

Case 06 Issue 39 – Child sexual abuse		LEARNING THE LESSONS
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Responding to allegations of child sexual abuse of an autistic child

Officer responds to the concern for welfare of an autistic child, raising issues about:

- *Training for officers and staff around communicating with people with neurodiversity*
- *Missed lines of enquiry*
- *Carrying out intelligence checks and risk assessments*
- *Submitting Multi Agency Referral Forms*

This case is relevant to the following areas:



Overview of incident

Mr A called police via 101 in the early hours of the morning to report concerns about his neighbour's children who lived several doors down from him. Mr A said he wished to remain anonymous.

Mr A told the police he was concerned that the neighbour's five year old son was sharing a bed with his mother's uncle, Mr B. Mr A said he had been told this by the boy's mum and dad. Mr A also told the police he believed another child, an eight year old, shared a bed with the grandmother. Mr A said the parents treated the five year old boy "worse than a dog" and he had reported them to social services. He also said he believed the family took drugs and there were drugs around the property. Mr A told the call handler the adults at the property had a criminal record for "grievous bodily harm".

The call handler categorised the call using the tags "vulnerable child/young person" and "mental health". The call handler also performed a search for the named family members on force intelligence systems and completed a THRIVES (Threat, Risk, Harm, Investigation, Vulnerability, Engagement, Safeguarding) risk assessment. The call handler noted on the risk assessment the five year old boy was potentially being treated "badly" so there was possible harm occurring. She noted it would be appropriate for morning shift officers to go to the address.

The call handler transferred the incident log to the crime allocation team. The crime allocation team carried out research on force intelligence systems, confirming the names of both parents.

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There was no mention made on the log of any warning markers or other intelligence linked to the parents. There was no evidence of any research on Mr D, the uncle. The crime allocation team transferred the log to local division officers.

PS C endorsed the log the following morning recording the following actions should be taken by officers:

- carry out a welfare check on the child
- find out who was living at the address
- conduct background intelligence and Police National Computer checks
- assess living conditions and report any concerns
- submit a Multi Agency Referral Form (MARF) if any concerns were noted

PS C made no specific mention that the concerns were in relation to the uncle, Mr B, in his instructions.

Working Together to Safeguard Children (2018): strategy discussion

Whenever there is reasonable cause to suspect that a child is suffering or is likely to suffer significant harm there should be a strategy discussion involving local authority children's social care (including the residential or fostering service, if the child is looked-after), the police, health and other bodies such as the referring agency. This might take the form of a multi-agency meeting or phone calls and more than one discussion may be necessary. A strategy discussion can take place following a referral or at any other time, including during the assessment process and when new information is received on an already open case.

Find out more:

<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

PC D went to the address a couple of days later. He recorded he had spoken with the parents who lived at the address with their five children, one of whom was autistic. He recorded the house was clean and there was food. He also noted the grandmother, who also lived at the property, shared a bedroom with the oldest child on two single beds, and the parents occasionally shared a bed with one of the children because he was autistic. He recorded there was no evidence of drug use at the house and he had no concerns about the welfare of the children.

PC D told the IOPC he spoke with two of the children at the address, away from their parents. He specifically spoke to them about who lived at their house and "if anyone else had sleepovers at the house". He also said he tried to speak to the five year old boy, but was unable to as he was "very clingy with his mother". The boy was described by his mother as being autistic, which may have made it more difficult for him to communicate with PC D.

College of Policing Authorised Professional Practice (APP) – child abuse – establishing the welfare of the child

Seeing and speaking to the child

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Where there is concern for a child, every effort must be made to see and speak to them and any other children present or who normally reside at the premises, to establish that they are unharmed and not at future risk of harm. Officers should do this at the point of initial contact.

Officers need to communicate with children in a way that is appropriate to their age, understanding and preferred manner of communication. Officers should avoid questions that are leading and suggestive, but should not allow themselves to be deterred from speaking to a child by concerns over compromising a formal investigative interview in the future. Officers should make a record of the content of the conversation, the timing, setting and people present. See also [Achieving best evidence in criminal proceedings \(ABE\) interviews with children and special measures](#).

There is no legal requirement for a parent or other adult to be present, or to give consent for an officer to talk to a child in order to establish the child's welfare at the point of initial contact. In cases where the officer suspects that an adult who is present may have had some involvement in the abuse, a request should be made to speak to the child separately. For information on consent prior to conducting ABE interviews with children see [consent to an ABE interview with a child](#).

Find out more:

<https://www.app.college.police.uk/app-content/major-investigation-and-public-protection/child-abuse/concern-for-a-child/#seeing-and-speaking-to-the-child>

The incident log indicated PC D did not carry out intelligence checks. It also indicated he did not submit a MARF.

The force crime recording and allocation policy stated officers should complete a THRIVES risk assessment. This was not done by PC D after his visit to the address.

