

# Safeguarding Bulletin

**Safeguarding disabled children and adults at risk.**

**ann craft trust**  
acting against abuse

**July 2019**

**Issue 108**

Bringing you the latest research and news on safeguarding disabled children and adults at risk.

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# Ann Craft Trust Safeguarding Bulletin

**July 2019**

Issue 108

## In this issue

**Page 6 Editors Note**

By Deborah Kitson

**Page 7 8 Years After Winterbourne, Why Have We Failed to Transform Care?**

By Deborah Kitson

**Page 11 Introducing Safeguarding Matters—A New Podcast From the Ann Craft Trust**

**Page 14 National Safeguarding Adults Week 2019**

**Page 17 We Matter Too—Disabled Young People and Domestic Abuse**

By Sarah Goff

**Page 20 Working Here Means I Can Sleep At Night**

By Steve Scown, Group Chief Executive, Dimensions

**Page 23 Far Less Than They Deserve**

**Page 24 Hot4TheSpot—Think Before You Share Your Photos**

By Sophie Benson, Freelance Writer & Stylist

**Page 26 Safeguarding Adults in Sport Framework Now Live**

**Page 30 Say Hello to Laura Thorpe, Our New Safeguarding Adults in Sport Manager**

**Page 31 The Welsh Sport Safeguarding Hub**

By Ieuan Watkins, Safeguarding Adults in Sport Manager, Wales

**Page 33 Safeguarding Adults in Sport—DBS & You**

By Linda Hackett, Safeguarding Outreach, DBS

# **Ann Craft Trust Safeguarding Bulletin**

**July 2019**

Issue 108

**Page 39 Have Your Say—Safeguarding Adults in Sport and Activity Project**

By Dr. Anne Patterson, University of Nottingham

**Page 40 Safeguarding News Roundup**

**Page 43 Research & Resources**

**Page 47 From the Vault:**

Social Workers Must Beware the Increasing Criminalisation of Vulnerable Adults  
Samuel Mithran, Issue 85, October 2013

## Editor's Note—Deborah Kitson, CEO

**Welcome to Edition 108 of the ACT bulletin. I hope you have all been enjoying the sunny weather and also the amazing sport that has been on our screens in recent weeks .**

To all those who think cricket is not the most exciting sport – you should have watched the World Cup final! The political agenda has also had its interesting moments recently and we wait to see what the future holds – we have an interesting Halloween ahead.

This bulletin has a number of interesting articles and includes news on consultation and reviews from the last quarter. We could not fail to mention in this bulletin the shocking Panorama programme that was aired in May eight years after they featured the abuse at Winterbourne that we had hoped would make such a difference. Once again we hear apologies and promises but I think it is the responsibility of us all to take every opportunity to keep this on the agenda of those who can influence and effect change.

We have also included news about the launch of our research 'We Matter Too' funded by Lloyds Bank Foundation looking at the domestic abuse of young people with learning disabilities. This was held at Portcullis House in London and was attended by both Sarah Champion, MP and Jess Phillips, MP who are so supportive of this work.

We have more news about our second National Safeguarding Adults week in November (18<sup>th</sup> – 24<sup>th</sup>) including its key themes and an invitation to you all to sign up to participate in the week and to attend the ACT seminar on 21<sup>st</sup> November in Birmingham.

We have details about ACT training and also our new podcast series entitled 'Safeguarding Matters'. You can access these podcasts and a range of new resources on our website and we would welcome any thoughts about future podcasts that would be relevant and useful.

In this bulletin we also have an article by Linda Hackett about DBS and Safeguarding in Sport and an article from the Metro looking at the issue of photos and consent. We also meet Laura Thorpe, ACT's new Safeguarding Sport Managers and we have news from Ieuan in Cardiff as well as information about recent news and our regular article from the Archives.

I hope that you will enjoy this edition and please get in touch if you would like to contribute to future editions of the bulletin or if you have any questions about the Safeguarding Week and the future work of ACT – we are always pleased to hear from you.

*DM Kitson*



# 8 Years After Winterbourne, Why Have We Failed to Transform Care?

By Deborah Kitson



## What Really Happens Behind Closed Doors?

A shocking episode of Panorama revealed that there's still so much work to be done.

The May 22 episode of BBC Panorama was titled "Undercover Hospital Abuse Scandal".

Secret footage from inside Whorlton Hall, a hospital for vulnerable adults, showed patients mocked, taunted and intimidated by abusive staff. Reporter Olivia Davies filmed staff deliberately provoking and physically restraining patients with autism and learning disabilities.

Eight years ago I wrote this short piece following the Panorama programme that revealed the abuse at [Winterbourne View](#):

Nobody would disagree that the poor practice and abuse at Winterbourne View was disgraceful and the more so when carried out by those appointed to offer care and support for vulnerable adults.

The Panorama programme revealed this appalling abuse and opened the eyes of many to the practices that sadly continue some institutional settings. It is all too easy to assume that these behaviours have disappeared with the new face of community care and the recognition that disabled people in our society share the same rights as others.

The situation at Winterbourne View revealed that so often what goes on behind closed doors does not reflect the practice that is

# Why Have We Failed to Transform Care?

By Deborah Kitson

aspired to in policy. It emphasises the importance that we ensure there are channels to raise concerns, and assurance that concerns will be listened to and acted upon.

## Failure to Listen

There has been much discussion, quite rightly, about the failure in this case to listen to the “whistleblower”. If their concerns had been acted upon promptly these practices would not have been inflicted on the victims over a prolonged period of time, and the perpetrators would have been removed from working with vulnerable people.

But there is another factor to consider here if we are going to be sure that concerns will be raised. The “whistleblower” has to be confident that they will be supported and not, as so often happens in these cases, victimised themselves.

Too often we hear from whistleblowers about the negative implications experienced by them when they have raised concerns. They are frequently not taken seriously. Some also recounted being ostracised by their work colleagues. They receive no support from the organisation or their managers. They are left with no assurance that they have acted appropriately.

To raise a concern about the people we work with may be the hardest thing that we have to do. Whistleblowers need support and reassurance, so too do those involved.

The Ann Craft Trust research project [“Blowing the Whistle on Abuse of Adults with Learning Disabilities”](#) worryingly revealed that many of those who had done so in the past said they would not do so again, as the experience had been too traumatic. We have to confront this issue if we hope to find out what really goes on behind closed doors.

## Eight Years Later—Has Anything Changed?

The events at Whorlton Hall makes us wonder—has anything changed?

I once wrote a piece entitled “when will we ever learn?” I would add to that “when will we ever listen?” There has been much talk about addressing these hospital scandals. But there is little evidence to date that anything has really changed in the last eight years.

The latest Panorama exposé raised some important questions:

- Why do we still think it is acceptable to offer “care” in institutions such as these?
- What safeguarding structures were in place at the service, and why did they fail?
- Why do some people get such enjoyment from abusing the people they are employed to care and support?

[Once again we hear that the government is “deeply sorry”](#) about what has been happening. They claimed they were putting



# Transforming Care

By Deborah Kitson

“

*Beyond warm words of  
“commitment” there is no  
evidence of widespread action  
that makes a difference.*

”

plans in place to deal with the issue. But of course, within just a few days they focused their attention back to Brexit and the European elections.

## “They Do Not See Them As Human Beings”

The May 22 episode of Panorama understandably generated a huge response.

The Challenging Behaviours Foundation was one of a few organisations to post a response to their website:

“As a society we are shocked to see and hear it on TV, yet it appears that those who are in positions of power and influence to drive change are incapable of doing so.

