

## SECTION 13: APPENDICES OF FORMS

### ***Appendix 1: Thresholds for intervention***

To be provided

### ***Appendix 2: Joint Police and Social Worker Investigations***

To be provided

### ***Appendix 3: Initial Assessment and enquiries: ten pitfalls and how to avoid them***

#### **1. Not enough weight is given to information from family, friends and neighbours**

***Ask yourself:*** *Would I react differently if these reports had come from a different source? How can I check whether or not they have substance? Even if they are not accurate, could they be a sign that the family is in need of some help or support?*

#### **2. Not enough attention is paid to what children say, how they look and how they behave**

***Ask yourself.*** *Have I been given appropriate access to all the children in the family? If I have not been able to see any child, is there a very good reason and have I made arrangements to see him/her as soon as possible, or made sure that another relevant professional sees him/her? How should I follow up any uneasiness about the child/ren's health or development?*

*If the child is old enough and has the communication skills, what is the child's account of events? If the child uses a language other than English, or alternative non-verbal communication, have I made every effort to enlist help in understanding him/her? What is the evidence to support or refute the young person's account?*

#### **3. Attention is focused on the most visible or pressing problems and other warning signs are not appreciated.**

***Ask yourself.*** *What is the most striking thing about this situation? If this feature were to be removed or changed, would I still have concerns?*

**4. Pressures from high status referrers or the press, with fears that a child may die, lead to over-precipitate action**

*Ask yourself.* Would I see this referral as a child protection matter if it came from another source?

**5. Professionals think that when they have explained something as clearly as they can, the other person will have understood it.**

*Ask yourself.* Have I double-checked with the family and the child/ren that they understand what will happen next?

**6. Assumptions and pre-judgements about families lead to observations being ignored or misinterpreted.**

*Ask yourself.* What were my assumptions about this family? What, if any, is the hard evidence which supports them? What, if any, is the hard evidence which refutes them?

**7. Parents' behaviour, whether co-operative or unco-operative, is often misinterpreted.**

*Ask yourself.* What were the reasons for the parents' behaviour? Are there other possibilities besides the most obvious? Could their behaviour have been a reaction to something I did or said rather than to do with the child?

**8. When the initial enquiry shows that the child is not at risk of significant harm, families are seldom referred to other services, which they need to prevent longer-term problems.**

*Ask yourself.* Is this family's situation satisfactory for meeting the child/ren's needs? Whether or not there is a child protection concern, do the family need support or practical help? How can I make sure they know about services they are entitled to, and can access them if they wish?

**9. When faced with an aggressive or frightening family, professionals are reluctant to discuss fears for their own safety and ask for help.**

*Ask yourself:* Did I feel safe in this household? If not, why not? If I or another professional should go back there to ensure the children's safety, what support should I ask for? If necessary, put your concerns and requests in writing to your manager.

**10. Information taken at the first enquiry is not adequately recorded, facts are not checked and reasons for decisions are not noted.**

*Ask yourself.* Am I sure the information I have noted is 100% accurate? If I didn't check my notes with the family during the interview, what steps should I take to verify them? Do my notes show clearly the difference between the

*information the family gave me, my own direct observations, and my interpretation or assessment of the situation? Do notes record what action I have taken/will take? What action all other relevant people have taken/will take?*

(Cleaver, H., Wattam, C., Cawson, P. (1998) *Assessing Risk in Child Protection*, London: NSPCC quoted in *Working Together to Safeguard Children*, (2006), p113-114)

## ***Appendix 4: Initial Case Conferences Documentation***

The following forms are now located on the Integrated Children System (ICS) operated by Children's Social Care and are not able to be reproduced within this handbook:

- Interim child protection plan
- Initial child protection conference minute sheet
- Outline inter-agency child protection plan
- Multi-agency child protection plan

This section now contains guidance and a pro-forma for the initial child protection conference report and the initial child protection conference agenda.

The social worker's initial child protection conference report should be completed using the ICS form.

## **GUIDANCE NOTES FOR COMPLETION OF INITIAL CASE CONFERENCE REPORT**

You should aim to include the as much as possible of the following information in your report to the initial case conference. Remember that information included in your report should be used to inform the Core Assessment.

The Safeguarding Children Unit and parents/carers and where appropriate the young person, must receive reports at least 2 days before the conference.

Please remember that any person has right to see personal information held about themselves including information contained in Child Protection Conference Minutes. This applies to whether they attend the conference or not. This information should be produced on request. This report may also be disclosed in legal proceedings. Take care to distinguish between fact, third party information and opinion.

