



National Child Sexual Exploitation & Child Trafficking Workshops

January to March 2019

Evaluation Report

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Chair National CSE Group

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1. Learning Objectives

The aim of the workshops were to provide an opportunity for child protection committees to share key learning in relation to local area approaches to the care and protection of young people experiencing or at risk of sexual abuse/exploitation and trafficking. The workshops were jointly delivered by members of the national CSE and Trafficking work groups with the aim of ensuring that connections were being made between CSE and child trafficking.

The workshops -

- provided an overview of national developments
- shared learning in relation to local approaches
- supported discussion around what action is/or can be delivered locally to improve responses to children and young people at risk of harm through sexual abuse/exploitation and trafficking

The workshops were aimed at first line managers who were in a position to share and impart the learning from the events within their respective workplaces. However, the vast majority of participants were front line practitioners with varying degrees of knowledge and experience. As a consequence, the programme required to be adjusted to give practitioners the opportunity to explore in greater detail their own knowledge and understanding of the issues.

When first line managers were in attendance this allowed local discussion around what was happening in their area, how they could adapt and apply the learning from the workshop and how the information could be cascaded within their respective organisations.

2. The Workshops

Eight workshops were rolled out nationally between January and March 2019 with sessions being held in -

- **Elgin** (covering Aberdeen, Aberdeen City and Moray - Aberdeen City joined via video link)
- **Edinburgh** (2 sessions - covering Edinburgh, East Lothian, West Lothian, D&G and Borders)
- **West of Scotland** (3 sessions - Glasgow, Hamilton and Ayrshire – to cover Glasgow, North, East & South Ayrshire, North & South Lanarkshire, West Dunbartonshire, East Dunbartonshire, Inverclyde, Argyll & Bute and Dumfries, East Renfrewshire, Renfrewshire)
- **Perth** (to cover Perth & Kinross, Fife, Stirling and Clackmannan, Falkirk, Angus, Dundee)
- **Dingwall** to cover the Highlands (the Islands joined via video link)

Local CPC's hosted the workshops and each event was opened and chaired by a local child protection committee chair on behalf of the consortium area. Many of the events provided lunch and the national CSE work group would wish to thank CPC's for supporting these events.

In total around 470 participants attended the workshops and all events were well represented by colleagues from a range of organisations and disciplines including -

- Police Scotland
- Social Work Services (SW and residential services)
- Education and Early Years
- Health

- Addiction services
- Housing
- Scottish Children’s Reporter Administration (SCRA)
- Children’s Hearing Scotland
- Crown Office and Procurator Fiscal Service (COPFS)
- Scottish Prison Service
- Scottish Fire & Rescue
- Wide range of third sector organisations
- Care Inspectorate
- Legal Services
- Children’s Rights

All workshops followed the same programme and the individual presentations form an appendix to this report.

The Programme

- 9.30 Registration and Coffee
- 10.00 Opening Remarks from CPC Chair
- 10.15 Overview of Work of CSE National Working Group and background to Workshop (Chair National CSE Working Group)
- 10.30 Barnardos - Community Engagement (30 min and small group discussions)
- 11.30 Police Scotland - Intelligence Led CSE Investigations (30 min and small group discussions)
- 12.30 LUNCH
- 1.15 Trafficking - Representative from the National Trafficking Group (30 min and small group discussion)
- 2.15 Questions – led by Chair for the session

A CSE case scenario was prepared which was built upon with each of the inputs and this was used to support and assist the small group discussions. The case study was used differently by the workshops but assisted participants to think about different aspects of practice from awareness and referring on, through investigation in to long term intervention and the link between CSE and trafficking.

3. Issues for Consideration

3.1 General Reflection

Following the first round of workshops in 2017, the national group were keen to understand better what progress had been made in relation to some of the “red areas” that were identified in the 2017 CPC CSE audit. The first workshops identified key practice challenges and these formed the basis of this round of workshops focussing on community engagement, intelligence/information sharing, investigation and trafficking.

As indicated above, due to the fact that the majority of participants were front line workers and not managers, the programme had to be reshaped to reflect participant knowledge and experience. The focus of the small group discussions became one of sharing knowledge and practice experience as opposed to the development of strategic plans. The evaluations indicated that practitioners had valued the workshop and their knowledge had been positively enhanced.

