

The Case Against Vetting

How the child protection industry is poisoning adult-child relations



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SUMMARY

1. Vetting is out of control.

There has been a massive expansion of vetting in the past four years. People are being vetted who pose no possible danger to children.

There has been almost a **100 per cent** rise in the annual number of criminal checks issued by the Criminal Records Bureau (CRB) since 2002.¹ The CRB recently announced its **ten millionth disclosure**.

Financial year Number of disclosures issued

2002-03	1,441,704
2003-04	2,287,109
2004-05	2,434,290
2005-06	2,772,929
Total	8,936,032

The **Safeguarding Vulnerable Groups Bill** will mean that **one third of the adult working population** will be subject to ongoing criminal checks.²

Those now routinely vetted include: **16-year-olds who teach younger kids to read**; hospital secretaries who rarely meet children; **foster carers' friends**; school governors; **parent volunteers in schools**; cricket umpires; **private music tutors**; university lecturers who teach 17-year-olds; **students who help out on university open days**; plumbers who check the school radiators; **grandmothers who volunteer in schools**; child psychologists who review adoption applications; **teenagers whose parents are childminding a younger child**

Running an after-school club is now subject to more stringent tests than selling explosives, or practising law.³

2. Vetting is damaging community life.

The expansion of vetting is threatening the jumble sales, local football teams, school trips and sports days that are key to children's lives.

¹ These are 'standard' and 'enhanced' disclosures from police national records, between March 2002 and March 2006 <http://www.theyworkforyou.com/wrans/?id=2006-06-28a.77484.h>

² 9.5 million adults will be subject to the new vetting scheme, according to the DfES 'Vetting and barring scheme, policy briefing back', available at:

<http://www.everychildmatters.gov.uk/vettingandbarring/>

The adult working population in England and Wales is 25.731 million

http://www.statistics.gov.uk/downloads/theme_labour/LMT_Oct06.pdf#page=48

³ Disclosure Scotland states that standard disclosure is available for senior bank managers and in the interests of national security, and those applying for explosives licences, but says that those who are involved in caring for children can get higher-level enhanced disclosures <http://www.disclosurescotland.co.uk/typesofdis.htm>

Vetting makes it difficult to help the community – in order to give an hour or two helping out at a school disco, an adult would have to **produce three forms of identification, pay £36, and wait for around four weeks.**

Schools have suffered from a dearth of parent volunteers – at sports days, jumble sales or fetes – because schools were insisting that parents were CRB checked. **Volunteers have been turned away** because their criminal records checks hadn't come through in time.

Tennis coach and sports promoter, Dan Travis: *'Vetting is helping to destroy the voluntary sector in sport. Four individuals I have worked with in the past year did not start their sport or music clubs because they thought that they were not "allowed" to do so. Fathers will not work with football teams in which their sons play because they don't want to come across as "dodgy".'*

Events for children have been cancelled because of vetting. Scottish Borders Council cancelled **foreign exchange visits** for children, because the foreign host families could not be checked.⁴

Vetting teaches children to be suspicious of all adults, and bureaucratises informal relationships.

Jim Campbell, Mayor of Oxford: *'The important informal ways in which people relate are going to disappear – everything will be done under contract. We are in danger of creating a generation of children who are encouraged to look at people who want to help them with suspicion.'*

3. Vetting doesn't work.

It is unlikely that vetting would have caught Ian Huntley – he didn't work at the school of Holly Wells and Jessica Chapman. Vetting won't stop child abusers, and it may even make them harder to detect.

Vetting casts such a wide net that it becomes more difficult to distinguish between trustworthy and untrustworthy adults.

Simon Wessely, psychiatrist, King's College London: *'People are blasé about vetting, and as a result they are much less likely to spot somebody who really is a danger. Vetting isn't based on any risk assessment. It is all part of fear of things that are largely illusory, forgetting fears that are more real.'*

Judith Gillespie, Scottish Parent Teacher Council: *'There is a danger we will de-skill children, and leave them unable to look out for their own safety and incapable of judging between risky and safe adults.'*

⁴ Report made to SPTC

Vetting is more about people covering their backs, showing that they followed the correct procedure and are not to blame if something goes wrong.

Eileen Munro, LSE: *'This is blame avoidance rather than child protection. People prefer a mechanical process like a CRB check because there is no judgment involved and so no risk of making a mistake for which they might be blamed.... However, if you are trying to help children, you need to be sensitive to the unique situation of the child.'*

4. A child protection industry is making money out of vetting.

Vetting places a financial burden on small organisations and volunteers, channelling away money that could be spent on their work.

- Many volunteers have to pay for themselves to be checked, which costs between **£7 and £30** in administration charges. Employers pay the CRB either **£31 or £36** for a disclosure⁵, and it costs **£45 or more** to go through an umbrella body.
- **Volunteer Reading Help** spends £4300 vetting its 120 staff; 2000 volunteers pay for themselves to be vetted, totalling at least £14,000 – which all adds up to **£18,300**.⁶
- The **Scout Association** carries out 50,000 checks a year, at a total cost of **£250,000**.⁷

But it feeds an ever-growing child-protection industry.

