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| **Children who Display Harmful Sexual Behaviour or Developmentally Inappropriate Sexual Behaviour** |  |

 **Quick Links:**

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| [**Definition**](http://www.proceduresonline.com/sbni/chapters/p_sexually_harm_behav.html#Definition) |
| [**Treatment Programmes**](http://www.proceduresonline.com/sbni/chapters/p_sexually_harm_behav.html#treat_prog) |
| [**Principles**](http://www.proceduresonline.com/sbni/chapters/p_sexually_harm_behav.html#principles) |
| [**Refusal to Engage**](http://www.proceduresonline.com/sbni/chapters/p_sexually_harm_behav.html#refusal) |
| [**Interface with Public Protection Arrangements**](http://www.proceduresonline.com/sbni/chapters/p_sexually_harm_behav.html#interface) |
| [**Further Information**](http://www.proceduresonline.com/sbni/chapters/p_sexually_harm_behav.html#Further) |

**Definition**

Harmful sexual behaviour involves one or more children engaging in sexual discussions or acts that are inappropriate for their age or stage of development. These can range from using sexually explicit words and phrases to full penetrative sex with other children or adults (Rich, 2011).

Young people (below the age of eighteen years) who engage in any form of sexual activity with another individual, over whom they have power by virtue of age, emotional maturity, gender, physical strength or intellect and where the victim in this relationship has suffered sexual exploitation and betrayal of trust.

These policy and procedures will be applied irrespective of who the victim is i.e. an adult or child, or the nature of the sexually harmful behaviour i.e. contact/non-contact.

When abuse of a child/young person is alleged to have been carried out by another child, a Child Protection Investigation should be carried out in respect of the alleged victim in accordance with the Core Procedures.

Following investigation into the allegations made by the victim where it indicates that the alleged sexually harmful behaviour/s has taken place and it is believed to have been instigated by a child then the ensuing policy and procedures must be followed.

Whether a child is responsible for sexually harmful behaviour, is a victim of sexual abuse, or both, it is important to apply principles that remain child-centred. Sexually harmful behaviour by children must be recognised as harmful to both the victim and the child who abuses. A child who engages in abuse of this kind may be suffering, or be at risk of, significant harm and may be in need of protection. A significant proportion of children who abuse may have been victims in some way. In such circumstances consideration must be given to convening a Child Protection Case Conference.

Sexually harmful behaviour, when identified in children, must be taken seriously by all agencies. It is important to distinguish between behaviours which are experimental in nature and those that are exploitative and harmful. In assessing such distinctions, it is necessary to consider issues of:

* Consent (including age and level of understanding);
* Equality;
* Authority and control;
* Co-operation;
* Compliance;
* Criminal offences.

If there is any uncertainty as to whether the reported sexual behaviour is exploitative or harmful you must seek specialist advice.

Where it has been assessed that the behaviour indicates sexually harmful behaviour it is essential that staff/agencies liaise with Children’s social services and Police to ensure that their investigative process is not impeded.

Where the child believed to have been involved in sexually harmful behaviour is deemed to be at risk of abuse/or significant harm, Children’s social services will convene a Child Protection Case Conference in accordance with these policy and procedures. The Child Protection Plan must specifically address the needs of the child as well as how risk is to be assessed and managed.

The Child Protection Case Conference in addition should address the following:

* The nature and extent of the harmful behaviour (expert professional judgement may be required);
* The child’s level of understanding and acceptance of the abuse;
* The need to complete a risk analysis in relation to the child and his family;
* The need to consider the broader risk in relation to public safety;
* The parent’s/carer’s attitude and level of understanding in relation to the sexually harmful behaviour and their capacity and ability to protect against it;
* The child’s need for services and support to address the factors related to the sexually harmful behaviour and who is best placed to provide these.

Where the threshold for referring to Child Protection Case Conference is not met in respect of the child believed to have engaged in sexually harmful behaviour, the Multi-Agency Case Planning Process must be followed. A Multi-Agency plan must be developed which addresses both the risks and needs of the child. The issues listed above must be addressed.

