

WILTSHIRE POLICE



XXXXXXXXX
By email

**Force Disclosure Unit
Police Headquarters**
London Road
DEVIZES
Wiltshire
SN10 2DN

Date 8th June 2026

Our Ref FOI 2026-360

Dear XXXXX,

I write in relation to your refined FOI request dated 1st June 2026, submitted following the disclosure provided in response to your original FOI request dated 11th April 2026, concerning policies, use of force, and complaints relating to juveniles involved with the police.

I am required by the Freedom of Information Act 2000 to handle all requests in a manner that is blind as to the identity and motives of the requestor. Any information released as a response to a request is regarded as being published and therefore in the public domain without caveat.

Following receipt of your request, research was conducted by the Driver Training Unit and Force Policy Officer at Wiltshire Police.

Your request for information has now been considered and I am able to respond as follows.

You wrote and our response:

Whilst Wiltshire Police can provide most of the requested information, we are unable to provide information for questions 1(a) to (d) and question 7(b) as this is exempt by virtue of Section 31(1)(a)(b) - Law Enforcement. Please see the rationale for this after the below response.

Section 31 is a qualified prejudice-based exemption and therefore requires Wiltshire Police to establish the harm in disclosure, along with the public interest favouring and against disclosure.

1. Vehicle Pursuit and Tactical Contact Policies

Please provide copies of the policies, guidance and/or standard operating procedures in for between January 2024 to 26 February 2026 relating to:

- a. Police vehicle pursuits involving children/juveniles;
- b. Tactical contact (including TPAC) involving juvenile;
- c. Use of police vehicles to stop or intercept suspects, where the suspect is or may be a juvenile;
- d. Engagements with suspects on bicycles, e-bikes, e-cycles, and/or e-scooters, particularly where the rider is a juvenile;

Keeping Wiltshire Safe

The relevant Standard Operating Procedure is exempt from disclosure. Please see below harm and public interest tests.

- e. Risk assessment requirements prior to tactical contact, including any enhanced considerations for juveniles

There is no specific generic risk assessment regarding the implementation of Tactical Contact or enhanced regarding juveniles. This would be assessed using the National decision Model in line with VALIDATE as per the Pursuits Authorised Professional Practice (APP) and Tactics Directory.

Further information can be found on the College of Policing website - [Police pursuits | College of Policing](#).

4. Custody and Detainee Transport (Juvenile)

Please provide policies or guidance in force as at 26 February 2026 relating to:

- a. The transport of juvenile detainees between police stations;

The information you are requesting is exempt by virtue of Section 21 of the Freedom of Information Act 2000 – Information accessible to applicant by other means.

The following link will direct you to the relevant College of Policing APP page, which covers the transport for detainees (including juveniles) between police stations - [Moving and transporting detainees | College of Policing](#).

- b. Risk assessments for transporting injured juveniles;

As per response to (a) - the link also covers the risk assessment considerations for transporting detainees.

- c. Safeguarding considerations for juveniles in custody; and

The information you are requesting is exempt by virtue of Section 21 of the Freedom of Information Act 2000 – Information accessible to applicant by other means.

The following link will direct you to the relevant College of Policing APP page, which includes safeguarding (vulnerability and risk of juveniles in custody) - [Children and young persons | College of Policing](#).

- d. Use of restraints (including handcuffs) during transport of juveniles.

As per response to (a) - the link also covers the control measures for detainees in transit, including reference to restraints. This applies to both adults and juveniles.

5. Arrest and restraint in medical settings (Juvenile)

Please provide policies or guidance in force as at February 2026 relating to:

- a. Arresting juveniles in hospital or medical settings;

Wiltshire Police do not have a specific policy or guidance on arresting juveniles in a hospital or medical setting. There is general guidance on arresting individuals in these settings, although this is not specific to - or refers to - juveniles.

Keeping Wiltshire Safe

The following link will direct you to the relevant Memorandum of Understanding - Protocol for Police and Mental Health staff in.

- b. Use of restraints (including handcuffs) on juveniles in hospitals; and

As per above.

- c. Coordination with medical professionals when detaining juveniles.

As per above.

6. Authorisation and Command Requirements (Juveniles)

- a. Please provide policies and guidance in force as at 26 February 2026 relating to:

- a. Authorisation of police pursuits involving juveniles; and

Authorisation for all spontaneous pursuits rests with the Designated control/communications room staff; usually the Force Incident Manager (FIMs). For pre-planned operations authorisation includes FIMs, persons in overall charge of the operation or the principal decision maker.

- b. Authorisation of tactical contact (including TPAC) involving juveniles.

As per above.

- b. The rank or role required to grant such authorisation;

Authorisation is not rank or role specific

- c. The criteria and thresholds applied when the suspect is a juvenile, including:

- i. Risk versus necessity assessment;
 - ii. Consideration of public safety; and
 - iii. Any additional factors where the juvenile suspect is on a bicycle, e-bike, e-cycle, and/or e-scooter.

A dynamic risk assessment is carried out which includes risk versus necessity, public safety and additional factors such as the suspect is on a bicycle, e-bike, e-cycle and/or e-scooter.

- d. Any requirements for enhanced supervision or ongoing review where a juvenile is involved; and

All pursuits (including those involving a juvenile) are subject to continuous supervision and ongoing review.

- e. Guidance on when tactical contact involving juveniles is prohibited or should be discontinued.

A pursuit (including one involving a juvenile) would not be authorised, or would be discontinued, as soon as the risk becomes disproportionate to the reasons for undertaking it, or where no tactics are available to stop the vehicle.

7. Safeguarding relating to children/Young Persons

Please provide policies or guidance covering:

- a. Use of force against children/young persons, including any heightened thresholds

The information you are requesting is exempt by virtue of Section 21 of the Freedom of Information Act 2000 – Information accessible to applicant by other means.

The following link will direct you to the Use of Force Policy on the Wiltshire Police website - [Use of Force Policy](#).

- b. Police pursuits involving children, including additional safeguards or prohibitions

The relevant Standard Operating Procedure is exempt from disclosure. Please see below harm and public interest tests.

- c. Safeguarding duties owed to children in police contact or detention

As per response to 4(c) - Children and Young Persons APP.

- d. Requirements relating to appropriate adults

Please see 'Presumption of Legal Advice for Children in Custody and Voluntary Interviews Procedure' at the end of this response letter.

- e. Use of restraints (including handcuffs) on juveniles, including in hospital settings

As per response to (a).

- f. Arrest, detention, transport, and risk assessment of juveniles

As per response to 4(a) - Moving and Transporting Detainees APP.

- g. Identification and management of vulnerability, distress, or self-harm risk in children

Please see 'Child Abuse Procedure' at the end of this response letter.

Section 31(1)(a)(b)

Harm test

Disclosing information into the public domain which demonstrates our abilities and tactics during a vehicle pursuit would provide those with criminal intent details of the Force's capabilities. This would be used by those individuals to avoid detection, allowing them to commit further crime and increase the risk to the public by using methods to avoid police during a pursuit. This would prejudice our ability to prevent and detect crime (one of the core principles of policing) and to apprehend or prosecute offences. In turn, this would impact our ability to protect the community.

Factors favouring disclosure

Placing this information into the public domain would demonstrate the abilities and types of tactics used by Wiltshire Police when conducting vehicle pursuits. This demonstrates the options available to us to assist in preventing and detecting crime. This would also reassure the public that we are being as open and transparent as possible with them.

Factors against disclosure

Releasing this information would inform the public - but more importantly, those with criminal intent - of the abilities and tactics available when pursuing vehicles. Doing so would compromise law enforcement tactics and would allow those with criminal intent to gain valuable information regarding how they can escape apprehension during a pursuit. The public would be placed at a greater risk since these individuals would use this information to evade capture, whilst also increasing the risk to the public during a pursuit. This would hinder our ability to prevent and detect crime, resulting in a diminished trust in the Force, an increase in crime being seen and a severe impact to our resources.

Balance test

Although there is a public interest in transparency and openness between Wiltshire Police and the public, in addition to the public seeing how we are engaging with the threat from criminals, there is a stronger interest in ensuring the public are protected from this threat. We must also ensure the enforcement of the law and the prevention and detection of crime is upheld. To provide a disclosure which is likely to assist offenders would seriously undermine the effective delivery of operational law enforcement and is therefore exempt from disclosure.

Section 17 of the Freedom of Information Act 2000 requires the Constabulary, when refusing to provide information (because the information is exempt) to provide you the applicant with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states (if that would not otherwise be apparent) why the exemption applies.

In accordance with the Freedom of Information Act 2000 this letter acts as a Refusal Notice for those aspects of your request.

Exemptions applied:

Section 21 - Information Accessible to the Applicant by Other Means

Section 31(1)(a)(b) - Law Enforcement

I am satisfied that all the relevant information has been passed to me and been considered in the light of your request within the time constraints applicable under the legislation.

Wiltshire Police would like to thank you for the interest that you have shown in the Force.

Yours sincerely,

FDU Decision Maker



Presumption of Legal Advice for Children in Custody and Voluntary Interviews Procedure

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PROCEDURE OVERVIEW.

A child, (being a person under 18) in custody is considered a last resort. All other options must be explored by the OIC before an arrest is made including the appropriateness of Voluntary Attendance.

A child centred approach should be taken with detaining children being a last resort. In line with this procedure, and to ensure the best possible outcome for all sides, Custody will now presume that all juvenile detainees will have legal representation. This differs from the general position in PACE where custody staff wait for the detained person to request legal advice.

National research has established that in many cases, children do not understand the role of a defence solicitor and often do not ask for their services on the misbelief that they are part of or work for the police.

Legal Requirements.

There are legal duties contained within PACE CODE C- care and treatment of detained persons.

PROCEDURE.

1. RESPONSIBILITIES.

1.1. The departmental head for custody has overall responsibility for ensuring that there are effective arrangements and adequate resources are provided to ensure the Health and Safety of detainee's, visitors and staff.

1.2. Responsibility for assessing the implications of this procedure rests with the Custody Inspector. They will be required to identify and carry out such preparation as necessary to ensure staff understand the expectation on them and they are competent and confident to discharge these.

1.3. Learning and Development and the Custody Management Team are responsible for ensuring all staff and officers understand the presumption of legal advice for children will be mandatory. Justification will be required where a child is interviewed without legal representation, this may happen in exceptional circumstances or at the request of the child but will need to be explained and recorded.

2. IMMEDIATE ACTION.

2.1. Child detainees are to be booked in with details of who their appropriate adult (AA) is. These details are to be obtained by the OIC before attending custody. If this is not possible an explanation will be required.

