



# **Children's MARS Policy and Procedures**

## **Child Sexual Exploitation**

**Definition and a guide for practitioners, local leaders and decision makers working to protect children from child sexual exploitation**

**July 2021**

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## Introduction

This guidance outlines how organisation and agencies should work together to safeguard and promote the welfare of children and young people from sexual exploitation.

This guidance is based on the advice [Child Sexual Exploitation Definition and a guide for practitioners, local leaders and decision makers working to protect children from child sexual exploitation](#) 2017 (DfE) which replaced the 2009 guidance *Safeguarding children and young people from sexual exploitation*. This advice is non-statutory, and has been produced to help practitioners, local leaders and decision makers who work with children and families to identify child sexual exploitation and take appropriate action in response. This includes the management, disruption and prosecution of perpetrators.

It should be read alongside [Working Together to Safeguard Children 2018](#) which continues to provide statutory guidance covering the legislative requirements on services to safeguard and promote the welfare of children, including in relation to child sexual exploitation.

This guidance incorporates some key learning from the Child Safeguarding Practice Review Panel report 'It was hard to escape: Safeguarding children at risk from criminal exploitation' which was published in March 2020 and The Waltham Forest Local Safeguarding Children Board Serious Case Review on Child C published in May 2020. This is considered in the section how to respond: working with young people.

A child is anyone who has not yet reached their 18th birthday. Throughout this advice the terms 'child' and 'children' are used to refer to all those under the age of 18.

### Who is this advice for?

This advice is intended to help all those working with children, and their parents and carers, to understand child sexual exploitation and what action should be taken to identify and support victims. This guidance sets out work to tackle perpetrators, another critical element of a holistic response.

**Section A** is for everyone whose work brings them into contact with children and families, including those who work in early years, children's social care, health, education (including schools), the police, adult services and youth offending teams. This section sets out first the background to the nature of child sexual exploitation, followed by a series of guiding principles. It is relevant to those working in the statutory, voluntary or the independent sectors, and applies in relation to all children and young people irrespective of whether they are living at home with their families and carers or away from home.

**Section B** is for those in strategic and management roles who are planning responses to child sexual exploitation within local authorities and other agencies working in partnership. However, all practitioners may find this information useful to support effective front-line practice on child sexual exploitation.

This advice is not intended to be a 'step by step' approach to addressing child sexual exploitation. It sets out the definition of child sexual exploitation; highlights potential

vulnerabilities and indicators of abuse; and sets out appropriate action to take in response, using professional judgment and curiosity. Although it focuses on child sexual exploitation, the principles outlined here are those set out in Working Together covering all forms of exploitation, abuse and vulnerability in childhood and adolescence. The signs of abuse rarely present in clear, unequivocal ways (The Munro Review of Child Protection, 2011). What is important is that those working with children and families understand the totality of a child's experience in order to assess the nature and level of risk faced by children and respond swiftly and proportionately.

For further information on specific areas outlined in this guidance, see the [Children's MARS website](#) for policies and procedures on:

- Children who Runaway and go Missing from Home or Care
- Trafficking and Unaccompanied Children
- One Family Approach - Helping Children and Families in North Lincolnshire document
- Assessing Need and Providing Help

## **Section A – advice for all practitioners who work with children**

### **What is child sexual exploitation?**

Child sexual exploitation is a form of child sexual abuse. Sexual abuse may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside clothing. It may include non-contact activities, such as involving children in the production of sexual images, forcing children to look at sexual images or watch sexual activities, encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse (including via the internet).

The definition of child sexual exploitation is as follows:

*Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.*

Like all forms of child sexual abuse, child sexual exploitation:

- can affect any child or young person (male or female) under the age of 18 years, including 16 and 17 year olds who can legally consent to have sex
- can still be abuse even if the sexual activity appears consensual
- can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity
- can take place in person or via technology, or a combination of both

- can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence
- may occur without the child or young person's immediate knowledge (through others copying videos or images they have created and posting on social media, for example)
- can be perpetrated by individuals or groups, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse
- is typified by some form of power imbalance in favour of those perpetrating the abuse. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources

Child sexual exploitation (CSE) is a complex form of abuse and it can be difficult for those working with children to identify and assess. The indicators for child sexual exploitation can sometimes be mistaken for 'normal adolescent behaviours'. It requires knowledge, skills, professional curiosity and an assessment which analyses the risk factors and personal circumstances of individual children to ensure that the signs and symptoms are interpreted correctly and appropriate support is given. Even where a young person is old enough to legally consent to sexual activity, the law states that consent is only valid where they make a choice and have the freedom and capacity to make that choice. If a child feels they have no other meaningful choice, are under the influence of harmful substances or fearful of what might happen if they don't comply (all of which are common features in cases of CSE) consent cannot legally be given whatever the age of the child.

**Child sexual exploitation is never the victim's fault, even if there is some form of exchange:** all children and young people under the age of 18 have a right to be safe and should be protected from harm.

One of the key factors found in most cases of CSE is the presence of some form of exchange (sexual activity in return for something); for the victim and/or perpetrator or facilitator.

Where it is the victim who is offered, promised or given something they need or want, the exchange can include both tangible (such as money, drugs or alcohol) and intangible rewards (such as status, protection or perceived receipt of love or affection). It is critical to remember the unequal power dynamic within which this exchange occurs and to remember that the receipt of something by a child/young person does not make them any less of a victim. It is also important to note that the prevention of something negative can also fulfil the requirement for exchange, for example a child who engages in sexual activity to stop someone carrying out a threat to harm his/her family.

Whilst there can be gifts or treats involved in other forms of sexual abuse (e.g. a father who sexually abuses but also buys the child toys) it is most likely referred to as CSE if the 'exchange', as the core dynamic at play, results in financial gain for or enhanced status of, the perpetrator.

Where the gain is only for the perpetrator/facilitator, there is most likely a financial gain (money, discharge of a debt or free/discounted goods or services) or increased status as a result of the abuse.

If sexual gratification, or exercise of power and control, is the only gain for the perpetrator (and there is no gain for the child/young person) this would not normally constitute CSE but should be responded to as a different form of child sexual abuse.

## **How common is child sexual exploitation?**

The signs and indicators of all forms of abuse can be difficult to detect and CSE is no exception. A variety of factors can make it difficult to accurately assess how prevalent CSE is. Many children who are sexually exploited may have been victims of other forms of abuse; the grooming methods that may be used can mean that children who are sexually exploited do not always recognise they are being abused, which can also affect detection rates. What is clear is that CSE can occur in all communities and amongst all social groups and can affect girls and boys. All practitioners should work on the basis that it is happening in their area.

## **Who is vulnerable to child sexual exploitation?**

### **Any child, in any community**

CSE is occurring across the country but is often hidden so prevalence data is hard to ascertain. However, areas proactively looking for CSE are uncovering a problem. All practitioners should be open to the possibility that the children they work with might be affected.

### **Age**

Children aged 12-15 years of age are most at risk of CSE although victims as young as 8 have been identified, particularly in relation to online concerns. Equally, those aged 16 or above can also experience CSE, and it is important that such abuse is not overlooked due to assumed capacity to consent. Account should be taken of heightened risks amongst this age group, particularly those without adequate economic or systemic support.

### **Gender**

Though CSE may be most frequently observed amongst young females, boys are also at risk. Practitioners should be alert to the fact that boys may be less likely than females to disclose experiences of CSE and less likely to have these identified by others.

### **Ethnicity**

CSE affects all ethnic groups.

### **Heightened vulnerability factors**

Working Together makes clear the requirements for holistic assessment. CSE is often linked to other issues in the life of a child or young person, or in the wider community context. Practitioners should be alert to the fact that CSE is complex and rarely presents in isolation of other needs and risks of harm (although this may not always be the case, particularly in relation to online abuse). CSE may be linked to other crimes and practitioners should be mindful that a child who may present as being involved in criminal activity is actually being exploited.

Practitioners should not rely on 'checklists' alone but should make a holistic assessment of vulnerability, examining risk and protective factors as set out in the statutory guidance Working Together.

