**Wales UNCRC Monitoring Group**



**Grŵp Monitro CCUHP Cymru**

**Thematic Briefing Paper**

**Violence, abuse and neglect**

**About the Wales UNCRC Monitoring Group**

The Wales UNCRC Monitoring Group is a national alliance of non-governmental and academic agencies, tasked with monitoring and promoting the United Nations Convention on the Rights of the Child in Wales. The Wales UNCRC Monitoring Group was established in 2002 and is presently facilitated by Children in Wales, the national umbrella organisation. Since 2002, the Group has worked with the UN Committee on the Rights of the Child and submitted civil society reports to inform successive UK State Party Examinations, as well as developing policy responses, interim reports and contributions to activities to progress children’s rights in Wales.

Members of the Monitoring Group are representatives of, and nominated by, non-governmental organisations and academics which are as follows

Barnardo’s Cymru

Children in Wales

Children's Commissioner for Wales(observers)

Equality and Human Rights Commission Wales (observers),

National Deaf Children’s Society Wales

NSPCC Cymru/ Wales

Play Wales

Save the Children Wales

The Children’s Society

UNICEF UK

Wales Observatory on Human Rights of Children and Young People

Welsh Local Government Association (observers)

**United Nation’s Convention on the Rights of the Child**

The United Nation’s Convention on the Rights of the Child (UNCRC) applies to all children and young people under 18. The aim of the UNCRC is to recognise children’s rights and ensure that children grow up in the spirit of peace, dignity, tolerance, freedom, equality and solidarity.

The UNCRC is the most widely ratified human rights treaty in the world and applies to every child and young person without exception.There are 54 articles that cover all aspects of a child’s life, setting out the civil, political, economic, social and cultural rights that all children in the world are entitled to.

In 2019, the UNCRC celebrated its 30th Anniversary. Since 1991, when the treaty came into force across the UK, every child has been entitled to a series of specific rights. These include:

* the right to life, survival and development;
* the right to have a say in decisions and have their opinions taken into account
* the right to have their best interests considered at all times
* the right to receive information, to have privacy and a name and nationality
* the right to be properly cared for, and protected from violence and abuse
* the right to an education, play, leisure, culture and the arts
* the right to live in a family environment and properly cared for
* the rights to good quality health care an be protected from harmful work
* Special protection for refugee children, disabled children, children in the juvenile justice system, children deprived of their liberty and children suffering exploitation and harm

**Violence, Abuse and Neglect**

**Article 19**

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.
2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

**Article 34**

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

1. The inducement or coercion of a child to engage in any unlawful sexual activity;
2. The exploitative use of children in prostitution or other unlawful sexual practices
3. The exploitative use of children in pornographic performances and materials.

**Article 24 paragraph 3**

3. States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.

**Article 39**

States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

**Guidance from the UN**

United Nations Committee on the Rights of the Child, General Comment No. 13 on the Convention on the Rights of the Child: The right of the child to freedom from all forms of violence.

**Recommendations**

**Concluding Observations 2016**

41) The Committee welcomes the introduction of a new domestic abuse offence to capture coercive and controlling behaviour in intimate and familial relationships, as introduced in the Serious Crime Act (2015) in England and Wales. However, the Committee is concerned at:

1. The high prevalence of domestic violence and gender-based violence against women and girls, and the negative impact that those forms of violence have on children, whether as victims or witnesses;
2. The Children and Young Persons Act (1933), which defines a child as a person under the age of 16 for the purpose of the criminal law on child abuse and neglect;
3. The lack of due respect for the views of children in responses to violence against children and in family law proceedings.

42. With reference to its general comment No. 13 (2011) and Sustainable Development Goal 16, Target 16.2, the Committee recommends that the State party:

1. Revise the Children and Young Persons Act (1933) in order to protect all children under 18 years from child abuse and neglect;
2. Strengthen systematic data collection and recording of information on violence against children, including domestic violence, gender-based violence, abuse and neglect, in all settings, as well as information sharing and referral of cases among relevant sectors;
3. Increase the number of social workers and strengthen their capacity to address violence against children;
4. Give due weight to the views of children concerned in the responses to violence, including in criminal and family law proceedings;
5. Consider ratifying the Council of Europe Convention on preventing and combating violence against women and domestic violence.

**Sexual exploitation and abuse**

(43) The Committee welcomes the measures taken to address child sexual exploitation and abuse, including the “WePROTECT” model national response and strong child and civil society participation in the development of a multisectoral action plan and relevant guidance and tools in Wales.

However, the Committee is concerned about:

1. Recent allegations of widespread child sexual exploitation and abuse by high profile figures, by organized gangs and in institutional settings;
2. The increasing risk of online child sexual exploitation and abuse;
3. The insufficient respect for the views of children in efforts to prevent, detect and respond to such exploitation and abuse;
4. The low rate of prosecution of child sexual exploitation and abuse.

