

When criminal justice agencies are no longer involved

1. Who is this document for?.....	1
2. Why might criminal justice agencies no longer be involved?	1
3. How may the child be feeling?	3
4. How can you best help the child?	4
5. Where next?.....	7

1. Who is this document for?

This practice guide is for social workers and other professionals who have been involved in supporting a child¹ and their family during a police investigation, and possibly a prosecution, into suspected child sexual abuse. It explains the support they can continue to provide if criminal justice agencies cease their involvement with the child.

2. Why might criminal justice agencies no longer be involved?

The police or the Crown Prosecution Service (CPS) may decide not to charge a suspect, or not to proceed with a prosecution, if they think that there is insufficient evidence for a realistic prospect of conviction, and/or that a prosecution is not in the public interest. The child and or their family may also make a decision that they do not wish to proceed at this time.

¹ In this document we use the term 'child' to refer to anyone under the age of 18. See [An introduction to the child sexual abuse response pathway](#) for more about terminology.

If the child, family, police or the CPS make a decision not to proceed, the police will close the investigation. The national enquiry into child sexual abuse in the family environment (Child Safeguarding Practice Review Panel, November 2024) found that when the police decide to take no further action, the rest of the system can become paralysed. This review revealed that the criminal standard of proof pervades decision making throughout the child protection system and beyond, which prevents many children who have suffered sexual abuse receiving the help and protection they need. Often other agencies, including children's social care, believe they cannot continue to address the risk or support the child however this is not the case. Professionals must remember that the legal threshold for children's services is 'on the balance of probability' and it is the responsibility of children's social care and the multi-agency group to continue to address any risks and needs. The Panel's report recommends that:

- safeguarding partners audit and review local guidance and practice so that a clear distinction is made between thresholds about significant harm to a child and those influencing criminal investigations.
- Working Together guidance clarify that a section 47 enquiry concludes when the multi-agency group who have led the enquiry decide together if there are outstanding concerns, and if so, to notify relevant agencies so that any necessary actions needed to safeguard the child and/or other children can be considered.
- when applicable, that the child's records should state 'no further police action at this time', with an appropriate explanation, instead of 'no further action'. Too often when the police record that they are taking no further action it is understood by other professionals to infer that the abuse did not happen.

The child and family may decide they wish to pursue a formal complaint in the future, or that there may be supplementary evidence that comes to light which means the investigation should be restarted.

Importantly, the police or CPS decision should not be regarded as 'proof' that the child was not sexually abused.

If the CPS *does* proceed with the prosecution, the case may go to court, at the end of which the suspect (defendant) may be convicted or acquitted of the charges against them.

In some circumstances the case will conclude with a hung Jury. A hung jury (or deadlocked jury) occurs when jurors can't agree on a verdict, failing to reach the required unanimous or majority decision. This leads to a mistrial or a retrial, meaning the legal process can't conclude. In such cases the judge will dismiss the jury, and the CPS decide whether to retry the case with a new jury. Decisions

for retrial will be led by the seriousness of the crime, the strength of the evidence, public interest and the willingness of the alleged victim and witnesses to testify again. If the case is retried it goes before a completely new jury.

3. How may the child be feeling?

Where there has been a decision to close a criminal investigation or prosecution, or when there is a hung jury, it is likely to leave the child feeling disappointed, angry or distressed. Going through a prolonged investigation may have been a gruelling experience for them, with long-lasting emotional impacts.

Some children may blame themselves for the case being dropped, and/or think that the decision means that they haven't been believed. They may be disappointed, distressed and angry. They may also fear for their safety, as the person who has harmed them may continue to be free.

