



Home Office

# CHILD EXPLOITATION DISRUPTION TOOLKIT

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## Disruption Tactics



# FOREWORD

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Tackling child exploitation is a complex task. There are similarities between different forms of exploitation and the criminal and sexual exploitation of children may overlap. Victims of child exploitation may, at any one time, be subject to both. It is vital that frontline practitioners recognise, and by working together, deploy tactics to disrupt multiple types of exploitation when they occur. Perpetrators of child sexual exploitation (CSE) and child criminal exploitation (CCE) can share patterns of behaviour in respect of coercion, violence, intimidation and the power imbalance inherent in them and many other offences. Similar disruption techniques could be used in relation to CSE, CCE or other offending. However, the circumstances in which the exploitation occurs can demand different approaches. Factors such as the age of victims, the context in which offences occur and the risk they pose, require a range of different tools, deployed tactically by different agencies working together.

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# Definitions

## Child Sexual Exploitation:

- Child sexual exploitation is not defined in law. Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity in exchange for something the victim needs or wants, and/or for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact, it can also occur through the use of technology.<sup>1</sup>

## Common characteristics of CSE

- Violence, coercion and intimidation are common. Involvement in exploitative relationships is characterised by the child or young person's limited availability of choice, as a result of their social, economic or emotional vulnerability.
- The child or young person does not recognise the coercive nature of the relationship and does not see themselves as a victim of exploitation.

## Child Criminal Exploitation

CCE is not defined in law but is a term that has come to be associated with 'county lines'. The government definition of county lines is set out below together with our definition of child criminal exploitation, which is increasingly used to describe this type of exploitation where children are involved.

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

Child criminal exploitation occurs where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child or young person under the age of 18 into any criminal activity:

- in exchange for something the victim needs or wants.
- for the financial or other advantage of the perpetrator or facilitator.
- through violence or the threat of violence.

The victim may have been criminally exploited even if the activity appears consensual. Child criminal exploitation does not always involve physical contact, it can also occur through the use of technology.

The criminal exploitation of children is not confined to county lines but can also include other forms of criminal activity such as theft, acquisitive crime, knife crimes and other forms of criminality.

<sup>1</sup> Definition taken from Department for Education's Definition and a guide for practitioners, local leaders and decision makers working to protect children from child sexual exploitation (2017) <https://www.gov.uk/government/publications/child-sexual-exploitation-definition-and-guide-for-practitioners>

## Purpose of the toolkit

This toolkit is primarily aimed at frontline staff working to safeguard children and young people under the age of 18 from sexual and criminal exploitation. This includes law enforcement, social care, housing, education, the voluntary sector and related partner organisations.

It is intended to help all safeguarding partners to understand and access existing legislative opportunities at their disposal and to target specific risks, ranging from warning notices to offence charges and care orders.

While criminal prosecution of child abuse perpetrators may represent the most desired outcome of law enforcement activity, it is not appropriate to leave the protection of vulnerable children and young people to the criminal justice process alone. The use of existing legislative powers, such as orders and injunctions, are an essential part of the safeguarding process and often a critical piece to any future actions.

This toolkit aims to:

- set out many of the tools useful for police and other safeguarding professionals to disrupt the sexual and criminal exploitation of children and young people, break the cycle of abuse and send a signal to perpetrators about the consequences of their actions.
- help safeguarding partners know how their knowledge, expertise and information sharing could contribute to the protection of victims, evidence for further action, arrest and potential prosecution of offenders.
- provide useful guidance about technological options available to support interventions.

Note that the Crown Prosecution Service has produced specialist **advice** setting out the approach of the police and the CPS to county lines offending, including the safeguarding of vulnerable persons, and the investigation and prosecution of criminal offences.

# How to use the toolkit

- Child exploitation cannot be solved in isolation. Effective information sharing is essential to the protection of children and stopping offenders.
- There are a whole range of behaviours and scenarios that may not appear related to CSE or CCE, but pieced together and put into context form a bigger picture. Agencies hold different pieces of information and will have different legislative powers which together help to identify the most appropriate tool for keeping children safe.
- The ‘in-the-round’ approach helps police and safeguarding partners to maximise the ways to safeguard children and young people under the age of 18 by:
  - understanding the context in which an offence was committed
  - carrying out a risk assessment in relation to the perpetrator, the victim, family and the community in the understanding that child exploitation is a community safety issue
  - taking into account the risks to the child and their families when implementing disruption tactics, including the threat of extreme violence and threat to life
  - evaluating, identifying and managing the most appropriate tool for disruption, taking safeguarding into consideration at all times.

- The toolkit is split into six areas of law enforcement and other agency activity. Effective multi-agency collaboration to disrupt child exploitation is likely to involve the use of tools from more than one area.

## ABDUCTION AND TRAFFICKING



## BEHAVIOUR



## SEXUAL OFFENCES



## LOCATION



## VICTIM CARE



## OTHER OPTIONS



- Each area explains:
  - legislation
  - when and how can it be used
  - impact
  - case study (where appropriate).
- In addition to the six areas, the disruption toolkit includes best practice guidance in three areas.



## INFORMATION SHARING AND MULTI-AGENCY WORKING

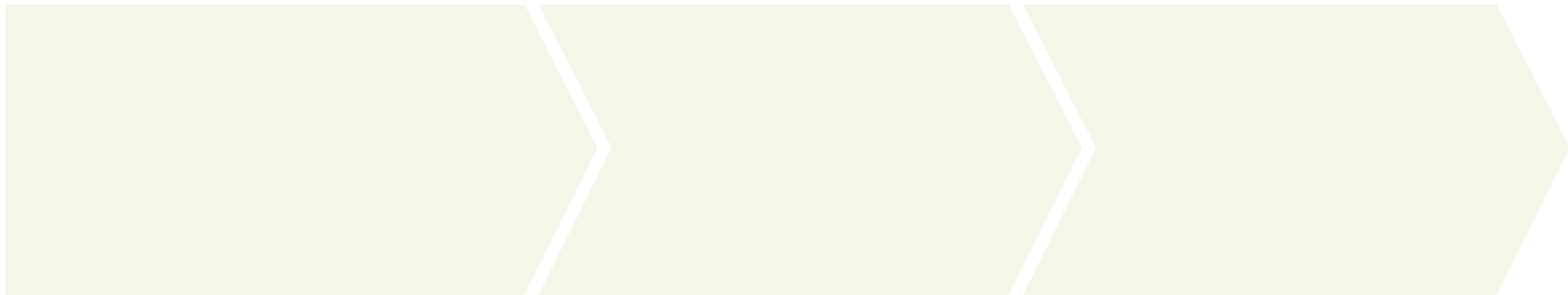


## INTELLIGENCE AND EVIDENCE



## FURTHER LINKS

**AREA OF DISRUPTION**



# ABDUCTION AND TRAFFICKING

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This section includes legislation that law enforcement agencies can use to disrupt contact between an adult and a child under the age of 16, or young person aged under 18. The section also includes legislation regarding human trafficking and the use of National Referral Mechanism (NRM) forms in CSE and CCE related cases.



## Tools

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# Child Abduction Warning Notices (CAWNs)

## Legislation

- There are no statutory or legislative provisions dealing specifically with the issue of warning notices.

## When and how can it be used?

- Before enough evidence has been gathered to suggest an offence has been committed, police officers can consider issuing warning notices to potential offenders where grooming or exploitation is suspected.
  - A CAWN states that the suspect has no permission to associate with the child. If they continue to do so they may be arrested for an abduction offence under the Child Abduction Act 1984 and Children Act 1989. There are no statutory or legislative provisions dealing specifically with the issue of warning notices. Warning notices can be issued by police officers in accordance with individual force policies and do not require court orders.
  - CAWNs can be issued by the police to disrupt contact between any potential abductor over the criminal age of responsibility and a child or young person where the child is aged under 16 years (or under 18 years if they are under local authority care).
  - It is an offence for a person not connected to the child to take or to keep the child away 'without legal authority'. In such cases, the police may remove the child to a place of safety and issue a formal warning to the perpetrator. CAWNs are issued to suspects and associates who are believed to place the child at risk of offences being committed against them.
- Although these cases do not require a complaint from the child, it does require a person with parental responsibility to provide a statement regarding their concerns about the association. CAWNs are a useful tool in terms of immediately breaking contact between the child and the individual grooming or exploiting them. They are also useful for ensuring that the suspected perpetrator cannot claim ignorance of the age of the child. This can be useful in subsequent charges or prosecutions.
  - If a CAWN (or any other order) is being issued in the police station, consider issuing it in a place covered by CCTV. This avoids any ambiguity in the future about what was said and lessens the possibility of a perpetrator denying receiving the warning notice. If out in the community, consider the use of a body worn camera.

