



Child sexual exploitation

Definition and Guide for Professionals

Extended text of DfE (2017) *Child Sexual Exploitation: Definition and a guide for practitioners, local leaders and decision makers working to protect children from child sexual exploitation*

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1. Introduction

This work was commissioned by the Department for Education (DfE) and is the extended original text from which the DfE document 'Child Sexual Exploitation: Definition and a guide for practitioners, local leaders and decision makers working to protect children from child sexual exploitation' has been drawn. This can be viewed at www.gov.uk

The document outlines the new civil definition of child sexual exploitation, developed by the Home Office and DfE, together with an overview of our current understanding of the issue and an evidence-informed set of principles for responding. This extended version of the 'guide' provides professionals¹ with further background information about child sexual exploitation and offers additional commentary around some of the complexities of practically responding to the issue.

The document should be read in conjunction with [Working together to safeguard children: A guide to inter-agency working to safeguard and promote the welfare of children](#) (hereafter referred to as *Working Together*), that provides the statutory framework for responding to child sexual exploitation and all other forms of abuse. The content of this document does not in any way supersede the statutory provisions of *Working Together*, but rather considers some of the nuances and challenges of applying its requirements and principles to this particular form of abuse.

This extended version of the 'guide' draws on the existing evidence base to identify issues that have proved challenging to address in practice and to draw out lessons learnt in relation to this. It does not seek to provide readers with a 'step-by-step' approach to addressing child sexual exploitation, but instead provides a high-level framework for building a locally informed enhanced response that concurrently addresses prevention, and responses to victimhood and perpetration, and supports the exercise of 'professional curiosity' within this.

Although the document focuses on child sexual exploitation, many of the principles outlined herein hold relevance for responding to other forms of exploitation, abuse and vulnerability in adolescence and readers are encouraged to consider the interconnectedness of these issues and the transferability of learning between them.

1.1 Who is this publication for?

Whilst local authorities play a lead role, safeguarding children and young people is everyone's responsibility. This includes social workers and other children's services professionals, the police, adult services professionals, teachers and other school staff, GPs, nurses (including school nurses), Child and Adolescent Mental Health Services practitioners, midwives, health visitors, early years professionals, youth workers, youth justice professionals, A&E staff, paediatricians, and voluntary and community workers.

Children and young people are best protected when professionals are clear about what is required of them individually, and how they need to work together, within effective multi-agency working arrangements. Professionals can only do this if they are supported by effective and knowledgeable practice leadership within their agencies and across their

¹ Throughout this advice we use the term 'professionals' to include all relevant practitioners and staff.

local strategic partnership. Annex A provides an overview of the strategic framework that is required to support effective practice, whilst section 5 outlines the core principles of effective practice that all professionals should follow.

2. Defining and understanding child sexual exploitation

Having a common definition of child sexual exploitation is critical to identification, monitoring and effective multi-agency responses. The government issued a definition of child sexual exploitation² in 2017 to be used for the purposes of the statutory *Working Together* guidance. It states that:

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) the financial advantage or increased status of the perpetrator or facilitator.³ 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.

2.1 A form of sexual abuse

Child sexual exploitation is a form of child sexual abuse. Child sexual abuse includes any act of 'forcing or enticing a child or young person to take part in sexual activities'.⁴

Like any other form 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 (see section 4.4).
- Can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity.⁵
- Can take place in person and 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.

² This definition should not be confused with the criminal offences of 'sexual exploitation of children' which differ in scope, as explored in section 9.

³ See section 2.2 for what this exchange can include.

⁴ Working Together (2015:93) defines sexual abuse as 'forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities 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 of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children'.

⁵ See definition in footnote 4 for examples of these activities.

- 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, intellect, physical strength, status, and access to economic or other resources.⁶

2.2 Distinguishing features of child sexual exploitation

The key factor that distinguishes cases of child sexual exploitation from other forms of child sexual abuse is the **presence of some form of exchange**, for the victim and/or perpetrator or facilitator.⁷

If someone takes advantage of an imbalance of power to get a child/young person to engage in sexual activity, it is child sexual exploitation if:

(1) The child/young person receives, or believes they will receive, something they need or want (tangible or intangible gain or the avoidance of harm) in exchange for the sexual activity.⁸

AND/OR

(2) The perpetrator/facilitator gains financial advantage or enhanced status from the abuse.

Where it is the victim who is offered, promised or given something they need or want, the exchange can include both tangible (money, drugs or alcohol, for example) and intangible rewards (status, protection or perceived receipt of love or affection, for example). **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.

⁶ Although not explicitly cited in the sexual abuse definition, it is generally accepted that all forms of child sexual abuse are typified by some form of power imbalance.

⁷ Although both are illegal, the definition distinguishes between 'direct' perpetration' and 'facilitation' of child sexual exploitation.

⁸ Whilst there can be gifts or treats involved in other forms of sexual abuse (e.g a father/mother who sexually abuses but also buys the child toys) it would only be classed as child sexual exploitation if the 'exchange' is the core dynamic at play.

Where the gain **is only for** the perpetrator/facilitator, there must be a financial gain (money, discharge of a debt or free/discounted goods or services) or increased status as a result of the abuse for it to constitute child sexual exploitation.⁹

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 constitute child sexual exploitation, but should be responded to as a different form of child sexual abuse. (see section 2.4). This is an important distinction as, if perpetrator sexual gratification alone met the exchange requirement for child sexual exploitation, all cases of sexual abuse could be argued to fit into this subcategory, thereby collapsing any distinguishable differences between the broader definition of sexual abuse and the subcategory of child sexual exploitation

2.3 Different forms of child sexual exploitation

Although much of the attention on child sexual exploitation has focused on group-based contact models of offending, this is just one of many different forms that it can take. Cases vary considerably in terms of where the abuse occurs, who is perpetrating and experiencing it, the degree of grooming employed, the degree of organisation, the type of sexual activity and the exchange involved.

The following illustrative examples, although all very different in nature and involving different sexual offences, could all fall under the *Working Together* definition of child sexual exploitation:

- A 21-year-old male persuading his 17-year-old 'girlfriend' to have sex with his friends to pay off his drug debt.
- A 44-year-old female posing as a 15 year old to persuade a 12-year-old male to send her a sexual image, then using the threat of posting that image on a social media site to make sure he continues to send more explicit images.
- A 14-year-old female having sex with a 16-year-old gang member and his two friends to gain the protection of the gang.
- A 13-year-old female offering and giving an adult taxi driver sexual favours in return for the taxi fare home.
- A 14-year-old male giving a 17-year-old male oral sex because the older male has threatened to tell the boy's parents he is gay if he doesn't do this.
- A 16-year-old female who has been trafficked into the UK on the promise of a job, but is sold by her trafficker to a 50-year-old male who wants a wife.
- A mother selling access to indecent images of her 8-year-old daughter on the dark web.
- A group of males 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 party house and given 'free' alcohol and drugs, then made to have sex with six adult males to pay for this.

⁹ As defined in the *Sexual Offences Act 2003*. Status is defined as standing or importance in relation to others.

- A 15-year-old female who views a 21-year-old male as her 'boyfriend' and engages in sexual activity with him, as he has said he will end the relationship with her if she doesn't.
- A 16-year-old female whose 17-year-old boyfriend films her giving him oral sex, and uses the threat of showing her parents the video to get her to have anal sex with him.
- A 15-year-old female bringing two other 15-year-old females to a party (where they are sexually assaulted) in order to prevent her from being sexually assaulted again.

These examples are by no means exhaustive; other forms of child sexual exploitation currently exist and new forms continue to develop. Nor are these examples mutually exclusive; some children or young people will experience abuse through a range of these scenarios, either simultaneously or in succession.

2.4 Considering other forms of abuse

Although there are many different scenarios that constitute child sexual exploitation, and although the term has been predominantly associated with adolescent harm, it is important to remember that it does not cover all forms of violence and abuse in adolescence. Other forms of harm that do not fall within the definition still require a response. A 13-year-old boy, for example, pressuring his 13-year-old girl-/boyfriend into having sexual intercourse in order to remain in the relationship, would not be defined as child sexual exploitation if there is no significant power differential within the relationship. Equally, though clearly a serious safeguarding issue, a one-off incident of sexual assault, where the victim has no prior or subsequent contact with the perpetrator and the only gain involved is the sexual gratification of the perpetrator, would not constitute child sexual exploitation but would be another form of sexual abuse.