“People with learning disabilities, families and others have been highlighting this failure for years, and there are pockets of really good work from some committed people in health and social care working together with families. But apart from warm words of “commitment” there is no evidence of widespread action that makes a difference.”

[You can read the response in full here.](#)

## What Can We Do?

The Challenging Behaviour Foundation has a great list of resources on their site. They have guides, FAQs, and a long list of helpful contacts and organisations. [Find them here.](#)





## **CSE & the Autistic Spectrum Training—West Riding**

### **Young people with learning needs face higher risks of sexual exploitation**

This training is aimed at workers across all statutory, voluntary and leisure/sport sectors. It will be particularly useful if you work with children and young people with mild and undiagnosed needs in mainstream services. It will also be useful for CSE and disability specialists.

This course aims to bring together practitioners across the sectors to look at how they overlap, and how our practice can develop. You will learn about CSE, and what it means to the child to have a diagnosis or additional educational needs. Find out how they may experience relationships and safe and unsafe situations, and how we can support carers to protect them.

We'll look at good practice in multi-agency work, and you'll confront challenging case studies. Our focus is on the child's needs and experiences, as well as the family as a resource.

#### **When and Where**

19 September, **West Riding** — [Book a Place](#) »

# Introducing Safeguarding Matters— A New Podcast From The Ann Craft Trust



## **We're delighted to announce the launch of our new safeguarding podcast.**

We've called it "Safeguarding Matters," for two reasons. First, we plan to discuss all things safeguarding. Second, safeguarding certainly does matter!

Each episode your host, Nicola Dean, will meet with a special guest to chat about some aspect of safeguarding.

We've already got an exciting selection of guests lined up for the next few episodes. And we've got a long list of people we want to talk to, and topics we want to discuss!

Do you work in safeguarding? Whether with adults, children, or in sport, we'd like to hear from you! If you want to appear on our podcast to bring light to an issue close to you, [get in touch](#).

[You can find all episodes of our podcast to date here.](#)

So far we've produced three episodes of Safeguarding Matters.

## **Safeguarding Matters Episode 1—Who Was Ann Craft?**

To kick off our new podcast series, Nicola spoke



# Introducing The Safeguarding Matters Podcast

to ACT CEO Deborah Kitson. They talk about Ann, her values, and her legacy. It's a warm chat about the history of ACT and our hopes for the future.

[Listen here.](#)

## Safeguarding Matters Episode 2—Live From the Launch of the Safeguarding Adults in Sport Framework!

The Safeguarding Adults in Sport Framework is an audit tool designed to enable sports organisations to have their safeguarding policy and practices assessed against a national safeguarding standards framework. You can read more about it elsewhere in this bulletin.

In this episode, Nicola spoke to some of the organisations who took part in the pilot stage

of the Framework project. They talk about their experience in completing the Framework, exploring what safeguarding means to them, and offering some great advice to anyone looking to complete the Framework in the future.

[Listen here.](#)

## Safeguarding Matters Episode 3—The 2019 Safeguarding Adults in Sport and Activity Seminar

In the wake of our annual Safeguarding Adults in Sport and Activity Seminar, Nicola and the ACT safeguarding adults team reflected on a successful day, while taking the time to welcome Laura Thorpe, our new Safeguarding Adults in Sport Manager.

[Listen here.](#)





## **Safeguarding Adults at Risk Training for Managers— Nottingham**

### **This open training will explore the roles and responsibilities of managers in terms of safeguarding adults at risk (Level 3)**

We'll explore the key changes within safeguarding as part of the Care Act. The course will also look at the Mental Capacity Act in relation to safeguarding.

You'll be encouraged to identify where the challenges are, and to seek solutions towards implementation in practice.

The course will cover best practice and the expectation of regulators. We'll also share the lessons we've learned from safeguarding adult reviews.

#### **When and Where**

24 September, **Nottingham** — [Book a Place »](#)

# National Safeguarding Adults Week

**18–24 November 2019**

## **National Safeguarding Adults Week 2019 will take place 18–24 November.**

For the 2019 National Safeguarding Adults Week, we're collaborating with The SAB Manager Network and The University of Nottingham.

We aim to create a time where we can all focus on safeguarding adults – so we can be better, together.

We'll be releasing new resources and information about each in the build up to the week.

### **Key Themes**

Each day of the week we'll focus on a different safeguarding theme:

- Modern Slavery
- Self Neglect
- Domestic Abuse
- Transforming Care
- Safeguarding Adults in Sport and Activity

**Let everyone know you're supporting National Safeguarding Adults Week 2019 – [Download and print your National Safeguarding Adults Week Poster.](#)**

### **Raise awareness of key issues facing adults at risk**

Help us raise awareness. Each day will focus on a different key issue from forced



# Want to Get Involved in Safeguarding Adults Week 2019?

## Some ideas for your organisation

marriage to disability hate crime. You can help by:

- Learning about the key issues from our resources and information
- Share the resources within your organisation and to the people you support

Use the **#SafeguardingAdultsWeek** hashtag on social media to share our resources and let us know what you're doing

### Run safeguarding events and training

You can use the National Safeguarding Adults Week to:

- Identify key safeguarding issues and share these with your staff and people you support
- Run an event or training session in your organisation to get you all up to date on the latest safeguarding news and updates
- Understand your responsibilities in safeguarding adults at risk
- Take time out to assess your policies and practices

### Come to the Ann Craft Trust Annual Safeguarding Seminar & AGM

Like last year, we're running our seminar to coincide with the week. The seminar

will include best practice guidance and research focusing on each of the topics covered in the week.

The seminar will take place on Thursday November 21 at TouchBase Pears in Birmingham. You'll find details, including a link to sign up, on the next page.

### Encourage an open discussion

Safeguarding adults is the responsibility of all organisations. True open discussion is needed to get it right.

We want to encourage participation from all organisations, from sports to health care providers. We want to encourage discussion about these issues with everyone they support.

# Annual ACT Safeguarding Seminar & AGM 2019

**Thursday 21st November 2019**

TouchBase Pears, Birmingham

Join us for our annual ACT Safeguarding Seminar in 2019 for the latest guidance and best practice in safeguarding adults at risk.

**PLEASE NOTE – This year’s seminar is NOT taking place at the University of Nottingham! This year, we’ll meet at the [TouchBase Pears Centre](#) in Birmingham.**

## About the Day

**Location:** The Buzz, TouchBase Pears 750 Bristol Rd, Birmingham B29 6NA.

**Time:** 9.45am (for a 10:00am start) to 4:00pm

**Tickets:** £99 per person.

We’ll reveal more details of the agenda and speakers closer to the day.

[Book Your Place >>>](#)

## **We Matter Too! Disabled Young People & Domestic Abuse**

**Sarah Goff**—Development Manager – Safeguarding Disabled Children Services



**We Matter Too! is a project that addresses the needs of disabled young people facing domestic abuse.**

The project was funded by the [Lloyds Bank Foundation](#) as part of a series of projects looking at domestic violence.

It explored gaps in domestic abuse service provisions and awareness of practitioners working with disabled young people, as identified by [SafeLives](#) and [Women's Aid](#). ACT, in partnership with Anita Franklin at Coventry University, carried out work that specifically addresses the needs of young disabled people.

We sought the views of young people and of staff working in domestic abuse services. So we invited disabled young people to explore their understanding of domestic abuse, disability, and services. We asked for their opinions on how to support the development of positive practice.

As part of the project, we have spoken to a range of young people both individually and in groups.

We interviewed more than 30 practitioners from a wide range of national, strategic and front-line services focusing on disability and domestic abuse.

# We Matter Too! Disabled Young People & Domestic Abuse

“

Disabled young people face 3.4 times more risks of harm and abuse.

