



## Service Procedure

# CHILD PROTECTION PROCEDURES

**SP Identification Number** 5/2013

**Protective Marking** NOT PROTECTIVELY MARKED

**Policy Ownership:**  
**Department** Service Improvement Department  
**Branch** Public Protection  
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**Procedure Approved By:**

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**Date Of Approval** 5 February 2013

**Date First Issued:** 22 April 2013

**Version Number** 1

**This Version Issued:** 22 April 2013

**Review Date:** 1 year from issue date

**Governing Policy Directive:** Threats to Life

**ABSTRACT:**

The Police Service of Northern Ireland (the Police Service) recognises that it has a fundamental duty of care towards vulnerable persons in society. As children and young people represent a significant percentage of the population, the following guidance has been developed to assist Police Service Officers and Staff to better safeguard and protect those children and young people they come in contact with during the course of their duty as well as provide clear standards against which Police Service Officers and Staff's interaction can be measured.

Personal

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## 1. AIM OF SERVICE PROCEDURE

- (1) As children and young people represent a significant percentage of the population, the following guidance has been developed to assist Police Officers and Police Service Staff to better safeguard and protect those children and young people they come in contact with during the course of their duty.
- (2) This policy aims to provide the Police Service with clear standards against which all police and police staff's interactions with children can be measured.
- (3) Police interactions with children can be broken into two broad categories:
  - (a) Direct/indirect interaction with children as members of the community;
  - (b) Direct interaction with children in the Justice context as either:
    - (i) Victims of;
    - (ii) Perpetrators of; or
    - (iii) Witnesses to crime.
- (4) This policy also seeks to enhance and complement those standards already expected of Police Service Officers/Staff identified in the Police Service Code of Ethics and PSNI Staff Handbook.
- (5) Protecting life and preventing crime are primary tasks of the police. Children are citizens who have the right to the protection offered by the criminal law. Police have a duty and responsibility to investigate criminal offences committed against children and such investigations should be carried out sensitively, thoroughly and professionally.
- (6) It is also incumbent upon Chief Officers to ensure that the investigation of child abuse is seen as being as important as the investigation of any other form of serious crime. In recognition of these facts, the Police Service have placed investigation of child abuse as a responsibility of each District or, in cases of serious sexual assaults of children committed by strangers, Crime Operations Department.
- (7) **It is important that Child Protection is not seen solely as the role of Public Protection Units (PPU), but that all police officers and Police Service Staff understand that it is a fundamental part of their duties.** In all aspects of police duty, Police Officers/Staff may come across situations where child protection must be considered. When attending incidents of violence, especially those involving domestic abuse or bullying, all should be aware of the effect of such violence on children and the duty they have towards such children.

## 2. INTRODUCTION

- (1) Protecting and safeguarding our children is one of the most important roles of the police service. It is the way in which we protect and respond to the most vulnerable in Northern Ireland that we and the other agencies are to be judged. Although the primary responsibility for safeguarding children rests with parents, it is also the duty of every member of the police service to safeguard and protect children and to assist our colleagues in Health and Social Care (HSC) in the exercise of their duty in investigating whether a child is suffering or likely to suffer significant harm. Effective collaboration is critical.
- (2) In recognition that safeguarding of children and young people is as important as the investigation of any other form of serious crime there have been several changes in terms of structure and practice within the police service over recent years (as well as other new developments on the horizon):

A Public Protection Unit (PPU) is located in each policing District.

- (3) The PPU is made up of 4 elements namely:
  - (a) The Child Abuse Investigation Unit (CAIU), staffed by trained child abuse Detectives;
  - (b) Missing and Vulnerable Persons Officer(s);
  - (c) Domestic Abuse Officers; and finally
  - (d) Management of Offenders officer(s).
- (4) This make-up therefore enhances the ability of the Police Service to deal with a range of issues involving children at a local level, including the abuse of children within the family or by someone known to them (current or historical); missing children; children living with domestic violence; and better manage the risk around those who have sexually or violently offended against children.
- (5) It is important to note that other areas within the Police Service also deal with crimes against children and young people. For example, serious sexual crime committed against children by strangers, of which there are few, are dealt with by the centrally run Rape Crime Unit; human exploitation of children by Organised Crime Branch; and abusive images of children by the Child Protection Internet Team.
- (6) Where a child or young person is involved in offending behaviour, officers must bear in mind the possibility that this activity may be an indicator of neglect or abuse, or indeed may render the young person more vulnerable to abuse or exploitation. Children and young people are deemed vulnerable by virtue of their age, and officers must be alert to potential child protection issues and ensure these are dealt with appropriately. In all cases where a child or young person is suspected of offending behaviour the investigating officer must inform the Youth Diversion Officer, who is responsible for making appropriate referrals to Social Service's Gateway Teams and sharing relevant information with partner agencies, to ensure an assessment of the child's needs is carried out where appropriate and decisions are made in the best interests of the child. It may only be when information is shared from a number of sources that it becomes clear that a child is at risk of significant harm or is suffering harm.