*Information shared at the conference is confidential and should not be shared outside the conference other than in special circumstances.*

*Please note the above when writing your report.*

***If you have confidential information, which cannot be divulged to, the family please write this on a separate clearly marked page.***

IF YOU ARE UNCLEAR ABOUT THIS PROCESS CONTACT THE IDENTIFIED CHAIRPERSON AT THE SAFEGUARDING CHILDREN UNIT.

***A pro-forma for the structure of reports is provided at the end of these guidance notes.***

***The beginning of the report should clearly identify the child and the date of the conference.***

Case Conference Date .....Time .....Venue .....

### **Family Structure:**

#### **Subject(s) of Report**

Child's name .....DOB.....

Current Address.....

#### **Other Children of Family**

Child's name .....DOB.....

Current address.....

#### **Parents**

Mother's name .....DOB.....

Current address.....

Previous names/alias.....

Father's name ..... DOB.....

Current address.....

Previous names/alias.....

### **Other significant persons**

Name .....DOB.....  
Address .....  
Significance/relationship.....

### **Section 1: Details of Section 47 Enquiry. (All agencies to complete)**

### **Section 2: Child and family's previous significant involvement with agency.**

**Section 3: Information about subject child.** *(to be written on a separate sheet for each child)* Please comment upon the child's development and needs both past and present. As in line with the Assessment Framework, include; **Health; Education; Family and Social Relationships; Social Presentation; Emotional and Behavioural Development; Identity; Self Care Skills; Information about any legal orders the child may be subject to and the CHILD'S WISHES AND FEELINGS AND VIEW OF THE CONCERNS.** Please comment on any views expressed by the child about what is needed to assure their welfare.

**Section 4: Information about other children in the household ( to be written on a separate sheet for each child)** Please comment upon the child's development and needs both past and present. To include; **Health; Education; Family and Social Relationships; Social Presentation; Emotional and Behavioural Development; Identity; Self-Care Skills; Information about any legal orders the child may be subject to.**

### **Section 5: Information about parents/carers**

To include strengths and difficulties in respect of:

- **Parenting capacity**(Basic Care; Ensuring Safety; Emotional Warmth; Stimulation; Guidance and Boundaries)
- **Family and Environmental Factors** (Family History & Functioning; Wider Family; Housing; Employment; Income; Family's Social Integration; Community Resources).
- **Parents' capacity and willingness to co-operate with actions to safeguard and promote the child's welfare.**
- **Parents/Carers wishes/ feelings and view of concerns.**

Please comment on parents/carers views of the concerns and their opinion of what is needed to assure the child's welfare.

**Section 6: Information about Significant Others.**

To include strengths and difficulties of the relationship; its relevance to safeguarding and promoting the welfare of the child/ren and any expressed views, wishes and feelings.

**Discussion will focus on the following sections of the reports.**

**Section 7: Analysis of Risk – implications of information obtained for the child’s future safety and welfare.** Please specify both areas of risk and positive factors. Comment on the balance between these factors.

**Section 8: Agency view of needs of the child.** Identify what long term and short-term outcomes the agency would wish to see.

**Section 9: Agency view of Registration.** Give a provisional view on registration and the appropriate category. It is legitimate to change your mind after hearing new information at conference or after a discussion.

**Signatures and counter-signatures**

The report should be signed and dated and indicate your designation/ job role and agency.

Reports should be countersigned by managers and dated.

# Stockport Safeguarding Children Board

## CASE REPORT FOR INITIAL CHILD PROTECTION CONFERENCE

Please complete your report within the following format by addressing each heading in turn.

Please complete all sections. A conference agenda is enclosed for reference.

Reports, which should be typed whenever possible, should be jargon free. Please sign all pages clearly identifying the conference to which they refer.

The Safeguarding Children Unit and parents/carers and where appropriate the young person, must receive reports at least 2 days before the conference.

Any person has right to see personal information held about themselves including information contained in Child Protection Conference Minutes. This applies to whether they attend the conference or not. This information should be produced on request. This report may also be disclosed in legal proceedings. Take care to distinguish between fact, third party information and opinion.

***Information shared at the conference is confidential and should not be shared outside the conference other than in special circumstances.***

***Please note the above when writing your report.***

***If you have confidential information, which cannot be divulged to, the family please write this on a separate clearly marked page.***

**IF YOU ARE UNCLEAR ABOUT THIS PROCESS CONTACT THE IDENTIFIED CHAIRPERSON.**

**Case Conference Date .....Time .....Venue .....**

### **Family Structure:**

#### ***Subjects of Report***

Child's name .....DOB.....

Current address.....

.....  
.....  
.....

#### ***Other Children of Family***

Child's name .....DOB.....

Current address.....

.....  
.....

**Parents**

Mother's name .....DOB.....  
Current address.....  
Previous names/alias.....

