



2. Responses to child exploitation and extra-familial harm must... recognise and challenge inequalities, exclusion and discrimination

Summary

Children, young people, parents and carers can face discrimination in a number of ways, including racism, sexism, classism, ageism, homophobia, transphobia and ableism, amongst others.¹ Latest data shows that disparities continue to exist between ethnic and social groups in a number of areas, including safeguarding, childhood outcomes, and criminal justice.

Inequality and marginalisation can be both a driver for, and a consequence of, exploitation and extra-familial harm, and professional efforts can inadvertently reinforce inequity.² An effective response therefore attends to both the interpersonal discrimination *and* inequalities facing children and young people, parents and carers, communities and many of the professionals supporting them. Addressing this means creating an inclusive culture for professionals and those they support, in which everyone is respected regardless of their social, ethnic, or gender characteristics. It requires those who do not face discrimination to ensure that marginalised voices are heard and injustice is not tolerated.

What do we mean by inequalities, exclusion and discrimination?

In essence, this Practice Principle is about upholding basic human rights as set out in the Universal Declaration of Human Rights (UDHR), which states that, 'All human beings are born free and equal in dignity and rights' (United Nations, 1948). Being inclusive is a fundamental element of being a fair and equal society and applies to children and young people as well as adults. The Equality Act (2010) set out nine protected characteristics and brought legal grounds for challenge for any individual experiencing discrimination. Although inequalities, exclusion and discrimination can be experienced by individuals separately, there are also multiple overlapping and intersecting relationships between them, which are 'unpacked' in the evidence set out below.

¹This is not an exhaustive list of all discrimination, and it should not be assumed that those mentioned are more important than any not specifically mentioned.

² It is recognised that 'equality' and 'equity' are connected but distinct terms (both promote fairness - equality aims to achieve this through treating everyone the same regardless of need, while equity aims to achieve this through treating people differently depending on need).

Why is recognising and challenging inequalities, exclusion and discrimination a Practice Principle?

The reality of children and young people's lives are such that their experiences often straddle multiple aspects of identity. Inequalities, exclusion and discrimination can be experienced in multiple and intersecting ways by different groups and individuals.³ The reasons for this are complex and multi-faceted. Drivers of inequalities include systemic and structural issues (such as poverty and poor health) that have been shown to increase levels of need and harm and are experienced differentially, for example, by some minority groups (Featherstone et al., 2018; Marmot et al., 2020; Bywaters & Skinner, 2022).

In terms of the link with the Practice Principles, the evidence shows that certain groups of children and young people are more likely to experience inequality, exclusion and discrimination. These experiences can be associated with heightened risk of child exploitation and extra-familial harm (remembering that association does not mean causation), and can also influence the responses children and young people receive (Ofsted, 2018; Just for Kids Law, 2020; Billingham & Irwin-Rogers, 2022; Commission on Young Lives, 2022). This has implications for those involved in responding to these forms of harm. Firstly, in being alert to the strengths and limitations of data and the ways that data systems can mirror inherent biases and perpetuate discrimination. Secondly, in being able to recognise and know how to challenge inequalities, exclusion and discrimination where they arise.

It is important to be aware of the power of data; it is not neutral. Administrative data is used to provide the information that underpins key decision-making both locally and nationally, such as understanding levels of risk for an individual or local area or to plan resource allocation accordingly. Therefore, decisions about what data is or is not collected, how it is collected and analysed, have far-reaching consequences (Godar, 2020; Godar, 2021a). The systems in place to capture data are imperfect – they can mask, simplify and omit; data can be incorrectly collected and inputted; certain groups can be disproportionately over or under-represented and the data that is put into the system can reflect assumptions and biases (Godar, 2021b).

For example, certain minority groups, children or young people who have been looked after by the state and / or have special educational needs and disabilities (SEND) are disproportionately represented within the justice system (Lammy, 2017; Commission on Young Lives, 2022). Research into data that was collected in London about young people associated with gangs, commonly known as the 'gangs matrix', is another example of this. Racial bias in police surveillance operations was found to be influencing responses to serious youth violence and 'gang association'. For example, the disproportionate targeting of young, Black and minority groups had a significant and lasting impact on education and employment opportunities for these young people (Williams & Clarke, 2018).

³American civil rights advocate Kimberlé Williams Crenshaw coined the term intersectionality (or intersectional theory) in 1989. It is the study of overlapping or intersecting social identities and related systems of oppression, domination, or discrimination. In her seminal work, she explores the intersection of patterns of racism and sexism in the case of violence against women of colour (Crenshaw, 1991).

