



# Swindon and Wiltshire Child Sexual Exploitation Disruption Toolkit

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# Introduction

Wiltshire Police along with its partners are committed to protecting children and young people from harm and prosecuting those who commit sexual crimes against them. It will do this by working with partners to:

- Identify children at risk of sexual exploitation;
- Intervene with children and families to safeguard those at risk of exploitation;
- Adopt proactive problem solving measures to identify, disrupt and prosecute those seeking to sexually exploit children;
- Train staff to recognise signs that a child is being exploited; and
- Raise public awareness of child sexual exploitation.
- Follow the LSCB child protection procedures on child sexual exploitation if a child is identified as suffering or is at risk of sexual exploitation

In individual cases, it may be the case that the identity of the offender(s) and the location of the offences is also apparent. Whilst the police and criminal justice agencies lead on this, the support of all partners in gathering and recording information/evidence is vital. All those involved in working with a child who is suspected to be at risk of sexual exploitation, should gather record and share relevant information in line with their agency practice and LSCB procedures. Parents and carers should also be encouraged and supported to do so, ensuring that information is recorded appropriately, as this may be required in subsequent criminal proceedings.

Any meeting in respect of individual children at risk of harm from sexual exploitation should consider developing a disruption plan for offenders. The plan should identify who is responsible for undertaking the work, it should be shared with the agencies involved and timescales for a review meeting agreed. Disrupting offenders is an important part of local work to tackle child sexual exploitation. A disruption plan could involve a number of activities, which are described below.

## Definition

Swindon and Wiltshire have adopted the following definition of sexual exploitation taken from statutory guidance:-

*"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 (a) in exchange for something the victim needs or wants, and/or (b) 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."*

## Identify and safeguard children and young people at risk of or are being sexually exploited

All partners will raise awareness of the signs and indicators of CSE as well as those children and young people who are more vulnerable to being targeted for sexual exploitation. LSCB procedures provide a screening tool that should be used by staff working in all agencies to identify children and young people at risk of, or those who are being sexually exploited. Particular consideration will be given to considering whether children and young people who go missing from home or care are at risk of, or being sexually exploited.

LSCB procedures will be followed in cases where risk of harm from sexual exploitation is identified. Wiltshire Police will use a child abuse non-crime report to record all operational activity and a CSE flag should be used for cases identifying CSE concerns.

Each 'victim of CSE', those 'at risk of CSE' and CSE suspect/offenders will be flagged on niche. In appropriate cases they will also be flagged on PNC. This promotes a child and victim centred response as well as to ensure Community Policing Teams are aware of the concerns and actions required.

## Intelligence Gathering and Information Sharing

Strong links have been identified between different forms of sexual exploitation; running away from home, gang activity, child trafficking, substance misuse and internet/mobile phone grooming and abuse. Professional responsibility is to safeguard children, therefore, in addition to assessing and

responding to the needs of individual children, broader responsibilities include deterrence and disruption of those who wish to exploit.

Perpetrators may act in isolation or within organised groups and disclosure from victims is rare, therefore, the need to 'work together' in the sharing and exchange of information is crucial. Wiltshire Police have developed an **information sharing form (Appendix A)** for use by multi-agency partners. Due to the nature of information often being anecdotal or unsubstantiated, such sharing must be completed with sensitivity to data protection, confidentiality and human rights. However, it is often small seemingly innocuous pieces of information that come together to identify those who present risk.

In using the 'information sharing' tool, practitioners or others must submit the information securely to Wiltshire Police via: [CSEPPD@wiltshire.pnn.police.uk](mailto:CSEPPD@wiltshire.pnn.police.uk)

The information will be assessed by Wiltshire Police and filtered through police intelligence systems as appropriate.

The purpose of the information sharing tool is for agencies to record any information that may be important and relevant for the police in order to build intelligence, for example:

- Vehicle details including registration/make/model/colour etc.;
- Details/descriptions, including names/nicknames, of suspected perpetrators;
- Details/descriptions of unusual/regular callers to children's homes;
- Phone numbers of suspected perpetrators;
- Address details of suspected perpetrators; and
- Details of any addresses or localities where the child may have been taken This information will help the police keep an overview of linked crimes/cases etc. and help build intelligence and a bigger picture in relation to organised criminal networks etc.

### **Tackling Perpetrators**

Positive action should always be taken when tackling perpetrators. There may not be enough grounds to arrest a perpetrator, but when a perpetrator is identified, positive action should always be taken and a perpetrator should be held to account for their actions. The next part of the document provides information regarding policing powers, orders and disruption tactics which can be used to hold perpetrators to account for their behaviour. The overview that follows does not provide an exhaustive list and each case should be considered on a case by case basis using a problem solving approach.

