

Child Sexual Exploitation Pan-Lancashire Guidance



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Introduction

This document sets out the arrangements for safeguarding and protecting the welfare of children from Child Sexual Exploitation (CSE) for the local safeguarding children boards of Lancashire, Blackburn with Darwen and Blackpool. It sets out guidance so that agencies and partnerships can provide services to prevent CSE, protect children at risk of, or experiencing CSE and pursue perpetrators through disruption initiatives and prosecution of criminal offences.

This guidance sets out the multi-agency principles all local and sub-regional agencies will work towards; single-agency and CSE team policies and procedures will work in line with the guidance set out in this document.

Working Together to Safeguard Children (2018) sets out the key safeguarding competencies and responsibilities of all practitioners working with children and young people:

Practitioners working in both universal services and specialist services have a responsibility to identify the symptoms and triggers of abuse and neglect, to share that information and provide children with the help they need. (Chapter 1, paragraph 5)

...If children and families are to receive the right help at the right time, everyone who comes into contact with them has a role to play in identifying concern, sharing information and taking prompt action. (Introduction, paragraph 16)

Key Messages (*Centre of Expertise on Child Sexual Abuse, 2017*)

- Child sexual exploitation can happen to young people from all backgrounds. Whilst young women are the majority of victims, young men are also exploited
- Some young people may be more vulnerable – those who have experienced prior abuse, are homeless, are misusing drugs or alcohol, have a disability, are in care, out of education, have run away or are missing from home or care or are gang associated
- Supporting sexually exploited young people and disrupting perpetrators are complex processes that require appropriate interventions from a range of stakeholders
- Multi-agency approaches enable organisations to contribute their specific role whilst also developing shared perspectives and approaches to protecting young people
- Whatever the precise arrangement is for multi-agency working, the key factor is coordination
- When accompanied by multi-agency commitment to shared outcomes, advantages of close working arrangements include: sharing expertise; establishing shared expectations and approaches; facilitating information sharing to safeguard young people; and sharing resources and intelligence to disrupt perpetrators.

This guidance should be read with Working Together to Safeguard Children (2018) statutory guidance: <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

and, also with national advice on CSE provided in 2017:

<https://www.gov.uk/government/publications/child-sexual-exploitation-definition-and-guide-for-practitioners>

What is Child Sexual Exploitation?

Child Sexual Exploitation is a form of child sexual abuse¹. The statutory definition of CSE is provided in the 2017 national advice on CSE as:

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

CSE is a complex form of abuse and it can be difficult to identify and assess; indicators of CSE can sometimes be mistaken as adolescent 'risk-taking' behaviours. The terminology of 'risk-taking' behaviours can unfortunately lead to blaming the child which can affect the child and family's capacity to seek help. Research identifies the CSE 'choices' are a complex interaction of developmental, social and psychological drivers in a child, exposed to someone who will take advantage of the vulnerabilities and inadequate protective structures culminating in a child being abused through sexual exploitation. As with any other form of response to abuse and neglect, prevention and protection action has to improve the resilience and recovery of the drivers, and deter and prosecute those individuals and groups that seek to take advantage.

The national advice also outlines that 'risk-taking' behaviours should be viewed as a complex power dynamic not as a choice the child makes – as a survival strategy for the child; as the child tries to adapt to previous harm or trauma; and/or as means by which the child seeks to meet unmet needs.

Where a child is old enough to legally consent to sexual activity, the law states that consent is only valid where they make a choice and have the freedom, competence and capacity to make that choice – where a child has no meaningful choice, is under the influence of harmful substances, or is fearful of what might happen to them, friends or family if they do not comply, consent cannot legally be given whatever the age of the child.

Vulnerabilities - developmental, social and psychological drivers in a child

The national advice on CSE outlines the following vulnerability examples of things a child can experience that might make them more susceptible to CSE; locally we use also the term 'adverse childhood experiences' or ACEs and in the Risk Sensible framework the term Underlying Risk Factors (URFs):

- Prior experience of abuse and neglect;
- Lack of safe/stable home environment – parents unavailable to the child due to a range of adult stressors
- Bereavement or loss
- Social isolation or difficulties in the community/environment a child lives in
- Sexual identity - in particular an absence of a safe environment to explore sexuality
- Economic stressors and vulnerability

¹ Sexual abuse is defined in Working Together to Safeguard Children (2018) statutory guidance (page 104): <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

- Homelessness or insecure accommodation status
- Having a physical disability or learning disability/difficulty
- Being in care (particularly those in residential care or with interrupted care histories)
- Connections with other children who are being sexually exploited
- Connections with adults involved in sex work.

CSE can also occur without any of these vulnerabilities being present.

Potential Indicators of CSE

The first competence practitioners must demonstrate in safeguarding is the capability to identify CSE. Children will rarely self-report so it is important that all practitioners are able to identify potential indicators from what they hear and see in their daily work. The national CSE advice lists the following potential indicators:

- Increasing secretiveness around behaviours, relationships and associations
- Relationships with controlling individuals or groups
- Relationships with significantly older individuals or groups
- Isolation from peers and normal family/social networks
- Acquisition of money, clothes, technology goods without a plausible explanation
- Excessive receipt of phone calls, messages on phones or through social media sites
- Multiple unknown callers (adults or peers)
- Concerning and/or secretive use of the internet and social media sites
- Leaving home/care without explanation and persistently going missing or returning late
- Unexplained absences from education, training or work
- Sudden changes in behaviours in education, training or work that increase the risk of, or lead to exclusion
- Sudden changes in behaviours at home or in the community (theft, criminal damage, domestic disputes) resulting in contact with the police and other criminal justice agencies; challenging, offending and disruptive behaviours
- Recreational use of drugs/alcohol leading to bingeing or dependence
- Age inappropriate sexual activity or sexualised behaviours
- Sexually transmitted infections
- Frequenting areas known for sex work; frequenting social media and internet sites to organise sexual activity
- Evidence/suspicion of physical or sexual assault
- Self-harming behaviours or significant changes in emotional wellbeing

For different services and settings in the community, the indicators above may present slightly differently and should be assessed with all other behaviours that are witnessed. For example, in a 2018 research project by the group Stop the Traffik looking at best practice in hotels in identifying and reporting CSE, the indicators in Appendix A were provided. The approach must always be to record all information no matter how insignificant it may appear in the first instance as it may often contribute to greater clarity around what can be complex CSE behaviours by the child and the offender.

Across the Pan-Lancashire area, the principles in the Risk Sensible Framework should be used to identify and assess the risk, and analyse the CSE drivers to evaluate the harm/likelihood of harm.

Links between CSE and other crimes

Sexual exploitation can sometimes have links to other types of crimes and can include:

- Child trafficking
- Domestic abuse
- Sexual violence in intimate relationships
- Grooming (including online grooming)
- Abusive images of children and their distribution
- Drugs related offences; County Lines; Child Criminal Exploitation (CCE)
- Gang & groups related activity
- Immigration related offences
- Domestic servitude/modern slavery

Types of CSE

There are many types of CSE and examples include:

- **Inappropriate relationships** – this usually involves one offender who has inappropriate power or control over a child. There can often be a significant age gap and the child may believe they are in a loving relationship.
- **'Boyfriend' model** – the offender befriends and grooms the child into a 'relationship' and then convinces or forces them to have sex with friends or associates. This is sometimes associated with gang activity.
- **Organised sexual exploitation** – children are passed through networks, possibly over geographical distances (trafficking), where they are forced into sexual activity with multiple men. This often occurs at 'sex parties' and the children may be used to recruit others into the network. Some of this activity is described as serious organised crime and can involve the organised 'buying and selling' of children by perpetrators (can be also related to criminal exploitation and county lines exploitation)
- **Peer-on-peer** - when a child is exploited/groomed by their peer(s); the abuser is the same age; or close in age to the child. Everyone directly involved in the abuse is under 18 years of age.
- **Gang associated** – exploitation within a gang context (can be also related to criminal exploitation, county lines and trafficking) where sex is used as an initiation right, punishment, gaining status within the hierarchy of a gang and/or as a weapon between rival gangs
- **Online grooming** - online by the use of social media, chat rooms or online gaming. Exploitation can take place without physical contact e.g. coerced into sending images or videos or groomed with the intention of meeting the young person offline for exploitation.

