

Hidden Crimes Secret Pain – Input regarding Sharing to Safeguard, Young Witnesses and other comments from the Office of Social Services, DHSSPS

1. Children are best protected from harm by high standards of professional practice by all agencies. A litany of findings from Child Abuse Inquiries all indicate that responsible communication, thorough and consistent assessment and collaboration are the foundations of safeguarding children. Following the Inspection of Child protection and the issuing of the Overview Report in January 2007 a multi-agency Reform Implementation Team has been established to bring the findings and recommendations into operation. There are various strands to this programme of improvement in safeguarding children. One of them is “Information Sharing” and the introduction of a common assessment framework “Understanding the Needs of Children in Northern Ireland”, i.e. UNOCINI. This assessment tool will be assessable to various disciplines and it is also intended that the sharing of information between agencies about families and children will be governed by an “Information Sharing Guidance Instruction”.
2. The DHSSPS Circular HSS (CC) 3/96 provides guidance on the sharing of information, relating to Schedule 1 offenders between relevant agencies. North and West Belfast Trust’s application of the guidance contained in the circular was the subject of challenge at judicial review. Judge Girvan ruled that the circular goes beyond “mere guidelines” as it claims to confer powers or duties on the Trusts beyond their existing statutory powers and duties and is therefore ultra vires.
3. The Circular HSS (CC) 3/96 regarding notification of “persons held, charged or convicted of Offences against Children” essentially acts as a “trigger” to alert those responsible for safeguarding children that an offender against children has moved into or out of prison or between living arrangements (e.g. cohabitation where there are children). Therefore, a risk assessment may be appropriate to determine if an individual child or children is at risk and if so to prompt the action that needs to be taken to safeguard against the risk.
4. This Circular has been revised and is awaiting operation in pilot form and will be known as “Sharing to Safeguard”. While the purpose of MASRAM is to protect members of the public by managing the risk posed by offenders, HSS (CC) 3/96 is about minimising the risks to ensure that children are adequately protected from certain individuals. However, in essence, the two systems involve a similar process:
 - Notification and identification of the individual/offender;
 - Multi agency assessment of risk; and
 - Agreed action to minimise the risk.

In other words, the circular aims to encompass those adjudicated offenders, most of whom do not come within the remit of MASRAM, but may still pose a potential risk to a particular child or children and those who have not been adjudicated upon in the legal sense, but who are deemed to pose a potential risk to a child or children.

5. Both the DHSSPS Circular and the new guidance for MASRAM, due by April 2008, will therefore include unadjudicated offenders. In the case of MASRAM, which will concentrate on the “critical few” serious or dangerous offenders, it is likely that the number of such unadjudicated offenders will be small. The communication between the two systems will be facilitated by the establishment of a MASRAM co-located team that includes two social workers, alongside police and probation staff.

Child Protection Policies in Prison

6. Another example of stronger links between agencies in relation to risk to children is the drafting of Child Protection procedures for Prisons. Both for young people under 18 who are in custody and for children of prisoners who are visiting. HMP Magilligan is a good example where all agencies are working together by adopting protocols and procedures to ensure children are safeguarded within any type of contact or visiting arrangement.

Concept

7. Integrated with the opening phrase “Government is committed to tackling sexual violence” I wonder if it could include “and meeting the needs of those adversely affected by it”? Following on from the last paragraph, there are a large number of children and adults, some who are direct but some who are indirect victims and who are caught up in the shame, stigma and socio-economic fall-out of sexual offending, such as by a partner and/or parent. It has implications not only for their protection, if the abuse has been intra-familial, but to avoid the build-up of risk factors that may pre-dispose the family members to display emotional or anti-social behaviour and the consequent demands on services.

Part 1 – Introduction

8. Prevention involves an educative approach that draws upon the moral imperatives evidenced by concerned and responsible citizenship and adherence to the law of the land. It requires:
 - **Awareness** – that it is **wrong** abuse another and it is **right** to say “no” to unwanted and unsolicited sexual attention, approach or activity;
 - **Confidence** – to report abuse to self or others;
 - **Ready Access** – to advice, including a “helpline” and safe sanctuary, ultimately at a SARC;

- **Support** – to carry through with a complaint; and
- **Avoidance of delay** – whether through investigation, prosecution, adjudication and the availability of therapy.

9. **Paragraph 1.9** – Additional priority?

- Safer re-integration of abusers
- Ensuring that the effects of the abuser’s offending on their own family is minimised.

10. **Paragraph 1.13** – Developing *effective information sharing* and greater co-ordination of service provision....

11. **Paragraph 1.21** – Informed Consent – It would be important to take into account the current debate on whether children under age 14, who are sexually active, might not need to be referred or their parents informed. What might be claimed as consensual by the child aged 13 may be viewed differently by them in retrospect at the age of 23 or 33.

12. **Part 2** – Prevention – suggest the publication by DHSSPS along the same lines as “Safer Parenting” aimed at the public and professionals.

13. **Paragraph 2.4** – As well as examining “unhelpful” social attitudes, it would be good to identify the positive influences in society – good parental modelling, healthy peer influences and religious/ moral teaching and boundaries.

14. **Paragraph 2.59** – Victims need to know that perpetrators can be caught and faced with the consequence of their actions according to the seriousness of the offending. Prosecution, diversionary conferencing, offending programmes, registration and monitoring and imprisonment including “natural” life sentencing can all ensue.

15. **Paragraph 2.64** – As a member of the Risky Children Group I know that you have already received a submission, with which I concur. The research findings coincide with the outcome of the Inspection of Child Protection i.e. it is imperative that the approach by different disciplines is consistent as regards assessment of risk, information sharing and co-operating to safeguard children. For example a child who is looked after in a children’s home and sexually abuses another child in that home, must be subject to the same approach under the Joint Protocol and referred to the police and social services for investigation. It should not be minimised as youthful “experimentation”.

16. **Special Measures Paragraph 3.54** – CJINI have already completed a Thematic Inspection of Services to Victims and Witnesses and I would support the extension of this work particularly with my findings in the NSPCC Evaluation (see extract attached).

17. **SARCs** – Paragraph 4.19 – I fully support the setting up of a SARC, as long as it is in neutral, non-stigmatising and Child Friendly location.

**Social Services Officer
(Criminal Justice Services)
DHSSPS**