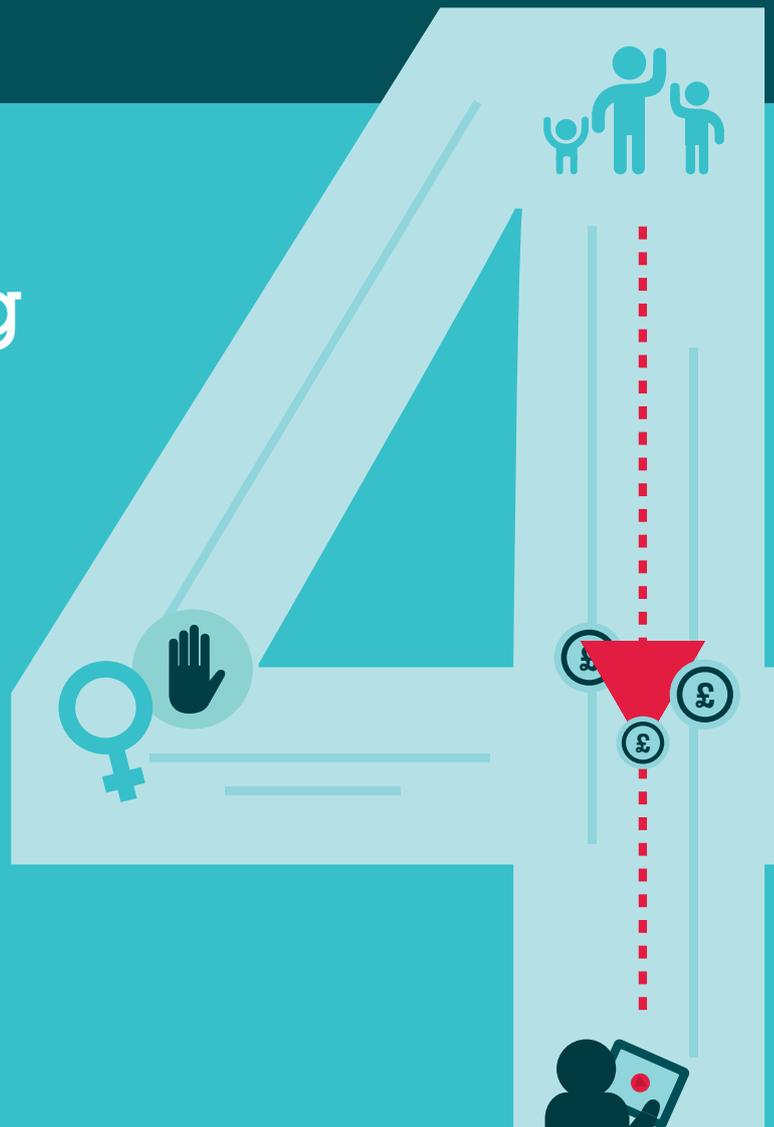




Children's  
Rights Alliance  
for England

# State of Children's Rights in England **2016**

## Briefing 4 Safeguarding children



# Briefing 4

## Safeguarding children



**ARTICLE 5** States Parties shall respect the responsibilities, rights and duties of parents, members of the extended family or legal guardians.

**ARTICLE 9** States Parties shall ensure that a child is not separated from his or her parents against their will, unless such a separation is in their best interests. All interested parties shall be able to participate and make their views known. A child separated from parents has the right to direct and regular contact with both parents, unless this is contrary to the child's best interests.

**ARTICLE 18** Parents, or legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern. States Parties shall help parents and legal guardians in the performance of their child rearing responsibilities.

**ARTICLE 19** All children have a right to be protected from all forms of violence.

**ARTICLE 20** A child deprived of his or her family environment is entitled to special protection and assistance provided by the State.

**ARTICLE 21** States Parties shall ensure that the best interests of the child shall be the paramount consideration in adoptions.

**ARTICLE 25** States Parties recognise the right of a child in care to a periodic review of the treatment provided to the child and all other circumstances relevant to his or her placement.