Father's name ..... DOB.....  
Current address.....  
Previous Names/alias.....

**Other significant persons**

Name .....DOB.....  
Address .....

Significance/relationship.....  
.

Name .....DOB.....  
Address .....

Significance/relationship  
.....

Name .....DOB.....  
Address .....

Significance/relationship.....  
..

**Section 1: Details of Section 47 Enquiry. (All agencies to complete)**

**Section 2:Child and family's previous significant involvement with agency.**

**Section 3: Information about subject child. (to be written on a separate sheet for each child)**

(NB: Please see Guidance Notes before completing)

**CHILD'S WISHES AND FEELINGS AND VIEW OF THE CONCERNS**

Please comment on any views expressed by the child about what is needed to assure their welfare.

**Section 4: Information about other children in the household ( to be written on a separate sheet for each child) (NB. Please see Guidance Notes before completing)**

**Section 5: Information about parents/carers:**  
(NB. Please see Guidance Notes before completing)

**Section 6: Information about Significant Others.**  
(NB. Please see Guidance Notes before completing)

**Discussion will focus on the following sections of the reports.**

**Section 7: Analysis of Risk – implications of information obtained for the child’s future safety and welfare.**  
(NB. Please see Guidance Notes before completing)

**Section 8: Agency view of needs of the child.**  
(NB. Please see Guidance Notes before completing)

**Section 9: Agency view of Registration.**  
(NB. Please see Guidance Notes before completing)

**Signed.....Date.....**

**Designation.....Agency.....**

**Countersigned by Manager.....Date.....**

## **STOCKPORT LOCAL SAFEGUARDING CHILDREN BOARD**

### **INITIAL Child Protection Conference**

#### **AGENDA**

- 1. The Chairperson's Welcome and Identification of Meeting type.**
- 2. Purpose of Conference.**
- 3. Reference to Conference Rules.**
- 4. Introductions and Apologies.**
- 5. Confirmation of basic factual details about the family.**
- 6. Case Conference History (if applicable).**
- 7. Clarification of information in written reports and presentation of verbal reports:-**
  - details of Section 47 Enquiry.**
  - child/ren and family's previous significant involvement with agency.**
  - information about subject child/ren and their views.**
  - information about other children in the household and their views.**
  - information about parents/carers and their views.**
  - information about significant others and any views they may have expressed**
- 8. Confidential Slot (if required).**
- 9. Analysis of Risk – implications of information obtained for child's future safety and welfare.**
- 10. Agency view of the needs of the child including any need for protection.**
- 11. Chair's Summary.**
- 12. Family's view.**
- 13. Appropriateness of whether the child/ren requires a Child Protection Plan**
- 14. Confirmation of Decisions and Recommendations.**

- 15. Outline Child Protection Plan (including Core Group membership)**
- 16. Review**

## Criteria For A Child Protection Plan

The Conference should consider the following question when determining whether the child should be subject to a child protection plan:

### Is the child at continuing risk of significant harm?

The test should be that either:

- a) the child can be shown to have suffered ill-treatment or impairment of health or development as a result of physical, emotional, or sexual abuse or neglect, and professional judgement is that further ill-treatment or impairment is likely; or
- b) professional judgement, substantiated by the finding of enquiries in this individual case or by research evidence, is that the child is likely to suffer ill-treatment or the impairment of health or development as a result of physical, emotional or sexual abuse or neglect.

### Categories

If a decision is taken that the child is at continuing risk of significant harm and hence in need of a child protection plan, the chair should determine which category of abuse or neglect the child has suffered or is at risk of suffering. The category used (that is physical, emotional, sexual abuse or neglect) will indicate to those consulting the child's social care record the primary presenting concerns at the time the child became the subject of a child protection plan.

**Physical Abuse** may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent/carer fabricates the symptoms of, or deliberately induces illness in a child.

**Neglect** is the persistent failure to meet a child's basic physical and psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to provide adequate food and clothing, shelter including exclusion from home or abandonment, failing to protect a child from physical harm or danger, failure to ensure adequate supervision including the use of inadequate care-takers, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

**Sexual Abuse** involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape, buggery or oral sex) or non-penetrative acts. They may

include non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

**Emotional Abuse** is the persistent emotional ill-treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's development capability, as well as over protection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve the seeing or hearing the ill treatment of another. It may involve serious bullying causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

(Working Together To Safeguard Children, Department of Health, Home Office, Department for Education and Employment, 2006, the Stationery Office)

## ***Appendix 5: Core Group Forms and Documentation***

All the core group documentation is now located in the Integrated Children's System (ICS) operated by Children's Social Care and are not able to be reproduced within this document.

