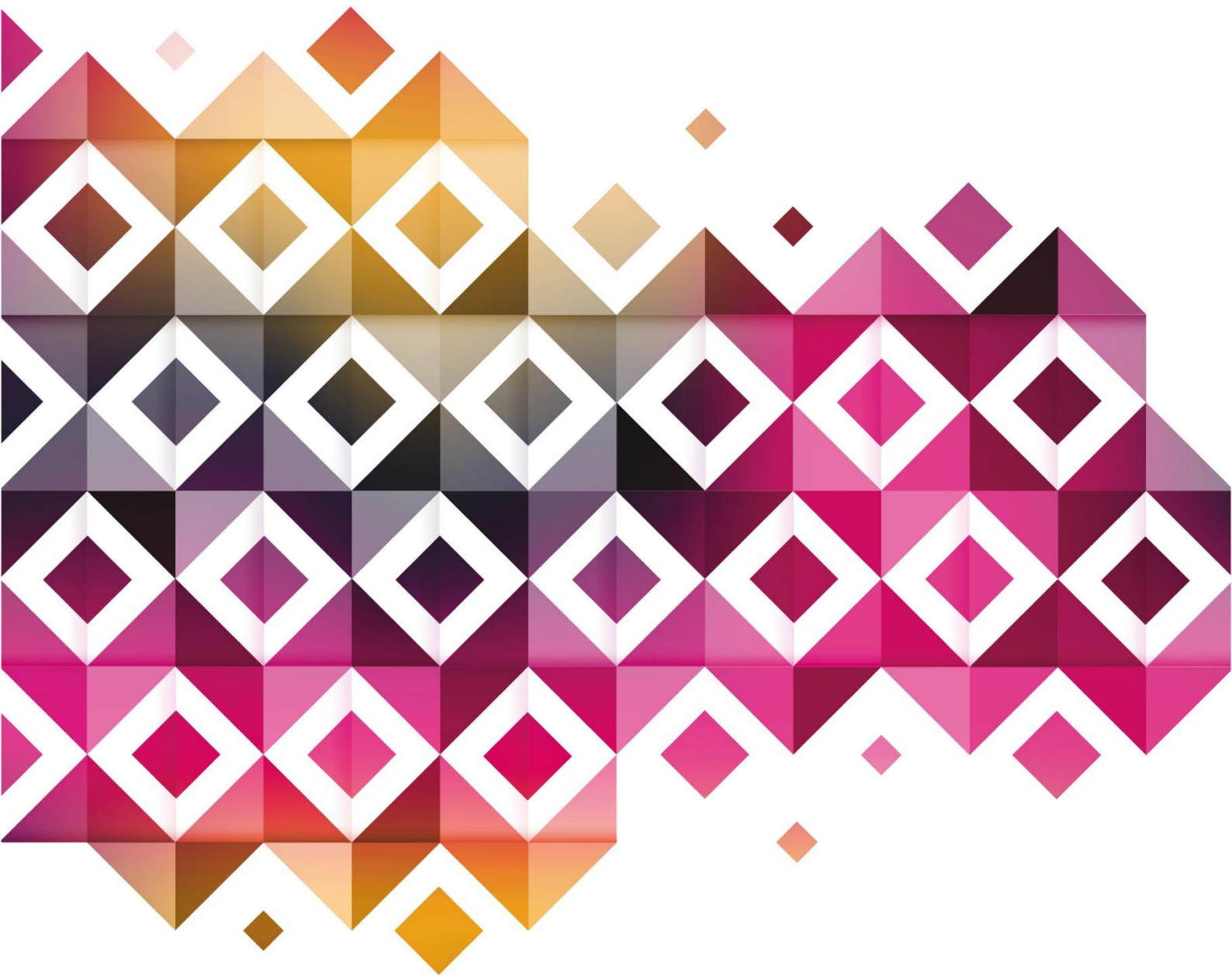


Sowing the Seeds

Children's experience of domestic abuse and criminality

April 2020



Dr Elaine Wedlock

Dr Julian Molina

'There comes a point where we need to stop just pulling people out of the river. We need to go upstream and find out why they're falling in.'

Desmond Tutu

Foreword



We are publishing this review in the midst of the global Coronavirus pandemic. The UK is in lockdown, with families required to stay at home and only venture out when absolutely necessary. These measures, whilst containing the spread of the virus, present an unprecedented risk for victims of domestic abuse, who are compelled to stay within their home with abusive partner or family member.

Together with those responsible for delivering domestic abuse support services, I am concerned levels of abuse will grow sharply, with frontline services struggling to cope.

Neither should this be viewed as a short-term problem, easily resolved when life returns to normal. An important finding of my review is that children who are exposed to domestic abuse are not casual bystanders. The impacts on children of living in a household with domestic abuse are huge and far reaching.

Before the coronavirus dominated the headlines, we were focused on the need to deal with another virus afflicting all parts of our society: a surge in gang related crime, appalling violence inflicted by children onto other children through knife crime, as well as so called “county lines” dealing in drugs, with children pulled into dangerous criminal activity.

My review finds there is an overlap between children’s experience of domestic abuse and children’s offending behaviour. Children in Need Census Data from the Department of Education shows a quarter of children who were identified as having socially unacceptable behaviour also have identified concerns about domestic abuse of a parent or carer. Practitioners who work directly to support children out of gang related activity tell us the children and young people they work with commonly come from backgrounds of domestic abuse.

We heard that children who experience domestic abuse may seek alternative relationships outside of the home, leaving them vulnerable to sexual and criminal exploitation. Children in alternative school provision, those in unregulated care homes and children sent far from home are also more vulnerable. Practitioners told us vulnerability makes children more attractive to criminal gangs and more susceptible to criminal and sexual exploitation.

The review found considerable challenges associated with supporting victims of childhood criminal exploitation and serious violence. We found the current criminal justice response to criminal exploitation is inconsistent, with different police forces take different approaches when assessing the vulnerability of children and young people. We found evidence victims of criminal exploitation are not offered pathways of support. Children who are victims of criminal exploitation through county lines drug dealing may be seen as offenders rather than victims, depending on which police officer or police force they encounter.

My review demonstrates the importance of early intervention to identify and support children and young people who experience domestic abuse. Thresholds for intervention are currently so high that things have to be “really serious” before children’s services intervene.

Children and young people need tailored packages of intervention and support, help that is appropriate to them as children.

This is why I am calling for children who experience domestic abuse to be recognised in statute as victims of crime. I am calling for targeted interventions and support to help these children and young people recover from domestic abuse. I want to ensure children are not made more vulnerable to exploitation by sending them far away from their homes and support networks when they are taken into care. Therefore, I am calling for all care homes to be regulated, including those for young people aged 16 who can be just as vulnerable and susceptible to exploitation as those under 16.

I am also calling for a more comprehensive strategy for children as victims of criminal exploitation, serious violence and organised criminal groups.

In conclusion, the current coronavirus pandemic could lead to a substantial rise in the number of children and young people who experience domestic abuse. The domestic abuse they are experiencing today could, act as one of the factors influencing their experience of offending behaviour such as serious youth violence and criminal exploitation in the future.

One social work practitioner told my researchers:

‘By not dealing with things at the outset for children of domestic abuse, you are sowing the seeds for the end result of violence amongst children that we are getting.’

By recognising children who live in households with domestic abuse as victims in their own right; by providing effective pathways of intervention and support for children as victims of domestic abuse; by understanding the effects of domestic abuse on children’s behaviour in school; by making sure children in care are not sent far from home or placed in unregulated care homes; by recognising children who are exploited into offending behaviour by criminal gangs as victims of crime and providing support for them to cope, recover and desist from offending behaviour themselves.

I hope that **instead of sowing the seeds of violence, we can sow the seeds for a brighter future for our children and young people.**



Dame Vera Baird QC

Victims’ Commissioner – England and Wales

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Most importantly we would like to thank the practitioners who shared their views, insights and experiences for this report. The Victims' Commissioner is grateful to Dr Olivia Smith for peer reviewing this report.

Table of Contents

Recommendations	7
1 - Introduction.....	11
Structure of the report.....	13
2.1 - The impacts of domestic abuse on children and young people.....	14
Key findings.....	14
Evidence from stakeholders and practitioners.....	14
2.2 - Recognising children who experience domestic abuse as victims.....	26
Key findings.....	26
Evidence from stakeholders and practitioners.....	26
Supporting evidence	38
3.1 - Overlaps between children’s experience of domestic abuse and offending behaviour .	39
Key findings.....	39
Evidence from stakeholders and practitioners.....	39
Supporting evidence	44
Key findings.....	48
Evidence from stakeholders and practitioners.....	48
3.3 - Support and interventions for victims of childhood criminal exploitation and those involved in serious youth violence	65
Key Findings	65
Evidence from stakeholders and practitioners.....	65
Supporting Evidence.....	80
4 - Conclusions.....	81
Appendix 1: Recent trends in children and young people’s victimisation and offending behaviour	85
Appendix 2: Methodology	90
Appendix 2: List of Stakeholders	92
References.....	93

Recommendations

Recognising children and young people as victims of domestic abuse

This review found strong evidence that children living in households with domestic abuse suffer substantial immediate and long-term impacts from the abuse. This review also found that children are too often treated as merely ‘witnesses’ to domestic abuse by the criminal justice system and in family courts.

Recognising children as victims of domestic abuse would recognise that perpetrators of domestic abuse should be held responsible for the harms caused to any children and young people affected by the abuse. It would enable them to access much needed support to help them cope and recover from the abuse, make it easier to claim entitlements in the Victims Code.

Children and young people who experience domestic abuse should be recognised as victims of domestic abuse offences in the Domestic Abuse Bill.

Children and young people who experience domestic abuse should be supported with tailored interventions and support programmes.

The Ministry of Housing, Communities and Local Government should review provision of refuge places for families with boys over the age of 12.

Recognising children as victims of domestic abuse should lead to tailored interventions and support programmes and these will need to be sufficiently funded. The Department of Education should consider carrying out a cost analysis exercise with a view to submitting a bid for additional resource in the Comprehensive Spending Review to ensure this provision is adequately resourced.

There is currently no standard referral pathway of support for children who experience domestic abuse. Services differ across the country with third sector support for children in some areas and not others. The Domestic Abuse Commissioner will be undertaking a review of current support for children who experience domestic abuse, identify good practice in this provision and define what a good service for these children looks like. The Government more should support that review process and take into account any recommendations that flow from it.

The role of education in supporting victims of domestic abuse

The review found that schools and other educational institutions play a key role in safeguarding and supporting children and young people who live with domestic abuse. We found evidence that linked children and young people’s experiences of domestic abuse with problematic behaviour in schools, potentially resulting in permanent exclusion. It found evidence that one of the impacts of living with domestic abuse can be disruptive and violent behaviour (see Sections: 2.1, 4.3). This suggests that educational institutions can take a further role in the early identification of domestic abuse.

The Department for Education and Ofsted should coordinate a review of whether behaviour management and exclusion policies sufficiently consider children and young people’s experience of domestic abuse.

The Department for Education should consult on the feasibility of further monitoring of known behavioural responses to domestic abuse (for example, violence and truancy) as potential indicators of domestic abuse.

This review heard from stakeholders and practitioners about the Operation Encompass initiative and the importance of equipping schools with the resources and training to support children and young people who live with domestic abuse. The review heard about how Home Office funding has supported the work of Operation Encompass and given teachers more insight with how to handle information about domestic abuse incidents. We heard concerns that third sector and victim support organisations who work with children and young people were not notified about domestic abuse incidents through the Operation Encompass initiative.

Operation Encompass should expand its multi-agency approach and provide information to third sector and victim support organisations who work with children and young people.

The Department for Education should ensure that educational establishments are equipped with resources and training to support children and young people who have experienced domestic abuse.

Peer-on-peer and intimate partner violence

This review found an evidence gap around peer-on-peer and intimate partner violence amongst children and young people. Stakeholders and practitioners expressed concerns that peer-on-peer abuse was not always well-understood by authorities and little support is currently available for victims of this type of abuse (see 2.2). There also seemed to be a limited evidence base around effective criminal justice system and safeguarding prevention programmes and interventions for these forms of abuse and violence. In order to develop appropriate responses and support for children and young people, there is a need to support further evaluation of interventions and provide professionals with good practice guidance.

The Department for Education, the Ministry of Justice and the Youth Justice Board should support and commission research on peer-on-peer abuse and intimate partner violence amongst children and young people.

The Department for Education should consider developing guidelines and practitioner resources to safeguard children and young people in relationships with peer-on-peer abuse and intimate partner violence.

The Department for Education should consider ways to measure and monitor the success of safeguarding proceedings for children and young people.

The overlap between victims of domestic abuse and offending behaviour

This review found concerning evidence that children in semi-independent accommodation were at increased risk of criminal exploitation. The current government review of care homes looks at care homes for under 16s. Practitioners told us that a lack of supervision in placements for young people aged over 16 can mean they do not come to the attention of statutory services if they have missing episodes.

The Department of Education should ensure that all children's care homes are regulated including semi-independent accommodation for young people aged 16 and over. The Department of Education should seek to minimise the use of out of area placements.

Childhood criminal exploitation and serious violence

The review found considerable challenges associated with supporting victims of childhood criminal exploitation and serious violence. We found that the current criminal justice response to criminal exploitation is inconsistent and different forces take different approaches when assessing the vulnerability of children and young people. We found evidence that victims of criminal exploitation are not offered pathways of support. Stakeholders told us about the need to learn lessons from the criminal justice and safeguarding response to childhood sexual exploitation. We also heard concerns about the abuse of the Section 45 defence in the Modern Slavery Act 2015 to the detriment of children and young people who are genuinely victims but there has been no systematic evaluation of its operation (see Section 4.3). Overall, we found the need for further leadership, guidance, training, and ongoing review of the criminal justice responses to the criminal exploitation of children and young people.

We support HMICFRS's recommendation that: By 31 December 2020, the Home Office, in consultation with other relevant government departments, should secure that the definition of child criminal exploitation in the Serious Violence Strategy (or an amended version of the definition) is placed on a statutory footing.

The Home Office and Department of Education should work together to raise awareness of the National Referral Mechanism amongst local authority children's services. This should focus on raising awareness of support pathways for victims of child trafficking and criminal exploitation.

The National Police Chief's Council should consider how to give additional focus to childhood criminal exploitation as part of its portfolio, perhaps by closer links with the more fully developed response to childhood sexual exploitation.

The College of Policing should assure there is consistent training and guidance for police officers when assessing the vulnerability of children and young people who are suspected victims of criminal exploitation.

The Home Office should commission a detailed review of the cases of children and young people involving the defence under section 45(1) of the Modern Slavery Act 2015.

Support for victims of childhood criminal exploitation and serious violence

The review found the need for a more comprehensive strategy for victims of criminal exploitation, serious violence and organised criminal groups. There needs to be a consistent focus on victims in a new Serious Violence Strategy. This should consider the findings of the report, particularly access to support pathways, provision of housing and accommodation, and difficulties accessing support and interventions

when children and young people are picked up by police outside of their local authority area.

The Home Office should consider next steps for a long-term approach to serious youth violence following the Serious Violence Strategy in 2018. The funding for some current programmes targeted at supporting children and young people out of their involvement in gangs and aimed at preventing future offending is due to run out in 2020. The future funding of such programmes should be considered as part of a long-term strategy on serious violence by the Home Office.

As part of this long-term plan, the Home Office should consider taking a public health approach to tackling serious violence and a counter terrorism type approach to tackling childhood criminal exploitation through county lines drug dealing.

The Ministry of Housing, Communities and Local Government should consider developing guidelines for local authorities that provide housing and accommodation for families at risk of serious harm from organised crime groups.

The Department for Education in England and the Welsh Government should consider how to mitigate issues with the current model of funding for children's social services when supporting victims of criminal exploitation who are trafficked to areas outside of their local authority area.

1 - Introduction

*By not dealing with things at the outset for children of DA, you are sowing the seeds for the end result of violence amongst children that we are getting.
(Croydon Children's Services)*

This review looks at one of the widely acknowledged risk factors for youth violence: domestic abuse. It is important to understand how society's response to domestic abuse relates to both serious violence strategies and youth justice. Most young offenders will not be victims of domestic abuse, and most victims of domestic abuse do not become young offenders. However, for some children and young people, there is an overlap between these experiences.

As many as one in five children in the UK witness or are exposed to domestic abuse during childhood.¹ According to most recent ONS estimates, 2.4 million adults aged 16-59 experienced domestic abuse in England and Wales for the year ending March 2019. Over 40% of victims of partner abuse have at least one child under the age of 16 years old living in the household.²

The Crime Survey for England and Wales estimates that 46,620 children aged 10 to 15 are a member of a street gang or has a sibling who is in a street gang, for the years ending March 2016 to March 2018. They also estimate that 30,149 children aged 10 to 15 have been threatened or victims of violence and know a member of a street gang, while 14,112 children aged 10 to 15 who do not know any members of a street gang have been threatened or are victims of violence.

Research conducted by Rescue and Response (A MOPAC funded project to support Londoners affected by county lines activity drug dealing) identified 4,013 individuals aged 11-62 years old 'linked' or 'suspected to be linked' with county lines drug dealing activity. Of those, 46% were between the ages of 15–19 years old.³

Similarly, analysis from the Children in Need Census, Department of Education found that around half of all assessments found concerns about domestic violence. It also shows that one in five children who had gang-identified at assessment also had concerns about domestic violence. One in four children who had socially unacceptable behaviour identified at assessment, also had concerns about domestic violence.⁴

¹ NSPCC quoted in MoJ (2019) 'Children affected by domestic abuse to benefit from £8 million fund'. Available online: <https://www.gov.uk/government/news/children-affected-by-domestic-abuse-to-benefit-from-8-million-fund>

² ONS (2019) Domestic Abuse in England and Wales Overview November 2019. Available online: <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/domesticabuseinenglandandwalesoverview/november2019> [Accessed 28-02-2020]

³ MOPAC (2019) *Rescue and Response Strategic Assessment (August) 2019*. Available online: https://www.london.gov.uk/sites/default/files/rescue_and_response_county_lines_project_strategic_assessment_2019.pdf

⁴ Both domestic violence and domestic abuse are referred to throughout this review. Where domestic violence is referred to, this is when secondary data sources refer to domestic violence, or when quoting stakeholders and practitioners discussing domestic violence. The rest of the review refers to domestic abuse.

There is a clear overlap in children's lives of experiencing both domestic abuse and potential offending behaviour. Children and young people can be victims, offenders or even both at the same time. In the context of the Domestic Abuse Bill, there is a need to focus on the overlap between children who experience domestic abuse and the strategic response to serious violence and youth justice.

A child can experience domestic abuse in their home and / or be using violence in their own peer relationship or against a parent or siblings. A child or young person may be criminally exploited into county lines drug dealing and / or may be using violence against others through serious youth violence, knife crime and gang related activity. Children and young people's experience of these different forms of violence, abuse and criminality are complex and can be overlapping.

This research aimed to take a holistic approach to understanding children and young people's experiences as both victim and perpetrator. It does not aim to prove or disprove direct causal links between children's experience of domestic abuse and subsequent criminality but aims to explore the overlap and interplay of these issues in children's lives. Nor should it be understood that this review claims that domestic abuse is the sole or main causal factor in youth offending.

The research addresses the following questions:

- What are the impacts of domestic abuse on children and young people?
- What are the implications of recognising children who live in households with domestic abuse as victims in their own right?
- What interventions are effective in supporting children who experience domestic abuse?
- What is the overlap between children's experience of domestic abuse and offending behaviour by children?
- What contextual risks influence children's offending behaviour such as county lines drug dealing and serious youth violence?
- What interventions are effective in supporting victims of childhood criminal exploitation and those engaged in offending behaviour?

Key stakeholders in the fields of academia, policy making, and third sector support services were interviewed to collate their understanding of these issues. Interviews and focus groups were conducted with 66 practitioners who work directly to support children and young people to gain a better understanding of children and young people's lived experience of domestic abuse and criminality. (see Appendix 1: Methodology)

This report draws together a thematic analysis of this qualitative information and analysis of quantitative data from the Children in Need Census and the Crime Survey for England and Wales. This, along with the findings from the Office of the Victims' Commissioners' recently published literature review '*Children's experience of domestic abuse and criminality.*' (March 2020) is used to inform recommendations for policy makers and practitioners.

Structure of the report

Section two focuses on children's experience of domestic abuse, including the immediate and long term impacts it has on children and young people and the implication of recognising children and young people who live in households with domestic abuse as victims.

Section three examines the overlap between children's experience of domestic abuse and offending behaviour. Appendix one presents an analysis of secondary data sources to establish recent trends in children's experience of domestic abuse and offending behaviour.

Section four considers contextual risks associated with young people's potential to be criminally exploited and to be involved in offending behaviour, as well as approaches to support and interventions for victims of childhood criminal exploitation and those involved in offending behaviour.

Conclusions are drawn from the findings of the review and gaps in the evidence are identified for further investigation.

The report seeks to make recommendations that break the cycle of childhood violence and exploitation and improve support for children who experience domestic abuse, childhood criminal exploitation and serious youth violence.

2.1 - The impacts of domestic abuse on children and young people

Key findings

- The Children's Commissioner estimates that 3 million children under the age of 17 live in a household where an adult has ever experienced domestic violence and abuse.
- One in five children see or hear what happened in cases of partner abuse.
- More than half of Children in Need assessments identified domestic abuse as a factor for children in England.
- Stakeholders and practitioners identified severe and multiple effects of domestic abuse for children and young people. These include harms to emotional and psychological well-being as well as effects on education, relationships, risky and harmful behaviour and housing and accommodation.

Evidence from stakeholders and practitioners

Stakeholders and practitioners report several different types of impacts that living in a household with domestic abuse can have on children and young people. These can range from going on to commit further violent acts themselves, difficulties with regulating emotions, becoming isolated and having difficulties with making and sustaining friendships, normalising unhealthy relationships, turning emotions inward, becoming quiet and insular and the potential for unhealthy relationships, risky and harmful behaviour and self-harm. Some practitioners provided examples of children and young people who feel pushed out from the family home due to the domestic abuse, finding themselves increasingly on the street or in dangerous situations and looking for love and attention in proxy familial relationships such as gangs.⁵ The effects identified by stakeholders and practitioners fall broadly under the following categories: emotional and psychological well-being, effects on relationships with family, friends and peers, effects on children and young people's experience of education, engaging in risky and harmful behaviour and effects on their access to suitable housing and accommodation.

Emotional and psychological well-being

Practitioners who work directly with young people gave examples from their own practice of when children have difficulties in regulating or understanding their emotions after experiencing domestic abuse. This can result in not realising or understanding when they are experiencing different types of emotions or struggling

⁵ This report acknowledges that children and young people can be part of friendship groups – which can be characterised as 'gangs' – which do not engage in criminal activities. We acknowledge that the term 'gangs' has a contentious role in social theory and research (cf. Alexander 2008). The Department for Education's guidance on Children in Need assessment specifies that concerns about gangs involve the harms that can result due to involvement in and with gangs (2018).

to control emotions such as anger in their relationships with peers and authority figures.

I've noticed around the ages of 10 to 13 in boys who have witnessed a lot of domestic abuse, real struggles in terms of emotional regulation. Often a lack of adhering to boundaries. (Swiis interview)

Some don't know the difference between being angry and being worried or anxious. In anger the heart rate is elevated, and you might get hot, anxiety might be the same. (Victim Support focus group)

Some children and young people struggle to come to terms with their emotions towards loved ones and the perpetrator of domestic abuse. Practitioners report that even when children have experience of one parent abusing another, they may still have strong feelings for the abusing parent and this can cause emotional confusion and anxiety.

What they are witnessing can give them confused emotions. I am supporting a young girl. Her sister was abused by their Dad. She was not abused and was a Daddy's girl. She missed her Dad but felt guilty about it and couldn't say that to her Mum. (Victim Support focus group)

While some children may react by committing further violent acts, practitioners report that others can internalise their emotions. One youth worker described a range of emotional reactions and coping strategies that she had observed in the young people she has supported through the impacts of domestic abuse:

[Children can become] reserved, in on themselves, have issues forming friendships, bullying, power and control. They can normalise care giving responsibilities, so they protect their siblings, their pets and property or become a care giver to a parent. They try and remove whatever brings tension to the situation. They may want to control the environment around them, want everything to be perfect and control it. If you take away the control they can have outbursts and black outs. Some young people are disassociated, they might not sleep, or they might always be tired and sleep a lot. (Victim Support focus group)

Children and young people not only suffer from the direct effect of violent acts between adults in a household. They also experience the long-term effects of living with the tension and anxiety of a family living on edge. Practitioners report that many children live in a heightened state of alert. One youth support worker even told how a child they worked with was relieved when the violence did occur because the tension had been building up for some time and they knew that after the violent incident things may get a little quieter, if only for a while.