Child sexual exploitation should not therefore be viewed in isolation from other forms of sexual abuse and other relevant safeguarding issues and offences such as sexual grooming, trafficking, modern slavery, gendered violence or going missing. A focus on child sexual exploitation should not overshadow a focus on other types of abuse. All forms of harm in childhood and adolescence should be fully and appropriately responded to in line with the *Working Together* guidance.

3. The nature of child sexual exploitation

The summary below reflects what we currently know about child sexual exploitation. Knowledge and understanding continue to develop, as new learning emerges from research, inquiries, inspections and case reviews, and it is vital that we remain open to learning about new forms and patterns of the abuse, and new ways of identifying and responding to it.

3.1 The prevalence of child sexual exploitation

The hidden nature of child sexual exploitation makes it very difficult to offer any reliable prevalence data. Children and young people rarely report their experiences of this abuse and professional identification levels vary considerably across the country. As a result, the count of the 'known' cases will only ever be a partial representation of what is actually going on. What is clear from the existing evidence base is that child sexual exploitation is occurring across the country. Areas that proactively look for child sexual exploitation, and create the appropriate conditions for identifying and responding to it, are uncovering a problem. All professionals should therefore work on the basis that child sexual exploitation is happening in their area.

3.2 Patterns of vulnerability and victimisation

Although evidence suggests certain life experiences may increase vulnerability to child sexual exploitation, **no child or young person is immune from this form of abuse.** Anyone under the age of 18 years can experience child sexual exploitation.¹⁰ That said, the current evidence base does suggest particular patterns of victimisation and perpetration. These are outlined below, but with the caveat that the cases that come to professional attention may not necessarily reflect the full range of abuse that is occurring.¹¹

Child sexual exploitation is most frequently observed amongst those of a post-primary school age, with the average age at which concerns are first identified being 12 to 15 years of age. However, recent studies show increasing rates of referrals for 8 to 11 year olds, particularly in relation to online exploitation. Studies also show cases of child sexual exploitation amongst 16 to 17 year olds with some highlighting: (a) overlooked abuse amongst this age group due to assumed capacity to consent; and (b) heightened risks for 16 to 17 year olds, particularly those without adequate economic or systemic support.

Child sexual exploitation is most frequently documented amongst young females, with no more than one-third of known cases (and more often one-fifth or less) relating to young males. However, these figures may indicate a tendency to overlook harm amongst males, who are both less likely than females to disclose experiences of child sexual exploitation and less likely to have these identified by others. Similar identification issues have been highlighted in relation to children and young people from black and minority

¹⁰ Whilst those aged 18 and over also experience sexual exploitation, this would not be classed as child sexual exploitation – see section 5.

¹¹ Numerous studies have raised concerns about lower levels of identification amongst certain groups – males, or those with disabilities, for example – noting the strong likelihood that rates of child sexual exploitation are much higher amongst these groups than is currently recorded.

ethnic communities. As a result, although we know that cases have been recorded across all ethnic groupings, the existing data does not allow us to compare different ethnicities.

Heightened vulnerability factors: The body of research and practice evidence highlights a number of biographical and contextual factors that may increase vulnerability to child sexual exploitation both individually and in combination with each other.¹² These are presented below, but with the caveat that the evidence base around the ways in which, and degree to which, they increase vulnerability is not yet fully developed.

Professionals should not, therefore, prioritise these over a holistic assessment of vulnerability or their professional judgement:

- Having a physical or learning disability.
- Being in care (particularly those in residential care and those with interrupted care histories).
- 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).
- Going missing (for short or long periods).
- Substance misuse issues.
- Disengagement or absences from education/training/employment.
- Gang-association.
- Recent bereavement or loss.
- Social isolation or social difficulties.
- Absence of a safe environment to explore sexuality, sexual identity or gender identity.
- 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.

Not all children and young people with these vulnerabilities will experience child sexual exploitation. **Child sexual exploitation can also occur without any of these vulnerabilities being present**, with recent research indicating this may be particularly true of online forms. Therefore, while it is important that we address the potential heightened risk amongst the groups outlined above, it is vital that we do not focus so much on these issues that we miss risk in other cases where these vulnerabilities do not exist.

We should also remember that **abuse does not occur because of a child or young person's vulnerability. It occurs because there is someone who is willing to take advantage of this vulnerability and because there are inadequate protective structures (around the child and their family) in place to mediate against this.**

These 'inter-connected conditions for abuse' do not exist in a vacuum and, as such, must also be considered in light of the impact of wider contextual factors such as societal messages around abuse or sexual norms, or the expanding contact opportunities offered by an increasingly networked world (see figure 1 below).

¹² Based on an observation of certain cohorts of children and young people being over-represented in child sexual exploitation statistics and the prevalence of these issues in known cases.

Figure 1: The inter-connected conditions for CSE (Beckett, 2011)

3.3 Patterns of perpetration

Knowledge about who perpetrates child sexual exploitation is partial, but growing. In terms of where the abuse occurs it tells us that:

- Perpetrators are operating in all parts of the country, in cities, towns and rural areas – in a range of locations including schools, neighbourhoods, parks, houses, hotels, takeaways, retail and entertainment outlets.¹³
- Child sexual exploitation is also happening online, through a wide range of online access points including social media forums, dating websites, escort websites, chat rooms and gaming sites. In some cases the subsequent abuse occurs within these, or other, online spaces; in others, online introductions are a precursor to contact abuse.
- There is increasing crossover between the online and offline environments as technology continues to develop and ease of access to it increases.

In terms of who is perpetrating the abuse, the evidence indicates that:

- Although most known perpetrators are male, females also perpetrate child sexual exploitation, both in terms of directly abusing a child/young person and in terms of facilitating such abuse by others.
- Perpetrators come from a wide range of ethnic backgrounds.
- Many are not previously known to the authorities for sexual offending.¹⁴

¹³ As with the different forms that child sexual exploitation takes, the social spaces in which this form of abuse occurs are dynamic and constantly changing.

¹⁴ That is not to say that they have not committed other sexual offences; it is possible they have but these have not come to the attention of authorities.

- Perpetrators operate as both sole and group offenders.
- Peer perpetration is an issue of increasing concern,¹⁵ with victim/perpetrator overlap occurring within this.

3.4 The impact of child sexual exploitation

The impacts of child sexual exploitation are wide-ranging, and can be profound and long-lasting. This is particularly true when victims do not receive appropriate immediate and ongoing support.

Victims can suffer from a range of health impacts including physical injuries, sexually transmitted infections and longer-term gynaecological consequences for females. They can experience emotional trauma and mental illness such as depression, self-harm, suicidal ideation, post-traumatic stress disorder and drug or alcohol problems. An experience of child sexual exploitation also impacts longer-term life chances, being associated with higher rates of youth offending, poor educational prospects, involvement in adult sex work, isolation from family and friends, negative future relationships and increased risk of other forms of violence or abuse. Beyond the direct impacts on the child or young person themselves, an experience of child sexual exploitation can also create strong ripple effects on friendship circles, family networks and the wider community.

¹⁵ Recorded proportions vary considerably but studies commonly show between one-quarter and one-half of identified cases to involve some degree of peer perpetration.

4. The complexities of child sexual exploitation

Professionals can find child sexual exploitation difficult to identify and respond to. Inquiries, serious case reviews and other investigations have highlighted the need for a more nuanced understanding and enhanced response to both online and offline forms of the abuse. Some of the key challenges and critical points of learning are outlined below.

4.1 Low levels of disclosure and engagement

Few victims of child sexual exploitation directly report their experiences of abuse, although many may signify something is wrong through their behaviours and actions, often hoping someone will ask them what is wrong.

I was throwing hints to people an' all. I was throwing hints 'cause I didn't want it comin' out of my own mouth. I wanted people to work it out... I was getting myself drunk so I could come out with it, 'cause I couldn't say it when I was like sober. I was like 'I can't say it'. (Young person cited in Beckett, 2011)

There can be many different reasons for these low levels of verbal disclosure by victims, including:

- not realising that what they are experiencing is abusive
- emotional ties or loyalty to the perpetrator, particularly if they believe they have some kind of relationship with the perpetrator or have been groomed into the abuse
- feelings of guilt or shame, or feeling in some way complicit in the abuse
- feeling trapped, or being threatened or blackmailed
- not knowing where to go for help
- lack of confidence in services' ability to affect positive change (often due to prior negative experiences)
- fear of being judged or not being believed
- not wanting to lose what they are gaining (money, drugs/alcohol, perceived receipt of love, affection, protection, etc) as part of the abuse
- fear of family or community reactions, including risk of forced marriage or honour-based violence for some.

