



# **General Information**

## **BI. Responsibilities as set out in “Protecting all God’s Children 2004”**

**I - The Church of England**, within its national institutions and within Dioceses, has an obligation to support parishes and those working with children and young people in exercising their primary responsibility for those entrusted to them. There is a necessity:

- To be involved with parliament, government departments, the voluntary sector and ecumenical partners in the continuing debate about child abuse
- To keep abreast of new research and initiatives, including information about how abusers of children operate
- To ensure that the National Church Institutions follow good practice procedures for recruitment of staff
- To modify institutional practices, in the light of research, putting in place appropriate systems of accountability and supervision at all levels of the church’s life, and ensuring that disciplinary and employment procedures are robust enough to manage risk
- To listen to those who have been abused to learn how to improve practice
- To ensure that all licensed ministers are carefully selected and trained and that their training equips them for the responsibilities of ministry in this area amongst others
- To ensure the continuing development of procedures and guidance on good practice which are the main ways that those who are in direct contact with children and young people are properly equipped to undertake their responsibilities
- To ensure, as far as possible, that those with responsibilities towards children can undertake their tasks confidently and without feeling unduly vulnerable to unfounded allegations.

It is important to recognise that it is people who protect and not only procedures. The aim is to create a culture of informed vigilance at all levels in the Church by:

- Raising awareness of the issues involved in protecting children in the church
- Addressing the needs of our children in all their cultural, spiritual, intellectual, racial and physical diversity
- Responding to the needs of children and adults who have been abused
- Supporting and training those who work with children, encouraging them to work together to follow good practice
- Caring appropriately for those in the church community who have abused children.

The Church is probably unique in its ministry to both those who have been abused and those who have abused. It is within this tension that policy, procedures and good practice must be made to work. The Church seeks not simply to keep the law in regard to child protection but to foster and promote best practice as part of its work for and witness to God’s kingdom. Therefore:

- The Church of England fully endorses the principle, enshrined in the Children Act 1989, that the welfare of the child is paramount
- The church recognises that it is required by God to foster relationships of the utmost integrity, respect, truthfulness and trustworthiness. Clergy and laity who come into



contact with children within the church need to operate within a carefully thought out framework of policy, procedures and good practice which will ensure that children are safeguarded and nurtured within a culture of informed vigilance

- Clergy and laity need to have an awareness of their use of authority and power and never betray the trust that is given them
- Clergy and laity in the church should seek to maintain the highest standards of conduct in all worship, pastoral, educational, and recreational situations
- The church will take allegations of abuse seriously, fully co-operating with the Local Safeguarding Children's Board<sup>1</sup> in any matter concerning the welfare of children and young people. It acknowledges the prime responsibility of statutory agencies to investigate any significant harm to a child. The church will never itself investigate incidents of suspected child abuse
- The church will work with the statutory agencies to manage the presence in congregations of those who have been convicted of offences against children including those who are on the Sex Offenders Register
- The Church of England will seek to work with other Christian and faith traditions to promote the welfare and safety of children and young people
- For the purpose of the policy and procedures a child is anyone under the age of 18 years. All those who work with or are in regular contact with such children must comply with this policy
- All those working with or in direct and regular contact with children in a paid or unpaid capacity will be carefully recruited and their backgrounds checked at the appropriate level through the Criminal Records Bureau.<sup>2</sup> These checks will also be carried out on those supervising people working with children and on those whose representational ministry, office or status gives them the opportunity or the expectation for regular or unsupervised contact with children.

## **2 - The House of Bishops will:**

- Be responsible for this policy for the protection of children and young people in the Church of England and for future revisions
- Approve such procedures as are appropriate to ensure proper consistency in best practice
- Appoint a Bishop with lead responsibility for child protection
- Work with the Child Protection Adviser for the Church of England to co-ordinate a church wide strategy.

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<sup>1</sup> The Sussex Safeguarding Children's Boards were set up under the provisions of the Children Act 2004 to develop policies and procedures for safeguarding and promoting the welfare of children in the area covered by East and West Sussex County Councils and Brighton and Hove Unitary Authority

<sup>2</sup> see B2 for more information on CRB disclosures

### **3 - The Diocese should:<sup>3</sup>**

- Adopt the House of Bishops' policy on child protection together with any additional Diocesan procedures and good practice guidelines which shall be endorsed by the Diocesan Synod
- Provide a structure to manage child protection in the Diocese
- Appoint a suitably qualified Diocesan Safeguarding Adviser, directly accountable to the Diocesan Bishop, and provide appropriate financial, organisational and management support
- Include the monitoring of child protection in parishes as part of the Archdeacons' responsibilities
- Provide access to the Criminal Records Bureau for parishes, the Cathedral, the Bishop's office and the Diocesan office for those beneficed and licensed clergy, paid workers and volunteers who need to obtain disclosures
- Provide access to a risk assessment service so that the Bishop or others can evaluate and manage any risk posed by individuals or activities within the church
- Provide training and support on child protection matters to parishes, the Cathedral, Diocesan organisations including religious communities and those who hold the Bishop's licence
- Provide a handbook of procedures and recommended good practice to enable parishes and others to undertake their duties, encouraging them to implement such procedures and good practice according to their local needs.

