

Guidance on Child Sexual Exploitation

A Practitioners' Resource Pack

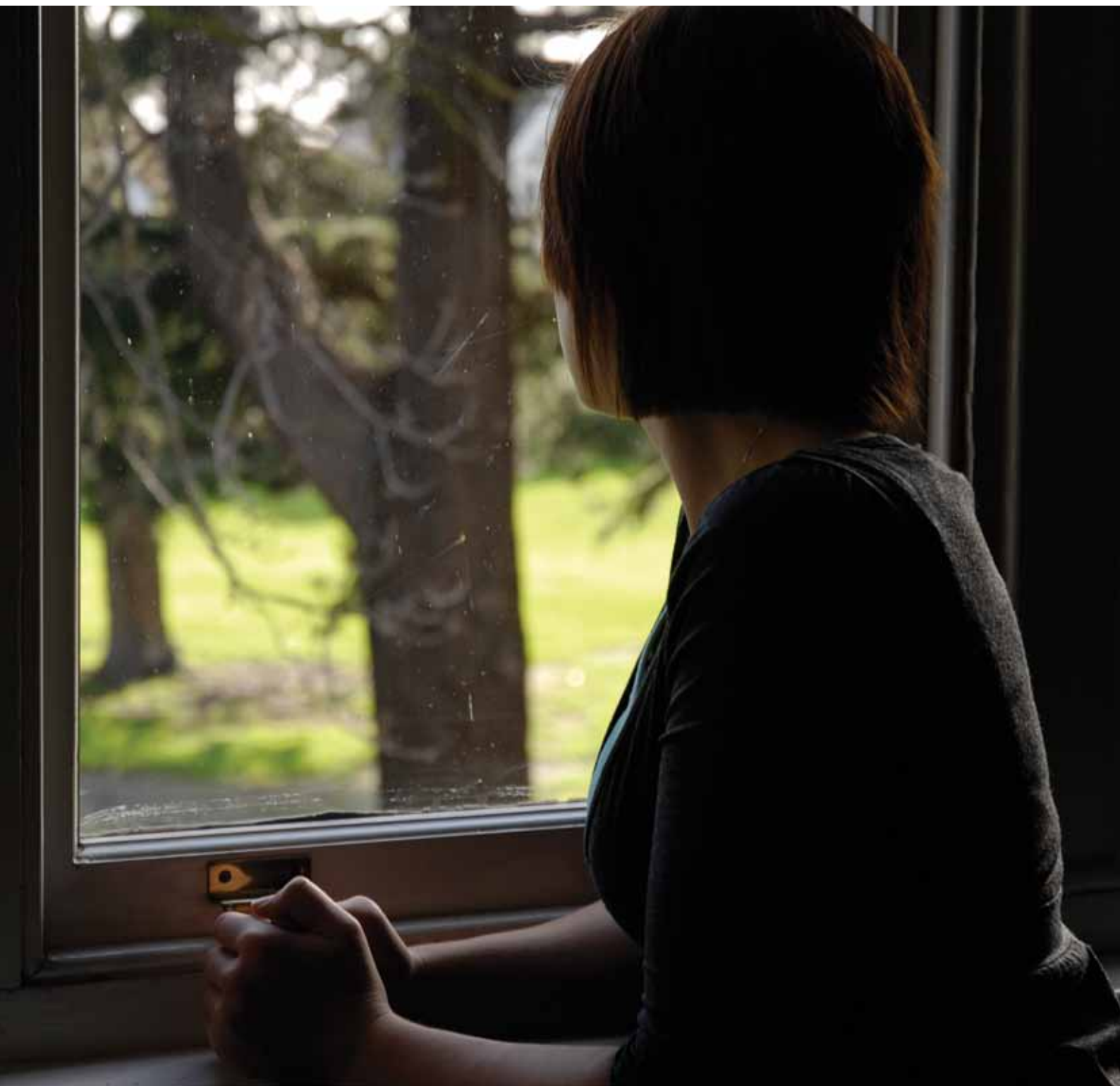
**Believe in
children**



**Barnardo's
Scotland**

February 2014

In Partnership with



Contents

Foreword	5
Introduction	6
What is child sexual exploitation?	7
Purpose of guidance	8
Policy and legislative context	9
Chapter 1: Definition	12
Chapter 2: Identification and Prevention	14
Vulnerability factors	15
Risk indicators	15
Lack of disclosure and response	18
Chapter 3: Roles and responsibilities	22
Child Protection Committees	22
Police	23
Social Work Services	25
Education Services	27
Health Services	28
Other community and related services	29
Voluntary Sector and Community Groups	30
What can I do as a practitioner?	32
Chapter 4: Managing individual cases	36
Sexual Exploitation Risk Assessment Framework	36
Multi-agency working	37
Information sharing	37
Person centred approach	38
Good practice	39
Chapter 5: Identifying and prosecuting perpetrators	42
Summary	44
Appendix A	45
Key Materials	48
Bibliography	49
Notes	50

This guidance has been developed by Barnardo's Scotland in partnership with the West of Scotland Child Protection Consortium.



Foreword



It is a great pleasure, as the Chair of the West of Scotland Child Protection Committee Chairs' Consortium, to be asked by Barnardo's Scotland to write an introduction to this Guidance document. The recent publicity surrounding a number of high-profile cases in which young people were sexually exploited and abused has emphasised the real and pressing need for practitioners in the field to be fully aware of the range of circumstances in which children and young people of both genders may find themselves to be at risk of sexual exploitation and, while this may be something they have not had experience of before, it is vital that they are properly informed so as to provide the speediest and most appropriate response possible.

The Guidance draws on the considerable amount of research, knowledge and expertise that Barnardo's has in this particular field and it provides practitioners with a starting point when thinking of child sexual exploitation, makes them aware of the vulnerabilities and risks associated with this and will assist them in thinking about their roles and responsibilities whilst improving their ability to spot the signs of when a child may be involved or at risk.

The Guidance takes into account the range of agencies that might become involved in cases of sexual exploitation and provides guidance on key aspects of multi-agency working and information sharing, aspects that directly contribute to a case being handled well with more positive outcomes for the children involved.

Cases of child sexual exploitation are, by their very nature, complex, and violence, coercion and intimidation are common features which clearly have a huge impact on the children involved. Anything that can make the handling and investigation of them simpler is to be welcomed and this Guidance represents a valuable resource for professionals and practitioners in dealing with CSE more effectively. I commend it to all involved in dealing with this issue.

A handwritten signature in black ink, appearing to read 'Donald Urquhart'.

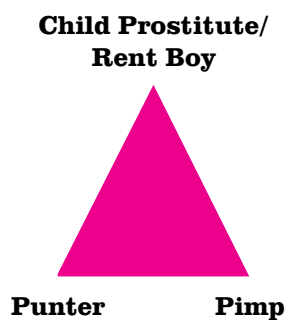
Donald Urquhart

Independent Chair of Glasgow Child Protection Committee
and Chair of the West of Scotland CPC Chairs' Consortium

Introduction

Child sexual exploitation (CSE) has not always been recognised as a distinct form of child abuse which can affect both boys and girls. Since Barnardo's started working with victims of CSE in 1992 we have been challenging the perception that these young people are 'prostitutes', 'criminals' or 'consenting young adults'. We have been campaigning to show that these children are victims of abuse and should be treated as such. The Barnardo's 'triangles of abuse' were developed to facilitate this shift in culture away from the idea that children involve themselves in the sex industry and instead draw attention to the supply and demand element of child sexual exploitation. A more recent inverted 'disruption/prosecution/protection triangle' has also been developed to illustrate that abusing adults and not the pathology of the child should be the main focus in any police investigation. There should also be an awareness of the locations in which CSE is taking place.

Public Perception:



Reality:



Disruption/Prosecution/ Protection Triangle:



In 2011 Barnardo's launched 'Cut Them Free' a UK wide campaign to raise awareness on the issue and lobby the Government for a real change in policy and practice in relation to CSE. As part of this campaign, in 2011 Barnardo's Scotland submitted a petition to the Scottish Parliament signed by over 3000 people. The petition called for more research into the nature and extent of CSE in Scotland, a refresh of the National Guidance for Child Protection in Scotland (2010), an update to 'Vulnerable children and young people: sexual exploitation through prostitution' (2003) and the introduction of protocols to enable local authorities to identify and manage CSE. This petition resulted in the launch of an official inquiry into 'tackling child sexual exploitation in Scotland' by the Public Petitions Committee.

In England and Wales the issue of CSE has also received an increased level of political and public interest over the last few years. National media attention has tended to focus on high profile cases such as Derby, Rochdale and Oxford. This attention has resulted in some groundbreaking police operations such as 'Retriever' in Derbyshire as well as several Serious Case Reviews (SCR) which have highlighted major problems with the way CSE is dealt with by statutory agencies.

Lack of awareness and knowledge of CSE within statutory agencies led to lengthy delays in recognising the abuse and exploitation and taking subsequent proactive action. However these high profile cases are only the tip of the iceberg, as exploitation of young people is happening every day we must

arm practitioners with the knowledge and tools they need to disrupt and prevent it.

A recent SCR from the Torbay Safeguarding Children Board found that: *‘One reason for the persistence of the sexual exploitation of the young women and lack of response from professionals appears to have been that professionals from all agencies were lacking in their knowledge and understanding of sexual exploitation. This limited their ability to identify when vulnerable young people, including children in care, were at risk of being exploited. This resulted in ineffective assessments of the risk, or interventions to prevent or reduce the young people’s vulnerability to exploitation’*¹

Child Sexual Exploitation is first and foremost a child protection concern and as such normal child protection procedures apply. The previous quote sets a very helpful context, highlighting the importance of increased knowledge and understanding of CSE by professional and practitioners.

As practitioners we must develop our knowledge and understanding of CSE to identify at an earlier stage those children and young people who are at risk of, or involved in, CSE. **CSE requires a child protection response and it is important that this response is tied in with the West of Scotland Inter-Agency Procedures.**

An early intervention approach will lead to protective measures to free them from the control of abusers. Perpetrators and potential abusers must be disrupted and, ultimately prosecuted. This can only be done if practitioners have increasing knowledge and are confident about responding to the issue, whenever or wherever it is present.

This resource pack has been developed alongside learning and development materials for practitioners who are unfamiliar with CSE and need information on what they should do if they have concerns about a child or young person. It is designed to enable practitioners to recognise the signs of CSE and give them the confidence they need to confront it.

The guidance applies to male and female children up to the age of 18 years irrespective of whether they are living independently, at home, with carers, or in a residential setting. All references in this guidance to children or young people mean those under the age of 18 as defined in the Children (Scotland) Act 1995.

What is child sexual exploitation?

Sexual exploitation is a form of sexual abuse, in which a young person is manipulated or forced into taking part in a sexual act. This could be as part of a seemingly consensual relationship, or in return for attention, affection, money, drugs, alcohol or somewhere to stay. The young person may think that their abuser is their friend, or even their boyfriend or girlfriend but they will put them into dangerous situations, forcing the young person to do things they don’t want to do. The abuser may be male or female; they may physically or verbally threaten the young person, or be violent towards them. They will control and manipulate them, and try to isolate them from friends and family.

Who does it affect?