3.2 Participant Knowledge

Participants engaged well in the discussions and identified that in all areas of Scotland work has been ongoing to raise awareness of CSE, however, there was limited experience of managing CSE out with the larger cities. Workers who had been involved in working with victims of CSE indicated that they felt their knowledge and skill had increased, however, many participants had no direct experience of working with victims of CSE and spoke about feeling anxious and unsure.

There was clear evidence that all CPC's have been involved in the development of practice guidance, procedures and training around CSE. While participants made reference to having attended training and had awareness of procedures, there was generally limited experience of actual work with CSE and trafficking victims.

In the small group discussions, practitioners were encouraged to make the connection between knowledge and practice and in some instances, practitioners reflected that they were going back to their workplace to review their caseload in light of the inputs and small group discussions.

While awareness of CSE has increased, there was a sense that practitioners were working with young people where they were recognising indicators of risk, but were not making the connection and naming these as CSE or managing those high risk and vulnerable young people under child protection procedures. Meetings are taking place to discuss concerns relating to young people, but there is huge variation as to what procedures/guidance are being used to manage risk.

It was of note that the case study that was prepared for the workshops was based on a real case involving more than one young person and perpetrators, and for some practitioners they were unable to relate to the content of the case study.

There were positive discussions around information sharing and the forthcoming intelligence toolkit being rolled out by Police Scotland. The workshop presentation emphasised the need to shift practitioner thinking about the need for a young person to give a statement to the police before any action can be taken. With intelligence led investigation we explored the notion of perpetrator driven investigations and where professionals work with young people at their pace, while trying to ensure their safety and well-being. Victim engagement can sometimes take time and this requires practitioner's commitment which has implications for service capacity.

The workshops would indicate that there continues to be a need to raise awareness of CSE across the workforce.

3.3. Knowledge of Trafficking

It was evident across Scotland that worker knowledge and experience of child trafficking remains very limited. As was the case when we last undertook the workshops, workers were clearly indicating that they did not feel confident in dealing/managing trafficking casework. It was stark across Scotland that many of the participants did not know what the National Referral Mechanism was or who could be a First Responder.

Trafficking was generally considered within the context of international trafficking and there was little evidence that practitioners understood, or had any experience of, internal trafficking within local communities.

In the limited occasions when practitioners had been involved in completing an NRM there was a sense that supporting information should be very comprehensive and that “more was better”.

Many areas had no knowledge of the Guardians Service based in Glasgow (but is a national service) and the forthcoming consultation from the Scottish Government around the establishment of a national guardian service was referenced within the trafficking presentation.

This information may be helpful to the national trafficking work group as they plan future activity.

3.4 Community Engagement

There was limited evidence that CPC's were involved in raising awareness of CSE within their communities. There continues to be a notion that community engagement relates to raising awareness within the taxi driver community, however, CPC's were challenged to consider what work they were doing to engage children, parents, local communities, business communities and the wider night time economy. There was some very good examples of community engagement work but overall there was a recognition nationally that this is an area of work that requires prioritisation within local work plans.

3.5 Actions

- Ensure all CPC's are aware of, and distribute the contact details for Crimestoppers
- Barnardos Nightwatch materials are available on CELCIS website for CPC's to use
- All participants receive an electronic copy of the presentations
- Joint session to be arranged between CSE and Trafficking Work Groups
- The workshop report will be forwarded to all CPC' for information and distribution and will be forwarded to the national trafficking work group for consideration

4. Evaluation

It has not been possible to capture all evaluations, but we have been able to review 241. While the information has been centrally analysed, each CPC area has been given their own local evaluations back to allow them to identify any actions they wish to take forward locally.

It was noted that it had been helpful to structure the workshops across CPC consortium areas as this allowed for the bringing together of key staff, including those with a functional responsibility across organisations such as NHS and Police Scotland, that cover more than one CPC area.

Overall evaluations would indicate that the workshops were well received with participants generally indicating that their knowledge had increased and they found the sessions useful and informative. Participants indicated that they came away from the events with improved knowledge and understanding and this will help to inform and take forward local initiatives and responses.