- The CRB's disclosure process cost around **£83 million** for 2005-6, with government contributing **£7 million**.⁸ The CRB's deal with Capita was worth around **£400 million**, over 10 years.⁹
- The new vetting and barring scheme will have additional set-up costs of **£16.6 million**, and annual running costs of between **£12 million** and **£15 million**.¹⁰

⁵ The prices are for standard and enhanced disclosures, respectively

⁶ Research on the cost of vetting to voluntary bodies, Sadhavi Sharma

⁷ Research on the cost of vetting to voluntary bodies, Sadhavi Sharma

⁸ Safeguarding Vulnerable Groups Research Paper, p40

<http://www.parliament.uk/commons/lib/research/rp2006/rp06-035.pdf>

⁹ *The Times*, 22 May 2006

¹⁰ Safeguarding Vulnerable Groups Research Paper, p40

<http://www.parliament.uk/commons/lib/research/rp2006/rp06-035.pdf>

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*The **Manifesto Club** (www.manifestoclub.com) is a new initiative that stands for a freer and more humane society. We have written a manifesto based on humanist principles (see Appendix B).*

We are concerned about the damaging consequences that adult vetting has for the relations between the generations. That is why we have decided to join with other concerned people to campaign against the policing of adult-child relations.

We have an open letter opposing the Safeguarding Vulnerable Groups Bill (see Appendix A). If you would like to sign, see: www.manifestoclub.com

For more information, or to be involved in the campaign against the expansion of vetting, email info@manifestoclub.com

Cover image by Tom Mower

1: THE RISE OF VETTING

What is vetting?

The government established the Criminal Records Bureau (CRB) in 2002, to coordinate the criminal records checks of key professionals. Vetting is a series of different checks.

First, a check against three lists of sex offenders – **List 99**, a list of people barred from working with children in schools; the **Protection of Vulnerable Adults List**; and the **Protection of Children Act** list.

Second, **disclosure**, which is a **check of police records** – for convictions, cautions and warnings held on the Police National Computer (in the case of ‘standard disclosures’); and additionally for information held on local police files (in the case of ‘enhanced disclosures’).

People must apply for a CRB check through either an ‘**umbrella**’ or ‘**registered**’ body, which verifies application forms. Applicants produce three documents proving their identity, such as a passport, diving licence or birth certificate; and proofs of address, such as a utility bill or bank statement.

The **Safeguarding Vulnerable Groups Bill**¹¹, which at the time of writing is about to return for its third reading in the House of Commons, will mean that everybody who works with children will be on an **online register**, and subject to ongoing criminal records monitoring. Police information about them will be evaluated by an **Independent Barring Board**, which will judge whether they are suitable to work with children. Anybody who does not undergo CRB checks and get on the online register will be **committing an offence** if they work with children.

Similar proposals are being brought through in Scotland under the **Protection of Vulnerable Groups (Scotland) Bill**, which was introduced into the Scottish Parliament on 25 September 2006.¹²

The vetting boom

There has been a massive increase in vetting – and this will be further increased by the Safeguarding Vulnerable Groups Bill.

¹¹ Safeguarding Vulnerable Groups Bill
<http://www.publications.parliament.uk/pa/ld200506/ldbills/079/2006079.htm>

¹² Protection of Vulnerable Groups (Scotland) Bill
<http://www.disclosurescotland.co.uk/PDF/V%20&%20B%20BILL%20-%20WEB%20ARTICLE%20OCT06.pdf>

There has been nearly a **100 per cent** rise in the annual number of criminal checks issued by the Criminal Records Bureau (CRB) since 2002.¹³ The CRB recently announced its **ten millionth** disclosure.

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The **Safeguarding Vulnerable Groups Bill** will mean that up to **9.5 million adults in England and Wales – more than one fifth of all adults, and one third of the adult working population** – will be subject to ongoing criminal checks, to establish their suitability to work with children.¹⁴

In the past, new schoolteachers were checked against a list of those barred from teaching children. Guidance stated that schools should only check staff who had a ‘substantial level of access to children’, which did not normally include administrative staff, bus drivers, cleaners, parents and other helpers, or student teachers and trainees.

Since 2002, vetting has expanded to include anybody who comes into contact with children through their paid or voluntary work. The range of people now undergoing vetting includes:

- **School workers:** including secretaries; school governors; caretakers; plumbers who check the school radiators; parents who volunteer for school trips or after-school clubs; parent-teacher association members.
- **Hospital workers:** doctors, nurses and porters; cleaners, laundry and maintenance workers; child psychologists who review adoption applications.
- **Volunteers:** football coaches, cricket umpires; Guides and Scout volunteers; volunteers in churches, charities and community centres.
- **16- 18-year-olds:** teenagers who teach younger kids to read; teenagers whose parents are adopting, childminding or fostering a younger child; teenagers who work as lifeguards or sports coaches.

¹³ These are disclosures between March 2002 and March 2006
<http://www.theyworkforyou.com/wrans/?id=2006-06-28a.77484.h>

¹⁴ Vetting and barring scheme, policy briefing back, available at:
<http://www.everychildmatters.gov.uk/vettingandbarring/>
The adult population (over-16) in England and Wales is 42.720 million. The adult working population in England and Wales is 25.731 million
http://www.statistics.gov.uk/downloads/theme_labour/LMT_Oct06.pdf#page=48

- **Foster carers and their friends:** foster carers in private fostering arrangements; visitors to foster carers' homes.
- **University staff and students:** academics who teach 17-year-olds; student volunteers who run university open days.
- **Child entertainers:** musicians; magicians; organisers of children's parties.
- **Private tutors:** maths, English and music tutors who work through agencies.

The **Safeguarding Vulnerable Groups Bill** will further extend vetting, to include:

- Those who have **access to information about children**, eg, call centre workers, social service administrators, online moderators;
- Those who have **private arrangements with families**, eg, music teachers and babysitters;
- Those **who may work with children in the future**.