Young people from any background can be exploited for sex in this way. Boys and young men are abused as well as girls and young women. The grooming and abuse can happen in person or online and although most abusers are adults, some victims are exploited by their peers. There is often a misconception that only children from disadvantaged or chaotic backgrounds can be drawn into sexual exploitation because of their existing vulnerabilities. However, abusers are very clever in the way they manipulate and take advantage of the young people they abuse; any young person can be taken in by their deception no matter where they come from or what their background is.

How does it happen?

There are many different pathways and routes into sexual exploitation, many of

Introduction

which involve grooming. There is a growing understanding within agencies responsible for child protection that grooming plays an integral part in the sexual exploitation of children and young people. This is recognised within Section 1 of the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005 which makes it a criminal offence to groom a person under the age of 16.

Many young people are 'groomed' by an abusing adult who befriends the young person and makes them feel special by buying them gifts or giving them lots of attention. Sexual exploitation can also occur between young people of a similar age. In most cases, the abuser will have power of some kind over the young person. It may be that the abuser is older or more emotionally mature, physically stronger, or that they are in a position where they are able to control the young person. There are some situations that can make young people more vulnerable to exploitation, young people who are having difficulties at home, regularly go missing or who have experienced care may be particularly vulnerable.

Barnardo's have distinguished three **distinct models of abuse** that practitioners may find helpful to better understand how perpetrators operate.

Inappropriate relationships:

Usually involves just one abuser who has inappropriate power – physical, emotional or financial – or control over a young person. The young person may believe they have a genuine friendship or loving relationship with their abuser.

Boyfriend:

Abuser grooms victim by striking up a normal relationship with them, giving them gifts and meeting in cafés or shopping centres. A seemingly consensual sexual relationship develops but later turns abusive. Victims are required to attend parties and sleep with multiple men and threatened with violence if they try to seek help.

Organised exploitation and trafficking:

Victims are trafficked through criminal networks – often between towns and cities – and forced or coerced into sex with multiple men. They may also be used to recruit new victims. This serious organised activity can involve the buying and selling of young people.

An additional and more recent model is in relation to young people and perpetrators use of new technologies.

Technology:

Young people access the internet through a variety of means and in particular there is a growth in use of mobile technology. This makes usual protective factors more difficult to apply. Protection messages for children and young people on the safe use of technology should include reference to raising awareness on CSE and the response if they are concerned about their own or others safety. All young people may be at risk – whether it's due to lack of confidence and experience in the online world, or high exposure due to increased accessibility.

Where does the risk come from?

Content – children and young people accessing pornographic material or being exposed to unwelcome sexual content, such as pop ups.

Contact – being targeted by a stranger who develops a relationship with the intent of sexual exploiting the child/young person

Conduct – Children and young people creating, uploading or seeking out sexually inappropriate material

Combinations – content, contact and conduct are intrinsically linked and young people can behave in different roles at different times.

Purpose of the guidance

This guidance is designed to assist practitioners in preventing CSE, protecting children and young people who are at

risk of abuse or are abused through sexual exploitation, and disrupting and prosecuting those who perpetrate this form of abuse. It will also be supported by awareness raising training for practitioners. Everyone must take responsibility for protecting children from this abuse and that means not only knowing what your role is but also what the roles of other agencies and individuals are.

There is a lack of robust evidence regarding the numbers of children and young people who experience sexual exploitation in Scotland. However the available evidence from Scottish and UK-wide research indicates that “the pattern of child sexual exploitation appears to reflect what has been found in the rest of the UK”² This evidence suggests that the majority of abuse is hidden and takes place ‘off street’, in private accommodation, hotels, sauna and massage establishments, and online.

This guidance is intended to support local agencies in their effective application of GIRFEC in the specialist area of CSE. It should help local agencies to:

- **Identify those at risk of being sexually exploited.**
- **Take action to protect and promote the well being of particular children and young people who are being, or may be, sexually exploited.**
- **Take action against those who are intent on abusing and exploiting children and young people in this way.**

All Child Protection Committees (CPCs) and their partners in local areas should take account of this guidance. CSE is not limited to particular geographical areas and all CPCs should assume that it is an issue in their area. Even in areas where there is no apparent, clear evidence of CSE, the guidance is relevant in the context of awareness raising and preventative education. The guidance is aimed at all CPCs, their partners, managers and practitioners.

The key principle for all practitioners to remember throughout reading this guidance is that children and young people who are sexually exploited should not be regarded as having bad or criminal behaviour; they are the victims of sexual abuse. The responsibility for the sexual exploitation lies with the abuser: be it the person who pays for sex, in some way, or the person who grooms the child and/or organises the exploitation. The focus of police investigations and of prosecutions should be on those who coerce, exploit and abuse children and young people.

Policy and legislative context

The United Nations Convention on the Rights of the Child

The UNCRC (1989) is an international agreement that protects the human rights of children under the age of 18. The UNCRC forms the basis for GIRFEC and the Scottish Government has made a commitment to embed this agreement into all of its work with children and young people. The UNCRC is clear within articles 35 and 36 that the State shall protect children from sexual exploitation and abuse including ‘prostitution’, trafficking for sexual purposes and involvement in the production of child sexual abuse images.

GIRFEC

The Getting It Right For Every Child approach provides a framework for all those who work with children and young people. The framework puts children and young people at the heart of children’s service provision as well as encouraging inter-agency working to ensure children and young people have the best start in life. GIRFEC is gradually being worked into policy and practice across Scotland and the Children and Young People (Scotland) Bill aims to embed the principles of GIRFEC in legislation.

Lead Professionals and Named Persons within GIRFEC:

The *Lead Professional* is the person within the network of practitioners supporting the

child and family who will make sure that the different agencies act as a team and the help they are all offering fits together seamlessly to provide appropriate support for the child and family. The *Named Person* acts as a main point of contact for children and families to help them access universal services.

The definition of these roles will change with the introduction of the Children and Young People (Scotland) Bill which will put GIRFEC on a statutory footing. At present there is no statutory role for the named person but guidance will be issued with the passing of the Bill and should be read alongside this document.

Vulnerable Children and Young People: Sexual Exploitation through Prostitution (2003)

Highlights that sexual exploitation is abuse and should be treated accordingly.³ Any criminal justice action must focus on investigating and prosecuting those who are involved in abusing a child. This includes not only those who sexually abuse a child directly but also those who coerce and are involved in the sexual exploitation of a child in any way.

The National Guidance for Child Protection in Scotland (2010)

Provides a national framework for all those working with children and young people to enable all organisations, services, agencies, practitioners and individuals to protect children and promote their wellbeing. The guidance sets out key responsibilities and information about strategic planning of services and their delivery. Guidance on specific issues such as child trafficking is also provided for practitioners working at local level. The guidance has recently been refreshed to include a specific reference to CSE, this should be read alongside this document.

The National Risk Framework to support the Assessment of Children & Young People (2012)

This framework published by Scottish Government in November 2012, is a national risk assessment 'toolkit' for child protection to support practitioners in identifying and acting on child protection risks in children and young people. Based on the Getting It Right for Every Child approach to well-being and using the National Practice Model as its basis, it sets out a process for assessing risk a set to enable practitioners to consider key factors in the child's and young person's lives. Those factors include risk factors as well as resilience and protective issues. It can be used alongside any other assessment frameworks specifically designed to assess particular circumstances where children or young people may be at risk of harm or abuse at home or in the community.



Chapter 1:

Definition

The sexual exploitation of children and young people is an often hidden form of child sexual abuse. A number of different definitions have been developed through the work of researchers and practitioners though the concepts of exploitation and exchange are central to each. The below definition is contained in the UK Government's 2009 statutory guidance and the 2011 National Action Plan. It has been adopted by the Welsh Assembly Government and was acknowledged in the Scottish Government research report 'Exploring the scale and nature of child sexual exploitation in Scotland (2012):

'Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of performing/and/or others performing on them, sexual activities.

*Child sexual exploitation can occur through the use of technology without the child's immediate recognition, for example being persuaded to post sexual images on the internet or on a mobile phone without immediate payment or gain. In all cases, those exploiting the child or young person will have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships is characterised in the main by the child or young person's limited availability of choice resulting from their social, economic, and emotional vulnerabilities.'*⁴



Chapter 2:

Identification and Prevention

Children and young people who are the victims of sexual exploitation often do not recognise that they are being exploited. This makes it very hard to identify victims. It is therefore essential that those working with children and young people are able to recognise the signs and provide an appropriate response or intervention.

Children at risk of CSE may find themselves in high risk situations, isolated from protective, nurturing adults. Of particular relevance is the impact of those who may have groomed and conditioned children, to coerce and abuse them. Children may be under very strong pressure, intimidated, afraid and/or dependent on those that have exploited them, especially where substance misuse is a factor. Children may therefore reject offers of help and support and appropriate interventions need to be designed to address this.

There are a number of indicative signs that a child may be being groomed for sexual exploitation. Practitioners, who have regular contact with children and young people have a key role in understanding the connections between these behaviours and the wider context of the young person's life. The mantra 'If you can't rule it out rule it in' should be used by practitioners, if there is any indication, however slight that a child could be at risk, action should be taken.

CSE is widespread and can affect young people from all walks of life and all sectors of society. We acknowledge that children and young people may have individual challenges such as behavioural disorders and/or disabilities whilst some will have stable lives and families but will still be drawn into exploitation. There are certain vulnerabilities that can make a young person more susceptible to exploitation. All staff (practitioners, including senior and middle

managers) and agencies should be familiar with these vulnerability and risk factors.

Vulnerability Factors include:

- **A disrupted family life:** Young people who get drawn into CSE often have a chaotic or disrupted home life. This can include parental breakdown or separation and being part of the looked-after system. Young people who do not feel they have the care and support they need at home may go looking for it elsewhere.
- **A history of abuse and disadvantage:** This can include emotional, physical and sexual abuse as well as neglect. Young people involved in CSE have often experienced domestic abuse at home and parents with drug or alcohol problems.
- **Problematic parenting:** An evaluation of several CSE services in the UK⁵ found that there was a huge deficit in the parenting capabilities of many parents. Fathers were often absent leaving some of the young people to move into adult life prematurely to seek the support they were lacking at home.
- **Disengagement from education:** School plays an integral role as an important safeguard in a young person's life, if they disengage from it they are left very vulnerable. They may become disconnected from their peers and lose any sense of a regular routine, the likelihood of forming attachments to 'risky' adults is increased.
- **Experience of bullying and learning difficulties:** A young person with learning difficulties may be less able to recognise the risky situations they may be getting

themselves into and more likely to trust an adult who could be trying to exploit them.

- **Going missing:** Many young people have a history of going missing from home or care for various reasons, this leaves them very susceptible to exploitative adults who may offer them a place to stay or somewhere to just hang out away from school. A young person who has run away from home or school may be craving acceptance; they may feel they have found it in the wrong place through an exploitative adult.
- **Poor health and well-being:** The teenage years can be developmentally challenging and young people often experience low self-esteem, problems at school as well as physical changes in their appearance. This may leave some young people vulnerable to older people who may compliment them and make them feel good about themselves by offering them gifts and giving them attention.
- **Drug and alcohol misuse:** Alcohol and drugs are frequently used in the grooming process, however if young people already have problems with substance misuse this makes them easier targets for those wanting to exploit them. They are more likely to be lured into risky situations by the incentive of drink or drugs. In the evaluation of several CSE services in the UK, in 30 of the 42 case studies of young people requiring support in relation to CSE, substance misuse was also a key factor present.⁶

The impact of drink and drugs:

Underage drinking (offences related to sale and supply) and drug taking is a criminal offence. Substance misuse masks the exploitation and creates a cloak of criminality around the victim making adults less sympathetic to their situation.

