

South Lanarkshire Child Protection Committee

Multi-Agency Guidance for Partners, Managers and Practitioners



Child Sexual Exploitation (CSE)

Working together to keep our children safe

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With thanks - This guidance has been adapted with permission from South Lanarkshire Child Protection Committee and Barnardo's Scotland. It refers to the West of Scotland Child Protection Consortium Guidance "*Child Sexual Exploitation - A Practitioners Resource Pack (2014)*" the Scottish Government's Child Sexual Exploitation Definition and Practitioner Briefing Paper 2016 and work of the National CSE Working Group (2017-2020) including its National Action Plan.

In particular we want to thank those young people in South Lanarkshire affected by CSE who have helped us develop our understanding of the impact on the lives of children and young people and how we can better support and protect young people now and in the future.

Introduction

South Lanarkshire Child Protection Committee (SLCPC) is committed to supporting practitioners and managers across all services that make up the multi-agency workforce including Social Work, Health, Education, Police, Leisure Services, Scottish Children's Reporters Administration (SCRA), Procurator Fiscal Offices, Housing and Voluntary Organisations in the protection children and young people.

Child sexual exploitation (CSE) is a complex crime which happens in person or online or a combination of both. It can affect girls and boys from any background or community. Perpetrators are often well organised and use sophisticated tactics to manipulate children and young people and evade detection. Young people may not understand the exploitative nature of the experience until months or even years later which makes identification of victims more difficult. We know that young people who are sexually exploited are sometimes viewed negatively and that they are not always recognised as victims of abuse.

As highlighted in the [Child Protection Improvement Programme](#) Scotland acknowledge the need to protect those at risk of, or affected by Child Sexual Exploitation. The national subsequent national Action Plan to Prevent and Tackle Child Sexual Exploitation (2016) brought together a range of organisations, professionals and invested parties across multi-agency workforces, in taking forward a set of actions to improve the child protection landscape and create a hostile place for perpetrators.

CHILD PROTECTION - Where anyone working with directly or indirectly with children and young people becomes aware of, or is concerned that Child Sexual Exploitation is a feature then usual CHILD PROTECTION PROCEDURES must always be applied with immediate effect.

INITIAL REFERRAL DISCUSSION - Every notification of concern relating to allegations or actual child sexual exploitation requires that an Initial Referral Discussion (IRD) should take place to decide the most appropriate course of action.

When published the [National CSE Plan - 2016](#) was ambitious in its aim to make Scotland;

"A place where sexual exploitation of children and young people is eliminated – a Scotland where children and young people are protected from harm and a society that is a hostile place for perpetrators and facilitators of child sexual exploitation"

This has been the driver for all those partners working with children and young people since. Importantly it acknowledged that Scotland's children and young people deserve nothing less than everyone striving together towards this aim. We are proud to be able to evidence our work in listening to children and young people affected, upholding their rights and making changes alongside them in improving outcomes.

In its Final National CSE Delivery Report (published May 2020) it sets out the range of activity which has taken place over the last three years and the wealth of achievements that have been delivered so far. The South Lanarkshire CSE & Online Safety Sub Group will continue to take forward this work in keeping children and young people safe with your help. Our work around child sexual exploitation continues to be seen within the framework of both [GIRFEC](#) and the United Nations Convention on the Rights of the Child.

This short guidance outlines the national definition of child sexual exploitation (CSE) for Scotland and offers some key considerations that will inform all professional and agency interpretations of their child protection responsibilities in relation to responding to this form of abuse.

We understand that Children and young people need information to help them build resilience and make safe choices. Parents and carers need information about how to talk to their children and how to recognise the signs that their child may be at risk. Practitioners must be equipped with the knowledge and skills to recognise sexual exploitation and respond appropriately. This must be accompanied by work to detect, disrupt and prosecute perpetrators and reduce re-offending. A range of information for children, young people, parents, carers, businesses and communities can be found on our website here;

www.childprotectionsouthlanarkshire.gov.uk

Definition of a Child

A child can be defined in many different ways and National CSE guidance and legislation relating to sexual crimes and trafficking specifically covers children and young people up to the age of 18 years.