44. The Committee recommends that the State party, including devolved governments, Overseas Territories and Crown Dependencies:

1. Systematically collect and publish comprehensive and disaggregated data on child exploitation and abuse, including through mandatory reporting, in all settings;
2. Develop and implement comprehensive multi-sectoral strategies on child exploitation and abuse, including online, to ensure effective prevention, early detection and intervention, at national as well as at devolved levels, in Overseas Territories and Crown Dependencies;
3. Further develop comprehensive services to support children who are victims or at risk of sexual exploitation and abuse;
4. Strengthen the capacity of law enforcement authorities and the judiciary to detect and prosecute child sexual exploitation and abuse, and grant effective remedies to the child victims;
5. Consider ratifying the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.

**Harmful practices**

45) The Committee welcomes the enactment of the Serious Crime Act (2015) in England and Wales, which enables the courts to issue protection orders to protect potential or actual child victims of female genital mutilation. However the Committee is concerned at:

1. The significant number of children who are affected by harmful practices, including female genital mutilation, and the forced marriage of girls and boys aged 16 and 17 years in some parts of the State party;
2. Cases of medically unnecessary surgeries and other procedures on intersex children before they are able to provide their informed consent, which often entail irreversible consequences and can cause severe physical and psychological suffering, and the lack of redress and compensation in such cases.

46. With reference to its general comment No. 18 on harmful practices (2014), the Committee recommends that the State party:

1. Take effective measures to ensure that marriage of children of 16-17 years of age takes place only in exceptional circumstances and is based on the full, free and informed consent of the concerned children;
2. Continue and strengthen preventive and protection measures to address the issue of harmful practices, including collecting data, training of relevant professionals, awareness-raising programmes, provision of protection and care to the child victims and the prosecution of perpetrators of these acts;
3. Ensure that no one is subjected to unnecessary medical or surgical treatment during infancy or childhood, guarantee bodily integrity, autonomy and self-determination to children concerned, and provide families with intersex children with adequate counselling and support;
4. Provide redress to the victims of such treatment;
5. Educate medical and psychological professionals on the range of sexual, and related biological and physical, diversity and on the consequences of unnecessary interventions for intersex children.

**Freedom of the child from all forms of violence**

(47) The Committee is concerned that:

1. Bullying, including cyberbullying, remains a serious and widespread problem, particularly against lesbian, gay, bisexual, transgender and intersex children, children with disabilities and children belonging to minority groups, including Roma, gypsy and traveller children;

48. The Committee recommends that the State party:

1. Intensify its efforts to tackle bullying and violence in schools, including through teaching human rights, building capacities of students and staff members to respect diversity at school, improving students’ conflict resolution skills, conducting regular monitoring of incidences of bullying at school, and involving children in the initiatives and monitoring aimed at eliminating bullying;
2. In the light of the recommendations resulting from the day of general discussion on digital media and children’s rights, train children, teachers and families on the safe use of information and communication technologies, raise awareness among children on the severe effects that online bullying can have on their peers, and increase the involvement of social media outlets in the efforts to combat cyber-bullying.

**Monitoring Group Recommendations 2016**

* Ensure independent professional advocacy services are available and accessible to children across Wales and comply with the National Standards for the Provision of Children’s Advocacy Services.
* Ensure that the new safeguarding structures work effectively, that Regional Safeguarding Children’s Boards are accountable to the National Independent Safeguarding Board and that children’s safeguarding issues are not side-lined while the adult protection framework is developed.
* Ensure children’s rights are reflected in training to support professionals to ‘ask and act’ in relation to domestic abuse.
* Ensure that there is effective and regular measurement of the violence and abuse experienced by children and young people in Wales in all settings.
* Take steps to ensure that children and young people who have experienced abuse can access appropriate child-centred therapeutic services as required

**Sexual exploitation and abuse**

* Introduce mandatory sex and healthy relationships education across all education settings.
* Identify the best mechanism for the monitoring of child sexual exploitation in Wales and provide direction on duties to monitor this form of abuse.
* Place greater emphasis on early identification of risk, early intervention and prevention, and give equal priority to sexual exploitation of male and female children.

**Bullying (from education section)**

* Continue its work with local authorities and schools to ensure effective implementation of existing policies on participation and on bullying

**List of Issues report to UN Committee (UK) 2016**

The UK State Party should raise the age of victims under Section 1 of the Children and Young Persons Act 1933 from 16 to 18 to ensure all children can be protected as victims of child abuse and neglect.

The UK State Party and devolved governments should ensure that there is consistency in safeguarding law and policy across all children's settings. This should include ensuring that:

* Safeguarding structures work effectively;
* Regional Safeguarding Children’s Boards are accountable to the National Independent Safeguarding Board and that children’s safeguarding issues are not side-lined while the adult protection framework is developed;
* Children’s rights are reflected in training to support professionals to ‘ask and act’ in relation to domestic abuse;
* There is effective and regular measurement of the violence and abuse experienced by children and young people in all settings;
* Steps are taken to ensure that children and young people who have experienced abuse can access appropriate, child-centred therapeutic services as required.

