Unprotected, overprotected:
meeting the needs of young people with learning disabilities who experience, or are at risk of, sexual exploitation

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Introduction

Although child sexual exploitation (CSE) can, by its very nature, be difficult to detect, a growing body of evidence has given some indication of the extent of CSE, the different forms it takes, and its impact on victims. Research focused on CSE in relation to specific groups of young people – including those with learning disabilities – has, however, been limited. To address this knowledge gap and to usefully inform policy and practice development, Comic Relief commissioned a UK-wide study, the main aim of which was to increase understanding of how to meet the needs of young people with learning disabilities who experience, or are at risk of, CSE. The findings of this project are presented in the report Unprotected, overprotected.

One of four nation-specific briefings, this paper presents a summary of the key findings from the study. These clearly demonstrate the need for policy and practice change in England, as set out in the recommendations from the research that are detailed at the end of this briefing.

Key findings

- Young people with learning disabilities are vulnerable to CSE due to factors that include overprotection, social isolation and society refusing to view them as sexual beings.
- Lack of awareness of the sexual exploitation of young people with learning disabilities among professionals also contributes to their vulnerability.
- There are gaps in national policy and a lack of implementation of current guidance.
- Young people with learning disabilities are often not specifically considered in local multi-agency arrangements for CSE, which has implications for whether those experiencing or at risk of CSE are identified or receive support.
- Young people with learning disabilities can face a number of challenges to disclosing CSE, including the negative responses of professionals.

Definitions used in the research

Sexual exploitation: The sexual exploitation of children and young people under the age of 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive ‘something’ (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of performing, and/or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child’s immediate recognition, for example the persuasion to post sexual images on the internet/mobile phones with no immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources.

Learning disability meets three criteria:
- a significantly reduced ability to understand new or complex information, to learn new skills (impaired intelligence), with;
- a reduced ability to cope independently (impaired social functioning);
- which started before adulthood, with a lasting effect on development.

Policy context for England

The UK has international obligations to protect children and young people from sexual exploitation and abuse and, separately, to protect the rights of disabled children specifically.

In recent years, there has been increased attention on tackling CSE in England following the influential reports from the Office of the Children’s Commissioner for England on CSE in groups and gangs, Professor Jay’s report on CSE in Rotherham and a number of high-profile court cases across the country, including in Rochdale, Oxford, Torbay and Telford. Some of these cases involved young people with learning disabilities. For example, the Rochdale Serious Case Review identified that five of the six young people who had been sexually exploited for a prolonged period of time had learning disabilities or difficulties.

Recent government publications outline national strategies and actions for local agencies to prevent sexual exploitation, to better identify and safeguard all children and young people from sexual exploitation, and to ensure that perpetrators are prosecuted for their crimes. However, national strategies and guidance contain little recognition that young people with learning disabilities require specific consideration and an approach that meets their needs to help keep them safe.

Prevention

The importance of good-quality sex and relationships education (SRE) and personal, social, health and economic (PSHE) education to enable young people to stay safe from sexual exploitation is widely recognised. Yet the quality of PSHE and SRE in schools in England is ‘not yet good enough’ and these subjects lack the statutory status to ensure consistency across the country. The Education Select Committee recommended that the Department for Education develop a work plan for introducing age-appropriate PSHE and SRE in primary and secondary schools and noted that...
SRE provision is particularly important for the most vulnerable children, including those with special educational needs. The current PSHE and SRE guidance from the Department for Education does not give any guidance on how these subjects should be taught to young people with learning disabilities.

Identification and response

There is a plethora of statutory and non-statutory guidance defining and advising how children should be protected from abuse, including sexual abuse. The statutory guidance Working Together to Safeguard Children recognises that "the specific needs of disabled children and young carers should be given sufficient recognition and priority in the assessment process" to establish whether a child has suffered harm or been abused, yet the issue of sexual exploitation of young people with learning difficulties is not sufficiently covered.

The Sexual Violence against Children and Vulnerable People National Group Progress Report and Action Plan 2015 makes a commitment to publishing a revised version of the Safeguarding Children and Young People from Sexual Exploitation supplementary guidance. This offers a timely opportunity to ensure that the needs of young people with learning disabilities are adequately reflected.