In terms of Part 1 of the Children (Scotland) Act 1995 (which deals with matters including parental rights and responsibilities), a child is generally defined as **someone under the age of 18**. The Children's Hearing (Scotland) Act 2011 Section 199 states that for the purpose of this Act a child means a person under 16 years of age, however there are also some exceptions under this section, which can include referrals under Section 67 (2) failure to attend school. Children who are subject to compulsory measures of supervision on or after their 16th birthday are also treated as children under this act, and until they reach the age of 18 years or the order is terminated (whichever is first).

The United Nations Convention on the Rights of the Child (UNCRC) applies to anyone under the age of 18 years. The meaning of a child is extended to cover any person under the age of 18 in cases concerning Human Trafficking; Sexual Abuse while in a position of trust (Sexual Offences (Scotland) Act 2009) and the sexual exploitation of children under the age of 18 years through prostitution or pornography under Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005. The Children and Young People (Scotland) Act 2014 defines a child for the purpose of all Parts of the Act as someone who has not attained the age of 18 years.

What is Child Sexual Exploitation (CSE)

Child sexual exploitation is a form of child sexual abuse in which a person(s), of any age takes advantage of a power imbalance to force or entice a child into engaging in sexual activity **in return for something** received by the child and/or those perpetrating or facilitating the abuse. As with other forms of child sexual abuse, the presence of perceived consent does not undermine the abusive nature of the act.

As noted in the national definition above, CSE is a form of child sexual abuse. Child sexual abuse encompasses ‘any act that involves the child in any activity for the sexual gratification of another’ (National Guidance for Child Protection in Scotland 2014). CSE clearly falls within this, and like any other form of sexual abuse can include both contact and non-contact sexual activity, in person or via virtual means.

Also like other forms of sexual abuse, CSE:

- Is typified by some form of power imbalance in favour of those perpetrating the abuse;
- Can involve coerced and/or enticement based methods of compliance;
- Can still be abuse even if it is claimed the child consented or assented – where the age of the child means they cannot legally give consent or the circumstances mean that agreement is not freely given.

The key factor that distinguishes cases of CSE from other forms of sexual abuse is the **additional requirement for some form of exchange**; the fact that the child and/or someone else receive something in return for the sexual activity:

(a) Where the gain is on the part of the child, this can take the form of tangible or intangible rewards (for example: money, drugs, alcohol, status, protection or perceived receipt of love or affection). Fear of what might happen if they do not comply can also be a significant influencing factor; in such situations the ‘gain’ for the child could be prevention of something negative, for example a child who engages in sexual activity in order to avoid harm to other friends or family.

(b) Where the gain is solely on the part of the perpetrator/facilitator, it must be something more than sexual gratification to fall within the sub-category of CSE. This could be money, other financial advantage (reduced cost drugs/alcohol or discharge of a debt for example), status or power.

Who does CSE affect?

Any child under the age of 18 can experience CSE. While younger children can also experience CSE, this form of abuse is most frequently documented amongst those of a post-primary age, with the average age at which concerns are first identified being 12-15 years of age.

Most identified cases of CSE relate to young females. Young males also experience CSE, although their abuse can more often be overlooked. The same identification challenges can be observed in relation to black and minority ethnic children, disabled children and those who identify as lesbian, gay, bisexual, transgender or intersex.

CSE can, and does, affect children and young people from all walks of life, with no obvious pre-identified vulnerabilities. It is therefore critical that we are mindful of risk across the general youth population and do not assume that any child is immune from this form of abuse. There are however particular experiences that can heighten vulnerability and may require proactive targeted preventative work. These include:

- A history of abuse, neglect and/or disadvantage;
- Being looked after, or formerly looked after;
- Disrupted family life, including family breakdown, domestic abuse and/or parenting difficulties;
- Disengagement from education and isolation from other support mechanisms;
- Going missing from home or care environments;
- Drug or alcohol misuse;
- Poverty or homelessness;
- Poor health and wellbeing, social isolation, bullying or low self-esteem;
- Having a disability.

Who is perpetrating CSE?