**Neglect**

National strategies on child neglect should be produced to create a unified system that ensures neglected children receive the help they need. Strategies should also include early help to avoid crisis intervention and reflect the complex nature of child neglect.

Data on abuse and neglect allegation made in respect of children in institutional settings should be published annually. This should set out the number of allegations that led to investigations and the outcomes of such investigation.

Bullying (taken from Education section)

The UK State Party and devolved governments should intensify their efforts to reduce bullying in schools (echoes Children’s Commissioners). Measures should be put in place that:

* Establish national minimum standards for anti-bullying policies in consultation with children, promote awareness of them among children and young people, and ensure they are assessed through the inspection regime;
* Ensure consistent and robust recording and monitoring of bullying behaviour, both in person and online, across all local authorities;
* Provide teachers with adequate training to tackle bullying, including cyber bullying and bullying affecting specific groups of children, for example disabled children, and LGBT children;
* Provide adequate resources to promote children's safety online including cyber bullying;
* Encourage schools and all relevant organisations to involve children in the development and implementation of policies to tackle bullying.

**Online activities (taken from Civil Rights section)**

The UK State Party and devolved governments should ensure all children are better informed about their right to online safety and privacy, and how to stay safe online. Internet safety information should be widely available and promoted in schools

**Universal Periodic Review (UK) 2017**

The Recommendations to the UK and devolved governments include the following points

* Take more measures to tackle the sexual exploitation of children and violence against them, including the negative impact of domestic violence
* Ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, and the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse

**Impact of Covid 19**

Since the UNCRC Committee made its recommendations, Covid-19 has spread across the world, causing a pandemic and stay at home measures for much of 2020 and into 2021. The impact of it is wide-ranging and is likely to continue long after the immediate effects of the virus are over. From a violence, abuse and neglect perspective, the lockdowns imposed across the UK have seen an increase in calls to helplines for advice and support from both children and adults. Additionally, there has been an increase in referrals to children’s social care (more on this in the sections below) and services working with children and young people have noted an increase in complexity. We are concerned that there has been greater exposure to trauma because of stay at home measures from domestic abuse, emotional, physical and child sexual abuse, parental mental health and substance misuse. In addition, serious incident notifications in the first half of 2020-21 increased by 27% on the same period in 2019-20 in England. The largest increases were seen amongst young children[[1]](#footnote-1). Great Ormond Street Hospital have published data about an increase of 1493% in abusive head trauma in babies in 2020[[2]](#footnote-2). We are concerned that there may be similar trends in Wales and ask that serious incident data is collated and published for Wales.

At the start of the first UK wide lockdown, we welcomed the prioritisation of children’s safeguarding by social services and that Emergency and Duty Teams were able to remain open to respond to concerns. In addition, we welcomed the emergency boost of £1.2 million to the VAWDASV fund, however were concerned there was no ring-fencing of specialist support for children within this.

Parts of this paper were written before the virus impacted the UK. We expect to see an ongoing impact on the calls from the UNCRC committee in the years to come, but consideration is given throughout to this as well as addressing the immediate fallout from the pandemic.

**To what extent have recommendations been addressed?**

**Priority areas of inquiry**

**Policy and Practice: existing and new developments since 2016.**

The Social Services and Wellbeing (Wales) Act 2014 came into force in April 2016. It requires any person performing functions under the act to have ‘due regard for the United Nations Convention on the Rights of the Child (UNCRC)’. It also ensures all looked after children and those in need of care and support are entitled to an independent professional advocate.

At the start of 2020, the Office for National Statistics published its England and Wales [child abuse compendium](https://blog.ons.gov.uk/2020/01/14/understanding-the-extent-and-nature-of-child-abuse/). While this gives a helpful picture of the experiences of children and young people and particularly the number of adults who experienced a form of abuse before the age of 16, it is not a prevalence study and is unable to give a picture of current levels of child abuse. Data for Wales suggests almost a 5th of men (18.2%) and a quarter of women (24.9%) reported experiencing abuse before the age of 16 to year ending March 2019[[3]](#footnote-3). While the number of children experiencing abuse will not increase because of the forced isolation (that abuse will have happened regardless) the prevalence, reduced opportunities to access support and perhaps feelings of hopelessness for children and young people trapped with an abuser is likely to increase. Services have worked hard to continue to support children under very tough circumstances, but we were already seeing a strain on services prior to the pandemic, provision for children and young people must be available across Wales to provide support when and where it is needed now and in the months and years to come.

Recent statistics demonstrate a steady rise in the numbers of children looked after in Wales. Welsh Government’s last statistical release shows that in March 2019, there were over 6,800 children looked after, a rise of 7% on the previous year[[4]](#footnote-4). The Nuffield Family Justice Observatory report, ‘Born into Care: new-borns and infants in care proceedings in Wales’, highlighted the sharp increase in the proportion of new-borns who became the subject of care proceedings in Wales; the rate has doubled between 2015 and 2018 and infants less than 1 year old comprised around 30% of all Section 31 cases in Wales.

