

FORTH VALLEY

Child Sexual Exploitation Guidance

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1.0	22/01/16	FV CSE Board	
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Child Sexual Exploitation Guidance

1. Purpose of this guidance

This guidance is designed to assist practitioners to:

- Identify children and young people who are, or may be at risk of being sexually exploited;
- Take appropriate action to protect a child or young person who is at risk of, or has been sexually exploited; and
- Understand the procedure to be followed where Child Sexual Exploitation is suspected.

This guidance also includes a risk indicator and vulnerability factor 'checklist' and risk factor matrix. These tools should be used in conjunction with the National Risk Assessment Framework, the National Practice Model and Forth Valley Child Sexual Exploitation Data Monitoring Tool (DMT).

The 'checklists' and risk factor matrix together are intended to inform appropriate responses to concerns about potential Child Sexual Exploitation. However, risk status may change quickly therefore the matrix will need to be updated as the child or young person's circumstances change. **It is important that the indicators are used as a guide and do not replace professional judgement.**

NB. Where the young person is aged 16 years or over and not subject to statutory measures, the associated action in relation to medium/high risk should be addressed by liaising with Social Work and Police, Public Protection Unit (PPU) to protect the young person. A Team around the Child Meeting (TAC), chaired by the Lead Professional should be convened **as soon as possible** to agree a safety plan for the young person. Consideration should be given to who is invited or alerted to ensure the right professionals are there to assist and protect the child or young person i.e. the Sexual Health Clinic.

2. Defining Child Sexual Exploitation

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

As noted in the definition above, Child Sexual Exploitation is a form of child sexual abuse. Child sexual abuse encompasses 'any act that involves the child in any activity for the sexual gratification of another'. Child Sexual Exploitation clearly falls within this, and like any other form of sexual abuse can include both contact and non-contact sexual activity, in person or via virtual means.

Also like other forms of sexual abuse, Child Sexual Exploitation:

- Is typified by some form of power imbalance in favour of those perpetrating the abuse;
- Can involve coerced and/or enticement based methods of compliance;

- Can still be abuse even if it is claimed the child consented or assented - where the age of the child means they cannot legally give consent or the circumstances mean that agreement is not freely given.

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

- Where the gain is on the part of the child, this can take the form of tangible or intangible rewards (for example: money, drugs, alcohol, status, protection or perceived receipt of love or affection). Fear of what might happen if they do not comply can also be a significant influencing factor; in such situations the 'gain' for the child could be prevention of something negative, for example a child who engages in sexual activity in order to avoid harm to other friends or family.
- Where the gain is solely on the part of the perpetrator/facilitator, it must be something more than sexual gratification to fall within the sub-category of Child Sexual Exploitation. This could be money, other financial advantage (reduced cost drugs/alcohol or discharge of a debt for example), status or power.

While few would dispute the abusive nature of the situation where it is the perpetrator who is organising or benefitting from the sexual exploitation of a child, experience shows that we can struggle to identify the abuse when the child is the one receiving something from the exchange. This is particularly true where they are the one initiating the exchange. However it is critical to remember that the receipt of something does not negate the abusive nature of the act. In fact it may be this need for something that creates the vulnerability to abuse in the first place.

Just because a child receives something they need or desire does not mean they are not being abused. Taking advantage of this need or desire - and the limited alternative options the child may have to meet these - and making them think they are in control because the child is getting something in return can be part of the abusive process.

Like other cases of child sexual abuse, cases of Child Sexual Exploitation can potentially involve the commission of a range of sexual and other offences. Child Sexual Exploitation refers, not to the specific offence, but to the context within which this offending occurs.

