

Crime and Policing Bill

Mandatory Reporting Duty for Child Sexual Abuse

Lead department	Home Office
Summary of proposal	Introduce a mandatory reporting duty to report child sexual abuse (CSA) in England, and a criminal offence for anyone found obstructing a reporter from fulfilling this duty
Submission type	Impact Assessment – 4 March 2025
Legislation type	Primary legislation
Implementation date	No earlier than 12 months after the Crime and Policing Bill receives Royal Assent
RPC reference	RPC-HO-25037-OA (1)
Date of issue	25 March 2025

RPC opinion

Rating¹	RPC opinion
Not fit for purpose	<p>The IA provides a reasonable rationale for intervention to address the underreporting of child sexual abuse (CSA), drawing on a recommendation, from the Independent Inquiry into Child Sexual Abuse (IICSA).</p> <p>The IA focuses on the preferred mandatory reporting option against do nothing. However, it must incorporate more evidence, such as from the Inquiry, including specific international evidence. Key elements of the evidence base must be in the IA (or an OA) itself, to bring together the evidence and analysis in one place, to justify the assessment.</p> <p>The IA monetises expected impacts on the criminal justice system, and provides a reasonable assessment for small businesses.</p>

¹ The RPC opinion rating is based only on the robustness of the rationale, options identification (including SaMBA) and justification for preferred way forward, as set out in the [Better Regulation Framework guidance](#). RPC ratings are fit for purpose or not fit for purpose.

RPC summary

Category	Quality ²	RPC comments
Rationale	Green	The IA outlines the scale of underreporting for CSA, using evidence such as crime surveys and statistics. It follows a recommendation for intervention, from the Independent Inquiry into Child Sexual Abuse (IICSA). The objective of increasing reporting and awareness of CSA is clearly stated, but objectives should be time-bound.
Identification of options (including SaMBA)	Red	The options process followed a recommendation from IICSA, and public consultation. However, the IA must incorporate evidence, such as from the Inquiry, including specific international evidence. The SaMBA is sufficient, recognizing an exemption for small businesses would undermine the policy.
Justification for preferred way forward	Red	The analysis quantifies some key costs and benefits, using proportionate evidence and assumptions. The department must incorporate more evidence about why the preferred option was selected.
Regulatory Scorecard	Weak	The IA has detailed cost methodologies for some impacts. It highlights significant benefits of reducing harm, which are unquantified. The IA should incorporate evidence from other jurisdictions, that have implemented similar regimes.
Monitoring and evaluation	Satisfactory	A commitment is made to review within 5 years. A monitoring and evaluation plan covers process evaluation aspects, as well as higher-level impact evaluation aims around increased reporting. Reasonable consideration is given to data availability and the challenge of isolating impacts of the measure.

² The RPC quality ratings are used to indicate the quality and robustness of the evidence used to support different analytical areas. The definitions of the RPC quality ratings can be accessed [here](#).

Summary of proposal

This intervention seeks to introduce a mandatory reporting duty for child sexual abuse (CSA) in England. The duty will apply to individuals undertaking regulated activity with children, such as teachers or healthcare professionals.

The main objective is to ensure the child protection system works effectively to identify CSA as soon as possible, and take action to protect children from further harm. The IA states this will be achieved by legislating the duty to require regulated individuals, to report cases where a child discloses sexual abuse, or abuse is directly witnessed.

The options considered were

- Option 0 (baseline): Do nothing and rely on existing statutory guidance for professionals to report suspected CSA
- Option 1 (preferred): Implement a mandatory reporting duty for CSA, alongside a new criminal offence for obstructing someone from complying with the duty.

The department estimates:

- An NPSV ranging from -£25 million to -£137 million over 10 years, with a central estimate of -£76 million. The largest cost component included is additional police expenditure from increased reporting
- An Equivalent Annual Net Direct Cost to Business (EANDCB) ranging from £0 to £0.18 million, with a central estimate of £0.04 million, arising mainly from familiarisation costs, where staff must understand the new duty

While the impact on business is expected to be negative in the short-term, no significant impacts on businesses are anticipated.