Victims may be resistant to intervention for the same reasons. Some may maintain links with their abusers (online or in person) even after significant professional and family attempts to protect them. **It is important that continued contact is not misinterpreted as informed choice or an indication of absence of harm.** It should be seen as part of the complex power dynamic of the abusive relationship, similar to that in some situations of domestic violence. As explored in section 8, we should continue to reach out to victims and not make our 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.

4.2 Professional identification

Identifying vulnerability and harm in the teenage years can be challenging. Professionals can find it difficult to reconcile the ongoing need for protection that all children deserve with the need to support increasing and developmentally appropriate autonomy.

Behaviours may be explained away as simply 'being a teenager', or seen as acts of deviance or defiance, rather than being recognised as potential indications of underlying vulnerability or harm.

This is complicated by the fact that many of the identified 'risk indicators' of child sexual exploitation – such as secrecy, drug or alcohol use, or changes in behaviour or emotional wellbeing – can be hard to differentiate from general adolescent behaviours or could be explained by other issues. Unexplained money could, for example, be coming from dealing in drugs (which may or may not be associated with sexual exploitation). Going missing could be explained by children placed out of area wanting to see their friends in their area of origin.

Both could, however, be indicative of child sexual exploitation. It is therefore important to **exercise professional curiosity** and look beyond presenting behaviours to identify underlying causes or vulnerabilities. Substance misuse may, for example, be a means of coping with abuse. Similarly, disengagement from services or family may be orchestrated by an abuser in the background, as may involvement in illegal activity.

4.3 Online child sexual exploitation

Online child sexual exploitation can be particularly challenging to identify and respond to. Children and young people, and perpetrators, are frequently more familiar with, and spend more time in, these environments than parents/carers and professionals who can struggle to remain up to date with the latest sites and potential connection points. Technology offers instant connectivity, with perpetrators able to initiate contact with multiple potential victims at any time. It also offers a perception of anonymity, with children and young people, and perpetrators, potentially saying and doing things online that they wouldn't do offline. This eases the grooming process and facilitates more rapid sexualisation of perpetrator approaches to potential victims. Where exploitation does occur online (through the exchange of sexual communication or images, for example) these can be quickly and easily shared with others. This makes it difficult to contain the potential for further abuse and presents significant challenges around content removal.

Online abuse is further complicated by the fact that it can transcend national borders, with children in England potentially being abused by individuals from other countries. Different legislative contexts, across different countries, present challenges to prevention, detection and prosecution - challenges that are enhanced through perpetrator use of the dark web.

4.4 Understanding the importance of context

Their head be's all pickled and they don't know what they're doin' an' all... They keep goin' back because they think that nobody else cares for them, that they're the only people that's there for them. And because they have drink and drugs, that's why they keep goin' back... People that's been through so much like that, you can't blame them for turning to drink or drugs because it's the only thing; it's givin' them'ins like a big buzz and it's takin' away their problems. But then you get up and then it's happenin' again, so you take more... And when you do something wrong, social workers fall out with you... If you could just throw it all at them'ins and see if they can deal with it! They should like really sit and think to themselves if I was in that person's shoes what way would I feel? (Young person cited in Beckett, 2011)

Where a perpetrator is organising or benefiting from the sexual exploitation of a child or young person, few would dispute that this is an abusive act. However, experience shows we can struggle to identify abuse when the child/young person is receiving something from the exchange. This is particularly true if they are the one initiating the exchange. In these situations it is vital to recognise the importance of context and to challenge any perception that the child/young person is making 'active lifestyle choices'. Such perceptions can hide the abusive nature of what is going on, prevent timely and appropriate action being taken and lead to victim blaming.

Similar outcomes can result from a failure to understand how the context in which sexual activity happens can impact upon a child/young person's capacity to consent to that activity. Even where a young person is old enough to legally consent to sexual activity,¹⁶ the law states that consent is only valid where they make a choice and have the freedom and capacity to make that choice. If they feel they have no other meaningful choice, are under the influence of substances or fearful of what might happen if they don't comply (all of which are common features in cases of child sexual exploitation), consent cannot legally be given.¹⁷

4.5 Constrained choice

Whilst some young people may 'choose' to exchange sex to meet their needs, it is critical to recognise that they are doing so within the context of limited alternative options. Such 'choices' are better understood as '**constrained choices**' or '**survival strategies**' (a way of meeting needs when other means are not available) and do not make the nature of the act any less abusive. The fact that all such scenarios are characterised by a power imbalance in favour of those perpetrating the abuse and/or some form of vulnerability or limited choice on the part of the victim clearly distinguishes the experiences as abusive.

¹⁶ The legal age of consent to sexual activity is 16 years of age. In UK law, where a child is under 13, under no circumstances can it be argued that they consented to the sexual activity. There is, however, a grey area in prosecuting and investigating cases across jurisdictions where the legal age of consent differs; this often presents a challenge in prosecuting cases involving online child sexual exploitation that may cross several jurisdictions.

¹⁷ A person cannot consent if certain circumstances apply. These include the use, or fear of use, of violence against the complainant or other person; the complainant being unlawfully detained; being under the influence of substances (causing the complainant to be stupefied or overpowered); being asleep or unconscious or unable to communicate because of physical disability (extended to include mental disability in later case law); and being deceived as to the defendant's identity (Sexual Offences Act s74-76).

For example, a homeless 17 year old may 'choose' to exchange sex for a place to stay, rather than sleep on the streets. A 14 year old may 'choose' to exchange sex for drugs because using drugs is the only way they can cope with the memories of previous abuse. A 16 year old may 'choose' to leave a placement (where they are physically safe) and get in a car with several men who they suspect are going to rape them, as they have been told if they don't, their younger sibling will be raped. All can be argued to be 'making choices', but all are doing so from a position of vulnerability, fear or need. **None is making an 'active lifestyle choice' or is any less a victim because of that 'choice'.**

Understanding the context within which 'choices' are made is critical to our ability to respond effectively to child sexual exploitation. The context affects:

- **Our ability to recognise abuse:** If we do not recognise the constrained circumstances within which victims make 'choices', we will see them as being 'in control' and not recognise their need for intervention. This can lead to judgements about the victim ('they could have done otherwise') and the use of blaming language (such as putting themselves at risk, making lifestyle choices, or promiscuous or sexualised behaviour) that hides the abuse and shifts responsibility for what they have experienced onto the victim. If we talk about a child/young person engaging in 'risk-taking behaviour', for example, what they (and other professionals) may hear is that they are in some way responsible for what is happening to them and therefore less deserving of our support.
- **The likelihood of victims seeking support:** The fact that children and young people may see themselves as making a choice may in turn prevent them from seeking support. They may feel partly responsible for the abuse ('if only I hadn't...'), ashamed and undeserving of support. They may fear that we will hold similar views and judge rather than support them. They may think getting something in return for the sexual act means it is not abusive, or they may not feel ready to give up what they get. We should remember, and help children and young people understand, that **receiving something does not stop it being abuse**. Nor does the fact that they may have initiated the exchange.
- **How we work with victims:** As explored further in section 8, it is important to recognise the complexity of the abusive experience and the child/young person's potentially conflicting feelings around the exchange element. We need to find a way to help them understand what has happened whilst not dismissing their views and experiences, and address the circumstances that created the conditions for abuse in the first place.

4.6 Systemic challenges

The challenge of responding to child sexual exploitation is compounded by the fact that it does not fit the traditional view of abuse – that is, the abuse of younger children within the family home – around which the child protection system has been constructed (see annex A). Although there are known cases of family members or carers perpetrating child sexual exploitation, risk is more often located outside the home environment. This requires a shift to managing risk within the wider community and/or the virtual world, and a wider partnership approach that explores patterns of risk outside of the family home. Unless there is evidence to indicate otherwise, it also requires a shift to viewing parents/carers as partners in the safeguarding process (rather than a source of risk). As

explored in section 8 and annex B, a participative partnership approach is also required with victims themselves, working with them to achieve meaningful change rather than enforced compliance.