It is important to remember that Child Sexual Exploitation, although predominantly experienced by those in their adolescent years, is not a catch-all category for all forms of violence and abuse in adolescence. Cases that do not involve the concept of exchange, for example, will not fall within the definition even where sexually exploitative behaviours (such as pressure or manipulation) are present and significant harm is being experienced. Similarly, a 15 year old boy pressuring his 14 year old girl/boyfriend into having sexual intercourse in order to remain in the relationship (though an issue that requires a response) would not be defined as if there is no significant power differential within the relationship. Nor would a one-off incident of sexual assault, where the victim has no prior or subsequent contact with the perpetrator and the only gain involved is the sexual gratification of the perpetrator, though this would also obviously require a response.

It is therefore critical that Child Sexual Exploitation is not viewed in isolation from the more inclusive concept of sexual abuse and other relevant concepts such as trafficking, going missing and gendered violence that offer alternative means of responding to these and other issues that fall outside the definition of Child Sexual Exploitation.

All forms of vulnerability and victimisation in childhood should be identified and responded to, in line with GIRFEC principles, irrespective of how they are defined or categorised.¹

Sexual exploitation is child abuse and should be treated accordingly. Practitioners should be mindful that a 'dual approach' is key in tackling Child Sexual Exploitation ; whilst a young person must be both engaged with and supported, there must also be a focus on proactive investigation and prosecution of those involved in sexually exploiting the young person.

An Assessment Tool for Practitioner's to use with young people is available to assist direct discussion with the young person regarding the risks presented. This is currently being developed further to assist discussion with young people with disabilities. [CSE Assessment Tool](#)

3. Recognising Child Sexual Exploitation

3.1 Models of CHILD SEXUAL EXPLOITATION

Barnardo's² highlight distinct models of abuse that practitioners may find helpful to better understand how perpetrators operate:

a) Inappropriate relationships:

Usually involves just one abuser who has inappropriate power – physical, emotional or financial – or control over a young person. The young person may believe that they have a genuine friendship or loving relationship with their abuser.

b) Boyfriend/Girlfriend

Abusers groom victim by striking up a normal relationship with them, giving them gifts and meeting in cafes or shopping centre. A seemingly consensual sexual relationship develops but later turns abusive. Victims are required to attend parties and sleep with multiple men and threatened with violence if they try to seek help.

c) Organised exploitation and trafficking

Victims are trafficked through criminal networks – often between town and cities – and forced 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 children or young people.

d) Technology

Children and young people access the internet through a variety of means and in particular there is a growth of mobile technology. This makes usual 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 response if they are concerned about their own or others safety. All children or young people may be at risk – whether it is due to lack of confidence and experience in the online world, or high exposure due to increased accessibility.

3.2 Indicators and Vulnerabilities

There are many warning signs and vulnerabilities that may alert us to concerns that a child or young person is being, or is at risk of being sexually exploited. Whilst not a definitive list, the

¹ Scottish Government - <http://www.gov.scot/Publications/2016/10/6376>

² Guidance on Child Sexual Exploitation – a practitioners resource pack (Barnardo's 2014)

indicators are a guide in the identification, level and monitoring of risk to children and young people **and does not replace professional judgement.**

Forth Valley Child Sexual Exploitation Vulnerability Checklist and Risk Matrix can be found in Appendix 1 and must be read in conjunction with this guidance.

4. Identifying, Responding and Intervening

Risk Factor Matrix

When any practitioner becomes aware that a child or young person is at risk of being sexually exploited, they should identify and react to the need to protect that individual from any future harm. This should include seeking advice from the designated person for child protection within their organisation / service.

In the event of an agency or individual having concerns that a child or young person is at risk of being sexually exploited, the level, nature and extent of these concerns should be established.

This should be done by the completion of the **Forth Valley Child Sexual Exploitation Vulnerability checklist and Risk Matrix** (Appendix 1) by the professional identifying the concerns and should involve liaison with other involved agencies to ensure that there is multi-agency information and perspective on this.

On completion of the **Forth Valley Child Sexual Exploitation Vulnerability checklist and Risk Matrix**, the worker should consider the level of risk identified and undertake the relevant actions as detailed in the sections below.