*So what would 3.4 times more work look like to keep them safe?*

”

## Goals and Aims

The We Matter Too! project aims to:

- Improve responses to young disabled people who are experiencing domestic abuse.
- Make disabled young people safer, and improve practice.
- Change cultures and help workers to challenge.
- Help young disabled people recognise their rights to safety, and to access the help they need when they are not safe.
- Give a voice to the experiences of young disabled people.

## Why This Matters

Disabled people are twice as likely to

experience domestic abuse than non-disabled people. But they are less visible in services.

Disabled young people face 3.4 times more risks of harm and abuse. So what would 3.4 times more work look like to keep them safe?

We want to help all professionals reflect on the extent to which their services address the abuse of disabled young people in relationships. We're inviting you to think about the role you can play to help disabled young people learn about healthy relationships, and their rights to help and support.

This is an exciting opportunity to raise awareness of the increased risks of domestic abuse faced by disabled young people. The practice research explores the links between abuse in and outside the home. It also touches on themes including isolation, dependence, power, and control.

## We Matter Too! Parliamentary Launch

We launched our We Matter Too! Project at Portcullis House, Westminster, on 2 July 2019.

Sarah Champion, MP for Rotherham, hosted our launch. She has worked tirelessly to address sexual exploitation

and abuse.

Other speakers included:

- Jess Phillips, MP
- Jane Evans, SafeLives
- Fay Maxted, Survivors Trust
- Lisa Scivetti, manager, refuge for women with learning disabilities
- Sue Ready, NIDAS

Sam Baker of Sign Health signed her presentation on behalf of Deaf Hope, who work with deaf young survivors of domestic abuse.

We hope the project will encourage discussion and debate about policy, adult –children’s service collaboration, front-line practice and reach.

We want to start a conversation about how services can become more accessible to marginalised young people.



**Sarah Champion** ✓

@SarahChampionMP

Follow



Fascinating but disturbing report by [@AnnCraftTrust](#) on domestic abuse & disable children. One question stuck with me; if you need to flee abuse & have a disabled child is there an appropriate refuge? No, due to relentless cuts - so you'll probably stay put



# Working Here Means I Can Sleep at Night

## Steve Scown, Group Chief Executive, Dimensions

**Together with my fellow Exec Team members, I have been criss-crossing the country over the last few weeks attending meetings to seek the views of colleagues about our next five-year strategy.**

One of the questions we have asked people at these meetings is what is it that they most value about working for the Dimensions Group.

There have been a wide variety of

answers but, as one might expect in an organisation like ours, many have focused on the people we support and the opportunities we have to make a positive difference to people's lives.

After all, the people we support are always our bottom line – they are at the heart of everything we do, whatever our own particular role might be.

The thing I most value about being part of Dimensions is our culture. Why do I say that? Because I know we have a Group-

wide deep-rooted commitment to transparency.

This means colleagues understand that part of their role is to challenge bad practice, and that when something goes wrong – such as a 'Never Event' – it's

shared and reviewed, not ignored and hushed up.

As an organisation we are working really hard to make sure we learn from everything we do and try. Our

transparency helps us be confident enough to

admit that we don't always get things right and, unfortunately, mistakes will happen.

So, to put it candidly, when I go to sleep at night I do so content in the knowledge that we're not ignoring crises or problems.

### **Transparency Matters**

This theme of transparency was highlighted by a number of speakers at our second national safeguarding summit held in Theale in June.

In an excellent introduction, the

“

*The people we support are always our bottom line – they are at the heart of everything we do, whatever our own particular role might be.*

”



# Working Here Means I Can Sleep at Night

## Steve Scown, Group Chief Executive, Dimensions

“

*237.4 million medication errors were recorded across the health and care sector in England last year.*

”

independent chair of our Safeguarding Panel, former chief constable Richard Crompton, explained that a really good organisation “embraces doubt” and metaphorically holds up a mirror to itself. Such a culture reduces the possibility of us becoming an organisation focusing just on positives and ignoring what’s not good enough.

In a similar vein, Deborah Kitson, CEO of the Ann Craft Trust, spoke about the importance of ensuring an organisation’s visible and invisible culture are in tune. This is absolutely vital. The point has already been made that this was clearly not the case at Whorlton Hall, the subject of the recent shocking Panorama exposé. I’m sure you won’t have forgotten the scene in which members of staff were

recorded standing in front of a wall covered with large words such as ‘respect’ and ‘caring’ while they chatted about different ways to control people.

We all know there are, and there always will be, ways we can improve how we support people and it’s crucially important that we keep this in our thinking so that we don’t become complacent.

### **Medication as a Never Event**

As I write this blog on a train into London, I’ve just read an Incident Alert about a medication overdose in one of our services over the weekend. It was the honesty of our colleagues in that service that illustrates my belief about our transparent culture.

One of our ‘Never Events’ concerns medication – if everything is done properly “no-one will suffer adverse consequences or serious harm from failure to administer prescribed medications appropriately or from receiving the wrong medication”.

While it’s too early to tell if the incident I read about this morning will become a Never Event, it is an example of something

# Working Here Means I Can Sleep at Night

## Steve Scown, Group Chief Executive, Dimensions

we are all too well aware of – we are making too many medication errors.

Our Safeguarding Summit heard that 237.4 million medication errors were recorded across the health and care sector in England last year. 99 million of these were in care homes, and 400,000 had the potential to cause severe harm.

I was shocked when I heard these figures and it reinforced to me that Dimensions is not the only organisation struggling to get this right. But just because we're not the only one doesn't make it all right; and it doesn't mean we should stop trying to improve.

Within the Dimensions Group we are going to up our efforts to prevent medication errors, including launching new clearer policies and procedures and a dedicated intranet page for resources. This is a good example of what I said earlier – we know we must do better and so we'll try our hardest to do just that.

Working together we're achieving fabulous things every day for the thousands of people we support. As well as keeping this great support work going, it's also part of our culture to try and

“

*There always will be ways we can improve how we support people and it's crucially important that we keep this in our thinking so that we don't become complacent.*

”

improve tomorrow what we did today. And ultimately that's why I feel so proud to be a part of the Dimensions Group.

**This article originally appeared as the Dimensions “Message From Steve”, No. 11, July 2019. It is reprinted with permission.**

**[You can read the original here, along with further updates from Steve.](#)**

# Far Less Than They Deserve

## Far less than they deserve

Children with learning disabilities or autism living in mental health hospitals

MAY 2019

**Far Less Than They Deserve is a new Children's Commissioner Report about children with learning disabilities or autism living in mental health hospitals.**

The report reveals that too many children are unnecessarily admitted to secure hospitals.

In some cases children spend months and years of their childhood in institutions when they should be in their community.

The report warns that the current system of support is letting down some of the most vulnerable children in the country. There is shocking evidence of poor and restrictive practices and sedation.

Some children told the Children's

Commissioner of how their stay in mental health hospitals has been traumatic. Parents too often feel powerless to intervene.

Children's Commissioner Anne Longfield wrote a foreword to the report in which she discussed the "nightmare" situation faced by many families:

"I will never forget the stories I heard from mums and dads with children in these units. Some of them have a child locked away in a series of rooms for months. Others have to listen as they are told by institutions that their children have had to be restrained or forcibly injected with sedatives. They feel powerless and, frankly, at their wits end as to what to do."

