

Crime and Policing Bill

Second Reading Debate

10 March 2025

Summary

Barnardo's welcomes measures aimed at protecting children from abuse and exploitation:

- Introduction of a new offence of **child criminal exploitation** (Part 4, Chapter 1, Clause 17) defined as *"the person engages in conduct towards or in respect of a child, with the intention of causing the child to engage in criminal conduct (at any time)."*
- Introduction of a new offence of **cuckooing** (Part 4, Chapter 2, Clause 32) defined as to exercise control over another person's dwelling without their consent for the purpose of enabling the dwelling to be used in connection with the commission of specified criminal activity for example, drugs, weapons and sexual offences
- **New offences to keep children safe online** including related to the creation and supply of image generators (Part 5, Chapter 1, Clause 36) as well as AI generated images (Part 5, Chapter 1, Clause 37).
- Introduction of **mandatory reporting as a statutory duty for professionals to report sexual abuse** if they are made aware of it (Part 5, Chapter 2).
- Introduction of a new offence for **concealment of child sexual abuse** (Part 5, Chapter 2, Clause 52).
- Legislation to make **grooming** an aggravating factor in the sentencing of child sexual offences (Part 5, Chapter 1, Clause 43).

Barnardo's recommends the following measures to strengthen the Bill further:

- Expansion of the concealment offence to include instances where child abuse is covered up or evidence destroyed.
- As part of the Bill's implementation, investment in training and support for professionals subject to the mandatory reporting duty, to make sure they are equipped to identify and respond to children showing signs of abuse.
- The addition of a standalone statutory definition of child criminal exploitation. While the offence is designed to deter and prosecute offenders, we also need a definition that supports professionals to identify and protect child victims and those at risk.
- The introduction of a statutory duty to provide specialist support services and roles for children and young people who are victims of abuse.

Mandatory reporting and concealment offences should be enhanced to better protect and support children.

It is estimated that at least 500,000 children are sexually abused in England and Wales each year. However, new data published by the Centre of Expertise on Child Sexual Abuse, which is hosted by Barnardo's, found that in 2023/24, the number of children supported through a child protection plan where the key concern was sexual abuse, fell dramatically, to the lowest level ever recorded¹.

Local authority children's services in England placed just 2,160 children on child protection plans for sexual abuse in 2023/24, the lowest number in the 30 years that this data has been collected. The number of Child in

¹ Kewley and Karsna, 2025; Child sexual abuse in 2023/24: Trends in official data.

Need assessments recording any form of sexual abuse as a concern fell by 8% since the previous year, despite there being no drop in the overall number of assessments which recorded safeguarding concerns².

Mandatory reporting was a key recommendation of the Independent Inquiry into Child Sexual Abuse. The reporting duty aims to better protect children, and create a culture of support, knowledge and openness for professionals when dealing with child sexual abuse³. The Bill introduces a new statutory duty for individuals in key roles with responsibility for children in England to report sexual abuse when they are made aware of it. Professionals must disclose if children tell them about sexual abuse, if: there is reason to believe abuse has been committed based on what a child has disclosed, an audio recording or image creates a suspicion of abuse or possession of abuse materials, or if they witness it.

Barnardo's welcomes the introduction of mandatory reporting. To make sure it helps achieve a step change in keeping children safe, we recommend the Government takes the following steps in relation to implementation:

- We welcome the exemptions on the face of the Bill intended to allow confidential services for children and young people to continue to operate (for example ChildLine). We recommend that: guidance is published regarding applications for exemption, that the Secretary of State is able to flexibly review exemptions in response to new services or changes in provider, and that a list of exempted services is published on the Government's website.
- The Bill stipulates occasions where consenting sexual activity between children over the age of 13 and under the age of 18 would be exempt from the duty to report. However, as drafted, the wording of these exemptions is unclear and could risk criminalising children, or risk opportunities to report being missed. Barnardo's recommends that clear guidance is issued prior to the duty being enacted, to support reporters to feel confident in understanding exemptions.
- A range of professionals and volunteers will be subject to the duty to report, with varying levels of confidence and training in recognising and responding to child sexual abuse. The Spending Review must provide investment in training and support for professionals to support them in accurately identifying and responding to sexual abuse. This training must support professionals to identify the signs of abuse, and not rely solely on disclosures.
- The Government should introduce a statutory duty on local commissioners to commission specific support services for children and young people, including children who have been sexually abused. This should be funded by central Government.