**ARTICLE 34** States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. This provision is augmented by the Optional Protocol on the sale of children, child prostitution and child pornography.

**ARTICLE 39** Children who have experienced any form of exploitation should receive the help they need to recover and reintegrate into society.

### Definitions and glossary

**Children:** This briefing refers to "children" which covers all children and young people under-18 as set out by article 1 of the UN Convention on the Rights of the Child (CRC).

**Special guardianship order:** This appoints one or more individuals to be a child's "special guardian" under the Children Act 1989 and is intended for children who cannot live with their birth parents and who would benefit from a legally secure placement but not adoption.

## About this briefing

The UK ratified the UN Convention on the Rights of the Child (CRC) in 1991. This means that all areas of government and the state; including local government, schools, health services, and criminal justice bodies, must do all they can to fulfil children's rights. In June 2016 the UK Government was examined by the UN Committee on the Rights of the Child (UN Committee) on its compliance with the CRC for the first time since 2008. The UN Committee set out a number of concerns (summarised below) and recommendations (Concluding Observations) for change.<sup>1</sup>

This briefing is part of CRAE's *State of Children's Rights 2016* and assesses the progress made in England towards implementing the UN Committee's recommendations and covers issues relating to family support, children in care and violence against children. It highlights areas of improvement and concern since July 2015 when CRAE coordinated the England Civil Society report to the UN Committee as part of the last UK examination.<sup>2</sup> This was endorsed by 76 civil society organisations.

### What is the CRC?

The CRC applies to all children aged 17 years and under and sets out the basic things that children need to thrive - the right to an adequate standard of living, to be protected from all forms of violence, an education, to play, be healthy, and be cared for. Children's rights should act as a safety net – meaning children always receive at least the minimum standard of treatment whatever the changing economic climate.

The CRC has four guiding principles (General Principles) which are rights in themselves but also the framework through which all the rights in the CRC should be interpreted. They are: non-discrimination (article 2); the best interests of the child (article 3); survival and development (article 6); and respect for the views of the child (article 12).

England's compliance with these General Principles is covered in Briefing 2.

This briefing is based on written and oral evidence from CRAE's members and additional analysis of recent laws and policies, newly published research, official statistics, and responses to Freedom of Information (FOI) requests.

### Concerns of the UN Committee 2016

- The increase in the number of children in care
- Cases where early intervention measures have not been carried out in a timely way, parents have not been provided with adequate family support, or the best interests of the child have not been properly assessed when taking a child into care
- The frequent changes of social workers for children in care, and children often experiencing more than two family placements in a year
- Children leaving residential or foster care not receiving proper support, including on their future plans, and living far away from their former carers
- The Children and Young Persons Act 1933 defining a child as a person under the age of 16 for the purpose of the criminal law on child abuse and neglect
- Recent allegations of widespread child sexual exploitation and abuse by high profile figures, by organized gangs as well as in institutional settings
- The increasing risk of online child sexual exploitation and abuse
- The insufficient respect for the views of children in efforts to prevent, detect and respond to such exploitation and abuse
- The low rate of prosecution of child sexual exploitation and abuse
- The significant number of children who are affected by female genital mutilation
- The minimum age for voluntary recruitment as 16 years has not been changed and child recruits make up 20% of the annual intake of Armed Forces
- Child recruits can be required to serve a minimum period of service up to two years longer than the minimum period for adults.

## Introduction

**The past year has seen a plethora of positive measures from Government to improve support for both children in care and care leavers as part of a reformed vision to improve children's social care.** However, cuts to local authority budgets, particularly early intervention services, risk damaging outcomes for vulnerable children as social workers struggle to do more with less. There is still some way to go before children in residential care achieve parity of support with those in foster care. Moves to increase the number of adoptions after a decrease are welcome but risk undermining other equally valid options which help ensure permanence for children.