## ***Appendix 6: Review child protection forms and documentation***

The Collective Report from the core group for the Review Child Protection Conference and the Review Child Protection Conference minute sheet are now contained within the Integrated Children's System (ICS) operated by Children's Social care and are not able to be included in this document.

This section now contains the Review Conference Agenda.

# STOCKPORT LOCAL SAFEGUARDING CHILDREN BOARD

## REVIEW Child Protection Conference

### AGENDA

1. **The Chairperson's Welcome and Identification of Meeting Type.**
2. **Purpose of Conference.**
3. **Reference to Conference Rules.**
4. **Introductions and Apologies.**
5. **Confirmation of basic factual details about the family.**  
(NB. Chair to check Core Assessment Commissioning Date and Completion Date)
6. **Case Conference history. (*brief summary by chair*)**
7. **Clarification of information in the written report and presentation of verbal reports.**
8. **Review of Child Protection Plan:-**
  - i) **Summary of actions taken to reduce risk and promote welfare in the Review period, as detailed in the Outline Protection Plan.**
  - ii) **Identification of outstanding risks of significant harm.**
  - iii) **Outstanding Needs.**
  - iv) **Future actions.**
9. **Confidential Slot (if required).**
10. **Family's and Child/ren's Views.**
11. **Consideration of the need for a Child Protection Plan.**
12. **Confirmation of Decisions and Recommendations.**
13. **Changes to Child Protection Plan.**
14. **Changes to Core Group (if any) and date of next Core Group Meeting.**
15. **Date for next Review (if appropriate).**  
**Discontinuing a child protection plan**

### **A child should no longer be the subject of a child protection plan if:**

- it is judged that the child is no longer at continuing risk of significant harm requiring safeguarding by means of a child protection plan (e.g. the likelihood of harm has been reduced by action taken through the child protection plan; the child and family's circumstances have changed; or re-assessment of the child and family indicates that a child protection plan is not necessary). Under these circumstances, only a child protection review conference may decide that a child protection plan is no longer necessary;
- the child and family have moved permanently to another Local Authority area. In such cases, the receiving Local Authority should convene a child protection conference within 15 working days of being notified of the move, only after which event may discontinuing the child protection plan take place in respect of the original Local Authority's child protection plan;
- the child has reached 18 years of age, has died or has permanently left the UK.

When a child's name is no longer the subject of a child protection plan, notification should be sent, as minimum, to all those agencies representatives who were invited to attend the initial child protection conference which led to the plan.

A child whose name is no longer the subject to a child protection plan may still require additional support and services and discontinuing the child protection plan should never lead to the automatic withdrawal of help. The key worker should discuss with the parents and the child what services might be wanted and required, based upon the re-assessment of the needs of the child and family.

### **Categories**

If a decision is taken that the child is at continuing risk of significant harm and hence in need of a child protection plan, the chair should determine which category of abuse or neglect the child has suffered or is at risk of suffering. The category used (that is physical, emotional, sexual abuse or neglect) will indicate to those consulting the child's social care record the primary presenting concerns at the time the child became the subject of a child protection plan.

**Physical Abuse** may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent/carer fabricates the symptoms of, or deliberately induces illness in a child.

**Neglect** is the persistent failure to meet a child's basic physical and psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to provide adequate food and clothing, shelter including exclusion from home or abandonment, failing to protect a child from physical harm or danger, failure to ensure adequate supervision including the use of inadequate care-takers, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

**Sexual Abuse** involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape, buggery or oral sex) or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

**Emotional Abuse** is the persistent emotional ill-treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's development capability, as well as over protection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve the seeing or hearing the ill treatment of another. It may involve serious bullying causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

(Working Together To Safeguard Children, Department of Health, Home Office, Department for Education and Employment, 2006, the Stationery Office)

## **Appendix 7: Guidance on individuals who present a risk to children – review of 'schedule 1' offences**

The Children and Young Persons Act 1933 was intended to protect children of school age from cruelty and exposure to moral and physical danger. Schedule 1 of the act set out a list of offences against children and young people to which particular provisions of the act applied.

The term 'schedule 1 offender' has subsequently come into wide use to describe anyone convicted of an offence against a child. The presence of a 'schedule 1 offender' within the home environment has normally triggered an assessment of risk by Children's Social Care.

However, a 'schedule 1' conviction attracts no statutory requirements in relation to child protection issues, and this has led to a lack of clarity about agencies' roles and responsibilities when dealing with such offenders.

Further, there has been no comprehensive list of offences to which the term 'schedule 1 offender' should apply, leading to different and sometimes conflicting interpretations of subsequent legislation to protect children.

