



HL Bill 9 of 2024–25

Regulated and Other Activities (Mandatory Reporting of Child Sexual Abuse) Bill [HL]

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The [Regulated and Other Activities \(Mandatory Reporting of Child Sexual Abuse\) Bill \[HL\]](#) is a private member's bill introduced by Baroness Grey-Thompson (Crossbench). It received its first reading on 29 July 2024 and is scheduled to have its second reading in the House of Lords on 17 January 2025.

Baroness Grey-Thompson has explained that her bill seeks to implement a recommendation of the Independent Inquiry into Child Sexual Abuse (IICSA) that the government should introduce mandatory reporting of child sexual abuse:

A key finding of the IICSA was that suspected and even known child sex abuse is grossly under-reported in this country. The UK is one of a small minority of jurisdictions worldwide that does not have some form of mandatory reporting (MR) for suspected child sex abuse, and IICSA has recommended that MR be introduced here. This bill implements the IICSA recommendation and is a synthesis of the best MR practice worldwide. It will encourage prompt reporting of child sex abuse by those in a position of trust working with children, which will help catch abusers sooner before they have an opportunity to abuse many victims. The bill will also protect those who report in good faith from any





retaliation by those who would prioritise the maintenance of institutional reputation over the welfare of children.¹

The previous Conservative government tabled amendments to the [Criminal Justice Bill](#) to implement a mandatory reporting requirement. The amendments did not progress before the dissolution of Parliament for the 2024 general election. The new Labour government has recently announced an intention to introduce mandatory reporting in the upcoming crime and policing bill, expected to be introduced in the spring. This briefing focuses on the provisions of the private member's bill and the issue of the mandatory reporting of child sexual abuse.

I. Independent Inquiry into Child Sexual Abuse: Mandatory reporting

The Independent Inquiry into Child Sexual Abuse (IICSA) was a statutory inquiry established under the Inquiries Act 2005 in 2015.² IICSA published a number of reports during its operation.³ Its final report was published in October 2022.⁴

Part F of IICSA's conclusions and recommendations in its final report concerned identifying and reporting child sexual abuse. The report stated that the majority of countries in Europe and some parts of the US, Canada and Australia had introduced legislation placing specified persons, or members of the public, under a statutory duty to report

¹ Text supplied by Baroness Grey-Thompson to the House of Lords Library.

² Independent Inquiry into Child Sexual Abuse, '[About us](#)', accessed 8 January 2025.

³ Independent Inquiry into Child Sexual Abuse, '[Reports](#)', accessed 8 January 2025.

⁴ Independent Inquiry into Child Sexual Abuse, '[The report of the Independent Inquiry into Child Sexual Abuse](#)', October 2022, HC 720 of session 2022–23.



child abuse or neglect to a designated body.⁵ Whilst these reporting requirements varied, IICSA said it had identified a number of common features:

Most mandatory reporting laws identify designated mandated reporters, creating a group of people to whom the law applies. These individuals are generally those who come into contact with children in the course of their work or have managerial responsibility for others who work with children and are therefore assumed to be in a position to identify the signs of abuse.

Mandatory reporting laws also vary in what they require people to report. Some jurisdictions list categories of child abuse, such as physical abuse, sexual abuse, psychological abuse and neglect. It is also common for reporting laws to cover various forms of child abuse, including physical abuse, neglect and sexual abuse.

There is also variation in the level of awareness of the alleged abuse mandated reporters need to have before they are required to report.

All mandatory reporting laws specify the agency to whom the report must be made. This may be the police or, more commonly, social services or child protection services. In some jurisdictions, there is a dedicated agency whose remit is to receive reports (and sometimes also to monitor and produce statistics on the number of reports received) in

⁵ As above, p 221.



addition to assessing and acting upon them as required.

Most, but not all, mandatory reporting laws also provide for a sanction for failure to report. Such sanctions may be criminal in nature, attracting a fine or custodial sentence.⁶

IICSA's recommendation 13 said that the government should introduce mandatory reporting. It recommended that legislation should be introduced which placed 'mandated reporters' under a statutory duty to report child sexual abuse where they:

- receive a disclosure of child sexual abuse from a child or perpetrator
- witness a child being sexually abused
- observe recognised indicators of child sexual abuse⁷

It recommended that the following specific people should be designated as mandated reporters:

- any person working in regulated activity in relation to children (under the Safeguarding Vulnerable Groups Act 2006, as amended)
- any person working in a position of trust (as defined by the Sexual Offences Act 2003, as amended)
- police officers⁸

⁶ As above.

