



Peer Abuse Policy

2018-2019

**Based on a
Birmingham Safeguarding
Children Board Policy**

This policy should be read with the following policies;

- **Child Protections and Safeguarding Policy**
- **Keeping Children Safe in Education DfE**
- **Working Together to Safeguard Children HM Gov**

Review date:

January 2020

Definition

There is no clear boundary between incidents that should be regarded as abusive and incidents that are more properly dealt with as bullying, sexual experimentation etc. This is a matter of professional judgement.

If one child or young person causes harm to another, this should not necessarily be dealt with as abuse: bullying, fighting and harassment between children are not generally seen as child protection issues. However, it may be appropriate to regard a young person's behaviour as abusive if:

- There is a large difference in power (for example age, size, ability, development) between the young people concerned; or
- The perpetrator has repeatedly tried to harm one or more other children; or
- There are concerns about the intention of the alleged perpetrator.

If the evidence suggests that there was an intention to cause severe harm to the victim, this should be regarded as abusive whether or not severe harm was actually caused.

The Sexually Harmful Behaviour Team in the Youth Offending Service can offer information and guidance to help practitioners distinguish between age appropriate and abusive sexual behaviour.

Contact details

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Risks

Children are vulnerable to abuse by their peers. Such abuse should be taken as seriously as abuse by adults and should be subject to the same child protection procedures.

Professionals should not dismiss abusive behaviour as normal between young people and should not develop high thresholds before taking action.

Professionals should be aware of the potential uses of information technology for bullying and abusive behaviour between young people.

Professionals should be aware of the added vulnerability of children and young people who have been the victims of violent crime (for example mugging), including the risk that they may respond to this by abusing younger or weaker children.

The alleged perpetrator is likely to have considerable unmet needs as well as posing a significant risk of harm to other children. Evidence suggests that such children may have suffered considerable disruption in their lives, may have witnessed or been subjected to **physical or Sexual Abuse**, may have problems in their educational development and may have committed

other offences. They may therefore be suffering, or at risk of Suffering, **Significant Harm** and in need of protection. Any long-term plan to reduce the risk posed by the alleged perpetrator must address their needs.

Protection and Action to be taken

It is not enough to respond to incidents as they arise: all agencies that work with children should strive to create an environment that actively discourages abuse and challenges the attitudes which underlie it. Agencies should have a policy on bullying, and on sexual and racial harassment. They should also consider the effect of adult behaviour on children who may view them as role models.

Any professional who feels that a young person has abused another child or young person should notify children's social care without delay. They will arrange a **Strategy Discussion** which will include the referring agency, the police and the **Youth Offending Service**. Where the alleged abuse is sexual in nature it may be helpful to consult the sexually harmful behaviour team at this stage.

In order to give priority to them, issues relating to the safety of victims and potential victims must be discussed first and completely separately from any issues relating to the needs of the alleged perpetrator. This will usually require separate meetings.

The strategy discussion will consider:

- Whether the alleged perpetrator seems to pose a continuing risk to any child;
- How to protect any child who appears to be at immediate risk of significant harm;
- Whether **Section 47 Enquiries** should be initiated (or continued if they have already begun) and how they should be handled; and
- What action should be taken in respect of the alleged perpetrator, for example arranging a risk management meeting.

It is important to co-ordinate action to address these issues: no agency should initiate action that has implications for another agency without appropriate consultation unless this is unavoidable in order to protect the safety of a child.

The victim

The strategy discussion will consider what action is necessary to ensure the immediate safety of the identified victim(s) and what further enquiries are necessary to assess any further risk. A child protection conference must be arranged unless the child does not appear to be at continuing risk of significant harm.

Where a young person has abused a sibling, planning must include consideration of the support needs of the parents. If victim and perpetrator are members of the same family/household, before making any arrangement to return the perpetrator to the family/household it is critical to ensure that the victim's views have been heard and that s/he feels safe.

A child protection conference may conclude that the victim is not in need of a child protection plan, but may be a child in need of support to address her/his needs arising from the abuse - for example referral to Amazon Young People's Counselling Service, Forward Thinking Families or another victim support agency.

The alleged perpetrator

It is not appropriate to initiate **Section 47 Enquiries** in respect of the alleged perpetrator unless there is information suggesting that they are at continuing risk of **Significant Harm**. However young people who abuse others frequently have considerable needs themselves, so an assessment of the alleged perpetrator's needs should be carried out.