- Perpetrators will **lure young people** in with the promise of drugs, alcohol, parties, and a good time.
- Perpetrators will get **young people**

hooked on alcohol and drugs in order to abuse them, hold power over them and get them to do what they want.

- Young people become **accustomed to a lifestyle** of drink, drugs and parties and may normalise the abuse that comes with it.
- Young people come to **rely on drink and drugs** to cope with and block out the sexual exploitation that is happening to them by self-medicating.

Know the signs – Risk Indicators

As previously noted there are a number of indicators practitioners should be looking out for as signs of CSE. These indicators, when present, should trigger concerns and a proportionate response.

Risk indicators can include but are not restricted to:

- **Staying out late/missing episodes:** Does the young person regularly return home late? Is the young person missing overnight or longer with no known home base? Unhappy and lonely young people can be flattered and seduced by the attention of streetwise adults who appear to sympathise with them.
- **Multiple callers:** Does the young person regularly receive calls or messages from unknown adults or young people who may be slightly older than them? Perpetrators of CSE are increasingly using mobile phones as a means of controlling their victims.
- **Use of a mobile phone or multiple mobile phones:** Does the young person use their mobile phone a lot? Are they secretive about who they are contacting and why? Young people are often given more than one mobile phone so perpetrators can contact them at all times, therefore increasing and maintaining their hold over them.

- **Expressions of despair:** Is the young person displaying signs of self-harm, overdosing, eating disorders, challenging behaviour, aggression? These can all be signs that there is an underlying problem that needs to be addressed.
- **Disclosure of sexual/physical assault followed by withdrawal of allegation:** Has the young person disclosed information of being sexually or physically abused and then taken back that allegation? This can indicate fear, intimidation and may mean the young person is being threatened to keep quiet about the abuse they are suffering.
- **Sexually Transmitted Infections (STIs) and unwanted pregnancies:** Has the young person contracted an STI? Or disclosed an unwanted pregnancy? These are often signs of unsafe sex and could indicate sex with multiple people, a common occurrence for CSE.
- **Peers involved in sexual exploitation:** Has the young person disclosed their knowledge of peers being sexually exploited? It is very common for peers to be the gateway into CSE, they may be told by the people exploiting them to draw other people in, and vulnerable young people can be very susceptible to peer-pressure.
- **Drugs/alcohol misuse:** Has the young person started experimenting with drugs or drinking? Drink and drugs are a central part of the grooming process; young people may associate the free alcohol and drugs with being accepted and feeling good. Young people may start to normalise the sexual behaviour that follows even if they don't like it at first because it leads to the good feelings of drugs and alcohol.
- **Use of new technological devices that cause concern:** Does the young person spend a lot of time on the internet? Are they secretive? Are they accessing inappropriate websites? The internet has become a very effective means for perpetrators to connect with, groom and exploit young people. They can have almost unlimited access to young people via social networking sites and gaming and can therefore mask their true identities whilst grooming the vulnerable young person for face to face exploitation.
- **Lack of positive relationship with a protective/nurturing adult:** Does the young person have a strong adult figure in their life that they can turn to? Young people need this figure in their lives in order to develop healthy relationships, if they do not have a nurturing adult in their lives they may look elsewhere.
- **Truancy or exclusion:** Has the young person been excluded from school or been persistently truanting? Young people who are not in school during the day may be more at risk of sexual exploitation. Additionally, children who are becoming involved in CSE may begin to skip school or become disruptive as a result.
- **Living independently and failing to respond to attempts by worker to keep in touch:** Has the young person started withdrawing from their social and formal networks? Perpetrators of CSE will try and separate young people from their networks of support; they may try and convince the young person that their family and friends do not care about them, only they do. This may lead to the young person severing contact with these support networks in a bid for independence.
- **High number of sexual partners:** Is the young person displaying signs of dangerous sexual behaviour with multiple partners? This may be a sign of exploitation; the young person may be being coerced or forced into having sex with 'friends' of friends.
- **Unexplained amounts of money or other material items:** Does the young person turn up with expensive clothing or other items; children who appear to have new

clothes, jewellery, mobile phones or money that cannot plausibly be accounted for may be being groomed.

Other **significant** risk indicators to look out for include:

- Presence of an older boyfriend or relationship with a controlling adult.
- Physical or emotional abuse by boyfriend or controlling adult.
- Entering and leaving vehicles driven by unknown adults.
- Frequenting areas known for on/off street prostitution.
- Physical injury or symptoms of sexual/physical abuse.
- Children under 13 years asking for sexual health advice.
- Being taken to flats, houses and/or hotels and engaging in sexual activity.

The case study overleaf highlights some of these risk indicators:

Case Study – Katrina

Katrina is a 15 year old Polish girl in the care of the local authority having been placed there when she approached Social Work at the age of 13, with her younger sister, 10, asking to be accommodated because of adverse conditions within the family home. Once accommodated Katrina disclosed she had been sexually abused and exploited by men within the migrant Polish community in her area, telling her social worker she had had sex with several men, but two in particular. These men seemed to be prominent within their community particularly with economic criminal activities and private housing, usually of a crowded, poor quality.

Katrina described a route into sexual abuse and exploitation which involved grooming through the supply of money, drink, drugs and gifts. Katrina was vulnerable to this predatory attention

on several levels; her home life was economically poor and socially isolated within an isolated community, the boundaries of family life had become blurred with little parental guidance or appropriate control, the displacement of being a migrant had meant that ‘fitting-in’ with the host culture was proving initially difficult.

Life in Poland had been socially and economically deprived; poor housing, no hot water, often no heating, shared bathrooms and little or no money. Katrina’s father, a violent man, had died as a result of his alcoholism and her mother had her own mental health problems, violence within the home was frequent. No one within the household had an occupation and those of working age were reliant on state benefits on arrival.

It is not clear whether Katrina’s mother was explicitly aware of her daughter being sexually abused and exploited; however it would seem that she was less than curious when Katrina brought back food, gifts and money. The familiar cycle of sexual abuse and drug and alcohol usage to survive emotionally became familiar to Katrina and another sister who, from Katrina’s disclosures, was also being sexually abused and exploited. Although Katrina, an intelligent and articulate girl, was attending school no-one in authority seems to have noticed her or her family’s circumstances.

This is not a family where any of the individuals have been trafficked into Scotland for exploitative reasons, whether these are economic or sexual; they came here of the mothers choosing. They were though, all vulnerable because of a combination of their socio-economic circumstances and the family’s own precarious history and experiences of neglect, abuse and deprivation.

Lack of disclosure and response

Disclosure of sexual exploitation is always difficult for children. The sophisticated grooming and priming processes executed by abusing adults and the exchange element of this form of abuse can act as additional barriers which increase denial and make disclosure especially difficult.

Children and young people that are the victims of sexual exploitation can display disruptive and difficult behaviour and often fail to recognise that they are being exploited. This presents practitioners with many challenges in providing the support they need to escape exploitation. The grooming process may be so effective that young people believe they are in a real relationship of which they are in control.

Young people are unlikely to disclose information to people they do not trust or do not have a positive relationship with. If they feel as though an adult does not or will not understand the issue or that they will judge them, then they will not disclose what is happening.

What are the challenges which practitioners face in identifying and responding to sexual exploitation as a child protection issue?

- **Age** of the child or young person – Responses can vary if child is 15 years and over.
- **Gender** of the child or young person – Responses can vary if child is male.
- **Sexuality** of the child or young person – Responses can vary if workers are focused on the possibility of young people “exploring their sexuality”
- Detachment/difficult **behaviour** of the child or young person.
- **Scale of CSE** – Some disclosures may seem implausible to workers.
- Children may be involved in other **criminal activity**.
- Lack of specialist resources.
- **Lack of awareness**/training on the part of

the practitioner.

- Local authority **thresholds may be too high** for child protection response to be triggered.
- **Lack of disclosure** – children don’t see it as abusive/dangerous, trivialising/shame/blaming self.
- **Fear** of “opening” a can of worms.
- **Poor continuity** in support to young people aged 16 years.

What prevents young people disclosing sexual exploitation?

- Young people rarely directly self-disclose, sometimes because they **don’t recognise** the exploitation.
- Loss of supply of **alcohol, drugs**.
- Loss of “boyfriend” – **love and attention**.
- Fear of **retribution** from other young people.
- **Fear of domestic abuse from “boyfriend”**.
- **Shame** – family, friends and workers finding out.
- Letting everybody down.
- Fear of being labelled a prostitute or **gay**.
- Not being **believed**.
- Fear of **separation** from family, change of placement.
- Threat of **secure accommodation**.
- Fear of **loss of control** following disclosure – reporting, investigations, court, etc.
- The perceived **benefits** of the exploitation appear to **outweigh** risks.
- Fearing situation will get worse.

The case study overleaf is taken from a recent study into running away and CSE.⁷ It highlights some of the reasons mentioned above for victims not disclosing as well as practitioners not responding to the underlying issue.

This is an English case study from the most current research into CSE/going missing in the UK.

Danny’s family background is one of parental substance misuse, domestic

violence and mental health issues. Danny and his five siblings were neglected and when Danny was seven he and his siblings were taken into care. Danny was placed in a separate foster placement to any of his siblings and eventually moved into a children's home because his behaviour was deemed too difficult for foster carers to manage. Danny started to run away overnight when he was nine, started drinking alcohol and smoking cannabis when he was ten and diagnosed with ADHD when he was twelve. For a number of years Danny missed his parents and siblings but believes that no-one got to know him well enough for him to trust them and tell them how he was feeling.

'I was just another kid in care, another kid in trouble. ... I've had that many social workers I've lost count of them all. ... I've been moved from care home to care home and had that many people looking after me.'

After being placed in yet another children's home, Danny started to run away to be with a group of young people who took him to parties held by adults. After being given large amounts of alcohol and drugs, Danny was taken to a room where a number of men sexually assaulted him. Danny describes how he started to 'act out' after this incident and smashed up his room in the children's home. Danny was moved to a secure unit then after returning to a children's home was once again sexually exploited after being introduced to adults by young people who lived with him. Danny felt like he had no control over what was happening to him and started to carry out increasingly violent criminal acts.

No-one ever asked him why he was doing what he was doing and if there was anything wrong. Danny wanted to tell someone what was happening to him but

felt that there was no-one there for him who he could talk to:

'The police just thought I was a waste of space and got fed up of coming to look for me when I ran away. None of my social workers stayed around long enough to get to know me. I went to this project for kids in trouble with the law but they just focused on all the things I did wrong. Who was I supposed to talk to? Who was I supposed to tell what was happening to me?'

Danny has recently committed a violent crime for which he was caught, is awaiting a court appearance and been told that he is likely to be sent to a Youth Offending Institution (YOI). Up until his research interview, Danny had not told anyone about the sexual exploitation he experienced. There are no specialist projects in the local area to support children and young people who experience running away and CSE. Danny subsequently agreed that the researcher could tell his Youth Offending Team (YOT) worker, who Danny liked, what had happened to him so that the process of providing Danny with some support could begin.

