

# Corporate Policy and Strategy Committee

10.00, Tuesday, 1 December 2015

## Addressing Sexual Exploitation and Human Trafficking

<b>Item number</b>	7.5
<b>Report number</b>	
<b>Executive/routine</b>	
<b>Wards</b>	All

### Executive summary

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This report presents to Corporate Policy and Strategy Committee the guidance on child sexual exploitation and Edinburgh's multi-agency support protocol for victims of human trafficking (children and adults). The child sexual exploitation guidance is designed to assist practitioners in preventing child sexual exploitation, protecting children and young people who are at risk of abuse or are abused through sexual exploitation, and disrupting and prosecuting those who perpetrate this form of abuse. The support protocol for victims of human trafficking aims to raise awareness about human trafficking and its indicators, and to facilitate a consistent response to victims. The documents are attached at appendices 1 and 2. Both documents were endorsed by Edinburgh's multi-agency Chief Officers' Group – Public Protection on 9 October 2015.

### Links

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<b>Coalition pledges</b>	P1, P43
<b>Council outcomes</b>	CO1, CO5, CO10, CO11, CO15, CO21 and CO26
<b>Single Outcome Agreement</b>	SO2, SO3, SO4

## Addressing Sexual Exploitation and Human Trafficking

### Recommendations

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- 1.1 It is recommended that the Corporate Policy and Strategy Committee
- a) approves the guidance on addressing child sexual exploitation attached at Appendix 1
  - b) approves the multi-agency support protocol for victims of human trafficking (children and adults) attached at Appendix 2
  - c) notes that associated action plans to address sexual exploitation of children and adults are being developed and their progress monitored as part of ongoing improvement activity
  - d) notes that associated training and publicity plans are being developed.

### Background

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- 2.1 The sexual exploitation of children or vulnerable adults is both abusive and criminal. It is an often hidden form of sexual abuse, with distinctive elements of exploitation and exchange. In all cases, those exploiting vulnerable individuals have power over their victims by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are often common features.
- 2.2 Child sexual exploitation was identified as a priority for the Edinburgh Child Protection Committee's improvement plan. Lessons learned from the independent inquiry into child sexual exploitation in Rotherham, published in 2014, and the subsequent report of inspection of Rotherham Metropolitan Borough Council, published in 2015, were reviewed by a multi-agency working group established in Edinburgh to agree the development of policy, strategies and action plans in response to the sexual exploitation of both children and adults. This led to the development of Edinburgh's Multi-agency Sexual Exploitation Policy. Following the adoption of the policy by Council in May 2015, the guidance has been developed to assist practitioners across agencies in preventing sexual abuse and protecting children.
- 2.3 Trafficking of children and adults is a global criminal business, which targets and victimises the most vulnerable people for transportation, abuse and exploitation

across the world. It is a largely hidden problem and is often described as a form of modern-day slavery. The children and adults involved are in no way responsible for their predicament, having been coerced, bribed or forced into, and unable to escape from, the control of traffickers.

- 2.4 A multi-agency support protocol for victims of human trafficking for sexual exploitation was implemented in Edinburgh in 2004. The protocol has been updated in order to broaden its scope to include both adults and children trafficked for different purposes, including, for example, sexual exploitation, forced labour and domestic servitude. The protocol takes account of emerging legislative changes as well as recent research.

## Main report

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### The child sexual exploitation guidance

- 3.1 Sexual exploitation of children and young people always requires a child protection response. This is reflected in the Edinburgh and Lothians Inter-Agency Child Protection Procedures (2015). The guidance has been developed alongside Edinburgh's inter-agency public awareness campaign and our inter-agency learning and development strategy. It is designed to enable practitioners to recognise the signs of child sexual exploitation and give them the confidence they need to confront it. The guidance applies to male and female children up to the age of 18 years, irrespective of whether they are living at home, with carers, in a residential setting or independently.
- 3.2 An action plan and a training plan for staff are being developed and will be implemented and monitored.

### The multi-agency support protocol for victims of human trafficking

- 3.3 Tackling trafficking requires a coordinated response, involving research, intelligence, awareness raising and training, on a multi-agency basis. The protocol aims to raise awareness of human trafficking and its potential indicators among staff from all organisations; facilitate a consistent response and approach to victims; support and encourage staff from all relevant organisations across Edinburgh to work collaboratively in developing and delivering appropriate and effective services to individuals with experience of trafficking; and support the investigation and prosecution of those who coerce, exploit and abuse people.
- 3.4 The protocol provides practical advice to staff on potential indicators of trafficking, on obstacles to victims coming forward and action to take when it is suspected that someone has been trafficked.

3.5 A training plan for staff will be implemented.

## Measures of success

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- 4.1 Child sexual exploitation and human trafficking feature in our public awareness activity from December 2015.
- 4.2 Child sexual exploitation training and human trafficking training are integrated into our inter-agency learning and development strategy by 30 November 2015.
- 4.3 An inter-agency child sexual exploitation action plan is developed for Edinburgh and implemented by 31 January 2016.
- 4.4 There is an increase in the number of assessments undertaken using the Sexual Exploitation Risk Assessment Framework (SERAF).

## Financial impact

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- 5.1 The associated training plans may have financial implications. These will be considered in detail and reported on as necessary, but will require to be addressed within partner organisations' long-term financial plans.

## Equalities impact

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- 7.1 Addressing the issue of sexual exploitation and human trafficking reflects partner agencies' responsibilities in respect of equalities. Any service developments will be subject to equalities impact assessment.

## Sustainability impact

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- 8.1 There are no sustainability impact issues arising from this report.

## Consultation and engagement

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- 9.1 The documents have been developed in consultation with the City of Edinburgh Council, NHS Lothian, Police Scotland and voluntary sector partners. Advice has also been sought from the Scottish Government, Trafficking Awareness Raising Alliance (TARA) and Migrant Help.

## Background reading/external references

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[Edinburgh's Multi-agency Sexual Exploitation Policy](#), May 2015

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## Links

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<b>Coalition pledges</b>	<b>P1</b> - Increase support for vulnerable children, including help for families so that fewer go into care <b>P43</b> - Invest in healthy living and fitness advice for those most in need
<b>Council outcomes</b>	<b>CO1</b> - Our children have the best start in life, are able to make and sustain relationships and are ready to succeed <b>CO5</b> - Our children and young people are safe from harm or fear of harm, and do not harm others within their communities <b>CO10</b> - Improved health and reduced inequalities <b>CO11</b> - Preventative and personalised support in place <b>CO15</b> - The public are protected <b>CO21</b> - Safe – Residents, visitors and businesses feel that Edinburgh is a safe city <b>CO26</b> - The Council engages with stakeholders and works in partnership to improve services and deliver on agreed objectives
<b>Single Outcome Agreement</b>	<b>SO2</b> - Edinburgh's citizens experience improved health and wellbeing, with reduced inequalities in health <b>SO3</b> - Edinburgh's children and young people enjoy their childhood and fulfil their potential <b>SO4</b> - Edinburgh's communities are safer and have improved physical and social fabric
<b>Appendices</b>	<ol style="list-style-type: none"><li>1. Guidance on child sexual exploitation</li><li>2. Edinburgh's multi-agency support protocol for victims of human trafficking</li></ol>

# City of Edinburgh Inter-Agency Guidance on Child Sexual Exploitation



November 2015





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**This guidance has been adapted and draws heavily from the Barnado's Scotland/West of Scotland Child Protection Consortium, which was originally developed in 2012. Barnado's Scotland is a member of the multi-agency Edinburgh Child Protection Committee.**



## Introduction

The sexual exploitation of children always requires a child protection response. This is reflected in the Edinburgh and Lothians Inter-Agency Child Protection Procedures (2015) and the National Guidance for Child Protection in Scotland (2014).

Child sexual exploitation is a distinct form of child abuse, which can affect both boys and girls. Children and young people affected are victims of abuse.

The issue of child sexual exploitation is receiving an increased level of political and public interest across the UK. The Independent Inquiry into Child Sexual Exploitation in Rotherham (1997 – 2013) has been instrumental in changing our perceptions in how we tackle child sexual exploitation in Scotland. In November 2014, the Scottish Government published its National Action Plan to tackle Child Sexual Exploitation. In Edinburgh, the Child Protection Committee has included tackling the child sexual exploitation in its 2014-2016 improvement plan.

It is critical that all partner agencies responsible for the protection of children learn from these reviews, from research and best practice, and from what our children and young people tell us. We need to improve our knowledge and understanding of the issue and ensure that all staff across sectors and agencies recognise the indicators of child sexual exploitation and are confident in tackling it.

Early intervention and protection of children, together with disruption and prosecution of perpetrators are the key features of an effective approach.

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

When developing a response to child sexual exploitation, public sector bodies have a general equality duty to consider the role of gender and other protected characteristics in order to eliminate discrimination, harassment and victimisation. Referring to violence as 'gender-based' highlights the need to understand violence within the context of the way in which society is ordered; the relationships between men and women; the social, political and cultural environment within which they operate; and the code of conduct expected of them.

A gendered analysis lets us consider the way in which girls and boys may be more at risk from different forms of sexual exploitation. For example, boys and young men may be more at risk of online abuse, whereas girls and young women may be more at risk from an older 'boyfriend' or controlling adult. The impact of sexual exploitation on young men may be different because their abusers are mostly male. A gendered analysis of child sexual exploitation helps us understand which children may be more at risk, how abuse impacts differently on victims and how our detection and responses may need to vary accordingly. A gendered analysis also encourages us to take account of how wider societal expectations

and gender roles contributes to the context which allows abuse to thrive.

By acknowledging these links, this guidance seeks to play its part in developing a culture where everyone feels safe, respected and equal in our communities and where attitudes that allow sexual exploitation to flourish are challenged.

The guidance applies to male and female children up to the age of 18 years, irrespective of whether they are living at home, with carers, in a residential setting or independently. All references in this guidance to children or young people mean those under the age of 18, as defined in the Children and Young People (Scotland) Act 2014.

## **Purpose of guidance**

This guidance is designed to assist practitioners in preventing child sexual exploitation, protecting children and young people who are at risk of abuse or are abused through sexual exploitation, and disrupting and prosecuting those who perpetrate this form of abuse.

The guidance is supported by the Edinburgh Child Protection Committees public awareness and learning and development strategies. Everyone must take responsibility for protecting children from abuse and that means not only knowing your role, but also understanding the roles of other agencies and individuals.

This guidance is intended to support local agencies in applying Getting It Right for Every Child (GIRFEC) effectively in relation to child sexual exploitation. It should help local agencies to:

- identify those at risk of being sexually exploited
- take action to protect and promote the well-being of particular children and young people who are being or are at risk of being sexually exploited
- take action against those who are intent on abusing and exploiting children and young people in this way.

Sometimes the background and experiences of children and young people who are exploited sexually impact negatively on their behaviour, which may be challenging. The key principle for all practitioners is that children and young people who are sexually exploited are the **victims of abuse**. The responsibility for their sexual exploitation lies with the abuser. The focus of police investigations and of prosecutions should be on those who coerce, exploit and abuse children and young people.

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

The sexual exploitation of children and young people is an often hidden form of child sexual abuse. A number of different definitions have been developed through the work of researchers and practitioners, although the concepts of exploitation and exchange are central to each. Child sexual exploitation is defined in s.572-584 of [The National Guidance](#)

[for Child Protection in Scotland \(2014\)](#) and [Scotland's National Action Plan to tackle Child Sexual Exploitation](#).

Sexual exploitation is a form of sexual abuse, in which a young person is manipulated or forced into taking part in a sexual act. This could be as part of a seemingly consensual relationship or in return for attention, affection, money, drugs, alcohol or somewhere to stay. The young person may think that their abuser is their friend, or even their boyfriend or girlfriend, but they will put them into dangerous situations, forcing the young person to do things they do not want to do.

The abuser may be male or female; they may threaten the young person physically or verbally, or be violent towards them. They will control and manipulate them, and try to isolate them from friends and family.

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

### **Who does it affect?**

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

### **How does it happen?**

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

Many young people are groomed by an abusing adult who befriends the young person and makes them feel special by buying gifts or giving them attention. In most cases, the abuser will have power of some kind over the young person. It may be that the abuser is older or more emotionally mature, physically stronger, or that they are in a position where they are able to control the young person. There are some situations that can make young people

more vulnerable to exploitation. Young people who are having difficulties at home, who go missing regularly, or who have experienced care may be particularly vulnerable.

Barnardo's has distinguished three **distinct models of abuse**, which practitioners may find helpful in understanding how perpetrators operate:

- **Inappropriate relationships:** this usually involves just one abuser who has power – physical, emotional or financial; or control over a young person. The young person may believe they have a genuine friendship or loving relationship with their abuser.
- **Boyfriend:** the abuser grooms the victim by striking up a normal relationship with them, giving them gifts and meeting them. A seemingly consensual sexual relationship develops, but later turns abusive.
- **Organised exploitation and trafficking:** victims are trafficked through criminal networks, often between towns and cities, and can be forced or coerced into sex with multiple men. They may also be used to recruit new victims. This serious organised activity can involve the buying and selling of young people.
- **Technology:** young people's access to the internet makes traditional protective factors more difficult to apply. Protection messages for children and young people on the safe use of technology should include reference to raising awareness on child sexual exploitation and the appropriate response if they are concerned about their own safety or that of others. All young people may be at risk, whether due to a lack of confidence and experience in the online world, or high exposure due to increased accessibility.

### **Where does the risk come from?**

**Content** – children and young people accessing pornographic material or being exposed to unwelcome sexual content.

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

**Conduct** – children and young people creating, uploading or seeking out sexually inappropriate material.

**Combinations** – content, contact and conduct are intrinsically linked and young people can be exposed to different risks at different times.

### **Policy and legislative context**

[The Edinburgh and Lothians Inter-Agency Child Protection Procedures](#) (2015) reflect our collective commitment to inter-agency collaboration and joint responsibility, and will be followed by all services in dealing with child protection concerns. For children, young people

and their families, these procedures set out what can be expected from the professionals who have a responsibility for their protection.

[Edinburgh's Policy Statement on Sexual Exploitation](#) is a statement of commitment by all the partners in Edinburgh. It provides a set of guiding principles and definitions in relation to the prevention of sexual exploitation, the support and protection of victims and the disruption and prosecution of offenders. It is based on the shared belief that sexual exploitation of vulnerable individuals is unacceptable and will not be tolerated. We aim to reduce the risk by challenging misunderstandings about the children, young people and adults who are victims of sexual exploitation, and emphasise the need to focus on disrupting perpetrators.

[The United Nations Convention on the Rights of the Child](#) (1989) is an international agreement, which protects the human rights of children under the age of 18. It forms the basis for GIRFEC, and the Scottish Government has committed to embed this agreement into all of its work with children and young people. The United Nations Convention on the Rights of the Child (UNCRC) is clear within articles 35 and 36 that the state shall protect children from sexual exploitation and abuse, including 'prostitution', trafficking for sexual purposes and involvement in the production of child sexual abuse images.

[Getting It Right for Every Child](#) provides a framework for all those who work with children and young people. The framework puts children and young people at the heart of service provision, as well as encouraging inter-agency working to ensure children and young people have the best start in life. GIRFEC is being worked into policy and practice. The [Children and Young People \(Scotland\) Act, 2014](#) embeds the core principles of GIRFEC in legislation.

The 'Lead Professional' is the person within the network of practitioners supporting the child and family who will make sure that all agencies act as a team and the help they offer fits together seamlessly to provide appropriate support. The 'Named Person' acts as a main point of contact for children and families to help them access universal services.

[Vulnerable Children and Young People: Sexual Exploitation through Prostitution \(2003\)](#) highlights that sexual exploitation is abuse and should be treated accordingly. Any criminal justice action must focus on investigating and prosecuting those who are involved in abusing children. This includes not only those who sexually abuse children directly, but also those who coerce and are involved in the sexual exploitation of children in any way.

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

[The National Risk Framework to support the Assessment of Children and Young People \(2012\)](#) is a national risk assessment toolkit for child protection to support

practitioners in identifying and acting on child protection risks for children and young people. Based on the GIRFEC approach to well-being and on the National Practice Model, it sets out a process for assessing risk to enable practitioners to consider key factors in the child or young person's life. The factors include risk as well as resilience and protective issues. It can be used alongside any other assessment frameworks specifically designed to assess particular circumstances where children or young people may be at risk of harm or abuse at home or in the community.

## Identification and Prevention

Child sexual exploitation is a hidden form of abuse and is not visible until we recognise some of the signs and begin to enquire further. Therefore staff should apply professional curiosity when there is any indication of a child or young person being exploited.