[You can read the report in full here.](#)

## Hot4TheSpot? Think Before You Share Your Photos!

**Sophie Benson—Freelance Writer and Stylist**



### **A Viral Social Media Campaign Raises a Vital Point About Our Shared Responsibility for Safeguarding.**

If you've been anywhere near the internet recently – or anywhere outside your own home, for that matter – it's likely you've seen the Zara dress that's gone viral. A floaty, white tiered midi dress printed with black polka dots, the £39.99 fashion hit has spawned countless articles in fashion magazines and newspapers and it now has its very own Instagram account too.

[Hot4thespot](#) is a self-described 'safe space for the dress' which invites its followers to submit photographs of people wearing the dress via direct message. Some of the photos are sent in by people who own the dress, happily posing and

knowingly in on the joke. Many, however, are of unsuspecting women in the street, snapped and shared without their knowledge and consent. Those who submit the photos are tagged but no credit, or thought, is given to the anonymous subject.

It's not the first time an Instagram account like this has appeared.

[Leopardprintmidiskirt](#) has gained almost 5,000 followers by sharing images of women wearing the equally popular Réalisation Par 'Naomi' skirt, while [Thatcoat](#) documented sightings of another of Zara's viral sensations, a blue and white woven coat. Photos on these accounts are often taken from afar, as the photographer surreptitiously captures the women as they cross the street, walk through the

## Hot4TheSpot? Think Before You Share Your Photos!

### Sophie Benson—Freelance Writer and Stylist

supermarket or hang out with friends. Occasionally faces are cropped out, blurred or covered with emojis but this attempt at protecting privacy means nothing when it's already been violated, and I would know.

I'm someone who likes to dress my own way. I don't think I dress in a particularly outrageous manner, but I get that my clashing outfits can sometimes draw looks from passers-by. I can deal with that, but all too often those looks turn into what people think are subtly taken photographs.

Too many times, I've looked up to see a young man in a car snapping away on his phone while his mates laugh, or someone quickly put their phone away when they know they've been spotted. Sometimes they don't even care that I've seen them and just laugh, knowing they hold the power in the situation.

Feeling humiliated, I don't have the courage to go up to them and question their behaviour or demand they delete the photos, so instead, I walk off, embarrassed and anxious about where the photos might end up. I wonder whether they'll share them online or send them on to more people. Once the photos are taken, I have no say over how they're used or who sees them, leaving me in a vulnerable

position. Unfortunately, there's not much I or anyone else can do about someone taking a photo without consent.

"Despite what many people seem to think, there's nothing in UK law to say that it's illegal for strangers to take photos of others," Deborah Kitson, CEO of Ann Craft Trust, a leading authority on safeguarding, explains. "The law only comes into play if the photos can be classed as 'indecent' but there are risks associated with any image of anyone appearing online. People should always be consulted about the use of their image, and they should always give consent to it being used."

Sadly, most people aren't given the opportunity to consent and accounts such as Hot4thespot simply fuel the culture of seeing people in the street as fair game. Women have enough to worry about when they're in public; catcalling, up-skirting, being followed, being harassed, being grabbed or touched. They don't need the added anxiety of wondering whether someone might be photographing them with the intent of sharing it with thousands of people.

**A version of this article originally appeared in the 7 July 2019 edition of Metro. It is reprinted with the author's permission. [You can read the original article here.](#)**



# The Safeguarding Adults in Sport Framework is Now Live!



**We officially launched our new Safeguarding Adults in Sport Framework tool with a lunch event at the University of Nottingham.**

ACT CEO Deborah Kitson introduced the proceedings. ACT's Lisa Curtis and Nicola Dean, who were both instrumental in the development of the tool, gave a presentation to explain what the Framework is, and what it's designed to achieve.

We also welcomed representatives from some of the pilot organisations who helped us develop the tool, including Kent Sport, North Yorkshire Sport, The LTA

and Rounders England.

## **What is the Safeguarding Adults in Sport Framework?**

The Safeguarding Adults in Sport Framework is an audit tool. It's designed to enable sports organisations to have their safeguarding policy and practices professionally assessed against a national safeguarding standards framework.

The purpose of the Framework is to develop safeguarding adults standards within the sport and activity sector. We hope to establish and promote best practice, and to support continual



# The Safeguarding Adults in Sport Framework

development.

In attendance at the Framework's launch was Sport England's Alex Moore, who also said a few words. The Framework supports the vision set out in Sport England's [Towards an Active Nation](#), that everyone in England, regardless of age, background or ability, feels able to take part in sport or activity.

The Framework contains six themes. Each theme contains several criteria that require you to submit evidence indicating where and how you meet them.

You'll work your way through the Framework theme by theme, submitting evidence for each criterion. There is a column for you to indicate if you believe you are currently meeting the criteria or not.

Following each theme is a space to write a brief summary that will form part of your action plan. This allows you to indicate any action to be taken where gaps exist, or to indicate your future planned development.

The action points for each criterion will form your overall action plan.

Learn more about what the Framework is,

and how it works, [with this FAQ](#).

## Themes and Criteria

If you know what to expect from the Framework, you can think about what to consider before you begin the process.

Here are the key safeguarding themes the Framework covers:

- Safeguarding governance
- Implementation of safeguarding responsibility
- Training
- Recruitment
- Codes of conduct
- Case management

When working through the Framework, you'll have to submit evidence indicating where and how you meet the criteria.

To help you prepare to complete the Framework, [here are some examples of the evidence you might have to provide](#).

Please note that this list is not exhaustive.

## Assessment and Feedback

Once you let us know you want to complete the Framework, your organisation will receive a login to the online portal from The Ann Craft Trust. You

will then have four weeks to work your way through the Framework.

The evidence you submit will be checked against a set of standardised criteria based on safeguarding legislation and best practice.

We'll review your evidence and action plan. Our assessor will provide a written account to support the action plan and will indicate where you meet the criteria. You will be able to view this when it has been completed through the portal using the same login.

The assessor may contact you for further information during the assessment of your evidence and action plan. Following that, a member of the team will be allocated to support you in achieving your actions.

We've created a flowchart to show how the process works. [Find it here.](#)

### **Want to Complete the Safeguarding Adult in Sport Framework?**

We'll be inviting two organisations a month to take part. You'll be contacted by the Ann Craft Trust and provided with a unique login. This will allow you to log in and out of the Framework, and to save your submission until you are ready to submit.

[Please get in touch if you would like to](#)

[volunteer your organisation.](#)

### **Safeguarding Adults in Sport Framework—Essential Links**

We have a wealth of resources to help you prepare for, and complete, the Safeguarding Adults in Sport Framework:

- [FAQ](#)—What is the Framework, why did we create it, and how does it work.
- [Framework User Guide](#)— From accessing the Framework, to submitting evidence, to forming a plan of action, this is your complete guide to completing the Safeguarding Adults in Sport Framework.
- [Evidence Checklist](#)— Some examples of the evidence you might need to gather and submit to demonstrate how you meet the criteria in the Framework. Please note that this list is not exhaustive.

Finally, to access the Safeguarding Adults in Sport Framework online portal, [head here.](#)



## **Safeguarding Adults Case Management Training**

**This one-day course will explore best practice for Safeguarding Leads in dealing with Safeguarding adults concerns and cases.**

It will address safeguarding legislation, the safeguarding “referral” processes, and disciplinary processes.

The training will include:

- How to create a safer environment
- Defining an adult at risk and abuse
- Understanding types of abuse, and the signs of abuse
- Recognising cause for concern scenarios and understanding when to refer
- Identifying levels of response and exploring your role in the process

This training is ideal for Lead Safeguarding Officers in National Governing Bodies of Sport and Active Sport Partnerships, and other National Sport England funded bodies.

### **When and Where**

10 September, **Nottingham** – [Book a Place](#) »

## Say Hello to Laura Thorpe, Our New Safeguarding Adults in Sport Manager



### **Hello All!**

Here is my first blog to introduce myself as a new Safeguarding Adults in Sports Manager!