⁷ As above, p 225.

⁸ As above.



Under its recommendations, child sexual abuse would be defined as any act that would be an offence under the Sexual Offences Act 2003 where the alleged victim is a child under the age of 18.

The recommendation included specific provisions where a child was between 13 and 16 years old. It said that a report need not be made where the mandated reporter reasonably believed that:

- the relationship between the parties is consensual and not intimidatory, exploitative or coercive; and
- the child has not been harmed and is not at risk of being harmed; and
- there is no material difference in capacity or maturity between the parties engaged in the sexual activity concerned, and there is a difference in age of no more than three years⁹

If a mandated reporter failed to report child sexual abuse, they would be committing a criminal offence where they:

- are in receipt of a disclosure of child sexual abuse from a child or perpetrator
- witness a child being sexually abused¹⁰

Reports would have to be made to either local authority children's social care or to the police as soon as practicable.

⁹ As above, p 225.

¹⁰ As above, p 226.



2. Sunak Conservative government response to the inquiry recommendation

In its response to the final report, the Sunak government said it accepted IICSA's recommendation that a statutory requirement for the mandatory reporting of child sexual abuse should be created:

We accept the need for mandatory reporting; the government has agreed to implement a mandatory reporting regime for child sexual abuse which will be informed by a full public consultation, beginning with the publication of a call for evidence alongside this response.¹¹

The government ran a call for evidence for delivering the recommendation. The call ran from May to August 2023.¹² The government then consulted on its proposals in November 2023 and the government responded to the consultation in May 2024.¹³

In January 2024, the then home secretary, James Cleverly, said that the government would introduce a new duty through amendments to the [Criminal Justice Bill](#).¹⁴ In May 2024, the government tabled amendments to the bill which would have introduced the duty.¹⁵ The amendments were expected to be debated at the bill's report stage, but this did not happen due to the dissolution of Parliament ahead of the 2024 general election.

¹¹ Home Office, '[Government response to the final report of the Independent Inquiry into Child Sexual Abuse](#)', 25 May 2023.

¹² Home Office, '[Mandatory reporting of child sexual abuse](#)', 2 November 2023.

¹³ Home Office, '[Child sexual abuse: mandatory reporting](#)', 9 May 2024.

¹⁴ [HC Hansard, 10 January 2024, col 14WS](#).

¹⁵ House of Commons, '[Criminal Justice Bill, as amended \(amendment paper\): Report stage—second day](#)', 24 May 2024. See: government new clauses 65 to 73 and new schedule 2.



The government's amendments attracted criticism from some people, including Professor Alexis Jay, chair of IICSA, who described them as a “fudge”.¹⁶ The BBC reported that there was also a concern that the amendments would not have introduced a criminal offence:

In October 2022 the IICSA said reporting allegations of child sex abuse should be mandatory and that failure to report could lead to a new criminal offence. The Home Office said its amendment creates a legal requirement to report abuse, and that existing legislation means sanctions will apply if that does not happen. Alan Collins, a leading child abuse lawyer, said in his view the amendment did not create such a legal requirement. He described the amendment as ‘window dressing’.¹⁷

For further discussion of the government's amendments and how they would have functioned, see: House of Commons Library, [‘Duties to report child abuse in England’](#), 16 July 2024, pages 15–17.

3. Labour government policy and recent developments

In July 2024, the new Labour government said that it would be “taking robust action to better safeguard children and ensure that perpetrators [of child sexual abuse] face the full force of the law”.¹⁸ In answer to a written question asking whether it would introduce measures to implement IICSA's recommendation on mandatory reporting, the government said that it would “be quickly identifying

¹⁶ BBC News, [‘New child abuse laws a ‘fudge’, inquiry chair says’](#), 10 May 2024.

¹⁷ As above.