The Bill will also make it a **criminal offence** for employers to employ a non-vetted person to work with children; and for that non-vetted person to take on such a position. Both employer and employee could be subject to a maximum **fine of £5000**.¹⁵

People who work with children are now subject to more stringent criminal tests than those who sell explosives, or practise law. Disclosure Scotland explains that standard disclosure may be required for senior bank managers and in the interests of national security, and for those applying for explosives or firearms licences, but the highest level, 'enhanced disclosure', is appropriate for those involved in caring for children.¹⁶ **This means that running an after-school club requires a higher level of security clearance than selling explosives.**

Duplication of checks and time wasting

Where checking previously occurred only once – when a teacher started their first job – now it occurs for every new position. So if a person is a football coach, a teacher, and a mentor, they will generally need to get three different checks. If they change job or organisation they will usually have to get rechecked.

- **Nannies** are often registered with a number of different agencies and move job frequently. *Nursery World* reported: *'[A] big gripe is that a*

¹⁵ Safeguarding Vulnerable Groups, DfES advice
http://findoutmore.dfes.gov.uk/2006/03/safeguarding_vu.html

¹⁶ Disclosure Scotland website, <http://www.disclosurescotland.co.uk/typesofdis.htm>

*nanny's Criminal Records Bureau disclosure is not transferable from one agency to another - though more than 90 per cent of nannies already have a CRB check, and 80 per cent of agencies refuse to consider placing a nanny without one.*¹⁷

- One speech therapist says: '*I have been **CRB checked six times** since I began working with kids in 2002, because I've moved around, doing summer play schemes for kids in different places and doing different jobs, while training to become a speech therapist.*'¹⁸
- The Welsh Hockey Union requires all its coaches, umpires, and youth coordinators to be CRB checked, but emphasises that new coaches' CRB check certificates will be 'considered worthless if more than three months' old'.¹⁹

Although it is not currently recommended for organisations to vet existing staff, many are starting to **repeat checks every few years**. The message is that one check is never enough.

- The 2004/5 CRB annual report noted: 'Many of our customers are now starting to introduce checks on existing staff and introducing re-checking policies on all staff.'²⁰
- The *Guardian* reported: 'Councillors in Yorkshire's East Riding are...demanding that all 156 schools carry out checks on every single teacher, assistant and governor, but also that they repeat the process every three years.'²¹

There is also a **doubling up of responsibility** for criminal records checks:

- Ofsted told headteachers that they were responsible for checking the records of supply teachers.²² But the new bill makes it a criminal offence for agencies to supply teachers without checking them – so two different institutions are responsible for ensuring that the same teachers have been checked.

Who is driving the expansion of vetting?

Official advisory bodies have encouraged the expansion of vetting. The Home Office child protection advisory guide for voluntary groups, 'Safe from

¹⁷ *Nursery World*, 19 January 2006 <http://www.nurseryworld.co.uk/2036347>

¹⁸ Personal communication

¹⁹ Welsh Hockey Union newsletter, August 2004

[http://www.welsh-](http://www.welsh-hockey.co.uk/downloads/newsletters/Newsletter_Aug04.pdf#search=%22nontransferable%20checks%20crb%22)

[hockey.co.uk/downloads/newsletters/Newsletter_Aug04.pdf#search=%22nontransferable%20checks%20crb%22](http://www.welsh-hockey.co.uk/downloads/newsletters/Newsletter_Aug04.pdf#search=%22nontransferable%20checks%20crb%22)

²⁰ See the CRB Annual Report, 2004/5

http://www.crb.gov.uk/PDF/Annual_report_2004-05.pdf

²¹ *Guardian*, 28 February 2006

²² Safeguarding Children: An evaluation of procedures for checking staff appointed by schools, Ofsted, June 2006

Harm', recommends vetting for both paid staff and volunteers. Funding from bodies such as Sport England is conditional upon sports organisations vetting their staff and volunteers.

This isn't all about the government, though. Vetting is also a **knee-jerk reaction** to rare and shocking instances of child abuse, with **media pressure** for the government to 'do something'. New vetting regulations follow on from high-profile cases of child abuse and murder.

- In **March 1996**, Thomas Hamilton shot dead 16 children and their teacher in a primary school in Dunblane, Scotland, and.
- In **October 1996**, Lord Cullen published his report into the Dunblane tragedy and called for a system to vet those who work with children.²³
- In **August 2002**, **Ian Huntley** murdered Holly Wells and Jessica Chapman in the village of Soham, Cambridge.
- In **June 2004**, the **Richard Report** into the Soham murders recommended tightening up and centralising vetting procedures – this report informs the **Safeguarding Vulnerable Groups Bill**.
- On **25 September 2006**, the **Protection of Vulnerable Groups (Scotland) Bill** was introduced into the Scottish Parliament.²⁴
- In **January 2006**, there was widespread public concern about cases of **individuals on the sex offenders' register cleared to work in schools**.
- In the wake of this, then education secretary Ruth Kelly overturned advice that teachers did not need to apply for a new CRB check when they moved jobs within the local education authority.

Vetting is a response to **accidents involving children**:

- A 12-year-old died in a **school bus crash** in Ystradowen, Wales, in December 2002, when unruly pupils grabbed the wheel and forced the bus off the road. An investigation by the Confederation of Passenger Transport in Wales and the Welsh Local Government Association recommended 'vetting all drivers by running a search via the Criminal Records Bureau'.²⁵

Others have called for more vetting in response to **sex between adults and school pupils**:

- A building contractor was convicted of under-age sex with a 14-year-old schoolgirl, whom he met while working at her school. A spokesperson for the Department for Education and Skills said that the

²³ See Lord Cullen's recommendations

<http://www.archive.official-documents.co.uk/document/scottish/dunreply/response.htm>

²⁴ Protection of Vulnerable Groups (Scotland) Bill

<http://www.disclosurescotland.co.uk/PDF/V%20&%20B%20BILL%20-%20WEB%20ARTICLE%20OCT06.pdf>

²⁵ *TES Cymru*, 24 September 2004

department was clarifying guidance 'that schools should require, through contracts, that contractors undertake the necessary checks'.²⁶

Vetting is also fuelled by '**What if?**' scenarios, with journalists seeking to expose 'loopholes' in vetting procedures.