5. Practice considerations

Although the ways in which we respond need to reflect the complexities of this particular form of abuse, **victims of child sexual exploitation are due the same degree of protection and support as any other victim of sexual abuse.** No matter how in control a young person may appear, or how resistant to our intervention, we must always act in the best interests of the child or young person. In line with *Working Together*, we should:

- Remember that our statutory duty to safeguard and promote the welfare of children extends to all under the age of 18 years.
- Recognise that safeguarding is everyone's responsibility and an effective response depends on all playing their part within a co-ordinated holistic response.
- Prioritise a child-centred approach that is based on a clear understanding of the needs and views of the child (see section 8).

Specifically, it is important to:

- **Address misconceptions about who perpetrates and experiences child sexual exploitation.** We need to talk openly with all children and young people about these issues if we are to properly protect them from harm.
- **Recognise that the receipt of something by the child or young person does not negate the abusive nature of the act.** Taking advantage of this need or desire, and making the child/young person think they are in control or somehow responsible because they are getting something, can be part of the perpetrator's strategy.
- **Challenge any perception of victims being in some way responsible for what has happened to them.** Any sense of judgement or blame must be eradicated for children and young people to share what is happening to them and seek support. This includes avoiding 'victim-blaming' words and actions, and thinking about the unintended consequences of what we say or do.

They need to think about the language that they use - they ask you 'have you ever been a sex worker?' How wrong is that – I was a child – I was a baby. (Quote from youth consultation event)¹⁸

Help, don't judge them... When you see young people on the streets, don't call them attention seekers, don't call them prostitutes. See the bigger picture. Why are they on the streets? Why don't they want to go home? See the bigger picture. (Quote from youth consultation event)

- **Become better at identifying vulnerability and harm in adolescence.** We need to exercise professional curiosity and consider what might be behind the presenting behaviours.

¹⁸ As part of the development of this document, the International Centre brought together a group of young people with experience of these issues to ascertain their priorities for practice and to sense check the key messages being developed for the guidance. In the rest of the document, where a quote is cited as a *quote from youth consultation* it refers to this participatory event with young people.

- **Understand that not all sexual activity that appears consensual is necessarily so.** Abusive contexts undermine capacity to give consent (see section 4).
- **Locate child sexual exploitation within a wider understanding of harm and vulnerability.** This involves making connections with other vulnerabilities and forms of abuse and ensuring our response addresses those related concerns.
- **Recognise that a child or young person's vulnerability is not the reason they are sexually exploited.** The reason is that someone is willing to take advantage of this vulnerability and the absence of adequate protective structures around the child and their family (see section 3.2).
- **Recognise and support continuity of professional relationships.** Positive consistent relationships are needed to offer a sense of care, safety and commitment, to develop trust and to counter-balance the negative 'relationships' often associated with child sexual exploitation.
- **Recognise that many children and young people will not see themselves as victims, nor want our support or intervention.** Balancing safeguarding responsibilities with a child-centred approach is challenging. If we do not approach this with sensitivity and understand the victim's viewpoint, we may further isolate them from the help they need (see section 8 and annex B).
- **Adopt a 'whole child' approach.** This should: (a) consider the wider needs, vulnerabilities, strengths and resources of the child or young person; and (b) focus on their wider life circumstances and recognise them as more than 'victims of child sexual exploitation'.
- **Consider the needs of young people 18 and over.** Sexual exploitation does not cease just because a young person turns 18. We know that many young people, including those with additional vulnerabilities such as learning disabilities or being in care, require support after they turn 18. Professionals should ensure they are familiar with the guidance and legislation relating to transitions and safeguarding adults in need of care and support, and liaise with adult services at the earliest opportunity.

The following sections explore the application of these considerations in relation to:

- prevention
- identification and assessment of need
- working with those affected by child sexual exploitation
- disruption and prosecution.

6. Prevention

Prevention is better than cure. Once it's happened, it's happened. (Quote from youth consultation event)

As outlined in section 3.4, the harmful effects of child sexual exploitation can be 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 better protect children and young people through awareness-raising and resilience-building work. Early identification and proactive risk-minimisation, management of perpetrator risk and support to prevent re-victimisation, are covered in sections 7 to 9.

A primary preventative strategy should:

- Educate all children and young people about the nature and risks of grooming, child sexual exploitation and other forms of related harm (both online and offline) and how to access support.
- Recognise that children/young people can be both victims and perpetrators of child sexual exploitation.
- Promote the resilience of children/young people and their families and strengthen the protective factors around them.
- Identify and support those settings, such as schools and colleges, in which 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 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 child sexual exploitation (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 child sexual exploitation 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 those identifying as Lesbian, Gay, Bisexual, Transgender, Queer or Questioning (LGBTQ), Black and Minority Ethnic (BME) and/or deaf or disabled children and young people.

6.1 Professional awareness

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

- Ensure they are aware of local protocols in relation to child sexual exploitation.
- Recognise learning and development around this as an essential part of their role.
- Discuss learning needs in relation to child sexual exploitation with their supervisor or manager.
- Identify and access training opportunities that reflect their professional role (annex A provides an overview of key messages that training should cover).
- 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.

6.2 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 we do not educate children and young people about the risk of child sexual exploitation (and other forms of sexual abuse) before perpetrators approach them, we leave them unprotected. Education should start at primary school level and expand in line with increasing age and developmental understanding. It should be accompanied by wider resilience-building work that enhances protective capacity within and around the child or young person (see section 6.5 below).
- **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 child sexual exploitation 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 child sexual exploitation should be addressed as part of a wider programme of work on sexuality and sexual development, choice and consent, healthy relationships, harmful social norms, 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 child sexual exploitation should be delivered within a safe non-judgemental environment, by credible individuals who are confident discussing the issues and able to gently challenge unhelpful perceptions. They should be relevant and accessible to all children and young people, irrespective of gender, cognitive functioning or sexuality, for example. 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.

6.3 Educating parents and carers

Parents and carers have a critical role to play in helping to protect children and young people from child sexual exploitation. 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 (see section 7) by identifying emerging vulnerabilities or potential indicators of abuse and seeking support before risks escalate. In order to support them, we need to 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 helps them to overcome any barriers such as language.

6.4 Community awareness raising

We are increasingly recognising the critical preventative role that can be played by individuals outside of the child or young person's immediate circles of influence, in terms of identification and reporting of risk. This includes those working in particular roles or places where perpetrators may operate, such as hoteliers, taxi drivers or park wardens. It also includes 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. By educating people about child sexual exploitation, the things to look out for and where to report concerns, we will significantly enhance the protective capabilities of our communities.

All of the above initiatives should be grounded in efforts to bring about wider social change around how child sexual exploitation is viewed and a zero tolerance approach to perpetration. Particular attention should be paid to unhelpful stereotyping, harmful messages around blame and responsibility, and potential barriers to disclosure such as community reputation, stigma or shame.

6.5 Enhancing resilience and protective factors

Enhancing children 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.

Both risk and protective factors build up over time. Providing support as early as possible offers the greatest potential for promoting resilience, so universal and early help services have a vital role to play. Carefully managed and developmentally appropriate exposure to risk is necessary if children are to learn coping mechanisms. This presents challenges in practice with children and young people affected by child sexual exploitation, as explored in section 4.

Safe and consistent relationships are paramount to the promotion of resilience. This means children and young people must be enabled to establish and maintain trusting relationships with key adults, and these should not be fragmented through organisational structures or processes. High self-esteem, authoritative parenting and emotional awareness are all associated with resilience. Equally important is self-efficacy.¹⁹ This echoes the importance of working in partnership with children and young people, of respecting their voices and of empowering them to play a part in their own safety (whilst recognising being safe is not the responsibility of the child or young person).

¹⁹ Self-efficacy means a person's belief in their ability to do the things necessary to achieve certain goals. It involves having confidence in our ability to control our own motivation, behaviour, and influence our social environment.

7. Identification and assessment of need

Where there are signs that a child is being groomed or exposed to particular risks around child sexual exploitation, providing help as early as possible is clearly preferable to intervening after harm has occurred or become entrenched, although the principles outlined in this section apply in those cases also. Ensuring early help requires early identification of heightened risk or potential harm; appropriate reporting and recording of concerns; and early assessment of, and response to, need.

