



Prifysgol Cymru
Y Drindod Dewi Sant
University of Wales
Trinity Saint David

Investigating Child Abuse & Initial Response to Safeguarding Children



By the end of this lesson, you will be able to:

1. **Explain** the impact of the Victoria Climbié report recommendations on police procedures in relation to the protection of children.
2. **Identify** the 4 categories of child abuse and behaviours associated with the abuse.
3. **Outline** key sections of legislation and relevant powers for investigating child abuse.
4. **Describe** their role in safeguarding children and when they would need to consider removing a child under a Police Protection Order.
5. **Explain** the purpose of a Child Protection Plan and how to find out if the child is subject of one.
6. **Summarise** what constitutes an Adverse Childhood Experience (ACEs) and the impact that can have on a child

Child Abuse

Victoria Climbié



QTS – what do you know about the Victoria Climbié murder and the inquiry that took place afterwards?

In 2000 **Victoria Climbié** was tortured and murdered by her guardians.. She died on 25th February 2000

During the abuse, Climbié was burnt with cigarettes, tied up for periods of longer than 24 hours, and hit with bike chains, hammers and wires. Up to her death, the [police](#), the [social services](#) department of four [local authorities](#), the [National Health Service](#), the [National Society for the Prevention of Cruelty to Children](#) (NSPCC), and local churches all had contact with her, and noted the signs of abuse.

The judge in the trial following Climbié's death described as "blinding incompetence", all involved failed to properly investigate the case and little action was taken. Kouao

and Manning were convicted of murder and sentenced to life imprisonment.

Victoria's death at the age of just nine years old highlighted the failings of a number of agencies, including the police, who were responsible for ensuring her care and welfare.

On 20 April 2001 Lord Laming was appointed to conduct an Independent Statutory Inquiry, into the circumstances leading to the death of Victoria and to make recommendations as to how such an event may be avoided in the future. The Report ran to over 400 pages.

As a result of the inquiry report Lord Laming made a number of recommendations that are directly aimed at the police.

Her death was largely responsible for the introduction of the Children Act 2004, a government database designed to hold information on all children in England (now defunct after closure by the government of 2010); and the creation of the Office of the Children's Commissioner.

QTS – What impact do you think the inquiry had on the police & their procedures recommended to protect children?

QTS – Following the recommendations from the Victoria Climbié inquiry, what improvements, if any, do you think have been put in place to protect children?

DISTRIBUTE HANDOUT

Trainer to show video 'Crimes That Shook Britain – Victoria Climbié.' This can be typed into the 'You Tube' search bar. Play up until 30mins 10 sec

Child Abuse

Peter Connelly



QTS – Do you think we have improved in protecting children?

Peter Connelly (also known as **Baby P**) was a 17-month-old boy who died in London on 3rd August 2007 after suffering more than fifty injuries over an eight-month period.

The list of his injuries are:

- Eight broken ribs and a broken back, with another area of bleeding around the spine at neck level.
- Numerous bruises, cuts and abrasions, including a deep tear to his left ear lobe, which had been pulled away from his head.
- Severe lacerations to the top of his head, including a large gouge which could have been caused by a dog bite.
- Blackened finger- and toenails, with several nails missing; the middle finger of his

right hand was without a nail and its tip was also missing, as if it had been sliced off.

- A tear to his fraenum, the strip of skin between the middle of the upper lip and the gum, which had partially healed.
- One of his front teeth had also been knocked out and was found in his colon. He had swallowed it.

The jury was not shown photographs of the child's actual injuries because it would be too upsetting but was shown computer generated images of his injuries.

The case caused shock and concern among the public partly because of the magnitude of Peter's injuries, and partly because Peter had lived in the [London Borough of Haringey](#), [North London](#), under the same [child welfare](#) authorities that had already failed seven years earlier in the case of [Victoria Climbié](#).¹

Another nationwide review was conducted by [Lord Laming](#) into his own recommendations concerning Victoria Climbié's killing in 2000

Task

What are the four categories of child abuse?

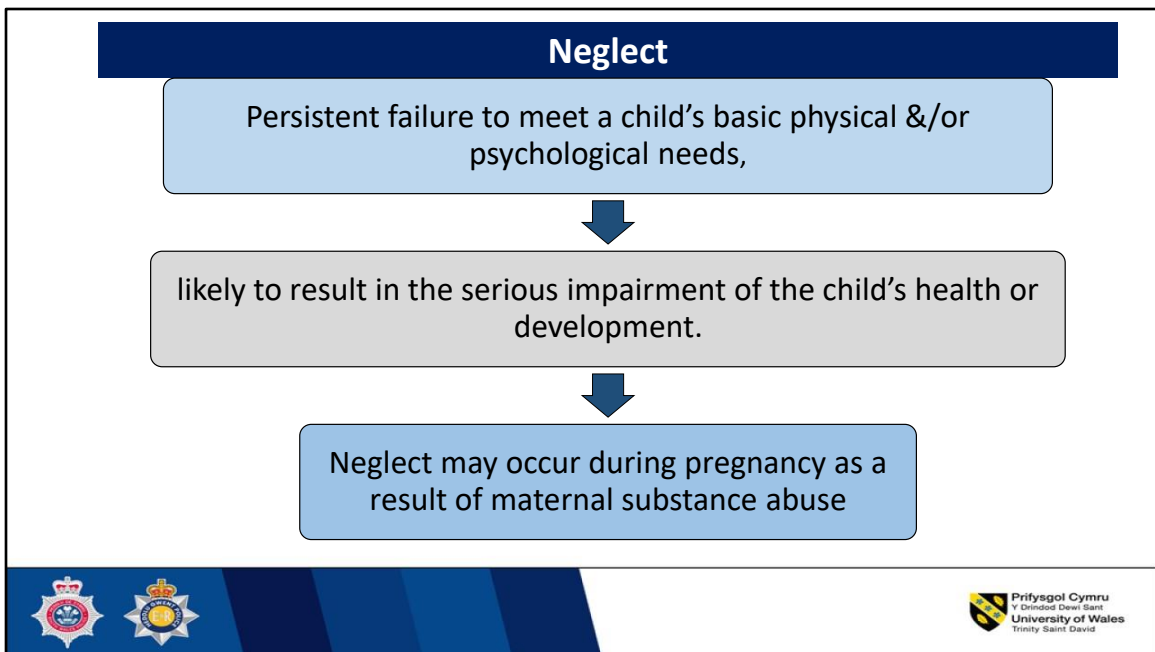
What behaviour do you think could constitute child abuse or cruelty within these categories?