2.2. Rights and entitlements of the detainee are to be read out as normal. The Appropriate adult will be asked whether they would like a specific legal representative or the duty legal representative. If no representations are made the duty solicitor will be called. This will be documented on the custody record.

2.3. The detainee doesn't have to make use of the solicitor, but one will be called through for attendance regardless. In line with PACE, they can refuse to have one at the point of interview.

2.4. Unless the detainee has a named solicitor that they request, the duty solicitor will be called in the usual way through the DSCC.

2.5. The exception to this is where the child specifically states that they do not wish to receive legal advice and this is approved by their (AA). As it is not always commonplace to have an AA during booking in, the request will go through as normal when they are booked in without one.

2.6. In accordance with PACE Code C.6.5A, the AA has the right to request the services of a solicitor even if the child states that they do not want legal advice. On such occasions a solicitor must be requested through the DSCC, however, the child cannot be forced to see or speak with the solicitor if they are adamant that they do not wish to do so.

2.7. When being booked into custody, a child will be given a copy of the easy read codes of practice. Exceptions to this apply when the child is violent or aggressive or there is belief that they will damage it.

2.8. When considering a voluntary interview with a child the OIC will engage with the child's AA and advise that Wiltshire Police's default position is that the interview is conducted with a solicitor present. They can then be offered the opportunity to tell the OIC whether they want a named solicitor or the duty solicitor. If the child and their AA are content, once this has been explained to them, then the OIC can go ahead without.

2.9. When arranging an invite interview, it must be recorded on the OEL that the AA and child have been spoken to and that they have refused the services of a solicitor.

3. ON GOING ACTIONS.

3.1. On occasions where there is a queue for a solicitor or legal advisor, children will ordinarily take priority over adult detainees even if the adult has been waiting to see the solicitor longer.

Wiltshire Constabulary has determined that this process promotes the best interests of the child. Each situation will need to be assessed on an individual basis with the needs of all detainees and investigations carefully considered. A child centred approach should be taken to prioritise expediting the child's detention in custody.

3.2. In line with PACE, detainees will be reviewed throughout their time in police detention by an Inspector. This will include reviewing their rights and entitlements. Best practice is that this is done with their AA present to ensure that their best interests are being considered. Where this is not possible, reviews are to be carried out as normal and in person as practicable as set out in the [Detention and Custody APP](#).

3.3. Reviews of juvenile detention should be robust. Consideration should be given to whether the investigation is being expedited with justification required to continue their detention in custody, with consideration for the lines of enquiry to be followed through after the release of the child where possible.

4. TRAINING.

4.1. The Custody Inspector is responsible for ensuring staff are adequately trained for the required tasks.

4.2. Heads of department, with assistance from Learning and Development, will offer additional training for staff as required.

4.3. Departmental managers are to offer training to staff around this issue as required.

4.4. All staff training records are to be stored as per force policy.

RELATED DOCUMENTS and Authorised Professional Practice.

APP > [Detention and Custody](#)

Voluntary Attenders for Interview Procedure

[Pace Code C \(Revised\)](#)

[2019 CodeC-NoRE.PDF](#)

DATA PROTECTION AND FREEDOM OF INFORMATION.

Any information relating to an identified or identifiable living individual recorded as a consequence of this procedure will be processed in accordance with the Data Protection Act 2018, General Data Protection Regulations and the [Data Protection Policy](#).

This procedure has been assessed as suitable for public release.

HUMAN RIGHTS AND EQUALITY IMPACT.

This procedure has been drafted to comply with the principles of the Human Rights Act 1998 and Equality Act 2010. Members of Wiltshire Police administering this procedure are responsible for ensuring that in its application, those to whom the procedure applies, shall not receive less favourable treatment because of their age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

This procedure has been subject to an equality impact assessment. A copy of the impact assessment can be obtained by contacting the Equality, Diversity and Inclusion Team.

Revision History



Version	Date	Summary of changes
1.0	08.09.2025	First publication.

WILTSHIRE POLICE FORCE PROCEDURE



Child Abuse

Date of Publication: May 2025
Version: 2.0
Next Review Date: May 2027

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PROCEDURE OVERVIEW

This Procedure should be read in conjunction with the College of Policing Approved Professional Practice (APP) – [Major Investigation and Public Protection – Child Abuse](#). The guidance contained within APP is rightly replicated in this Procedure.

Introduction

Protecting and safeguarding our children is one of the most important roles of the Police Service. Every officer and member of police staff should understand his or her duty to protect children as part of their day-to-day business.

Wiltshire Police is committed to providing a service which provides a robust response to all allegations of abuse against children in a manner which ensures the best possible protection is afforded to victims and witnesses. The requirement for action in child abuse cases creates obligations at every stage of the Police response, from the initial deployment to the conclusion of any investigation. They also include the multi-agency response for safeguarding and our statutory obligation to safeguard children.

Wiltshire Police is a statutory member of, and works closely with, each of the Safeguarding Partnerships - Swindon Safeguarding Partnership (SSP) and Wiltshire Safeguarding Vulnerable People Partnership.

Purpose

The purpose of this procedure is to ensure that Officers and Police Staff dealing with cases of Child Abuse identify and investigate allegations effectively adhering to our statutory obligations, good practice and [Making Wiltshire Safer: Police and Crime Plan 2025-2029](#)

The procedure will ensure that:

- Wiltshire Police will have a consistent approach to managing incidents of child abuse in line with the [College of Police Authorised Professional Practise for Child Abuse](#), the statutory guidance document “Working Together 2023” and the requirement of statutory organisations as set out under [section 11](#) of the Children Act 2004.
- Safeguarding of the child / children is at the centre of any decision making process and is the responsibility of all professionals who deal with them. Action is taken at all stages of the police response which will ensure that the child’s voice and the child’s needs are heard and acted upon.
- A proactive multi- agency approach is adopted to prevent and reduce child abuse and neglect whilst also safeguarding children.
- Effective action is taken against offenders in a professional, appropriate and proportionate manner so that they can be held responsible through the criminal justice system.

Applicability

The Children Act 2004 places a responsibility on the Chief Constable which states that they must make arrangements for ensuring that their functions are discharged having regard to the need to safeguard and promote the welfare of children.

This Procedure applies to:

- Police Officers and Police Staff who may receive a report of an incident involving a child, and those who deal with situations which may indicate concerns about a child.

-
- Police Supervisors and those involved in developing policy on Police responses to child abuse and safeguarding children.

RELATED POLICIES, PROCEDURES and OTHER DOCUMENTS

College of Policing Approved Professional Practice (APP) – Major Investigation and Public Protection – Child Abuse.

This Procedure should be read in conjunction with:

HM Government Guidance Working Together 2023

Children Act 2004

[Ministry of Justice Achieving Best Evidence in Criminal Proceedings](#)

[Crime Screening and Allocation Procedure](#)

[Child-Internet-Exploitation-Team-Procedure](#)

MASH Procedure

[Child Sexual Abuse: Guidelines on Prosecuting Cases of Child Sexual Abuse | The Crown](#)

[Prosecution Service \(cps.gov.uk\)](#)

[Investigation and Crime Review Procedure](#)

[Major Investigation and Public Protection – Child Abuse](#)

APP Child Abuse – College of Policing

DATA PROTECTION

Any information relating to an identified or identifiable living individual recorded as a consequence of this procedure will be processed in accordance with the Data Protection Act 2018, UK General Data Protection Regulations and the [Data Protection Policy](#).

FREEDOM OF INFORMATION ACT 2000

This document has been assessed as suitable for public release.

EQUALITY IMPACT ASSESSMENT

This procedure has been reviewed and drafted against all [protected characteristics](#) in accordance with the Public Sector Equality Duty embodied in the [Equality Act 2010](#). This procedure has therefore been Equality Impact Assessed to ensure 'due regard' in respect of the need to:

- Eliminate discrimination, harassment, and victimisation.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. Protected characteristics are: age, disability gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

This procedure having been assessed has identified no potential impact in relation to the protected characteristics.

HUMAN RIGHTS

The [Human Rights Act 1998](#) incorporates the Articles contained in the European Convention on Human Rights (ECHR) into domestic law, making it unlawful for public bodies to act in a way which is incompatible with the Convention.

This document has been drafted to comply with the principles of the Human Rights Act 1998.

MONITORING and REVIEW

This procedure will be monitored by the thematic lead for Child Abuse and an agile approach will be taken to its up keep. Any significant change to national guidance or lessons learned through serious case review will be adopted into this procedure at the earliest opportunity. Updates to procedures will be communicated through the forces internal communications channels. A comprehensive review will be scheduled for two years with the strategic owner.

WHO TO CONTACT ABOUT THIS PROCEDURE

The ACC for Crime, Justice and Vulnerability is the lead officer for issues relating to safeguarding children.

The Head of the Vulnerability Directorate is the strategic lead for child abuse. An identified Detective Inspector will be the thematic and tactical lead for child abuse and will be responsible for this procedure. All queries relating to this document should be directed to them.

1. KEY DEFINITIONS

1.1 Child Abuse

This is defined as any form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm on them, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or by others (for example, via the internet). They may be abused by an adult or adults, or by another child or children. It can take various forms, including physical abuse, emotional abuse, sexual abuse, or exploitation.

1.2 Child

Unless specific legislation indicates otherwise this procedure will refer to children under the age of 18 years.

The fact that a child has reached 16 years of age, is living independently; is looked after or is in further education; is a member of the armed forces; is in hospital or in custody, does not change his or her entitlement to services or protection.

1.3 Significant Harm

The Children Act 1989 introduced the concept of significant harm in order to assess the need for compulsory intervention in family life in the best interests of children. Under [section 47](#) of the Act, the local authority has a duty to make enquiries, or cause enquiries to be made, where it reasonably suspects that a child is suffering or is likely to suffer significant harm.

There is no legal or medical definition of significant harm. Sometimes a single, traumatic event may constitute significant harm, e.g., a violent assault, suffocation or poisoning. More often, however, there is an accumulation of events which together constitute significant harm, but in isolation may appear unimportant.

1.4 Child in Need

Where significant harm or its likelihood is not apparent, the Local Authority may still have a duty under [section 17](#) of the Children Act 1989 to safeguard and promote the welfare of that child by providing a range and level of services. Early interventions and support for a child in need can help to avert escalation to the point where a family is in crisis.

Any child identified as a child in need should be referred to the MASH by submitting a Police Protection Notice (PPN) via Niche - they will then refer this matter to Local Authority Children's Services to ensure that action is taken to safeguard that child and support their family.

See Appendix 1 for a full list of key definitions.

2. ROLES and RESPONSIBILITIES

2.1 The Vulnerability Directorate

The Child Abuse Investigation Team (CAIT) within the Vulnerability Directorate (formally PPD) is aligned to the two Local Authorities – Wiltshire and Swindon.

