

Pan Bedfordshire Children Who Harm Other Children Guidance

Introduction: Harm may be caused to children by the abusive and bullying behaviour of other children which may be of a physical, sexual or emotional nature. The effect on the victim of intimidation and peer pressure by the other child may make disclosure difficult for the victim.

Bullying is a common form of deliberately hurtful behaviour, usually repeated over a period of time, where it is difficult for the victims to defend themselves. It can take many forms, but the three main types are physical, verbal (e.g. racist or homophobic) and emotional. Schools are required to have policies to combat bullying and in the first instance cases should be dealt with under such policies. For information about tackling bullying in other settings, please see the [Safe from Bullying](#) suite of guidance on the Department for Education website.

Sexual Abuse suspicion or allegation of a child being sexually abused or likely to sexually abuse another child should be referred immediately to Children's Social Care or the Police - see [Responding to Abuse and Neglect](#). When considering whether sexual abuse has occurred, it is important to determine what is developmentally normal sexual experimentation and what is coercive (see also [Working with Sexually Active Children](#)).

Teenage relationship abuse is when children experience domestic abuse within their own intimate relationships. This form of peer on peer abuse is sometimes referred to as 'teenage relationship abuse'. Depending on the age of the child, this may not be recognised in law under the statutory definition of 'domestic abuse' (if one or both parties are under 16). However, as with any child under 18, where there are concerns about safety or welfare, child safeguarding procedures should be followed and both child victims and those instigating the abuse should be offered support.

Role of Schools/Colleges in Recognition of Peer on Peer Abuse, including sexual violence and harassment between children

Concerns about possible abuse by one child of another (often referred to as peer on peer abuse) are frequently first considered within a school environment and it may frequently be unclear if the circumstances should be considered under child protection procedures or not. All staff should be aware that children can abuse other children. And that it can happen both inside and outside of school or college and online. It is important that all staff recognise the indicators and signs of peer on peer abuse and know how to identify and respond to it. [Keeping children safe in education - GOV.UK \(www.gov.uk\)](#) emphasises the importance of challenging inappropriate behaviour between peers.

Referrals to Children's Services

Practitioners must decide in the circumstances of each case whether or not behaviour directed at another child should be categorised as abusive or not. It will be helpful to consider the following factors:

- Relative chronological/developmental age of the children (the greater the difference, the more likely the behaviour should be defined as abusive);
- A differential in power or authority (e.g. related to race or physical or intellectual vulnerability of the victim);
- Actual behaviour (both physical/verbal factors must be considered);
- Whether the behaviour could be described as age appropriate or involves inappropriate sexual knowledge or motivation;
- Physical aggression, bullying or bribery;
- The victim's experience and perception of the behaviour;
- The possibility the abusive child is, or was, also a victim;
- Attempts to ensure secrecy;
- An assessment of the change in the behaviour over time, whether it has become more severe or more frequent and the duration of behaviour.

Where the concern is child protection there should be no delay in a referral to Children's Services - see [Responding to Abuse and Neglect](#).

Response to Referrals

The interests of the identified victim must always be the paramount consideration. However, whenever a child may have abused another, all agencies must be aware of their responsibilities to both individuals, and multi-agency management of the case must reflect this. It is likely that the abusive child may pose a significant risk of harm to other children, have considerable needs themselves and may also be or have been the victim of abuse. The interests of any such children must also be considered as part of the response to the referral and in the multi-agency management of the case.

Strategy Discussion

In all cases of suspected abuse by a child a [Strategy Discussion](#) should be convened. The Police will decide whether a criminal offence is alleged. Where the decision is reached that the alleged behaviour does not constitute abuse or the child is under the age of criminal responsibility, and there is no need for further enquiry or criminal investigation, the details of the referral/reasons for the decision must be recorded. The Strategy Discussion must consider the needs of both children, as well as any other children who may be at risk from the alleged abusive child. Best practice would be for separate meetings to be convened for the victim/others at risk and the alleged abusive child. A different Social Worker should be allocated for the victim and the abusive child, even when they live in the same household, to ensure that both are supported through the process and their needs are fully assessed.

Multi-Agency Planning Meetings

Where there are insufficient grounds for holding a CPC, or where one has been held but the child is not subject of a CP Plan, a multi-agency approach will be needed to address the abusive child's needs. A multi-agency planning meeting should be convened by Children's Services to pool information, allocate roles and set a time-table for an assessment of the child's needs and the risk posed by them, as well as to coordinate any other interim intervention. On completion of the assessment a further meeting should be reconvened to consider the outcome, to identify a Lead Practitioner, roles of relevant agencies and any identified intervention/specialist input for the child(ren). Intervention should be reviewed at regular multi-agency meetings at intervals of no more than six months. At the point of closure, the review will consider the possible need for long-term monitoring and the availability of advice and other services. Children who display inappropriate sexual behaviour and may pose a risk to children and/or have been serving a custodial sentence or time in secure accommodation, or have moved into the area from another area will also require a multi-agency assessment/intervention.

Outcome of Section 47 Enquiries

If the information gathered in the course of [Section 47 Enquiries](#) suggests that the abusive child is also a victim, or potential victim, of abuse including neglect, a Child Protection Conference must be convened.

Child Protection Conference

Consideration should be given to inviting a Youth Offending Service (YOS) representative to the [Child Protection Conference](#) (CPC) of alleged abusive children aged 10 or over, and informing YOS of the meeting in the case of younger children.

Criminal Proceedings

The decision as to how to proceed with the criminal aspects of a case will be made by the Police and the Crown Prosecution Service (CPS). This decision will take into account any recommendations of the youth offending team and the views of other practitioners. Best practice suggests that criminal proceedings should not be taken where:

- Criminalising certain types of behaviour may be detrimental to the interests of all concerned;
- It is inappropriate to pursue the criminal aspects of the case because the practitioners are satisfied that sexual activity took place but that it was not abusive.

Further advice and guidance;

[Parents Protect – Together we can prevent child sexual abuse](#)

[Stop it now – Helping prevent child sexual abuse](#)

[ThinkUKnow](#)

[Everyone's Invited](#)

[Kidscape – Help with bullying](#)