I may already have met some of you at the Safeguarding Adults in Sports and Activity Seminar held by ACT at the University of Nottingham. I would like to thank you all for making me feel so welcome. The energy in the room was so positive, and the enthusiasm so evident. I am excited to be part of the sports community. I can see it's going to be worthwhile, not to mention fun!

I have a lot of experience working with adults with learning disabilities and/or mental health problems, primarily in the learning and development sector. The foundations of this has always been in safeguarding and the Mental Capacity Act—my personal favourite! So I like to think I have a lot to offer in these areas.

I'm also well versed in training and presenting, so I'm sure you will hear or see me at an event at some point!

My experience of sporting organisations is not as broad as my knowledge of safeguarding. But during my experience as an associate trainer with ACT, I have been bowled over by the great work that sporting organisations do with the community, in particular with adults who could be deemed at risk. The health, wellbeing and sense of belonging created for participants in your groups, along with the support you give, really is intrinsic when promoting the resilience sometimes needed for an individual to feel safe and included in sport.

I'm really looking forward to finding out more of the great work that organisations are doing. I'm here to help keep raising the profile of safeguarding in adults, to continue the excellent progress already made.



## The Welsh Sport Safeguarding Hub is Now Up and Running!

By Ieuan Watkins, ACT Safeguarding Adults in Sport Manager—Wales



**Based in the Sports Wales National Centre, we're happy to help in all things relating to safeguarding adults and child protection in sport.**

[Click here to read this blog in Welsh.](#)

The Welsh Sport Safeguarding Hub is staffed by three safeguarding experts: Ieuan Watkins (ACT, that's me!), alongside Laura Whapham and Cerri Dando from the NSPCC Child Protection in Sport Unit (CPSU). We have many years of expertise within child protection and safeguarding adults.

While primarily in place to support National Governing Bodies, we're also keen to help

anyone who has a safeguarding issue within Welsh sport.

In particular, we encourage statutory agencies, including the police, the National Probation Service, Safeguarding Boards and Social Services teams to see "The Hub" as their point of contact for sport.

You can contact The Hub on **02920 334 975**. The office is not staffed 24/7. But there is an answerphone facility, so leave a message if you can't get hold of us. You can also email us:

[ieuan.watkins@nottingham.ac.uk](mailto:ieuan.watkins@nottingham.ac.uk)  
[Laura.whapham@nspcc.org.uk](mailto:Laura.whapham@nspcc.org.uk)  
[Cerri.Dando@nspcc.org.uk](mailto:Cerri.Dando@nspcc.org.uk)

# An Update From Our Safeguarding Adults in Sport Manager—Wales

## A Brand New Strategy for Delivering Sport to Wales

Sport Wales has launched a brand new strategy for delivering sport to Wales. It's an exciting and interesting read. The clear intention is to make sport accessible and available to everyone, everywhere.

**Collective Vision**—An Active nation where everyone can have a lifelong enjoyment of sport.

**Collective Mission**—Unleash the benefits of sport for everyone.

You can read all about it here:

[In English.](#)

[Yn Gymraeg.](#)

## Sport NGB Adults at Risk Policy

The Ann Craft Trust has built a new and free downloadable template for Sport NGBs, or anyone else for that matter, to access and use as their own.

Each of the four Home Nations has differing legislation regarding Adults at Risk. So we have built a template to incorporate all four pieces of legislation.

The document is designed to be edited so that it can be made bespoke to each NGB. For example, if an NGB covers England and Wales, the template could be reduced to just those pieces of legislation.

You can download the templates here.

I am particularly grateful to Bowls Wales who assisted in the development of the new template. They were one of the first in Wales to publish their updated procedures. Take a look!

A number of other sport NGBs have this completed or in development. A huge thank you to those who have already completed this work. All sports have a duty of care to those within their structure. So please work toward creating and embedding this important policy within your areas of business.

**For more updates from Ieuan, follow him on Twitter — [@SportSafeguard](#).**

## Free Safeguarding Adults in Sport Training

The Ann Craft Trust in conjunction with Sport Wales is running adults at risk training sessions designed for Sport National Governing Bodies (NGBs).

The training will focus on Safeguarding Adults Welsh legislation so is not suitable for colleagues who only work across England.

## Sport Wales National Centre, Cardiff

**5 September—SOLD OUT!**

**7 October—[Book Your Place](#)**



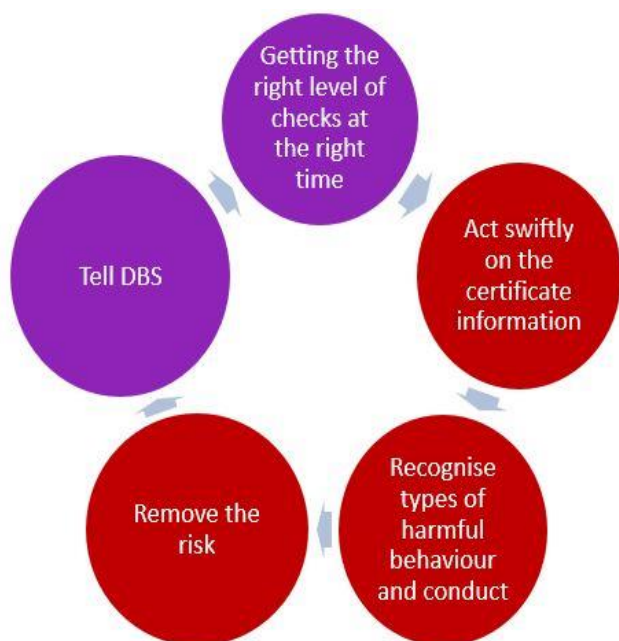
# Safeguarding Adults in Sport—DBS & You

Linda Hackett, Safeguarding Outreach, DBS

## Where do you and DBS fit in the recruitment lifecycle?

Safeguarding is everyone’s business. By working together, we can make a difference.

It’s important to get the right level of checks at the right time. You must recognise the types of harmful behaviour and conduct and work to remove the risk.



But how do you decide what level of check you’re entitled to request for people in your sport organisation?

You need to understand:

- **Who** your organisation provides

services for. Is it children, adults, or both?

- **What** the role involves.
- **How** often it is performed.
- **When** you need to consider if it is supervised work.
- **Where** the role is performed.

There are some different rules for roles in Wales.

There are a number of resources on the DBS site that will help you check your eligibility for requesting certain DBS checks. [Find them here.](#)

## DBS Workforces

The Police Act 1997 (Criminal Records) regulations separate eligibility for enhanced DBS checks into three workforces. The **Child Workforce** is for those who work with children. The **Adult Workforce** is for those who work with adults. The **Other Workforce** covers everything else.

An “Adult” is defined as “a person who is aged 18 or over.”

## Regulated Activity—What is Done for the

## Safeguarding Adults in Sport—DBS & You

Linda Hackett, Safeguarding Outreach, DBS

### Adult and How Often?

These roles only need to be done once for them to be classed as regulated activity:

- **Health Care**—Doctors, nurses, health care assistants.
- **Personal Care**—Washing and dressing, eating, drinking, and toileting.
- **Social Work**—Provided by a social care worker to an adult who is a client or a potential client.
- **Financial Assistance**—With the day-to-day running of the adult's own household, including managing cash, bills, or shopping.
- **Legal Assistance**—Help with the conduct of an adult's affairs, including power of attorney and deputies appointed under Mental Health Orders.
- **Conveying an Adult**—i.e. driving an adult for health, personal or social care due to age, illness or disability.