Rationale

Problem under consideration

The IA provides a clear outline of the scale of the problem of underreporting of child sexual abuse (CSA) in England. It cites relevant survey data from the Crime Survey for England and Wales which estimates 7.5% of adults experienced sexual abuse before age 16, equivalent to 3.1 million adults. This is contrasted with the much lower level of only around 100,000 CSA crimes recorded by police annually, highlighting the large disparity between estimated prevalence and reported cases.

The IA draws on evidence from the Independent Inquiry into Child Sexual Abuse (IICSA) which documented widespread failures by institutions to protect children from CSA and protect those in their care. The IICSA report is used to evidence reasons why victims may not report abuse, such as not feeling they would be believed or thinking nothing would be done.

Key affected groups are clearly identified: victims of CSA, institutions and professionals working with children, who will be subject to the new duty, law enforcement dealing with reported cases, and the criminal justice system. The IA notes CSA has wider societal and economic costs which are difficult to quantify.

Argument for intervention

The IA clearly lays out the rationale for intervention based on the findings and recommendation from the IICSA inquiry. The IICSA identified systemic issues with institutions failing to protect children and ensure CSA is reported, representing a significant failure. The consequences of inaction in terms of continued widespread underreporting of CSA and lack of appropriate response are evidenced.

The IA cites the IICSA's recommendation that government legislate to introduce a mandatory reporting duty for certain individuals as the most direct way to address CSA. The IA notes that the proposed duty was developed following consultation to gather views on its design and implementation. The IA should reference evidence from evaluations of similar mandatory reporting regimes in other countries.

Objectives and theory of change

The IA clearly states the objective of the reporting duty is to ensure the child protection system works effectively, to keep children safe from sexual abuse and ensure it is identified as soon as possible and that the right action is taken to protect the child or children involved and prevent further harm from occurring.

It specifies that legislating the duty, ensuring professionals are aware of responsibilities, and confirming procedures are followed are the key activities that will lead to increasing reporting of CSA to police and social services. Increased reporting and identification of CSA is stated as the primary intended output, with increases in:

- confidence among victims that reports will be believed and acted upon
- awareness of CSA among the public
- ability among child-facing workforces to identify and address CSA concerns

The theory of change indicates these outcomes will contribute to preventing CSA and reducing harm to victims, though the IA acknowledges attribution of changes specifically to the introduction of the duty is fundamentally challenging.

The IA would benefit from providing detail on how the objectives will be achieved beyond increasing reporting levels and ensure the objectives are time-bound. The IA does not provide a visual theory of change model mapping out the anticipated causal pathways in detail. Including a diagram would illustrate the logical process and assumptions underlying how the duty is expected to achieve the outcomes.

Identification of Options (including SaMBA)

Identification of the 'long-list' of options

The IA does not provide a long-list, as it simply accepts the recommendation from the IICSA. The IA must include the long list that the IICSA considered.

The IA notes that the IICSA considered design features for a mandatory reporting duty, such as what should be reported, who should report, reporting routes, and potential sanctions for non-reporting. Following the IICSA's recommendation, the Government considered the outcomes of consultation, which led to focusing the policy design in certain areas. For example, removing the proposed criminal offence for reporters to avoid discouraging participation in child-related roles, and introducing a new offence targeting obstruction of reporters instead.

Consideration of alternatives to regulation

The department notes that, given the Government's acceptance of the recommendation to introduce a reporting duty, alternative options are not developed in the IA. While the IICSA recommended regulation, IAs should justify ruling out non-regulatory alternatives, for example with evidence from the IICSA report.

Justification for the short-listed options

The IA states that given the advanced stage of policy negotiations and consultation to finalise the preferred option, it only includes do nothing and a reporting duty. The IA states that the case for introducing a reporting duty was set out in the report of the IICSA. This is insufficient; it is reasonable for an IA (or an OA) to summarise evidence from external reports and refer to them for more detail, but the key elements of the evidence base must be in the IA. The purpose of an IA is to bring together the key evidence and analysis in one place, to justify the assessment of options and impacts. Analysis supporting why options were filtered out by the IICSA, should be outlined, with justification for the preferred option. For example, some have raised concerns the duty could discourage children from disclosing abuse.

