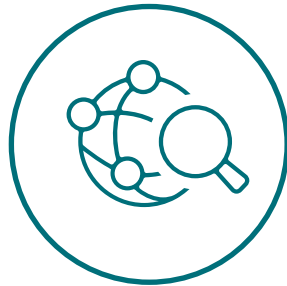




Home Office

# Child exploitation disruption toolkit

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# Introduction

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This toolkit has been developed to support frontline practitioners to safeguard children and young people under the age of 18 from sexual and criminal exploitation. This includes social workers, police officers, housing officers, education staff, healthcare staff, charity staff, and others.

It is vital that people working in frontline roles effectively identify exploitation of children and work together proactively with other agencies to disrupt offending and safeguard victims.

This can only be achieved by effective joined-up working and consistent, proactive, sharing of information held by different services.

Criminal investigation and prosecution of perpetrators should always be pursued alongside actions to support safeguarding of children and young people exposed to this kind of harm. The use of disruption tactics, including legislative tools such as civil orders and injunctions, are an essential part of the safeguarding process and can also support future prosecutions.

When using this toolkit, all partners should have as their primary focus:

- the experiences of the victims involved
- the views of the victims
- the impact any chosen approach may have on them,
- the risk of further harm to them, possible future victims or the wider community

This toolkit is focused on child exploitation, although some of the tools listed can be used to disrupt exploitation of adults too.

The toolkit is split into two sections:

### 1. Supporting problem profiling and sharing information

This section highlights the importance of building an accurate picture of the nature and extent of child exploitation in both a local area and across multiple locations, and provides advice on how to do so, including through effective, proactive sharing of information between partners. You can use this section to guide you in working with partners to assess the problem locally and better protect children.

### 2. Measures that can be used to disrupt child exploitation

This section lists many of the tools useful for police, social care professionals, statutory agencies, and other frontline professionals to disrupt the exploitation of children and young people, safeguard current and potential future victims, and send a signal to perpetrators about the consequences of their actions. This section is split into 'offender', 'victim' and 'location', to help you focus on different aspects of the problem. You can use this section to help decide what tools you can use to tackle a child exploitation problem happening in your area.

- **If you are a specialised practitioner** such as a caseworker or police investigator/officer in a proactive, neighbourhood or specialised team, then you can use this toolkit to support your work to identify and disrupt child exploitation taking place in your area. Being able to recognise signs of child exploitation will help you to identify this harm and this toolkit will support you in selecting and putting into practice the disruption measures available to you. The criminal and civil proceedings listed here can be used together with partnership working to help you effectively protect victims and disrupt offenders.
- **If you are a senior or strategic practitioner** you can use this toolkit to recognise, support, guide, and implement more varied frontline disruptive activity by your organisations. You can also support frontline practitioners by promoting collaborative disruptive opportunities with appropriate partner agencies.
- **If you are a responding frontline practitioner** such as a response police constable, paramedic, or social worker, then you play a crucial role in identifying child exploitation and supporting disruption, even when dealing with incidents which don't immediately appear related to this harm. No matter your profession, any knowledge of the signs of child exploitation and of the ways you or other agencies can respond will be invaluable for uncovering child exploitation.

**Everyone who engages with children has a part to play in tackling child exploitation**, not just those with statutory powers. It is important that all those who engage with children recognise available statutory powers, even where it may only be police or local authorities who can put them in place. Those who engage with children must advocate for or support the use of statutory powers through partnership working and communication.



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# What is child exploitation?

The exploitation of children can take a number of different forms and perpetrators may subject children and young people to multiple forms of abuse at the same time, such as criminal exploitation (including county lines) and sexual exploitation.

## Child sexual exploitation

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> Practitioners should be alert to the range of signs outlined under “Common characteristics of child exploitation” on page 6 when considering whether a child is being sexually exploited.

## Child criminal exploitation

Child criminal exploitation is not defined in law, though the government’s Serious Violence Strategy defines it as occurring 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 most common form of child criminal exploitation is ‘county lines’. This refers to gangs and organised criminal networks involved in exporting illegal drugs around the UK using dedicated mobile phone lines or other forms of a ‘deal line’. They are likely to exploit children and vulnerable adults to move and store drugs and money, and they will often use coercion, intimidation, violence (including sexual violence) and weapons.<sup>2</sup> Children can be criminally exploited in other ways, such as theft, acquisitive crime, knife crimes and other forms of criminality and exploitation.

1 Definition taken from the Department for Education’s [guide for practitioners, local leaders and decision makers working to protect children from child sexual exploitation](#) (2017).

2 Definition taken from the 2018 Home Office Serious Crime Strategy.

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 using technology like social media platforms.

Another form of child exploitation is the recruitment of children to move the proceeds of crime (as cash or through banking transactions or purchases) on behalf of organised crime groups and fraudsters. These victims are sometimes referred to as 'money mules' or 'financially exploited children'.

