

A. CHILDREN'S RIGHTS IMPACT ASSESSMENT

The proposals set out in 'Working Together to Safeguard People- Volume 7- Safeguarding children from Child Sexual Exploitation (CSE)' are issued under Part 7 of the Social Services and Well-being (Wales) Act 2014 are intended to prevent child abuse, to protect children at risk of child abuse and to support abused children into recovery. As such they are intended to promote an evidence-based approach in order to reduce the number of children and young people who experience poor well-being outcomes as result of vulnerability to, risk of or abuse through child sexual exploitation.

The proposals also set out the need for child-centred practice, which considers the interrelated nature of harm to children. The guidance sets out the relationship between CSE, Child Criminal Exploitation (CCE), child trafficking and going missing from home or care. The practice approach promoted in the guidance is evidenced as effective in safeguarding children and promoting well-being across these areas of risk to children. The approach promoted through the guidance is intended to promote a multi-agency approach to supporting child well-being, preventing harm and supporting recovery from abuse. The guidance seeks to move beyond a risk management approach, which has a focus on the child changing their 'risky' behaviour and towards practice built on what matters to individual children so that they can feel secure and are resilient to risk of abuse.

The proposals promote prevention and work to support child well-being across agencies, which will be of benefit to children at risk, the wider population of children in Wales and the communities they live in.

The proposals promote evidence-based, child-centred practice, which will support vulnerable children, children at risk and abused children in realising their rights under the UNCRC and in securing better well-being outcomes.

There is evidence that abuse through child sexual exploitation impacts on negatively on the well-being of individuals into adulthood. The proposals include work to identify and support good well-being outcomes for children and young people so that they can realise their rights and are less likely to experience poor health, economic inactivity, violence and housing instability as adults.

How will the proposal affect different groups of children?

We know that some children may be particularly vulnerable to CSE because of adverse experiences in childhood. Adverse childhood experiences (ACEs) range from suffering verbal, mental, sexual and physical abuse, to being raised in a household where domestic violence, alcohol abuse, parental separation or drug abuse is present. Children who have not had adverse childhood experiences can also be sexually exploited.

An evidence review has concluded that lessening family poverty across the population is likely to have a positive effect on reducing both the extent and severity of child abuse and neglect in childhood, on the socio-economic consequences of abuse in adult life and on the wider economic costs.

The majority of care experienced children will have been subject to Social Services intervention because of abuse, neglect and other ACEs. This may help to explain why care experienced children account for a disproportionate number of victims of CSE and can be particularly vulnerable.

CSE is particularly hidden, misunderstood and under-identified for some children.

Evidence from research and practice suggests that more girls are abused through CSE than boys. This does not mean that boys are not sexually exploited. Media representations of high profile CSE cases have reinforced the misconception that only girls can be sexually exploited. Boys can be, and are sexually exploited. Research suggests that the abuse of boys is poorly understood or misinterpreted; that their entry into CSE may be particularly complex and that practitioners may be affected by stereotypes which impact on their ability to see boys as vulnerable leading to under identification of abuse.

Research has found that young people with learning disabilities are vulnerable to CSE due to factors that include overprotection, social isolation and society refusing to acknowledge them as sexual beings. A lack of awareness of the sexual exploitation of young people with learning disabilities among practitioners can also contribute to their vulnerability. Evidence from practice suggests that children who do not meet a threshold for a formal diagnosis of a learning disability or who have never been assessed are over-represented among children who are abused through CSE. Children with a disability are three times more likely to be abused in some way than children without a disability. Within this group, children with behaviour or conduct disorders are particularly vulnerable.

Victims of sexual exploitation come from all ethnic backgrounds. Research suggests that cultural and religious views and practices, particularly those that prize a female's virginity or a male's heterosexuality, may prevent victims from speaking out due to a fear of retribution or rejection from families. This can mean that children from some communities are not identified as at risk of or protected from abuse through CSE.

For children who are LGBT+ research suggests that a lack of appropriate information and support and feelings of isolation may mean that boys seek out adult gay online and offline communities and this may put them at risk. LGBT+ children may face additional barriers to seeking help if they are exploited and practitioners may not give sufficient consideration to the possibility of abuse through CSE for LGBT+ children, especially within lesbian and trans relationships.

Evidence used to inform our assessment, including evidence from children or their representatives

The proposed guidance was developed with a multi-agency Advisory Group, chaired by Dr Sophie Hallett, Cardiff University.