Disclosure, disruption and justice response

National strategies to tackle CSE recognise that disruption and prosecution of perpetrators should be an important part of tackling the issue. The response of enforcement agencies to CSE has been under scrutiny in recent years and resulted in changes to guidance, but not yet with sufficient recognition of the needs of young people with learning disabilities.

In addition, recent action plans and guidance from police organisations have little or no advice on how to work with young people with learning disabilities. For example, the new guidance on Sexual Harm Prevention Orders and Sexual Risk Orders does not specify how the vulnerability of young people with learning disabilities should be considered when the order is applied and misses the opportunity to give direction on how disabled people, including those aged under 18, who are made subject to those orders should be assessed and supported to prevent their behaviour escalating.

Findings

Vulnerability factors

- Overprotection, disempowerment and social isolation of young people with learning disabilities all contribute to increased vulnerability to CSE.
- Society often refuses to view young people with learning disabilities as sexual beings, making it harder for people to accept that they can be sexually exploited.
- Professionals’ understanding of ‘capacity to consent’ to sexual by young people with learning disabilities was raised as a concern.
- Lack of accessible sex and relationships education, including information about how to stay safe online, for young people with learning disabilities was seen as creating vulnerability.
- Young adults aged 18 and older who are at risk of sexual exploitation may fall through the gap between children’s and adults’ services.
- There was a lack of awareness and training of professionals, both in terms of sexual exploitation and concerning learning disabilities.

‘I’m really quite shocked at some of the professional attitudes towards disabled people, and disabled children in particular.’

(Professional)

About the research

The methodology encompassed both qualitative and quantitative data collection across the UK, including: a literature review and policy analysis; a survey of local authorities/health and social care trusts; a CSE practice survey; a survey of projects working with young people with learning disabilities; and interviews with stakeholders and with children and young people with learning disabilities who have experienced, or are at risk of, sexual exploitation.

About the young people who participated in the research

- Twenty-seven young people with learning disabilities were interviewed, ranging in age from 12 to 23 years old; seven were male and 20 were female.
- The majority of the sample were white British (n=22), with five young people from black and minority ethnic communities.
- Fifteen young people had been identified as experiencing CSE and the remainder were identified as being at risk of CSE.
- Fifteen had a Statement of Special Educational Needs or nation-specific equivalent.
- In addition to a learning disability, the following impairments were also noted across the sample: autistic spectrum conditions (ASC) including Asperger syndrome; dyslexia; attention deficit hyperactivity disorder (ADHD); dyspraxia; emotional and behavioural difficulties; attachment disorders; emotional deregulation disorder; and mental health needs.
Gaps were identified in local multi-agency CSE. Many of the young people there is a wide variety in learning disability, often does not specifically address young people with learning disabilities. The majority of specialist CSE services could not specifically address young people with learning disabilities. Specialist CSE services could often be working with a young person and have concerns about a learning disability that has not been assessed.

Case study

Tom, aged 15, was sexually exploited by an older male who groomed him via Facebook. The older male told Tom that he loved him and wanted to be his boyfriend. He also told him that he was 18, when he was actually 37. Tom explained that, because of his autism, he found it particularly challenging to understand why someone would lie to him and say something they did not mean:

‘He said he loved me and wanted to be my boyfriend. Why would he say those things if he didn’t mean them? I wanted a boyfriend so why would I not have someone as my boyfriend who said he wanted to be my boyfriend?’

Tom said he did not tell his social worker, or any other professionals, that he was having a sexual relationship with an older male because no one asked him. When asked whether he would have told his social worker if she had asked him, Tom said he did not know because his older boyfriend had told him that he must not tell anyone about their relationship as Tom would get in trouble:

‘He said it was a secret... He said that lots of people thought that people with autism shouldn’t have boyfriends or girlfriends and that they would be angry with me if they knew I had a boyfriend.’

Policy, guidance and local strategies

- Gaps were identified in national policy and guidance in relation to (i) the importance of introducing compulsory sex and relationships education for all young people in every school and (ii) a clearer obligation on local areas and individual agencies to address the particular needs of young people with learning disabilities.