- In April 2006, the *News of the World* sent a reporter into a school as a supply teacher, and found that the school failed to ask her for her CRB check or do proper identity checks. The reporter wrote: 'It was terrifying. I could have been a pervert, kidnapper... anybody.' She apparently exposed 'shocking loopholes in the system', reporting that she 'walked unsupervised through the school and had access to all areas'.²⁷
- The *Daily Mirror* set up a children's charity in the name of a paedophile, John Harrison, who had been jailed for hording child-porn pictures. The Charity Commission responded by saying that it may introduce more checking procedures: 'Some independent corroboration of CRB checks having been successfully completed before a charity is formally registered will almost certainly form part of our procedural changes'.²⁸

Going over the top

There is also an **institutional resonance** for vetting – indeed, some institutions are taking vetting much further than government recommendations.

- An investigation by *Personnel Today* found that **hospitals were going 'too far'** – seeking CRB checks for laundry, maintenance and administrative staff, who rarely or never meet patients. NHS Employers warned hospitals: 'We have issued a reminder to the NHS that CRB checks may only be requested for posts that allow access to patients in the course of normal duties'.²⁹
- **Councils are taking a precautionary approach** to vetting. Checks are not required on existing teaching staff, but Derby City Council said that it was 'ahead of the game' in demanding such checks: 'We think we know our communities and parents better than central government', said a council representative.³⁰
- **Schools vetted parent volunteers**, even when the government urged them not to. In January 2003, it was reported that **schools were suffering from a dearth of parent volunteers – at sports days**,

²⁶ 'Security call as school builder jailed for sex with pupil', PA, 1 September 2006

²⁷ *News of the World*, 2 April 2006

²⁸ Charity Finance, February 2006,

<http://www.charityfinance.co.uk/news/121/february2006/mirror.asp>

²⁹ PA, 23 January 2006

³⁰ Guardian, 28 February 2006

jumble sales or fetes – because schools were insisting that they were CRB checked. The government wrote to local education authorities emphasising that they are not obliged to check parent volunteers who are supervised by teachers.³¹

- **Fostering agencies were criticised** for too much vetting of visitors to foster carers' households, including babysitters and family friends.³² A representative from the British Association for Adoption and Fostering (BAAF) said that some local authorities had been 'overzealous'.³³
- The **education recruiter**, Select Education, announced that it will vet its workers who visit schools, even though they are not responsible for children. It is going beyond existing guidelines, it said, to 'set a strong example' to schools and teachers to 'take the CRB checks seriously'; and also to provide reassurance, so that 'schools are satisfied that there would be no implications for child safety'.³⁴

Faith communities – close-knit communities, supposedly based on trust between the members – have advocated more vetting.

- The head of the Muslim Parliament flagged up the lack of regulation in **madrassas**, calling for the vetting of all imams and the expansion of child protection procedures to Muslim religious schools.³⁵
- Many faith communities have their own umbrella bodies to coordinate CRB checks. Churches' Agency for Safeguarding, formed from an alliance of 10 **Methodist and Baptist** denominations, goes beyond official guidelines by encouraging vetting of existing as well as new church workers.³⁶

Some **parents** are using CRB checks as a way of deciding which adults they can trust:

- On a *TES* forum, one parent wrote: *'I do not allow [my son] to spend time with adults I do not know and - with the exception of his father and that side of his family - all of these people are CRB checked'*. Another said: *'It's not my first choice by any means to leave my son home alone but the options I have available to me are as they are.... When he goes into town he tends to go to a hobby shop where all the staff are CRB checked.'*³⁷

³¹ Daily Mail, 2 January 2003

³² 'Foster care – Ban on CRB checks puts children at risk', Children Now, March 2006

³³ Phone conversation

³⁴ Select Education press release, 5 September 2006

³⁵ http://www.muslimparliament.org.uk/Childprotect_BBCNews.html

³⁶ <http://www.churchsafe.org.uk/>

³⁷ http://www.tes.co.uk/section/staffroom/thread.aspx?story_id=2218346&path=/Opinion/&messagePage=9&messageID=2050332#message2050332

2. THE CRB INDUSTRY

Vetting is now a **multi-million pound industry**, and is taking up a growing part of the budget of organisations that work with children.

- The **cost of checks has also been continually increased**. When the CRB first launched in 2002, disclosure checks cost **£12**,³⁸ now employers pay the CRB either **£31 or £36** for a disclosure³⁹, and it costs **£45 or more** to go through an umbrella body. Volunteers are checked for free, but must pay administration charges of **at least £7** – and **up to £30** - per volunteer, if they go through an umbrella body. Organisations that themselves process CRB checks have their own administration costs.

This has placed a **financial burden** on organisations that work with children.