The true scale of the sexual abuse and exploitation of children is starting to be revealed across the country after recognition from Government to tackle the issue and bring perpetrators to justice. Whilst important, it's crucial that vulnerable victims receive the support they need to recover and are able to have their voices heard.

## What progress have we made?

The Government has launched a number of strategies, and legislative and policy changes to improve outcomes for children in care and care leavers and reform children's social care. Its *Putting Children First* vision for social care and the introduction of the corporate parenting principles are at the heart of the reforms.<sup>3</sup> Government has also introduced a suite of measures for care leavers - *Staying Close, the Local Offer, Care Leavers' Covenant* and extension of the Personal Adviser to those aged 25.<sup>4</sup> Steps and funding to increase adoption uptake and more thorough assessment checks for special guardians must also be welcomed.<sup>5</sup>

In relation to child sexual exploitation (CSE), the Government has amended the Sexual Offences Act 2003 to include an offence of "CSE" and are consulting on new practice guidance and a civil definition, as well creating child refuges.

The Serious Crime Act 2015, which enabled the courts to issue protection orders to safeguard potential or actual child victims of female genital mutilation (FGM) is also a positive step.

## Where do we need to improve?

### Children in care

#### Increase in looked after children

Numbers of children in care continue to rise steadily but at a slower rate than in previous years. There were 70,440 looked after children at 31 March 2016, an increase of 1% in the past year, and an increase of 8% compared to 2011. This rise over time reflects the higher number of children starting to be looked after than those ceasing to be. In particular, in the last year, there has been a rise of 1,470 unaccompanied asylum seeking children, see Briefing 5.<sup>6</sup> There has also been a steady increase in the number and proportion of children over 10 being looked after but a reduction in the number and proportion of children aged 1-4 years. This is significant as older children are likely to have greater needs.

**Though the increase in numbers of children in care in some instances means more children are being safeguarded, in other cases, it could also mean insufficient or lack of early intervention.** The UN Committee was troubled by the increase in children being taken into care and called on the UK to *'ensure that the removal of children from their families is always subject to thorough investigation, is in accordance with the best interests of the child and is only used as a measure of last resort.'*

Graph 1: Increase in looked after children



Source: Department for Education (September 2016) Children looked after in England (including adoption) year ending 31 March 2016 SFR 41/2016

## Government push for adoption

**The number of children placed for adoption has fallen dramatically by 18% in the last year on top of a 9% fall in 2015.** In the year ending

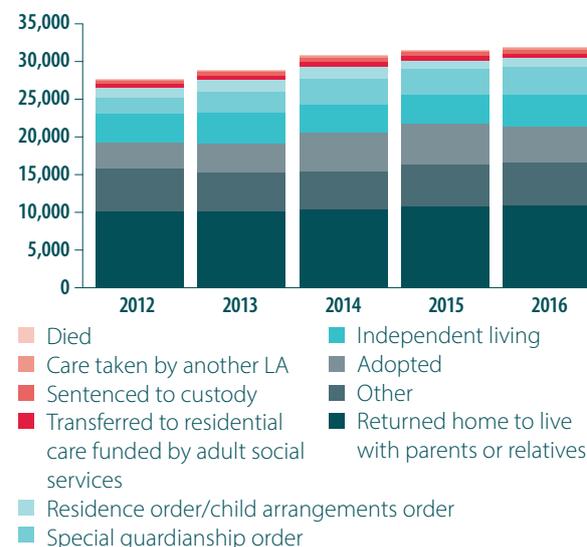
31 March 2016, 2,940 looked after children were placed for adoption (4% of all looked after children).<sup>7</sup> This fall has been linked to the impact of two relevant court judgements.<sup>8</sup> As a result, after changes to speed up the adoption process in 2012, Government has continued to launch a number of welcome measures to help achieve long term stability for children in care, including a new adoption strategy which sets out plans for more babies to be placed with foster parents who may want to adopt them permanently alongside £14m investment for innovative practices and to support Regional Adoption Agencies.<sup>9,10</sup> New provisions give a child's prospective adopters the same rights as relatives when the court or adoption agency is considering an adoption order.<sup>11</sup> The Government has also announced £200m in funding over the next four years to increase the number of adoptions for harder to place children, and improve recruitment.<sup>12</sup>