"It's so frustrating because you question everything. You know what I mean? ... Like when they were like, 'No further action', they were saying the flashbacks weren't enough evidence and all of this, you just sort of ... I don't know how you ... I can't word it. [Pauses] Like you sort of question your thinking. 'Do I actually have post-traumatic stress disorder? What actually happened to me?' You start second guessing everything and thinking, 'Did this actually happen? Am I making it up?' You know what I mean?" (1)

"It took about a year and six months to get a decision. It angers me really that I had to wait that long to just be told, 'Nothing's happening'. There wasn't enough evidence." (1)

"It were a full nightmare. The worst bit was when I got told my decision, that it weren't going no further." (1)

"My police officer came round and told me, which I appreciated rather than just a letter or something." (1)

"My family believed it and my police officer I worked with believed it, but as a whole ... the whole criminal justice system were just like 'phh' basically. That's what I felt like, yeah." (1)

"You go through all this and you've gone through like the devastation of having to relive what happened, through your interviews, for them to turn around say 'nah – we're not going to take it any further'. Devastating." (2)

"When the police took no further action I was relieved as I was worried about going to court in case I wasn't believed and about seeing him ... but then I was really angry, that it wasn't my fault and I wanted it to go to court." (3)

If the case has gone to the Crown Court, our practice guide [Criminal proceedings conclude](#) describes how the child may feel after the defendant has been convicted or acquitted.

4. How can you best help the child?

As at all times, your response to the child at this point should take account of factors such as their **age** and **stage of development**; their **sex**; their **ethnicity**, **religion** and **culture**; their **social class**; any **disabilities or learning difficulties** they may have; and their **sexual orientation** and **gender identity**. Our [Taking account of diversity](#) practice guide contains more information.

You should also adapt your response to the context(s) in which the child may have been sexually abused – their emotions and needs will differ depending on whether the suspected abuse took place inside or outside the family network, for example.

Whatever the police/CPS decide, the child can still receive support from an **independent sexual violence adviser (ISVA)** or a **child and young person's sexual violence advocate (CYPSVA²)**. If this support is not already in place, you should make a referral.

Communicating with the child

The police Officer in the Case should take the lead in telling the child and their family – in person, unless the family has requested otherwise – about a decision not to charge the suspect(s), regardless of whether the decision was made by the police themselves or the CPS. The officer may ask other professionals – such as the child's social worker or their ISVS/CYPSVA to be present at the meeting too. The [Victims' Code](#) sets out the information that should be given to children, and how it should be given.

At that meeting and subsequently, the child should be told that **they are in no way responsible** for the decision that has been made. The police officer should give the child that message, but it's vital for other professionals to reinforce it. Help the child and their family to understand that the decision just means that the exacting legal requirements for a criminal prosecution have not (yet) been met. Reassure them that it does **not** mean that:

- the child hasn't been sexually abused

² Also abbreviated to CHISVA or ChISVA.

- the child doesn't have ongoing child protection or welfare needs which must be addressed
- the police or the CPS disbelieve the child
- the child hasn't been listened to.

Similar messages can be given if a court case has resulted in an acquittal. Assure the child that a verdict of 'not guilty' does not mean they haven't been believed; it simply means that it was not possible to present sufficient evidence, admissible under the law, for the jury to be *sure* that the defendant was guilty of the offences with which they were charged. The outcome does not mean that the child's testimony was not credible, nor that the jury disbelieved it.

You can find detailed advice on communicating with the child and their family in our [Communicating with Children Guide](#) and [Supporting Parents and Carers Guide](#).

If the police or the CPS have decided not to charge the suspect or not to proceed with a prosecution, make sure the child and their non-abusing parent(s)³ know of their **right to request a review** of the decision. For more information, see the [Victims' Right to Review Scheme guidance](#) from the CPS. A request for a review should normally be made within 10 working days of the decision letter, with an outer limit of three months.

Protecting the child

If the police or the CPS has decided not to proceed with the case, or if a court case has resulted in an acquittal, the person(s) suspected of having abused the child will be free. The child may be anxious and frightened about this, and may have ongoing safeguarding needs.