- The **Scottish Qualifications Authority (SQA) is spending £120,000 checking invigilators and examiners**.⁴⁰ The **Central Council for Physical Recreation**, which covers some 110,000 voluntary sport clubs and has 30,000 new volunteers a year, estimated that checking them would cost **more than £150,000**.⁴¹
- **Volunteer Reading Help** spends £4300 vetting 120 staff; its 2000 volunteers pay for themselves to be vetted, totalling at least £14,000 – which all adds up to **£18,300**.⁴²
- The **Scout Association** carries out 50,000 checks a year, at a cost of **£250,000**.⁴³
- The CRB's disclosure process cost around **£83 million** for 2005-6, with government contributing **£7 million**.⁴⁴ The CRB's deal with Capita was worth around **£400 million**, over 10 years.⁴⁵ The new vetting and barring scheme will have additional set-up costs of **£16.6 million**, and annual running costs of between **£12 million and £15 million**.⁴⁶

³⁸ <http://www.communitycare.co.uk/Articles/2006/08/10/41650/Criminal+Records+Bureau.html>

³⁹ The prices are for standard and enhanced disclosures, respectively

⁴⁰ Scottish Parent Teacher Council, evidence submitted to parliamentary inquiry, March 2006

⁴¹ <http://news.bbc.co.uk/1/hi/education/2223657.stm>

⁴² Research on the cost of vetting to voluntary bodies, Sadhavi Sharma

⁴³ Research on the cost of vetting to voluntary bodies, Sadhavi Sharma

⁴⁴ Safeguarding Vulnerable Groups Research Paper, p40

<http://www.parliament.uk/commons/lib/research/rp2006/rp06-035.pdf>

⁴⁵ *The Times*, 22 May 2006

⁴⁶ Safeguarding Vulnerable Groups Research Paper, p40

<http://www.parliament.uk/commons/lib/research/rp2006/rp06-035.pdf>

3: FUELLING MISTRUST

The expansion of vetting both reflects and encourages the mistrust of adults. It implies that every adult is a potential abuser, and must be declared 'safe' before they are allowed to interact with a child. As a result, interacting with children who are not your own becomes a special procedure, requiring state clearance, rather than a normal part of being an adult citizen. This has a **poisonous effect** on relations between the generations.

Many are on the **lookout for 'loopholes'** in current vetting procedures, with any unregulated interaction between adults and children viewed as irresponsible and potentially suspect.

- The NSPCC highlighted the danger for the 93,000 under-16s who are based in secondary schools but who do some courses in **further education colleges**: although FE staff are vetted, adult students – who study side-by-side in classrooms alongside younger pupils - are not.⁴⁷ In the Commons debate on the Safeguarding Vulnerable Groups Bill, Tory MP Andrew Turner asked why the government ignored the issue of mature students studying with under-16s.⁴⁸
- **The National Confederation of Parent Teacher Associations** highlighted the '**scandal**' that many **home tutors** – violin teachers and maths tutors – were not vetted before being sent for 'one-to-one sessions with children'.⁴⁹
- In 2005 the government floated deregulating some **after-school clubs**; one organiser of after-school clubs responded: 'An average six-year-old is still learning to tell the time and tie their shoelaces. In my view facilitating unregulated services for that age group is *tantamount to child abuse.*' [emphasis added]⁵⁰
- In the Commons debate about the Safeguarding Vulnerable Groups Bill, Liberal Democrat MP Adrian Sanders noted that 22,000 **foreign exchange students** stayed with host families in his constituency each year, and called for assurances that the host families would be vetted.⁵¹
- The Council for Dance Education and Training raised the alarm on '**unregulated dance and musical theatre schools**' for under-16s, and announced plans to introduce a nationwide scheme to 'tackle the

⁴⁷ *TES*, 2 February 2006

⁴⁸ 'Minister hails "step-change" in protection of vulnerable groups', PA, 19 June 2006

⁴⁹ *Daily Telegraph*, 13 February 2006

⁵⁰ *Nursery World*, 8 September 2005

⁵¹ <http://www.theyworkforyou.com/debates/?id=2006-06-19a.1083.1&s=speaker%3A10527>

problem of unqualified tutors and staff who have not undergone Criminal Records Bureau checks'.⁵²

Social contact between adults and children is described in toxic terms.

One report on FE colleges noted ominously that 'adult students constantly rub shoulders with under-16s'.⁵³ Child professionals are described as having 'access to children', or being in a 'position of trust'.

These are loaded terms: 'unsupervised', 'access', 'rubbing shoulders', 'one-to-one sessions'. If an adult hasn't been checked out, apparently, they shouldn't be anywhere near kids. Informal relations between adults and children in a community – an enthusiast working with a local football team, or a musician teaching kids the violin – are now seen as requiring state sanction. Every adult is treated as a potential paedophile, out to groom the child.

Some umbrella bodies play on people's anxieties, encouraging them to get themselves and others checked.

- When I called one umbrella body, Atlantic Data Ltd,⁵⁴ to ask about a journalism summer school I was running for 16- to 18-year-olds, I was told that I needed to get all my lecturers checked - journalists who would be coming in for an hour to give a short talk. 'You could be called from the room', said the adviser. 'These people have *access to children.*'

This has serious consequences. **Adults become wary about working with children.** In the past, somebody who volunteered to help children to read would be seen as civic minded; now they could well be seen as suspicious. CRB checks make working with children seem like a complicated and onerous job, about which you have to be 'a bit careful'.

Adult volunteering is in decline:

- **Tennis coach and sports promoter Dan Travis** says: '*Vetting is helping to destroy the voluntary sector in sport. Four individuals I have worked with in the last year did not start their sport or music clubs because they thought that they were not 'allowed' to do so. Fathers will not work with football teams in which their sons play because they don't want to come across as being "dodgy".*'
- **Girl Guides and Scouts** are struggling for volunteers. Girlguiding UK has a waiting list of 50,000, and the Scouts have a waiting list of 30,000. Some parents are signing their children up at birth to ensure they get a place.