This doesn't just happen, it happens because either things just aren't addressed, people are less able to fend for themselves and they don't get the help that they need, for whatever reason, and are put into difficult positions and sometimes it DOES take them there and if people were there to help them in the first place then they wouldn't, then this wouldn't happen... (Young person cited in Hallett, 2013)

7.1 Identifying child sexual exploitation

Identifying cases of child sexual exploitation is a difficult task, not least because of the hidden nature of the abuse, the many different forms it can take and low levels of disclosure by victims. Sets of 'risk indicators' have been developed to try to aid identification of child sexual exploitation. These commonly include factors such as:

- unexplained money or gifts
- going missing (for short or long periods)
- being distressed or withdrawn on return
- disengaging from existing social networks
- secrecy around new associations
- additional mobile phones or concerning use of technology
- sexual health problems
- disclosure of rape/sexual assault (and reluctance to report)
- changes in temperament/emotional wellbeing
- drug or alcohol misuse
- secretiveness
- unexplained physical injuries.

Whilst it is important for professionals and parents or carers to be aware of and alert to these indicators, it is important to remember that **this is not an exhaustive list**, nor is there any definitive interpretation of what these indicators might look like – what constitutes concerning use of technology, for example. It is also important to realise that **these indicators are not exclusive to child sexual exploitation**. Some may be explained by normal adolescent development and associated changes in behaviour; some might be explained by other issues such as drug dealing. So while the presence of a number of these factors should prompt questions around the possibility of child sexual exploitation occurring, we should remain open to the potential for other explanations.

More importantly, we should also remain open to the fact that **child sexual exploitation can occur without any of these risk indicators being obviously present** and this has been proven to be the case in practice. We 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. We

should also remember that risk assessments only capture risk at the point of assessment and that levels of risk vary over time.

As can be seen from the list above, there is some overlap between what constitutes a 'vulnerability factor' (something that may enhance vulnerability to child sexual exploitation) and a 'risk indicator' (something that may indicate harm is occurring). Substance misuse is a good example. Drug use may increase a child/young person's vulnerability to exploitation because it provides an abuser with a potential route for access and control; and victims of sexual exploitation may turn to substance misuse to cope with what they have experienced. If we are to pitch our responses appropriately, it is important we understand the nature of the relationship between the indicator/vulnerability and the risk/harm (which is contributing to the other?).

Given all of these challenges, it is those who know and have a relationship with the child or young person who are generally best placed to identify potential concerns about, and assess associated risk around, child sexual exploitation. They will have the contextual understanding to identify changes that represent something more than adolescent behaviours and make sense of the range of vulnerabilities that the child or young person may be facing. The person with this knowledge could be a parent/carer, teacher, youth worker, social worker or other professional worker or, as is often the case, a mixture of the above given the different knowledge and interactions each will have with the child or young person. It is important that all such perspectives, alongside that of the child/young person, are incorporated in any risk assessment processes.

If at any time you believe a child or young person may be a 'child in need' (under section 17 of the *Children Act 1989*), or that the child has suffered significant harm or is likely to do so, a referral should be made immediately to local authority children's social care, who should make enquiries and decide if any action should be taken under section 47 of the *Children Act 1989*. This referral can be made by any professional.

7.2 Collaborative working and information sharing

Children and young people are best supported and kept safe when professionals and agencies:

- Share information routinely, accurately, with consent wherever possible and in accordance with local protocols.
- Share intelligence about individual cases and wider patterns of risk.
- Share skills and expertise and actively learn together.
- Collaborate to ensure assessments reflect the child/young person's needs, vulnerabilities and strengths.
- Form a 'team around the child' to ensure support is well co-ordinated and holistic.
- Manage the number of different professionals that a child/young person and their family have to engage with.

All professionals should ensure that they are familiar with local information sharing protocols and consult with their manager and/or agency safeguarding leads where there are concerns about a child's safety. 'Information sharing: advice for practitioners providing safeguarding services' provides more information for frontline professionals

making decisions about sharing personal information; this includes the seven golden rules for sharing information effectively.

7.3 Assessment

Where an early help assessment is the appropriate route (see *Working Together*, 2015, page 13), it should be undertaken with the agreement of the child or young person (and their parents/carers where appropriate) and support their involvement in the process. If the child or young person (or their parents/carers if the child is not old enough or lacks capacity) does not consent to an assessment, then the lead professional should make a judgement as to whether the child/young person's needs will escalate without help. If so, a referral to local authority children's social care may be necessary.

Where child protection concerns emerge (that is, reasonable cause to suspect a child is suffering, or likely to suffer, significant harm) local authority social care services must make enquiries and decide if any action should be taken under section 47 of the *Children Act 1989*. In this instance, although clearly preferable to be working in partnership with the child or young person and their parents or carers, consent is not required.

The following principles (which echo those in *Working Together*, 2015, page 14) underpin effective assessment procedures. High-quality assessments:

- Are child-centred and prioritise the child's best interests.
- Are rooted in understanding of child and adolescent development and informed by evidence.
- Use information that is gathered systematically, and checked with the child or young person and others (with differences of opinion or contradictory information recorded).
- Consider the impact of what is happening to the child or young person and the services they require to address their health and wellbeing needs.
- Provide an analysis of this information, drawing on professional judgement.
- Focus on outcomes not process.
- Are holistic in approach, addressing the child or young person's needs within their family, their peer group, their school and wider community.
- Ensure equality of opportunity and consider issues of diversity (whilst avoiding 'one size fits all' assumptions about different groups).
- Involve the child or young person, and their family where appropriate, capturing their views and wishes.
- Recognise strengths and promote resilience, as well as identifying risk and needs.
- Make clear the action to be taken.
- Aim to ensure support is co-ordinated and not delivered in a piecemeal way.
- Are transparent and open to challenge.
- Are reviewed, reflected upon and revised if new information comes to light.

Where there has been any movement of the child/young person (even from one area to another within England), professionals should also consider using the National Referral Mechanism. This applies to victims of both domestic and international trafficking and is designed to facilitate relevant multi-agency involvement in trafficking and modern slavery cases, ensuring that the victim, for example, receives safe accommodation, appropriate protection, support and advice.

Ensuring that the right children and young people receive the right help at the right time requires professionals to be skilled at identifying risk and assessing need. Professionals should draw on evidence and research as well as support from their supervisors/ managers, apply professional judgement and be supported to critically reflect on the information gathered. Above all, professionals should listen to children and young people and strive to see the world through their eyes, while recognising that the child or young person's perception may be clouded by the abusive nature of their experiences.

8. Working with children and young people affected by child sexual exploitation

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. (Quote from youth consultation event)

When specific concerns are identified about child sexual exploitation, it is critical that children and young people receive the services they need, delivered in a way that recognises the complexity of their situation and maximises the likelihood of engagement. All such practice should be underpinned by a commitment to upholding children's rights in line with the United Nations Convention on the Rights of the Child. This includes a child/young person's Article 12 right to have a say on matters that affect them in accordance with their evolving capacity.

What this looks like will differ according to the individual child/young person, whether the work is preventative or recovery-based and the support and intervention they require. However, common to all should be a commitment to:

- **Working in the absence of a formal disclosure:** The evidence base suggests that many victims may not reach a point of formal disclosure without the provision of (long-term) professional support. It is therefore critical that support is not dependent on disclosure and that children and young people are not pressured to disclose before they are ready. The implications of formal disclosure are far-reaching and can be particularly damaging if triggered before a child or young person is prepared to deal with them. While it is important to create opportunities for disclosure, and ask questions that can open up these conversations, this should be done in a facilitative rather than a directive way.

The more you push, the more young people close up. When you push people, they don't want to speak to you. So don't push, but equally help people to tell – and help children to help others (Quote from youth consultation event)

- **Inclusive and accessible non-discriminatory practice** for all children and young people. This involves consideration of the full range of equality issues to ensure that information is accessible and relevant and that any barriers to accessing services (needing an interpreter, communication aid or wheelchair accessible venue, for example) are addressed. It also involves recognising specific vulnerabilities, risks and strengths and ensuring that these are appropriately addressed in any preventative or recovery-based work.
- **Empathetic and non-judgemental practice:** Any suggestion of judgement or blame will quickly alienate a child or young person and undermine our protective efforts. We should constantly check ourselves for unconscious judgements and be mindful of how our language and actions may be understood by others. Supervision and reflective practice are important ways of helping professionals to develop these skills and awareness. If we talk about a child/young person placing themselves at risk, for example, what that can say to them is 'you put yourself at risk therefore you are responsible for what has happened to you'. This can compound existing feelings of shame or responsibility and result in them disengaging from services.