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

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

There are a number of signs that a child may be being groomed for sexual exploitation. Practitioners who have regular contact with children and young people have a key role in understanding the connections between these behaviours and the wider context of the young person's life.

Practitioners should exercise professional curiosity. If it is believed that there is any indication, however slight, that a child could be at risk, action should be taken and information should be shared.

Child sexual exploitation is widespread and can affect all young people, but there are certain vulnerabilities, which can make a young person more susceptible to exploitation.

### **Vulnerability Factors include:**

- **A disrupted family life:** young people who get drawn into child sexual exploitation often have a chaotic or disrupted home life. This can include parental breakdown or separation and being looked after by the local authority.
- **A history of abuse and disadvantage:** this can include emotional, physical and sexual abuse as well as neglect.

- **Problematic parenting:** an evaluation of several child sexual exploitation services in the UK found that there was a huge deficit in the parenting capabilities of many parents of children who were exploited sexually. Fathers were often absent. Some young people move into adult life prematurely.
- **Disengagement from education:** school plays an important safeguarding role in a young person's life; if they disengage from education, they can be left vulnerable. They may become disconnected from their peers and lose sense of a regular routine.
- **Learning difficulties:** a young person with learning disabilities may be less able to recognise the risky situations they may be getting themselves into and they may be more susceptible to exploitation.
- **Going missing:** many young people have a history of going missing from home or care for various reasons. This leaves them susceptible to exploitative adults who may offer them a place to stay or somewhere to pass the time.
- **Poor health and well-being:** low self-esteem in adolescence may leave some young people vulnerable to older people who compliment them and make them feel good about themselves by offering them gifts and giving them attention.
- **Drug and alcohol misuse:** alcohol and drugs are frequently used in the grooming process. For young people who already have problems with substance misuse, this makes them easier targets for exploitation. They are more likely to be lured into risky situations by the incentive of drink or drugs. In the evaluation of several child sexual exploitation services in the UK, substance misuse was a key factor in approximately three quarters of cases.

### **The impact of drink and drugs**

Underage drinking (offences related to sale and supply) and drug taking are criminal activities. Substance misuse can mask the exploitation and criminality and make adults less sympathetic to the young person's situation.

Perpetrators may lure young people in with the promise of drugs, alcohol, parties and a good time. Young people may come to rely on drink and drugs to cope with the sexual exploitation they are experiencing.

### **Know the signs – risk indicators**

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

Risk indicators can include, but are not restricted to:

- **Staying out late and going missing:** does the young person regularly return home late? Is the young person missing overnight or for longer with no known home base?

- **Multiple callers:** does the young person regularly receive calls or messages from unknown adults or young people who may be slightly older than them? Perpetrators of child sexual exploitation routinely use mobile phones as a means of controlling their victims.
- **Excessive use of a mobile phone or multiple mobile phones:** does the young person use their mobile phone more than would otherwise be expected of them? Are they secretive about who they are contacting and why? Young people are often given more than one mobile phone so that perpetrators can contact them.
- **Expressions of despair:** is the young person displaying signs of self-harm, overdosing, eating disorders, challenging behaviour or aggression?
- **Disclosure of abuse followed by withdrawal of allegation:** has the young person disclosed being abused and then retracted the allegation? This can indicate fear and intimidation.
- **Sexually Transmitted Infections (STIs) and unwanted pregnancies:** has the young person contracted an STI or disclosed an unwanted pregnancy? These are often signs of unsafe sex and could indicate sex with multiple people.
- **Peers involved in sexual exploitation:** has the young person disclosed peers being sexually exploited? It is very common for peers to be the gateway into child sexual exploitation.
- **Drug and alcohol misuse:** has the young person started experimenting with drugs or alcohol? Drink and drugs are a central part of the grooming process. Young people may start to normalise the sexual behaviour that follows, even if they don't like it at first, because it leads to the good feelings of drugs and alcohol.
- **Use of mobile devices that cause concern:** does the young person spend more time than usual online? Are they secretive? Are they accessing inappropriate websites? The internet is a very effective means for perpetrators to connect with, groom and exploit young people. They can have almost unlimited access to young people via social networking and gaming sites, whilst grooming them for face to face exploitation.
- **Lack of positive relationship with a protective or nurturing adult:** does the young person have a strong adult figure in their life to whom they can turn? If they do not have a nurturing adult in their lives, they may look elsewhere.
- **Truancy or exclusion:** has the young person been excluded from school or been truanting persistently? Young people who are not in school during the day may be more at risk of sexual exploitation. Living independently and failing to respond to attempts by a worker to keep in touch: has the young person started withdrawing from their social and formal networks? Perpetrators will try and separate young people from their networks of support. They may try and convince the young person that their family and friends do not care about them.

- **High number of sexual partners:** is the young person displaying signs of sexual behaviour with multiple partners? This may be a sign of exploitation; the young person may be being coerced or forced into having sex with others.
- **Unexplained amounts of money or other material items:** does the young person turn up with expensive clothing or other items? Children who appear to have new clothes, jewellery, mobile phones or money that cannot plausibly be accounted for may be being groomed.

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

- presence of an older boyfriend or relationship with a controlling adult
- abuse by boyfriend or controlling adult
- entering and leaving vehicles driven by unknown adults
- frequenting areas known for street prostitution
- physical injury or symptoms of abuse
- children under 13 years asking for sexual health advice
- being taken to flats, houses or hotels and engaging in sexual activity.

### **Lack of disclosure and response**

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

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

Young people are unlikely to disclose information to people they do not trust. If they feel as though an adult does not understand or that they will judge them, they are unlikely to disclose what is happening.

### **Challenges practitioners face in identifying and responding to sexual exploitation as a child protection issue:**

- **Age** of the child or young person – responses can vary if the child is 16 years and over. Nevertheless, there should be a robust inter-agency response.
- **Gender** of the child or young person – responses can vary if the child is male. Practitioners should guard against making assumptions based on gender.

- **Sexuality** of the child or young person – responses can vary if workers are focused on the possibility of young people exploring their sexuality.
- Difficult **behaviour** of the child or young person.
- **Scale of child sexual exploitation** – some disclosures may seem implausible to workers.
- Children may be involved in other **criminal activity**.
- **Lack of awareness or training** on the part of the practitioner.
- **Lack of understanding** of the child protection response to be triggered.
- **Lack of disclosure** – children do not see it as abusive or dangerous and trivialise or blame themselves.
- **Fear** of what follows disclosure.
- **Continuity** in support to young people aged 16 years.

**What prevents young people disclosing sexual exploitation?** Young people rarely self-disclose directly, sometimes because they **do not recognise** the exploitation. Other inhibiting factors are set out below.

- Loss of supply of alcohol, drugs
- Loss of “boyfriend” – love and attention
- Fear of retribution from other young people
- Fear of domestic abuse from “boyfriend”
- Shame – family, friends and workers finding out
- Fear of letting everybody down
- Fear of being labelled a prostitute or gay
- Fear of not being believed
- Fear of separation from family or change of placement
- Threat of secure accommodation
- Fear of loss of control following disclosure
- The perceived benefits of the exploitation appear to outweigh risks
- Fear that the situation will get worse

**All young people have a right to be:** listened to; respected; valued and feel valued.

These are key principles for practitioners when it comes to reading the signs of child sexual exploitation.

### **Key messages from recent significant case reviews (SCR)**

Several SCRs have been undertaken over recent years in response to cases of child sexual exploitation. The SCRs are intended to draw out what went wrong and find out what lessons can be learned for individual agencies, so that similar things do not happen again.

The SCR in Rochdale uncovered several themes.

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

### **Emerging themes contained within the Independent Inquiry into Child Sexual Exploitation in Rotherham are set out below.**

- Leadership, in particular from elected members, senior police and council officers is critical
- Inappropriate negative attitudes of agencies to challenging behaviour of looked after and accommodated children and young people, and/or young people presenting difficult behaviour in local communities
- Need for trauma-informed awareness
- Taxi services linked to organised crime
- Resources, volume of demand and pressures on staff
- Rarity of prosecutions

- Traditional statutory approaches versus the effectiveness of community and third sector resources, which may connect better with local communities
- The line between a reluctance to believe and active collusion
- Inaction justified by fear of accusations of racism; a simplistic understanding of a complex dynamic
- Need for effective:
  - awareness-raising
  - strategic planning
  - resource allocation
  - professional supervision
  - engagement with children, young people and their families
  - engagement with local communities
  - criminal investigations

## 16 and 17 year olds

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

Practitioners should take account of child protection and adult protection procedures when considering 16 and 17 year olds. **The age of the individual concerned should not be a barrier to an Inter-agency Referral Discussion taking place. A response proportionate to the level of risk being effected is the priority.**

## Roles and responsibilities

As all child sexual exploitation will warrant a child protection referral, individual and agency roles and responsibilities must accord with those set out in the [Edinburgh and Lothians Inter-Agency Child Protection Procedures](#) (2015).

**The Edinburgh Child Protection Committee** (CPC) is an inter-agency strategic partnership responsible for the design, development, publication, distribution, dissemination, implementation and evaluation of child protection policy and practice across the public, private and third sectors in Edinburgh. The CPC's role is to provide individual and collective leadership and direction for the management of child protection services in the city.

### Monitoring

The CPC will ensure that monitoring arrangements are in place. The number of strategy meetings held under this protocol, number of children involved and any deficits in service provision will be recorded and monitored by the CPC in order to evidence local prevalence and need, and to ensure adequate service provision.

Member agencies are encouraged to collect information to monitor prevalence, activity patterns and effectiveness of interventions for children who are sexually exploited.

#### Understanding prevalence

Child sexual exploitation is a hidden issue. There is no central system for recording cases, meaning that it can be difficult to get an accurate picture of the number of young people at risk. However, without systems in place to monitor local levels of risk, young people who are experiencing exploitation are all the more likely to go unnoticed and unprotected.

#### Accessing specialist support

Child sexual exploitation is a child protection concern and support will always be available from the core agencies, alongside any other specialist supports, where available. It is vital that the right specialist support is available to help young people exit and recover from exploitative situations, and that there are clearly determined pathways from universal to specialist services.

#### Raising awareness

Professionals in universal services have a critical role in identifying and addressing sexual exploitation. Frontline staff in services for children and young people should be able to recognise the warning signs and risk factors of child sexual exploitation and know how to respond using child protection procedures. The Edinburgh Child Protection Committee has a role in engaging with the public to raise awareness of child protection issues, including child sexual exploitation, providing advice on what the public should do if they have concerns. A communication strategy has been developed to form part of the Speak Up – Speak Out publicity campaign.

### **Police Scotland**

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

The role of the police is central to tackling child sexual exploitation. Victims often display behaviours deemed anti-social and sometimes criminal, such as underage drinking, drug taking, underage sex, truancy and other risky behaviours. The police therefore are often on the frontline and are best placed to pick up on these indicators. A balance must be struck between dealing with anti-social or criminal behaviours and being alert to signs of child sexual exploitation.

The single force gives increased opportunities for national training on the issue, stronger

multi-agency relationships and action to ensure there is always a culture of support for victims.

Set out below is a checklist of core features for effective local policing of child sexual exploitation.

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

#### Responsibility

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

#### Specialist Officers

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

#### Force-wide training

Both frontline officers and senior officers should have training. Training senior staff promotes a force-wide understanding of the importance of tackling this abuse. Any training should be updated as knowledge of the issue continues to develop.

#### Database indicator

The interim Vulnerable Persons' Database (iVPD) enables Police Scotland to flag child sexual exploitation on the national database (whether known or suspected cases) to help police profile the local problem and manage individual risks.

#### Multi-agency links

Police Scotland is central to the efforts to tackle child sexual exploitation and is represented by senior staff on the Edinburgh Children's Partnership, Edinburgh Child Protection Committee and the Edinburgh Chief Officers' Group – Public Protection.

#### Cross-border links

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

sexual exploitation.

### Culture of support

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

### Missing from home

Police Scotland is also the main agency involved when a young person is reported missing, runs away from home or absconds from a residential unit. We know that children who go missing or run away regularly are at risk of becoming involved in sexual exploitation. Going missing may also be an indicator that sexual exploitation is occurring. Police Scotland has been instrumental in the development of new procedures for **Looked after Children who go Missing from Residential and Foster Care in Scotland**.

A UK survey conducted in relation to Barnardo's sexual exploitation services found that 44% of all service users had gone missing on more than one occasion. Findings were similar in the University of Bedfordshire study, which found that over half of young people using sexual exploitation services on one particular day were known to have gone missing.

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

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

The Edinburgh CPC will ensure that relevant agencies know what to ask a child or young person when they go missing, ensuring that the response and support are appropriate, sensitive and timely. Key questions are set out below.

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

- **With whom have they been?** Those intending to exploit children sexually may specifically target and befriend young runaways by offering gifts and friendship. Other young people already involved in child sexual exploitation might be persuaded to draw in other vulnerable young people on the street.
- **Have they been drinking or taking drugs?** Substance misuse is a common facet of child sexual exploitation. Perpetrators may lure young runaways to 'parties' with the promise of drink and drugs to facilitate exploitation.
- **What problems led them to run away?** Finding the route cause is key to preventing the young person from going missing again.

## Social Work Services

Social work services have a statutory general duty for the promotion of the welfare of the person. Children's social work services have a specific responsibility for:

- supporting families to maintain children at home and in their community where appropriate
- investigating allegations of child abuse
- where necessary, providing appropriate care placements for children.

The Council has a statutory duty under the Children (Scotland) Act 1995 and the Children's Hearing (Scotland) Act, 2011 to safeguard and promote the welfare of children in need and to enquire into the circumstances of children and young people who may require compulsory measures of supervision, who may have been abused or neglected or be at risk of abuse or neglect, and take all measures to protect them from further harm.

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

All referrals received suggesting a child may be in need of protection will be dealt with through an Inter-Agency Referral Discussion, as a matter of the highest priority, on the same working day.

In all referrals suggesting that a child is in need of compulsory measures of supervision, social work staff will make enquiries and give the Children's Reporter all relevant information about the child.

Criminal justice social work staff have a statutory responsibility with the police for supervising and managing risk from adults who have committed offences against children.

### Corporate Parenting

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

Edinburgh's Integrated Plan for Children and Young People is supported by the Corporate Parenting Action Plan. This was launched in March 2012, with 36 actions points under six key themes: Leadership; Health and Wellbeing; Education; Employment and Training; Support and Protection; and Accommodation. Following significant consultation and engagement with stakeholders, including children and young people, the refreshed Corporate Parenting Action Plan was launched in May 2014.

### Vulnerabilities of accommodated children

Looked after children and young people, especially those who are accommodated are particularly vulnerable to sexual exploitation. Perpetrators will often target residential homes because they know the young people there will have existing problems and vulnerabilities, which have led to them being accommodated. Residential workers must be able to recognise the signs and have a good understanding of what to look for, such as going missing, disengagement from education, appearing with unexplained gifts, and changes in temperament or mood. Staff should take positive action to clarify and record any concerns, and minimise the child's involvement in child sexual exploitation. If suspicions are confirmed, the following steps should be taken.

- **ALWAYS** treat as a child protection response.
- Treat the child as a victim.
- Ensure that all relevant information is recorded in the child's care plan and file concerning adults and identifying information, e.g. appearance, street names, car registration details, telephone activity, the child's patterns of going missing, together with decisions and directions for action.
- Make every effort to dissuade the child from leaving to engage in child sexual exploitation by talking to them, involving them in alternative activities, and ensuring they have the resources to attend those activities, including escorting where necessary.
- Consider the joint protocol in relation to children who go missing from local authority care.

- Ensure the child is aware of the legal issues involved, for example that those exploiting them are committing a range of offences.
- Monitor telephone calls, text messages and other correspondence, clarifying the possibility of police downloading information from young person's mobile phone (this is a measure Police Scotland may implement to evidence an enquiry). Reasons for intercepting letters and calls (for example, they relate to a dangerous adult) should be included and agreed as part of the care plan.
- Monitor callers to the home or adults collecting children by car. This may involve turning visitors away, or passing information directly to the police; monitor any suspicious activity in the vicinity of the home and inform the police.
- Use appropriate methods, in accordance with relevant guidance, to prevent the child leaving home to engage in child sexual exploitation (these should be recorded in the care plan).
- Where these efforts fail, and the child leaves, staff need to decide whether to follow them and continue to encourage them to return.
- If they will not return, staff should inform the local police that the child is missing and pass on all relevant information.
- Liaise with outreach agencies, so they can look out for a child who has gone missing.
- Offer sensitive and welcoming responses to children returning home.
- Identify or be able to describe the adults who are spending time with the young person.