The national advice on CSE outlines that to effectively identify CSE, practitioners require knowledge (of the various factors in this section), skills (to assess and analyse risk and harm) and professional curiosity (in other literature also referred to as 'assertive' or 'proactive' practice) so that they can accurately assess the child's personal circumstances and provide the appropriate support.

All practitioners should seek the support from their agency safeguarding leads and/or relevant specialist CSE Team in identifying children that may be vulnerable to CSE, at risk of CSE, or experiencing CSE. Contact details for seeking advice & support from the Pan-Lancashire CSE Teams are:

Awaken Team (West & North Lancashire) – 01253 477261

Deter Team (Central & South Lancashire) – 01772 209122

Engage Team (East Lancashire & Blackburn with Darwen) – 01254 353525

Outcomes and Support

Child Outcomes & Support

A key safeguarding responsibility of all practitioners is to ensure a child and family receive support and assistance, be that to prevent CSE or protect the child from further CSE. Working Together to Safeguard Children (2018) uses the terms 'provide children with the help they need' and 'taking prompt action'. As the CSE service offers differ across the three local authority areas within Pan-Lancashire, this guidance is not prescriptive of the services to offer, but identifies outcomes that should be achieved from the support provided.

The national CSE advice outlines that safety has to be considered at three levels:

- Physical Safety – safety from harm (including sexual harm and sexual health)
- Psychological Safety – intellectual, emotional and mental safety
- Relational Safety – trusted relationships that can lead to disclosures and full participation with service provision.

Dependent on if a child is vulnerable to CSE, at risk of CSE or has experienced CSE will determine which type of security takes priority. A child-centred approach is required to determine what the child requires first and what will assist in promoting the other safety levels. To effectively safeguard a child and promote its welfare long-term, it will require support to improve (build resilience in) all three levels of safety. Research warns against 'enforced compliance' as without meaningful change it may hinder exiting successfully from exploitative situations and relationships.

For all children, achieving the following outcome areas need to be the target for services:

- All physical, emotional and sexual health needs are addressed through access to appropriate universal and specialist services to enable the child to meet physical and mental developmental milestones and is aware of informed consent
- There is regular and expected attendance in education (training or work if applicable) where attainment is age/ability appropriate with positive behaviours that increases the likelihood that the child/young person will develop appropriate resilience factors
- There are secure and good quality attachments observed with family/carers, friends, community and professionals that they have regular contact with and an ability to adapt emotionally and behaviourally as the nature of relationships change through ages/stages
- There is a secure sense of self within the context of relationships (peers, family/carers, societal and professional) where the child/young person has the ability to voice their wishes/feelings and that these are respected; any differences due to diversity needs do not lead to disadvantage and the child/young person develops as would any other child/young person without the difference
- Family and environmental experiences are ordered so that the child/young person feels safe and resources within the family network (whatever the type of family unit) are used appropriately to meet the child/young person's needs
- There is consistent guidance, safe boundaries and protective factors where the child/young person regularly experiences praise, warmth and encouragement.

For children that have experienced CSE or have been groomed, there will be factors that will affect their levels of engagement and pose difficulties in forming relationships with practitioners. The barriers to effective relations may arise from:

- Anxiety (reprisals/fear; loyalty to exploiters/groomers; fear of being disbelieved)
- Shame (child/young person may feel that they have breached multiple types of trust with family, peers or professionals with disclosures potentially affecting the relationships)
- Guilt (may be blamed or not believed).

Through identified key workers the child should be 'hand-held' and guided to build trust, engage with services; sometimes support provided over an extended period to help develop a relationship and then 'sustain' the relationship so that services are accessed and the child recovers from the abuse.

Research has identified that 'success' for a child after CSE and grooming can be described as: "...supporting the child with their psychological, practical and social recovery, including building resilience, processing their trauma and re-empowerment after a period of serious harm."

Outcomes for Parents/Carers

Working Together to Safeguard Children (2018) statutory guidance outlines that CSE assessments should look at the parental capacity to support the child, including helping them to understand and assess the risks, and support them to keep children safe². Research also identifies the barriers to access services displayed by children (anxiety, shame, guilt) can also be displayed by parents/carers and so relationship building (relational safety) may become the first area of work with parents/carers before any improvements can be made on the other levels of safety.

The following outcome areas will need to be demonstrated to enable parents to be informed, involved, empowered and supported to undertake their parenting role effectively:

- Parents are able to identify changes in behaviours (health, education, emotions, relationships & developmental changes) that increase their child's vulnerability - they are able to offer resilience advice or appropriately seek support to achieve this
- Parents can offer warmth, praise and encouragement to their child (including where actions/behaviours of the child that the parent assesses as outside their values/beliefs)
- Parents are confident and have the resources/resilience in place to offer the child safe boundaries and protective factors in the home and community
- Parents have the knowledge and confidence to access required support from professionals (social care, police, health, voluntary sector etc) to promote their child's welfare and fully access support for any of their own unmet needs which may be impacting their ability to safeguard
- Parents have the knowledge and confidence to access the required support from professionals to manage the relational and emotional impact of CSE that they or wider family members may be experiencing
- Parents feel that they are included as an active partner by professionals in safeguarding their child.

² Chapter 1, paragraph 34

Disrupting CSE

Positive action should always be taken when tackling perpetrators or disrupting CSE in locations. Diverse options should be considered during the intelligence/evidence gathering stage with a focus upon prevention, victim safety/protection, pursuing perpetrators and holding perpetrators to account. There is no single piece of legislation or power to provide the panacea to tackling CSE; all options should be considered including civil and criminal orders and the use of overt and covert tactics. Appendix B sets out the current range of victim protection, offender disruption and location disruption powers that are available to use.

Prior to any course of action being implemented, as much as possible should be understood about the nature of the abuse and the profile of the suspected/confirmed victim, offender and location; whilst taking into account the need for timely action to safeguard victims and disrupt offenders.

Perpetrators are becoming increasingly sophisticated and often victims do not recognise that they are being exploited. This means CSE operations and investigations are likely to be long term and very expensive to conduct. Often investigations cross regional and sometimes national boundaries.

Practitioners are becoming more experienced in dealing with CSE and law enforcement agencies are increasingly supported by intelligence from partner agencies. This intelligence supports and drives the ability of enforcement agencies to employ resources both human and technical to target perpetrators and gather intelligence with the aim of ensuring that perpetrators should not be beyond the reach of the criminal justice system.

Effective multi-agency collaboration is vital and whilst law enforcement agencies lead on the 'pursue' element in the vast majority of cases, it is essential for partner agencies to gather and share information regarding CSE.

Effective information sharing and intelligence gathering can:

- Contribute to the identification and understanding of links between different forms of exploitation and hidden crimes therefore improving safeguarding and disruption
- Identify networks or individuals who pose a risk to children
- Identify locations being used for the purposes of sexual exploitation
- Provide evidence in applications to the court for civil and criminal orders

Engagement with victims and witnesses by support agencies including the voluntary sector, particularly regarding return to home interviews following missing episodes, has provided insight into networks of CSE perpetrators and should be viewed as a vital source of information and intelligence, and recorded appropriately on the agency's recording systems.

The approach must always be to record all information no matter how insignificant it may appear in the first instance as it may often contribute to greater clarity around what are often extensive and complex CSE networks.