- **Unconditional support:** The message that care and attention can be provided without an expectation of anything in return is particularly important in the context of child sexual exploitation, which is characterised by commodification and exchange. Children and young people need to be able to access services without feeling they have to give anything in return. They need to feel that the person working with them genuinely cares for their safety and welfare, and does not have a hidden agenda. When asked what this looks like in practice, children and young people talk about professionals prioritising them, being visibly attentive, responsive and reliable, remembering personal things about them, and sticking with them even when this might be difficult.

Don't give up just because they don't engage straightaway they will try and push you away... The worker needs to always be there to support you whatever you need. (Quote from youth consultation event)

A lot of people have pushed us into things, have forced us to do things and made a lot of decisions for us and we don't need the people who are there to help us, to do it as well. (Young person cited in Jago et al, 2011)

- **A consistent approach to build trusting relationships:** A key component of effective safeguarding practice is the presence of safe and trusting relationships within which victims feel valued, are supported to communicate, feel listened to and feel part of identifying solutions. Building such trusting relationships takes time and skill, and relies on continuity of professionals and persistent commitment to the child or young person, even when they may resist attempts at engagement. When working in multi-agency contexts, professionals should identify which individual or individuals are best placed to develop such relationships (where possible in consultation with the child or young person). This may mean the role of other professionals includes advising or supporting this individual's engagement with the child/young person.
- **A holistic response:** Closing down contact with (potential) perpetrators or removing the child/young person from potentially harmful situations is not, on its own, an adequate response to child sexual exploitation. While it is critical to address the child or young person's physical safety, this only addresses the immediate source of risk, not the underlying conditions for abuse. **It is also important to understand and address any underlying vulnerabilities (unmet emotional needs, drug use or previous sexual abuse, for example) to provide recovery work.** Professionals also need to consider other connected issues in the child or young person's life and take proactive steps to enhance the protective factors around them.

If you are taking something away that we see and experience as positive, fun or good, you must help us find an alternative that it is also positive, good and preferably fun... (Young person cited in Children's Society, 2014)

- **A resilience and strengths-based approach:** Children and young people highlight the importance of their existing resources and strengths being mobilised within the recovery process. They want support which encourages hope and doesn't solely focus on risk and deficits, or limit their identity to that of 'a victim of child sexual exploitation'. The evidence suggests that this is critical for building engagement and resilience to support safety and wellbeing in the longer term.

A young person doesn't want to feel like a victim – make them feel normal and reassure them that they're not the only one... (Young person cited in Hagell, 2013)

- **Understanding the perspective of the child/young person:** As highlighted previously, the complexities of child sexual exploitation can mean that children and young people do not see themselves as victims of abuse; they see themselves as being in control, have strong feelings for the perpetrator and/or feel in some way responsible for the abuse they have experienced. While not endorsing such a perspective (and in the long term helping them to reach an alternative understanding), it is vital that we try to understand how the child or young person views their situation, their complex feelings around this and how these might impact on their reaction to intervention or support. Failure to do so, or insensitive dismissal of their perspective, can increase the child or young person's distress and make meaningful engagement and change difficult to achieve.

What I want is staff who sit down and talk to you calmly and they don't judge you... you want someone to understand why you did what you did... (Quote from youth consultation event)

Instead of shouting at me and saying 'why did you do it?'... [They should be] letting you get your point across first, then putting their point across and about how they see it differently, instead of just saying that was wrong. (Young person cited in Warrington, 2013)

- **Engaging children and young people in decision-making processes:** Children and young people often report a loss of control when services become involved in their lives. This can inadvertently replicate the dynamics of the abuse. It is important that we take active steps to redress this by ensuring that children and young people's views inform decision-making processes and by supporting them, wherever possible, to gain more control over their lives and circumstances. Children and young people want professionals to work with and alongside them, rather than have safeguarding and welfare processes imposed upon them without consultation or explanation. This is important for a number of reasons including redressing the silencing and disempowerment of abuse, maximising likelihood of engagement, promoting self-efficacy which is critical to resilience and ensuring change will be sustainable.

Keep asking the young person. Don't make assumptions about what's right for them. (Quote from youth consultation event)

It's about choice and empowerment. It's telling them what's available, not making decisions for them... (Young person cited in Beckett and Warrington, 2015)

- **Engaging parents and carers as protective partners:** As long as they are not a source of risk, parents and carers (and children and young people's wider support networks) offer a very important protective resource. Professionals should seek to engage them as safeguarding partners, educating them about how to support and protect their child and working with them to enhance protective factors around the child or young person. For this to work effectively, parents and carers need to feel they are not being judged for what has happened to their child. They also need to receive support to deal with their own feelings and support needs, as well as those of their child.

Where the child is known to have experienced child sexual exploitation and recovery work is being provided, it is important that approaches are also underpinned by:

- **An understanding of the impact of trauma upon a victim:** Evidence around addressing child sexual exploitation increasingly highlights the importance of a

trauma-informed approach. Experience of child sexual exploitation can involve traumatic physical, emotional and sexual abuse. It is important that we recognise the impact of these traumatic experiences, both in terms of how the victim may act and in terms of how we work with them. We should also recognise the importance of prioritising safety and trust post-trauma, and the importance of accessing mental health support where required.

Hurting takes time, healing takes longer. (Quote from youth consultation event)

- **A recognition of the long-term and non-linear nature of recovery:** Both the effects of abuse, and the connections to abusive individuals or contexts, can have long-term detrimental impacts. Unravelling these connections and addressing these impacts require long-term investment in victims. Recovery is not always a linear process and so children and young people who have experienced this abuse require us to demonstrate a commitment to ongoing support.
- **Working with risk:** Meaningfully engaging children and young people in their protection and recovery can be challenging. It requires careful judgement and a nuanced understanding of how to balance the need for protection alongside the need to facilitate the child/young person's need and desire to exercise control over their own life. If we are to help them come to an alternative understanding of their situation, and thereby secure longer-term meaningful change rather than just enforced compliance, we need to accept that this may mean working with them while they continue to experience harm. It may mean seeking to minimise risk rather than assuming it is possible (or necessarily helpful) to immediately eradicate this risk. Professionals need the support of skilled supervisors and managers to ensure that judgements and decisions are made in the best interests of the child or young person, to help navigate systemic challenges around this and to help them manage the emotional impact and complexity of the work.
- **An understanding of the impact of engagement in criminal justice processes and provision of support around this:** Children and young people repeatedly report how difficult and potentially traumatic it is to engage in criminal justice processes, highlighting the need for specific support around this. This is needed both during the process, and afterwards when children, young people and their families can feel particularly vulnerable and isolated, and may be left with a deep sense of injustice and frustration.

For me, after the sentencing was the worst time. I don't know why, but during the investigation you always have something on your mind to distract you... Once it all ends you only have that to think about and it overwhelms you and everyone's trying to get on with their life and you're still stuck in that moment. (Young person cited in Beckett and Warrington, 2015)

- **An understanding of the importance of endings:** While children and young people recognise that services can't work with them indefinitely, they highlight the need for this withdrawal to occur in a gradual and planned manner. Where endings are determined by systemic requirements (for example, service provision ending once a child turns 18), rather than reflecting a victim's decreased need for support, it is critical that alternative support structures are put in place before support is withdrawn. Transitions need to be carefully planned and managed in partnership with children and young people, as far in advance as possible.

Withdrawing the service suddenly can make us feel rejected and powerless after building up a trusting relationship... Make sure there is a clear exit strategy that will help us transition to independence. (Young person cited in Hagell, 2013)

9. Disruption and prosecution of perpetrators

A comprehensive response to child sexual exploitation requires a proactive focus on those perpetrating the abuse. Culpability for abuse firmly rests with perpetrators and our response should reflect this fact. We should seek both to disrupt perpetrator activity and to hold perpetrators to account for their actions. Failure to do so sends unhelpful messages about the seriousness of the abuse and can result in prolonged experiences of harm for victims. It also places other children and young people at risk of future harm.