Sexual exploitation can have links to other types of crime. These include:

- Child trafficking
- Domestic abuse
- Sexual violence in intimate relationships
- Grooming (including online grooming)
- Abusive images of children and their distribution
- Drugs-related offences
- Gang-related activity
- Immigration-related offences
- Domestic servitude

The following vulnerabilities are examples of the types of things children can experience that might make them more susceptible to CSE:

- Having a prior experience of neglect, physical and/or sexual abuse
- Lack of a safe/stable home environment, now or in the past (domestic violence or parental substance misuse, mental health issues or criminality, for example)
- Recent bereavement or loss
- Social isolation or social difficulties
- Absence of a safe environment to explore sexuality
- Economic vulnerability
- Homelessness or insecure accommodation status
- Connections with other children and young people who are being sexually exploited
- Family members or other connections involved in adult sex work
- Having a physical or learning disability
- Being in care (particularly those in residential care and those with interrupted care histories)
- Sexual identity

**Child sexual exploitation can also occur without any of these vulnerabilities being present.**

## **Potential indicators of child sexual exploitation**

Children rarely self-report child sexual exploitation so it is important that practitioners are aware of potential indicators of risk, including:

- Acquisition of money, clothes, mobile phones etc without plausible explanation
- Gang-association and/or isolation from peers/social networks
- Exclusion or unexplained absences from school, college or work
- Leaving home/care without explanation and persistently going missing or returning late
- Excessive receipt of texts/phone calls

- Returning home under the influence of drugs/alcohol
- Inappropriate sexualised behaviour for age/sexually transmitted infections
- Evidence of/suspicions of physical or sexual assault
- Relationships with controlling or significantly older individuals or groups
- Multiple callers (unknown adults or peers)
- Frequenting areas known for sex work
- Concerning use of internet or other social media
- Increasing secretiveness around behaviours
- Self-harm or significant changes in emotional well-being

Practitioners should also remain open to the fact that CSE can occur without any of these risk indicators being obviously present. Practitioners should also be alert to the fact that some risk assessments have been constructed around indicators of face-to-face perpetration by adults and may not adequately capture online or peer-perpetrated forms of harm. It is also important to remember that risk assessments only capture risk at the point of assessment and that levels of risk vary over time, and that the presence of these indicators may be explained by other forms of vulnerability rather than child sexual exploitation.

The first step for practitioners is to be alert to the potential signs of abuse and neglect and to understand the procedures set out by Children's MARS Board. Those working with children and families should access training to support them in identifying vulnerability, risk and harm. This will help practitioners to know what action to take and to develop a shared understanding about what best practice looks like.

## **How are children sexually exploited?**

CSE takes many different forms. It can include contact and non-contact sexual activities and can occur online or in person, or a combination of each.

The following illustrative examples, although very different in nature and potentially involving different sexual or other offences, could all fall under the definition of CSE:

- A 44 year old female posing as a 17 year old female online and persuading a 12 year old male to send her a sexual image, and then threatening to tell his parents if he doesn't continue to send more explicit images
- A 14 year old male giving a 17 year old male oral sex because the older male has threatened to tell his parents he is gay if he refuses
- A 14 year old female having sex with a 16 year old gang member and his two friends in return for the protection of the gang
- A 13 year old female offering and giving an adult male taxi driver sexual intercourse in return for a taxi fare home
- A 21 year old male persuading his 17 year old 'girlfriend' to have sex with his friends to pay off a drug debt
- A mother letting other adults abuse her 8 year old child in return for money;
- A group of men bringing two 17 year old females to a hotel in another town and charging others to have sex with them
- Three 15 year old females being taken to a house party and given 'free' alcohol and drugs, then made to have sex with six adult males to pay for this



These examples are not exhaustive: other forms of CSE occur and new forms continue to develop. Nor are they mutually exclusive – some children will suffer abuse across a range of scenarios, either simultaneously or in succession.

Most child abuse occurs within the home. In cases of CSE the risk of harm is generally external or in the community.

CSE may occur without the child being aware of events, or understanding that these constitute abuse. Online exploitation includes the exchange of sexual communication or images and can be particularly challenging to identify and respond to. Children, young people and perpetrators are frequently more familiar with, and spend more time in, these environments than their parents and carers. Those who work with and care for children can struggle to remain up-to-date with the latest sites and potential connection points, so practitioners should always seek specialist support if unsure about online environments. Online CSE allows perpetrators to initiate contact with multiple potential victims and offers a perception of anonymity, with children and young people, and perpetrators, potentially saying and doing things online they wouldn't do offline. Where exploitation does occur online, the transfer of images can be quickly and easily shared with others. This makes it difficult to contain the potential for further abuse.

### **Children can be perpetrators as well as victims**

Children can be both experiencing CSE and perpetrating it at the same time. Examples might include a child who is forced to take part in the exploitation of another child under duress, or a child who is forced to introduce other children to their abuser under threats to their family's safety. These situations require a nuanced approach that recognises and engages with the young person's perpetration within the context of their own victimisation.

Children who perpetrate CSE require a different response to adult perpetrators. Responses may involve criminal justice pathways at times, however every child who displays harmful sexual behaviour should also have their safeguarding and welfare needs actively considered in line with Working Together.

Different agencies should work together to:

- a) identify any prior victimisation and understand how this has contributed to the perpetration; and
- b) map the environments and contexts in which peer-perpetrated child sexual exploitation occurs, looking at the social norms or power dynamics at play which may have influenced the perpetration of abuse

Dependent on the issues emerging, this will likely need both an individually-based response and wider work to address harmful social norms or power dynamics that enable the abuse to occur.

### **How does child sexual exploitation affect children?**

The long-term consequences of any form of child abuse can be devastating and early identification and providing support as soon as problems emerge is critical.

CSE damages children and like any form of abuse it can have long-lasting consequences that can impact on every part of a child's life and their future outcomes.

CSE has been shown to affect:

- Physical (including sexual) and mental health and well-being
- Education and training and therefore future employment prospects
- Family relationships
- Friends and social relationships, current and as adults
- Their relationship with their own children in the future

CSE is complex and children are often reluctant to disclose experiences of exploitation due to misplaced feelings of loyalty and shame. Many may not recognise what they are experiencing as abuse or that they require support or intervention, believing they are in control or in a healthy consensual relationship.

Appendix 1 within this document sets out in greater detail the context of adolescent development and risk.

## **How to respond: working with young people**

**CSE is never the victim's fault:** As stated above, all children and young people have a right to be safe and should be protected from harm.

Early sharing of information is key to providing effective help where there are emerging problems. As above, it is essential to have in place effective child protection services and procedures for sharing information. For guidance on sharing information, which includes a myth-busting guide, see [Children's MARS information sharing guidance](#) and [Information Sharing: Advice for practitioners](#) providing safeguarding services to children, young people, parents and carers. Wherever possible practitioners should share confidential personal information with consent. However, where there are concerns that a child is suffering, or is likely to suffer, significant harm, practitioners should be willing to disclose information without consent where the public interest served by protecting the child from harm outweighs the duty of confidentiality. Section B below sets out the framework that is required to support effective practice.

**Safeguarding children is everyone's responsibility.** All practitioners should assume that in the course of their work with children they will encounter children at risk of CSE. All practitioners working with children and families need to know where to get help. The Children's MARS policy and procedure for assessing need and providing help sets out the process for referring concerns about the welfare of children to Children Services. Anyone can make a referral and ask for advice. If a child is considered to be in immediate danger the police should be contacted.

For more information regarding making a referral see the One Family Approach – Helping Children and Families in North Lincolnshire document and the Children’s MARS Policy and Procedure for Assessing Need and Providing Help. These are available on the [Children’s MARS website](#).

Any practitioner working with a child who they think may be at risk of CSE should follow the guidance set out in Working Together and share this information with Children’s Services. You should refer any concerns about a child’s welfare to Children’s Services. If you believe a child is in immediate risk of harm, you should contact the police.

Managers of services should ensure they are facilitating this type of sharing culture within their agencies and across their local multi-agency partnerships.

All practitioners working with children and families should respond in ways that are:

- **Child-centred:** recognising children and young people’s rights to participate in decisions about them in line with their maturity, and focusing on the needs of the child. Other considerations, such as the fear of damaging relationships with children or adults, get in the way of protecting children from abuse and neglect. Practitioners should view a referral as the beginning of a process of inquiry, not as an accusation. Victims may be resistant to intervention and some may maintain links with their abusers, even after attempts to help protect them;
- **Developed and informed by the involvement of a child’s family and carers wherever safe and appropriate:** a holistic assessment will take account of the wishes and feelings of children and the views of their parents/carers;
- **Responsive and pro-active:** everyone should be alert to the potential signs and indicators of child sexual exploitation, as well as other forms of abuse, and exercise professional curiosity in their day to day work. It is better to help children and young people as early as possible, before issues escalate and become more damaging;
- **Relationship-based:** practitioners should establish and maintain trusting relationships with children and young people, and continue to exercise professional curiosity and create safe spaces for disclosure; and
- **Informed by an understanding of the complexities of child sexual exploitation:** it is important to avoid language or actions that may lead a young person to feel they are not deserving of support or are in some way to blame for their abuse.