### **4 - The parish should:<sup>4</sup>**

- Accept the prime duty of care placed upon the incumbent and Parochial Church Council to ensure the well being of children and young people in the church community
- Adopt and implement a child protection policy and procedures, accepting as a minimum the House of Bishops' policy on child protection but informed by additional Diocesan procedures and recommended good practice whilst being responsive to local parish requirements
- Appoint a co-ordinator to work with the incumbent and the Council to implement policy and procedures. The co-ordinator must ensure that any concerns about a child or the behaviour of an adult are appropriately reported both to the statutory agencies and to the Diocesan Safeguarding Adviser. Ideally this co-ordinator should be someone without other pastoral responsibility for children in the parish

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<sup>3</sup> The term "Diocese" is used to cover various legal and authority structures within its geographical area. The Diocesan Bishop will be responsible for ensuring that the appropriate people in the diocese take responsibility for the various Child Protection tasks.

<sup>4</sup> The term "parish" is used to denote the PCC and incumbent who are together responsible for ensuring that the Child Protection Policy is implemented. Particular parishes may wish to use the benefice, group or team as the relevant body for practical reasons. This section should be deemed to include the cathedral of the diocese and other diocesan organisations including religious communities.

- Appoint a person who may be different from the co-ordinator to be a children's advocate. This should be someone whom children know they could talk to about any problems, if they so wish
- Display the "Childline" telephone number
- Ensure that all those authorised to work with children and young people or in a position of authority are appropriately appointed, trained and supported and provide all authorised personnel with a copy of the parish child protection policy, procedures and good practice guidelines
- Pay particular attention to children with special needs and those from ethnic minorities to ensure their full integration and protection within the church community
- Create a culture of 'informed vigilance' which takes children seriously
- Ensure that appropriate pastoral care is available for those adults who have disclosed that they have been abused as children
- Provide, as appropriate, support for all parents and families in the congregation, being aware particularly of parents whose children have suffered abuse
- Ensure that those who may pose a threat to children and young people are effectively managed and monitored<sup>5</sup>
- Ensure that appropriate health and safety policies and procedures are in place
- Provide appropriate insurance cover for all activities undertaken in the name of the parish<sup>6</sup>
- Review the implementation of the child protection policy, procedures and good practice, at least annually.

Rural parishes or parishes held in plurality may wish to join together to implement the policy and procedures. It should be noted however that people working in isolated situations can be vulnerable and care should be taken to implement the policy in full.

Local Ecumenical projects should agree which denomination's child protection policy to follow and this decision should be ratified by the Bishop and other appropriate church leaders.

## **B2. Criminal Records Bureau**

*Please note that arrangements for making recruitment checks will change in Autumn 2009 when the Independent Safeguarding Authority (ISA) will be responsible for all decisions regarding barring people from working, or volunteering with children or vulnerable adults. All new workers will need to be registered with the ISA via an enhanced CRB disclosure before they start work. More advice and training will be provided before the new system becomes mandatory.*

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<sup>5</sup> see G35 for the procedure for ministering to offenders

<sup>6</sup> see G22 for information on insurance.



## **Introduction**

### **1 - What is the CRB?**

The Criminal Records Bureau (CRB) has been set up to facilitate safer recruitment to protect children and vulnerable adults. Previously Police checks had mainly been confined to people employed in the statutory sector in jobs involving significant unsupervised access to children. Many other staff in the statutory sector working with children or vulnerable adults were not subject to Police checks. Similarly, many other employers and voluntary organisations did not have access to Police records. The CRB is set up to implement part V of the Police Act 1997.

### **2 - Purpose of CRB**

The purpose of the CRB is to help prevent unsuitable people having access to jobs and positions that provide opportunities to harm children and vulnerable adults.

### **3 - How this will be achieved?**

CRB provides the disclosure service as an extra tool for recruiters. The CRB will check the records of the Police National Computer and records held by the Department for Children, Schools and Families (DCSF) that is List 99 and the Protection of Children Act List POCA. The Department of Health (DH) holds the new Protection of Vulnerable Adults List POVA, which will be checked for certain positions involved with vulnerable adults.

### **4 - Who needs a Disclosure?**

Everyone working for the church or volunteering for an activity, which is a church responsibility, needs to be considered for a disclosure. The task needs to be assessed to determine what level of contact, if any, the person will have with children or vulnerable adults. It is now a criminal offence to employ someone who is barred from working with children by the courts or by being on a register held by either the DCSF or the DH. All parish Child Protection Co-ordinators and those trained to validate identity for the CRB should apply for an Enhanced Disclosure.

### **5 – Levels of Disclosure: Enhanced and Standard**

There are currently two levels of CRB disclosure available: Enhanced and Standard. Both levels of check involve consultation of Police National Computer records as well as registers held by the DoH and the DfES.

The Enhanced level also involves consulting the relevant constabularies for any non-conviction information (force intelligence regarding ongoing investigations etc) relevant to the applicant's suitability to work with children to be disclosed, at the discretion of the Chief Police Officer in each case. On very rare occasions this information is not disclosed to the applicant and may instead be shared confidentially with the appointing body.



The **Standard Disclosure** is for people working with, that is having regular contact with, children and vulnerable adults, and also for people entering certain professions, for example the legal profession and accountants. This disclosure contains details of all convictions on record (including “spent” convictions, i.e. those that happened some time ago and normally no longer need to be revealed as specified in the Rehabilitation of Offenders Act 1974) plus details of any cautions, reprimands or warnings. It also contains employment information from the DH and the DCSF (this level of disclosure is likely to be used for adult members of mixed age activities: volunteer helpers where the parents are present).

The **Enhanced Disclosure** is for posts involving greater contact with children or vulnerable adults. Such work might involve regularly caring for, training, supervising or being in sole charge of such people. This disclosure involves an extra level of checking with local Police force records who may provide non-conviction intelligence information to the registered body in addition to checks against the National Police Computer and the records held by the DH and the DCSF (this level of disclosure is likely to be used for all clergy, paid and volunteer workers with children, young people or vulnerable adults, leaders of mixed age activities and people whose position or status in the church provides them with opportunities to have unsupervised contact with children, for example vergers, caretakers, churchwardens, non-ordained worship leaders).