## **Education Services**

Any concerns that a child is at risk of sexual exploitation should be raised with the relevant 'designated member' of education staff, who should share that information with social work, in line with the school's child protection procedures.

Many victims of child sexual exploitation are disengaged from education and may be either permanently or temporarily excluded from school, not attending school and not in employment.

Staff in schools, further education colleges and other education establishments are well placed to recognise and refer children who are exposed to the risk of sexual exploitation. Disengagement from education is a strong indicator of involvement in child sexual exploitation. Staff are also in a position to support children to reduce vulnerability and risk of sexual exploitation and to support abused children to recover.

- School staff should be alert and competent to identify and act upon concerns that a child is vulnerable to, at risk of, or experiencing abuse through child sexual exploitation. They should be familiar with vulnerability and risk factors and appropriate associated actions in relation to each level of risk.
- Relationship, Sexual Health and Parenthood studies (RSHPE) within curriculum for excellence provides a sound platform through which to explore ideas around healthy sexual relationships and to provide children and young people with a sense of control about their bodies and selves. This also needs to include opportunities for children and young people to understand the very real risks involved in staying out late and going missing from school, home or care.
- Staff should be aware of the importance of sharing any concerns related to children and young people who go missing during the school day and reporting information that perpetrators may be targeting the school.
- Any concerns should be passed to the school's 'designated member' of staff for child protection. They should monitor information to identify when more than one child in the school or community may be being targeted for child sexual exploitation. These lead individuals should have or develop a level of expertise in relation to child sexual exploitation. They should be able to advise within their school or service on identifying and referring a child at risk and how their agency can contribute to risk reduction work and a protection plan.
- All schools and educational facilities should ensure that staff receive appropriate training to ensure they are competent to identify a child who may be vulnerable to child sexual exploitation and act accordingly.

## **Health Services**

Any health professional with concerns that a child is at risk of, or is being abused through child sexual exploitation (based on vulnerability and risk factors set out in the sexual exploitation risk assessment framework) has an individual responsibility to share concerns with the on-call paediatrician for child protection, the NHS Lothian child protection advisor, police or social work, in line with child protection procedures. There should be no delay in sharing concerns.

Health professionals, and especially those working in sexual health clinics, are on the frontline when it comes to child sexual exploitation. Health provision is a universal service and staff may have more opportunities to spot indicators that a child or young person is being abused in this way.

Sexual health workers are in a position to communicate with young people and encourage disclosure if they suspect sexual exploitation. Health professionals in sexual health clinics may not be viewed in the same way as other professionals in a young person's life. Young people may feel less likely to be judged because staff deal with sexual health issues on a daily basis. It is important therefore that they and other health professionals who come into

contact with children and young people are able to recognise the signs of child sexual exploitation and can ask questions in a sensitive manner.

Health professionals are in a prime position to gather information and build trusting relationships with young people. These can result in positive outcomes in both meeting the needs of young people and identifying the perpetrators of child sexual exploitation.

Health professionals should be familiar with vulnerability and risk factors and appropriate associated actions in relation to each level of risk.

Signs to look out for in young people include:

- pregnancy, termination or miscarriage
- pregnancy in very young girls
- young people asking for contraception
- young people engaging in sexual activity at a young age
- young people disclosing rape and sexual assault
- young people being presenting multiple times at Accident and Emergency, particularly for sexual or physical assault
- sexually transmitted infections

Relevant information **MUST** always be shared when there is suspicion of child sexual exploitation or any form of abuse.

The National Guidance: *Under-age Sexual Activity: Meeting the Needs of Children and Young People and Identifying Child Protection Concerns (2010)* provides direction.

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

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

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

## **Other Services**

Everyone has a responsibility to act if they suspect a child is being harmed or abused in any way. The role of staff in relation to children abused through child sexual exploitation is in the prevention, recognition and referral stages.

Key frontline workers include street wardens, shopping centre security, concierges, CCTV operatives and staff in pubs, clubs or hotels. Most sexual exploitation takes place in private. However, public places such as cafes, hotels, B&Bs, cars, parks or taxis can be used to meet, groom and abuse children.

All staff must be vigilant – from landlords to security staff, and from petrol station attendants to takeaway workers. People working in the night time economy are particularly well placed to notice whether exploitation is occurring in their area and pick up valuable information.

If concerns are raised, they should be progressed in accordance with the Edinburgh and Lothians Inter-Agency Child Protection Procedures.

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

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

Hotels, B&Bs and local authority tenancies can be central to the process of child sexual exploitation. Staff therefore must be aware of the signs and alert to groups of older men frequenting rooms with young people. The authorities should be contacted immediately if any illegal activity is suspected.

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

## **Voluntary Sector and Community Groups**

Many young people are reluctant to engage with statutory services and might find voluntary agencies more approachable sources of help. By working in partnership with statutory bodies, voluntary agencies are able to offer services that help young people understand the grooming process, and raise awareness of risks and the implications of risk taking behaviour.

There is a wide range of specialist and other voluntary and community agencies and groups (youth clubs, sport, drama groups, faith groups, etc.), which might be well placed to identify children who are at risk of, or are being exploited. Voluntary and community sector agencies often have a close relationship with their local communities and can develop trusting relationships and maintain a link to the children or young person if they disengage from statutory services. Outreach agencies are often the first point of contact for children in risky situations, and specialist voluntary agencies often have the opportunity to provide vital support to reduce the risk.

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

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

A recent case review in Torbay following an incident of child sexual exploitation concluded a range of lessons to be learned.

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

longer term deeper issues or current abusive relationships”

### **What can I do as a practitioner?**

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

**Some of the steps you can take to help protect young people are set out below.**

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

**Barnardo’s has developed a model of practice called the 4 As for adults working with children.** Following this model may encourage children and young people to disclose any abuse or exploitation they are experiencing. This is more likely to result in the appropriate support being provided.

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

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

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

**Advocacy:** support young people to get the services they need. It is very important

to advocate on behalf of the child and not stigmatise them for their involvement in sexual exploitation. Sign-posting young people to the appropriate services will enable them to get the support they need. Additional stigmatisation or criminalisation may push them further into exploitation.

### **Working with children and young people**

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

Establishing a positive trusting relationship with vulnerable children and young people takes time. A relationship needs to be developed, which offers something tangible to the child or young person. At the same time, it is important to acknowledge that workers are not providing friendship, but a professional support and protection service. Change needs to happen at a pace that is set by the young person; provide real choices; and promote a sense of positive control for the young person. Working with children and young people who are exposed to risk and experiences of sexual exploitation requires an approach that is non-judgmental.

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

Workers need to be realistic about expectations and to understand that this is long-term, intensive work, where progress will not always be consistent.

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

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

The child's behaviour and attitude may be extremely challenging, and carers and staff will require ongoing support, advice and training to allow them to respond appropriately and effectively. These needs must be considered and resources identified, either by the manager of the residential unit, or the fostering link worker. The Emergency Social Care Service

should be made aware of how to respond out-of-hours.

### **Young people aged 18 years and over**

In cases where a young person entitled to receive services under the Children and Young People (Scotland) Act, 2014 is assessed as at medium or high risk of abuse through sexual exploitation, the actions above should be followed.

The pathway planning should specifically identify their vulnerability to sexual exploitation, and address the factors known to impede successful recovery, e.g. homelessness, poverty, lack of educational and employment opportunities and lack of supportive social contacts.

Information and awareness raising actions, and where necessary, work to reduce the risk of sexual exploitation should be included in the pathway planning process. Risk should be assessed and addressed on an ongoing basis. For children and young people under the age of 18, liaison between social services and the Police Public Protection Unit is also required.

A young person who has been subject to negative life experiences, including sophisticated grooming, which have brought them to a point where they are at risk of, or are abused through, sexual exploitation will continue to need support and protection when they reach the age of 18 years. They remain vulnerable, with ongoing needs. A person's vulnerability will depend on their circumstances and environment, and each case must be judged on its merits. Consideration should always be given to referral through Edinburgh's [Adult Support and Protection arrangements](#).

Individuals with a learning disability, cognitive impairment and/or mental health problems are particularly vulnerable to sexual exploitation and abuse. Reasons for this include:

- society's attitudes and assumptions, which often devalue individuals with disabilities
- prejudice and misconceptions regarding people with learning disabilities, e.g. belief that they are insensitive to pain
- communication difficulties may make it difficult for individuals to be heard or understood
- failure by professionals to recognise the signs of exploitation and the misidentification of behaviour as symptoms of illness or impairment, e.g. self harm
- the individual may be isolated and prone to grooming via the internet and social media sites
- an impaired capacity to avoid or resist abuse
- a tendency to show affection easily to strangers and acquaintances
- the individual may have learned to be compliant, by having to fit in around others whose approval is essential for well-being or survival

- lack of sexual knowledge and understanding about sexuality
- the individual may have no other frame of reference and may not recognise that they are being exploited.

Edinburgh recognises commercial sexual exploitation, and in particular prostitution and trafficking, as a significant social problem, which disproportionately affects vulnerable people, as well as families and communities. Prostitution and trafficking are part of the same continuum – a widespread manifestation of violence and abuse. Violence, experience of abuse, homelessness, poverty and addiction are at the root of prostitution in Edinburgh. Women caught up in systems of prostitution and trafficking survive prolonged periods of emotional, physical, mental and sexual trauma. Women victims are amongst the most disadvantaged and marginalised in our community.

There is also an often hidden population of men and young people who engage in prostitution, and a similar partnership approach is in place to meet the needs of this equally vulnerable group.

### **Information sharing**

The key to good multi-agency working is information sharing. This is central to any multi-agency meetings. Successful exchange of information supports both the identification of victims and the development of appropriate responses.

The 'Getting it right for every child' (GIRFEC) approach focuses on early intervention. If a practitioner believes a child or young person's wellbeing is at risk or they are at risk of harm, this information needs to be shared.

"A Practitioner Guide to Information Sharing, Confidentiality and Consent to Support Children and Young People's Wellbeing" was produced by the Lothian Data Sharing Partnership in 2014 to assist staff in promoting, supporting and safeguarding the wellbeing of all children, young people and their families.

Guidance from the Information Commissioner's office on this matter states that:

"Where a practitioner believes, in their personal opinion, that there is risk to a child or young person that may lead to harm, proportionate sharing of information is unlikely to constitute a breach of the (Data Protection) Act in such circumstances".

## **Managing individual cases**

### **The Barnardo's Sexual Exploitation Risk Assessment Framework (SERAF)**

The risk assessment tool SERAF has been developed by Barnardo's to enable the identification of children and young people at risk of sexual exploitation. It was developed in

response to issues raised by practitioners. It is an additional tool, specific to child sexual exploitation, to be used alongside the National Risk Assessment Toolkit.

The development of a framework, which includes four categories of risk, is intended to inform appropriate responses in relation to protecting children and young people. Providing an appropriate response requires a protective network for children and young people. Effectiveness depends heavily on a multi-agency response. This response is delivered most effectively in the structure offered by local protocols. Different responses are required in relation to each level of risk. Each of the four categories of risk has an associated action.

### Sexual Exploitation Risk Assessment Framework (SERAF)

SERAF Category of Risk	Indicators of risk	Description	Associated actions
Category 1 Not at risk	No risk indicators but may have one or more vulnerabilities present.	A child or young person who may be 'in need' but who is not currently at risk of being groomed for sexual exploitation.	Educate to stay safe. Review risk following any significant change in circumstances.
Category 2 Mild risk	Educate to stay safe. Review risk following any significant change in circumstances.	A vulnerable child or young person who may be at risk of being groomed for sexual exploitation.	Consider multi-agency meeting to share information and agree a plan to address risk and/or need. Work on risk awareness and staying safe should be undertaken with this child/ young person. Review risk following any significant change in circumstances.
Category 3 Moderate risk	Multiple vulnerabilities and risk indicators present.	A child or young person who may be targeted for opportunistic abuse through exchange of sex for drugs, accommodation (overnight stays) and goods etc.	Convene multi-agency meeting under local procedures for sexually exploited children and young people to ensure effective exchange of information with multi-agency colleagues and agree safety plan. At least one review meeting to be convened.  Work should be undertaken with this child/ young person around risk reduction and keeping safe.

Category 4 Significant risk	Multiple vulnerabilities and risk indicators. One or more significant risk indicators also likely.	Indication that a child or young person is at significant risk of or is already being sexually exploited. Sexual exploitation is likely to be habitual, often self-denied and coercion/control is implicit.	Convene multi-agency meeting under local procedures for sexually exploited children and young people to ensure effective exchange of information with multi-agency colleagues and agree safety plan, including regular review meetings.  Protection plan should include long-term intensive direct work with the child or young person.
Moderate or Significant risk	As above	Young person aged <b>16 years</b> or above.	Where a young person is aged 16 years or over and not subject to statutory measures, the associated action in relation to Moderate and Significant risk: sexual exploitation should be addressed as an issue in relation to this young person through liaison between Social Work and Police Public Protection Unit to address the young person's protection.

### Category 1 – Not at risk of sexual exploitation

Children and young people in Category 1 do not have indicators of risk in relation to sexual exploitation. The majority of children and young people will not be at risk. However, children and young people in contact with support agencies, such as social work are likely to have some vulnerability.

Children and young people assessed as being in this category need access to basic information, which will enable them to develop an awareness of the risks that can lead to a situation in which they may be exposed to sexual exploitation. They need access to information that will equip them to avoid risky situations and to protect themselves. Social workers are well placed to deliver such information as part of their interaction with the children and young people with whom they are in contact.

The school Personal Health and Social Education (PHSE) curriculum provides a sound platform through which to deliver basic information, to explore ideas around 'healthy' sexual relationships and to provide children and young people with a sense of control about their bodies and selves. This also needs to include opportunities for children and young people to understand the very real risks involved in staying out late and going missing from school, home or care.

Health professionals, such as school health nurses, practitioners in young persons' advisory/sexual health clinics and GPs have a role in promoting the young person's health, which includes identification of immediate and ongoing health needs (including sexual health and emotional needs). As a universal service, health is well placed to offer support, counselling and information to enable young people to understand the risks and develop strategies for staying safe.

### Category 2 – Mild risk

A child identified as at mild risk is likely to have multiple vulnerabilities, such as problematic parenting and childhood experiences. One or two risk indicators may also be present. These vulnerabilities increase the risk of children and young people being groomed for sexual exploitation. Early intervention and preventative work are needed to protect children and young people who have multiple vulnerabilities.

A practitioner or agency view that a child is at mild risk (Category 2) may be inaccurate, and sharing information about that child may reveal them to be at moderate or significant risk – and in need of protection. Interventions to interrupt abuse and support children to recover a healthy lifestyle are more likely to be successful if a child who is at risk can be identified and concerns shared within a multi-agency support network as early as possible.

Consideration should be given to convening a multi-agency meeting to ensure all information is shared and to agree a child's plan to address risk and need. The plan should include a programme of direct work with the child to raise awareness of sexual exploitation and to provide tools for the child to self protect. The programme should raise risk awareness, provide information on keeping safe and address specific identified issues that pose a threat to safety. It should be delivered by a practitioner who has a good working relationship with the child or young person. It should include opportunities for the child to understand the very real risks involved in activities such as staying out late and going missing from school, home or care.

Risk must be reassessed regularly as part of the planned work undertaken with a child or young person. Any significant change in circumstances that might increase vulnerability, or any incidence of behaviour associated with risk should result in an immediate reassessment of risk using the sexual exploitation risk assessment.

### **Category 3 – Moderate risk**

A child or young person identified as at moderate risk is likely to have multiple vulnerabilities present as well as one or more indicators of risk. Children and young people at moderate risk may be groomed or targeted for opportunistic abuse and/or exploitative relationships by abusing adults.

It is in this category that any missing information can have the greatest effect on the accuracy of assessment and information sharing. A multi-agency strategy meeting for children at risk of abuse should always be convened in relation to child or young person assessed as at moderate risk. Multi-agency strategy meetings enable the effective exchange of information between representatives of key agencies. The meetings should include the individual who has identified the risk or raised concerns in relation to the child or young person and representatives from social work, police, health, education, placements and any specialist child sexual exploitation services. Multi-agency strategy meetings should respond to the needs of children and young people for whom risk of sexual exploitation is indicated but not known, as well as responding to cases where evidence of sexual exploitation is available.

The multi-agency strategy meeting should agree a protection plan and action to include direct work with the individual child or young person. The focus of any safeguarding plan and

of direct interventions should be the reduction of specific risks that are causing concern. In particular, where staying out late and/or going missing from school, home or care are identified, these should be addressed as a priority. The safeguarding implications of staying out late and going missing should not be underestimated by any agencies. The length of intervention required will be different in each case and is reliant on the specific circumstances of the child or young person and the nature of the risks that are being addressed. Individual children and young people may respond to intervention in different ways and this will also impact on the length of that intervention.