## Common characteristics of child exploitation

The most common characteristics of child exploitation are:

- control, coercion, intimidation, threats of violence, and violence
- associating with other children involved in exploitation
- suffering from changes in emotional well-being and/or behaviour
- misuse of drugs and alcohol
- appearing with unexplained gifts, money or new possessions
- going missing for periods of time or regularly coming home late
- regularly missing school or education, or not taking part in education

Some additional signs that may be present if a child is a victim of sexual exploitation:

- coercion, manipulation or deception into sexual activity
- having older romantic/sexual partners
- suffering from sexually transmitted infections, displaying sexual behaviours beyond their expected sexual development, or becoming pregnant

# Understanding a child exploitation problem in your local area

Working together to understand the child exploitation taking place in a particular local area is essential to effectively target, prevent and disrupt the offending.

## Collaboration between partners

The exploitation of children cannot be addressed by a single agency working alone. Effective collaboration between partners, particularly around information sharing, is essential to the protection of children and stopping offenders. There is a wide range of behaviours and scenarios that may not initially appear related to child sexual or criminal exploitation, but pieced together and put into context, form a bigger picture. Agencies hold different pieces of information and will possess different legislative powers that together help to identify the most appropriate tool for keeping children safe.

A key part of this is proactively sharing what tools have been used, such as any existing orders that are in place, as well as informing partners when new orders are granted. This will not only more effectively inform the work of partner agencies, but also minimise missed opportunities to disrupt offenders and safeguard victims. Effectively recording and sharing orders with partner agencies will ensure all partners are able to support and enforce disruption measures, and help them act to identify additional opportunities for further disruption.

'**Working together to safeguard children**' (July 2018) states that safeguarding partners across local authority, police and health must define how they will work together and with any relevant agencies to safeguard and promote the welfare of all children in the local area. This is known as a multi-agency safeguarding arrangement. Other multi-agency groups such as Community Safety Partnerships and Multi-Agency Public Protection Arrangements (MAPPA) may also have relevant information and levers around criminal and sexual exploitation. It is advisable to ensure that there is clarity on the remit of each group, and how they can contribute to the agenda, including oversight of any local strategies or programmes.

## Information sharing

An important way that agencies can support each other to assess and tackle a child exploitation problem is by regularly and proactively sharing relevant information with each other. Sharing information can be supported by having existing agreements in place between agencies, and clarity on what in particular it would be useful to share.

Data protection legislation can often, wrongly, be seen as a barrier to effectively safeguarding and protecting children. Practitioners may experience some resistance from safeguarding partners to sharing information about vulnerable children for fear of breaching confidentiality or data protection law. When partners fail to share information based on these misplaced fears about what one can and ought to do, it can have severe consequences for the safety and welfare of children and young people.

It is therefore important for safeguarding partners to be clear about the legislative framework in which they operate and know their obligations.

Data protection legislation refers to the Data Protection Act 2018 and UK General Data Protection Regulation. The legislation does not prevent or limit the sharing of information – it provides a framework to support appropriate and lawful secure data sharing that can support you in keeping children and young people safe. It also ensures that agencies and organisations are transparent and accountable in relation to their use of data.

Relevant personal information may be shared lawfully without consent if you have a welfare/ safeguarding duty and it is necessary to share the information to protect a child who is at risk. Further information on sharing information without consent can be found on pages 18 and 19 of ‘working together’.

The Department for Education has issued guidance on information sharing for agencies, such as police, which provide services to children, young people, parents, and carers. ‘**Information sharing advice for safeguarding practitioners**’ (July 2018) sets out how practitioners and senior managers can decide when and how to share personal information legally and professionally. This guidance is currently under revision and will be published in due course.

## Problem profiling

A useful policing tool to utilise available and shared information is a problem profile. A problem profile is a police intelligence product that provides a greater understanding of established and emerging crime or incident series, priority locations, or other identified high-risk issues. Problem profiles should assess the nature and scale of the threats, and identify the highest harm victims, offenders and locations, as well as outlining the threat and risk they pose. A problem profile is not a static product and should be reviewed frequently to ensure it continues to reflect the offending that is taking place. Although it is a police product, a problem profile should be enhanced by input from other safeguarding partners who may also adopt and adapt these threat assessment principles within their own organisations.

Problem profiles are established to tackle local threats, meaning that no two problem profiles should be the same. A problem profile should be reflective of the particular types of child exploitation that are taking place in a local area. Where these are overlapping – for example if the same venues are being used for sexual exploitation and criminal exploitation, or the same victims are being exposed to multiple harm types – a problem profile can help professionals to identify these links. Problem profiles specific to particular harms can ensure that the most appropriate disruption tactics are put in place and victims are supported appropriately.