In order to facilitate the systematic collation of information in respect of children and young people considered to be at risk of sexual exploitation, the Named Person or Lead Professional should complete the **Data Monitoring Tool** and forward this to the Child Protection Co-ordinator.

EMERGING RISK

Child or Young person presenting with multiple Vulnerabilities plus **one or more** of these indicators identified

These do not usually meet the threshold for Child Protection interventions but should have Targeted Intervention through the Child's Plan.

The Risk Factor Matrix should be completed in liaison with relevant partner agencies, if the professional judgement identifies the level of risk identified as **EMERGING**, the threshold for police or social work involvement is unlikely to be met if the child or young person is not already involved with Social Work.

This child or young person requires intervention by any professional, parent or carer who has a good relationship with them to carry out healthy relationships and rights work. Depending on the indicators they present with, they will also require some Prevention Planning and basic awareness raising work on Child Sexual Exploitation, sexual health, risk taking behaviours and consequences. If there is a person/s posing a risk to them, ensure they are disrupted and information about them recorded and passed to the appropriate persons. Intervention should be

undertaken or led by the identifying agency, and Named Person calling a Team around the Child (TAC) meeting and including parents or carers and the child or young person.

Procedure

- Discuss concerns with manager or Child Protection Co-ordinator
- Carry out basic intervention work as noted above, over a 4-6 week period.
- Convene Team Around the Child (TAC) meeting. Actions must include:
 - Updating the Child's Plan with all actions agreed
 - Contingency plan should the level of risk escalate
 - Encourage young person to attend the Sexual Health Clinic

<https://blogs.glowscotland.org.uk/fa/GirfecFalkirk/files/2015/06/Introduction-to-Central-Sexual-Health-Services.doc>

- Alert the CP Co-ordinator for information
- Named person or Lead Professional if one is allocated at the TAC meeting to complete and submit Child Sexual Exploitation Data Monitoring Tool (DMT)
- Follow the Young Runaways Protocol if the child or young person goes missing
- Keep detailed records of incidents/risk
- A review meeting should take place within 4-6 weeks to review the Child's Plan.

MEDIUM RISK

Child or young person presenting with the concerns indicated in previous section plus **one or more** of these indicators identified

This child or young person requires more intensive assessment and 1-1 support such as help to understand Child Sexual Exploitation and grooming, positive choices, safety and contingency planning. Work may also be required on any additional vulnerability factors and with the family, siblings and peers.

If the child or young person presents immediately with Medium Risk indicators, or where there is evidence of escalation of emerging risk indicators, the following procedure should be followed:

Procedure

- Discuss concerns with manager or Child Protection Co-ordinator
- Complete and submit 'Notification of CP Concern' form
- Initial Referral Discussion and/or Planning Meeting (see section 5)
- Initiate Child Protection Procedures (if appropriate following Initial Referral Discussion)
- Alert the appropriate Reviewing Officer/ CP Co-ordinator or equivalent in SWS to consider need for a Child Protection Child Conference
- Agree Child's Action Plan , including clear contingency plan should concerns escalate
- Lead Professional to complete Child Sexual Exploitation Data Monitoring Tool
- A review meeting should take place within 6 weeks to review the Child's Action Plan.

HIGH RISK

Child or young person presenting with the concerns indicated in previous sections plus **one or more** of these indicators identified

Integrated assessment (Child's Plan) and coordinated intensive support of child/young person and family by the Lead Professional.

Procedure

- Discuss concerns with manager **and** Child Protection Co-ordinator
- Consider any immediate actions required to safeguard the child /young person
- Initiate /conduct an Initial Referral Discussion and/or Planning Meeting (see section 5)
- Initiate Child Protection Procedures
- Convene emergency Child Protection Child Conference or Looked After Away From Home Review
- Agree Child Protection Plan , including clear contingency plan
- Lead Professional to complete Child Sexual Exploitation Data Monitoring Tool
- Police to pursue legal measures to disrupt activity
- Review meeting to take place within 6 weeks

5. Procedure for medium and high risk cases

5.1 Any concern that a child or young person is at risk of sexual abuse or has suffered sexual abuse should be referred as per the Forth Valley Inter-Agency Child Protection Procedures.