A change of circumstances, such as a placement change, may support the reduction of risks in a relatively short time. Conversely, a placement change could escalate risk. At least one review meeting by the multi-agency strategy group should be conducted to ensure that actions have been taken, and to assess progress, consider the impact of interventions, share further information and reassess the level of risk. Risks should be monitored carefully and reviewed over time in relation to children and young people for whom there have been concerns.

Risk should be reassessed regularly as part of the planned work undertaken with a child or young person. Any significant change in circumstances that might increase vulnerability, or any incidence of behaviour associated with risk should result in an immediate reassessment of risk using the sexual exploitation risk assessment.

The approach to working with children and young people at significant risk or who have been abused set out below can also be applied to children and young people in Category 3.

#### **Category 4 – Significant Risk**

This category is where a child is assessed as being at significant risk of sexual exploitation or where they are already being abused. This is likely to include cases where abuse is habitual, denied, and where coercion and control are strong factors.

A multi-agency strategy meeting for children at risk should always be convened in relation to a child or young person assessed as at significant risk. As with Category 3, multi-agency strategy meetings should ensure the effective exchange of information between representatives of key agencies. The meetings should include the individual who has identified the risk or raised concerns in relation to the child or young person, and representatives of social work, police, health, education, placements and any specialist child sexual exploitation services. Participants in the meeting should agree a protection plan and action to include long-term intensive direct work with the individual child or young person. Review meetings should be conducted regularly to ensure that agreed actions are implemented, and to assess the progress and impact of agreed interventions. Risk should be monitored closely and reassessed regularly, as part of the risk management plan.

A coordinated and synchronised approach by all agencies maximises the effectiveness of interventions and the impact of planned actions. All agencies should agree and adopt a consistent approach, which does not shy away from or collude with risky behaviour. All agencies and professionals need to be aware of the intensive and long-term nature of the approach required. The presence of multiple vulnerabilities and risks in the lives of children and young people at significant risk often means that they are difficult to engage and that

positive outcomes take time.

The use of a fit-for-purpose sexual exploitation risk assessment framework should allow for the identification of vulnerability and risk in relation to the majority of children and young people at an earlier stage. Over time, routine assessment, early identification and appropriate interventions should reduce the number of children and young people who are exposed to significant risk of sexual exploitation.

### **Strategy discussion**

In cases of child sexual exploitation, the Inter-Agency Referral Discussion (IRD) may determine that a SERAF assessment is required.

Following completion of the assessment, an initial strategy discussion may be required. A strategy discussion should always take place where a child is assessed as at moderate or significant risk of sexual exploitation. A strategy discussion may also take place where a child is assessed as at mild risk of sexual exploitation.

Police, health and social work should share and discuss all information gathered with other agencies as appropriate, and decide on the next steps within 24 hours, or immediately if there is imminent risk to the child. **This will be managed through the IRD process.** The person making the referral should be informed of the outcome of the strategy discussion.

### **Multi-agency strategy meetings**

Multi-agency strategy meetings for children at risk of sexual exploitation **MUST** always be considered by the IRD. A strategy meeting should always be convened for children at moderate or significant risk of sexual exploitation.

An Initial Strategy Meeting will be arranged and chaired by Police Scotland (Detective Inspector or above) within 10 working days of the IRD.

The following professionals, or a delegated representative, will attend the meeting:

- Service Manager, Children and Families Practice Teams
- Senior Education Manager
- Consultant Paediatrician for Child Protection
- Child Protection Advisor, NHS Lothian
- Senior Manager, Housing Services
- Lead Officer, Child Protection Committee
- Lead Professional/Named Person
- Any other relevant frontline practitioner who can contribute to the meeting.

Consideration should also be given to inviting any of the following professionals where their involvement with either the young person or the alleged perpetrator(s) is known:

- Manager of voluntary agency
- Sexual health service
- Senior Solicitor, Licensing Section, City of Edinburgh Council
- Manager of out of authority residential school or establishment
- Social Work Service Manager, Criminal Justice
- Psychiatrist
- Psychologist
- Social Work Service Manager Mental Health
- Social work managers from other local authorities
- Lead Officer for Child Protection, Adult Protection and/or Domestic Abuse

A record of the meeting will be taken by the Public Protection Committees Administrator.

#### **Purpose of strategy meeting**

- Identify those who are at risk by sharing information and assessing risks
- Address the risks associated with victims, perpetrators and locations by proactive problem solving
- Work collaboratively to ensure the safety and welfare of children and young people who are being or are at risk of being exploited sexually
- Take effective action against those intent on abusing and exploiting children and young people in this way
- Carry out risk assessment(s)
- Develop a shared picture of intelligence on all threats
- Grade responses to the risks identified
- Provide early intervention to reduce the harm posed to children and young people
- Investigate, prosecute and disrupt perpetrators
- Adopt a collective watching brief to determine further interventions required
- Promote positive physical and emotional health and wellbeing
- Ensure relevant and timely access to appropriate health services

#### **Roles and responsibilities – chair**

- Encourage all members to contribute to the meeting on equal terms
- Efficient administration of the meeting

- Ensure the information shared is recorded accurately and disseminated
- Advise the Child Protection Committee or nominated sub-group of the investigation, updated two-monthly and at conclusion of enquiry

### **Roles and responsibilities – participants**

- Attend any further meetings required
- Contribute to the information sharing to enable the meeting to fulfill its purpose
- Identify all risks (including those in the sexual exploitation risk assessment framework), agree action and make recommendations to address each risk
- Disseminate appropriate levels of information shared at the meeting to enable further integrated working with other frontline partners
- Contribute to the actions agreed during the meeting and provide timely reports on progress and outcomes
- Consider the likelihood of prosecution of relevant adults, and where prosecution is not likely, consider the range of alternative action against perpetrators
- Identify additional resources as required
- Represent and act as a communication link with their organisation
- Develop a **written** plan to safeguard the child or young person
- Agree a date to review the plan
- Identify the key worker to undertake direct work with the child or young person to promote recovery

### **Outcome of initial strategy meeting**

- No further action
- Child protection investigation
- Child sexual exploitation inquiry

### **Child sexual exploitation inquiry – role of initial strategy meeting chair**

- Refer to the Senior Police Officer (rank of Superintendent or above) with responsibility for public protection to consider establishing the structured command framework, including a Gold Group to provide direction and oversight and a Silver Group to provide tactical and operational accountability
- Specify the terms of reference for the inquiry/investigation
- Identify the strategic leads in the investigation
- Bring together a team of people with the necessary training, expertise and objectivity to manage and conduct the criminal investigation and/or child protection investigation

on a day to day basis

- Decide whether there is a need for an independent team to investigate the allegations, particularly where the alleged perpetrators are foster carers, prospective adopters or members of staff employed by a member agency of the Child Protection Committee
- Agree the terms of reference and accountability for the investigating team, including the parameters and timescales of their enquiries/investigation
- Ensure that appropriate resources are deployed to the investigation, including access to legal and other specialist advice, resources and information
- Ensure that appropriate resources are available to meet the needs of the children and families or adult survivors, including any specific health issues arising from the abuse
- Ensure the investigating team members are supported with personal counseling if necessary and that issues of staff safety are addressed
- Ensure that suitable accommodation and administrative support are available for the investigation
- Liaise as necessary with the Crown Office and Procurator Fiscal Service at an early stage before arranging services for a child in need of counseling or therapeutic help so that the help can be given in a way that is consistent with the conduct of any criminal investigation
- Identify how young people and their families are to be involved/informed
- Agree a communications strategy, including the handling of political and media issues, and communication as necessary with the Care Inspectorate
- Ensure that records are stored securely and a high level of confidentiality is maintained at all times
- Hold regular strategic meetings and reviews, which must be recorded, to consider progress, including the effectiveness of the joint working, the need for additional resources and next steps.

Following a multi-agency strategy meeting, Category 3 and 4 cases will require allocation to a social work team to progress the child in need or child protection plan. Where a child is already allocated, the child's plan must be amended accordingly to reflect the specific nature of child sexual exploitation.

Implementing an effective child in need or child protection plan for a child at risk of sexual exploitation may require professionals to be extremely persistent in continuing to offer support and services. It may be that a professional from an agency other than social work is best able to provide a direct service. Nevertheless, the case should remain allocated to a social worker as Lead Professional, whilst child sexual exploitation concerns remain, as a point of contact for the child, family and professionals, and to co-ordinate the plans. Plans should address each identified risk.

The priority for Police Scotland is the investigation and prosecution of offenders who have been involved in abusing the child through sexual exploitation.

Child sexual exploitation is a particularly hidden form of abuse and disclosure by the child is extremely rare. It may not always be appropriate to interview the child or young person in a formal manner, particularly where a child does not believe they are being exploited.

Evidence shows that a relationship with a protective, nurturing adult who challenges the perceptions of the young person over time can lead to an increase in the awareness of the child in relation to risks and experiences. Information may be gathered most effectively over time by practitioners who have gained the trust of the young person in a manner that does not alienate them, but involves them in the process, contributing to their own safety.

Where there may be limited evidence in relation to perpetrators, for example, the absence of a statement, action may still be taken in relation to particular concerns, such as reports of internal trafficking or that an address or vehicle is being used for the purpose of child sexual exploitation. All intelligence should be recorded and collated. The police will consider using the range of powers at their disposal.

The Multi Agency Public Protection Arrangements (MAPPA) provide a national framework for the assessment and management of risk posed by sexual offenders. This includes individuals who are considered to pose a risk or potential risk of harm to children. Offenders are referred to the MAPPA process following conviction for a relevant offence.

#### End of Inquiry

At the conclusion of the inquiry/investigation, the chair of the strategy meetings will evaluate the investigation, identify the lessons learned and prepare an overview report for the Child Protection Committee, highlighting any practices, procedures or policies that may need further attention and require either inter-agency or individual agency action plans.

#### Child's wishes and feelings

Children at risk of sexual exploitation will often be in high risk situations and isolated from protective, nurturing adults. They will need to be supported to express their wishes and feelings to make sense of their particular circumstances and contribute to decisions that affect them. Of particular relevance is the impact of those who may have groomed and conditioned children, in order to coerce and abuse them. Children may also be under very strong pressure, intimidated, afraid and/or dependent on the exploiters. Children may therefore reject offers of help and support. Interventions need to be designed to address this.

#### Intervention

Within the four categories of the Sexual Exploitation Risk Assessment Framework, a different response is required in relation to each level of risk. Each of the four categories of risk has associated safeguarding actions.

### **Identifying and prosecuting perpetrators**

Identifying, disrupting and prosecuting perpetrators must be a key part of work to protect children and young people from sexual exploitation. Whilst there should always be a proactive investigation aiming for successful prosecutions, a disruption plan targeting

suspected perpetrators can be extremely beneficial. A disruption plan might involve a number of activities, ranging from simple observation of an individual's activities, to the use of a range of civil orders, including Sexual Offences Prevention Orders and Risk of Sexual Harm Orders, depending on the type of behaviour and evidence available.

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

Key action points for identifying and prosecuting perpetrators are set out below.

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

The Council may be able to use its statutory powers to disrupt incidents of sexual exploitation. For example, if practitioners are aware of locations or venues, such as particular residential addresses, pubs and clubs where young people may be especially vulnerable to grooming, the Council's licensing or housing services may be able to exercise their powers to investigate venues and take necessary actions. Suspected perpetrators may also be identified through other work, such as community policing or work to tackle organised crime.

Below are the legislative tools available to Police Scotland and the Crown Office and Procurator Fiscal Service (COPFS) to prosecute those who exploit children and young people sexually.

### **[Sexual Offences \(Scotland\) Act 2009](#)**

The Sexual Offences (Scotland) Act 2009 introduced a range of new offences. The Act includes clauses relating to offences against children under 13, rape, sexual coercion, communicating indecently, as well as providing a concrete definition for 'consent' to mean

free agreement. In addition, part 5 of the Act provides for offences concerning abuse of positions of trust.

The Act provides that:

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

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

### **[The Protection of Children and Prevention of Sexual Offences \(Scotland\) Act 2005](#)**

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

### **[Risk of Sexual Harm Order \(RoSHO\)](#)**

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

### **[Sexual Offence Prevention Order \(SOPo\)](#)**

This is a civil order imposed by the court at the point of sentence, allowing restrictions to be applied to those convicted of sexual offences.

### **[The Children \(Scotland\) Act 1995 \(also S171\(2\) Children’s Hearing Scotland Act, 2012\)](#)**

This Act contains a clause related to ‘harbouring’, which can prosecute anyone who:

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

### **[Civic Government \(Scotland\) Act 1982](#)**

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

### **[Criminal Justice \(Scotland\) Act 2003](#)**

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

### [Criminal Justice and Licensing \(Scotland\) Act 2010](#)

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

## **Summary**

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

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

### Identification and prevention

Children and young people who are the victims of sexual exploitation often do not recognise that they are being exploited. This makes it very hard to identify victims and it is therefore essential that those working with children and young people are able to recognise the signs and intervene appropriately. Practitioners should exercise professional curiosity. If it is believed that there is any indication, however slight, that a child could be at risk, action should be taken and information should be shared among relevant agencies.

### Roles and responsibilities

Child Protection Committees, police, social work, education, health and voluntary and community groups all have their own roles and responsibilities in relation to recognising and dealing with child sexual exploitation. Each agency should be aware of its child protection procedures and take account of the information contained in this guidance about what to look out for.

### Managing individual cases

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

### Identifying and prosecuting

Identifying, disrupting and prosecuting perpetrators must be a key part of work to protect children and young people from child sexual exploitation. Whilst there should always be a pro-active investigation aiming for successful prosecution, a disruption plan targeting suspected perpetrators can be extremely beneficial.

**List of lead contacts**

<b>Agency</b>	<b>Child sexual exploitation lead</b>	<b>Telephone Number</b>
Social Work		
Police		
Health		
Education		
Child Protection Committee		
Housing		
Child and Adolescent Mental Health Service (CAMHS)		
MAPPA co-coordinator		
Adult Support and Protection		
Probation		

Appendix A:

## **Edinburgh Child Protection Committee Agenda for Initial Strategy Meeting**



1. Introductions and apologies
2. Terms of reference for the inquiry/investigation
3. Identification of the strategic leads in the investigation
4. Consider each child – risks, vulnerabilities, action required
5. Consider each alleged perpetrator – evidence and intelligence of the risks, action/disruption tactics required
6. Consideration of resources/need for specialist resources or advice
7. Liaison with Crown Office and Procurator Fiscal Service
8. Identify how young people and their families are to be involved
9. Communications strategy (consider communication with media, partner agencies, CPC, families, etc.)
10. Date of review meeting



**Appendix B:**

**RESTRICTED ACCESS INFORMATION**

**Initial Strategy Meeting Minute**

**Meeting details**

<b>Present</b>	<b>Designation</b>	<b>Agency</b>	<b>Contact Details</b>
<b>Apologies</b>	<b>Designation</b>	<b>Agency</b>	<b>Contact Details</b>
<b>Date of Meeting</b>		<b>Venue</b>	

**Terms of reference for the enquiry/investigation:**

**Name of Strategic lead in the investigation**

**Children/Young People**

<b>Child 1</b>			
<b>Name</b>		<b>Home Address</b>	
<b>DOB</b>		<b>Current address</b>	
<b>Parent/Care Name(s)</b>		<b>Home Address</b>	
<b>DOB</b>		<b>Current address</b>	
<b>Sibling Name(s)</b>		<b>Home Address</b>	
<b>DOB</b>		<b>Current address</b>	
<b>Child 2</b>			
<b>Name</b>		<b>Home Address</b>	
<b>DOB</b>		<b>Current address</b>	
<b>Parent/Care Name(s)</b>		<b>Home Address</b>	
<b>DOB</b>		<b>Current address</b>	
<b>Sibling Name(s)</b>		<b>Home Address</b>	
<b>DOB</b>		<b>Current address</b>	
<b>Discussion</b>			

**Roles and Responsibilities**

**SERAF assessment**

**Intervention**

**Review of each young person's plan (whether actions have reduced to date risks and what further action/support is required)**

**Views of child / young person**

**Additional young people / adults of concern identified**

**Additional resource required or need for specialist support or consultation**

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**Alleged perpetrator / adult of concern**

Adult of concern				
Name				
Date of Birth				
Home Address				
Current Address				
Agency identifiers:	Police		Chronology provided?	
	NHS			
	Social Work			
	Education			
	Housing			
Known children with whom the adult has regular contact or for whom they have caring responsibility				

