Centre of expertise on child sexual abuse

James Scenario

Boy aged 15 convicted in relation to sexual assault and rape of a peer aged female

Outline of sexual concerns and initial system responses

James lives in a small rural village in the United Kingdom and is black British. He was referred to a specialist harmful sexual behaviour service for assessment in relation to his conviction for sexual assault and rape of a female peer at a house party. James was sentenced to a nine-month referral order (entry level community sentence) and was being supported via the local authority Youth Justic Service. During James' assessment, another rape allegation emerged from a female peer, also occurring at a house party. James acknowledged the sexual activity with both girls but insisted both were consensual.

Developmental experiences

James appears physically older than his chronological age, with professionals noting his adult-like stature. However, his speech, language-processing and cognitive abilities are below average for his age. James has learned to mimic appropriate responses to questions from professionals, but he struggles to explain his understanding in depth when pressed further. James was exposed to domestic abuse prior to his birth, and throughout his childhood; with violence directed towards his mother by his father and later by her subsequent partners. James experienced neglect from infancy, with health professionals raising concerns during his first

year. Throughout his childhood and into his teenage years there were chronic issues with parental substance misuse, poor maternal mental health, domestic abuse and ongoing neglect. At age 12 years old James was assessed as having a moderate learning disability and diagnosed with attention deficit hyperactivity disorder. There were times when professionals felt that James' mother was struggling, leading to James staying with his maternal grandparents for periods ranging from three months to three years.

Emerging sexually reactive behaviour

Concerns around James' sexualised behaviour first emerged when he was aged 6. He began grabbing the genitals and chest areas of male and female peers at school and used highly sexualised language. He made threats to rape other children and used sexual insults; this seemed to occur most during times of tension with other children and/or when James felt socially isolated. Professionals felt James did not fully understand the words he was using so support was offered at school. Despite this, the behaviour continued. Many signs indicated that James was distressed and possibly being harmed. However, system responses quickly labelled him as 'trouble' rather than 'troubled', favouring a corrective, behaviour-based approach. When James was 12 concerns about his sexualised behaviour were relayed to children's services. In school, he was aggressively grabbing children from behind and simulating sexual thrusting; he also exposed his genitals to a teacher while she was admonishing him for other behaviour. At the age of 15, James was arrested and convicted of raping a female peer at a house party.

Understanding of sexual behaviour

James had been exposed to domestic abuse even before his birth, a condition that persisted throughout his childhood.

James' parents, both struggled with substance misuse, often had volatile interactions, increasing James' exposure to parental conflict. In this context, sexual behaviour was used by James' father to assert power and control over his mother and by his mother to distract and de-escalate incidents before they turned physically violent. Both parents acknowledged James' presence during many of these incidents but believed he did not witness the physical violence, saying he was usually upstairs or asleep. However, they failed to recognise or accept the emotional impact on James of growing up in an environment marked by frequent aggression and physical and sexual violence.

Discussions with James' parents revealed ongoing discord even after their separation when James was seven. His mother downplayed his behaviour, suggesting that the use of alcohol and substances by the girls discredited their accounts of his conduct. James' father argued that the girls' prior sexual activity implied consent, adding that their allegations were driven by resentment because James did not want to continue relationships with them, painting the girls' versions of events as malicious. James's parents separated after a referral to children's services due to domestic abuse in their relationship and numerous neighbourhood complaints highlighting a pattern of such issues. James' mother remained a victim in her subsequent relationships with men who were violent and aggressive, including with the father of James' younger brothers, born within a year after James' parents separated.

James' voice

James was able to recall events throughout his life that had been difficult to live through. He spoke about feeling scared at hearing his parents argue and seeing them fight. He shared memories of both seeing and hearing considerable incidents of violence to his mother, family pets and as he got older and tried to intervene, he recalled acts of violence towards him by both parents. James recalled how the birth of his twin brothers resulted in him having to live with his maternal grandparents for a few years. Reviewing James' records, it's likely that after his brother's birth, his mother suffered from postnatal depression. As her relationship remained abusive, it was decided that to support her mental health and facilitate bonding with the new babies James would live with his grandparents temporarily. Despite being only seven, James recalled the sense of rejection and abandonment he felt at moving to his grandparents' and never fully understood why this was necessary; this left him with a sense of not being as important as his brothers. James continued to reside with his grandparents for almost three years and came to believe this was because of his behaviour. James recalled how, "I thought I was just a bad kid. I had already started to get in trouble at school, I remember not being asked to parties alongside the other kids and thought, well, no one likes me. When I went to live with my grandmother it was nice, but I missed my mother and wished I was my brothers."

