Based Child Sexual Exploitation and Abuse by Baroness Casey, dated 16 June 2025
- Pre-action letter 16 June 2025
- Pre-action response 30 June 2025
- First Witness statement of Margaret Oliver.
- Government Response to the Final report of the Independent Inquiry into Child Sexual Abuse 22 May 2023
- 16 January 2025 statement of the Secretary of State for the Home Department.