In 2018 the Welsh Government commissioned three small-scale, well supported consultations with children and young people who had experience of the safeguarding process, some of whom were care experienced. The consultations aimed to gather the views of children and young people about their experiences and expectations of practice to safeguard them and meet their care and support needs.

Evidence from these consultations has directly informed the proposals. Evidence from research involving the views of children and young people has also been used in making decisions about the content of the guidance and where appropriate direct quotes from young people are included in the guidance to illustrate what matters to them and what good and poor practice looks like from their perspective.

A wide body of evidence from research and practice also informed the content of the guidance and this work is directly referenced in the guidance.

A consultation was held on the proposals for Working Together to Safeguard People -Volume 7- safeguarding children from child sexual exploitation. That consultation ran from 15 July to 7 October 2019. A Welsh language, Easy Read and a Young Person's version of the consultation documents were published with the consultation.

As well as being made available to the wider public via the Welsh Government internet pages, the consultation was distributed to key stakeholder groups, including organisations representing children and young people and groups with protected characteristics.

How the proposal is likely to impact on children's rights

The UNCRC introduces the fundamental principle that the protection of children from harm is the responsibility of all individuals and agencies working with children and their families, and with adults who may pose a risk to children. Key articles related to these proposals include that every child and young person has a right to:

- article 12 : have their voice heard in decisions that affect them;
- article 13 : to information;
- article 19 : be protected from violence, abuse and neglect;
- article 24 : the best possible health;
- article 28 : an education;
- article 29 : an education that is directed to the development of the child's personality, talents and mental and physical abilities;
- article 33 : to be protected from dangerous drugs;
- article 34 : to be kept safe from sexual abuse and exploitation;
- article 36 : to be kept safe from harm to their development;
- article 39 : recovery from trauma and reintegration;

Article 12: have their voice heard in decisions that affect them

Article 13: to information

Children and young people with experience of safeguarding intervention in their lives (including young people supported because of CSE) participated in three small scale, well-supported consultation projects commissioned by the Welsh Government and delivered by Dynamix, The Fostering Network and the NSPCC and Barnardo's Cymru (working together). Evidence from the consultations set out that children and young people often felt that their voices were not heard in the decisions made about them. Children and young people also said that they did not always know what information was being recorded about them or have information about decisions made about them shared with them in a meaningful way, or at all. They also identified the value they placed on the ways in which some practitioners had listened

to them, explained information to them and made them feel that what mattered to them was important.

The proposals set out this evidence and evidence on the effectiveness of a practice approach that is child-centred and based on individual needs and identity. The guidance also provides advice on the importance of identifying (with the child) a trusted lead/key practitioner, who has the time and capacity to build a relationship with the child and who is available, consistent and accessible to the child; is non-judgemental, has empathy and good communication skills and conveys a genuine interest in the child; communicates with and explains decisions about the care and support of the child to the child and delivers on what they say and is open and honest about the professional limitations of the relationship.

The potential positive impacts of the proposals will not be met without support for implementation to support child-centred practice. The Welsh Government has commissioned Cardiff University to develop an online training offer to support child-centred practice when dealing with adolescent safeguarding issues such as CSE. The online learning offer is being developed on the basis of evidence from research carried out with young people abused through CSE in Wales. A number of practice resources to help practitioners understand and reflect on the research findings and their own practice are already available on the Cardiff University, [Keeping Safe](#) project page. This work is referenced in the guidance. Wider work is also being taken forward by Social Care Wales to support child-centred practice. The guidance requires that care and support planning for children at risk of or abused through CSE must involve relevant safeguarding partners working together to agree a child-centred care, support and protection plan to best support the well-being outcomes of individual children.

Article 19: be protected from violence, abuse and neglect

Article 34: to be kept safe from sexual abuse and exploitation

Article 36: to be kept safe from harm to their development

Article 39: recovery from trauma and reintegration

CSE is a form of child sexual abuse that can and does cause significant harm. Child sexual exploitation involves emotional, psychological, sexual and often physical abuse. Many of the children who are abused through CSE will have also experienced trauma and/or abuse in earlier childhood. There is evidence to suggest that these children are more likely to experience fractured family relationships, and poor experiences of being in care. They are then exposed to further abuse and trauma through sexual exploitation.