The following key information will be useful in all problem profiles:

- numbers of children and young people that have been exploited
- the adults, children and young people who are suspected to be involved in the exploitation of children and young people – including those who might be exploited themselves
- the profile of suspected offenders, such as their ethnicity, age etc.
- information on locations of concern, such as businesses, public parks, hotels, house parties and schools
- information on local organised crime groups, networks, other groups and individuals who present a risk to children and young people
- recommendations to mitigate risks, safeguard the vulnerable and drive the operational response

Problem profiles rely on up-to-date and accurate information. It is therefore essential that there are good information sharing and multi-agency working processes across partner agencies within a local area. These are police, social care, health services, education, probation, youth justice, public protection partnerships, voluntary agencies, schools and educational establishments.

Additionally, the private sector and local business can be a valuable source of information when building a problem profile.

**Further information on analytic techniques and the creation of problem profiles** is available on the College of Policing website.

## Underutilised sources of information

As well as statutory partners, other sources of information are often invaluable for building a problem profile and better understanding and tackling child exploitation taking place in your area. Such sources may hold valuable information which can help you safeguard children, disrupt individual cases of exploitation, or build a more strategic picture of the threat in your area.

This will be different in different local areas, but whenever an organisation is identified as a valuable information source, safeguarding partners should seek to build and maintain a positive ongoing relationship to facilitate effective information sharing.

Sources of information may include:

- local businesses such as hotels and fast food restaurants
- taxi and private hire vehicle companies
- health centres such as genitourinary medicine/sexual and reproductive health clinics
- substance misuse and mental health services
- housing officers
- sports clubs
- youth clubs
- parks and garden workers
- cleaning and urban maintenance workers
- parent/carer groups
- faith groups

This list is not exhaustive and further guidance can be provided by police intelligence professionals and other partners



Examples of information may include:

- details of addresses or localities that children at risk of being exploited may be taken to or where there has been suspicious activity
- areas where children associate out of sight
- Reports from members of public that do not initially appear to be about child exploitation, such as anti-social behaviour reports
- 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 provided by victims to support agencies, including the voluntary sector (for example, return home interviews following missing episodes)
- social media communication
- address details of suspected perpetrators
- unexplained gifts received by children
- reported missing episodes and any absence from school
- names of other children and their young friends who may also be at risk of exploitation
- details provided from banks such as suspicious activity reports

You may want to consider the following activities to stimulate information gathering:

- engaging with young people who may be at risk via youth workers and voluntary sector community support agencies
- working with local partners to build a network of young child sexual exploitation and child criminal exploitation prevention advisors and ambassadors – including survivors
- engagement with businesses such as hoteliers, bed and breakfast owners, taxi and private hire vehicle drivers in areas where child sexual exploitation or missing children may be a factor, as well as encouraging greater reporting of suspicious activity by relevant businesses and professionals
- building links with trained health professionals such as GPs, pharmacists, and A&E staff to identify child exploitation

# Section 1: suspects and offenders

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The following section sets out some of the tools available that can be used to directly disrupt the activity of a suspected perpetrator of child exploitation. These are key to preventing re-offending and safeguarding victims and those at risk of being exploited. These tools can be used to disrupt the activity of individual suspects or offenders who may be offending as part of a network. While pursuing offenders lies with police, other services can contribute, and should be aware of the legislative tools applied so they can help the police to enforce them. Best practice is to take proactive action at the earliest possible time, and when any degree of risk of harm to others is identified.

This section firstly sets out the orders that professionals can proactively apply to disrupt activity, and secondly lists the offences that may apply as reactive measures. It is crucial to remember to record and update partners should any order be granted or action taken, as well as to establish if there are any already in place. This will ensure opportunities are maximised to disrupt perpetrators offending.





# Section 1: suspects and offenders

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# Proactive action

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## 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)
- Full detail in sections 23-29 Modern Slavery Act 2015

### When and how can it be used?

- This risk order is aimed at individuals who have not been convicted of a slavery or a human trafficking offence.
- 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. The court must be satisfied that the behaviour giving rise to the application took place and is necessary to protect persons or a person from harm caused by the commission of a slavery or human trafficking offence.
- STRO applications can be made by the police, the National Crime Agency, immigration officers and the Gangmasters and Labour Abuse Authority (GLAA), by making an application to the court – magistrates court or youth court for under 18s.

- An interim STRO can be applied for where an application for a full order has been made or is being made at the same time, but has not yet been determined.
- STROs can be made for a minimum of two years, with no maximum duration.
- Prohibitions may be imposed on individuals depending on the nature of the case, as long as these are necessary to prevent harm associated with slavery or trafficking offences.
- An interim STRO should contain the same prohibitions as the STRO.