Day-to-day managers of staff in these regulated activity roles are also

considered to be in regulated activity.

### Regulated Activity with Adults in the Sport Sector

What sort of roles in the sport sector might require this sort of regulated activity?

**Health Care Professionals**—Health care provided by first aiders is only regulated activity if it is provided on behalf of an organisation set up for the purpose of first aid, such as St. John Ambulance. It does not apply to applicants who volunteer to be first aiders alongside their primary role.

**Drivers**—If someone has a contract or arrangement with a third party to drive adults to receive health care, personal care or social work because the adult cannot due to age, illness or disability, then the driver is in regulated activity with adults, even if they only do it once. This does not apply to applicants who are driving adults as part of a private arrangement.

**Managers and Supervisors**—If any person is employed to act as a day-to-day manager or supervisor of someone in regulated activity with adults, then

## Safeguarding Adults in Sport—DBS & You

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they too will be in regulated activity with adults. This means you can request an enhanced DBS check with a check of the adults barred list. It also means you have a duty to refer that person to DBS if you have dismissed them for a safeguarding incident.

### Children in Adults' Sports

All of this guidance will apply if it is anticipated that children are likely to be part of an open-aged sports team.

Consider the following questions:

- Have children been part of the team during the previous season?
- Have children registered to join the team for the forthcoming season?

If the answer to both of these questions is “yes”, then you need to consider if your staff are in regulated activity with children because of what they do.

Here are some examples of regulated activity with children in the sport sector:

- Supervising children on overnight stays
- Sports coaches and therapists
- Pool lifeguards

- Volunteer drivers

### Work With Adults Which is NOT Regulated Activity—The Rules

**Step 1**—The adult must be 18 or over **and** receiving a listed health or social care service, **or** receiving a listed activity set out in legislation.

**Step 2**—The employee must provide one or more of the following activities:

- Train, teach, instruct, provide assistance, advice, or guidance.
- Care for, supervise, provide treatment or therapy.
- Moderate a public interactive electronic communication service.
- Work in a care home.
- Drive adults under contract arrangements.

**Step 3**—The adult must carry out the work often enough.

Also consider, are the adults in receipt of:

- Residential accommodation or sheltered housing.
- Accommodation at a residential special school.

## Safeguarding Adults in Sport—DBS & You

**Linda Hackett, Safeguarding Outreach, DBS**

- Care, needed because of age, illness or disability.
- Healthcare, treatment, therapy or palliative care.
- Support, assistance or advice to live independently.
- Any service provided because of the adult's age, illness, or disability.

### **Working With Adults—The Challenges**

It can be a challenge to establish eligibility for people working with adults. How do you determine if an individual is receiving a health or social care service? What, if any, data protection challenges are there? How do you balance adhering to Adults at Risk legislation and Police Act regulations for accessing enhanced DBS checks for working with adults?

### **Examples for Sports Organisations**

Let's think about the sorts of situations you might have to think about in a sports setting.

A coach for an adults' football team set up specifically for blind people may be eligible for an Enhanced check only if the organisation employing them has a reasonable expectation that most of the

adults are receiving a health care or social care service, and he does it often enough. But if this football team is mostly made up of adults who are not receiving a health or social care service, then the coach could only apply for a Basic check.

On the other hand, a referee in a wheelchair basketball league may be eligible for an Enhanced check. The organisation running the league must have a reasonable expectation that a majority of the adults are receiving a health care or social care service. What's more, the referee's role must include caring for or supervising the players, and they must be doing this often enough. And if the league is mostly made up of adults that are not receiving a health or social care service, then the referee could only apply for a Basic check.

### **Who's Duty is it to Refer to DBS?**

**Regulated activity providers**—that is, employers or voluntary organisations who are responsible for the management or control of regulated activity and make arrangements for people to work in regulated activity.

**Personnel suppliers**— An employment

## Safeguarding Adults in Sport—DBS & You

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business, employment agency, or an educational institution that makes arrangements with a person with a view to supplying that person to employers to undertake regulated activity.

### When Must You Refer to DBS?

You must refer to DBS when two main conditions have been met:

- You withdraw permission to engage in regulated activity, whether through dismissal, redeployment, retirement, redundancy, or resignation.
- You think that the person has either satisfied the harm test, **or** engaged in relevant conduct, **or** received a caution for, or been convicted of, a relevant offence.

### Meeting Your Legal Duty to Refer

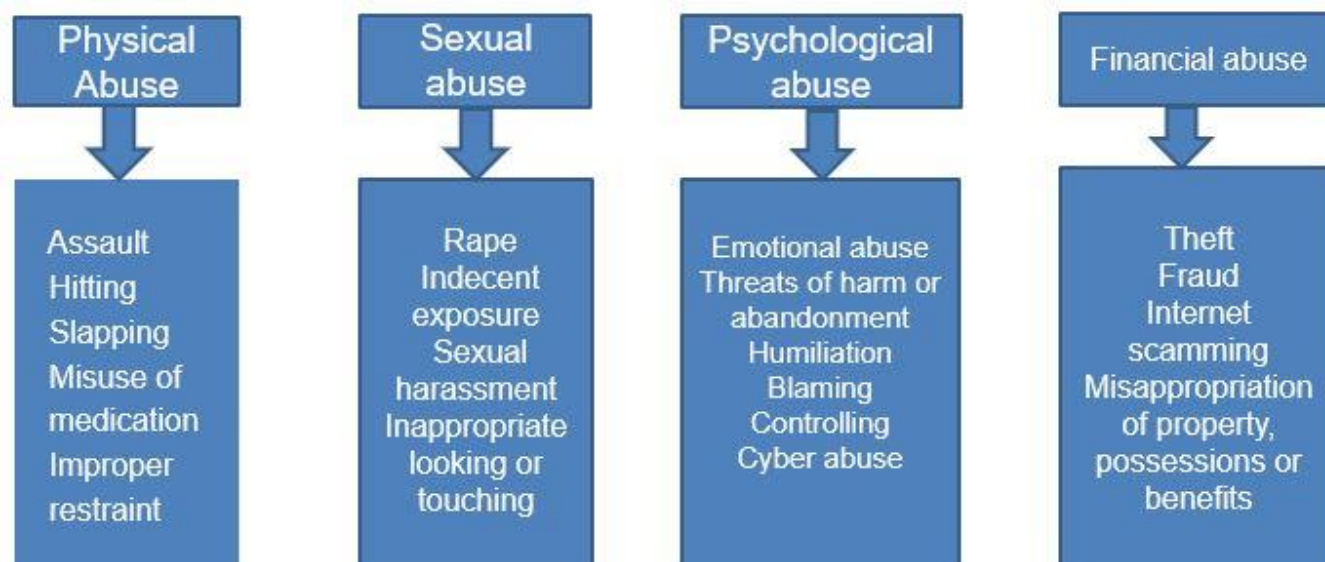
What does a good quality referral look like?

It's **timely**—you need to balance the need for a swift response with the need to gather sufficient documentary/ supporting evidence.

It's **accurate**—you need to complete the referral form in full, recognising any gaps, if necessary.

Think about **chronology**—detail the sequence of events, from initial notification to the final outcome.

To facilitate the DBS decision-making process, you must include all **relevant information**. This can include accurate and dated training and supervision





## Safeguarding Adults in Sport—DBS & You

**Linda Hackett, Safeguarding Outreach, DBS**

records, and details of your internal and external investigative and disciplinary processes, from interviews to police interventions. Also provide any additional employment information, such as details of previous misconducts or complaints.