The evaluations have been collated and below provides a composite overview of participant comments -

1.	Following today's event how well informed are you about:	<i>Please circle response that best matches</i>	
	a) The national agenda and work of the CSE group	Just the same 6%	Better 94%
	b) The use of intelligence to inform risk assessment and investigation	Just the same 10%	Better 90%
	c) The national agenda and work of the Child Trafficking Strategy Group	Just the same 3%	Better 97%
	d) The link between trafficking and CSE	Just the same 6%	Better 94%
	e) Community engagement – raising awareness of CSE	Just the same 10%	Better 90%

Below are examples of practitioner comments -

How will today's inputs influence your work practice?

- All the information received today will keep CSE at the forefront when working with young people
- Feed in key messages across my areas
- Clear understanding of key areas / process – will better support front line practitioners
- Link between CSE and trafficking – further training/discussions required
- More info Re NRM
- Will definitely be looking at how trafficking is considered within own CSE enquiries
- I had very little insight and found the day informative. Will encourage team to do some training
- Will influence on a daily basis
- Assist with IRD action points
- Publicise Crimestoppers – re-start sub group and revisit CSE plan
- Makes me better able to respond to requests for advice
- Look at how to engage with groups in community
- Will influence strategy
- More awareness items need to be put on more agendas
- Use this to help build intelligence and improve practice in my area
- Need to allow for time to look at how we best raise awareness of trafficking
- We need to think outside the box and work with other agencies
- Need next steps to be joined up missing p /trafficking / exploitation
- A platform for agencies to view and share information
- I am away to re-write our CSE & trafficking training!

- More examples from rural communities

What other information about sexual abuse, exploitation and trafficking would help you in your work?

- Further training on how to recognise trafficking / CSE
- More information on NRM
- Would be useful sharing good practice from other areas who have more experience
- Trafficking awareness – next steps practitioner guidance
- Interesting to see how the portal will assist in information sharing and intelligence gathering
- Posters, leaflets documents
- Better knowledge of support agencies beyond traditional SW and police support
- More information about professional responsibilities for YP aged 16-18 yrs
- Further community engagement or tools that enable work to happen with children and YP
- More info on VYP procedures used in Glasgow
- Having a local web page – how link local with national picture
- More information on IRIDS (info sharing)
- How to access NRM and other paperwork locally
- How to access legal services locally
- Examples of good practice

Any Other Comments?

- Very useful
- Informative
- Good conference – enjoyed it
- Lots to consider
- Enjoyed the input very thought provoking
- Good networking
- May have been more beneficial for managers in my area of work
- Thank you – a really informative day which helped me to reflect on our work to date and consider next steps
- helpful workshop – time to reflect, good balance of presentation and workshop

Workshop Presentations

Work of the National CSE Group

1 National Child Sexual Exploitation Work Group
 Moira McKinnon
 Chair National Work Group
 2019
 Implementing the national plan...

2 National Developments
 the establishment of a child protection improvement programme, to support effective protection for all children at risk from abuse and neglect. Action to tackle child sexual exploitation will be taken forward within the context of the programme.
 Through the programme, improvements to data and evidence on child sexual abuse, of a national and local child protection committees level are currently being considered.
 The Equality State delivery plan was published in November 2017, outlining action to be taken forward to prevent violence against women and girls.
 The Scottish Government has established an Expert Group for reviewing Sexual Offending Involving Children and Young People.
 Evidence for improving services for adults and children who have experienced rape and sexual assault.

3 National Action Plan to Prevent & Tackle Child Sexual Exploitation
 We want Scotland to be a place where sexual exploitation of children and young people is eliminated – a Scotland where children and young people are protected from harm, in a society that is a hostile place for perpetrators and facilitators of child sexual exploitation.
 Actions that will help take us forward in realising this vision are set out in the Scottish Government's National Action Plan to Prevent and Tackle Child Sexual Exploitation Update.
 Of the total 44 actions (March 2018):
 17 are complete
 16 are ongoing
 11 to be commenced

4 Strengthening Links with Our Partners
 National CSE Group has looked to strengthen links with those taking forward the national policy on -
 Child trafficking, missing persons and online safety of children and young people
 Joint learning & information services for the National CSE group and the Child Trafficking Strategy Group took place on 24th January 2018 to consider links between national policy on CSE and online safety, missing persons, mental health and data and evidence.