### **3. OBJECTIVE**

- (1) It is important to emphasise again that child protection is not solely the role of the CAIU, PPU or RCU etc. but rather **it is a fundamental part of all police service officer's/staff duties**.
- (2) A 'Child' is defined by Article 1 of the Children (NI) Order 1995 as any person under 18 years of age.
- (3) 'Child Abuse' is a generic term encompassing all situations involving ill-treatment of children, including serious physical and sexual assaults as well as cases where the standards of care indicate or pose a risk of significant harm.
- (4) The police service has adopted the definition of child abuse set out in 'Co-operating to Safeguard Children (May 2003)' (The Department of Health, Social Services and Public Safety (DHSSPS) guide to inter-agency working to safeguard and promote the welfare of children. ([Click Here](#))).
- (5) It defines child abuse by reference to the presence of one or more of the following criteria and provides definitions and examples of the four broad categories of abuse:

- (a) Neglect
  - (b) Physical Abuse;
  - (c) Sexual Abuse;
  - (d) Emotional Abuse.
- (6) For further information on forms of child abuse refer to Chapter 2 and 6 of the 'Protocol for the Joint Investigation by Social Workers and Police Officers of Alleged and Suspected Cases of Child Abuse - Northern Ireland'.

(7) **Child in Need**

An additional threshold is also used to describe those instances where significant harm, or the likelihood of it, may not be apparent, but where an assessment is needed by those same statutory agencies to determine what services are necessary for children and their families. This is sometimes termed the 'Child in Need' threshold and is defined by Article 17 and Schedule 2 of the Children (NI) Order 1995.

(8) **Significant Harm**

- (a) Articles 2(2) and 50(3) of the Children (NI) Order 1995 introduced into Northern Ireland legislation the concept of 'significant harm' as the threshold that justifies compulsory intervention in family life in the best interests of children. HSC Trusts are duty bound to make enquiries or cause enquiries to be made in circumstances where they have a reasonable cause to suspect that a child is suffering or is likely to suffer significant harm (Article 66).
  - (b) The courts may only make an order (committing the child to the care of a HSC Trust or putting the child under the supervision of a social worker) in respect of a child if it is satisfied that:
  - (c) The child is suffering, or is likely to suffer, significant harm; and
  - (d) The harm, or likelihood of harm, is attributable to a lack of adequate parental care or control (Article 50).
- (9) There are no absolute legally or medically defined criteria on which to rely when judging what constitutes significant harm. Consideration of the severity of ill-treatment may include the degree and the extent of physical harm, the duration and frequency of abuse and neglect, and the extent of premeditation, degree of threat and coercion, and sadism in child sexual abuse.

(10) **Missing Children**

The Police Service and HSC Trusts will share information in order to work co-operatively to effect the safe recovery of children who are missing. For further information, refer to 'Regional Guidance: Police Involvement in Residential Units; Safeguarding of Children Missing from Home and Foster Care'.

(11) **Child Sexual Exploitation**

- (a) Child Sexual Exploitation is a form of sexual abuse where a child or young person is exploited, forced, coerced and/or manipulated into engaging in some form of sexual activity in return for something they need or desire and/or for the gain of a third person. It can be complex and organised and occur as part of a network of abuse across a family or community, within residential homes or schools and within an 'on or off line' networked group of offenders.

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- (b) Child Sexual Exploitation is abuse involving one or more abusers and a number of related or non-related abused children or young people. The abusers concerned may be acting together to abuse children, sometimes acting in isolation, or may be using an institutional framework or position of authority, or other young people to recruit children. Generally, offending takes place within loose networks, connected through informal and formal associations.
- (c) Victims are often vulnerable and under social, financial and economical pressures. Children living away from home, including foster care, residential care, private fostering, healthcare settings, residential schools, young offender institutions may be particularly vulnerable to child sexual exploitation. On occasions victims will have taken to leaving home or going missing whilst in local care arrangement, sometimes opting or being coerced into obtaining informal income as a means to get by. Others have not considered themselves as victims at all, having been normalised to sexual violence. Some victims within gangs, for example, have endured sexual exploitation for the inclusion and perceived protection afforded by their gang.
- (d) Child Sexual Exploitation can involve children who, it is feared: might be involved in prostitution; children exchanging drugs/involved in drugs; children enticed into accommodation; (e.g. use of Harbourers Warning, locations where child is found); children exchanging goods for sex; children who it is feared are being groomed for sexual abuse etc.
- (e) Some warning signs may include:
  - (i) Regularly going missing;
  - (ii) Truancy from school;
  - (iii) Associating with older persons;
  - (iv) losing contact with family or friends their own age;
  - (v) Collected from home or school in unknown cars;
  - (vi) unexplained bruising of injuries;
  - (vii) unexplained gifts of money;
  - (viii) secretive mobile phone use;
  - (ix) mood swings/behavioural changes;
  - (x) sexually transmitted infections;
  - (xi) associating with other young people who are known to be involved in sexual exploitation.
- (f) The signs that a child is being sexually exploited may not always be obvious. A video that has been prepared by NPIA and ACPO that may assist police service officers/staff identify a young person in need of protection ([Click Here](#)).