⁵² 'Crackdown on "dubious" under-16 stage schools', The Stage, 5 July 2006
<http://www.thestage.co.uk/news/newsstory.php/13131/crackdown-on-dubious-under-16-stage-schools>

⁵³ TES, 2 February 2006

⁵⁴ See the website of Atlantic Data Ltd <https://www.disclosures.co.uk/index.php?pageid=9>

- A coalition of Scottish organisations warned that vetting stifles volunteering. Tom Leishman, head of Boys and Girls Clubs Scotland, said: 'We are already struggling to retain volunteers because of all the form-filling and checks.... These people volunteer because they want to work with young people but they are just spending all their time filling in forms'.⁵⁵

CRB checks are an obstacle for perfectly innocent adults who wish to volunteer. There have been a number of cases of adults prevented from volunteering because they failed to get their check done in time.

- **A French language teacher** with years of experience reportedly could not go on a school trip to France with her grandson because her CRB check had not come through.⁵⁶
- **A father of three, and MSP**, was prevented from leading the 'walking bus' to his son's primary school because he hadn't been cleared. He described the ban on him leading the walking bus as 'a nonsense', and lamented the fact that bureaucracy is 'in danger of getting in the way of our ability to lead normal lives'.⁵⁷
- **Viv Regan, assistant director WORLDwrite, a youth education charity**, says that volunteering organisations find it difficult to organise spontaneous appeals for support. '*One of the consequences of vetting is that people in communities who see a need cannot act upon it. Many volunteers we work with have a desire to help others but the process of being CRB checked sucks the life out of any spontaneous act of caring as you are "not allowed" until you have been cleared.*'

The key problem is not just that CRB checks take so long. What is worrying is that trusted and experienced adults are treated as suspicious until they have received the right form back from the CRB. In a number of cases, **services have been suspended** rather than unchecked adults allowed near children.

- At the start of term in 2002, a number of schools didn't open because some teachers were still waiting for CRB check results; some bus services were suspended because the bus drivers hadn't been cleared.
- One headmaster could not enter his own school, because his check had not come through. The *Daily Express* reported: 'Newly-appointed Chris Fenton took up his post 11 days ago but can only enter his classrooms when they are empty.... Mr Fenton is turning up before the youngsters arrive in the morning, leaving the premises during the day and returning in the evening when they have gone home, to carry out administrative work'.⁵⁸

⁵⁵ *Herald* (Glasgow), 14 December 2004

⁵⁶ Press Association, 24 February 2006, reproduced at <http://www8.tes.co.uk/2197202>

⁵⁷ *Sunday Times* (Scotland edition) 31 October 2004

⁵⁸ *Daily Express*, 17 September 2005

- Scottish Borders Council cancelled all **foreign exchange visits** for children, because the foreign host families could not be checked.⁵⁹

⁵⁹ Report made to the SPTC

4. GENERATIONAL BREAKDOWN

There is tremendous **benefit from unregulated interactions between adults and children**. Children are not just raised by their families and teachers: adults in a community have always shared responsibility for caring for and bringing on the next generation. These are unwritten agreements and obligations, reached between neighbours, friends, and friends of friends.

Procedures such as vetting bureaucratise informal bonds. Even if CRB checks were hassle-free, vetting still **changes the quality of people's relationships**.

- **Jim Campbell, Mayor of Oxford**, says: *'The important informal ways in which people relate are going to disappear – everything will be done under contract. We are in danger of creating a generation of children who are encouraged to look at people who want to help them with suspicion.'*

Events that involve vetting are no longer informal occasions, but can become akin to police operations. Take this Edinburgh Parent-Teacher Association's description of its arrangements for a school disco:

- *'We...have already began the work re ensuring that all PTA volunteers have been Disclosure checked to enhanced level.... In respect of parents who...have been checked we have asked for them to let us see a copy of their most recent disclosure check. (If they refuse we would of course say that a check will have to be done.).... [I]n respect of parents who accompany their children to the disco.... it is our intention to...say that no one will be allowed to stay.'*⁶⁰

It is no wonder that many parents decide that helping out at the disco may not be worth the hassle. Collaborative and informal relations between adults become bureaucratic and suspicious. An organiser's first thought, on being approached by a willing volunteer, becomes: 'I must get them checked out'.

The new **child protection agenda implies that safety should come before all else** – before teaching children, offering them new experiences, or caring for them. The whole point of sport, art, or school becomes to return the children home afterwards without them being abused. Adults' skills and experience is put second place to ensuring that they are a 'safe adult'.

- **Art graduate, Tom Mower**, says: *'I was volunteering teaching art to young people, and the first question they asked me in the interview was about my CRB check. Only later did they ask what ideas I had for workshops. To me this seems the wrong way around. When you read job descriptions for artist-led workshops or activities, the focus placed*

⁶⁰ Email to Scottish Parent Teacher Council

on having a CRB in advance can be very off-putting, when you are trying to get started in this area of work.'

- **Tennis coach, Dan Travis**, complains that the focus is shifting from tennis coaches' abilities to their CRB checks. *'In the regular meetings I have with sports providers the issue of child protection is seen as prior to provision or performance. The phrase "they must be police checked" is repeated every time any discussion of adult-child contact is raised.'*

5: INVADING PRIVACY

Enhanced CRB checks reveal a range of information about people, including convictions for graffiti or being drunk and disorderly, and cautions and police reports. The only restriction is that a local chief police officer 'thinks [it] may be relevant in connection with the matter in question'.⁶¹

A MORI survey of 300 registered and umbrella bodies for the year leading up to January 2006 found that **seven per cent of disclosures** revealed some kind of information about the applicant.⁶² The survey estimated that up to **25,000 people were kept out of a job** in 2005 because of the results from a CRB check - the majority of these had convictions relating not to child abuse, but to violence, theft, and/or fraud/dishonesty. The **report doesn't even mention the proportion of refused applicants who had been convicted of child sex offences**.⁶³

In some cases, people are being punished for youthful misdemeanours. This makes it difficult for those who have made mistakes in the past to work with children.