All young people have a right to be:

- Listened to
- Respected
- Valued and feel valued

These are key principles for practitioners when it comes to reading the signs of CSE. Too often young people are stigmatised by society as a 'troublesome group', the media exacerbate this image resulting in perceptions of young people as 'hoodies' and 'neds' causing trouble on the streets and terrorising communities.

This can lead to young people distrusting statutory services, they may not feel confident that their allegations will be taken seriously

or their story believed. Reasons for not being believed include:

- The young person may look **mature** for their age.
- The young person may be seen as having **difficult behaviour**.
- The young person may have had sex at a young age and so are seen as **sexually mature** or **'streetwise'**.

This is where a culture shift is needed; practitioners in all agencies must recognise that a child cannot consent to their own exploitation regardless of their external persona, the behaviours they may display or how they come across to other people. This can be highlighted in the example below:

Phoebe's Story

I'm 13, but my story has happened to children younger and older than me.

I went to court because I had a chance to see the man who sexually exploited me punished for what he'd done. But in the courtroom I was made to feel like the abuse I experienced was my fault.

They said that because I look mature for my age, men could easily think I was old enough to have sex.

They also said that I seduced him! That I agreed to it all. But I only had sex because he tricked me into it, promising to care for me. I trusted him because he was older but he abused my trust and hurt me.

Why couldn't the court remember that I'm a child and I can never truly agree to being sexually exploited?"

Key messages from recent Serious Case Reviews (SCR)

Several SCR's have been undertaken over recent years in response to cases of CSE.

The SCR's are intended to draw out what went wrong and find out what lessons can be learned for individual agencies so similar things do not happen again.

The SCR in Rochdale⁸ uncovered several themes:

- Services **not listening** to young people.
- Young people felt that they had given sufficient information for the agencies to protect them but **nothing changed** and the abuse carried on.
- Parents were told by the police that their daughter was hanging about with the **'wrong crowd'** and was **making 'choices'** about relationships and sexual partners.
- Perpetrators had **control** over every element of their lives.
- **Threats** and the **use of violence** – towards young people and their families.
- **Threats towards families** as one of the main reasons for not telling parents/ coming forward to services.
- Young people told they would **not be believed**.
- Young people with **no hope** of escape.
- Even when the young people co-operated with services – nothing changed – **the abuse continued**.

16 and 17 year olds

It is important to remember that just because a young person is over the age of 16, whether they are subject to a statutory order or not, it does not mean that they cannot be victims of CSE. A young person who has been subject to a complex pattern of life experiences including sophisticated grooming and priming processes does not stop needing support and protection when they reach the age of 16. They remain a vulnerable young person with on-going needs. A person's vulnerability will depend on their circumstances and environment and each case must be judged on its merits. **Practitioners should take cognisance of their local child protection/vulnerable young person/adult protection procedures when considering 16 and 17 year olds.**



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Chapter 3:

Roles and Responsibilities

The following section describes agency roles within Child Protection; each agency has a different role to play. All staff must share concerns about all suspected cases of abuse to Social Work services without delay. All agencies have a role to play in protecting children but Social Work services and the Police have a lead role to play in coordinating and undertaking any investigation or inquiries into possible abuse; the Social Work Children and Families services carry out these inquiries on behalf of the Local Authority.

The primary objective of the inquiry is to identify any need to take protective action and to assess any needs of the child. The Social Worker will also gather information for the Reporter to the Children's Hearing which might determine whether there is need for compulsory measures of care.

The Police may undertake these inquiries jointly with Social Work, where there is reason to believe a crime may have been committed or to prevent a crime being committed. This may include a request for chronological information. This could be sourced from single agency or integrated chronologies which will give a more complete picture of the child's life. Information gathered by the Police will also be sent to the Reporter and where a crime may have been committed the report will also be sent to the Procurator Fiscal.

Child Protection Committees (CPC's)

Child Protection Committees are locally-based, inter-agency strategic partnerships responsible for the design, development, publication, distribution, dissemination, implementation and evaluation of child protection policy and practice across the public, private and wider third sectors in

their locality and in partnership across Scotland. Their role, through their respective local structures and memberships, is to provide individual and collective leadership and direction for the management of child protection services across Scotland.⁹

They work in partnership with their respective 'Chief Officers' Groups and the Scottish Government to take forward child protection policy and practice across Scotland. CPC's should ensure clear guidance and working protocols are in place describing arrangements to respond to concerns that children are at risk of CSE.

CPC's can use the checklist below to see how they can better protect young people from sexual exploitation.

Understanding prevalence

Child sexual exploitation is a hidden issue, taking place out of public view. Practitioners often do not identify it and young people themselves frequently do not recognise themselves as the abused. There is no central system for recording cases, meaning that it can be difficult to get an accurate picture of the number of young people at risk of sexual exploitation. However, without having systems in place to monitor local levels of risk, young people who are experiencing exploitation are all the more likely to go unnoticed and unprotected.

What system do you have in place to monitor the number of young people at risk of sexual exploitation?

Providing a strategic response

Young people can only be fully protected from harm if the key agencies (local authorities, police, health bodies and others) work well together. Child Protection Committees have

a critical role to play in establishing clear priorities and coordinating child protection activity at a strategic level to tackle child sexual exploitation.

Does your CPC have a strategy in place to tackle child sexual exploitation?

Clear leadership'

Working across multiple agencies is undoubtedly challenging and requires significant coordination. To ensure that good intentions translate into real protection for young people from child sexual exploitation, there is a need for clear ownership of the issue and well defined lines of accountability.

Do you have a lead person who has responsibility for coordinating a multi-agency response to child sexual exploitation?

Accessing specialist support

Child sexual exploitation is clearly a child protection concern and support will always be available from Social Work alongside any other specialist supports, where available. Unfortunately there are some areas of the country where very little specialist help is available for victims of child sexual exploitation. It is vital that the right specialist support is available to help young people exit and recover from exploitative situations, and that there are clearly determined pathways from universal to specialist services.

Are young people in your local area able to access specialist support for children at risk of sexual exploitation?

Raising awareness

Professionals in universal services have a critical role in identifying and addressing sexual exploitation. Frontline staff in services for children and young people should be able to recognise the warning signs and risk factors of child sexual exploitation and know how to respond using child protection procedures. The Child Protection Committee may also have a role in engaging with the public to raise awareness of child protection issues including CSE

providing advice on what the public should do if they have concerns.

Police

The priority for Police Scotland is the safety and wellbeing of the child involved. A child centred approach should always be adopted during efforts to secure evidence to prosecute offenders. All intervention and disruption opportunities for perpetrators should be fully explored and implemented. This role should be carried out in accordance with the principles of multi-agency co-operation to protect children.

The role of the police is central to tackling CSE. As has already been stated, victims of CSE often display behaviours deemed anti-social and often criminal such as underage drinking, drug taking, underage sex, truancy and other risky behaviours. The police therefore are often on the frontline and are best placed to pick up on these indicators. If a young girl is found on the street late at night, drunk and in a red-light district there are indicators that would suggest a high risk of involvement in CSE. A balance must be struck between dealing with the anti-social or criminal behaviours and also being alert to signs of CSE.

Police Scotland

There is potential for the newly created single Police Service for Scotland to have a strong Scotland-wide strategy for ensuring victims are at the centre of dealing with CSE. Barnardo's works with police forces across the UK and police initiatives have included more officers with specialist knowledge of the issue and greater use of police analysts in collating and tracking soft information and identifying patterns as part of insuring that CSE can be identified on police databases. The single force also gives increased opportunities for force-wide training on the issue, stronger multi-agency relationships and action to ensure there is always a culture of support for victims.

Check list of seven core features for effective local policing of child sexual exploitation:

- Clear responsibility for the issue.
- Officers with specialist knowledge.
- Force-wide training on the issue.
- Strong, local multi-agency links.
- Strong cross-border police links.
- System to identify CSE on local police data bases.
- Culture of support for young victims.

Responsibility

Is there a senior officer with lead responsibility for this issue?

Police action on child sexual exploitation needs clear internal leadership to ensure that it is not undermined by staff changes or resource pressures. This lead should be clear to police and external agencies.

Specialist Officers

Does the force have specialist police officers to deal with individual cases?

Dealing with young people who may have been sexually exploited presents specific challenges, even for experienced officers. Having officers with specialist knowledge can help young people in giving evidence, enhance inter-agency working and assist in developing a picture of the local abuse. Interviewing child witnesses requires a sensitive approach and tailored specialist support.

Force-wide training

Do all officers receive training about this abuse and how to tackle it?

Both frontline officers and senior officers should have training. Giving senior staff training, through presentations, can promote force-wide understanding of why tackling this abuse is so important. Any training should be updated as knowledge of this issue continues to develop.

Database indicator

Is child sexual exploitation flagged on the local police force database?

Having a system by which police can flag child sexual exploitation on the database (whether known or suspected cases) can help

police profile the local problem and manage individual young people's risks.

Multi-agency links

Is the force fully engaged with the local Child Protection Committee CPC?

Police are central to the efforts to tackle this abuse and so should be represented by senior staff on the local CPC and fully engaged with the CPCs strategy on child sexual exploitation. This approach can reinforce multi-agency efforts to tackle this abuse.

Cross-border links

Does the force link with all neighbouring police forces to tackle this abuse?

Policing needs to respond to cross-border movement by abusers and victims. Clear systems for working with neighbouring police forces would reinforce individual efforts to tackle child sexual exploitation.

Culture of support

Do police deal appropriately with victims of child sexual exploitation?

Young victims of sexual exploitation and young people who are highly vulnerable deserve to be treated sensitively by the police. Furthermore, they need confidence in the police before they will engage with efforts to protect them or prosecute the abusers.

Missing from home

Does the force have an appropriate procedure for dealing with young people who have run away or gone missing?

Police are also the main agency involved when a young person is reported missing, runs away from home or absconds from a residential unit. We know from service experience that children who go missing or run away regularly are at risk of becoming involved in sexual exploitation. Going missing may also be an indicator that sexual exploitation is occurring.

A UK survey conducted of Barnardo's sexual exploitation services found that 44 per cent of all service users had gone missing on more than once occasion. Findings were similar in the University of Bedfordshire study which found that

over half of young people using sexual exploitation services on one particular day were known to have gone missing.¹⁰

The entrapment of children and young people in sexual exploitation does not occur overnight. They may become more vulnerable if they are spending a lot of time away from home, from their care placement or from school because they are running away. Each time a young person is reported missing; the police assess their level of risk. If a young person goes missing regularly, there is a danger that professionals become complacent, believing the young person will return as usual or that they can somehow manage. This is when they are at greatest risk, and service managers tell us that the people who exploit children in this way are all too aware of how the system works.

Running away or going missing for periods of time should not be seen as normal teenage behaviour or kids blowing off steam, it should not be assumed that they will be okay if they are 'streetwise' and will return when they are ready. Unhappy, lonely, young people are flattered and seduced by the attention of streetwise adults who will appear to sympathise with their situation. In short, they become highly vulnerable to the well-rehearsed grooming techniques of abusing adults.