CAIT Investigators will be PIP2 accredited or in the process of seeking that accreditation having passed the NIE and having completed the relevant training. They will be expected to complete the Specialist Child Abuse Investigation Development Programme (SCAIDP) at the earliest available opportunity. These investigators will have responsibility for the investigation of the most serious child abuse offences.

The CAIT will investigate allegations and offences involving children at the time of reporting where the perpetrator is a family member or in a position of trust. Child is as per the definition – under 18 years of age. Family member includes blood relations, step or foster parent, uncles and aunts but not cousins. Position of trust is a situation which involves a power imbalance involving an adult who has regular contact with children. This includes for example a teacher, scout leader, childminder, priest or doctor.

There maybe other occasions where an investigation is best placed to be dealt with by CAIT because of the needs of the victim and on these occasions an agreement can be made by managers as to allocation.

2.2 Multi Agency Safeguarding Hub – MASH

A Multi Agency Safeguarding Hub (MASH) brings key professionals together to facilitate early, better quality information sharing, analysis and decision-making, to safeguard vulnerable children and young people more effectively. The MASH in both Wiltshire and Swindon is considered the 'front door' of safeguarding services; it can respond promptly, at the very earliest point of contact, with a vulnerable child and their family.

The service aims to provide a rapid and effective service in response to all new safeguarding concerns, where someone is concerned about the safety or wellbeing of a child or young person or thinks they may be at risk of harm.

The following agencies make up MASH in Wiltshire and Swindon:

- Social Care (Managers, Social Workers and information officers)
- Police
- Health
- Early Help representatives
- LADO(Local Authority Designated Officer) / DOFA (Designated Officer For Allegations)
- CAMHS
- Housing
- FearFree in Wiltshire and SPIDAS in Swindon
- Probation

The MASH is also in regular contact with the Sentinel, Opal and Emerald Teams, Education Welfare Teams as well Adult Mental Health Services and the Army Welfare Service.

2.3 Assistant Chief Constable – Crime, Justice and Vulnerability

The Chief Officer Lead for child abuse Investigations will be the ACC for Crime, Justice and Vulnerability and has responsibility for leadership within the Organisation on Public Protection issues.

2.4 Strategic Child Abuse Lead

The Detective Superintendent is the Head of the Vulnerability Directorate and will take responsibility for the following:

- They will be the owner of the child abuse procedure and supporting guidance and is responsible for advising chief officers and CPT management teams.
- Providing strategic leadership and direction for the organisation.
- The development and implementation of policies, guidance and protocols.
- Providing a specialist source of advice and guidance and to promote good practice.
- Engaging with key partners at a strategic level.
- Presenting performance data regarding vulnerability at the Vulnerability Operations Board.

- Commissioning audits to ensure consistent quality and effective delivery of service and to inform future good practice.
- Ensuring staff in their command have access to occupational health services.
- Review child protection investigations as per the HCR policy guidance.

2.5 Detective Chief Inspector

The Detective Chief Inspector responsible for CAIT and the MASH will take responsibility for the following:

- Plan, manage and monitor complex policing activity across the child abuse investigation teams. Review child protection investigations as per the HCR policy guidance.
- Promote best practice and enable continuous improvement in evidence-based policing across the department with reference to the National Child Protection Inspection (NCPI) and the force response to Her Majesty's Inspectorate of Constabulary (HMIC) recommendations relevant to children and vulnerability.
- Manage competing demands and priorities to make informed deployment decisions and ensure best use of available resources.
- Contribute to the setting, monitoring and assessment of team key performance indicators (KPIs) to support the achievement of wider objectives.
- Analyse performance data and information against team objectives in order to report against performance management measures and inform workforce planning.
- Have line manager responsibility for the Heads of Department in CAIT and the MASH and lead, motivate and engage them and their teams in providing a consistently high standard.
- Protect and promote workforce wellbeing to uphold professional standards and enable high performing teams.
- Identify and manage initial responses to major and / or critical incidents in alignment with relevant frameworks and guidance, ensuring appropriate resource allocation and risk management to enable effective service delivery.
- Develop and maintain relationships with multi-agency partners to drive collaboration and inform policing priorities and plans.
- Lead the analysis and evaluation of existing processes and practices within their area of work in order to identify and implement opportunities for change and innovation, promote best practice and enable continuous improvement in evidence-based policing within teams.
- To build on relationships with other departments to identify ways to work more efficiently together, ensuring a consistent approach across the force.
- Provide resilience to the Chief Inspector, SIO and K&E call rota

2.6 Detective Inspector with responsibility for the Child Abuse Investigation Teams.

The Detective Inspector will have responsibility to ensure the following:

- All national and local Policy and guidance is complied with.
- To complete crime reviews in compliance with Force policy.
- Attendance at multi agency meetings and where appropriate chair meetings.
- Develop and maintain multi agency relationships.
- Liaise with the Detective Chief Inspector on operational and personnel issues, including issues are resources and staffing of CAIT.
- Identify and address training needs and manage staff performance and wellbeing.
- Keep up to date with legislation, Authorised Professional Practice (APP), force policy, joint agency protocols and reports by outside agencies that may impact on the Department.
- To review cases of serious sexual assault where a supervisor has made a decision that no further action should be taken.
- Provide resilience to the SIO call rota

2.7 Protect Detective Inspector – MASH/Children/Sentinel

Detective Inspector's and the civilian equivalent in MASH will hold responsibility for Children (MASH and CIET) and the Sentinel (Exploitation) Team.

2.8 Detective Sergeant with responsibility for Child Abuse Investigation Team (CAIT)

The CAIT Detective Sergeant will have responsibility to ensure the following:

- Compliance with APP and any local policy / procedures that relate to the investigation of child abuse.
- Ensure compliance with the [Investigation and Crime Review Procedure](#)
- Supervision and quality assurance for all child abuse investigations. This will include an initial review after 24hrs that includes setting or validating priority actions with the Officer in Case (OIC) and then a detailed review including setting or validating a bespoke investigation plan after 7 days using the proscribed templates where relevant.
- To conduct regular work control meetings with staff in order to review on- going investigations and discuss staff well-being and training.
- To provide specialist advice in cases relating to child protection and safeguarding.
- Supervise, manage and develop staff. Ensure the welfare of staff by maintaining an awareness of personnel problems and direct to Occupational Health Services if appropriate.
- Identify and address training needs and manage staff performance.
- Keep up to date with legislation, force policy, joint agency protocols and reports by outside agencies that may impact on the unit's work.
- Escalate all relevant investigations to the appropriate Detective Inspector when they pass 3 months since the date of reporting.
- Ensure CPD is maintained to ensure continued accreditation.
- Provide resilience where trained to the Child Death Rapid Response Rota.

2.9 Duty Inspectors and CPT/CPTN First Line Supervisors

All supervisors (whether in specialist teams or in response) are responsible for ensuring that all incidents involving reports of child abuse are correctly investigated, with all actions taken being consistent with this procedure and APP.

Supervisors and managers are expected to supervise the investigation to ensure the integrity and quality of initial "golden hour" enquiries before handing over to the specialist team. This will include ensuring that immediate safeguarding considerations are dealt with.

Supervisors are responsible that when appropriate a PPN is submitted to MASH as soon as reasonably practicable via the task functionality on NICHE.

2.10 Child Abuse Investigation Team Investigators

CAIT Investigators will have responsibility to ensure the following:

- Compliance with APP and any relevant national or local policy / procedure.
- Compliance with the [Investigation and Crime Review Procedure](#)
- Record a detailed investigation plan to show how the case will be investigated and ensure that the plan is reviewed on a regular basis using the proscribed templates where relevant.
- To ensure the Voice of the Child is heard and recorded alongside ensuring the Victims Code is complied with and that regular contact is maintained with the families involved. A record of all contact will be recorded on the Occurrence Entry Log (OEL).
- Attend and provide active input to relevant Initial/Review Child Protection Case Conferences, implementing actions from those meetings and contributing to other multi-agency arrangements as required.

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- Take responsibility for their Continuous Professional Development (CPD) to ensure continued accreditation.

3. Responding to Reports of Child Abuse

The police have a legal obligation to safeguard and protect children. Concerns for the safety of officers attending an incident should not prevent them being deployed to protect a child.

All frontline officers and staff have an important role in protecting children and in the early identification of safeguarding and other child protection concerns. Attending staff should abide by the Golden Hour Principles whilst capitalising on “reachable moments” to capture the voice of the child; for example if a child is in the middle of disclosing abuse, they should not be interrupted and the officer should not ask any questions. In some cases, this will be important evidence.

Suspected or actual child abuse can come to police attention from a number of various sources including victims; witnesses; health services; Children’s Services; education professionals and anonymous reports – or by police officers and police staff identifying concerns about children through routine contact with the public.

All allegations of child abuse are potentially serious, but in cases that are particularly urgent or serious, officers should update their supervisor without delay e.g. child with serious physical injury, serious sexual offence and serious or chronic neglect. CAIT Investigators should also be contacted to attend the scene unless out of office hours, in which case, the on call Senior Investigating Officer (SIO) should be informed.

3.1 Initial Police Response and Immediate Considerations

3.1.1 Public Enquiry Office

The Public Enquiry Assistant must prioritise the safety of the victim and any other potential victims giving safety or other advice as appropriate. The welfare and safety of children is paramount.

Where possible the reporting person/child or young person should be spoken to in a private area away from other members of the public. On establishing sufficient details of the nature of the incident the matter should then be referred to Contact Management for creation of an incident log and the appropriate resource allocation.

The reporting person should be kept informed as to how soon an officer will be available to deal with the matter. If the person attending the police station is a child, the Public Enquiry Assistant should only ask sufficient questions to gain essential information for the deployment of officers.

3.1.2 Contact Management

All grading and deployment decisions should be assessed using the National Decision-Making Model and incorporating the THRIVE+ principles. [Responding to the Public Procedure.docx](#)
Grading decisions will be based on the threat, harm, risk, investigative opportunities, any vulnerability a call handler identifies and to reasonably meet the expectations of the caller.

The call taker must prioritise the safety of the caller, victim and any other potential victims, and give safety or other advice as required. Consideration must be given to the Voice of the Child. Initial questioning should determine what happened, where and when. The safety of individuals can then be addressed and decisions made about the order in which information is gathered. This will provide reassurance and ensure an appropriate response

3.1.3 Initial Response Officer Attending the Scene

Officers should focus their efforts from the outset of a child abuse investigation on gathering evidence in order to charge a suspect and build a prosecution case that does not rely entirely on the victim's statement.

Failure to exercise police powers relating to the protection of children, investigation and/or arrest may leave a victim at risk from further offences.