The term 'schedule 1 offender' is a label that lasts for life with no review procedure. It takes no consideration of the circumstances of the offence, or any assessment of ongoing risk that the individual may pose. For example, a child involved in a playground fight may find themselves subject to scrutiny from Children's Social Care and other agencies for life, irrespective of their likelihood of re-offending against a child, with no opportunity to challenge that scrutiny.

This practice may well be subject to human rights challenges in the future, and the view of the Schedule 1 Review Working Group is that changes to agency procedures must be brought into immediate effect.

The review process is ongoing, and a full summary of the current position is contained in the [local authority social services letter \(LASSL\): "Identification of individuals who present a risk to children"](#).

A summary of the actions authorities are required to take is as follows:

- The term 'schedule 1 offender' is no longer helpful and indeed may become problematic legally. The term 'risk to children' should therefore be adopted for those persons who have been identified as posing an ongoing risk to a child.
- The conclusion that an individual poses a 'risk to children' should be based on all available information including that provided by relevant agencies, such as assessments of risk made by probation, police, health, whether individually or via the multi-agency public protection arrangements (MAPPA).

- The revised list of offences (see the LASSL above) provides a useful update of relevant legislation to protect children. However, it should not be deemed to be exhaustive, or used purely as a 'trigger' to denote risk. Rather the protection of children at risk of significant harm remains the responsibility of practitioners exercising their professional judgment.

The information in this section is taken from

<http://www.everychildmatters.gov.uk/socialcare/safeguarding/risktochildren/>

## **Guidance on Offences Against Children**

### **Background**

Schedule One of the Children and Young Persons Act 1933 provides a list of offences, amended by subsequent legislation. The offences range from murder and child abuse to any offence causing bodily injury to a child.

Currently a conviction for one of the offences in Schedule One does not trigger any statutory requirement in relation to child protection issues. The list of offences in Schedule One is relevant to matters such as mode of charging, depositions from children and determination of age. However, in practice, conviction for a Schedule One offence triggers further assessments of risk and in practice Schedule One is considered to be a useful tool to help the probation service, the prison service, local authority Children's Social Care and the police to focus on those individuals who may pose a risk to children. There are a number of problems with Schedule One, including a lack of consistency in its use and anomalies in the offences it covers.

### **The Review**

During 2004, a review of Schedule One and associated procedures was undertaken. A Multi-Agency Working Group was convened to examine existing agency procedures, and to consider whether a more effective method of identifying those who might pose a known risk to children is necessary.

This review is continuing. However, it is becoming clear that the term 'Schedule One Offender', which is used by a variety of agencies, is ill defined and, to a certain extent, unhelpful since it defines people by their offending history rather than the ongoing risks they pose. It is with this in mind that the term should be replaced with "a person identified as presenting a risk, or potential risk, to children". Obviously offending history is an important factor in such assessments but it is not the only one. We are aware that various child protection legislation has been enacted since the 1933 Act and this has created a confused picture. Many practitioners are unsure of which offences are included in Schedule One, and whether there are other offences, not included in Schedule One, which may indicate that a person poses a risk to children.

To provide some clarity on this matter, it has therefore been decided to issue a consolidated list of offences, which all agencies can use to identify "a person identified as presenting a risk, or potential risk, to children". This list, which is attached, identifies the major offences against children currently on the statute.

Agencies, which come into contact, or are working, with an individual who has been convicted or cautioned for an offence against a child may use the list as part of their usual policies and procedures.

Please note, however, the following important points:

- The list at annex A carries with it no statutory requirements. It is simply a list of the major offences that might be committed against children. Schedule One of the Children and Young Persons Act has not actually been repealed or amended. The Review will give further consideration to the necessity of this.
- It is not an exhaustive list. There are also other types of offences on the statute where the child may be an intended victim but the primary offence is not a child specific offence (i.e. Telecommunications offences – obscene text messages; harassment etc.). In addition, new offences may be created by new legislation. Practitioners need to exercise their professional judgement in all instances.
- Some of the offences may only indicate a risk to children in certain circumstances. Again, practitioners need to exercise their professional judgement in these instances.
- Not all convicted/cautioned individuals will pose a risk to children. Also there will be cases where a person without a conviction may pose a risk to children.
- This is not a new directive. There are no changes to existing inter-agency procedures and child protection procedures, which should be followed as before.
- The prison service will continue to notify the police, probation and Children's Social Care prior to the release of an identified offender. The present process will remain unchanged.
- The list includes both current and repealed offences. This is due to the fact that many offenders will have been convicted prior to the introduction of new legislation, such as the Sexual Offences Act 2003.