Children who have been sexually exploited will have experienced multiple abuses and breaches of trust. They may have past negative experiences of practitioners, may fear that disclosure of abuse will result in reprisal from their abusers and may feel shame, anxiety and fear about being believed. All of these factors impact on the opportunities for children to recognise what is happening to them as abuse and to feel safe enough to disclose that they are being or have been sexually exploited.

The proposed guidance includes a chapter (1) which explains this and provides information on which children may be particularly vulnerable to abuse and the need for practitioners to be able to identify risk of abuse and handle disclosures of abuse. The proposal also sets out advice on avoiding stereotyping and victim blaming in responding to children at risk of CSE.

Chapter 2 sets out the role of different public services in supporting the well-being of children and young people to build resilience and reduce vulnerability to abuse and to take measures to create safer communities for children.

Chapter 3 sets out the procedures to be followed in identifying risk of abuse, in responding and in developing child-centred, care support and protection plans for children. This chapter links to existing statutory duties and to the Wales Safeguarding Procedures and All Wales Practice Guides, which promote child-centred safeguarding practice.

Chapter 4 sets out that the ways in which we respond to children who are at risk of or abused through CSE needs to be informed by an understanding of the full context of the child's life. Getting to a position of trust with a child who has been shaped by a history of being let down or hurt by adults demands the time to develop a relationship with the child. The chapter considers evidence for effective practice with children at risk of or abused through CSE and promotes trauma-informed, child-centred, strength-based practice supported by a relationship with a trusted lead/key practitioner, as part of a multi-agency response to the needs of individual children and young people. The guidance requires that relevant safeguarding partners of the Safeguarding Board (under section 139(3) of the 2014 Act) must ensure that practitioners are aware of and familiar with the advice provided in this statutory guidance on evidenced practice approaches with children at risk of or abused through CSE.

Chapter 5 of the guidance deals disrupting and prosecuting perpetrators and supporting child victims through the justice process. Identifying, disrupting and prosecuting perpetrators is a key part of work to safeguard children from CSE. While policing is non-devolved, the four Welsh police forces and British Transport Police are statutory safeguarding partners under the Social Services and Well-being (Wales) Act 2014 and work in partnership to safeguard children in Wales at the local, regional and national level.

Relevant partners of the Safeguarding Board (under section 139(3) of the 2014 Act) across Wales must agree regional arrangements to bring together agencies in regular partnership meetings to consider CSE and related safeguarding issues such as children going missing; child trafficking and Child Criminal Exploitation to:

- support the coordination of partner agencies to promote effective responses to CSE and related safeguarding issues;
- support the sharing and recording of information and intelligence on individual and related cases;

- support multi-agency learning in responding to local and regional patterns of CSE and related safeguarding issues and statutory responses;
- record, co-ordinate and review responses to CSE and related safeguarding issues;
- identify perpetrators, links, locations and offending patterns and support the disruption of perpetrators;
- consider the ways in which contextual safeguarding can inform regional plans to disrupt perpetrators and prevent abuse.

The guidance sets out that these arrangements should be in addition to and do not replace care and support planning for individual children. The proposals also set out support for child victims of child sexual abuse and exploitation through criminal proceedings and the prosecution process. This includes advice on non-devolved matters setting out a criminal justice system wide response to improving the support offered to victims of crime and incorporates actions from all criminal justice agencies, including the police, CPS and courts.

While the primary purpose of the proposals set out in the guidance is to promote measures, which support article 19, only some measures are set out as statutory requirements. The potential to impact positively on children's rights to be safe will depend on effective implementation of these statutory duties and of advice on further measures set out in the proposals. The proposals focus on more effective implementation of existing safeguarding duties, in relation to CSE and related forms of abuse and no additional resources are being made available to support implementation. In the medium to longer terms the proposed changes should impact positively in terms of reducing demand for services through support for good well-being and the prevention of abuse. In the shorter term the Welsh Government has commissioned training to support implementation of more effective practice. The proposals also relate to wider work to support the well-being of children, across policy areas and agencies and the impact of the guidance is partly dependent on progress in implementing change in wider services for children and young people.

Article 28: an education

Article 29: an education that is directed to the development of the child's personality, talents and mental and physical abilities

Child Sexual Abuse has been associated with an overall reduction in educational engagement and attainment at school and in higher/further education. In some individual cases, however, it has also been linked to increased attainment. In these cases, educational engagement appears to function as a coping strategy for dealing with the abuse.