CPCs may therefore want to consider what questions need to be asked by police (and other agencies) about what happens when a young person goes missing, ensuring that the response and support is appropriate, sensitive and timely. Key questions include:

- **Where have they been staying?** Have they been sleeping rough or staying with 'friends'? Perpetrators often offer accommodation to runaways as part of the grooming process?
- **What locations have they been staying in?** Internal trafficking of young people is an increasing problem. If a young person goes missing regularly and for several days at a time they may have

been taken to other towns or locations as part of the exploitation.

- **Who have they been with?** Those intending to exploit children sexually may specifically target and befriend young runaways by offering gifts and friendship. Other young people already involved in CSE might be persuaded to draw in other vulnerable young people on the street.
- **Have they been drinking or taking drugs?** Substance misuse is a common facet of CSE. Perpetrators may lure young runaways to 'parties' with the promise of drink and drugs to facilitate exploitation.
- **What problems led them to run away?** Finding the route cause is key to preventing the young person from going missing again. Organised and practised perpetrators will prey on pre-existing problems with the young person's home life to drive a wedge between them and their family.

Social Work Services

Social Work services have a general duty for the promotion of Social Welfare. Social Work Children and Families services have a specific responsibility for:

- Supporting families to maintain children within their own home and community where appropriate.
- Investigating allegations of child abuse.
- Where necessary, providing appropriate care placements for children.

The Local Authorities have a statutory duty under the Children (Scotland) Act 1995 to safeguard and promote the welfare of children in need and to enquire into the circumstances of children and young people who may require compulsory measures of supervision, who may have been abused or neglected or be at risk of abuse or neglect, and take all measures to protect them from further harm.

All Social Work services staff have responsibilities to respond to the needs of children who may be vulnerable and/or at risk of abuse, this includes those working in Criminal Justice, substance abuse workers, hospital social workers and child and adolescent mental health workers. All staff must work in close collaboration with their colleagues in children and families services to protect children who may be at risk of abuse. All staff across Social Work services have a duty to contribute to the assessment of risk of all children.

All Social Work services staff must share any concerns they have of any actual, suspicion or risk of abuse to the duty social worker or children and families allocated social worker. All referrals received that suggest that a child may be in need of protection will be dealt with as a matter of the highest priority on the same working day unless the appropriate senior social worker decides otherwise.¹¹

In all referrals which suggest that a child is in need of compulsory measures of supervision, Social Work service staff will make enquiries and give the Children's Reporter any information which is relevant about the child.

Social Work Criminal Justice services alongside Police have a statutory responsibility for supervising and managing risk from adults who have committed offences against children.

Corporate Parenting

There are difficult boundaries and balances that exist around the roles and responsibilities of corporate parents with regard to the sexual activities of children in their care. However, there is often a danger that behaviour that could be part of CSE is sometimes not checked and challenged quickly enough in residential units or foster placements.

There are steps that residential staff and carers with a greater understanding of CSE, and confidence in addressing it, could be taking. For example they could:

- **Systematically monitor** certain behaviours.
- **Log registration numbers** when a young person in their care gets into a car with an adult.
- **Make a note** when a child is in frequent mobile contact with an adult.
- **Keep a record** of what the adults look like who are spending time with the young person.

Vulnerabilities of accommodated children

Looked after children and young people; especially those who are looked after and accommodated are especially vulnerable to sexual exploitation. Perpetrators will often target residential homes because they know the young people there will have existing problems and vulnerabilities which have led to them being accommodated. They can prey on these vulnerabilities to devastating effect, this is why residential workers must be able to recognise the signs and have a clear understanding of what to look for; such as going missing for periods of time, disengagement with education, appearing with unexplained gifts, changes in temperament and depression.

Staff should take positive action to clarify and record any concerns and minimise the child's involvement in CSE. If suspicions are confirmed the following steps should be taken:

- Treating the **child as a victim**
- Treat as a **child protection response**
- Ensuring that **all relevant information is recorded** in the child's care plan and file – concerning adults and identifying information e.g. appearance, street names, car registration details etc, telephone activity, the child's patterns of going missing etc – together with decisions and clear directions for action.
- Making every effort to **dissuade the child from leaving** to engage in CSE by talking to them, involving them in alternative

activities, and ensuring they have the resources to attend those activities, including escorting where necessary.

- Take cognisance of the **shared guidance** in relation to children who go missing from local authority care
- Ensuring that the child is **aware of the legal issues** involved, for example that those exploiting them are committing a range of offences.
- **Monitoring telephone calls, text messages and other correspondence**, clarifying the possibility of police downloading concerning information from young person's mobile phone for example, (this is a measure Police Scotland may implement to evidence an enquiry), opening some letters in the presence of the child; reasons for intercepting letters and calls (for example, that they relate to a dangerous adult) should be included and agreed as part of the care plan.
- Monitoring callers to the home, or adults collecting children by car. This may involve turning visitors away, or passing information directly to the Police, **monitoring any suspicious activity** in the vicinity of the home and informing the Police.
- **Using appropriate methods**, in accordance with relevant guidance, to prevent the child leaving home to engage in CSE (these should be recorded in the care plan).
- Where these efforts fail, and the child leaves, staff need to decide whether to follow them and continue to **encourage them to return**.
- If they will not return, staff should **inform the local Police** that the child is missing and pass on all relevant information.
- **Liaising with outreach agencies**, so they can look out for a child who has gone missing.
- Offering **sensitive and welcoming responses** to children returning home.

Education Services

One study of sexual exploitation services found that over half of young people at initial assessment were disengaged from education and fifty five percent were either permanently or temporarily excluded from school, not attending school/college, and not in employment.¹²

Staff in schools, further education colleges and other education establishments are uniquely placed to recognise and refer children who are abused through CSE; disengagement from education is a strong indicator of involvement in CSE. They are also in a position to support children to reduce vulnerability and risk of sexual exploitation and to support abused children to recover.

- School staff should be alert and competent to identify and act upon concerns that a child is vulnerable to, at risk of, or experiencing abuse through CSE. They should be familiar with vulnerability and risk factors and appropriate associated actions in relation to each level of risk.
- Relationship, Sexual Health and Parenthood studies (RSHPE) within the curriculum for excellence provides a sound platform through which to explore ideas around 'healthy' sexual relationships and to provide children and young people with a sense of agency and control about their bodies and selves. This also needs to include opportunities for children and young people to understand the very real risks involved in staying out late and going missing from school, home or care.
- Staff should be aware of the importance of sharing any concerns related to children and young people who go missing during the school day, reporting information that perpetrators may be targeting an educational facility or other relevant information. This includes responding

to concerns related to a child in local authority care.

- Any concerns should be passed to the school's co-ordinator for child protection. They should monitor information to identify when more than one child in the school or community may be being targeted for CSE. These lead individuals should have, or develop, a level of expertise in relation to CSE. They should be able to advise within their school or service on identifying and referring a child at risk and how their agency can contribute to risk reduction work and a protection plan.
- Education officers and other pastoral care staff, in their assessment and ongoing work with young people and their families and liaison with school staff, can identify children who are being, or are at risk of being, abused through sexual exploitation.
- Any concerns that a child is at risk of sexual exploitation should be raised with the relevant education staff, who should share that information with Social Work in line with the school's child protection policy.
- All schools and educational facilities should ensure that staff receive appropriate training to ensure they are competent to identify a child who may be vulnerable or at risk of CSE and act accordingly upon concerns.

Health Services

Health professionals and especially those working in sexual health clinics are on the frontline when it comes to CSE. Health provision is universally provided so they may have more opportunities to spot indicators that a child or young person is being abused through CSE.

Sexual health workers are in a position where they can communicate with young people and encourage disclosure if they suspect that sexual exploitation may be occurring. Health

professionals in sexual health clinics hold quite a powerful position; they may not be viewed in the same way as other professionals in a young person's life such as a teacher, police officer or social worker, young people may feel less likely to be judged because they deal with sexual health issues on a daily basis. It is important therefore that they and other health professionals who come into contact with children and young people can recognise the signs of CSE and know how to ask questions in a delicate and sensitive manner.

Health professionals are in a prime position to gather information and build trusting relationships with young people. Strong relationships and links with health professionals as features of specialised support services can result in positive outcomes in both meeting the needs of young people and identifying the perpetrators of CSE.

- Health professionals should be **alert and competent** to identify and act upon concerns that a child is vulnerable to, at risk of, or experiencing abuse through CSE. They should be familiar with vulnerability and risk factors and appropriate associated actions in relation to each level of risk.
- Health professionals such as school health nurses, practitioners in young persons' advisory/sexual health clinics, GPs and maternity services have a crucial role in promoting the young person's health which includes identification of immediate and on-going health needs (including sexual health needs and emotional needs). As a universal service, health is well placed to offer **support, counselling and information** to enable young people to understand the risks and develop strategies for staying safe
- Any health professional with concerns that a child is at risk of, or is being abused through CSE (based on vulnerability and risk factors set out in the sexual exploitation risk assessment framework), has an individual responsibility to share concerns with Social Work in line with

their agency's child protection procedures. They should also alert the named professionals in their Health Board, but in doing so should not delay in sharing their concerns.¹³

Signs to look out for in young people include:

- Pregnancy, termination or miscarriage.
- Pregnancy in very young girls.
- Young people asking for contraception.
- Young people engaging in sexual activity at a young age.
- Young people disclosing rape and sexual assault.
- Young people being presenting multiple times at A&E, particularly for sexual or physical assault.
- Sexually transmitted diseases.

Information sharing can often be an issue when it comes to health professionals and multi-agency working. Practitioners are often confused about when it is or is not appropriate to share information about a child or young person with other agencies.

The National Guidance – Under-age Sexual Activity: Meeting the Needs of Children and Young People and Identifying Child Protection Concerns (2010) provides some direction on this contentious issue by stating that:

“The needs of each child and young person are the primary consideration when professionals decide upon the relevant and proportionate sharing of information... confidentiality does not prevent information sharing where there is the risk of significant harm to the young person or others.”¹⁴

In addition the Scottish Government Child Protection Guidance for Health Professionals 2013 states that:

“When it is recognised that a child or young person’s safety is compromised and/or that they are likely to experience significant harm, healthcare staff have a responsibility to follow local procedures for reporting and sharing these concerns.

Healthcare staff must telephone the local social work department as per local guidelines, clearly stating that their call is a child protection matter. This communication between social work and health must then be followed up in writing confirming the conversation using a locally agreed form. This must provide sufficient information to enable social work to make an informed decision. A copy will be placed in the child or young person’s records”¹⁵

One example of good practice in relation to this was found by Barnardo’s whilst conducting research in England into the links between running away and CSE. One participant in their study discussed how they had established a good working relationship with a local sexual health clinic and they had developed a confidentiality policy so that the clinic could pass on information to the police:

“They understand the difference between safeguarding and confidentiality so they actually do share [information] when they can.... We have the clinic actually passing information to the police..... They have one standardized form to share with the police. Previously you wouldn’t have had certain agencies filling those in”¹⁶

Other Community and Related Services

Everyone has a duty to act if they suspect a child is being sexually exploited. The role of staff in relation to children abused through CSE is in the prevention, recognition and referral stages.

Key frontline workers could be street wardens, town centre and shopping centre wardens, park staff, concierge staff, CCTV operatives and staff in pubs, clubs or hotels. Most sexual exploitation takes place in private, but public places such as cafes, hotels, B & B’s, cars, parks or taxis can be used to meet, groom and abuse children. All staff must be vigilant; from landlords to bouncers, petrol station attendants to takeaway workers. People working in the night time economy

are particularly well placed to notice whether exploitation is occurring in their area and pick up valuable information.