## List of offences (chronological)

		Act
Murder	Common Law	
Manslaughter	Common Law	
Infanticide	Common Law	
Kidnapping	Common Law	
False Imprisonment	Common Law	
Assault or battery	Common Law	
Indecent exposure	Section 4	Vagrancy Act 1824
Indecent exposure	Section 28	Town Police Clauses Act 1847
Conspiring or soliciting to commit murder	Section 4	Offences Against the Person Act 1861
Administering poison, or wounding, with intent to murder	Section 11	Offences Against the Person Act 1861
Threats to kill	Section 16	Offences Against the Person Act 1861
Wounding and causing grievous bodily harm: Wounding with intent	Section 18	Offences Against the Person Act 1861
Wounding and causing grievous bodily harm: Inflicting bodily injury	Section 20	Offences Against the Person Act 1861
Maliciously administering poison	Section 23	Offences Against the Person Act 1861
Abandonment of children under two	Section 27	Offences Against the Person Act 1861
Assault occasioning actual bodily harm	Section 47	Offences Against the Person Act 1861
Child stealing	Section 56	Offences Against the Person Act 1861
Drunk in charge of a child under 7 years	Section 2	Licensing Act 1902
Cruelty to children	Section 1	Children and Young Persons Act 1933
Allowing persons under 16 to be in brothels	Section 3	Children and Young Persons Act 1933
Causing or allowing persons under 16 to be used for begging	Section 4	Children and Young Persons Act 1933
Give / cause to be given intoxicating liquor to a child under 5 years	Section 5	Children and Young Persons Act 1933
Exposing children under seven to risk of burning	Section 11	Children and Young Persons Act 1933
Prohibition against persons under 16 taking part in performances endangering life and limb	Section 23	Children and Young Persons Act 1933
Infanticide	Section 1	Infanticide Act 1938
Rape	Section 1	Sexual Offences Act 1956

Procurement of a woman by threats	Section 2	Sexual Offences Act 1956
Procurement of a woman by false pretences	Section 3	Sexual Offences Act 1956
Administering drugs to obtain or facilitate intercourse	Section 4	Sexual Offences Act 1956
Intercourse with a girl under 13	Section 5	Sexual Offences Act 1956
Intercourse with a girl under 16	Section 6	Sexual Offences Act 1956
Intercourse with defective	Section 7	Sexual Offences Act 1956
Procurement of defective	Section 9	Sexual Offences Act 1956
Incest by a man	Section 10	Sexual Offences Act 1956
Incest by a woman	Section 11	Sexual Offences Act 1956
Buggery where the victim is under 16*	Section 12	Sexual Offences Act 1956
Indecency between men (gross indecency)	Section 13	Sexual Offences Act 1956
Indecent assault on a woman	Section 14	Sexual Offences Act 1956
Indecent assault on a man	Section 15	Sexual Offences Act 1956
Assault with intent to commit buggery	Section 16	Sexual Offences Act 1956
Abduction of a woman by force or for the sake of her property	Section 17	Sexual Offences Act 1956
Abduction of unmarried girl under 18 from parent or guardian	Section 19	Sexual Offences Act 1956
Abduction of unmarried girl under 16 from parent or guardian	Section 20	Sexual Offences Act 1956
Abduction of defective from parent or guardian	Section 21	Sexual Offences Act 1956
Causing prostitution of women	Section 22	Sexual Offences Act 1956
Procuration of girl under 21	Section 23	Sexual Offences Act 1956
Detention of a woman in a brothel or other premises	Section 24	Sexual Offences Act 1956
Permitting a girl under 13 to use premises for intercourse	Section 25	Sexual Offences Act 1956
Permitting a girl between 13 and 16 to use premises for intercourse	Section 26	Sexual Offences Act 1956
Permitting defective to use premises for intercourse	Section 27	Sexual Offences Act 1956
Causing or encouraging prostitution of, or intercourse with, or indecent assault on, girl under 16	Section 28	Sexual Offences Act 1956
Causing or encouraging prostitution of defective	Section 29	Sexual Offences Act 1956
Man living on earnings of prostitution	Section 30	Sexual Offences Act 1956
Women exercising control over prostitute	Section 31	Sexual Offences Act 1956
Sexual intercourse with patients	Section 128	Mental Health Act 1959
Indecent conduct towards young child	Section 1	Indecency with Children Act 1960