### **Critical/Reachable moments**

The Child Safeguarding Practice Review Panel outlined local learning points in Section 16 of the report ‘It was hard to escape: Safeguarding children at risk from criminal exploitation’ which was published in March 2020.

In their report (page 8 and chapter 8 page 29) the national Child Safeguarding Practice Review Panel describe a concept of ‘critical moments’ in children’s lives when a decisive response is necessary to make a difference to their long-term outcomes.

In addition, the Waltham Forest Local Safeguarding Children Board Serious Case Review on Child C, a 14 year old boy, published in May 2020 also outlines ‘reachable moments’ e.g. when a child is in a crisis situation in police custody or being transported back to their home

local authority from another area with reflection time during the car journey. This report states that a 'reachable moment' is a concept taken from education, where it is called a 'teachable moment', and describes an unplanned opportunity that arises in a classroom where a teacher has a chance to offer insight to her or his students. In other areas of life the same opportunity can be called a 'reachable moment', and constitutes the same opportunity to break through a carefully constructed façade that is resistant to the development of personal insight.

It is important that staff consciously think about critical/reachable moments when working with children who are at risk of and/or are experiencing child exploitation and that they proactively take these opportunities when they present to talk with children about their experiences.

*"All young people can be worked with. It's about finding the right worker..[and the professional] staying strong, staying tough and going along the roller-coaster ride with the young person...The worker needs to always be there to support you whenever you need it...It doesn't go away overnight. It takes time." (young person quoted in the consultation exercise for this advice, 2016)*

## **What does the particular nature of exploitation mean for practice?**

It is important that continued contact is not misinterpreted as informed choice or an indication of absence of harm. Practitioners should maintain their relationships with children and young people and continue to exercise professional curiosity and create safe spaces for disclosure. Continued contact with perpetrators should be seen as part of the complex power dynamic of the abusive relationship, similar to that in some situations of domestic abuse. Practitioners should continue to reach out to victims and not make the offer of services dependent on formal disclosure. Many victims are only able to disclose after the provision of support, often months or even years down the line.

Parents/carers, teachers, youth workers, other professional workers or, as is often the case, a mixture of the above may have a valuable perspective to add. This will inform the contextual understanding and help to identify changes that represent something more than adolescent behaviours (see appendix 1) and make sense of the range of vulnerabilities the child or young person may be facing. As Working Together makes clear, it is important all such perspectives, alongside that of the child/young person, are incorporated in all risk assessments.

### **Working with families**

Parents and carers can feel excluded in work with children and young people who are, or who are at risk of being, sexually exploited by perpetrators external to the family. Where assessment shows it is safe and appropriate to do so, parents and families should be regarded as a part of the solution. It is crucial to work with them not only to assess the risks of harm faced by the young person or child but to help them understand what the young person has experienced, the risks they face and how they can be supported and protected. The parents may need direct support and help to improve family relationships and keep their child safe.

## **CSE - Vulnerabilities and Risk Indicators Guide**

The CSE - Vulnerabilities and Risk Indicators Guide sets out who is vulnerable to child sexual exploitation, vulnerabilities as examples of the types of things children can experience that might make them more susceptible to child sexual exploitation and potential indicators of risk as children rarely self-report child sexual exploitation so it is important that practitioners are aware of these.

The vulnerabilities and risk indicator guide can be found on the [Children's MARS website](#).

### **Referral**

Concerns that a child may be at risk of CSE should be discussed with a manager and or designated professional for safeguarding and a decision made as to whether there should be a referral to Children's Services. This discussion must not result in a delay in referring the concerns.

Professionals who have a concern that a child or young person is experiencing or is at risk of child sexual exploitation must make a referral to Children's Services in line with [Children's MARS procedures](#).

The CSE - Vulnerabilities and Risk Indicators Guide should be considered by both the referrer and Children's Services during the referral process. This will be used as a reminder of points to consider and recognise/identify children who are vulnerable to, at risk of, or who are already being sexually exploited as part of the risk analysis and information considered and gathered during the referral process.

For more information see [Children's MARS policy and procedure assessing need and providing help](#).

### **Multi Agency Child Exploitation risk assessment and meeting**

Where a child is deemed at risk of or experiencing child sexual exploitation the Multi Agency Child Exploitation (MACE) risk assessment tool will be used to complement the Risk Analysis Framework and be presented for discussion at the monthly MACE Triage meeting.

The MACE Triage meeting determines which children's cases will be discussed at the monthly MACE meeting based on level of risk also where further multi-agency discussion is required to formulate additional actions to complement the child's statutory plan. The MACE meeting enables a specific focus on the risk factors in relation to child sexual exploitation at a management level allowing for added value. The MACE risk assessment tool can be utilised at the point in which a child is deemed at risk of child sexual exploitation.

The MACE risk assessment tool should run parallel to any statutory plan.

## North Lincolnshire Risk Analysis in relation to Child Exploitation

Risk in relation to CSE in North Lincolnshire is identified, assessed/analysed and managed at varying levels dependent upon the individual context of each case.

- Identification & Emerging needs - vulnerability factors in relation to CSE and/or CCE (CSE/CCE Vulnerabilities and Risk Indicators Guide). Refer to both Guides if necessary
- Assessment and use of Risk Analysis Framework (RAF), including consideration of the vulnerabilities and risk indicators from the CSE/CCE Vulnerabilities and Risk Indicators Guide which are considered in the RAF. This can be within an Early Help Assessment or a Children Services Assessment
- Multi agency management oversight of CSE/CCE through the MACE Triage and MACE risk assessment and management meetings

### Identifying emerging needs and vulnerabilities

The CSE/CCE Vulnerabilities and Risk Indicators Guide should be used as a reminder of points to consider as guidance by all agencies staff to recognise and identify children who are vulnerable to, at risk of, or who are already being sexually and/or criminally exploited.

If a professional has information that indicates a child is possibly vulnerable or at risk of CSE and/or CCE then the CSE and/or CCE Vulnerabilities and Risk Indicators Guide should be considered to inform what needs to happen next. The document is to assist professionals in having regard to these signs and behaviours. The CSE and/or CCE Vulnerabilities and Risk Indicators Guide will not necessarily be completed in isolation. It will be used as guidance to consider and recognise/identify children who are vulnerable to, at risk of, or who are already being sexually and/or criminally exploited as part of the risk analysis and information considered and gathered for an assessment.

The CSE and/or CCE Vulnerabilities and Risk Indicators Guide can be found on the [Children's MARS website](#).

Having considered the vulnerabilities and risk indicators if the child is not believed to be at risk of CSE and/or CCE there may still be other needs that could be responded to by completing an Early Help Assessment.

### Children in Need

If the child is determined to be in need but not at risk of CSE and/or CCE a Children Services Assessment should commence.

### Children at risk of or experiencing significant harm

If there are indications that the child is at risk of or experiencing CSE and/or CCE a referral should be made and a multi-agency strategy meeting held in accordance with the Children's MARS procedures and Working Together to Safeguard Children 2018 to determine the next course of action.

## **Risk Analysis Framework**

Any assessment and intervention by Children's Services due to ongoing concern or significant harm is underpinned by the North Lincolnshire Risk Analysis Framework (RAF).

The risk analysis process acknowledges that it is never possible to remove all risk from a child's life and that the experience of assessing, understanding and mitigating risk within a consistent framework is essential in balancing the needs of a child or young person within the wider family and environmental factors that impact on a child / young person.

Managing and mitigating risk is essential in engaging with children and young people to understand what factors indicate usual adolescent development; recognising what risks exist in a child's life, what level of threat the risks present to the child's wellbeing, and how well these can be managed so that the level of threat is reduced and safely managed.

Within North Lincolnshire there is a well-embedded RAF which is utilised when working with babies, children and young people and provides a consistent model for the assessment, analysis and management of risk.

The RAF may be used to underpin Early Help Plans where risk and protective factors should be considered. It is integral to individual plans for children and young people where there is statutory involvement due to child concern and child protection.

This includes cases that are:

- Child in Need, (including disabled children);
- Child Protection;
- Looked After Children;
- Care Leavers;
- Young Offenders;
- Older Young People; and
- Unaccompanied Asylum Seeking Children

The analysis of risk also takes place within the three domains of the National Assessment Framework: child's developmental needs, parental capacity to meet those needs, and family and environmental factors that support or hinder. It focuses on two key aspects; what factors are there in the child's life that present a risk to their wellbeing (risk factors), and what factors guard against risk (protective factors).

Having determined what risk and protective factors exist, the process is then to judge the balance of those factors, particularly whether there are sufficient protective factors in place to balance out the risk factors. The next stage is to judge what meaning the level of risk has for and the impact on the child / young person. This will be on a continuum from no significant risk to severe risk.