There has been a dramatic rise in the number of special guardianship orders in the past five years - 3,830 children (12%) ceased care due to a special guardianship order. This is an increase of 8% on 2015 and an increase of 78% on 2012. A 2015 Government review highlighted that despite some orders lasting a long time, assessments were too short and potentially inadequate when compared to assessments for foster carers and adopters. This left vulnerable children, with acute needs, at great risk.<sup>13</sup> We therefore welcome changes to the regulations for the assessment of special guardians which mean councils will now have to undertake more thorough checks.<sup>14</sup>

However, organisations have raised concerns that the push for adoption is to the detriment of other options which could also help achieve permanency and be in a child's best interests, such as special guardianship and family placements.<sup>15</sup> Fears have also been raised that this drive and the speed at which adoptions now take place undermine the quality of decision making, with not enough focus on what could be done to support the birth family to remain together or for the child to be cared for by wider family members.<sup>16</sup> However, the large increase in special guardianship orders could also mean that

adoption is not being used when it is in the best interests of the child.

**Graph 2: Children ceasing to be looked after, by reason**



Source: Department for Education Children looked after in England (including adoption) year ending 31 March 2016

## Children continue to suffer high levels of abuse, neglect and violence

**The majority of children referred to children's services (51%) were assessed as being abused or neglected.**<sup>17</sup> Disabled children are 3-4 times more likely to be abused and neglected than non-disabled children.<sup>18</sup> Domestic violence was the most common factor identified at the end of the assessment (50%).<sup>19</sup> By the time they reach 18, almost one quarter of children will have been exposed to domestic violence.<sup>20</sup>

The offence of child cruelty in the Children and Young Person's Act does not apply to 16 and 17 year olds, meaning they are not afforded the same protection in law as other children.<sup>21</sup> Yet analysis has found that they are more likely to be known to children's services than other age groups because of abuse or neglect.<sup>22</sup> The UN Committee called on the Government to '*Revise the Children and Young Persons Act 1933 in order to protect all children under 18 years from child abuse and neglect.*'

A number of high profile deaths of vulnerable children due to professional neglect and a failure of agencies to work together have led to increased calls for mandatory reporting. Government is consulting on two options: a duty for social workers and practitioners to take "appropriate action" on child abuse (which

could include reporting) or, a mandatory reporting duty. Both could entail criminal sanctions.<sup>23</sup> Children's services leaders have raised concerns that mandatory reporting will lead to the increasing criminalisation of social workers and further damage recruitment and retention.<sup>24</sup> The Government's consultation acknowledges that the mandatory reporting duty could actually make children less safe as an increase in unsubstantiated referrals could make it harder to distinguish real cases of abuse and neglect diverting resources away from support into investigation.<sup>25</sup> However, there is support amongst children's organisations for the "duty to act" if it is underpinned by sufficient resources for local authorities to implement it properly.<sup>26</sup>

### Declining standards of care and increasing pressure on social workers

The UN Committee was concerned about the frequent changes of social workers experienced by many children and called on the UK to 'Take all measures necessary to provide stability for children in care, including efforts to retain social workers' as well as 'Increase the number of social workers'. CRAE's research with children found that changes in their social worker caused great instability and distress.<sup>27</sup> Social workers are working in contexts of increased demand alongside increasing poverty and deprivation as a result of austerity policies. Referrals are increasing at the same time as there have been huge reductions in Government support to local authorities – see below. In its new *Putting children first* strategy the Government itself worryingly concludes that practice and evidence from frontline delivery organisations, multiple Serious Case Reviews and Ofsted inspections show continued inconsistency in the quality of work with children and families across England.<sup>28 29</sup>

**After a number of failed initiatives over the past five years, the Government has taken a number of welcome steps to try and improve social work recruitment, retention and professional standards.** Its new strategy sets out three areas for reform of social care – developing people and leadership; innovative practice and systems and; governance and accountability. This is backed by £200 million investment to extend the *Children's Social Care Innovation* programme. A new inspection framework for children's services

### Case study

#### Multiple changes of social worker: Emily's story, interviewee for CRAE research<sup>30</sup>

Emily\*, 13 has been in care for two years. In that time she has been in two different foster care placements. Between June 2015 and June 2016 she had nine different social workers.