Construct a list...



QTS – What do you think the 4 categories of child abuse are?

Whiteboard answers ... Recorded by trainer and placed into the four categories of abuse – summarised on following slides..



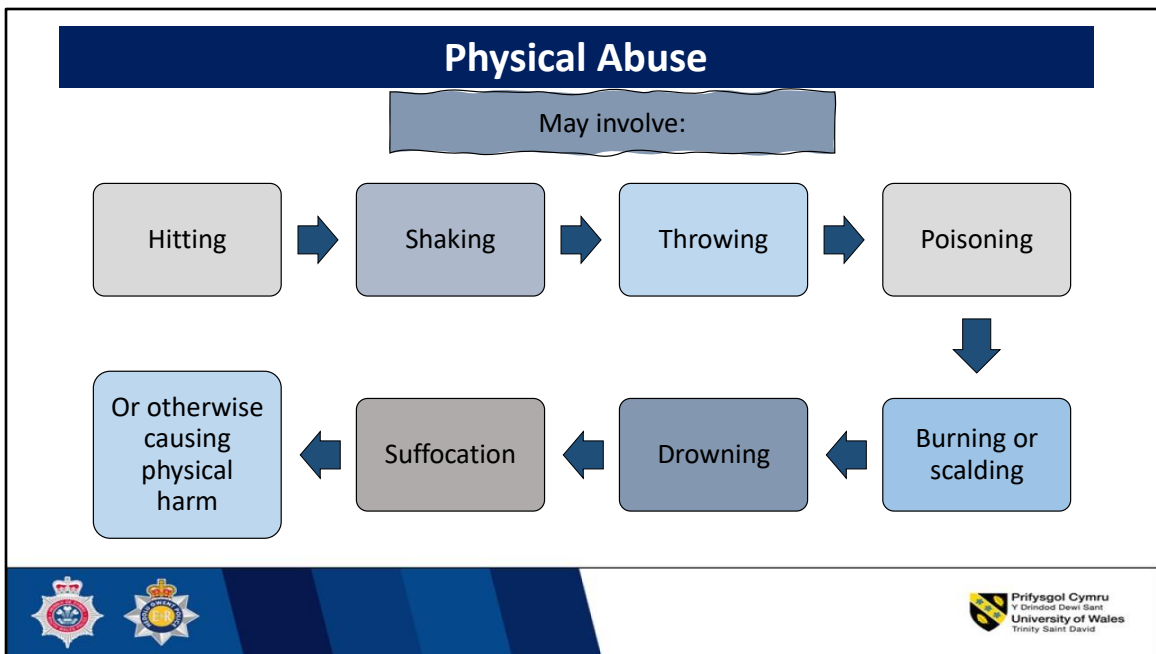
This definition comes from - Dept for Education and Skills document 'Working Together to Safeguard Children. A guide to inter agency working to safeguard and promote the welfare of children' (2006)

Once a child is born, neglect may involve a parent or carer failing to provide adequate food, clothing, medical aid, shelter - if having been unable to provide any of these, they have failed to take steps to procure them;

It may involve seeing or hearing the ill treatment of another, serious bullying, causing children to feel frightened or in danger, or the exploitation or corruption of children

For criminal neglect – must be evidence of 'wilful' (deliberate or reckless) as opposed to the issue of poor parenting or lack of knowledge.

In all cases of actual or suspected abuse the immediate concern must be for ensuring the immediate safety of the child(ren).

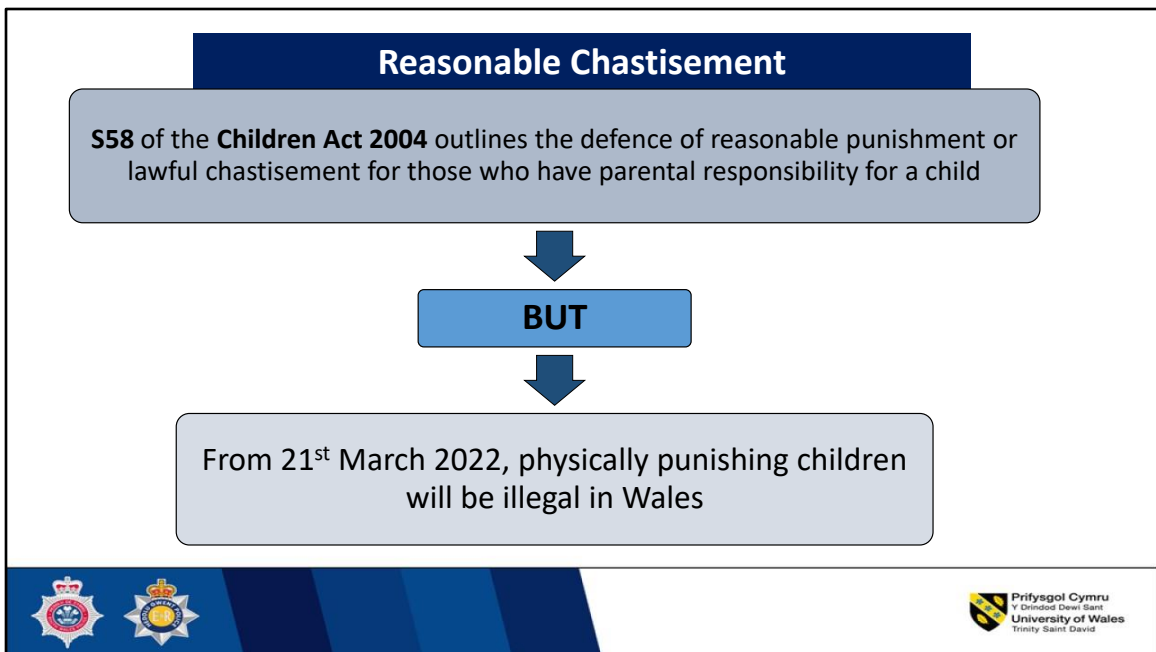


Above definition is from - Dept for Education and Skills document 'Working Together to Safeguard Children. A guide to inter agency working to safeguard and promote the welfare of children' (2006)

Physical harm may also be caused when a parent or carer fabricates or induces illness or deliberately causes ill health to a child in their care
E.g. alcohol in a bottle to get child to sleep.