CSE can be perpetrated by males or females, from any ethnicity, operating as individuals, informal networks or organised groups. Whilst most of our focus has tended to be on adults abusing children through CSE, we are increasingly learning about peer on peer forms of CSE and the risk that children can face within their own social settings. Within this, we are also observing an overlap between the traditionally distinct roles of 'victim' and 'perpetrator'.

Although family members or carers can perpetrate CSE, in most cases of CSE, risk is primarily located outside of the home environment. This requires a conceptual and procedural shift away from managing risk within the family home, to managing risk within the wider community and/or the virtual world. Unless there is evidence to indicate otherwise, it also requires a re-conceptualisation of parents/carers as partners in the safeguarding process as opposed to a source of risk in and of themselves.

Understanding the complexity of CSE

CSE can take many different forms. It can include both contact and non-contact sexual activities and occur online or in person, or a combination of both. There is a growing understanding within agencies responsible for child protection that grooming plays an integral part in the exploitation of children and young people. The abuse and degradation that children and young people experience in cases of CSE can be immensely damaging to them, both in the short and long term.

Yet, in spite of this, some will continue to maintain links with their abusers despite professional and family attempts to protect them.

The reasons for this can be highly complex and multi-faceted and time must be taken to understand the particular factors at play in each individual case. Amongst other things, these could include:

- Prior negative life experiences and consequent unmet emotional needs;
- Limited ability to identify risk;
- The manipulative and calculated means used by some abusers to entrap and entice;
- Fear of retribution or punishment – for self or others;
- Shame and feelings of complicity;
- Fear of being judged or not being believed and;
- The fact that the negatives are generally tied up with some positives – there can be a sense of gain or some degree enjoyment or gratification (e.g. access to drugs or alcohol; perceived receipt of love or affection), alongside the degradation and abuse.

Just because a child or young person does not recognise the abusive nature of their situation, does not mean that they are not being abused. Many children and young people may not see the exploitative nature of their experience until months or years later, when they are extricated from the situation and able to reflect on the manipulation and power imbalance at play. Professionals therefore need to be supported to identify vulnerability in the midst of challenging behaviour and frequent resistance to, or even apparent disregard for, professional support on the part of the child.

Care must however be taken not to simply dismiss children's perspectives on events in our attempts to help them begin to understand the abusive nature of their experiences, as this can consolidate harm and vulnerability. In line with GIRFEC principles, it is imperative that this work is undertaken in partnership with children, in a safe environment and at a pace that is appropriate for them – this frequently means the provision of long term support. It is also imperative that such work is holistic, addressing the vulnerability and risk factors that contributed to the abuse in the first place rather than simply closing down avenues of contact.

Identification and Prevention

CSE is a hidden form of abuse and is not visible until we recognise some of the signs and begin to enquire further. 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 and therefore essential that we are able to recognise the signs and provide an appropriate response or intervention.

Children at risk of sexual exploitation 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 in order to coerce and abuse them. Children may be under very strong pressure, intimidated, afraid or dependent on those who have exploited them, especially where substance misuse is a factor. Children may therefore reject offers of help and support, and we need to work creatively with them to address this.

There are a number of 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. Practitioners should exercise professional curiosity if it is believed that there is any indication, however slight, that a child could be at risk, action should be taken and information should be shared. CSE is widespread and can affect all young people, but there are certain vulnerabilities, which can make a young person more susceptible to exploitation.

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 looked after by the local authority;

A history of abuse and disadvantage: this can include emotional, physical and sexual abuse as well as neglect;

Problematic parenting: an evaluation of several CSE services in the UK found that there was a huge deficit in the parenting capabilities of many parents of children who were exploited sexually. Fathers were often absent. Some young people move into adult life prematurely;

Disengagement from education: school plays an important safeguarding role in a young person's life; if they disengage from education, they can be left vulnerable. They may become disconnected from their peers and lose sense of a regular routine;

Learning difficulties: a young person with learning disabilities may be less able to recognise the risky situations they may be getting themselves into and they may be more susceptible to exploitation;

Going missing: many young people have a history of going missing from home or care for various reasons. This leaves them susceptible to exploitative adults who may offer them a place to stay or somewhere to pass the time;

Poor health and well-being: low self-esteem in adolescence may leave some young people vulnerable to older people who 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. For young people who already have problems with substance misuse, this makes them easier targets for exploitation. 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, substance misuse was a key factor in approximately three quarters of cases.