After his parents separated, James had less contact with his father. He blamed himself for his father's departure, believing it was his fault because he had told a teacher about the arguments and fights, he witnessed at home. At the age of nine, James returned to live with his mother, stepfather and brothers when his mother remarried. While James remembered this period as a happy time, his stepfather frequently drank excessively and, when intoxicated, would hit and shout at James and his brother.

James said, *"at first things were great and I was happy to be back home, but when my step-dad drank it reminded me of my dad and mother. If he hit her, I would try to stop him but I usually made it worse and ended up getting a smack myself*." At the age of 12 James exposed himself to a teacher and was excluded from school. He started hanging around with some of the older boys despite being one of the youngest; James said that he made the decision to become *like* them in order to avoid being bullied *by* them. James quickly got involved in antisocial behaviour and began experimenting with alcohol and drugs; this resulted in him receiving a conviction for criminal damage while drunk.

James said, "*Things had got so out of control, I didn't know how to get back off it. I had no one who really cared, at school I got shouted at, at home I got shouted at, but these were my friends they got me and I just fitted in*." James spoke about incidents where he was extremely vulnerable. For example: working in a restaurant and using the owner's car to deliver takeaways, despite being only 15 years old; being taken by adult co-workers to house parties where he was given alcohol and drugs; made to deliver drugs to others in the community in exchange for being given drugs for his own use; having a 29-year-old 'girlfriend' who encouraged him to have sex with other people.

James was unable to see the risk in these situations at the time and did not recognise that he was being both criminally and sexually exploited by the adults around him. He later reflected that, *"They were my friends; they were there for me when no one else cared*." Despite James being only 15 and going to house parties, sometimes not returning home for several days, his mother did not raise concerns about his whereabouts or who he was with. In this context, allegations emerged against James, leading to his conviction for sexual assault and rape.

Using a child development lens to understand James' behaviour

James' behaviour at the age of six was clearly beyond typical developmental expectations. Yet, he was swiftly labelled as trouble and, despite his young age, received only corrective and behavioural responses without deeper investigation into the underlying causes of his behaviour. By aged seven, James viewed himself as a boy no-one liked. He sensed that he was treated differently at school and felt rejected by both peers and adults. This sense of loneliness and rejection deepened when he was sent to live with his grandparents. Although he recalled happy moments with them, the feeling of rejection persisted into his teenage years. James also mistakenly believed that his behaviour was the reason he was sent to live with his grandparents and that he had caused his parents' separation after disclosing the domestic violence at home.

While it is clear that James' behaviour was abusive and he was at risk of harming others and himself at the time of his conviction, viewing his behaviour through a developmental lens reveals that professionals failed to provide adequate safeguarding for a child at risk of both experiencing and inflicting harm. Although professionals agreed that James was beyond parental control, there was little consideration of whose influence he *was* under at the time of his arrest. In retrospect, it is evident that James' behaviour was shaped by a backdrop of unreconciled childhood abuse, distorted norms about relationships and problem-solving, his identity struggles, parental justifications for aggression, including sexual aggression, and the criminal and sexual exploitation by adults he considered friends and romantic partners.

Implications for responsivity in assessment and intervention with children like James

When James was referred to a harmful sexual behaviour service for assessment, he had already endured abuse and neglect from before birth, continuing throughout his childhood. Although he appeared physically like an adult, his development was compromised in the social, emotional, behavioural and sexual domains. This situation had profound implications for both his assessment and the design and delivery of support interventions.

James was arrested and interviewed by police without intermediary support in place. When this was questioned as part of assessments to aid sentencing, James' own vulnerability was dismissed. James was perceived to be cognitively able, culpable for his actions and not requiring support to engage in the legal process, despite his learning disability. In seeking to downplay James as a child with his own trauma-related needs that continued to impact upon his overall functioning and behaviour, he was largely viewed through a punitive lens. Whilst not seeking to minimise his behaviour, nor the impact of this on the girls concerned, there was little acceptance that James should receive a 'child first' response and his prosecution ensued.

Despite exposing James to considerable harm and unhealthy influences throughout his childhood, safeguarding systems mistakenly viewed his parents as protective. Their failure to report James missing when he was being abused and exploited by adults was misinterpreted as him being beyond their control. Tragically, James was safeguarded based on perceived maturity rather than his actual developmental stage, his learning disability and other needs. At sentencing, James was given a two-year Youth Rehabilitation Order and mandated to live in a specialist therapeutic facility. This arrangement provided the necessary supervision to ensure his and others' safety, while offering daily therapeutic support to help him address his traumatic childhood.