Staff should be alert and competent to identify and act upon concerns that a child is vulnerable to, at risk of, or experiencing abuse through CSE. If concerns are raised, they should be shared with social work or police in accordance with your child protection procedures.

Signs to look out for include, but are not limited to:

- A young person being taken into a hotel room by one or more adults who do not seem to be family members.
- A young person being in a hotel room which is visited or requested by a number of additional adults.
- A young person going by taxi to a hotel or other venue to meet a group of adults who do not seem to be family members.
- A young person being out late with older adults who do not seem to be family members.
- A young person being bought alcoholic drinks by adults although they are already intoxicated.
- A young person being in the company of adults who are known or suspected of being involved in adult prostitution.
- A young person being bought food or drinks by a much older adult whom they seem to see as a boyfriend / girlfriend.
- Indications of sexual activity with one or more adult who is significantly older than the young person.
- Indications of sexual activity involving a young person who you know or suspect to be under 16.
- Young people being moved around for the

purposes for sexual exploitation (internal trafficking).

Hotels, B & B's, local authority tenancies (as party houses) are particularly central to the process of child sexual exploitation; staff therefore must be aware of the signs and alert to groups of older men frequenting rooms with young people. The authorities should be contacted immediately if any illegal activity is suspected.

While **housing department staff** will not be directly involved in the investigation of alleged or actual abuse, they may have important information about families to contribute to a child protection investigation or assessment and should be prepared to share this information and to attend conferences as required. Housing services will also often play a key role in the management of risk posed by dangerous offenders. Where the local authority does not provide the housing service, independent housing organisations and associations can and should still play an active role in supporting and identifying vulnerable children.¹⁷

Each CPC should give consideration to the unique local requirements within their geographical area and determine which approach could be utilised to share public information with the services sector about this issue, while also reinforcing the message that Child Protection is everybody's responsibility.

Voluntary Sector and Community Groups

Because of their often chaotic circumstances and past family experiences, many young people are reluctant to engage with statutory services and might often find voluntary agencies more approachable sources of help. By working in partnership with statutory bodies, voluntary agencies are able to offer services which help young people understand the grooming process, raise awareness of risks and the implications of risk taking behaviour.

There is a wide range of specialist (substance misuse, homelessness, counselling and advice, child sexual exploitation), and other voluntary and community agencies and groups (youth clubs, sport, drama groups, faith groups, etc) who might be well placed to identify children who are at risk of, or are experiencing abuse, through CSE. Voluntary and community sector agencies often have a close relationship with their local communities and can develop trusting relationship and maintain a link to the children or young person if they disengaged from statutory services. Outreach agencies are often the first point of contact for children in risk situations and specialist voluntary agencies often have the opportunity to provide vital risk reduction support:

- Staff should be alert and competent to identify and act upon concerns that a child is vulnerable to, at risk of, or experiencing abuse through CSE.
- Agencies and services should pass any information or concerns to the designated child protection officer. These lead individuals should have, or develop, a level of expertise in relation to CSE. They should be able to advise within their team or service on identifying and referring a child at risk and how their agency can contribute to risk reduction work and a protection plan.
- Any concerns that a child is at risk of CSE should be raised with their designated lead for CSE, who should share their concerns with Social Work in line with the agency's child protection procedure.
- All agencies should ensure that their child protection procedures include reference to the responsibilities outlined in this guidance.
- It is essential that voluntary agencies and community groups operate as multi-agency network partners in order to provide children with access to the widest possible range of intervention and support services.

**What should all practitioners be doing?
Looking past the behaviours being displayed to find the root causes.**

The recent Serious Case Review in Torbay following an incident of child sexual exploitation concluded the following in lessons to be learned:

'Action that was taken was often focused on addressing the immediate presenting concerns such as offending behaviour, drugs and alcohol misuse and sexual activity, rather than identifying and addressing the underlying reasons why the young persons were presenting as they were. Their behaviour was often justified or excused as 'their choice' and as 'adolescent behaviour', and was not considered to be a reaction to longer term deeper issues or current abusive relationships'

Recent research commissioned by the Scottish Government and conducted by the University of Bedfordshire found that there were often differences in perception, and sometimes confusion for practitioners, regarding what was meant by child sexual exploitation and the appropriate policy and practice response. Victims of child sexual exploitation often display behaviours that are symptomatic of 'normal teenage behaviour' such as drinking, drugs, sexual activity, offending behaviour etc.

Practitioners need to be aware that these behaviours among others may well be a cry for help, the young person might be taking drugs to block out the pain of what is happening to them, they might be acting out in the hope that someone will pay attention and realise what is happening to them.

Lucy's Story

Lucy initially started to run away to escape the fallout from the disclosure she made about her relative sexually abusing her. She then continued to run away because she was not believed by her family and some professionals about the sexual exploitation she

had experienced. Lucy realises that professionals often accuse her of running away for attention but says that part of the reason she runs away is because she wants someone to realise how deeply unhappy and lonely she is. Lucy identified that at the heart of her running away is a need to escape her daily life and all the difficulties it holds. Lucy is at risk of sexual exploitation from also offer her a means of escape, as they have cars they can drive her away in, and provide her with the alcohol she so desperately craves to escape how she feels.

What can I do as a practitioner?

As a practitioner working with children and young people, you may have opportunities to identify issues early so it is important to familiarise yourself with the signs that a child or young person is being exploited and to share this information with your colleagues or practitioners in other agencies.

Steps you can take to help protect young people include:

- **Staying alert** to changes in behaviour or any physical signs of abuse and investigating these further.
- Ensuring you know who the child protection lead is in your workplace and that you are **aware of the procedure** to follow if you have concerns about a young person.
- Thinking about ways that you might be able to **better support** and help young people to share information if they are worried about their own or another young person's situation.
- **Identifying opportunities to educate** young people and their parents about healthy relationships and about sexual exploitation.

Barnardo's have developed a model of practice called the 4 A's for adults working with

children. If this model is followed there is more chance of children and young people disclosing any abuse or exploitation they are experiencing and subsequently the right support being given.

Access: Services for children and young people should be provided in a safe, attractive environment; they should support young people on their own terms and most of all build trust.

Attention: Give young people time and positive attention, focusing on what matters to them. Often, victims of CSE will have been drawn to their exploiter through a need for love and attention that they may not have been receiving elsewhere.

Assertive Outreach: Make consistent and persistent efforts to contact the young person through a range of methods. Victims of CSE are often targeted because of their existing vulnerabilities, these children and young people may be seen as hard to reach or 'troubled'. In addition many victims will be reluctant to disclose or may not even realise they are a victim. It is therefore all the more important to persevere and not give up if the child or young person is not receptive to help initially.

Advocacy: Support young people to get the provision they need. It is incredibly important to advocate on behalf of the child and not stigmatise them for their involvement in sexual exploitation, Sign-posting young people to the appropriate services will enable them to get the support they need; further stigmatisation or criminalisation may push them further into exploitation.

Case Study – Emily

Emily is 15 years old.

Emily lives with her mother and her younger brother. Emily's mother is a single parent. Domestic abuse had been present in previous relationships,

including Emily's father. Emily and her brother had also been hit by partners in the past and when they were young had witnessed domestic violence and a sexual assault of their mother within the family home.

Emily's mother was no longer in a relationship, although she was diagnosed with depression and also continued to use alcohol as a coping mechanism, drinking most evenings. Emily's relationship with her mother appears to be more of a 'volatile friendship' than a daughter and the levels of supervision, rules, routines and boundaries have not been appropriate to Emily's age and stage of development for a number of years. Social work did not currently have this as an open case.

Emily's school attendance has been poor for a number of years and school have made many attempts to work with mum in regard to this but mum does not follow through with meetings or strategies.

Emily bought a Blackberry Messenger phone and through BBM has been indiscriminate in who she contacts and who has her own contact details.

Emily's mother has not been monitoring who and where Emily is in the evenings and in the last year Emily has increasingly been hanging out with slightly older friends, drinking and attending parties. On a couple of occasions Emily engaged in underage sexual activity while attending these parties with a 16 year old boy, later Emily would also disclose that she was sexually assaulted by an older male while drunk at a party but that she did not report this.

Emily started going out with a boyfriend at school who was her own age. They used their mobile phones for 'sexting'.

Initially exchanging text with sexual content but then also exchanging pictures. Emily sent her boyfriend a number of sexually explicit photos of herself. The boyfriend showed these photos to friends of his and then also sent them on. Emily split up with him following this. However, due to the bullying this instigated within the school Emily rarely attended school over a number of months and began to drink more and hang out with older young people in the community.

Emily began to be sexual active with a number of these 'friends' who at time she did not think were exploiting her but can now admit that she was being groomed. Emily began attending parties on her own and has now disclosed that on a couple of occasions when drunk she slept with not only her 'boyfriend' but also a 'friend'. In addition to this Emily was being increasingly targeted either for bullying through BBM by peers or sexual advances by older 'friends'.

Due to the complete disengagement of Emily from school and the lack of response from her mother school put in a Child Concern Report to Social Work. Initial home visits felt that the case was not sufficiently concerning to be opened and that School Community Support Services should be able to engage Emily back in school. However this was unsuccessful and Emily's brother also disclosed concerns to a guidance teacher that he was worried about his sister. This led to a further Child Concern Report and referrals to specialist CSE and alternative to education resources.

It took both these services a number of months to build a relationship with Emily and for the above information to be disclosed so that she could be supported with all of these issues. Emily has not returned to school but is hoping to now attend college and is engaged

in group work with other young people looking at issues around CSE and work they can do to raise awareness of the risks for other young people.

In this example Emily had contact with social work and education, both agencies as well as family members noticed that something was wrong and eventually referred her to a specialist CSE service which could deal with her problems. This is a good illustration of the 4 A's being put into practice:

Access: The alternative education resource and the specialist CSE service both worked to gain the trust of Emily and build up a relationship, this is a key element for disclosure as well as helping the young person work through their problems and move on.

Attention: Emily was eventually referred to a specialist CSE service where she could be given positive attention to work through her problems.

Assertive Outreach: Agencies did not give up and continued to push for assessment and support even though Emily's behaviour was difficult.

Advocacy: Education, social work and family were able to pick up on certain behaviours and advocate for intervention and support.



Chapter 4:

Managing individual cases

Barnardo's Sexual Exploitation Risk Assessment Framework (SERAF)

The risk assessment tool SERAF¹⁸ has been developed by Barnardo's to enable the identification of children and young people at risk of sexual exploitation. It was developed in response to issues raised by practitioners in relation to difficulties in **identification and intervention** with children and young people at risk of or abused through sexual exploitation. It is an additional tool, specific to CSE to be used alongside the National Risk Assessment Toolkit.

The development of a framework which includes four categories of risk is intended to **inform appropriate responses** in relation to protecting children and young people. Providing an appropriate response requires a protective network for children and young people and effectiveness depends heavily on a multi-agency response. This response is best delivered in the structure offered by local protocols for children and young people involved in sexual exploitation.

Within the four categories of risk framework, different responses are required in relation to each level of risk. Each of the four categories of risk has an associated action. This risk assessment has subsequently been updated and will be made available to the partners in the West of Scotland Consortium upon completion of the specific training in relation to the SERAF.