5.2.1 In some cases Adult Protection processes may be appropriate when dealing with either victims, perpetrators or others involved in the case. In such circumstances, the Forth Valley Adult Protection procedure should be followed. Advice may be sought from relevant staff involved in Adult Protection work.

5.2.2 Where concerns are raised regarding a young person being at a high **risk to others**, consideration should be given to the procedure for Care & Risk Management Planning (CARMS)

Please click to be redirected to Falkirk Procedures [CARM Procedure - Falkirk](#)

For Stirling Procedure contact: mary.boyd@barnardos.org.uk; tel no 01786 450963

For Clackmannanshire Procedures contact: GHall@clacks.gov.uk; tel no 01259 452200

5.3 Where those responsible for conducting the Initial Referral Discussion consider the risk to be specific to **one child or young person (or children from the same family unit) and from one perpetrator**, the Forth Valley Child Protection procedures should be followed. The IRD must consider any immediate actions necessary to safeguard the child/young person(s).

5.4 Where those responsible for conducting the Initial Referral Discussion believe that:

- a) children or young people from **more than one family unit** (regardless of whether those children are resident in the Forth Valley area or not) are being abused, or are at risk of sexual exploitation; **or**
- b) one child or young person is being sexually abused by **more than one perpetrator; or**
- c) a **number of perpetrators** are suspected to be involved in the sexual abuse of children or young people;

then an additional Strategy Meeting should take place.

The Child Sexual Exploitation Data Monitoring Tool (DMT) should be completed by the child or young person's Lead Professional at the point of Initial Referral Discussion for **each child or young person of concern**. The DMT can be accessed **here** [CHILD SEXUAL EXPLOITATION Data Monitoring Tool](#)

6. Strategy Meetings

6.2 The purpose of the Strategy Meeting is to:

- Identify those who are at risk of being sexually exploited by sharing information;
- 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 sexually exploited;
- Take effective action against those intent on abusing and exploiting children and young people in this way;
- Develop a shared picture of intelligence on all threats;
- Ensure risk assessment has been carried out for each child or young person of concern, and that a Child's Action Plan reflects the assessed risk and need, and addresses issues of immediate safety.
- 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.

6.3 The Strategy Meeting will be arranged and chaired by Police Scotland (Detective Inspector or above) **within 7 days of the Initial Referral Discussion**.

The following professionals will attend the meeting:

- Service Manager Children's Services (Education, and Social Work)
- Nurse Consultant Child Protection
- Consultant Paediatrician for Child Protection
- Service Manager, Housing Service

A record of the meeting will be taken by an agreed minute taker.

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

- Manager of any relevant voluntary agency
- Lead Clinician - Sexual Health Service
- Senior Solicitor, Licencing Boards
- Manager of out of authority residential school or establishment
- Service Manager Criminal Justice
- Psychiatrist
- Psychologist
- Service Manager, Mental Health
- Social Work Managers from other local authorities
- Police personnel from other divisions
- Health managers from other Health Boards
- Lead Officers for Child and/or Adult Protection
- Child Protection Co-ordinator (or other reviewing officer)
- Housing Services

6.5 Participants at the Strategy Meeting will have the following roles and responsibilities:

The Chair will ensure:

- All members are offered equity with regard to opportunities to contribute to the meeting/s;
- The efficient administration of the meeting;
- The information shared is accurately recorded and disseminated;
- The Child Protection Committee and Chief Officers Group are advised of the investigation, updated quarterly and at conclusion of enquiry.