Examples of the types of information on perpetrators all partners should record include:

- vehicle details including registration/make/model/colour etc.
- full descriptions including names/nicknames of suspected perpetrators
- details/descriptions of unusual/regular callers to children's homes

- phone numbers of suspected perpetrators
- address details of suspected perpetrators
- details of addresses or localities that children at risk or being exploited may be being taken or where there has been suspicious activity relating to CSE or other exploitation activities.

Police, local authorities and other partner agencies should work closely together to develop a coordinated response to disrupt and prevent CSE. The best interests of the child and their welfare and safety are paramount. Sometimes, partner agencies are the first to notice early changes in behaviours that are not visible within the family setting or discounted as normal child development or adolescent behaviours. By working together, information which may be critical to any criminal investigation is not lost. It also means any early disruption plan can be established against the offender. It is vital that information is gathered and collated, even in cases where the child has not made a formal complaint. By working together, police and partner agencies can provide a range of support for children, families and others. In doing so, we can also raise awareness and disrupt CSE activity for the purpose of protecting and safeguarding children and young people.

Local Authorities and Lancashire Constabulary legal services (including other partner agency legal services), are able to offer practical advice and guidance to staff on a wide range of civil preventative orders and powers that can be used to disrupt and tackle CSE. Support is available for staff from line managers and safeguarding leads from the start of their initial enquiry, right through to the conclusion of court proceedings where appropriate.

The links between CSE and other emerging threats and hidden crimes; domestic abuse, modern slavery, trafficking, cybercrime, gangs and criminal exploitation (county lines safeguarding) are becoming increasingly apparent. There is a requirement on agencies to respond to increasingly complex safeguarding and public protection risks. As offenders use more sophisticated methods to commit crime, identify, groom and exploit children, so must partners and agencies work together to explore innovative and creative opportunities for intervention.

Any meeting in respect of individual children at risk of harm from CSE should consider the disruption of offenders as routine practice. The plan should identify who is responsible for undertaking the work and what should be shared with the agencies involved with timescales for review agreed.

Practice is constantly evolving with the exploration of new tactics, covert and overt, to identify and pursue offenders. Incorporating current learning from; legislation, prosecutions, investigations and applications for civil orders, Appendix B aims to provide guidance for relevant agencies to combat CSE. It will provide a menu of options to consider in developing victim protection strategies and disruption plans (offender and location). This should not be viewed as an exhaustive list and where new and creative options are used, we would urge you to share this practice widely. Appendix B is organised into three sections: victim protection; location disruption; and offender disruption to ensure all partner agencies can work with the right agencies to use the tools to protect children and disrupt CSE.

Safeguarding is Everyone's Responsibility

Working Together to Safeguard Children (2018) statutory guidance outlines the following principles to effective, co-ordinated approaches to responding to children's safety:

- Everyone who works with children has a responsibility for keeping them safe
- No single practitioner can have a full picture of a child's needs and circumstances – where concerns are identified, practitioners must share information and take prompt action
- In order for practitioners to collaborate effectively, they must understand their role and the role of other practitioners/agencies (including those that work with parents/carers/adults/offenders) in the local safeguarding arrangements....knowing where to get help
- Practitioners should be aware of and comply with local arrangements
- The local safeguarding arrangements must be strongly led and promoted.

Specialist Multi-Agency Child Sexual Exploitation Teams

There is commitment by police, Children's Services and health and some voluntary agencies to fund / host the placement of appropriately trained and qualified staff within sexual exploitation teams to facilitate timely and efficient information sharing to inform risk assessment and risk management. The teams may also manage individual child cases to ensure the child and family receive services and contribute to activities (to practitioners, children, parents & the wider public) to prevent CSE. Each specialist team in the Pan-Lancashire area will be serving a population that has different needs and potential risks; similarly the different partners in the teams will have available different resources to provide through services – it will not always be possible to offer a uniform set of services across the three local authority areas, however multi-agency practice guidance for each team should be developed to ensure there is clarification of roles and responsibilities of all partners (commissioning responsibilities, service provision, pathways to referral and assessment etc.).

Each locality CSE team will have practice guidance that will clearly outline:

- The local referral pathways
- The CSE assessment³ and its various component's including the integration of the health (physical, mental and/or sexual) assessment, the integration of a social work assessment, and how these assessments fit into the overarching Early Help, Child in Need, Child Protection, Looked after Children assessment, planning and intervention processes
- The roles and responsibilities of the agencies within the team and clear lines of communication and accountability
- Meetings – what local operational team meetings will take place and expectations of all partners to record and complete actions; how operational meetings (like MACSE and daily team briefings) will contribute to disruption planning initiatives and wider strategic service planning/governance/escalation processes
- Management oversight and supervision for all team members
- Expected outcomes for children and families.

³ This guidance does not promote any of the national CSE assessment tools but does recommend that any tool used assesses unmet needs, underlying risk factors and high risk indicators following principles of actuarial and clinical risk assessment; whichever CSE assessment tool is used must be in line with the Risk Sensible Framework

Governance

The Pan-Lancashire CSE, MFH & Complex Safeguarding Strategic Group will be responsible for ensuring that where possible there can be a uniform set of arrangements across the three LSCB areas. Each LSCB will have a CSE group that will hold local partners to account and recommend improvements to local services.

A 'golden thread' between operational and strategic level meetings must be in place in each LSCB area with the relevant LSCB responsible for ensuring their arrangements work in line with other local partnership arrangements and where possible, there is uniformity across the Pan-Lancashire area.

The governance and operational oversight meetings will consist of:

- The Pan-Lancashire CSE, MFH & Complex Safeguarding Strategic Group will meet every quarter and consist of both statutory and non-statutory agencies – the role will be to ensure there is Pan-Lancashire co-operation and learning and where possible align services across the areas so that children and families can expect similar services. The partnership's multi-agency objectives are identified and evidenced via the Pan-Lancashire CSE Strategy and Action Plan following the Prevent; Partnerships; Protect; and Pursue model.
- LSCB CSE Groups – Accountability, governance and oversight of CSE prevalence, escalation of significant events and arrangements will be at this level so that actions taken by all partners to meet the local CSE Action Plan and the effectiveness of local services to protect children and disrupt CSE can be monitored. LSCB areas may wish to arrange this group according to local needs by combining/separating other child 'exploitation' issues (contextual or extra-familial safeguarding issues) and combining/separating multi-agency disruption meetings.
- Monthly Multi-Agency CSE (MACSE meetings) will align to each of the Multi-Agency CSE teams: Awaken; Deter; and Engage. The meetings will review the team and partner actions to safeguard (protect and disrupt) all high risk assessed cases. The meetings will also review trends and emerging CSE patterns (victimisation, location/hot-spots, offenders/groups) across the high risk cases (including trends from other cases held by the teams where children may be at risk or vulnerable to CSE) to help plan action. Where such a review identifies cross border concerns across Pan-Lancashire agencies or neighbouring regional areas, or national concerns, an agency will be nominated to share information and lead on planning action.

Working Together to Safeguard Children (2018) statutory guidance outlines the following responsibilities of operational and strategic practitioners when involved in multi-agency meetings:

- Speak with authority for the agency they represent
- Take decisions on behalf of their organisation and commit them on policy, resourcing and practice matters
- Hold their organisation to account on how effectively they participate and implement multi-agency arrangements
- Partner agencies collaborate, share and co-own the vision for how to achieve improved outcomes for vulnerable children
- Organisations challenge appropriately and hold one another to account effectively
- There is early identification and analysis of new safeguarding issues and emerging threats
- Learning is promoted and embedded so that services can reflect and implement practice changes
- Information is effectively shared to facilitate more accurate and timely decision making
- Children are safeguarded and their welfare promoted.