## Impact

- Ensure that any CAWN that is served on an individual is recorded on force intelligence systems and Police National Computer with the location of that notice. This means it can be used in evidence if the suspect is arrested.
- Non-compliance with a CAWN is not a criminal offence. However, CAWNs provide evidence to support a prosecution under the Child Abduction Act 1984 and Children Act 1989 and to support applications for sexual risk orders, civil injunctions or evictions.
- CAWNs should **not** be used as a substitute for prosecuting criminal behaviour.



Further information about CAWNs can be found in the **College of Policing Authorised Professional Practice.**



# Offence of abduction of child by other persons (under the age of 16)

## Legislation

- Section 2 Child Abduction Act 1984.

## When and how can it be used?

- This provides an offence in relation to the taking or detaining of a child under 16 years:
  - where the offender is not connected with the child so as to remove them from the lawful control of any person having lawful control of the child
  - to keep them out of the lawful control of any person entitled to lawful control of the child.

## Impact

- Child abduction is an **either-way offence** which means it can be dealt with either in the magistrates' court or the Crown Court. The maximum penalty in the Crown Court is seven years' imprisonment.
- It is a defence for this offence for the defendant to show that they believed the child to be over the age of 16 years.

# Abduction of children in care (where child is under 18)

## Legislation

- Section 49 Children Act 1989.

## When and how can it be used?

- It is an offence if someone knowingly and without lawful authority or reasonable excuse:
  - takes a looked after child, or a child who is subject of an emergency protection order (EPO) or powers of police protection away from the responsible person
  - keeps the child away from the responsible person
  - induces, assists or incites such a child to run away or stay away from the responsible person.

## Impact

- Abduction of a child in care is a summary offence. Criminal charges can result in imprisonment for up to six months, a fine, or both.

# Recovery orders

## Legislation

- Section 50 Children Act 1989.

## When and how can it be used?

- Where a child has been unlawfully taken or kept away from a person with lawful control of the child, a court can make a recovery order which requires the production of the child to the authorised officer and authorises the child to be removed by the authorised officer. The order also requires anyone with information about the whereabouts of the child to disclose the information to police. In addition, if the court is satisfied there are reasonable grounds to believe the child is present at specified premises then the order will authorise the police to enter those premises to search for the child. Recovery orders could be important for trafficked unaccompanied asylum-seeking children (UASC) and missing migrant children.
- The application can be made by the local authority for a looked after child or if the child is subject to an emergency protection order or by the police if the child is subject to police powers of protection.
- The application must be made in the family proceedings court unless there are other proceedings pending.

## Impact

- Removing children from harmful environments and disrupting contact between an adult and a child.
- Deliberate obstruction of a police officer carrying out actions defined by the order is an offence and could lead to a fine being imposed.

# National Referral Mechanism (NRM)

## Legislation

- Duty to notify under section 52 Modern Slavery Act 2015.

## When and how can it be used?

- CSE victims and children exploited for criminal offences such as county lines, pickpocketing or cannabis cultivation may also be victims of modern slavery including human trafficking. An NRM referral must be made for any CSE or CCE victim where there are reasonable grounds to believe that they may be a victim of modern slavery (including slavery or human trafficking). A first responder can make a referral where it is '**suspected but cannot [be] prove[n]**' the identified child is a victim of slavery or human trafficking.
- Specified public authorities have a duty to notify the Secretary of State about individuals they suspect to be victims of slavery or human trafficking. For children, this duty is fulfilled by making a NRM referral. **Potential child victims should be referred into the NRM in all cases by completing a child referral form. Child victims do not have to consent to be referred into the NRM and should be referred to wider child safeguarding processes for support.**
- NRM referrals can be made by a number of designated first responder organisations including:
  - the police
  - Border Force
  - UK Visa and Immigration
  - Immigration Enforcement

- local authorities
- National Crime Agency
- Gangmasters Labour Abuse Authority
- some voluntary sector organisations.

## Impact

- An active police investigation (or Crown Prosecution Service (CPS) or Crown Office and Procurator Fiscal Service (COPFS) prosecution may give weight to a claim of trafficking or slavery offences aiding prosecution of offenders.
- The statutory defence for victims in the Modern Slavery Act 2015 (section 45) also strengthens protection against inappropriate prosecution of victims of slavery and trafficking for crimes committed as part of their exploitation.



Further guidance is available in the **National referral mechanism guidance: adult (England and Wales)**

# Human trafficking

## Legislation

- Part 1 Section 2 Modern Slavery Act 2015.

## When and how can it be used?

- The movement of a person for the purposes of exploitation is detailed in the Modern Slavery Act 2015 as human trafficking a form of modern slavery. This movement may be internal or international.
- A person commits an offence if they arrange or facilitate the travel of another person with a view to that person being exploited. A person may arrange or facilitate travel by recruiting, transporting, transferring, harbouring or receiving the victim, or by transferring or exchanging control over them. This includes internal trafficking, such as transporting or transferring victims by car, taxis, or public transport to towns across the country.
- It is irrelevant whether the victim consents to the travel, whether they are an adult or a child.
- Young people who travel alone by public transport to premises where they are being sexually or criminally exploited may be trafficked where the arrangements for this travel are made by someone with a view to their exploitation. This may include persons who have a power over them by grooming, coercion or threat.
- To proceed with criminal charges for the offence of human trafficking, evidence must show that:
  - the person intends to exploit the victim during or after the travel
  - the person knows or ought to know that another person is likely to exploit the victim during or after the travel.

## Impact

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

## Scenario

- Officers are called to a hotel following a report of drinking and loud music in one of the rooms where they encounter two 15-year-old girls and a 17-year-old boy in the company of older men. The girls and boy state that their transport to the hotel was arranged by the men and that they have been given gifts and alcohol in exchange for sex with the men. They state that they have been taken to a number of hotels before by these men. Along with criminal charges for sexual offences officers make an NRM referral and consider charges of human trafficking. Officers also make appropriate arrangements for established child protection processes.
- A referral into the NRM does not replace or supersede established child protection processes and relevant criminal charges.

# Slavery and trafficking risk orders (STRO)

## Legislation

- Section 23 Modern Slavery Act 2015 (Slavery and Trafficking Risk Orders).
- Section 28 Modern Slavery Act 2015 (Interim Slavery and Trafficking Risk Orders).

## When and how can it be used?

- The STRO is a civil order that may be made if there is a risk that the defendant will commit a slavery or human trafficking offence, and if the order is necessary to protect against the risk of harm (physical or psychological) from the defendant.
- STROs can be obtained by police, National Crime Agency, immigration officers and labour abuse prevention officers from the Gangmasters and Labour Abuse Authority by making an application to court (magistrates court or youth court for under 18s).
- STROs can be made for a minimum of 2 years, with no maximum duration.

## Impact

- Prohibitions that may be included in the order are those which the court is satisfied are necessary for the purpose of protecting persons generally, or particular persons, from the physical or psychological harm which would be likely to occur if the defendant committed a slavery or trafficking offence.
- An interim STRO will prohibit the defendant from doing anything described in the order and can be used where an application for an STRO is yet to be determined.
- Breach is an offence punishable with up to five years' imprisonment.



Further guidance on STRO is available [here](#).

# Slavery and trafficking prevention orders (STPO)

## Legislation

- Section 14 – Section 15 Modern Slavery Act 2015.

## When and how can it be used?

- The purpose is to prevent and prohibit convicted defendants from activities which enable them to commit offences of human trafficking and slavery.<sup>2</sup>
- A STPO may be made in respect of a convicted defendant where the court is satisfied there is a risk that the defendant will commit a slavery or human trafficking offence, and the order is necessary to protect against the risk of harm from the defendant.
- STPOs under section 15 can be obtained by police, National Crime Agency or immigration officers by application to the Court. Orders under section 14 are made on conviction.
- STPOs are for a minimum of five years.

## Impact

- Prohibitions that may be included in the order are those which the court is satisfied are necessary for the purpose of protecting persons generally, or particular persons, from the physical or psychological harm which would be likely to occur if the defendant committed a slavery or trafficking offence.
- STPOs on application enable the courts to place restrictions on individuals convicted or cautioned for modern slavery type offences whether the offence took place before or after Part 2 of the Modern Slavery Act 2015 which commenced on 31 July 2015. Convictions include spent convictions.
- Breach is an offence punishable with up to five years' imprisonment.