Finally, the worker must determine what needs to change in order to reduce risk and devise a plan to deliver that change.

The risk analysis is repeated at milestones such as reviews of the child's plan, and at times when significant change occurs in the child's circumstances, e.g. episodes of the child going missing, change in family circumstances, new and emerging evidence etc.

For further information on the RAF, [see the Children's MARS policy and procedure for assessing need and providing help.](#)

### **Multi agency management oversight through the MACE meeting and MACE risk assessment**

Where a child is deemed to be at risk of or experiencing CSE and/or CCE the MACE risk assessment tool will be used to complement the Risk Analysis Framework and be presented for discussion at the Multi Agency Child Exploitation (MACE) Triage which will subsequently decide whether the child's case is discussed at the MACE meeting. This enables a specific focus on the risk factors in relation to CSE at a management level allowing for added value for example intelligence on connections between children and young people, perpetrators, locations and premises.

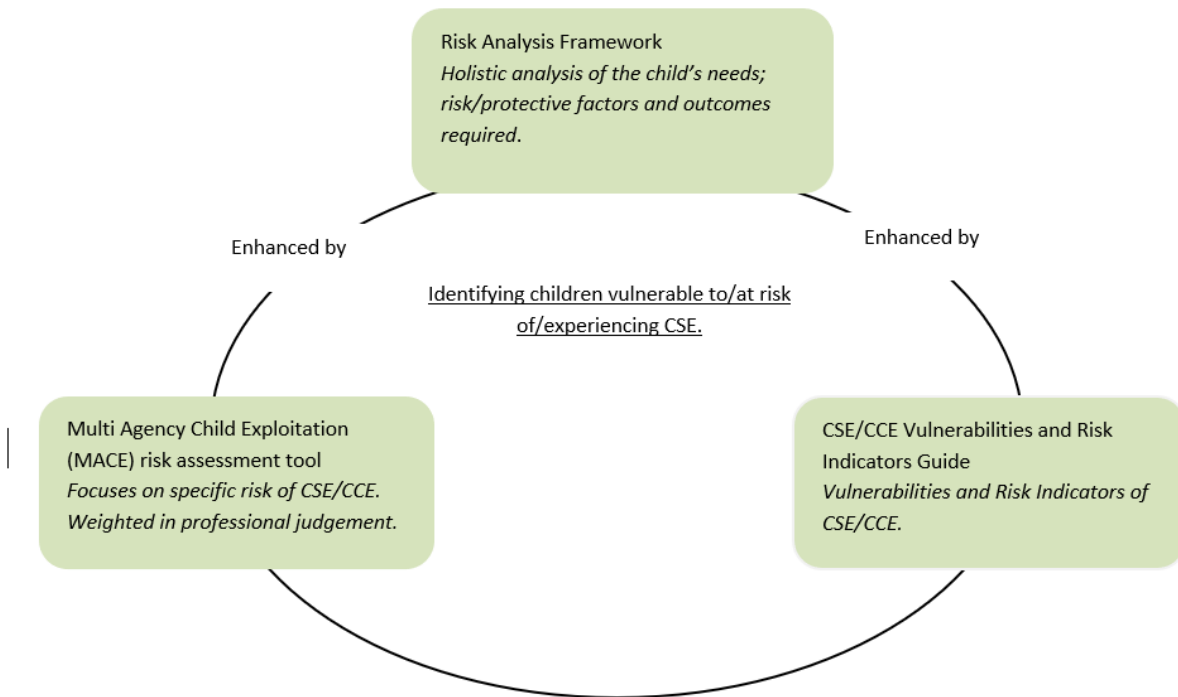
The MACE risk assessment tool can be utilised at the point in which a child is deemed at risk of CSE and/or CCE. Utilise one tool if the child is at risk of both CSE and CCE.

The MACE risk assessment tool should run parallel to any statutory plan, therefore all children and young people on the MACE agenda should have already been referred through to Children's Services and be subject to a Child in Need, Child Protection plan or be Looked After. Given the role of the MACE in making connections and associations between young people and perpetrators there may be some young people whom may not be subject to a statutory plan, however, through the process of discussion at the MACE may be at risk of CSE. In these circumstances an immediate referral to Children's Services should be made.

The risk assessment tool aims to identify all areas of vulnerability and risk related to CSE and/or CCE and outlines specific tasks to manage and reduce risk in relation to CSE and/or CCE. The tool enables a focus on CSE and/or CCE and connectivity between children and perpetrators. It also enables groups of children's risk assessments to be viewed collectively thus enabling a focus on cross referencing groups of children/perpetrators, utilising intelligence and identifying emerging themes and hot spots. All of the tools should be based upon professional practice and a qualitative analysis of the factors evident in the case.



## The connectivity of risk assessment tools when assessing the risk of CSE



## Section B – advice for managers and strategic leaders

Local authorities have overarching responsibility for safeguarding all children in their area. Their statutory functions under the 1989 and 2004 Children Act(s) include specific duties in relation to children in need and children suffering, or likely to suffer, significant harm (under sections 17 and 47 of the Children Act 1989).

Local agencies, including the police and health services, also have a duty under section 11 of the Children Act 2004 to ensure they consider the need to safeguard and promote the welfare of children and young people when carrying out their functions.

Under section 10 of the Children Act 2004, these agencies are required to cooperate with local authorities to promote the wellbeing of children and young people in each local authority area. Practitioners are responsible for ensuring they fulfil their role and responsibilities in a manner consistent with the statutory duties of their employer.

An effective local multi-agency plan to combat CSE requires clear leadership, guidance and support, delivered according to the overarching Working Together principles. It requires contributions from all multi-agency partners in accordance with local multi-agency arrangements.

Those planning an effective local multi-agency response to CSE should follow the process for managing risk of harm to children and putting their needs first, as set out in Working Together.

Specifically, an effective response is one that:

- is collaborative and multi-agency (including statutory, voluntary and community sectors) with clear roles and responsibilities and clear lines of communication and accountability
- has clear and purposeful leadership across local safeguarding partners
- is locally informed and based on an up-to-date understanding of the local problem profile, but also informed by national learning
- is underpinned by effective information sharing and intelligence sharing. All multi-agency partners should follow the guidance set out in *Working Together*, for example taking part in strategy discussion and child protection conferences
- locates CSE within a wider context of risk and harm, and moves beyond a case by case response to identify wider patterns of concern
- encompasses preventative, protective (immediate safeguarding) and responsive approaches, focusing on both victims and perpetrators (and recognising the potential for overlap between the two)
- provides help and ongoing support that is responsive to individual need, strengths-based in approach and available over the longer-term (recognising that disclosure, resilience-building and recovery can take time)
- supports staff to 'work with risk,' where required, in order to support a young person to become an active partner in their recovery and reintegration and achieve longer term meaningful change rather than temporary enforced compliance
- provides a response to children and young people with harmful sexual behaviours that recognises their vulnerabilities and needs, is holistic and provides early help and specialist services to these children and young people and their parents/carers
- provides a system for flagging or applying appropriate markers on to systems in order to ensure effective record keeping and retrieval and assist information sharing (this should be based on the policy definition of child sexual exploitation and not just the criminal offences of that name)

Child sexual exploitation may be associated with other crimes, or perpetrators may be involved in other criminal activity. In these instances, there are range of disruption measures, civil powers and criminal offences which may be used by practitioners as part of a strategy to tackle child sexual exploitation. The range of formal and informal disruption measures that may be used to help tackle CSE are detailed in Appendix 2.

## **The child sexual exploitation context**

- **Viewing child sexual exploitation within a wider continuum of exploitation, violence and abuse:** Child sexual exploitation is not a catch all category for all forms of sexual harm

in adolescence. It should therefore be viewed within the wider continuum of sexual abuse and other relevant issues such as trafficking, modern slavery, domestic abuse and other gendered violence and going missing. The necessary focus on child sexual exploitation should not overshadow a focus on other manifestations of abuse.