Know the signs – risk indicators

There are a number of indicators to which practitioners should be alert as signs of CSE. These indicators should trigger concerns and a proportionate response.

Risk indicators can include, but are not restricted to:

- **Staying out late and going missing:** does the young person regularly return home late? Is the young person missing overnight or for longer with no known home base?
- **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 routinely use mobile phones as a means of controlling their victims;
- **Excessive use of a mobile phone or multiple mobile phones:** does the young person use their mobile phone more than would otherwise be expected of them? Are they secretive about who they are contacting and why? Young people are often given more than one mobile phone so that perpetrators can contact them;
- **Expressions of despair:** is the young person displaying signs of self-harm, overdosing, eating disorders, challenging behaviour or aggression?
- **Disclosure of abuse followed by withdrawal of allegation:** has the young person disclosed being abused and then retracted the allegation? This can indicate fear and intimidation;
- **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;
- **Peers involved in sexual exploitation:** has the young person disclosed peers being sexually exploited? It is very common for peers to be the gateway into CSE;
- **Drug and alcohol misuse:** has the young person started experimenting with drugs or alcohol? Drink and drugs are a central part of the grooming process. 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 mobile devices that cause concern:** does the young person spend more time than usual online? Are they secretive? Are they accessing inappropriate websites? The internet is 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 and gaming sites, whilst grooming them for face to face exploitation;
- **Lack of positive relationship with a protective or nurturing adult:** does the young person have a strong adult figure in their life to whom they can turn? 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 truanting persistently? Young people who are not in school during the day may be more at risk of sexual exploitation. Living independently and failing to respond to attempts by a worker to keep in touch: has the young person started withdrawing from their social and formal networks? Perpetrators 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;
- **High number of sexual partners:** is the child or young person displaying signs of 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 others;
- **Unexplained amounts of money or other material items:** does the young person turn up with expensive clothing or other items? Child or young person 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;
- Abuse by boyfriend or controlling adult;
- Entering and leaving vehicles driven by unknown adults;
- Frequenting areas known for street prostitution;
- Physical injury or symptoms of abuse;
- Children under 13 years asking for sexual health advice;
- Being taken to flats, houses or hotels and engaging in sexual activity.

Example Scenario (A high risk indicator of CSE)

A 15 year old approaches a pharmacist for the morning after pill. She says she does not need to go through all the advice as she has been through it before. She keeps her mobile phone on all the time that she is talking to the pharmacist and reacts to messages arriving with fear. She has a large amount of cash available to pay for the medication. An older man is present in the pharmacy while she is talking to the pharmacist and leaves with her.

Lack of Disclosure and Response

Disclosure of any form of abuse or harm is always challenging for children and young people, and CSE is no different. The grooming and primary processes executed by perpetrators of CSE and the exchange element of this form of abuse can act as additional barriers which increase denial and make disclosure particularly difficult.

Children and Young People that are victims of sexual exploitation can display disruptive and difficult behaviour and often fail to recognise that they are being exploited. The grooming process may be so effective that the young person believes 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. This presents practitioners with many challenges in providing the support they need to escape exploitation. Reasons for not disclosing include:

- Not being aware that they are being exploited (for instance they may feel that there are in a consensual relationship with a perpetrator). Although often older, the perpetrator may be of similar age to the victim.
- Fear that perceived benefits of exploitation may outweigh the risks e.g. loss of: supply of alcohol, drugs; the "relationship" and associated "love" and attention;
- Fear of retribution or that situation could get worse;
- Fear of violence within exploitative relationship;
- Shame;
- Fear of not being believed;
- Fear of labelling e.g. as a prostitute or gay;
- Fear of separation from family ;
- Loss of control; fear of Police involvement and court proceedings.