- Thirty-nine per cent of local authorities and health and social care trusts (HSCTs) said they were doing specific work to identify or work with young people with learning difficulties who were at risk of CSE; however, most felt that there were gaps in this provision.

- Local multi-agency CSE strategies often did not specifically address young people with learning disabilities.

- Forty-one per cent of local authorities and HSCTs had a specialist CSE service, but only half of these said that they felt it was currently able to meet the needs of young people with learning disabilities.

Multi-agency working and sharing of information

- There is widespread variability of multi-agency working occurring in practice, despite it being seen as critical to this group of young people.

- Learning disability often does not specifically feature within current information-sharing processes and systems.

Identification

- There is a wide variety in processes, systems and the criteria used to identify and record CSE and young people with learning disabilities.

- Low levels of awareness of CSE affect the identification of CSE, particularly in terms of young people with learning disabilities, who are often ‘invisible’ within services.

- Only 31 per cent of local authorities and HSCTs stated that the numbers of young people with learning disabilities could be identified in the CSE figures they collated.

Agency responses

- Young people and professionals in CSE or learning disability services had mixed views and experiences of other agencies’ understanding of CSE, their attitudes and responses, including in relation to social workers, schools, the police and the Crown Prosecution Service.

Referrals to specialist CSE services

- The majority of specialist CSE services request information about learning disabilities at the time of referral. Around half said that this information is only provided some of the time or rarely, and that it varies in quality.

- Specialist CSE services could often be working with a young person and have concerns about a learning disability that has not been assessed.

- Some young people had not been properly informed – or told in a way they had understood – why they were being referred. They recalled being confused or unhappy about this but, once they knew their worker better, had welcomed the support.

‘I mean: why would you tell someone they were going to a project so they could get help to keep safe? It made me think that I wasn’t safe. [...] I just worried that I wasn’t safe and I didn’t know why.’

(Tom, aged 15)

Diagnosis and assessment

- Many of the young people with learning disabilities currently being supported by CSE services did not meet the high thresholds for learning disability services, but had unmet needs associated with their impairment.

- Lack of recognition and/or proper diagnosis and assessment of learning needs was found to be negatively impacting on the protection of young people with learning disabilities and the provision of support.
CSE professionals can struggle to get young people referred to children's and adults' learning disability services. ‘I find that the older the young people get – so, say 13, 14, 15, 16 – we certainly find that there is a barrier there. We find that other organisations will say: “That’s just a wee bit late now,” when actually you can really very much see that [the young person] is not doing well in school, they’ve ended up in the residential care system; there’s just something not quite right, but there are challenges to actually getting them referred.’

(Professional)

Disclosure of CSE

When it comes to disclosure, many young people explained that three factors may have inhibited them from telling someone:

■ They did not understand, recognise or accept that they were being sexually exploited.
■ Even when they had become aware that something was not right about what was happening to them, they had concerns about the consequences of telling somebody.
■ There was no one whom they regarded as being an appropriate person to talk to – someone they were confident would listen to and believe them, and whom they could trust.

Young people also said that disclosure to a professional had, in most cases, taken time and only occurred once a long-term relationship had been built with one worker, usually from a specialist CSE service.

Diversity

Further work is needed to understand issues around gender, ethnicity, sexual identity and sexuality and young people with learning disabilities who experience, or are at risk of, CSE.

Outcomes and meeting need

Specialist CSE services are able to work with young people to achieve a range of positive outcomes. From the young people’s perspectives, these outcomes include:

■ increased understanding of CSE, risk and keeping themselves safe
■ considering consequences and recognising healthy relationships
■ improved relationships with family and understanding of friendships
■ improved mental, physical and sexual health
■ engaging with education, moving into paid employment, or planning for the future.

Disclosure of CSE or risk of CSE was recognised as an interim outcome and identified as supporting the achievement of other longer-term outcomes for some young people.

Recommendations from young people

To prevent young people with learning disabilities from experiencing, or being at risk of, CSE, and to improve support, the young people identified four key areas where improvements could be made:

■ Education and information on sex and relationships and exploitation
■ Earlier, child-centred general support for young people so that issues do not escalate and create risk; this includes being listened to by professionals
■ Support to meet their specific learning needs
■ Access to more CSE services.