### Disruptive impact

- Prohibitions can be made to disrupt child exploitation activity.
- Breach of an order, without reasonable excuse, is a criminal offence which may be tried either summarily or on indictment with a maximum penalty on indictment of five years imprisonment.

## Slavery and trafficking prevention orders (STPO)

### Legislation

- Section 14-15 Modern Slavery Act 2015
- Full detail in section 14-22 Modern Slavery Act 2015

### When and how can it be used?

- STPOs are aimed at those:
  - convicted
  - cautioned
  - who received a reprimand or final warning
  - found not guilty by reason of insanity
  - found to be under a disability and to have done the act charged in respect of a slavery or human trafficking offence or an equivalent offence abroad
- A STPO may be made where the court is satisfied that the behaviour giving rise to the application took place and is necessary to protect persons or a person from harm caused by the commission of a slavery or human trafficking offence. No application is necessary for the court to make a STPO on conviction.
- STPO applications can be made to the court by the police, National Crime Agency, immigration officers, and the GLAA.
- STPOs are for a minimum of five years, with no maximum duration.

- Prohibitions may be imposed on individuals depending on the nature of the case, as long as these are necessary to prevent harm associated with slavery or trafficking offences.
- 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.

### Disruptive impact

- Prohibitions can be made to disrupt child exploitation activity.
- Breach of an order, without reasonable excuse, is a criminal offence which may be tried either summarily or on indictment with a maximum penalty on indictment of five years imprisonment.

**Further information and Home Office guidance on STROs and STPOs** is available online.

## Sexual risk orders (SROs)

The government is strengthening the regime for managing registered sex offenders and those who pose a risk through the Police, Crime, Sentencing and Courts Act 2022. This act will impact the below information on this order.

### 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 of a sexual nature and, as a result, there is reasonable cause to believe that it is necessary to make an order to protect the public from harm. 'Acts of a sexual nature' are not defined in legislation, meaning they 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. An order, whether full or interim, prohibits the offender from doing anything described in it.
- The prohibitions must be necessary to protect the public in the UK or children or vulnerable adults abroad from harm from the offender.
- SROs can be sought by the police against an individual who has not been convicted or cautioned etc. of a schedule 3 or schedule 5 offence, as set out in the Sexual Offences Act 2003, but who is nevertheless thought to pose a risk of harm.
- An SRO can be granted for a minimum of two 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 individual, 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.
- 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.

### Disruptive 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, among others, their name, address, passport, bank accounts and any foreign travel.

## Sexual harm prevention orders (SHPOs)

The government is strengthening the regime for managing registered sex offenders and those who pose a risk through the Police, Crime, Sentencing and Courts Act 2022. This act will impact the below information on this order.

### 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 where a court considers it necessary to impose the order to protect the public.
- 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.

### Disruptive 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 five 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, among others, 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.

**Further guidance on the SHPO** can be found online within the Home Office guidance on part 2 of the Sexual Offences Act 2003.



## Notification orders

The government is strengthening the regime for managing registered sex offenders and those who pose a risk through the Police, Crime, Sentencing and Courts Act 2022. This act will impact the below information on this order.

### Legislation

- Section 97 Sexual Offences Act 2003

### When and how can it be used?

- 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.
- Notification orders can be obtained by police officers and staff through legal services.
- 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.
- Good information sharing across partner agencies is vital to safeguarding vulnerable children effectively. Disclosure of information to third parties through Multi-Agency Public Protection Arrangements (MAPPA) or other multi-agency arrangements is a useful 'restrictive' intervention to reduce opportunities of harmful behaviour.

### Disruptive 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.

**Further guidance on Notification Orders** can be found online within the Home Office Guidance on part 2 of the Sexual Offences Act 2003.

## Anti-social behaviour civil injunctions

### 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. However, 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.

- 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.

### Disruptive 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.
- Breaching an injunction could result in imprisonment not exceeding two years and/or a fine.

## 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 must 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
- An injunction can be considered at any time during an investigation and can remain in place for a maximum of two years.

### Disruptive 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).



## Criminal behaviour orders (CBOs)

### 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 that the offender has engaged in behaviour that caused or was likely to cause harassment, alarm or distress to any person
  - 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
- A CBO made after the offender has reached the age of 18 must run for at least two 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 of age 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.

### Disruptive impact

- A CBO prohibits the offender from doing anything described in the order and can also include positive requirements like mentoring, anger management and drug rehabilitation.
- Breach of this order is punishable by up to five years' imprisonment on indictment.

## Police dispersal powers

Directions excluding a person from an area are known as 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.

### Disruptive 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 three 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 member of the local local authority, the 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 requirements:
  - to stop doing specific things
  - to do specific things
  - to take reasonable steps to achieve specific results.

### Disruptive 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.

## 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 social media for recruitment and 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 county courts for a 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.

### Disruptive 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. This helps to prevent the supply of drugs and protect those vulnerable individuals exploited by county lines gangs as part of their business models.