The IOPC identified a potential missed line of enquiry. PC D did not take an account from Mr A, the neighbour who initially reported concerns. PC D stated he did not visit Mr A in person because he asked to remain anonymous. PC D said he did not call the neighbour either. He did not do this because he had addressed the issue of co-sleeping in his visit to the address.

PC D transferred the log to the crime records bureau team for their attention. The task was picked up by staff member Mr E. Mr E later closed the incident log, noting there had been no arrests or cautions of a suspect.

Around 10 months later the mother of the young boy contacted police on 101 to report her son had told his grandmother that Mr B, his great uncle, had sexually assaulted him.

The report was investigated as rape of a child under the age of 13. Both the five year old child and Mr B were questioned. Around seven months later it was confirmed no further action was being taken by the Crown Prosecution Service over the rape allegations.

The IOPC was satisfied the force had suitable training measures in place and issues arising from this case involved the conduct of a single officer.

National Police Autism Association

The National Police Autism Association (NPAA) supports members of the UK police and criminal justice community with an interest in autism and related conditions.

Membership of the NPAA is free and open to all UK police officers and staff, including special constables, PCSOs and police volunteers. We welcome personnel from all territorial and national police forces including the Civil Nuclear Constabulary, Ministry of Defence Police and the Police Service of Northern Ireland.

We provide personal support to police officers, staff and volunteers through our network of champions (NPAA Coordinators) in UK police forces. The role involves being a point of contact for any colleague needing confidential support, and helping to moderate our web forum. Forces may have a single coordinator, or a lead coordinator and a team of deputies.

We also host the Police Neurodiversity Forum, moderated by our team of coordinators. Members can discuss workplace, personal, family and public service delivery issues; share experiences and offer mutual support, in a supportive and confidential environment.

We welcome discussions and questions around neurodiverse conditions (autism, dyslexia, dyspaxia etc.) and anything else! The forum is searchable and also serves as a knowledge base, with information on the conditions we support and links to external resources.

Find out more:

<http://www.npaa.org.uk/>

Type of investigation

IOPC independent investigation

Findings and recommendations

Local recommendations

Finding 1

1. PC D did not obtain an account from the young boy who was the subject of the concern for welfare, in part because the boy had autism and the officer was unsure how to communicate with him.

Local recommendation 1

2. The IOPC recommended the force should provide further training to officers on taking accounts from witnesses with neurodiversity or other 'hidden' disabilities.

Response to the recommendations

Local recommendations

Local recommendation 1

1. The force accepted the IOPC's learning recommendation that officers receive training on autism and other hidden disabilities.

Outcomes for officers and staff

PC D

1. PC D received management action in respect of the allegations he:
 - failed to conduct intelligence and PNC checks on adults at the address
 - failed to submit a Multi Agency Referral Form (MARF)
 - failed to speak to the reporting person to gain more information
 - failed to specifically address the issue of the child co-sleeping with the great uncle

Questions to consider

Questions for policy makers and managers

1. What guidance does your force give to officers on when and how to access specially trained staff or other support where they need to take accounts from vulnerable young people?
2. What process does your force have in place for making sure each line of enquiry is complete?
3. What steps has your force taken to make sure officers and staff are aware of the Working Together to Safeguard Children guidance and the principles it contains?
4. What training or guidance does your force provide to officers and staff on completing risk assessments and what steps do you take to ensure they are completed?

Questions for police officers and police staff

5. Would you routinely speak to social care to see if they have any concerns before responding to a similar report?
6. When you became aware the boy was autistic, what steps would you have taken to identify any specialist resources to enable you to communicate with him?
7. Would you have ensured an appropriate adult was present before speaking to the children?
8. What other questions would you have asked and what further action would you have taken to make sure the children were not at risk?

Working Together to Safeguard Children (2018): police

All police officers, and other police employees such as Police Community Support Officers, are well placed to identify early when a child's welfare is at risk and when a child may need protection from harm. Children have the right to the full protection offered by criminal law. In addition to identifying when a child may be a victim of a crime, police officers should be aware of the effect of other incidents which might pose safeguarding risks to children and where officers should pay particular attention. Harm may be indirect and non-physical as, for example, in the case of some domestic abuse which may involve controlling and coercive behaviour and economic abuse. An officer attending a domestic abuse incident should be aware of the effect of such behaviour on any children in the household. Children who are encountered as offenders, or alleged offenders, are entitled to the same safeguards and protection as any other child and due regard should be given to their safety and welfare at all times. For example, children who are apprehended in possession of Class A drugs may be victims of exploitation through county lines drug dealing.

The police will hold important information about children who may be suffering, or likely to suffer, significant harm, as well as those who cause such harm. They should always share this information with other organisations and agencies where this is necessary to protect children. Similarly, they can expect other organisations and agencies to share information to enable the police to carry out their duties. All police forces should have officers trained in child abuse investigation.

Find out more:

<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>