# Police Powers

## Children Act 1989

### Section 46 Police Powers of Protection

Police protection states:

Where a constable has reasonable cause to believe that a child would otherwise be likely to suffer significant harm, he may –

- a) remove the child to suitable accommodation and keep him there; or
- b) take such steps as are reasonable to ensure that the child's removal from any hospital, or other place, in which he is then being accommodated is prevented.

Child in this context is a person under 18 years.

This is a key power which should be used whenever potential victims are found in the company of potential perpetrators and they refuse to accompany the police voluntarily.

### Section 49 Abduction of Children in Care

This states that it is an offence if someone knowingly and without lawful authority or reasonable excuse takes a child who is subject of a care order, emergency protection order (EPO) or police protection order;

- a) away from the responsible person; or
- b) keeps such a child away from the responsible person; or
- c) induces, assists or incites such a child to run away or stay away from the responsible person.

This is a summary offence.

## Child Abduction Act 1984

### Section 2 Abduction of Child by Other Persons

This provides an offence in relation to the taking or detaining of a child under 16 years:

- a) where the offender is not connected with the child so as to remove him from the lawful control of any person having lawful control of the child; or
- b) so as to keep him out of the lawful control of any person entitled to lawful control of the child.

It is a defence to this offence for the defendant to show that he believed the child to have attained the age of 16.

This is an either way offence.

### Child Abduction Warning Notices

In order to eliminate defences regarding knowledge of the child's age or the fact that they were subject to an appropriate order, it is practice to issue abduction warnings so that any subsequent occurrence can be dealt with by way of arrest. However, where it appears the offence is disclosed officers must consider arresting for the offence irrespective of whether a warning has been issued.

## Sexual Offences Act 2003

### Section 14 Arranging or Facilitating Commission of a Child Sex Offence

This makes it an offence for a person intentionally to arrange or facilitate any action which he intends to do, intends another person to do or believes that another person will do, in any part of the world, which will involve an offence being committed against a child under any of sections 9 to 13 (includes sexual activity with a child).

- 14(1) A person commits an offence if –
- a) he intentionally arranges or facilitates something that he intends to do, intends another person to do, or believes that another person will do, in any part of the world; and
  - b) doing it will involve the commission of an offence under any of sections 9 to 13.

### **Section 15 Meeting a Child Following Sexual Grooming**

This makes it an offence where a child under 16 travels to meet the adult or the adult arranges to meet the child, following two earlier communications, if the adult intends to commit a sexual offence against the child during or after the meeting.

- 15(1) A person aged 18 or over (A) commits an offence if –
- a) A has met or communicated with another person (B) on at least two occasions and subsequently -
    - i. A intentionally meets B;
    - ii. A travels with the intention of meeting B in any part of the world or arranges to meet B in any part of the world; or
    - iii. B travels with the intention of meeting A in any part of the world,
  - b) A intends to do anything to or in respect of B, during or after the meeting mentioned in paragraph (a)(i) to (iii) and in any part of the world, which if done will involve the commission by A of a relevant offence,
  - c) B is under 16; and
  - d) A does not reasonably believe that B is 16 or over.

### **Section 58 Trafficking Within the UK for Sexual Exploitation**

This makes it an offence for a defendant:

- a) intentionally to arrange or facilitate travel within the UK of a person where the defendant intends to do anything to, or in respect of that person that would result in the commission of a relevant offence involving that person; or
- b) where he believes that another person is likely to do something to, or in respect of that person that would result in the commission of a relevant offence involving him.

In both cases, the relevant offence must take place during or after the journey but may take place anywhere in the world.

This offence is intended to apply both to UK nationals who are moved from one place to another in the UK to be sexually exploited as well as to others, including foreign nationals, who are trafficked into the country to be sexually exploited. It would cover, e.g. a child from Birmingham moved for example to Stockport as well as within Local Authority boundaries to be sexually exploited and also a child who had been trafficked to Calais from Eastern Europe, and from there on to another part of the UK to be involved in exploitation.

This is the first time that the trafficking of UK nationals within the UK has been tackled in legislation. A relevant offence is any offence under the act.

## **Serious Crime Act 2015**

### **Section 67 Sexual Communication with a Child**

Section 67 of the Serious Crime Act 2015 inserts a new offence into section 15A Sexual Offences Act 2003, criminalising sexual communication with a child. The offence will be triable either way and will carry a maximum 2 year prison sentence. It will automatically attract the notification requirements for registered sex offenders under the Sexual Offences Act 2003. The new offence will apply in England and Wales.