Aiding, abetting, counselling or procuring the suicide of a child or young person.	Section 2	Suicide Act 1961
Procuring others to commit homosexual acts (by procuring a child to commit an act of buggery with any person, or procuring any person to commit an act of buggery with a child)	Section 4	Sexual Offences Act 1967
Living on earnings of male prostitution	Section 5	Sexual Offences Act 1967
Burglary (by entering a building or part of a building with intent to rape a child)	Section 9	Theft Act 1968
Supplying or offering to supply a Class A drug to a child, being concerned in the supplying of such a drug to a child, or being concerned in the making to a child of an offer to supply such a drug.	Section 4	Misuse of Drugs Act 1971
Inciting girl under 16 to have incestuous sexual intercourse	Section 54	Criminal Law Act 1977
Indecent photographs of children	Section 1	Protection of Children Act 1978
Offence of abduction of a child by parent	Section 1	Child Abduction Act 1984
Offence of abduction of child by other persons	Section 2	Child Abduction Act 1984
Possession of indecent photographs of children	Section 160	Criminal Justice Act 1988
Abduction of Child in Care/ Police Protection .. take away/induce away/assist to run away/ keep away	Section 49	Children Act 1989
Recovery of missing or unlawfully held children	Section 50	Children Act 1989
Abuse of Trust	Section 3	Sexual Offences (Amendment) Act 2000
Traffic in prostitution	Section 145	Nationality, Immigration and Asylum Act 2002
Rape	Section 1	Sexual Offences Act 2003
Assault by penetration	Section 2	Sexual Offences Act 2003
Sexual assault	Section 3	Sexual Offences Act 2003
Causing a person to engage in sexual activity without consent.	Section 4	Sexual Offences Act 2003
Rape of a child under 13	Section 5	Sexual Offences Act 2003
Assault of a child under 13 by penetration	Section 6	Sexual Offences Act 2003
Sexual assault of a child under 13	Section 7	Sexual Offences Act 2003
Causing or inciting a child under 13 to engage in sexual activity	Section 8	Sexual Offences Act 2003
Sexual Activity with a Child	Section 9	Sexual Offences Act 2003
Causing or inciting a child to engage in sexual activity	Section 10	Sexual Offences Act 2003

Engaging in sexual activity in the presence of a child	Section 11	Sexual Offences Act 2003
Causing a child to watch a sexual act	Section 12	Sexual Offences Act 2003
Child sex offences committed by a children or young persons	Section 13	Sexual Offences Act 2003
Arranging or facilitating commission of a child sex offence	Section 14	Sexual Offences Act 2003
Meeting a child following sexual grooming etc.	Section 15	Sexual Offences Act 2003
Abuse of position of trust: sexual activity with a child	Section 16	Sexual Offences Act 2003
Abuse of position of trust: causing or inciting a child to engage in sexual activity	Section 17	Sexual Offences Act 2003
Abuse of position of trust: sexual activity in the presence of a child	Section 18	Sexual Offences Act 2003
Abuse of position of trust: causing a child to watch a sexual act	Section 19	Sexual Offences Act 2003
Sexual activity with a child family member	Section 25	Sexual Offences Act 2003
Inciting a child family member to engage in sexual activity	Section 26	Sexual Offences Act 2003
Sexual activity with a person with a mental disorder impeding choice	Section 30	Sexual Offences Act 2003
Causing or inciting a person, with a mental disorder impeding choice, to engage in sexual activity	Section 31	Sexual Offences Act 2003
Engaging in sexual activity in the presence of a person with a mental disorder impeding choice	Section 32	Sexual Offences Act 2003
Causing a person, with a mental disorder impeding choice, to watch a sexual act	Section 33	Sexual Offences Act 2003
Inducement, threat or deception to procure sexual activity with a person with a mental disorder	Section 34	Sexual Offences Act 2003
Causing a person with a mental disorder to engage in or agree to engage in sexual activity by inducement, threat or deception	Section 35	Sexual Offences Act 2003
Engaging in sexual activity in the presence, procured by inducement, threat or deception, of a person with a mental disorder	Section 36	Sexual Offences Act 2003
Causing a person with a mental disorder to watch a sexual act by inducement, threat or deception	Section 37	Sexual Offences Act 2003
Care workers: sexual activity with a person with a mental disorder	Section 38	Sexual Offences Act 2003
Care workers: causing or inciting sexual activity	Section 39	Sexual Offences Act 2003