Information Sharing

No single practitioner can have a full picture of a child's needs and circumstances and, if children and families are to receive the right help at the right time, everyone who comes into contact with them has a role to play in.....sharing information (Paragraph 16, Introduction of Working Together to Safeguard Children, 2018)

Effective sharing of information between practitioners and local organisations and agencies is essential for early identification of need, assessment and service provision to keep children safe. (Paragraph 23, Chapter 1 of Working Together to Safeguard Children, 2018)

Assessments of children in such cases (contextual safeguarding) should consider whether wider environmental factors are present in a child's life and are a threat to their safety and/or welfare....interventions should focus on addressing these wider environmental factors, which are likely to be a threat to the safety and welfare of a number of different children who may or may not be known to local authority children's social care. (Paragraph 34, Chapter 1 of Working Together to Safeguard Children, 2018)

From the statutory guidance above, the sharing information in relation to sexual exploitation is vital whatever the level of concern and suspicion is. The effective identification of vulnerable children and victims, disruption, intervention, protection of victims and communities and prosecution of perpetrators of this crime depends on effective sharing of information so that multi-agency working and early action can take place.

The sharing of information must be undertaken within the confines of the law: Data Protection Act, 2018 & General Data Protection Regulations (GDPR); Human Rights Act, 1998; Children Acts, 1989 & 2004; and Crime & Disorder Act, 1998. Working Together to Safeguard Children, 2018 statutory guidance and Information Sharing, 2018 advice outlines:

All practitioners should aim to gain consent to share information. Relevant personal information can be shared lawfully if the processing of the data is to keep a child at risk, safe from neglect and abuse, or if it is protecting their physical, mental or emotional wellbeing. Information can be legally shared without consent where the special category personal data condition (safeguarding of children and individuals at risk) is shown to be met.

Under the provisions within the Data Protection Act 2018 & GDPR, consent must meet the following five principles:

- Consent must be specific
- Consent must be informed
- Consent must be unambiguous – consent cannot be implied or implicit and requires a positive 'opt-in'; clear information is provided on how consent can be withdrawn
- Consent must be freely given
- Consent is verifiable in records.

Where consent cannot be obtained, practitioners should consider the purposes for sharing information to determine if the 'lawful purposes' or 'special category personal data' condition criteria are met. Where children are being provided services under provisions of the Children Act, 1989 (Section 17 or Section 47), then there is already a lawful reason to share information without consent in place and will meet the

GDPR test of special category personal data. Similarly, where there is a police investigation in a CSE case being undertaken, the lawful reason to share information without consent will be from the Crime & Disorder Act. The Children Act, 1989 allows for information to be shared without consent where obtaining consent may cause unnecessary delays in completing enquires for assessment and planning purposes. Where information is shared without obtaining consent, a record must be made of the reasons used to share information.

Under the GDPR & Data Protection Act 2018 there is a requirement to obtain consent from young people who have competence and capacity to consent. Under the Data Protection Act 2018, the principles of Gillick competence have been defined, or a child aged 13 or over, as the age from which children's consent should be obtained in addition to the parents. Bearing in mind the factors associated with CSE that make disclosures difficult by children and the need to develop 'relationship-based', trusting and safe environment to work with children, the lawful reasons to share information without consent will need to be considered carefully and discussed openly with children and their parents/carers.

The Children Act 2004 places a duty on a variety of safeguarding partners and relevant agencies (relevant to protecting children and disrupting CSE) to co-operate (at operational and strategic levels) and where information requests are not met, the safeguarding partners can apply to the High Court to compel agencies to share information, or to the County Court to apply for injunctions. The range of statutory powers in Appendix 2 can also be used as a lawful basis to share information without consent, particularly in operations and initiatives to disrupt CSE to protect the wider community.

APPENDIX A – POTENTIAL INDICATORS OF CSE FOR HOTELIERS

- A child in possession of expensive items
- Use of pornography in rooms where children are staying
- A child with bruising, scarring, or other injuries
- Guests refusing cleaning services
- Guests refusing to show identification or claim not to have any
- Guests arriving without any luggage
- Children concealing their young age
- A child with evidence of self-harm
- A child arriving on their own either to check-in or visit a room
- Young guests intoxicated on arrival
- Unusual arrival and departure times for the guests
- Guests requesting rooms which are isolated
- Guests who are reluctant to use cards and prefer cash
- A last minute booking
- Guests using a name different to the booking
- Discarded condoms in rooms where children are staying
- Multiple visitors to a guest's room
- Older guests checking-in with younger guests which are not their family
- A pre-paid bar tab when children are present
- Young guests who appear scared or nervous
- Parties in rooms where children are present
- Visitors to the hotel unsure of the guest's name
- Evidence of drugs or alcohol in rooms where children are present

APPENDIX B – DISRUPTION POWERS & TOOLS

VICTIM PROTECTION

Care Order - Section 31, Children Act 1989 (Victim)

A local authority or authorised person (an authorised person being the NSPCC or a person authorised by the Secretary of State) may apply for a care order. This would allow for a child to be placed into the care of a designated local authority and enables the local authority to share parental responsibility for the child. The application must be made prior to the child reaching the age of 17.

Applications for a care order may only be made by a court if it is satisfied that threshold is met and the child concerned is suffering or likely to suffer significant harm or the child is beyond parental control.

Secure Accommodation Order - Section 25, Children Act 1989 (Victim)

Should a local authority deem a child to be at such significant risk of harm then it can accommodate a child in secure accommodation for a period of no more than 72 hours without an order of the court.

A secure accommodation order will only be granted where:

- the child has a history of absconding and is likely to abscond from accommodation which isn't secure;
- if the child runs away, it is likely to suffer significant harm; or
- if child is not in secure accommodation, it is likely to injure himself or someone else.

A secure accommodation order can only be made with respect to a looked after child – (a child is looked after if they are subject to a care order or accommodated with the consent of those adults with parental responsibility for the child). A child accommodated under s20(3) Children Act 1989 – (which places a duty on local authorities to accommodate a child who has reached the age of 16 and whose welfare would be seriously prejudiced without such accommodation) then an application may be made to the court even if they have reached the age of 16 or 17.

The first Order will be for a maximum period of 3 months. If the child continues to meet the criteria for secure accommodation then an application for a further order can be made.

Accommodating a child in secure accommodation leads to the restriction of liberty and should only be made when there is no alternative. For children aged 16 or 17, the powers and safeguards under the Deprivation of Liberty Act 2005 must be considered. Less restrictive options should have been exhausted where possible and only where a child can be adequately safeguarded should secure accommodation be used.

Emergency Protection Orders - Section 44, Children Act 1989 (Victim)

An emergency protection order (EPO) enables the immediate removal of a child from the care of their parent or carer where evidence demonstrates that the child is at imminent risk of harm and allows a child to be removed to a place of safety, for up to a period of no more than eight days. The court will only grant an order where it can be evidenced that the child is at imminent risk of harm.

The local authority or authorised person can make an application where they are satisfied that the child is likely to suffer significant harm if;

- he/she is not removed to accommodation provided by, or on behalf of the applicant; or
- he/she does not remain in the place in which he/she is then being accommodated.

An application may also be made by a local authority where s47 enquiries are ongoing and those enquiries are being frustrated by access to the child being unreasonably refused to the local authority and access to the child is required as a matter of urgency.

Police Powers of Protection - Section 46, Children Act 1989 (Victim)

If a police officer has reasonable cause to believe that a child would otherwise be likely to suffer significant harm, they may:

- Remove the child to suitable accommodation and keep him there
- Take such steps as are reasonable to ensure that the child's removal from any hospital, or other such place, in which he is then being accommodated is prevented.

This is a key power which should be considered whenever potential victims are found in the company of potential perpetrators. Where the victim does not present as willing to accompany the police voluntarily, this power can be used to remove the victim to suitable accommodation.

Suitable accommodation can include the child's home address or care placement where it is deemed safe and appropriate. A police station is not suitable accommodation. A child under police protection should not be brought to a police station except in exceptional circumstances, e.g. lack of immediately available local authority accommodation. If it is necessary to take the child to a police station every effort should be made to ensure their physical safety, comfort, access to food and drink and access to toilet and washroom facilities. Where available the child should have access to 'appropriate adult' services from custody suites.