These changes will:

- criminalise a person aged 18 or over who intentionally communicates with a child under 16, who the adult does not reasonably believe to be 16 or over, if the communication is sexual or if it is intended to encourage the child to make a communication which is sexual. The offence will be committed whether or not the child communicates with the adult.
- The offence will apply only where the defendant can be shown to have acted for the purposes of obtaining sexual gratification and is subject to a 2 year maximum prison sentence.

The offence applies equally to online and offline communications and irrespective of the way the communication is made (e.g. it will apply to oral communications and written notes as well as to e-mails and text messages).

## **Police and Criminal Evidence Act 1984 (PACE)**

There is no power of entry to exercise this power but section 17 (1) e of PACE may provide such grounds where there is concern that the victim may be at risk of serious harm. Clearly the commission of a sexual offence against a child would amount to such harm.

It gives the police power to remove a child from the company of a person who may expose them to significant harm.

### **Key power**

This is a key power which should be used whenever potential victims are found in the company of potential perpetrators and they refuse to accompany the police voluntarily. For example, you find a 14 year old girl in a car in the city centre at 2 a.m. with a 28 year old man.

If you are not satisfied that there is a legitimate reason why the girl is with the man and you suspect she is there without the knowledge and consent of her carers or have any other grounds to believe that the girl is at risk of significant harm from the man, you must not simply take details and leave the girl with the man.

If she refuses to accompany you make use the above power to remove her to suitable accommodation. This is likely to be the child's home if this is safe to do.

### **Suitable Accommodation**

A police station is not suitable accommodation. A child under police protection should not be brought to a police station except in exceptional circumstances, e.g. lack of immediately available local authority accommodation.

If it is 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.

## **Anti-Social Behaviour, Crime and Policing Act 2014**

### **Part 9 – Protection From Sexual Harm and Violence**

#### **Section 114: Sexual Harm Prevention Orders and Sexual Risk Orders**

Sexual Harm Prevention Orders and Sexual Risk Orders were introduced by the Anti-Social Behaviour, Crime and Policing Act 2014. They replace the previous Sexual Offences Prevention Orders, Risk of Sexual Harm Orders and Foreign Travel Orders which were introduced by the Sexual Offences Act 2003.

**Sexual Risk Orders** can be made where a person has done an act of a sexual nature as a result of which there is reasonable cause to believe that it is necessary for such an order to be made, even if they have never been convicted.

The court needs to be satisfied that the order is necessary for protecting the public, or any particular members of the public, from sexual harm from the defendant; or protecting children or vulnerable adults generally, or any particular children or vulnerable adults, from sexual harm from the defendant outside the United Kingdom.

The Orders prohibit the defendant from doing anything described in the order, and can include a prohibition on foreign travel (replacing Foreign Travel Orders which were introduced by the Sexual Offences Act 2003).

A prohibition contained in a Sexual Risk Order has effect for a fixed period, specified in the order, of not less than 2 years, or until further order. The Order may specify different periods for different prohibitions.

Failure to comply with a requirement imposed under an Order is an offence punishable by a fine and/or imprisonment.

**Sexual Harm Prevention Orders** can be applied to anyone convicted or cautioned of a sexual or violent offence, including where offences are committed overseas.

The court needs to be satisfied that the order is necessary for protecting the public, or any particular members of the public, from sexual harm, or protecting children from sexual harm from the defendant outside the United Kingdom.

The Orders prohibit the defendant from doing anything described in the order, and can include a prohibition on foreign travel (replacing Foreign Travel Orders which were introduced by the Sexual Offences Act 2003).

A prohibition contained in a Sexual Harm Prevention Order has effect for a fixed period, specified in the order, of at least 5 years, or until further order. The Order may specify different periods for different prohibitions.

Failure to comply with a requirement imposed under an Order is an offence punishable by a fine and/or imprisonment.

### **Sections 116 – 118: Hotels Provision in relation to Child Sexual Exploitation**

Allows the police to require hotels and similar establishments, at which they reasonably believe child sexual exploitation is taking place, to provide to the police information about guests: this will include the guest's name and address, and other information which will be prescribed following consultation with the police and the hotel industry, for example, age. The information supplied will be a source of valuable intelligence to support the investigation of any criminal offences which are being committed on the premises and help close the net on paedophile rings.