Usually an urgent response is required to an allegation of physical abuse/non accidental injury (NAI)

Although it may be easier to detect than other forms of child abuse, it presents similar difficulties to the investigator. There may be some visible mark or scar which makes it obvious that a child has been injured. Unfortunately, what the mark does not generally prove is whether it was caused by an accident or an assault.



Smacking for example.....person with parental control can raise the defence for common assault on a child. Any higher level of injury and this defence will not be applicable.

From 21 March 2022, physically punishing children will be illegal in Wales.

This change is being brought about by the Children (Abolition of Defence of Reasonable Punishment) (Wales) Act 2020 (the Act).

The change in law does not create a new offence, rather it removes a 160-year old legal defence which sent the message that it was acceptable for children to be physically punished by their parents or those with parental authority.

Section 1 of the Act comes into force on 21 March 2022. It will abolish the common law defence of reasonable punishment, so it can no longer be used in Wales where a child has been physically punished. The Act defines corporal (i.e. physical) punishment as any battery of a child carried out as punishment. Prior to 21 March 2022, the defence of reasonable punishment could be used by parents or those

acting in loco parentis, in respect of both the criminal and civil law.

This means that no one can physically punish children in Wales, including in the home.

- Gives children the same legal protection from assault as adults.
- Removes a legal loophole, meaning that the defence of reasonable punishment can no longer be used in unregulated settings. These unregulated settings include some places of learning, worship, play or leisure, or other locations which aren't regulated in the same way as schools or childcare settings for example.
- Brings clarity, making it easier for children, parents, professionals and the public to understand the law.

This will improve the ability of professionals working with families to protect children by eliminating the current potential for confusion over what is an acceptable level of physical punishment. It will also enable professionals to provide clear, unambiguous advice to parents and carers that any level of physical punishment will be illegal in Wales.

- Helps protect children's rights and send a clear signal that physically punishing children is not tolerated in Wales.

The removal of the defence will mean that no one in Wales will be able to use the defence of reasonable punishment as a defence to common assault of a child. This will be the first time the core criminal law will differ between Wales and England.

And as with other laws, it will apply to visitors to Wales too.

Emotional Abuse

Persistent or severe emotional ill treatment or rejection of a child which causes an actual or adverse effect on the child's emotional & behavioural development



It may involve conveying to a child that they are worthless or unloved, inadequate or valued only in so far as they meet the needs of another person. It may involve causing children frequently to feel frightened or in danger, or the exploitation or corruption of children.

Consider domestic abuse – cause children to feel frightened or in danger

Age or developmentally inappropriate expectations imposed on a child

All abuse carries a level of emotional abuse.

Sexual Abuse

The involvement of children in sexual activity of any kind

It may involve physical contact such as penetrative or non penetrative acts or non contact activities such as showing them pornographic images etc



Covered in the sexual offences lesson

S5 Domestic Violence, Crime & Victims Act 2004

**Causing or allowing the death
or to suffer serious physical
harm of a child or vulnerable
adult**



Why do you think this was
introduced?



To prevent cases where both parents could blame each other and it was very difficult to prove offences

The 2012 Act is intended to fill a recognised gap in the law in cases where, although it is clear that serious injuries short of death suffered by a child or vulnerable adult must have been sustained at the hands of one of a limited number of members of the household, there is insufficient evidence to point to the particular person responsible.

Only applies to members of the victim's household, who had frequent contact with the victim, and could therefore reasonably be expected to have been aware of a risk of serious physical harm to the victim, and to have protected the victim from such harm.

Applies only to those who are 16 or over (unless they are the mother or father). Members of the household under 16 will not have a duty of care or be expected to take steps to prevent a victim coming to harm.

From 28th June 2022 maximum penalty of 14 years for Causing or allowing serious physical harm.

Child Cruelty

S1 Children & Young Persons Act 1933

It is an offence for a person 16 years or over who, having **responsibility** for a child under 16, **wilfully** assaults, ill treats, neglects, abandons, or exposes the child **in a manner that is likely to cause** unnecessary suffering or injury to health



QTS – What do you think is in the definition of child cruelty?

It is also committed if a person **causes or procures** the child to be assaulted, ill-treated, neglected, abandoned or exposed in a manner likely to cause him unnecessary suffering or injury to health (including injury to or loss of sight, or hearing, or limb, or organ of the body, and any mental derangement).

Causes – to make someone do something – implies influence over a person.

Procures – to bring about by persuasion

Responsibility - The following person will be presumed to have responsibility for a child or young person:-

any person who has parental responsibility or are legally liable to maintain them (these persons will continue to have responsibility even if they do not have care of them) **and** any person who has care of the child – such as babysitters

Q: “A child is left with a 14yr old babysitter, if something happens whilst parents are out who is responsible? Who commits the offence?”

The Parents - The babysitter is under 16yrs.

Wilfully – deliberate, knowingly

Assaults - From 15 Jan 2005 Sec 58 Children Act 2004 introduced a new provision under which 'the battery of a child cannot be justified on the ground that it is reasonable punishment'. The same Act removed the provision of section 1(7) which allowed parents and other carers to administer punishment.

Ill – treats - usually an ongoing situation as opposed to one off includes bullying, frightening eg locked in a dark room

Neglects – lack of food, lack of medical care, inappropriate clothing, not sent to school etc

Abandons – home alone

Exposes – no fire guard, allowing small child to wander streets, smoking

Children Act 1989

In what situations are you likely to encounter children who are in urgent need of protection?



QTS – In what situations do you think you are likely to encounter children who are in urgent need of protection?

Domestic abuse situations - In many cases the offender will be the person removed from the home - this would remove the risk to the child and therefore Police Protection would not be appropriate.