Recovery Orders - Section 50, Children Act 1989

Then the court can make a recovery order under section 50 of the Children Act 1989 where it appears to the court that a child has:

- been unlawfully taken away or unlawfully kept from a responsible person; or
- has run away, or is staying away from the responsible person; or
- is missing.

A recovery order operates as a direction to any person who is in a position to do so, to produce the child to an authorised person specified by the court, which includes a police officer. The order also authorises the removal of the child by an authorised person and requires any person who has information on the child's whereabouts, to disclose that information to an officer or to the court. It also allows a police officer to enter any premises specified on the order and search for the child, using reasonable force if necessary. It is an offence to intentionally obstruct an authorised person exercising his powers and that person could be issued with a fine.

PACE - Section 17 (1) Police and Criminal Evidence Act 1984 (Victim)

S17(1) PACE provides the police with the power of entry and to search a premises where they have reasonable grounds to believe a person they are seeking whose at imminent risk of serious harm

is within the dwelling. If a child is present in the dwelling and the police believe the child to be at imminent risk of harm, then the police may exercise their powers of protection to remove the child from the dwelling to a place of safety.

Inherent Jurisdiction - Section 100, Children Act 1989 (Victim)

There may be circumstances where a local authority considers it necessary to make an application to the High Court under the Inherent Jurisdiction. An application under this section should only be made where there are no other orders under the Children Act 1989 available to safeguard a child and can only be made with the permission of the court.

In cases where there is evidence that a child has been or is being sexually exploited and the perpetrators are known, then an application may be made under the Inherent Jurisdiction to seek an injunction against the perpetrator(s). This injunction can be wide ranging and can seek to impose restrictions on named individuals to prevent them from; making any direct or indirect contact with the subject child; excluding them from the area where the child lives or the area/property where the exploitation occurred. Further restrictions may also be to prevent the perpetrators from using social media. The evidential basis must be robust and requires comprehensive information sharing between all partner agencies and in particular between the police and the local authority.

Domestic Violence Protection Notice & Order - Section 24-33, Crime and Security Act 2010

A Domestic Violence Protection Notice (DVPN) acts as a temporary but immediate measure, which puts in place non-molestation conditions that will protect victims of domestic violence at a time when they are believed to be at risk from the perpetrator. In order to issue a DVPN, an incident of violence or a threat of violence must have taken place against the victim and/or an associated person. Officers should consider the domestic incident as a whole, including previous calls to the address; the presence and welfare of children; other witness accounts and any other available intelligence held by partner agencies. A DVPN can be enforced for a maximum of 48 hours.

A Domestic Violence Protection Order (DVPO) is the follow up process after the issue of a DVPN. It is an order made by the Magistrates' Court to enforce either the same non-molestation orders held within the DVPN, or to make an amendment to the conditions if necessary. A DVPO will be made when it is considered necessary to protect the victim and/or associated person from violence or threat of violence from the perpetrator. A DVPO remains in place for 14 to 28 days, beginning on the date of issue by the Magistrates' Court. There is a power of arrest attached for breaching a DVPO. Breach of a DVPO can be considered as contempt of court/ breach of a court order and can result in a fine up to £5000, or up to two months' imprisonment.

Use of such orders should particularly be considered when the offender befriends and grooms the child into a 'relationship' and then convinces or forces them, using violence or threats of violence, to have sex with friends or associates. It is imperative that appropriate support should be given to the victim (friends and family where required) by the police and other partner agencies during the period of a DVPO.

Modern Slavery Act 2015 – National Referral Mechanism (NRM) Conclusive Grounds Decision (Victim)

The Modern Slavery Act 2015 reiterates existing powers in relation to trafficking and exploitation. Under the act, agencies have a duty to notify in relation to anyone who is believed to be a victim of Human Trafficking (including internal trafficking within the UK). Young people who may travel by public transport to premises where they are being sexually exploited, can still be described as trafficked where the

arrangements for this travel are made by someone who has power over them by virtue of grooming/ coercion or threat. An individual does not have to directly move a young person (eg collection by a car driven by trafficker) for consideration to be given to trafficking offences.

NRM provides a number of safeguarding and disruption options in relation to CSE victims and offenders. It is especially useful where victims are between 16 years and 18 years as the age of consent for sexual activity does not impact upon prosecutions for trafficking offences in the same way that it may for sexual offences. Trafficking offences can be prosecuted without a statement from a victim.

All CSE victims are likely to be eligible for NRM Conclusive Grounds decisions and a referral should be considered as part of the safety plan. NRM should be considered for any CSE victim where there is movement and exploitation. There does not need to be conclusive evidence, the threshold is that trafficking is 'suspected but cannot be proved'.

NRM referrals can be made by first responders who are: Police forces, UK Border Force, Home Office, Local Authority, Health, Salvation Army, Barnardos, NSPCC, Refugee Council and other voluntary sector organisations.

Forced Marriage Protection Order (FMPO) - Section 63A, Family Law Act 1996 (Victim)

An FMPO can be obtained by any person with permission of the court, including local authorities, a relevant third party, or by the individual being threatened with forced marriage/in a forced marriage, even if they are a child. The order aims to protect any person from being forced into marriage.

The order can contain any prohibitions, restrictions and requirements as are considered necessary by the court. A power of arrest can be attached to a FMPO. A breach of this order is deemed to be contempt of court, and could result in a fine or imprisonment.

Independent Sexual Violence Advisors (ISVA) and Sexual Assault Referral Centres (SARC) (Victim)

Any victim of sexual assault, including CSE victims, can be taken to a SARC for forensic and medical examination to gather evidence for criminal investigation. This requires the consent of the victim. The SARC can also provide support and advice for the victim. All victims of sexual assault are eligible for a referral to an ISVA who can support the victim with a range of issues including taking them through any court processes and proceedings and offering post court support.

LOCATION DISRUPTION

Locations can cover a wide range of settings both indoors and outside spaces. Whilst the list below is not exhaustive, it tries to reflect current intelligence on locations where CSE may be taking place (as the nature of CSE can be that perpetrators continue to find different ways to offend, there should always be vigilance about the indicators of CSE in any location):

- parks
- centres of cities, towns and villages
- night time economy venues
- places where leisure/eating/sport activities take place
- in transport hubs and in private transport businesses
- areas surrounding children's homes
- areas surrounding schools or places of education/learning for children

Community Protection Notice (CPN) - Section 43, Anti-Social Behaviour, Crime and Policing Act 2014(Location)

CPNs can be issued by a local authority, Police or an agreed designated person such as a social housing landlord. The aim of a CPN is to prevent persistently anti-social conduct by individuals or businesses which is having a detrimental effect, of a continuing nature, on the community's quality of life. Where there is unreasonable behaviour affecting a community's quality of life, a warning can be given. If there is no improvement, then a notice can be given which can make clear the requirement:

- to stop doing specific things
- to do specific things
- to take reasonable steps to achieve specific results.

Failure to comply with a CPN is a criminal offence and could result in a fine or prosecution.

Dispersal Powers - Section 35, Anti-Social Behaviour, Crime and Policing Act 2014 (Location)

A senior police officer, is able to authorise the use of dispersal powers in a specified area for up to 48 hours, in order to reduce the likelihood of members of the public being harassed, alarmed or distressed, or to reduce the likelihood of crime and disorder in the locality. The officers can require a person committing, or likely to commit, antisocial behaviour, crime or disorder to leave an area for up to 48 hours. Where adults are gathering in a location and there is a risk of anti-social behaviour, consideration can be given to using the dispersal powers to disrupt the meetings.

Under S37 of this act, officers may also require persons to surrender any property which is believed to have been used or is likely to be used as part of behaviour which causes harassment, alarm or distress or to commit a criminal offence. Failure to comply with the dispersal direction could lead to a fine and/or up to three months imprisonment.