The CRB are encouraging us to make **Enhanced** level checks wherever there is any doubt about the level required.

## **6 - What the Disclosure can't tell you**

The Disclosure cannot tell you of:

- Any convictions after the date of the disclosure
- Any convictions from other countries outside Great Britain
- Any information held by Children's Services regarding child care issues
- Any undiscovered offences.

## **7 - How will a Disclosure be obtained?**

Applicants will be informed of the need for a disclosure at the beginning of the recruitment process. Once successful, the applicant will be given a form (obtainable from Diocesan Church House, 211 New Church Road, Hove, East Sussex BN3 4ED) by the person making the appointment. The applicant's identity will be validated by a trained person in the parish and checked by a counter-signatory of the registered body (Diocese of Chichester Board of Finance).

## **8 - How long will a disclosure take?**

It is expected that a Standard Disclosure will take a week and an Enhanced Disclosure three weeks. Current time scales are 5–6 weeks, although in a few instances long delays have been experienced.

## **9 - What is the cost?**

This varies from time to time so contact the Diocesan Office for up-to-date information; checks on volunteers will be free. The Diocese will not charge any administration fees.

## **10 - Who needs to pay?**

The CRB defines a volunteer as “a person who performs any activity which involves spending time unpaid (except for travelling and other out of pocket expenses) doing something which aims to benefit someone (individual or group) other than or in addition to close relatives.” All others are defined as employed. Therefore any retired clergy receiving fees, any organist, choir member or bell ringer receiving payment from the PCC or appointing body for their activity will count as employed. An ordinand before selection or a non-stipendiary priest not in receipt of fees will count as a volunteer. Choir members or bell ringers, who receive fees from wedding couples for example but not from the PCC, are counted as volunteers.

## **11 - What happens if someone has a conviction?**

All information received during the recruitment process will be carefully and professionally assessed to determine whether or not it is relevant to the post or task applied for. Having a criminal conviction will not necessarily be a bar to appointment. The Diocese has in place a policy on the recruitment of ex-offenders.

## **12 - What is a registered body?**

A registered body is an organisation (in this case the Diocesan Board of Finance) that is likely to need to ask “exempt” questions under the Rehabilitation of Offenders Act 1974, that is, to ask people to declare all offences, cautions, warnings and reprimands, however old, because they wish to hold a position which brings them into contact with children or vulnerable adults.

## **13 - What is an umbrella body?**

An umbrella body is a registered body that also processes disclosure applications for other legal bodies, i.e. parishes.

## **14 - Who can use the Diocese as an umbrella body?**

All the parishes of the Diocese and other legal entities/trusts connected with the Diocese or which are the responsibility of a PCC can use the Diocese as an umbrella body. If there is doubt, the Diocesan Secretary at Diocesan Church House should be contacted for permission to use the Diocesan procedures.

## **15 - Renewing disclosures**



The House of Bishops has asked Dioceses to renew Disclosures that are more than 5 years old.

### **I6 – ‘Portability’ of disclosures from other organisations**

Portability refers to the use of a CRB disclosure obtained via one Registered Body and used by another Registered Body. An example of this would be a disclosure obtained for a teacher via a Local Education Authority as the Registered Body and re-used by another Registered Body for a different role whether that be paid or voluntary.

The CRB no longer offer a Portability Confirmation service, and as such Diocesan policy is now that applicants for positions working with children and young people in parishes must undergo a fresh disclosure, regardless of what disclosure documents they may have been issued through other organisations.

### **I7 - Overseas applications**

The CRB will provide information wherever possible on how to go about acquiring an equivalent record check for workers who have recently arrived in the UK from abroad. In some cases they may only be able to provide contact details for the relevant country’s embassy in Britain.

Where thorough checks are not possible consideration must be given to the safest framework for practice for the individual. It may often be appropriate to support the individual, who cannot be checked in a thorough manner or who may have little child protection experience, by offering close supervision and child protection awareness support. The latter would be co-ordinated between the Parish Child Protection Representative and the Diocesan Safeguarding Adviser.

### **I8 - Further information**

CRB information line: 0807 9090 811

CRB application line: 0807 9090 844

CRB address: PO Box 110, Liverpool L3 6ZZ

Website: [www.crb.gov.uk](http://www.crb.gov.uk)

### **Making an application**

Detailed advice is contained in a separate supplement available from Diocesan Church House.

## **B3. Confidentiality and information sharing**

### **I - General duty of confidentiality**

Both law and sound morals impose a general duty not to pass on information, which has been received, in the clear expectation that it will be treated as confidential. That duty is not absolute however and the courts will not intervene to restrain disclosure where (a) the

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information relates to a crime or other serious misconduct and (b) disclosure is in the public interest. Thus, where a child is judged to be at risk of significant harm or a child is likely to harm themselves or others, usually it will be legally possible, appropriate and highly desirable to disclose relevant information to the public authorities for the sake of protecting that child or young person.

If such information has been received in confidence, the person giving the information should in the first instance be encouraged to disclose it to the authorities him or herself. Alternatively, the person receiving the disclosure should ask permission to pass the information on. If this request is denied it might still be possible to pass the information to a statutory body. Government guidance relating to child protection issued in 2003 gives helpful advice. The guidance states:

### **Disclosure in the absence of consent<sup>7</sup>**

“The law recognises that disclosure of confidential information without consent or a court order may be justified in the public interest to prevent harm to others.