Further guidance on STPO is available [here](#).

<sup>2</sup>An order can be made where someone has been found not guilty by reasons of insanity, found to have done the act having been deemed unfit to plead or (in relation to a section 15 application) cautioned.

# SEXUAL OFFENCES



This section includes information about existing legislation law enforcement can use to manage the risk to children, stop contact between victims and offenders and charge and prosecute perpetrators of CSE. Among the sexual offences against children provided for in the Sexual Offences Act 2003, the act introduced a range of offences that recognise the grooming, coercion and control of children.

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## Sexual risk orders (SRO)

### Legislation

- Section 122A Sexual Offences Act 2003

### When and how can it be used?

- SROs can be made by a court where a person has carried out an act deemed to be of a sexual nature and who, as a result, is believed to pose a risk of harm to the public in the UK or children or vulnerable adults abroad. 'Acts of a sexual nature' are not defined in legislation so can depend on the individual case circumstances, context and apparent motive, for example: causing or inciting a child to watch a moving or still image that is sexual, giving a child anything that relates to sexual activity, or trying to facilitate time alone with the child.
- The individual does not need to have committed a relevant (or any) offence.
- An SRO can be granted for a minimum of 2 years and has no maximum duration. The SRO may specify different time periods for different prohibitions.
- Interim SROs can be obtained to protect the public, or any particular individuals, during any period between the application for a full order and its determination.
- The SRO is available where the victim is of any age, and it may be applied for on free-standing applications to a magistrates' court by the police or National Crime Agency, including while a suspect is on bail and even where criminal proceedings have been unsuccessful.

### Impact

- The SRO can prohibit the defendant from doing anything described within it, so long as it is deemed by a court to be proportionate and necessary for the purposes of protecting the public. This could include, for example, limiting and managing Internet use or prohibiting contact with children. The order can also be used to place a foreign travel restriction on the individual, which can last for a maximum of five years.
- Breach of an SRO is a criminal offence which has a power of arrest and is punishable by a maximum of five years' imprisonment.
- A breach of an SRO also makes the individual subject to the full notification requirements for registered sex offenders. This means that they must notify the police of a range of details, including (amongst other details) their name, address, passport, bank accounts and any foreign travel.
- An application for an order should only be considered exceptionally where the defendant is under the age of 18. Careful consideration must be given to ensure that a child who poses a sexual risk to others also has their welfare needs met. It is important to recognise them as a victim and consider how best to safeguard them.



Further guidance on the SRO can be found within the Home Office guidance on Part 2 of the Sexual Offences Act 2003, located [here](#).

## Sexual harm prevention orders (SHPO)

### Legislation

- Section 103A Sexual Offences Act 2003.

### When and how can it be used?

- SHPOs can be applied for where an individual has a conviction or caution for a Schedule 3 or Schedule 5 Offence under the Sexual Offences Act 2003, and it can be argued that they pose a risk of sexual harm to the public in the UK or to children or vulnerable adults abroad.
- SHPOs are available to the court at the time of sentencing for a relevant offence, or on free-standing application to the magistrates' court by the police or National Crime Agency after the time of the conviction or caution.

### Impact

- The SHPO can prohibit the offender from doing anything described within it, so long as it is deemed by a court to be proportionate and necessary for the purposes of protecting the public. This could include, for example, limiting and managing Internet use or prohibiting contact with children. The order can also be used to place a foreign travel restriction on the individual, which can last for a maximum of five years.
- A prohibition contained in a SHPO has effect for a fixed period, specified in the order, of at least 5 years. There is no maximum time period for a prohibition contained in a SHPO, except for a prohibition on foreign travel which can last for a maximum of five years. The order may specify different periods for different prohibitions.

- An SHPO makes the individual subject to full notification requirements for registered sex offenders for the duration of the order. This means that they must notify the police of a range of details, including (amongst other details) their name, address, passport, bank accounts and any foreign travel.
- Breach of an SHPO is a criminal offence which has a power of arrest and is punishable by a maximum of five years' imprisonment.
- Partner safeguarding agencies should be made aware of the civil orders put in place and informed of any opportunities they may have to help with monitoring and enforcement of them.



Further guidance on the SHPO can be found within the Home Office guidance on Part 2 of the Sexual Offences Act 2003, located [here](#).

## Notification orders

### Legislation

- Section 97 Sexual Offences Act 2003.

### When and how can it be used?

- Notification orders can be obtained by police officers and staff through legal services. A notification order is made by the court where an individual has been convicted or cautioned of a specified sexual offence in a country outside of the UK on or after 1 September 1997.
- Notification orders have the effect of making an offender become subject to the full notification requirements for registered sex offenders, as if they had been convicted or cautioned in relation to a relevant sexual offence in the UK.
- The police do not have to evidence that the individual poses a risk to the public.
- Police are encouraged to conduct thorough checks into perpetrators who may have travelled overseas or come to the UK from another country.

### Impact

- Breach of the order is a criminal offence which has a power of arrest and is punishable by a maximum of five years' imprisonment.
- All registered sex offenders are managed under Multi-Agency Public Protection Arrangements (MAPPA), which bring together the Police, Probation and Prison Services to assess and manage their risk.
- Good information sharing across partner agencies is vital to safeguarding vulnerable children effectively. Disclosure of information to third parties through MAPPA or other multi-agency arrangements is a useful 'restrictive' intervention to reduce opportunities of harmful behaviour.



Further guidance on Notification Orders can be found within the Home Office Guidance on Part 2 of the Sexual Offences Act 2003, located [here](#).

## Arranging or facilitating commission of a child sex offence

### Legislation

- Section 14 Sexual Offences Act 2003.

### When and how can it be used?

- This makes it an offence for a person to intentionally arrange or facilitate any action which will involve an offence being committed against a child under sections 9 to 13 of the Sexual Offences Act 2003. The perpetrator may intend to do the action themselves, intend another person to do it or believe another person will do it. The action could be intended to take place anywhere in the world.

### Impact

- The offence is punishable by up to 14 years' imprisonment, or a fine, or both.

## Meeting a child following sexual grooming

### Legislation

- Section 15 Sexual Offences Act 2003.

### When and how can it be used?

- A person aged 18 or over commits an offence if:
  - they have communicated with another person who is under 16 and A does not reasonably believe that the other person is over 16
  - they then travel with the intention of meeting that other person in any part of the world
  - at that time, they intend on having sexual intercourse or engaging in some other form of sexual activity with the other person
  - the defendant does not reasonably believe that the other person is 16 or over and that person is under 16.

### Impact

- The offence is punishable by up to 10 years' imprisonment, or a fine, or both.

## Sexual communication with a child

### Legislation

- Section 15A Sexual Offences Act 2003.

### When and how can it be used?

- Where an adult (aged 18 and over), for the purposes of sexual gratification, intentionally communicates in a sexual way with a child under 16 or encourages that child to respond in a sexual way then an offence is committed.
- An adult who reasonably believes the child is 16 or over does not commit an offence.

### Impact

- The offence is punishable by up to two years' imprisonment, or a fine, or both.

## Paying for sexual services of a child

### Legislation

- Section 47 Sexual Offences Act 2003.

### When and how can it be used?

- Where a person, for the purposes of sexual gratification, makes or promises to make payment to a young person under the age of 18, or to a third party, or knows that another person has made or promised such payment.

### Impact

- The offence is punishable by imprisonment (for life, up to 14 years or up to seven years, depending on the age of the child).

## Causing or inciting the sexual exploitation of a child

### Legislation

- Section 48 Sexual Offences Act 2003.

### When and how can it be used?

- Where a person intentionally incites another person, under the age of 18, to be sexually exploited in any part of the world.
- A person commits an offence if he intentionally causes or incites another person under the age of 18 to be sexually exploited in any part of the world.

### Impact

- The offence is punishable by up to 14 years' imprisonment, or a fine, or both.



## Controlling a child in relation to sexual exploitation

### Legislation

- Section 49 Sexual Offences Act 2003.

### When and how can it be used?

- Where a person intentionally controls the activities of another person under the age of 18 relating to their sexual exploitation in any part of the world.

### Impact

- The offence is punishable by up to 14 years' imprisonment.

## Arranging or facilitating the sexual exploitation of a child

### Legislation

- Section 50 Sexual Offences Act 2003.

### When and how can it be used?

- Where a person intentionally arranges or facilitates the sexual exploitation of another person under the age of 18 in any part of the world.