Stakeholders and practitioners reported that children may be used as pawns by perpetrators to exert coercion and control over a non-abusing parent. This coercion can continue through the family courts and through contact agreements.

We don't tend to talk as much about children being used to participate in the abuse in an active way. This is often not recognised as part of the pattern of

abusive behaviour. Perpetrators often coerce children into abusing.
(Children's Commissioner representative)

Often the perpetrator uses the child as a weapon of abuse. Typically, after they have left the relationship there is a horrible court battle. They want to have control over the woman's life. We've had instances about adhering to contact agreements. For example, the Dad refuses to get out of the car to pass a child to their Mum. He makes her walk to a remote part of the car park to the car, then makes her lean into the car to pass the child through the window. (Victim Support focus group)

Relationships

Practitioners have found that some young people take on the role of abuser when the abusing parent has left the household. Some children can feel their mother is to blame for the loss of their father and take out their anger and frustration on their mother.

One boy witnessed abuse on mum by his Dad, he didn't understand the situation. He also ended up beating his Mum, blaming her because his Dad had gone because of her. (Victim Support focus group)

Many practitioners felt that children and young people's experience of domestic violence served to normalise violent behaviour. They identified examples of young people who had experienced domestic abuse and who also used violence in their own relationships including romantic relationships, friendships with peers and within their communities.

If you grow up in a violent home, violence is a way of life. You experience violence at home and on the streets and there is no escape from it.
(Independent Anti-Slavery Commissioner representative)

Children in DA households are desensitised to violence. They have learned male and female roles from their parents. It changes the parameters of what is acceptable. (Croydon Children's Services representative)

Domestic abuse in young people's peer relationships will be discussed later in this report in relation to recognising children and young people who experience domestic abuse as victims in their own right.

A number of stakeholders reported that children's experience of domestic abuse can lead to a cycle of abuse that can be traced throughout a family's history. They felt more needs to be done to intervene and prevent this cycle of abusive behaviour.

We see a cycle of abuse, children living with domestic abuse, then these children and young people get into relationships when they are teenagers which are likely to be abusive. We have services with children to help recognise what a healthy relationship is, their views can be perverted by what they have seen when they were growing up. It is so damaging that children in domestic abuse households don't get to see healthy relationships. If they don't know what they look like, they don't know what to look for in their own

relationships as they grow up. They don't know how to behave if they do become a victim themselves or even a perpetrator. There should be specialist preventative services for children who experience domestic abuse. (Barnardo's representative)

What concerns [me] is the repetition of abuse. If a child observes abuse, they often go on to be a victim and abuser themselves. We're not stopping that and doing something about that cycle. (National Police Chief's Council representative)

Case Study

David⁶ is the oldest of six children. He had been around his father's extreme physical abuse to his mother from a young age. David's father was sent to prison for the abuse, his mother had other partners who were also abusive. All of the adult relationships that David saw in his home were physically and emotionally abusive. He had a complicated relationship with his father. David constantly sought reassurance from him and wanted to develop a relationship, regardless of what he had done. David saw his father as the strongest in the household and wanted to align himself with him, but David's father was uninterested and dismissive.

By the age of 12, David started to have relationships with girls. At 12 he physically assaulted a girl and then breached bail conditions by harassing her. Youth justice services got involved. His mother couldn't assert rules or boundaries with him and David stopped attending school. On his 15th birthday David's 17-year-old girlfriend had a baby. There were concerns about David's jealous behaviour towards his girlfriend, she was coming home covered in bruises and there were also concerns about exposing his younger siblings to sexualised behaviour.

Just before he turned 16, David was arrested for assaulting his girlfriend, he was bailed and given a non-molestation order. The relationship continued, he carried out further abuse and received a year's custodial sentence.

David found it very difficult to understand why his relationship was unhealthy at all. His mother was angry and upset that he could act like that after everything that had happened at home. David did not understand why he was not allowed to see his own baby son.

After working with youth support workers, David was referred for psychological assessment. He was found to have PTSD, having been profoundly affected by his early childhood experiences. David received anger management training, but there was no counselling or therapeutic support available, so the reasons behind his need for power and control were not addressed.

When David reached 16 he was referred for adult group work with domestic abuse perpetrators. His support worker felt that this was not appropriate for such a young

⁶ All case study names have been anonymised throughout this review.

person. He was very impressionable and had spent his early life around abusive men. The support worker felt that placing him in group work with men in various points in a cycle of change was not healthy for a child who was struggling to understand his own emotions. The local CAMHS service would only work with David when he was on a parole licence. It took some months for the referral to come through, by which time the parole licence had expired and CAMHS would not provide support.

Education

A number of stakeholders and practitioners reported that children's experience of domestic abuse at home can lead to behavioural issues at school. Children may become disruptive or violent in school. This could be due to their inability to cope with their emotions, the normalisation of violence in the home or even a way to gain some attention when they get none at home, despite this being a negative form of attention.

These children and young people might be isolated, lonely at school, may be aggressive and violent at school. Often, when families separate they can then become be aggressive to their mothers, they need an outlet for their personal isolation. (Barnardo's representative)

Some young people know the rules, they know they are breaking them, it's a coping mechanism. If you get in trouble someone will see you, you will get attention when before you have always been invisible. Teachers say they are attention seeking, but they don't try and understand why they are seeking attention. (Victim Support focus group)

Stakeholders and practitioners report that such bad behaviour is increasingly met with school exclusions, with little regard for the potential cause of bad behaviour.

The policy is strict rather than figure out why the young person is behaving like that. (Victim Support focus group)

We know this may impact on the child's behaviour, children may not attend school regularly or be disruptive in school. Very often the school's response is exclusions, disciplinary response, punitive response rather than positive behaviour and this all adds up for the child. (Children's Society representative)

Some practitioners reported pressures on parents who are fined for their child's non-attendance at school. The days that children are missing from school can subsequently add up, resulting in school exclusion. Practitioners report a lack of leniency and understanding on the part of schools in relation to the reasons behind children's non-attendance at school. Practitioners also described a lack of support for young people who have been excluded from school. This in turn can lead to children being vulnerable to external influences such as gangs and childhood criminal exploitation.

Young people are excluded from school time and time again, [then they are] permanently excluded, maybe home-schooled. Schools are not lenient with exclusion days so they add up as days that young people are missing from school. Parents can get fined if the young person does not have the required attendance record, even though they are working hard to get the child to school and then the school is excluding them. (Victim Support focus group)

I am supporting a young person who has been out of school for 3 months. The school needs to support him and send work home. He's just at home all the time. He is a victim, a group are targeting him, bricking his windows every week. He is trapped at home, the school doesn't send any work home for him. He doesn't understand what's happening. The focus is on performance for the schools, they are excluding these kids to focus on bright academic kids, to focus on statistics. (Victim Support focus group)

In turn, exclusions from school can lead to young people being placed in alternative education provision in pupil referral units (PRUs). A number of stakeholders and practitioners expressed concern that this made young people more vulnerable to being targeted by gangs and in particular to being recruited to take part in county lines drug dealing activity. This will be discussed later in the report in relation to influences on children's involvement with criminality. One practitioner also questioned the suitability of pupil referral units for preparing young people to enter the mainstream working world.

When you go to a PRU... kids are going there in no school uniform...they are able to smoke on site... they are only doing four or two-hour days. They are going to go there until they are 16 then they are eligible to get a job. Now, as a 16-year-old that has gone through the process of a PRU, what are the chances that first, I'm going to want to get a job and second that I'm going to maintain that job with everything that I have been taught in the last two years? It's not very high. The chances are I'm going to go there and I'm going to expect the same allowances to be made for me, that's if I want to break the rules and smoke, if I want to swear at the people who are superior to me, if I want to turn up in own clothes I can do all that, but that's not the real world. That's not fair on the children that went to a PRU because they have been taught that it's ok to do all of those things... it leads to a point where they hit 16 and they are being ostracised by society because they are not prepared to do those things. The problem is their behaviour in school has led them to the PRU, but in the PRU you haven't showed [them] what [they] need to do to be an adult. (St Giles Trust – focus group)

Risky and harmful behaviour

Some practitioners described a common response for young people experiencing domestic abuse in the household is to look to spend as much time out of the home as possible. This can lead young people into further risky and harmful behaviour, making the young person more vulnerable to gang involvement, criminal exploitation and offending behaviour.

Young people fall into that crowd because of what they've been through, also the life they've got at home... young people leave the house until late, not to commit anti-social behaviour or criminal [activity], but because it's better to be out of the house... it's viscous circle. (Victim Support focus group)

In the household it's too volatile so they go out, they leave, and they won't express what's going on in the household but they will say you know what, when I go missing it's because I can't be bothered to stay in the house at the moment, yeah so there's something going on in the house that they're running from, they're not feeling comfortable in (their) house. (London Gang Exit - focus group)

One youth worker described the risky behaviour of a girl she was supporting that had experienced domestic abuse in the following case study:

Case study: Jenny

The support worker was *'sure something happened to her mum'*. She first met the Jenny two years ago, she was 14. Jenny had *'been on the street long before that'*. The support worker told us that Jenny is *'tiny... and when you watch her with workers she goes on like a little kid'*. Jenny is *'always on the internet finding new guys to go out with, all from London, all on the edge, she said 'I don't know why I just like street guys' but she's looking for attention'*.

Jenny occasionally sees her dad, who has a new family. *'Sometimes she's not talking to him because obviously, I think he lets her down a lot, but of course he'll buy her something which is what some dads do, he thinks that keeps her quiet, it doesn't, it makes her really angry, I don't think she shows him that anger but she shows me that anger.'*

Her mum is not often at home. Jenny does not like being at home and her mum very rarely reports her missing. Jenny will tell her mum that she is with a friend and she will stay away for a week. But she will be reported missing because she gets picked up on trains: *'obviously she... jumped over a rail or she hasn't got that money sometimes, what is she doing in such and such an area, what is she doing?'*

The girl is *'quite hardened I think now, in that two years I've worked with her she's become more canny, I think cleverer, yeah, she hoodwinks all of us'*. Her behaviour makes her suitable for involvement with drug dealers:

'...she's perfect, and when she's ready she's been known to fight like hell on the trains... (I think) when she gets a drink she gets very aggressive with other passengers and starts showing herself up and she gets arrested and starts it all over again, and I think that's a definite pattern for her, the domestic violence, the lack of love, the lack of attention, so she gets it anywhere.'

Another support worker described the tragic downward spiral for a young person whose disturbing experiences at home led him to spend more time on the streets, getting involved in criminal behaviour and ultimately losing his life.

I had a young person... he loved his home and he was a home boy and his behaviour spiralled out of control, from December he was a well behaved, not known to police, till January February being arrested twenty times, and that's because he said to me 'so much is going on at home that he would rather sleep on the bus or rather sleep at McDonalds than rather go home' and he tried to do that a few times, and due to that he got more involved in gangs, he got more involved in that kind of activity to where he, one night he didn't want to go home, or was waiting for his, probably for his father to go to sleep and he stayed out longer and due to that he lost his life. (London Gang Exit focus group)

Housing and accommodation

Children and young people face a number of challenges if their household is split by one parent fleeing abuse from another. Issues that affect the whole family such as housing and accommodation can be particularly impactful on children and young people. In some cases, the presence of children in the family can make it hard for the non-abusing parent and their children to leave the abusive situation.

The government have set out a number of proposals to address an inconsistent approach to the commissioning and delivery of support within safe accommodation. The Domestic Abuse Bill places a new duty on tier 1 local authorities to provide support to victims and their children residing in refuge and other safe accommodation. Based on our interviews and focus groups, stakeholders and practitioners reported a number of issues relating to the current availability of refuge spaces for families escaping domestic abuse. Stakeholders report a lack of funding for refuges and a lack of statutory funded targeted support for children in refuges as discussed in the section on interventions below.

Some stakeholders reported that victims of domestic abuse may feel they can keep their children safer by staying with the perpetrator in the family home where they themselves are suffering domestic abuse, rather than putting their children at risk in accommodation they feel is unsafe and unsuitable.

Housing is a big problem, especially in London. For example, families are placed in B and Bs, supposedly for 6 weeks but it is often a lot longer. The problem is if you move home then the children would need to move school. This is a huge barrier and there is not active support. People are told they must leave their partner to keep the child safe but they don't get any help and support to do that. Some victims feel they are going into very unsafe environments at the B and B. They feel they can keep the child safe from the perpetrator they know, even if it means getting hurt themselves, but they don't feel they can keep the child safe in that environment. (Children's Commissioner representative)

Stakeholders and practitioners also report difficulties for particular types of families in accessing refuge places. For example, women with no recourse to public funds can be excluded from accessing statutory services and find it difficult to access refuges. Stakeholders also expressed concern about a lack of refuges which will accommodate families with older boys. This lack of suitable refuge places can leave victims of domestic abuse and their children with no safe place to go.

There is a particular problem for women with sons aged 12 or older who are not allowed in refuges. People have no other options, no other housing and all of the burden is on the parent, they are not given any support to actually get to safety but are held responsible for the safety of the child. (Children's Commissioner representative)

One stakeholder felt that by excluding older boys from refuge places, a clear and negative message was being sent to those boys, that they too are likely to be a perpetrator of domestic abuse.

When a 12-year-old boy is not allowed in a women's refuge, you are saying that boy is one of them. (Croydon Children's Services representative)

Some refuge providers are able to accommodate families with older boys, for example Refuge has some refuges that can accommodate boys up to the age of 14. This age limit for boys applies to communal refuges provided by Refuge. Refuge also has some dispersed units with support. These are separate flats or small houses in the community for the use of individual families. In those types of refuge, the age limit for boys does not apply, but this type of accommodation is rare and expensive to run.

A spokesperson from Refuge also highlighted the difficulties of accommodating larger families:

Access to refuges is a problem. There are not enough spaces to meet the demand. Funding cuts have caused problems in general but there is a particular shortage of refuge places for women with larger families. Women with one and two children are easier to place though there are still not enough places but if the woman has 3, 4, or 5 children it is incredibly difficult to find a refuge space, there are just not many of them. (Refuge representative)

Supporting evidence

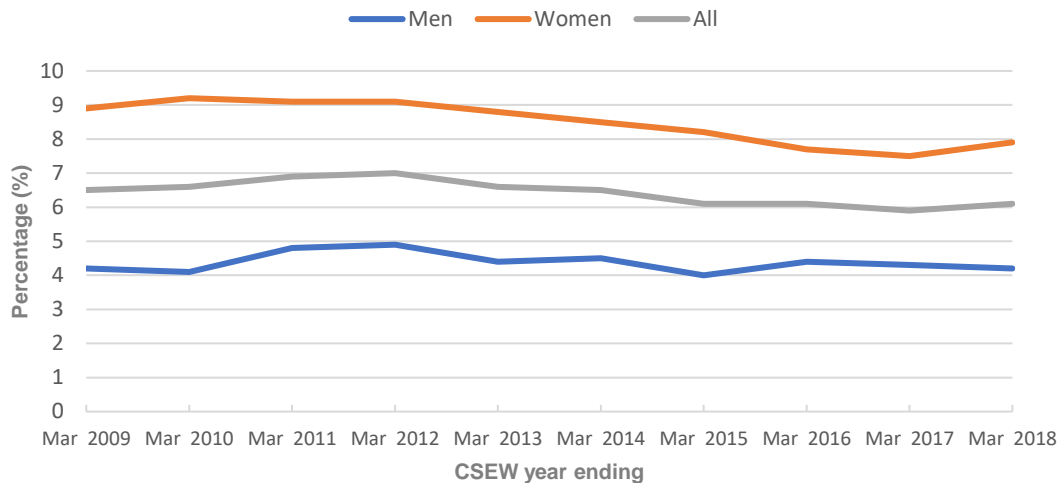
Domestic abuse can take various forms. Currently, the government definition of domestic abuse includes: any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. It can encompass, but is not limited to, the following types of abuse: psychological, physical, sexual, financial, emotional⁷.

⁷ HM Government (2012) 'New definition of domestic violence'. Available online: <https://www.gov.uk/government/news/new-definition-of-domestic-violence>

The Victims' Commissioner's report, *Children's experience of domestic abuse and criminality: a literature review*, surveyed research on the prevalence and impacts of domestic abuse. The Office of National Statistics estimates that 2 million adults aged 16 to 59 experienced domestic abuse in the year ending March 2018, approximately 6 in 100 adults.

Figure 1. Prevalence of domestic abuse in the last year for adults aged 16 to 59 years, by sex

Source: ONS CSEW March 2009 to year ending March 2018

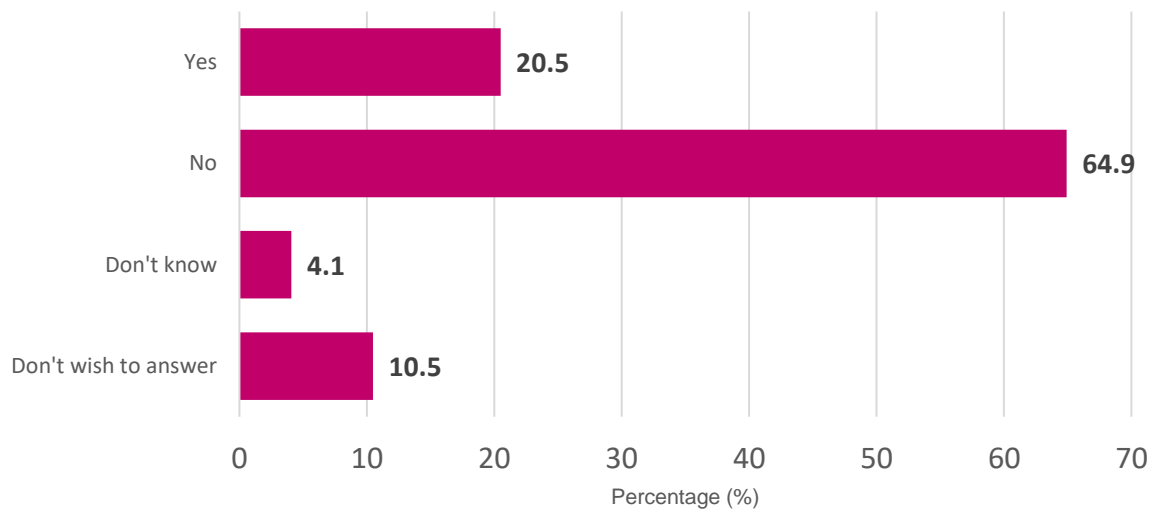


In 40.9% of cases of partner abuse there was at least one child under the age of 16 years living in the household.⁸ In terms of household structure, the ONS found that adults who lived in single-parent households are more likely to be victims of domestic abuse in the last year than adults living in a two-parent household or a household with no children – though the household structure may have changed as a result of the abuse. Adults who were separated or divorced were more likely to have experienced domestic abuse compared with those who were married or civil partnered, cohabiting, single or widowed.

The Home Office (2019) estimates between 3 to 4 million children will be exposed to domestic abuse at some point in their lives. The Children's Commissioner (2018) has estimated that around 3 million children aged 0 to 17 years old live in a household where an adult has ever experienced domestic violence and abuse. This includes 773,000 children where the adult has experienced domestic violence and abuse within the last year. The ONS estimate that 20.5% of children witnessed what happened in cases of partner abuse.

⁸ ONS (2019) Partner abuse in detail, England and Wales, year ending March 2018. Available online: <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/partnerabuseindetailenglandandwales/yearendingmarch2018> [Accessed 11-03-2020]

Figure 2. Prevalence of children in the household who saw or heard what happened in cases of partner abuse, year ending March 2018
Source: ONS CSEW



Children's social services receive child protection referrals about incidents of domestic abuse. Her Majesty's Inspectorate of Constabulary and Fire & Rescue Service (HMICFRS) recorded a total of 201,656 child protection referrals as a result of domestic-abuse related incidents in the year ending March 2018. This figure is based on data supplied by 25 police forces in England and Wales.⁹

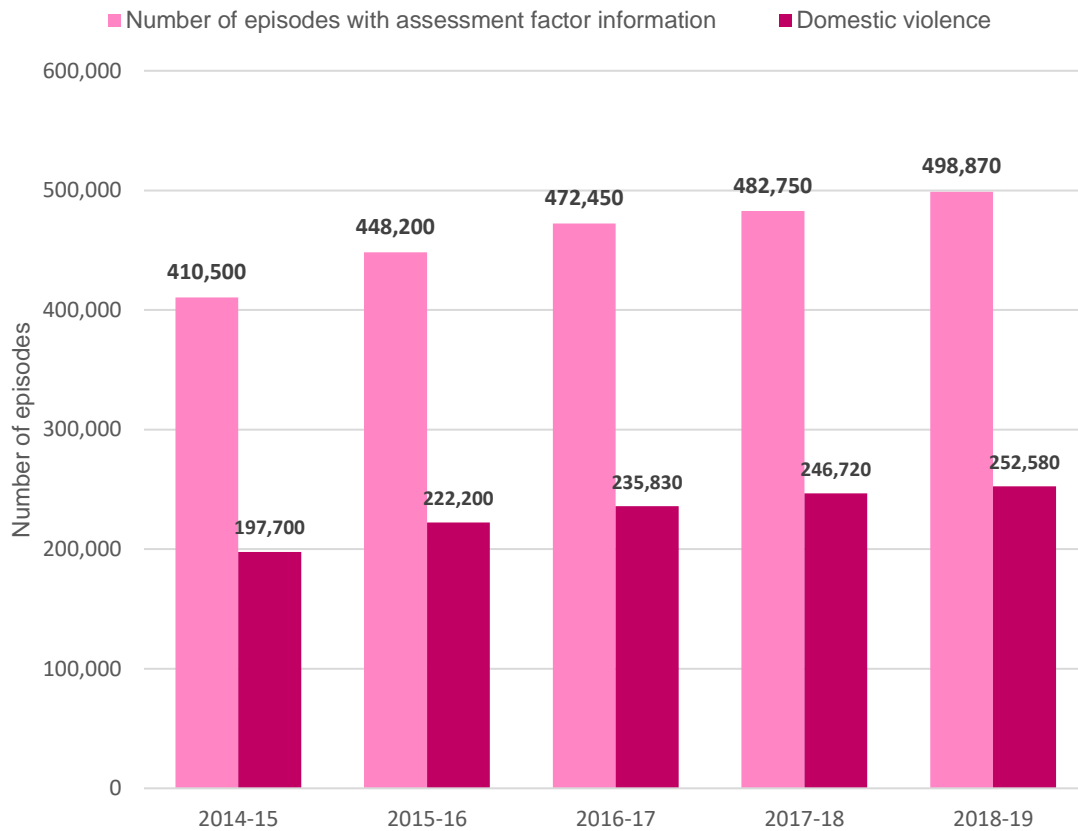
The Department of Education collect data on Children in Need assessments conducted as a result of referrals from the police and other sources. These assessments are used to identify the needs of the child and ensure that the family are given the appropriate support in enabling them to safeguard and promote the child's welfare.

The number of assessment where domestic violence was identified as a factor has increased from 197,700 in 2014-15 to 252,590 in 2018-19 (Figure 3). These figures include concerns about the child being the subject of domestic violence, the child's parent(s)/carer(s) being the subject of domestic violence, and another person living in the household being the subject of domestic violence. The Welsh government uses a different framework for assessing needs and this data is not available.

⁹ ONS (2019) Domestic Abuse in England and Wales Overview November 2019. Available online: <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/domesticabuseinenglandandwalesoverview/november2019> [Accessed 28-02-2020]

Figure 3. Number of domestic violence factors identified at the end of assessments in the year ending March 2015 to the year ending March 2019

Source: DfE Children in Need census



The Office of the Victims’ Commissioner (2020) reviewed academic evidence on the impacts of domestic violence and abuse on children and young people. Experiences of domestic abuse can impact on a child’s emotional wellbeing health, educational and propensity to engage in offending behaviour. Barnardo’s (2020) have also highlighted the ‘hidden impacts’ on children and young people, including on their mental health, child development, harmful sexual behaviour, future cycles of abuse, and youth offending.¹⁰

¹⁰ Emma James (2020) *Not just Collateral Damage: The hidden impacts of domestic abuse on children.* Barnardo’s. Available online: https://www.barnardos.org.uk/sites/default/files/uploads/%27Not%20just%20collateral%20damage%27%20Barnardo%27s%20Report_0.pdf

2.2 - Recognising children who experience domestic abuse as victims

Key findings

- Children and young people are often thought to ‘witness’ domestic abuse rather than being identified as victims when they live in a household with domestic abuse.
- Recognising children living in households with domestic abuse as victims in their own right would acknowledge the immediate and longer-term effects that domestic abuse has on children and young people.
- As victims of domestic abuse, children would be acknowledged as deserving support services and pathways of support services should be provided.
- If all children as victims of domestic abuse were entitled to support services, already strained services may not have the capacity to cope with the demand for services and funding would be required to meet increased levels of demand.
- Some practitioners identified potentially negative consequences of recognising children as victims of domestic abuse such as children being called to give evidence against an abusing parent in court. However, most stakeholders and practitioners thought it unlikely there would be negative effects in practice.
- Practitioners report that thresholds for intervention are currently very high with risks to children not being assessed until the situation is very serious.
- Violence and abuse between young people in their own relationships is often not recognised as domestic abuse. It is not always understood by authorities and little support is available for victims of this type of peer on peer domestic abuse. There is sometimes confusion with authorities about whether there should be a criminal justice response or a domestic abuse referral pathway, depending on the age of the victim and the perpetrator.
- Stakeholders and practitioners identified a lack of support services directly tailored to children and young people, and a ‘postcode lottery of services’ with varying availability of services across the country.

