

We welcome this opportunity to comment on the Cross Government Action Plan on Sexual Violence and Abuse and the accompanying Implementation Guide. This is a valuable and worthwhile initiative that we believe has the potential to make a notable difference in preventing sexual violence and abuse and in changing for the better the experiences of those who are victims of this form of violence. We hope the Government will find the following constructive comments, drawn from our collective expertise and long experience in this field, of value in the drafting of these documents.

Our comments and observations are set out below with reference to the relevant sections of the Action Plan and Implementation Guide. However, we would like to begin by making some general observations on the content of the documents.

1) General Observations

1.1) We welcome the attention paid in the documents to the differing experiences of sexual violence and abuse of groups in society, e.g. women, children, those involved in prostitution. Recognition that certain sections of society are more vulnerable to sexual violence and abuse and have needs that vary depending on their circumstances is an important foundation for successfully protecting and assisting these groups.

1.2) We therefore think it is valuable that the documents note the particular and disproportionate vulnerability of people with learning disabilities (Action Plan, para. 2.20). However, we are disappointed that the documents do not carry this recognition through into specific actions directed at preventing and dealing with sexual violence and abuse of people with learning disabilities. As the Government has seized this opportunity to help other vulnerable groups, we hope they will not miss the opportunity to help people with learning disabilities as well.

1.3) The Action Plan and Implementation Guide mention the valuable role the voluntary sector plays in delivering services to victims and we welcome this. However, there are so many more ways that the voluntary sector works with victims and statutory bodies (e.g. providing training to professionals) that are not mentioned. The voluntary sector is a valuable resource that can be tapped by the Government and statutory bodies to help fulfil this Action Plan and which deserves recognition for the invaluable work it does. In our comments we indicate how the documents can include the voluntary sector more and we ask the Government to utilise the voluntary sector to its full potential.

2) Action Plan, Chapter 2: Background

2.1) Setting out the nature of a problem is obviously vitally important to effectively addressing it. We are therefore pleased that the Government has noted the particular vulnerability to sexual violence of people with learning disabilities (para. 2.20) and that they are more likely to be the victims of sexual violence than people who do not have a learning disability (para. 2.10).

2.2.1) To assist the Government in ensuring that the Action Plan fully reflects the background to sexual violence and abuse, we have included figures on the scale of sexual violence against people with learning disabilities that could be included in the Prevalence of Sexual Violence and Abuse section of this chapter (para. 2.5 to para. 2.7). We hope that this will help the Government gain as full a picture for this vulnerable group as the other vulnerable groups mentioned in this chapter.

2.2.2) The most authoritative study on this matter estimated that there are 1,250 cases of reported sexual abuse against adults with learning disabilities annually in England and Wales or 1,400 in the

whole United Kingdom¹. Unfortunately, no comparable estimates exist for sexual violence against children with learning disabilities. In addition, the likelihood of under-reporting of this difficult issue and our experience of assisting people mean that we consider this estimate to be conservative.

3) Action Plan, Chapter 3: Government Policy Context

3.1) There are several Government policies in relation to sexual violence and abuse against people with learning disabilities that are relevant to the Action Plan but unfortunately have been missed from this chapter. In particular, we ask for the inclusion of the *Valuing People* and *No Secrets* policies.

3.2) To be completely sure that nothing has been missed, we also suggest that the Department of Health, Office for Criminal Justice Reform, Crown Prosecution Service and Home Office be specifically asked to supply details of any policies that they feel are relevant to preventing and dealing with sexual violence and abuse against people with learning disabilities.

4) Action Plan, Chapter 5: Implementation and Monitoring Performance

4.1.1) It is to be welcomed that the Action Plan notes the role of the voluntary sector as a front line service provider (para. 5.8), but we are surprised that the documents make no mention of the professional training services on sexual violence issues and practice that the voluntary sector provides. These training services assist statutory, voluntary and private sector organisations in conforming to best practice and meeting legal obligations as well as enabling them to prevent, identify and respond to sexual violence and abuse.

4.1.2) The training services provided by Voice UK, Respond and the Ann Craft Trust to police, social services, education, criminal justice and voluntary organisations demonstrate the work that can be done in this field and the value it has.