### Impact

- The offence is punishable by up to 14 years' imprisonment.

## Indecent images of children (IIOC)

### Legislation

- Section 1 Protection of Children Act 1978.

### When and how can it be used?

- Where a person is making, distributing or possessing with intent to distribute an indecent image of a child, or advertise or intends to advertise the distribution or viewing of such image, or the intention to do so. To prosecute an offence under section 1, the consent of the Director of Public Prosecutions is needed.
- There is a defence if a person has a legitimate reason for distributing or showing the photograph or having them in their possession, or that the person has not seen the photographs and did not have any reason to suspect that they were indecent photographs or images.

### Impact

- The offence is punishable by up to 10 years' imprisonment.

## Possession of indecent image of a child

### Legislation

- Section 160 Criminal Justice Act 1988.

### When and how can it be used?

- Section 160(1) creates an offence for a person to have any indecent images or pseudo-photographs of a child in their possession.
- Where a person is possessing an indecent image of a child. It is a defence if a person has a legitimate reason for having the images in his possession or they had not reason to suspect it was an indecent image.

### Impact

- The offence is punishable by up to 5 years' imprisonment, or a fine, or both.

# VICTIM CARE

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This section includes information about existing legislation law enforcement and other safeguarding agencies can use to safeguard children and break the cycle of abuse by removing children from harmful environments. While removing children may on occasion be the most appropriate action to safeguard them and break the cycle of exploitation, this isolation does not offer a long term safeguarding solution. It is essential that safeguarding agencies consider using the legislations below as an initial part of a longer term solution.



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# Entry for purpose of arrest

## Legislation

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

## When and how can it be used?

- S17(1) PACE provides the police with the power of entry and to search premises where they have reasonable grounds to believe a person they seek are within the dwelling. If a child is present in the dwelling and the police believe the child to be at risk of serious or significant harm, then the police may exercise their powers of protection to remove the child.

## Impact

- By removing a child from the dwelling, the police and local agencies can put in effective measures to safeguard the child and disrupt exploitation.

# Secure accommodation order (use of accommodation for restricting liberty)

## Legislation

- Section 25 Children Act 1989.

## When and how can it be used?

- Should a local authority deem a looked after child to be at such significant risk of harm then it can accommodate a child in secure accommodation for a period of no more than 72 hours without an order of the court.
- A secure accommodation order will only be granted by the court where:
  - the child has a history of absconding and is likely to abscond from accommodation which isn't secure
  - if the child runs away, they are likely to suffer significant harm
  - if the child isn't in secure accommodation, they are likely to injure themselves or someone else.
- A secure accommodation order can only be made with respect to a looked after child (a child is looked after if they are subject to a care order or accommodated under Section 20 of the Children Act 1989) subject to certain exceptions. The first order will be for a maximum period of 3 months. If the child continues to meet the criteria for secure accommodation, then an application for a further order can be made.

## Impact

- Accommodating a child in secure accommodation leads to the restriction of liberty and should only be made when there is no alternative. Less restrictive options should have been exhausted where possible and only where a child can be adequately safeguarded.
- There are higher security and higher monitoring alternatives which should be considered should secure accommodation cease or not be appropriate.

## Scenario

- A 16-year-old is persistently missing for lengthy periods of time and has had numerous placement moves. When she returns she often has physical injuries and has recently been arrested. There are concerns over child sexual exploitation. Her most recent missing episode was for 4 nights and she took another young person from the residential unit with her. When they returned they reported being raped by a number of people but refused to give any further details or locations of the offenders. The unit is unable to keep the child or other residents safe and there are yet to be arrests of offenders.

# Care and supervision (care order and supervision order)

## Legislation

- Section 31 Children Act 1989.

## When and how can it be used?

- A local authority or authorised person (an authorised person being the NSPCC or a person authorised by the Secretary of State) may apply to the court for a care order.
- This would allow for a child to be placed into the care of a local authority or under the supervision of a designated local authority.
- The application must be made prior to the child reaching the age of 17.
- Applications for a care order may only be made to the court if it is satisfied that the child concerned is suffering or likely to suffer significant harm, and that the harm or likelihood of harm is due to the child being beyond parental control or that the care given to the child is not what it would be reasonable to expect from a parent.

## Impact

- Removing a child from harmful environments and providing safeguarding measures.

## Scenario

- A 14-year-old boy goes missing on regular occasions for periods of time. Parents often do not report this to the police and they actively obstruct attempts to complete return home interviews or offers of follow up support. The child is associated with a number of people known to the police for drugs offences, he does not adhere to boundaries and his parents are unable to protect him. They are not adhering to the Child Protection Plan which is in place to safeguard him. The parents will not agree to the child being voluntarily accommodated. An application for a care order is considered to enable the local authority to share parental responsibility for the child in order to improve the safeguards around him and reduce the level of risk to which he is exposed.



# Orders for emergency protection of children

## Legislation

- Section 44 Children Act 1989.

## When and how can it be used?

- The local authority has legal right to remove a child (or in some instances keep a child where they are currently accommodated) for up to a period of no more than 8 days. The local authority must seek permission through the court first before carrying out the order and call for police assistance if necessary.
- The local authority or authorised person (police or safeguarding practitioner) can make an application to the court where they are satisfied that the child is likely to suffer significant harm if:
  - the child is not removed to accommodation provided by or on behalf of the applicant
  - the child does not remain in the place in which they are then being accommodated.
- An application may also be made by a local authority where **s47 enquiries** are ongoing and those enquiries are being frustrated by access to the child being unreasonably refused to the local authority and access to the child is required as a matter of urgency

## Impact

- Preventing imminent risks to children and disrupting potential exploitation.

# Police powers of protection – removal and accommodation of children by police in cases of emergency

## Legislation

- Section 46 Children Act 1989.

## When and how can it be used?

- If a police constable has reasonable cause to believe that a child would otherwise be likely to suffer significant harm, they may:
  - remove the child to suitable accommodation and keep them there
  - take such steps as are reasonable to ensure that the child's removal from any hospital, or other such place, in which they are then being accommodated is prevented.
- A child in this context is a person under 18 years.
- Suitable accommodation can include the child's home address or care placement where it is deemed safe and appropriate. A police station is not suitable accommodation. A child under police protection should not be brought to a police station except in exceptional circumstances, such as a lack of immediately available local authority accommodation.
- If necessary to take the child to a police station every effort should be made to ensure their physical safety, comfort, access to food and drink and access to toilet and washroom facilities.

## Impact

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

## Scenario

- A police officer witnesses a child approximately 17 years old in the company of two older adult males late at night. The males have no reasonable association with the child. The child presents as unwilling to leave voluntarily with the officer, however there is reasonable cause to believe that the child is at risk of harm. The police officer, with the agreement of a senior officer, is able to exercise their powers of protection by removing the child to suitable, safe accommodation.

## Parents

- Parents are often vitally important in disrupting exploitation. In order to support them to do so, consider the following:
  - liaise with parents to ensure missing episodes are reported to and recorded appropriately by the police
  - provide parents with an allocated police officer who they can contact to discuss concerns or potential evidence regarding a child at risk of or experiencing exploitation
  - ensure parents have sight of police and children's services action plans agreeing joint actions should the potential victim go missing, to ensure understanding of their responsibilities
  - where possible parents should be supported to gather and submit information and intelligence regarding incidents.

# Victim support centres

## Sexual assault referral centres (SARC)

- A SARC provides services to victims of rape or sexual assault regardless of age and gender, and whether the victim reports the offence to the police or not, and can provide onward referrals to other health and social care services according to need. SARC services can deliver services to both recent and non-recent victims, and can offer victims the opportunity to assist in a police investigation of the sexual offence against them, including a forensic medical examination with consent.
- With the police and PCCs, NHS England co-commissions SARC services. NHS England is specifically responsible for commissioning the public health services elements of SARC services. SARC services also comprise of sexual assault forensic medical examinations and independent sexual violence advisory support.

## Independent sexual violence advisors (ISVA)

- All victims of sexual assault are eligible for a referral to an ISVA who can support the victim with a range of issues including taking them through any court processes and proceedings and offering post-court support. ISVAs may point victims in the direction of other available support including SARCs and rape centres.

# BEHAVIOUR

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Unusual or harmful behaviour may not at first glance appear to be directly related to child exploitation. It is important to put behaviour of offenders into context when identifying the most appropriate disruption tool. Similarly, victims of child exploitation may display signs of isolation, appear distrustful of authorities, have limited freedom of movement and may commit crime themselves under the duress of exploitation.