- **Abuse outside of families:** Though child sexual exploitation can occur in the family, in most cases the response to exploitation may require services to consider a broader perspective than intra-familial child abuse. The response may need to address risk of harm posed outside the family home and draw in partners such as local businesses, licensing authorities, and other sectors. This reflects the context in which perpetrators are operating.
- **Agencies should move beyond a reactive approach:** (one that removes the individual from harm) to one that also addresses the existence of harm and/or proactively prevents that harm.
- **Local understanding:** Every area should have its own data and intelligence, of which child sexual exploitation should form a part. The North Lincolnshire CSE Action Plan is based on an inter-agency assessment of the local profile of perpetration. This requires effective local arrangements for sharing and collating intelligence and other information about communities, environments, perpetrators and victims.
- **Engaging with diversity:** The evidence base demonstrates that some cohorts of children and young people – males, children with disabilities, Lesbian, Gay, Bisexual and/or Transgender and Black and Minority Ethnic children, for example – may be less likely to have their abuse identified or responded to. Local areas should ensure responses are accessible, relevant and sensitive to the needs of all children and young people.
- **Cross-area working:** Cases of child sexual exploitation frequently cross local authority, police force and even country boundaries in terms of the movement of both perpetrators and victims. A singular area focus cannot therefore adequately capture patterns of harm and risk.
- **Inter-agency working:** While significant progress has been made here, challenges remain. Important areas for improvement include:
  - the practical implementation of information sharing guidance
  - common risk assessment processes, as set out in Working Together, that follow an evidence-based model which looks at risk factors, vulnerability, protective factors and resilience and which prioritises professional judgement and does not rely on simplistic scoring
  - clarity about professional roles and thresholds for action across universal, targeted and specialist services
  - more effective sharing and recording of intelligence
  - better co-ordination of statutory and voluntary sector services
  - more streamlined management of multiple agencies' engagement with victims and their families
- Enhancing children's and young people's **resilience and strengthening the protective factors** around them are critical strands of prevention. Resilience is about being able to overcome adversities and avoid negative consequences. It is not a character trait; it involves both internal capabilities and external resources. Resilience is therefore never a substitute for support.

- **Openness to learning and improvement:** There has been considerable learning in recent years around how better to identify and respond to CSE. Further information and sources of can be found in the appendix 3.

## Prevention

The harmful effects of child sexual exploitation are serious and far-reaching for victims, their families and wider communities. The ideal is therefore to prevent the abuse happening in the first place. This section focuses on how we can protect children and young people through awareness-raising and resilience-building work.

A local multi-agency plan should:

- educate all children and young people about the nature and risks of child sexual exploitation and other forms of related harm (both online and offline) and how to access support
- recognise that children and young people can be both victims and perpetrators of child sexual exploitation
- promote the resilience of children and young people and their families and strengthen the protective factors around them
- identify and support those settings, such as schools and colleges, in which children and young people can form healthy and safe relationships
- supplement universal initiatives with targeted work with groups of particularly vulnerable children and young people, such as those in care, whilst being careful not to stigmatise specific groups
- provide complementary messages to parents and carers about risks to their children (online and offline) and how to access support if they have concerns
- consider the levels of knowledge and understanding of the wider workforce, so that everyone working with children and young people can play their role in prevention
- educate the wider community so they can identify and report concerns and seek support

Although messages and methods of delivery will vary according to the nature and needs of the audience, all education and awareness raising initiatives should

- be grounded in an evidence-based understanding of CSE (both online and offline)
- challenge myths and misconceptions about who is perpetrating and experiencing this form of abuse
- send a clear message that all forms of CSE are abuse
- recognise the potential overlap between victims and perpetrators
- challenge any victim-blaming and promote the rights of all victims to protection and support
- provide information on where and how to report concerns and access support
- be inclusive and accessible to the intended audience, in terms of language and delivery methods and ensure information is tailored and relevant to diverse groups such as Lesbian, Gay, Bisexual, Transgender, Black and Minority Ethnic and/or deaf or disabled children and young people

## **Educating practitioners**

### **Readiness of the professional workforce**

Working Together recognises that everyone who works with children has a responsibility for keeping them safe – that includes all those who work in social care, adult services, education, health settings, early years, youth work, youth justice, the police, and voluntary and community workers. Local safeguarding arrangements should provide high-quality training and other learning and developmental activities that are rooted in evidence, tailored to different professional groups and responsive to local learning needs.

### **Staff support and supervision**

Creating the right organisational environment and ensuring good quality professional leadership and practice supervision are essential for developing and sustaining effective practice

Supervision can help to:

- ensure progress and actions are reviewed so cases do not ‘drift’
- maintain focus on the child or young person
- test the evidence base for assessment and intervention
- address the emotional impact of the work on the practitioner
- support reflective practice and help practitioners recognise where personal values and attitudes might be leading to risky practice, assumptions or ‘blind spots’

All practitioners working with children and young people, whether in specialist or universal roles, should:

- ensure they are aware of local multi-agency protocols in relation to CSE
- recognise learning and development around this as an essential part of their role
- discuss learning needs in relation to CSE with their supervisor or manager
- identify and access training opportunities that reflect their professional role
- reflect on learning from training and other activity with their manager, and consider how it will impact on practice
- review their learning needs over time, striving to continuously improve their knowledge, skills and understanding
- actively engage in supervision and use it as an opportunity to test out thinking, have practice constructively challenged and discuss support needs

Professional training and local protocols should clearly outline the roles and responsibilities of different practitioners in safeguarding children from harm (see Working Together).

Training should address the complexities of identifying and responding to child sexual exploitation, emphasising:

- practitioners’ safeguarding responsibilities and local reporting routes
- CSE is a form of child sexual abuse
- CSE can take many different forms (online and offline) and affect any child or young person
- all under 18s are entitled to protection and support and that safeguarding duties do not depend on a child or young person’s desire to be safeguarded

- the need to understand the impact of trauma on behaviour and presentation
- the need to look beyond presenting behaviours and exercise 'professional curiosity'
- the need to apply professional judgment, supported by effective supervision and robust tools, in decision-making and practice
- the power of professional reactions to facilitate or close down access to support and protection
- the practical implementation of information sharing guidance where there are concerns about child sexual exploitation
- the development of practical skills in facilitating conversations with children and young people, and with their parents/carers

Training alone is not sufficient to ensure a skilled and confident workforce, however. Training should be accompanied by:

- opportunities to learn from other practitioners – for example, shadowing, co-working and peer observation
- ongoing high-quality supervision
- a focus on reflective practice to help practitioners navigate complexity
- a recognition of the emotional impact that such work can have on practitioners, and access to support in order to manage this

## Educating children and young people

Although there is not as yet any proven blueprint for the most effective means of communicating messages around child sexual exploitation to children and young people, the evidence base highlights some important principles:

- **The need for early and continuous education:** We are increasingly learning about cases of child sexual exploitation that involve younger children, particularly in the online sphere. If children and young people are not educated about the risk of CSE (and other forms of sexual abuse) before perpetrators approach them, they are left unprotected. Schools may want to consider how to build in effective, age-appropriate education, which sensitively supports younger children on these issues and which forms part of a planned programme of study across key stages. This should be accompanied by wider resilience-building work.
- **Use all potential avenues of communication:** Schools, colleges and other educational settings have a critical role to play. Personal, social, health and economic (PSHE) lessons are an obvious route for educating children and young people about the risks of CSE and other forms of harm, as are pastoral services and school nurse services. Consideration should also be given to how messages can be delivered outside mainstream education, for example, in youth clubs, community settings or the family home.
- **Adopt a holistic approach:** Risk of CSE should be addressed as part of a wider programme of work on sexuality and sexual development, choice and consent, healthy relationships, harmful social norms and abusive behaviours and online safety. This should build on existing initiatives (around online safety for example) and ensure messages dovetail across these different programmes of work. Educative work should engage both boys and girls and should address both risk of perpetration and risk of victimisation (and the potential for overlap).

- **Contextual considerations:** Messages around CSE should be delivered within a safe non-judgmental environment, by credible individuals who are confident discussing the issues and able to challenge unhelpful perceptions. Where specific vulnerabilities are identified (going missing, gang-association or drug/alcohol misuse, for example) more targeted educative work should be undertaken, while taking care to avoid stigmatisation or labelling. Accessible and appropriate support should be immediately available should any issues of concern be identified during education activity.

## Educating parents and carers

Parents and carers have a critical role to play in helping to protect children and young people from CSE. They can educate their children about sex, healthy relationships and abuse, enhance resilience, provide a safe base and ensure open channels of communication. They are also well placed to support early identification by identifying emerging vulnerabilities or potential indicators of abuse and seeking support before risks escalate.

In order to support them, practitioners should ensure that parents/carers:

- understand the risks of both online and offline child sexual exploitation and recognise this as something that could affect their child
- know the potential indicators of child sexual exploitation
- know where and how to access support
- are reassured that services will, as appropriate, work in partnership with them to try to protect their child
- have support to manage the emotional impact of child sexual exploitation on their child, themselves and on family relationships
- have support that is tailored to their specific circumstances and needs, for example, support that recognises their culture or faith, and are helped to overcome any barriers such as language

## Educating communities

**Harnessing the wider community:** Those who do not necessarily ‘work with children’ also have a contribution to make to tackling CSE. Hoteliers, taxi drivers, park wardens, refuse collectors and retail workers (amongst others) may hold vital information about the movement of victims and perpetrators. Emergency services, including the Fire and Ambulance Services, and local community and religious groups can also play a key role. Educating those who work in local services and businesses (including the night-time economy) about what to look for, and how to report concerns, can significantly enhance local disruption and protective capabilities.