An initial risk assessment should be carried out to inform the officer's decision making. Whenever the Police have concern for a child, and at every stage of their involvement with that child, decisions are made which involve assessing and managing risk. Concerns can arise from circumstances not explicitly reported as child abuse, and from reports relating to other crimes.

Wiltshire Police uses THRIVE+ as a risk assessment tool. This should be applied in respect of all reports of child abuse and the AWARE principles should also be utilised.

3.1.4 Child in Need

On attending a scene and the Officers form the belief that the child/children are in need of support but may not meet the criteria for further police action, the attending Officer must:

- Establish the welfare of the child.
- Inform the MASH by submitting a PPN via a Niche task.
- Where possible, the parent / carer should be informed that a referral will be made to the MASH and that information will be shared with other agencies such as Children Services; Health and Education. Consent should be sought from the person with parental responsibility (PR) or a recorded reason why this has not occurred, not seeking consent can affect how information is shared.

3.1.5 Child / Children at Risk of Significant Harm

On attending a scene and it is stated or believed that a child is in need of protection i.e., suffering or is likely to suffer significant harm, the attending Officer must:

- Establish the welfare of the child / children.
- 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 investigation in the future, as the safeguarding of the child/children should be the main priority.
- Body worn cameras may be used to record initial accounts, only where the victim has consented and has the capacity to consent ([College of Policing briefing note for police first responders to a report of rape or sexual assault.](#))
- 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 Officers suspect that an adult who is present may have some involvement in the abuse, a request should be made to speak to the child separately. If an adult refuses access to speak to a child, a record should be made of the officer's request and the adult's response, and a supervisor's guidance sought. When it becomes clear that

one of the parents or carers has no involvement in the suspected abuse, it is good practice to seek that parent's cooperation.

- As soon as the welfare of the child has been established or the officer has determined that the child is at risk of harm or has already been harmed, the conversation should be brought to a close so that it does not constitute an interview. If a child is in the middle of disclosing abuse, they should not be interrupted and the officer should not ask any questions. In some cases, this will be important evidence.
- Record a description of the child's physical appearance including injuries, clothing and state of cleanliness and demeanour.
- Attention should be paid to how the child looks and behaves and any significant comment or action be recorded.
- Description of the child's surroundings, including the condition of the home, for example – is there food in the fridge and cupboards; do the children have appropriate bedding and how clean is their living environment.
- Consider the use of Interpreters – Officers at scene must establish if an interpreter is required. Where possible, the witness' (or suspect's) preference as regards gender, religion or cultural background should be accommodated. Different interpreters should be used for the suspect, victim and witnesses where possible. Officers should not use family members, in particular children, to interpret unless as a last resort and then only to establish facts that might secure the immediate safety of all parties. Where a member of the family or member of the public interprets at the scene, their details should be recorded.
- Consider relevant and necessary Golden Hour enquiries as per [Investigation process | College of Policing](#). Ensure actions are adequately recorded.
- If, out of hours, the Supervisor / Duty Inspector consider that an urgent strategy discussion is required they should inform the relevant children services Emergency Duty Service (EDS). A record of the strategy discussion should be entered on the OEL within Niche.
- Inform PPD by completing a PPN and submitting to MASH via a Niche task.
- Consider Police Protection – [section 46](#) of the Children Act 1989 provides the power to do this. The power to remove and accommodate children should be exercised sparingly by police officers. It is an emergency power that should only be used if it is not possible to leave a child in any given situation without them being at risk of significant harm. Before exercising the power, Officers should contact children services (or if out of hours EDS) as they may hold additional information on the family that may influence the decision making, particularly around other family members who may be in a position to look after the children, thus negating the requirement for Police Protection.
- The relevant children services department will be responsible for accommodating the young person if they are to be removed from their current location. It may be that family members are identified who are willing to accommodate the young person negating the need to take the child /children into police protection. If this is the case, all necessary background checks must be carried out to ensure that it will be a safe environment for the child / children.

Although any constable can take the decision to take a child into police protection it is the responsibility of the designated officer (this should be an Inspector and will usually be the relevant Duty Inspector) to ensure that appropriate enquiries are conducted and liaison is made with children's services. [Form 78 \(PPA1\)](#) must be completed and linked to the niche occurrence. Police Protection can remain in place for up to 72 hours, however the protection must be discharged as soon as the child / children are no longer considered to be a risk of significant harm.

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- Powers of Entry – Officers may be confronted with a situation where it is necessary to enter premises in order to ensure the protection of a child, for example, where a parent or carer refuses permission to see the child and there is concern for that child.

The powers listed below provide a legal background against which powers of entry could be exercised. If an offence is reasonably suspected or there is a reasonable suspicion of harm to a child, an officer will be acting legally in obtaining entry. It may be that refusal to allow entry by a parent or carer arouses suspicion that a child has been harmed and indicates an intention to conceal that harm. The appropriate exercise of powers of entry in order to protect a child and / or respond to suspicions of child abuse should not breach the Human Rights Act 1998 or their rights under the European Convention on Human Rights (ECHR). Officers should record in their pocket notebook their reasons for taking action (e.g., explain why they considered the exercise of powers of entry to be legal, necessary and proportionate):

Under [section 17\(1\)\(b\)](#) of the Police and Criminal Evidence Act (PACE) 1984, a constable may enter and search any premises for the purpose of arresting a person for an indictable offence.

Under [section 17\(1\)](#) PACE, a constable may enter and search premises for the purpose of saving life and limb or preventing serious harm to property.

Under Common Law a constable has the power to enter premises to prevent or deal with a Breach of the Peace.

Under [section 48](#) of the Children Act 1989, a warrant may be obtained to search for children who may be in need of protection.

A record of all searches should be made in accordance with PACE.

4. Investigating Reports of Child Abuse

Staff should refer to the '[Principles of an Investigation](#)' contained within APP, [Achieving Best Evidence in Criminal Proceedings](#) and [Working together to safeguard children 2023: statutory guidance \(publishing.service.gov.uk\)](#)

Holding a strategy discussion should be considered from the outset of receiving a report of Child Abuse and the management of the investigation should also be consistent with any plan agreed within the strategy discussion.

All allegations of child abuse / sexual offences against a child when the alleged perpetrator is a stranger should be dealt with, in the first instance, by the appropriate Community Policing Team (CPT) resource. For child abuse cases being investigated by a department outside the Child Protection Team, a PPN must be submitted to MASH so that consideration can be given to any immediate or future Safeguarding needs of that child.

When a child abuse investigation is of a serious or complex nature, consideration should be given to appointing a senior investigating officer (SIO). The decision to appoint a SIO will normally be taken by an officer of the rank of Detective Inspector or above.

4.1 Strategy Discussion

Working Together to Safeguard Children 2023 states that 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, Education and other bodies such as the referring agency.

The MASH will be responsible for conducting strategy discussions Monday to Friday between 0800-1800 hrs. They will also provide cover over weekends and Bank Holidays between 0800-1600 hrs. However, if the young person involved is a missing person or already subject to an investigation by the Vulnerability Directorate, the Duty Inspector or Duty CAIT DS (for open investigations) will be responsible for conducting the strategy discussion.

MASH will ensure that the documents relating to the strategy discussion are linked to the niche occurrence. If the strategy discussion has resulted in a S47 joint investigation the Duty CAIT DS or relevant department duty Sergeant will be notified or a member of the wider CAIT if the DS is not immediately available. The handover from MASH to CAIT or the relevant investigating team should be as fluid and timely as possible with no unnecessary or avoidable delays.

A S47 investigation is initiated when a Local Authority has reasonable cause to suspect that a child (who lives or is found in their area) is suffering or is likely to suffer significant harm, it has a duty to make such enquiries as it considers necessary to decide whether to take any action to safeguard or promote the child's welfare. Such enquiries, supported by other agencies, as appropriate, should be carried out for all forms of abuse and neglect.

Where it has been agreed by the police, in a strategy discussion, that it is in the best interests of the child that a full criminal investigation be carried out, the police are responsible for that investigation including any investigative interview (video-recorded or otherwise) with the victim. Having responsibility for the criminal investigation does not mean that the police should always take the lead in the investigative interview. Provided both the police officer and social worker have been adequately trained to interview child witnesses, there is no reason why either should not lead the interview. The relevant Children's Services has the lead agency responsibility for the welfare of the child under the [Children Act 1989](#).

Out of hours it is the responsibility of FIM to identify a suitably qualified officer to conduct a strategy discussion, usually with the Emergency Duty Service for cases that require a multi-agency approach. A record of the strategy discussion must be entered within the Niche Occurrence.

4.2 Joint Investigation Visit

When a S47 Joint Investigation has been agreed, a decision will be made as to whether it will be appropriate to carry out a joint visit to speak with the victim. If this is agreed, a decision will be made as to who will take the lead in this initial visit. One member of the joint investigation team must be Specialist Child Abuse Investigation Development Programme (SCAIDP) accredited. However, in those circumstances where there is not a suitably qualified Police or social care representative the decision to deploy will be made by CAIT DS (consideration to be given to discussing with social care Assistant Team Manager if available) based on what is in the best interest of the child and the investigation. This decision should be documented with appropriate rationale.

The purpose of a joint visit between Police and Children's Social Care is to see the child and establish their welfare. Joint visits are a useful investigative tool and can greatly assist in the risk assessment process. They can assist in establishing if a crime has taken place, assess the risk of harm and assess a child's cognitive development and ability to provide an account during a visually recorded interview.

Enquiries should be carried out in such a way as to minimise distress to the child and to ensure that families are treated sympathetically and with respect. The decision as to whether to conduct a joint investigative interview or joint visits should be determined by what is in the best interests of the child, for example, by limiting the number of occasions that the child has to relate an account of what has happened to them or reducing the frequency of agency visits to the child's home.

Any initial questioning should be intended to confirm a brief account of what is alleged to have taken place; a more detailed account should not be pursued at this stage but should be left until the formal interview takes place. If a disclosure is made the questioning should stop.

4.2.1 Escalations

Wiltshire Police have signed up to the Wiltshire and Swindon Safeguarding partnership and will agree that any professional disagreements between MASH, CAIT or other departments with the Vulnerability Directorate and partner agencies around strategy discussion outcomes will follow these established escalation policies. These are available via the following links; [Swindon Safeguarding Partnership Adult and Children Resolution Policy \(Escalation Process\)](#), [Wiltshire Conflict Resolution Policy \(trixonline.co.uk\)](#). The key element to all escalation is professional conversations and quick resolution of the issue.