‘They should teach kids what it is and what they can do to make sure it doesn’t happen to them.’

(Lizzie, aged 17)

Conclusion

A small number of UK studies have reported that young people with learning disabilities or difficulties constitute a significant minority of sexually exploited young people and that young people with learning disabilities or difficulties are at increased risk of CSE. The evidence from this project has shown that unless attention is paid to the additional barriers and issues faced by this group of young people, their exploitation will remain invisible and continue. The research findings make a clear case for changes to policy and practice, as set out in the recommendations below. When considering these, it is important to bear in mind that, despite the primary focus having been on young people with learning disabilities, the evidence gathered indicates that the recommendations are equally applicable to young people with learning difficulties and autistic spectrum conditions (including Asperger syndrome). They are also relevant to young people whose learning disability has not been assessed or diagnosed and who may not meet the high eligibility threshold for disability services.

Summary of recommendations for England

1. The UK Government must ensure the development, revision and implementation of legislation, policy and guidance to meet the needs of young people with learning disabilities who experience, or are at risk of, CSE. This should include the following changes:

a. The UK's international obligations to protect children from sexual exploitation, as stated in Article 34 of the United Nations Convention
on the Rights of the Child (UNCRC), and the rights to protection and inclusion of young people with learning disabilities enshrined within the UNCRC and the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) should be fully enacted.

b. The Child Protection Taskforce announced by the Prime Minister in June 2015 should be given the responsibility for leading improvements across police, social services and other agencies in responding to children and young people with learning disabilities affected by CSE, taking into consideration the evidence produced by this research.

c. A new national centre of expertise announced in March 2015 to identify and share high-quality evidence on how to tackle child sexual abuse should ensure that the evidence from this research is disseminated across all areas so that it can be incorporated in local responses to CSE.

d. The next revision of the Sexual Violence against Children and Vulnerable People National Group Progress Report and Action Plan 2015 should include actions to target sexual exploitation of young people with learning disabilities.

e. Statutory and practice guidance and action plans addressing CSE and child protection, such as Safeguarding children and young people from sexual exploitation: Supplementary guidance to Working together to safeguard children, the College of Policing’s Guidance on Responding to Child Sexual Exploitation, and the National Police Chiefs’ Council’s CSE Action Plan, should be amended to incorporate information relating to young people with learning disabilities and include: vulnerability to CSE; prevention of CSE; identification of young people who have experienced CSE; and meeting their individual needs.

f. National legislation, policy and guidance should ensure the implementation of a welfare- and child-centred approach for young people identified as perpetrators of CSE. In particular, the UK Government should amend Guidance on Part 2 of the Sexual Offences Act 2003 to specify that young people with learning disabilities under the age of 18 who are subject to Sexual Harm Prevention Orders or Sexual Risk Orders should receive assessment of their needs and therapeutic support to prevent the situation from escalating. This should include young people with learning disabilities up to the age of 18, and older where appropriate.

g. To improve central government data collection on CSE, the UK Government should explore how data relating to children with learning disabilities is included and publish this data to inform Local Safeguarding Children Boards’ assessments.

h. All Local Safeguarding Children Boards (LSCBs) should ensure that key agencies identify a designated strategic and operational CSE lead for disabled children and young people.

i. As part of their regular local assessments on the effectiveness of local responses to CSE, all LSCBs should include a focus on responding to children with learning disabilities and publish the outcomes of these assessments through their annual reports.

j. All LSCBs must ensure that multi-agency CSE mapping activity takes place and incorporates a focus on the risks to young people with learning disabilities, to support with assessment and response, and to ensure that local strategies are informed by good-quality data on children with learning disabilities affected by CSE.

k. LSCBs should ensure that services for children who are at high risk of sexual exploitation, such as missing children and children in care, are able to identify and provide appropriate support for children with learning disabilities, and that links are established between CSE and missing people services and services focusing on learning disabilities.

l. Multi-agency responses to young people with learning disabilities who experience, or are at risk of, CSE should focus on meeting their individual needs. This should include needs relating to both diagnosed learning disabilities and the assessment of suspected learning disabilities. Multi-agency responses should include adults’ services for young people who remain at risk of sexual exploitation at the age of 18.

m. LSCBs, in partnership with local authorities and Local Health and Wellbeing Boards, should ensure that local responses to young people with learning disabilities include good-quality, age-appropriate therapeutic support to help them overcome the trauma of sexual abuse. This should also include support for young people who display sexually inappropriate behaviour.