5 Group Membership
 Preventing and tackling CSE requires a coordinated, multi-agency response and the actions contained in the plan reflect this. Membership of the National CSE Group has been revised to ensure robust representation and rigorous oversight.
 Representatives from: Child Protection, Communities Scotland, Health, Education, SCSA, Procurator Fiscal, Third Sector, Police Scotland, Academia.

6 National Definition (2016)
 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.

7 Progress Against Key Areas During 2017/18
 The risk that children and young people are sexually exploited is reduced through a focus on prevention and early identification - response evidence, IT services, education programmes, care components, child's national action plan, national strategy, children's services, children and young people at risk of or experiencing sexual exploitation and their families receive appropriate and high quality support - response evidence for where appropriate and relevant cases, national trauma skills & knowledge framework, national CSE awareness, training, awareness & law, Scotland's response, community services, review, research, support, help to learn.
 Perpetrators are stopped, brought to justice and are less likely to re-offend - Police response, legal cases on sexual offending by CP, CP's evidence giving, legislation update, CSE Advisor Panel, intelligence tools.
 Cultural and social barriers to preventing and tackling child sexual exploitation are reduced - Youth Skills, whole school approach, gender based violence prevention, community engagement including right time economy.

8 What Have we Been Doing in 2018?
 Continue to oversee implementation of the actions within the national action plan
 Keep the national action plan under review, to ensure Scotland's response takes account of emerging threats including technology, current research and approaches being delivered across the UK.
 Identify further opportunities to influence national policy, to ensure that action to prevent and tackle CSE is embedded across Government - governance through the Leadership Group.
 Continue to disseminate good practice and shared learning, to increase the knowledge of practitioners and to inform local CSE strategies.
 Consider how we can contribute to work being undertaken by the Scottish Government to improve services for children and young people who have been victims of sexual assault.

9 Current Priorities
 National CSE Workshops Jan – March 2019
 Looking at transitions for children moving from children to adult services
 Communication - how do we raise awareness/the messages we want shape
 National research in to the prevalence of CSE in Scotland
 Working with trafficking & Missing Person workstreams
 National Dataset which would include limited CSE data
 Development of data framework for reporting against the actions in the national plan

10 Programme for Today
 Community Engagement – challenges and examples of good practice
 Intelligence led CSE investigations - child centred, perpetrator driven
 Trafficking and CSE - legislative changes and the connection with CSE

Barnardos - Community Engagement

Shared Learning Workshops



BELIEVE IN CHILDREN Barnardo's Scotland



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CPC Self Evaluation: Overview of Findings

Emerging Themes - The Reds

- Missing Person - future developments
- Trafficking and CSE
- **Community Engagement in its widest sense**
- Engaging C&YP in discussions about what they want and what works for them
- Diversity

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National Campaign



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Public Understanding

- Pilot Polling - getting a sense of what people know (think) about some basics
- Barnardo's frontline workers continue to share problematic attitudes (she's 16, he consented) which may prevent children from getting an effective response
- This survey is an initial look at how such attitudes might sit in the population as a whole;
- In particular to consider how public understanding of CSE may contribute to or hinder people taking an active role in prevention of CSE
- Lots of ongoing activities around CSE to raise awareness
- What messages are coming through?
- What messages are less well understood?
- Are there different groups of people (e.g. by age, gender) that are more or less likely to understand CSE

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What was done?

- Omnibus survey through Yougov, online polling of 1007 Scottish adults, **March 2018**;
- Initial questions asking people if they were happy to continue with a sensitive topic - 39 refused;
- Results are from the remaining **968**, weighted to represent Scottish population;
- Basic questions about CSE: what it is, where does it happen, who does it happen to, who does it.