The Monitoring Group notes the work undertaken by Welsh Government to safely reduce the numbers of children in care in Wales. Any work to reduce the number of children in care, must be done with local authorities having the child’s best interest at the core of their decisions. When considering the needs of children who have been abused or neglected thought must be given to how best to support them to recover, keeping in line with Article 39 of the UNCRC, which states that children who are neglected or abused should receive specialist support to recover.

**Impact of domestic abuse on children**

Increasingly professionals are recognising that children are not passive witnesses of domestic abuse, but direct victims. Whether physically harmed by the perpetrator or not. Living in a household where there is abuse harms the child and is a recognised form of child abuse. NSPCC Cymru/Wales has found that 1 in 5 children have been exposed to domestic abuse and 130,000 children and young people in the UK are living with high risk domestic abuse. Increasingly, practitioners have recognised that children are not ‘secondary or passive witnesses’ of violence in the home, but are directly experiencing it alongside their non-abusing parent. Children, along with the non-abusing parent are controlled, threatened and have their ‘space for action’ reduced by domestic abuse. The harm to a child of seeing or hearing parental domestic abuse was first recognised in law as abusive to children in the Adoption and Children Act 2002. As Dr Emma Katz explains; ‘Coercive control places children in isolated, disempowering and constrained worlds which can hamper children’s resilience and healthy development and contribute to emotional and behavioural problems’[[5]](#footnote-5).

Despite the ground-breaking Violence Against Women, Domestic Abuse and Sexual Violence (VAWDASV) Act from Welsh Government, implementation and limited resources have impacted the pace of change. There is a gap between the policy intent of the Act and the reality on the ground. There is not enough provision of services for child survivors across Wales and specialist VAWDASV services report a lack of funding for this specialist work, with some areas reporting little to no coverage. Therapeutic recovery support for children must be available consistently across Wales, as well as prevention and early intervention work (see Appendix 1 for detail on NSPCC Cymru/Wales and Welsh Women’s Aid service model).

The Covid 19 crisis exacerbated survivors reduced ‘space for action’ as perpetrators exploited the enforced isolation to further their power and control within the home. Covid 19 of course did not create domestic abuse perpetrators, but it brought into the light the very real risk children and their non-abusing parents are exposed to every day. Stay at home measures limited access to support and exacerbating triggers (or excuses) for abuse. There is of course an immediate risk resulting from this, during the first UK wide lockdown, the NSPCC Helpline and Childline saw an increase in contacts from concerned adults and directly from children worried about domestic abuse[[6]](#footnote-6), in the long-term it is likely we will continue to see an increase in demand on services supporting adult and child survivors, particularly in light of anecdotal evidence from NSPCC practitioners that cases have become more complex since stay at home measures were in put in place. The monitoring group is pleased that the Deputy Minister and Chief Whip pledged £1.2 million to fund community accommodation for survivors and the annual VAWDASV capital fund prioritised projects to support the current crisis. We were pleased further emergency funding was pledged for the next financial year, however, more detail is needed on how this fund will support child survivors and there is the need for continued financial support long after the current crisis is over as the long-term impact of living with an abuser under the imposed isolation unfolds.

As well as the VAWDASV Act at a Welsh level, since the 2016 Concluding Observations report, other key pieces of legislation have progressed or been laid at a Wales and UK level. Namely the Serious Crime Act (2015) which made coercive control a criminal offence and the Domestic Abuse Bill was laid before UK Parliament in 2019. Additionally, the Future Generations (Wales) Act 2015 and Renting Homes (Wales) Act 2014 include protections for survivors.

The Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 recognises children and young people as victims of domestic abuse. The Welsh Government National Strategy on Violence Against Women, Domestic Abuse and Sexual Violence Cross Government Delivery Framework 2018 – 2021 recognises that witnessing violence against women, domestic abuse and sexual violence can adversely affect children and young people and can impact their safety, health, wellbeing and educational attainment.

An understanding of coercive control and its far-reaching impact on non-abusing parents and (sometimes) their ability to parent effectively is improving, as is the understanding of coercive control on children. Conviction rates however have been low since the Serious Crime Act was amended with some feeling the police understanding of the nuances of coercive control needs to improve. Again, the monitoring group is concerned about the increased opportunities for coercive control to go unseen as families are isolated from support.

**Child Sexual Abuse (CSA)/ Child Sexual Exploitation (CSE)**

The ONS Compendium on Child Sexual Abuse suggests 7.5% of the adult population, (3.1 million people aged 18-74), have experienced some form of sexual abuse before the age 16. The Centre of Expertise on Child Sexual Abuse has highlighted that CSA is the most frequent type of abuse children contact Childline about and yet it the lowest category of abuse for child protection plans. According to the CSA Centre, this number has dropped in both England and Wales since the 1990s. In Wales, for example, the number on the register because of sexual abuse has declined by 28% in a decade from 160 in 2007/08 to 115 in 2017/18[[7]](#footnote-7). The reduction in CP plans related to CSA is concerning, this is further exacerbated by the impact of the lockdowns as a response to Covid-19. The Monitoring group calls for clarity on why the numbers have reduced.