Closure Orders - Section 80, Anti-Social Behaviour Crime and Policing Act 2014 (Location)

The police or local authority (including housing associations) can issue a closure notice in order to be able to close premises (business or residential) which are being used, or likely to be used for activity relating to child sexual exploitation. Closure notices can be placed on premises where use of the premises has resulted, or is likely soon to result, in nuisance and/or disorder to members of the public.

Closure powers now capture a wider range of offences relating to CSE and the police and local authorities (including housing associations) can take proactive action if they believe the premise is going to be used for child sex offences. After a closure notice has been issued, if the court grants a closure order, then the premises will be closed to everyone, including the owner/occupier (unless otherwise agreed with the court and police/local authority) for a period of up to three months. Breach of a closure order is a criminal offence which may result in imprisonment. There is a power of arrest for a breach.

Public Spaces Protection Order (PSPO) - Section 59, Anti-social Behaviour, Crime and Policing Act 2014 (Location)

Local authorities can issue PSPOs after consultation with partner agencies. They can be enforced in areas such as parks and town/ city centre locations. A PSPO prevents unreasonable continuing behaviour such as congregation by groups causing anti-social behaviour and/ or consuming alcohol from occurring in a particular area and/or requires things to be done by individuals carrying out a specific activity in that area. Where these activities are believed to be linked to CSE activity, a PSPO should be considered.

PSPO can be in place for up to 3 years, with an option to consider an extension if necessary. Breach of a PSPO is a criminal offence which can result in a fixed penalty notice or court fine.

Absolute Ground for Possession - Section 94, Anti-Social Behaviour, Crime and Policing 2014 (Location)

This can be obtained by private sector landlords and social landlords, including local authorities and housing associations. If the tenant, household member or visitor is convicted of a serious offence or one of the specified orders in the Act, the landlord can expedite their eviction through the court process to speed up the eviction process for the benefit of the victim, and have mandatory grounds for possession of the property.

If you believe a potential perpetrator is in breach of tenancy agreements or housing conditions, you should liaise with housing officers, tenancy enforcement and landlords with recommendations to take action against the perpetrator

Reviews of Licensed Premises - Licensing Act 2003 (Location)

Partners can request a license review for a licensed premise where there are concerns that they are acting otherwise than in accordance with licensing conditions and the Licensing Act 2003. Licensed premises have a duty to protect children on their premises from harm, including CSE (revised guidance added to the Act in 2015).

Following the review, Licensing Departments may offer advice and education to the premises about adhering to their license conditions, to bring compliance, or they may prosecute them for breach of their license. Where licensed premises are a location of concern relating to CSE, Licensing Teams should always be informed and consulted regarding possible action which could be taken.

Reviews of Transport Licensing – Local Government Acts (Location)

Local authorities have a statutory obligation to administer and enforce the licensing regime for local transport drivers and operators. Local authorities through these powers can place conditions on licensees or operators. Local authority licensing policies should have in place appropriate links between agreed licensing protocols (agreed with the relevant trading bodies) and safeguarding policies so that it is transparent about the safeguarding checks it will undertake before issuing a license and circumstances

within safeguarding checks or intelligence that may be obtained, when a license will be refused or revoked.

Hotels in relation to Child Sexual Exploitation - Sections 116-118 Anti-Social Behaviour, Crime and Policing Act 2014 (Location)

A senior police officer can issue a written notice to the owner, operator or manager of a hotel or a similar establishment (where accommodation is provided for a charge) which they reasonably believe has been, or will be used for CSE or related activities. The hotel operator is required, upon request to provide information to the police such as guest's name and address, and other information about guests which could be readily obtained from guests themselves.

The information supplied can be used as intelligence to support any investigation into criminal offences which may have been or are being committed on the premises. Failure to provide requested information, or giving false information, is a criminal offence and could result in a fine.

Where hotels are known or suspected to be frequented by CSE perpetrators or victims and the management are failing to prevent this, you should consider a range of tactical options to gather evidence:

- liaising with Trading Standards regarding compliance with legislation, e.g. under the Business Names Act 1985 owners of hotels must display a notice showing the owner's name where it is not the same as the business name, and regulations, e.g. fire regulations and registers must be kept of guests over 16 years of age;
- liaising with local authority Licensing Team regarding compliance with licensing legislation and conditions;
- police, Licensing and/or Trading Standards conducting routine high visibility visits and patrols;
- holding meetings with area and regional management for franchises and hotel chains;
- issuing Child Abduction Warning Notices for management and staff where it is believed that they are complicit in the abuse taking place at the premises;
- seizing CCTV footage and guest registers;
- forensic examination of rooms;
- obtaining payment details used by perpetrators;
- covert observations.

Fire & Rescue Services Act 2004 (Location)

Fire Officers may be eligible to enter premises causing concern relating to CSE on fire safety, or health and safety grounds. This may enable officers to ascertain whether there are any signs of CSE related activity at the premises, and may prove especially useful where there are concerns about the use of premises, but not enough evidence for a police warrant to be issued.

OFFENDER DISRUPTION, PURSUING & PROSECUTION

Serious Crime Prevention Orders (SCPO) - Section 1, Serious Crime Act 2007 (Offender)

Orders are made on the application of the DPP (through the CPS) to the High Court, or to the Crown Court following a person's conviction for a "serious crime". This includes serious child sex offences, child sexual exploitation offences and serious trafficking offences. Legal Services can provide initial advice on such orders. The court can grant a SCPO if satisfied there are reasonable grounds to believe that the order would protect the public by preventing, restricting or disrupting involvement by the defendant in serious crime. The order can contain prohibitions and such other terms the court considers appropriate.

Applications may also be made to the High Court in the case of a person who has not been convicted of an offence but who has been involved in serious crime. The Attorney General must be consulted before any application is made to the High Court.

Injunctions to Prevent Gang Related Violence and Drug Dealing Activity - Section 51, Serious Crime Act 2015 (Offender)

Applications for a 'gang injunction' can be made by a local authority or by the police, however consideration will need to be given to the nature of the evidence and the custodian of that evidence (in most cases the police will hold the evidence on their intelligence systems and therefore it may be more effective for the application to be made by the police).

The court must think it is necessary to grant the injunction:

- to prevent the respondent from engaging in, encouraging or assisting, gang-related violence or gang-related drug-dealing activity or;
- to protect the respondent from gang-related violence or gang-related drug dealing activity.

The injunction can remain in place for a maximum of 2 years. Breach of the injunction will be in contempt of court, and can be subject to a fine or imprisonment, depending on the nature of the breach.

Civil Injunctions - Section 1, Anti-Social Behaviour, Crime and Policing Act 2014 (Offender)

Local authorities, police or housing providers can apply to the court for these injunctions. An injunction stops or prevents individuals engaging in anti-social behaviour. This can include conduct that has caused, or is likely to cause, harassment, alarm or distress; or conduct capable of causing nuisance, including housing-related nuisance. They may be useful to prevent persons of concern from attending locations such as schools or children's homes. An injunction can include prohibitions including exclusions from areas or a home as well as positive requirements.

Where a housing tenant has breached a civil injunction the landlord, including housing authorities, can make an application to court for possession of their property, regardless of the tenure held. Breach of an injunction does not automatically result in arrest as not all will have powers of arrest attached. An application can be made for a warrant of arrest where an injunction is breached. This could result in imprisonment not exceeding 2 years and/or a fine.

Criminal Behaviour Order - Section 22 Anti-Social Behaviour, Crime and Policing Act 2014 (Offender)

This order can be suggested by a local authority or the police and it would be requested through the prosecution upon conviction of an offender when they receive a sentence or a conditional discharge.

A criminal behaviour order prohibits the offender from doing anything described in the order and can also include positive requirements (mentoring, anger management, drug rehabilitation).

Breach of this order is punishable by up to 5 years imprisonment and/or a fine.