*'I've had too many different social workers. I can't keep up. Since June last year I've had nine.'*

*On my birthday, my social worker left and then I moved placement the day after. My social worker had said "I'll meet you before I go." And then she went without meeting me. After a month no one told me she wasn't going to meet me, or who my new social worker was. No one told me my social worker had changed, I found out from my foster carer.*

*With my very first social worker after I went into care I waited for her at school one day. She was supposed to pick me up and she didn't even pick me up. I was waiting in school for like two hours. That's when I first lost trust in social workers I can't really talk to someone who is unreliable and who I don't know because they keep changing. It's always someone new. What's the point? They don't know me.*

*The one I've got now, she asks questions but doesn't really try to find out what's going on in my life. Why would I tell her things when I don't even know her? I don't really see a point in them visiting me. When I've had a bad problem I don't feel okay to tell my social worker. I don't really trust them. I don't know if I'd tell anyone.'*

\* Not her real name

is commendable but this must have the CRC at its core. The strengthening of multi-agency inspections is also welcome in recognising the importance of holistic support for children in need. Concerns with proposals to give local authorities a "power to innovate" is discussed in Briefing 2.

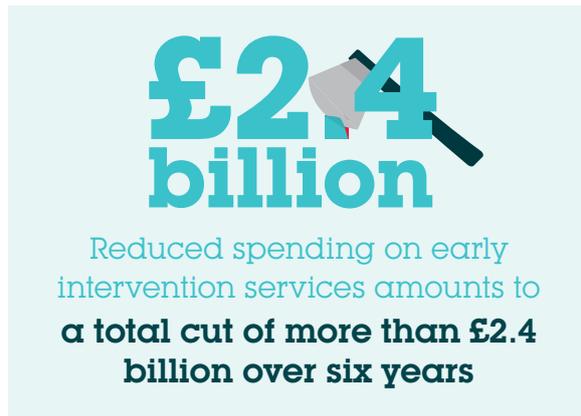
## Disparities in support for children leaving care

### Government has set out a number of positive steps in its new strategy to improve outcomes for care leavers.<sup>31</sup> These go some way towards

meeting the UN Committee's recommendation to 'Inform and consult with children from an early stage on plans for their care and transition and provide sufficient support for care leavers, including for accommodation, employment or further education.' As mentioned above, we welcome the extension of Personal Advisers for care leavers until 25, the *Local Offer* (where local authorities will be required to make care leavers aware of services that can help them) and the *Care Leavers' Covenant* for the public, private and voluntary sector to set out the services and support they offer care leavers. Though laudable, squeezed budgets mean the services that local authorities offer care leavers are variable and organisations have argued that the reforms place too much onus on vulnerable children to request support.<sup>32</sup>

The UN Committee was concerned by '*children leaving foster care or residential care often having to live far away from their former carers.*' On 31 March 2016, there were 7,600 children (11%) living in residential care and placed in a secure unit, children's home or hostel, a 2% increase on the previous year. The 2016 Narey Review of residential care highlighted disparity in support for children leaving foster care, who are able to request to remain in care until the age of 21, under *Staying Put* and children leaving residential care who are not. These children are more likely to have multiple, short-term placements, be placed further away from support networks, have mental health and special educational needs and as a consequence face significantly worse outcomes than other groups of children in care.<sup>33</sup> We therefore welcome the introduction of the *Staying Close* pilot. This explores models of accommodation for children leaving residential care and allows them to visit their former home regularly and retain links with their previous carers. However, it does not carry the same legal duty or parity of support as children leaving foster care under *Staying Put*.

