

When it comes to safeguarding children, there exists a confused story about what we think maturity is

In the wake of the Rochdale grooming case and questions surrounding child protection in schools, [Tim Linehan](#) discusses our misconceptions around maturity and what this means for child safeguarding. He argues the protection of teenagers is too little enforced stemming from the commonly held view that mature actions are indicative of adulthood.



One question in particular is being raised following the publication of the report into the Rochdale child sex ring, and it is this: at what age does child protection cease to become a priority?

This is an issue that has been raised over the years by several charities including [The Children's Society](#) and NSPCC and it reflects their concern that older children do not receive the same degree of protection as younger children. Perhaps it's the word "child" that confuses us, yet national and international law is absolutely clear: a child is defined as under 18. Therefore there is a legal and moral obligation to protect those who are vulnerable and who are at risk.

It is of course well known that our laws on children are inconsistent – at the age of 16 so "children" are allowed to have sex, although they are not allowed to vote; they can join the army, although now they are not allowed to participate in armed combat; they can marry and, at 17 can drive. Importantly though they can still be prosecuted for offences relating to prostitution. Children's charities have been pressing for a change in the law for many years, but under the law children can still be prosecuted for being abused. The fact that there are only a handful of prosecutions a year makes no difference: the law sends out a message which is in direct contradiction to the sentiments of the policies followed by police and social workers namely to treat sexually exploited children as victims of abuse.



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The law also reflects a public mindset about teenagers that rarely takes account of vulnerability. For example, most people are sympathetic to the estimated 100,000 young people under 16 who run away from home every year, one in four of whom, will have been thrown out of home by their parents [according to The Children's Society](#). Most runaways return after a night away, but a minority will be repeat runaways and will stay away from home. Running away for three times or more is an indicator of abuse. Because of their age these children are not entitled to benefits and therefore cannot access housing, they cannot work, will not be able to afford rent, so they do whatever they can to survive. Naturally they will resort to whatever means they have at their disposal and usually this will involve breaking the law or befriending an exploitative adult. As soon as they commit a crime, they are no longer, in the public's eye, a vulnerable young person but a criminal.

There is a trend of criminalising children at a younger age. In 1998, under the previous Labour Government the principle of *Doli Incapax*, which presumed that children could not be held legally responsible for a crime under 14 unless it could be demonstrated they were responsible for their action, was reversed. The principle had been in place for over 700 years, since the reign of Edward III.

The argument is that at the age of ten children know the difference between right and wrong, and indeed most do. But we also know that children who have experienced neglect or abuse, or whose parents have

been unable to provide them with the care and love they need, see the world through the lens of their distorting experiences. If you feel unloved, anyone showering you with attention will immediately seem attractive, and it is precisely this vulnerability that the child abusers of Rochdale preyed on.

In recent years there has been increasing evidence about 'maturity' and what we mean by it. Neurological analysis (for a literature review see [this University of Birmingham study](#)) suggests that the frontal lobes in the pre-frontal cortex show differences as people mature. These changes apparently explain attitudes, abilities and behaviour including control of impulses during adolescence. We know, too, from psychology, that an individual's capacity for thinking, reasoning and understanding is dependent on maturity. Where someone's maturity is delayed, their capacity for taking responsibility, understanding the consequences of actions, impulsivity and risk taking, and perspective – including considering the views of others – is reduced.

Yet some of the debates following Rochdale have centred on the fact that girls are becoming more "mature" and therefore, it is implied, wanting sex at an earlier age. This is an extraordinary extrapolation. The truth is that even if young people mature earlier *physically*, vulnerable young people are less mature and are more likely to take risky decisions. Promiscuity, particularly risky for young girls, is an act of immaturity or vulnerability not a sign of encroaching adulthood. Yet so the behaviour desperate young people (drug dealing, theft and so on) is seen as an indicator of being "streetwise", which implies rationality, skill and knowingness when it is simply the expression of an instinct for survival. If Megan Stammers, the 15 year-old girl allegedly abducted by her maths teacher had been "streetwise" the reporting of her story would have been very different.

The most harrowing example of the criminalising of a vulnerable young person is the [story of Joseph Scholes](#), the 16-year-old who hanged himself in prison in 2002. Scholes had been repeatedly sexually abused from the age of six and had tried to kill himself by taking an overdose and throwing himself out of a window. When he was arrested in connection with a series of mobile phone robberies he grew so agitated while awaiting trial that he slashed his own face more than 30 times. He killed himself only nine days into his sentence. Immature, deeply troubled, frighteningly vulnerable, he was nevertheless channelled towards the criminal justice system which could not cope. Although his is a particularly tragic case it is also representative of less extreme examples where young illiterate, often neglected or abused young people, a worrying number of whom have mental health problems or learning difficulties (for example, [Seen and Heard](#), published by the Prison Reform Trust) end up being locked up in prison when they should instead be offered protection and help.

What we are seeing is a confused story about what we think maturity is. We see apparently sophisticated teenagers doing adult things like having sex, or perhaps dealing drugs or stealing phones – things that we do not and possibly cannot associate with children – and assume they are mature despite all evidence to the contrary from sociology, psychology and neurology.

In the aftermath of Baby Peter, safeguarding has focused increasingly on the youngest children. But that should not mean we turn away from troubled and disturbed teenagers whose behaviour we misread simply because it doesn't confirm to a sentimental view of childhood behaviour.

If Rochdale teaches us anything it is that teenagers too can be vulnerable to exploitative adults. But I suspect nothing will change. Disturbed, frightened and immature teenagers will carry on being neglected or abused at home, (and even pre-teens) will run away, be exploited, become involved in crime, be seen as streetwise, be treated as mature beyond their years and be treated, by the court of law, pretty much as adults acting on their own volition. And the question is simply this: why should some children not be given the protection that all children are entitled to under national and international law?

If Rochdale tells us one thing, it is that it is time for a national commission to look into the protection and safeguarding of older children.

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