The key factor in deciding whether to disclose confidential information is proportionality: is the proposed disclosure a proportionate response to the need to protect the welfare of the child? The amount of confidential information disclosed, and the number of people to whom it is disclosed, should be no more than is strictly necessary to meet the public interest in protecting the health and well being of a child. The more sensitive the information is, the greater the child focused need must be to justify disclosure and the greater the need to ensure that only those professionals who have to be informed receive the material”.

## **2 - Confession**

It is possible that relevant information may be disclosed in the particular context of sacramental confession. Canon Law constrains a priest from disclosing details of any crime or offence which is revealed in the course of formal confession, however, there is some doubt as to whether this absolute privilege is consistent with the civil law.<sup>8</sup> Where a penitent’s own behaviour is at issue, the priest should not only urge the person to report it to the Police or Local Authority, but may judge it necessary to withhold absolution until this evidence of repentance has been demonstrated.

It is in everyone’s interest to recognise the distinction between what is heard in formal confession (however this might take place), which is made for the quieting of conscience and intended to lead to absolution, and disclosures made in pastoral situations. For this reason, it is helpful if confessions are normally heard at advertised times or by other arrangement or

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<sup>7</sup> “What to do if you’re worried a child is being abused” 2006 Appendix 3, section 10 and 11

<sup>8</sup> This, and other issues relating to confidentiality, are given detailed consideration by the Legal Advisory Commission in its opinion entitled “The Clergy and Confidentiality” (May 2002), to be published in the forthcoming edition of *Legal Opinions concerning the Church of England*.



in some way differentiated from a general pastoral conversation or a meeting for spiritual direction.

### **3 - Relevant legislation**

Legislation designed to safeguard the private lives of individuals has been framed to take account of the overriding need to protect the wider community against crime and serious misconduct. Nevertheless, it is important to be aware of the legal obligations which apply to those who hold sensitive information about others.

### **4 - Data Protection**

Information which relates to an individual's physical or mental health, sexual life or to the commission or alleged commission of an offence is treated as sensitive personal data for the purposes of the Data Protection Act 1998. The Act restricts the use of such information, including its disclosure to third parties, without the explicit consent of the individual concerned. This presents particular difficulties where a vulnerable person is unable to give such consent by reason of mental or physical impairment. However, there is a useful provision which permits the processing of sensitive personal data where the individual cannot give consent, providing that the processing is necessary for the provision of confidential counselling, advice, support or any other service.<sup>9</sup> There is also an exemption which permits disclosure of personal information to the Police where that disclosure is made for the purposes of preventing or detecting crime<sup>10</sup>.

### **5 - Human Rights**

The Human Rights Act 1998 incorporated into UK law the European Convention on Human Rights, so that it is now unlawful for a public authority to act in contravention of a Convention right.

What constitutes a "public authority" for the purposes of the 1998 Act is a developing area of the law. The most recent judicial opinion<sup>11</sup> suggests that (except in cases such as the conduct of a marriage where the minister can be said to be exercising a governmental function in a broad sense) a person carrying out duties within the Church of England which are simply part of the mission of the church (such as pastoral care) is not acting as a public authority. However, this is an area on which advice should be sought from the Diocesan registrar in any particular case.

Article 8 of the Convention provides that everyone has the right to respect for his private and family life, his home and his correspondence, and that a public authority may only

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<sup>9</sup> Data Protection (Processing Sensitive Personal Data) Order 2000. Schedule para 4

<sup>10</sup> Data Protection Act 1998 s29(1)

<sup>11</sup> The judgement of the House of Lords in *Parochial Church Council of Aston Cantlow and Wilmcote with Billesley, Warwickshire v Wallbank and another* delivered on 26<sup>th</sup> June 2003  
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interfere with this right where such interference is lawful and necessary for certain purposes. The most relevant of those in the child protection context are the prevention of disorder or crime, the protection of health or morals and the protection of the rights and freedoms of others. In any circumstances where Article 8 applies to a public body, there is a judgement to be made as to whether, on balance, an interference with that right by a public authority can be justified. Where allegations of abuse are concerned, the potential harm that might result from not reporting such allegations will be a relevant factor.

## **6 - Freedom of information**

No church body is a public authority for the purpose of the Freedom of Information Act 2000, and so the Act does not have any direct impact upon the church's activities. However, those sharing information with public authorities (such as local government departments and agencies) should be aware that those bodies are subject to the Act. However, information held by a public authority in connection with investigations and legal proceedings is generally exempt from public disclosure under the Act.

### **B4. Managing investigations where the church worker is not the primary concern**

There may be occasions where an investigation is conducted on a spouse, family member or lodger for example, who is living with or in close conduct with a church worker either ordained or lay, paid or unpaid.

An agreement should be made with the multi-agency team or the Police who are involved on a case by case basis. The protection of any children must be the first consideration. It may be that the church worker would have to agree that no children would come to the house during the investigation. If this were not possible to regulate, the person under investigation may need to leave the house and be accommodated elsewhere.

The person under investigation might be a close friend or family member living elsewhere. They might need to agree not to visit the clergy home or home of the church worker during any investigation.

With any of these arrangements the person needs to be aware that the church is making no judgement about the case.

Sometimes information will come to light about convictions or serious allegations regarding this group who may come into contact with children through a church worker's position. Such situations would need to be assessed by the Diocesan Safeguarding Adviser in consultation with the risk assessment panel. An agreement may need to be made with the church worker in order to protect children.

### **B5. What is abuse and neglect?**

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Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting; by those known to them or, more rarely, by a stranger. They may be abused by an adult or adults or another child or children. Faith communities need to be especially aware of mixed age activities where adults have the opportunity to build up a relationship with a child in an informal and less supervised situation.