Small and micro businesses assessment

The department assesses that staff working at small businesses will be impacted, such as nurseries and childcare organisations, but reasonably states that exempting any would undermine the policy objectives around safeguarding children.

The IA expects no disproportionate impacts on small and micro businesses. The IA provides a central estimate of total business NPV of £0.4 million over 10 years, with the main costs being familiarisation, where staff must understand the new duty.

Justification for Preferred Way Forward

Identifying Impacts and Scale

The IA identifies and monetises costs, these include:

- Estimated increase in reporting of CSA offences to police with a central estimate of 310 per year.
- Increases in costs to criminal justice system agencies like police, courts, legal aid, prisons from having to process the additional reported offences.
- Administrative familiarisation costs to businesses and organizations where staff must understand the new reporting requirements.

The IA provides estimates of the monetised impacts over a 10-year appraisal period, with a central Net Present Social Value (NPSV) estimate of -£76m. While non-monetised benefits such as reducing offending and preventing harm to victims are expected to be significant, the department states they could not be robustly quantified. However, the department provides quantitative estimates of benefits from harm reduction in several reports.

The IA discusses the scale of monetised and non-monetised impacts. For example, it estimates the central increase of 310 additional reported offences would represent around 0.3% of baseline reporting levels. The department states that the largest cost component included is expected police costs from increased investigative work. The department excludes children in care costs from the NPSV, stating it is not robust.

The IA includes very useful break-even analysis to estimate how much offending would need to be prevented for the benefits to offset costs. This highlights that between 255 and 1,400 offences would need preventing over a 10-year period, with the high estimate representing around 1.4% of recorded offences in the latest year. This suggests around 80 offences per year. The department should explain how this relates to the 310 additional reports expected annually, and 90 extra children in care.

Counterfactual and baseline

The IA establishes a counterfactual baseline of current CSA reporting rates to estimate the impacts against. It uses a 5-year average of around 102,000 offences reported per year in England. Projecting this forward allows derivation of a baseline volume forecast over the 10-year appraisal period. The IA notes an increasing trend in reporting levels, so should consider a higher baseline.

Evidence and data

The IA makes use of a range of reasonable evidence sources to underpin its analysis of impacts, in many areas key assumptions are employed due to lack of direct data. Where possible, it uses established government statistical publications and internal analysis:

- Police recorded crime data is used to estimate current baseline CSA reporting levels and the subset of offences that would be in scope.

- Home Office research on the economic and social costs of crime provides unit cost estimates for policing and criminal justice system impacts.
- Ministry of Justice internal data is used for assumptions around proportions of cases resulting in prosecutions, convictions, and sentences.
- Public sector workforce data such as NHS workforce statistics are used to estimate the volumes of staff impacted by familiarisation requirements.

The IA details where it has made necessary assumptions due to evidence gaps, such as the estimated increase in CSA reporting from the duty. Here it states the assumption of 0.1% to 0.5% increased reporting is based on an increased awareness of the duty, because of publicity leading to an increase in precautionary reporting around direct disclosures.

The IA should incorporate evidence, such as impacts, from other jurisdictions that have implemented similar regimes. It should discuss any reasons why the impacts may differ.

Uncertainty and risk

The IA acknowledges uncertainty surrounding some estimates, using low, central, and high scenarios. The ranges used, such as the 100 to 520 annual increase in reported offences, reflect the uncertainties involved.

The IA makes clear there are risks around an absence of data from which to reliably estimate the increase in reporting rates, and downstream impacts on professions, social services, and the criminal justice system following implementation. There are economic risks noted around the limited evidence available on the general effect of mandatory reporting duty regimes, particularly regarding increases in referrals to social services and flows through to children's services caseloads.

To reflect and explore the uncertainties, the IA undertakes scenario analysis testing different assumptions around key variables like the increase in referrals to social services (ranging from 770 to 2,300 additional referrals) and the consequent impact on the number of children brought into care (ranging from 0 to 550 additional children). Cost estimates are provided across this range of scenarios. While not included in the overall Net Present Social Value (NPSV) calculations, this scenario testing helps illustrate the potential scale of costs to social services, which the department states could not be robustly quantified.