Any decision on action in respect of the alleged perpetrator must be based on the risk they pose to other children and what can be done to minimise this risk. If the alleged perpetrator is over the age of 10, consideration should also be given to whether action under the criminal justice system would be appropriate.

If there is evidence that the alleged perpetrator has also been the victim of abuse, the police will consider whether to initiate a separate criminal investigation relating to this.

The alleged perpetrator is likely to pose a continuing risk to others unless the opportunity for further abuse is ended and the young person and their family have agreed to work with relevant agencies to address the problem. It has also been proposed that the risk remains high unless the young person accepts responsibility for the abusive behaviour, but more recent research has suggested that in the case of sexually harmful behaviour, denial may be rooted in shame and a well-founded fear of consequences of admission. Consequently, while denial will have consequences for the treatment approach, it does not necessarily indicate that sexually harmful behaviour is likely to be repeated.

Assessment of an alleged perpetrator's needs will include consideration of:

- The nature, extent and context of the abusive behaviours;
- The young person's development and family and social circumstances;
- Whether the young person appears to pose a continuing risk and, if so - Who is likely to be at risk from him/her (for example self, other children, **Adults at Risk**, particular children, particular adults), and

The nature and degree of the risk;

- The young person's need for services, both those which relate to his/her harmful behaviour and other significant needs;
- Whether the young person is also at risk of significant harm and should be the subject of a child protection conference; and
- Whether action is to be taken within the criminal justice system.

If the abusive behaviour is sexual in nature, it may be helpful during this assessment to consult the sexually harmful behaviour team.

If there is a criminal case pending, the young person may have been instructed not to co-operate with an assessment and this must be taken into consideration when discussing the offence with them.

If the **Assessments** concludes that the young person poses a continuing risk to others, children's social care will arrange a risk management meeting. This meeting should be attended by:

- Persons who have responsibility for the welfare of any child who has been identified as currently being at risk from the perpetrator;
- Persons who have responsibility for the welfare of the perpetrator;

- Persons who have access to resources which are likely to be required to safeguard any child; and
- If the young person appears to pose a risk to **Adults at Risk**, adult social care and carers of any adult who has been identified as currently being at risk from him/her.
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It may be appropriate to invite the sexually harmful behaviour team to attend the meeting or to submit written or verbal advice on the issues to be discussed.

It is important to keep the risk management meeting separate from any child protection conference. The purpose of the risk management meeting is to reduce the risk which the perpetrator poses to children and **Adults at Risk** both at present and in the longer term. This will include:

- Ensuring the safety of children who are likely to come into contact with the perpetrator in the immediate future;
- Action to address the perpetrator's behaviour and attitudes; and
- Monitoring progress.

The meeting will make recommendations and, where possible, will make commitments about action to be taken and resources to be provided for the safety of the children involved. Any recommendations should be based on the following assumptions:

- A victim of abuse must not be left in contact with her/his abuser without adequate protection; and
- Moving the perpetrator away from the victim to another place where there are children may not reduce the overall risk to potential victims, and may actually increase it.

The long-term control of risk may depend on an addressing any unmet needs of the perpetrator. This will be co-ordinated by children's social care.

Other children

The strategy discussion will consider:

- Whether the alleged perpetrator appears to pose a risk to any other children and young people or to **Adult at Risk**;
- Whether any further assessment of this risk is needed;
- What immediate action, if any, should be taken to minimise this risk; and
- Whether to initiate section 47 enquiries in respect of any of these children and young people.

Issues

Particular difficulties arise in responding to a child or young person who abuses another child because:

- There is no clear dividing line between abusive behaviour and normal childhood behaviour;
- Many adults who abuse children repeatedly established this pattern of behaviour in childhood or adolescence, but a single incident of abuse does not indicate that a young person is likely to abuse again; and
- Some young people who abuse have themselves been abused, but this cannot be assumed in any particular case.

The guiding principles for dealing with these situations are:

- The needs of the victim and the needs of the alleged perpetrator must be considered separately;
- In addition to safeguarding the identified victim, agencies must consider whether the alleged perpetrator seems to pose a risk to any other children;
- Children and young people who abuse others are responsible for their abusive behaviour, and safeguarding action must include addressing their behaviour and its causes;
- The alleged perpetrator is likely to have considerable unmet needs as well as posing a significant risk of harm to other children;
- There should be a co-ordinated approach by child welfare, youth offending, education and health agencies. No agency should start a course of action that has implications for any other agency without appropriate consultation.