¹⁸ House of Lords, [‘Written question: Offences against children \(HL21\)’](#), 23 July 2024.



how we can move forward with delivery of the inquiry's recommendations".¹⁹

In answer to a written question on 9 September 2024, Jess Phillips, minister for safeguarding and violence against women and girls, said that she would be “working with ministerial colleagues across government over the coming weeks to revisit the final 20 recommendations of the inquiry to determine our key priorities going forward”.²⁰ This was reiterated in an answer by the government to a written question on 18 December 2024, where the government also said:

The Home Office is working closely with departments across government, including the Department for Education, Department for Health and Social Care, and the Ministry of Justice, to identify where progress can be made against the recommendations made in the final report of the Independent Inquiry into Child Sexual Abuse, and will provide further detail in due course.²¹

On 6 January 2025, Home Secretary Yvette Cooper announced that the government would be introducing mandatory reporting measures in the crime and policing bill, which would be introduced to Parliament in the spring.²²

The home secretary reiterated that the safeguarding minister had

¹⁹ As above.

²⁰ House of Commons, '[Written question: Child sexual abuse independent panel inquiry \(3304\)](#)', 9 September 2024.

²¹ House of Lords, '[Written question: Child sexual abuse independent panel inquiry \(HL3305\)](#)', 18 December 2024.

²² [HC Hansard, 6 January 2025, cols 632–51.](#)



convened what she described as the first dedicated cross-government group “to drive forward change”.²³ She said that the government was going to establish a new victims and survivors panel to work with the inter-ministerial group “to guide them on the design, delivery and implementation of new proposals and plans not just on IICSA but on wider work around child sexual exploitation and abuse”. Yvette Cooper said that the government would set out more details and timescales based on that work.

The home secretary said that prior to this, she was announcing government action on three of IICSA’s recommendations. This included on mandatory reporting. She said measures in the forthcoming crime and policing bill would make it an offence, with professional and criminal sanctions, “to fail to report or to cover up child sexual abuse”.²⁴ The government would also legislate to make grooming an aggravating factor in the sentencing of child sexual offences and “overhaul the information and evidence that are gathered on child sexual abuse and exploitation and embed them in a clear new performance framework for policing”. Yvette Cooper said one of IICSA’s first recommendations was for a single core data set on child abuse and protection. The government would “introduce a single child identifier in the Children’s Wellbeing and Schools Bill, and a much stronger police performance framework, including new standards on public protection, child abuse and exploitation”.²⁵

Responding for the opposition, Shadow Home Secretary Chris Philp said that the Conservative Party would support the government’s plan to legislate to introduce mandatory reporting.²⁶ Mr Philp also said there was a need “for a full national public inquiry” into grooming

²³ [HC Hansard, 6 January 2025, col 632.](#)

²⁴ [HC Hansard, 6 January 2025, col 632.](#)

²⁵ [HC Hansard, 6 January 2025, col 633.](#)

²⁶ [HC Hansard, 6 January 2025, col 634.](#)



gangs, where “young girls were systematically raped by organised gangs of men, predominantly of Pakistani heritage”.²⁷ He said that victims had been “systematically failed”. He argued that IICSA “was mainly directed at other child sexual abuse and exploitation issues, and it covered only six of the towns involved in the gang rape scandal—it did not cover everything”.²⁸ Calls for a new inquiry have also been made by the leader of the Conservative Party, Kemi Badenoch.²⁹

Discussion of inquiries into child sexual abuse in the UK in recent weeks has been held in the context of comments made by Elon Musk on his social media platform X.³⁰

The need for a new inquiry has been questioned by the government. Keir Starmer has said that the Conservative Party “demanding” another national inquiry was “putting political posturing before child protection” and “as experts from the NSPCC to Professor Jay herself have said, we know what is needed—action, not further delay”.³¹ On 8 January 2025, the prime minister’s spokesperson was quoted in the press as stating that the prime minister was “open-minded” about the case for a new inquiry into grooming gangs, but wanted to focus on IICSA’s recommendations and what victims wanted:

The prime minister’s position is the same as Jess Phillips’,
which is we are open of course and will always listen to what

²⁷ [HC Hansard, 6 January 2025, col 634.](#)

²⁸ [HC Hansard, 6 January 2025, col 635.](#)

²⁹ BBC News, ‘[Badenoch calls for national inquiry into ‘rape gangs’](#)’, 2 January 2025.