"I didn't want to cause anyone any distress, and I certainly didn't want to be err, found out. I suppose. And so, that's why I only told them a very small part of the story to start with, and that, the reaction to that was bad enough, so I umm, I would never have considered police involvement. Even if I was old enough to think about it."

National CSE Guidance for Health Professionals (2018)

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 the child is male.
- **Sexuality of the child or young person** – responses can vary if practitioners 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 **criminal activity**
- Lack of specialist resources
- **Lack of awareness** / training in 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/self-blaming
- **Fear** of “opening” a can of worms
- **Poor continuity** in support

What prevents young people disclosing CSE?

- 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 everyone 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

16 and 17 year olds

It is important to remember that just because a young person is over the age of 16 years, irrespective of whether they are subject to a statutory order, it does not mean they cannot be victims of child sexual exploitation. A young person who has been subject to a complex pattern of life experiences, including sophisticated grooming, does not stop needing support and protection when they reach the age of 16. They remain a vulnerable young person with ongoing needs. A person’s vulnerability will depend on their circumstances and environment, and each case must be judged on its merits.

Policy and Legislative context of CSE in Scotland

As noted earlier, whilst CSE is not a specific criminal offence in itself, there is range of criminal and civil options that can be used to disrupt and prosecute this form of abuse. Pertinent principles from these include: (Adapted from SBNI CSE Definition and Guidance 2014).

- The legal age of consent to sexual activity is 16;
- If the child is under 13, under no circumstances can they be argued to have consented to sexual activity, nor is there any defence of believing the child was of an older age; (Section 27 of the Sexual Offences (Scotland) Act 2009)
- It is an offence to intentionally cause a child under 16 to engage in sexual activity, even if you do not actually engage in sexual activity with them yourself; (Sections 21 and 31 of the Sexual Offences (Scotland) Act 2009)
- It is an offence for a person to have a sexual relationship with a child under 18 if they hold a position of trust or authority in relation to them; (Section 42 of the Sexual Offences (Scotland) Act 2009)
- The offence of paying for the sexual services of a child applies to all under 18s; (Section 8 of the Protection of Children the Prevention of Sexual Offences (Scotland) Act 2005)
- Non-consensual sex is rape, whatever the age;
- If the victim is incapable because of the effect of drink or drugs, or the victim, or his or her family has been subjected to violence or the threat of it, they cannot be considered to have given consent (defined as “free agreement”) and, therefore, offences may have been committed;
- Recruiting or moving a person for the purposes of exploitation (by them or others) constitutes an offence of human trafficking – this includes movement within Scotland as well as movement outside of Scotland; (Section 1 Human Trafficking and Exploitation (Scotland) Act 2015)
- The potential to place restrictions on (potential) perpetrators’ behaviour through use of civil orders such as sexual offences prevention orders, risk of sexual harm orders, trafficking and exploitation prevention orders or trafficking and exploitation risk orders. (For information on SOPO’s refer to the Sexual Offences Act 2003 (as amended); and for RSHO’s see the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005. See part 4 of Human Trafficking and Exploitation (Scotland) Act 2015 for trafficking exploitation prevention orders.

The [National Guidance in Child Protection in Scotland 2014](#) provides a framework for all those working with children and young people to enable organisations, services, agencies, practitioners and individuals to protect children and promote their wellbeing. The guidance sets out key responsibilities and information regarding strategic planning of services and their delivery. Guidance on specific issues, such as CSE and Child Trafficking is also provided for practitioners working at local level. The guidance has specific sections, which should be read alongside this document.

[National Risk Assessment Framework to Support the Assessment of Children and Young People](#) (2012) is a national risk assessment toolkit for child protection to support practitioners in identifying and acting on child protection risks for children and young people. Based on GIRFEC approach to well-being and on the National Practice Model, it sets out a process for assessing risk to enable practitioners to consider key factors in the child or young person's life. The factors include risk as well as resilience and protective issues and also resistance. It can be used alongside any other assessment frameworks specifically designed to assess particular circumstances where children and young people may be at risk of harm, abuse or neglect at home or in the community.