## Tools

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# Controlling or coercive behaviour in an intimate or family relationship

## Legislation

- Section 76 The Serious Crime Act 2015.

## When and how can it be used?

- Person aged 16 or over is the victim.
- Consent of the victim is not required to bring a case.
- It is important to acknowledge that domestic abuse and CSE may both be present and overlapping, and may require different, yet connected safeguarding strategies.
- Some cases of CSE could be eligible under this act due to the element of 'intimate relationship' (for definitions relevant to this offence, please see published Statutory Guidance Framework for Controlling and Coercive Behaviour).
- A person commits an offence if:
  - they repeatedly or continuously engage in behaviour towards another person that is controlling or coercive
  - at the time of the behaviour, the offender and victim are personally connected (includes in an intimate relationship)
  - the behaviour has a serious effect on the victim
  - the offender knows or ought to know that the behaviour will have a serious effect on the victim, which is deemed as such if:
    - it causes them to fear, on at least two occasions, that violence will be used against them
    - it causes them serious alarm or distress which has a substantial adverse effect on their usual day-to-day activities.

## Impact

- Controlling or coercive behaviour is a key component of CSE and it is an offence where it is committed within an intimate or familial relationship. This offence is punishable by a fine or imprisonment of up to five years.

## Scenario

- A 16-year-old girl alleges that she is in a relationship with an older adult male. She is estranged from her family and living with the male. Intelligence and information has been shared with police which suggests he has been grooming and sexually exploiting her since the age of 14 but the female is currently claiming that the relationship is consensual and there has been no sexual contact prior to her sixteenth birthday. There are concerns over her emotional wellbeing, self-harm, Class A drug use and physical health. She has presented with physical injuries previously that are believed to be a result of domestic abuse. Professionals from a range of agencies are attempting to intervene and offer essential medical, practical and emotional support. When she has presented at appointments, he has accompanied her. She has refused safe alternative accommodation as she is fearful of what he will do if she attempts to live independently. The police could consider an offence of coercive control, even if the victim refuses to co-operate.

# Forced marriage protection order (FMPO)

## Legislation

- Section 63A (Forced Marriage Protection Order) Family Law Act 1996.

## When and how can it be used?

- An FMPO can be obtained by the person to be protected by the order, or by the local authority, or by any person with permission of the court, including the police.

## Impact

- The order can contain prohibitions, restrictions and requirements as are considered necessary by the court and aims to protect any person from being forced into a marriage or to protect a person who has been forced into a marriage. The terms of the order may relate to conduct both in and outside of the UK and may relate to respondents who become involved as well as respondents who force or attempt to force a person to enter into a marriage.
- A power of arrest can be attached to a FMPO. A breach of this order an offence and could result in a fine or imprisonment. A person cannot be convicted of an offence of breaching an order where the conduct concerned has already been punished as a contempt of Court.

## Scenario

- A girl aged 17 was found to have received threats from her parents for not complying with a marriage her family had arranged. Officers working with legal services put together an application for a FMPO. The court considered the case and a full FMPO was made which prohibited the parents from arranging a marriage for their daughter and had a power of arrest attached to it.

# Restraining orders and non-molestation orders

## Legislation

- Section 42 Family Law Act 1996.
- Section 5/5A Protection from Harassment Act 1997.

## How can it be used?

- Restraining orders should be considered by police in any CSE related prosecution even where the victim has not requested the order to be made.
- Restraining orders are made by a court under Section 5/5A of the Protection from Harassment Act 1997 and allow a court to make an order either on the conviction or acquittal of a defendant for any offence where the court believes a restraining order is necessary to protect a person from harassment. The terms may be set by the court.
- Non-molestation orders under Section 42 Family Law Act means an order containing provision prohibiting the respondent from molesting a relevant child. The court may make a non-molestation order where an offender is deemed to be an 'associated person' and can restrict contact and harassment of a victim. 'Associated persons' are usually family members or spouses. However, there is eligibility for one member of a non-cohabiting couple where there has been an intimate personal relationship with each other which was of significant duration.

## Impact

- If the restraining order is breached, the defendant may be subject to imprisonment for a term not exceeding five years, or a fine, or both.
- It is an offence to fail to comply with a non-molestation order without reasonable excuse. The offence is punishable with a maximum of five years' imprisonment. Breach of a non-molestation order may be dealt with as a contempt of court.



# Domestic violence protection notices and orders (DVPN / DVPO)

## Legislation

- Section 24-33 Crime and Security Act 2010.

## When and how can it be used?

- A DVPN can be used as an immediate measure to protect victims from domestic violence or threat of it. A DVPN is a notice served by the police against a person who is aged over 18, where the police reasonably believe that the person has been violent or has threatened violence against another person and that person needs to be protected from harm.
- Agreement from the victim is not needed to issue a DVPN although their opinion on the subject must be considered.
- A DVPN places certain conditions on the person which may include stopping them being within a certain distance of the victim's home and requiring them to leave the victim's home.
- The issuing of a DVPN triggers an application for a DVPO. A DVPO is an order applied for by the police and made by the magistrates' court. The order will last for a minimum of 14 to a maximum of 28 days placing certain conditions on the perpetrator.
- The magistrates' court will hear an application for a DVPO within 48 hours of the DVPN being issued and a DVPO can be made by the court without the victim's agreement.
- Police and safeguarding agencies should provide support to victims during the period of the DVPO.

## Impact

- A DVPN can be enforced for a maximum of 48 hours.
- A DVPO remains in place for 14 to 28 days with a power of arrest attached for breaching the order. Breach of a DVPO can be considered as a contempt of court and can result in up to two months' imprisonment or a fine.

## Scenario

- Police are called to a domestic incident. Officers find a 17-year-old girl and her 'boyfriend' at the property. The girl tells police officers that her boyfriend physically assaulted her after she refused to have sex with his friends. Among other measures, police officers also consider the issuing of DVPN to safeguard the young person from further violence, or the threat of it from the 'boyfriend'. A DVPN, which will lead to a DVPO may be considered to protect victims of sexual exploitation over the age of 16 from domestic violence.

# Civil injunctions (power to grant injunction)

## Legislation

- Section 1 Anti-Social Behaviour, Crime and Policing Act 2014.

## When and how can it be used?

- Obtained by various bodies including the police, local authorities and social landlords in the High court or in the county court where the individual against whom it is to be made is 18 or over; otherwise the application is to the youth court..
- An injunction stops or prevents individuals engaging in anti-social behaviour. This can include conduct that has caused, or is likely to cause, harassment, alarm or distress. It can also include conduct capable of causing nuisance or annoyance in relation to housing. A court can only grant an injunction where it is just and convenient to do so for the purpose of preventing the person from engaging in anti-social behaviour but, depending on the circumstances, they may be useful to prevent persons of concern from attending locations such as schools or children's homes, restrict having multiple mobile phones, hiring vehicles or entering high-risk areas.
- Where a housing tenant has breached a civil injunction the landlord, including housing authorities, can make an application to court for possession of their property, regardless of the tenure held.
- Child exploitation may fall under one or more of these definitions. The use of injunctive orders should be seen as an essential part of disruption.

## Impact

- An injunction can include prohibitions including exclusions from areas or a home. There may also be positive requirements, such as requirements on an individual to attend certain meetings.
- Breach of an injunction does not automatically result in arrest as not all will have powers of arrest attached. An application can be made for a warrant of arrest where an injunction is breached without a power of arrest. Breach could result in imprisonment not exceeding 2 years and/or a fine.

# Inherent jurisdiction

## Legislation

- Section 100 Children Act 1989.

## When and how can it be used?

- There may be circumstances where a local authority considers it necessary to make an application to the High Court under the inherent jurisdiction. An application under this section should only be made where there are no other orders under the Children Act to safeguard a child and can only be made with the permission of the court.
- Inherent jurisdiction can be exercised in cases where there is evidence that a child is likely to suffer significant harm and safeguarding cannot be achieved by taking the child into care or using other statutory powers.
- The evidential basis must be robust and requires comprehensive information sharing between all partner agencies, in particular between the police and the local authority.

## Impact

- The injunction sought can be wide ranging and can seek to impose restrictions on named individuals to prevent them from, for example, making any direct or indirect contact with the subject child and excluding them from the area where the child lives or the area where the exploitation occurred. Further restrictions may also be to prevent the perpetrators from using social media.

# Injunctions to prevent gang-related violence and drug-dealing activity

## Legislation

- Section 34 Policing and Crime Act 2009.

