

DEFINITION AND CATEGORIES OF ABUSE

(As amended in Working Together to Safeguard Children 2010)

The Conference should consider the following questions when determining whether the child should be the subject of a Child Protection Plan:-

- Has the child suffered **significant harm**?
OR
- Is the child likely to suffer **significant harm** in the future?

The test for the likelihood of suffering harm in the future should be that either:-

- The child can be shown to have suffered ill-treatment or impairment of health or development as a result of physical, emotional or sexual abuse or neglect and professional judgement is that further ill-treatment or impairment are likely.
OR
- Professional judgement, substantiated by the findings of enquiries in the individual case or by research evidence that the child is **likely** to suffer ill-treatment or impairment of health or development as a result of physical, emotional or sexual abuse or neglect.

Physical Abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms or deliberately induces illness in a child.

Emotional Abuse

Emotional abuse is a form of significant abuse which involves the persistent emotional maltreatment of a child, such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as over protection and limitation of exploration and learning, or preventing a child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber-bullying) causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

Emotional abuse may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying) causing children frequently to feel frightened or in danger, for example witnessing domestic or other violence, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

Sexual Abuse

Sexual abuse is a form of significant harm which involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (eg rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching the outside of clothing. They may also include non-contact activities such as involving children in looking at, or in the production of sexual images, watching sexual

activities, encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse (including via the Internet).

Sexual abuse is not solely perpetrated by adult males, women can also commit acts of sexual abuse, as can other children.

Neglect

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born neglect may involve a parent or carer failing to:-

- Provide adequate food, clothing and shelter (including exclusion from home or abandonment).
- Protect a child from physical and emotional harm or danger.
- Ensure adequate supervision (including the use of inadequate care giving).
- Ensure access to appropriate medical care and treatment.
- It may also include neglect of, or unresponsiveness to a child's basic emotional needs.

A child should no longer be the subject of a Child Protection Plan if:-

- It is judged that the child is no longer continuing to, or be likely to, suffer significant harm and, therefore, requires safeguarding by means of a Child Protection Plan (eg the likelihood of harm has been reduced by action taken through the Child Protection Plan, the child and family's circumstances have changed, or re-assessment of the child and family indicate that a Child Protection Plan is not necessary). Under these circumstances only a Child Protection Review Conference can decide that a Child Protection Plan is no longer necessary.
- The child and family have moved permanently to another Local Authority area.
OR
- The child has reached 18 years of age, has died or has permanently left the UK.

What is the legal definition of a child in need?

Section 17 of the Children Act 1989 defines a child as being in need in law if:

- He or she is unlikely to achieve or maintain or to have the opportunity to achieve or maintain a reasonable standard of health or development without provision of services from the LA;
- His or her health or development is likely to be significantly impaired, or further impaired, without the provision of services from the Local Authority;
- He or she has a disability.

Development can mean physical, intellectual, emotional, social or behavioural development. Health can be physical or mental health.