This focus should also include members of the wider local community who may observe concerns within their areas – for example, those living near a party house location who may see victims coming and going. Educating people about child sexual exploitation, the things to look out for and where to report concerns, will significantly enhance the protective capabilities of our communities.

## **Appendix 1: Adolescent development**

### **Introduction**

Adolescence is one of the most dramatic stages of development. With puberty comes bodily changes (such as spurts in growth and development of sexual organs) as well as changes in the neurobiological system, focused on emotions and social interaction. These latter changes can have a number of impacts, such as heightened sensitivity to emotional cues (such as rewards and threats) in comparison to older and younger age ranges. Alongside this, the neural systems that underlie the complex cognitive abilities involved in control and regulation develop very differently, maturing gradually over the course of adolescence into young adulthood. This accounts for the gradual gains in the skills comprising 'executive functioning': the control and coordination of thoughts and behaviours (Anderson et al, 2001; Blakemore and Choudhury, 2006). Skills in this repertoire include working memory (the ability to hold information in mind and apply it to current tasks), impulse control, selective attention and planning ahead.

### **Transitions**



Adolescence shares common characteristics with other periods of transition. These include:

- anticipation of the future
- a sense of loss and regret for the stage that has been lost
- a sense of anxiety about what is unknown (worrying about the future)
- a major psychological adjustment due to multiple domain changes – relationships, education, employment and home
- a degree of status ambiguity during the transition period – for example, with neither the adult world nor the individual being sure whether he/she should be treated as a child or an adult (Coleman, 2014a)

The changes experienced during adolescence include:

- *Physical change*: puberty including sexual maturation, growth and hormonal changes; brain development; alterations in sleeping patterns
- *Psychological change*: development of new intellectual skills; the psychological and emotional impact of puberty; identity change and development – a changing sense of self
- *Social change*: friends appear to become more important; the establishment of a wider network; some individuals becoming open to peer influence; the growing influence of the digital world with associated risks and opportunities

Moving successfully from childhood to adulthood therefore involves a number of key developmental tasks:

- *Physical (and sexual) maturity*: including brain and physical development as well as puberty
- *Emotional maturity*: the ability to recognise and manage the different states of one's own mind
- *Cognitive maturity*: thinking in a range of ways, including theorising (and seeing ideas as things that exist separately from oneself), holding ethical and moral stances, and practical problem solving
- *Individuation and identity*: developing a clear sense of self – incorporating gender, sexuality, ethnicity and usually involving the development of degrees of independence from family (strongly influenced by family, community and cultural and religious factors)
- *Social maturity*: achieving the capacity to manage a range of different types of social relationships and roles such as work, intimate partnerships and parenthood (Coleman 2014a)

### **The importance of relationships in adolescence**

As noted above, adolescence is a time of changing social relationships. Peers become increasingly important as friends, intimate partners and prominent social groups in which one's identity and status are constructed and worked out. It is therefore critical that children and young people's social contexts are considered when planning work around child sexual exploitation – see Firmin's (2015) contextual safeguarding model for further information (available from [www.beds.ac.uk/ic](http://www.beds.ac.uk/ic))

Risk in adolescence and the salience of the peer group interact. For example, adolescents are more likely to engage in behaviours that are perceived as risky when they are observed by or interacting with peers, in a way that is not true for adults (Gardner and Steinberg, 2005).

However, young people may also be particularly receptive to support and positive guidance from their peer group; it makes sense therefore that relationships are both noted as both a risk factor and a protective factor in public health discourse, amongst other literature. The online world, too, can enhance peer influence in both directions, with moderated peer-to-peer youth forums a good example of how the strength of peer influence can be positively harnessed (Webb et al, 2008). Care must be taken to ensure that those working with adolescents facing risk do not overlook the impact of peers.

Intimate or romantic relationships are a normative part of adolescence, their significance developing in line with sexual interest and peer relationships more generally. Early adolescents are more likely to have idealised notions of romance (Smetana et al, 2006). Perpetrators of child sexual exploitation can be acutely attuned to these developmental tendencies, which they may manipulate in order to execute abuse (Hanson and Holmes, 2014). By late adolescence, romantic attachments (when they are present) can offer a central source of support (Smetana et al, 2006). However, they can also be a source of harm, with significant levels of intimate partner violence observed in such relationships (Barter et al, 2009).

### **Key risks in adolescence**

From a global perspective, the UK can be seen as a relatively safe place for many children to grow up. However, a high proportion of adolescents still face one or more serious risks. Potential risks faced by adolescents, presented with illustrative examples include:

- *Sexual abuse*: child sexual exploitation by individuals and by gangs or groups (peers or adults; online or offline); other forms of sexual abuse and duress/coercion to sexually abuse others
- *Physical abuse*: family violence; gang related and community violence; violence within intimate relationships
- *Neglect*: neglect from family members including rejection and abandonment, parental mental health or substance abuse that disrupt parenting capacity and/or impose inappropriate caring responsibilities on the part of the young person; overly restrictive parenting; neglect in custody
- *Emotional abuse*: within the family; extensive bullying by peers (in person and/or online); living with domestic abuse between parents; emotional abuse within intimate relationships
- *Other potential risks*: homelessness and running away; mental health problems (including depression, anxiety, self-harm, suicide attempts and eating disorders); gang involvement; substance misuse (Hanson and Holmes, 2014)

A significant minority of young people experience multiple risks, which can make it more difficult to identify casual and resultant risks in order to develop an appropriate service response. The research shows that exposure to multiple forms victimisation – termed ‘poly-victimisation’ – significantly increases young people’s vulnerability to negative outcomes (Finkelhor et al, 2011)

### **Risk and adolescent development**

Adolescence is recognised as a period of vulnerability to what is described as ‘risk-taking’ behaviours (Van Leijenhorst et al, 2010). These behaviours might involve ‘riskily’ seeking rewards (for example, responding to a verbal slur with physical violence).

The ‘risk-based’ terminology used to describe these behaviours presents challenges around conceptualisation and blame. For example, ‘risk taking’ can be interpreted as meaning that young people are making unconstrained lifestyle choices when, in fact, these ‘choices’ and behaviours are underpinned by complex interacting developmental, social and psychological drivers. As explored in section 5 of the guidance, it is important to avoid interpreting ‘risky behaviours’ in cases of child sexual exploitation (continued contact with the abuser, for example) as freely made choice. Such an interpretation can affect young people’s capacity to ask for help, can lead to professional and societal victim blaming and can leave young people highly vulnerable. It is more useful and accurate to recognise these ‘risky’ behaviours as part of the complex power dynamic associated with child sexual exploitation; as survival strategies; as adaptations to previous harm or trauma; and/or as the means by which a young person seeks to meet unmet needs:

*‘Sometimes people’s been through that [abusive background] and they just put on a brave face like nothing’s happened but really deep inside they’re hurting and they don’t know what to do. People that’s been through so much like that, you can’t blame them for turning to drink or drugs because it is the only thing; it’s givin them’ins like a big buzz and it’s taking away their problems. But then you get up and then it’s happening again, so you take more’ (Beckett, 2011)*

It is also critical to remember that a child/young person’s vulnerability or behaviours are not the reason child sexual exploitation occurs. As Beckett (2011:4) observes *‘it is the interplay of these and other factors – together with exposure to someone who would take advantage of these vulnerabilities and inadequate protective structures to mediate against this risk – that culminate in a young person being abused through sexual exploitation’*. These complex interconnected conditions must be addressed in any response to child sexual exploitation. Pearce’s (2014) social model of consent offers a useful tool for considering how these contextual factors impact upon a young person’s capacity to give consent (available from [www.beds.ac.uk/ic](http://www.beds.ac.uk/ic)).

## **Responses to risk in adolescence**

When resources are strained, those working with adolescents can sometimes feel there is a de-prioritisation of adolescents’ needs in favour of those of younger children (Gorin and Jobe, 2013). It may be wrongly assumed that adolescents, because of their age, are more resilient than younger children or that their choices are always freely made and informed. The level of agency adolescents have in relation to risk makes adolescents ‘imperfect victims’ (Rees and Stein, 1999) and makes addressing those risks a complex task. This may be made more challenging by working within a child protection system that is designed primarily to meet the needs of younger children maltreated within the family (Pearce, Hanson and Holmes, 2014; Hanson, 2016).