## When and how can it be used?

- Applications can be made by a local authority or by the police. However consideration will need to be given to the nature of the evidence and the custodian of that evidence (in most cases the police will hold the evidence on their intelligence systems and therefore it may be more effective for the application to be made by the police).
- The order is aimed at preventing gang-related violence and gang-related drug dealing activity.
- Terms imposed can, for example:
  - prevent or restrict association with other gang members
  - prohibit travel to certain areas
  - prevent the congregation of people in groups of three or more
  - restrict individuals from possessing more than one mobile telephone
  - prevent the promotion of gang related activity on social networking sites.
- It can be considered at any time during an investigation.
- The injunction can remain in place for a maximum of 2 years.

## Impact

- Prevents the respondent from engaging in, encouraging or assisting gang-related violence or gang-related drug-dealing activity.
- Protects the respondent from gang-related violence or gang-related drug-dealing activity.
- Breach of the injunction will be in contempt of court, and can be subject to a fine or imprisonment, depending on the age of the person who is in breach (see schedule 5A).

## Scenario

- A group of 10 men often congregate in a city park where they engage in drug dealing and gang-related violence. The activities pose a risk to the local community. Police officers make an application for injunction to prevent the congregation of the group in the city park and protect the local community from the risk of violence. In addition, police officers recognise that three younger members of the group display signs of distress and appear to have been controlled by other gang members. Police officers make an application for injunction to prevent contact between the gang members and the three young people to protect them.

# Criminal behaviour orders (CBO)

## Legislation

- Section 22-33 Anti-Social Behaviour, Crime and Policing Act 2014.

## When and how can it be used?

- The court may make a criminal behaviour order against an offender if:
  - The court is satisfied beyond reasonable doubt that the offender has engaged in behaviour that caused or was likely to cause harassment, alarm or distress to any person and,
  - The court considers that making the order will help in preventing the offender from engaging in this behaviour.
- The order would be requested through the prosecution upon conviction of an offender when they receive a sentence or a conditional discharge.

## Impact

- A CBO prohibits the offender from doing anything described in the order and can also include positive requirements like mentoring, anger management, drug rehabilitation.
- A CBO made after the offender has reached the age of 18 must run for at least 2 years but can be for an indefinite period and each prohibition listed can run for specific periods of time (Where the offender is under 18 years when the CBO is made, the order must be for a fixed period of not less than a year and not more than three years).
- Breach of this order is punishable by up to 5 years' imprisonment on indictment.

# Directions excluding a person from an area (police dispersal powers)

## Legislation

- Sections 34-42 Anti-Social Behaviour, Crime and Policing Act 2014.

## When and how can it be used?

- A senior police officer can authorise the use of dispersal powers in a specified area for up to 48 hours, in order to reduce the likelihood of members of the public being harassed, alarmed or distressed, or to reduce the likelihood of crime and disorder in the locality.
- Under Section 37 of this act, officers may also require persons to surrender any property which is believed to have been used or is likely to be used as part of behaviour which causes harassment, alarms, or distresses members of the public.

## Impact

- The officers can require a person contributing to, or likely to contribute to, anti-social behaviour, crime or disorder to leave an area for up to 48 hours.
- Failure to comply with the dispersal direction is a criminal offence and could lead to a fine and/or up to 3 months' imprisonment.

# Community protection notice (CPN)

## Legislation

- Sections 43-58 Anti-Social Behaviour, Crime and Policing Act 2014.

## When and how can it be used?

- Can be issued by an authorised person which is a local authority, police, or a person designated by the local authority such as a social housing landlord.
- Where there is unreasonable behaviour affecting a community's quality of life, a warning must be given. If there is no improvement, then a notice can be given which can make clear the requirement:
  - to stop doing specific things
  - to do specific things
  - to take reasonable steps to achieve specific results.

## Impact

- The aim of a community protection notice is to prevent persistently anti-social conduct by individuals or businesses which is having a detrimental effect, of a continuing nature, on the community's quality of life.
- Failure to comply with a CPN is a criminal offence and could result in a penalty notice or prosecution for which a fine can be imposed on conviction.

# LOCATION

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This section includes information about options for law enforcement and safeguarding agencies to disrupt activity linked to child exploitation in specific locations and prevent access to places used to facilitate exploitation.

## Tools

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## General guidance: locations of concern

In addition to considering existing legislation to disrupt exploitation, if locations of concern are identified in **city or town centres** (such as **parks, fast food restaurants, takeaways, bus and train stations, or businesses which operate into the night such as pubs and clubs**) or other locations featuring regularly in exploitation-related incidents, local authority, police and appropriate partners should agree a joint action plan and consider:

- providing exploitation and vulnerability awareness briefings to staff and management regarding signs of CCE and CSE (security guards, bus or train station staff, shopkeepers).
- briefing police community support officers and neighbourhood policing units and requesting high visibility patrols at relevant times and submitting information.
- liaising with Trading Standards regarding compliance with legislation, such as under the Business Names Act 1985.
- liaising with local authority licensing and Trading Standards regarding compliance with legislation and conditions.
- use of covert observations under the Regulation of Investigatory Powers Act 2000 (RIPA) where it is suspected victims are being trafficked to and from premises.
- reviewing available CCTV and tasking of CCTV operators.
- issuing notices, such as CAWNs, where it is believed staff members are complicit in the exploitation taking place at the premises.
- installing lighting if specific locations are identified.
- outreach work in the area by youth service providers.
- obtaining details, such a payment details used by perpetrators.

# Closure notice and orders

## Legislation

- Section 76-93 Anti-social Behaviour, Crime and Policing Act 2014.

## When and how can it be used?

- The police or local authority can issue a closure notice if satisfied on reasonable grounds:
  - That the use of particular premises has resulted, or is likely to result in nuisance to members of the public, or
  - That there has been, or is likely soon to be, disorder near those premises associated with the use of those premises.
- Closure notices can be served to immediately close down the premises for a period of 24 hours (this does not prohibit access to those who habitually live on the premises or the owner of the premises). Once this has been issued, an application to the court would need to be made for a full closure order which can close the premises to anyone including the owner for up to 3 months. The court may make a closure notice order where a person has engaged, or is likely to engage in disorderly, offensive or criminal behaviour on the premises.

## Impact

- Safeguarding children by preventing access to premises and places used to facilitate exploitation.
- Breach of a closure order is a criminal offence which could result in imprisonment.

# Information about guests at hotels believed to be used for child sexual exploitation

## Legislation

- Sec 116-118 Anti-Social Behaviour, Crime and Policing Act 2014.

## When and how can it be used?

- In addition to considering other disruption options, a police officer of at least the rank of inspector may issue a written notice to the owner, operator or manager of a hotel or a similar establishment which they reasonably believe has been, or will be used for CSE or related activities.
- The notice must specify the date on which the notice comes into effect and the expiry date which may not be more than 6 months after it comes into effect.
- The hotel operator is required, upon request to provide information to the police such as guest's name and address, and other information, as specified in regulations, about guests which could be readily obtained from guests themselves.

## Impact

- The information supplied can be used as intelligence to support any investigation into criminal offences which may have been or are being committed on the premises.
- Failure to provide requested information, or giving false information, is a criminal offence and could result in a fine.
- A person does not commit a criminal offence if there were no steps that person could reasonably take to verify the information.

# Absolute ground for possession for anti-social behaviour

## Legislation

- Section 84 Housing Act 1985.

## When and how can it be used?

- This applies to those holding secure tenancies.
- Where the tenant or a person residing in or visiting the dwelling/ house has been convicted of a serious offence, then police officers, housing officers, tenancy enforcement and landlords should liaise on recommendations to take action against the perpetrator.

## Impact

- If the tenant, household member or visitor is convicted of a serious offence or one of the specified orders in the act, the landlord can expedite their eviction through the court process to speed up the eviction process for the benefit of the victim and have mandatory grounds for possession of the property.

# Reviews of licensed premises

## Legislation

- Section 51 Licensing Act 2003.

## When and how can it be used?

- Partners can request a license review for a licensed premise where there are concerns that they are acting otherwise than in accordance with licensing conditions and the Licensing Act 2003.
- Licensed premises have a duty to protect children on their premises from harm, including CSE (revised guidance was added to the act in 2015).
- Where licensed premises are a location of concern relating to CSE, licensing teams should always be informed and consulted regarding possible action which could be taken.

## Impact

- Following the review, licensing departments may offer advice and education to the premises about adhering to their license conditions to bring compliance, or they may prosecute them for breach of their license.