Participants will ensure that they:

- Attend meetings regularly;
- Contribute to the information sharing which enables the meetings to fulfil their purpose;
- Ensure that all agreed actions are carried out by their agency/service
- Provide timely reports on progress and outcomes;
- Identify additional resources if required;
- Represent and act as a communication link with their organisation.

6.6 Outcome of Strategy Meeting

- Continuing Child Protection Investigation;
- Large scale enquiry.

6.7 Large Scale Enquiry

If a Large Scale Enquiry is initiated the Chair of the Strategy Meeting should:

- Specify the terms of reference for the enquiry/investigation;
- Identify the strategic lead 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. NB: Line managers or colleagues of any person implicated in the investigation must not be involved and the involvement of any person from the work place under investigation must be considered with particular care;
- 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;
- Decide 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, young people and families or adult survivors, including any specific health issues arising from the abuse;
- Ensure the investigating team are themselves supported with personal counselling 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 & Procurator Fiscal Service at an early stage before arranging services for a child or young person in need of counselling or therapeutic help so that the help can be given in a way which is consistent with the conduct of the criminal investigation;
- Identify how children or young people and their families are to be involved/informed and supported;
- Agree a communications strategy including the handling of political and media issues, and communication as necessary with the Care Inspectorate;
- Ensure that records are kept safely and securely stored and a high level of confidentiality maintained at all times;
- Hold regular strategic meetings and reviews to consider progress, including the effectiveness of the joint working, the need for additional resources and next steps. These meetings must be recorded.

7. End of Enquiry

At the conclusion of the enquiry/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 which may need further attention and require either inter-agency or individual agency action plans.

8. Legislation

Sexual Offences (Scotland) Act 2009

Section 18 - Rape of a young child

If a person (“A”), with A's penis, penetrates to any extent, either intending to do so or reckless as to whether there is penetration, the vagina, anus or mouth of a child (“B”) **who has not attained**

the age of 13 years, then A commits an offence, to be known as the offence of **rape of a young child**.

Section 19 - Sexual assault on a young child by penetration

(1) If a person (“A”), with any part of A's body or anything else, penetrates sexually to any extent, either intending to do so or reckless as to whether there is penetration, the vagina or anus of a child (“B”) **who has not attained the age of 13 years**, then A commits an offence, to be known as the offence of sexual assault on a young child by penetration.

(2) Without prejudice to the generality of subsection (1), the reference in that subsection to penetration with any part of A's body is to be construed as including a reference to penetration with A's penis.

Section 20 - Sexual assault on a young child

(1) If a person (“A”) does any of the things mentioned in subsection (2) (“B” being in each case a child who has not attained the age of 13 years), then A commits an offence, to be known as the offence of sexual assault on a young child.

(2) Those things are, that A—

(a) penetrates sexually, by any means and to any extent, either intending to do so or reckless as to whether there is penetration, the vagina, anus or mouth of B,

(b) intentionally or recklessly touches B sexually,

(c) engages in any other form of sexual activity in which A, intentionally or recklessly, has physical contact (whether bodily contact or contact by means of an implement and whether or not through clothing) with B,

(d) intentionally or recklessly ejaculates semen onto B,

(e) intentionally or recklessly emits urine or saliva onto B sexually.

(3) Without prejudice to the generality of paragraph (a) of subsection (2), the reference in the paragraph to penetration by any means is to be construed as including a reference to penetration with A's penis.

Appendix 1 : Forth Valley Child Sexual Exploitation Vulnerability Checklist and Risk Matrix

Social Services

Out of Hours emergency number for Forth Valley	01786 470500
Clackmannanshire Council	01259 452379
Falkirk Council	01324 506400
Stirling Council	01786 471177

Police Scotland

Police Scotland (Forth Valley Division)	101
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NHS Services

NHS FV Child Protection Nurse Advisors	01786 477420 Email: FV-UHB.nhsfvchildprtoect@nhs.net
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