<b>Name</b>	
<b>Date of Birth</b>	
<b>Home Address</b>	
<b>Current Address</b>	
<b>Child 1</b>	
<b>Name</b>	
<b>Date of Birth</b>	
<b>Home Address</b>	
<b>Current Address</b>	
<b>Relationship to child</b>	
<b>Child 2</b>	
<b>Name</b>	
<b>Date of Birth</b>	
<b>Home Address</b>	
<b>Current Address</b>	
<b>Relationship to child</b>	

## Discussion

### Known contact with children

### Known offending history

UNIFI/CHS –

### Identification of risk

INFO

### VPD

**Is there any evidence that an offence has been committed?**

### Prevention

**Roles and Responsibilities**

**Disruption and investigation**

**Intervention**

**Identification and prosecution**

**Recovery support**

**Resources/need for specialist resources or advice**

**Liaison with Crown Office and Procurator Fiscal Service**

**Involvement of young people and families**

**Communication strategy**

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<b>Chair</b>	
<b>Minute Taker</b>	
<b>Date of Review Meeting</b>	



**Appendix C:**

**Child Sexual Exploitation Child / Young Person's Plan (one plan for each child)**

Identified Risks	Source of Risk	Evidence of Risk	Source of information	Desired Outcome	Action Required	Resources required	Person Responsible	By When



**Appendix D:**

**Perpetrator / Adult of Concern Plan**

<b>Identified Risks</b>	<b>Evidence of Risk</b>	<b>Source of information</b>	<b>Desired Outcome</b>	<b>Action to target and limit perpetrator</b>	<b>Resources required</b>	<b>Person Responsible</b>	<b>By When</b>



## Appendix E:

### Agenda for Review Strategy Meeting

1. Introductions and apologies
2. Consider each child (consider whether actions have reduced risks, what further action/support is required)
3. Consider each alleged perpetrator (update evidence and intelligence, consider whether actions have reduced risk or disrupted activity, what further action is required)
4. Consideration of resources/need for specialist resources or advice (consider whether additional resources or advice is required)
5. Liaison with Crown Office and Procurator Fiscal Service (consider whether this is effective or further action is required)
6. Review how young people and their families are to be involved/informed, consider whether further action is required
7. Communication strategy (consider whether communication with media, partner agencies, CPC, families, etc. has been effective or requires amendment)
8. Date of review meeting

## **Appendix F: SEXUAL EXPLOITATION – MULTI-AGENCY POLICY STATEMENT**

### **INTRODUCTION**

This policy is a statement of commitment by all the partners in Edinburgh. It provides a set of guiding principles and definitions in relation to the prevention of sexual exploitation, the support and protection of victims and the disruption and prosecution of offenders.

It is based on the shared belief that sexual exploitation of vulnerable individuals is unacceptable and will not be tolerated. We aim to reduce the risk by challenging misunderstandings about the children, young people and adults who are victims of sexual exploitation.

### **SCOPE**

This policy is adopted by all statutory and voluntary agencies with a role in relation to tackling sexual exploitation and/or providing care and protection services. Its principles are consistent with individual agency procedures.

This policy should be read in conjunction with the National Action Plan, Edinburgh's associated action plans, Edinburgh's Harm Reduction Framework, trafficking legislation and local policies and procedures.

### **DEFINITIONS**

The sexual exploitation of vulnerable children, young people and adults is an often hidden form of sexual abuse, with distinctive elements of exploitation and exchange.

In practice, sexual exploitation might involve people being coerced, manipulated, forced or deceived into performing, and/or others performing on them, sexual activities in exchange for receiving some form of material goods or other entity (for example, food, accommodation, drugs, alcohol, cigarettes, gifts, affection, avoidance of violence). Sexual exploitation can occur through the use of technology and in some situations, without the individual's understanding of what is happening to them.

In all cases, those exploiting vulnerable individuals have power over their victims by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are often common features.

In some cases, the sexual activity may only take place between one individual and the perpetrator. In other situations, the individual may be passed for sex between two or more perpetrators or this may be organised exploitation (often by criminal gangs or organised groups).

Sexual exploitation is a complex issue and cannot be considered in isolation. It can be hard to identify, as the individual may not always see themselves as a victim. Some victims see themselves in a loving consensual relationship and do not recognise the exploitation. It is often mistaken by parents, carers or agencies for rebellious or challenging behaviour displayed by young people.

### **Child sexual exploitation**

Child sexual exploitation always requires a child protection response. This is reflected in the Edinburgh and Lothians Inter-Agency Child Protection Procedures (2015) and the National Guidance for Child Protection in Scotland (2014). However, tackling the sexual exploitation of children and young people effectively is not the sole responsibility of social work and police, but requires a coordinated response from youth work, education and health – from statutory agencies and voluntary organisations, and from families and communities.

The sexual exploitation of children has recently received an increased level of political and public interest across the UK. Partners in Edinburgh are committed to learning from high profile cases to improve identification and support of victims and the disruption and prosecution of perpetrators in Edinburgh.

Young people from any background can be exploited. As well as girls and young women, boys and young men are abused. Grooming and abuse can happen in person or online, and although most abusers are adults, some victims are exploited by their peers. There is often a misconception that only children from disadvantaged or chaotic backgrounds can be drawn into sexual exploitation because of their existing vulnerabilities. Whilst this group may be more at risk, any young person can be taken in by the deception of perpetrators, irrespective of their circumstances or background.

### **Sexual exploitation of individuals with disabilities**

Individuals with a learning disability, cognitive impairment and/or mental health problems are particularly vulnerable to sexual exploitation and abuse. Reasons for this include:

- society's attitudes and assumptions, which often devalue individuals with disabilities
- prejudice and misconceptions regarding people with learning disabilities, e.g. belief that they are insensitive to pain
- communication difficulties may make it difficult for individuals to be heard or understood
- failure by professionals to recognise the signs of exploitation and the misidentification of behaviour as symptoms of illness or impairment, e.g. self harm
- the individual may be isolated and prone to grooming via the internet and social media sites
- an impaired capacity to avoid or resist abuse
- a tendency to show affection easily to strangers and acquaintances
- the individual may have learned to be compliant, by having to fit in around others whose approval is essential for well-being or survival
- lack of sexual knowledge and understanding about sexuality
- lack of awareness with regards to consent and risk
- lack of access to appropriate sex education
- the individual may have no other frame of reference and may not recognise that they are being exploited.

### **Commercial sexual exploitation**

Edinburgh recognises commercial sexual exploitation, and in particular prostitution and trafficking, as a significant social problem, which disproportionately affects vulnerable people, as well as families and communities. Prostitution and trafficking are part of the same continuum – a widespread manifestation of violence and abuse grounded in gender inequality. Violence, experience of abuse, homelessness, poverty and addiction are at the root of prostitution in Edinburgh. Women and men caught up in systems of prostitution and trafficking survive prolonged periods of emotional, physical, mental and sexual trauma. Victims are amongst the most disadvantaged and marginalised in our community.

There is also an often hidden population of men who engage in prostitution, and a similar partnership approach is in place to meet the needs of this equally vulnerable group. Agency procedures, which derive from this policy, will be targeted at ending the social exclusion of people involved in prostitution, focusing on prevention, harm reduction and exit routes.

## **PRINCIPLES**

**This policy articulates partner agencies' commitment to the following principles.**

- Recognition of the harm done to individuals, families and communities.
- Respect for victims of sexual exploitation, prioritisation of their safety and well-being and the promotion of a non-judgmental approach to their identification.
- Commitment to tackling all forms of sexual exploitation, protecting victims, identifying locations and disrupting the activities of as well as prosecuting perpetrators.
- Recognition of the different needs and issues relating to different forms of exploitation, e.g. child sexual exploitation, trafficking.
- Commitment of all services to a non-judgmental and confidential approach to those involved in prostitution and other forms of sexual exploitation, including trafficking, lap dancing and pornography.
- Recognition of the importance of prevention, improved identification and more effective disruption.
- Commitment to the use of evidence and national data to inform our action planning.

### **Prevention**

Sexual exploitation can result in significant, lifelong psychological and physical trauma and impairment. It is therefore imperative that we adopt a proactive approach to reduce the risk of vulnerable people becoming victims. We aim to prevent sexual exploitation by raising awareness and equipping victims and potential witnesses with the knowledge and skills to recognise the predicative factors and indicators of sexual exploitation. In parallel, staff require support and training in identifying and tackling this difficult area of work.

Support and protection of victims are critical; however, we recognise that our strategies and actions need to target perpetrators just as effectively if we are to have a significant, long-term impact on sexual exploitation. In addition to awareness-raising among staff, communities and potential victims, the identification of locations as well as the disruption and prosecution of offenders are important elements of prevention.

### **Disruption and prosecution of offenders**

A comprehensive and robust response to perpetrators of sexual exploitation is an important part of our approach. Police Scotland will support this with a range of strategic and operational activity through the local public protection unit. The National Child Abuse Investigation Unit will maximise the impact of the range of specialist skills and expertise and improve the co-ordination and intelligence gathering in relation to child sexual exploitation.

### **Supporting individuals affected by sexual exploitation**

Our response to sexual exploitation will reflect the learning from reports and investigations across the UK to ensure support, protection and recovery measures are robust and responsive.

We will adopt a whole community approach, which will include parents, carers, families and victims themselves. It will take into account equality and diversity issues.

### **Action Planning**

We will develop action plans, which reflect this policy and which tackle the different aspects of sexual exploitation, e.g. child sexual exploitation, human trafficking, etc. Our action plans will ensure that practitioners across Edinburgh have the knowledge required to recognise and respond to sexual exploitation. The plans will ensure that scrutiny is applied to how services are delivered, as well as how the workforce is supported in that delivery. They will allow us to identify and consolidate best practice already in place, and build on it. Our action plans will:

- ensure effective leadership and challenge existing practices and culture
- identify the level of risk across Edinburgh
- co-ordinate multi-agency resources in this area to identify and share information regarding individuals at risk of sexual exploitation
- establish an awareness-raising and training programme for the workforce
- enhance public awareness of sexual exploitation, in particular with parents and carers, local businesses, community organisations, taxis, licensing and hotels
- review engagement arrangements for listening to victims, including the development of a network of champions who can represent the needs of victims
- ensure that vulnerable individuals are made aware of the issues around sexual exploitation and that preventive services are in place to reduce risk
- ensure effective information sharing in relation to potential abuse
- prevent and disrupt potential exploitation
- bring to justice the perpetrators of sexual exploitation and ensure that people most at risk are safeguarded and supported in the course of, and after, any criminal proceedings
- provide information to senior agency officers, elected members and board members to enable understanding, prioritisation and resource allocation.
- engage with the Crown Office and Procurator Fiscal Service and the Scottish Children's Reporter Administration to raise their awareness of sexual exploitation.

## **RESPONSIBILITIES**

This policy will be maintained by the multi-agency lead officers for child protection, adult

protection and domestic abuse, and will be reviewed annually by the Edinburgh Chief Officers' Group – Public Protection to ensure its continued relevance.

## **LEGISLATIVE AND POLICY CONTEXT**

- National Guidance for Child Protection in Scotland (2014)
- Scotland's National Action Plan to tackle Child Sexual Exploitation (2014)
- Vulnerable Children and Young People: Sexual Exploitation through Prostitution (2003)
- The National Risk Framework to support the Assessment of Children and Young People (2012)
- The United Nations Convention on the Rights of the Child (1989)
- Edinburgh and Lothians Inter-Agency Child Protection Procedures (2015)
- Children and Young People (Scotland) Act, 2014
- Getting it Right for Every Child (GIRFEC)
- Adult Support and Protection (Scotland) Act 2007
- Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls

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# **Edinburgh's Multi-agency Support Protocol for Victims of Human Trafficking (children and adults)**

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## 1. Introduction

Trafficking of children and adults is a global criminal business, which targets and victimises the most vulnerable people for transportation, abuse and exploitation across the world. It is a largely hidden problem and is often described as a form of modern-day slavery. The children and adults involved are in no way responsible for their predicament, having been coerced, bribed or forced into, and unable to escape from, the control of traffickers.

The effect of trafficking on children and adults is wide-reaching; many will experience significant harm as a result of their situation, and outcomes for them may be extremely poor as a result of lack of proper care, protection or access to universal services.

The [Inquiry into Human Trafficking in Scotland](#) by the Equality and Human Rights Commission published in 2011 highlights that it is reasonable to estimate that Scotland has around 75 potential victims each year. Figures for the United Kingdom Human Trafficking Centre indicate that a total of 99 people were referred by agencies in Scotland as potential victims of trafficking in 2013, an increase of 3% compared with the previous year. Of the 99 potential victims, 77 were adults and 22 were children. Statistics on human trafficking are not currently routinely collated at local authority level. It is widely acknowledged that the official figures are significant underestimates. The limited research that has been commissioned in the UK has reached some consensus that trafficking is a growing phenomenon.

Tackling trafficking requires a coordinated response, involving research, intelligence, awareness raising and training on a multi-agency basis. The City of Edinburgh Council, together with its partners in Police Scotland, NHS Lothian and the voluntary sector, has prepared this protocol based on the [Inter-Agency Guidance for Child Trafficking](#) published by the Scottish Government in 2013, the Scottish Government Social Research publication [Care and support for adult victims of trafficking in human beings](#) 2012, the [Home Office guidance for frontline staff on victims of human trafficking](#), published in 2013 and the [Trafficking Survivor Care Standards](#), published in 2015. The protocol provides information and guidance to all members of the statutory and voluntary sector workforce to ensure that victims are identified and can receive protection and support. The protocol should be read in conjunction with the Edinburgh and Lothians [Inter-Agency Child Protection Procedures](#), the [National Guidance for Child Protection in Scotland 2014](#) and the [City of Edinburgh Council's Adult Protection Procedures](#). This support protocol replaces the 'City of Edinburgh Support Protocol For Victims of Human Trafficking For Sexual Exploitation'.

The protocol should also be read in conjunction with [Edinburgh's multi-agency action plan to address sexual exploitation](#). Council staff should also follow the joint risk assessment policy, updated in August 2015.

## 2. Scope and purpose of the protocol

Working with children, young people and adults who are or have been trafficked is a complex area, and there is limited theoretical and conceptual understanding of the phenomenon or evidence regarding its prevalence in Scotland.

This protocol is designed for staff of statutory and voluntary sector organisations who may have contact with victims of human trafficking in Edinburgh. The identification, or lack of identification, of victims should not preclude or override any child or adult protection investigations.

The aim of this protocol is to:

- raise awareness of human trafficking and its potential indicators among staff from all organisations
- facilitate a consistent response and approach to victims of trafficking
- support and encourage staff from all relevant organisations across Edinburgh to work collaboratively in developing and delivering appropriate and effective services to individuals with experience of trafficking; and
- support the investigation and prosecution of those who coerce, exploit and abuse people.

## 3. Definition

Human trafficking as defined by the Council of Europe Convention on Action against Trafficking in Human Beings is a process made up of three basic components.

- **Act** (what is done) – recruitment, transportation, transfer, harbouring or receipt of persons, the exchange or transfer of control over another person, or the arrangement or facilitation of any of the aforementioned actions. Victims are generally moved to a place where there is a market for their services, often where they lack the language skills and other basic knowledge to seek help. This includes movement within the UK, referred to as internal trafficking.
- **Means** (how it is done) – threat, use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability, or the giving of payments or benefits to a person in control of the victim.
- **Purpose/intent** – exploitation of a person, which includes prostitution and other sexual exploitation, forced labour, slavery or similar practices, and the removal of organs.

The Human Trafficking and Exploitation (Scotland) Bill was passed on 1 October 2015.

The Bill differentiates between human trafficking and slavery, servitude and forced or compulsory labour, and creates two separate offences. The offence of human trafficking does not look for the 'means' as set out above to have been present before an offence can be said to have been committed.

It is irrelevant whether the other person consents to any part of the relevant action such as transportation, recruitment, harbouring etc.

The distinction between trafficking and smuggling is often blurred. There are important differences between human trafficking and people smuggling. The main difference is the element of exploitation. People being smuggled as illegal migrants have usually consented to being smuggled. Trafficking victims have not consented, or have been tricked into consent. People who begin as smuggled migrants may become victims of trafficking, i.e. there is a change of circumstances at some point during the process. The same people acting as traffickers may also act as smugglers, and use the same routes for both trafficking and smuggling. Conditions for smuggled persons may be so bad that it is difficult to believe they consented. The distinction between trafficking and smuggling is therefore difficult to make, and the primary consideration should be the safety and protection of any potential victim.