# Public spaces protection orders (PSPOs)

## Legislation

- Section 59 Anti-social Behaviour, Crime and Policing Act 2014.

## When and how can it be used?

- Local authorities can issue PSPOs where they are satisfied on reasonable grounds that:
  - Activities carried out in a public space within the authority's area have had, or it is likely that the activities will have, a detrimental effect on the quality of life of those in the locality, and
  - The effect, or likely effect of those activities is, or is likely to be, of a persistent or continuing nature and to make these activities unreasonable and justifies the restrictions imposed by PSPO.
- They can be enforced in areas such as parks and town or city centre locations.
- PSPOs can be in place for up to 3 years, with an option to consider an extension if necessary.

## Impact

- The order prevents continuing unreasonable behaviour (such as congregation by groups causing anti-social behaviour and consuming alcohol) from occurring in a particular area. It can require things to be done by individuals carrying out a specific activity in that area. Where these activities are believed to be linked to CSE activity, a PSPO should be considered.
- Breach of a PSPO is a criminal offence which can result in a fixed penalty notice or fine upon prosecution by the local authority.

## Taxis and private hire cars

- If a taxi or private hire vehicle or business is causing concern in relation to CCE or CSE incidents, consideration should be given to:
  - liaising with local authority licensing team regarding compliance with legislation and conditions of licence and revocation of licence as appropriate.
- also consider whether individuals have completed CSE awareness training as part of licence conditions:
  - briefing police teams including traffic police teams
  - flag the vehicles used to promote disruption (guidance on the use of PNC Act markers and local ANPR can be found [here](#))
  - seizing vehicle journey logs and passenger information from private hire vehicle operators
  - prosecution if evidence is available of offences including child abduction, s14 sexual offences or trafficking.

## Schools and exploitation

- Given most children spend the majority of their time in educational establishments, schools have been identified as places where targeting can occur. In particular, alternative providers (including pupil referral units) have been identified as vulnerable locations.
- If there are concerns regarding a school in relation to its pupils specifically being targeted, consideration should be given to:
  - briefing staff with identities, photos and vehicle details of potential perpetrators
  - providing CSE awareness sessions to all members of staff and pupils (careful consideration should be given to the planning of these sessions as victims and survivors may be in the audience who will require support)
  - allocating a police officer to be a point of contact for school staff who may have concerns about exploitation activity
  - having regular meetings between police, local authority and the school designated safeguarding lead to discuss concerns and action plan for safeguarding pupils
  - ensuring staff are aware how to report and submit information to police
  - recording all unauthorised absence incidents, especially for those young people subject to CSE concerns
  - encouraging school not to exclude or reduce the timetables of children and young people who are at risk of, or experiencing CSE / CCE, as this means they have more 'free' time which places them at increased risk from perpetrators
- providing high visibility patrols at relevant times by school staff and police
- covert observations and potentially mobile surveillance with the school as a pick-up point in accordance with RIPA.

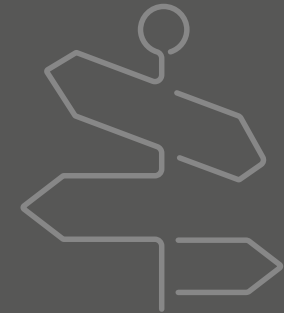


## Children's homes and carers

- If there are concerns regarding children's homes or carers specifically being targeted, consideration should be given to:
  - liaising with carers to ensure that away from placement without authorisation not reported to the police are being recorded by the local authority and patterns notified to the police
  - allocating a police officer who carers can contact to discuss concerns or potential evidence regarding a child at risk of or experiencing CSE or CCE
  - ensuring carers have sight of police and children's services action plans agreeing joint actions should the potential victim go missing, with clear understanding of their responsibilities
  - briefing carers regarding identities, photos and vehicle details of potential perpetrators and supported to gather and submit intelligence regarding incidents (such as details of vehicles seen)
  - providing high visibility patrols at relevant times and where necessary
  - covert observations and potentially mobile surveillance if a home is considered to be a pick up point.

# OTHER OPTIONS

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## Tools

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# Drug Dealing Telecommunications Restriction Order (DDTRO)

## Legislation

- Section 80A Serious Crime Act 2015 and Drug Dealing Telecommunications Restriction Orders Regulations 2017.

## When and how can it be used?

- The county lines drug dealing model, which involves the criminal exploitation of children and vulnerable adults, relies on the use of mobile phones to facilitate drug dealing. These 'deal lines' can be extremely profitable for county lines perpetrators.
- Section 80A of the Serious Crime Act 2015 and the 2017 Regulations give the Police and National Crime Agency the power to apply directly to the civil courts for a Drug Dealing Telecommunications Restriction Order (DDTRO) to be made.
- A DDTRO may require a communications provider to close down particular phone lines (or take whatever action the order specifies) for the purpose of preventing or restricting the use of communication devices in connection with drug dealing offences.

## Impact

- The intention is for a DDTRO to be used as a disruption tactic which, when paired with complementary police action, will make the county lines operating model inoperable and unattractive, thus helping to prevent the supply of drugs and protect those vulnerable individuals who county lines gangs exploit as part of its business model.

# Forfeiture

## Legislation

- Section 294-300 Proceeds of Crime Act 2002.

## When and how can it be used?

- HMRC, a constable, SFO officer or an accredited financial investigator may seize cash under Proceeds of Crime Act (POCA) and apply for detention and forfeiture. The test for the Magistrates when considering forfeiture is that it is satisfied that the cash is recoverable property or intended by any person for use in unlawful conduct.
- Forfeiture notices are available under section 297A POCA where a senior officer may give notice for the purpose of forfeiting cash if satisfied that cash is recoverable property or intended by any person for use in unlawful conduct.
- The purpose of detention of cash under s.295 POCA is either for its derivation to be further investigated, or that consideration is being given to bringing proceeds against any person for an offence with which the cash is connected, or that proceedings against any person for an offence with which the cash is connected have been started and have not been concluded.

## Impact

- An application for forfeiture under this section means that cash is to be detained until any proceedings in pursuance of the application are concluded. A forfeiture order permanently deprives the individual against whom the application is made of the cash. This process is intended to deprive an individual subject to the order of cash obtained through unlawful conduct or intended by any person for use in unlawful conduct.

## Fire and Rescue Services Act 2004

- Authorised employees of a Fire and Rescue Authority may enter premises, by force if necessary, without the consent of the owner or occupier for the purpose of discharging functions conferred on an FRA under the Fire and Rescue Services Act. If having entered premises for such a purpose the FRS identifies risks it cannot deal with, it will work closely with other public services through existing local arrangements (such as multi agency safeguarding hubs or collaboration arrangements) to ensure appropriate safeguarding action can be taken by such services to protect vulnerable individuals.

## Immigration Enforcement and UK Visa and Immigration

- If you suspect that a perpetrator may be a recent arrival in the UK, or may be in the country illegally, you should make enquiries with UK Visa and Immigration and/or Immigration Enforcement to establish their immigration status and initiate enforcement action where appropriate.

# BEST PRACTICE

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INFORMATION SHARING AND MULTI-AGENCY WORKING

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INTELLIGENCE AND EVIDENCE

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FURTHER LINKS

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# BEST PRACTICE

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## INFORMATION SHARING AND MULTI-AGENCY WORKING

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Working together to safeguard children

Keeping children safe in education

Care of unaccompanied migrant children and child victims of modern slavery

## INTELLIGENCE AND EVIDENCE

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## FURTHER LINKS

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FURTHER LINKS

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# BEST PRACTICE

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INFORMATION SHARING AND MULTI-AGENCY WORKING

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INTELLIGENCE AND EVIDENCE

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## FURTHER LINKS

**CPS – Drug offences**

**Home Office – Criminal exploitation of children and vulnerable adults:  
county lines guidance**

**Children’s Society – Children and young people trafficked for the purpose  
of criminal exploitation in relation to county lines**

# INFORMATION SHARING AND MULTI-AGENCY WORKING

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- Good information sharing across partner agencies (police, social care, health services, education, probation, youth justice, public protection partnerships, voluntary agencies, schools and educational establishments) is vital to safeguarding vulnerable children effectively. Effective multi-agency collaboration is also vital. While law enforcement agencies lead on the pursue element in the vast majority of cases, all safeguarding agencies have a role to play in gathering and sharing information to aid the disruption of CSE and CCE.
- The Data Protection Act 2018 clarified that nothing within the new data protection regime prevents, or limits, the sharing of information for the purposes of safeguarding children and protecting them from harm. Information can be shared legally without consent, if a practitioner is unable to or cannot be reasonably expected to gain consent from the individual, or if to gain consent could place a child at risk.
- The Department for Education has issued guidance on information sharing for agencies which provide services to children, young people, parents and carers. The **Information sharing guidance for safeguarding practitioners**<sup>3</sup> (July 2018) sets out how practitioners and senior managers can decide when and how to share personal information legally and professionally.
- More broadly, **Working together to safeguard children**<sup>4</sup> (July 2018) describes what agencies should do to ensure strong multi-agency working. There are numerous multi-agency models in place across England and Wales that provide frameworks for police and partners to work together in their areas. Most arrangements are largely based on three principles: information sharing, joint decision making, and co-ordinated intervention.
- Effective early information sharing and intelligence gathering can:
  - help build a coherent picture of risk sources and potential targets for abuse
  - identify and support a child's needs at the earliest opportunity, reducing the duration of harm and escalation to more serious abuse
  - help identify and understand links between different forms of exploitation and hidden, or related, crimes
  - identify locations being used for the purposes of exploitation
  - identify networks or individuals who pose a risk to children
  - provide evidence in applications to the court for civil and criminal orders
  - enable quicker risk assessment of a potential victim of trafficking and development of an effective safety plan.