- **Stuart Waiton, a youth worker in Glasgow**, says: '*CRB checks mean that a huge raft of working-class people will no longer be able to work with kids – because they had fights in the past, or took drugs. The classic youth worker is the guy who has had a dodgy past, and can talk to the kids about the mistakes that he made – now he's out. It is the policy of the council not to employ anybody who might be a danger to children in any way.*'

CRB checks reveal offences of which people were **accused but not convicted**, encouraging discrimination against people on the basis of unproven accusations. Indeed, the climate of fear and precaution means that employers would feel remiss if they did not take such information into account. The 'better safe than sorry' approach means undermining natural justice at the expense both of law-abiding adults and the children who might have benefited from their work.

Some people have had job offers withdrawn on the basis of mere **police reports**.

- One man was reportedly denied a job because he was **seen naked in his own home by a neighbour**. The neighbour reported him to the police, who turned up but took no further action. The incident remained

⁶¹ Explanatory Guide, CRB,
http://www.crb.gov.uk/PDF/code_of_practice.pdf#search=%22crb%20explanatory%20guide%22

⁶² Customer Research Programme, MORI Research Study Conducted for the Criminal Records Bureau (CRB), Year 4 (January 2006), Final Report, 16 March 2006

⁶³ Customer Research Programme, MORI Research Study Conducted for the Criminal Records Bureau (CRB), Year 4 (January 2006), Final Report, 16 March 2006

on police files and came up in a CRB check, and the school denied the man a job.⁶⁴

Even if somebody isn't denied a job as a result of such information, it is still an invasion of privacy – many people have aspects of their lives that they don't want their employers to know about. Meanwhile, those who have served time for offences not involving children must be free to retake their place in society and contribute as fully as they can.

Working with children is becoming a state-licensed activity, rather than a normal part of life. Adults are to be divided bureaucratically into those certified 'safe' and those considered potential abusers, that is, everyone else. Becoming a 'licensed adult' means submitting to intrusive government checks rather than winning the genuine trust of children and other responsible adults.

⁶⁴ Criminal Checks 'wasting money', BBC News, 1 February 2006

6: 'BLAME AVOIDANCE RATHER THAN CHILD PROTECTION'

Vetting is endowed with an almost mystical power to distinguish a 'safe' from an 'unsafe' adult. 'Have you been checked?', people ask, as if a clean sheet from the bureau indicates your moral integrity. But this is placing too much faith in vetting. The expansion of vetting does little to increase child protection – indeed, it is just as likely to be harmful to children's welfare.

Vetting casts such a wide net that it becomes difficult to distinguish between safe and risky adults.

- **Simon Wessely, psychiatrist, King's College:** *'People are blasé about vetting, and as a result they are much less likely to spot somebody who really is a danger. Vetting isn't based on any risk assessment. It is all part of fear of things that are largely illusory, forgetting fears that are more real.'*
- The **Scottish Parent Teacher Council** warns that a **generalised mistrust makes children less streetwise**, and unable to make judgements about which adults they can trust. *'In an attempt to create a risk-free world, there is a danger we will de-skill children, leave them unable to look out for their own safety and incapable of judging between risky and safe adults.'*

Vetting means that adults rely on a bureaucratic procedure for judging others. No CRB check is failsafe – it only reveals what somebody has been caught doing in the past, not what they may do today. Adults' reliance on a database means that they don't take responsibility to look out for children, or to make judgements about who should and should not be trusted.

This is often less about protecting children than covering adults' backs: the aim becomes merely to **show that you followed the correct procedures**.

- **Eileen Munro, LSE,** argues: *'This is blame avoidance rather than child protection. People prefer a mechanical process like a CRB check because there is no judgment involved and so no risk of making a mistake for which they might be blamed.... However, if you are trying to help children, you need to be sensitive to the unique situation of the child. Effective child protection requires judgments, but these are fallible however expert the judge.'*
- Official advice promotes vetting as a way of **organisations protecting themselves**. One Ofsted report notes that inadequate record keeping 'leaves schools in a vulnerable position in that they are not able to demonstrate clearly that appropriate checks on staff have been carried out'.⁶⁵ The CRB presents vetting as 'for your own peace of mind'.⁶⁶

⁶⁵ Letter from secretary of state, in Safeguarding Children, an evaluation of procedures for checking staff appointed by schools, Ofsted, June 2006, p8

- One website for **childcare agencies** outlined the ‘benefits of the CRB checks’: ‘In any event of a problem occurring with a candidate you have placed, it may help to protect your organisation against any civil or criminal action taken against you, as you will be able to prove that you carried out all available verification procedures, within the given legislation, on the suitability of candidates.’⁶⁷

Child protection works best when the vast majority of decent adults look out for children, and step in to help if they are in trouble. When adults are concerned about covering their backs, they are reluctant to intervene to help kids. There have been several worrying cases of adults passing by children who are injured or in danger.