Evidence from stakeholders and practitioners

Children as ‘victims’ of domestic abuse

Stakeholders and practitioners report that statutory agencies tend to view children who live in households with domestic abuse as witnessing domestic abuse rather than experiencing it or being a victim of the domestic abuse themselves. This terminology does not take into account the impacts that domestic abuse has on the child both in their immediate reactions and the long-term effects as discussed above.

Recognising that a child is a *victim* of domestic abuse rather than describing them as *witness* to domestic abuse could have several important effects. Crucially, these

victims would be granted entitlements through the Code of Practice for Victims of Crime (the 'Victims Code').

The child would be entitled to access services to cope with the effects of the abuse and recover as best they can. There would be a need for further guidance and support pathways and support services. Some stakeholders have questioned whether there would be capacity in funding support services to cope with the level of need if children in domestic abuse households were truly acknowledged as victims and all child victims of domestic abuse were provided this level of support.

Considering the child as a victim would give them better entitlements to services, though the funding of this is an issue. If we acknowledge that children have been harmed there needs to be the funding to back this up. (Children's Commissioner representative)

Recognising children of domestic abuse as victims in their own right would be the right thing to do but would open up the floodgates. It's here every day. Does society want to see it like that? It's across every level.' (Croydon Children's Services representative)

An approach that recognises the victim status of these children would be a shift in the way society views domestic abuse overall. Currently interventions tend to be focused on the needs of the parents rather than the child. Stakeholders called for the focus to shift from the relationship between the abusing parent and non-abusing parent, to an appreciation of the effects of domestic abuse on families as a whole.

I don't think they are recognised as victims, a lot of it is adult focused. If the family, parent, carer needs intervention yes, but children's needs are not taken into account. Otherwise I don't think children's needs are recognised because they are not seen as essential to services. (Children's Society representative)

We want to protect children from child abuse and domestic abuse in the right way. We should treat the family as a whole system as all are affected. Families are enmeshed and complicated. (Children's Commissioner's representative)

Stakeholders and practitioners reported that very often the onus by statutory agencies is put onto the non-abusing parent to keep their child safe rather than on the abusing parent to desist from their abusive behaviour. This can lead to blaming the victim for the harm done to a child because they have experienced living in a household with domestic abuse. If the child is considered a victim in their own right, this amounts to one victim being blamed for the victimhood of another. By recognising the child as a victim, the perpetrator is blamed for the harm to the child rather than blaming a non-abusing parent for not protecting the child.

Because we don't see them as a victim we fall into the trap that the abused parent should be protecting them. But if the child was considered a victim of domestic abuse, how would we expect one victim to be responsible for protecting another victim. Society should be protecting both of the victims...

Anecdotally the onus is put on the non-abusive parent for protecting the child, but they are put in an impossible situation. Under the Children's Act the welfare of the child is paramount and the non-abusive parent is seen to be not keeping the child safe. The system is geared up to put impossible objectives on the non-abusive parent. It is then up to them on their own to get out of the relationship and find somewhere safe to live. (Children's Commissioner representative)

Stakeholders identified some potential unintended consequences of recognising children who experience domestic abuse as victims, however in practice stakeholders thought that the benefits outweigh any detrimental effects and that systems could be adapted to ensure that no negative consequences occurred in practice.

Some thought it could potentially lead to more children being called to give evidence against an abusing parent, though others thought in practice this would not be the case as it would not be in the interest of the child.

There have been concerns about regarding children as victims in terms of an aggravating offence. It has been suggested that if a child is present during DA it is an aggravating factor and the perpetrator would get a harsher sentence. There is some concern that this would lead to more children being called as witnesses against their parent. If children are recognised as victims there is the potential we would see more children required in court. (Children's Commissioner representative)

There is a legal side of the issue, which is: when do you put a child in front of a court? You can do this by video, but you very rarely do it... You wouldn't want to put a child through court (aged under 14). [I] worked as a child protection sergeant, I didn't agree when other officers did this, this is turning a child against a family. (Operation Encompass representative)

Some thought that by identifying the child as a victim, it may be less likely that the abusing parent would be awarded co-parenting status by family courts. Recognising the child as a victim would make it clear to family courts that the abusing parent may not be parenting well. As a representative from the Children's Commissioner's Office pointed out:

[Children] suffer from fear daily and don't feel safe at home. Parents are expected to teach children how to regulate their emotions. If adults are abusive to their partner, the chances are they are also parenting badly, they are certainly not teaching children how to regulate their emotions...domestic abuse is seen from the specific prism of domestic abuse. The prism of children's services is separate, about protecting the child. But the two don't tend to cross over, for example, as an abuser how are you parenting that child? (Children's Commissioner representative)

Stakeholders felt that identifying children as victims rather than witnessing domestic abuse could lead to confusion about how they should be supported and whether they

need a criminal justice response, an intervention from Children's Social Services or a domestic abuse referral pathway. This is evidenced by an example below in which a domestic abuse intervention was offered to a 14-year-old girl who had been raped and stabbed by her 16-year-old boyfriend.

This child was 14 with a 16-year-old boyfriend ... I was told [she] had been raped on an isolated incident by this 16- year-old, and that was the term that they used, so he raped her on one isolated occasion, and then he stabbed her in the leg on a public bus, in the middle of the day and they were looking for DA intervention services [rather than a criminal justice response to the rape and stabbing]. (Birmingham Children's Trust focus group)

A representative from the Children's Commissioner's Office reiterated that the most important thing is the child's safety. Appropriate intervention and support pathways must be applied for child protection and this could be linked with domestic abuse pathways rather than replacing the child protection route altogether.

There is also the potential that if children are viewed as domestic abuse victims they may not be viewed as victims of child abuse if they have also suffered abuse directly. There is no need for this to happen though. With robust child protection we don't need to just channel down the domestic abuse victim support route, the child can be flagged as suffering from both domestic abuse and child abuse. The categories under child protection are physical, sexual and emotional. It is not clear how the child's experience would fit into the domestic abuse framework. When a child suffers from domestic abuse the damage is usually emotional, this could be categorised as neglect because the parent is not meeting the child's emotional needs. The two frameworks need to be connected. (Children's Commissioner representative)

Practitioners report a mixed response from the police to children and young people in a situation with domestic abuse in terms of whether they treat them as victims. Some police officers may think that the child was upstairs or watching television at the time of the incident and therefore would not be affected. One stakeholder reported that police officers can be known to suggest to children that they should take responsibility for keeping their non-abusing parent out of harm. However, a representative from the National Police Chief's Council suggested that police officer's recognition of the harm caused to children in domestic households is improving following a programme of education for police officers.

We have anecdotal stories, such as police telling children that 'you need to keep your mum safe if anything happens'. (Barnardo's representative)

I have heard police officers who have said that they heard the children were asleep upstairs, and that the children didn't hear anything and are therefore fine. That perception needs challenging. It is a mistake to think that if a child is watching tv and ignoring the abuse, they are not affected. There has been an education program around this which showed that when the child is not feeling safe, they may be hiding, opting out, through watching tv. There needs

to be a shift in recognising children as victims, and the need to do things about children, such as referring them for support. (National Police Chief's Council representative)

Operation Encompass is a charitable organisation, set up in 2011 to help support children who experience domestic abuse by sharing information between the police and schools. The scheme operates in 33 police force areas across England and Wales. When the police attend a domestic abuse incident with children in the household, they report the incident to a Key Adult in the child's school with a view to the school ensuring that a secure and sympathetic environment is provided for the child when they return to the school the next day and that the broader implications of domestic abuse can be addressed.

Practitioners were broadly supportive of this scheme that acknowledges the impact of domestic abuse on children and its aims to take positive action to mitigate its effects. Some third sector practitioners suggested that the scheme's success is reliant on what the schools actually do with the information when they receive it and whether there is specialist support available in the school. Some youth support workers thought it would be helpful to extend the information sharing practice to specialist support workers who would be able to provide further support for children they are working with if they have up to date information about domestic abuse incidents.

There is automatic sharing between the police, the school and the social worker but it leaves us out, so we are still having to do the same thing of following up with those. (Victim Support focus group)

Stakeholders reported that statutory agencies may have a different response to treating the child as a victim of domestic abuse depending on their age and gender.

The age of the child plays a huge role. We ... know the older the child the more likely they are seen to be impacted by domestic abuse. If the child is 16 / 17 and there is a push [by parents] for the child to leave home, it won't be recognised it is because of domestic abuse. They think the child has just left home and it was their decision. At 8, children are viewed as children. With boys there are gender difference. The younger female child will get more intervention, seen in a different light. (Children's Society representative)

Recognising all forms of domestic abuse

Stakeholders and practitioners discussed the prevalence of forms of domestic abuse that are not always recognised by the authorities. Domestic abuse is often traditionally thought of as being between two adults in a relationship within a household. Other forms of domestic abuse include violence and coercive control in relationships between young people, sometimes called peer on peer abuse. Statutory safeguarding has traditionally been tailored around risks to children in the home through familial relationships. Risks of peer on peer abuse may not be assessed, it may not be recognised as domestic abuse when there is violence and abuse between young people in a relationship. Domestic abuse between young people could be as a result of learnt behaviour from experiencing domestic abuse in

the home, though one stakeholder reported that a level of violence in relationships between young people is becoming increasingly socially acceptable.

There is a general perception of young people that a bit of violence in relationship is okay. Research has shown that it is a commonly held view amongst young people. Those incidents are not going to come anywhere near policing... schools pick that up sometimes. So, where is that going? This doesn't take place in the home, but it is definitely abusive behaviour. It does not fit anywhere to complain about. (National Police Chief's Council representative)

Stakeholders and practitioners identified difficulties and confusion by authorities who may not agree whether peer on peer abuse should be met with a criminal justice response or referred to a domestic abuse referral pathway for support. This can have important implications for how young people are treated and can be reliant on arbitrary age definitions.

Children under the age of 16 are not currently defined as victims of domestic abuse. This leaves a complex landscape of approaches to peer on peer abuse.

16, 17-year olds can be victims of domestic abuse in their own relationships. We know from our practice these children are equally vulnerable, but that side is not understood at all. Very often domestic abuse is seen as something that happens in the family in relationships between parents. The definition actually is much wider it should cover children who are victims of domestic abuse in their relationships who are 16, 17. They are not getting response as needed. Very often that age group are exploited sexually and criminally so that's a big area that needs to be recognised. 16, 17 year olds are currently recognised, but maybe because of the language used – i.e. 'domestic' it leads to certain misconceptions amongst professionals about what it should look like rather than what it is supposed to cover. (Children's Society representative)

Authorities understandably do not want to criminalise young people, so a criminal justice response to young perpetrators of abuse may not be appropriate. At the same time, safeguarding young victims of domestic abuse must be a priority and a domestic abuse approach supporting the young person to stay in a relationship with a perpetrator of abuse may not be appropriate.

One youth worker identified an increasing trend for young people in violent relationships to be treated as domestic abuse and thought this might not always be the most appropriate response:

We see the development and increase of abuse in peer relationships a lot... I'm increasingly getting inquiries of intervention services to work with children who are in a violent relationship but they're under 16, and I'm [saying] they can't give consent to being in a violent relationship, that's abuse and should be dealt with in child protection or safeguarding. The narrative from professionals is, we are seeking out intervention services for this couple. Maybe you want to send police round and have a strategy discussion instead!

I think it's the narrative that needs changing not that we need to introduce new services. (Birmingham Children's Trust – focus group)

Other forms of domestic abuse include children and young people abusing their siblings within the household and child on parent abuse. The influence of children's experience of domestic abuse in copying the behaviour of an abusing parent and commit violent acts against the non-abusing parent is noted above. The Domestic Abuse Commissioner also highlighted an issue of adolescent and adult children abusing parents and a lack of support services for parents abused by their children.

It's an under developed area and yet we are seeing it quite starkly in domestic homicide reviews and there's a whole lot you can improve about intimate violence referral pathway, but there's actually very little referral pathway if you say: what would a parent do, where would a parent go for advice about their adult child or their adolescent child [abusing their parent]. (Domestic Abuse Commissioner)

Availability of tailored support services for children and young people

Some stakeholders report a lack of services that are specifically tailored to support children and young people who have experienced domestic abuse. They maintain that many support services are tailored to the non-abusing parent to cope and recover and then the onus is on that parent to support their children. This requirement for the non-abusing parent to support their children through the effects of their own experience of domestic abuse comes at a time when they may well be struggling to cope and recover from the effects of domestic abuse they have suffered themselves.

[Abused parents] are told, you need to parent this child, it's a huge ask to people who have been abused themselves... the abusive parent has left, then the non-abusive parent is expected to be an authority figure having never been allowed to show authority. A lot of pressure is put on them from statutory services. (Victim Support focus group)

Professionals who support adult victims of domestic abuse such as IDVAs may not even meet the children in the family, their role is purely to support the adult victim.

For example, I was an IDVA myself and I would very rarely have met the children in person. I would know that there were for example three children and these are their ages because I might need that to quote in a letter to the school. But I wouldn't have ever met those children and I certainly would not be able to offer anything direct to those children. So, I might tell Mom about a youth club or counselling service but it's not very intensive. (Domestic Abuse Commissioner)

Some services may be available which support the non-abusing parent and their children together, but these are rare and still do not meet the specific needs of the child as an individual. Children who are accommodated in refuges may be able to access more tailored support services than those living in the community.

I remember one person saying wow I wish my children had had that support. I didn't realise that if I had gone to a refuge my children would have had so much support at school and in their activities and interests and getting their confidence back. Whereas in the community-based work, it's not that the worker didn't do it, it's just that the service isn't set up to even meet the children. So, there could be some sign posting and genuine effort that would help enhance the child's circumstances, but it wouldn't be a service to the children. (Domestic Abuse Commissioner)

When children move to a refuge, it could be argued that their needs for support are even greater than children who remain in their home as they might lose the support of their extended family, friends and school.

However, while some children in refuges do receive support service these may not be provided through statutory funding and often rely on charitable fund raising to supply them. A spokesperson from Refuge described the need for specialist Child Support Workers in domestic abuse refuges and the efforts they take to raise funds to provide these services, including charity supporters running marathons to fund child support workers for refuges.

Refuge supports children directly but there is not enough commissioned funding for children. These children are amongst the most vulnerable in the country. They have had to flee from home, lost their schools and friends because of the risk to their safety. Refuge don't receive money to work with children. They have Child Support workers in refuges but do not receive statutory funding for this. Having to raise money for Child Support Workers demonstrates the lack of priority and understanding of the effects of DA on children. There is a limited amount of money to work with mothers but none for children. (Refuge representative)

Stakeholders also report that safeguarding and services are more likely to be available for younger children and there is a lack of services specifically aiming to meet the needs of older children and teens.

If you are supporting a child who is 15, 16, it is really hard to find the appropriate ways to help within the statutory services because they are not set up and geared for that even though you could argue there are so many examples of a need. (Domestic Abuse Commissioner)

Practitioners report that there are regional differences in the availability of support services for children who have experienced domestic abuse resulting in a 'postcode lottery' of opportunities for support. Some Local Authorities might contract victim support services to support young people with a full range of domestic abuse experiences. Other Local Authorities only contract victim support services for children who suffer because of abuse of adults within their home rather than abuse they have suffered in their own relationship. For some young people the only route to accessing support services is through Youth Offending Teams which would not be possible if the young person suffering the abuse was not offending or at risk of offending behaviour.

Stakeholders also expressed concerns regarding children's access to Child and Adolescent Mental Health Services (CAMHS). Children face long waiting lists to access services and again a 'post code lottery' of different service provision across Local Authorities.

Access to service is the key because... at the moment they don't have any diagnosed mental health they are able to refer to CAMHS but it is a long route and very few children can access these services. They need help to recover.
(The Children's Society representative)

Thresholds for interventions

Thresholds for accessing CAMHS services are reported as being extremely high in some areas and this can lead to children not being able to get the support they need or abused parents getting into debt to fund counselling services for their children themselves.

[Parents] talked about how hard it was to access any ongoing support for their children with any behavioural problems or just struggles. They just weren't meeting thresholds so you have CAMHS but how few were able to meet a threshold or even get an assessment in good time. There could be quite a difference in the neighbouring county or borough regarding how long that wait would be. Some [parents] were actually talking about taking out loans and paying for counselling services themselves for their child because they could see their child was struggling as a result and just not being able to meet thresholds...so they were going into some debt doing that. Something is wrong when we are assessing what the childhood trauma is and what it's like to live in a family where there is that type of coercion and control and that is not meeting thresholds for services. (Domestic Abuse Commissioner)

One stakeholder felt that the CAMHS therapeutic intervention may not always be appropriate for a child who has suffered due to domestic abuse, because they are reacting in an understandable way to the abuse they have experienced around them rather than having a mental health problem themselves.

Sometimes, children get sent down the route of therapy. If children display aggressive behaviour, it should not be: what's wrong with the child that we can fix with therapy. They are showing a normal response to their environment, there is nothing wrong with them. The problem is with the abusive parent not the child. It is not a mental disorder, they are finding a way to make some sense of their situation, of being abused. The standard is to offer the child play therapy. That's not going to fix the problem. The child has been hurt, they would not have been damaged if the world around them was right. Therapy can absolutely be helpful and necessary [in the right circumstances]. But there is a reason why CAMHS sometimes won't accept referrals if they believe the child's difficulties are 'behavioural' or a response to their environment rather than due to a mental disorder. Therapy can only make a difference if we get children into a place where they know they are safe, loved etc. (Children's Commissioner representative)

In addition to high thresholds for therapeutic intervention, stakeholders and practitioners also report very high thresholds for assessment and intervention by children's social services. Often children's social services will only be made aware that a child is experiencing domestic abuse if there is police involvement.

We are not good at identifying situations below the threshold of police involvement, not good at seeing coercive control. If people don't report it to the police social work doesn't kick in, the trigger is the police call out which needs a higher level. (Children's Commissioner representative)

It's not taken seriously until something serious happens. The problem that a lot of services are focused on the crisis response rather than early intervention which is a big problem. (Children's Society representative)

...the reality with domestic abuse is sometimes it starts small and actually we need an intervention that can go in there and address that behaviour not just when there's serious, potentially life-threatening risk. (NSPCC representative)

Stakeholders expressed concern that such high thresholds imply that statutory services are engaged in crisis management rather than supporting children and young people through more consistent lower level abuse. Services are more likely to be involved if there is physical harm, not taking into account the impacts and long-term effects of psychological abuse and coercive control.

I also think that the other issue is that because of the resources, so much of the child protection system is around crisis management and intervening at a very particular point. And we have heard evidence around from practitioners that cases (for) domestic abuse do not always meet thresholds for intervention, so if it's a low-level incident or particularly for harm that isn't so physical, which is particularly hard to evidence. (NSPCC representative)

To compound the effects of high thresholds for intervention, stakeholders and practitioners also reported a lack of long-term support for children and young people who experience domestic abuse.

There is an opportunity to do something different. But, the thresholds have got higher. They can't offer long term quality support to children. Early help and the 'every child matters' approach is needed. Early years centres have been lost and now all the children's services can do is high level child protection. (Croydon Children's Services representative)

In safeguarding the case is closed once the child is deemed to be safe, there is no long-term package of support to get over the trauma. For example, if the case is closed at the age of 8, what happens when the child hits puberty and then when they start having their own relationships. Even if the child is safe now, they will connect back to what they experienced when they get older and there can suddenly be repercussions when they are 15. The cuts to services mean that there is no money for long term help. The case will be closed, but you will probably see that child again in 5 years' time because all of those issues have not been dealt with. (Children's Commissioner representative)

Multi-agency working

Practitioners in third sector services who work directly with children and young people report not always being taken seriously by statutory agencies such as children's social services when they report their concerns.

We are voluntary sector, we are not listened to, previously I have reported concerns about a child under section 47¹¹, but our professional opinion is not rated. (Victim Support focus group)

I do think one of the biggest gaps in a lot of the work that we've heard and particularly from our member services is that members within the voluntary specialist sector within domestic violence, are not very well respected within the multiagency work that takes place. So, they're invited to some meetings, but they're not actually listened to in terms of their expertise. And I think that is something that is really missing. (Women's Aid representative)

Practitioners also report that children's social services suggest there is no need for a statutory intervention when the child is being supported by third sector practitioners, however the support that is provided by such practitioners is one to one and time limited with the child. Practitioners will not necessarily have access to information about all aspects of the familial or contextual safeguarding. Neither do they have the authority to take statutory action to safeguard a child.

It's a real battle to get in. In (two local areas), we have tried to refer a child (to children's social services) when there has been an incident or ongoing physical and emotional abuse. The response is, they say you're involved so we don't need to be. You're involved so there's no statutory obligation. (Victim Support focus group)

For early intervention [children's social services] it's about how quickly can we get them off the books. (Victims Support focus group)

Other agencies have also noted the propensity for key agencies to be left out of safeguarding decision-making, despite potentially holding important information regarding the child.

Her Majesty's Inspectorate of Probation's (HMIP) annual report on the inspection of YOTs in 2019, noted that YOTs may not always be routinely involved in strategy meetings when there are child protection concerns. The report suggests that 'in the best performing areas, the YOT was brought into the discussions typically involving children's services and the police but, in some areas, YOTs were marginal to decision making despite holding important information about the child or young person'. The sharing of information between agencies and the involvement of the right agencies at the right time

¹¹ Under section 47 of the Children Act 1989, where a local authority has reasonable cause to suspect that a child (who lives or is found in their area) is suffering or is likely to suffer significant harm. Department for Education (2018) *Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children*. Available online: https://www.workingtogetheronline.co.uk/chapters/chapter_one.html

can be a problem and practice varies across authorities. (Youth Justice Board - written response)

Not until there are full on care proceedings is safeguarding taken seriously. Children's Social Services will say the parent needs to do more, but they can't when they are in a situation with domestic abuse. (Victims Support focus group)

A representative from the National Police Chief's Council felt that schools have lost some of their capacity to identify children experiencing domestic abuse. This could in part explain why services are only made aware of the situation when it reaches the high threshold that requires police involvement.

Education is one of the biggest challenges. Schools have lost welfare leads and counsellors and onsite services in schools. A lot of that has disappeared, it's key to picking up a lot of that stuff early. How will we know early on whether a child is at risk? There is a need for bigger teams, working together, early intervention has got to be the answer. (NPCC representative)

Education about healthy relationships is now a compulsory in UK schools. This is welcomed by stakeholders and practitioners. One practitioner felt that education about healthy relationships would need to be instilled from an early age and may come too late for older children.

You get PHSE¹² when you're in year 10 and 11 they start talking about toxic relationship but by that time your mind sets already been made... In a conscious way you are thinking I want a man like this but in an unconscious way your mind has already been made up about what you will accept, that's what I believe. Obviously, that means to young people, by this time we are already getting to a time where it's too late, where we are going to need heavy intervention to get young people to stop thinking like this. (St Giles Trust interview)

A representative from the Children's Commissioner's Office explained that reporting processes for children's safeguarding limit the ability to know how effective multi-agency working in safeguarding actually is. Further measurement and monitoring of outcomes for children and young people would enable children's services to learn and further develop effective safeguarding approaches.