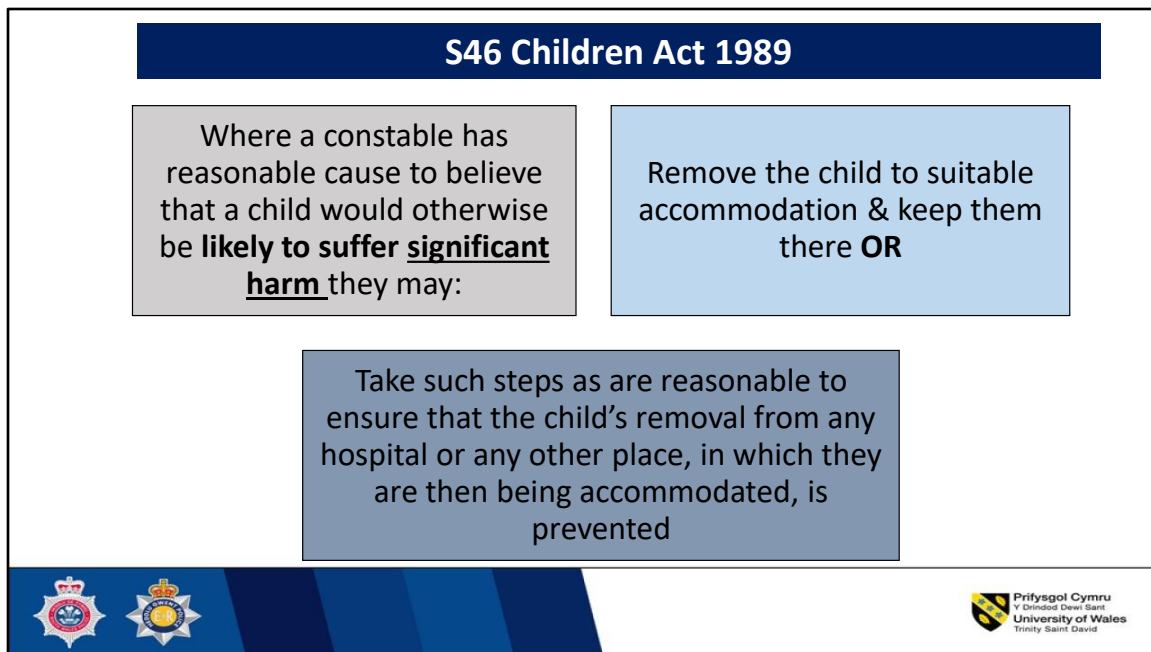
Missing from home

Children may also be at risk by being left alone at home

Routine patrol

Routine calls

In many incidents you will come across 'families with complex needs' – who experience both a 'breadth of interrelated or interconnected' needs and a 'depth of 'profound, severe, serious or intense needs' (Rankin and Regan 2004) and are therefore most reliant on services and support. This might include families affected by mental health needs, disability, caring responsibilities, criminal behaviour, domestic abuse, drug and alcohol misuse etc.



QTS – How can we protect children from harm?

Section 46 provides the power to take children into police protection

Child is a person under 18yrs ie 17 and under.

Suitable Accommodation usually means local authority accommodation, registered children's home or foster care but not a police station

Only use police station in exceptional circumstances (such as lack of immediately available local authority accommodation) and only for a short time

Relatives or carers and any residents at their address need to have ID verified. Checks should be made including PNC, sex offenders register, child protection register, ViSOR (violent and sex offenders register) Social Services should also make checks.

Police station should have suitable room – safe & comfortable where child could be taken – needs access to suitable play materials, food, drink, toilet, washroom, nappy changing – some forces have ‘on call’ registered child minders

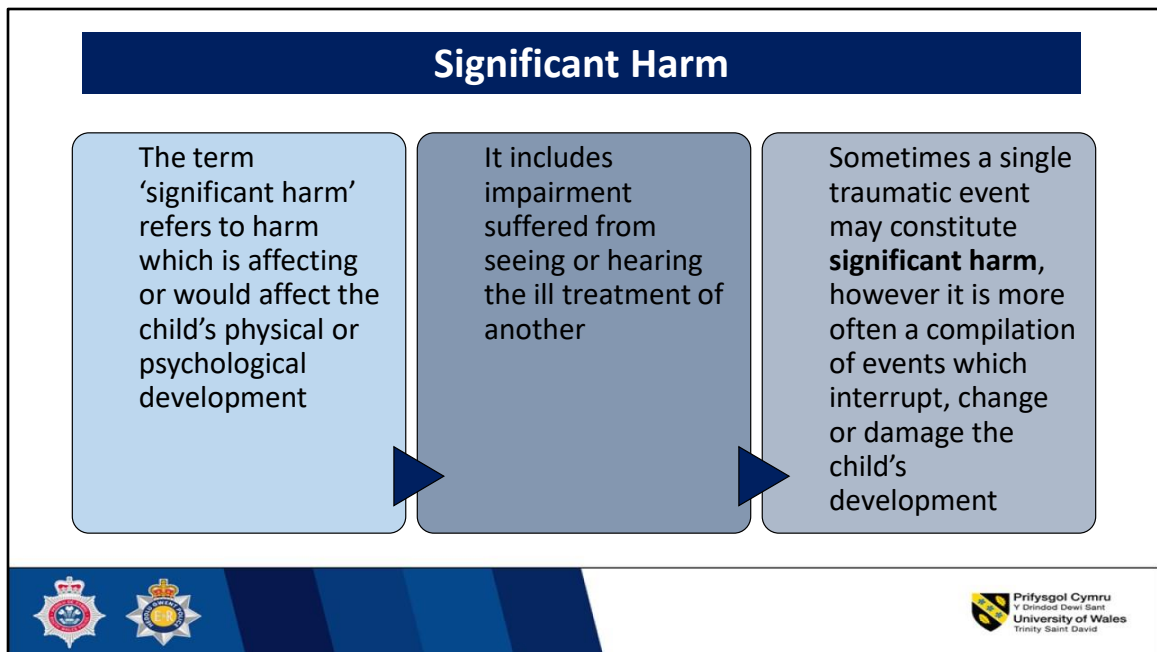
This is referred to as a Police Protection Order (or PPO) – an emergency power – only used in exceptional circumstances where there is insufficient time to liaise with social services and seek a EPO or for reasons relating to the immediate safety of the child. Before a police power of protection seek advice from child protection unit or if this not possible –inform them ASAP.

Complete form PPN

You may need to consider the possibility of bruising/injuries being hidden by clothing. **Consent must be given** by the parent/carer (and the child if old enough to understand) before clothing is removed.

You may need to consider a forensic medical examination and visually recording any physical evidence, bearing in mind the age of the child, the time of day and the loss of potential evidence if such an examination is delayed.

In serious cases consider police protection powers.