#### **4. LEGAL BASIS**

- (1) Although the primary responsibility for safeguarding children rests with parents, a principle enshrined in legislation [Children (NI) Order 1995] ([Click Here](#)), it is also the duty of every member of the police service to safeguard and protect children (Art. 46). The abuse of children, whether sexually, physically, emotionally or by neglect and whether in the home or outside is

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unacceptable and police play an important role both in the prevention of such abuse and in the investigation of criminal abuse of children.

- (2) International human rights standards particularly the United Nations Convention on the Rights of the Child identify four core principles:
  - (a) The best interests of the child must be paramount (Article 3);
  - (b) Children have a right to be heard (Articles 12 and 13);
  - (c) Children have a right not to be discriminated against (Article 2);
  - (d) The State has a duty to protect children (Article 19).
- (3) In addition to these, Article 3 of the European Convention on Human Rights (ECHR) states that citizens have a right not to be subjected to inhuman or degrading treatment. The Human Rights legislation applies equally to adults and to children.
- (4) Further requirements are contained under Section 32 of the Police (NI) Act 2000 namely to protect life and property; to preserve order; to prevent the commission of offences; and where an offence has been committed to take measures to bring the offender to justice.

## **5. IMPLICATIONS OF THIS SERVICE PROCEDURE**

### **(1) Financial and Efficiency Implications**

By fully implementing this policy the Police Service will ensure that it deals with every reported incident involving a child appropriately, effectively and consistently.

### **(2) Partnerships**

The Police Service must continue to proactively establish new, and build on the existing, partnerships within groups and organisations who engage with children and families.

### **(3) Risks**

- (a) This policy must be consistently applied across every police district to ensure that every reported incident is dealt with to the same standard and that every child receives the appropriate level of assistance, support and safeguarding.
- (b) By not fully implementing this policy the Police Service will be failing in its duties and responsibilities under Section 32 of the Police (NI) Act, the Human Rights Act 1998 and Section 75 Northern Ireland Act 1998.

### **(4) Consultation**

The following have previously been consulted during the preparation of this procedure:

- (a) District Commanders;
- (b) Crime Operations Department;
- (c) Service Improvement Department;
- (d) Crime Training;
- (e) Association of Chief Police Officers (ACPO);
- (f) Human Rights Adviser;

- (g) NI Human Rights Commissioner;
- (h) Northern Ireland Commissioner for Children and Young People (NICCY);
- (i) Department of Health and Social Services;
- (j) Children's Law Centre;
- (k) National Society for the Prevention of Cruelty to Children (NSPCC).

## **6. HUMAN RIGHTS/EQUALITY/INTEGRITY/FREEDOM OF INFORMATION**

- (1) This Service Procedure is deemed to comply with the Human Rights Act and UNCRC. It has been screened for Section 75 considerations and meets the organisation's integrity standards.
- (2) Sections 1 – 6 of this Service Procedure are suitable for public disclosure in accordance with Freedom of Information Act 2000.

## **7. INTERNAL LINKS**

- (1) Service Procedure 10/07 - 'Domestic Abuse and the Possession of Firearms and Ammunition';
- (2) Service Procedure 2/11 - 'Police response to Honour Based Violence (HBV)';
- (3) Service Procedure 3/11 – 'Police response to Forced Marriage';
- (4) Service Procedure 7/11 – 'Police Response to Female Genital Mutilation';
- (5) Service Procedure 9/11 – 'Shielding National Insurance Numbers for Victims of Domestic Abuse and Honour Based Violence';
- (6) Service Procedure 15/11 – 'Risk Identification, Assessment and Management in Relation to Domestic Abuse, Stalking and Harassment and Honour Based Violence';
- (7) Service Procedure 4/12 – 'Domestic Incidents involving Police Officers and Police Staff';
- (8) Policy Directive 09/08 – 'Police Response to Domestic Incidents';
- (9) Area Child Protection Committees Regional Policy and Procedures;

## **8. REVIEW**

- (1) This policy will be reviewed annually however amendments may be made as and when required.
- (2) The review will be undertaken by Service Improvement Department, Headquarters. In carrying out this review Service Improvement Department will proactively seek the views of key partners and relevant service providers.
- (3) Feedback on this policy is welcomed and should be forwarded to the Head of Public Protection, Service Improvement Department, Brooklyn, 65 Knock Road, Belfast, BT5 6LE.

## **9. CANCELLATION**

Policy Directive 06/05 – 'Police Service of Northern Ireland Child Protection Policy' is hereby cancelled.