The provisions will work by creating a power for a police officer, of at least the rank of Inspector, to serve a notice on a hotel operator requiring the operator to provide the names and addresses of guests and any other prescribed information. The notice would specify how frequently the information must be provided, and over what period of time. The specified period will be no more than six months, although the police may serve a subsequent notice on the expiry of that period.

The officer must reasonably believe that the hotel has been used for the purposes of child sexual exploitation, or conduct that is preparatory to, or otherwise connected with, child sexual exploitation. The hotel operator will commit a criminal offence if they fail to comply with the notice, without a reasonable excuse. It would also be an offence to provide information without taking reasonable steps to verify it or knowing it to be incorrect. Prosecution of these offences would be heard in the magistrates' court, with a maximum penalty on conviction of a level 4 fine (currently £2,500).

However, the hotel operator is only expected to take reasonable steps to obtain the information or verify it. A person served with a notice would have a right of appeal to the magistrates' court. We would expect this targeted power to be used around 10 times a year and, as such, the impact on business is expected to be minimal. Subject to implementation of provisions in the Legal Aid, Sentencing and Punishment of Offenders Act 2012 relating to maximum fines which may be imposed on summary conviction.

### **Section 116: Information about guests at hotels believed to be used for child sexual exploitation**



*Subsection (1)* confers a power on a police officer, of at least the rank of Inspector, to serve a notice on the owner, operator or manager of a hotel that the officer reasonably believes has been or will be used for the purposes of child sexual exploitation or conduct preparatory to or connected with it. For the purposes of section 116, “child sexual exploitation” is defined with reference to a range of offences set out in subsection (8), for example, rape, abuse of children through prostitution and pornography and abuse of a position of trust.

*Subsection (2)* specifies the matters which must be contained in the notice. These include an explanation of the information that a constable may require the person issued with a notice to provide, avenues of appeal against a notice, and the consequences of failure to comply. The notice must also specify the period for which it has effect, which, under subsection (3), must be no more than six months.

*Subsection (4)* provides that a constable may require a recipient of the notice to provide the information described in subsection (5). This is restricted to the names and addresses of guests and other prescribed information that can be obtained readily from guests themselves. The other prescribed information may be specified in regulations made by the Secretary of State.

*Subsection (6)* provides that any such requirement must be in writing and specify both the time period to which it relates and when the information is to be provided.

### **Section 117: Appeals**

*Subsection (1)* confers a right of appeal to the magistrates’ court on a person issued with a notice. Any appeal must be brought within 21 days of the date of issue of a notice (subsection (2)).

*Subsection (3)* has the effect that any requirement imposed by the notice does not have effect while the appeal is outstanding.

*Subsection (4)* prescribes that the court may quash the notice, modify the notice or dismiss the appeal on hearing an appeal.

### **Section 118: Offences**

*Subsections (1) and (2)* make it an offence to fail without reasonable excuse to comply with a requirement in notice, which includes providing in response to a notice incorrect information which the defendant either:

- i. fails to take reasonable steps to verify; or
- ii. knows to be incorrect.

However, *subsection (3)* provides that an offence is not committed if there were no steps that the person could reasonably have taken to verify the information or to have it verified.

*Subsection (4)* provides that a person guilty of an offence under this section is liable on summary conviction to a maximum penalty of a level 4 fine (currently up to £2,500).

# Court Orders

## Asylum and Immigration (Treatment of Claimants, etc.) Act 2004

### Vehicle Seizure

Section 4 introduces new criminal offences of trafficking in people, either into, within or out of the UK for the purpose of exploitation.

Any vehicle, ship or aircraft used during the commission of offences contrary to Section 4 may be seized by a police constable or senior immigration officer. The transport used may be detained, pending a decision to charge. If charged and convicted on indictment, the court may order forfeiture of the transport used.

## Anti-Social Behaviour, Crime and Policing Act 2014

### Civil Injunction

The Anti-Social Behaviour, Crime and Policing Act 2014 gives courts on application by the Council (or the police) powers to grant injunctions for anti-social behaviour against a person aged 10 or above if they are engaged, or threaten to engage in, anti-social behaviour or to prevent them from engaging in anti-social behaviour. The order which can prohibit the respondent from doing anything, or require the respondent to do something described in the injunction has an obvious application for banning individuals who may approach children in public places such as parks or particular localities.

## Protection from Harassment Act 1997

### Restraining Orders

Restraining orders are made by a court under Section 5 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. They should be applied for in any CSE related prosecution even where the victim has not requested the order to be made.