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Emerging Key Messages

- People's knowledge of CSE does not seem secure
- While some key issues appear to be coming through (e.g. perpetrators are not necessarily strangers), people also contradict themselves when asked questions in certain ways
- Men appear particularly disengaged from knowing about CSE - consistently more likely to respond "don't know" to basic questions - which may reflect a lack of active engagement with their potential role to help prevent CSE
- Key issues (e.g. CSE affects 16/17 year olds, young people may themselves cause harm) do not seem to be coming through
- People think that CSE is happening in the world - just not in their local area!

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Supporting parents of sexually exploited young people

Parents may need support for...

- Their relationship with their child:** restoring meaningful relationships
- Their own emotional needs:** dealing with the trauma of their child's experience
- Dealing with systems:** navigating housing, education, and other support systems
- Building their resilience:** seeking support, connecting with others, and self-care strategies

Support services...

- Recognising ongoing trauma:** Parents may experience ongoing trauma and need ongoing support.
- Be aware of shame and stigma:** A traumatic experience (child's) often has a long-term impact on parents.
- Provide support for parents and young people:** Support for the young person should be integrated with support for their parents.
- Enable parents to access support:** Considered what support needs the parent and young person have and how to access it.

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Invisible Siblings

- Non-abused siblings of victims of CSE/CSA are often overlooked
- Very limited research into the impact of CSA/CSE on non-abused siblings
- However, research does indicate non-abused siblings are also at increased risk of victimisation
- Important for us to consider the impact on non-abused siblings in our work

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Examples of Work:F-CASE



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Other Examples

- **DICE**
- Group work
- Targeted approach - Roma/Travelling communities
- 1:1
- **Whole School Approach**
- Young People
- Parents/Carers
- Wider Community

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Case Study

A taxi driver picked up two young people from a children's unit/house and dropped them off at an address in another part of town. He was concerned about what the YP were saying and where they were going and reported this to the police. The police were able to establish that both YP were accommodated and confirmed this with the unit and the taxi driver was able to give them the address he had dropped the YP at.

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Nightwatch

Empowering The Night time economy to Recognise and Respond to Child Sexual Exploitation

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Nightwatch

New Partnerships....

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Thank You

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Police Scotland - Intelligence Led CSE Investigations



National Child Sexual Exploitation and Trafficking Workshop – Intelligence Led Investigations

Police Scotland

Role of the Police

Police and Fire Reform Act 2012

- Section 32
The main purpose of policing is to improve the safety and wellbeing of persons, localities and communities in Scotland

The police service, working in collaboration with others where appropriate, should seek to achieve that main purpose by policing in a way which is accessible to and engages with local communities and promotes measures to prevent crime, harm and disorder

- Section 20
It is the duty of a constable to prevent and detect crime

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CHILD PROTECTION IS **STILL** EVERYONE'S RESPONSIBILITY



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Child Protection - First Actions

CSE/Child Trafficking/Sexual Abuse = Child Protection

Child Protection = IRD

IRD = joint information sharing, assessment and decision making about risk to children involving the core agencies who are Police, Social Work, who both have a statutory responsibility and Health

IRD = the central mechanism to co-ordinate inter-agency child protection processes

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CSE Investigative Aims

- VICTIM CENTRED PERPETRATOR APPROACH

The key investigative themes to be considered for all CSE investigations irrespective of scale, size and location are as follows:

- Detection
- Protection
- Intervention
- Prevention

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Perpetrator Focused

Consider this in two elements
Reactive – the specific reports
Proactive – targeting individuals and criminal lifestyles

This assists in producing a risk assessment regarding any current risk posed by the perpetrator

Where multiple perpetrators are involved, consider prioritising them based upon:

- Current risk
- Intelligence/evidence of involvement in current/other criminality
- Gravity of offence
- Those who feature in previous CSE investigations

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Perpetrator Activity

- Identify all investigative opportunities to pursue all known offenders including involvement in other criminality
- Identify opportunities to apply grooming legislation
- Identify opportunities to apply preventative orders
- Identify opportunities to apply trafficking legislation
- Employ where possible disruption tactics in relation to suspects
- Consider utilising all available assets

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Partnership Working To Tackle Offending Behaviour

- Partnership working – Key
 - Criminal Justice
 - Licensing
 - Housing
 - Social Work
 - Health
 - Education
 - HMRC
 - Barnardo's and 3rd Sector Agencies
 - SEPA
 - UKBA

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Intelligence – What do We Mean?