Getting it Right for Every Child provides a framework for all professional who work with children, young people and their families. The Framework puts children and young people at the centre of service provision, as well as encouraging multi-agency working to ensure children and young people have the best start in life, and get the right help at the right time from the right people. The Children and Young People (Scotland) Act 2014 embeds the core principles of GIRFEC in legislation.

The United Nations Convention on the Rights of the Child (UNCRC) is an international agreement, which protects the human rights of children under the age of 18 years. It forms the basis for GIRFEC, and the Scottish Government has committed 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 Government shall protect children from sexual exploitation and abuse, including 'prostitution', trafficking for sexual purposes and involvement in the production of child sexual abuse images.

The [Child Protection Improvement Programme \(CPIP\)](#) core objective was to identify where recommendations for sustainable improvement could be made, building upon the observable improvements in practice that have already taken place in recent years and seeking to further embed Scotland's unique approach to child wellbeing: *Getting it Right for Every Child (GIRFEC)*.

[CELCIS](#) is currently the main knowledge bank for child protection in Scotland and contains a section relating to all key information about child sexual exploitation in Scotland.

A Shared Responsibility

Multi-agency working is central to tackling CSE and no one agency can, or should, address the multi-faceted challenge of preventing and responding to CSE in isolation. As highlighted in the 2016 CSE Action Plan update:

'Preventing and tackling sexual exploitation requires a co-ordinated multi-agency response. Universal and specialist services have important roles to play.... Children and young people need information to help them build resilience and make safe choices. Parents and carers need information about how to talk to their children and how to recognise the signs that their child may be at risk. Practitioners must be equipped with the knowledge and skills to recognise sexual exploitation and respond appropriately. This must be accompanied by work to detect, disrupt and prosecute perpetrators and reduce re-offending.'

In South Lanarkshire all agencies will have a different role to play in protecting children and young people, however Social Work Resources and Police Scotland have a lead role in co-ordinating and undertaking an investigation into possible abuse, CSE included. Social Work Resources and Police cannot effectively fulfil this role without the co-operation of other professionals and agencies, such as Education, Health, Voluntary Sector and any other agency involved in supporting children, young people and their families.

What do I do? The Professional Response

Where any member of staff / volunteer or practitioner from any agency has reason to believe that a child or young person may be subject to CSE, child protection procedures must be followed. The worker should record and discuss their concerns with their line manager and a Notification of Child Protection Concern should be made to Social Work Resources and / or Police Scotland as a matter of priority. Reference should be made to single agency child protection procedures or the [West of Scotland Online Child Protection Procedures](#) in doing so. This ensures processes are followed in keeping children and young people safe in South Lanarkshire.

On receipt of any Notification of Child Protection Concern, Social Work Resources and / or Police will make decisions on the appropriate forum for multi-agency discussion. In most cases, this will be undertaken as an Initial Referral Discussion (IRD) which the Police or Social Work will host and all relevant agencies including Social Work, Police, Health and Education will participate in. However, in some cases, it may be more appropriate for a Child Protection Case Discussion to be held as described in your own agency procedures or in the National Guidance for Child Protection in Scotland. In both situations, agencies involved **will share relevant and proportionate information** in respect of the child and/ or young person and the significant concerns relating to CSE.

The IRD or Child Protection Case Discussion will consider how the concerns regarding CSE should be investigated, the immediate safety of the child / young person and will also seek to identify any other children or young people potentially at risk and how these concerns should be responded to.

Information Sharing

The key to good multi-agency working is information sharing. Successful and appropriate sharing of relevant information is a critical component of promoting the wellbeing of children and young people, from early intervention through to child protection. Sharing the right information at the right time, improves outcomes for children, young people and their families and can help prevent concerns developing further.

Where a child or young person is considered to be at risk of or has experienced CSE this is a child protection concern and relevant and proportionate information can be shared without consent. While in most circumstances it is good practice to discuss concerns with families prior to making a notification of child protection concerns, this should not be done where it may increase the risk of harm to the child.

Further details on information sharing can be found at the [Scottish Information Commissioner](#) or [Information Commissioner Office UK](#) website. Please refer to your own agencies information sharing protocol in the first instance.

What can I do as a practitioner?