Once a decision has been made from within MASH to a joint investigation it is passed to CAIT or appropriate department. If there is a disagreement at this stage with the decision, then the CAIT DS or supervisor in CAIT and/or other department has the responsibility to raise direct with social care or other partner agency their concerns and/or dissent and whether they are going to proceed with a Joint Investigation. This conversation shall be recorded and rationale explained within the OEL and/or attached reports. Best practice would then suggest that the dissenting supervisor contacts a MASH supervisor to make them aware of the decision to overturn a JI from within a strategy discussion.

4.3 Medical Examinations of Child Victims

When a child presents with an immediate or recent assault a child protection and/or forensic medical examination should be considered.

Where a Child Protection and forensic medical examination are both required, every effort should be made to ensure that they are conducted at the same time rather than at different times, by different medical staff and varying locations if required the on call Paediatrician should be invited to the strategy discussion.

A strategy discussion should include the medical examiner (Consultant Paediatrician) for the majority of children who disclose assault (and for all those who disclose sexual assault that took place sometimes weeks, months or even years earlier). Late examinations may offer important forensic and clinical information as well as the opportunity to start the therapeutic process.

Children under the age of 16 will attend The Bridge in Bristol to have the medical undertaken for sexual assault cases.

Subject to the Strategy discussion, those children aged 16 years and over may have their medical carried out at the SARC in Swindon by the on call Paediatrician. This will be in agreement with the on call Forensic Paediatrician at the Bridge.

Consent must be obtained for the medical examination as failure to do so may constitute assault. A forensic medical examination may be carried out only with the consent of the child providing that the child has the capacity to give consent ([Gillick v West Norfolk and Wisbech Area Health Authority \[1986\] 1 AC 112](#)) or with consent from the parent, carer or person with parental responsibility. Parental consent is assumed to be a proxy for the best interests of the child. However, if the parents are not acting in the child's best interests, this may need the intervention of the court.

A child below the age of 16 years can give consent if they have 'sufficient understanding and intelligence to enable him or her to understand fully what is proposed'. In deciding whether a child is able to consent, the question is whether they can understand the nature, purpose and possible consequences of the examination. This includes considering if they can:

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- Understand the information relevant to the decision.
 - Retain that information.
 - Use and weigh up the information as part of the process of making the decision.
 - Communicate their decision by talking, using sign language or any other means.

In deciding whether a child has the capacity to consent, all information needs to be considered. This decision depends more on the child's ability to understand and weigh up options than on age.

If there is no one with parental responsibility available or the parent or carer refuses consent, the local authority may apply for an emergency protection order (which gives parental responsibility to the local authority) or a child assessment order.

4.4 Special Measures

The [Youth Justice and Criminal Evidence Act 1999](#) (YJCEA) – introduced a range of measures that can be used to facilitate the gathering and giving of evidence by vulnerable and intimidated witnesses. The measures are collectively known as “special measures”.

Special measures are a series of provisions that help vulnerable and intimidated witnesses give their best evidence in court and help to relieve some of the stress associated with giving evidence. Special measures apply to prosecution and defence witnesses, but not to the defendant and are subject to the discretion of the court.

A vulnerable or intimidated witness will be eligible for special measures under sections 16 to 33 of the [YJCEA](#).

Vulnerable witnesses are defined by [section 16](#) YJCEA as:

- All child witnesses (under 18 – as amended by [section 98\(2\)](#) of the Coroners and Justice Act 2009 to substitute 17 for 18); and
- Any witness whose quality of evidence is likely to be diminished because they: °are suffering from a mental disorder (as defined by [section 1\(2\)](#) of the Mental Health Act 1983 and amended into a single definition by section 1(2) of the Mental Health Act 2007 – see the Mental Health legal guidance);
- Has a significant impairment of intelligence and social functioning
- Has a physical disability or are suffering from a physical disorder.

Intimidated witnesses are defined by [section 17](#) YJCEA as:

Those suffering from fear or distress in relation to testifying in the case. Complainants in sexual offences are defined by section 17(4) as automatically falling into this category unless they wish to opt out.

The special measures available to vulnerable and intimidated witnesses, with the agreement of the court, include:

- Screens
- Live link
- Evidence given in private
- Removal of wigs and gowns by Judges and Barristers
- Visual Recorded Interview
- Pre-trial visual recorded cross examination or re-examination
- Examination of the witness through an intermediary
- Aids to communication

It is not uncommon for a child witness to change their views about giving evidence using particular Special Measures. Therefore, Special Measures discussions should be ongoing and discussed at the police interview stage, before submission of a Special Measures application and reviewed again after a pre-court familiarisation visit.

4.5 Interviewing Child Victims and Witnesses

Officers conducting interviews with child victims or witness should be read and be familiar with [Achieving Best Evidence in Criminal Proceedings \(publishing.service.gov.uk\)](https://publishing.service.gov.uk).

A video-recorded interview serves two primary purposes:

- The evidence-in-chief of the witness
- Evidence gathering for use in the investigation and in criminal proceedings

In addition, any relevant information gained during the interview can also be used to inform enquiries regarding significant harm under [section 47](#) of the Children Act 1989 and any subsequent actions to safeguard and promote the child's welfare. In some cases, the information gained will be used to ensure the safeguarding and welfare of other children.

An interview with a child should only take place after the strategy discussion with Children Services, however, it should not be delayed solely for the purposes of a strategy discussion if it is not in the best interests of the child to do so.

Consent – before conducting a video recorded interview with children, consent is required except in the following circumstances:

If the child can understand the implications of what they are being asked to consent to and is able to consent in their own right, consent of someone with parental responsibility is not necessary. However, the force should inform a parent or carer before the interview takes place, unless there are exceptional reasons for not doing so, including:

- The possibility exists that a child would be threatened or otherwise coerced into silence
- There is a strong likelihood that important evidence would be destroyed
- The child in question does not wish the parent to be involved at that stage, and is competent to make that decision.

If the child does not have the capacity to consent in their own right and cannot understand the implications of what they are being asked to consent to, consent of someone with parental responsibility is necessary. However, if consent cannot be secured, Children Services can consider obtaining an emergency protection order under [section 44](#) of the Children Act 1989, with the necessary directions on it if the child is at risk of significant harm.

Where the force decides not to inform a parent or carer for the exceptional circumstances above, they should carefully document this decision.

The Interviewer – Consideration should be given to who is best qualified to lead the interview. A special blend of skills is required to take the lead in video-recorded interviews. The lead interviewer should be a person who has established or is likely to be able to establish rapport with the witness, who understands how to communicate effectively with witnesses who might become distressed, and who has a proper grasp of the rules of evidence and criminal offences.

Interpreter – Witnesses should always be interviewed in the language of their choice, unless exceptional circumstances prevail (for example, in respect of the availability of interpreters). This will normally be the witness's first language, unless specific circumstances result in their second language being more appropriate. Interviewers should be aware that some witnesses could be perfectly fluent

in English, but might use their first language to express intimate or more complex concepts. As a result, the possibility of using an interpreter should be considered while planning the interview, even where a witness is bilingual. Further information can be found on SharePoint under: [News - CS - Guidance for Officers and staff V1.1.pdf - All Documents \(sharepoint.com\)](#)

Intermediary – An intermediary may be able to help improve the quality of evidence of any vulnerable adult or child witness (as defined in [section 16](#) Youth Justice and Criminal Evidence Act 1999) who is unable to detect and cope with misunderstanding, or to clearly express their answers to questions, especially in the context of an interview or while giving evidence in court. Intermediaries are not available to ‘intimidated’ witnesses as defined by [section 17](#) Youth Justice and Criminal Evidence Act 1999 (unless they can also be categorised as ‘vulnerable’) or significant witnesses.

The NCA should be contacted in order to obtain the services of a Registered Intermediary. An unregistered intermediary can only be used if all other means of obtaining a registered intermediary have been exhausted.

An entry must be made within the Investigation Plan to show that consideration was given an Intermediary and a rationale if a decision was made not to employ one

4.6 Child Witnesses under 10 Years

As above, [section 16](#) of the Youth Justice and Criminal Evidence Act 1999 recognises children’s vulnerability and automatically classifies child witnesses as being eligible for Special Measures. However, despite the use of these measures, the judicial process can still be too slow to afford very young witnesses the opportunity of providing their best evidence.

To that end a [Protocol between the National Police Chiefs Council \(NPCC\); Crown Prosecutions Service \(CPS\); HM Courts and Tribunal Service](#) has been issued in order to ensure that cases involving witnesses under 10 years can be expedited.

The Protocol only applies to cases charged on or after 1 April 2015 where:

- A witness is under the age of 10 at the time the incident is reported to the police; and
- The witness under 10 has provided an evidential statement or Achieving Best Evidence (ABE) interview in relation to the incident, either in support of the prosecution or defence.

When a case involves a victim or witness under the age of 10 years the protocol should be adhered to.

Although the Protocol refers specifically to Under 10, CPS should be consulted if an investigation involves a young person over 10 but under the age 13 years.

4.7 Victim/Witness welfare

It is important that child victims and witnesses should be treated in a respectful, sensitive, tailored and professional manner without discrimination of any kind. They should receive appropriate support to help them, as far as possible, to cope and recover and be protected from re-victimisation.

The [Code of Practice for Victims of Crime \(The Victim’s Code\)](#) sets out the minimum standard of service and aims to ensure that victims of crime are provided with timely, accurate information about their case at all stages of the criminal justice process.

The nature and sensitivity of child abuse cases will inevitably mean that Officers and Staff should go beyond the minimum requirements of the Victims Code where appropriate to do so and a record placed on the OEL on each occasion contact is made with the victim/witness. A Vulnerability Needs Assessment (VNA) should also be considered.

The Wiltshire Police [Investigation and Crime Review Procedure](#) sets out the standard expected of Officers and Staff when dealing with victims and witnesses.

4.8 Counselling and Therapy

The best interests of the victim or witness are paramount when making decisions about therapy. There is no bar to a victim seeking pre-trial therapy or counselling and neither the Police nor the CPS should prevent it from taking place. CPS should be consulted if the victim wishes to undergo therapy prior to the trial so that they can advise on the correct approach to take.

4.9 Third Party Material / Family Court Proceedings

Investigators and Prosecutors should handle requests for Local Authority material in accordance with any applicable local protocol, together with the below mentioned national guidance.

Records held by other agencies (particularly children's social care or the NSPCC) may reveal previous reports or incidents, evidence of the existence of abuse or evidence of the impact of abuse that will assist the investigation. This can include information from agencies involved before or after the investigation. Such third-party material may also provide corroborative evidence to support or disprove an allegation.

Investigators are under a duty to pursue all reasonable line of enquiry, whether these point towards or away from a suspect.