## Forfeiture

### Legislation

- Section 294-300 Proceeds of Crime Act 2002 (POCA)

### When and how can it be used?

- HMRC, a constable, SFO officer or an accredited financial investigator may seize cash under the POCA and apply to the magistrates' court for detention and forfeiture. The magistrates' court may make an order for forfeiture where it is satisfied that the cash is recoverable property or intended by any person for use in unlawful conduct. If no objection is made to the notice in accordance with section 297C, then the cash is forfeited.
- Forfeiture notices are available under section 297A 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 section 295 is either for its origin 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.
- Forfeiture orders and effective forfeiture notices have the effect of permanently depriving individuals of cash which has been obtained through unlawful conduct or which is intended by any person for use in unlawful conduct.

### Disruptive impact

- Disrupting financial structures of offenders.



# Reactive action

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

### Legislation

- Section 2 Child Abduction Act 1984

### Offence

- This provides an offence in relation to the taking or detaining of a child under 16 years:
  - where the offender is not connected with the child so as to remove 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

### Sentence

- A person guilty of this offence shall be liable on summary conviction, to imprisonment for up to six months or to a fine or both, and on conviction on indictment, to imprisonment for up to seven years.

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

### Legislation

- Section 49 Children Act 1989

### Offence

- It is an offence if someone knowingly and without lawful authority or reasonable excuse:
  - takes a child who is in care, the subject of an emergency protection order, or in 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
- The responsible person is any person who, for the time being, has care of the child by virtue of the care order, the emergency protection order, or police protection as the case may be.

### Sentence

- A person guilty of an offence under this section shall be liable on summary conviction to imprisonment for a term not exceeding six months, or to a fine on the standard scale, or to both. Both are effective disruptions to exploitation activities.

## Human trafficking: part 1, section 2 Modern Slavery Act 2015

### Offence

- 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 can be made over any distance from street to street or across international borders.
- 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 and private hire vehicles, 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

### Sentence

- A person guilty of an offence under this section is liable on conviction on indictment, to imprisonment for life or on summary conviction, to imprisonment for a term not exceeding 12 months or a fine or both.

## Arranging or facilitating commission of a child sex offence

The government is strengthening the sentencing of sexual offences and those who pose risk through the Police, Crime, Sentencing and Courts Act 2022. This act will impact the Sexual Offences Act 2003 and below information.

### Legislation

- Section 14 Sexual Offences Act 2003

### Offence

- This makes it an offence for a person to intentionally arrange or facilitate any action that will involve an offence being committed against a child under sections 5 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.

### Sentence

- A person guilty of an offence under this section is liable on summary conviction, to imprisonment for a term not exceeding six months or a fine or both. On conviction on indictment, they are liable to imprisonment for life.

## Meeting a child following sexual grooming

The government is strengthening the sentencing of sexual offences and those who pose risk through the Police, Crime, Sentencing and Courts Act 2022. This act will impact the Sexual Offences Act 2003 and below information.

### Legislation

- Section 15 Sexual Offences Act 2003

### Offence

- A person aged 18 or over commits an offence if:
  - they have communicated with another person who is under 16 and 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

### Sentence

- A person guilty of an offence under this section is liable on summary conviction, to imprisonment for up to six months or a fine or both. On conviction on indictment, they are liable to imprisonment for up to 10 years

## Sexual communication with a child

The government is strengthening the sentencing of sexual offences and those who pose risk through the Police, Crime, Sentencing and Courts Act 2022. This act will impact the Sexual Offences Act 2003 and below information.

### Legislation

- Section 15A Sexual Offences Act 2003

### Offence

- 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.

### Sentence

- A person guilty of an offence under this section is liable on summary conviction, to imprisonment for up to 12 months or a fine or both. On conviction on indictment, they are liable to imprisonment for up to two years.

## Paying for sexual services of a child

The government is strengthening the sentencing of sexual offences and those who pose risk through the Police, Crime, Sentencing and Courts Act 2022. This act will impact the Sexual Offences Act 2003 and below information.

### Legislation

- Section 47 Sexual Offences Act 2003

### Offence

- 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.

### Sentence

- The impact of this legislation varies depending on the sexual acts conducted by the guilty person, and ranges from imprisonment for life, if penetrative acts were conducted, down to imprisonment for up to six months liable on summary conviction of non-penetrative acts.

## Causing or inciting the sexual exploitation of a child

The government is strengthening the sentencing of sexual offences and those who pose risk through the Police, Crime, Sentencing and Courts Act 2022. This act will impact the Sexual Offences Act 2003 and below information.

### Legislation

- Section 48 Sexual Offences Act 2003

### Offence

- 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 they intentionally cause or incite another person under the age of 18 to be sexually exploited in any part of the world.