As practitioner, from any agency, 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 from 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 investigate these further
- Ensuring you know who the child protection lead is in your workplace and that you are **aware of the procedures** 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 agency or another 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 and young people. 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: Given 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 a consistent 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 of 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.

Working with children and young people

Working with children and young people for whom sexual exploitation is an issue requires a holistic approach and the investment of time and resources in long-term intervention. An important aspect of the work is maintaining contact and being available to children and young people until they reach a point where they are ready to think about their situation and accept support. The process and effort spent by a worker on relationship building are important factors in them reaching this stage. When these windows of opportunity present, they should be capitalised on fully, providing the right support at the time 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.

Establishing a positive trusting relationship with 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 friendship, but a professional support and protection service. Change needs to happen at a pace that is set by the young person; provide real choices; and promote a sense of positive control for the young person. Working with children and young people who are exposed to risk and experiences of sexual exploitation requires an approach that is non-judgmental.

- 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 to feel included, and will create a sense of ownership and connection with the plan;
- The plan should address each of the identified areas of risk. Workers need to be realistic about expectations and to understand that this is long-term, intensive work, where progress will not always be consistent.

If the child is in a residential unit, staff should be asked to take positive action to clarify and record any concerns and minimise the child's involvement in sexual exploitation.

If the child is in foster care, the social worker and fostering link worker should meet with the foster carer to decide which of the above steps could reasonably be taken by the foster carer as part of the multi-agency plan.

The child's behaviour and attitude may be extremely challenging, and carers and staff will require ongoing support, advice and training to allow them to respond appropriately and effectively. These needs must be considered and resources identified, either by the manager

of the residential unit, or the fostering link worker. The Emergency Social Work Service should be made aware of how to respond out-of-hours.

The **National Referral Mechanism** should be considered for cases of internal child trafficking as described in Appendix 1.

In relation to suspected **Child Criminal Exploitation (CCE)** and County Lines concerns please refer information provided in Appendix 2.

National Referral Mechanism (NRM)

The National Referral Mechanism (NRM) is a UK wide framework through which potential victims of trafficking in the UK are identified, so that they can be supported and protected. It is a particular process to be followed when it is suspected that an adult or a child might be a victim of trafficking. In the case of a child, the child's best interests will be a primary consideration in the decision to make, or not to make, a referral into the NRM. This includes the internal trafficking of children and young people subject to CSE.

The National Referral Mechanism was established after the government ratified of the Council of Europe Convention on Action against Trafficking in Human Beings (ECAT), which came into force on 1 April 2009, and which commits the UK to minimum standards for the protection of victims of human trafficking.

Consent is not required if the potential survivor is a child; however, it is still important to ensure early access to legal advice so that children and young people understand the consequences of identification, and how to effectively participate and make informed decisions during the evidence gathering process.

Most child survivors in Scotland are referred to the NRM by Border Force, Police Scotland and the British Transport Police. However, in some cases, the local authority may act as First Responder. If taken by a local authority, the decision to refer a child as a potential survivor of trafficking under the NRM falls within child protection duties of local authorities and should be taken within the relevant frameworks.

First Responders

Referrals into the NRM can only be made by selected agencies known as 'first responders'. If you are not a first responder and you believe you have identified a victim of child trafficking then you will need to refer the child to a first responder in order for them to be referred into the NRM.

When a referral is made under the NRM, the Competent Authority will make an initial determination as to whether there are reasonable grounds to believe whether the individual is a survivor of trafficking (a) The Reasonable Grounds Decision). If the Reasonable Grounds decision is positive, the individual is given a period of up to 90 days of access to support and assistance, or until such time as a (b) The Conclusive Grounds Decision is taken as to whether or not the individual is a survivor of trafficking.

Reasonable Grounds for Decision

Once a child has been referred into the NRM, the assessing authority (known as the 'competent authority') will, within five working days, make a decision as to whether or not there are reasonable grounds for believing that the person has been trafficked (internally or externally). This is known as the reasonable grounds decision.

There is a low threshold at this stage: the test is '*from the information available so far I suspect but cannot prove*' the individual is a victim of trafficking. If the competent authority decides that there are no reasonable grounds, there is no right of appeal: the only way to challenge this decision is through judicial review in the High Court.