- Children are often left injured until a CRB-checked adult turns up. **Fran O’Leary, freelance TV producer**, recounts how ‘*one of the children accidentally cut his hand while playing sport. A member of the production team who was a first aider but didn’t have a CRB check was close by. They were paralysed by this fear that they’d get into trouble if the first aider cleaned up the cut, because it would involve a non-CRB checked adult touching a child. Instead they opted to wait until a CRB checked first-aider got on the scene.*’
- **Johnny Ball** recalls: ‘*A child cut herself at a science project day at Imperial College. Teachers were besides themselves with worry regarding the implications, with no thought to the child. I said "I take full responsibility", which received cries of "Thank goodness, but are you sure we are in the clear?". I took the girl, aged 13, into the Ladies, with her friends (teachers stayed well clear) going first to see that there would be no embarrassment. We washed and applied a plaster.*’
- An inquest into the **tragic death of a two-year old girl** heard how a bricklayer drove past the infant as she walked through her village. He did not stop, he explained, because he feared that people would think he was trying to abduct her. ‘She wasn’t walking in a straight line’, he noted, ‘she was tottering and I kept thinking, “should I go back?”.’ Minutes later, the girl drowned in a garden pool.⁶⁸

When all adults are defined as potential abusers, **we lose sight of what real abuse is**. Obviously innocent interactions are treated as suspicious.

- **Cherie Blair was investigated by six police officers for play-slapping a 17-year-old**, who was making ‘rabbit ears’ signs above her head while posing for a photograph.

⁶⁶ Conversation with CRB advice line

⁶⁷ See the CRB section on [nannyjob.co.uk](http://www.nannyjob.co.uk)
<http://www.nannyjob.co.uk/employment/criminal.htm>

⁶⁸ http://www.mirror.co.uk/news/tm_objectid=16846529&method=full&siteid=94762&headline=mum-s-agony-as-she-finds-tot--2--under-water-name_page.html

- A vicar was forced to resign after giving a girl a **congratulatory kiss on the forehead** during a maths class.⁶⁹

Here spontaneous interactions between adults and children – informal gestures of concern, caring, or mock-reproach – are treated as abusive. Child protection documents often forbid ‘horseplay’, or any gesture that ‘could be misinterpreted’. This encourages **impoverished and stilted interactions between adults and children**.

Bureaucracy is replacing judgement in the area of child protection. People are ticking boxes rather than making sensible decisions about which kinds of behaviour are acceptable, and which individuals can be trusted. When police officers are tied up investigating play-slaps, they have less time and resources to pursue the few individuals who do wish children harm.

There are few cases of child murders that would have been prevented by vetting:

- **It is unlikely that vetting would have prevented the Huntley murders.** Ian Huntley didn’t teach at the school of Holly Wells and Jessica Chapman: he worked at the secondary school, Soham Village College; it was his partner Maxine Carr who worked as a teaching assistant at St Andrew’s Primary. Huntley had former reports of sex offences, but no convictions.
- **Thomas Hamilton did not work at Dunblane Primary school.** He had been dismissed from the Scouts, not because of CRB checks, but because Scout leaders noticed his strange behaviour with the boys.

⁶⁹ http://www.guardian.co.uk/uk_news/story/0,,1820015,00.html

7. A MORE RATIONAL APPROACH TO CHILD PROTECTION

- The **Safeguarding Vulnerable Groups Bill**'s measures to expand vetting should be criticised and exposed. In particular, the proposal to vet a third of the adult working population is founded on paranoia, and could have a poisonous effect on adult-child relations.
- We want to **raise public awareness about the problems with vetting**. Many people have taken on vetting as a routine part of working with children. We need to make the case that this practice is getting out of control, and has harmful consequences.
- We call for an **intelligent public debate about vetting**. We need a rational discussion about the best ways to relate to and care for children, rather than simply adopting the most precautionary and wide-scale policies.
- We want to **affirm the importance of informal relationships between the generations**. It is fundamentally important that adults in a community volunteer to help and develop children, and that this is made as easy and natural as possible.

APPENDIX

A. Letter of concern about vetting

To sign, go to **www.manifestoclub.com**

We believe that the Safeguarding Vulnerable Groups Bill is a misguided response to a small number of tragic, but fortunately rare, incidents involving the abuse of children. The bill will mean that up to a third of the adult working population — those who come into contact with children through their work or volunteering — will be subject to continuous criminal records vetting. This could include babysitters and private tutors, as well as those who merely have access to information about children. The massive expansion of vetting is driven by suspicion and paranoia. The Criminal Records Bureau has already carried out 10 million checks since 2002, and it is now common practice to vet anybody from 16-year-olds teaching younger kids to read, to parents helping out in school, to the visitors to foster carers' homes.

Such child protection procedures do little to protect children from the small number of individuals who would do them harm. Instead, they damage adult-child relations and undermine the capacity of adults to contribute to children's welfare. Vetting calls into question the informal ways adults in a community collaborate in rearing children: from the local enthusiast running a football team, to the volunteer who helps out at school. Adults become more concerned with covering their backs than passing on their insights to the next generation.

Children become a "no-go" area: local sports teams and youth groups are struggling to find volunteers; some teachers are scared to put a plaster on a child's knee; and there are worrying cases of adults passing by injured or endangered children. We call for a more rational approach to adult-child interactions.

B. Manifesto Club Principles

- *We are committed to freedom, free speech and genuine tolerance*
- *We support experimentation in all its forms--scientific, social and personal*
- *We support the development of the human potential and individual self-determination*
- *We uphold a human-centred perspective, which recognises the ability of people to confront the challenges they face through reason and subjectivity*
- *We uphold a universalist orientation to the problems facing the world*
- *We seek to reclaim the Enlightenment and the legacy of the Enlightenment.*

To read the draft manifesto, go to www.manifestoclub.com.