

## London Borough of Tower Hamlets

### PROTOCOL FOR CHILDREN/YOUNG PEOPLE WHO ABUSE

#### 1.0 INTRODUCTION

##### 1.1 Equal Opportunities Statement

This protocol affects a group of young people who whilst they may pose a risk to others are also children who themselves have many needs. They need an equal service to their victims and therefore decisions about their future must be based on an assessment which is thorough, holistic and of high quality. The assessment needs to take into account the stigma which can be attached to a young person who carries out a sexually abusive act and also to their ethnicity, culture, gender, sexuality, disability and class.

##### 1.2 Context

###### 1.2.1 'Working Together' 6.31

'Work with children and young people who abuse others - including those who sexually abuse/offend should recognise that such children are likely to have considerable needs themselves, and also that they may pose a significant risk of harm to other children.

Evidence suggests that children who abuse others may have suffered considerable disruption in their lives, been exposed to violence within the family, may have witnessed or been subject to physical and sexual abuse, have problems in their educational development and may have committed other offences.

Such children and young people are likely to be children in need and some will in addition be suffering or at risk of suffering significant harm and may themselves be in need of protection'

### 1.2.1

### Prevalence of Abuse

A significant proportion of sexual abuse is perpetrated by children and adolescents. While accurate figures are unknown, a study by Glasgow et al (1994) found that one third of all sexual abuse cases involved perpetrators under 18 with a marked peak in the 13 - 17 year age group. In 1994 Home Office figures showed that the number of offenders found guilty or cautioned for sexual offences was 16% aged 14 - 17 years and 4% aged 10 - 13 years. Without intervention such behaviour may escalate rather than diminish and failure to intervene could mean that these young people continue to be a risk to children throughout their adulthood.

### **1.3 Scope**

1.3.1 When abuse of a child is alleged to have been carried out by another child or young person, the Child Protection Investigation procedures of the Child Protection Procedures Manual should be followed in respect of both the victim and the abuser. In addition this protocol should be followed for the abusing child. ("The need of children and young people who abuse others should be considered separately from the needs of their victims". Working Together to Safeguard Children 6.33). Time scales for action are as in the Child Protection Investigation Procedures except where otherwise specifically stated.

1.3.2 This protocol is subdivided into two sections related to specific types of abuse:

- Sexual Abuse
- Physical Abuse

This section does not cover neglect or emotional abuse by children. Where it is felt either of these may be a relevant factor, advice should be sought from the Child Protection Co ordinator.

### **1.4 Definitions**

#### **1.4.1 Sexual Abuse**

Sexual abuse by a child or young person should be a matter of grave concern. It may sometimes seem difficult to distinguish between sexual abuse and peer group exploration or normal development. When questionable sexual activity between children comes to light the behaviour should be discussed with a line manager and/ or an appropriate agency, e.g. Walk Safe project. However, sexual abuse by children and young people may include a range of behaviours which are characterised by:

- Exploitation, a significant age or developmental gap or some other power imbalance e.g. intellect, physical strength.
- Violence and/ or coercion which can include bribery or inducements.
- Repetition or a sense of compulsion about the behaviour.

## 2.0 ACTION

- 2.1 Where the alleged abuser is under the age of ten, there will be no criminal investigation of the child as perpetrator and the extent of police involvement in the child protection enquiry will be determined at the strategy discussion. However, consideration may be given to Social Services making an application to the Family Proceedings Court for a Child Safety Order (Section 11 of the Crime and Disorder Act 1998). This applies to situations where a child under ten years commits an act which would constitute an offence were he to be over ten years old. There may also be a need for a child protection investigation and referral to a specialist agency.
- 2.2 Children over ten years of age suspected of abusing others often require parallel consideration within the Child Protection and Youth Justice processes which operate under different principles. The initial referral may come either through the Child Protection or the Youth Justice System or the Police.

## 3.0 SEXUAL ABUSE REFERRALS MADE VIA THE CHILD PROTECTION SYSTEM

- 3.1 Where there is any suspicion or allegation of a child or young person having sexually abused or being likely to abuse another person (whether child or adult) a referral should be made to the social services Advice and Assessment team.
- 3.2 Initial enquiries will be made and a strategy meeting convened in accordance with the child protection investigation procedures. The strategy meeting will include a social worker from the Advice and Assessment team, appropriate specialist teams and the Police CPT. A representative from the children who abuse project team (the **Walk Safe Project**) should be invited. The meeting should be chaired by a child protection co-ordinator. This meeting should also plan an investigation under child protection procedures to establish whether the abusing child may have been a victim of abuse and whether there are risks to any other children in the household. An initial assessment in accordance with the Assessment Framework will be made as part of the investigation. The strategy meeting should also consider referral to the Walk Safe Project but

note that this project will not normally take on a case until any outstanding child protection investigations have been completed.