### **The Impact of Being Barred**

If an individual's on the Children's Barred List, they will not be able to engage in regulated activity with children in England, Wales, Northern Ireland, and Scotland.

If an individual's on the Adult's Barred List, they are not allowed to engaged in regulated activity with adults at risk in England, Wales, Northern Ireland, and Scotland.

Anyone who works, seeks work, or offers to work in regulated activity when barred on the relevant list could face a maximum penalty of 5 years' imprisonment, and/or a fine.

Anyone permitting an individual they know, or has reason to know, is barred from regulated activity to engage in regulated activity faces an identical penalty of 5 years' maximum imprisonment and/or a fine.

### **Meeting Your Legal Duty to Refer**

Safeguarding is everyone's responsibility. You have a legal duty to refer people to the DBS in the relevant circumstances.

Consider the following:

- If you don't make the referral to DBS, who will?
- If you don't make the referral to DBS, how will we know?
- If you don't make the referral to DBS, the person may go on to cause further harm to a child or an adult at risk.

You might worry that your concerns are not fully substantiated, or that an "innocent" person could get barred and it would affect their employment prospects.

Our role is not to punish people, but to consider the risk of future harm to children and vulnerable groups. We can only do that with your help. We use a structured judgement process, weighing all the information we have in a balanced and considered way.

We will only bar them from working with at-risk groups if it is the right thing to do.

## **Have Your Say—The Safeguarding Adults in Sport and Activity Project**

**Dr. Anne Patterson, University of Nottingham**

The **Safeguarding Adults in Sport and Activity project** is funded by Sport England to help National Governing Bodies, Active Sports Partnerships, regional partnerships and sport and activity organisations to develop best practice in safeguarding adults at risk.

As part of this project we are holding forums (focus groups) with sports participants and staff to develop shared understandings of what safeguarding means and what individuals, clubs and organisations can do to keep people safe. Among other things we discuss possible safeguarding risks, whose responsibility it is to keep people safe and explore good practices for ensuring this happens.

Sports participants and athletes have said that there is a need on a practical level for “knowing who’s in charge”, “knowing you’re being listened to”, being informed about how sessions work and “being understood by people in charge”. Furthermore, if someone raises a safeguarding query they need to be told how their query is being dealt with and should also “know that it is being taken seriously”.

Meanwhile, staff have highlighted that there is a need for well-written policies

and guidelines, and a need to “make it visible—don’t put it away in a drawer.”

**We would like to hear more from you on these and other safeguarding issues.**

If you would like to host a forum at your club or organisation, please contact [Nicola Dean, Safeguarding Adults in Sport Manager](#).

Ideally we would like sports participants and/or staff to attend a forum to give us their views on safeguarding issues. But if you’d like to respond individually, an ONLINE SURVEY is also available for sports participants and staff. We could also arrange to send you a paper version of the survey if this is better for you. If so, please get in touch with your name and address so that we can send one.

[Head here to take the SPORTS PARTICIPANT survey.](#)

[Head here to take the STAFF survey.](#)

**We would love to hear from you so that we can together develop effective ways of safeguarding adults who may be at risk while participating in or leading sports activities!**

## Safeguarding News Watch:

# Safeguarding Children and Young People

**Hundreds of taxi drivers in Brighton attend free safeguarding course to prevent child exploitation**

4 July 2019 | [Taxi-Point.co.uk](http://Taxi-Point.co.uk)

**Child abuse viewers should avoid prosecution, report suggests**

10 June 2019 | [BBC.co.uk](http://BBC.co.uk)

**“I sometimes wonder how I managed to survive”**

20 April 2019 | [BBC.co.uk](http://BBC.co.uk)

**UN concerned over sexual abuse of children in UK custody**

17 May 2019 | [BBC.co.uk](http://BBC.co.uk)

**NWG Report—Professional Attitudes to Tackling Online Exploitation**

11 June 2019 | [NWGNetwork.org](http://NWGNetwork.org)

**“Civil war” stirs among parents of autistic children**

5 July 2019 | [LearningDisabilityToday.co.uk](http://LearningDisabilityToday.co.uk)

**“Organisational memory loss” in Cumbria child abuse case**

15 July 2019 | [CommunityCare.co.uk](http://CommunityCare.co.uk)

## Safeguarding News Watch: Safeguarding Adults at Risk

### **Industry urged to help adults at risk access financial services**

13 May 2019 | [FTAdviser.com](https://www.ftadviser.com)

### **Social services “could have stopped” savage murder of woman with learning difficulties**

18 May 2019 | [Metro.co.uk](https://www.metro.co.uk)

### **CQC call for action to fix the closed system that leads to people with a learning disability or autism being segregated in hospital**

21 May 2019 | [CQC.org.uk](https://www.cqc.org.uk)

### **Wembley family joins campaign to stop “scandal” of detaining autistic and vulnerable adults**

5 June 2019 | [KilburnTimes.co.uk](https://www.kilburntimes.co.uk)

### **Pair jailed for holding man as slave in scrapyard in South Wales**

14 June 2019 | [TheGuardian.com](https://www.theguardian.com)

### **Care home worker assaults adult at risk with rare brain disease**

3 July 2019 | [Mirror.co.uk](https://www.mirror.co.uk)

### **Transport plans to promote greater independence in Wolverhampton**

3 July 2019 | [BirminghamMail.co.uk](https://www.birminghammail.co.uk)

## Safeguarding News Watch:

# Safeguarding Adults in Sport and Activity

### **Duty of Care in Sport: What does it mean in practice?**

23 May 2019 | [AnnCraftTrust.org](http://AnnCraftTrust.org)

### **90% of LGBT people say homophobia in sport is a problem**

16 May 2019 | [PinkNews.co.uk](http://PinkNews.co.uk)

### **Sweating Your Assets—The Value of Group Exercise**

9 May 2019 | [EMDUK.org](http://EMDUK.org)

### **A mixed picture for duty of care in the mental health of the sport's workforce**

15 April 2019 | [EdgeHill.ac.uk](http://EdgeHill.ac.uk)

### **Sports safeguarding—the case for a global code?**

17 June 2019 | [SportResolutions.co.uk](http://SportResolutions.co.uk)

### **Made by Sport campaign launches with a bang**

12 June 2019 | [Sported.org.uk](http://Sported.org.uk)

### **Fifa launch event safeguarding services at Women's World Cup to protect players**

6 June 2019 | [Telegraph.co.uk](http://Telegraph.co.uk)



# Safeguarding Research and Resources

## Disabled Children and Young People in Out-of-Home Care

Report by Bernadette Kelly, Sandra Dowling, Karen Winter

Research into the numbers, characteristics and experiences of children looked after by social services.

Find the report in full here: [https://pure.qub.ac.uk/portal/en/publications/disabled-children-and-young-people-in-outofhome-care-summary-report\(4a910f83-d678-4edf-be89-16c29ebdad20\).html](https://pure.qub.ac.uk/portal/en/publications/disabled-children-and-young-people-in-outofhome-care-summary-report(4a910f83-d678-4edf-be89-16c29ebdad20).html)

## Measuring Your Effectiveness

A practical guide from The Centre of Expertise on Child Sexual Abuse for services working with children and young people affected by sexual abuse. It's accessible step-by-step guidance for CSA services on monitoring and evaluating their work.

Get your guide here: <https://www.csacentre.org.uk/research-publications/effectiveness/measuring-your-effectiveness/>

## Oxfam Inquiry Report: Summary, Findings and Conclusions

The Charity Commission for England and Wales report on their Oxfam inquiry.