³⁰ See: BBC News, ‘[Musk looms large over UK politics as MPs return for 2025](#)’, 6 January 2025; Eleni Courea and Lisa O’Carroll, ‘[Why is Elon Musk attacking Keir Starmer over the grooming scandal?](#)’, Guardian, 6 January 2025; and Peter Chappell and Mark Sellman, ‘[Elon Musk’s many jabs at Sir Keir Starmer and Labour](#)’, Times (£), 3 January 2025.

³¹ Keir Starmer, ‘[Keir Starmer: There is no crime more vile than child abuse but Tommy Robinson is a thug not interested in justice](#)’, Sun, 6 January 2025.

victims want in this case.

What we have heard from our engagement with victims and survivors group is they want to see action. That is why we are focused on following up the recommendations of Prof Alexis Jay and taking the actions we need to deliver justice ...

As the prime minister said on Monday we will always remain open-minded. We will always listen to local authorities who want to take forward inquiries, or indeed further allegations that need to be followed up.³²

When asked whether a new inquiry was off the table, the spokesperson was quoted as saying, “we’re not taking some sort of binary approach on this ... The government’s approach is rooted in what victims want in order to deliver justice”.

The former chair of IICSA has said that she wants to see the review implemented. Speaking on the BBC’s Today programme on 7 January 2025, Professor Jay said “we’ve had enough of inquiries, consultations and discussions—especially for the victims and survivors who’ve had the courage to come forward”.³³ When asked whether a new national inquiry could hinder the implementation of IICSA’s recommendations, Professor Jay said “it would certainly cause delays”. She said she was “very unhappy with the politicisation of child sexual exploitation” done in a “very uninformed way”. She said

³² Guardian, [‘Live feed: Tory and Reform MPs accused of ‘weaponising trauma’ of grooming victims, as Farage calls for inquiry to focus on Pakistani men—as it happened’](#), 8 January 2025.

³³ BBC News, [‘Victims want action, child abuse inquiry chair says’](#), 7 January 2025.



that she was pleased that the inquiry recommendations and the issue of child sexual abuse were “finally getting the attention they deserve” but that this was “definitely not the way I would have chosen for it to happen, but it has had the effect of moving on the agenda”. On 6 January 2025, the campaign group Act on IICSA issued a press release calling on the government to “provide a clear timeline” on its commitments to implement the inquiry’s recommendations.³⁴ Act on IICSA is chaired by Professor Alexis Jay.³⁵

On 8 January 2025, the House of Commons rejected a Conservative reasoned amendment to the motion to give the Children’s Wellbeing and Schools Bill second reading. The amendment would have declined to give the bill second reading and “[called] upon the government to develop new legislative proposals for children’s wellbeing including establishing a national statutory inquiry into historical child sexual exploitation, focused on grooming gangs”.³⁶ The amendment was defeated by 364 votes to 111.³⁷

4. Bill provisions

The [Regulated and Other Activities \(Mandatory Reporting of Child Sexual Abuse\) Bill \[HL\]](#) consists of six clauses and one schedule.

Clause 1 of the bill contains a requirement for the reporting of child sexual abuse, subject to clauses 2(7), 2(8) and 2(10) and clause 4, by providers of activities set out in the bill’s schedule. The schedule lists a range of “regulated and other activities” across education,

³⁴ The Survivors Trust, ‘[Act on IICSA: Press release](#)’, 6 January 2025.

³⁵ BBC News, ‘[Child sexual abuse inquiry chair urges government to act](#)’, 6 January 2025.

³⁶ House of Commons, ‘[Order paper: Business today and future business](#)’, 8 January 2025.

³⁷ [HC Hansard, 8 January 2025, cols 957–9.](#)



healthcare and other settings, such as places of worship and organisations providing activities to children such as sports clubs. Clause 1 states that providers of any one or more of the activities set out in the schedule who know of, or who have reasonable grounds for suspecting the commission of, child sexual abuse of children in their care must report it to the following bodies or officials as soon as practicable after they become aware of it:

- (a) the Local Authority Designated Officer (LADO), or
- (b) Local Authority Children’s Services, or
- (c) such other single point of contact with the Local Authority as that authority may designate for that purpose.