Local Authority spending to protect adolescents from serious risk is often geared towards solutions that involve the care system, with a high proportion of children’s services spending being committed to care placements, the most expensive often being those for adolescents

(Dept for Education 2014). While many placements are effective at reducing risk, some looked after children are also disproportionately vulnerable to serious risks, including sexual exploitation, violence and running away (Dept for Education, 2013; Beckett 2014).

This growing sense that the child protection system is not well-designed to protect adolescents is accompanied by increasing knowledge and understanding about adolescent development. This evidence converges with key policy drivers, such as foregrounding the young person's perspective (for example, Munro 2011), innovating within social care to better meet the needs of adolescents (Department for Education, 2014; Hanson and Holmes, 2014) and working preventatively in order to support well-being (The Care Inquiry, 2013; Hagell et al, 2015).

An effective response to child sexual exploitation requires consideration of more than physical safety. In the context of work with looked after children, Shuker (2013; available from [www.beds.ac.uk/ic](http://www.beds.ac.uk/ic)) argues that physical, relational and psychological safety are *all* vital for safeguarding the welfare of young people affected by child sexual exploitation. A child centred approach is needed to recognise which type of security is the first priority for services to work towards for the individual child. For some young people, a stable trusting relationship will be a necessary precondition for attempting to achieve physical safety by disrupting a relationship with the perpetrator. For others in immediate danger, physical safety will be the foundation for work to achieve psychological and then relational security. Crucially, where physical safety is achieved at the *expense* of relational and psychological security, interventions will only ever be short-term solutions that deliver 'enforced compliance rather than meaningful change' (Beckett 2011) and may ultimately hinder exit from exploitative situations or relationships (shuker 2013).

Both young people and professionals across a range of studies have indicated that dealing with child sexual exploitation (through approaches such as secure residential units) without providing support to address the interconnected conditions for abuse will be unlikely to provide any long-term change – and, in the short term, could exacerbate their problems leading to increased disengagement from services and increased risk (Beckett, 2011; Hallett 2013; Shuker, 2013b).

When working with young people affected by child sexual exploitation it is important to acknowledge that their involvement in what we perceive to be 'risky behaviours' can be their attempt to exert some control and power in circumstances in which they have very little of either (Coy, 2009; Melrose, 2010; Beckett, 2011; Phoenix, 2012; Beckett et al, 2013; Dodsworth, 2014). Young People may continue to engage in what we perceive to be 'risky behaviours' – or, more accurately in the case of child sexual exploitation, continue to be entrapped in risky circumstances and faced with severely constrained choices – while they are accessing support. There is a growing realisation that 'protection' cannot necessarily mean 'rescue' in all cases of child sexual exploitation, and with this comes a clear understanding that respecting young people's voices is part of building their resilience. A parallel is drawn with changing approaches to domestic violence, a point that has been acknowledged by others (O'Neill, 2001). These approaches now acknowledge that simply 'rescuing' victims of domestic abuse from an abusive relationship is unlikely to end the relationship, nor is it likely to encourage help-seeking recovery behaviours.

*'Just as services and practitioners working with those experiencing domestic abuse now recognise the complexities of this issue, we would do well to understand that CSE is not a simple case of rescue, abstinence or of victim blaming when a young person doesn't willingly leave an exploitative relationship'* (Hickle and Hallett 2016:308).

Recognising this Hickle and Hallett (2016) explore the potential learning that can be gleaned from a harm reduction approach, as frequently used in the field of substance misuse. A harm reduction approach contends that young people to commit to abstinence 'before they have the requisite life skills or psychological ability to successfully maintain their drug free status' undermines their ability to sustain change (Stevens et al, 2007). This, and other tenets of a harm reduction approach, closely align with the principles that underpinned many longstanding responses to child sexual exploitation within the third sector, although the terminology of 'harm reduction' has rarely applied within this field (See for example: Pearce 2002; Melrose and Barratt, 2004; Scott and Skidmore, 2006; Clutton and Coles, 2007; Pearce, 2009; Beckett 2011). Hickle and Hallett (2016) consider the potential contribution, and challenges, of a more explicit adoption of a harm reduction approach within the field of child sexual exploitation in their paper available at: <http://onlinelibrary.wiley.com/doi/10.1111.chso.12145/full>

## **Appendix 2: Guide to disruption orders and legislation**

This appendix sets out examples of the range of disruption measures, civil powers and criminal offences which may be used by practitioners as part of a strategy to tackle child sexual exploitation. This is not an exhaustive list and practitioners should consider the full range of powers available to them when developing effective disruption strategies. Government work on a more comprehensive toolkit of disruption measures is also being developed and will be made available to practitioners.

### **Disruption measures**

CSE may be associated with other crimes, or perpetrators may be involved in other criminal activity. In these instances there are a number of civil measures that can be used to disrupt the activities of individuals also involved with child sexual exploitation, alongside criminal and civil processes that directly address sexual offending and other child protection procedures.

The range of formal and informal disruption measures that may be used to help tackle CSE include:

- Obtaining orders on an identified individual (see below);
- Investigation of other crime types such as drugs or theft;

- Increased police attention on an individual (checking car tax, road worthiness of car etc);
- Increased police presence in suspected hotspots (online or offline);
- Working with internet providers to address online risks; and
- Use of licensing laws and powers to obtain guest information or close down premises associated with child sexual exploitation.

Where applicable, an effective disruption strategy may use a range of these methods in conjunction with one another to address individual perpetrator behaviour, protect victims and address wider contexts of concern. In developing an effective disruption strategy, local partners including the police and local authorities should work together to consider the full range of powers available. Though not the focus of this guide, an effective disruption strategy will also involve work with children and young people to address the issues contributing to their vulnerability and to provide them with alternative options.

## **Civil Orders and other means of controlling individual behaviour**

**Child Abduction Warning Notices (CAWNs)**, formerly known as Harbourers' Warnings. These can be issued by the police and used with individuals over 18 to let them know (and record that they have been told) that they are not allowed to associate or contact with a named child (under 16, or under 18 if in care). CAWNs have no statutory basis in and of themselves, but are very useful in providing evidence to support the prosecution of other offences by, for example, registering that a suspect knew the child was 15, thereby taking away the age defence in criminal cases.

**Sexual Harm Prevention Orders (SHPOs)** can be applied for by the police or the National Crime Agency. They can be used to impose restrictions on an individual who has been convicted or cautioned of a sexual or violent offence, where there is reasonable cause to believe that the imposition of such an order is necessary to protect an individual or the wider public from harm. Restrictions can include things like limiting their internet use, preventing them from approaching or being alone with a named child and prohibiting foreign travel. Breach of the order, without reasonable excuse, is an offence punishable by a fine and/or imprisonment.

**Sexual Risk Orders (SROs)** can also be applied for by the police or the National Crime Agency. These are similar to Sexual Harm Prevention Orders, and can include similar restrictions, but do not require an individual to have been convicted or cautioned. SROs can be issued when an individual has carried out an act of a sexual nature and there is reasonable cause to believe that such an order is necessary to protect an individual or the wider public from harm. As with SHPOs, breach of the order is an offence punishable by a fine and/or imprisonment.

Both SHPOs and SROs may be used with children under 18, but recent Home Office guidance on Part 2 of the Sexual Offences Act 2003 states that the following principles should apply when considering this:

- The early consultation and participation of the youth offending team in the application process;

- That 14 to 17 year olds made subject to civil injunctions in relation to harmful sexual behaviour are offered appropriate interventions to reduce their harmful behaviour;
- That the nature and extent of that support is based on a structured assessment that takes into account the needs of the young person and the imminent risk;
- That the welfare of the child or young person is the paramount consideration, in line with local safeguarding procedures;
- That the requirements of all other orders and sentences that may already be in existence are taken into account to ensure that any requirements made by these orders do not restrict a young person's ability to complete other current orders or sentences, and the combined burden of requirements is taken into account to ensure the young person has the capacity to comply (Home Office, 2015).

Where there are concerns that a child has been trafficked as part of the child sexual exploitation (this can include movement from one area to another within England), **Slavery and Trafficking Prevention Orders (STPOs) and Slavery and Trafficking Risk Orders (STROs)** can also be considered. STPOs and STROs can be applied for by the police, the National Crime Agency or an immigration officer. These were introduced under the Modern Slavery Act (2015) and, like the SHPOs and SROs outlined above, offer a means of placing restrictions on an individual's movements and actions. A STPO can only be made against an individual who has been convicted of a slavery or human trafficking offence, while a STRO can be made against an individual who has acted in a way which means that there is a risk that they will commit a slavery or human trafficking offence. Both require reasonable belief that the individual may commit a modern slavery offence in the future and that application of the order is necessary to protect an individual or the wider public from harm.