When considering the request for third party material the following documents should be consulted:

- 2013 Protocol for Disclosure of Information in Cases of Alleged Child Abuse and Linked Criminal and Care Directions Hearings.
- Child Sex Abuse: Guidelines on Prosecuting Cases of Child Sexual Abuse, should be consulted (para's 129 – 143)
- Chapter 4 of the Disclosure Manual
- Working Together 2023

4.10 Suspect considerations

Individuals who are suspected of child abuse require additional considerations both pre and post charge.

When a decision has been made to release a suspect with or without charge, the risks the suspect poses to the victim, the risks others pose to the suspect and the risk to the suspect themselves need to be considered.

The risk posed by the suspect is particularly relevant when the suspect is a member of the victim's household, a relative, friend or associate with routine access, or they have access to other children (e.g., through their profession or hobbies). In these circumstances, it may be appropriate to involve other agencies in the risk management process.

When an individual who is suspect of sexual offences involving children (both contact and non-contact offences) is investigated, then they must be given advice and guidance regarding their own welfare.

For individuals arrested and bailed, Custody Staff will conduct a pre discharge risk assessment and note this has been done on the custody record. For those invited for interview, it will be the responsibility of the interviewing member of staff to ensure that a risk assessment with the individual is carried out and the details recorded on the occurrence.

Supervisors and Investigators will ensure that the guidelines set out in the [Investigation and Crime Review Procedure](#) are adhered to.

Whenever an individual is investigated for a child abuse offence, enquiries must be made in relation to their living circumstances and what contact they have with children. Following these enquiries, where necessary, a PPN should be forwarded to the MASH so appropriate risk assessments can be carried out to safeguard children from the offender whilst the investigation is ongoing. When the suspect is investigated, released under investigation or charged, further enquiries must be carried out to establish if their living circumstances or their access to children has changed.

4.11 Early Advice Files to CPS

Officers should note that all child abuse cases fall within the pre-charge advice scheme, even when a guilty plea is likely. Pre-charge advice and charging decisions should be sought in accordance with local systems.

Early and ongoing liaison with the CPS is important as it helps the crown prosecutor to make decisions about a particular case, and supports a successful prosecution. It also helps to identify measures necessary for the protection of the victim(s), if applying for a remand in custody or prior to a sentencing decision.

The information in the file preparation checklist will not always be readily available, but it should be passed to the CPS as soon as possible. The CPS must be updated of any change in circumstances.

4.12 Media

Investigating Officers and Staff should be aware that child abuse investigations often provoke very emotive media coverage that, if uncontrolled and inappropriate, can lead the defence to suggest that the defendant is unable to have a fair trial.

It is essential that victims and their families are protected from the potential trauma that may be associated with media interest in their cases.

Whenever it is apparent that a particular case has attracted media interest, advice must be sought from the Communications Department, and a media strategy agreed.

4.13 Child Protection Conferences

Following S47 enquiries, where concerns of significant harm are substantiated and the child is judged to be suffering or likely to suffer significant harm, an Initial Child Protection Conference (ICPC) will be convened by Children's Services. This convenes family members (and where appropriate, the child), with supporters, advocates and professionals involved with the child and family, to make decisions about the child's future safety, health and development. Initial Child Protection Conferences can also be called for unborn children. The ICPC should take place within 15 days of the strategy discussion.

Wiltshire Police have Child Protection Conference Attendees who attend all ICPC's in County and Swindon. If there is an ongoing investigation, the Child Protection Conference Co-Ordinator will advise the OIC and if they wish to attend the Centre for Prevention of Child Abuse (CPCA) will prepare the report and submit the report on their behalf.

In relation to attendance at Review Conferences in Swindon, CPCA's are not expected to attend but will provide an updated report. However, the OIC can make a decision to attend if they consider that their attendance would be appropriate.

In County, Children Services do not expect Police to attend a Review Conference unless specifically invited and do not require an updated report.

4.14 Exit Strategy

As the investigation draws to a close the Investigator should put a plan in place to withdraw from the family so that the victim fully understands the journey of the investigation, this is particularly important in cases where no further action is being taken. This should be done in a caring and considerate manner and if possible, face to face. It will also allow the Investigator to ensure the ongoing welfare of the victim and enable signposting to appropriate support agencies.

5. MANAGING ALLEGATIONS AGAINST PROFESSIONALS

Both Wiltshire and Swindon Local Authorities have a Manager whose role is to ensure both the management and oversight of matters where allegations are made against those who work with children. Position of trust encompasses a variety of workers, primarily employed by education, health care, religious establishments, and care facilities, but also includes anyone undertaking paid or unpaid work involving any contact with children.

An allegation may relate to a person who works with children who has:

- Behaved in a way that has harmed a child, or may have harmed a child.
- Possibly committed a criminal offence against or related to a child.
- Behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

Swindon and Wiltshire Councils – Local Authority Designated Officer (LADO)

5.1 Managing Allegations against Police Officers/Police Staff

Wiltshire Police, will not, under any circumstances, tolerate any member of staff being involved in or connected with the abuse of children.

Investigating allegations where a member of staff is the suspect, remains the responsibility of specialist officers, both within CAIT and Professional Standards. However, the initial response may often fall to non-specialist officers, but should not differ from any other response to an allegation of child abuse.

6. The Sentinel Team

The Sentinel Team have responsibilities around exploitation and missing under their own policy and procedure.

Appendix 1: **KEY DEFINITIONS**

A Child

A child is defined by the Children Acts 1989 and 2004 respectively; a child is anyone who has not yet reached their 18th birthday. The term child is used therefore to include children and young people.

Under some legislation, however the age is lower, for example under [section 1](#) of the Children and Young Persons Act 1933 the age of the child is under 16 years. Unless specific legislation indicates otherwise this policy will refer to children under the age of 18 years.

The fact that a child has reached 16 years of age, is living independently; is looked after or is in further education, is a member of the armed forces is in hospital or in custody, does not change his or her entitlement to services or protection.

Child Abuse

This is defined as any form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm on them, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or by others (e.g., via the internet). They may be abused by an adult or adults, or by another child or children.

Concern about child abuse is one aspect of safeguarding children. The term child abuse includes physical, sexual or emotional abuse, or neglect of a child.

It does not include straightforward property offences where the child is a victim (e.g., theft of a mobile phone). However, the police have an important role where there are concerns for children which do not involve criminal offences. That role generally includes active involvement in strategic partnerships relating to safeguarding children, and action at an operational level which includes referring any concerns to other agencies for information and/or action.

Child abuse can also include offences relating to human trafficking and child sexual exploitation. In most occurrences of child abuse, however, the perpetrator is likely to be a family member or someone known to the child. In some cases children may not understand that they are being abused. The complex dynamics of abuse mean that some individuals develop an attachment to the person harming them. This can sometimes make identifying abuse difficult and result in the victim playing down and/or denying the abuse.

Child Protection

Where there is a risk that a child is suffering or is likely to suffer significant harm, in accordance with the Children Act 1989 [section 47](#), or is a 'child in need' as defined in the Children Act 1989 [section 17\(10\)](#), the police are responsible for taking whatever action is required. This includes referring details about the child to children's social care. In all aspects of the police response to concern for a child, including where there are suspicions of child abuse (e.g., as part of a criminal investigation), the key principles are the welfare and best interests of the child. This applies regardless of the environment in which the abuse occurs (e.g., family, institution or online) and the context or crime type (e.g., prostituting or trafficking a child).

Concerns about criminal offences relating to child abuse which come from police staff, other agencies or members of the public should be the focus of child abuse investigation units or equivalent police structures.

Significant Harm

The Children Act 1989 introduced the concept of significant harm in order to assess the need for compulsory intervention in family life in the best interests of children. Under [section 47](#) of the Act, the local authority has a duty to make enquiries, or cause enquiries to be made, where it reasonably

suspects that a child is suffering or is likely to suffer significant harm. The enquiries should enable the local authority to decide whether they should take action to safeguard the child and promote the child's welfare.

There are no absolute legally or medically defined criteria on which to rely when judging what constitutes significant harm, although HM Government (2018) Working Together to Safeguard Children and Welsh Assembly Government (n.d.) Safeguarding Children: Working Together Under the Children Act 2004 contain more detailed guidance about establishing significant harm.

Sometimes a single, traumatic event may constitute significant harm, e.g., a violent assault, suffocation or poisoning. More often, however, there is an accumulation of events which together constitute significant harm, but alone may appear unimportant.

Some children live in family and social circumstances where their health and development are neglected. For these children, it is the corrosiveness of long-term emotional, physical or sexual abuse that causes impairment to the extent of constituting significant harm.

The Children Act 1989 [section 31\(9\) and \(10\)](#) (as amended) gives the following definition of harm:

- 'harm' means ill-treatment or the impairment of health or development including, for example, impairment suffered from seeing or hearing the ill-treatment of another
- 'development' means physical, intellectual, emotional, social or behavioural development
- 'health' means physical or mental health
- 'ill-treatment' includes sexual abuse and forms of ill-treatment which are not physical.

In determining whether the harm is significant, forces should compare the child's health and development with the health and development reasonably expected of a similar child.

Although the Children Act 1989 [section 31](#) relates specifically to court orders, for the sake of consistency the extended definition should be applied throughout.

Child in Need

Where significant harm or its likelihood is not apparent, the local Authority may still have a duty under [section 17](#) of the Children Act 1989 to safeguard and promote the welfare of that child by providing a range and level of services. Early Interventions and support for a child in need can help to avert escalation to the point where a family is in crisis.

Any child identified as a child in need should be referred to the Child Protection team who will then refer this matter to Local Authority Children's services to ensure that action is taken to safeguard that child.

Physical Abuse

This is the non-accidental infliction of physical force by one person on another, which may or may not result in physical injury. Physical abuse can involve the following:

- hitting
- shaking
- throwing
- poisoning
- burning or scalding
- drowning
- suffocating
- choking
- slapping
- pushing
- kicking
- misusing medication

-
- inappropriate restraint or false imprisonment.

This list is not exhaustive and the injury may not be external or immediately noticeable. Harm may also be caused when a parent or carer fabricates or induces illness, or deliberately causes ill health to a child in their care.

[Section 58](#) of the Children Act 2004 and the amended CPS charging standard means that for any injury to a child (a person less than 16 years of age) caused by a parent or person acting in loco parentis which amounts to more than a temporary reddening of the skin and where the injury is more than transient and trifling, the defence of reasonable punishment is not available. Therefore, any injury sustained by a child which is serious enough to warrant a charge of assault occasioning actual bodily harm cannot be considered to be as the result of reasonable punishment.