An effective response to perpetrators should include:

- Preventative work to reduce the likelihood of perpetration in the first place.
- Proactive intelligence gathering by the police, including the development of problem and subject profiles and network analysis. This process can and should be supported by a range of other professionals who can provide police with critical information about risks to individual children and wider patterns of harm and risk (see below).
- Proactive use of disruption techniques, and civil orders, to disrupt perpetrator contact with (potential) victims (see section 9.1).
- Proactive pursuit of criminal prosecutions (see section 9.2).
- Consideration of the complexities of peer perpetration and the potential for victim/perpetrator overlap within this (see section 9.4).

Although criminal justice agencies will lead disruption and prosecution efforts, all professionals have an important supporting role to play. This can include:

- Helping a young person identify the harm they are experiencing and supporting them to report offences to the police.
- Supporting intelligence gathering by providing police with information, such as details of car registrations, taxi firms, or texts or emails you have seen, at the earliest opportunity – although this may seem insignificant in and of itself, it can contribute to a critical broader intelligence picture.
- Providing third-party reports (what you have been told/seen) that can corroborate a young person's account.
- Where an offence has occurred, helping to maintain integrity of evidence until collected by the police (ensuring clothing or potential DNA on a victim's body are not washed, for example).
- Supporting children and young people through (and beyond) criminal justice processes.
- Ensuring implementation of best practice guidance when involved in processes such as Achieving Best Evidence (ABE) interviews.

9.1 Disruption measures

Disruption of victim/perpetrator contact is an essential strand of a comprehensive response to child sexual exploitation and particularly beneficial where criminal convictions cannot be secured. There is a range of disruption measures that can be used to close down potential locations of abuse, restrict victim/perpetrator contact or place other controls on suspect behaviour in the absence of a criminal prosecution. These include formal measures such as use of licensing laws or civil orders (such as Sexual Risk Orders or Slavery and Trafficking Risk Orders) and more informal measures such as

increased police presence in known hotspots. Further detail is available in the guide to disruption techniques provided in Annex C.

9.2 Prosecution measures

While disruption techniques have a very useful role to play in tackling child sexual exploitation, they should never replace attempts to prosecute. The *Sexual Offences Act 2003* and the *Serious Crime Act 2015* together provide a robust suite of options that can be used to prosecute cases of child sexual exploitation. The new *Modern Slavery* legislation can also provide a helpful medium for prosecuting child sexual exploitation cases.

The *Serious Crime Act 2015* changed all references to ‘child prostitution or pornography’ in the *Sexual Offences Act 2003* with the alternative wording of ‘sexual exploitation of children’, creating a set of offences entitled ‘sexual exploitation of children’.²⁰ As explained in annex C, these can be used in cases where the exchange is financial in nature or where an indecent image of the child is recorded. If neither of these conditions is fulfilled, other sexual offences should be pursued.²¹ There are many options that can be used in such circumstances including sexually communicating with a child under 16, engaging in sexual activity with someone under 16 (or facilitating or arranging this), familial sex offences or abuse of a position of trust.

More detail on these and other offences can be viewed in Annex C but pertinent principles to remember are:

- The legal age of consent to sexual activity is 16.
- Non-consensual sex is rape, whatever the age.
- If the victim is incapacitated through drink or drugs, or the victim, or their family, has been subjected to violence or the threat of it, they cannot be considered to have given true consent, and, therefore, offences will have been committed.
- 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.
- It is an offence to cause or incite a child under 16 to engage in sexual activity, even if you do not actually engage in sexual activity with them yourself.
- It is an offence to sexually communicate with a child²² or to (attempt to) meet a child under 16 following sexual grooming (with the intention of committing a sexual offence).
- 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.
- The offence of ‘paying for the sexual services of a child’ covers all under 18s.
- The offence of human trafficking includes trafficking within the UK (and is an offence irrespective of whether the victim consents to the travel).
- Where the sexual activity with a 16 or 17 year old does not result in an offence being committed, it may still result in harm or the likelihood of harm being suffered.

²⁰ The content of these offences remains the same; only the descriptor has changed (see annex C).

²¹ In recognition of the differences between the legislative and policy definitions of child sexual exploitation, the government has made it mandatory from April 2016 for police forces to flag all police recorded offences that meet the policy definition.

²² Although at the time of writing, enactment of this provision remains forthcoming.

9.3 Improving prosecutions

Successful prosecutions in cases of child sexual exploitation are still few and far between with high rates of attrition recorded throughout the different stages of the criminal justice system. Given the potentially traumatic nature of victim engagement in the system and the evidential difficulties in sexual offences cases, this is not surprising. However, prosecutions can be made more likely by:

- Supporting all professionals to provide soft intelligence, recognise what may constitute evidence and know how to properly record/gather this and pass it on to the police.
- More consistent application of good practice guidance around investigating and prosecuting child sexual abuse cases.
- Utilising the full range of criminal offences available, including those that can be used to protect 16 to 17 year olds who can legally consent to have sex.
- Enhanced evidence-gathering techniques, including increased use of third-party evidence.
- The early involvement of the Crown Prosecution, to provide pre-prosecution advice and inform the investigation process.
- Improved engagement techniques with victims and prioritisation of victim support to improve their accounts of the abuse and to increase the likelihood of them remaining engaged throughout a difficult and potentially traumatic process.
- Increased judicial management of court processes.

9.4 Peer-on-peer child sexual exploitation

Young people who perpetrate child sexual exploitation require a different response to adult perpetrators. This does not in any way suggest that the harm experienced by children or young people abused by their peers is any less significant than the harm experienced by those abused by adults (nor that this harm does not need to be addressed), but rather that there are numerous factors that should be considered when working with young people who perpetrate child sexual exploitation (and therefore display harmful sexual behaviour). While such responses may involve criminal justice pathways/sanctions at times, and the legislation provides for this, every child or young person who displays harmful sexual behaviour should also have their safeguarding and welfare needs actively considered.

It is important to understand that young people can be both experiencing child sexual exploitation and perpetrating it at the same time. For example, a 14-year-old male who is told he must take part in a 'line-up' if he wants the protection of the gang and does so under duress, knowing the 15-year-old female giving them all oral sex is being forced to do it to pay off her drug debt. Or a 16-year-old female, who is told to introduce two 14 year olds to her abusers, if she does not want her 11-year-old sister to be sexually assaulted. These situations require a nuanced approach that can recognise and engage with the young person's perpetration within the context of their own victimisation.

This involves different agencies working 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 - see Firmin's (2015) contextual safeguarding model for further information (available from www.beds.ac.uk/ic).

We also know that children and young people who experience child sexual exploitation can be manipulated by their abusers to become involved in other forms of illegal activity such as shoplifting or drug dealing, for example. This can be part of a purposeful strategy on the part of the perpetrators to control their victims and to ensure they have something to hold over them should they think of reporting their abuse, and any subsequent offending should be viewed in light of this.

Annex A: A strategic framework for practice

A.I Introduction

An effective practice response to child sexual exploitation requires strategic leadership, guidance and support, delivered according to the overarching *Working Together* principles that:

- all under 18s are due protection and support
- safeguarding is everyone's responsibility
- a child-centred approach is required.

Local authorities have an overarching responsibility for safeguarding all children and young people in their area. Their statutory functions under the 1989 and 2004 *Children Acts* 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 that 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. Professionals working in agencies with these duties are responsible for ensuring that they fulfil their role and responsibilities in a manner consistent with the statutory duties of their employer. (See *Working Together*, 2015 pages 52-64 for details of duties applying to organisations).

A.II Leading an effective local area response

From a strategic perspective, an effective response to child sexual exploitation is one that:

- 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 collaborative and multi-agency (including statutory, voluntary and community sectors) with clear roles and responsibilities and clear lines of communication and accountability.
- Is underpinned by effective information sharing and intelligence sharing.
- Locates child sexual exploitation 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 early help and ongoing support that is responsive to individual need, strengths-based in approach and available over the longer term (recognising that disclosure, resilience-promotion 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 behaviour 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 onto systems in order to ensure effective record keeping and retrieval and assist information sharing (NB. Home Office direction states that this should be based on the policy definition of child sexual exploitation and not just the criminal offences of that name).