The **National Referral Mechanism (NRM)** is also an important mechanism in disrupting and identifying perpetrators of Human Trafficking and Modern Slavery. The NRM is a framework for identifying and safeguarding victims of human trafficking or modern slavery. The NRM applies to victims of both domestic and international trafficking and is designed to facilitate relevant multiagency involvement in trafficking and modern slavery cases, ensuring that the victim receives safe accommodation, appropriate protection, support and advice. Referrals to the NRM contribute to building evidence about trafficking and modern slavery, providing a national picture and informing policy decisions and practice actions in this area.

**Criminal Behaviour orders** are available following a conviction for any criminal offence in the Crown Court, Magistrates' court or youth court. They can impose restrictions on an offender who has engaged in behaviour that had caused, or was likely to cause, harassment, alarm or distress to any person if making the order will help prevent them from engaging in such behaviour. If the offender is under the age of 18 when the application is made, the prosecution must ascertain the views of the local youth offending team before applying for a criminal behaviour order.

**Notification orders** are intended to protect the public from the risks posed by sex offenders in the UK who have been convicted or cautioned for sexual offences which have been committed overseas. A Notification Order makes the offender subject to notification requirements in the same way as if they had been convicted in the UK for a sexual or violent offence.

**Non-Molestation orders** are civil injunctions that can be issued to protect named children from abuse from an individual and any third party acting on the behalf of that individual. The order only applies to those individual(s) 'associated' with the child. It is an offence if the order is breached.

**Exclusion orders** can be sought upon the application for an Interim Care Order or Emergency Protection Order. The order can be taken where there is reasonable cause to believe that if an individual is excluded from a dwelling, house or defined area in which the child lives, the child will cease to suffer, or cease to be likely to suffer, significant harm. The order cannot cover an unlimited area.

A **Wardship** is a civil injunction which can be used to prevent an 'undesirable association' between a child and an individual(s). A local authority can make a Wardship application to the High Court to make a named child a ward of court and to seek an injunction against a named individual(s) to prevent that person from making any contact with the child. An injunction can be used where there is reasonable cause to believe that the child is likely to suffer significant harm without the court's intervention. An example of the use of a Wardship to disrupt child sexual exploitation is the case of *BCC v Riaz et al* [2014] EWHC 4247 (Fam). In this case, Birmingham local authority took civil action in this way to protect girls under the age of 18 from being approached by men with whom they were not personally associated.

## **Criminal offences**

The main set of offences used in criminal prosecutions of child sexual exploitation is contained within the [Sexual Offences Act \(SOA\) 2003](#). These offences are categorised according to the age of the victim (under 13s, under 16s and under 18s) as outlined below.

### **Under 13s**

Articles 5 to 8 of the SOA 2003 cover offences against children who are 12 years of age or younger. These include two offences of penetration, a wider offence of sexual assault and one of causing or inciting a child to engage in sexual activity:

- rape of a child under 13 (intentional penetration of vagina, anus or mouth by a penis);
- (sexual) assault of a child under 13 by penetration (intentional penetration of vagina or anus by something other than a penis, such as a finger or an object);
- sexual assault of a child under 13 (intentional sexual touching); and
- causing or inciting a child under 13 to engage in sexual activity.

Penalties for these offences are higher than those for offences against children aged 13 or above and defendants cannot utilise the defence of believing the child was of an older age (which they can for offences of children under 16 as explored below).

### **Under 16s**

Articles 9 to 12 of the SOA 2003 cover adults sexually offending against children under the age of 16 years within England or Wales. This includes:



- Sexual activity with a child under 16 (intentional sexual touching);
- Causing or inciting a child under 16 to engage in sexual activity;
- Engaging in sexual activity in the presence of a child (for the purposes of sexual gratification); and
- Causing a child to watch a sexual act (watching someone else/viewing images).

These activities are also an offence if perpetrated by another child or young person (under 18), but in these circumstances they would be prosecuted under Article 13, and as such attract lower penalties.

Articles 14 and 15 of the SOA cover the commission of sexual offences against a child under 16 years of age outside of England and Wales:

- Article 14 criminalises an individual (of any age) arranging or facilitating the commission of any of the four offences outlined in the bullet points above, anywhere in the world (Article 14); and
- Article 15 makes it an offence for an adult to meet (or travel with the intention of meeting) a child under 16, anywhere in the world, if they have met or communicated with that child on at least two occasions and intend to commit one of the sexual offences above.

In 2015 a new offence of sexual communication with a child was introduced, under the Serious Crime Act, to strengthen the powers of the authorities to prosecute cases of grooming (without having to wait until the point of travel, as per the requirements of Article 15 of the SOA outlined above). Like Article 15 of the SOA, this only applies to adult perpetrators, and victims under 16 years of age, but it does criminalise the act of sexual communication (defined as being sexual or encouraging a sexual response, and for the purposes of sexual gratification).

## **Under 18s**

Although the legal age of consent for sexual activity is 16, the SOA recognises the continued vulnerability of 16- and 17-year-olds in particular circumstances. These include:

- Abuse of a position of trust (e.g. sexual offences by an adult teacher or social worker – the offences covered are the same as those outlined in the bulleted list above (Articles 9 to 12), but extended to cover 16/17 year olds in these circumstances);
- Familial child sex offences (engaging in sexual activity with a child in the family or inciting them to engage in sexual activity);
- Indecent photographs of a child aged 16/17 (includes making, distributing, intent to distribute and possessing indecent photographs); and
- Sexual exploitation of children (see commentary below).

## **Offences of sexual exploitation**

The SOA was amended by the Serious Crime Act 2015 to remove references to ‘child prostitution’ and ‘child pornography’ and replace them with ‘sexual exploitation of a child’.

The changes were made to the following offences:

- Section 48: causing or inciting child prostitution or pornography;

- Section 49: controlling a child prostitute or a child involved in pornography; and
- Section 50: arranging or facilitating child prostitution or pornography.

The changes were made to the terminology of the offences in order to clearly reflect that children involved in such activities were victims of abuse. This did not however, change the behaviours to which these offences apply, which remain the recording of an indecent image of a person or the offer or provision of sexual services to another person in return for payment or a promise of payment.

The SOA offences do not capture all offences that would fall under the new policy definition of child sexual exploitation in that:

- the exchange is limited to 'financial advantage', whereas the policy definition includes a broader list of things the victim/offender could receive; and
- the offence relating to the recording of an indecent image of a child does not require an exchange; this is outside of the policy definition of child sexual exploitation but would fall under the definition of child sexual abuse more generally.

In recognition of these differences the Government has made it mandatory from April 2016 for police forces to flag all police recorded offences that meet the policy definition of child sexual exploitation. This will include those that fall under the offences of child sexual exploitation but also those falling under other sexual offences that being perpetrated within the context of CSE.

## **Indecent images of children**

The Protection of Children Act 1978 provides for an offence of taking, making, distributing and sharing an indecent photograph or pseudo photograph of a child under 18 years of age. The Criminal Justice Act 1998 covers the possession of such images. All offences include photographs (including moving images) and also images made, for example, on a computer but which look like real photographs.

## **Human trafficking (no age restriction)**

A sometimes overlooked avenue of criminal prosecutions is that of human trafficking<sup>4</sup> which can be used where a child or young person (including those aged 18 or over) has been trafficked for the purpose of sexual exploitation. Under this legislation, it is an offence to arrange or facilitate the travel of another person with a view to their being exploited, whether or not the victim consents to the travel. This covers entering, departing or travelling within any country and as such can be used in cases when a child is moved from one city to another within the UK, for example.

## **Management and monitoring of offenders**

Multi-Agency Public Protection Arrangements (MAPPA) are designed to protect the public from serious harm by accessing and managing the risk posed by sexual and violent offenders. The system requires a multiagency partnership to work together, share information and combine resources in order to maximise the risk management of individual offenders. More

information about the MAPPA framework can be found at: <https://mappa.justice.gov.uk/connect.ti/MAPPA/view?objectId=271411>.

The multiagency tool ViSOR has been developed to assist in the effective management of offenders. It provides a central store for up-to-date information about offenders that can be accessed and updated by the three Responsible Authority agencies – the police, the Prison Service (both public and the contracted-out estate) and Probation Trusts. The tool enables the prompt sharing of risk assessment and risk management information on individual offenders who are deemed to pose a risk of serious harm to the public.

## Appendix 3: Further information and guidance

The information provided in the guidance is drawn from the following sources:

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