Nobody knows how effective safeguarding measures truly are because outcomes are not measured. When a child protection case is closed the following outcomes are noted: child died, child moved away, gone missing or another reason. There is no measure of outcome, for example if there was a positive improvement for the child and what that improvement was. The What Works in Social Care Centre has not been successful in measuring outcomes so that we can define what works. (Children's Commissioner representative)

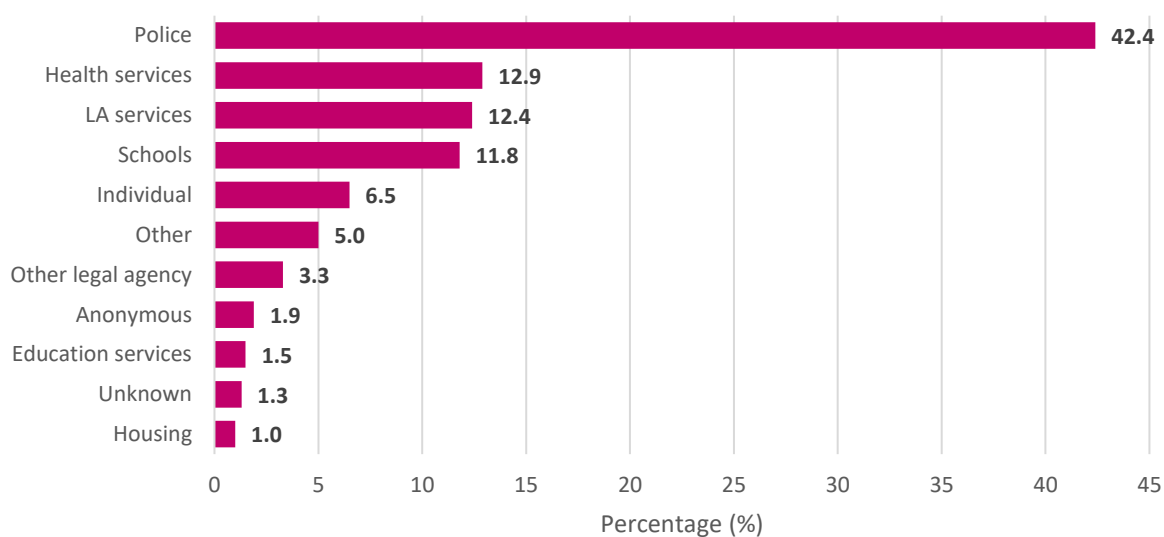
¹² Personal, Health and Social Education

Supporting evidence

The police take an important role in notifying children's services about incidents of domestic violence where a child may have been harmed. The Department for Education's Children in Need census for the year ending 2019 shows that police were the most frequent source of referrals for domestic violence. The police were the source of referral for 42.4% of referrals for assessments where domestic violence was identified as a factor, followed by health services (12.9%) and local authority services (12.4%).

Figure 4. Referrals to children's services where domestic violence was identified as a factor at the end of assessment, year ending March 2019

Source: DfE Children in Need census



A recent HMICFRS inspection (2019) on the police response to domestic abuse found that police forces are still developing their inter-agency working, particularly how information is given to schools to protect vulnerable children. At the time of the inspection in July 2017, 33 forces said they used Operation Encompass. When the police attend a domestic-abuse related incident and a child is present, the Operation Encompass scheme enables the police to provide information to Key Adults within schools before the start of the next school day. Schools can then offer these children additional support and safeguarding.

3.1 - Overlaps between children's experience of domestic abuse and offending behaviour

Key findings

- Department for Education Children in Need data shows that in one in four assessments where socially unacceptable behaviour was identified as a factor, domestic abuse concerns about a parent or carer were also raised.
- A causal relationship between children's experience of domestic abuse and offending cannot be proven due to so many different types of experience, influences and circumstances.
- People with four or more adverse childhood experiences are 14 more time likely to have been a victim of violence and 15 times more likely to have committed violence.
- There is a growing movement amongst stakeholders and practitioners to perceive an overlap between children and young people's experience of domestic abuse and their involvement in criminal behaviour.

This review set out to examine the overlap between children's experience of domestic abuse and offending behaviour. In previous chapters, we have shown that domestic abuse can impact on children and young people's emotional well-being, relationships, education, risky and harmful behaviour, and housing and accommodation. In this chapter, we further explore how experiences of domestic abuse can overlap with risky behaviour, offending behaviour, and further victimisation.

We understand that children and young people's experience of victimisation and offending are varied and the links between the two are complex. The Victims' Commissioner's (2020) literature review on children's experiences of domestic abuse and criminality found strong evidence in support of a victim-offender overlap. There have been strong concerns about a rise in serious violence, knife offences and homicides involving children and young people (see Appendix 1).

For this review, we spoke with front-line practitioners to understand how the experience of domestic abuse, and other factors, can overlap with further victimisation and various forms of offending behaviour. We asked practitioners to share their experiences of working with children and young people and how they can be victims, offenders, or both at the same time.

Evidence from stakeholders and practitioners

The co-occurrence of children's experience of domestic abuse and criminality

Whilst some children and young people have a common experience of both criminality and living in a household with domestic abuse, some stakeholders are

keen to assert that the link is not deterministic. Many children who are involved in criminality may have experienced domestic abuse, but not every child who experiences domestic abuse will go on to be involved in criminal behaviour. All children are different and the way they react or are affected by domestic abuse will differ. One youth support worker told us how differently four children in a household reacted to domestic abuse:

In a family of four, the younger children haven't been massively affected, the older girl is cutting herself and can't make friendships. The lad says, I don't know why I am here, he says he will take his father's face off, he is full of self-loathing and has become abusive. So, within one family there is not one effect. One has turned out like Dad [the abusing parent] and the others different effects. (Victim Support focus group)

A representative from Women's Aid identified cases where children have lived with domestic abuse and gone on to help others by talking about their experience. For example, two young men whose mother and sister were killed by the boy's father who subsequently committed suicide. As young men they have written a book and talk publicly about their life story to raise awareness of domestic abuse and coercive control.¹³ She went on to highlight the importance of acknowledging the different effects on individual children and not labelling children who experience domestic abuse as damaged or likely to go on to offend.

You don't want to present it as 'oh yes, you've experienced this so you're going to be damaged', which a lot of research previously seemed to do and a lot of professionals seem to work under this concept that somehow if you've experienced this trauma in childhood, or these set of traumas, which is what the ACEs model is really about, that somehow, you're going to be this when you're an adult. I don't think that's helpful to any child. I think we need to do it in a way where actually it's about respecting what that child's gone through but also that we understand that children are resilient, and they do cope. (Women's Aid representative)

Some stakeholder's stressed that domestic abuse is one of a number of Adverse Childhood Experiences that overlap with childhood criminality. Children's experiences of Adverse Childhood Experiences are complex and it would be difficult to separate out the effect of domestic abuse from the effects of other ACEs.

There is growing evidence about ACEs and we see those links. We often see ACEs and not very good experiences. There are clear links between involvement in criminality, there is a level to which DA is one of those ACEs. Barnardo's run a support service in Pulmont Prison Scotland, working with young people. They brought in a specific domestic abuse service after finding that a large number of young people in custody were children living in households with domestic abuse. The links between domestic abuse and criminality is very common and we see this often in terms of children that work with. We see a high correlation, ... a background of ACEs generally and notice more children who have been abused themselves are more likely to get

¹³ <https://www.cocoawareness.co.uk/>

involved [in criminality]. Criminally exploited children are always vulnerable by nature of being children, but some have increased levels of vulnerability. One of these would be due to abuse, and other ACEs. (Barnardo's representative)

In written evidence to the Youth Parliament's Select Committee on Knife Crime, the charity Redthread identified violence as a common denominator for domestic violence, knife crime and sexual violence. They describe how early experiences of violence can lead to a cycle of violence as the young person grows up.

At Redthread, we see violence as both a health and a public health issue. We also strongly believe that this issue should not be limited to discussing knife crime or knives; all forms of violence – domestic violence, non-weapon enabled assault, sexual violence - are linked by their root causes and should therefore be treated in the same way... Understanding violence as a health issue acknowledges that exposure to violence in formative years at home or in the community is a key indicator of becoming caught up in a cycle of violence later in life. Violence is contagious and should be treated as a contagious disease; analyse the causes, diagnose the problem, look at what works to treat the symptoms and develop solutions.¹⁴

Stakeholders and practitioners identified that many young people they worked with who are involved in gangs had been exposed to domestic abuse in the home. A representative from Turning Corners, a multi-agency project aimed at reducing Gang culture reported that out of the 141 young people that had been referred to them, 108 were found to have had at least one Adverse Childhood Experience and 89 had witnessed or experienced domestic abuse.

The National Crime Agency County Lines Coordination Centre data has identified even higher prevalence of domestic abuse experiences amongst young people known to be involved in county lines drug dealing.

About 95 percent of the children on [the vulnerability tool used by a Local Authority] had an adverse childhood experience with domestic violence and that was linked to county lines, so there's definitely a correlation, there's definitely a correlation of an adverse childhood experience, it's not solely just for county lines and to drug dealing... I definitely think there is a link. (National Crime Agency representative)

Normalising violence

Stakeholders identified an overlap between domestic abuse and offending in terms of children and young people's experience and use of violence. They felt that experiencing violence in the household serves to normalise it. It desensitises children and young people to violence and teaches them that violent behaviour is acceptable.

¹⁴ Redthread (2019) Written Evidence Submitted to the Youth Parliament's Select Committee on Knife Crime (February 2019). Available online: <https://www.byc.org.uk/wp-content/uploads/2019/06/BYC012-RedThread.pdf> [Accessed 18-03-2020]

If you grow up in a violent home, violence is a way of life. You experience violence at home and on the streets and there is no escape from it. (Independent Anti-Slavery Commissioner representative)

Children in domestic abuse households are desensitised to violence. They have learned male and female roles from their parents. It changes the parameters of what is acceptable. (Croydon Children's Services representative)

One practitioner spoke from personal experience about how the use of violence in the home, can teach young people that violence is the way that you get what you want and get people to do what you want outside of the home as well as in it.

You have domestic abuse whether it's physically abusing a child or the child witnessing domestic abuse in terms of their parents being hit, their mum or their father. It makes a difference if that's what you are witnessing. If that's what you are witnessing or that's what you are becoming a victim of then that becomes your learned behaviour. Talking from my past experience. When somebody does something wrong or somebody does something you don't like, the way you deal with that is to hit them. And very quickly you become somebody that when you want to solve a situation you think I'm going to hit them because that's the way I've been raised... Why is it that police can be called to my house, and my step father arrested on numerous occasions and back in the household on numerous occasions on the same day. Why is it that nobody ever turned around and said what these kids are witnessing is not right and we need to help them? (St Giles Trust interview)

This youth support worker explained how the normalisation of violence can mean that young people do not even think there is anything wrong or unusual about its use. He described how young people may not talk about it because it is part of their everyday life. He also described from his own experience how his peers tended to have the same sorts of experience of violence and abuse at home which would serve to further normalise their use of violence elsewhere.

A lot of them think it's normal. So, I understand, because for me, I ended up with people around me who were going through the same things I was going through so for me to talk about my step father assaulting me or using a weapon against me, for a lot of my friends that was normal behaviour because no one told us it wasn't normal. There was no one to say this shouldn't be happening in your house and I think it's the same as young people I work with now. (St Giles Trust interview)

We also heard from practitioners that violent behaviour learnt outside of the home can then lead to young people committing acts of violence in the home, so that the overlap between the two can work both ways.

What we have seen from the community meetings, panel meeting where we discussed 10 children, and through partner information with people working with them, [we see a] breakdown of the [young person's] relationship with the family due to the gang related pressure, which resulted in them becoming a perpetrator of domestic abuse. In a number of cases, they were victim and

witness of domestic abuse. But we have seen but can't document, it isn't getting recorded at all, violence on parents and other family members from individuals in our cohort. (Turning Corners focus group)

Seeking alternative love, support and belonging

Practitioners reported that children and young people with bad experiences at home might react by seeking alternative forms of family elsewhere. When the young people they worked with did not feel cared for and supported at home they might look for other relationships that could provide that care, support and sense of belonging. These relationships could be in the form of friendships, perceived romantic relationships leading to childhood sexual abuse and gang affiliation leading to childhood criminal exploitation and / or offending behaviour.

Sometimes it's a bit of a coping mechanism for them so if their family, their (simple) family routine isn't working in the house that they're in... everything is kind of peer led at the moment, so their peers have a lot more influence than their actual family home (life), so for them it's almost like a coping mechanism (for them), they're not in the house and they're able to establish a new family that they can choose, they can choose who their friends are, so its yeah, I think to a certain extent they're running away from something to go to something else. (London Gang Exit focus group)

One practitioner gave an example of a young person whose experience of domestic abuse led her to search for caring relationships outside of her family, resulting in her being sexually exploited.

...there had definitely been very bad domestic abuse, she had a bad scar on her face, she was exploited sexually within that area, but again there was neglect, lack of attachment from that neglect. The numbing of the parent, really contributes to that, almost like the child wanders and looks for that attachment, to feel part of something and feel ownership of something, that was really harrowing and scary to watch... and poverty, she was very, very poor, she had nothing and it was just dire really, and mum was just so full up with her own emotion and her not being able to cope with what had happened to her and her own traumas. The child was just left. [Her mother told her] just behave, just behave, you know that kind of well why can't you [the support worker] just do this without me having to be part of it? So, I think they look for attachment in different areas sometimes. (St Giles Trust focus group)

Practitioners reported that while some young people seek family type relationships with their friends, those friends may be involved in criminal activity. Some young people may seek gang affiliation as a form of proxy family relationship with the gang providing care, support and a sense of belonging. One practitioner described how those relationships can give young people a false sense of close bonds.

All I care about is the people that I believe care about me and that is the fake love that a lot of young men, and I'm sorry to say it but a lot of young black men choose that fake love of gangs of saying do you know what there's this person in my area and it's death before dishonour and we've all said that we

will never be disloyal to each other. And you've got all these fake walls in place, I call them fake walls that make this stronger family unit than what you've ever had and it makes you believe that everyone in that unit will die for you, everyone within that unit will go to prison for you so is that not the deepest type of love? For me that's what makes it so easy for young people to go down them paths. (St Giles Trust interview)

The same youth worker described how criminals can spot this need for love and validation in young people who have experienced domestic abuse and use this vulnerability to criminally exploit them. Those criminals may come from a similar background having been brought up with domestic abuse themselves, making it easy to spot a vulnerable young person in the same situation.

Now you have these people who may have been victims of the same thing before, they may have been domestically abused and have that need to belong, but they are able to spot the need in this young person. They are able to spot that this young person doesn't have a path they are going along, they don't feel loved, they don't feel needed and it's easy for them to spot this young person then say to this young person simple things. The ones I can say to young people and they will recognise it is oh- that's my little bro, or that's my little sis, now in that moment they know you are not saying you are my Mum's child, you are my Dad's child, they are saying they love me. Now once they believe somebody loves them where other people have always washed their hands of them. Where they believe that someone has accepted them with all their faults that person that's older than them knows what comes next. Because if I was to say to you, what wouldn't you do for your family, most people would say there's nothing I wouldn't do for my family, there's nothing I wouldn't do for my children, there's nothing I wouldn't do for my parents and this is how they end up in the situation. They start to believe these people are their big brothers, their big sisters, their father figures or their mother figures, now when that person who is your mother figure or father figure and they say I want you to hold this bag in your house and don't look in it. They've been criminally exploited and they don't even know it because they think this person cares about them. (St Giles Trust interview)

Supporting evidence

This research found strong evidence from stakeholders and practitioners of an overlap between victimisation and offending behaviour. A recent Victims' Commissioner (2020) literature review on children's experiences of domestic abuse found consensus in the field of criminology that the victim-offender overlap is one of the most reliable predictors of crime and victimisation.

We heard from the Ministry of Justice and the Youth Justice Board that children and young people can be severely impacted by adverse experiences. These experiences of victimisation can include living in households with domestic abuse, peer-on-peer

abuse, and other adverse childhood experiences that directly harm a child or the environment in which they live.

In the Ministry of Justice's (MoJ) written response to our review, we were told:

We fully recognise the devastating impact that domestic abuse can have on children and young people, whether that is being exposed to it in their homes or through their own intimate partner relationships. (Ministry of Justice written response – February 2020.)

The MoJ response also recognised the overlap between experiences of victimisation and offending behaviour:

We recognise that a victim/offender overlap exists as many children and young offenders have themselves been a victim of serious violence. However, many of these young people have not received the support necessary to help them cope and recover from the trauma caused by being a victim. Therefore, the MoJ is working with other government departments and external agencies to develop support which will help to address the complex needs of these young offenders. By taking a multi-agency approach, we aim to reduce the risk factors that increase the likelihood of a child or young person becoming a victim or perpetrator of serious violence. (Ministry of Justice written response – February 2020)

We also heard from the Youth Justice Board that the evidence for links between being a victim and perpetrator of violent crime have been 'well established for some time'.

The links between being a victim and perpetrator in relation to violence and other forms of aggressive behaviour have been well established for some time. Evidence from Public Health Wales demonstrates that experiencing childhood trauma and stressors can have a negative influence on physical and mental health and be associated with health-harming behaviours, and criminal justice outcomes. Children can experience personal ACEs (because of various forms of abuse and/or neglect) and family/household ACEs because of exposure to domestic violence, parental separation, parental substance misuse and/or alcohol abuse and incarceration.

Living with domestic abuse (DA) is recognised as an adverse childhood experience (ACE) and living in a violent and stressful environment makes children vulnerable and may increase the likelihood of them perpetrating domestic or other violence in the future. When the caring environment is inconsistent or abusive, children do not feel safe. Feeling safe is fundamental to healthy child development and feeling unsafe will impact upon physical, cognitive, emotional and social functioning.

Research has also shown increased rates of neglect and emotional abuse for children who experience DA. This often results in children presenting with what others interpret as 'misbehaviour' further excluding them from mainstream society, for example by being excluded from school. This is not effective in assisting children to change their behaviours and as indicated

above may result in their behaviours escalating further, including into criminalisation. (Youth Justice Board written response – February 2020)

As cited by the Youth Justice Board, research on Adverse Childhood Experiences (ACEs) by Public Health Wales¹⁵ has shown that children exposed to adverse experiences (such as domestic violence, parental separation, mental illness or alcohol abuse) have an increased likelihood of being both a victim and a perpetrator. Public Health Wales has estimates that for every 100 adults in Wales, 47 have suffered at least one ACE during their childhood, and 14 have suffered four or more. They estimate that children who experience four or more ACEs are:

- 14 times more likely to have been a victim of violence over the last 12 months
- 15 times more likely to have committed violence against the person in the last 12 months
- 20 times more likely to have been incarcerated at any point in their lifetime

We also heard from Croydon Safeguarding Children Partnership's (2019) 'Vulnerable Adolescents Thematic Review' gives further evidence of this overlap. This thematic review found that all twenty-five children who were exposed to or suffered violence in the home had contact with the criminal justice system. Twenty-one children had been subject to criminal convictions and the remaining four had no convictions, although the other four received out of court diversions.

We requested data from the Department of Education's Children in Need census to estimate the overlap between domestic violence and other concerns - for further details on the Children in Need Census, see DfE (2018). The data for the year ending March 2019 from the Children in Need census relates to the prevalence of assessments which identified socially unacceptable behaviour¹⁶ as a factor and the overlap with other concerns, such as domestic violence concerns about a parent or carer¹⁷. For assessments which identified socially unacceptable behaviour as a factor in the year ending March 2019, 25 percent identified domestic violence concerns about a parent or carer, 28 percent identified mental health concerns about a parent or carer, and nearly 30 percent of assessments also identified mental health concerns about the child.

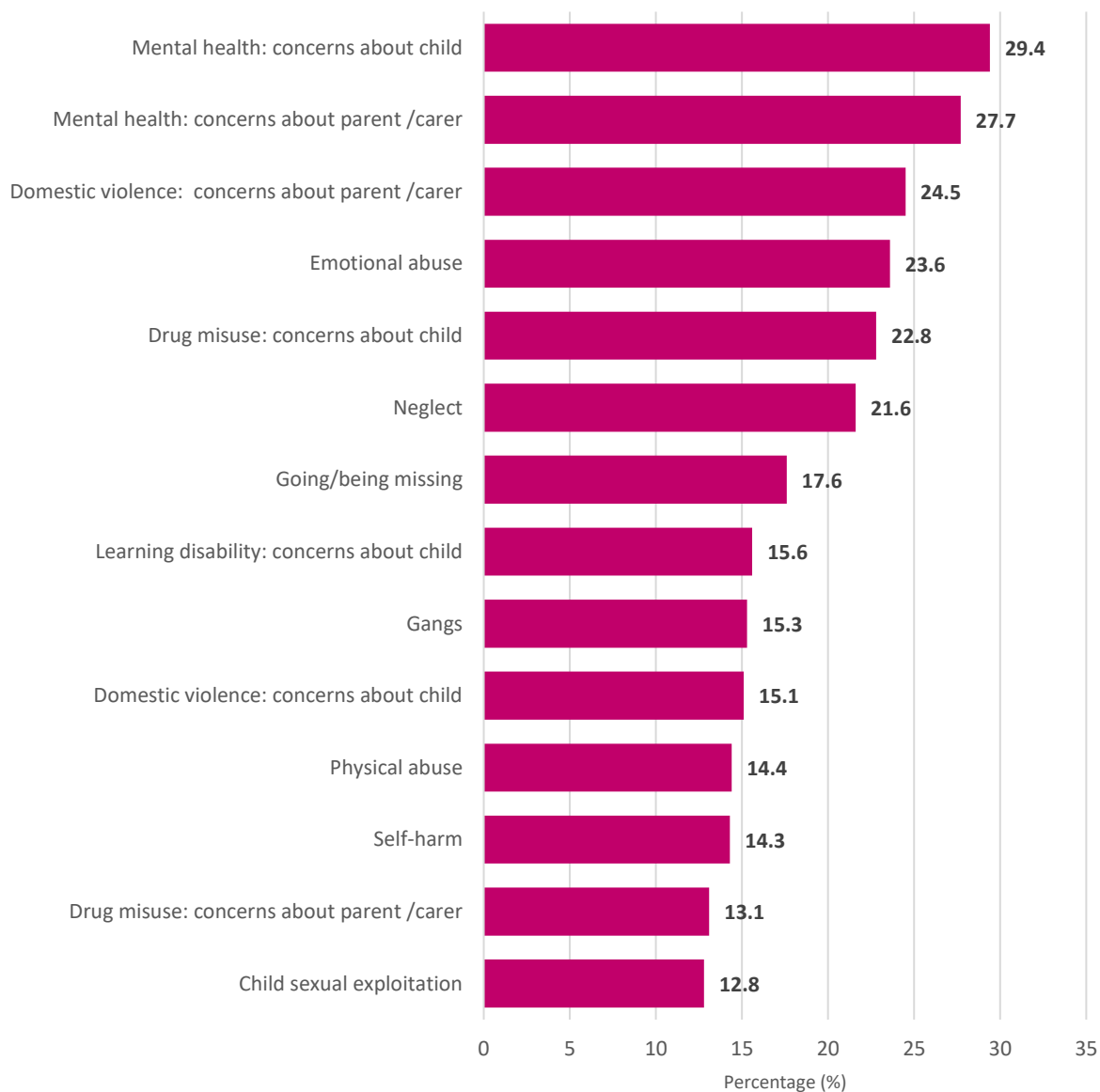
¹⁵ Bellis, M.A., Ashton, K., Hughes, K., Ford, K.J., Bishop, J. and Paranjothy, S., (2016). *Adverse childhood experiences and their impact on health-harming behaviours in the Welsh adult population*. Public Health Wales NHS Trust.

¹⁶ The category of 'socially unacceptable behaviour' includes children who require services because they: actually offend; are considered to be at risk of offending; are below the age of criminal responsibility but would otherwise be breaking the law; are behaving in such a disorderly way that they cause alarm or disturb the peace. This would also include another group of children who create concern within the community because they put themselves at unacceptable risk, for example, children who truant, or children who are sexually active. For full specification for 'socially unacceptable behaviour' see page 53: Department for Education (2018) *Children in need census 2018 to 2019. Guide for local authorities – version 1.2*. Available online: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/744185/CIN18-19_Guide_v1.2.pdf [Accessed 4-03-2020]

¹⁷ These figures relate to the number of assessments rather than number of children. A child could have separate assessments in the year which may or may not be linked. A child can have more than one episode and more than factor for each episode so comparing number of assessment factors to number of children at 31st March is not comparable (correspondence with DfE Children's Services and Early Years Data and Statistics Team).

Figure 5. Prevalence of other factors identified at assessment for children who had 'Socially unacceptable behaviour' identified as a factor, year ending March 2019

Source: DfE Children in Need census



Additional factors: Other factors (12.3%), Alcohol misuse: concerns about parent /carer (11.3%), Alcohol misuse: concerns about child (9.3%), Domestic violence: concerns about another person living in household (7.5%), Sexual abuse (7.2%) Physical disability: concerns about parent /carer (6.8%), Mental health: concerns about another person living in household (6%), Drug misuse: concerns about another person living in household (5.3%), Young carer (5.3%), Physical disability: concerns about child (4.8%), Alcohol misuse: concerns about another person living in household (3.2%), Learning disability: concerns about parent /carer (3%), Learning disability: concerns about another person living in household (2.2%), Trafficking (1.8%), Physical disability: concerns about another person living in household (1.7%), Privately fostered (0.8%), Abuse linked to faith or belief (0.3%), Unaccompanied asylum seeker (0.2%), Female Genital Mutilation (0.1%)

3.2 - Contextual risks for children and young people's involvement in offending behaviour

Key findings

- Practitioners identified a range of key issues for young people involved in criminality, such as struggles at home, school exclusions, lack of services and support, and accommodation.
- Stakeholders and practitioners report a range of risks to children's offending behaviour and criminal exploitation. These include vulnerabilities associated with school exclusions, reduced timetables, alternative education provision, out-of-area placements, social media and contextual factors.
- Children and young people may not view themselves as having been criminally exploited and see that label as 'extreme'.
- The most frequent reason for permanent school exclusion is persistent disruptive behaviour.
- There was also a 97% increase in the number of children living in supported or semi-supported accommodation outside their home local authority area between 2014 and 2018.
- Stakeholders and practitioners also identified wider societal influences on offending behaviour and vulnerability to criminal exploitation, such as economic factors, consumerism and a sense of rejection.

