

The Children's Coalition

Report Stage – Victims and Prisoners Bill

Parliamentary briefing

This briefing sets out three ways in which the Bill can better recognise, support, and hold relevant agencies to account for their treatment of child victims and survivors of abuse and exploitation

Overview, aims and ambitions for report stage

The report stage of the Victim and Prisoners Bill offers a crucial opportunity to fully address the needs of children and young people and transform the criminal justice system.

Throughout the passage of the Bill, a coalition of leading children's charities and sector experts have continued to advocate for better protection and support for children experiencing abuse and exploitation.

Our ambition is to amplify the voice of children and strengthen legislation to transform the criminal justice response. Together we urge Government to commit to a child-centred, sufficiently resourced, and accountable justice system.

Progress so far for children

With thanks to colleagues who have worked with the Coalition to date there have been several notable wins in recognition of children, their support needs and holding the justice system to account.

These cover:

1. Including children on the face of the Bill.
2. Establishing a joint strategic needs assessment that now includes a focus on children

3. Placing a duty on the Secretary of State to make sure the distinct support needs of children are considered through the delivery of the Victims Code of Practice
4. That an annual report will be published on compliance with the code
5. Notifications of non-compliance with the code will be established
6. That the oversight taskforce will determine trigger points to ensure those non-compliance notifications are made appropriately and acted upon to rectify issues.
7. For the Victim's Commissioner to be included in the oversight of the code

What the Bill must do to better protect and support child victims of abuse and exploitation:

- Specify support for children under the duty to collaborate guidance
- Establish 'victim support roles' for children so they have advocates to be with them through a complex justice system
- Recognise children who have experienced criminal exploitation as victims

While these changes are significant and will support thousands of children and young people there is still more that can and must be done.



1. Specify support for children under the duty to collaborate guidance

Lack of support for children experiencing abuse and exploitation

- The average time between child sexual abuse happening and contact with a support service is 19 years¹
- The NSPCC found only 23% of local authorities say they offer specialised support for children who have experienced sexual and or domestic abuse in the form of independent and specially trained advisors¹
- The Domestic Abuse Commissioners mapping of domestic abuse services found only 29% of victims and survivors were able to get support for their children¹

Services for children who have experienced abuse and exploitation are not protected. Only accommodation-based services for child victims of domestic abuse are statutory. This means there is no obligation for commissioners to deliver vital, life-saving services in the community and no guarantee children will be able to access support.

There is overwhelming evidence showing children still face limited sufficient and specific support. The Independent Inquiry into Child Sexual Abuse found nearly three-quarters of victim and survivor respondents reported not having accessed any support services, with only just over a quarter having received some form of support, advice, or treatment due to their experience of child sexual abuse¹.

The findings indicate those responsible for commissioning support services are experiencing considerable unmet need for all forms of support services. Forty-three percent of adult victims and

survivors who participated in the Inquiry said that they currently had an unmet need for support services associated with their experiences of child sexual abuse. One local authority told the Inquiry that it had commissioned a service designed to support 800 individuals per year but received over 800 referrals in the first three months of the contract².

The Victims and Prisoners Bill offers a crucial opportunity to address the lack of support for child victims. To uphold Government's commitment to a vision where 'the right support should be available to all victims of crime, when they need it', as set out in the Victims Funding Strategy 2022³. Children must be considered a key part of this vision and have access to sufficient specific support.

What we are calling for

Expand clause 14 – guidance for 'victim support functions' – to include "relevant victim support services" including for children

The Victims and Prisoners Bill should include on the face of the Bill that supplementary guidance will specify what victim support services commissioners must deliver. Guidance for the relevant authorities must go beyond how they collaborate, but what services they collaborate on. This would support the authorities to deliver services which are separate to accommodation-based support and ensure support is delivered for children. This would also support a collaborative approach to consistently deliver sufficient services, as specified on the face of the Bill, and avoid a piecemeal approach.

The Bill's language which only directs the relevant authorities to have 'due regard' to children when considering their duties in delivering victim support services, is irresponsible. The Bill offers no framework on which to base 'due regard'. The



Children's Coalition is concerned that this will only exacerbate the postcode lottery of support on offer to children and young people if the guidance proposed for relevant authorities does not outline the types of support they are to collaborate on under their new duties. The Bill must set a strong benchmark for directing the relevant authorities to ensure support is in place for children and young people.

2. Victim support roles

Lack of specialised advocacy support for children

NSPCC found only 23% of local authorities say they offer specialised support for children experiencing sexual and domestic abuse in the form of independent and specially trained advisors¹

A Freedom of Information request by Barnardo's found that, in the financial year of 2023-2024, just 16.9% of advocates commissioned by Police and Crime Commissioners to support victims of domestic and sexual abuse were child-specific, in the forms of CHISVAs and CHISVAs¹

The research also found that more than 1900 FTE CHIDVAs and almost 500 FTE CHISVAs are needed to fill the gap between advocates available and the number of children affected by sexual and domestic abuse¹

Every child affected by abuse and exploitation must have access to appropriate advocacy support which is specific to their needs.

The Bill must ensure the role of Child Independent Sexual Violence Advisors (ChISVAs) Child Independent Domestic Violence Advisors

(ChIDVAs), and Independent Child Trafficking Guardians (ICTGs) are on the face of the Bill.