In contrast, there has been a threefold increase in contacts to Childline[[8]](#footnote-8) about sexual abuse within the family across the UK, from an average of 8 sessions per week to 23 per week since 23rd March 2020, with some children telling Childline the sexual abuse became more frequent as they were spending more time with the abuser. The NSPCC Helpline saw an increase in calls from concerned adults about sexual abuse within the family. Concerns about this form of child sexual abuse rose to 77% of contacts about sexual abuse during the spring lockdown, from an average of 53% of contacts before restrictions were in place. RASASC North Wales identified an increase in safeguarding concerns during the first lockdown as well as an increase in case complexities identified during therapy with children and young people. These complexities continue to present during sessions with children and young people, resulting in an increase in the amount of therapy required. **We must therefore ensure services and schools feel fully supported and resourced to meet need, both immediately and in the long-term.**

Welsh Government widened the scope of the National Action Plan to Tackle Child Sexual Exploitation to child sexual abuse (encompassing CSE), to ensure all forms of abuse, particularly the abuse experienced by people known to the child and in the family context is covered. The introduction of the Child Sexual Abuse Action Plan in 2019 was therefore welcomed and the group will monitor implementation of it closely. As stated in the previous section, availability of specialist support is not consistently available across Wales, this includes sexual violence services, where waiting times are long. Clarity on whether funding will be increased for sexual violence services in Wales would be welcome.

NSPCC Cymru/Wales, The Survivors Trust and specialist voluntary sector agencies providing counselling and support to children and young people have called for ***all*** children across Wales to be able to access counselling and support when they need it and reasonably close to where they live, through a multi-agency, evidence informed approach to supporting children. To support this aim, the committee would like to see the development of:

1. A Child House model as appropriate in Wales;
2. More Children and Young People Sexual Violence Advocates (CYPSVA) to provide advocacy for every child who needs it[[9]](#footnote-9); and
3. Funding for specialist sexual violence and abuse voluntary sector agencies working in Wales to enable them to provide appropriate counselling and support to children and young people

Emerging findings tells us children from communities (including Black and other minoritised and marginalised groups) who face systemic discrimination can experience additional barriers to seeking help: Black and minoritised children have been found to be under-represented in data held by statutory services, according to research by the Children’s Commissioner for England[[10]](#footnote-10). We therefore need targeted community interventions to address CSA, including ‘by and for’ interventions and support for all Black and minoritised children.

We would also welcome more detail in the plan on work with perpetrators of CSA and how this will be joined up with other agencies managing perpetrators. In terms of CSA within family settings, consideration is needed of how coercive control and grooming can be used to silence both the child, non-abusing parent(s) and wider family members and that these risk factors can of course act as another barrier to help seeking.

The Monitoring Group welcomes the development of revised statutory guidance on CSE and associated practice guidance sitting alongside the Wales Safeguarding Procedures. The two documents move away from an approach focussed on risk management and promote long term strength based approaches to prevent and tackle CSE. This approach is based on recent research by Cardiff University[[11]](#footnote-11) which looked at the outcomes of work with sexually exploited young people in Wales. The findings highlight the factors that play a role in increasing the risk of or acting as a protective factor in CSE. It found the following factors significantly increased or safeguarded against CSE;

* **Gender**; girls were seven times more likely to experience CSE than boys
* **sexual abuse**; those who had experienced previous sexual abuse were more than five times more likely to experience CSE and those who experienced sexual abuse in extra-familial settings were six times more likely.
* **Moves in living situations** increased the likelihood of CSE for young people.
* **A positive relationship with peers** acted as a protective factor as did a **high number of agencies involved with the child**.
* The number of **social workers** involved and a **pregnancy** also acted as a protective factor, however there were caveats to these last two examples.
* **Harmful Practices**

Awareness of harmful practices, encompassing FGM, forced marriage and so-called honour based violence is increasing, but prevalence numbers are unlikely to truly reflect the number of children at risk. Public Health Wales’ FGM Health Leads Report found there were 271 recorded cases in Wales[[12]](#footnote-12) up to March 2018. But there have been no prosecutions relating to harmful practices in Wales. Again Covid-19 could increase the risk for children subject to so called honour based abuse as there are less trusted adults having regular face-to-face contact with children and young people at risk, particularly for children who were not on the radar of concerned adults before the lock down as prevalence is not reflective of the true number of children at risk. For girls subjected to or at risk of FGM, it is likely they are also at further risk. Many healthcare professionals have been deployed to the front-line of the Covid-19 response, which means access to professionals for the health impact of FGM may be limited. In addition, FGM is likely to happen within the context of control and intimidation so girls at risk of FGM may be experiencing so called honour based abuse as well. Charities, such as FORWARD[[13]](#footnote-13), working with women and girls subject to FGM have raised concerns about the impact of Covid, as isolation and insecure immigration status compound to increase risk. At a global level, campaigners are concerned 2 million extra girls are at risk of FGM as a direct result of Covid[[14]](#footnote-14).

