



Consultation Response

“Hidden Crimes Secret Pain”

Proposed Regional Strategy for Addressing Sexual Violence in Northern Ireland

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Introduction

Love for Life is a project that supports young people and their carers in the area of relationships and sexuality education, through programme delivery, training, research and community partnership. Working in over 50% of Secondary schools across Northern Ireland, *Love for Life* delivers age appropriate presentations as part of the school's RSE delivery, working within the ethos and moral framework of the school.

All *Love for Life* work is underpinned with an acceptance of each individual as being incredibly unique and special from his or her beginning at conception, irrespective of what choices they make in any area of their lives.

Love for Life contributes directly to meeting the objectives and targets of many Government strategies, dealing specifically with issues around Relationships and Sexuality Education (RSE) and risk taking behaviours, including underage sex, underage drinking and drug use. Relevant strategies include the Teenage Pregnancy and Parenthood Strategy and Action Plan, the new Strategic Direction for Alcohol and Drugs, local sexual health strategies and Relationships and Sexuality Education (RSE) Guidelines for schools.

With regard to the outworking of policies and practice in all areas of work with children and young people, *Love for Life* believes that the best interests of the child is paramount as stated in Article 3 of the UNCRC: 'All organisations should work towards what is best for the child. The Government will ensure protection and care needed for well being'.

Therefore, in responding to the consultation on the proposed Regional Strategy for Addressing Sexual Violence in Northern Ireland, our comments and the answers to relevant questions will focus specifically on 'PART 2: PREVENTION' and on issues affecting the lives of children and young people, recognising that young people are particularly vulnerable and more must be done to strengthen a prevention centred approach, with effective multi-agency child protection measures being fully implemented.

Q.1 Is this definition of sexual violence acceptable?

Love for Life supports the proposed definition, but believes there needs to be a greater clarification around what constitutes 'consent' and the question of "at what age a child lacks the capacity to give consent".

As stated in 1.19, consent cannot be given in certain circumstances due to 'vulnerability of age'. At what age is a child considered 'vulnerable' and unable to give consent?

Love for Life would argue strongly for a statutory definition of capacity, which recognises the evolving capacity of a child and role of society to 'protect immature children from decisions that they lack the competence and experience to make for themselves'.¹ Article 5 of the Convention on the Rights of the Child states that direction and guidance given by parents and other persons legally responsible for the child must be provided in 'a manner consistent with the evolving capacities of the child'.

If we are to be effective in preventing sexual violence occurring in the first place and it is recognised that children and young people are particularly vulnerable, there needs to be a recognition of the particular vulnerability of a child due to their age and their lack of capacity to give consent.

We support the Government Proposal no. 5, in preventing sexual violence with regards to 'developing definitions about what constitutes inappropriate sexual behaviour, including what is meant by consent in relation to sexual activity.'

Q.2 What will be the most effective ways to increase understanding of the realities of sexual violence among the general public, including children?

In order to develop a 'holistic healthcare' approach to addressing sexual violence, consistent messages need to be developed and carried across all disciplines with regards to what constitutes appropriate and inappropriate sexual behaviour. We recognise, as stated in 1.12, the challenge of communicating the importance of healthy relationships and respect.

Within the revised curriculum, centred around personal development, there will be the opportunity for children from an early age to explore themselves, own and others feelings and emotions, how to keep healthy and safe and the initiating and developing of mutually satisfying

¹ Lansdown, G. 'The Evolving Capacities of the Child – Innocenti Insight'. UNICEF/Save the Children

relationships, emphasising qualities such as respect, responsibility, honesty and fairness.

It is important that an educational approach, set within a clear framework of values and centred on personal development, is used to increase understanding, not only among the general public, but also among children and young people with regards to what constitutes appropriate and inappropriate sexual behaviour.

Q.3 Which key target groups could contribute to supporting the process of increasing public understanding of the realities of sexual violence?

As stated in Q.2, schools have a key role to play within Personal Development and in line with their own RSE and Child Protection Guidelines, to increase awareness around sexual violence and to develop skills for coping with conflict and threats to personal safety.

Q.6 Should Government give a clear message ahead of public opinion, to stem the tide of normalising sexual violence in society?

Yes. With regards to policies affecting children and young people, the Government should take the lead in sending out clear messages around what constitutes appropriate and inappropriate sexual behaviour and ensuring that the highest level of protection is in place to protect children and young people from adults, from each other and sometimes even from themselves.

Q.7 What steps could the media take to support the process of increasing public understanding and awareness of the realities of sexual violence?

There needs to a greater discussion around how the media influences our views on relationships and sex and serious questions need to be asked of the media with regard to the increasing sexualisation of children and young people e.g. fashion, teen magazines, soaps. How much of what we view in the media promotes responsibility and respect in relationships? A recent sexual health survey carried out by Radio1 highlighted the fact that almost 90% of 15 – 19 year olds said they felt pressured to have sex. How much does the media contribute to this pressure? Are young people at 'risk of being manipulated and victimised' as a result of media messages and influences?

Q.8 What key message should be promoted in relation to how healthy relationships and respect can help to prevent sexual violence?

The key messages to be promoted should be in line with those taught within RSE in schools. The RSE Guidance for primary and post primary schools sets RSE 'within a clear framework of values and awareness of the law on sexual behaviour'.²

It is essential that young people are provided with the knowledge and skills to promote responsible decision making, helping them to consider the importance of self-restraint, dignity, respect for themselves and others, acceptance of responsibility, sensitivity towards the needs and views of others, loyalty and fidelity.³

The RSE Guidance identifies the need for programmes in post primary schools to address the issue of sexual abuse and the support available to young people and giving the young people a knowledge and understanding of appropriate and inappropriate relationships.