Emotional Abuse

This is the persistent, emotional maltreatment of a child to an extent which causes severe and persistent adverse effects on the child's emotional development. It may involve:

- conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person.
- not giving the child opportunities to express their views, deliberately silencing them or making fun of what they say or how they communicate.
- imposing age or developmentally inappropriate expectations on a child (e.g., interactions that are beyond a child's developmental capability)
- overprotecting and limiting exploration and learning, or preventing the child from participating in normal social interaction
- seeing and/or hearing the ill-treatment of another
- bullying (including cyber bullying).

Sexual Abuse

This is forcing or enticing a child or young person to take part in sexual activities. They may not necessarily involve a high level of violence and the child may or may not be aware of what is happening. The activities may include physical contact, such as assault by penetration (e.g., rape or oral sex) or non-penetrative acts (e.g., masturbation, kissing, rubbing and touching outside clothing).

They may also include non-contact activities, for example:

- involving children in looking at, or in the production of, sexual images
- involving children in watching sexual activities
- encouraging children to behave in sexually inappropriate ways
- grooming a child in preparation for abuse (including via the internet).

Sexual abuse is not solely perpetrated by adult men. Women may also commit acts of sexual abuse, as can other children.

Neglect

Neglect is the 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. The offence is committed if a parent, legal guardian or other person legally liable to maintain a child or young person has wilfully neglected the child in a manner likely to cause injury to the child's mental or physical health if they have failed to provide adequate food, clothing, medical aid or lodgings. This includes failure to take such reasonable steps as to procure these items.

Neglect also includes failing to protect a child from physical harm or danger, the failure to ensure access to appropriate medical care or treatment and the neglect of, or unresponsiveness to, a child's basic emotional needs.

For criminal neglect, there must be evidence that it was 'wilful', which in this context means deliberate or reckless. Although there is no definable threshold for when a minor neglectful act becomes a criminal offence, each single incident must be examined in the context of other acts or omissions and the possibility of a criminal offence should be considered. There will be occasions when the issue is one of poor parenting and/or lack of knowledge of the carer rather than a deliberate and wilful act.

Child Cruelty

The offence of cruelty to persons under 16 years incorporates neglect, as set out in the Children and Young Persons Act 1933 [section 1\(1\)](#). Under the Act, if anyone who is 16 years or over wilfully assaults, ill-treats, whether physically or otherwise, neglects, abandons, or exposes a child, or procures a child to be assaulted, ill-treated, whether physically or otherwise, neglected, abandoned, or exposed, in a manner likely to cause unnecessary suffering or injury to health, whether the suffering or injury is of a physical or psychological nature, they are guilty of an offence.

There is no statutory definition of wilfully, but the term has been interpreted by the courts. In [Attorney General's Reference No 3 of 2003 \[2005\] 1 Q.B. 73](#) it was said that wilful misconduct means, 'deliberately doing something which is wrong, knowing it to be wrong or with reckless indifference as to whether it is wrong or not'. Although there is no definable threshold for when a minor neglectful act becomes a criminal offence, each single incident must be examined in the context of other acts or omissions and the possibility of a criminal offence should be considered. See definition of 'reckless' in [R v G \[2004\] 1 AC 1034](#).

There will be occasions when the issue is one of poor parenting and/or the carer's lack of knowledge, rather than a deliberate and wilful act. The decision to record wilful neglect as a crime should be made in light of all available evidence and information. If, on the balance of probabilities, it is more likely than not that the incident is the result of a criminal act, a crime should be recorded in accordance with Home Office (2011) The National Crime Recording Standard (NCRS): What you need to know.

Where the report is not initially recorded as a crime (because it does not meet the NCRS criteria for recording), an incident report should be recorded in accordance with the national guidance. Where a prosecution does not result from the investigation, any records and other relevant information should be retained as these may assist any future investigation and provide evidence to support a future prosecution

Children with Disabilities

Any child with a disability is by definition a 'child in need' under s17 of the Children Act 1989. The Disability Discrimination Act 1995 makes it unlawful to discriminate against a disabled person in relation to the provision of services. This includes making a service more difficult for a disabled person to access or providing them with a different standard of service.

Research suggests that children with a disability may be generally more vulnerable to significant harm through physical, abuse and / or neglect than children who do not have a disability.

Abuse and Offending by Children

When children are reported to be abusing others or offending in other ways, or involved in substance abuse, for example, abusing drugs or alcohol, this should be recognised as a possible indicator that they are or have been a victim of child abuse.

Sexual offending by children, even if relatively minor (e.g., exposure) may escalate to more serious sexual offending. This should be referred to Children's Social Care so that issues can be dealt with

at an early stage. The evidence suggests that children who sexually harm may have suffered considerable disruption in their lives, have poor attachments, been exposed to violence within the family, may have witnessed or been subject to physical or sexual abuse, have problems in their educational development, and may have committed other offences.

Such children and young people are likely to be children in need, and some will in addition be suffering or at risk of significant harm and may themselves be in need of protection.

It is therefore important that when a child comes to the notice of Police a PPN is completed and sent to MASH for their consideration.

Lawful Chastisement

[Section 58](#) Children Act 2004 removes the availability of the reasonable chastisement defence for parents or adults acting in loco parentis where the accused is charged with wounding, causing grievous bodily harm, assault occasioning actual bodily harm or cruelty to persons less than 16 years of age. However, the defence remains available for parents and adults acting in loco parentis charged with common assault under [section 39](#) Criminal Justice Act 1988.

Domestic Abuse

Domestic Abuse is a primary risk indicator of child protection concerns. There are significant links between Domestic Abuse and Child Abuse.

Through timely information sharing and early identification of families affected by domestic violence, we can provide an effective multi- agency approach for the protection of those children.

We will recognise the plight of victims and their children and offer them the protection and support they deserve whilst seeking to challenge offenders, holding them accountable throughout the criminal justice process.

Decisions will not be made on the basis of stereotypes and we will regard victims of domestic violence or abuse as victims of crime who need protecting. We will not assume that victims will later withdraw their complaint, if appropriate, we will attempt to pursue evidence led prosecutions.

Wiltshire Police will ensure that positive action is taken at all Domestic Abuse incidents to protect victims and children and challenge offenders.

For further information please refer to the [Domestic Abuse Policy and Procedure.doc \(sharepoint.com\)](#)

Children left alone

In cases where children are left alone, the law does not particularly specify an age when this would be considered acceptable. This is, in part, in recognition that all children are different and demonstrate different levels of maturity and responsibility.

The Children and Young Persons Act 1933 ([section 1](#)) does state however that those parents can be prosecuted for wilful neglect if they leave a child under 16 unsupervised 'in a manner likely to cause unnecessary suffering or injury to health'.

In any situation where a child is left alone, consideration should be given to the circumstances and context (e.g. the ages, needs and maturity of the children, the length of time involved, the frequency of such incidents, the safety of the location and any other relevant factors).

The law also does not state an age when a young person can baby-sit. However, where a baby-sitter is under the age of 16 years, parents remain legally responsible to ensure that their child comes to no harm.

Child Abduction

It is a criminal offence under [section 1](#) the Child Abduction Act 1984 for a person connected with a child under the age of 16 to take or send that child out of the UK without the appropriate consent. It is also an offence under [section 2](#) the Act for a person not connected with the child, without lawful authority or reasonable excuse, to take or detain a child under the age of 16, or to remove or keep that child from lawful control.

Parental Responsibility

Parental responsibility under [section 3](#) of the Children Act 1989 means all rights, duties, powers, responsibilities and authority which by law a parent has in relation to their child and his or her property.

The following can hold parental responsibility:

- Natural mother
- Natural father if married to the natural mother at the time of the birth or if he subsequently marries the mother
- Natural father if he has a written agreement with the mother
- A person having parental responsibility through a court order
- An unmarried father if he acts with the mother to have his name recorded on the child's birth registration certificate (only in the case of children born after 1 December 2003)
- Local Authority Children's Services if granted by the courts.

Establishing Parental Responsibility

Officers conducting an investigation should consider the legal status of those responsible for a child to ensure that the child is protected from harm. To establish parental responsibility, officers should determine:

- Legal status of all parents
- Whether the child is looked after by the local authority
- Whether any court orders are in force that may affect parental responsibility, e.g., court orders relating to child contact.

Police Protection Powers do not give the police parental responsibility.

Under [section 20](#) of the Children Act 1989 updated by the Adoption and Children Act 2002, children and young people can be 'accommodated' by the local Authority with the consent of those with parental responsibility. This is based on an agreement between the local authority and the parents. The parents sign a written document agreeing to accommodation they also consent to allow the local authority to make decisions regarding medical assessment and treatment for the best interests of the child.

[Section 20](#) does not give the local authority parental responsibility this remains with the parents and parents and can withdraw that consent at any time.

Grooming/ Sexting

Grooming is the process of reducing the resistance of a child or their parent or carer to abuse. This may be achieved through increasing a child's, parent's or carer's fear of what might happen should they report the abuse as well as inducing them to believe that the abuse is acceptable.

Grooming may be achieved through personal contact with the child or the parent or carer or through other means of communication such as the internet. The Sexual Offences Act 2003 has introduced specific criminal offences that relate to the practice of grooming and the making of arrangements to commit a child sex offence.

“Sexting” is a term to describe the use of technology to create and share personal sexual content. The content may vary, from text message to images or partial nudity to sexual images or videos. This activity may constitute an indecent image offence and be illegal under the Protection of Children Act 1978 and Criminal Justice Act 1998.

Most offences involving sexual activity with children will require a full criminal investigative response, for example in the presence of exploitation, coercion, a profit motive or adults as perpetrators. Offences involving self-generated images or images obtained with consent by other children may be dealt with differently.

See [Child Self Generated Indecent Imagery \(Sexting\) Procedure](#) for further details.

Child Sexual Exploitation

Child sexual exploitation is a form of child sexual abuse where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator.

Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person’s limited availability of choice resulting from their social/economic and/or emotional vulnerability.

There is no one way that CSE is perpetrated, Grooming is common in some forms of CSE including online, but it is not always present. Online and offline (contact) exploitation can overlap. That children and young people may appear to co-operate cannot be taken as consent: they are legally minors and subject to many forms of coercion and control. These abuses of power are similar to those which are recognised in domestic violence.

A child or young person who is suspected of suffering or being at risk of suffering sexual exploitation will by definition be a child who may be in need under the Children Act 1989. All references to a child or young person mean those under the age of 18, as defined in the Children Acts 1989 & 2004 and equally applies to both males and females alike

Trafficking of Children

Child trafficking is defined as, the recruitment, transportation, transfer, harbouring or receipt of a child for the purposes of exploitation. All child victims are entitled to the same level of protection and care regardless of their immigration status.

Children are trafficked for a number of reasons, including sexual exploitation, domestic servitude, labour, benefit fraud and involvement in criminal activity, such as pick pocketing and theft. Not all cases of trafficking are international a child can be trafficked from one town or location to another.