## Sexual Offences Act 2003

**Sexual Harm Prevention Orders and Sexual Risk Orders** were introduced by the Anti-Social Behaviour, Crime and Policing Act 2014. They replace the previous Sexual Offences Prevention Orders, Risk of Sexual Harm Orders and Foreign Travel Orders which were introduced by the Sexual Offences Act 2003.

The following offences, contrary to the Sexual Offences Act 2003, are qualifying offences for these orders under the Serious Crime Prevention Act 2007 (the wording below is taken from the statute):

<b>Section</b>	<b>Offence</b>
14	arranging or facilitating commission of a child sex offence;
48	causing or inciting child prostitution or pornography;
49	controlling a child prostitute or a child involved in pornography;
50	arranging or facilitating child sexual exploitation of a child;
52	causing or inciting prostitution for gain;
53	controlling prostitution for gain; or

**Injunction under the High Court's inherent Jurisdiction.**

The recent case of Birmingham City Council v Riaz demonstrates that the High Court is willing to exercise its inherent jurisdiction to grant Injunction Orders following an application by the Council against perpetrators of CSE. The orders in the Birmingham case included injunctions prohibiting the men having any direct or indirect contact with the child or approaching them in a public place or having any young person under 18 in their car with whom they are not previously associated. The court agreed to allow publication of the names of the persons against whom the orders were made. It is important to note that the High Court does not have jurisdiction to attach powers of arrest to any term of the injunctions, which makes the policing of these orders very difficult.

# **Powers of Specific Council Departments**

There are a number of other powers specific to certain local Authority departments which can be used to disrupt CSE which are as follows:

## **Child protection powers**

The Council has a duty under Section 47 Children Act 1989 to investigate and make enquiries in relation to children in its area where the Council has reasonable cause to suspect that a child is suffering, or is likely to suffer, Significant Harm (including through child sexual exploitation) or where a child is subject to a police protection order or emergency protection order. The Council has the power to apply to the court for an emergency protection order for emergency protection of a child (under the age of 17) and/or an interim and final care order which the court can grant if set grounds under the Act are satisfied. If granted these orders give the Council parental responsibility and the power to remove/keep a child in accommodation provided by the Local Authority. Where a child is section 20 accommodated or under an EPO, Interim/final care order the Council can (provided it can satisfy the grounds as set out in the children Act) place a child in secure accommodation for up to 72 hours and can apply to the court to keep a child in secure accommodation for a longer period.

## **Local Authority Planning Department**

Every Local Authority has Planning Enforcement Officers, whose role is to investigate breaches of planning control including unauthorised buildings, unauthorised uses of land and buildings, the regular monitoring of developments for which planning permission has been granted to ensure compliance with the terms and conditions of a planning permission, untidy land, illegal advertisements and the illegal stationing of caravans on land, initiate action and co-ordinate activity to secure removal.

## **Public Protection Teams**

Local Authority Public Protection Teams comprise the three functions formerly known as: Trading Standards; Environmental Health and Licensing. There are numerous detailed and specific powers available to Public Protection Teams as defined in numerous forms of government legislation. These powers can best be summarised as being access to trade premises during business hours usually without giving notice. Typically, this would involve visits to premises for routine inspection, for example: food safety, health and safety, compliance with licensing conditions.

## **Local Authority Revenues and benefits Team**

Local Authority Revenues and Benefits Teams predominately deal with Benefit Fraud in relation to Housing Benefit and Council Tax Benefit as well as investigating DWP benefits such as Job Seeker's Allowance and Disability Living Allowance under the Welfare Reform Act 2007. Each Benefit Fraud Investigator is an authorised officer in accordance with the Social Security Administration Act 1992. They can exercise powers under Sections 109b and 109C in respect of Housing Benefit and Council Tax Benefit. In addition they can exercise such powers under The Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013. Under the above powers an employer is legally required to provide any information requested about employees such as wage details, bank details, next of kin, National Insurance number, date of birth, period of employment, address, etc.

## **Strategic Housing**

Under the Housing Act (2004 Parts 1-4) which applies to all residential premises within an area the Council has powers to deal with both property conditions affecting the health and safety of its

occupants and the management of such premises. This legislation can be applied to any premise that is being used for residential purposes, for example domestic dwellings, commercial outbuildings, etc. It can also be applied to deal with empty dwellings.

The Local Housing Authority (LHA) also has a duty to:

- i. Inspect the condition of all housing stock within its area;
- ii. Deal with category one hazards and has the power to deal with any category two hazards found within a residential premise and has a range of enforcement powers including powers of entry available to them to carry out this function;
- iii. Licence all mandatory Houses of Multiple Occupation (HMOs) within its Borough (HMOs are when five or more unrelated people are living in three or more storeys of a premise).