Too many children leaving care are expected to cope with independent living too early and without proper support.<sup>34</sup> Research has found that children leaving care, alone and



Source: Action for Children, NCB and The Children's Society (2016) *Losing in the long run: Trends in Early Intervention Funding*

with no family to support them, are falling into debt and financial difficulty due to insufficient financial education from local authorities.<sup>35</sup> **The Government's own statistics show that 7% of care leavers (1,780) were in accommodation considered unsuitable and for 11% (2,770) the suitability wasn't known.** Inappropriate accommodation can include bed and breakfasts or hostels, where adults with complex issues can also be living.<sup>36</sup> A quarter of homeless people have been in care. See Briefing 2 for more information.

### Further cuts to early intervention spending

Intervening early to support children and their families is crucial to prevent problems escalating. Yet there's been a downward trend in the amount of funding from central government to spend locally on early intervention services. This comes at a time when other sources of funding, which underpin prevention and early intervention, such as the public health grant, have also been reduced. See Briefing 7 for more information.

### The total value of the Early Intervention Grant is expected to fall 70% to just £900 million by 2020.

The Grant (now part of the Local Government Finance Settlement) pays for a vital range of universal and targeted services, including information and advice for young people, children's centres, teenage pregnancy services, short breaks for families of disabled children, and other family support. In 2015/16 local authorities reduced spending on children's centres, young people's and family support services by 31% (over £958 million in real terms) compared to 2010/11. This amounts to a total spending cut of more than £2.4 billion over six years. Some of the biggest falls in local spending

have affected Sure Start children's centres, which have seen budgets reduced by almost half (48%) in real terms in the last five years.<sup>37</sup> This has led to a scaling back of, or charging for services, and a change in the nature of services from universal to targeted. See Briefing 6 for more information.

## Violence against children

### Increase in child sexual abuse

The UN Committee was deeply concerned by 'widespread CSE and abuse.' This year has seen the highest number of sexual offences against children reported to the police for seven years. There were 39,388 recorded sexual offences against children under 18 in 2014/15, a dramatic 84% increase in the past two years.<sup>38</sup>

**Increased media interest, the large scale sexual abuse inquiries, and high profile police investigations are likely to have contributed to a greater willingness of victims to come forward but this figure is still likely to only be the tip of the iceberg.**

Worryingly not all sexual offending against 16 and 17 year olds is presented in official statistics and is instead counted within adult sexual offending statistics because they are over the age of consent.<sup>39</sup> However, a child can not consent to sexual exploitation and the statutory definition of CSE includes children up to 18.<sup>40</sup> The UN Committee called on the UK to 'Systematically collect and publish comprehensive and disaggregated data on child exploitation and abuse.'

Recent research from the Children's Commissioner for England estimates that familial child sexual abuse makes up around two thirds of all contact sexual abuse and suggests that around 1.3 million children may have been sexually abused by the time they reach the age of 18.<sup>41</sup> Additional research has found that children with learning disabilities are particularly vulnerable to being exploited. There is also a lack of understanding of what true consent is – particularly where the child has a mild learning disability or does not have a formal diagnosis of a learning disability.<sup>42</sup>

There has been an alarming increase in the number of indecent images of children in circulation: from 7,000 in 1990 to 1 million in 2016.<sup>43</sup> The number of police-recorded offences



Source: FOI responses in NSPCC (2016) How safe are our children? 2016

for obscene publications rose by 69% in England from 2013/14-2014/15<sup>44</sup> although this is partly attributed to increased police focus on child sexual abuse.