#### 4. Why are people trafficked?

People are trafficked for different purposes and are often multiply exploited. Purposes include:

**4.1 Sexual exploitation:** human trafficking for the purpose of sexual exploitation primarily affects women and children. Globally, 49% of detected victims are adult women, 18% are adult men, 21% are girls and 12% are boys. 53% of detected victims globally are trafficked for sexual exploitation<sup>1</sup>. Most female victims of trafficking identified in the UK are exploited in prostitution against their will. They may go abroad based on false promises of good jobs and economic opportunities, often out of ambition to earn money and make a better life for their children or family. Some may know the type of work, but will have been unaware of the level of control over their freedom, movement or monetary arrangements. Many are beaten, raped and abused. The forcible or deceptive recruitment of women and girls for the purposes of forced prostitution or sexual exploitation is a form of gender-related violence. There is no typical experience of people who are trafficked for sexual exploitation. Some are held captive, assaulted and violated. Others are less abused physically, but are tormented psychologically, and live in fear of harm to themselves and their family members. Sexual exploitation of men also occurs, but there is currently only limited evidence that there are adult male victims of sexual exploitation in Scotland. People who are sexually exploited are often also subjected to forced labour.

**4.2 Forced labour:** the International Labour Organisation provides a definition of forced labour.

‘All work or service, which is exacted from any person under the menace of any penalty, and for which the person has not offered her/himself voluntarily.’

Forced labour is not restricted to a particular sector of the labour market, but typically takes place in manufacturing (sweat shops), agriculture and construction. It affects both children and adults, and represents a violation of human rights and a restriction of human freedom. It is a practice similar to slavery, debt bondage or serfdom.

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<sup>1</sup> United Nations Office on Drugs and Crime (2014): Global Report on Trafficking in Persons [https://www.unodc.org/documents/data-and-analysis/glotip/GLOTIP\\_2014\\_full\\_report.pdf](https://www.unodc.org/documents/data-and-analysis/glotip/GLOTIP_2014_full_report.pdf)

**4.3 Domestic servitude:** often involves people working in a household where they are ill-treated, humiliated, subjected to exhausting working hours, forced to live and work under unbearable conditions, for little or no pay. Sexual violence and exploitation is highly likely in these scenarios, too.

**4.4 Organ harvesting:** involves trafficking people to use their internal organs for transplant. Fraud often occurs if the individual is willing to have their organs removed at first, and they enter into a contract where they are promised a sum of money, but then are paid only part of the agreed sum or nothing at all.

Organ donors may be deceived by traffickers who mislead them or withhold important information about the medical intervention.

**4.5 Forced criminal activities:** such as growing cannabis, selling pirate DVDs or bogus charity collections.

**4.6 Surrogacy:** There may also be a link between forced commercial **surrogacy** and trafficking in human beings. Social determinants such as poverty, debt, a vulnerable social position and illiteracy can force a woman to become a surrogate mother.

## 5. Recognising and identifying trafficked individuals

It is unrealistic to expect victims of human trafficking to self-identify in explicit or obvious ways. This applies to children specifically who may appear to submit willingly to what they think is the will of their accompanying adults, even if they understand what is happening. Parents and relatives may be involved in the exploitation of a child. Children are likely to be very loyal to their parents or carers, and are unlikely to seek protection of their own initiative.

Identification is necessary for a variety of reasons, but critically, in order for an inter-agency assessment of risk to be initiated and for consideration of any protective measures to be taken. The route to achieving this will be the inter-agency Referral Discussion (IRD).

Where appropriate, the IRD will identify and direct victims to services, including health care, support and accommodation, and access to legal advice. Failure to identify an individual could compromise their safety and access to support; it can also mean that unidentified victims of human trafficking, with irregular immigration status may be labelled as criminals, detained and deported, without consideration of risks they face, particularly that of re-trafficking.

### 5.1 Obstacles to victims coming forward

Victims of trafficking may initially be unable to disclose details of their experience or identify themselves as a victim, for a variety of reasons, including physical isolation, language and cultural barriers. In addition, victims may fear:

- punishment at the hands of their traffickers
- punishment at the hands of the authorities
- deportation

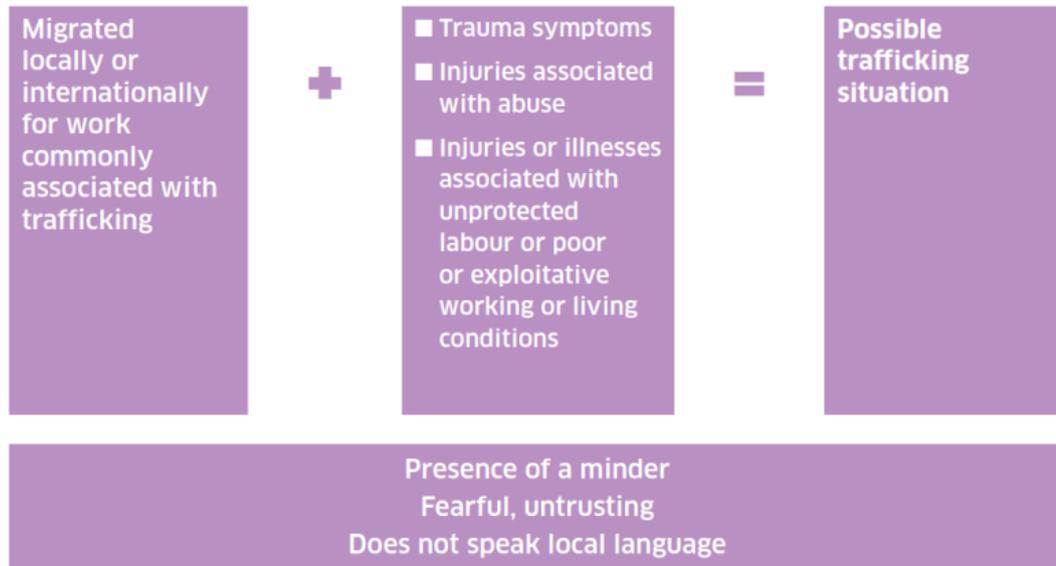
- ritual oaths
- discrimination by their community and families
- dependency on controller for survival
- some victims, for example people with a learning disability or cognitive impairment, may have no other frame of reference and may not recognise that they are being trafficked
- the stigma attached to trafficking; knowledge and understanding of trafficking is limited and most individuals will associate the term 'trafficking' with prostitution
- being accused of being complicit in an illegal activity connected to their trafficking situation; and
- reprisals against them or their children or families; in most trafficking situations, agents know or can easily discover personal information about the victim, their home, family and friends; it is very common for agents and employers to use threats against the victim's family, especially children, to manipulate and control the victim; the fear of reprisal against themselves or their family will have a huge impact on whether a potential victim of trafficking is willing to cooperate.

Victims may also suffer from Stockholm Syndrome, where due to unequal power, victims create a false emotional and psychological attachment to their controller. Exploited people may be unable and/or unwilling to think of themselves as 'victims'. They may see their current situation as temporary and blame it on their lack of understanding of the culture and labour market of the UK. They may tolerate their situation because they see it as a 'stepping stone' to a better future and compare it favourably to experiences at home.

A key symptom of post-traumatic stress is avoidance of trauma triggers, or of those things that cause frightening memories, flashbacks or other unpleasant physical and psychological experiences. Because of these symptoms a person may be unable to fully explain their experience until they have achieved a minimum level of psychological stability. A delay in disclosing of facts must not be viewed as manipulative or untrue. It may be the result of an effective recovery period and the establishment of trust with the person to whom they disclose the information.

## **5.2 Possible indicators of trafficking**

The relative invisibility of human trafficking means you may have been in contact with a victim without recognising it. There are no definitive symptoms by which to identify trafficking. There are certain circumstances, however, which should serve to raise questions around its possibility. The UN guidance notes that the following are potential 'red flags' that may indicate trafficking.



Source: *Human Trafficking, what health workers need to know, Scottish Government/NHS Scotland 2012*

Victims may describe the minder as a 'boyfriend'.

Injuries, illnesses and hazards associated with abuse and/or exploitative working conditions may be exposure to infectious diseases (such as tuberculosis and hepatitis B), chronic lack of food, malnourishment and dehydration, chronic lack of sleep and adequate shelter, lack of protective equipment, such as condoms or the empowerment to use them, as well as untreated and repeated sexually transmitted infections, including HIV.

Where people have no or a false passport/identification document, this may be an indicator of trafficking. EU nationals and those with a right to be in the UK are often misled by traffickers that they are in the UK illegally and risk deportation.

Appendices 2 and 3 to this protocol include a detailed list of potential indicators of human trafficking, based on best available information as to which factors in a child's or adult's circumstances may lead to the belief that a person has been trafficked. The indicators do not replace child or adult protection investigations, and the presence or otherwise of trafficking suspicions should not preclude implementation of the standard child or adult protection procedures.

The indicators may apply to both UK nationals and/or migrant children, and to both boys and girls, and should be kept in mind when making an initial assessment.

On discovery, people may not recognise or accept that they are or have been a victim of human trafficking. Trafficked people may not show any obvious signs of distress or imminent harm and may refuse assistance. Victims often feel both relief when identified and fear, suspicion and anger toward the identifying officer, particularly those from the police or immigration services. This is because their traffickers tell them the authorities will return them to their home country if they try

to escape, have made threats against the victim's family and/or because many people arrive from countries where the police and other officials are corrupt and abusive and even complicit in trafficking and exploitation. It is common for the victims' feelings of fear and suspicion to give way to relief once they feel safe and come to trust the identifying officer.

## 6. When it is suspected someone has been trafficked

It is essential to take timely and decisive action where human trafficking is suspected because of the high risk of the person being moved. Whenever an agency or professional has concerns that a person with whom they are in contact is or may have been trafficked, they should consult the **indicator matrix for children and adults (Appendices 2 and 3)**.

For cases involving **children and/or pregnant women**, the Edinburgh and Lothians [Inter-Agency Child Protection Procedures](#) must be followed and a referral made to **Social Care Direct**. The Council's social work service is the primary service provider for safeguarding and responding to the needs of child victims of trafficking (recovered from Edinburgh), regardless of their nationality or immigration status<sup>2</sup>. The [practitioner guide to information sharing, confidentiality and consent to support children and young people's wellbeing](#) for Edinburgh and the Lothians and the Council's procedure regarding unaccompanied asylum seeking children provide additional information.

For cases involving **adults**, an IRD should still be initiated; irrespective of whether the person is an "adult at risk" as defined by the Adult Support and Protection (Scotland) Act 2007. This is because any trafficked individual, regardless of the existence of a medical condition or disability will be vulnerable by the very nature of the trafficking experience. A person's capacity to make decisions will be severely influenced by their experience. Subsequently, it is crucial to give victims the choice of where and from whom to receive services. Where there is significant risk of harm, **Social Care Direct** should be contacted to ensure a record of potential victims of human trafficking and their needs is started and professional help is offered. **Trafficking Awareness Raising Alliance (TARA)** can provide advice on how best to support women who may have been trafficked for sexual exploitation. **Migrant Help** can provide advice on how best to support men who may have been trafficked for any form of exploitation and for women who may have been trafficked for any form of exploitation other than sexual exploitation.

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<sup>2</sup> Potential victims under 18 must be referred to the Council's children's services. It can be difficult to establish the age of a potential child trafficking victim. If someone's appearance and presentation very strongly suggests they are significantly over the age of 18, you may treat them as an adult. In all other cases, the applicant must be given the benefit of the doubt and treated as a child until a detailed assessment of their age is completed by the Council. The [Age Assessment Pathway for Social Workers in Scotland](#) and the [Information Guide](#) provide more information.

### **One chance checklist**

There may only be one chance to speak to a potential victim of human trafficking and, therefore, only one chance to:

- see the victim on her/his own – even if she/he is accompanied by others
- see her/him immediately in a secure and private place where you will not be overheard; try to limit the number of professionals in the room and consider seating arrangements
- reassure her/him that you will not give information to her/his family/friends or community
- take seriously what s/he says
- ensure an independent interpreter<sup>3</sup> is available if necessary and offer the interpreter a debrief to avoid disclosure. Use telephone interpreters if there is a wait
- be aware a woman may not be allowed or willing to speak to a male worker alone; offer a choice of a female/male worker as far as possible
- recognise and respect her/his wishes
- obtain as much information as possible from her/him about the situation and the risks faced
- agree a way to contact her/him safely (for example, agree a code word)
- obtain full details and record these safely to pass on to TARA, Migrant Help and/or Social Care Direct or the police with consent if possible and ensure the victim is aware of the role of the different organisations
- explain all the options to her/him and their possible outcomes as much as you are able
- give her/him (or help her/him memorise) your contact details and/or those of a support agency; consider the impact of trauma on memory and that individuals may be overwhelmed
- consider the need for immediate police involvement, protection and placement away from the current place and arrange this if necessary; this includes any action to stop her/him from being removed from the UK
- do everything you can to keep her/him safe.

#### **Do not:**

- send her/him away, and try not to let them leave without a safety plan and follow up arrangements
- approach her/his companions
- share information with anyone without her/his expressed consent (unless there is a risk of immediate harm to her/him or any children or other vulnerable person or she/he lacks capacity to give consent or she/he is unable to give informed consent)

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<sup>3</sup> There are risks in using interpreters, so you should be cautious and ensure they are professional, independent and have no links with the victim's friends/relatives/companions. Make sure the interpreter understands their role is to translate verbatim and not "interpret" the message or censor/omit any of the information.

- attempt to mediate with people by whom s/he is accompanied
- inquire about trafficking-related circumstances in front of others, including the individual's companion.

An IRD should be initiated between social work, police and health. This may include other relevant agencies. A member of the UK Visas and Immigration (formerly UK Border Agency) should be consulted, as required.

All information shared is for the purposes of child/adult protection. Information gathered or shared will not be used to progress immigration issues.

For cases of suspected child trafficking, the IRD should ensure that a Child Trafficking Assessment is completed by social work or police (attached at [Appendix 1](#)).

Where asylum/immigration issues are also apparent, the UK Immigration and Visas should be consulted when completing the assessment. It is likely there may not be substantial information at this initial stage; international agencies and organisations may need to be consulted during the assessment.

The IRD should consider ongoing risks, agree actions and consider the need for a multi-agency response. The discussion should also agree whether the case requires to be referred to the National Referral Mechanism (see Section 7 below) and which agency is going to make the referral. There are separate [forms](#) for adults and children (attached at Appendices 2 and 3). Before a referral is made, adult victims who have capacity to do so must give their consent and confirm this in writing. This is not required for children. The agency making the referral will need to send the form by email to the UKHTC. The UKHTC then logs the referral and, if it is for the Home Office, sends to the appropriate team.

**The multi-agency child protection and adult support and protection procedures remain the primary documents for actions to protect people in Edinburgh.**

Any trafficked individual, regardless of the existence of a medical condition or disability will be vulnerable by the very nature of the trafficking experience. All individuals will be subject to inter-agency referral discussion and multi-agency supportive approach, as outlined in this protocol.

During the course of involvement of services, should it become apparent that the person has a learning disability or mental disorder, consideration should be given to responsibilities to act under Mental Health or Adults with Incapacity legislation.

Victims may be at serious risk from their traffickers. If a victim is referred to another organisation, their situation must be made clear, so that adequate protection is put in place immediately.

When encountering families with children, unaccompanied children or pregnant women, their needs must be accommodated through the Council's social work service. Where adults do not have children, TARA/Migrant Help can be contacted for assistance, for example with arranging access to temporary safe accommodation.

A potential victim may suffer a wide range of physical, emotional, psychological health problems. If a victim requires urgent medical assistance, arrangements must be made

for them to see a medical professional immediately. Victims or potential victims of human trafficking are entitled to free healthcare<sup>4</sup>.

Other needs of potential victims of trafficking may include:

- a mobile phone and credit so services can keep in touch with them; a victim's current phone may be used by traffickers to maintain influence / control / location via apps etc.
- material assistance, including assistance for a person with special needs caused by pregnancy, physical or mental health, disability, or being the victim of serious psychological, physical or sexual violence
- access to health services
- information, including expectations within the National Referral Mechanism process (reflection and recovery period, the possibility of granting international protection and refugee status)
- translation and interpretation services
- access to education for child victims and children of victims
- legal advice and/or representation, either through legal aid or other means
- assistance in applying for compensation
- job and life skills training
- substance misuse services (drugs are often used to help victims deal with their situation, or in some cases, victims may be coerced to use drugs or alcohol by traffickers; issues of substance use may be a more prevalent feature for victims of domestic trafficking, however, international victims may be less likely to disclose substance abuse problems, given potential shame or stigma, and fear that this information may be used against them in any legal cases, civil, criminal or immigration)
- family reunification or repatriation.