- Intelligence is 'The gathering or distributing of information'
- Information gathered or distributed by Police can only be held for a Policing purpose i.e.
 - The prevention and detection of crime
 - The protection from harm to an individual or their property

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Intelligence Led – How do we achieve?

- Maximising Sources of Intelligence
- Eyes and Ears of Community
- Police Assets
- Practitioner knowledge and information
- Online Information
- Open Source
- INGATHERED, ASSESSED AND EVALUATED AND ACTIONED

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The Future of Information Collection

- Barnardo's Crimestoppers CSE Night time Economy
- Police and Partners Electronic Portal
 - Across all Public Protection arenas
 - Safe, secure transmission via online form
 - Embedded guidance to assist practitioners
 - Information will be subject to assessment and evaluation
 - Internal partners include community officers, intelligence officers and public protection officers
 - It will not be used to report a crime or any child protection concerns

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Trafficking

Human Trafficking & CSE

Scottish Government Child Trafficking Strategy Group
2019

1

Plan for today

- Understanding Scottish context of child trafficking and relationship with CSE
- Understanding international and domestic legislation for trafficking
- Understanding processes through which child victims of trafficking go

2

Scottish Government Campaign

LOCATIONS WHERE VICTIMS OF CHILD TRAFFICKING HAVE BEEN IDENTIFIED IN SCOTLAND

- Established a Trafficking & Exploitation Strategy in May 2017. The [First Annual Progress Report](#) was released in June 2018
- The National Action Plan to Prevent and Tackle Child Sexual Exploitation (2016) – clear links to trafficking

3

Human Trafficking Definition

Article 4(a) of the trafficking convention defines 'human trafficking' as:

- the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

In a child trafficking case the 'means' component is not required as they are not able to give informed consent.

Child human trafficking will therefore consist of 2 basic components: **'action'** and **'exploitation'**.

The Three Elements of the Definition

UK Trafficking Statistics

NCA National Crime Agency

- 7,000 potential victims of trafficking referred to the National Referral Mechanism (NRM) in 2018 (increase of 36% on 2017)
- 3,071 of these referrals were children (increase of 44% on 2017)
- 232 referrals in Scotland in 2018, over 20% of which were children (48)
- These statistics are misleading – UK Anti-Slavery Commissioner believes that there are at least 13,000 people in slavery in the UK
- Source: <http://www.nca.gov.uk/crimstats.aspx>

UK Trafficking Statistics

NCA National Crime Agency

Where do they come from?

- In England – 922 Albanian, 615 Vietnam, 394 Chinese
- 1,515 British - 1,330 children (87%)
- In Scotland – 68 Vietnamese, 39 Chinese, 12 Romanian
- 0 British

Source: <http://www.nationalcrimeagency.gov.uk>

The UNODC and ILO Indicators

UNODC International Labour Organization

- Only few victims can identify themselves as VoT.
- Indicators contain a set of general and specific situations.
- Indicators can be used as a handy reminder.
- Attention should be paid, lists are NOT exhaustive, they are NOT an assessment.
- Try to work backwards: focus on exploitation and not on transportation.

Possible specific concerns about trafficking in case scenario

- Pick up and drop off by older male
- Unknown whereabouts at anti-social hours
- Unexplained large sums of money + influence of drugs/alcohol
- Intelligence of attendance at unknown house
- Disclosure of sex with older persons
- Numerous young people involved, some reported missing
- Met adults online
- House ended up deserted – indicator that moved on

7

8

9

TIME ESTIMATES WILL VARY DEPENDING ON THE CASE

Duty to Notify

538 Human Trafficking and Exploitation (Scotland) Act 2015

Generally acknowledged that in Scotland if child protection processes adhered to duty to notify for children will be covered by the child protection referral and process (which will always involve the police)

Child Trafficking and CSE – what do we know?