4.1.3) The Ann Craft Trust provides bespoke training programmes which can include:

4.1.3.1) Investigative Interviewing: this develops confidence and extends interviewing skills to working with witnesses and victims who have a learning disability.

4.1.3.2) Protecting Adults and Children: raises awareness of the abuse of children or adults with learning disabilities and explores individual and organisational responses and responsibilities.

4.1.3.3) A Fairer Hearing: considers the implications of the recommendations in *Speaking Up For Justice* in relation to the management of abuse, with reference to *Achieving Best Evidence*.

4.1.4) Voice UK provides bespoke training courses which include:

4.1.4.1) Adult Protection for Managers: a practical course for senior staff and managers that gives them the skills to manage adult protection issues effectively.

4.1.4.2) Vulnerable Witness Training for police officers provides a legislative background as well as looking at the practical requirements of the *Victims Code*.

4.1.4.3) Our Equal Access to Justice Project Worker provides a range of training to people in the criminal justice system that utilises his experiences as a person with a learning disability.

4.1.5) Among its selection of training courses, Respond provides the following:

4.1.5.1) Supporting People with Learning Disabilities Who Have Been Sexually Abused.

4.1.5.2) Working With Young People Who Display Sexually Re-Active Behaviour.

4.1.5.3) Sex Offending: Risk Assessment, Management and Treatment.

¹ Brown, Stein and Turk, *The Sexual Abuse of Adults with Learning Disabilities: Report of a Second Two-Year Incidence Survey*, Mental Handicap Research, Vol. 8, No. 1, 1995.

4.2) While the focus in para. 5.8 on work with victims is important, the Government may want to consider adding to this paragraph, para. 6.7 to 6.9 and the Action Plan generally information on the work that voluntary organisations do with offenders. For instance, Respond provides psychotherapy to people with learning disabilities who have committed sexual offences and conducts risk assessments for this group on behalf of statutory organisations such as social services departments.

5) Action Plan, Chapter 6: Prevention

5.1.1) We are alarmed that there is almost nothing in the prevention strategy of the Action Plan directly aimed at preventing sexual violence and abuse of people with learning disabilities. While the measures set out in the Action Plan may indirectly benefit people with learning disabilities, the particular vulnerability of this group and their greater chance of being sexually abused means that it is vital that the Action Plan includes measures directly aimed at keeping them safe.

5.1.2) In particular, measures aimed at preventing sexual violence and abuse in care settings and for educating professionals in care settings on best practice need to be included within the Action Plan.

5.3) The emphasis given to sex and relationship education in schools is valuable and we trust that the Government will be applying this approach across all educational settings. In particular, we would be reassured by the inclusion in the Action Plan (and Implementation Guide, para. 1.3 and 1.4) of an explicit commitment and target to delivering sex and relationship education to students with special needs in both mainstream and special schools.

5.4) We are pleased by the recent passage through Parliament of the Safeguarding Vulnerable Groups Bill and feel that the Government should more clearly signal its achievement in the Action Plan. In particular, we think the Safeguarding Vulnerable Groups Act should be mentioned by name and its applicability to vulnerable adults should be set out in para. 6.39.

5.5) The Headline Indicator for the success of the prevention strategy is a reduction of those interviewed through the British Crime Survey Interpersonal Violence Module. While we believe this is an appropriate indicator in many respects, we have concerns that it may not adequately record instances of sexual violence committed against people who have trouble completing the survey and/or live in care settings and who do not make a report to the police. For this reason, we ask the Government to consider whether another indicator can be added that evaluates the experiences of sexual violence and abuse of these people.

6) Implementation Guide

6.1) As we noted above (4.2), the voluntary sector works with offenders and those statutory organisations that provide services for offenders. This includes identifying and intervening “with young people who sexually abuse or who display sexually harmful behaviours” (para. 1.10) and providing risk assessment “to manage and predict the risk of re-offending and harm” (para. 1.13). This is work Respond does regularly with statutory organisations. We therefore ask for the voluntary sector to be added to the key partners / agencies cited in the Implementation Guide in relation to these measures.