Clause 2 of the bill sets out further details about the application of the requirement in clause 1. As set out in clause 1, this requirement is subject to clauses 2(7), 2(8) and 2(10). Clause 4 sets out defences against the reporting requirement (see below for further information).

Clause 2(7) would allow the secretary of state in “exceptional cases” to rescind or temporarily suspend the duty in section 1 in the case of a specified child or children if the secretary of state believes the child’s “welfare, safety or protection would be prejudiced or compromised by the fulfilment of the duty”. This would be achieved through issuing a “suspension document”.

Under clause 2(8), if the secretary of state believes that the “welfare, safety and protection” of children is furthered, the secretary of state can exempt any specified organisation that works with children generally—and its members—or any specified medical officer, from



compliance with the requirement in clause 1. This is provided that no allegation is made against that entity or person.

Clause 2(10) would provide a protection for people reporting under clause 1. It states that a person making a report in good faith or who is complying with any other part of the act “may not by so doing be held liable in any civil or criminal or administrative proceeding, and may not be held to have breached any code of professional etiquette or ethics, or to have departed from any acceptable form of professional conduct”.

Other provisions in clause 2 include:

- Clause 2(1). Reports under clause 1 may be made orally but the report must be confirmed in writing no later than seven days later.
- Clause 2(3). This states that clause 1 applies “whether a commission of sexual abuse takes place, or is alleged or suspected to have taken place, in the setting of the activity or elsewhere”.
- Clauses 2(4) and 2(5) relate to the responsibilities of staff:

(4) For the purposes of section 1 the operators of a setting in which the activity takes place and staff employed at any such setting in a managerial or general welfare role are deemed to stand in a position of trust and are deemed to have direct contact with children in their care whether or not such children are or have



been attended by them.

(5) For the purposes of section 1 all other employed or contracted staff or voluntary staff and assistants are deemed to stand in a position of trust only if they have had direct contact with and have attended such children during their time in such a position.

- Clause 2(6) would make provisions for when children are deemed to be in the care of the providers of activities set out in the schedule.
- Under Clause 2(9) the secretary of state may make regulations to amend the list of activities in the bill's schedule.

Clause 3 would make provisions for offences. Clause 3(1) states that failure to comply with the duty in section 1 would be an offence:

Failure to fulfil the duty set out in section 1 following the procedure described in section 2 before the expiry of the period of seven days of the matter, allegation or suspicion first coming to the knowledge or attention of the provider or of any person whose services are used by the provider as defined in section 2 is an offence.

An offence would also be created under clause 3(2) where someone causes, or threatens to cause, any “detriment” to someone who is



under the duty in clause 1:

A person who causes or threatens to cause any detriment to a mandated person, being a person placed under the duty to report pursuant to section 1 above, or to another person, either wholly or partly related to the mandated person's actual or intended provision of a report under this Act, is guilty of an offence.

Detriment is defined in clause 3(3) as including “any personal, social, economic, professional, or other detriment to the person”.

Offences under section 3(1) would be liable on summary conviction to a level 5 fine on the standard scale. Offences under section 3(2) would be subject to a level 4 fine on the standard scale.

Clause 4 sets out defences. It states that it is a defence:

- (a) for any person to show that the Secretary of State acting pursuant to subsection 2(7) has issued a suspension document;
- (b) for any person employed by or operating as an organisation that works with children or for any medical officer to show that the Secretary of State has by a suspension document, whether temporarily or permanently, exempted it and its members or any medical officer from compliance with the duty in section 1;
- (c) to show that a report of the commission of the known or suspected child abuse has been made by any other party to the body or person under section 1(a) to (c) before or during the seven days referred to in section 3(1).



Clause 5 would define children as any person under the age of 18. It would also set out definitions for “operators of a setting” and “providers of activities”.

The act would extend to England and Wales and come into force nine months after the day on which it was passed.

A similar bill of the same name was introduced by Baroness Grey-Thompson in the 2022–23 session, but this did not progress past first reading.³⁸

5. Read more

- House of Commons Library, [‘Duties to report child abuse in England’](#), 16 July 2024

³⁸ [Regulated and Other Activities \(Mandatory Reporting of Child Sexual Abuse\) Bill \[HL\]: HL Bill 51 of session 2022–23.](#)

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