3. The UK Government and local agencies, including education providers, should take an active role in raising awareness of CSE among young people with learning disabilities and their parents and carers, and equip and empower them with the skills and knowledge to keep safe and seek help.
n. All educational establishments should provide high-quality, age-appropriate sex and relationships education, including same-sex relationships, with information adapted and made accessible. This should form part of a whole-school approach to child protection that includes information about internet safety, awareness of exploitation and when to give, obtain or refuse consent.

o. Information and guidance on sex, relationships, keeping safe and risk-taking must form part of every child’s plan (education, health and/or care plan) and associated support, in order to help young people with learning disabilities to build their understanding, knowledge and confidence, and reduce social isolation. This should form part of a life course approach to supporting young people with learning disabilities as they grow into adulthood.

p. Services for young people with learning disabilities should provide accessible information and support on sex, relationships (including same-sex relationships) and keeping safe, both online and offline. Parents and carers should also be supported to improve their awareness of CSE and enabled to protect and support their children, both online and offline.

4. Ofsted, Her Majesty’s Inspectorate of Constabulary (HMIC), the Care Quality Commission and Her Majesty’s Inspectorate of Prisons (HMIP) should ensure that all inspections, including those relating to child protection or CSE and new proposed multi-agency inspections, incorporate a focus on responses to young people with learning disabilities and how agencies work together to identify and protect them. All inspection work should appropriately and meaningfully include young people with learning disabilities to ensure their views inform practice and policy development, implementation and evaluation.

5. Professionals, practitioners and volunteers should be better equipped to respond to young people with learning disabilities who experience, or are at risk of, CSE.

q. Organisations responsible for the pre-qualification training curricula and induction of professionals whose work involves young people and families should make sure that learning disability and CSE are included as core topics for study and preparation for practice.

r. Bodies that commission, and agencies that deliver, multi-agency training at a local level to professionals whose work includes responsibility for the safety and welfare of children should ensure that this incorporates information on both CSE and learning disabilities.

s. Employers and organisations whose workers or volunteers have regular contact with young people with learning disabilities and their families (e.g. special schools and colleges, residential schools and colleges, providers of residential or personal care, and volunteering agencies) should provide CSE awareness training for their staff.

t. Applied learning disabilities training should be made available to specialist CSE professionals who work with young people, to enhance their knowledge and skills to better meet the needs of young people with learning disabilities.

6. The national campaign linked to the What to do if you are worried a child is being abused guidance announced by the UK Government should include a focus on young people with learning disabilities and be aimed at all stakeholder groups (professionals, parents, the public and young people) to raise awareness of the sexual exploitation of these young people and encourage action to improve protection. Campaigning activity
should be developed and delivered in partnership with children, young people and young adults with learning disabilities and all materials made available in a range of accessible formats.

The full research report, practice guide, executive summary and easy-read version of the summary can be found at: www.barnardos.org.uk/cse-learning-disabilities

References


12 Obsted (2013) Not yet good enough: personal, social, health and economic education in schools


18 National Police Chiefs’ Council, revised CSE Action plan: College of Policing Guidance on responding to child sexual exploitation


20 Ethical approval was sought from and granted by Coventry University’s Ethics Committee and Barnardo’s Research Ethics Committee (BREC).

21 An overall response rate of 34 per cent was achieved (71 responses).

22 Twenty-three services responded to the CSE practice survey. Within this, 14 responses were received from specialist CSE services and nine from more generic services that worked more broadly with disadvantaged young people.

23 Fourteen projects responded, including those from across the voluntary sector, schools, and health and social care.

24 CSE specialist workers reported that it is quite often the case that they support young people considered at risk of CSE and a disclosure or discovery of sexual exploitation occurs, it is possible that more of the sample of the young people could be experiencing CSE, or had experienced CSE at the time of the interview, than identified.

25 Specific issues were highlighted around the inaccessibility of information for young people with learning disabilities relating to sexual orientation in general and homosexuality in particular.