CSE Disruption Notice (Offender)

CSE Disruption Notices can be served by the police on any person considered to pose a risk to a child in relation to CSE. The notice has no legislative powers, however it is a useful tool in warning persons of concern that their actions are not acceptable. It also records that the person is aware of the age of the child, which will render a defence based on perceptions of the age of the child invalid should they be arrested at a later date.

Agencies should ensure that they record accurately on each child's file that a notice has been served to make clear the persons posing a risk to the child and the police to ensure intelligence and PNC systems record the notice (including any locations it covers) so that it can be used as evidence if the offender is arrested.

Child Abduction Warning Notices (CAWN) - Section 2, Child Abduction Act 1984 (Offender) & S49 Children Act

Child Abduction Warning Notices can be issued by the police to disrupt contact between an adult and a child or young person where the child is aged 16 years or under, or aged 18 years or under if they are subject to a full care order. It is an offence for a person not connected to the child to take keep or detain the child 'without lawful authority' from a person with lawful control. CAWNs are issued to suspects/associates who are believed to place the child at risk of offences being committed against them. Although these cases do not always require a complaint from the child, it does require the child's parent or guardian to give permission for the notice to be served. The warning notice is not required to have been issued prior to considering prosecution under the acts.

CAWNs are a useful tool in terms of helping to immediately break contact between the child and the individual grooming or exploiting them. They are also useful in ensuring that the suspected perpetrator cannot claim they did not know the age of the child, or that they did not have parent's permission to be with the child

Breach of a CAWN is not a criminal offence, however, they can provide evidence to support a prosecution under s2 Child Abduction Act 1984 or S49 of the Children Act and/or to support applications for Sexual Risk Orders, Civil Injunctions or evictions.

Abduction of Children in Care - Section 49, Children Act 1989 (Offender)

, police may give consideration to proceeding with criminal charges for the Abduction of a Child in Care, which is a criminal offence. It is an offence if someone knowingly and without lawful authority or reasonable excuse:

- takes a child who is subject of a care order, emergency protection order (EPO) or powers of police protection away from the responsible person;
- keeps the child away from the responsible person;
- induces, assists or incites such a child to run away or stay away from the responsible person.

Criminal charges for Abduction of a Child in Care can result in imprisonment for up to six months, a fine not exceeding £5000, or both.

Abduction of Child by Other Persons - Section 2 Child Abduction Act 1984 (Offender)

, consideration may be given to proceeding with criminal charges for the Abduction of a Child by Other Persons, which is a criminal offence. This provides an offence in relation to the taking or detaining of a child under 16 years:

- where the offender is not connected with the child so as to remove him from the lawful control of any person having lawful control of the child;
- to keep him out of the lawful control of any person entitled to lawful control of the child.

It can be a defence under this offence for the offender to show that they believed the child to be over the age of 16 years or believed they had parent's permission.

Recovery Order - Section 50, Children Act 1989 (Offender)

Where a child has been unlawfully taken or kept away from a person with lawful control of the child, a court can make a recovery order directing the person to produce the child to a specified person, usually police. The order also requires anyone with information about the whereabouts of the child to disclose the information to police. In addition, if the Court is satisfied there are reasonable grounds to believe the child is present at specified premises then the order will authorise the police to enter those premises to search for the child.

The application can be made by the local authority if the child is subject to a care order or Emergency Protection Order, or by the police if the child is subject to Police Powers of Protection. Deliberate obstruction of an officer carrying out actions defined by the order is an offence and could lead to a fine being imposed.

Sexual Offences - Sexual Offences Act 2003 (Offender)

The Sexual Offences Act 2003 introduced a range of offences that recognises grooming, coercion and control of children:

- Section 14, Arranging or Facilitating a Child Sex Offence (child under 16) - this makes it an offence for a person to intentionally arrange or facilitate any action which the person intends to do, intends another person to do or believes that another person will do, in any part of the world, which will involve an offence being committed against a child under any of sections 9 to 13 of the Sexual Offences Act 2003 (includes sexual activity with a child)
- Section 15 Meeting a Child Following Sexual Grooming (child under 16) - If an adult (aged 18 or over) has communicated with a child under 16 (including over the internet) on at least two occasions and communicates plans to meet up with them, then an offence is committed. It is not necessary for the adult to set off on the journey. The adult must intend to commit a sexual offence and must not reasonably believe the child to be over 16
- Section 47, Paying for the sexual services of a child
- Section 48, Causing or inciting the sexual exploitation of a child
- Section 49, Controlling a child in relation to sexual exploitation
- Section 50, Arranging or facilitating the sexual exploitation of a child.

Sexual Risk Orders (SRO) – Section 122A, Sexual Offences Act 2003, updated by Section 113, Anti-Social Behaviour, Crime and Policing Act 2014 (Offenders)

Sexual Risk Orders can be made by a court where a person has carried out an act deemed to be of a sexual nature and who, as a result, is believed to pose a risk of harm to children. 'Acts of a sexual nature' are not defined in legislation so can be dependent upon the individual case circumstances,

context and apparent motive (e.g. an adult in a hotel room or car with a child, giving drinks or drugs to a child, trying to facilitate time alone with the child). The orders prohibit the defendant from doing anything described in the order, and can include a prohibition on foreign travel (replacing Foreign Travel Orders which were introduced by the Sexual Offences Act 2003) and internet use.

An SRO can be granted for a minimum of 2 years, and has no maximum duration. The order may specify different time periods for different prohibitions. Interim SROs can be granted while a suspect is on bail and even if the criminal case fails on evidence the SRO application can continue. SRO's make the individual subject to full notification requirements for registered sex offenders for the duration of the order.

Breach of a Sexual Risk Order is a criminal offence which has a power of arrest and is punishable by a maximum of five years' imprisonment.

Other benefits are that an offender does not need to be in court for the order to be granted and they can also be served on under 18s who pose a sexual risk. Careful consideration must be given to ensure that a child who poses a sexual risk to others should also have their welfare needs met and consideration should be given to recognising them as a vulnerable and safeguarding them. Joint working between the police, youth justice services and children's social care must take place to ensure the risks posed by a child are addressed and the child's own needs are addressed.

Sexual Harm Prevention Orders (SHPO) - Section 103A, Sexual Offences Act 2003, updated by Section 113 Anti-social Behaviour, Crime and Policing Act 2014 (Offender)

Sexual Harm Prevention Orders can be applied for where an individual already has a schedule 3 or 5 offence under the Sexual Offences Act 2003, which incorporates a wide variety of offences and it can be argued that someone is likely to cause further sexual harm. An SRO would automatically become a SHPO if an offender is convicted of a schedule 3 or 5 offence. The orders prohibit the defendant from doing anything described in the order, and can include a prohibition on foreign travel (replacing Foreign Travel Orders which were introduced by the Sexual Offences Act 2003) and internet use.

A prohibition contained in a SHPO has effect for a fixed period, specified in the order, of at least 5 years and there is no maximum time period. The order may specify different periods for different prohibitions. An SHPO makes the individual subject to full notification requirements for registered sex offenders for the duration of the order. Breach of a SHPO is a criminal offence which has a power of arrest and is punishable by a maximum of five years' imprisonment.

Violent Offender Orders (VOO) - Section 98, Criminal Justice and Immigration Act 2008 (Offender)

A VOO can be obtained by police officers to impose restrictions on an offender who has been convicted of a specified offence and who poses a risk of serious violent harm to the public, including children in general and their own children. This can include a risk of serious sexual harm of a violent nature.

VOOs are designed to protect the public from serious violent harm and can impose restrictions on an offender by:

- prohibiting their access to certain places, premises, or events; or
- prohibiting an offender from having any contact with people to whom they pose the highest risk.

An individual subject to a VOO will also be subject to notification requirements with the police.