Within the Revised Curriculum and the Personal Development strand of Learning for Life and Work, young people should have the opportunity, among other things, to explore the conditions for healthy relationships, the qualities of loving, respectful relationships, developing coping strategies to deal with challenging relationship scenarios (this will include domestic violence and child abuse) and developing strategies to avoid and resolve conflict.

The curricular delivery of Relationships and Sexuality Education (RSE) should take the lead in promoting key messages in relation to healthy relationships and respect and these messages should be communicated across all disciplines.

Q.9 In addition to the education and training sector, what other sectoral groups and influences have a role in delivering relevant messages.

Love for Life would identify the health sector as having a key role in delivering relevant messages, particularly around what constitutes appropriate and inappropriate behaviour. However, we would express concern that the key messages that would come from Education with regard to healthy relationships and respect are not sufficiently communicated within Health, where the emphasis lies in harm reduction rather than prevention and personal development.

² DfEE Circular NO5/1994 Education Act 1993: Sex Education in Schools

³ DfEE Circular NO5/1994 Education Act 1993: Sex Education in Schools

Other sectoral groups and influences, which have a role to play in delivering relevant messages, include Community groups, the Media, and Churches.

Q.10 What more could Government do to promote the importance of healthy relationships in society?

The Government must clearly articulate within health promotion the importance and the need for healthy and stable relationships in society, communicating the same values as would be promoted within Education, including commitment, honesty, truth, self-discipline and loyalty, to name but a few. Currently health promotion does not offer a clear message on what is appropriate and inappropriate behaviour and, therefore, is not holistic in its approach.

Q.12 In what ways can consistent messages and guidance be developed about specific risk factors and how best could the task of co-ordinating the multi-sectoral aspects of addressing known risk factors be taken forward?

With evidence showing that young people are at greater risk of sexual violence, there needs to be an increased effort to ensure an effective multi-agency approach to child protection is fully implemented.

There is little evidence to date of a collaborative approach around underage sexual activity, where child protection is given primacy.

Existing ACPC Regional Policy and Procedures clearly state that "in all cases where the sexually active young person is under the age of 14, there must be a discussion with Social Services who will make the necessary enquiries and will consult with partner agencies, including the Police, as appropriate"⁴

However, we continue to raise concerns within the Department of Health around the current health provision of contraception advice and treatment in isolation to under14s, despite the clear guidance as stated above.

Therefore, in order to address known risk factors we would strongly urge Government to ensure that multi-disciplinary child protection guidelines are implemented by **all** those working with children in order to ensure that a full risk assessment is carried out and children are offered the same level of protection across all disciplines. Questions also need to be asked of those working in isolation with children around their capacity and skills to make judgements about a child's individual capacity.

⁴ Area Child Protection Committees' Regional Child Protection Policy and Procedures – Section 9.47

Love for Life would express grave concern that an approach towards sexual health consultations with those under 14, other than that indicated in the ACPC Regional Policy and Procedures, will only add to concealment of sexual abuse.

There must also be recognised link between risk factors e.g. vulnerability of age and alcohol misuse.

Q. 13 What practical measures could be developed to promote personal safety, generally, and to protect those most at risk, in particular?

As stated in Q.12, we would call for the implementation of multi-agency child protection guidelines to protect those most at risk because of their age.

Q. 14 (a) How can we stop sexual violence happening to children (b) what actions can be taken to better protect young people from sexual assault and (c) what role can the media play in bringing this about?

SEE Q. 12

In view of 2.56 and the recognised need to share information between statutory agencies with a core child protection responsibility, the reality is to date there is little evidence of referrals from health to social services of sexually active young people under 14, in line with ACPC Regional Child Protection Policy and Procedures.

After much discussion within the DHSSPSNI, there appears to be a move towards developing a more comprehensive and consistent approach to the application of Child Protection Policy and Procedures with regards to under 14s.

However, there needs to be a clearer evidence base that a multi-agency approach to protecting children and young people is being effectively implemented.

Q. 15 What type of protection under the law should children and young people have?

Love for Life welcomes the Government's commitment to strengthen the law in Northern Ireland around sexual offences.

As proposed in the draft document 'Reforming the Law on Sexual Offences in Northern Ireland', we support the introduction of a concept of rape and sexual assault of children below a certain age without the need

to prove a lack of consent. However, while the age introduced for England and Wales is under 13, we would propose that this apply for under 14 in Northern Ireland in order to comply with existing child protection policies and procedures.

Q. 17 What additional actions are required to protect sexually active young people from abuse and exploitation?

We would advocate the full implementation of child protection policy and procedures **in all cases** where the sexually active young person is under the age of 14. Whether in a school setting or in a health setting, a full risk assessment must be carried out in all cases as opposed to on a case-by-case basis, in order to ensure that in all cases the vulnerable young person is protected from abuse and exploitation. A 'case-by-case' based approach presumes capacity in the professional and operates contrary to the best practice multi-agency child protection approach.

Q.18 How can awareness be raised among children and young people about sexual exploitation?

Love for Life would advocate the delivery of RSE within all schools in Northern Ireland, providing the opportunity for young people to explore relationships within a clear values framework and gain a knowledge and understanding of what constitutes appropriate and inappropriate behaviour within relationships.