The educational experience of children abused through CSE often reflects a pattern of truancy, being reported missing from school, temporary or permanent exclusion from school and poor educational outcomes.

Being connected to education can act in a protective way since it enables a sense of belonging and stability, and affirms self-belief. Schools, colleges and other education settings may need support and advice in relation to how best to accommodate and

maintain the educational engagement or re-engagement of a child. A Welsh Government commissioned small-scale consultation found that children who had been sexually exploited identified school as a positive and supportive place.

The guidance set out the role of education in supporting child well-being to reduce vulnerability to abuse, the benefits of a whole school approach and of Relationship and Sexuality Education in preventing CSE and the role of education in safeguarding children and supporting recovery. The guidance includes advice that all education settings, including alternative educational settings such as Pupil Referral Units should assume that CSE is an issue that needs to be addressed and have measures in place to contribute to the prevention of CSE.

Article 24: the best possible health

Article 33: to be protected from dangerous drugs

CSE is linked with negative impacts on physical and mental health and well-being. Poor health and well-being can also be a factor in making children vulnerable to abuse or re-abuse through CSE. Children at risk of or abused through CSE may come into contact with a range of health related services including primary health care such as GPs, the School Nursing service; Looked After Nurse services; sexual health services; substance misuse services; sexual assault services; CAMHS and Accident and Emergency services.

The guidance sets out that it is important that health services have processes in place to record and report safeguarding concerns about children. The proposed guidance also advises that Care and Support planning should include an agreement on the role of health services in meeting the needs of the child. Further, that work to address the physical and mental health and well-being of children, including any substance misuse needs, will be an important element of building the well-being of the child to protect them from further abuse and support recovery.

There is a link between alcohol and substance misuse, a history of sexual abuse and risk of CSE. Alcohol and substance misuse may put children in positions of risk where they are unsafe; may be used as a tool by perpetrators to groom and abuse children and may be part of the relationship of exchange and control present in CSE. Providing the range of education, prevention and treatment services for children and young people who misuse alcohol and substances is a key component of safeguarding and promoting the health and well-being of children.

The guidance sets out that safeguarding children should not be seen as a separate activity from promoting their well-being and should be placed within the context of wider services for children with care and support needs; therefore, it is imperative that substance misuse services maintain good continuing collaboration with Social Services. Educating children about alcohol and drugs and providing good quality accessible substance misuse services to children who use alcohol and drugs will contribute to the prevention of CSE and in the early identification of children at risk of or abused through CSE.

The guidance advises that all services that provide information and/or support to children and families should ensure that practitioners and volunteers:

- Are ACE aware;
- Understand what is meant by trauma informed practice;
- Are aware of the physical, emotional, material and behavioural signs of CSE;
- Know when and how to report a child at risk.

The proposals require that Safeguarding Children Boards must ensure that CSE training that is relevant and appropriate to a practitioner's role is available and promoted across their region. This would include health practitioners and practitioners working in substance misuse services.

Conclusion

The overall policy intent of the proposals is to promote child well-being to reduce vulnerability to abuse, to set out actions to prevent abuse, to set out requirements in relation to protecting children from abuse and to support the recovery of abused children. CSE impacts negatively across a child's life and on their ability to realise their rights and enjoy good well-being outcomes.

The proposals, if effectively implemented will support children in realising their rights and prevent issues, which impact negatively on children realising their rights. The Welsh Government has commissioned the development of training to support implementation. A Performance and Improvement Framework for Social Services was published by the Welsh Government in April 2020 and includes metrics on the number of children going missing, the number of children subject to a strategy meeting because of CSE, the number because of child criminal exploitation and the number because of child trafficking. In the shorter term the proposals should lead to improved identification of children at risk of CSE and we would expect to see numbers increase. In the medium to longer term the proposals should impact in terms of a reduction in the number of children at risk of CSE. This data will be collected from local authorities on an annual basis.

The six Safeguarding Children Boards in Wales have a statutory duty to publish Annual Reports. We will request that the Boards gather information from safeguarding partners to demonstrate implementation of requirements set out in the proposals and that this is included as part of the annual reporting process.

In due course, officials will submit advice to Ministers to propose research is conducted with young people, parent/carers, practitioners, managers and leaders across agencies in 2024, 3 years after publication of the proposals. This will consider what impact the guidance has had on practice with and outcomes for children at risk of or abused through CSE.