### **Spiritual harm**

Child abuse occurs in all cultures, religions and classes. Within faith communities, harm can be caused by the inappropriate use of religious belief or practice. This can include; the misuse of the authority of leadership or penitential discipline, oppressive teaching, or obtrusive healing and deliverance ministries, any of which may result in children experiencing physical, emotional or sexual harm. If such inappropriate behaviour becomes harmful it should be referred for investigation in the usual way. Careful teaching, supervision and mentoring of those entrusted with the pastoral care of children should help to prevent harm occurring in this way. Other forms of spiritual harm include the denial to children of the right to faith or the opportunity to grow and develop within their own faith community.

### **Physical abuse**

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 or carer fabricates the symptoms of, or deliberately induces illness in a child.

### **Emotional Abuse**

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 developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill treatment of another. It may involve serious bullying causing children to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of ill treatment of a child, though it may occur alone.

### **Sexual Abuse**

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, sexual online images, watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

## **Neglect**

Neglect is the persistent failure to meet a child's basic physical and/or 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 and emotional harm or danger, failure to ensure adequate supervision including the use of inadequate caretakers, 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.

## **Common signs and symptoms of child abuse**

It is recommended that workers attend training events provided by their local Social Care Services or by the Diocesan Safeguarding Adviser. This summary gives a brief outline of some of the signs and symptoms you may see which are causes of concern:

### **Physical abuse**

The first evidence of abuse may not be an obvious severe injury.

#### **Bruises**

- In or around the mouth
- Fingertip bruising on arms, chest or face indicating tight gripping or shaking
- Bruises of different colours indicating injuries of different ages
- Two simultaneous black eyes without bruising to the forehead
- Bruising showing the marks of a belt or implement or a hand print
- Bruising or tears around the earlobes
- Bruising to the head or soft tissue areas of the body.

#### **Bites**

- Human bite marks are oval or crescent shaped and can leave a clear impression of teeth.

#### **Burns and scalds**

- Burns with a clear outline are suspicious
- Circular burns from cigarettes
- Linear burns from hot metal rods or electric elements
- Burns of a uniform depth over a large area
- Friction burns from being pulled across a floor
- Scalds producing a water line from immersion or pouring of hot liquid

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- Splash marks around the main burn area caused by hot liquid being thrown
  - Old scars indicating previous burns.

#### Fractures

- Any fracture on a child under 1 year old is suspicious
- Any skull fracture in the first 3 years is suspicious.

#### Female circumcision

- This is illegal except for health reasons.

### **Neglect**

Often difficult to identify, neglect leads to the physical and emotional harm of a child. The signs and symptoms include:

- Failure of a parent to provide adequate food, clothes, warmth, hygiene, medical care or supervision
- Failure of a child to grow within the normally expected pattern, they may show pallor, weight loss and signs of poor nutrition
- Failure of parents to provide adequate love and affection in a stimulating environment, a child may look listless, apathetic or unresponsive with no apparent medical cause
- A child may be observed thriving when away from the home environment.

### **Emotional abuse**

Emotional abuse can also be difficult to identify. It is the result of ill treatment in the form of coldness, hostility and rejection; constant denigration or seriously distorted emotional demands; extreme inconsistency of parenting. Some of the signs and symptoms are as follows:

- Low self-esteem
- Apathy
- Being fearful and withdrawn or displaying “frozen watchfulness”
- Unduly aggressive behaviour
- Excessive clinging or attention seeking behaviour
- Constantly seeking to please
- Over-readiness to relate to anyone, even strangers.

### **Sexual abuse**

Sexual abuse can be suspected based on physical signs, the child's behaviour or following a direct statement by the child. It is often investigated because of a combination of these signs.

#### Physical signs



These will normally be identified by a medical practitioner. Others can be more generally observed:

- Recurrent abdominal pain
- Unexplained pregnancy
- Difficulty walking and sitting
- Faecal soiling or retention
- Recurrent urinary tract infections.

#### Behavioural signs

- Knowledge unusual for the age of the child
- Sexually provocative relationships with adults
- Sexualised play with other children
- Hints of sexual activity through play, drawing or conversation
- Requests for contraception advice
- Lack of trust or marked fear of familiar adults
- Sudden onset of soiling or wetting
- Severe sleep disturbance
- Change of eating habits
- Social isolation and withdrawal
- Role reversal in the home e.g. a daughter taking over the mothering role
- Inappropriate displays of physical contact between adult and child
- Learning difficulties, poor concentration
- Inability to make friends
- Using school as a haven, arriving early and reluctant to leave
- Reluctance to take part in physical activity
- Truancy, running away from home
- Self harm, mutilation or suicide attempts
- Dependence on drugs or alcohol
- Anti-social behaviour including promiscuity and prostitution.

#### **Organised abuse**

Organised abuse refers to any abusive practice which is planned or exercised by two or more offenders, or where more than one child is abused by the same person. This type of abuse does occur and needs very careful investigation. Good communication between everyone involved is essential. This type of abuse can include the production and dissemination of child abuse images by various methods including the Internet.

#### **Duties of the Local Authority**

The Children Act 1989 puts a duty on the Local Authority:

- To take reasonable steps to prevent children suffering ill treatment or neglect
- To share information about any child within the area who is likely to suffer harm

- To investigate where there is reasonable cause to suspect that a child is suffering or likely to suffer significant harm
- To safeguard and promote the welfare of children who are in need and their families by the provision of services.

Recognition of suspected or actual child abuse is the responsibility not only of the statutory agencies - Police, Children's Services, Health Services, Education etc, but also the community.