The Bill also creates a new criminal offence of obstructing an individual from making a report. Anyone (not just mandated reporters or those undertaking relevant activity) who prevents or seeks to obstruct an individual from making a report under the duty will represent a criminal sanction with a prison sentence of up to 7 years. Barnardo's welcomes the introduction of a concealment offence; however, we are concerned that the concealment offence as currently drafted is not broad enough to encompass activities undertaken by individuals, communities and institutions to cover up child sexual abuse, beyond preventing reporting.

- We recommend that the description of the offence of obstructing an individual from making a report is expanded to include individuals or organisations covering up child sexual abuse or destroying evidence that would aid reporting or prosecution.

Offences related to child criminal exploitation must be accompanied by a statutory definition.

Barnardo's have long campaigned for a statutory definition of child criminal exploitation (CCE). In our services, including the ICTG Service, which is funded by the Home Office, we see how children who have been criminally exploited often go unidentified for too long, and often face long delays in accessing support or do not access support at all. Too many children are criminalised for actions they are coerced to take whilst being exploited by

² Kewley and Karsna, 2025; Child sexual abuse in 2023/24: Trends in official data.

³ Home Office and Ministry of Justice, 2025; Crime and Policing Bill; Independent Inquiry into Child Sexual Abuse. [Crime and Policing Bill: Independent Inquiry into Child Sexual Abuse recommendations - GOV.UK](#)

adults. This particularly affects children and young people who are in care or are care-experienced, and Black children who can experience adultification.

We welcome the focus in the Bill on CCE, and the recognition that it can be difficult to secure the prosecution of offenders of CCE under current legislation. Our practitioners have told us that the police often find that a case does not meet the threshold for arrest, even when there is significant evidence and concern. As the current legislation requires a high threshold, this can be a barrier to disrupting exploitation and has contributed to the exploitation of children becoming a common part of criminal business models. By lowering the threshold for arrests, bail conditions, investigations and prosecution of child criminal exploitation, prosecution, disruption and deterrence will be made easier.

Barnardo's welcomes measures in the Bill to make it an offence for an adult (aged 18 and over) to use a child (under the age of 18) to commit any criminal activity. The offence applies when children are groomed into committing offences who are under the age of 13 or who cannot be reasonably assumed to be over 18, with a maximum penalty of 10 years imprisonment.

In addition to a new offence, new Child Criminal Exploitation Prevention Orders will be available at the end of criminal proceedings or upon application without a trial. The order will allow a court to impose restrictions on someone at risk of committing or recommitting child criminal exploitation. These include restrictions on movement/visiting specific places, and contacting individuals (directly or indirectly), either personally or by any electronic means.

Barnardo's recommends the following:

- The Bill should be amended to include a statutory definition of child criminal exploitation to aid the identification of victims in England, as in Wales. While the offence is designed to deter and prosecute offenders, this definition would be designed to protect the victims of CCE. A standalone definition would allow all agencies involved with children to help identify and prevent exploitation, to minimise the criminalisation of children, and to ensure children have access to support services.
- The Government should introduce a statutory duty on local commissioners to commission specific support services for children and young people, including children who are criminally exploited. This should be funded by central Government. These services provide vital support for children who have experienced abuse and to support successful prosecution. It can be difficult for children and young people who have been exploited to see themselves as victims – this is because of how the grooming and exploitation process works - children can see themselves as 'one of the gang' or amongst 'friends'. Complex work in specialist support services is often needed to help children understand that they were exploited, and to come to terms with this.
- The UK Government should roll out the Independent Child Trafficking Guardian (ICTG) service nationally across all of England and Wales so that all children that have been identified as trafficked can access specialist support.
- We recognise that the introduction of the offence has the potential to create pressure on children and young people who have been criminally exploited to give evidence, including in court, against their exploiters. The Bill's implementation must include measures that make sure children are safeguarded and supported throughout prosecution and in the event of an arrest, investigation or a court case – including where there is no prosecution.

Action you can take

Please attend the second reading debate on Monday 10th March to speak out on behalf of children and in support of the measures to protect them from abuse and exploitation in the Bill.

Suggested questions

- Will the Minister commit to a statutory definition of CCE to protect victims of exploitation and abuse, improve identification of exploited children and prevent criminalisation of children?
- Will the Minister commit to the introduction of a statutory duty on local commissioners to commission specific support services for children and young people who have experienced abuse and exploitation?

About Barnardo's

At Barnardo's, our purpose is clear - changing childhoods and changing lives, so that children, young people, and families are safe, happy, healthy, and hopeful. Last year, we provided essential support to over 356,200 children, young people, parents and carers through 760 services and partnerships across the UK. For over 150 years, we've been here for the children and young people who need us most – bringing love, care and hope into their lives and giving them a place where they feel they belong.

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