### Sentence

- A person guilty of an offence under this section is liable on summary conviction, to imprisonment up to six months or a fine or both. On conviction on indictment, they are liable to imprisonment up to 14 years.



## Controlling a child in relation to sexual exploitation

The government is strengthening the sentencing of sexual offences and those who pose risk through the Police, Crime, Sentencing and Courts Act 2022. This act will impact the Sexual Offences Act 2003 and below information.

### Legislation

- Section 49 Sexual Offences Act 2003

### Offence

- 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.

### Sentence

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

## Arranging or facilitating the sexual exploitation of a child

The government is strengthening the sentencing of sexual offences and those who pose risk through the Police, Crime, Sentencing and Courts Act 2022. This act will impact the Sexual Offences Act 2003 and below information.

### Legislation

- Section 50 Sexual Offences Act 2003

### Offence

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

### Sentence

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



## Indecent images of children (IIOC)

### Legislation

- Section 1 Protection of Children Act 1978

### Offence

- Where a person is making, distributing or possessing with intent to distribute an indecent image of a child, or advertises 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.

### Sentence

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



## Possession of indecent image of a child

### Legislation

- Section 160 Criminal Justice Act 1988

### Offence

- 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.

### Sentence

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



## Entry for purpose of arrest

### Legislation

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

### Offence

- 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 this power is used to gain entry to an address and a child is present who police believe to be at risk of serious or significant harm, then the police may exercise additional powers of protection to remove the child under Section 46 Children Act 1989.

### Disruptive impact

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

## Controlling or coercive behaviour in an intimate or family relationship

### Legislation

- Section 76 of The Serious Crime Act 2015

### Offence

- A 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 child exploitation may both be present and overlapping, and may require different, yet connected safeguarding strategies.
- Some cases of child sexual exploitation could be eligible under this act due to the element of 'intimate relationship' – for definitions relevant to this offence, please see the published **Statutory Guidance Framework for Controlling and Coercive Behaviour**.
- A person commits an offence if:
  - the victim and perpetrator are personally connected at the time the behaviour takes place
  - the behaviour must have had a serious effect on the victim, meaning that it has caused the victim to fear violence will be used against them on two or more occasions, or it has had a substantial adverse effect on the victim's usual day to day activities
  - the behaviour takes place repeatedly or continuously
  - the perpetrator must have known that their behaviour would have a serious effect on the victim, or the behaviour must have been such that he or she "ought to have known" it would have that effect.

### Sentence

- Controlling or coercive behaviour is a key component of child exploitation 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.

## Section 2: victims

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This section of the toolkit is focused on outlining some of the tools available to safeguard victims and those at risk of exploitation. These are best utilised as early as possible and as soon as any risk or concern is identified. Concerns about exploitation may not always be the initial reason for a frontline practitioner's engagement with a victim or child, so proactive action is needed to fully establish the risk and develop an effective response.

There are many barriers to children telling adults about harm they are experiencing, and they may not recognise that what is happening to them is abuse. It is vital that anyone who works with children knows how to recognise what is happening and understands how to help the child to have that conversation. The Centre of expertise on child sexual abuse has developed **guidance to support all people working with children to talk about child sexual abuse**. While specifying sexual exploitation, these approaches can also be applied to other forms of child exploitation.

It is crucial to remember to record and update partners should any order be granted or action taken, as well as establishing if there are already any in place. This will ensure opportunities are maximised to address any concern of a child at risk.





# Section 2: victims

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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.
- 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 have placed 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.
- If a CAWN (or any other order) is being issued in the police station, consider issuing it in an appropriate way as to be recorded, such as using body worn video or CCTV. This avoids any ambiguity in the future about what was said and lessens the possibility of a perpetrator denying receiving the warning notice.
- Ensure that any CAWN that is served on an individual is recorded on force intelligence systems and the Police National Computer/ Police National Database 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 must not be used as a substitute for prosecuting criminal behaviour.

### Disruptive impact

- CAWNs are a useful tool in terms of immediately breaking contact between the child and the individual(s) grooming or exploiting them. They are also useful for ensuring that the suspected perpetrator(s) cannot claim ignorance of the age of the child. This can be useful in subsequent charges or prosecutions.

## Recovery orders

### Legislation

- Section 50 Children Act 1989

### When and how can it be used?

- Where it appears to a court that there is reason to believe that a child who is in care, is the subject of an emergency protection order, or in police protection has been unlawfully taken or kept away from a person who has care of the child (or that child has run away or is staying away from such a person, or is missing) a court can make a recovery order. This requires the production of the child to the authorised officer and authorises the child to be removed by the authorised police 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 and missing migrant children.
- The application can be made by anyone with parental responsibility for the child by virtue of a care order or 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.
- Deliberate obstruction of a police officer removing the child is an offence and could lead to a fine being imposed.