Much of the legislation concerned with harmful practices, such as FGM Protection Orders and the criminalisation of the breach of Forced Marriage Protection orders are reserved to UK Government, however the VAWDASV Act, which includes a duty on the public sector to ‘ask and act’ includes harmful practices within its scope. Wales has created the Honour Based Abuse All Wales Action Group, bringing together cross sector expertise to tackle the issue at a Welsh level. There remains little data across Wales on incidents of harmful practices, Welsh Government is considering how this can be addressed.

**Cyberbullying/gender based bullying/bullying due to sexual orientation**

During 2019/20, Childline handled **10,726 counselling sessions** with children and young people where Bullying (Not Online) was their main concern. This figure represents 5% of all counselling sessions delivered in 2019/20.

Between April 2020 and January 2021, Childline delivered 2,128 counselling sessions where the child’s main concern was **Bullying Online**. This is a 6% increase compared to counselling sessions about this issue in 2019/20. In contrast, the sub-concern of Bullying about Sexuality or Gender (Bully Not Online) saw a decrease from 468 counselling sessions in 2019/20 to 218 from April 2020 to January 2021. Lockdown, and stay at home measures have clearly been a contributing factor to this decrease, given that the majority of bullying encounters reported to Childline typically take place in school.

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| --- | --- | --- | --- |
| **Main Concern** | **Total counselling 19/20** | **Total counselling 20/21\*** | **Progress against last year stats** |
| Bullying Online & Online Safety | 2,004 | 2,128 | 106% |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Sub-Concern of Bullying Not Online** | **Total counselling 19/20** | **Total counselling 20/21\*** | **Progress against last year stats** | |
| Bullied about Sexuality or Gender | 468 | 218 | 47% |

\*2020/21 figures up to 31st January 202

In the early part of 2020, as Covid-19 began to take its hold on the UK, Childline experienced an increase in calls from children experiencing racist bullying, with 20% of calls from children about this form of bullying in the early part of March 2020. This number decreased as most children stopped going to school, but the monitoring group is very concerned about the increase in cyberbullying over the last year. Cyberbullying is a particularly invasive form of bullying, with risks for self-harm and suicidal behaviours[[15]](#footnote-15) for the child/young person being bullied.

Prior to the pandemic, the Children’s Commissioner for Wales called for stronger action to prevent bullying. In a [briefing paper,](https://www.childcomwales.org.uk/wp-content/uploads/2019/05/Wales-Needs-Stronger-Action-to-Prevent-Bullying.pdf) she called for action at a national level, including a duty on schools to report incidents of bullying. The recommendations from the Commissioner are;

* **Government must introduce a duty to record bullying in schools** – a statutory duty should be placed on schools to record all incidents and types of bullying.
* **The Respecting Others Guidance should be linked to Self-Evaluation for Improvement –** The guidance from Welsh Government gives advice and guidance to schools, while it has been welcomed by the Commissioner, the concern remains that schools are not under obligation to follow it. The Commissioner has called for the guidance to be linked to the Self Evaluation for Improvement Framework being developed by Estyn. This coupled with support for schools to embed it into a whole school approach should lead to a prioritisation shift for schools.
* **Anti-bullying guidance needs to be integrated with other whole-school approaches to wellbeing –** As guidance appears to have been developed in silos from other wellbeing work, there is a risk it will not be prioritised in the new curriculum and whole-school approach.

The Commissioner makes the link between a poor response to bullying and a denial of children’s rights under the UNCRC. Welsh Government’s guidance is comprehensive, considering various types of bullying including homophobic, sexual and racist bullying, with detailed support for schools, parents, children and young people. As well as anti-bullying strategies and preventative models for schools to adopt and detail on Welsh Government’s expectations of schools. The monitoring group welcomes this guidance but agrees that anti-bullying work should be placed on a statutory footing as part of the whole school approach, with a duty to report incidents of bullying.

**Recommendations**

The Wales UNCRC Monitoring Group submitted their Civil Society List of Issues Report to the UN Committee on the Rights of the Child in December 2020 to inform the current reporting cycle in respect of monitoring government’s progress in implementing the CRC.

In the context of the issues raised in this Thematic Briefing Paper, the following priority recommendations were put forward for the UN to consider asking of governments when issuing their List of Issues report for response.