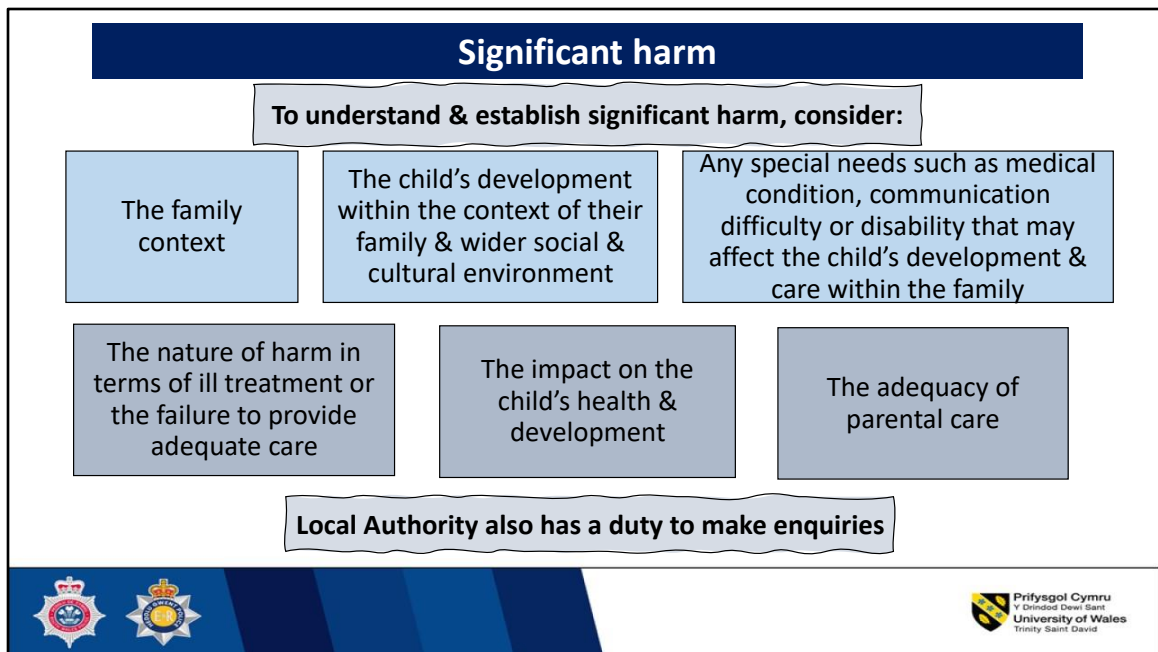
Concept of significant harm was introduced in order to assess need for compulsory intervention in family life in the best interests of the child.

Significant harm is a **subjective judgement** made by the officer at the time

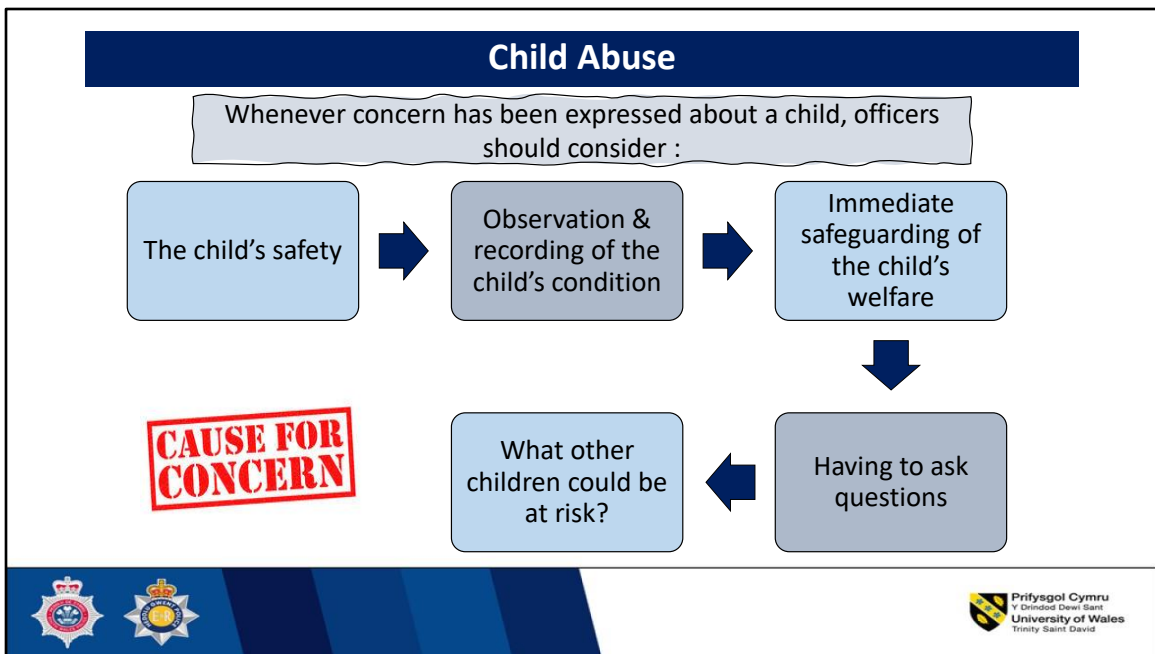
Adoption and Children Act 2002 amends sec 31 of children act 1989 to include following in definition of harm 'impairment suffered from seeing or hearing the ill treatment of another' - witness to domestic abuse.

Compilation may for example be:- a child turning up for school each day in unclean clothes would not be sufficient. however if this was coupled with the child not ever having dinner money or sandwiches then the concern would be greater and it may fall into this heading.

Some children live in family and social circumstances where their health and development are neglected – for them, it is the corrosiveness of long term emotional, physical or sexual abuse that causes impairment to health and development to the extent of constituting significant harm.



Danger of subjective or prejudiced judgements here? Discuss and ensure links back to Induction models to ensure we are objective and evidence based.....and positive.



Confirming the Child's Safety

Care should be taken, to ensure that speaking to the child is confined to establishing the child's safety, ask for the minimum amount of information and use open questions to enable the child to give a brief account of anything that has occurred, eg. identify any offences, suspect(s) and scene and any information to preserve evidence.