### **Definition of significant harm**

The Children Act 1989 introduced the concept of significant harm as the threshold that justifies compulsory intervention in family life in the best interest of children. The Local Authority is under a duty to make enquiries, or cause enquiries to be made, where it has reasonable cause to suspect that a child is suffering, or likely to suffer significant harm (S47). A court may only make a court order (committing the child to the care of the Local Authority) or a supervision order (putting the child under the supervision of a social worker or probation officer) in respect of a child if it is satisfied that:

- The child is suffering, or is likely to suffer, significant harm
- That the harm or likelihood of harm is attributable to a lack of adequate parental care or control (S31).

There are no absolute criteria on which to rely when judging what constitutes significant harm. Consideration of the severity of ill treatment may include the degree and extent of physical harm, the duration and frequency of abuse and neglect, and the extent of premeditation, degree of threat and coercion, sadism, and bizarre or unusual elements in child sexual abuse. Each of these elements has been associated with more severe effects on the child, and/or relatively greater difficulty in helping the child overcome the adverse impact of ill treatment. Sometimes a single traumatic event may constitute significant harm, e.g. a violent assault, suffocation or poisoning. More often, significant harm is a compilation of significant events, both acute and longstanding, which interrupt, change or damage the child's physical and psychological development. Some children live in family and social circumstances where their health and development are neglected. For them, it is the corrosiveness of long term emotional, physical or sexual abuse that causes impairment to the extent of constituting significant harm. In each case, it is necessary to consider any ill treatment alongside the family's strengths and supports.

## **B6. Information about the sexual abuse of children**

### **Frequently asked questions about the behaviour of sexual abusers**

#### **Who sexually abuses children and young people?**



Approximately 90% of convicted abusers are male. Whilst women do abuse sexually and there is probably some under reporting of females, evidence at present shows it is predominantly an offence committed by males. Children can be sexually abused by adults or by other young people. In the UK young people under the age of 21 account for approximately a third of all cautions and convictions for sexual offences.

### **What are the implications of this?**

Many adult sexual offenders report that they began their behaviour around the age of 13 or sometimes younger. This means that when they are finally discovered they may have been sexually abusing others for many years and their behaviour will have become compulsive and hard to break. It also means that if a young person engages in inappropriate sexual behaviour it would be dangerous simply to view it as teenage "experimentation" out of which they will grow.

### **Why do people abuse?**

The reasons why adults abuse are very complex. Sometimes they will have been abused themselves or be responding to past hurts or unmet needs. Sexual abuse of vulnerable children may meet a need for power and control or for self-gratification.

### **Are sexual abusers likely to abuse a particular type of child?**

Sexual abusers will be attracted to children of different ages and characteristics. Some will abuse only pre-pubescent children, others will approach older children. Some will abuse boys, others girls and some children of both sexes. If an abuser is having a sexual relationship with another adult, this does not mean that they are not a risk to children. Some abusing adults may operate alone whilst others may be linked into an organised network.

### **Can we recognise a sexual abuser?**

It is not possible to easily identify someone who will sexually abuse children because they are found in all walks of life and sections of the community, within all professional groups and from all social classes and racial and cultural backgrounds.

### **Does sexual abuse just happen?**

A sexual abuser may claim that they did not know why the behaviour happened or that it was a result of stress, sexual frustration or misuse of drugs or alcohol. There is no evidence that this is the case. Sexual abuse is usually carefully and meticulously planned, often over a long period of time. Abusers may choose friendships or relationships with adults who already have children or careers where they will have positions of responsibility over children.

### **Can an adult who sexually abuses a child stop by themselves?**

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All the available evidence suggests that over a period of time an abuser will have developed powerful sexual urges, fuelled by fantasy, towards children and will find it very difficult to control these impulses. Once discovered, an adult sexual abuser will need to have controls placed on their behaviour to ensure that they do not have opportunities to abuse other children.

### **How can a sexual abuser live with themselves?**

Unless the sexual abuser is a sadistic offender who thrives on the pain of others, he or she is likely to have developed a fixed set of beliefs that serve to justify or rationalise their abusive behaviour with children. This distorted thinking can convince them that:

- The child wanted the sexual experience
- Children are seductive and provocative
- It won't harm them
- They liked the sexual experience
- It was a "one-off" and it won't happen again.

The distorted thinking of a sexual abuser can be fed in a number of different ways including pornographic literature, seeking out other like-minded adults, or by misrepresenting children as sexual beings. In attempting to deny or minimise the effects of their abusive behaviour, a sexual abuser may appear very plausible. This can draw other people into their way of thinking.

One of the ways an offender can deny responsibility or seek to avoid having to address their behaviour through treatment is by claiming a religious conversion. When this is the case, it would be important to know whether faith in God has really led to true repentance, taking full responsibility for the abuse, seeking to repair its damage and seeking to prevent a relapse by receiving the support of others.

### **Can a sexual offender be cured?**

There is no evidence that a sexual abuser can be cured of an attraction to children. This is because the behaviour will have developed over many years and will be so entrenched that it will have become an integral part of a person's character. The best way to stop is for them to develop an insight into their pattern or cycle of behaviour and by keeping away from situations where child abuse could occur. To ensure that there is no further offending the abuser is likely to require a long-term specialist programme and long-term supervision so that they cannot develop or reinforce their distorted thinking.

### **How do adults target particular children for abuse?**

Adult sexual abusers are extremely good at relating to children and gaining their confidence and trust and are often well known to the child or their family particularly if they are seen as a safe and trusted person.