Care workers: sexual activity in the presence of a person with a mental disorder	Section 40	Sexual Offences Act 2003
Care workers: causing a person with a mental disorder to watch a sexual act	Section 41	Sexual Offences Act 2003
Paying for the sexual services of a child	Section 47	Sexual Offences Act 2003
Causing or inciting child prostitution or pornography	Section 48	Sexual Offences Act 2003
Controlling a child prostitute or a child involved in pornography	Section 49	Sexual Offences Act 2003
Arranging or facilitating child prostitution or pornography	Section 50	Sexual Offences Act 2003
Causing or inciting prostitution for gain	Section 52	Sexual Offences Act 2003
Controlling prostitution for gain	Section 53	Sexual Offences Act 2003
Trafficking into the UK for sexual exploitation	Section 57	Sexual Offences Act 2003
Trafficking within the UK for sexual exploitation	Section 58	Sexual Offences Act 2003
Trafficking out of the UK for sexual exploitation	Section 59	Sexual Offences Act 2003
Administering a substance with intent	Section 61	Sexual Offences Act 2003
Committing an offence with intent to commit a sexual offence (in a case where the intended offence was an offence against a child)	Section 62	Sexual Offences Act 2003
Trespass with intent to commit a sexual offence (in a case where the intended offence was an offence against a child)	Section 63	Sexual Offences Act 2003
Exposure	Section 66	Sexual Offences Act 2003
Voyeurism	Section 67	Sexual Offences Act 2003
Trafficking people for exploitation	Section 4	Asylum and Immigration (Treatment of Claimants, etc)

**A reference to an offence in this list includes:  
a reference to an attempt, conspiracy or incitement to commit that offence, and  
a reference to aiding, abetting, counselling or procuring the commission of  
that offence.**

**Unless stated otherwise, the victim of the offences listed above will be under  
18**

## **APPENDIX 8: CRIMINAL INJURIES COMPENSATION AUTHORITY (CICA)**

### **Child Abuse and the Criminal Injuries Compensation Scheme**

The Criminal Injuries Compensation Scheme 2001 exists to compensate victims of crime including child abuse, both physical and sexual. To qualify for an award, the applicant will have:-

- (a) Sustained physical or mental injury (or both) as a direct result of a violent crime. (it is not necessary for the offender to be a convicted of, or even charged with, the crime)
- (b) Been in Great Britain when injured.
- (c) Been injured seriously enough to qualify for at least the minimum award that is paid under the scheme

The minimum award of compensation is £1,000. The scheme works on tariff bands. The scheme is not intended to compensate victims who suffer minor injuries only. Cuts and bruises by themselves are not likely to qualify the applicant for an award. However, a person may qualify if they have suffered a combination of minor injuries from which they did not recover for at least six weeks and they had cause to visit their doctor twice in that six week period.

In general, applications to the CICA will be considered if they are received within two years of the incident causing the injury. However, the CICA have discretion to waive this rule provided it is reasonable and in the interests of justice to do so; and it often does so in the cases involving children, providing the claim is made within a reasonable time of the child reaching full age. This sympathetic approach should not be used as an excuse to delay, as it is often difficult for the CICA to investigate late claims, and it is therefore in the child's best interest to claim as early as possible.

**The Board will not in any circumstances consider claims where:-**

- (a) The injury to the child occurred before 1<sup>st</sup> August 1964.**
- (b) The injury occurred before 1<sup>st</sup> October 1979 and the child and the person who injured the child were living together at the same time as members of the same family in the same household**

It is a general condition of the Scheme that any person who causes an injury must not benefit from an award paid to the victim (see paragraph 16 of the scheme).

A claim on behalf of a person under the age of eighteen should normally be made by a person with parental responsibility. If the child is in the care of the Local Authority, it is expected that the Local Authority (with parental responsibility) shall make the application on behalf of the child, the application form to be prepared by the key social worker and signed off by an authorised officer (namely the Corporate Director for Children and Young People). Also, to include the child's full birth certificate with the application and a copy of the Care Order. It is also necessary, if the child has been the subject of care

proceedings, for permission to be sought from the court for relevant documents, e.g. medical reports, statements, judgements etc to be disclosed to the CICA.

When making a claim, all relevant information should be included on the form, and once the CICA has acknowledged receipt of a signed form, the CICA has permission to receive all the records, evidence and other information about the circumstances of the injury. This could include medical and police information held

The CICA must be satisfied “on the balance of probabilities” that the alleged events actually occurred. This is obviously much easier if the matter has been reported to the Police and the Police have been given the opportunity to investigate and prosecute.

Compensation is usually awarded as a lump sum, but where there is a pressing need or assessments or treatments are ongoing, interim awards may be made. Interim awards of up to £1,000 may be released to those with parental responsibility.

Higher awards are usually invested by the CICA through the National Savings Bank during the child’s minority, but can sometimes be released immediately.

Where the child is in the care of the Local Authority, the Local Authority is responsible for investing and administering the awards.

All applications for compensation need to be made on the application form which can be obtained from the Criminal Injuries Compensation Authority, Tay House, 300 Bath Street, Glasgow, G2 4LN. (Tel. no. 0800 358 3601). The forms can also be downloaded from their website at [www.cica.gov.uk](http://www.cica.gov.uk).

Further advice is available from the Citizens Advice Bureau, Law Centres, some Solicitors offices and Victim Support on 0845 30 30 900.