The following case study illustrates what a young person at significant risk of sexual exploitation may look like and how SERAF can be used as an assessment tool. Currently, Wales (and some local authorities in England) is the only place where the SERAF tool is used.

Case Study – Jessica

Jessica was 14 years old and involved with Social Services as a 'child in need' under Section 17 of the Children Act 1989 when she was referred for assessment to the SERAF Service. There were concerns about Jessica's family history, risk taking behaviour and incidents of staying out over night, whereabouts unknown. Her mother had mental health problems and did not report Jessica as missing during these incidents. Jessica was also using amphetamines and alcohol on a regular basis. A multi-agency strategy meeting was convened under the All Wales Protocol. Information shared at the meeting provided evidence that Jessica had a much older boyfriend, an adult male in his late 20s. Jessica was taken to stay at an unknown address in another local authority area when she was going missing overnight. She has been seen entering vehicles driven by unknown adults. A SERAF assessment completed in light of this information gave Jessica a SERAF score of 29 and assessed her as at significant risk of child sexual exploitation.

Following the meeting a protection plan was agreed. It was agreed that Jessica would be referred to child protection procedures by Social Services. Intensive intervention from the SERAF Service was also agreed, working in partnership with Jessica's social worker and substance misuse worker as part of a multi-agency response.

Her mother was encouraged by the social worker and SERAF to report

Jessica missing to the police on each occasion she was stayed out over night (whereabouts unknown). Social Services worked with Jessica's mother to support her in understanding the risks to Jessica and responding more appropriately. Jessica's engagement in school and with the substance misuse service began to improve.

The protection plan was regularly reviewed through multi-agency meetings and after 12 months a SERAF assessment placed Jessica at Mild Risk of child sexual exploitation with a score of 10. She continued to meet her SERAF worker regularly but only once a fortnight. Jessica is no longer involved with an 'older boyfriend' and there have been no incidents of going missing over night for 6 months. Jessica is engaged in school and is planning to take her GCSE's next year. She no longer uses drugs or alcohol. Her situation will continue to be reviewed and the SERAF service has started exit planning.

Multi-agency working

Central to tackling CSE is the ability of statutory agencies to work together in a multi-agency format. It is only by professionals and agencies working together and by good front-line practice that such abuse can be tackled. Whether an agency's specific role is focused on prevention, support or prosecution it is essential to work together in order to assess risk and devise appropriate responses.

By the time in a child or young person's life where they are at significant risk of, or are experiencing CSE, they are subject to a complex pattern of life experiences which might impact negatively on each dimension of their life. Because of this they can present to agencies such as the Police as 'streetwise' or 'problematic' rather than in need of support. Information, training, tools for assessment and risk identification, protocols and procedures should all lead to a plan of

intervention. Intervention, support and action should be based upon the child or young person's individual needs and be delivered by a trusted worker in conjunction with a protective network of appropriate agencies.

Working with those at significant risk of or abused through CSE

Working with children and young people for whom CSE is an issue requires a holistic approach through investment of time and resources in long term intervention. An important aspect of the work can be maintaining contact with and being available to children and young people until they reach a point where they are ready to think about their situations and accept support. The process and effort spent by a worker on relationship building can be an important factor in bringing them to that point. These windows of opportunity, when they present, should be fully capitalised upon, with the right kind of support being made available at the time that it is required by the young person. This can only be achieved through the cooperation and joint working of an established network of appropriate agencies.

Any referrals should be in conjunction with local procedures. Any person who works with children and families and has concerns that a child is at risk of abuse through sexual exploitation must share those concerns in accordance with child protection procedures as set out in the national guidance. This includes any unsubstantiated concerns, as they can contribute to other information that has been provided from elsewhere and help to build up a full picture that the child may be suffering harm.

Information sharing

The key to good multi-agency working is information sharing. Information sharing will be central to any multi-agency meetings, however formatted; successful exchange of information supports both the identification of victims and the development of appropriate responses. Vulnerable Young Persons Procedures can also benefit the sharing and

corroboration of information to enable a multi-agency response.

Often practitioners can be wary of sharing information about a child they feel is at risk due to the Data Protection Act 1998, this Act can often be seen as a barrier even though there may be a genuine concern about a child or young person's wellbeing. Where there is a child protection risk, practitioners are more confident about sharing information, however if there is a professional concern but the circumstances do not reach the threshold of child protection confusion can arise.

However the GIRFEC approach is about early intervention, if a practitioner believes a child or young person's wellbeing is at risk or they are at risk of harm this information needs to be shared with social work, police or the relevant agencies, using child protection procedures before the situation reaches a crisis point.

The guidance from the Information Commissioners Office on this matter states that:

*'Where a practitioner believes, in their personal opinion, that there is risk to a child or young person that may lead to harm, proportionate sharing of information is unlikely to constitute a breach of the Act in such circumstances'*¹⁹

The most important thing for practitioners to remember with regards to the Data Protection Act 1998 is that it promotes **lawful and proportionate information sharing**. As long as practitioners are only sharing information that is relevant and proportionate to the situation in which they think a child may be at risk then the Act should not be seen as a barrier to this.

If in doubt practitioners should consult their local authority's child protection procedures and vulnerable young person and adult protection guidance/procedures. Multi-agency strategy meetings can also be used to plan and monitor action. There are many formats for such meetings. Their frequency, composition and links with strategies on

other issues will vary from area to area. Some may focus on exploitation alone, but some may seek to address both child sexual exploitation and an associated issue, such as young people who go missing or young people who have come to the attention of youth justice services. They can be attended by only a core group of agencies most closely linked to tackling sexual exploitation, but there are definite advantages to having a broader involvement, in particular if other agencies can engage on a routine basis.

Perth and Kinross Child Protection Committee have produced a Practitioners Guide to Information Sharing, which may be a useful tool for all Local Authorities to read alongside this guidance.²⁰

Person centred approach

Establishing a positive trusting relationship with such vulnerable children and young people takes time. A relationship needs to be developed which offers something tangible to the child or young person. At the same time it is important to acknowledge that workers are not providing a friendship and that there are inescapable power differentials. Change needs to happen at a pace that is set by the young person and which provides real choices and promotes a sense of positive control for the individual. Working with children and young people who are exposed to risk situations and experiences of CSE requires an approach that is non-judgemental and where staff are unshockable. There is a need to be consistently honest and to listen to and respect the views of children and young people:

- Intervention should begin with relationship building, and assessment of risks and vulnerabilities with the child or young person.
- Honest discussions and inclusion in assessment and planning processes will assist the child or young person in feeling included, and create a sense of ownership and connection with the plan;
- The plan should address each of the identified areas of risk.

Examples of good practice

1. The Vulnerable Young People Operational Group in Renfrewshire was set up to facilitate such meetings. Representatives of the group come from Police, Social Work, Education, Health, the Children's Reporter and Barnardo's. Representatives from other services such as substance misuse and mental health are also involved on a case by case basis.

The purpose of the group is to track cases of child sexual exploitation in the local area and share information (whilst adhering to the Data Protection Act 1998) and expertise about how to take action to identify the children and young people involved and disrupt and prevent perpetrator activity.

2. Service staff interviewed by Barnardo's in relation to running away and CSE identified strong links and relationships between agencies as crucial:

'The links are so strong. Any names that she [the police's missing person's co-ordinator] comes up with that she's worried about she just contacts us and sees if we've heard about it and we do the same back to her. We work really closely together and we've got a really solid relationship. And she's a really dedicated worker and understands the issues and it's been fundamental to the police seeing missing persons as victims, really, rather than being a 'pain in the arse' and a drain on resources. Her role has been instrumental in changing people's attitudes.... We'd be lost without her'²¹

3. In 2000 Glasgow CPC issued the "Vulnerability Procedures"; inter agency guidance for workers involved with young people who were considered to be very vulnerable and at risk of significant harm. The Procedures detailed how agencies and services required to work together to protect some of the most vulnerable children in Glasgow.²²

These procedures are not intended to be used where children/young people

become involved for the first time in risk behaviours, (i.e. using drugs/alcohol, absconding etc), but rather when workers and those with a knowledge of the child, identify an escalation/pattern in behaviour resulting in increased risk either to the individual child or to others.

Risk Criteria:

These procedures will apply to children who are looked after or who are assessed as a child in need and whose behaviour causes concern under one or several of the vulnerability groups:

- Children/Young People Who Regularly go Missing from Home or Their Care Placement for More Than 24 Hours, and Where Concern Has Been Expressed About Their Safety and Well Being
- Children/Young People Involved in Chaotic, Serious Drugs, Alcohol or Substance Misuse
- Children/young people sexually exploited and this could be
 - Through the exchange of money or other forms of coercion.
 - Grooming and targeting of children/young people through new technologies.
 - Exploitative sexual behaviours.
- Children/Young People Involved in Serious Incidents of Self-Harm
- Children/Young People Whose Persistent Offending Behaviour Places Themselves or Others in Danger
- Children /Young People Who Have Been Trafficked
- Children /Young People Whose Problematic Sexual Behaviours Place Themselves or Others at Risk
- Children/Young People Whose Violence or Abusive Behaviour or Mental Health Difficulties Place Themselves or Others in Danger.

SERAF Category of risk	Indicators of risk	Description	Associated actions
Category 1 Not at risk	No risk indicators but may have one or more vulnerabilities present.	A child or young person who may be 'in need' but who is not currently at risk of being groomed for sexual exploitation.	Educate to stay safe. Review risk following any significant change in circumstances.
Category 2 Mild risk	Multiple vulnerabilities. One or two risk indicators may also be present.	A vulnerable child or young person who may be at risk of being groomed for sexual exploitation.	Consider multi-agency meeting to share information and agree a plan to address risk and/or need. Work on risk awareness and staying safe should be undertaken with this child/young person. Review risk following any significant change in circumstances.
Category 3 Moderate risk	Multiple vulnerabilities and risk indicators present.	A child or young person who may be targeted for opportunistic abuse through exchange of sex for drugs, accommodation (overnight stays) and goods etc.	Convene multi-agency meeting under local procedures for sexually exploited children and young people to ensure effective exchange of information with multi-agency colleagues and agree safety plan. At least one review meeting to be convened. Work should be undertaken with this child/young person around risk reduction and keeping safe.
Category 4 Significant risk	Multiple vulnerabilities and risk indicators. One or more significant risk indicators also likely.	Indication that a child or young person is at significant risk of or is already being sexually exploited. Sexual exploitation is likely to be habitual, often self-denied and coercion/control is implicit.	Convene multi-agency meeting under local procedures for sexually exploited children and young people to ensure effective exchange of information with multi-agency colleagues and agree safety plan, including regular review meetings. Protection plan should include long-term intensive direct work with the child or young person.
Moderate or Significant risk	As above.	Young person aged 16 years or above.	Where a young person is aged 16 years or over and not subject to statutory measures, the associated action in relation to Moderate and Significant risk: sexual exploitation should be addressed as an issue in relation to this young person through liaison between Social Work and Police Public Protection Unit to address the young person's protection.