## **Section 222 Local Government Act 1972**

A local authority can bring criminal or civil proceedings in its own name, including applying for injunctions, where it considers it expedient for the promotion or protection of the interests of the inhabitants of their area. Local authorities may use this provision to enforce their Children Act duties – as such wide-ranging injunctions could be obtained against known perpetrators.

# Tactical Options – disruption and investigation

CSE cases are complex, often lengthy and need detailed management, policy logs and investigation strategies, there should be frequent consultation between the officer in charge of the case and their supervisor.

The most significant barrier to success is the non-engagement of the victim. Investigation and prosecution, however, are only a part of a four part strategy which also includes prevention, protection and support for victims.

In addition to using police powers and court orders there are many disruption activities you can undertake in respect of CSE:

**It is important that every opportunity is taken to disrupt the activity of possible perpetrators and this could be as a minimum for uniformed officers to speak with the perpetrators about their associations with the victims.**

## Child Abduction Warning Notices

Ensure that any Child Abduction Warning Notice that is served on a nominal is flagged and recorded on niche (Wiltshire Police case management system) together with the location of that notice so that it can be used in evidence if the suspect is arrested. PNC should also be updated.

## Accredited Professional Practice – College of Policing

<http://www.app.college.police.uk/app-content/major-investigation-and-public-protection/child-sexual-exploitation/>

## ANPR

Vehicles are a common feature of CSE investigations, for example –

- To collect victims outside children's homes;
- To transport victims between towns;
- To act as the location for sexual encounters; or
- To cruise the streets looking for children to approach.

You can use ANPR entries and PNC flags to ensure that vehicles believed to be being used for these purposes are stopped and checked regarding the presence of potential victims.

Submit V25 to PNC Bureau to ensure that vehicles believed to be being used for CSE purposes are stopped and checked regarding the presence of potential victims. It is essential that clear directions are given to officers who may stop the target vehicle in terms of action to be taken.

The primary objective is to safeguard any vulnerable child in the vehicle, conducting full intelligence checks and consider police protection –

- Obtain full details of all other occupants and submit for intelligence purposes.
- Take positive action and arrest for any offences that become apparent.
- Preserve the vehicle for forensic examination.
- Inform CSE Team.

## Briefing

You should routinely circulate pictures and details of potential victims and perpetrators along with vehicle details to CPTs. This ensures that staff are aware, can obtain intelligence and intervene, e.g. stopping known vehicles and using police protection powers where potential victims are found in the company of suspected perpetrators.

## CCTV

You should integrate CCTV into any CSE problem solving model or investigation plan. Similarly, regular briefings of CCTV operators regarding CSE hotspots, victims, missing from homes and perpetrators will generate intelligence about them.

## **Disruption Notices**

A disruption notice should only be issued after consultation with and approved by the Detective Inspector CSE & Missing, Public Protection Department. A full rationale as to why the notice was issued should be documented on niche, a copy of the notice, along with the issuing officers statement should then be saved to the respective niche occurrence and a flag added to niche.

## **Covert Tactics**

Consider covert tactics where appropriate.

## **CHIS**

Covert human intelligence source recruitment and tasking Information. CHIS recruitment and tasking for CSE nationally is poor bordering on non-existent and this needs to improve.

## **Crown Prosecution Service (CPS)**

The CPS follow the same definition the Police and LSCB do (as agreed by the National Working Group).

Regular meetings to discuss cases would prove beneficial and may improve the strength of a case by the time it reaches court if CPS have given it an early steer in terms of evidence collection.

CPS Procedures for prosecuting child sexual offences

[http://www.cps.gov.uk/legal/a\\_to\\_c/child\\_sexual\\_abuse/](http://www.cps.gov.uk/legal/a_to_c/child_sexual_abuse/)

## **DNA and Other Forensic Examination**

If there is evidence that some sexual activity has taken place between a perpetrator and a victim, you should seize and preserve evidence, e.g., appropriate items of the victim's clothing. You should do this even when no complaint is made.

**Scene searches** should be conducted with CSI attendance and advice.

- Conditions at location: If a victim has been kept at a location, you should record the conditions in which they were kept as well as conduct a forensic examination, e.g. to identify if the premises have been used by large numbers of men for sexual purposes.
- Preservation: DNA may identify a significant number of perpetrators and it is vital that you preserve evidence to support any future disclosures that the victim may make.
- Investigating a specific crime: If you are investigating a specific crime, you may obtain DNA from a victim for comparison with recovered forensic evidence using the elimination kits and DNA forms policy procedure.
- Vulnerable persons DNA database: If you believe a child is at risk of sexual exploitation, you may take a volunteer sample and submit it for inclusion on the Vulnerable Persons DNA Database (VPDD). The DNA Bureau will seek authority from the DNA Strategy Board to use this sample for elimination purposes in all CSE cases where the donor is the suspected victim.