A 'specified offence' can be: murder, manslaughter, soliciting murder, wounding with intent to cause GBH, malicious wounding, attempting to commit murder, conspiracy to commit murder or a relevant service offence. The offender must have received a custodial sentence of at least 12 months (or a hospital order).

A VOO must be in place for at least two years and no more than five years, unless it is renewed or discharged. Breach of a VOO is a criminal offence, with a power of arrest, which carries up to five years' imprisonment.

MAPPA or Potentially Dangerous Persons Procedures (Offender)

Professionals can also consider enhancing the management of perpetrators through the MAPPA or Potentially Dangerous Persons procedures. The Criminal Justice Act 2003 provides for the establishment of Multi-Agency Public Protection Arrangements (MAPPA) in each criminal justice area in England and Wales. These are designed to protect the public, including previous victims of crime, from serious harm by sexual and violent offenders. Local criminal justice agencies and other bodies dealing with offenders must work together in dealing with these offenders.

Notification Orders - Section 97 Sexual Offences Act 2003 (Offender)

Notification Orders can be applied for by police where an individual has been convicted or cautioned of a specified sexual offence in a country outside of the UK on or after 1st September 1997. The police do not have to evidence that the individual poses a risk to the public, and if the order is granted the individual will be subject to notification requirements for registered sex offenders.

Police are encouraged to conduct thorough checks into perpetrators who may have travelled overseas or come to the UK from another country.

Breach of the order is a criminal offence which has a power of arrest and is punishable by a maximum of five years imprisonment.

Human Trafficking - Part 1 Section 2, Modern Slavery Act 2015 (Offender)

A person commits an offence if they arrange or facilitate the travel of another person with a view to that person being exploited. It is irrelevant whether the victim consents to the travel, whether they are an adult or a child. A person may in particular arrange or facilitate travel by recruiting, transporting, transferring, harbouring or receiving the victim, or by transferring or exchanging control over them.

To proceed with criminal charges for the offence of human trafficking, evidence must show that:

- the person intends to exploit the victim during or after the travel, or
- the person knows or ought to know that another person is likely to exploit the victim during or after the travel

The offence of human trafficking carries a maximum sentence of life imprisonment.

Slavery and Trafficking Risk Orders - Section 23, Modern Slavery Act 2015 (Slavery and Trafficking Risk Orders); Section 28, Modern Slavery Act 2015 (Interim Slavery and Trafficking Risk Orders) (Offender)

A Slavery and Trafficking Risk Order can be obtained by police, National Crime Agency (NCA) or immigration officers by making an application to court. The STRO may be made if there is a risk that the defendant will commit a slavery or human trafficking offence, and that the order is necessary to protect against the risk of harm from the defendant committing the offence. It may impose any restriction the Court deems necessary for the purposes of protecting the public from harm.

An Interim Slavery and Trafficking Risk Order will prohibit the defendant from doing anything described in the order and can be used where an application for a Slavery and Trafficking Risk Order is yet to be determined.

STROs can be made for a minimum of 2 years, with no maximum duration. Breach is a criminal offence and could result in up to 5 years imprisonment.

Slavery and Trafficking Prevention Orders (STPO) - Section 14 & 15, Modern Slavery Act 2015 (Offender) Slavery and Trafficking Prevention Orders can be obtained by police, National Crime Agency (NCA) or immigration officers. The purpose is to prevent and prohibit convicted defendants from activities which enabled them to commit offences of human trafficking and slavery. The court can impose any prohibition they deem necessary for the purpose of protecting an individual's physical or psychological harm.

STPOs on application enable the courts to place restrictions on individuals convicted or cautioned for modern slavery type offences whether the offence took place before or after Part 2 of the Modern Slavery Act 2015 which commenced on 31 July 2015. Convictions include spent convictions. STPOs can be served for a minimum of five years and breach is an offence punishable with up to five years imprisonment.

Arrangements for assessing risks posed by certain offenders - Section 325, Criminal Justice Act 2003 (Offender)

The police and probation services as the 'responsible authority' have a duty to establish arrangements for assessing and managing the risks posed by sex offenders and other potentially dangerous offenders in the community.

CSE Perpetrators could be considered for management through MAPPA (Multi-Agency Public Protection Arrangements) or other procedures for managing offenders, due to their potential to cause serious harm by committing sexual or violent offences.

The responsible authority for each area must, in the course of discharging its functions under arrangements established by it under Section 325, consider whether to disclose information in its possession about the relevant previous convictions of any child sex offender managed by it to any particular member of the public. The disclosure of information to third parties is a useful 'restrictive intervention' to reduce opportunities for harmful behaviour.

Police should routinely circulate pictures and details of potential victims and perpetrators along with their vehicle details to Neighbourhood Police Units, response staff and PCSOs. This ensures that staff are aware, can obtain intelligence and intervene where possible, e.g. stopping known vehicles and using police protection powers where potential victims are found in the company of suspected perpetrators.

Controlling or Coercive Behaviour in an Intimate or Family Relationship - The Serious Crime Act 2015 (Offender)

Controlling or Coercive Behaviour is a key component of CSE, and it is an offence where it is committed within an intimate or familial relationship. Some cases of CSE could be eligible under this Act due to the element of 'intimate relationship'. A person commits an offence if they:

- repeatedly or continuously engage in behaviour towards another person that is controlling or coercive;
- at the time of the behaviour, the offender and victim are personally connected (includes in an intimate relationship);
- the behaviour has a serious effect on the victim;
- the offender knows or ought to know that the behaviour will have a serious effect on the victim.

The behaviour is deemed to have a serious effect on the victim if:

- it causes them to fear, on at least two occasions, that violence will be used against them;
- it causes them serious alarm or distress which has a substantial adverse effect on their usual day-to-day activities.

This offence is punishable by a fine or imprisonment of up to five years.

Restraining Orders & Non Molestation Order - Section 12 Domestic Violence, Crime and Victims Act 2004 & Section 42 Family Law Act 1996

Restraining orders should be considered by police in any CSE related prosecution even where the victim has not requested the order to be made. Restraining orders are made by a court under Section 12 of the Domestic Violence, Crime and Victims Act 2004 and allow a court to make an order either on the conviction or acquittal of a defendant for any offence where the court believes a restraining order is necessary to protect a person from harassment. The terms may be set by the court.

If the restraining order is breached, the defendant may be subject to imprisonment for a term not exceeding five years, or a fine, or both.

Non Molestation Orders (Section 42 Family Law Act) can be considered where an offender is deemed to be an 'associated person' and can restrict contact and harassment of a victim. 'Associated persons' are usually family members or spouses, however there is eligibility for one member of a non-cohabiting couple where there has been an intimate personal relationship with each other which was of significant duration.

Forfeiture of Detained Cash - Section 298, Proceeds of Crime Act 2002 (Offender)

Police Financial Investigation Units can apply to magistrates for Forfeiture of Detained Cash after police have seized over £1000 of cash under Proceeds of Crime Act where they have reason to believe that the cash has been generated through criminal activity or is likely to be used to fund criminal activity.

Asylum and Immigration (Offender)

If you suspect that a perpetrator may be a recent arrival in the UK, or may be in the country illegally, you should make enquiries with UK Visa & Immigration Service to establish their immigration status.

Warrants (Location/ Offender)

When police are investigating offences of rape and other serious indictable offences they can use:

- PACE warrants to search premises for material that is likely to be relevant evidence
- Protection of Children Act 1978 (Chapter 37) allows entry and search where there are reasonable grounds for suspecting the presence of indecent photographs or pseudo photographs of children on the premises
- S.50 Children Act 1989 authorises to enter and search premises for a child where there is reason to believe that a child who is subject of a care order, emergency protection order or police protection order is being held in circumstances amounting to an offence under s49 of this act (keeping away a child without lawful authority)
- Misuse of Drugs Act – If there is a strong link between drug dealing and suspected CSE perpetrators and it is proving difficult to obtain evidence of CSE offences, consider progressing possession/supply offences using warrants under this Act