Where the Child Protection Case Conference/Case Planning process has identified concerns regarding a child involved in sexually harmful behaviour a referral must be made to the appropriate specialist project.

The specific projects have staff trained to:

* Provide consultation and advice;
* Assess risk;
* Offer treatment programmes for children who have demonstrated sexually harmful behaviour towards others.

The specialist projects will screen all referrals and where appropriate undertake an assessment using the approved model, which addresses issues of risk, concerns, needs and strengths. They will make recommendations with regard to treatment, case management and case disposition. It is important to recognise that the therapeutic needs of children who engage in sexually harmful behaviour are likely to be complex and require the active involvement of a range of agencies, not just the specialist projects.

**Treatment Programmes**

Treatment programmes should be tailored to meet the individual needs of each child or young person. The purpose of treatment is to change those identified risk factors that are amenable to change. In order to achieve such an outcome, a multi-agency, multi-systemic approach should be actively considered and a structured programme offered. The components of treatment programmes could as a minimum include:

* An acceptance of responsibility;
* Victim awareness and empathy;
* Poor thinking process associated with harmful sexual behaviour;
* Sexuality and relationships;
* Communication, personal and social skills;
* Assertiveness training/self-esteem enhancement;
* Understanding of the law and consent;
* Family dynamics;
* Identification of risk factors.

**Principles**

The following principles underpin effective child protection intervention in respect of children who engage in sexually harmful behaviour:

* In any intervention, the welfare of the child/victim must always be paramount, and this overrides all other considerations. The victim’s interests and welfare should take precedent where there is a conflict of interests;
* The needs of children who engage in sexually harmful behaviour should be considered separately from the needs of their victims. Separate intervention and treatment should occur as soon as possible;
* The criminal aspect needs to be given due consideration, within the context of the child’s age, understanding and level of maturity. This may involve criminal prosecution;
* There should be a co-ordinated approach by child care services and youth justice agencies. This should include appropriate communication between those professionals working with the victim and those working with the child who acted in a sexually harmful manner and with their respective families.

**Refusal to Engage**

Where it is believed that a child has been involved in sexually harmful behaviour and the child/family are refusing to engage with services then the same processes as identified must be followed. This should include a risk assessment based on available information. A risk management plan, reflective of the assessed risk, must be developed. Such a plan must be reviewed as appropriate through the Child Protection/Case Planning process. Regardless of the level of the involvement of the child/family they will be kept informed of the plan made and attempts to continue to be made to engage them.

**Interface with Public Protection Arrangements**

It is important that the transition phase where a young person who poses sexual risks moves into adulthood is carefully managed. As a general rule, children and young people (under 18 years) will remain subject to child protection or children in need procedural requirements. The Child Protection Conference or Case Planning Meeting should continue to take account of the assessed level of risk to determine whether, as part of this transition, there is a need to refer the case to the Public Protection Arrangements for Northern Ireland (PPANI) for assessment by the Local Area Public Protection Panel (LAPPP). The referral criteria for PANNI will need to have been met.

It is generally considered that this process will be activated as the young person approaches adulthood. It has however also been accepted that exceptionally, when a Health and Social Services Trust, PSNI, the Youth Justice Agency, the Northern Ireland Prison Service or the Probation Board for Northern Ireland consider that multi agency risk assessment and risk management is necessary in respect of a young person, who if he/she were an adult would meet the criteria of relevant offender they should refer the case to the PPANI for assessment by a LAPPP.

**Further Information**

[**Sexually Harmful Behaviour - NSPCC research briefing**](http://www.nspcc.org.uk/Inform/resourcesforprofessionals/sexualabuse/harmful-sexual-behaviour-briefing_wda96886.html)

[**Child’s Play? Preventing Abuse Among Children and Young People (Stop It Now publication)**](http://www.stopitnow.org.uk/files/stop_booklets_childs_play_preventing_abuse_among_children_and_young_people01_14.pdf)