## **Financial Investigation**

If you suspect children are being trafficked for sex and the perpetrators are profiting financially, you should liaise with the local POCA team/financial investigators regarding the options and agree an investigation strategy. This may be relevant where the perpetrator is also believed to be involved in drugs offences.

In addition to identifying any financial transactions in relation to trafficking, an investigation may reveal travel histories and spending information, e.g. hotel stays which you can follow up; and disclose other offences which the perpetrator can be prosecuted for such as tax evasion or benefit fraud.

**Flagging and warnings** – niche will be used to flag those 'at risk' and 'victims' of CSE, also suspects/offenders. PNC will also be updated in appropriate cases.

If you believe that potential victims are frequenting a suspected perpetrator's address, particularly where a Child Abduction Warning has been given, you may make visits to the perpetrator's home address to ensure that at risk children are not present; and reinforce previous advice. Officers should

be mindful of the potential risk escalation to victims, following any visit that is made to perpetrators and ensure that appropriate steps are taken to mitigate and prevent that risk.

### **Hotspot management**

A number of locations repeatedly feature in national CSE investigations, these include:

#### **1. Hotels**

Where hotels are known to be frequented by CSE perpetrators and the management are failing to prevent this, you should consider:

- liaising with the Trading Standards regarding compliance with legislation, e.g. under the Business Names Act 1985 owners of hotels must display a notice showing the owner's name where it is not the same as the business name, and regulations, e.g. fire regulations and registers must be kept of guests over 16 years of age.
- routine high visibility visits;
- meetings with area and regional management;
- using abduction warnings for management and staff;
- seizing CCTV footage and guest registers (See Police Powers);
- forensic examination of rooms;
- obtaining payment details used by perpetrators; and
- covert observations.

#### **2. Parks**

Parks can be the location of initial contact between victim and perpetrator; or sexual offences. If you identify a particular park as featuring regularly in occurrences, you should liaise with the local authority to agree a joint action plan and consider:

- high visibility patrols with stop checks of potential victims / perpetrators and submitting intelligence; or using covert surveillance.
- briefing park staff regarding perpetrators / victims;
- reviewing available CCTV and tasking of CCTV operators; installing lighting if specific locations are identified;
- outreach
- considering using warning notices regarding police patrols/CCTV etc.

#### **3. City Centres**

If you identify a number of regular locations in city/town centres, e.g. fast food takeaways, bus stations or other particular locations, you should consider:

- briefing police community support officers (PCSOs) and community policing teams (CPTs) and high visibility patrols
- briefing to relevant staff from other agencies (local authority, security guards, bus station staff); using CCTV and briefing to CCTV operators;
- outreach; and
- using covert observations including photographing potential perpetrators if possible.

#### **4. Takeaways and Taxi Firms**

If a takeaway is frequently linked to CSE incidents and the staff/ proprietors are uncooperative, you should consider:

- briefing PCSOs and CPTs and high visibility patrols at relevant times;
- using Abduction warnings
- prosecuting if evidence available regarding child abduction offences or s14 Sexual Offences Act offence;
- covert surveillance including potentially mobile surveillance where it is suspected victims are being trafficked from premises;
- liaising with Local Authority Licensing and Trading Standards and in the case of taxis the local authority taxi licensing authority with a view to revoking licences; and
- liaising with the Department of Work and Pensions and UK Border Agency regarding illegal employees.



## **5. Children's homes**

Some perpetrators target children's homes and will park near to them, contact the victim by 'phone and arrange for them to leave and meet them. You should consider:

- liaising with Children's Services to ensure that unauthorised absence incidents not reported to the police are being recorded by the local authority and patterns notified to the police;
- preparing police/children's services action plans agreeing joint actions should the potential victim go missing;
- briefing staff regarding identities, photos and vehicle details of potential perpetrators and collating and analysing intelligence from care home staff regarding incidents e.g. details of vehicles seen etc.
- high visibility patrols at relevant times;
- covert observations and potentially mobile surveillance with the home as a pick up point;
- consider moving the victim to new accommodation to prevent contact and breakup groups of victims who may go missing together; and
- collecting potential sources of evidence by home staff, e.g. mobile 'phone lists (often kept by victims who fear their sim cards may be confiscated) and clothing when the victim returns and it is believed sexual activity has taken place.