Chapter 5:

Identifying and prosecuting perpetrators

Identifying, disrupting and prosecuting perpetrators must be a key part of work to protect children and young people from CSE. Whilst there should always be a proactive investigation aiming for successful prosecutions, a disruption plan targeting suspected perpetrators can be extremely beneficial. A disruption plan might involve a number of activities, ranging from simple observation of an individual's activities, to the use of a range of civil orders including sexual offences prevention orders and risk of sexual harm orders, depending on the type of behaviour and evidence available.

While the police and criminal justice agencies lead on this aspect of work, the support of other partners, for example in recording information and gathering and preserving evidence is also vital. Identifying and prosecuting the perpetrators should be a key consideration of all agencies working to address the issue of CSE locally. But any work to identify and prosecute perpetrators should not put children and young people at any further risk of harm.

Key action points for identifying and prosecuting perpetrators are:

- Linking prosecutions to provision of support for children and young people.
- Taking action against perpetrators;
- Disrupting perpetrator behaviour;
- Identifying offences committed.
- Identifying individual perpetrators.
- Tackling child sex offender or organised criminal networks.
- Evidence gathering and information sharing.
- Managing offenders.
- Victim and witness support.
- Multi-agency public protection arrangements.

A disruption plan might involve a number of activities, ranging from simple observation of an individual's activities, to the use of a range of civil orders including sexual offence prevention orders and risk of sexual harm orders, depending on the type of behaviour and evidence available. Local authorities may be able to use their statutory powers to disrupt incidences of sexual exploitation. For example, if practitioners are aware of locations or venues such as houses, pubs and clubs where young people may be especially vulnerable to grooming, local authority licensing or housing departments can be invited to exercise their powers to close down venues. Suspected perpetrators may also be identified through other work such as community policing or work to trace organised crime.

Below are the legislative tools available to Police Scotland and the Crown Office and Procurator Fiscal Service (COPFS) to prosecute those who sexually exploit children and young people. An increased awareness of these tools may lead to an increase in the use of them in Scotland.

Sexual Offences (Scotland) Act 2009

The Sexual Offences (Scotland) Act 2009 introduced a raft of new statutory offences. The Act includes clauses relating to offences against children under 13, rape, sexual coercion, communicating indecently as well as providing a concrete definition for 'consent' to mean free agreement. In addition, part 5 of the Act provides for offences concerning abuses of positions of trust. The Act provides that:

'it shall be an offence for a person in a position of trust over a child under the age of 18 or a person with a mental disorder to engage in sexual activity with that child or person'

Details on when a person will be considered to be in a position of trust can be found at <http://www.legislation.gov.uk/asp/2009/9/section/43>.

The Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005

The Prevention of Sexual Offences (Scotland) Act 2005 was explicitly introduced to address crimes relating to child sexual exploitation. It provides for an offence of 'grooming' which makes it an offence for a person to meet or travel to meet children for the purposes of committing a sexual offence following earlier communications and for specific offences concerning the sexual exploitation of children under the age of 18 through prostitution or pornography. It introduces:

Risk of Sexual Harm Orders (RSHO's)

a civil order aimed at protecting children under the age of 16 from those who display inappropriate sexual behaviour towards them (designed to tackle grooming behaviour online) The person does not need to have committed a criminal offence or have any prior convictions. The 2005 Act also extends the use of:

Sexual Offence Prevention Orders

(SOPO's) another civil order allowing the same restrictions to be applied to those convicted of sex offences by the court when they are sentenced.

The Children (Scotland) Act 1995

This Act contains a clause related to 'harbouring' which can prosecute anyone who:

- (a) Knowingly assists or induces a child to abscond in circumstances which render the child liable to arrest under subsection (1) or (3) of section 82 of this Act;
- (b) Knowingly and persistently attempts to induce a child so to abscond;
- (c) Knowingly harbours or conceals a child who has so absconded; or
- (d) Knowingly prevents a child from returning—

Civic Government (Scotland) Act 1982

The sale, publication and possession of indecent images of children under the age of 18 is prohibited by Section 52 and Section 52A of this Act (as amended by the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005).

Criminal Justice (Scotland) Act 2003

Section 22 of this Act prohibits trafficking for the purpose of prostitution or making or producing obscene material including any child under the age of 18.

Criminal Justice and Licensing (Scotland) Act 2010

Section 99 of this Act allows for the closing of premises associated with human exploitation.

See appendix A for a case study example of these legislative tools being used to prosecute.

Summary

Sexual exploitation is a form of sexual abuse, in which a young person is manipulated or forced into taking part in a sexual act. Young people from any background can be exploited for sex in this way. Boys and young men are abused as well as girls and young women. In all cases, those exploiting the child or young person will have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources

Everyone must take responsibility for protecting children from this abuse and that means not only knowing what your role is but also what the roles of other agencies and individuals are.

Identification and prevention

Children and young people that are the victims of sexual exploitation often do not recognise that they are being exploited and this makes it very hard to identify victims, it is therefore essential that those working with children and young people are able to recognise the signs and provide appropriate intervention. The mantra 'If you can't rule it out rule it in' should be used by practitioners, if there is any indication, however slight that a child could be at risk, action should be taken.

Roles and Responsibilities

CPC's, Police, Social Work, Education, Health, the Service Sector, and Voluntary and Community groups all have their own roles and responsibilities when it comes to recognising and dealing with CSE. Each agency should be aware of their local child protection procedures and take cognisance of the information contained in this guidance about what to look out for.

Managing individual cases

The Sexual Exploitation Risk Assessment Framework (SERAF) has been developed to enable the identification of children and young people at risk of sexual exploitation and facilitate interventions. The development of a framework which includes four categories of risk is intended to inform appropriate responses in relation to children and young people's safeguarding needs.

Identifying and prosecuting

Identifying, disrupting and prosecuting perpetrators must be a key part of work to safeguard children and young people from CSE. Whilst there should always be a proactive investigation aiming for successful prosecutions, a disruption plan targeting suspected perpetrators can be extremely beneficial. The relevant legislation in Scotland includes **Sexual Offences (Scotland) Act 2009, The Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005, The Children (Scotland) Act 1995, Civic Government (Scotland) Act 1982, Criminal Justice (Scotland) Act 2003, Criminal Justice and Licensing Act 2010.**

Appendix A

Case Study

Below is a case study used by Barnardo's Bwise2 Sexual Exploitation training material, highlighting a successful prosecution.²³ The example is from England and Wales but the methods and principles of prosecution are the same and the Children (Scotland) Act 1995, the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005 and the Sexual Offences (Scotland) Act 2009 can all be used to prosecute the offences.

Introduction

A specialist police team in London that deals with cases where children are abused through sexual exploitation successfully secured the conviction of the offender in this case. The sergeant who led the team gave permission for this case study to be used to help other young people and professionals understand how a case like this can be prosecuted.

The case

An adult male began to target a residential children's home. He would drive past daily, in the mid morning and early evening, as he had seen that the children and young people congregated outside the front of the building at those times.

The man selected a young girl who was of the same ethnicity as himself. She was 14 years old. He would stop and talk to her about the customs of their race and, in particular, about the constraints these can put on girls. He found out her name and age, and he already knew she was vulnerable because she was living in the residential unit, rather than at home with her family.

He showed her affection, playing on her vulnerabilities. He began to keep her out from

the unit later and later each evening, which she was not supposed to do. He gave her a new mobile phone as well so that he could contact her anytime.

He started to introduce her to his friends as his girlfriend. (It later transpired that some of those friends had previous convictions for child sex offences; in particular, offences against children living in residential units.

He encouraged her to drink alcohol and take drugs, which he supplied. He started to get to know her friends from the unit and eventually he booked hotel rooms and hosted drink and drug binges for them.

Finally, he kept her and her friend out all night with him in a hotel. He committed sexual offences with her, knowing that she was just 14 years old. He continued sexually offending against her in this way until she was moved away from him. The local authority was so concerned for her physical and mental wellbeing that they moved her to another part of the country.

However the offender continued to contact the girl by phone and email. He found out where she was now staying from the other children he had befriended at the residential unit.

How did the police get the evidence to have him convicted?

Before his arrest:

- The girl bravely gave a video interview to the police. The police officers worked very hard to gain her trust and supported her to speak up against him. This was the most important evidence.
- The staff from the residential unit where she was living when the man targeted and

groomed her took a description of him and kept a record of the times she went missing from the unit.

- Evidence from her mobile phone records of the dates and times he called or texted were linked to the times the staff had recorded. This showed a pattern of him being involved with her at those times.
- The professionals at the residential unit took his car registration number. They also kept accurate logs of when he drove past and when he was seen. This was also very good evidence.
- Letters and cards he sent to the girl were used.
- The hotel he used with her had records of the bookings. Although these were not in his real name, with eyewitness evidence from the hotel staff, the police were able to link him to these.

After his arrest:

- The police searched his house and found the number plate for the car he had used. It matched the number plate the residential unit staff had recorded.
- The police matched his phone number to the girl's phone records.
- His handwriting matched the hotel booking forms.
- The descriptions from the unit staff were accurate.

What was he like?

- He was a married man with two children.
- He lived in a three-bedroomed house.
- He had been accepted on a course at a local college to gain a qualification that would have allowed him access to children aged 10-16 years old.

What sentence did he get?

- He was charged with offences under the Child Abduction Act 1989 and the Sexual Offences Act 2003.
- He was successfully convicted on four counts of Child Abduction as well as sexual grooming and inciting a child to commit a sexual act.
- He received a five-year prison term.
- His name was entered on the register of convicted sex offenders.
- He was made subject of a Sexual Offences Prevention Order. This means that even after he is released from prison he will not be allowed to approach any residential unit for children or local authority care establishment in the country. If he does, he can be imprisoned again.¹²¹

Lessons Learned

There is a lot to learn from this case study for practitioners, specifically staff who work in residential homes, hotel staff and the police. There are examples of best practice that should be used in all instances where child sexual exploitation is suspected.

First and foremost the staff in the residential unit were aware of what was happening so they **recorded times, dates, registration numbers, descriptions of the perpetrator** etc. This turned out to be essential evidence. This level of awareness is needed within all residential units, members of staff need to be alert to the signs and know what to do.

The response of the police was also very important in this case, they worked to **gain the trust** of the victim; they provided her with **support and did not treat her as a criminal**. Without this support the victim may not have felt comfortable providing the valuable evidence that secured the prosecution. Lastly the hotel **kept records** of the perpetrator's visits which ended up being used as evidence, this may have just been procedure but it still must be highlighted as good practice.

It also highlights the **relevant legislation** that can be used to prosecute offences of child sexual exploitation. As mentioned above Scotland has a raft of similar legislation –

- **The Children (Scotland) Act 1995** could have been used as the perpetrator was ‘harbouring’ and ‘knowingly preventing a child from returning’ by keeping the girl overnight in a hotel room.
- **The Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005** could have been used to prosecute the offence of ‘grooming’.
- **The Sexual Offences (Scotland) Act 2009** could have been used to prosecute sexual activity with a child under the age of 16.

Key Materials

Barnardo's (2010) *'Bwise2 Sexual Exploitation: England and Wales edition'*

Barnardo's (2011) *'Puppet on a string: The urgent need to cut children free from sexual exploitation'*

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All case studies used in this document have been drawn from Barnardo's work and Barnardo's services working with victims of CSE.

The content of this guidance is a culmination of Barnardo's reports, research and existing documentation. All other material used has been referenced within the body of the text and can be found in the following bibliography.

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A Practitioners' Resource Pack

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