Child Abuse

The Welsh Government should

• Adopt a long-term, sustainable, trauma-informed response to safeguarding children against violence and neglect

• Ensure that children who have experienced abuse can access appropriate, child centred therapeutic services when needed

• Take a public health approach to CSA and publish an impact assessment report of the National Action Plan by the end of 2022

Criminal Exploitation / Child Sexual Exploitation

The Welsh Government should

• Work with public bodies to ensure that greater protection is provided to avoid children becoming victims of CE/CSE

Harmful Practices

The Welsh Government should

• Ensure that preventative and protection measures are strengthened to address all harmful practices against children; that professional and public awareness is enhanced, and data collection improved

Domestic Abuse

The Welsh Government should

• Ensure that sustainable and adequate funding for the specialist VAWDASV sector to provide support for all children who need it, including children’s workers in refuges and therapeutic recovery support

Bullying

The Welsh Government should

• Ensure that anti-bullying policies in schools are effectively implemented; that instances are routinely reported and teachers receive mandatory training on tackling all forms of bullying

A full copy of the Report can be accessed here - <https://www.childreninwales.org.uk/professionals/our-work/state-childrens-rights/>

***Appendix 1***

**A Service Model for Children and Young People VAWDASV Services in Every Region**

Children and young people have a right to be protected from abuse and violence and receive specialist support to recover as laid out in articles 19 and 39 of the UNCRC, which is embedded into domestic law in Wales.

The service model outlined below illustrates how best to support children and young people in their own right, and takes a coordinated, community response to VAWDASV. Each region in Wales should ensure it has in place **the nine elements** of a service model to meet the pillars of the VAWDASV Act of prevention, protection and support.

|  |
| --- |
| **The Nine Elements of a Service Model**  **Prevention**   * Universal Interventions * Harmful Behaviour Interventions * Bystander Interventions * Community Interventions * Mandatory Training   **Protection**   * Domestic Abuse Interventions * Child Sexual Abuse Interventions * ‘Honour’ Based Abuse Interventions   **Support**   * Therapeutic Recovery |

**Prevention**

Prevention interventions must include;

* **Universal interventions** – mandatory Relationships and Sexuality Education (RSE), **delivered through a whole education approach,** must take a central role in preventing VAWDASV. For RSE to succeed as a vehicle for preventing and intervening early in VAWDASV, teachers and other school staff must feel fully supported to deliver it. They must be given clear and comprehensive guidance (with detailed content) on how to deliver high quality, age and developmentally appropriate RSE lessons that covers the full spectrum of relationships and sexualities. These lessons must also be delivered in a trauma informed way, which recognises there will be children in the classroom who have or are experiencing violence and abuse. Staff training should be delivered and/or supported by specialist VAWDASV services and accompanied by clear and simple referral pathways to specialist support services.[[16]](#footnote-16)

* **Harmful Behaviour Interventions -** young people who demonstrate harmful behaviourstowards peers, children or adults, need appropriate interventions including steps to address the behaviour early to reduce further harm and to enable a change of course for the child exhibiting the harmful behaviour.
* **Bystander Interventions** - Development and delivery of training and community interventions using an approach which provides young ‘bystanders’ with the skills and confidence to challenge attitudes that drive VAWDASV and provide effective signposting to specialist services.[[17]](#footnote-17)
* **Community Interventions** – A ‘one size fits all’ approach to VAWDASV does not work. We need targeted community interventions to address *all* forms of VAWDASV in ways that are accessible and meaningful to different communities. This includes ‘by and for’ interventions for communities where FGM, Forced Marriage, and/or so-called ‘honour-based’ abuse are practiced.
* **Mandatory Training** - Public sector workers who engage with children and young people should be trained on the impact of all forms of VAWDASV on CYP as a priority. This training must include how to recognise signs and symptoms of all forms of VAWDASV, and must be adapted to ensure professionals are aware of the local specialist services available to them.

**Protection**

**Crisis interventions**

Each local authority area must have crisis support workers to meet the needs of all children and young people who need it. This should include;

* **Domestic Abuse Interventions – Dedicated children and young people crisis workers in both refuge and in the community[[18]](#footnote-18).** We want each local authority to provide all children and young people victims the right support, when needed, in a timely manner.

* **Child Sexual Abuse Interventions – An evidence informed, multi-agency, approach to supporting children who have experienced child sexual abuse**. We want all children across Wales to be able to access timely support. We would like to see the development of a Child House model in Wales. This should include dedicated Children and Young People Sexual Violence Advocates (CYPSVA) to provide advocacy for every child who needs it[[19]](#footnote-19).
* **So-called ‘Honour-based’ Abuse Interventions – Fully resourced support for black and minoritised children and young people**. All minoritised children and young people must be able to access ‘by and for’ black and minoritised support services. However, *all* VAWDASV services, who are not specialist ‘by and for’ services, should undertake training which equip them to understand the nuances of so-called ‘honour-based’ abuse including FGM and forced marriage.

**Support**

**Therapeutic Recovery** - Objective 6 of the National VAWDSAV Strategy 2016-2021 states ***‘Provide victims with equal access to appropriately resourced, high quality, needs led, strength based, gender responsive services across Wales’.*** However, many regions do not provide these to young victims. All regions of Wales must provide specialist group and individual therapeutic recovery services for children and young people following crisis intervention, for as long as they need it.