“Injustices are not the exclusive preserve of the unjust. They can be presided over by people who are in all other respects well-meaning and decent. Being on the side of good is also no guarantee against leaders focussing on the wrong issues, prioritising the wrong things, or missing opportunities to put matters right. Sound processes and systems in charities are crucial to prevent this, but still more important are the people, the attitude and behaviours they display, and the culture they promote.

Read it here: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/807943/Inquiry\\_Report\\_summary\\_findings\\_and\\_conclusions\\_Oxfam.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/807943/Inquiry_Report_summary_findings_and_conclusions_Oxfam.pdf)

# Safeguarding Research and Resources

## **We Need to Talk—Access to Speech and Language Therapy**

This report from the Children’s Commissioner shines a light on spending on speech and language therapy services (SLT) for children across the country to help identify where children who need support are falling through the gaps. This is the first time such data has been brought together, and the results suggests a “postcode lottery” approach to spending.

Read the report here: <https://www.childrenscommissioner.gov.uk/publication/we-need-to-talk/>

## **Advocacy for Children**

Children’s Commissioner report on the need to listen to give credence to children’s views concerning decisions and actions that affect their lives.

Read the report here: <https://www.childrenscommissioner.gov.uk/wp-content/uploads/2019/06/CCO-Advocacy-for-children-June-2019.pdf>

## **Who are they? Where are they? Children Locked Up**

At any given time, almost 1,500 children in England are “locked up” in secure children’s homes, Young Offender Institutions, secure training centres and mental health wards—either for their own safety or the safety of others. This Children’s Commissioner report shines a light on all these children behind closed doors, asking who they are and where they are living. It looks at what we know and, crucially, what we don’t know about them, so we can begin to assess whether they are getting the most appropriate support.

Read the report here: <https://www.childrenscommissioner.gov.uk/wp-content/uploads/2019/05/cco-who-are-they-where-are-they-may-2019.pdf>

# Safeguarding Research and Resources

## **Reducing the Need for Restraint and Restrictive Intervention**

Government guidance—how to support children and young people with learning disabilities, autistic spectrum conditions and mental health difficulties who are at risk of restrictive intervention.

Read it here: <https://www.gov.uk/government/publications/reducing-the-need-for-restraint-and-restrictive-intervention>

## **Restraint in mainstream settings and alternative provision**

Government guidance on reducing the need for restraint and restrictive intervention in special schools and health and social care settings.

Access them here: <https://consult.education.gov.uk/send-alternative-provision-and-attendance-unit-sapau-analysis/guidance-on-reducing-restraint-and-restrictive-int/>

## **Relationships Education, Relationships and Sex Education (RSE) and Health Education**

Department for Education publication offering statutory guidance for governing bodies, proprietors, head teachers, principals, senior leadership teams, and teachers.

Read the guidance here: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/805781/Relationships\\_Education\\_Relationships\\_and\\_Sex\\_Education\\_RSE\\_and\\_Health\\_Education.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/805781/Relationships_Education_Relationships_and_Sex_Education_RSE_and_Health_Education.pdf)

# Safeguarding Research and Resources

## **Give it Back!**

Campaign from the Disabled Children's Partnership. Vickey is writing to the Chancellor to ask him to give back the £434 million owed to disabled children and families. You can read Vickey's open letter, then add your name to the petition. Every signature helps!

Add your name here: <https://support.disabledchildrenspartnership.org.uk/en-gb/give-it-back>

## **Give it Back! The Film**

A moving and informative video made to support the Give it Back campaign. "I will never know if my child is lonely".

Watch it here: <https://youtu.be/p8oCIUabKEs>

## **Review of restraint, prolonged seclusion and segregation for people with a mental health problem, a learning disability and/or autism**

Interim report from the Quality Care Commission, presenting the interim findings from their review of the use of restrictive interventions in places that provide care for people with mental health problems, a learning disability and/or autism.

The interim report focuses on 39 people who are cared for in segregation on a learning disability ward or a mental health ward for children and young people.

Read the interim report here: <https://www.cqc.org.uk/publications/themed-work/interim-report-review-restraint-prolonged-seclusion-segregation-people>

## From the Vault: Social Workers Must Beware the Increasing Criminalisation of Vulnerable Adults

By Samuel Mithran, Issue 85; October 2013

**Social workers need better advice on criminal justice issues to address the increasing criminalisation of vulnerable adults, argues solicitor Hayley Cooper.**

As criminal defence lawyers, the crime department at Kirwans law firm are no strangers to cases which shock. But we are becoming increasingly concerned at a scenario which is occurring daily across the UK.

We are regularly being called upon to advise those with autism, learning disabilities or mental health problems who have come into contact with the criminal justice system when that is not the appropriate venue. Often, it is children with these disabilities within the care system who find themselves being questioned by police and ultimately the courts as a result of some minor incident—one which, if it took place in a family setting, would be dealt with at home. But adults with conditions such as autism are entering the criminal justice system inappropriately.

More and more often we are seeing both vulnerable youths and adults being criminalised for behaviour which, in some cases, could be explained by their disability and should be treated accordingly.

Unfortunately, as with so many problems

within the care system, the issue is largely financial. A lack of funding means that essential psychological or psychiatric reports that should be undertaken long before the risk-taking behaviour becomes unlawful are only carried out at the criminal proceedings stage.

As a result, the many strategies that social

“

*More and more often we are seeing both vulnerable youths and adults being criminalised for behaviour which, in some cases, could be explained by their disability and should be treated accordingly.*

”

workers and carers could use to prevent the situation from deteriorating are never deployed, and the individual who simply needed extra help is handed a criminal record instead. In addition, multi-agency meetings rarely include a criminal legal expert, often to the detriment of the person concerned.

I'm sorry to say that I have seen first-hand the effect that failure to bring criminal advice into the mix can have. I recently defended a vulnerable individual accused of indecent exposure who risked a criminal record and a requirement to sign the Sex Offenders' Register.

Even though multi-agency meetings had taken place to discuss his increasingly



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**By Samuel Mithran, Issue 85; October 2013**

alarming behaviour, the lack of criminal legal knowledge present meant that social services were never alerted to the potential for criminal behaviour and the need to address it before it

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took place. Had this measure been taken, it would have given weight to the argument that it was not in the public interest to proceed.

Missed opportunities are usually at the heart of many cases such as these. Another client I had could have avoided being charged if the appropriate adult who had been present at the police station had simply requested specialist legal advice. The issue of “Mens rea” – the mental element required to be guilty of an offence—could have been raised which may have resulted in the person not being charged with the offence and criminal proceedings being diverted.

The importance of the appropriate adult to ensure appropriate representation is instructed cannot be underestimated. Unfortunately, new proposals introduced by

justice secretary Chris Grayling stacks the odds even further against vulnerable adults or children accused of offences.

Because lawyers would be paid the same amount whether the person pleads guilty or not guilty, many solicitors would not consider it cost-effective to spend time building a defence if the vulnerable individual has already admitted the offence in a police interview.

In addition, only a relatively small number of legal firms will win this criminal defence work, which means that the nearest firm specialising in vulnerable individuals may be located many miles away from the person’s residence.

The legal sector has been up in arms over these proposals, and only time will tell whether its attempts to put forward alternative plans will be successful. Whatever the outcome, it is more important than ever that social services review their procedures to ensure that vulnerable individuals are given the best chance possible. These people have already had to live life with a “mental health” or “learning disability” label. Let’s avoid the additional criminal label wherever possible.

**Hayley Cooper is Higher Court Advocate at Kirwans law firm, specialists in representing vulnerable individuals.**

## **Ann Craft Trust**

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**[anncrafttrust.org](http://anncrafttrust.org)**

Everyone has a right to be treated with respect and dignity.  
Everyone deserves to be safe.