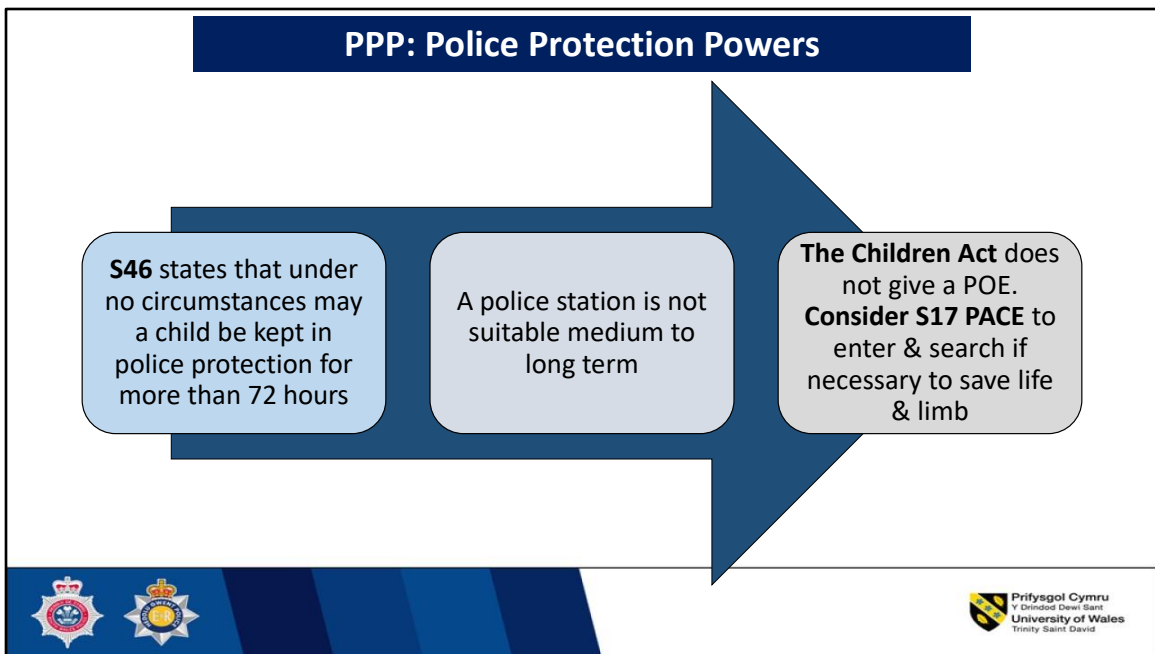
As soon as the welfare of the child has been established or the officer has determined that the child is at risk of harm or has been harmed, the conversation should be brought to a close so that it does not constitute an interview.

Observing and Recording the Child's Condition

Officers should use observation to determine the physical and emotional condition of

the child. The nature of the observation and child's condition should be recorded for the purposes of any future investigation, child protection proceedings or other notifications of concern for a child:

- the child's name, sex and date of birth;
- the name of the person(s) with parental responsibility and primary carer(s);
- who was present when the child was spoken to; the questions asked of the child; the child's responses;
- a description of the child's physical appearance including injuries, clothing and state of cleanliness;
- any action the officer took to observe the child's physical condition – parental consent must be given if removal of clothing is necessary.
- a description of the child's demeanour; a description of the child's surroundings, including the condition of the home.



QTS – Where do our Police Protection Powers come from??

QTS – When do you think we would need to use our Police Protection Powers?

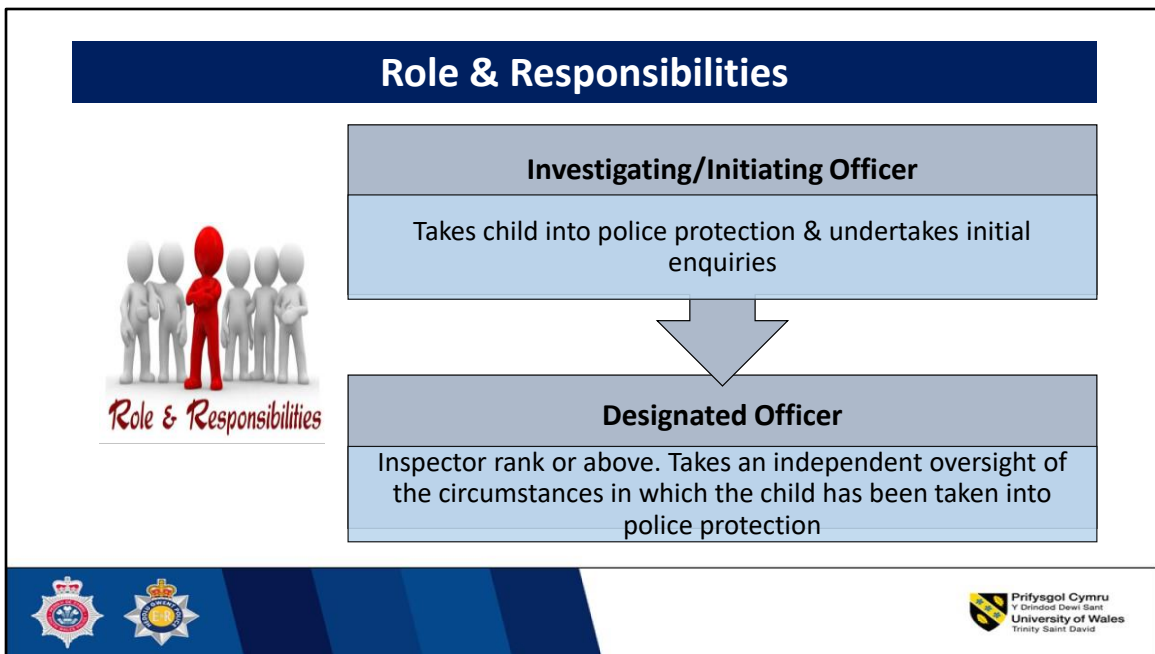
Section 46, Children Act 1989 states: “Where a constable has reasonable cause to believe a child would otherwise be likely to suffer significant harm he/she may remove the child to suitable accommodation and keep him/her there; or take such steps as are reasonable to ensure that the child’s removal from any hospital, or other place, in which he/she is then being accommodated is prevented. Where a constable exercises the above power, the child is deemed to be under police protection.” The power can be exercised by any police

officer. The power is not an order granted by a court so therefore should not be referred to as a Police Protection Order.