<sup>3</sup> <https://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice>

<sup>4</sup> <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

- The Criminal Justice Act 2003 provides for the establishment of Multi-Agency Public Protection Arrangements (MAPPA) in each of the 42 criminal justice areas in England and Wales.<sup>5</sup> MAPPA is the process through which the Police, Probation Service and HM Prison Service work together with other agencies to manage the risk posed by violent and sexual offenders living in the community in order to protect the public. Further guidance to MAPPA is available [here](#).
- Engagement with victims and witnesses by support agencies, including the voluntary sector (for example return home interviews following missing episodes) has provided insight into networks of CSE perpetrators. This engagement should be viewed as a vital source of information and intelligence to help build evidence for the use of disruption tools and prosecutions and should be recorded appropriately on police and local authority systems.
- All information, no matter how insignificant it may appear, can contribute to greater clarity around what are often extensive and complex exploitation networks. No practitioner should assume that someone will pass on information which may be critical to keeping a child safe. Safeguarding agencies should consider whether they have appropriate information gathering and sharing protocols in place and consider training events with police in their area to better understand which intelligence is most useful.
- Examples of information may include:
  - vehicle details including registration, make, model or colour
  - train tickets or other travel documentation
  - full descriptions including names or nicknames of suspected perpetrators
  - details and descriptions of unusual or regular callers to children's homes
- phone numbers of suspected perpetrators or their associates
- email addresses and usernames where known
- address details of suspected perpetrators
- details of addresses or localities that children at risk or being exploited may be being taken or where there has been suspicious activity
- areas where children associate out of sight
- unexplained gifts received by children
- reported missing episodes and any absence from school
- names of other children and young people they are friends with who could also be at risk of exploitation.
- Police may want to consider the following activities to stimulate information gathering:
  - engaging with young people potentially at risk via youth workers and voluntary sector community support agencies
  - working with local partners to build a network of young CSE and CCE prevention advisors and ambassadors (including survivors)
  - engagement with hoteliers, bed and breakfast owners, and taxi drivers in areas where CSE or missing children may be a factor
  - working across agencies to build exploitation and perpetrator profiles which may result in enhanced intelligence gathering
  - encouraging greater reporting of suspicious activity by relevant businesses and professionals
  - building links with trained GPs and A&E staff in identification of CSE
  - identifying an area CSE or CCE champion who can act as a single point of contact and relay information.

<sup>5</sup> <https://www.gov.uk/government/publications/multi-agency-public-protection-arrangements-mappa--2>

# INTELLIGENCE AND EVIDENCE

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## Searching property and vehicles

- Police should always conduct Section 18 Police and Criminal Evidence Act 1984 (PACE) searches of the perpetrator's premises and vehicles when investigating child exploitation to preserve and secure relevant evidence.

## Warrants

- When police are investigating offences of rape and other serious indictable offences they can use:
  - **PACE warrants** to search premises for material that is likely to be relevant evidence
  - **S4 Protection of Children Act 1978** (Chapter 37) allows entry and search where there are reasonable grounds for suspecting the presence of indecent photographs or pseudo photographs of children on the premises
  - **S50 Children Act 1989** authorises you to enter and search premises for a child where there is reason to believe that a child who is subject of a care order, emergency protection order or police protection order is being held in circumstances amounting to an offence under s49 of this act (keeping away a child without lawful authority)
  - **Misuse of Drugs Act** – if there is a strong link between drug dealing and suspected exploitation perpetrators and you are finding it difficult to obtain evidence of exploitation offences, you may wish to consider progressing possession or supply offences using warrants under this act.

# Vehicles – Automatic Number Plate Recognition (ANPR) and telemetry

- Vehicles are a common feature of exploitation:
  - to collect and transport victims
  - as the location for sexual abuse
  - used by perpetrators for targeting and grooming potential victims.
- Police can use ANPR entries and PNC flags to ensure that vehicles believed to be being used for these purposes are stopped and checked regarding the presence of potential victims or evidence of exploitation related activity.
- Motorway traffic groups operate in various parts of the country and could be helpful for officers in accessing ANPR data and CCTV footage.
- The primary objective is to safeguard any vulnerable child in the vehicle, conducting full intelligence checks and considering police protection.
- Police should also obtain full details of all other occupants, taking positive action to arrest where appropriate or submitting details for intelligence purposes. It may be necessary for the vehicle to be preserved for forensic examination.
- For guidance, refer to the telematics and vehicle trackers document by the NCA.

## Mobile phones

- Following application and authorisation under the relevant legislation (RIPA/IPA) where applicable, police can:
  - check mobile phone numbers in an attempt to identify potential perpetrators or other potential victims as well as make billing and location of mobile phone enquiries
    - In some circumstances, further subscriber checks and reverse billing enquiries can be used to widen this network and obtain valuable intelligence
  - forensically examine mobile phones belonging to victims and perpetrators
    - They may contain evidential material in the form of text messages, call logs, social media conversations and indecent images taken with it or sent to it.
  - extract all relevant data from the phone, including text message content and photos
    - This procedure will be carried out by a phone examiner. In cases of high risk, it is possible for this data to be downloaded in a surprisingly short time, therefore any unexpected possession of a victim's phone, no matter how short, may be an opportunity for data to be extracted.



## Laptops, computers and tablets

- If a victim is using a laptop, computer or tablet, police may be able to monitor the activity on it, provided all relevant authorisations have been obtained. In any investigation, police should seize all computers, phones and storage devices for examination.

## Social media

- Police should consider gaining the appropriate authority under RIPA legislation to gain access or where it is being used to inform covert tactics.
- Facial recognition software could support the identification of offenders from social media activity.

## Government Agency Intelligence Network (GAIN)

- GAIN is part of the police Regional Organised Crime Unit (ROCU) and supports investigations into criminal activity by identifying opportunities to disrupt and reduce the threat of serious and organised crime.
- GAIN tackles crime by adopting a multi-agency approach, providing a forum for public sector enforcement agencies to share information and intelligence. There is a GAIN co-ordinator located within each ROCU.
- They may be particularly useful where police are unable to find evidence for charges, so may call on GAIN for any evidential material such as hotel visits, regular payments into or out of bank accounts and so on.

## DNA and other forensic examination

- If there is evidence that some sexual activity has taken place between a perpetrator and a victim, you should seize and preserve evidence such as appropriate items of the victim's clothing. You should do this even when no complaint is made.
- Scene searches should be conducted with police crime scene Investigation attendance and advice.
- If a victim has been kept at a location, you should record the conditions in which they were kept as well as police conducting a forensic examination, for example to identify if the premises have been used by large numbers of offenders for sexual purposes.
- DNA may identify a significant number of perpetrators and it is vital that you preserve evidence to support any future disclosures that the victim may make.

## CCTV

- Police have powers which they may be able to use to seize CCTV to assist with investigations.
- Housing authorities also have CCTV around their properties which they are able to share for safeguarding purposes, for example to ascertain who has entered a specified property of concern, or to identify whether a missing child has been to a particular property.

We want to make sure this document remains relevant and useful. If you would like to receive notifications about future iterations of the toolkit, or if you would like to share your feedback about the document, please email us at [CEtoolkit@homeoffice.gov.uk](mailto:CEtoolkit@homeoffice.gov.uk).