UK

Qualitative questionnaire on national systems of statistics and registration on *child abuse*

*Introduction*

With the term “child abuse” we refer to the following definition given in 1999 by the WHO Consultation on Child Abuse Prevention: “Child abuse or maltreatment constitutes all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child’s health, survival, development or dignity in the context of a relationship of responsibility, trust or power.”

Using the traditional typology all ChildONEurope Members and Observers are asked to provide information on the existing systems of both data collection and registration of cases related to child abuse, in particular:

- sexual abuse
- sexual commercial exploitation (child pornography, child pornography on web, prostitution)
- emotional abuse
- physical abuse
- neglect
- physical ill-treatment
- psychological ill-treatment
- witnessing violence
- trafficking for sexual exploitation

For the aims of this survey, “national system of data collection” means an official public structure or a mechanism for describing periodically the
statistical profile of the phenomenon of violence against children. Usually, the data is gathered in an aggregated form and the statistics could be the result of specific survey instead of a systematic collection of data on each, individual case.

On the contrary, a “national system of registration” might assume a system of recording for each case of child abuse referred to a specific body or service or institution at a local level, and, later, this body submits aggregated data to a central unit/agency using a specific form or questionnaire (e.g. the Child Protection Register in England).

For identifying preliminarily the institutional framework, we adopt some questions from the UN Questionnaire on violence against children¹.

A. INSTITUTIONAL FRAMEWORK

1. Are there any Governmental authorities, structures and mechanisms, including at federal, state/provincial, municipal and local level which are currently responsible for addressing violence against children?  X YES  □ NO

If YES, identify these authorities and describe how coordination between them is ensured.

¹ http://www.ohchr.org/english/bodies/crc/docs/study-quest-E.doc

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ChildONEurope Secretariat
The Children Act 1989

In October 1991, The Children Act 1989 became law. It was designed to promote the interests of all children; representing the most fundamental reform of legislation affecting children. The Act draws together the private and public laws relating to children to produce a more practical and consistent code. It brings together the laws relating to individuals and the law relating to public authorities, and strikes a balance family autonomy and the rights of children.

Section 47

Local authorities have a statutory duty, under Section 47 of the Children Act 1989, to make enquiries where they have reasonable cause for concern that a child may need protection. All referrals and allegations, whatever their origin, must be taken seriously. The main objectives of such enquiries are to establish the facts about the circumstances giving rise to the concern; decide if there are grounds for concern; identify sources and level of risk and decide protective or other action in relation to the child and any others.


In December 1999, the Government issued revised guidance on how all agencies with child protection responsibilities - social services, NSPCC, police, health, education, probation and the voluntary sector – should work together to safeguard children and promote their welfare. Working Together to Safeguard Children, emphasises the importance of agencies working together to help families and children before abuse and neglect has taken place.

In parallel with Working Together, the new Framework for Assessing Children in Need and their Families was produced in April 2000. This assessment guidance focuses on assessing the development needs of children and the capacity of their parents and families to respond to these needs in the short and longer term. It is underpinned by a knowledge of the impact that adult problems such as alcohol and drug misuse, domestic violence, mental health and sex offending can have on children’s development.

The ‘What To Do If You’re Worried A Child Is Being Abused’ booklet

In May last year, the Government launched a clear and concise set of recommendations for practitioners who have concerns about the welfare of children. The booklet ‘What To Do If You’re Worried A Child Is Being Abused’ was published jointly by the Department of Health, Home Office, the Department for Education and Skills, the Department for Culture, Media and Sport, the Office of the Deputy Prime Minister and
the Lord Chancellor’s Department and is aimed at all practitioners who come into contact with children, parents and/or families in the course of their work.

2. Is there a lead Government authority tasked with responsibility for addressing violence against children?  
x YES    NO  
If YES, describe briefly its organization and tasks

The Minister for Children, Young People and Families based in the Department for Education and Skills has overall responsibility for children and their wellbeing, but different Government departments have different responsibilities as regards violence against children.

3. Has your country a national or federal / regional / provincial / municipal / local human rights institution, such as a human rights commission or ombudsman, or a child-specific human rights institution, which has any role or competence in the area of violence against children, including receiving complaints?  
x YES    NO  
If YES, describe briefly its organization and tasks

Children’s Commissioner for England

The Children Act 2004, establishes the role of a Children’s Commissioner for England. Wales, Scotland and Ireland have already appointed Children’s Commissioners.
Local authority complaints procedures and the Local Government Ombudsman

As a first and general point, it is for local authorities to decide how they should carry out their statutory responsibilities and what staff they should employ. Legislation requires that they have in place complaints procedures that the public can use when they are dissatisfied with the service which is provided. It may be appropriate for the local Government Ombudsman to be involved if there are failures in carrying out administrative arrangements, such as those in relation to the statutory duties local authorities have to safeguard children.