### Inadequate responses to victims of child sexual abuse

The Government's action and recognition that CSE be treated as a "national threat" is welcome.<sup>45</sup> **However despite increased awareness of CSE by statutory authorities, children still are not getting the support and care they need to recover.** The Independent Inquiry into Child Sexual Abuse continues to be beleaguered by resignations.<sup>46</sup> More positively, it is hoped that new practice guidance by the DfE, and a revised civil definition of CSE, due later this year, will help address misunderstandings around consent, which currently mean statutory responses to sexually abused and exploited children are inadequate.<sup>47</sup>

England has made some progress towards meeting the UN Committee's recommendation to 'Strengthen the capacity of law enforcement authorities and the judiciary to detect and prosecute CSE and abuse, and grant effective remedies to child victims.' Changes to the Sexual Offences Act 2003 which replace the offence of "prostitution" and "child pornography" to "CSE" are welcome.<sup>48</sup> However, the offence of "coercive and controlling behaviour" in the same Act does not cover children up to the ages of 18. Furthermore, Crown Prosecution Service responses to FOIs show that around a quarter of all cases of child sexual abuse result in "no prosecution" decisions and around one in four cases that are prosecuted are unsuccessful.<sup>49</sup> Despite being at high risk of being

a victim of a sexual offence, even fewer 16 and 17 year olds see the perpetrators of those crimes brought to justice.<sup>50</sup>

Echoing the UN Committee's recommendation for the UK '*develop comprehensive services to support children*,' organisations have called for improved therapeutic support to ensure children who have been sexually exploited do not end up in a cycle of poor mental health.<sup>51</sup> 98% of professionals have reported that there is not enough therapeutic support for abused children.<sup>52</sup> See Briefing 7. Research also reveals inadequate protection for significant numbers of learning disabled children due to a worrying lack of specialist services.<sup>53</sup> We do, however, welcome the creation of child refuges for victims of sexual abuse, which will take victims through the criminal justice process and provide therapeutic support under one roof.<sup>54</sup>

In recent years there has been good progress on reforming the justice system to make it work for victims and witnesses of CSE, and to educate legal professionals on myths surrounding sexual offences. Yet concerns have been raised that this advice does not focus on 16 and 17 year olds.<sup>55</sup> The UN Committee expressed disquiet about '*the insufficient respect for the views of children in efforts to prevent, detect and respond to such exploitation and abuse*.' Despite a drive to improve registered intermediaries, the numbers are still inadequate especially with growing numbers of children needing support.<sup>56</sup>

### Ongoing failure to tackle FGM

#### **30 years after FGM was made illegal in the UK there has not been a successful prosecution.**

The paucity of good data makes it difficult to assess the scale of the problem. However, in a welcome step, the Health and Social Care Information Centre has published the first ever annual statistical publication on FGM and found 5,702 newly recorded cases of FGM against women and girls were reported between April 2015 and March 2016.<sup>57</sup> The UN Committee recommended the UK strengthen data collection and prosecution.

While we are pleased that the Serious Crime Act 2015 enabled the courts to issue protection orders to protect potential or actual child victims of FGM, the Home Affairs Select Committee notes

with alarm that some clinicians are ignoring the duty on frontline healthcare professionals, social care workers and teachers to record data on FGM. It repeats its call for Government to introduce stronger sanctions for failing to meet mandatory reporting requirements.

### Children still recruited to the army under 16

#### **The UK refuses to increase the minimum recruitment age to the armed forces from**

**age 16.**<sup>58,59</sup> Britain is the only European country to allow its armed forces in law to recruit from age 16. In 2015, almost one in four new recruits were aged 16 or 17.<sup>60</sup> In 2016, the UN Committee repeated its 2008 recommendation to increase the minimum enlistment age to 18.

Once enlisted, children lose much of the legislative protection to which they are normally entitled, since military law imposes far-reaching obligations and suspends certain fundamental rights.<sup>61</sup> The risks associated with an armed forces career are greater for those recruited as children such as poor mental health, post-traumatic stress disorder, alcohol misuse, self-harm or suicide.<sup>62</sup> The UN Committee criticised as '*insufficient*' the armed forces' arrangements for seeking the consent of recruits and their parents; and called for safeguards to be strengthened. It also criticised the armed forces for making child recruits complete a longer minimum period of service than is required of adult recruits.