All professionals around the child should remain alert to possible signs that the child is being sexually abused, as set out in our [Signs and Indicators Template](#), and report them to the police immediately – and they should encourage the child's family to do the same. **It is important to remember that a case can be reinvestigated if the person who has harmed the child does so again, or if**

³ By 'parent' we mean someone in a parental or principal care-giving role to a child; this may be their biological parent, step-parent, adoptive parent, foster parent or other relative fulfilling that role. See [An introduction to the child sexual abuse response pathway](#) for more about terminology.

We use the term 'non-abusing' to mean a family member who is *not considered to have been involved in sexually abusing the child*, even if they may have previously come to agencies' attention for other reasons.

new or further evidence comes to light about the sexual abuse that has taken place. Everyone around the child should be aware of this.

The police can still take action (and be asked to take action) to safeguard the child, such as applying for a **civil order** against the person(s) of concern. For example:

- **Child abduction warning notices** (CAWNs) can be served on individuals believed to present a risk to the child, and prevent them from having any contact with the child. It is an offence to break the terms of a CAWN.
- A **sexual risk order** (SRO) places restrictions on a person of concern who is identified as being likely to cause sexual harm. These restrictions can include prohibiting foreign travel, internet use, or being in the company of children.

The [Home Office's child exploitation disruption toolkit](#) contains more information about civil orders. Note that applications for civil orders are based on intelligence and information – there is no need for the individual to have been cautioned or charged.

You can also help to protect the child by **continuing to build a trusting relationship** with them. Depending on their age, the child can be **empowered** to seek the help they need, given the right amount of emotional support from safe adults around them.

Supporting the child

The child's needs must be considered across all areas of their life, and the end of a criminal investigation/prosecution may prompt you to review those needs. Use our practice guides to think about how you can provide ongoing support to the child with:

- their [emotional health and wellbeing](#)
- their [education](#)
- their [physical health](#)
- their [relationships with family and friends](#).

Bear in mind that the child's non-abusing parent(s) may also need support; our [Supporting Parents and Carers Guide](#) outlines some of the support available.

This may also be the time to advise the child and their parent(s) about their entitlement to **financial compensation**. The Criminal Injuries Compensation Scheme is for victims of violent crime – including sexual abuse – that has been reported to the police, and it is not necessary for there to have been a prosecution or conviction. There are criteria that must be met, however, including the length of time since the crime took place. (For example, if abuse was reported to the police

before the child turned 18, a claim can be made up until their 20th birthday.) You can help the family to make an application, or apply on their behalf; the Ministry of Justice has produced [guidance on applying for compensation under the scheme](#).

5. Where next?

[Return to the response pathway](#)

Source of quotations

The quotations in this practice guide, from children who have received support from children's social care, illustrate how the child may be feeling at this point and how your actions can make a difference.

- (1) Marsden, H. (2017) [Journey to Justice: Prioritising the Wellbeing of Children Involved in Criminal Justice Processes Relating to Sexual Exploitation and Abuse](#). Barking: Barnardo's.
- (2) Beckett, H. and Warrington, C. (2015) [Making Justice Work: Experiences of Criminal Justice for Children and Young People Affected by Sexual Exploitation as Victims and Witnesses](#). Luton: University of Bedfordshire.
- (3) Thiara, R. (2020) [Child Sexual Abuse Allegations and Response of Family Courts: Briefing](#). Coventry: University of Warwick.

Procedures to be followed in cases of child abuse are set out in the UK Government's statutory guidance for England, [Working together to safeguard children](#) (2026) and in the [Wales Safeguarding Procedures](#) (2020). The Crown Prosecution Service's guidance on [Safeguarding Children as Victims and Witnesses](#) (2019) is also relevant here.

*This practice guide outlines specific considerations for professionals working with children when there are concerns of child **sexual** abuse. It is underpinned by the above documents, and is not intended to repeat or replace them. It should be read alongside your local child protection procedures.*

This guide is part of our [child sexual abuse response pathway](#), designed to ensure that professional responses to concerns about child sexual abuse meet the needs of children and their families. It aims to bring clarity to key response points, helping you keep the child's needs and perspectives central.