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Commission for Social Care Inspection


CSCI incorporates the work formerly done by:

- The Social Services Inspectorate (SSI)
- SSI/Audit Commission Joint Review Team
- The National Care Standards Commission (NCSC).

The Commission has a much wider remit than its predecessor organisations. And its creation is a significant milestone for social care. Bringing together the inspection, regulation and review of all social care services into one organisation allows for a more rational and integrated system.

For the first time, one single organisation has a total overview of the whole social care industry. The Commission will be able to provide a complete picture of social care in England:

- locally and nationally
- in adult services and children’s services
- for people who use social services
The Commission for Social Care Inspection's primary function is to promote improvements in social care. It will do this by putting the people who use social care services firmly at the centre of our work. It will be guided by what social care services tell them and it will act in their interests. Within CSCI, there is the post of Children’s Rights Director who is responsible for responding to those children who are most in need of safeguarding. Listening to children helps to protect children from harm - if children can speak up and be heard then abuse is much less likely to happen. The Children's Rights Director ensures that vulnerable children have a voice in all decisions that affect them.

4. Are there any particular parliamentary structures (for example special committees) to address violence against children? 
X YES   NO
If YES, describe briefly its organization and tasks
The Inter-Departmental Working Group on Young People Who Sexually Abuse
The Inter-Departmental Ministerial Group on Sexual Offending
MISC9 – A ministerial group which coordinates policy on children, young people and families and, in particular, to prevent poverty and underachievement.
MISC9 (D) – Sub-committee which co-ordinates the delivery of services for children, young people and families.

5. Is there a legal obligation to report cases of suspected “child abuse”  YES  X NO
*See the categories indicated in the introduction.
Specify, if necessary, the type of legal obligation for each form of child abuse. There is a moral, ethical and professional responsibility but not a legal one.
Referrals to social services departments where there are child welfare concerns

The Government’s child protection guidance, Working Together to Safeguard Children (1999), clearly states that if somebody believes that a child may be suffering, or may be at risk of suffering significant harm, then s/he should always refer his or her concerns to the local authority social services department. In addition to the social services department, the police and the NSPCC have powers to investigate and intervene in these circumstances. While professionals should seek, in general, to discuss any concerns with the family and, where possible, seek their agreement to making referrals to social services, this should only be done where such discussion and agreement seeking will not place a child at increased risk of significant harm.

When a parent, professional, or another person contacts a social services department with concerns about a child’s welfare, it is the responsibility of the social services department to clarify with the referrer (including self-referrals from families): the nature of concerns; how and why they have arisen; and what appear to be the needs of the child and family. This process should always identify clearly whether there are concerns about abuse or neglect, what is their foundation, and whether the child/ren may need urgent action to make them safe from harm.

When responding to referrals from the wider community, it should be borne in mind that personal information about referrers, including identifying details, should only be disclosed to third parties (including subject families and other agencies) with the consent of the referrer. In all cases where the Police are involved, the decision about when to inform the parents will have a bearing on the conduct of Police investigations.

Referrals may lead to no further action, directly to the provision of services or other help - including from other agencies - and/or to a fuller initial assessment of the needs and circumstances of the child which may, in turn, be followed by full section.47 enquiries. Where social services decide to take no further action at this stage, feedback should be provided to the referrer. In the case of public referrals, this should be done in a manner consistent with respecting the confidentiality of the child.

Furthermore, although it is not statutory guidance, the Government’s booklet What To Do If You’re Worried A Child Is Being Abused, makes clear that everyone working with children must refer any concerns about child abuse or neglect to social services or the police.
6. For which professionals?

See answer to question 5.

7. To whom the professionals must report?
Specify, if necessary, the type of legal obligation for each form of child abuse.

Local authorities with social services responsibilities, the police or the National Society for the Prevention of Cruelty to Children (NSPCC).
B. DATA ON CHILD ABUSE

B.1. National systems of statistics on child abuse

1. Are there institutions or agencies or government units responsible for the collection of statistical data on child abuse?  □ YES  ❌ NO

If YES, indicate which kind and at which level:

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The Government produces the Statistical First Release which contains figures on referrals, assessments, and children and young people on the child protection register. This is updated every year.
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2. For each system, specify which institution(s) keeps the database:

1. Local authorities (there are 150 local authorities in England)

2.

3.

4.

5.