Evidence from stakeholders and practitioners

We heard from practitioners that various circumstances and factors can make children and young people vulnerable to both criminal exploitation and engaging in offending behaviour.

When we asked practitioners about the key issues for the children and young people they work with, we heard a common set of themes for practitioners who worked with children due to their gang-involvement or through domestic abuse support services. This included issues related to children and young people's sense of belonging and issues related to education, housing and accommodation, poverty and economic circumstances, and relationships with friends and peers.

This part of the report focuses on some of these contextual factors as they relate to children and young people's involvement in offending behaviour. We also heard about issues that make children and young people more vulnerable to criminal and other forms of exploitation. Practitioners related a child's experience of domestic abuse to exploitation, but also other factors as contributing to a child's vulnerability, such as poverty, school exclusion, enrolment in pupil referral units, being sent to out-of-area accommodation and the use of social media by criminal gangs.

Practitioners' view on the key issues for children and young people

[They are] struggling at home with family relationships, with peers, with themselves, don't always know how to express how they are feeling, what's going on with them. (Victim Support worker)

There is a disconnect between generations. I work with Young People, they are not raised with the same manners as other generations, but they are not rude either. They just don't have the same manners, so they are perceived as being rude and aggressive. That adds to conflict, now they are perceived as rude and treated as being disrespectful, but they just don't really know how to act and they don't act how they are expected to (Victim Support London)

There is a lack of services and support in education. Issues are picked up in schools but they can't provide early education health and care plans, problems with misdiagnosis of ADHD and ADD, there is a lack of learning support. These are little things but they are massive in a young person's life. (Victim Support worker)

Young people are excluded from school time and time again, now permanently excluded. Maybe home-schooling. Schools are not lenient with exclusion days so they add up as days that young people are missing from school. Parents can then get fined if the young person does not have the required attendance record, even though they are working hard to get the child to school and then the school is excluding them. (Victim Support worker)

[The] CAMHS offer is around parents control of behaviour, not about children. (Victim Support worker)

It's almost like there's not someone really rooting for them in their family, so if mum and dad are involved in an abusive relationship then they're very focused on that, and then if teachers are very tired and run down they don't seem... that energy so unless there's somebody really backing these, the kids up, their aspirations are just, just sink don't they (St Giles Trust – Kent)

Sometimes the child has got roots in the area of their own, the domestic violence process [starts] and moving a family is adult led, so the child can get left to... build again, not sure how much is thought about or considered, to ensure they transition smooth and maintain some links with [an] area. (Barnardo's support worker)

There is a lot of mental health, there is a lot of substance misuse, we've got FGM, sexual abuse, physical abuse, inappropriate chastisement and a lot of domestic abuse as well, that is a feature in a lot of the families that come across our desks. (Social worker)

Accommodation, housing is a big problem. Half of the cases we see need to move to a different borough, the family might disagree with a house that is offered because it doesn't match the family's needs. If the family is housed in the same borough, they are still going to be a victim. (Victim Support worker)

Victimisation, vulnerabilities and exploitation

Along with domestic abuse and other adverse childhood experiences, we heard about various vulnerabilities that can lead to offending behaviour and criminal exploitation. Barnardo's told us that children are '*always vulnerable by nature of being children, but some have increased levels of vulnerability*'. We heard from a practitioner at The Children's Society that services '*should always be viewing that child as vulnerable*' and that victimisation can precede offending behaviour.

So a child might have experienced gang rape and then gone and assaulted someone... a lot of the boys and young men that we support have been victims of offences... it's not ever really recognised because they're now perpetrating offences, so that real overlap really, or we have a lot of young people who may have experienced serious youth violence, but also been charged with things like possession of class A, been criminally exploited, or common assault, ABH, GBH, which is totally interlinked with their path and their exploitation. So, some of the girls we support who are involved in issues related to their exploitation are things like holding of weapons, holding drugs, again committing violent offences, committing violent offences against their perpetrators. (The Children's Society representative)

We also spoke to stakeholders and practitioners about children's experiences of criminal exploitation. Stakeholders told us that children are viewed as a commodity by perpetrators of criminal exploitation. When we spoke to the British Transport Police, we heard that organised criminal groups view vulnerable children as '*cheaper*' than adults. The National Police Chief's Council told us children have basic needs of '*somewhere safe to live, something to do, people to care about you*' and that criminal groups provide some of these elements which is attractive to children and puts them at risk of exploitation. She described how such groups view children as a '*commodity*'. The National Crime Agency told us that children were one of the main commodities in county lines drug dealing:

When the main commodity is children and you're not going to get [20 year] old people targeted, you may do for cuckooing in impacted areas, but when you're looking at inner cities and where county lines tend to emanate from, so West Midlands, London, Liverpool, Manchester, and West Yorkshire... it's children that are being used as that commodity. (National Crime Agency representative)

Stakeholders also drew comparisons between child sexual exploitation and child criminal exploitation. Barnardo's told us that there is a need to learn lessons from assessing risk and vulnerabilities to child sexually exploitation.

Case study

Chris' parents had been involved in county lines and encouraged him to become involved. Chris' mother was addicted to heroin. His mother and stepfather used Chris to move drugs back and forth from his area. Chris was arrested with a taser. He was charged, prosecuted, and referred to a Youth Offending Team. Chris has been trained in advice and guidance and is now a peer mentor on a gang-exit project.

Stakeholders and practitioners described various risk factors that make some children more vulnerable to criminal exploitation. As well as domestic abuse and adverse childhood experiences, we heard from The Children's Society that various factors can increase a child's vulnerability to criminal exploitation:

A child having learning difficulties or going through some personal thing, not being popular at school, then there's family issues such as poverty, [domestic abuse], someone already involved in CJS. There's a lack of protective factors – being excluded from schools, being a looked after child. There's a combination of all of this, eventually any child can be vulnerable it's not just the presence of [domestic abuse] but having those factors in your life including [domestic abuse], being looked after child or having learning difficulties make them more vulnerable to perpetrators who want to target them. (The Children's Society representative)

We heard from a representative of the Children's Commissioner that children can be vulnerable to exploitation when they lack support and trusting relationships.

Where people don't have support and trusting relationship in their family unit we know they are open to exploitation because they can be targeted for their vulnerability. (Children's Commissioner representative)

We heard from practitioners that many of the children referred to a project providing support to young people exploited by county lines are already known to statutory services, i.e. children and social care services. We were told that there is a high prevalence of looked after children, young people not in education, employment or training, children and young people with links to gangs and child sexual exploitation, and young people who have a high number of missing episodes.

Case study

A representative from the Independent Anti-Trafficking Commissioner told us about a young boy was attacked at college by five boys with machetes:

They hacked at his legs, but he managed to survive. He was attacked because it was assumed he was part of a gang from a different area because that was where he came from and travelled in from for college. In fact, the boy had nothing to do with the Urban Street Gang (USG) in his home area. The boy is autistic and didn't leave the home expect to go to college. He would just stay at home in his onesie and watch tv with his mum. Following this experience, the boy actually went out and

sought the protection of his local USG and he is now a member of the gang. He was seeking safety and protection. Once you are in the gang though young people feel they have to commit offences. All of this was related to the boy's postcode. The postcode determines gang affiliation, assumed gang affiliation and the young person can't leave there. They have no choice about where they live and can't move. Young people are exposed to crime – in Birmingham if a young person lives in one part of Birmingham and goes to school or college in another part they will have to travel across gang affiliated areas. They will feel the need to be part of a gang or carry a knife just to travel across those areas. They see a base level of violence and come to expect it.

Victims of exploitation may not recognise they are exploited

A key theme from our discussions with practitioners was that children and young people may not identify as victims of exploitation.

We heard that victims can be exploited into criminal activity through physical and sexual violence, threats to share sexually explicit imagery on social media, threats against family members, being targeted with assaults and robbery, or debt bondage. We were told about the use of embarrassment stabbings, where people are stabbed in the buttock area because it is not considered life-threatening but can be used to keep someone 'in line'. We were also told that the criminal exploitation can also involve offering children a sense of belonging, financial incentives, or 'attention'.

They want the trainers, they know there's not a lot of opportunities, prospects, some do want the road life, a lot get drawn in. (Independent social worker - interview)

Practitioners told us that children and young people may not see themselves as victims of exploitation and that some children and young people consider the label to be too extreme.

I think the issue with a lot of them is that they don't even know they're being exploited, they think that what they're in is something that's of benefit to them. (London Gang Exit focus group)

When you say to young people the word exploitation a lot of them don't know what that means and they don't like, they don't agree with it, they don't see themselves as being exploited, to them that word is extreme to them so they don't understand it. (London Gang Exit focus group)

It's difficult to get them to recognise how the grooming process works because they crave the attention. (Wirral Compass Team focus group)

Case study

A social worker told us about the catalyst for one young person's attempts to leave a criminal group:

There was one house I went to where the front door got shot up completely, and you have to manage that very carefully, I was saying to the young person, the young person knew that that shooting was connected to them, so it wasn't anything random, they knew it was connected, and they told me why it was connected, it was connected due to a debt bondage, it was a threat, so the debt bondage was a package went missing, and this young person basically had to really evidence strongly that he did not steal the package for selling and pocketing the money himself. So, it was basically supposed to be transported from where he was. So, he picks it up - part of it is obviously plugged¹⁸ - but this was too much to plug. So, basically what happens is it gets carried and it gets taken to the trap house, it gets cut up into bags and everything, and then it gets delivered to the shotters¹⁹ and they deal it. But what had happened was this bag had gone missing, and basically the outcome of that was his house, one evening, quite late, the front door got blasted. And, you know, luckily the kids were upstairs in bed. Now, he said that is it, that is absolutely it, I want out, I'll name people, I'll name things, I'll do this, I'll do that, and that brought a reckoning to him that he had to really get out of that lifestyle.

Economic motives

Both stakeholders and practitioners emphasised the importance of economic motives in both offending behaviour and criminal exploitation. A key aspect of this theme involved children and young people's experience of poverty, household deprivation, consumerism, and the use of social media to glamorise lifestyles. We heard from Craig Pinkney, a criminologist at University College Birmingham, that economic motives are key to various forms of criminal activities, including county lines drug dealing.

It's all about money. We don't talk enough about money, people talk about vulnerability and county lines saying young people get involved because they are vulnerable, but really, it's about economics. We live in a capitalist, hyper consumer society, Young people want things just like we as adults do. But they can't afford it. They don't have jobs, there is a lack of resources. County lines, robbery, and fraud quick ways to make money.

Other practitioners raised issues related to poverty and a sense of being rejected by society.

Poverty, a lot of children in single parent families, could be because of [domestic abuse], feel ostracised by society, have to be seen to wear and

¹⁸ 'Plugging' refers to concealment of items, e.g. drugs, inside a person's body.

¹⁹ 'Shotters' refers to someone who sells drugs.

have particular things, demand to find money someway to try and fit in.
(Birmingham Children's Trust focus group)

We also heard that young people may be motivated to financially provide for their families. Practitioners discussed the pressures that young people feel to provide for themselves, their families or being the head of the family.

Sometimes I think the guys have got good intentions, they want to fend for themselves when they get to a certain age, because their parents, usually their mothers are under pressure, so they feel at least if they could do this hustle, earn some money, they can buy their own trainers, buy their own this, buy their own that, but some of them also help their parents. (St Giles Trust - focus group)

Feeling like I've got to protect the family, really provide for the family really interlinks to some of this. It's not as simple as the young person wants some new trainers or something, really interlinks to power and control and being the provider for the family and ... poverty... Young people definitely talk to us about providing for the family, that's more linked into poverty, or being the oldest person in the house. They feel they need to support Mum. (The Children's Society interview)

We also heard stakeholders and practitioners' concerns about social media content that advertise illegal services and glamorise drug dealing. Practitioners identified that some children and young people involved in county lines may be induced through these images and myths.

We need to be talking to young people before they're involved and sort of countering some of the myths that are swimming around in their head, cos someone's telling them you know this is the life, you know you're gonna make money, it's gonna last, they're not gonna catch us, we're too smart all of this stuff you understand, but what we see is that yeah, you'll make money for a little bit, then you'll get caught, then you'll lose it all, then you go jail, then you come out and you'd be broke. (London Gang Exit focus group)

Case study: Paul

Paul broke his leg before the end of school term. He had his leg in a cast and did not attend school. During the summer holidays he started dealing drugs. According to a support worker 'he was bored'. When Paul was approached to deal drugs, 'they started, 'oh do you want to deliver that, earn a bit of money', and he started and he's still involved now.' He was involved in what the support worker calls 'low level street activity'. He was picked up with a weapon and possession with intent to supply. Paul has twice been detained in a Youth Offender Institute.

School exclusion, behaviour management systems, alternative provision

Stakeholders and practitioners discussed an indirect relationship between the children and young people's experiences of domestic abuse and criminality. Some felt that poor behaviour at school due to domestic abuse can lead to exclusion from school. This puts them at risk of childhood criminal exploitation and being influenced by offending behaviour of their peers.

Children [who experience domestic abuse] become very anxious and hypervigilant, react with violence, start feeling less part of school, get excluded, school isn't a loving, nurturing place. [They] become excluded from school. What happens to children excluded from school? Children become vulnerable for grooming for county lines, setting them up to be failures and criminalised by society. They may have no loving relationship at home. They need safe, secure environments at home. Children try to find sense of belonging somewhere, this might be belonging to the gang. We don't want them to belong to gangs. (Operation Encompass representative)

Both stakeholders and practitioners highlighted that children who were on reduced timetables or excluded were more vulnerable to criminal exploitation.

There is a link between the high exclusion rates and getting involved in gangs, whilst experiencing domestic. Behaviour management systems need to get better at handling children from domestic abuse backgrounds. Schools are getting better at handling it when children come into school. Though often schools will have a no excuse policy, but sometimes there really is an excuse. They need help in managing the behaviour, not increasing their vulnerability further, it is a dangerous spiral. (Children's Commissioner representative)

In being excluded from school, practitioners say that children feel doubly rejected by society. First, they feel rejected by parents or care givers in their home, then they can feel rejected by teachers and the society they represent. They may be placed in a pupil referral unit and then get rejected from there when they fail to comply with expectations. One practitioner reported that this form of rejection from wider society can lead to children and young people seeking support and involvement in gangs as a form of alternative familial relationship and sense of belonging. He found that sense of multiple rejection to be a fundamental part of children's experience who subsequently become involved in criminality.

I see rejection as one of the main issues impacting on every aspect ... so they're rejected from their family at a young age, and then they start seeking another family, it might be within a gang or whoever they're hanging out with, they're rejected from housing or when they're a looked after child they're in a care home, the care home can't deal with two or three issues that that young person presents with, so they reject them, send them to another care home, and they could end up in fifteen care homes in a two year period, until they're 21 or 18 when they're no longer getting that support, that statutory support, so they've had rejection all their lives and that's all they've ever experienced that they've been rejected from work, they've been rejected from school, they get

put into a PRU, PRU said they can't deal with them, they reject them from there, so once all of this rejection is happening to them from the age of 12, 13, 14, 15, 16, 17, 18, you've got a serious problem and that's going to lead to the crimes that they're committing when they're 20, 21. Its normalising them, this rejection is normalising, they don't expect anything from society, from anybody, so they go out and get it, they go out and take it, they go out and get their own housing, they go out and get their own money, they go out and do whatever they want, they go out and get their own woman and take their (women) and this adds to victims and it's going to continue like that unless you stop rejecting some of these young people. (London Gang Exit focus group)

Some practitioners indicated that schools did not routinely seek to understand the reason behind a child's poor behaviour before excluding a child. One practitioner said they were not asking:

...what's causing that, not understanding what's going on in that's child's life, so when a child is at school and mum physically beaten up, the child is not going to be a good student, some schools are better than others. (Birmingham Children's Trust focus group).

Case study: Lauren

Lauren is in school and lives with a recovering substance user who had a partner who perpetrated domestic abuse and had four children removed by children's services. The support worker told us that '*substance user parent might come back again and it's all kicking off at home*'.

But the school have been raising concerns about Lauren's behaviour.

'The school are going 'well she's wearing fake eyelashes at school and mum hasn't paid the £14 pounds of dinner money owed to us, so we can't deal with that. And we're like 'get a grip here, this child, one of our most seriously exploited children in the city, domestic violence on dad's side... dad's partner threatens to kill herself if dad leaves, so that's domestic abuse, and that's going on there, so she can't live there'.

Practitioners also talked about difficulties in resettling some children in new schools as schools would not admit new students during term time – even in circumstances where a child has had to move due to risks of exploitation. These challenges pose additional risks for a child's continuity of education and exploitation.

I've had a child who I met this morning who's been out of education for a year and that's not uncommon, that's very common. One parent, recently, who's falling over backwards, they went out of the area briefly to avoid exploitation, and then when they came back in it wasn't noticed that they were back in and then mum applied to six schools and was trying to get a place, but because of

the point in the term it was very difficult. So, people aren't noticing where people are going, just saying well they've gone out of the area, so we can close it all. (Birmingham Children's Trust focus group)

We also heard concerning observations about the risks associated with Pupil Referral Units. A representative from the Independent Anti-Slavery Commission acknowledged that children who were excluded from schools and attended PRUs were 'more susceptible for recruitment to gangs'.

There are issues around what to do with young people who are excluded from school – this is a weakness. It is no criticism on schools. If a young person is disruptive, is carrying knives and involved in gangs, the school has to protect the other students. But that is exactly when the young person needs stability. They are excluded or sent to a PRU where they are more susceptible for recruitment to gangs. There are a lot of challenges. (Independent Anti-Slavery Commissioner representative)

Several practitioners also said that children and young people who attended PRUs were at increased risk of being targeted by drug dealers.

The actual drug dealers when I first started here, the drug dealers would hang outside the PRUs, I think now the PRUs would call the police, but some of the kids inside, because they just know, stand outside, smoke a spliff as the kids are coming out, what's that smell, bam, they've got you interested. (St Giles Trust focus group)

I've seen cars outside pupil referral units, and I've seen people, I've gone to see children and young people in these units and walked out with them and all of a sudden there are Mercedes E-Class sitting across the road and they're calling a kid, and he's standing there talking to me, and I'm like 'who's that?' 'Oh, that's just such and such's brother.' (Independent social worker interview)

One practitioner described how being excluded from school and sent to a PRU can be the 'starting point of a slide' towards involvement with criminal groups.

When children and young people are excluded from school, go to PRUs, or don't get an education, that is the starting point of a slide... if you wanted to go and pick up children for criminality, there's no better place than a PRU, because there's just that many children who are disaffected, dissociated. (Independent social worker interview)

Out-of-area placements

Children in unregulated care homes and placed out-of-area were identified as at heightened risk of exploitation. The All-Party Parliamentary Group for Runaway and Missing Children review 'No Place at Home' (Sept 2019)²⁰ reported that:

²⁰All-Party Parliamentary Group for Runaway and Missing Children (2019). *No Place at Home: Risks facing children and young people who go missing from out of area placements*. Available online: <https://www.childrengsociety.org.uk/sites/default/files/no-place-at-home-final.pdf>

These 'sent away' children become magnets for paedophiles and 'County Lines' drugs gangs, who find them easier to exploit because they are isolated from family, friends and social workers, may also be inadvertently opening up new 'County Lines' operations because relocating children, who have been groomed to sell heroin and crack cocaine, can create opportunities for criminals to expand their reach into rural parts of the country.

A lack of statutory sector accommodation for children in care leads to children being sent far away from home and / or being placed in unregulated care homes provided by private companies. Two thirds of all children in children's homes now live out of area - sometimes more than 100 miles away.

One youth offending support worker described the experience of a young person they worked with being moved far from home:

I am working with an 18-year-old lad, well versed in the world of YOS [Youth Offending Services] he said... 'they removed me from my Mum and Dad because they couldn't look after me and they put me in a place where they cared for me less'. He was moved from Stafford to Durham and then runaway and away. (Youth Offending Service Stafford focus group)

When young people reach the age of 16, they are often placed in semi-independent accommodation with little supervision. Practitioners report that this can leave young people more vulnerable and at risk of exploitation. The lack of supervision can mean they do not come to the attention of statutory services if they go missing.

Once they are 16 and in semi-independent accommodation the rules change. They may not have 24-hour staff and no one is aware they are going missing. In the missing protocol, don't have to report [young people] going missing. It's quite good mixing pot for targeting vulnerability. There are limited eyes on [the young person] unless there are significant services involved, you may have no clue what they are involved in. It's a bit of a gap, what is the accountability for 16 to 18-year olds, they are more exploited in my opinion. (Youth Offending Service Stafford focus group)

Practitioners reported particular concerns about young people being placed in unregulated care homes. Care accommodation providers can choose which children and young people they take into their accommodation. Young people with complex needs or those with a history of serious violence or offending can be the most difficult to place. This can result in them being placed in unregulated care accommodation. These are private providers that are willing to take on the additional risk or need for additional support workers at a profit.

When you see a child on paper, with risk assessments you have to put down everything, some children on paper look absolutely atrocious, but you have to house them somewhere, they go to 28-day placements. Because it's a risky young person, there is no provision for them and only private companies will take them on at a cost of £5,000 or £6,000 a week. (Youth Offending Service Stafford focus group)

Practitioners report their experience of unregulated placement accommodation which they thought was highly inappropriate for such vulnerable young people.

Some end up in 20-day placements in a barge on canal, travelling up and down the canal, or caravan sites in North Wales. We know of another young person from this area who was taken to Scotland, camping up a mountain for accommodation because it was summer.... Children are placed out of area, placed in the middle of the Staffordshire countryside.... One young person we had from Birmingham had never seen a cow before. (Youth Offending Service Stafford focus group)

One youth support worker described how the care providers have a ratio of three staff to one young person when high risk young people are placed in unregulated accommodation. The young person is constantly shadowed by adult support workers. The practitioner told us that this level of supervision for high risk young people does not actually help the young person's rehabilitation and can in fact lead to young people rebelling further:

They can't do anything. They are not living a normal childhood life, living only with adults, no interaction with young people. Then they are fighting against the system because they want to get away from where they have been placed. (Youth Offending Service Stafford focus group)

The All-Party Parliamentary Group for Runaway and Missing Children (ibid) described the 'frightening twilight world of unregulated semi-independent homes for older children, aged 16 plus.'

The APPG report found that the '*number of children placed in unregulated out of area semi-independent accommodation had almost doubled in the last 3 years*'. They report that '*Ofsted data shows that in the last 5 years the number of privately-owned children's homes has increased, with 75% of all children's homes now being private, whilst those run by local authorities decreased*'.

The APPG report also highlights the plight of children sent away from their home area to be placed in care accommodation, and in particular the exacerbating risks of exploitation for young people placed in unregulated accommodation: '*the Police said very high numbers are going missing from this sort of accommodation and the young people become particularly easy targets for those wishing to exploit them for sex or to run drugs. Criminals are sometimes housed in the same accommodation.*'

On 12 February 2020, the Government announced a consultation proposing a ban on children under 16 being placed in unregulated accommodation. The consultation acknowledges growing concerns that unregulated accommodation leads young people to being at risk of exploitation and proposes new legal powers for Ofsted on the registration of accommodation. It recommends new measures for local authorities and police forces to work together before young people are placed out of area in unregulated settings. The announcement stated that '*More than 6,000 looked-after children and young people in England are living in unregulated accommodation, with up to 100 under 16s living in unregulated provision at any one*

time. The consultation reports that *'the number of children in care aged 16 or 17 placed in unregulated settings has increased from 2,900 in 2009 to 6,100 in 2019.'*²¹

Education Secretary Gavin Williamson said:

There are no circumstances where a child under 16 should be placed in accommodation that does not keep them safe. That is unacceptable, and I am taking urgent action to end this practice and drive up the quality of care provided to all vulnerable children.

Although the new measures would serve to protect children under 16 from unregulated accommodation, young people aged 16 and over who are arguably just as vulnerable would continue to face the acknowledged risk of exploitation. The APPG report (ibid) found that *'Police said very high numbers are going missing from this sort of accommodation and the young people become particularly easy targets for those wishing to exploit them for sex or to run drugs. Criminals are sometimes housed in the same accommodation.'*

Contextual safeguarding

During our discussions with stakeholders and practitioners, we heard about a recent movement towards adopting contextual safeguarding approaches in children's social services. Contextual Safeguarding recognises the risks of 'environmental harms' that children and young people are subject to, whether on the streets, in neighbourhoods and local areas, or online. We understand that the virtual practitioners' network - Contextual Safeguarding Network - is growing and that the Department for Education have awarded a social care innovation grant to Hackney council to trial a whole-systems approach.