**Funding and oversight**

Funding via the Sustainable Social Services model has proved effective. The Ar Trac partnership is delivered across 10 areas in Wales for children aged 5-16 who have experienced domestic abuse. However, this isn’t available for all children across Wales. Other services are on a ‘cliff edge’ with uncertainty about funding after March 2021.

A service model which meets the needs of all children and young people who need it, should be delivered via local partnerships, with oversight from Welsh Government to ensure accountability and consistency across regions areas in Wales. The impact of VAWDASV ripples out across communities and wider society. It impacts homelessness figures, health services, and children’s education. Work to eradicate VAWDASV must, therefore, be a priority across Welsh Government, with cross-departmental, long-term funding.

The Wales UNCRC Monitoring Group is facilitated and managed by

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1. <https://explore-education-statistics.service.gov.uk/find-statistics/serious-incident-notifications> [↑](#footnote-ref-1)
2. [Rise in the incidence of abusive head trauma during the COVID-19 pandemic | Archives of Disease in Childhood (bmj.com)](https://adc.bmj.com/content/106/3/e14.full) [↑](#footnote-ref-2)
3. <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/adhocs/11185estimatednumberandproportionofadultsaged18to74inwaleswhoexperiencedabusebeforetheageof16yearendingmarch2019csew> [↑](#footnote-ref-3)
4. <https://gov.wales/children-looked-after-local-authorities-april-2018-march-2019> [↑](#footnote-ref-4)
5. <https://avaproject.org.uk/wp-content/uploads/2016/03/Emma-Katz-2016.pdf> [↑](#footnote-ref-5)
6. <https://learning.nspcc.org.uk/media/2241/impact-of-coronavirus-pandemic-on-child-welfare-domestic-abuse.pdf> [↑](#footnote-ref-6)
7. Sherrelle Parke and Kairika Karsna, Measuring the scale and changing nature of child sexual abuse, <https://www.csacentre.org.uk/documents/scale-and-nature-update-2019/> page 6 [↑](#footnote-ref-7)
8. <https://learning.nspcc.org.uk/media/2280/impact-of-coronavirus-pandemic-on-child-welfare-sexual-abuse.pdf> [↑](#footnote-ref-8)
9. The Welsh Government action plan on Preventing and Responding to CSA considers the importance of the prevention of CSA through challenging public attitudes. We agree it rightfully states that the best way to respond to CSA is to prevent it in the first place. But more is needed to ensure the support is available to children and families who experience/display CSA. Challenging public attitudes and encouraging children and young people to come forward needs to be coupled with an assurance that services can meet demand. [↑](#footnote-ref-9)
10. [Protecting-children-from-harm-full-report.pdf (childrenscommissioner.gov.uk)](https://www.childrenscommissioner.gov.uk/wp-content/uploads/2017/06/Protecting-children-from-harm-full-report.pdf) [↑](#footnote-ref-10)
11. Hallett, S., Verbruggen, J., Buckley, K., and Robinson, A, Keeping Safe, Cardiff University 2019

    <https://www.cardiff.ac.uk/__data/assets/pdf_file/0007/1553596/KEEPING_SAFE_FULL_RESEARCH_REPORT_2019_ENG.pdf>, page 11 [↑](#footnote-ref-11)
12. <http://www.wales.nhs.uk/sitesplus/documents/888/FGM%20Annual%20report%202017-18%20Final.pdf> [↑](#footnote-ref-12)
13. <https://www.endfgm.eu/> [↑](#footnote-ref-13)
14. <https://www.theguardian.com/global-development/2020/jun/16/coronavirus-millions-more-girls-risk-fgm> [↑](#footnote-ref-14)
15. John et al Self-Harm, Suicidal Behaviours, and Cyberbullying in Children and Young People: Systematic Review J Med Internet Res 2018 | vol. 20 | iss. 4 | e129 [↑](#footnote-ref-15)
16. <https://www.welshwomensaid.org.uk/wp-content/uploads/2018/04/Prevention-Paper-Universal-Prevention-for-Children-and-Young-People.pdf> [↑](#footnote-ref-16)
17. Summary of the evaluation of the Bystander Initiative pilot in Wales: <https://www.welshwomensaid.org.uk/wp-content/uploads/2019/10/Bystander-Initiative-Report-Summary-Final.pdf> [↑](#footnote-ref-17)
18. Welsh Women’s Aid has estimated that 77% of children and young people impacted by abuse had no specialist support during 2018/19 and other children and young people were still waiting up to 12 months for support. [↑](#footnote-ref-18)
19. The Welsh Government action plan on Preventing and Responding to CSA considers the importance of the prevention of CSA through challenging public attitudes. We agree it rightfully states that the best way to respond to CSA is to prevent it in the first place. But more is needed to ensure the support is available to children and families who experience/display CSA. Challenging public attitudes and encouraging children and young people to come forward needs to be coupled with an assurance that services can meet demand. [↑](#footnote-ref-19)