#### **4.0 SEXUAL ABUSE REFERRALS MADE VIA THE YOUTH JUSTICE SYSTEM**

- 4.1 Matters may first be investigated by the Police. If a Reprimand or Final Warning (Crime & Disorder Act 1998) is given, then these will be referred to the Y.O.T. and the Social Services Advice and Assessment team within 24 hours by receipt of a Form 78.
- 4.2 The Social Services Advice and Assessment team will make enquiries as set out in section 13.3.2. The Y.O.T. will contact the family within 3 days to arrange a home visit within 10 days to complete ASSET (National Standards for Youth Offending Teams).

Social Services and Y.O.T. should give consideration to a joint visit if appropriate. Once the assessments are completed, Social Services Advice and Assessment team will co-ordinate an inter-agency strategy meeting.

- 4.3. For cases that are prosecuted the Y.O.T. would be informed.
- 4.4 Where the Police do not pursue criminal proceedings, the Police should refer concerns to the Social Services Advice and Assessment team, via a Form 78, who will assess the suitability of a referral to the Walk Safe Project.

#### **5.0 PROCEDURES FOLLOWING STRATEGY MEETING**

- 5.1 The social worker allocated to the investigation/assessment will ensure that the young person alleged to have abused is interviewed separately (in accordance with 9.6.8) and will undertake a child protection investigation encompassing the following points:
- Risks the child may pose to others including children in the immediate household, school, peer group or wider social network.
  - The possibility the alleged abusing child may also have been abused by some other person.

- Parental attitude to the concerns.
  - Assessment of the parental ability to protect siblings and others.
  - Explaining to the parents/ carers the need for further assessment of the child because of potential risk to others and the work required to address this including a referral to the Walk Safe Project.
  - Where appropriate, the victims and/or siblings views/feelings about their safety and protection.
- 5.2 An Inter-Agency Meeting (IAM) will take place at the conclusion of the initial assessment. This should be within one month of the referral date. This meeting will have a similar composition and quorum to a Child Protection Conference but will not decide issues of registration. All such meetings will be convened by Social Services, chaired by a Child Protection Coordinator and formally minuted by the child protection administrative officer who will also be responsible for sending out invitations.
- 5.3 The IAM will consider the initial assessment and may recommend:
- Legal action under the Children Act.
  - A Child Protection Conference.
  - Measures to protect other children from the abusing child.
  - Detailed assessment by Walk Safe Project workers or others of the risks the abusing child may present and how these may be mitigated.
- 5.4 Where it is agreed there is a need for continuing work there must be an allocated Social Services worker either from the Advice and Assessment Team or from an appropriate specialist team.
- 5.5 A young abuser should be the subject of a Child Protection Conference if he or she is considered personally to be at risk of significant harm (Working Together to Safeguard Children 6.37). Normally any Child Protection Conference will be separate from the Inter-Agency meeting to look at the treatment needs of the abusing child.

- 5.6 A further IAM should take place to consider the outcome of any further assessment or other work undertaken by the Project team as agreed at the initial IAM.
- 5.7 Where the Walk Safe Project continues to work with the child further IAMs will take place at the same intervals as Child Protection Conferences for the duration of this work. The Project will only cease work with a child following the decision of an IAM. More frequent IAMs may be convened where circumstances warrant.
- 5.8 Where an abusing child is also looked after and/ or on the CPR, consideration needs to be given to whether the decision making process of the IAM can be incorporated into the Child Protection Conference or looked after review.
- 5.9 Consideration should be given to referring high risk young abusers to the multi-agency borough Risk Management meeting which is chaired by the local police crime manager.

## 6.0 PHYSICAL ABUSE

6.1 Instances of physical abuse of children by children should be considered within the Child Protection system in serious circumstances. Such cases are likely to be distinguished by one or more of the following:

- Sexual features
- Repetition of violent acts.
- Premeditation.
- Involvement of other children.
- Extreme violence.
- Bizarre or ritual elements, including cruelty to animals.
- Other behaviour or personal problems, supported by professional opinions.

N.B: Some forms of abuse such as bullying may be better addressed outside the Child Protection system e.g. through the child's school.

6.2 Where appropriate the abusing child should be referred for assessment and other work as under the procedure above for sexual abuse and IAMs should also be held. The IAM will decide the most appropriate agency to undertake any assessment of the abusing child. Decisions about Child Protection

Conferences for the abusing child will be made in the same way as for children who sexually abuse.

References: Department of Health Working Together to Safeguard Children (1999)

**Joyce Huggins, Walk Safe Project Practice Manager**  
**Stuart Johnson Manager, Youth Offending Team**  
**Marcia Whitehall-Smith, Child Protection Co-ordinator**  
**D.C.I. Mick Suett**  
**Ann Roach Principal Manager Child Protection**