### Disruptive impact

- Removing children from harmful environments and disrupting contact between an adult and a child.

## National Referral Mechanism (NRM)

### Legislation

- Duty to notify under section 52 Modern Slavery Act 2015

### When and how can it be used?

- Child sexual exploitation victims and children exploited for criminal offences such as county lines, pickpocketing or cannabis cultivation may also be victims of other forms of modern slavery, including human trafficking. An NRM referral must be made for any child sexual exploitation or child criminal exploitation 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 an NRM referral. Potential child victims should be referred into the NRM in all cases by completing the **online NRM form**. Child victims do not have to consent to be referred into the NRM and should also be referred to wider child safeguarding processes for support. Independent Child Trafficking Guardians are an additional source of advice and support for potentially trafficked children, and are currently available in two thirds of local authorities in England and Wales. Where the Independent Child Trafficking Guardians service (ICTG) has been implemented, if the first responder considers a child to be a potential victim of modern slavery, they should also refer them to the ICTG service by completing the **online referral form in English or in Welsh**. This is in addition to following usual safeguarding routes and NRM referrals. The locations of where the ICTG provision is currently available and corresponding guidance on the role of the ICTG can be found in the **interim guidance for ICTGs**.
- NRM referrals can be made by several designated first responder organisations including:
  - police
  - Border Force
  - UK Visa and Immigration
  - Immigration Enforcement
  - local authorities
  - National Crime Agency
  - Gangmasters Labour Abuse Authority
  - some voluntary sector organisations
- **Authorised professional practice on the National Referral Mechanism**, from the College of Policing provides further detail on the referral process.

## Secure accommodation order

(use of accommodation for restricting liberty)

### Legislation

- Section 25 Children Act 1989 and the Children (Secure Accommodation) Regulations 1991

### When and how can it be used?

- Section 25 of the Children Act 1989 provides that no looked after child (i.e. a child subject to a care order or accommodated under section 20 of the Children Act 1989) may be kept in accommodation provided for the purpose of restricting liberty unless certain criteria are met. These are:
  - (a) that,
    - (i) they have a history of absconding and are likely to abscond from any other description of accommodation; and
    - (ii) if they abscond, they are likely to suffer significant harm; or
  - (b) that if they are kept in any other description of accommodation they are likely to injure themselves or other persons
- In practice, the only type of accommodation provided for the purpose of restricting the liberty of looked after children is secure children's homes.

- A secure children's home must be specifically approved as such by the Secretary of State under regulation 3 of the Children (Secure Accommodation) Regulations 1991. The 1991 regulations also stipulate the maximum amount of time a looked after child may be kept in secure accommodation without the authority of the court (72 hours), the maximum period of initial court authorisation (three months) and the maximum period of any subsequent renewal of court authority (six months). The court must also be satisfied that the above section 25 criteria apply before making an order.

### Disruptive impact

- A looked after child may be relocated into secure accommodation which can disrupt exploitative activity and allow supportive intervention from safeguarding partners and agencies from the immediate term (72 hours) to longer term (six months).
- There are higher security and higher monitoring alternatives which should be considered should secure accommodation cease or not be appropriate.



## 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 or supervision order.
- This would allow for either 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 (or likely to be given if the order were not made) is not what it would be reasonable to expect from a parent.

### Disruptive impact

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

## Orders for emergency protection of children

### Legislation

- Section 44 Children Act 1989

### When and how can it be used?

- Any authorised person under section 31 of the Children Act 1989 can apply for an emergency protection order, although in practice this is usually the local authority.
- Where an authorised person applies, the court can only make the order if satisfied that there is reasonable cause to believe 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; or
  - the child does not remain in the place where they are being accommodated.
- Where a local authority applies, the court can only make the order if it is satisfied that enquiries are being made with respect to the child under section 47(1)(b) of the Children Act 1989 and those enquiries are being frustrated by access to the child being unreasonably refused and that they have reasonable cause to believe that access to the child is required as a matter of urgency.
- Where an order is made and is in force, the local authority has legal right to remove a child to accommodation that it is providing, and they will be authorised to keep the child there. It also authorises keeping a child where they are currently accommodated, for example where the child is in hospital. It will also give a local authority parental responsibility for the child.
- An emergency protection order can be made by the court for up to a period of no more than eight days. This can be extended by the court, upon receiving an application, for up to another seven days where there is reasonable cause to believe that the child is likely to suffer significant harm if the order is not extended.

### Disruptive impact

- Removal of a child from a harmful environment.

## Police powers of protection

This refers to the 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.
- As soon as reasonably practical the police should ensure the child is moved to accommodation provided by or on behalf of the local authority, or a refuge.
- 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.

### Disruptive impact

- Removal of a child from harm.



## 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, such as the police.

### Disruptive 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.
- Breaching this order is an offence and could result in an arrest, fine, and/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.