Gender-specific services and cultural awareness for all victims are essential to ensure that the specific needs of women are met.

Victims have a valuable role to play but often their focus is on keeping themselves and their families safe rather than bringing traffickers to justice. Support and assistance may be necessary to enable victims to engage with the criminal justice system. The effective protection of victims is key to combating trafficking and ensuring successful prosecution. Where a victim has entered the UK illegally, it is important they are treated as a victim of human rights violations not as an offender. It is also

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<sup>4</sup> Chief Executive's Letter \_09 (2010). 'Overseas Visitors' Liability to Pay Charges for NHS Care and Services [http://www.sehd.scot.nhs.uk/mels/CEL2010\\_09.pdf](http://www.sehd.scot.nhs.uk/mels/CEL2010_09.pdf) NB In 2008 an amendment was made to the NHS (Charges to Overseas Visitors) (Scotland) Regulations 1989 to exempt victims, or possible victims, of human trafficking from secondary (hospital) healthcare charges. While the Charging Regulations do not apply to general medical services (GMS) provided by: general practitioners; community pharmacists; optometrists; dentists etc, victims of human trafficking should not be charged for GMS.

important to remember that a UK citizen or a person with a legal entitlement to reside in the UK may be trafficked.

When families with children or pregnant women have no recourse to public funds, the welfare of the child and child protection remain paramount. Social work can support families financially via section 22 of the Children (Scotland) Act 1995. The [Council's procedure on support for adults with care needs and for families who have no recourse to public funds](#) provides further details.

NB. Where children and/or adults are assessed as not having been trafficked, there may still be child / adult protection concerns. The possibility of trafficking should not be dismissed at this point, as it may be that further information becomes apparent at a later stage.

## 7. The National Referral Mechanism (NRM)

A new model of the National Referral Mechanism is currently being piloted in England and Wales so this information may change significantly.

The NRM is a framework for identifying victims of human trafficking and ensuring they receive appropriate care. A range of agencies may be involved in a trafficking case, such as the police, UK Visas and Immigration, local authorities and non-governmental organisations. The NRM makes it easier for these agencies to co-operate, share information and facilitate access to advice, accommodation and support. Formally identifying a person as a victim of trafficking helps to ensure the person is appropriately safeguarded and protected and helps the UK to tackle human trafficking.

Referrals to the NRM must be made by 'First Responders'. In Scotland, these are police, designated non-governmental organisations (TARA and Migrant Helpline), local authorities (children's social work services) and the UK Border Agency. Referrals should be made to the UK Human Trafficking Centre (UKHTC). The quality of the information submitted is vital to the investigation and the outcome for the victim.

Once a decision has been reached, the referring agency and the potential victim will be notified.

A referral to the NRM does not require a criminal level of 'evidence', as a decision can be made where there are suspicions and reasonable grounds to believe that a child or adult has been trafficked. Indicators of trafficking, which merit further investigation should be identified. The threshold for referring a case is low and there is no minimum requirement for justifying a referral.

## 8. Handling information

### 8.1 Qualified translator

Only professional, independent translators who have no links with the victim's friends / relatives / companions must be used, even if this causes delay. It needs to be made clear to translators that their role is to translate verbatim and not "interpret" the message or censor / omit any of the information. In some instances it may be appropriate to use interpreters for cultural guidance following (but not

during) the first meeting but not for subjective opinions on behaviour / veracity of account etc.

## **8.2 Recording information**

All the information provided by a potential victim of trafficking must be included on the NRM form and should also be recorded according to agencies' standard procedures.

## **8.3 Sharing data and maintaining confidentiality**

Information should not be shared with family / friends / community members and victims should be reassured about this; as with all cases, information should only be shared with other practitioners / agencies if this is necessary to protect victims, and potential victims. The consent of children is not required. The consent of adults is not required if there is concern that the individual, or someone else, may be at risk of harm. As with all records belonging to individuals, human trafficking cases should be kept secure to prevent unauthorised access by anyone other than those dealing directly with the case.

## **8.4 Support for staff**

Supporting someone who is experiencing, or has experienced, trafficking can be stressful. It can be distressing to hear accounts of trauma and abuse, and staff are sometimes worried that they may be overwhelmed by it. It is also common to feel frustrated or helpless if the problem cannot be 'solved' or if a trafficked person is not ready or able to leave an abusive situation. It is important to recognise this and seek support or guidance from a supervisor or colleague.

(Source: [NHS Scotland/Scottish Government: what health workers need to know about human trafficking 2012](#)).

## **9. Agreed responsibilities**

The signatories of this protocol agree to:

- participate in appropriate training to enable them to meet their respective responsibilities
- identify a single point of contact for each victim, who will, where possible, assist the other agencies involved and help keep the victim informed of any investigation or proceedings
- assist with the legal process by taking appropriate action at the earliest opportunity to secure evidence, including the preservation of forensic evidence
- recognise issues surrounding coaching and rehearsal, counselling, confidentiality and inducement, and exercise care when dealing with victims
- have appropriate procedures in place for retaining comprehensive records of any communication with a victim that may contain information relevant to a criminal investigation or that may be required for a subsequent court case
- recognise the need to prosecute the perpetrators of human trafficking, and where possible, ensure information relevant to a criminal inquiry is shared with the police

- ensure that any information in relation to counter-trafficking actions being carried out by police are treated as strictly confidential and will only be used in accordance with police instructions
- work collaboratively with statutory and voluntary sector organisations in service design, development and delivery to ensure that a consistent response and approach to victims of human trafficking are embedded in service delivery.

## 10. Review of the protocol

The **Human Trafficking and Exploitation (Scotland) Act** was passed by the Parliament on 1 October 2015. The overall aim of the Act is to develop legislation to give the police, prosecutors and other agencies the power to make Scotland a hostile environment for human traffickers and those who exploit individuals, and to help identify and meet the needs of victims.

The Act commits Scottish Ministers to publish and update regularly a trafficking and exploitation strategy, which will be developed in consultation with stakeholders.

This protocol will be reviewed once the strategy has been published and the National Referral Mechanism pilots in England and Wales have been completed and annually thereafter.

## 11. Contacts for information and advice on human trafficking

### TARA and Migrant Help

The Scottish Government funds two organisations to provide dedicated care and support for adult victims of trafficking:

1. Trafficking Awareness Raising Alliance (TARA) of Glasgow Community and Safety Services provides a service for adult women trafficked for sexual exploitation who have been recovered in Scotland.

**Tel: 0141 276 7724** (TARA respond to calls for urgent help 24 hours)

[TARA website](#) (as part of Community Safety Glasgow)

2. Migrant Help supports male and female adult victims of labour exploitation and domestic servitude, and adult male victims of sexual exploitation.

**Tel: 0141 884 7900** (for information and advice)

**Tel: 07766 668781** (24 hour helpline)

[www.migranthelp.org](http://www.migranthelp.org)

Both TARA and Migrant Help can provide accommodation for victims and refer them to medical services. They can access community-based health care, as required, and provide financial and practical support.

### UK Human Trafficking Centre (UKHTC)

The UKHTC is a multi-agency organisation providing a central point of expertise and coordination in relation to the UK's response to the trafficking of human beings.

**Tel: 084477 82406** (ask to speak to a Tactical Advisor)

[UK Human Trafficking Centre website](#)

Email address for submission of NRM forms: [UKHTC@nca.x.gsi.gov.uk](mailto:UKHTC@nca.x.gsi.gov.uk)

**Streetwork** is a local charity operating in the city of Edinburgh to support those who are most vulnerable due to the complex needs and multiple exclusion they experience. Streetwork offers a range of services including the Women's Project, Streetyouth, visiting support and the crisis service. Streetwork does not wait for people to come but proactively seek out people in need. The vulnerable nature of the client group provides that the people Streetwork supports may be vulnerable to exploitation and human trafficking. Streetwork staff receive training in order that they recognise potential indicators of human trafficking and work in partnership with statutory services and TARA to effectively support those who may be victims.

**Contact:** 18 South Bridge, Edinburgh, Tel: 0131 344 0825, [www.streetwork.org.uk](http://www.streetwork.org.uk)

**The City of Edinburgh Council (social work)**

Social Care Direct: 0131 200 2324 (out of hours: 0800 731 6969)

**Spittal Street Women's Clinic:** The Spittal Street Women's Clinic is a joint initiative between NHS Lothian's Harm Reduction Team, Chalmers Centre and Sacro's Another Way service. It is a confidential and discreet service for women involved in the commercial sex industry (such as selling sex online, working in saunas and on the street) and/or women who use substances, offering a holistic service to provide support in all areas of life. Using a harm reduction and human rights model, the women's clinic team protects the rights and safety of sex workers who by choice, circumstance or coercion remain in the industry.

**Contact:** 22-24 Spittal Street, Edinburgh EH3 9DU, 0131 537 8300

<http://www.lothiansexualhealth.scot.nhs.uk/Services/sswc/Pages/default.aspx>

**MEHIS** (Minority Ethnic Health Inclusion Service) provides free, confidential advice, information and support to black, minority ethnic and refugee communities. MEHIS have ethnic minority link workers who speak various languages and can help access primary health care services and perform an advocacy role regarding health services.

**Contact:** 106 Niddry Mains Road, Edinburgh EH16 4DT, 0131 537 7565,

[smita.grant@nhslothian.scot.nhs.uk](mailto:smita.grant@nhslothian.scot.nhs.uk)

**Edinburgh Access Practice:** The Practice works with people who are temporarily or vulnerably housed in Edinburgh.

**Contact:** 20 Cowgate, Edinburgh EH1 1JX, 0131 240 2810,

<http://www.edinburghaccesspractice.scot.nhs.uk/>

**Shakti Women's Aid and Shakti Children's Services** work with black and minority ethnic women and children affected by domestic abuse, providing advice and information on options and choices including forced marriage and immigration rights. Shakti can assist staff in other services who are working with black and minority

ethnic women.

**Contact:** 0131 475 2399, [info@shaktiedinburgh.co.uk](mailto:info@shaktiedinburgh.co.uk), 57 Albion Road, Edinburgh EH7 5QY, <http://shaktiedinburgh.gov.uk>

**Edinburgh Women's Aid and Women's Aid Children's Services** raises awareness and gives practical and emotional support to women who are/have experienced and/or are at risk of domestic abuse.

**Contact:** 0131 315 8110, [info@edinwomensaid.co.uk](mailto:info@edinwomensaid.co.uk), 4 Cheyne Street, Edinburgh EH4 1JB, <http://edinwomensaid.co.uk>

**Edinburgh Rape Crisis Centre:** Business: 0131 557 6737, [info@ercc.scot](mailto:info@ercc.scot), Support Service: 0131 556 9437, [support@ercc.scot](mailto:support@ercc.scot)

Edinburgh Rape Crisis Centre offers support to women, young people aged 12 and over, and all members of the transgender community who have experienced sexual violence at any time of their lives. This includes rape, sexual assault, sexual abuse, childhood sexual abuse, ritual abuse and sexual bullying.

**National Society for the Prevention of Cruelty to Children (NSPCC):** NSPCC's Child Trafficking Advice Centre is a specialist service providing information and advice to any professional working with children or young people who may have been trafficked into the UK. 0808 800 5000, [help@nspcc.org.uk](mailto:help@nspcc.org.uk), [NSPCC's Child Trafficking Advice Centre](http://www.nspcc.org.uk/child-trafficking-advice-centre)

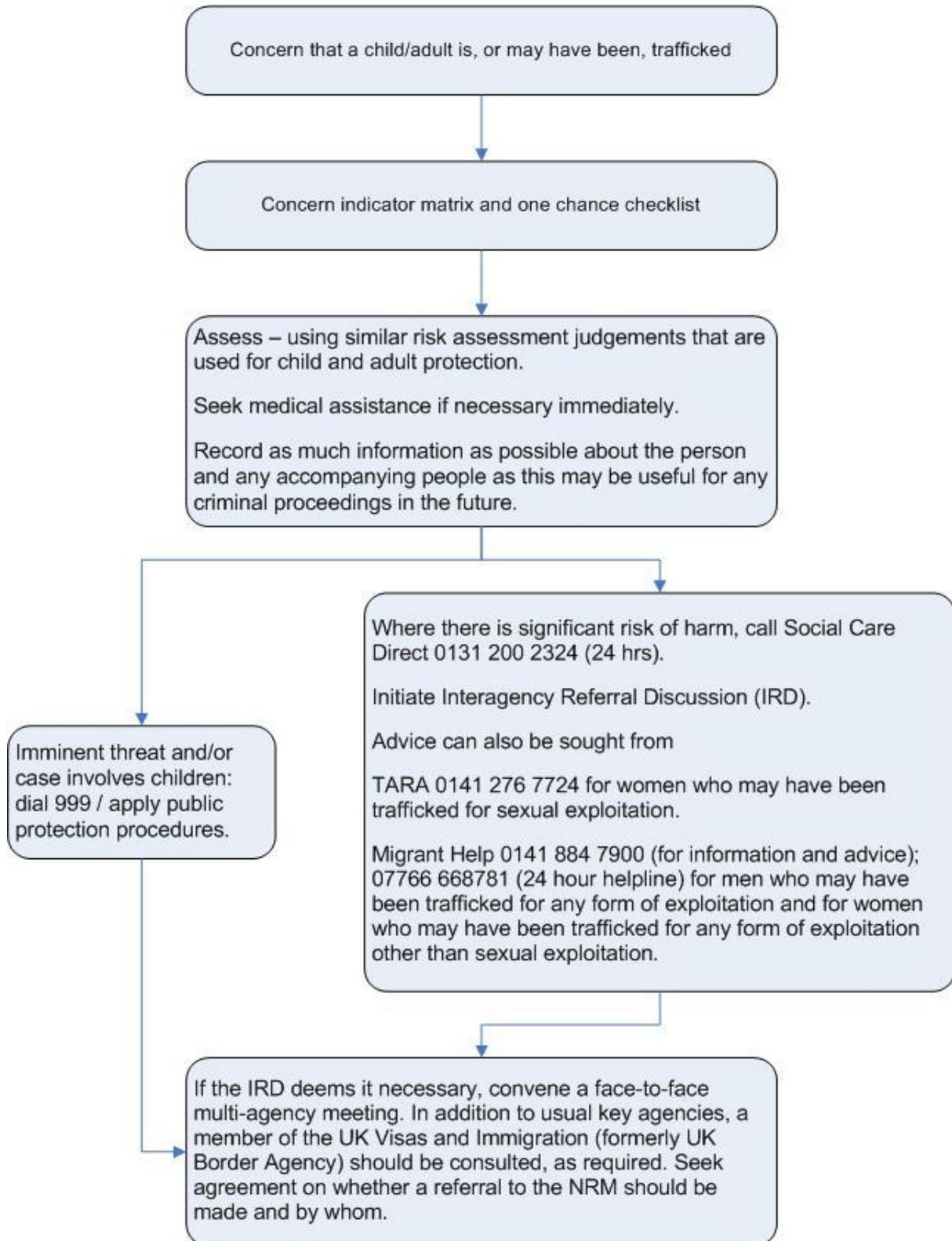
**Scottish Guardianship Service:** The Service works to help young asylum seekers to feel supported and empowered throughout their journey whilst their claim is assessed and their status determined. It enables them to access the assistance they need when they need it and help them to make informed decisions about their future. <http://www.gov.scot/Topics/People/Young-People/protecting/lac/guardianship>

**Scottish Women's Rights Centre** is a partnership project between Rape Crisis Scotland, the Legal Services Agency and the University of Strathclyde Law Clinic. It offers free legal information and advice to women survivors of gender based violence. <http://www.swscja.org.uk/new-scottish-womens-rights-centre.html>

**Police Scotland National Human Trafficking Unit:** call 101 or email [scdnationalhumantraffickingunit@scotland.pnn.police.uk](mailto:scdnationalhumantraffickingunit@scotland.pnn.police.uk)

The **Gangmasters Licensing Authority** works in partnership to protect vulnerable and exploited workers. <http://www.gla.gov.uk>

## 12. Flowchart



Good practice recommendations that may help staff to broach the subject sensitively are attached at [Appendix 5](#).