During the 72 hours all relevant statutory agencies – police, social services, health will jointly make a decision as to what further action if any should be taken. - ranges from allowing child to return home to social services dept applying to a court for a care order (Interim Care Order).

Section 17

Activity 2 follows this slide – see LP

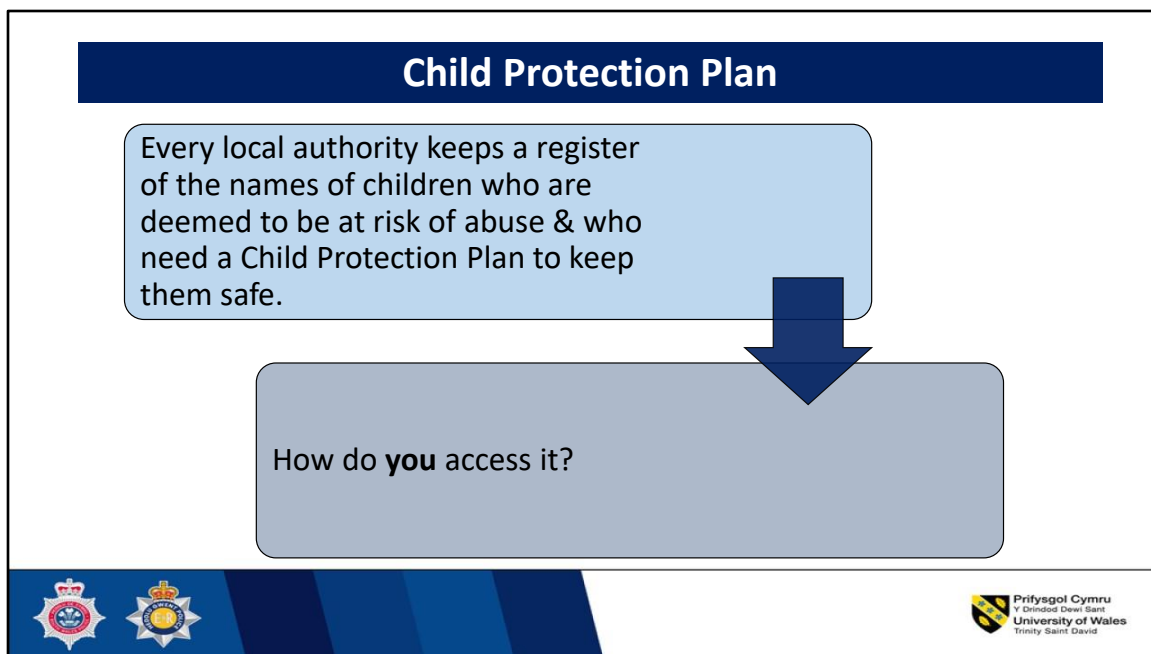


QTS – What is the role and responsibility of the attending response officer?

QTS – What rank must the designated officer be for authorising a PPO?

Handouts available re roles.....

The same officer must not carry out these two separate roles



QTS – So how do the police find out if a child is on the child protection register?

1. During daytime hours? (conduct inquiries through MASH)
2. Out of normal working office hours? (conduct EDT for your area)

Every local authority (social services dept) in England and Wales keeps a register, or list, of the names of children who need a **Child Protection Plan** to keep them safe.

The list is confidential and gives the details of children who are known or believed to have been abused or injured in some way, or who are thought to be at risk of injury, abuse or neglect. This list was referred to as the Child Protection Register – now this register is a list of children that have a protection plan in place.

Details of this list are held with Social Services who can be contacted directly via telephone or via our control room.

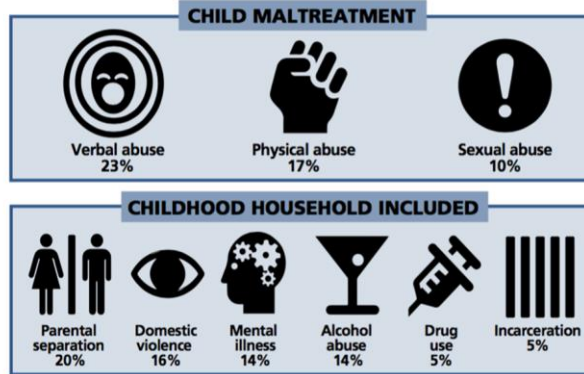
The registers are constantly changing – they should not be interpreted as a record of all child abuse.

A Check if there is an intelligence marker on Niche for these children as CPIU may

have been informed via social services.

Adverse Childhood Experiences (ACES)

How many adults in Wales have been exposed to each ACE?



QTS – What are ACES?

ACEs are stressful experiences occurring during childhood that directly harm a child or affect the environment in which they live (e.g growing up in a house with domestic violence) that they were subjected to while under the age of 18.

Adverse Childhood Experiences (ACEs) are “highly stressful, and potentially traumatic, events or situations that occur during childhood and/or adolescence. They can be a single event, or prolonged threats to, and breaches of, the young person’s safety, security, trust or bodily integrity.” (Young Minds, 2018).

Although you are more likely to experience ACEs if you live in a deprived area and less likely to have protective factors.

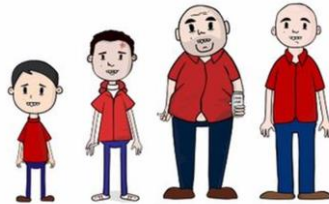
It is important to note that that regardless of the background (poor/rich, both/single parent, alcohol/drugs, DV) experiencing ACEs can have the same impact. If not addressed at the time.

Preventing ACEs can improve health across the whole life course, enhancing



individuals' wellbeing and productivity while reducing pressures and costs on partners in LA, health, education and demand for us. Those experiencing more ACEs are also more likely to be involved in violence and other anti-social behaviour and perform more poorly in schools.