6.2) We are pleased to note that the Adapted Sex Offender Treatment Programme (ASOTP) is “currently being developed jointly with the Prison Service” (para.1.12), however at Respond we are acutely aware of the difficulties inherent in only providing group treatment for offenders with learning disabilities. Having successfully treated many offenders with learning disabilities, in both groups and individually, we are aware of the limitations of only providing one type of treatment model. The SOTP and ASOTP leave little room for focussing on the group members own experiences of abuse and this is so much a feature of the learning disabled offender. Group treatment programmes are not the only

means of treating sex offenders and may not be the most effective for particular individuals. We ask the Government to examine the other forms of treatment available and to give serious consideration to providing a spectrum of treatment models that can be utilised depending upon individual circumstances.

6.3) As people with learning disabilities are cited as a vulnerable group in the Action Plan, we are unclear why no measures and services for them are mentioned in the vulnerable groups section of Objective 2 (pg. 11 to 12). We hope that the Government will ensure that there are specific measures and services for people with learning disabilities included within the Implementation Guide.

6.4) We note that recent Home Office research² has shown that special measures for vulnerable and intimidated witnesses (VIW) are under used. We feel that the Government and the criminal justice system itself must address this fundamental issue, especially if the number of witnesses who are eligible for special measures is to be increased. One of the main reasons cited for this is the poor rate of identification of VIW by the police, and a conservative estimate is that 24% of witnesses fall into the vulnerable and intimidated category. This is significantly higher than the proportion recognised by criminal justice agencies in the research (at 3-6%). It is therefore vitally important that the Action Plan and Implementation Guide include action for helping police officers to identify VIW and how to provide them with the support they need. Therefore, we ask that such action be included under the investigation sector of Objective 3 (pg. 14 to 16). As this is an area in which we and other voluntary organisations continue to work with ACPO, individual police forces and the Home Office, we also ask that the voluntary sector be included as a responsible authority for such action.

6.5) We welcome 3.17 and 3.19 to 3.21 as effective measures to ensure VIW are supported through the criminal justice process and that best evidence can be achieved.

6.6.1) In addition to the outreach work with particular sectors of the community on pg. 47, Voice UK does outreach work with people with learning disabilities and we would be happy for this work to be cited in the Implementation Guide as an example of where to gain further help/guidance.

6.6.2) The Voice UK Equal Access to Justice Project is about helping people with learning disabilities to get equal access to justice in the criminal justice system, often through supporting advocacy and self-advocacy groups. This assistance takes the form of training and producing accessible guides about the criminal justice system for people with learning disabilities. Additional information can be found at <http://www.voiceuk.org.uk/train-equalaccess2.htm>.

6.7.1) pg. 48 describes some of the work voluntary organisations do with victims of sexual violence and abuse. Respond, the Ann Craft Trust and Voice UK all run helplines for victims, carers, professionals and families of victims that provide support, advice and information to people with learning disabilities. We are happy to be cited as sources of further help in the Implementation Guide.

6.7.2) The work of voluntary sector helplines in providing advice on the criminal justice process for vulnerable groups (for instance, Voice UK) is not mentioned on pg. 49 and we ask that this valuable work be included in the Implementation Guide.

6.8) The last item on pg. 49 refers to “mutual training exchanges” and we are unclear to what this refers. As mentioned earlier in our submission, voluntary organisations, including ourselves, sell professional training services and a different phrase might be used to describe such work in this part of the Implementation Guide.

² Burton, Evans and Sanders, *Are Special Measures for vulnerable and intimidated witnesses working? Evidence from the criminal justice*, Home Office Online Report 01/06.

The Ann Craft Trust, Voice UK and Respond trust that these comments and observations have been helpful. Please feel free to contact our Policy and Campaigns Officer, Robin Van den Hende, at Respond's offices if we can be of further assistance.

Respond
24-32 Stephenson's Way
London
NW1 2HD
Tel: 020 7874 5487
www.respond.org.uk

Voice UK
Wyvern House
Railway Terrace
Derby
DE1 2RU
Tel: 01332 295 775
www.voiceuk.org.uk

The Ann Craft Trust
Centre for Social Work
University of Nottingham
University Park
Nottingham
NG7 2RD
Tel: 0115 951 5400
www.anncrafttrust.org