Selection of the Preferred Option

The preferred option is to introduce a mandatory reporting duty for child sexual abuse. This follows the recommendation from the IICSA, and public consultation, to legislate for a duty requiring certain individuals to report cases where a child discloses sexual abuse, or it is witnessed. The department must include more evidence from the Inquiry to justify selecting its preferred option.

Regulatory Scorecard

Overall impact on total welfare

The IA indicates the overall expected impact is expected to be positive, based on anticipated significant non-monetised benefits being greater than negative impacts. The positive non-monetised benefits include prevention of emotional harm. The department states these benefits could not be robustly quantified.

The largest negative monetised impact in the Net Present Social Value (NPSV) is expected costs to police from processing additional crimes reported, which forms the largest component of the estimated NPSV, with a central estimate of -£76m. The IA highlights the significant non-monetised benefits from preventing harm that would offset these costs, though states it is challenging to quantify robustly. All costs and benefits are subject to uncertainty, and the department should reconsider including those missing from the NPSV, to estimate a balanced NPSV.

By increasing reporting rates and public awareness, the IA notes that the duty may contribute to deterring potential perpetrators due to higher risk of detection. The duty aims to provide victims with increased confidence that disclosures will be reported and acted upon. Evidence suggests lack of confidence is a barrier to reporting for many victims currently.

The IA notes that CSA has wider economic and societal costs that are inherently difficult to robustly quantify, such as impacts on the criminal justice system, and healthcare usage. The IA reasonably argues they are likely to be significant and could offset the negative monetised NPSV.

Impacts on business

The IA estimates the business impact will be negative. This may be true in the short-term, but harm reduction is expected to benefit total welfare, including employees. A direct impact arises from familiarisation costs where staff in businesses working with children, must understand the new reporting requirements.

The business Net Present Value (NPV) is estimated to range from -£0.01 million to -£1.8 million over 10 years, with a central estimate of -£0.4 million. The Equivalent Annual Net Direct Cost to Business (EANDCB) is estimated to range from £0 to £0.18m, with a central estimate of £0.04 million [The IA incorrectly uses negative signs]. These are driven by one-off familiarisation costs, which the IA argues will be small, given existing statutory expectations for safeguarding training on reporting suspected abuse. Business NPV and EANDCB are based on private sector only impacts.

Impacts on households

The IA states that no adverse distributional impacts are expected. No significant regional disparities are expected given the nationwide applicability of the duty.

Monitoring and Evaluation

A post-implementation review will be conducted at minimum five years after commencement of the reporting duty. This timeframe is chosen to allow lead time for awareness raising and training activities, as well as sufficient time for reports to progress through reporting routes and the criminal justice system. The IA notes the average time for CSA offences to progress from report to completion in court is 800-1000 days. Allowing five years aims to capture a reasonable number of cases that have made their way through the system following implementation of the duty.

The IA states that the level of ambition for monitoring and evaluation will need to be determined across departments, as the duty crosses multiple agencies and sectors.

Monitoring

The IA outlines potential issues, including police and social services data recording practices, where currently referral route details are not consistently captured.

Process Evaluation

The IA outlines that a process evaluation will explore issues encountered with implementation and gather feedback. The IA flags that obtaining direct feedback from victims in cases reported, may be challenging due to data protection and confidentiality. It suggests further discussion would be needed on whether and how to gather this, given the sensitive nature of contacting children/families.

Impact Evaluation

The IA specifies some key intended outcomes and impacts that monitoring and evaluation could focus on. However, the IA caveats that directly attributing observed changes specifically to introducing the duty will be challenging, as it forms part of a whole system approach to addressing CSA, so impacts would not occur in isolation. Given this the IA reasonably focuses on process evaluation aspects.

Regulatory Policy Committee

For further information, please contact enquiries@rpc.gov.uk. Follow us on X [@RPC_Gov_UK](https://twitter.com/RPC_Gov_UK), [LinkedIn](https://www.linkedin.com/company/rpc-gov-uk) or consult our website www.gov.uk/rpc. To keep informed and hear our views on live regulatory issues, subscribe to our [blog](#).