Stakeholders told us that traditional models of safeguarding have focused on the immediate family and the home. They do not enable children's social care to sufficiently address harms outside of the home such as childhood sexual exploitation, or high levels of knife crime or violence in a local area.

I think we have a long way to go with that because the child protection system generally is set up to deal with issues in the family home and behavioural issues within the family home and there is definitely work [to be done], things like contextual safeguarding to deal with improving the safeguarding system for adolescents (NSPCC representative)

A contextual safeguarding team in Birmingham described some of the benefits of taking a contextual safeguarding approach.

Contextual safeguarding is about having a better understanding of how adolescents, particularly, are experiencing extra familial harm, and where they experience that extrafamilial harm. Our hub work is preoccupied with

²¹ Department of Education Consultation Hub: Reforms to unregulated provision for children in care and care leavers (February 2020). Available online: <https://consult.education.gov.uk/unregulated-provision/unregulated-provision-children-in-care/>

safeguarding children from harm and serious harm, by external environments to the home, and external people to family members. So... young people experience violence, sexual violence and harm, in local communities. They do in school, peer groups. Traditional child protection models and traditional safeguarding is preoccupied with familial abuse. (Birmingham social worker)

We heard that there is still a lot of work to do to fully embed contextual safeguarding approaches across different services and agencies. We were told that contextual safeguarding allows practitioners to intervene in issues that place children and young people at risk of harm. We were given one example from Birmingham.

There's a corner on a street in Balsall Heath where if you stood there for one week and time lapsed it, you'd see four stabbings and a shooting over a one-week period, and you would not have to move from where you were, those people were not connected by any stretch, at any sort of lateral check, but that space there is good to do that in. So, a stairwell might be beneficial, where there's no CCTV, limited light source, for people who wish to do harm to children, to frequent to wait for children to come by. (Birmingham Children's Trust focus group)

Supporting evidence

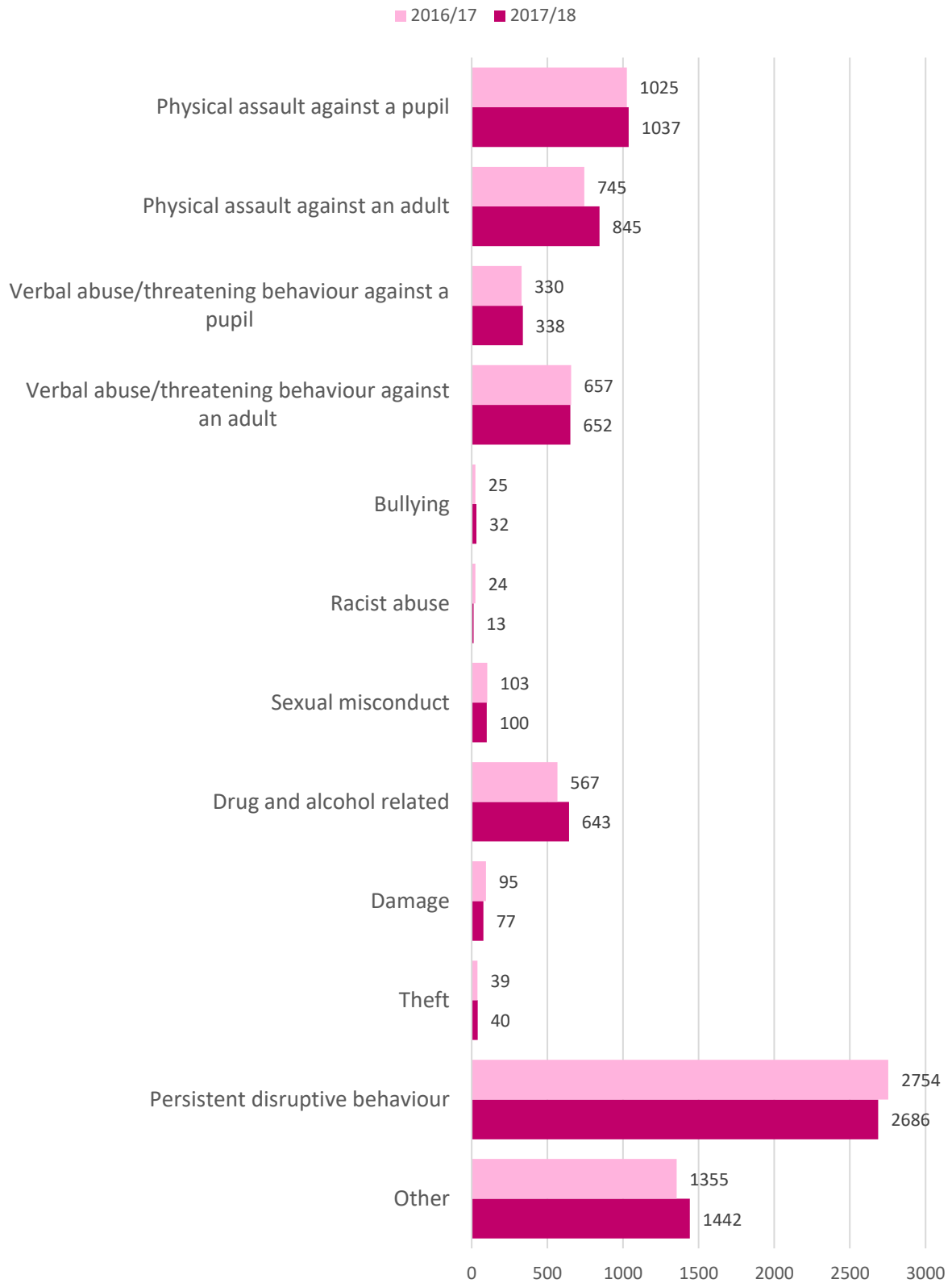
School exclusions

The Department for Education reports that the increase in permanent exclusions has recently slowed, increasing from 7,7000 in 2016/17 to 7,900 in 2017/18²². In 2017-18, the rate of permanent exclusions in primary schools was 0.03%, in secondary schools this was 0.2%, and 0.07% in special schools. The most frequent reason for exclusion was persistent disruptive behaviour in 2017-18, decreasing by 2% from the previous year.

²² Department for Education (2019) Permanent and fixed period exclusions in England 2017 to 2018. Available online: <https://www.gov.uk/government/statistics/permanent-and-fixed-period-exclusions-in-england-2017-to-2018>. [Accessed: 11-03-2020]

Figure 6. Reasons for permanent exclusions (state-funded primary, secondary and special schools), England, 2016-17 and 2017-18

Source: DfE Permanent and fixed exclusions in England 2017-18

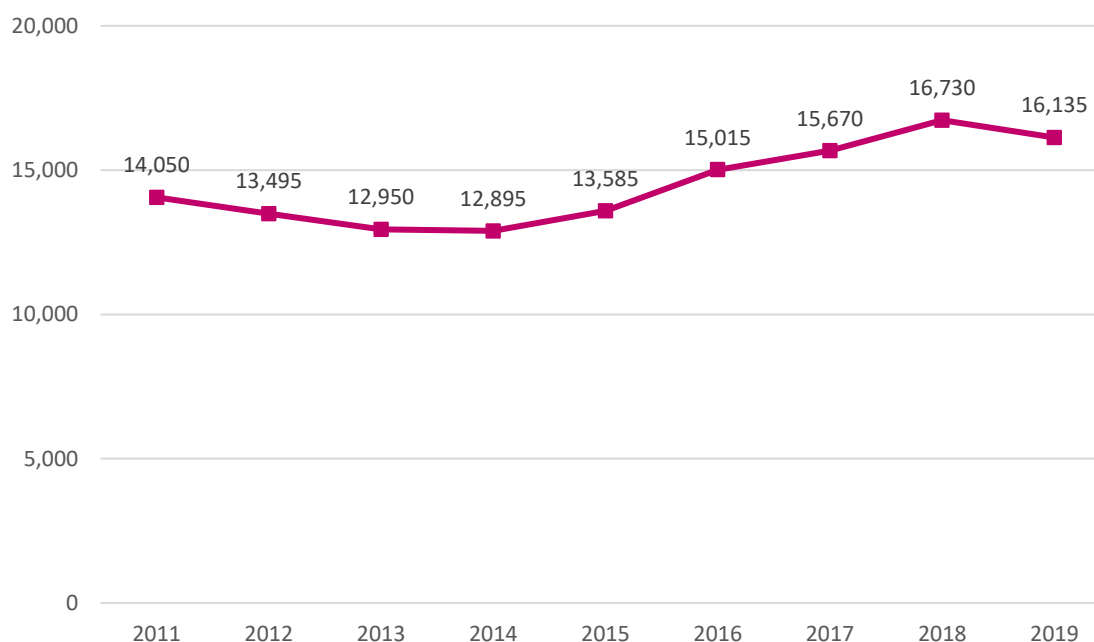


Alternative education provision

This includes educational settings for children who are unable to attend a mainstream school. These are often referred to as pupil referral units when these establishments are local authority maintained. In 2019, there were 16,135 pupils on roll in pupil referral units, decreasing by 595 from the previous year²³. This was the second highest annual total for the previous eight years.

Figure 7. Number of pupils on roll at Pupil Referral Units

Source: DfE School Pupils and their Characteristics Main Tables 2019, Table 4a



Out of area placements

According to the All-Party Parliamentary Group for Runaway and Missing Children and Adults' (2019) *Inquiry into children and young people who go missing from out of area placements*, children placed outside their home area face escalated risks for paedophiles and county lines drugs gangs.

Due to a lack of statutory sector accommodation for children in care, children are being sent far away from their home local authority areas and placed in unregulated care homes provided by private companies. The APPG report shows that two thirds of all children in children's homes now live out of area. The report indicates that there have been increases across all types of out of area placements in recent years. Between 2011/12 and 2017/18, there has been a

- 12% increase in the number of looked after children placed outside their home local authority area;

²³ Department for Education (2019) Schools, pupils and their characteristics: January 2019. Available online: <https://www.gov.uk/government/statistics/schools-pupils-and-their-characteristics-january-2019> [Accessed: 11-03-2020]

- 10% increase in the number of children placed in foster care outside their home local authority area;
- 32% increase in the number of children living independently outside their home local authority area;
- 44% increase in the number of children placed in secure children's homes, children homes and supported accommodation outside their home local authority area.

Between 2014 and 2018 there was also a 97% increase in the number of children living in supported or semi-supported accommodation outside their home local authority area (up from 1,020 in 2014 to 2,010 in 2018) (APPG Runaway and Missing Children and Adults 2019).

3.3 - Support and interventions for victims of childhood criminal exploitation and those involved in serious youth violence

Key Findings

- There is no statutory definition for Childhood Criminal Exploitation. This leaves Local Authorities working to different standards for identifying and supporting children who have been criminally exploited.
- Stakeholders and practitioners reported varying levels of success with the National Referral Mechanism (NRM). There are concerns around whether the NRM is appropriate for supporting children who are trafficked for county lines drug dealing around the UK.
- Some children and young people might not understand or believe they have been exploited and the NRM is not applied. There are concerns that others are misusing the NRM when they have not been exploited, and that this is flooding the NRM applications, preventing real cases of exploitation from being identified.
- Practitioners identified difficulties with funding being attached to exploited children's home Local Authority rather than to the child. This leads to difficulties regarding care provision when a child is trafficked and picked up by authorities out of their local area.
- Stakeholders and practitioners reported difficulties associated with short term funding to support young people out of crime. They are able to provide effective services in the short term, but then services drop off.
- Stakeholders, practitioners and an academic identified a need for a wider societal approach to the problems of Childhood Criminal Exploitation and serious youth violence. These include a child centred approach to offending, a public health approach to serious youth violence, a counter terrorism approach to childhood criminal exploitation and long-term strategies for criminal justice system interventions.

Evidence from stakeholders and practitioners

Authorities response to children exploited in county lines: victim or offender?

The Government definition of county lines drug dealing acknowledges the exploitative nature of children's involvement. This review aimed to investigate whether in reality, children who are found to be involved in county lines activities are treated by authorities as victims of childhood criminal exploitation or as offenders.

Statutory authorities report a changing attitude towards young people who are suspected of being involved in county lines, with a greater understanding of childhood criminal exploitation being developed. However, they report differences in practice across police forces and from one police officer to the next. Often this can

depend upon how the young person presents at the time they are interacting with police officers. If the child responds with violence and bravado, police officers may not be inclined to see them as a victim in the first instance.

A child could be a victim in Force A and a suspect in Force B, at the same time, using that kind of county lines typology as their movement around the country, and then you might have an individual officer or a good team, exploitation team, and there is a shift, it was like turning the Titanic with a paddle and now it's like there is a shift towards recognising all forms of exploitation, we're still missing lots, but much better than it was say 18 months, 2 years ago. It keeps coming back to that being... almost like that trauma informed approach, we still miss incidents but it's difficult to say with young people because it comes down to quite a lot of subjectivity between police officers and other professionals. I've been in custody before when a child's come into custody and... they've had a fight with the officer, the officer's raging because he's been kicked at, spat at, and then no one's going to fly in on their beanbag are they and turn around and say treat him as a victim, because it's almost like a smack in the face of the police officer. However once the dust has settled and the red mist has descended, when you look at that, for example body worn camera footage as they went into that address and the child's there, you know surrounded by needles, a cuckooed adult, that sort of thing, Vaseline, all that... and then they suddenly do the flight or fight which we know children do, and they've decided to fight, then we need to kind of take a step back, so once we've in that controlled environment, I will always say to colleagues you know take that step back, let's have a look in that child's history. (National Crime Agency representative)

Children's charities report that children may still be more likely to be treated as offenders if they are involved in county lines rather than victims of criminal exploitation. The Children's Society research into statutory responses to children who are criminally exploited 'Counting Lives' (July 2019) reported that '*The response from statutory agencies is too variable and often comes too late. Children are too easily criminalised and are not viewed as victims of exploitation.*'²⁴

A Children's Society representative told us that although the official rhetoric is about treating children involved in county lines as victims of criminal exploitation, this is not what they find in practice:

At a strategic level we hear these messages, we need to see these children as vulnerable and being exploited. But in practice it's not what we see happening. (The Children's Society representative)

In February 2019, the Youth Justice Board set out standards for all statutory agencies to ensure good outcomes for children in the youth justice system. This 'Child First' approach acknowledges that children in the justice system often have

²⁴ The Children's Society (2019) *Counting Lives: responding to children who are criminally exploited*. Available online: <https://www.childrenssociety.org.uk/sites/default/files/counting-lives-report.pdf>

multiple and complex needs and aims where possible to divert children from the justice system and address these needs.

Children's charities are concerned that the exploitation of children is not acknowledged, and they are met with a criminal justice response rather than addressing the complex needs of an exploited child.

[We are] concerned that [there is] an initial tendency to look at children who we see as victims... being treated as criminals, who are then taken down the CJS route... They are exploited and can never consent to their own abuse.
(Barnardo's representative)

Some youth offending service practitioners reported changes in their practice over the last 12 months, with the 'Child First' approach being effective in understanding the individual needs of children and young people and carrying out preventative work to divert them from criminal behaviour. They have found the new approach allows them to take more time to get to know young people and tailor interventions to their needs rather than feeling pressured to complete paperwork to short deadlines. This has enabled practitioners to develop one to one relationships with the young people they support rather than that young person working with three or four practitioners throughout their engagement with the youth offending service.

National Referral Mechanism and Section 45 defence

The National Referral Mechanism (NRM) is used to identify and provide support to victims of modern slavery. Recent Home Office data indicates that there has been a large increase in the number of 'minors' who have been referred to the NRM for criminal labour exploitation. According to the Home Office, much of this increase is related to county lines drug dealing activities.

During our research, we heard concerns about the suitability of the National Referral Mechanism for victims of childhood criminal exploitation and internal trafficking. Stakeholders viewed the NRM process as more appropriate for victims of international trafficking and there were systemic issues for under 18s who are internally trafficked. Practitioners told us that the National Referral Mechanism can be a useful tool to document that a person is a victim. Practitioners talked about how a positive outcome on the NRM can provide evidence of victimisation during criminal investigations and trials.

The Independent Anti-Trafficking Commissioner, Dame Sara Thornton has recently called for a change to the existing system by devolving decision-making for child trafficking cases to local authorities. Speaking about victims of criminal exploitation in March 2020, Dame Sara Thornton said:

What I'm really worried about is whether we are putting enough protection around these children – whether they're in care or living with parents or

*grandparents or wider family members – because the worry is that they don't just get trafficked once. We've got to stop it.*²⁵

A recent report on child criminal exploitation by The Child Safeguarding Practice Review Panel²⁶ recommended that the NRM should be reviewed, with specific focus on the level of awareness for those applying to the NRM on behalf of children; the consistency of decision making; the impact of positive decisions; and, any additional controls that could be applied when positive decisions are made (2020:23).

We also heard concerns that criminal groups were encouraging children and young people to use of the Section 45 legal defence from the Modern Slavery Act 2015. This defence enables a defendant to claim that they were a victim of trafficking, if they are faced with criminal charges. A recent HMICFRS inspection of the response to county lines was unable to obtain information from the Crown Prosecution Service about the prevalence of this this defence (2020:32)²⁷. A representative from the Independent Anti-Trafficking Commissioner told us:

Then there is the element of Section 45 being over used – young people are briefed by gangs to give a script if they are arrested. It is bland and unhelpful to police and the young people. They have been brainwashed to give a script, they are still under the control of the gang and telling the police what they have been told to say. Some use Section 45 as a defence but they are not a victim. This discredits other genuine victims use of Section 45 and swamps the system.

Practitioners told us about one approach to minimise the risks associated with the NRM. We were told about how, in one area, under 18s are not informed about their NRM applications. These practitioners explained that a child can be put at further risk if the exploiter comes to know about an NRM application. They also told us that some children and young people are involved in criminality without being exploited and that this is 'quite a murky area'.

We heard about one young person who had been accepted at stage one of the NRM process, but not at stage two. The young person was then stabbed and threatened. At the same time, the young person was facing 'serious charges' in a Crown Court. Practitioners told us that you 'can't do anything further within the NRM because he won't engage' (The Wirral Children's Social Services).

Some practitioners suggested there was limited understanding about the NRM process across local statutory services and police forces. A recent report by the Child Safeguarding Practice Review Panel found 'considerable confusion locally

²⁵ Bulman, M. (March 2020). Children coerced into drug trafficking face cycle of exploitation due to failings in system, warns slavery tsar. *The Independent*. Available online at: <https://www.independent.co.uk/news/uk/home-news/county-lines-slavery-child-trafficking-drugs-protection-sara-thornton-a9365906.html>

²⁶ Child Safeguarding Practice Review Panel (March 2020) Safeguarding Children at Risk from Criminal Exploitation. Available online: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/870035/Safeguarding_children_at_risk_from_criminal_exploitation_review.pdf

²⁷ HMICFRS (2020) *Both sides of the coin: An inspection of how the police and National Crime Agency consider vulnerable people who are both victims and offenders in 'county lines' drug offending*. Available online: <https://www.justiceinspectors.gov.uk/hmicfrs/publications/both-sides-of-the-coin-county-lines/>

about the purpose of the NRM and how it might help. In some areas, there was little or no awareness.' (2020:23). As one practitioner told us:

The mechanism that's set up for seeing them as victims isn't working, you've got statutory services that don't even know what an NRM means, why they should be housed under NRM (London Gang Exit focus group)

We also heard concerns that some of the rejected NRM applications are not completed with sufficient quality.

We've had 100 percent success rate for every NRM reconsideration put into the NCA, because basically the wording on NRMs is just so poor, so people put their offences in the NRM rather than talking about the grooming, the coercion, the control, the exploitation. (The Children's Society interview)

Practitioners told us that some children or young people who have received a positive NRM are still prosecuted for other offences. We heard concerns about the timeliness of NRM applications and decisions. Some practitioners remarked that successful NRM applications may not impact on decisions to charge or prosecute.

Even if a referral is made to the NRM, by that time it's too late, they're been charged, they've been prosecuted, they've gone to court, probably been given a prison sentence and that one letter to say they've been recognised as a victim has done nothing by that point (London Gang Exit focus group)

So, some children were referred through NRM and some may be recognised as victims of trafficking but it doesn't necessarily impact on the criminal proceedings of what they were arrested for. There's no link with the mechanisms of children to be recognised as victims for statutory defence and it is not used for all victims. If the child is referred to NRM but at the same time they are going to court [and charged] with the offence, it [sends] wrong messages to them. (The Children's Society representative)

Even if there are NRM referrals and successful applications, the National Crime Agency expressed concerns about the number of modern slavery and NRM referrals that are not investigated.

My concern is the number of modern slavery and NRM referrals being created with forces that aren't investigated, and you look at modern slavery and human trafficking teams, they are set up predominantly to deal with the traditional forms of the movement and transportation of commodity of people coming into the country, whereas I'm more concerned now of our own children being used, exploited locally, trafficked locally and also nationally, using that county lines methodology. (National Crime Agency representative)

Wider societal approaches to tackling serious youth violence and childhood criminal exploitation

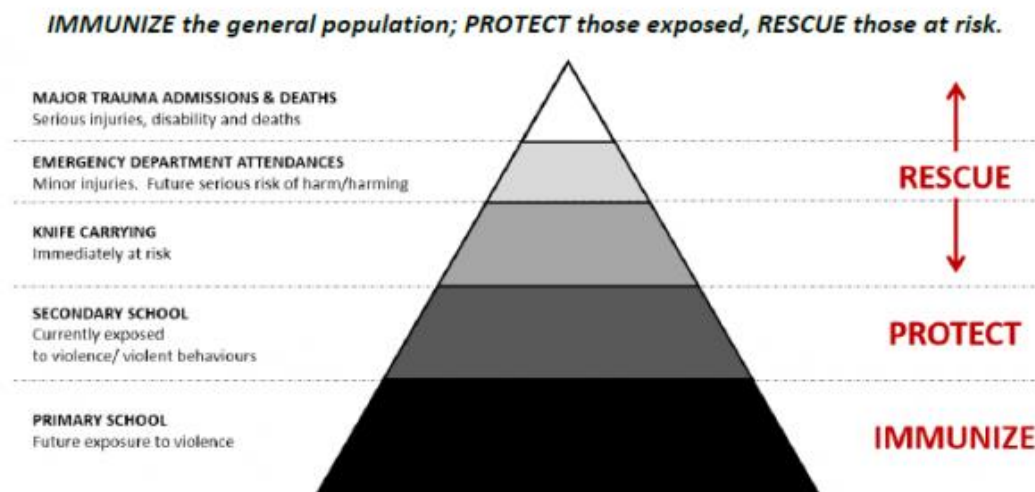
Some stakeholders and practitioners that took part in this research identified the need for a more unified approach across society as a whole to tackling young people's involvement with serious youth violence and county lines drug dealing.

There is strong support for a proposed public health approach to tackling serious youth violence and knife crime across key stakeholders. Some stakeholders have suggested this approach in response to the Governments Serious Violence Strategy (April 2018)²⁸

A proper public health approach would treat knife crime like an epidemic. We know that violence breeds violence, so we need to tackle the problem at source while immunising future generations against it. (Sarah Jones MP, Chair of the All-Parliamentary Group on Knife Crime)²⁹

The Centre for Trauma Sciences produced a briefing document which sets out how the proposed public health response could be applied in practice. The overarching principle of the public health approach is to ‘IMMUNIZE the general population; PROTECT those exposed, RESCUE those at risk’.³⁰

A Public Health Model of Knife Violence Prevention



Karim Brohi, Paul Vulliamy, Max Marsden, Richard Carden, Martin Griffiths, Duncan Bew, Michael Carver. k.brohi@qmul.ac.uk. London Major Trauma System 2019, v10

Redthread, a charity which supports vulnerable young people through their Youth Violence Intervention Programme in a number of hospital emergency departments, advocates for a public health approach to all forms of violence. Suggesting the expansion of this approach to include domestic violence as well as serious youth violence and knife crime.

²⁸ HM Government (2018) *Serious Violence Strategy*. Available online: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/698009/serious-violence-strategy.pdf [Accessed 18-02-2020]

²⁹ Jones, S. (2018, May 18) Sarah Jones: A proper public health approach would treat knife crime like an epidemic. *The House Magazine*. Available online: <https://www.politicshome.com/news/uk/home-affairs/policing/house/magazine/95270/sarah-jones-proper-public-health-approach> [Accessed 18-02-2020]

³⁰ Brohi, K., et al (February 2019) A Public Health Approach to Knife Violence Reduction: Immunize, Protect and Rescue. Available online: <https://www.c4ts.qmul.ac.uk/downloads/pdf-downloads/a-public-health-approach-to-knife-violence---lmts-v10.pdf> [Accessed 18-02-2020]

At Redthread, we see violence as both a health and a public health issue. We also strongly believe that this issue should not be limited to discussing knife crime or knives; all forms of violence - domestic violence, non-weapon enabled assault, sexual violence - are linked by their root causes and should therefore be treated in the same way. (Redthread 2019)³¹

The need for a public health intervention is further supported by an academic who took part in this research. Craig Pinkney, a Criminologist and Urban Youth Specialist, called for a complete change in focus in the Criminal Justice System mindset which tends to focus on short term interventions.