Adverse Childhood Experiences (ACES)



<https://youtu.be/XHgLYI9KZ-A>



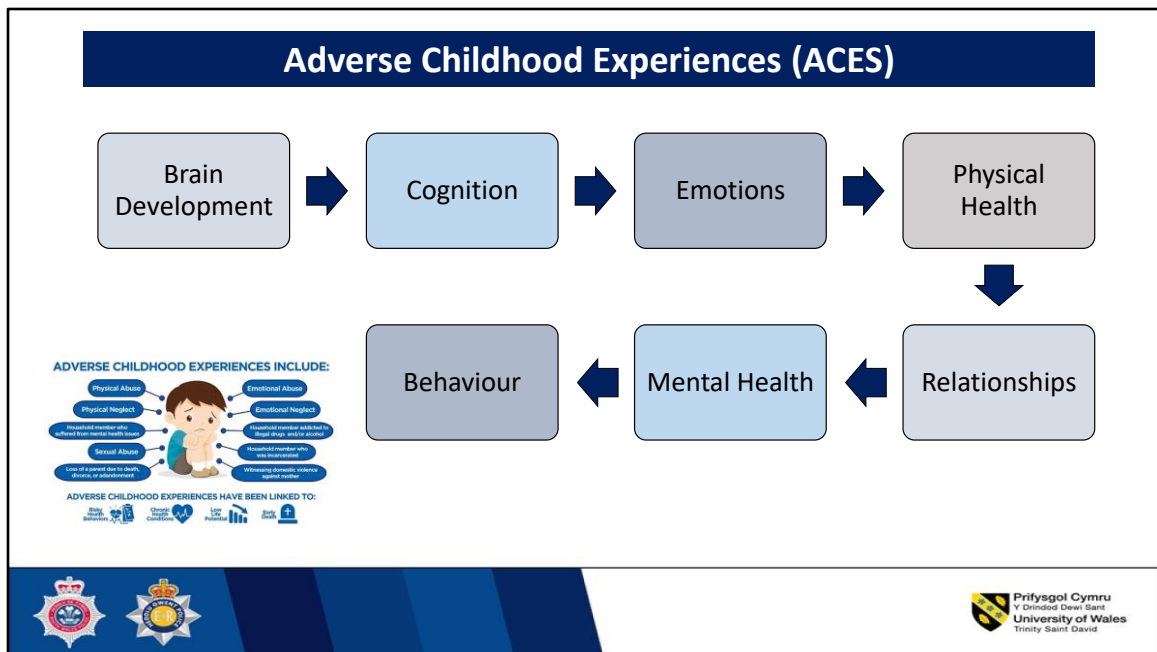
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Public Health Wales video

QTS - What are your thoughts after watching this video?

There are links between ACEs and poor outcomes in later life (crime, victimisation and poor health), with those who have experienced four or more ACEs 14 times more likely to have been a victim of violence, 15 times more likely to have committed violence against another person, and 20 times more likely to be incarcerated at any point in their lifetime.

As such, crime does not operate in isolation to vulnerability and that the police have an integral role in addressing childhood adversity at the earliest opportunity to mitigate the impact they have, and subsequently, the risk of negative outcomes in later life.



ACES can lead to :

Brain Development

- Smaller brain size / Less efficient processing / Impaired stress response / Changes in gene expression

Cognition

- Impaired learning / Difficulty problem solving / Language delays / Problems concentrating / Poor Academic achievement

Emotions

- Difficulty Controlling emotions / Trouble recognising emotions / Limited coping skills / Increased sensitivity to stress / Shame and guilt / Excess Worry / Feelings of Hopelessness

Physical Health

- Sleeping disorders / Eating disorders / Poor immune system / Heart disease / Shorter life span

Relationships

- Poor or broken relationships with family members / No role models / Friends who are

similar

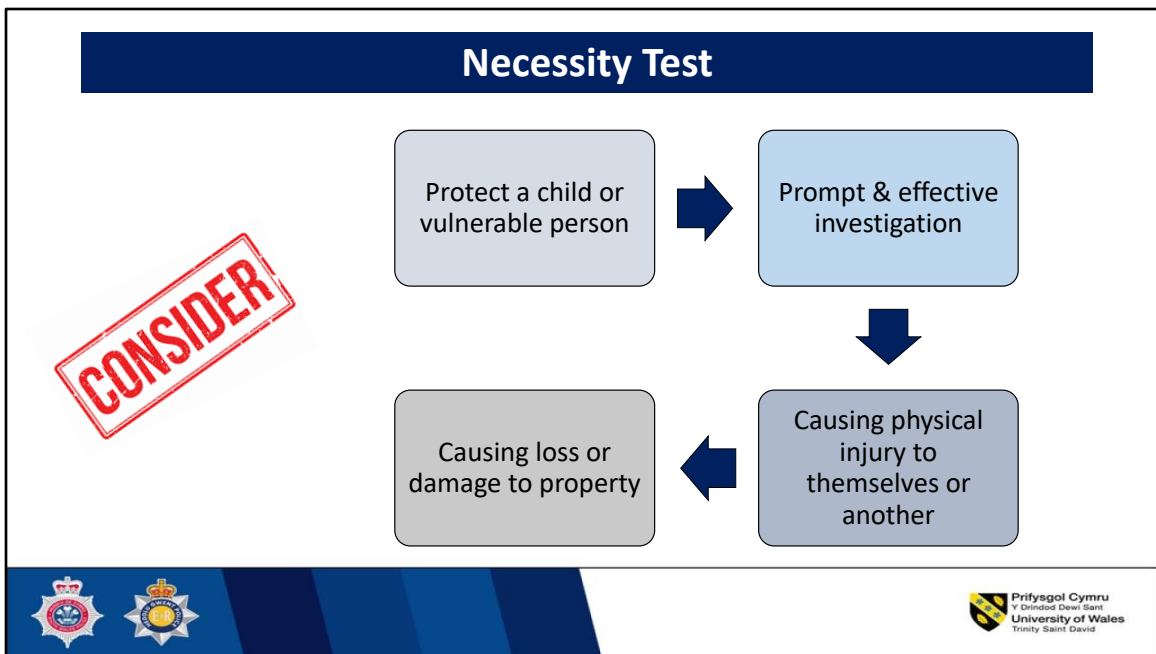
Mental Health

- Depression / Anxiety / Negative self Image / low self esteem / PTSD / Suicidality

Behaviour

- Poor self regulations / Socially withdrawn / Aggression / Poor impulse control / Risk taking or illegal activity / Harmful Sexual Behaviour / Adolescent Pregnancy / Drug and Alcohol use / Shorter Life span

Paperfeed exercise follows this slide – see LP



Options will often be prevalent (consider ACES)...What others could there be?

Paperfeed exercise follows this slide – see LP

Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6



Photo 7



Photo 8



Photo 9



Photo 10



Photo 11



Photo 12



Photo 13



Photo 14



Photo 15



Photo 16



Photo 17