## **The "grooming" process**

The process by which adults introduce the child into a sexually abusive relationship is known as "grooming". Often this involves getting to know the child and showing them special attention before slowly progressing into sexual abuse. If undiscovered, this behaviour is likely to become increasingly intrusive, and an adult sexual abuser can regularly abuse the same child over many years. The abuse of other children at the same time is also possible depending on the level of access and opportunity.

In addition to "grooming" the child, an abuser will also "groom" other people around them to create the impression that they would not be capable of such an action. If they are discovered, the people around them may find it difficult to believe the allegations and may defend the abuser rather than think about the needs of the child. In such situations the child will feel very distressed that they are not believed and may be under pressure to retract their allegations.

## **Are certain children more vulnerable than others?**

All children are potentially at risk from a sexual abuser. However, children may be especially vulnerable if they:

- Are left alone for long periods of time without proper supervision
- Are in care or away from home, at school or on holiday
- Are emotionally deprived and particularly looking for love, affection or seeking attention
- Are lonely or bored
- Are in need of high levels of intimate care or have communication difficulties because they suffer from a disability
- Are open to manipulation because they have a special enthusiasm such as sport or music and are dependent upon a group leader or coach to succeed.

## **Why don't children tell?**

Children are put under immense pressure by their abuser to keep areas of their relationship secret and not to tell anyone. Some of the main ways that this is done include:

- Offering children gifts or other treats
- The abuser may threaten the child, their family, friends or pets
- The abuser may entrap the child into thinking they have a special relationship or secret
- The child may be told that no one will believe an allegation
- The abuser may place the responsibility for the abuse onto the child so that there is a feeling of guilt
- The child may feel that if a disclosure is made the family will be split up
- The abuser may isolate the child and discourage the child from making relationships with others who could be told
- The child may be emotionally dependent upon the abuser and may fear losing them.

## **How does a sexual abuser get access to children?**



Adults wishing to abuse children can gain access to them in many different ways. Any organisation that works with children has the potential to be targeted by a sexual abuser. This is why it is vital that churches develop safe practices in their work with children.

*With thanks to Elizabeth Pennington, Formerly Diocesan Child Protection Adviser, Coventry.*

### **B7. Care of adult survivors of abuse in the church<sup>12</sup>**

Many adults in the church may be suffering from the effects of abuse. Abuse they suffered in childhood or as adults, abuse of different kinds. The church has a responsibility to support those people who may feel very vulnerable and whose vulnerability may open them up to further abuse. Some abuse may seem trivial to an onlooker, but the severity of abuse needs to be seen in terms of how the victim responded to the abuse both at the time and later. A 15 year old facing traumatic bullying at school might be as likely to feel suicidal as a 15 year old boy or girl raped by their father.

#### **Statistics**

Although numbers vary, some reports show that about one in 4 girls, and one in 9 boys are abused in childhood.<sup>13</sup> Key research in 21 countries found varying rates from 7 to 36% of women and 3 to 29% of men reporting they had been sexually abused as children.<sup>14</sup> One of the most rigorous UK studies found that 12% of women and 8% of men reported they had been sexually abused before the age of 16.<sup>15</sup> There is some evidence that there is considerable under reporting from boys and men.

#### **Effects of abuse**

Some survivors cope well with life and are able to live apparently 'normally'. Some, however, although they present a 'normal' face to the world, may well be suffering and sometimes be unable to say what their problem is, or even to know why they feel ill at ease and unable to feel a sense of peace and joy. Some may show a range of symptoms such as:

- Repeated bouts of depression
- Exhibiting anger and hostility – or unable to connect at all with feelings
- Behaving like a victim - low self-esteem and putting themselves down and constantly apologising
- Inability to get close to people, or wanting to be inappropriately close
- Disturbed sleep, nightmares and so on
- Tending to 'space out' (cutting off from reality)
- Exhibiting fears, phobias and anxiety

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12 With thanks to members of the Church of England Survivors Consultation Group for this contribution.

13 See [www.rapecrisis.co.uk](http://www.rapecrisis.co.uk)

14 Finkelhor, D., 'The international epidemiology of child sexual abuse', *Child Abuse and Neglect* 18, 1994, pp. 409-417.

15 Baker, A. W. and Duncan, S. P. 'Child sexual abuse: A study of prevalence in Great Britain', *Child Abuse and Neglect* 9, 1985, pp.457-467.

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- Self-harming (this is a way of coping, not something done ‘to get attention’)
  - Tending to feel an inappropriate amount of guilt and shame
  - Sometimes relying on smoking, drugs, alcohol or medication
  - Experiencing hallucinations and/or ‘flashbacks’ of the abuse
  - Sometimes moving from one abusive relationship to another.

### **Loss of trust**

Adults and children who are abused can lose trust in those around them, especially if the abuse was within the home (most abuse is carried out by people known to the victim). The loss of trust will profoundly affect the life of the survivor. They may decide (often unconsciously) never to trust anyone ever again – and this is likely to affect their faith and relationships.

### **Why didn't you say so at the time?**

Many survivors say nothing about the abuse for many years. Some have buried their memories so deeply within themselves that they have ‘forgotten’ what happened – especially when the abuse happened when they were very young. Memories may be ‘triggered’ in a range of ways, for example:

- Hearing about abuse on television
- Being in another abusive situation such as finding difficulties with a domineering employer
- Being in a situation where they feel powerless
- Feeling vulnerable, ill, under stress, or suffering from burnout
- The death of their abuser or of one of their carers
- The birth of their own child.

Few victims can report their abuse close to the event and so often reported abuse is about events of years ago, leading to difficulties with finding any proof of what happened. It is often one person’s word against another, and the likelihood of the survivor getting justice is slim. However, some cases do go to court but the experience can be devastating for both children and adults and they are likely to need considerable support.