### No movement on banning corporal punishment

The Government continues to resist calls to fully outlaw corporal punishment of children in the home and other settings despite multiple recommendations from UN and regional treaty bodies, including the UN Committee.<sup>63</sup> The 2030 Agenda for Sustainable Development also includes a target on ending all violence against children. The evidence that corporal punishment is harmful is overwhelming. A recent review of more than 250 studies of show links between corporal punishment and a wide range of negative outcomes.<sup>64</sup> This year the Government's proposed to introduce legislation to prohibit corporal punishment in out-of-school educational settings. Though welcome, it does not include all instructive settings, for example, private tuition in the home.<sup>65</sup>

## Recommendations

1. The Government should ensure that all children who cannot live with their birth parents are able to access the best long term placement for them as soon as practical, whether this be adoption, special guardianship or long term fostering.
2. The offence of child cruelty in the Children and Young Persons Act 1933 should be amended to apply to young people aged 16 and 17.
3. The Government should introduce the "Duty to Act" but it must make sufficient resources available to local authorities to implement it, including for additional training for professionals and services to support children and families.
4. The Government should continue investing in its programmes to ensure retention recruitment of social workers.
5. The Government should roll out *Staying Close* pending a successful evaluation of the pilot to ensure that children *Staying Close* have parity of support with those *Staying Put*. Decisions based on its future should not be purely based on financial considerations but achieving the best outcomes for children in care.
6. The Government should continue to offer care leavers the same level of support they were receiving while in care until 21 if that is the young person's wish.
7. The Government should exempt care leavers from council tax until they are 21.
8. The Government should introduce a duty for local authorities to provide care leavers up to 25 with suitable accommodation.
9. The Government should commit to annual 'early intervention' top ups for local authorities after the Revenue Support Grant has been phased out. This amount should be determined according to local need.
10. The Government should review current reporting mechanisms so there is a better understanding of how much local authorities are spending on early intervention services.
11. The Government should introduce a standard data collection on child victims of sexual crimes under the age of 18.
12. The Government should make increased resources available to the police to enable them to tackle online abuse images of children and increase convictions.
13. The DfE should ensure that the new guidance and revised civil definition of CSE provides a clear explanation of what constitutes sexual exploitation and grooming (particularly in the case of 16 and 17 year olds), provides clarity on how grooming and exploitation protections interact with the legal age of consent, and outlines what safeguarding response should be expected.
14. The existing offence of coercive and controlling behaviour in the Sexual Offences Act 2003 should be extended and amended to cover children up to the age of 18.
15. Prosecution guidelines should clarify that vulnerabilities such as learning disabilities, being in care and mental health problems should be considered when determining young people's capacity to consent.
16. The Government should ensure that all victims of sexual crimes should have access to specialist therapeutic or mental health support.
17. The Government should introduce clear standards on how young victims of crimes of a sexual nature are kept informed about the progress of investigation and court processes.
18. The Government should introduce stronger sanctions for failing to meet the mandatory reporting responsibility amongst frontline professionals on FGM.
19. As a matter of priority, the Government should review the minimum enlistment age. In the meantime, the Government should:
  - a) require recruiters to meet directly with parents and ensure that potential recruits and their parents are fully informed of the risks and obligations of military service at an early stage; and
  - b) ensure that child recruits cannot be made to serve to longer than adult recruits.
20. The law should be changed to remove the defence of "reasonable chastisement" and to prohibit all corporal punishment of children.

## Endnotes

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## About CRAE

The Children's Rights Alliance for England (CRAE) works with 150 organisations and individual members to promote children's rights, making us one of the biggest children's rights coalitions in the world.

We believe that human rights are a powerful tool in making life better for children. We fight for children's rights by listening to what they say, carrying out research to understand what children are going through and using the law to challenge those who violate children's rights. We campaign for the people in power to change things for children. And we empower children and those who care about children to push for the changes that they want to see.

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