**Appendices:**

1. Child Trafficking Assessment form
2. [National Referral Mechanism for potential \(child\) victims of trafficking](#) (including potential indicators for child trafficking on page 2)
3. [National referral form for potential adult victims of trafficking](#) (including list of potential indicators for adult trafficking on pages 2 to 4)
4. Background reading/further information
5. Good practice recommendations

**CHILD PROTECTION / VULNERABLE YOUNG PERSON**

**CHILD TRAFFICKING ASSESSMENT**

Child's surname: \_\_\_\_\_ Known as: \_\_\_\_\_ Forename(s): \_\_\_\_\_  
 Date of birth: \_\_\_\_\_ Place of birth: \_\_\_\_\_ Nationality: \_\_\_\_\_  
 Ethnicity: \_\_\_\_\_ Language: \_\_\_\_\_ Religion: \_\_\_\_\_  
 Carefirst no.: \_\_\_\_\_ Home Office no.: \_\_\_\_\_ ID docs: \_\_\_\_\_

Home address: \_\_\_\_\_

Current address: \_\_\_\_\_

**Family / Household members**

Name	Relationship	Address	
			<b>X</b>
<b>Add row</b>			

**Legal / Asylum status**

Legal status (looked after etc. and previous): \_\_\_\_\_

Asylum status: \_\_\_\_\_

Agencies involved and contact details:

Referrer / Report Writer: \_\_\_\_\_ Date: \_\_\_\_\_ Agency / Team \_\_\_\_\_

Social Work CP team contacted?  Yes  No

Police, vice and anti-trafficking unit contacted?  Yes  No

NRM referral and date: \_\_\_\_\_

If not contacting SWC, Child Protection Team and anti-trafficking unit or referring to NRM please explain why:

*All concerns about child trafficking should be discussed with the child protection team and anti-trafficking unit. A copy of this assessment should be forwarded to them.*

**CHILD PROTECTION / VULNERABLE YOUNG PERSON**

**CHILD TRAFFICKING ASSESSMENT**

*Note: each section should encompass the views and accounts of all agencies with relevant information. Please make it clear where you obtained the evidence / information*

1. **Brief background details** (give a pen picture of the young person within their family / country of origin context)

2. **Movement** (within countries; across borders; across UK; across city; across accommodation. Include details of how travelled; timescales; time at locations etc; entry into trafficking process, eg. sold; passage bought; abducted; escape; present accommodation)

3. **Exploitation / abuse** (detail evidence and / or suspicions; types of exploitation; locations; length of exploitation; freedom of movement)

4. **Trafficker** (description; relatives; gender; title; job; names; relationship to child; still in contact etc)

5. **Means of control** (how has trafficker controlled child; threats (to child and family); grooming; violence, voodoo, oaths, captivity, debt)

6. **Additional risk factors** (likely to be identified from indicator matrix; may include health; other contacts)

7. **Agency contact / actions taken** (police; social work; UKBA; voluntary; overseas)

8. **Views of young person** (if appropriate)

9. **Analysis / Assessment of Needs and Risks in relation to trafficking** (inc. analysis of why believe trafficked / not; present safety; future risk of trafficking)

10. **Conclusion and recommendation** (VYP/not and reasons, action plan, identify specific outcomes; by whom)

## GUIDANCE NOTES FOR COMPLETION

***If there are immediate child protection concerns, this assessment form is not a substitute for following child protection procedures.***

### **CHILD TRAFFICKING ASSESSMENT**

This form should be completed by social workers and police in conjunction with the child protection team and vice and anti-trafficking unit.

The Child Trafficking Assessment is designed to assess potential victims of trafficking and / or future risk of trafficking. It is not a substitute for a comprehensive assessment of risk and needs in terms of a holistic GIRFEC assessment – such an assessment should be completed as per child protection procedures and guidelines. The assessments should complement and inform each other. If initial concerns are about trafficking it is likely that the CTA is completed first; if the IAF / CP1 / VYP (or equivalent) is being completed and suspicions about trafficking become apparent the CTA should be completed to focus on trafficking specific concerns.

***When the assessment is completed, sections 1 to 10 can be copied into section G of the NRM form as evidence if a referral is being made to UKHTC.***

It is likely the CTA will be informed by the use of the indicator matrix for trafficking - the matrix is not an exhaustive list of indicators, *or an assessment* of future risk. Other factors may also be present that are not included on the matrix, eg. for internal trafficking movement may be between cities and accommodation rather than countries.

***If there are indications, or intent, of movement (section 2) and exploitation / abuse (section 3) – the minimum requirements for child trafficking – a referral should be made to the National Referral Mechanism following CPC guidelines.***

The presence of other indicators may also be sufficient for a referral to the NRM (please discuss with child protection team or trafficking unit).

***In completing the assessment remember that background information may be available from agencies and organisations outside the UK – eg. NGOs working in country of origin; country of origin embassies; social services in countries of origin.***

**1. Background details**

Include social / economic circumstances of the family; why child left the family; continued contact with family; any previous work / employment;

**2. Movement**

- trafficking can occur at any stage throughout a child's journey; it is not limited to the final destination
- UK nationals are also vulnerable to internal trafficking (movement between and within cities and between people) and may also be trafficked out of UK
- a child may be trafficked through legitimate routes and with legal documents, in addition to covert routes with no documents
- child may arrive alone or accompanied
- once trafficked may be at increased risk for future trafficking
- are child movements restricted and / or accommodation locked?

**3. Exploitation / abuse**

What is the nature of the exploitation? Where did it occur? Is it ongoing?

- trafficking is a process, not a single event
- trafficked children may be forced into criminal activity.

**4. Trafficker(s)**

- children may remain in contact with the trafficker or the person who brought them into the country
- contact may be lost only to be recommenced days / months / years later
- children may describe the trafficker as a 'friend' 'boy/girl friend'
- who are the people involved in a child's life.

**5. Means of control**

- children may be physically threatened
- children may be controlled psychologically
- consider threats to family
- trafficked children may be groomed.

**6. Other risk factors**

- consider factors that may be concerning, but on their own not indicative / evidence of trafficking
- there are no validated risk assessments for child trafficking
- children may move in and out of trafficking situations.

**7. Agency involvement**

- agencies may have been previously involved and not identified trafficking as an issue.

**8. Views of young person**

- children do not usually say they have been trafficked
- children may deny any exploitation / abuse
- children may not consider their experiences exploitative.

**9-10. Analysis and conclusions**

***NB. Trafficking and its assessment is not a static process - due to the nature of child trafficking, it is likely that much of the required information may not be initially available, or sketchy; it is important that the assessment is regularly updated.***

Appendix 2 – [National Referral Mechanism for potential \(child\) victims of trafficking](#)

Appendix 3 - [National Referral Mechanism for potential \(adult\) victims of trafficking](#)

### Background reading/further information

#### [Human Trafficking and Exploitation \(Scotland\) Bill](#)

The [SPICe Briefing Human Trafficking and Exploitation \(Scotland\) Bill](#) provides information on human trafficking; the current legislative background in Scotland; and also examines key provisions within the Bill.

Carr Centre for Human Rights Policy (2015): Perspectives on Human Trafficking and Modern Forms of Slavery

<http://carrcenter.hks.harvard.edu/files/carrcenter/files/socialinclusionjournal.pdf>

Center for Policy Studies/Central European University (2014): Understanding Public Knowledge and Attitudes Towards Trafficking in Human Beings

<http://lastradainternational.org/lisidocs/3119-Public-knowledge-and-attitudes-towards-thb-2014.pdf>

Centre for Youth and Criminal Justice (2014): Child Trafficking: A Scottish Perspective

<http://www.cycj.org.uk/wp-content/uploads/2014/11/Info-sheet-31-final.pdf>

Equality and Human Rights Commission (2011): Inquiry into Human Trafficking in Scotland,

[http://www.equalityhumanrights.com/sites/default/files/documents/Scotland/Human\\_Trafficking\\_in\\_Scotland/\\_inquiry\\_into\\_human\\_trafficking\\_in\\_scotland-full-report\\_pdf\\_.pdf](http://www.equalityhumanrights.com/sites/default/files/documents/Scotland/Human_Trafficking_in_Scotland/_inquiry_into_human_trafficking_in_scotland-full-report_pdf_.pdf)

Eurostat (2015): Trafficking in human beings, [https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/eurostat\\_report\\_on\\_trafficking\\_in\\_human\\_beings\\_-\\_2015\\_edition.pdf](https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/eurostat_report_on_trafficking_in_human_beings_-_2015_edition.pdf)

Home Office (2015): Victims of Modern Slavery: Competent Authority Guidance, [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/450842/Competent\\_authority\\_guidance\\_v2\\_0\\_ext.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/450842/Competent_authority_guidance_v2_0_ext.pdf)

International Labour Office (2002): Every Child Counts: New Global Estimates on Child Labour ILO/IPEC Geneva

<http://www.ilo.org/ipecinfo/product/viewProduct.do?productId=742>

Omelandiuk I (2005): Trafficking in Human Beings UN expert group meeting on international migration and development

[http://www.un.org/esa/population/meetings/ittmigdev2005/P15\\_IOMelandiuk.pdf](http://www.un.org/esa/population/meetings/ittmigdev2005/P15_IOMelandiuk.pdf)

United Nations (2000): Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention Against Transnational Organisational Crime, <http://www.osce.org/odihr/19223?download=true>

UNODC (2014): [https://www.unodc.org/documents/data-and-analysis/glotip/GLOTIP\\_2014\\_full\\_report.pdf](https://www.unodc.org/documents/data-and-analysis/glotip/GLOTIP_2014_full_report.pdf)

UNODC (2006): Trafficking in Persons: Global Patterns United Nations Office on Drugs and Crime, [http://www.unodc.org/pdf/traffickinginpersons\\_report\\_2006ver2.pdf](http://www.unodc.org/pdf/traffickinginpersons_report_2006ver2.pdf)

With Scotland (2014): Child Trafficking (briefing) <http://withscotland.org/download/child-trafficking>

For information on the **health consequences** of human trafficking, see [Evidence Briefing: The health consequences of human trafficking 2014, NHS Scotland](#) and [what health workers need to know about human trafficking, NHS Scotland/Scottish Government 2012](#)

For information on **gender related violence** and trafficking, see [Stolen Smiles: a summary report on the physical and psychological health consequences of women and adolescents trafficked in Europe](#)

For information on **forced labour**, see page 5 of [A Global alliance against forced labour](#) and International Labour Office (2012): Global Estimate of Forced Labour <http://lastradainternational.org/lisidocs/3119-Public-knowledge-and-attitudes-towards-thb-2014.pdf>

For information on **domestic servitude**:

- [United Nations Office on Drugs and Crime – Domestic 'service' or domestic slavery?](#)
- [Council of Europe Parliamentary Assembly – Domestic slavery: servitude, au pairs and mail-order brides.](#)

For information on **organ harvesting**, see [Joint Council of Europe/United Nations Study on trafficking in organs.](#)

For more information on **how victim's can react to being identified**, see [International Centre for Migration Policy Development: Experiences of identification, return and assistance in South-Eastern Europe](#) (section 4.2)

For more information on **possible indicators** for trafficking, see [International Labour Organisation: Operational indicators of trafficking in human beings.](#)

The Home Office, with the support of the Scottish Government, is **campaigning to raise awareness and encourage reporting of 'modern slavery' in the UK**. The campaign shows that slavery affects UK communities and UK citizens, particularly agricultural labour; sexual exploitation in brothels; and domestic servitude in homes. There are adverts, posters, a website and a helpline with materials in Nigerian, Vietnamese, Albanian, Romanian, Chinese and Polish. The helpline is being run by the NSPCC in partnership with the Home Office. The website gives information about types of slavery, signs to spot and to report; and services for victims (TARA and Migrant Help in Scotland). More information: [www.modernslavery.co.uk](http://www.modernslavery.co.uk) Helpline: 0800 0121 700

[Unchosen](#) is an anti-trafficking charity that organises film campaigns to raise public awareness and combat all forms of human trafficking, forced labour, sexual exploitation and domestic servitude in the UK and Ireland.

Good practice recommendations and some examples on how to broach the subject sensitively with victims from [What health workers need to know about human trafficking](#) are set out below. Some of these will only be relevant to health staff and can be adapted for other groups of staff.

- Ensure the environment is conducive to disclosure
- Broach the subject sensitively through gentle questioning around health and living circumstances. Below are some examples that can be adapted depending on the individual's condition.

'You look very pale. Can you tell me about your diet? What have you eaten over the last week? Last month?'

'You are coughing a lot. I need to know about your home situation. Can you tell me about your home and bedroom? Are you sharing with others?'

'Were you injured while working?'

'Can you tell me about your work and how you were injured?'

'Is this the first time or do you have other injuries?'

'Can you leave your job or situation if you want?'

'Have you been threatened or harmed in any way?'

'Is anyone forcing you to do anything you don't want to do?'

Refer for a health assessment / assess the impact on the patient's health and ensure s/he receives appropriate treatment. Good practice guidelines recommend conducting a thorough physical examination given the multiple health problems experienced by victims. This includes:

- full medical history
- questions around head trauma, eyes/ears/nose and throat
- respiratory, cardiovascular, gastro-intestinal, muscular-skeletal and neurological history questions
- dermatological and nutritional queries
- if possible, assess the mental health of the patient or refer for an assessment if you have concerns.

**For victims, or suspected victims, of sexual violence:**

- ask about any history of rape or other sexual trauma
- refer the person / treat any immediate physical or medical conditions and ascertain whether the patient wishes to report this to the police. If so, a forensic examination will be arranged
- ensure that invasive examination is limited and the need for further testing is assessed, e.g. for STIs, pregnancy (for further guidance refer to: What Health Workers Need to Know About Commercial Sexual Exploitation and What Health Workers Need to Know About Rape and Sexual Assault, NHS Scotland, 200924)
- assess safety – is there an immediate or future safety risk? In cases of immediate danger – can you contact other agencies? Do they want you to contact the police? Does the level of threat require you to take action?
- discuss the options available with the person. Provide information on the National Referral Mechanism and contact one of the First Responders on their behalf if required. Make sure they are aware of the implications of this, e.g. if they have insecure immigration status, the case will be referred to the UKBA
- advise of agencies that can help even if no NRM referral is wanted: TARA will help women in situations of sexual exploitation and assist them access other support services, including access to safe accommodation. Migrant Helpline will provide support to men who have been sexually exploited, and to all persons trafficked into forced labour
- depending on the degree of freedom they have, it may not be possible to access these services on their own or to follow aspects of a safety plan. Discuss whether more assistance is needed to contact other agencies
- offer a further appointment. A health appointment may be one of the few occasions where they are allowed some freedom of movement. This may provide the opportunity for getting further help. It is vital that the trafficked person decides what course of action to take.

**Where you are concerned that they won't come back**

- maximise your encounter with the person
- offer as much information as possible about their health condition and treatment. Ensure they know they can access health services freely and that safe accommodation can be arranged
- provide information on support services. Ensure this is discreet and safe, e.g. provide helpline numbers on paper that can be hidden in clothing

- if applicable and possible, provide a complete regimen of prescribed medication in that single encounter – assuming they will not return for follow-up treatment and assessment.

### **Documenting and recording**

Keep accurate and detailed records. Record the following:

- nature of health problem, with details of any injuries and symptoms and any concerns you may have
- what the person says and not what you think, although it is important to note any concerns or suspicions
- outcome of risk assessment
- any action taken or advised.

### **Sharing information**

You may need to share information about a particular case. It may be required by law or it may be necessary to share information with support agencies to make sure that a trafficked person is safe and properly supported. This is not automatic, however, and there may be a risk of deterring people from seeking medical attention if their request for confidentiality is not respected. Reporting information may also endanger their safety if traffickers can trace it back to them. It may be the case that there are local arrangements for providing intelligence on crimes, such as human trafficking, which allow for anonymised information to be shared with the police, for example, alerting them to the possibility of forced labour in certain areas. It is critical, however, that in passing on this intelligence, the safety of the individual is maintained. There are circumstances where information may be shared without a patient's consent. For example, if there is a threat of imminent danger to them or others, or if doing so may prevent or support the investigation of a serious crime. Balancing responsibility for patient confidentiality against disclosure in the public interest requires careful consideration. The decision to share information without consent needs to be considered on an individual case basis, with regard both to the law and the particular circumstances of the case. Discussion with a senior colleague or line manager is of paramount importance in this instance. You must, of course, make sure that you comply with all your legal requirements.

It is good practice to:

- get the person's permission before you pass on information and seek advice if you are in any doubt
- ensure that the information shared is proportionate and limited to the relevant details
- make the person aware, if possible, of the need to share information when they do not wish you to do so
- avoid divulging confidential information by accident, for example, if you are approached by someone saying they are a relative or support person of the individual

- be guided by your professional code of conduct on confidentiality and information sharing, and your organisation's protocols
- seek guidance from senior colleagues who can advise on the appropriateness of sharing information with the police in accordance with national directives
- record a clear account of the decision making process involved when sharing information.

**Follow up**

Your intervention will depend on the setting in which you work. You may only see the person once, for example, in an emergency setting. If possible, it is helpful to offer a follow up appointment. Always consider their safety and how any approach you make might affect this.