B.2. National system of registration of child abuse

1. Are there national agencies tasked with managing a national system of registration of child abuse? YES ☑ NO

If YES, indicate their name(s)

a. __________________________________________

b. __________________________________________

c. __________________________________________

2. Regarding only National system(s) of registration of child abuse, illustrate the main characteristics of the system(s) (Please answer to all questions for each system of registration indicated above)

   2.1 Does the system(s) cover all the national territory? a. ☐ YES ☐ NO b. ☐ YES ☐ NO c. ☐ YES ☐ NO
2.2 Which is the authority or service responsible for it at local and at national level? 
If there is more than one system, please specify for each one.

CHILD PROTECTION REGISTERS AT LOCAL AUTHORITY LEVEL

A central register should be maintained for each area covered by a local authority social services department. The register should list all the children resident in the area (including those who have been placed there by another local authority or agency) who are considered to be at continuing risk of significant harm, and for whom there is a child protection plan.

Children should be registered under one or more of the categories of physical, emotional, or sexual abuse or neglect, according to a decision by the chair. The category(ies) used for registration help indicate to those consulting the register the nature of presenting concerns. Recording information in this way also allows for the collation and analysis of information locally and nationally. The category(ies) selected should reflect all the information obtained in the course of s.47 enquiries and subsequent analysis and should not just relate to one or more abusive incidents.

Child Protection Registers covering each local authority area should be managed within the social services department by an identified custodian, normally an experienced social worker from within the social services department. The register should be kept up-to-date and its contents should be confidential other than to legitimate enquirers. The register should be accessible at all times to legitimate enquirers. The details of enquirers should always be checked before information is provided. The Department of Education and Skills holds lists of custodians of child protection registers and should be notified of any changes in custodians.

6. 3. Which are the main aims of such a system of registration? 
If there is more than one system, please specify for each one 

The principal purpose of the register is to make agencies and professionals aware of those children who are judged to be at continuing risk of
significant harm and in need of active safeguarding. Consequently, it is important that agencies and professionals who have concerns about a child are able to make enquiries of the register. It is essential that both the police and health professionals have access to the register both in and outside office hours.

6.4 Is there any standard reporting form for each case? ☐ YES (please, send a copy to the ChildONEurope Secretariat) X NO

However, certain information has to be recorded – see page 19.

6.5 Are there guidelines for reporting and registration? X YES (See Page 18) ☐ NO

6.6 Is there a system in place in order to avoid the duplications in the registration process?
X YES (please describe in the note) ☐ NO

Local authorities manage the child protection register and will only put a child’s name on once.

6.7 Is there a code assigned to each registered child? ☐ YES X NO
If No, is your country thinking of developing such a method? ☐ YES X NO

However, every child will have a local authority case record number.
6.8 Which categories are used to register the children (e.g. child at risk, emotional neglect, etc.)?

Physical, emotional, sexual abuse and neglect.

6.9 How is the system kept up-to-date?

Regular reviews of the child’s safety and circumstances are undertaken on each child whose name is on the register to decide if the child’s name should remain on the register. In each local authority, the custodian of the child protection register is responsible for the information to be kept up-to-date.

6.10 Is there any standard reporting form for assemble data at national level?  □ YES  □ NO

Other information
7. Is there a National Registry of those convicted of sexual offences against children?  X YES  NO

If YES, Which institution keeps the database?___________________________________________________________

Notes

The Home Office is the Government department responsible for this through the police service. The Sex Offenders Register was established in the late 1990s and is governed by the Sexual Offences Act 2003.
CHILD PROTECTION REGISTERS

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REGISTRATION OF A CHILD

Children should be registered on the child protection register under one or more of the categories of physical, emotional, or sexual abuse or neglect, according to a decision by the chair of the child protection conference. The categories used for registration help indicate to those consulting the register the nature of presenting concerns. Recording information in this way also allows for the collation and analysis of information locally and nationally. The categories selected should reflect all the information obtained in the course of section 47 enquiries and subsequent analysis and should not just relate to one or more abusive incidents.

Child protection registers covering each local authority area should be managed within the social services department by an identified custodian, normally an experienced social worker from within the social services department. The register should be kept up-to-date and its contents should be confidential other than to legitimate enquirers. The register should be accessible at all times to such enquirers. The details of enquirers should always be checked before information is provided.

If an enquiry is made about a child and the name is on the register, the enquirer should be given the name of the child’s key worker. If an enquiry is made about a child at the same address as a child on the register, the custodian should ensure that this information is passed on to the registered child’s key worker. If an enquiry is made but the child’s name is not on the register, this should be recorded together with the advice given to the enquirer. In the event of there being a second enquiry about a non-registered child, not only should the fact of the earlier enquiry be notified to the later enquirer, but the custodian should also refer the child to the social services department as a child who may be in need.