### **Pastoral care of survivors**

An adult or child disclosing abuse is in a vulnerable state. Above all they need someone to listen to them, and also to believe them. They may need to be ‘heard’ in different contexts and over several years. If there is a complex pastoral situation when an adult discloses abuse, (for example a young person in their twenties accusing a church worker of sexually abusing them), it would be appropriate to find some support for the different parties involved, such as another survivor to support the person making the allegations.

There is no quick fix for healing from abuse and it is crucial that survivors:

- Are not pushed into too early forgiving. Forgiving their abuser/s is a complex process, and considerable damage can be done to treat forgiveness as something that they must



do unreservedly and now

- Are not put in a position of feeling even more guilty than they already do (survivors tend to feel that the abuse was all their fault, particularly when there was more than one abuser)
- Are accepted as they are, however full of anger they may be (anger can be seen as one step along the road to forgiveness – at least if they are angry they are starting to accept that the abuse seriously affected them and this can be a good starting point to move towards healing)
- Are given a sense that those within the church community who know about the abuse are ‘with them’ along the road to recovery. The journey can be very long and supporters are essential
- Survivors can benefit from professional counselling if that is available, but also joining a self-help group can provide the kind of long term support needed
- Survivors helping other survivors can be powerful and effective.

### **Survivors and church**

Many survivors have problems with attending church and it can be that some of those on the fringes of church communities can include survivors. There are some specific things that can be difficult:

- Saying the Lord’s Prayer (believing that they must forgive immediately or God will reject them)
- Specific words can trigger unwanted feelings or images, such as ‘Father’, ‘sin’, ‘let Jesus come into you’, ‘overshadow’
- The peace can frighten survivors because they often don’t want to be touched, particularly hugged
- The emphasis on sin can be so difficult that some survivors leave the church altogether
- Anointing and touch is very difficult for someone whose body boundaries have been violated.

Holy Communion can have extreme problems:

- Words such as ‘blood’ and ‘body’ can trigger memories of the abuse
- Some can’t cope with anyone behind them so queuing to get to the altar is difficult
- Having to get physically close to others, perhaps leading to unwelcome smells such as deodorant, aftershave, or the smell of alcohol
- Kneeling with a man standing over them delivering wine at crotch level.

Those who have been ritually or spiritually abused face particular difficulties. Triggers may include ritual symbols and equipment such as the altar, candles, chalice, crosses and crucifixes, the sacrificial lamb etc. People abused by those in ministry may have been told it was ordained by God, a special service to those who serve the Lord, a blessing from God,

spirit led etc. Sensitivity, care and ideally informed input are needed to help people work through these issues to discover the liberating truth of the Gospel.<sup>16</sup>

The sense of pollution is frequently internalised. Some survivors even feel that if they go to church they will 'pollute' the service for others; such is their feeling of guilt and shame. It is important to recognise the vulnerability and possible 'childlike' state of survivors especially when they are in crisis or the early stages of healing. They can be over-compliant and easily manipulated. Power abuse within pastoral care is a real danger here.

### **Inappropriate responses to survivors**

There are examples of inappropriate responses to survivors in the report Time for Action (from page 52) and these stories could be a basis for discussion about care of survivors with staff or PCC members.

It is inappropriate to:

- Tell a survivor it is her fault that she has lost her virginity
- Insist a survivor must forgive before he or she comes to communion
- Tell them 'it was all so long ago, why don't you forgive and forget?'
- Expect a survivor to move towards recovery without considerable support
- Tell a survivor that they cannot work with children or young people 'because abused people abuse others'
- Have unrealistic expectations of healing such as 'we've prayed for you for over a year now so you must be better'
- Try to arrange for survivor to meet with the perpetrator or suggest reconciliation is a good thing, you could put someone in real danger
- Try to counsel survivors without having sufficient knowledge or awareness yourself of the dynamics and issues of abuse
- Use touch or anointing without clear boundaries and informed consent.

Survivors need time to work on their feelings and be able to accept that:

- It was not their fault
- They haven't committed the unforgivable sin
- They have no need to feel guilt and shame
- God loves them unconditionally.

## **B8. Resources**

### **Books**

House of Bishops' policy document on Child Protection  
Protecting all God's Children

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<sup>16</sup> Chnalogar, M.A. 'Twisted Scriptures: Breaking Free from Churches That Abuse' Zondervan Publishing House 2000



Church House Publishers 2004

House of Bishops' policy document on Adult Protection  
Promoting a Safe Church  
Church House Publishers 2006

Working Together to Safeguard Children  
Department of Children, Schools and Families 2006  
What to do if you are worried about a child  
Department of Children, Schools and Families

Time for action  
CTBI 2002

Child Abuse and the Churches  
Patrick Parkinson  
Hodder and Stoughton 1997

From Silence to Sanctuary  
Jane Chevous  
SPCK 2004 (includes an excellent resources section)

Breaking the Chains of Abuse  
Sue Atkinson  
Lion 2006 (Healing from abuse of all kinds)  
Keeping safe  
Michelle Elliott  
NCVO 1986 (practical advice for parents)

Teenscape  
Michelle Elliott  
HEA 1995 (practical advice for teenagers)

### **Websites**

[www.teachernet.gov.uk](http://www.teachernet.gov.uk)

Contains up to date government guidance

[www.kidscape.org.uk](http://www.kidscape.org.uk)

Preventing abuse and bullying materials

[www.amaze.org](http://www.amaze.org)

Advice for youth workers

[www.crb.gov.uk](http://www.crb.gov.uk)

Recruitment advice

[www.svox.org.uk](http://www.svox.org.uk)

Support for survivors

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