The Conclusive Grounds Decision

After a positive reasonable grounds decision, there is then a 45 day 'reflection and recovery period' in which a full needs assessment should be made, and no action to detain or remove the person can be taken.

Before the end of this 45 day period, the competent authority should make what is known as a conclusive grounds decision on whether the person is a victim of trafficking. The test at this stage is whether, on the *balance of probabilities*, there is sufficient information to conclude the individual is, more likely than not, a victim of trafficking (internal or external). More information is available here:

[Scottish Government - Inter Agency Guidance on Trafficking & NRM \(2016\)](#)

Child Criminal Exploitation (CCE) & County Lines

Child Criminal Exploitation is a complex form of harm, often unrecognised and is a typical feature of county lines activity. CCE can mean children are more likely to be prosecuted for offending and criminal behaviour than recognised as victims of exploitation by organised networks or others.

CCE is increasingly used to describe this type of exploitation where children are involved, and is defined as:

Child Criminal Exploitation occurs where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child or young person under the age of 18. The victim may have been criminally exploited even if the activity appears consensual. Child Criminal Exploitation does not always involve physical contact; it can also occur through the use of technology.

A common feature in all forms of CCE, similarly to forms of CSE, is the imbalance of power. Already highlighted within this guidance in respect of CSE, children and young people often receive something in exchange for them carrying out acts or favours for the individuals exploiting them. With CCE, these acts or favours required in return are usually criminal in nature.

CCE is common in County Lines, which is a major cross cutting issue involving drugs, violence, gangs, safeguarding, criminal and sexual exploitation, modern slavery, and missing persons. County Lines can be defined as:

County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phones lines or other form of “deal line”. They are likely to exploit children and vulnerable adults to move and store the drugs and money and they will often use coercion, intimidation, violence (including sexual violence) and weapons.

The response to tackle this involves Police, National Crime Agency, local authority agencies and voluntary and community sector organisations.

Further information can be viewed here:

[UK Gov. - Criminal Exploitation of Children & Vulnerable Adults \(County Lines\) Guidance](#)

Resources can be found here:

[The Children’s Society - Tackling Criminal Exploitation & County Lines Resources](#)

Useful Contacts

South Work Resources

03031231008

Police Scotland

Non-emergency number 101, In an emergency call 999

South Lanarkshire Child Protection Committee

www.childprotectionsouthlanarkshire.org.uk/

Suite of SLCPC CSE leaflets

Lanarkshire Sexual Health Services – 5 in SLC

YP Plus clinics – full range of sexual health and contraception

2 specialist lifestyle nurses in SLC (young people aged 13-20)

Childline

0800 1111

NSPCC 24 Hour Child Protection helpline

0808 800 5000

Crimestoppers

0800 555 111

Websites

PACE (Parents Against Child Exploitation)

Support for parents/carers in Yorkshire, but resources available nationally

www.paceuk.info

Child Exploitation and Online Protection Centre

www.ceop.police.uk

www.thinkuknow.co.uk

Children 1st

www.children1st.org.uk

NSPCC Scotland

www.nspcc.org.uk

Barnardo's Scotland

www.barnardos.org.uk

References / Bibliography

Scottish Government National Guidance for Child Protection in Scotland (2014)

Barnardo's Scotland 'Guidance on Child Sexual Exploitation – A Practitioner's Resource Pack'

Scottish Government - Child Sexual Exploitation Definition and Practitioner Briefing Paper

Scottish Government 'National Action Plan to Prevent & Tackle CSE 2016'

Scottish Government 'Child Protection Improvement Programme 2017'

East Lothian and Midlothian Interagency Guidance on Child Sexual Exploitation

Criminal Exploitation of Children and vulnerable adults: County Lines Guidance (2018)

Scottish Government Guidance for Health Professionals (2018)

CELCIS

Legislation

Children (Scotland) Act 1995

Children's Hearing (Scotland) Act 2011

Sexual Offences (Scotland) Act 2009

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

Equality Act 2010

Human Trafficking and Exploitation (Scotland) Act 2015