Child Abuse Images and Internet Paedophilia and Ephebophilia

Under the Protection of Children Act 1978 (as amended by Criminal Justice and Public Order Act 1994 and the Sexual Offences Act 2003) there are a number of offences which are associated with indecent images of children. (IIOC) The definition of an indecent photograph is an indecent film, copy of an indecent photograph or film and an indecent photograph comprised in a film.

The Act defines a copy to include negatives, a computer disc or any form of electronic means that can be converted into a photograph and defines a film as any form of video.

The Criminal Justice and Immigration Act 2008 further extended the definition to include tracings and images which are not itself a photograph or pseudo photograph but is derived from a whole or part of a photograph or pseudo photograph and data stored on a computer disc or by any other electronic means which is then capable of conversion into an image.

It is important when investigating any allegation of Internet Paedophilia or IIOC to consider if there are any immediate Safeguarding children issues requiring interventions, therefore advice and support should be sought from Child Abuse Investigation Team (CIET), or out of hour's line supervision. The High Tech Crime Unit is also available for practical advice and guidance.

All Child Exploitation and Online Protection Command (CEOP) Indecent images investigations packages received will be initially recorded onto NICHE before following the CIET Crime Recoding and Research Flowchart, that sees jobs triaged and risk assessed at various points. If a suspect is identified as having access to children, this must be immediately raised with supervisors within CIET who will ensure the case is risk assessed using the Kent Internet Risk Assessment Tool (KIRAT) and a referral is made through MASH. If a report is based on offensive or unlawful communication between the child and another person, via the internet, the caller should be advised not to go online or use the computer until it has been examined for evidence collection.

Missing Children

Children who go missing may be at risk while missing and may have run away to escape abuse. It should be a consideration that the child could have gone missing to escape abuse within their home environment. Before missing children are returned, enquiries should be made to discover the reasons for their disappearance via the safe and well check. These enquiries can often result in further highlighted concerns about the child which require multi agency interventions.

Children Missing from Education (CME)

If a child is receiving education they have the opportunity to fulfil their potential, they are safeguarded and in an environment which promotes their welfare. If a child is missing from education they could be at risk of significant harm. Every local authority has a CME named point of contact.

Forced Marriage and Honour Based Violence

A forced marriage is a marriage conducted without the full and free consent of both parties. It should not be confused with an arranged marriage, which has the consent of both parties.

Children (female and male) can be subjected to forced marriages both in this country and abroad. In forced marriages, family members or spouses may perpetrate abuse, either by forcing the victim into the marriage or by abusing them after the marriage.

A child who is being forced into marriage is at risk of significant harm through physical, sexual and emotional abuse. Although the term 'Honour based abuse' is commonly used, there is no honour or legal based defence for this abuse.

It can often be distinguished between other forms of violence as it is often committed with some degree of approval/ and or collusion from family or other community members. This should always be taken into consideration when making Safeguarding Decisions.

Professionals should respond in a similar way to forced marriage as with domestic violence and honour based violence (i.e. in facilitating disclosure, developing individual safety plans, ensuring the child's safety by according them confidentiality in relation to the rest of the family, completing individual risk assessments).

Female Genital Mutilation

Female genital mutilation (FGM) is collective term for procedures which include the removal of part or all of the external female genitalia, for cultural or other non – therapeutic reasons.

The practice is medically unnecessary, extremely painful and has serious health consequences, both at the time the mutilation is carried out and in later life. The procedure is typically performed on girls

between the age of four and thirteen, but in some cases FGM is performed on new born infants or on young woman before marriage or pregnancy. This procedure has in some cases caused death from blood loss or infection, either following the procedure or in subsequent child birth.

FGM is illegal in the UK and is a clear and severe form of child abuse and violence against women. Professionals should intervene to safeguard girls and protect women who may be at risk of FGM or have been affected by it.

The Female Genital Mutilation Act 2003 made it illegal to take any female (who is a UK national or permanent resident) out of the UK for the purpose of FGM, or for any UK national or permanent resident to have any involvement in the performance or facilitation of FGM anywhere in the world.

In addition to the legislation specifically criminalising FGM, professionals must abide by other relevant laws such as the Children Act 2004 and Article 3 of the Human Rights Act which specifies that no one will be subjected to torture or inhuman or degrading treatment or punishment. The UN convention on the rights of a child states that any person below the age of 18 has the right to protection from activities or events that may cause harm and they need special safeguards and care and appropriate legal protection.

Any reported incident or suspected incident involving a child should be immediately forwarded to the Child Protection Team. Should this occur outside core hours then the duty Inspector should liaise with the Social Care emergency duty team and ensure appropriate protection measures are put in place.

Should there be an immediate risk to a child then consideration should be given to Police Protection Powers.

Pregnancy of a Child

Allegations of sexual activity with a child should be considered for a child abuse investigation even when the child claims to be consenting. The pregnancy of a child under 16 years of age can often provide evidence in a criminal investigation.

In some cases the effects of the abuse may mean that the child does not realise that they are being abused, which results in them minimising or denying the abuse.

A child's right to a private life and the claim they were consenting does not affect the duties of agencies to jointly consider the possibility that child may be suffering significant harm. This duty includes taking the appropriate action to assess risk and to protect that child.

Sudden and Unexpected death in Childhood.

A sudden or unexpected death is defined as the death of a child, in any setting, that was not anticipated as a significant possibility 24 hours before the death, or where there was a similarly unexpected collapse leading to or precipitating the events that led to the death. All sudden and unexpected deaths of infants or children under 2 years are termed as (SUDI). Sudden Unexpected Deaths in Childhood, aged 2 years to 18 years are termed as (SUDC). A rapid response will be initiated in every sudden and unexpected child death up to 18 years of age.

This response is an inter agency approach to obtaining the best evidence possible to understand how the child has died. It involves the early gathering of information, strategy meeting, review of body, home visit, post mortem examination, support to parents and a follow up strategy meeting.

Sudden deaths of, and serious injury to, all children under the age of 18 will be reported to the Child Death Overview Panel (CDOP) a sub group of the Local Safeguarding Children's Boards. CDOP reviews all the circumstances and events leading up to all child deaths.

Wiltshire Police have trained Officers on call who will attend all sudden deaths involving children.

Fabricated or Induced Illness.

The phenomenon of parents and carers inflicting harm upon children in their care by fabricating or inducing illness, and subsequently bringing this to the attention of medical practitioners for unnecessary investigation and treatment, is well documented.

There are examples of such harm being inflicted while the child is under medical supervision, including interference with intravenous lines, suffocation and deliberate poisoning. The focus must always remain on the child's physical and emotional health and welfare in the long and short term and the likelihood of that child suffering significant harm.

Child Homicides

Child Homicides should be investigated in accordance with ACPO 2006 Murder Investigation Manual.

This offence could be relevant when two or more carers are responsible for the death of a child but there is insufficient evidence to prosecute either one of them.

None Recent Child Abuse

Allegations of child abuse are often made by adults and children a long time after the abuse has occurred, particularly when the abuser is known to them or is a family member. There are many reasons for not disclosing at the time which include fear of reprisals, the degree of grooming and control by the abuser, shame that the allegation might not be believed, and lack of insight to what constituted abuse.

The allegation may be triggered by the person becoming aware that the abuser is being investigated for a similar matter, or suspecting that the abuse is continuing against other children.

As soon as an allegation of historical abuse is received immediate consideration should be given of any current safeguarding concerns e.g. does the alleged offender have continuing access to children.

Abuse Linked to a Belief in Spirit Possession

The term 'belief in spirit possession' is defined for the purposes of this guidance as the belief that an evil force has entered a child and is controlling him or her. Sometimes the term 'witch' is used and is defined here as the belief that a child is able to use an evil force to harm others. There is also a range of other language that is connected to such abuse.

This includes black magic, kindoki, ndoki, the evil eye, djinns, voodoo, obeah, demons, and child sorcerers. In all these cases, genuine beliefs can be held by families, carers, religious leaders, congregations, and the children themselves that evil forces are at work. Families and children can be deeply worried by the evil that they believe is threatening them, and abuse often occurs when an attempt is made to 'exorcise', or 'deliver' the child. Exorcism is defined here as attempting to expel evil spirits from a child. Child abuse linked to a belief in spirit possession sometimes stems from a child being used as an easy victim.

Whilst specific beliefs, practices, terms or forms of abuse may exist, the underlying reasons for the abuse are often similar to other contexts in which children become at risk of poor outcomes due to factors such as family stress, deprivation, domestic violence, substance abuse and or mental health problems. In addition, children who are different in some way, perhaps because they have a disability, an illness, learning needs, or are exceptionally bright, might be targeted in this kind of abuse.

In some cases, there will be no obvious difference and the child will have been targeted because they will have been perceived to be 'spiritually' different. The number of identified cases of such abuse is small but where it occurs the impact on the child is great, causing much distress and harm to the child.

Institutional Abuse and Abuse of Children Living Away from Home

Children living away from home, including foster care, residential care, private fostering, health settings, residential schools, prisons, young offender institutions and secure units may be particularly vulnerable to child abuse.

All allegations will be reported to the Designated Officer whose role it is to monitor each allegation against those professionals and ensure that each organisation is conducting an appropriate, proportionate and thorough investigation.

DOCUMENT ADMINISTRATION

Ownership:

Department Responsible: Vulnerability Directorate
Procedure Owner/Author: T/DSU Joseph Garrity / DI Penny Andrews
Technical Author: T/DCI Phillippa Sharpley / DI Penny Andrews
Senior Officer/Manager Sponsor: ACC Crime and Justice

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Revision Date	Version	Summary of Changes
22.09.2025	2.0	Reference to Youth Generated Images (Sexting) Procedure changed to Child Self Generated Indecent Imagery (Sexting) Procedure Reference to Hierarchical Crime Review Procedure changed to Investigation and Crime Review Procedure
09.03.2026	2.0	S4.2.1. - Link to Swindon Safeguarding Partnership (Escalation Process) updated.

Approvals:

This document requires the following approvals:

Name & Title	Date of Approval	Version
Force Policy Officer		1.0
ACC Crime and Justice		1.0
JNCC (Not required for all procedures)	N/A	

Distribution:

This document has been distributed via:

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E-Brief		
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Diversity Impact Assessment:

Has a DIA been completed? If no, please indicate the date by which it will be completed. If yes, please send a copy of the DIA with the procedure to the Force Policy Officer.	☒ Yes ☐ No Date:
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Consultation:

List below who you have consulted with on this procedure (incl. committees, groups, etc):

Name & Title	Date Consulted	Version

Implications of the Procedure:

Training Requirements

No additional training required.

IT Infrastructure

No additional IT infrastructure required