There needs to be an entire paradigm shift. It is no use thinking of quick fixes. People are always asking what is the one thing we can do? But it's not just one thing, we need to understand the cycle. We need an approach that is at least 15 years, not an 8-week project. That's the problem, policy makers want to just fund a short-term programme and expect results. Studies undertaken in any place that has adopted a public health approach show that it takes a minimum 15 years to make a substantial difference. In the Criminal Justice System mindset, you observe a problem then intervene, but a public health approach goes much deeper than that. (Craig Pinkney, University College Birmingham)

Practitioners who work directly to support young people out of gangs and youth violence also stressed the unrealistic expectations of short-term interventions and the difficulties they face with short term funding of projects:

There are issues around short-term funding, short term projects and the expectation for quick results. In a 6 month or 12-month project, funders expect to see results straight away. If it doesn't work straight away, then the funding gets pulled. This is really drastic. There is a need for early intervention, midterm intervention and long-term intervention as well. The problem is with short term contracts it is difficult to show results that you are actually helping people. You need to meet the statistics and the targets, but it is hard to show that you are just helping someone and sometimes you just need the space to help. You might look back in 20 years and say that was the person, I helped him to change his path, but it is hard to measure when the funding gets pulled. You should look at the need not at the money perspective. (Victim Support focus group)

A representative of the National Crime Agency suggested that the public health approach could be expanded to a society wide approach similar to that used to counter terrorism in order to tackle childhood criminal exploitation such as county lines. This counter terrorism model would include the general public and staff in particular industries such as hotel and taxi workers to be educated in spotting the signs of vulnerable young people being exploited. To support this counter terrorism

³¹ Redthread Written Evidence Submitted to the Youth Parliament's Select Committee on Knife Crime <https://www.byc.org.uk/uk/youth-select-committee> by Redthread (February 2019) Available online: <https://www.byc.org.uk/wp-content/uploads/2019/06/BYC012-RedThread.pdf> [Accessed 18-03-2020]

approach, information sharing amongst statutory agencies could be developed to replicate protocols on sharing information for countering terrorism.

Unless we treat criminal exploitation or exploitation general, like counterterrorism where it's everyone, seen as everyone's responsibility and we're then set up to share that information very, very quickly, like we have in counterterrorism, across multiple parties, we're going to miss things. (National Crime Agency representative)

Some practitioners also identified a need for wider societal involvement in preventing young people's exploitation in county lines drug dealing and offending. Practitioners in one focus group debated whether commercial organisations should take more corporate responsibility for establishing where young people are getting their money from when they make expensive purchases in cash.

I do think these companies need to take corporate responsibilities for having young people coming inside these shops with large amounts of cash. As a 17 year old with no job with, you know if your earning £700 to a grand a week you know, where are you getting that money from to buy that jacket ... why are they not being spoken to and why are they not being challenged, the same way that people get challenged on whether they can get cigarettes or alcohol, why are they not getting challenged on where did you get the money from to buy that jacket or to buy those trainers ... it's not an issue that has really been spoken about but I do think it does need to be spoken about. (London Gang Exit focus group)

British Transport Police

In December 2019, The British Transport Police, with funding from the Home Office, set up a County Lines Task Force. County lines criminals frequently use young and vulnerable people to carry drugs from one area of the country to another, often from cities to towns. Children don't have drivers licences or access to cars and public transport is relatively cheap compared for example to an adult hiring a car. Previously children have gone relatively undetected on trains. The onus by rail authorities has been on whether the young person has the correct ticket rather than where the children are going, what they are carrying and what they are going to do when they get to their destination. This has made public transport and rail travel in particular, an attractive prospect to criminal gangs exploiting children and young people into county lines. The task force aimed to identify young people on the railway system who are involved in county lines and provide them with timely and effective safeguarding. The wider aim is to make the exploitation of young people in county lines via the railway an unattractive prospect for Organised Crime Gangs. The aim is to send the message that children will no longer be invisible on the railway, they will be picked up and supported out of offending behaviour by the BTP County Lines Task Force.

As of the 5th March the British Transport Police reported that 204 arrests had been made through efforts by the Task Force. Large amounts of drugs and weapons had been seized along with more than £35,000 in cash. Ten National Referral

Mechanism referrals have been made as part of the operation. The County Lines Task Force was originally funded to April 2020. Further funding has now been secured to operate the task force throughout 2020 and on to 2021. A representative of the British Transport Police described the following case study to highlight the complexity of their work in the County Lines Task Force, particularly when there are three police forces with conflicting views about how to handle the situation.

Case study: Thomas and Josh

Thomas (aged 14) was with two other boys his age when he was arrested at a sea side train station. The boys had been attacked by two men who attempted to rob them of drugs they were carrying. It is thought that the adults may have had prior knowledge that the boys would be arriving with the drugs. One of the boys, Josh, was stabbed in the hand by the adult attacker.

Thomas approached British Transport Police officers and told them that a male in a mask had approached him at his Pupil Referral Unit and asked him to transport drugs for payment. The police carried out a search and found Thomas to be carrying crack cocaine. Thomas was arrested.

Thomas told police that he met Josh and the other boy north of London who gave him the drugs and they travelled down to the coastal town together. Josh was arrested on suspicion of grooming Thomas into criminal exploitation and Modern-Day Slavery offences. Local police officers in the coastal town had planned to simply treat Josh as a victim of a physical assault but were persuaded by British Transport Police to arrest Josh and arrange for his mobile phone to be seized and data downloaded and a search to be undertaken at his home address.

Since the arrest, a National Referral Mechanism has been submitted and the Modern-Day Slavery aspects of the case are being investigated by the Metropolitan Police. Safeguarding procedures have been put in place by children's social services. A police officer has visited Thomas' Pupil Referral Unit and spoken to the head teacher. Police visits to Thomas' home have been flagged as urgent. CCTV footage from the train station is being examined to establish the identity of the adults who attacked the three boys.

Child-centred approaches

The Youth Justice Board Strategic Plan for 2018-2021³² sets out the aspiration for a child-centred approach, seeing 'children first and offenders second'. Youth Offending Team workers described how this child centred approach has been successful in enabling support workers to develop a more tailored method of supporting children in the long term. The new approach sees less pressure to complete paperwork quickly

³² Youth Justice Board (2019) *Strategic Plan 2018-2021*. Available online: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/706925/201804_YJB_Strategic_Plan_2018_21_Final.pdf [Accessed 20-02-2020]

and move on to the next case and more opportunities to develop one to one relationships, building up trust between a support worker and a child.

We are trying to slow things down. Before, we had to do assessments within 15 working days. The driver for staff was, I need to get the assessment and plan done. This puts the cart before the horse. How do you assess without knowing them? Now there is more autonomy with the national standards. We can take longer and do fuller assessments. (Youth Offending Service Stafford focus group)

It's about building a relationship with the young person before doing offending work. Previously we would give them an anger management course, we will continue to do that, but they are children at the end of the day. You've got to know how that young person works, do prevention work, take young people into the community and have communication about their offending. Ask: this is where you live, what happens if you had committed the offence around here. Rather than having to get an assessment done in X amount of days then move on to the next young person. (Youth Offending Service Stafford focus group)

The Youth Offending Team workers pointed out that the approach is still quite new and unproven in terms of reoffending rates, but it appears to be successful in engaging young people and building positive relationships between individual youth workers as a single point of contact and young people.

Our reoffending rate is 40% and it has been since the Youth Offending Team started, though there have been peaks and troughs. The rational is, we've been doing this for 20 years and it hasn't made a lot of difference. [But with the new approach] the engagement is a lot better and we are building better relationships. (Youth Offending Service Stafford focus group)

One probation officer seconded to the Youth Offending Team noted the difference in approach is working collaboratively with young people.

A lot of these children have had things done to them. We are starting to do things with them, often young people haven't had people do anything with them. (Youth Offending Service Stafford focus group)

Turning Corners, a multi-agency project aimed at reducing gang culture in Exeter provides a number of street-based projects and one to one work aimed at diverting young people into more positive activities. Practitioners describe taking a 'relationship first' approach:

It's about building trust and about someone acknowledging their lives are difficult, not steamrolling in... then young people seem to want certain youth intervention team workers... that lasts for at least 6 months, so that works very well. But, we are under significant pressure all the time to work faster, to turn more young people through because we've got a huge waiting list. But it's much less effective to work at pace with adolescents because this group perhaps have not had trusting relationships with adults before. They don't

form good relationships. Whereas some organisations, if a young person doesn't arrive [for an appointment] the case will be closed. My workers will try for at least a month. I think that tells the young person that we care, and we are interested and that helps a lot with engagement. (Turning Corners focus group)

The Turning Corners project has an innovative approach to mapping social networks of young people who are involved in or at risk of childhood criminal or sexual exploitation or offending behaviour. The network maps are used in multi-agency meetings to examine a young person's connections and networks in the community context. It can be used to examine links that a young person coming into the area has if they are involved in county lines and manage potential risks to other young people in the local area. This use of social networks supports the approach to contextual safeguarding, understanding risks to young people in the community rather than concentrating only on risks at home.

For example, for one young female there were 40 individuals named who could be mapped that were influencing that young person. (Turning Corners focus group)

This multi-agency project also has an innovative approach to including parents in interventions for young people. The project has set up a number of parent support groups. The team provide advice and education for parents about tell-tale signs of gang involvement and what county lines drug dealing looks like. The group offers help in accessing mental health support for parents and access to domestic abuse recovery services. Parents are also encouraged to support each other through peer networks and have set up WhatsApp messaging groups so they can check their children's whereabouts if they say they are staying with a friend. The parent support groups have led to the team being able to identify particular issues of concern and work with parents to develop information and training packages that other parents might find useful, for example work around positive role models for girls and the portrayal of girls in contemporary culture. Parents who take part in the support groups have commented that previously, statutory authorities have taken an approach of blaming parents for children's behaviour rather than working with them to support their child out of harmful behaviour.

What parents have said to us is that in the past everyone thinks that they're a terrible parent, but they don't talk to them about it. So, their experience of support or from children's care is that no one talks to them until it gets to crunch point. What they value is someone going to their house and not saying you need to change your parenting, but [asking] what do you need in order to keep your child safe. We're worried about them are you worried about them too? And that's a different conversation than - you don't seem to be interested in your child, that's their experience in the past. We have good success with parents who have been previously seen as disengaged or unable to parent, when they are largely interested, they just don't know what they can do and how to go about it. (Turning Corners focus group)

Building resilience

Stakeholders identified a need to build resilience in young people, families and communities as a way of minimising the vulnerability of children and young people and so reducing the likelihood of childhood criminal exploitation and being involved in offending behaviour.

One way to combat this is through community resilience. Making sure individuals know how to seek help and know that they are being exploited and that they don't have to put up with it. Anything that chips away at that resilience that leads to trafficking. Experience of crime in and out of the home chips away at that resilience... It's about the resilience of the family to manage the young person's behaviour and support them to be their best rather than front loading them with information. (Independent Anti-Slavery Commissioner representative)

Stakeholders gave some specific examples of projects that aimed to build resilience in young people and prevent them from getting involved in criminal activity.

If a young person is excluded from school, think of the underlying reasons: ACEs, anxiety, ADHD, not able to conform to the 9-3 school day, sitting still, uniform etc. Give them something that gives them a skill as an alternative. If they can't cope with the rigidity of the school, they might not cope with rigidity of 9-5 job. If they can't access school and get no GCSEs where is their life going? They look up to people in their areas with nice cars, watches etc and think there is no way to get that other than drugs. Work to develop young people's skills and the results are astonishing. For example [in a project in the West Midlands] teach them to design and print t-shirts and design a website to sell them. They don't need to conform to the 9-5 work dress code, they can do that at 3am in their bedroom. Teach young people skills and give them positive mentoring. They need a positive role model with credibility who can show them there is an alternative way and you don't want to go down that path. (Independent Anti-Slavery Commissioner representative)

If you have interventions that build on resilience of children and young people, and recognise what their strengths are, and we recognise where their support base is. So, if the issues are happening in their immediate family, do they have external friends, other family, extended family? Can school help? Youth clubs, which is what I used to do, can we support? And that's what we did. In the first year that we opened up our youth provision, antisocial behaviour in the area dropped by 71 percent, I mean that's a simple thing of that's a youth centre that's open on a Friday and a Saturday night, providing some support where we cooked fresh meals for kids and they had somewhere safe that they can play football, sit down, chat to people, and be with their friends. And instantly it had a huge impact in terms of criminality in the local area, so I think sometimes it's simple things that can be done. (Women's Aid representative)

In both examples of projects that worked to build resistance in young people, families and communities, there have been limitations. The representative from the

Independent Anti-Slavery Commission pointed out the limitations of short-term mentoring interventions in developing resilience in the long term, and the Women's Aid project has been hampered by cuts to funding.

The problem is that mentoring eventually drops off and comes to an end. The young person can feel abandoned again, you need an exit strategy. You need to look at all the influences on the young person's life and come up with a plan. (Independent Anti-Slavery Commissioner representative)

...unfortunately, those things are not recognised as being important. So that provision that I used to do five years ago, funding has been reduced by over half, so actually their capacity is much lower. But this is why it's so important to intervene as early as possible, because there's simple things that can be done to ensure that children are better supported. (Women's Aid representative)

Relocating families at risk

Practitioner's reported further issues around housing and accommodation relating to families who need to move home due to the danger inflicted on them by gangs. This can be when a child reports gang members to the police, or when a gang is trying to recruit a child through threats and intimidation. Those threats can also be extended to family members along with targeting the home itself.

Case study

We heard from support workers about challenges related to relocating families at risk from physical harm. As the support worker told us:

'I have two cases. These two boys were targeted, one by gangs one was not. Both boys have suffered two years constant targeting with assaults and robbery trying to get him to join a gang. In the end they have found that criminal behaviour is the safest option, it is safer for them to join them rather than continue to be targeted. No one was listening to the boys. Now social services are helping to move the families, but the boys can't leave the house. The whole family is now being targeted and the boys are being seen as criminals themselves. But the kids are still there, they can't go to school, but work is not sent home. The Mums feel helpless. It is the same with housing, one has rent arrears so can't move, the other one is taking time to get a housing move. It has got so bad, to the point they can't leave [their] houses and when they do start to leave the house they are already in trouble themselves.'

Police may recommend that the family moves away from the area for their own safety, but Local Authorities can be slow in finding appropriate accommodation, and thresholds for instigating a move are high.

Housing is a big problem. Half of the cases we see need to move to a different borough. The family might disagree with the house that is offered because it doesn't match the family's needs. If the family is housed in the same borough, they are still going to be a victim. (Victim Support focus group)

Families who are moved out of their neighbourhood due to threats, intimidation and actual serious violence, can experience great upheaval. There are knock on effects for all members of the family including children having to change schools, or travel a long way to their current school, leaving networks of family and friends and access to employment. Practitioners report that while there may be a focus on the practical aspect of moving the family away from the threat, there is little support for them in adjusting to their new life.

I am supporting a client who was attacked fifteen times in the family house. They got moved to [another borough] so the whole family was affected including their social life, new jobs, new school. The youngest now won't go to school. There is not enough support for them. When people get housed the authorities don't look into the background story and the family's life and move them far from everything. (Victim Support focus group)

One young person I am supporting had to be moved out of borough. She has to get up at 5am to get to school on a tube, a train then a bus. She has ended up not wanting to go to school and missing days. The school doesn't take this into consideration and she ends up getting an exclusion. It's a cycle. (Victim Support focus group)

One practitioner reported that applying for a housing move can lead to victims and their families falling through the cracks of service provision. If a family is on a rehousing list, some support services such as Children and Adolescent Mental Health Services can be reluctant to engage with them because in the long run, they are expected to access the local services in the borough of their new home. This can lead to vulnerable victims falling through the gaps of service provision with local authorities not wanting to take on the responsibility for people who will be leaving the area. Practitioners also pointed out that a lack of housing stock leads to long waiting lists and in turn long gaps for children's access to services while they wait to move home.

The housing crisis is impactful. [The local authority] say, ... you are in the process of moving house, so we will wait to treat the child. But that wait can be years, so let's put something in the meantime as that development stage will be lost for the child... The child gets lost in all of the process... [the child] has seen a family member stabbed to death, but the focus is on logistics, on housing not the on the child. (Victim Support focus group)

Accommodation and support for custody leavers

Practitioners also highlighted issues around accommodation as being one of the key barriers to rehabilitation for young people coming out of custody. These young people may not be able to return to their family homes due to the perceived risk for safeguarding of their siblings. Alternatively, family relationships may have broken down to a point where the young person is not welcome back to the family home. Single young men are not top of Local Authorities' housing lists and young people leaving custody will often find themselves with nowhere to go. The lack of a stable home affects young people's ability to engage in education or training and leaves them susceptible to reoffending.

We struggle to get them into secure accommodation long term, that can take quite a while, they sort of move around a lot, and a lot of the time they're sofa surfing with friends as well. Until that's stable I find they don't want to do other stuff because they think there's not a base to work from and do their studies, they're not going want to go to college. And if they've only got a couple of items of clothing as well, they're not going to want to go out and let people see them like that. (London Gang Exit focus group)

If young people are seeking a social housing tenancy, they are required to apply in the local authority or borough they are from. A housing advice and advocacy worker from London described how young people leaving custody can be at risk of serious violence in their home borough and for safety reasons require accommodation elsewhere. A history of poor relationships and lack of trust in the police or fear of reprisals for reporting crime can mean that young people are unwilling or unable to gain the police evidence to demonstrate they are at risk:

The first issue that they come across is issues of local connection, you're not from this borough, why don't you go to your own borough, but they're at risk in their own borough, and the only way we can get around that is by obtaining evidence from the police that these young people are at risk, however you know if young people don't always want to speak to the police and they won't always report issues that have been happening to them so therefore there can be a difficulty in obtaining evidence of risk and therefore of obtaining any help from a council that they don't live in, you know whose area they don't live in, but then if you're at risk in say, you know Camden, you don't want to be moved within Camden or at least our advice is, and police advice is no, you don't want to be within that borough, you want to be somewhere two boroughs away. (London Gang Exit focus group)

Practitioners also find that young care leavers and young people leaving custody can lack the necessary life skills for independent living and a lack of support in learning those life skills. This can lead young people to lose their social accommodation tenancies.

If you've got someone going into custody for the first time about the age of 13, they probably had at the most 3 months out in the community, they're now 20 and they've been given their own place. They're expected to know how to run a household and pay bills, so I'm thinking, who is teaching them that?... There used to be tenancy support services more that would support young people in terms of how to manage a tenancy, how to, even claim benefits, even how to pay a bill, a lot of these young people don't have any social skills, because technically they've been kicked out of school at a young age, the family's broken down, they're on their own, they're in poverty. (London Gang Exit - focus group)

Supporting Evidence

National Referral Mechanism, modern slavery and the Section 45 defence

Most National Referral Mechanisms referrals related to a narrow band between 15 and 17 years old. Individuals in this age group are likely to be targeted as they *'provide the level of criminal capability required by the offending model, but remain easier to control, exploit and reward than adults'* (NCA 2019)³³. Referrals for minors increased by 48% from 2017 to 2018. Much of this is accounted by an increase in NRM referrals related to the county lines-related exploitation. In 2018, 1,987 minors were referred for labour exploitation (1,802 male, 185 female), increasing from 1,035 in 2017.

A recent HMCPSI inspection found that CPS prosecutors would welcome more training on modern slavery. Following a review of 280 case files, the inspection found that charging lawyers considered Section 45 properly in fewer than half the cases where it might have applied. The inspection found that *'prosecutor considered whether the offence might be gang-related (which carries with it the likelihood of young people being pressured into offending) in just over a quarter of cases (27.4%)'* (HMCPSI 2020:32).³⁴

The inspection also found an inconsistent approach in understanding the policy on county lines and modern slavery. As the report found:

This inconsistent approach was highlighted by two cases that did not comply with the Code for Crown Prosecutors (discussed further from paragraphs 5.15 and 5.28). In both cases, a youth was arrested in circumstances that suggested they may have been trafficked. In one, the youth was charged when there was already a reasonable grounds finding. In the other, the case was discontinued before a referral to the designated authority had been made. In neither case had the section 45 defence, the evidence of trafficking and the relevant public interest factors, been properly explored or a reasoned decision recorded. (HMCPSI 2020:33)

³³ NCA (2019). *County Lines Drug Supply, Vulnerability and Harm*. NAC(19)095. Available online: <https://nationalcrimeagency.gov.uk/who-we-are/publications/257-county-lines-drug-supply-vulnerability-and-harm-2018/file>

³⁴ HMCPSI (2020). *Serious youth crime: A review of how the CPS handles serious youth crime*. Available online: <https://www.justiceinspectors.gov.uk/hmcpsi/wp-content/uploads/sites/3/2020/03/Serious-youth-crime.pdf>

4 - Conclusions

This review has examined children and young people's experience of domestic abuse, their experience of childhood criminal exploitation and offending and overlaps between these. Sources of support and interventions were identified and recommendations have been proposed to make improvements for children and young people as victims experiencing domestic abuse and criminal exploitation as well as preventative measures for children's involvement in criminal behaviour.

Researchers carried out interviews with key stakeholders and focus groups with practitioners who work directly with young people. One-to-one and group interviews were carried out with stakeholders in government departments, agencies, and non-departmental public bodies, local authority children's services, children's charities, and social work organisations. We received written responses to our research questions from the Ministry of Justice and the Youth Justice Board. We also made fieldwork visits to the British Transport Police's County Lines Task Force and The Ben Kinsella Trust.

To understand the impacts of the victimisation of children and young people, we asked frontline practitioners to describe the impacts on children they had worked with and supported. We conducted focus groups and interviews with 66 frontline practitioners from victims' services, children's social services, youth offending services, and youth and community work organisations. We also recruited participants through the British Association of Social Workers.

Researchers also made data requests and collected publicly available data from government departments and agencies. This included data from:

- Department for Education's Children in Need census data 2018-19
- Mayor's Office for Policing and Crime's Rescue and Response Strategic Assessments
- ONS Crime Survey for England and Wales

Stakeholders and practitioners identified severe and multiple effects of domestic abuse for children and young people. These include harms to emotional and psychological well-being as well as effects on education, relationships, risky and harmful behaviour and housing and accommodation.

Children and young people are often thought to witness domestic abuse rather than being identified as victims when they live in a household with domestic abuse. Recognising children as victims would mean that they should be entitled to a range of support services, though there would be implications on this for funding and resources. We found that there is already a 'postcode lottery' of service provision across the country and little support tailored specifically for children and young people.

Violence in relationships between young people is often not understood as domestic abuse and there is confusion and disagreement amongst services about whether to treat this with a criminal justice system response or through domestic abuse support

services. Thresholds for children's social services interventions are high and there is a perceived lack of early intervention and long-term support for children and young people who experience domestic abuse. Recording processes for child protection cases make it difficult to monitor whether interventions by children's social services have been successful.

A causal relationship between children's experience of domestic abuse and offending cannot be proven due to so many different types of experience, influences and circumstances. There is a growing movement amongst stakeholders and practitioners to perceive an overlap between children and young people's experience of domestic abuse and their involvement in criminal behaviour.

Stakeholders and practitioners report a range of contextual risks regarding children's involvement in criminality. These include children's experience of domestic abuse which may lead them to leaving the household more often, seeking alternative family type relationships which are fulfilled by gangs, copying violence seen at home and engaging in risky and harmful behaviour. Issues around housing and accommodation can also leave children and young people vulnerable to criminal and sexual exploitation and lead them into offending behaviour. Placing children and young people in unregulated care homes, care homes far from home and children going missing are particularly strong risk factors for childhood exploitation. Stakeholders and practitioners also identified wider societal influences on children and young people's vulnerability to exploitation and offending behaviour. These include society's views about young people which may be shaped by the media, social media, poverty and increasing consumerism.

The report examines the use of the National Referral Mechanism for children who are criminally exploited. There is no statutory definition for Childhood Criminal Exploitation. This leaves Local Authorities working to different standards for identifying and supporting children who have been criminally exploited. Stakeholders and practitioners reported varying levels of success with the National Referral Mechanism. There are concerns around whether the NRM is appropriate for supporting children who are trafficked for county lines drug dealing around the UK. Stakeholders, practitioners and an academic identified a need for a wider societal approach to the problems of Childhood Criminal Exploitation and serious youth violence. These include a child centred approach to youth offending, a public health approach to serious youth violence, a counter terrorism approach to childhood criminal exploitation and long-term strategies for criminal justice system interventions.

Evidence gaps

This research has identified a number of evidence gaps relating to children and young people's experience of domestic abuse and criminality.