Recent learning indicates that there is still some way to go to ensure that these and other key principles are consistently applied in relation to child sexual exploitation. Key considerations for strategic leaders include:

- **Systemic development:** The traditional child protection framework does not always offer adequate protection, or sufficiently flexible responses, to child sexual exploitation. This is related to who is perpetrating the abuse (often non-familial), where it occurs (often online or outside the family home), and the population affected (predominantly adolescents, whose lives are increasingly independent of adult influence). A more contextual and flexible safeguarding model would be better able to:
 - Differentiate between risk and actuality of child sexual exploitation.
 - Identify and address risk and harm in both online and offline spaces.
 - Work collaboratively to minimise harm in non-familial contexts.
 - Recognise the range of social areas in which harm can occur and the connections between them.
 - 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.
 - Support professionals to work in partnership with children, young people and their families to achieve meaningful change, identify protective factors and hold risk with a focus on building resilience.
 - Work with (non-offending) parents or carers and the community as safeguarding partners.
 - Support continuity of relationships between children and young people and key professionals, limiting the number of different professionals a child or young person has to engage with.
- **Local understanding:** Every area will have its own child sexual exploitation profile. Local responses should be based on an inter-agency assessment of this profile. This requires effective local arrangements for sharing and collating intelligence and other information about communities, environments, perpetrators and victims.
- **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 violence and other gendered violence and going missing. The necessary focus on child sexual exploitation should not overshadow a focus on other manifestations of abuse.

- **Engaging with diversity:** The evidence base demonstrates that some cohorts of children and young people – males, children with disabilities, LGBTQ and BME 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-country working is very important in relation to online abuse and trafficking.
- **Inter-agency working:** While significant progress has been made here, challenges remain. Important areas for improvement include:
 - the practical implementation of information sharing guidance²³
 - common risk assessment processes that are: evidence-based; consider vulnerability, risk and resilience; prioritise professional judgement; and do not rely on simplistic scoring
 - clarity about professional roles and thresholds 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.
- **Readiness of the professional workforce:** *Working Together* recognises that everyone who works with children – including social workers and other children's services professionals, adult services professionals, teachers and other school staff, GPs, CAMHS practitioners, nurses (including school nurses), midwives, health visitors, early years professionals, youth workers, youth justice professionals, the police, A&E staff, paediatricians, and voluntary and community workers – has a responsibility for keeping them safe. 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. See below for more detail on educating the professional workforce.
- **Harnessing the wider community:** Those who do not necessarily 'work with children' also have a contribution to make to tackling child sexual exploitation. Hoteliers, taxi drivers, park wardens, refuse collectors and retail workers (amongst others) may hold vital information about the movement of victims and perpetrators. Educating those who work in local businesses (including the night-time economy) and the general public about what to look for, and how to report concerns, can significantly enhance local disruption and protective capabilities.
- **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:

²³ <https://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice>

- 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’.
- **Openness to learning and improvement:** There has been considerable learning in recent years around how better to identify and respond to child sexual exploitation. It is vital this learning continues to develop and that children’s voices (along with their parents/carers and other supporting adults) are central to that process. It is also vital, as *Working Together* observes, that such processes be marked by transparency and accountability and that appropriate action and monitoring ensues to ensure that improvement is realised and sustained.

A.III Educating and enabling the professional workforce

Professional training and local protocols should clearly outline the roles and responsibilities of different professions in safeguarding children from harm (see *Working Together*, 2015). In addition, training should address the complexities of identifying and responding to child sexual exploitation, emphasising:

- Professionals’ safeguarding responsibilities (as outlined in *Working Together*, 2015) and local reporting routes in relation to this.
- Child sexual exploitation is a form of child sexual abuse.
- Child sexual exploitation 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 our statutory duty to safeguard does 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 judgement, 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 professionals – for example, shadowing, co-working and peer observation.
- Ongoing high-quality supervision.
- A focus on reflective practice to help professionals navigate complexity.
- A recognition of the emotional impact that such work can have on professionals, and access to support in order to manage this.

Annex B: Adolescent development

B.I Introduction

Adolescence is one of the most dramatic stages of development. With puberty come bodily changes (such as spurts in growth and development of the 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, including 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 gain in the skills comprising 'executive functioning': the control and co-ordination of thoughts and behaviours. 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.

B.II Transitions

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

- anticipation of the future
- a sense of loss or 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 they should be treated as a child or an adult.

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 become more 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.

B.III 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).

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. However, young people may also be particularly receptive to support and positive guidance from their peer group; it makes sense, therefore, that relationships are 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. 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. Perpetrators of child sexual exploitation can be acutely attuned to these developmental tendencies, which they may manipulate in order to execute abuse. By late adolescence, romantic attachments (when they are present) can offer a central source of support. However, they can also be a source of harm, with significant levels of intimate partner violence observed in some such relationships.

B.IV 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.

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

B.V Risk and adolescent development

Adolescence is recognised as a period of vulnerability to what is described as ‘risk-taking’ behaviours. These behaviours might involve ‘riskily’ seeking rewards (for example, the use of illegal recreational drugs) as well as impulsively responding to threats (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 choices. 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.

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 inter-connected 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).

B.VI 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. 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. Adolescent agency in relation to risk makes adolescents 'imperfect victims' 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. 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. 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.

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, innovating within social care to better meet the needs of adolescents and working preventatively in order to support wellbeing.

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) 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 a 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.

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.

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. 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. 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)

Annex C: Guide to disruption and prosecution of perpetrators

C.I Disruption measures

Where we do have an identifiable perpetrator, or suspicions about the same, there are numerous civil measures that can be used. These are an essential piece of the jigsaw in combating child sexual exploitation, alongside criminal processes and other child protection procedures. While they should not be viewed as a replacement for pursuit of criminal convictions which offer greater longer-term monitoring of offenders, they do offer very helpful means of disrupting perpetrator-victim contact, closing down potential locations of abuse and placing controls on suspect behaviour in the absence of a criminal prosecution.

The range of formal and informal disruption measures that can be used in cases of child sexual exploitation 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
- use of licensing laws and powers to obtain guest information or close down premises associated with child sexual exploitation.²⁴

An effective disruption strategy will use a range of these methods in conjunction with one another to both address individual perpetrator behaviour and address wider contexts of concern. 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 with or contact 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 years old, thereby taking away the age defence in criminal cases.

Sexual Harm Prevention Orders (SHPOs)²⁵ can be applied for by the police or the National Crime Agency. They can be used to impose restrictions on an individual who

²⁴ The 2014 *Antisocial Behaviour, Crime and Policing Act* gives the police or local authority power to close down premises where they have reasonable grounds to believe it is being, or likely to be used, for child sex offences and its closure is necessary to prevent this. Under the same Act, police can require an establishment to provide guest information if they believe the premises has been or will be used for child sexual exploitation or connected activities.

²⁵ SHPOs and SROs replace the previous Sexual Offences Prevention Orders (SOPO), Risk of Sexual Harm Orders (RSHO) and Foreign Travel Orders.

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 nature²⁶ 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.

Where there are concerns that a child has been trafficked as part of 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.

²⁶ 'Acts of a sexual nature' are not defined in legislation, and therefore will depend to a significant degree on the individual circumstances of the behaviour and its context. Home Office 2015 guidance on part 2 of the SOA provides examples including engaging in sexual activity, watching sexual activity or images, sexual communication with a child and acts suggestive of grooming.

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. It applies to victims of both domestic and international trafficking and is designed to facilitate relevant multi-agency 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.

C.II 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)
- 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)
- 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 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); though readers should note that at the point of writing enactment remains forthcoming. 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 (eg, 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)
- 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
- 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.
- 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 are being perpetrated within the context of child sexual exploitation.

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 trafficking²⁷, 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.²⁸ 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 multi-agency 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 multi-agency 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.

²⁷ In an attempt to simplify and condense human trafficking offences, the *Modern Slavery Act 2015* introduced one offence of human trafficking covering sexual and non-sexual exploitation. Trafficking offences contained in the *Sexual Offences Act 2003* and the *Protection of Freedoms Act 2012* have now been repealed and replaced by the offence of Human Trafficking.

²⁸ Arranging and facilitating includes recruiting, transporting, transferring, harbouring, receiving or exchanging control of that person.

Annex D: Sources

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Annex A: A strategic framework for practice

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