Exclusion from mainstream school has been identified as one of the critical factors in relation to some children and young people's experiences of harm, including child exploitation and extra-familial harm. It was found to be a common factor in 17 out of 21 serious cases reviewed, where children and young people were either harmed or died (The Child Safeguarding Practice Review Panel, 2020), with permanent exclusion noted to be a 'tipping point' in each case, whilst acknowledging again that association does not imply causation. The evidence base demonstrates that exclusion rates vary. Timpson's (2019) review of school exclusions, for example, notes how children and young people with certain types of special educational needs, those classed as 'children in need' and those eligible for free school meals are disproportionately represented. The review also shows that exclusion rates can vary by ethnicity, with some ethnic groups (including Bangladeshi and Indian children) associated with lower rates of exclusion and others (in particular Black Caribbean and Mixed White and Black Caribbean pupils) more likely to experience exclusion (Timpson, 2019). Department for Education statistics also show high exclusion rates for pupils of Gypsy/Roma and Traveller or Irish Heritage ethnic groups, but note the need to treat those figures with caution 'as the population is relatively small' (Department for Education, 2018). Some authors have raised the question of whether discrimination and adultification contribute to the disproportionality that can be seen in the data (Gill et al, 2017; Graham et al, 2019).

Recent studies have explored the ways in which the concept of adultification (whereby 'notions of innocence and vulnerability are not afforded to certain children', (Davis & Marsh, 2022 p.122) manifests. It 'erases the essence of childhood innocence and replaces vulnerability with culpability' (Davis, 2022 p.10). While adultification can impact children differently based on their personal and social demographics, research suggests that Black children are at an increased risk of experiencing this form of bias (Davis & Marsh, 2022), which may result in them being disproportionately represented in the data. In relation to Black girls, for example, evidence suggests that professionals held racialised stereotypes of them being 'strong' and 'aggressive', leading to the assumption they were less in need of support, protection and nurture (Epstein et al., 2017).

It is important that those involved in responding to child exploitation and extra-familial harm are alert to the issue of adultification (Davis & Marsh, 2022), which links closely to the Practice Principle of putting children and young people first. Legal protections for those aged under 18 are purposefully designed to ensure their safety and wellbeing is prioritised. This is especially important to remember if a young person is both a victim and instigating harm.

Other examples of why this Principle is important in the context of child exploitation and extra-familial harm include the documented gendered view of the types of exploitation and harm that affect children and young people, i.e.:

- girls are more likely to be seen as victims of child sexual exploitation or trafficking than boys
- boys are more likely to be seen as being involved in gangs and violence than girls (McNaughton-Nicholls et al., 2014; Leon & Raws, 2016)

Children and young people with SEND also experience discrimination. They can be infantilised and there remain significant gaps in professionals' knowledge of learning disabilities and how these might intersect with child exploitation and extra-familial harm (Franklin et al., 2015).

What difference could recognising and challenging inequalities, exclusion and discrimination make to responses to child exploitation and extra-familial harm?

The protected characteristics represent broad and multi-faceted groups. For example, children and young people with SEND include those with speech, language and communication needs, autistic spectrum disorder, social, emotional and mental health problems, and physical and sensory disabilities,⁴ each of which covers a broad spectrum of conditions. Arguably, it is difficult for all professionals to be experts on all aspects of all minority groups. However, demonstrating anti-discriminatory practice is critical, as the following quote highlights:

‘Once we are able to accept that racism and wider discrimination are present within [the] safeguarding responses we offer to children, we can move past the “good intentions” of professionals and service interventions and instead focus on the impact racism and discrimination can have on the children we have a duty to safeguard and protect.’ (Davis & Marsh, 2022, p. 126)

The importance of recognising and challenging assumptions and biases is critical. This will help to:

- support a child-centred approach and ensure that safeguarding all children and young people is prioritised
- minimise the risk that experiences of exploitation and extra-familial harm are misinterpreted or remain hidden
- ensure data collection and use does not contribute to disproportionality and discrimination.

Working in this way can take multiple forms, such as anti-racist practice (Tedam, 2022), promoting active allyship (Melaku et al., 2020) and demonstrating cultural sensitivity and inclusion in practice (Bowyer, 2015). It speaks to taking responsibility for one's own practice with children, young people, parents / carers and communities, as well as with colleagues, and invites consideration of who is under and over-represented in responses to child exploitation and extra-familial harm. This is key to being able to start developing trust and meaningful relationships with all children and young people, which Practice Principle 4 shows is so important to improving safety.

⁴ <https://explore-education-statistics.service.gov.uk/find-statistics/special-educational-needs-in-england/2021-22>



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