The limited reporting structure for child protection cases means that safeguarding outcomes are not measured and monitored. When a safeguarding case is closed, only the following outcomes are noted: child died, child moved away, child gone missing or other. This does not allow for the measurement of positive improvements

for the child nor details of what that improvement was. This has led to a gap in the evidence regarding what works in children's safeguarding. Children in need assessment data varies across between England and Wales. The categories of factors identified at assessment are different and so no direct comparison of children's experiences can be made between the two jurisdictions.

This research has identified that further research is needed to understand domestic abuse in relationships between children and young people, sometimes known as peer-on-peer abuse. Further research is needed to develop appropriate responses for intervention and support for children and young people suffering abuse within their own relationships (Firmin 2017). This should include further evaluation of criminal justice system and safeguarding responses (e.g. contextual safeguarding), and domestic abuse support pathways.

There is currently no accurate estimate of the number of children and young people involved in county lines drug dealing in England and Wales. Further research would help to gain a better understanding of the extent of the problem and the level of response required.

We heard from practitioners how social media is used to directly coerce children and young people into county lines drug dealing activity. Further research could help with raising awareness, helping caregivers to watch out for signs of exploitation on social media and help to educate children and young people on the risks of county lines exploitation through social media.

Continued research into county lines drug dealing will help to maintain an up to date understanding as county lines criminals continually develop their operating model. For example, we heard that some criminals have developed a rota type system for children involved in county lines to prevent schools from noticing they are going missing for long periods of time. Police have also recently reported an increase in car thefts related to county lines which might indicate that criminals are changing their delivery models.

We heard anecdotal evidence about the misuse of the Section 45 defence of trafficking for county lines drug dealing. Some stakeholders thought that children were increasingly being told to use the Section 45 defence if they are arrested. We also heard that some criminals who have not been exploited are misusing the defence. Further data collection on the use of Section 45 and research on its use would help to determine its success in helping children who are criminally exploited.

Further data collection about the number of National Referral Mechanism referrals is needed along with research into its effectiveness in supporting children and young people who are trafficked in county lines drug dealing (Stone 2018).

The British Transport Police County Lines Task Force has demonstrated effective outcomes in terms of numbers of arrests and drugs, assets and weapons seized. It has also made a number of National Referral Mechanism referrals and put safeguarding measures in place for a number of young people. Some further research and evaluation of the approach would help to demonstrate its effectiveness

in its aims of intervention and support for young people trafficked on county lines and the aim of disturbing the distribution network of county lines drug dealers.

Stakeholders have suggested a public health approach to tackling serious youth violence. This approach has been trialled in Scotland and has been proposed in London. Further research and evaluation of the application of this approach across different geographical areas and the impacts of this approach on victims of crime. A model for tackling county lines drug dealing similar to the public approach to countering terrorism was proposed. Further research into how this could be applied in practice would help to determine whether this counter terrorism approach should be adopted and how it could be promoted to agencies and the public.

Appendix 1: Recent trends in children and young people's victimisation and offending behaviour

This appendix provides headline statistics and key trends related to children and young people's victimisation, offending behaviour, and youth justice.

There has been increased attention and concern about serious youth violence and offending behaviours related to county lines. A recent Home Affairs Committee's inquiry into *Serious Youth Violence* found: 'The last few years have seen a drastic increase in murder rates, along with enormous rises in police-recorded knife crime' (2019:10)³⁵. It found that violence was not solely concentrated in large metropolitan centres and that action was needed across the country. It also recognised that many communities are now affected by violence associated with country lines drug dealing.

Homicides

There were 617 homicides in England and Wales (excluding Greater Manchester Police) in the year ending September 2019, a 6% fall compared with the previous year. Children and young people are often the victims of homicide. Recent figures show that the most common age group for victims of homicides in the year ending March 2019 was 25 to 34-year olds (136 victims)³⁶. The 16 to 24-year old was the second most common age group with 113 in the year ending March 2019, decreasing from 151 in 2017/18 and 148 in 2018/19. The 16 to 24-year old age group had the highest rate of homicides per million population (18 per million), compared for 25 to 34- year olds (17 per million), in the year ending March 2019.

Knives and offensive weapons

There has been an increase in the number of knife and offensive weapon offences committed by children in recent years. In the year ending March 2019, 4,500 knife and offensive weapon offences were committed by children (YJB 2020)³⁷. This was a 1% decrease compared with the previous year, after four year-on-year increases. This is 31% lower than those seen in the year ending 2009. The ONS estimate that, for the years ending March 2016 to year ending March 2018, 17,301 10 to 15-year olds have carried a knife in the last 12 months.

There has been an increase in the number of child victims of assault with sharp weapons. NHS data shows increases in the volume of children and young people who are admitted to hospital for assault by a sharp object. In the year ending March 2019, 16.5% of all hospital admissions for assault by a sharp object were aged 18

³⁵ Home Affairs Committee (2019) *Serious youth violence*. HC 1016. Available online: <https://publications.parliament.uk/pa/cm201719/cmselect/cmhaff/1016/1016.pdf>

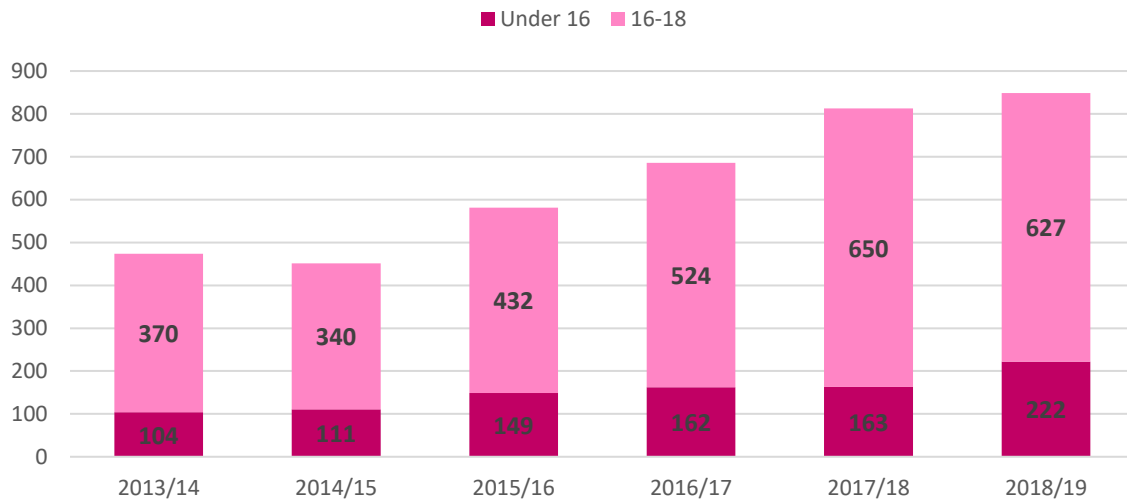
³⁶ ONS (2020) Appendix tables: homicide in England and Wales. Available online: <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/appendixtableshomicideinenglandandwales> [Accessed 11-03-2020]

³⁷ YJB/MoJ (2020) Youth Justice Statistics 2018/19. Available online: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/862078/youth-justice-statistics-bulletin-march-2019.pdf

and under (222 aged under 16 and 627 aged 16 to 18 years old). The number of under 18s admitted for assault by a sharp object has increased by 79% from 2013/14 to 2018/19 (from 474 in 2013/14 to 849 in 2018/19).

Figure 8. Number of finished consultant episodes with under 18s for assault with a sharp object

Source: NHS Digital/House of Commons Briefing (2019)

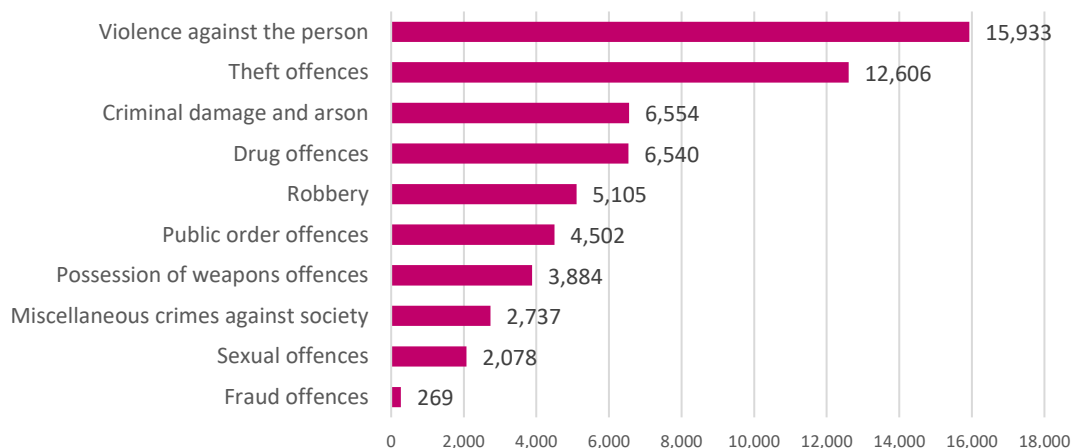


Youth justice statistics

The number of children who receive a caution or sentence has fallen by 83% over the last ten years. However, the proportion of violence against the person offences has seen the greatest increase - from 19% in 2008-09 to 30% in 2018-19 (YJB 2020:22). In 2018-19, there were 15,933 arrests for violence against the person, 12,606 for theft offences, 6,554 for criminal damage and arson and 6,540 for drug offences.

Figure 9. Arrests for notifiable offences of children by offence group, year ending March 2019

Source: MoJ Youth Justice Statistics 2018-19

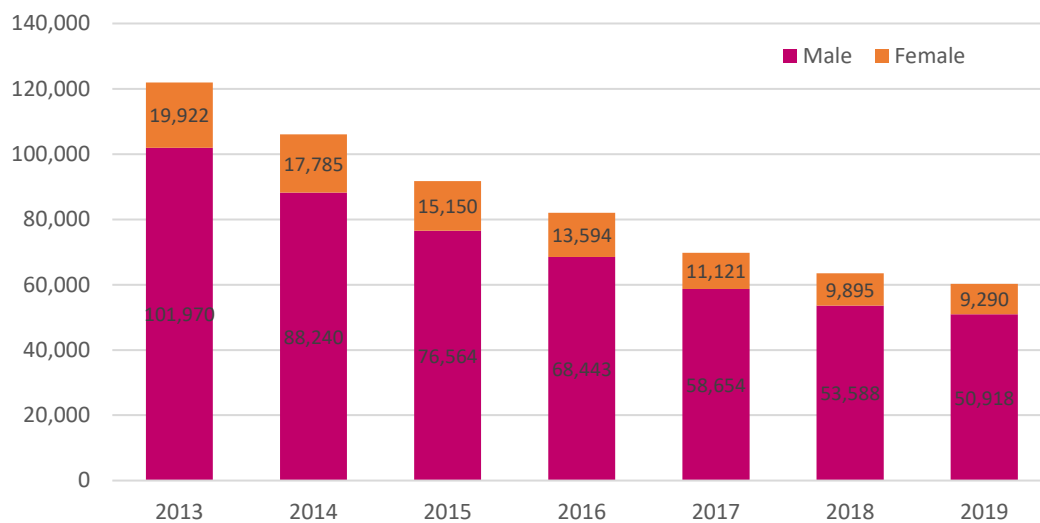


In the last year, there were 60,208 arrests of children (aged 10-17) by the police in England and Wales (excluding Lancashire). This has decreased by 77% since 2009, with a decrease of 5% from 2017-18 to 2018-19.

There were 27,352 children (aged 10-17) proceeded against at court and 8,552 cautions given to children by the police. For sentences given at court, 12,810 community sentences were given to children at court, 1,287 custodial sentences given to children at court, and 5,219 other sentences given to children (YJB 2020:5).

Figure 10. Arrests for recorded crime (notifiable offences) of children aged 10 to 17 by gender, years ending March 2013 to 2019

Source: MoJ Youth Justice Statistics 2018-19



The Youth Justice Board (2019) found that the high number of children from black, Asian and minority ethnic (BAME) backgrounds in the youth justice system is a matter of strong concern. They identified BAME disproportionality in the youth justice system as a priority in the YJB Strategic plan 2019-2022. In 2018-19, 69% of arrests were of White children. This proportion is a decrease from 82% in the year ending March 2009. The proportion of arrests of Black children has doubled from ten years ago and was 16%, around 8,400, in 2018-19 (YJB 2020).

County lines

The UK Government defines county lines as:

County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other form of 'deal line'. They are likely to exploit children and vulnerable adults to move and store the

*drugs and money and they will often use coercion, intimidation, violence (including sexual violence) and weapons.*³⁸

As part of this review, we have also looked at recent analysis of county lines drug dealing to understand children's involvement in drug offences. The National Crime Agency's county lines intelligence assessment explains that heroin and crack cocaine are the most commonly supplied drugs through county lines, as well as powder cocaine and cannabis (NCA 2019)³⁹. Children and young people can be criminally exploited into drug supply networks. The NCA (2019) report explains that: *'The current county lines criminal business model thrives on the exploitation of vulnerable adults and children to move and deliver drugs.'*

The Home Affairs' Committee inquiry into serious youth violence also linked increases of youth violence with county lines drug dealing. The inquiry heard *'significant evidence about the impact of the changing drug market on serious violence'*. This includes the criminal exploitation of children, young people and vulnerable adults to distribute drugs and carry out illegal activities.

The National Crime Agency's Intelligence Assessment about county lines activity highlights that children and vulnerable persons have become key to the operating model for organised criminal groups involved in drug dealing. Organised criminal groups will often use *'coercion, intimidation, violence (including sexual violence) and weapons'*. Children are exploited to move and deliver drugs. Offenders will target children for exploitation based on vulnerabilities, such as *'poverty, family breakdown and intervention by social services, looked after status, frequent missing episodes, behavioural and developmental disorders and exclusion from mainstream schooling'* (NCA 2019).

The NCA identified several types of harms associated with county lines offending, include local juveniles trafficked or criminally exploited, out of force juveniles trafficked or criminally exploited, links to child sexual exploitation and abuse, trafficking, cuckooing addresses and physical serious violence (NCA 2019).

The NCA estimate over 2,000 individual deal line numbers in the UK, linked to approximately 1,000 branded county lines. Most county lines are in the area covered by the Metropolitan Police Service (appx 15% of individual deal lines), the West Midlands Police (9%) and Merseyside Police (7%).

The Children's Commissioner has estimated that up between 30,000 and 50,000 young people could be affected by county lines drug dealing⁴⁰. MOPAC analysis provides a picture of the scale of county lines activity in Greater London. MOPAC

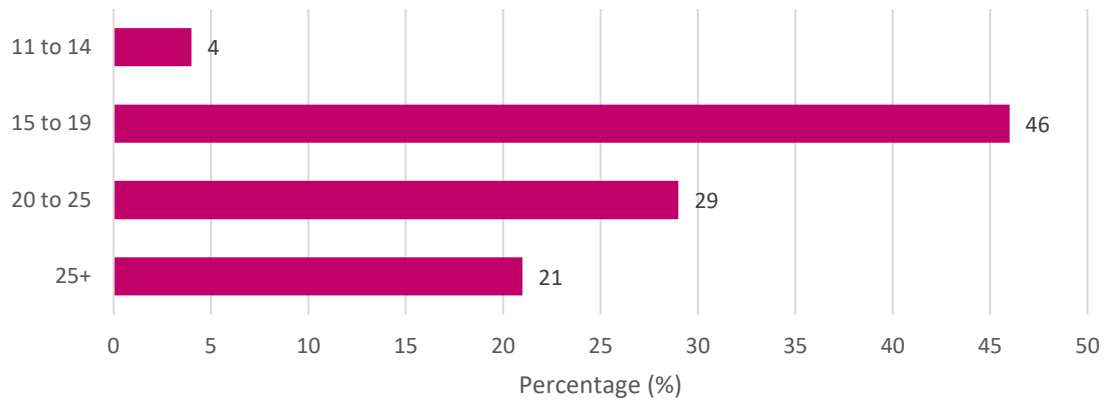
³⁸ Home Office (2018) *Criminal Exploitation of children and vulnerable adults: County Lines guidance*. Available online: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/863323/HOCCountyLinesGuidance_-_Sept2018.pdf

³⁹ NCA (2019). *County Lines Drug Supply, Vulnerability and Harm*. NAC(19)095. Available online: <https://nationalcrimeagency.gov.uk/who-we-are/publications/257-county-lines-drug-supply-vulnerability-and-harm-2018/file>

⁴⁰ Just for Kids Law/Children's Rights Alliance for England (2018) *State of Children's Rights in England 2018, Briefing 4: Safeguarding Children*. Available online: http://www.crae.org.uk/media/126988/B4_CRAE_SAFEGUARDING_2018_WEB.pdf

have linked over 4,000 individuals aged between 11 and 62 to county lines activity. MOPAC analysis indicates that 83% of these individuals are linked to county lines activity and 17% are suspected to be linked (MOPAC 2019:6)⁴¹. The age breakdown shows that under 18s account for 34% of individuals linked.

Figure 11. Individuals linked to county lines activity by age
Source: MOPAC Strategic Assessment (August 2019)



⁴¹ MOPAC (2019:32) defines these two types of link as:

- *County Lines link*: individuals who have been arrested for an offence linked to county lines activity, or found in drug addresses in county forces; there is one or more pieces of intelligence linking an individual to county lines activity; or the individual has disclosed to a professional or family member that they're involved in county lines.
- *Suspected link*: individuals who show indicator behaviours that suggest exploitation or involvement in county lines activity; or if a professional suspects that the individual is involved in county lines

Appendix 2: Methodology

This research took a mixed methods approach. We gathered qualitative and quantitative data on stakeholders' views on the criminal justice system's response to the victimisation of children and young people; the impacts of victimisation on children and young people, and the criminal justice system response; and, to prepared descriptive statistics on the prevalence of children and young people's experiences of domestic abuse, criminal exploitation and offending behaviour.

The fieldwork took place between October 2019 and February 2020. The fieldwork involved interviews with stakeholders, focus groups and interviews with frontline practitioners, fieldwork visits, and the collection of additional data to provide context.

Children and young people were not directly interviewed about their experiences of domestic abuse or offending behaviour for the following reasons: (a) there was a risk of retraumatising those children and young people when sharing accounts of these experiences; (2) there was a risk that children and young people might disclose information about offending behaviours that could lead to the researchers becoming witnesses in criminal investigations.

The qualitative data collected through focus groups and interviews with practitioners cannot necessarily be generalised, but it gives an indication of the criminal justice system response to victimisation, exploitation and offending behaviours. The names of practitioners and any identifying details of crimes experienced by children and young people have been changed in order to protect their identity.

Stakeholder interviews: We conducted in-depth qualitative interviews with stakeholders to evaluate the current systems, policies and practices related to children and young people's experiences of domestic abuse and offending behaviour.

One-to-one and group interviews were carried out with stakeholders in government departments, agencies, and non-departmental public bodies, local authority children's services, children's charities, and social work organisations. We received written responses to our research questions from the Ministry of Justice and the Youth Justice Board. We also made fieldwork visits to the British Transport Police's County Lines Task Force and The Ben Kinsella Trust.

Focus groups and interviews: To understand the impacts of the victimisation of children and young people, we asked frontline practitioners to describe the impacts on children they had worked with and supported. We conducted focus groups and interviews with 66 frontline practitioners from victims' services, children's social services, youth offending services, and youth and community work organisations. Practitioners were identified through a snowball sampling approach. We also recruited participants through the British Association of Social Workers.

These practitioners provide a variety of services to children and young people. These practitioners worked as: social workers, children and young people workers,

child sexual exploitation workers, children in care practitioners, early intervention practitioners, and practitioners who work with victims of serious violence and criminal exploitation. These practitioners were based in several regions: East (Hertfordshire), North West (Preston, The Wirral), South-East (Essex, London), South-West (Exeter), and the West Midlands (Birmingham, Stafford).

Secondary data: We made data requests and collected publicly available data from government departments and agencies. This included data from:

- Department for Education's Children in Need census data 2018-19
- Mayor's Office for Policing and Crime's Rescue and Response Strategic Assessments
- ONS Crime Survey for England and Wales

Appendix 2: List of Stakeholders

Barnardo's

Croydon Safeguarding Children Partnership

Department for Education – domestic abuse, child protection and children in need leads

Domestic Abuse Commissioner

Home Office – domestic violence lead

Mayor's Office for Policing and Crime's Rescue and Response

Ministry of Justice – domestic abuse leads

National Police Chiefs' Council – children and young people lead

National Police Chiefs' Council County Lines lead for Child Exploitation – National County Lines Coordination Centre

National Society for the Prevention of Cruelty to Children

Office of the Children's Commissioner for England

Office of the Independent Anti-Slavery Commissioner

Operation Encompass

Redthread

Refuge

Safer London

St Giles Trust

The Children's Society

Transition to Adulthood (Barrow Cadbury Trust)

Women's Aid

Youth Justice Board

Professor Simon Harding, University of West London

Dr Tirion Havard, London South Bank University

Dr Jade Levell, Open University and Bournemouth

Craig Pinkney, University College Birmingham and SOLVE: The Centre for Youth Violence and Conflict

Professor Andrew Whittaker, London South Bank University

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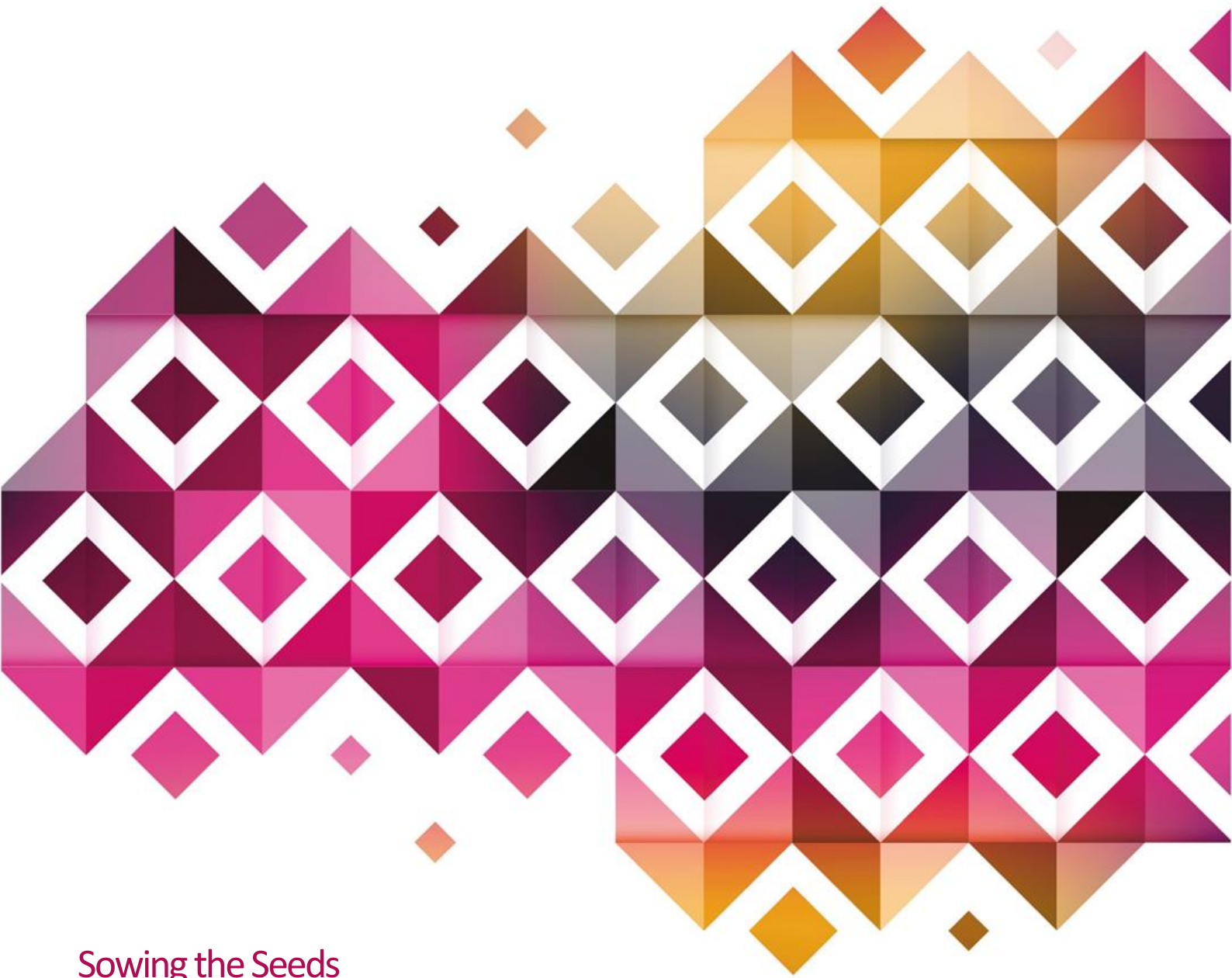
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