They provide a vital service for child victims of abuse and exploitation. Advocates support children with the practical challenges and emotional trauma of facing abuse and exploitation, and help them to understand and navigate support services, the criminal justice system, and social care services.

"I couldn't have done any of it without my CHISVA. If it wasn't for her, I wouldn't be here anymore, she is the kindest, most patient and understanding person I have ever met." – Child survivor supported by a CHISVA at Safeline.⁴

Home Office guidance is clear that ISVAs working with children and young people require specific training and skills⁵. The response children require is different to that of adults. This can include separate and distinct risk factors, safeguarding processes and separate safety planning. The response should also change dependent on the age of the child or young person. For example, the behaviour and safety needs of much younger children aged 0-5 is incomparable to the needs of children aged 12 and above.

What we are calling for

Ensure section 13 specifies that the relevant authorities have due regard to 'guidance about specified victim support roles' as per section 15

The Children's Coalition want to ensure the relevant authorities are considering and commissioning against the need for victim support roles, including for children, when carrying



out their duties under section 12 and 13 'duty to collaborate'.

The Bill must ensure when collaborating on victim support roles, relevant authorities are directed to include these vital advocacy services for children within their commissioning strategies.

3. Recognise children who have experienced criminal exploitation as victims

Scale of child criminal exploitation

- While the true scale is unknown, it has been estimated that there could be as many as 200,000 children in England aged 11 to 17 who are vulnerable to serious violence⁶
- Children make up nearly half (44% or 7,432) of all referrals to the National Referral Mechanism (NRM)¹ – a framework for identifying victims of modern slavery, exploitation, and trafficking⁷
- In the period ending March 2023, there were 11,110 instances where gangs were a factor and 14,420 instances where Child Criminal Exploitation was a factor⁸

The Victims and Prisoners Bill presents a powerful opportunity to ensure children who have been criminally exploited are seen and treated as victims first.

Child Criminal Exploitation (CCE) is the grooming and exploitation of children into criminal activity. The Children's Society uses a definition of child criminal exploitation from young people who describe it as 'when someone you trusted makes you commit crimes for their benefit'⁹. This definition conveys the key components of

exploitation – a trusted person taking advantage of vulnerability to deceive, control or manipulate children into criminal activity. In some cases, children are enticed to take part through manipulation and the promise of reward, and in other cases violence and threats of violence play a more direct role in how control is exerted¹⁰.

"Children and young people cannot consent to be exploited" – DEx Project Worker, The Children's Society

The exploitation can take a variety of forms, including children being forced to work in cannabis factories, coerced into moving drugs or money across the country, forced to commit financial fraud, forced to shoplift, or pickpocket or forced to take part in county lines¹¹.

What we are calling for

The Bill must introduce a statutory definition of child criminal exploitation within Part 1 definition of a 'victim'

Creating a statutory definition of CCE would create understanding across agencies and professions on this issue, ensuring timely identification and support for child victims. It would also allow for more effective action against those who exploit children, sending a clear message that they cannot act with impunity.

"We definitely need the definition to do our job, it's a 21st century crime we are prosecuting with outdated legislation" – Police Officer (speaking to The Children's Society, Jan 2024)

The Minister during Committee Stage in the Lords stated that "the phrase "child criminal exploitation" in itself implies someone who has been exploited by criminal conduct" and would therefore be covered and recognised as a victim. However, without definition or recognition on a statutory footing, these child victims will continue



to be overlooked and unsupported. It is incumbent upon us to protect children who are groomed and threatened by adult criminals to commit crimes. Children should not continue to pay the price for

adult crimes. Rather than charging and persecuting children who were forced or manipulated into committing crimes by adult criminals, they require protection and support.

How we can work together

As a Children's Coalition of sector-leading organisations, we have unique insight into children and young people affected by abuse and exploitation and their experience of the criminal justice system. As the Victims and Prisoners Bill enters its next phase, we are available to offer our support and expertise to inform debate and strengthen this legislation. We can provide case studies, evidence, and further briefing on any of the points provided.

We would be keen to meet with you to discuss these issues in further detail. Contact Ellie Pirrie, Senior Policy and Public Affairs Officer at NSPCC (Ellie.Pirrie@nspcc.org.uk)

¹ IICSA (2022) [The Report of the Independent Inquiry into Child Sexual Abuse](#)

² IICSA (2022) [The Report of the Independent Inquiry into Child Sexual Abuse](#)

³ Ministry of Justice (2022) [Victims Funding Strategy](#)

⁴ Safeline (2023) [Child Independent Sexual Violence Advocates](#)

⁵ Home Office (2017) [Essential Elements Guidance](#)

⁶ Crest (2021) [Violence and Vulnerability](#)

⁷ Home Office (2024) [Modern Slavery: National Referral Mechanism and Duty to Notify statistics UK, end of year summary 2023](#)

⁸ Department for Education (2022) [Characteristics of children in need in the year 2021 to 2022](#)

⁹ The Children's Society (2019) [Counting Lives: Responding to Children who are criminally exploited](#)

¹⁰ The Children's Society (2019) [Counting Lives: Responding to Children who are criminally exploited](#)

¹¹ The Children's Society (2021) [Child Criminal Exploitation: PCSC Bill Briefing](#)