- CSE is happening in Scotland – although only a small number of geographically limited studies (Crombag et al 2005; O'Brien et al 2005; Rigby & Muir 2013; Rigby et al 2017; Loxton et al 2013, 2014)
- Scotland is not identifying CSE as trafficking
- Human trafficking legislation useful for CSE as removes questions of consent
- Scotland has obligations under EU Directives to identify and support all victims of trafficking (this includes internal / UK citizens)
- We don't know the extent of CSE in Scotland (Bentley and Phoenix, 2012; Rigby and Montgomery, 2016)

CSE and Human Trafficking Screening

(unpublished Glasgow CPC report 2014)

- 42 cases previously identified as CSE by police and social work (8 boys; 34 girls)
- Aged 13 to 20 (at time of initial ID as CSE)
- Social work / police / legal services / academic joint analysis of case files and information
- Using trafficking indicator matrix and practice knowledge
- For 55% of young people subject to CSE there are reasonable grounds to suggest their exploitation constitutes human trafficking.

Guardians

Section 11 Human Trafficking & Exploitation (Scotland) Act 2015

Independent child trafficking guardians

(1) The Scottish Ministers must make such arrangements as they consider reasonable to enable a person (an "independent child trafficking guardian") to be appointed to assist, support and represent a child to whom subsection (2) applies.

(2) This subsection applies to a child if a relevant authority determines that—

- (a) there are reasonable grounds to believe that the child—
- (i) is, or may be, a victim of the offence of human trafficking, or
- (ii) is vulnerable to becoming a victim of that offence, and
- (b) no person in the United Kingdom is a person with parental rights or responsibilities in relation to the child.

(3) A relevant authority making a determination that subsection (2) applies in relation to a child must, as soon as reasonably practicable after doing so, take steps to bring that child to the attention of the person mentioned in (1) to make a referral.

(4) A person responsible for exercising functions under any enactment in relation to a child for whom an independent child trafficking guardian has been appointed under this section must—

- (a) recognise, and pay due regard to the guardian's functions, and
- (b) provide the independent child trafficking guardian with access to such information relating to the child as will enable the guardian to carry out the guardian's functions effectively.

(5) It is the duty of the guardian to involve the guardian's in decision making / meetings etc.

14

15

Presumption of Age

Section 12 – Human Trafficking and Exploitation (Scotland) Act 2015

(1) This section applies where—

- (a) a relevant authority has reasonable grounds to believe that a person may be a victim of an offence of human trafficking, and
- (b) the authority is not certain of the person's age but has reasonable grounds to believe that the person may be a child.

(2) Until an assessment of the person's age is carried out by a local authority, or the person's age is otherwise determined, the relevant authority must assume that the person is a child for the purposes of exercising its functions under the relevant enactments.

Merton Compliance

(R)B V Merton London Borough Council [2003] 4AER 280

- Except in clear cases, age should not be determined solely on basis of physical appearance.
- Background of the young person should be sought, e.g. family history, education etc.
- Local authority should not simply adopt decision of Home Office, but may take information obtained by the Home Office into account.
- Interpreter should be present at interviews.
- Detailed note of interviews should be kept.
- Young person should have inconsistencies or doubts put to them to allow them to respond.
- Local authority has obligation to give adequate reasons

PRACTICE IMPLICATIONS

- It is important to identify trafficking so that other questions are asked, to identify patterns and risks across all networks and relationships
- The various models of CSE & grooming can constitute trafficking (eg a single adult 'older boyfriend model' can be doing the exploiting / trafficking)
- Need to consider possibility of trafficking in all CSE cases - it helps to focus on networks and who may be the exploiters
- Need to think about brief / de brief to elicit further information
- Good recording enables you to build a profile (eg if a party who is there [older men]; were taxi arranged to deliver child, who is visiting child at residential unit)

- Think about a continuum and the in and out of exploitation – trafficking is a process not an “event”
- High percentage of children and young people we would consider vulnerable in multiple ways – risk of multiple negative events
- There is a close relationship between trafficking legislation and grooming legislation and CSE & trafficking policies and guidance - these should not be viewed as discrete documents
- The trafficking matrix and the CSE indicator matrix are not risk assessments
- Discrete labels (trafficking or CSE) are not always helpful but can be in relation to targeting support, especially the primary issue of safety
- Need to focus on the abuse and exploitation (not the labels)