

Disclosure of Childhood Abuse by a Person who is now an Adult: Guidance for Practitioners

(Formerly known as Non-recent Allegations of Abuse)

Cwm Taf Safeguarding Boards	Date: 12 December 2016	Status: Endorsed Final Version - VERSION 4
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1.0 INTRODUCTION

- 1.1 All statutory partner organisations of the Safeguarding Boards have a duty to report safeguarding concerns relating to children and adults at risk (Social Services and Wellbeing (Wales) Act 2014, Part 7). This includes any beliefs or suspicions that a child may be suffering, or is likely to suffer, significant harm.
- 1.2 Guidance in relation to children at risk of harm and the powers and duties under the Children Act 1989, in particular the duty under section 47 of that Act, **must** be considered.
- 1.3 The Social Services and Wellbeing (Wales) Act 2014 imposes a new duty on relevant partners to report to a local authority if it is suspected that an adult is an adult at risk. The Act also imposes a duty on a local authority to report to another local authority if an adult suspected of being an adult at risk is living in or moving to another area.
- 1.4 All practitioners must ensure that they respond appropriately when adults disclose abuse that they experienced as a child because:
 - there is a significant likelihood that a person who abused a child/ren in the past will have continued to do so, and may still be abusing children
 - a criminal prosecution may be possible if sufficient evidence can be obtained

2.0 CONTEXT

- 2.1 Many child abuse allegations are not reported until years after the offences were committed. There are many valid reasons why late reporting is common:
 - Fear of not being believed
 - Ongoing contact with the perpetrator
 - Threats made by the perpetrator
 - Lack of understanding at the time that their experiences constituted child abuse.
 - Inability to adequately communicate the abuse due to their developmental stage
 - Culture or language barriers
 - Never having been asked about the possibility of child abuse.
- 2.2 Before any work is undertaken with adults, practitioners have a responsibility to advise the person of the limits of confidentiality and that, for example, any disclosures of child abuse have to be reported. This is part of the duty to safeguard children and adults at risk.
- 2.3 It should be noted that for children disclosing abuse as a child, this should be dealt with under the All Wales Child Protection Procedures. Similarly, adults

CWM TAF SAFEGUARDING BOARDS

disclosing abuse as an adult should be dealt with by the All Wales Adult Protection Procedures.

3.0 INITIAL PRACTITIONER RESPONSE TO DISCLOSURE

- 3.1 Whenever an adult makes a disclosure of childhood abuse, the practitioner must record what is said by the person and their responses and be clear about the actions that will be taken by the practitioner being given the information. The overriding duty is to safeguard any children who may currently be at risk.
- 3.2 All records must be dated and signed. Any information recorded in the case records may be used as evidence by the police or in court.
- 3.3 Every effort should be made to empower and support the person in making the disclosure but it is not appropriate for the practitioner to 'investigate' the allegations prior to the involvement of Children Services/Police. Questions may be asked for clarification purposes only but they must not be leading questions.
- 3.4 It is important to establish whether the adult is aware of the alleged perpetrator's recent or current whereabouts and if they have any contact with children. If possible this will include gathering information such as the alleged perpetrator's full name, date of birth, place of work, responsibility for children and whether the abuse had previously been investigated, and if so by whom.
- 3.5 If there is any current risk to any child or vulnerable adult, the practitioner must report to children's services even without the service user's consent.
- 3.6 The adult must be asked whether s/he wants to make a complaint directly to the police that may lead to a police investigation and to a criminal prosecution. This will include all adults regardless of mental health issues or learning disabilities. The decision of a person with capacity not to report their own abuse must be respected.
- 3.7 Consideration must be given to the therapeutic needs of the adult who should be reassured that all reasonable efforts will be made to investigate what they have reported. Adults must also be made aware that insufficient disclosure of information could result in no action being taken against the perpetrator but could leave children or vulnerable adults at risk of harm.

4.0 NEXT STEPS

- 4.1 When information is obtained that gives rise to a reasonable cause to suspect that child(ren) are currently at risk of abuse and neglect, practitioners have a duty to report by referring the case to Children's Services by telephoning the Multi-Agency Safeguarding Hub and following up in writing by submitting a C1 (Report Form) within 2 working days.

CWM TAF SAFEGUARDING BOARDS

- 4.2 The same is true for any adults at risk. This should be done by telephoning the Multi Agency Safeguarding Hub (MASH) and following this up in writing by completing the Adult at Risk Report Form (A1).
- 4.3 When it is unclear as to whether any children are currently at risk or the identity of the alleged abuser(s) is unclear, the case should be discussed with the lead person for Safeguarding Children within the practitioner's organisation within 2 working days. It may be possible to work with the service user over a more extended period of time to empower them to reveal/remember more details and/or proceed with a formal disclosure/complaint.
- 4.4 Practitioners should be aware that disclosure of abuse allegations to the Police or Social Services and the subsequent actions taken may have a direct impact on the adult making the disclosure and their engagement with the services they are accessing. When there is any doubt as to how to proceed, the lead person for Safeguarding Children within the practitioner's organisation should be consulted. The outcomes of any discussions must be recorded in the case record, together with any resulting action plans.
- 4.5 Measures to protect the adult, who has made the disclosure should be addressed as part of the multi agency planning of the investigation.

5.0 SUPPORTING THE ADULT TO MAKE A COMPLAINT TO THE POLICE

- 5.1 Practitioners may wish to support the adult facilitate this process by being present in an initial telephone call with the Police.
- 5.2 Practitioners can contact the Police themselves to ask for advice on what action to take by dialling 101. The Police will provide guidance on what information is required in order for the complaint to be investigated.
- 5.3 Any police involvement in an investigation will depend on a number of factors, which will include the adult's wishes and the protection of the public.
- 5.4 The Police will share the information with Children's Social Services in order to determine the next steps and to also establish if there is any information available regarding the alleged perpetrator, and the likely risk to children currently having contact with them

6.0 SUPPORT FOR THE INDIVIDUAL

- 6.1 A Referral to New Pathways can be made with the consent of the individual. New Pathways is a registered charitable company that provides a range of specialist counselling and advocacy services for women, men, children and young people who have been affected by rape or sexual abuse whether current or historical. They have many years of experience and are widely regarded

CWM TAF SAFEGUARDING BOARDS

throughout the UK as a leading organisation in this field. New Pathways also provide support for victims who do not wish to report to police.

6.2 The contact details are as follows:

New Pathways, 11 Church St, Merthyr Tydfil CF47 0BW
Telephone: 01685 379310

7.0 REPEATED DISCLOSURES

- 7.1 Practitioners should not assume that abuse that has previously been disclosed and/or investigated automatically discounts the possibility of a child being currently at risk.
- 7.2 The possibility that any children are currently at risk should be considered with the adult and the results of these discussions must be documented.
- 7.3 In circumstances where allegations have already been disclosed/ investigated and there is no evidence of any current risk to children, the need for further action should be discussed with the police 101, Children Services via MASH if there is any doubt surrounding current safeguarding issues.
- 7.4 When the alleged perpetrator is deceased, professionals should still consider whether any others involved in the alleged abuse may still present a safeguarding risk. The results of these considerations must be documented in the adult's record and reported.
- 7.5 The provision of pre-trial therapy should be carried out in compliance with the CPS guidance which can be found at www.cps.gov.uk