## Restraining orders and non-molestation orders

### Legislation

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

### When and how can it be used?

- Restraining orders should be considered by police in any child sexual exploitation related prosecution, even where the victim has not requested the order to be made. Restraining orders should be clearly recorded on the file to CPS.
- 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 contain 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 between them and the child which was of significant duration.
- Non-molestation order applications require sufficient detail to enable enforcement and police need to be notified of the order with a power of arrest in cases where it has been pursued by a victim or non-police agency.

### Disruptive 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.

### Disruptive 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.



## 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 can only be made where the local authority has the leave of the court to make the application. The court can only grant leave where satisfied that the remedy the local authority is seeking is not otherwise available and that there is reasonable cause to believe that in the absence of the court's inherent jurisdiction the child will suffer significant harm.
- 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.

### Disruptive 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 used to prevent the perpetrators from using social media.

## Parents and carers

Parents/carers are often vitally important in disrupting exploitation. Where possible they should be provided with practical support on child safety and be encouraged to actively build positive relationships and support networks with members of the community as well as understand safe and unsafe spaces in the local area. This will help create wider support networks for children when they are out in the community and empower parents/carers to take a larger role in disrupting exploitation.

To support parents/carers in disrupting exploitation, consider the following:

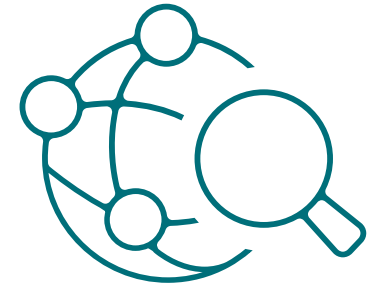
- liaise with parents/carers to ensure missing episodes are reported to and recorded appropriately by the police
- support parents/carers by providing an allocated police officer who they can contact to discuss concerns or potential evidence regarding a child at risk of, or experiencing, exploitation
- ensure parents/carers 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/carers should be supported to engage and contribute to disruption activity such as gathering and submitting information and intelligence regarding incidents

## Section 3: location

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This section includes information about some of the options available to law enforcement and safeguarding agencies to disrupt exploitative activity that is facilitated by a location. An exhaustive list of location-specific options is not possible to provide in this toolkit. However, understanding and addressing the environmental factors that are allowing exploitation to take place in your area should be a key priority for all services involved in disruption, and a core feature of any best practice child exploitation problem profile.

It is crucial to remember to record and update partners should any order be granted or action be taken as well as establishing if there are already any in place. This will ensure opportunities are maximised to disrupt perpetrators offending and address any concern of a child at risk.





# Section 3: location

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## 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 public or commercial 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 three 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.

### Disruptive 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

- Section 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 child sexual exploitation or related activities.
- The notice must specify the date on which it comes into effect and the expiry date which may not be more than six months after it comes into effect.
- The hotel operator is required, upon request, to provide information to the police such as a guest's name and address, and other information, as specified in regulations, about guests which could be readily obtained from guests themselves.
- A person does not commit a criminal offence if there were no steps that person could reasonably take to verify the information.

### Disruptive impact

- Failure to provide requested information, or giving false information, is a criminal offence and could result in a fine.
- 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.



## 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.

### Disruptive 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.



## Review of licensed premises

### Legislation

- Section 51 Licensing Act 2003

### When and how can it be used?

- Partners can request a licence review for a licensed premises 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 child sexual exploitation (revised guidance was added to the act in 2015).
- Where licensed premises are a location of concern relating to child sexual exploitation, licensing teams should always be informed and consulted regarding possible action which could be taken.

### Disruptive impact

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

## Public Spaces Protection Orders (PSPOs)

### Legislation

- Section 59 and 60 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 three years, with an option to consider an extension if necessary.

### Disruptive 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.
- 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 vehicles

If a taxi or private hire vehicle or business is causing concern in relation to child criminal exploitation or child criminal exploitation incidents, consideration should be given to:

- whether individuals have completed child criminal exploitation awareness training as part of licence conditions
- briefing police teams including traffic police teams
- flagging 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, section 14 sexual offences or trafficking

## Schools and exploitation

Given that most children spend much of their time in educational establishments, schools have been identified as places where targeting can occur. 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 child sexual exploitation and child criminal exploitation 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 an action plan for safeguarding pupils
- ensuring staff are aware of how to report and submit information to police and social care
- recording all unauthorised absence incidents, especially for those young people subject to child sexual exploitation concerns
- encouraging schools not to exclude or reduce the timetables of children and young people who are at risk of, or experiencing child sexual exploitation/child criminal exploitation, 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 the Regulation of Investigatory Powers Act 2000

## 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 time away from placement without authorisation and not reported to the police is 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 child sexual exploitation or child criminal exploitation
- 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 making sure they are 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 pickup point

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