## **6. Schools**

Schools may be identified as having particular issues in connection with CSE because one child has been targeted and is drawing friends into the abuse or because perpetrators may live locally or have attended the school themselves. You should consider:

- briefing staff with identities, photos and vehicle details of potential perpetrators;
- collating and analysing intelligence from staff regarding incidents
- school staff recording all unauthorised absence incidents;
- Talk to pupils about CSE issues and high visibility patrols at relevant times;
- covert observations and potentially mobile surveillance with the school as a pick up point;

### **Immigration Status**

If you suspect a perpetrator may be a recent arrival in the UK, you should make enquiries with the UKBA to establish their immigration status.

**Storm logs** Please ensure the CSE tag is used.

### **MAPPA Referral**

If the appropriate criteria are met, you could refer the perpetrator into MAPPA.

### **Medical Examinations**

Except in the case of very young children, the victim must normally consent to a medical examination.

### **National Referral Mechanism**

The National Referral Mechanism (NRM) is a framework for identifying victims of human trafficking and ensuring they receive the appropriate protection and support. The NRM is also used by the United Kingdom Human Trafficking Centre (UKHTC) to collect data about victims. This information contributes to building a clearer picture about the scope of human trafficking in the UK.

Potential victims of trafficking must first be referred to one of the UK's two competent authorities in order to be referred to the NRM. This initial contact and referral will usually be dealt with by an authorised agency (known as first responders) including the police, Local Authority Social Care Services or certain Non-Governmental Organisations (NGOs).

### **Partner Agencies**

Other agencies such as children's services, youth offending etc., may have a wealth of intelligence and should be utilised when building a picture. For example intelligence can be developed by sharing it with partners (when appropriate) to help identify perpetrators.

### **Probation Service**

You could liaise with probation service staff regarding enforcing licence conditions and recall to prison.

## **Recording Intelligence**

You could ensure that any intelligence you receive regarding suspected perpetrators and victims is entered on niche (police case management system), incorporating CSE flagging and continuously reviewed.

## **Registered sex offender**

You could manage the perpetrator as a registered sex offender, if applicable.

**Professional's Handbook for Tackling CSE:** CSE can be easy to miss if you do not know the signs. More information can be obtained by professionals via Swindon LSCB Website and Wiltshire LSCB Website, links below:

<http://www.swindonlscb.org.uk/wav/Pages/CSE.aspx#>

<http://www.swindonlscb.org.uk/wav/Documents/CSE%20Handbook.pdf>

<http://www.wiltshirescb.org.uk/child-sexual-exploitation-professionals/>

[http://wiltshirescb.org.uk/wp-content/uploads/2016/11/WSCB\\_CSE\\_Handbook\\_2015.pdf](http://wiltshirescb.org.uk/wp-content/uploads/2016/11/WSCB_CSE_Handbook_2015.pdf)

## **Targeted patrolling**

You could conduct targeted patrols in areas where children regularly go missing, e.g. takeaways, parks, taxi offices, bus/rail stations and similar locations where young people congregate.

## **Targeting for Other Offences**

You could target perpetrators for other offences, e.g. motoring or public order offences.

## **Technology**

You must always conduct Section 18 PACE searches of the perpetrator's premises and vehicles when investigating CSE to preserve and secure relevant evidence.

- Mobile phones: Lists of mobile phone numbers are often received from carers or agencies. You can check these using niche to potentially identify the victim's network and potential perpetrators. You can conduct further subscriber checks and reverse billing enquiries to widen this network and obtain valuable intelligence.
- You may find that patterns of phone calls may also disclose evidential material of value, e.g. if a victim's absences from a care home coincide with the receipt of calls from one number.
- Indecent images. You should check the perpetrator's mobile 'phone as it may contain indecent images of the victim taken with it or emailed to it.

## **Victim Mobile Phone Tactical Options**

- If the victim's mobile phone number is known but the victim is not cooperative in handing the phone to police, an application can potentially still be made to obtain details of all incoming and outgoing telephone calls. This information request is limited to a specified time frame, but would be an option to consider on return from a missing episode.
- If police are able to gain possession of the relevant mobile phone either directly from the victim or via the carer, it is possible to extract all relevant data from the phone, including text message content, photo's etc. This procedure will be carried out by phone examiner. It is possible for this data to be downloaded in a surprisingly short time, therefore any unexpected possession of a victim's phone, no matter how short, may be an opportunity for data to be extracted. In order for e-forensics to be able to complete an examination under normal circumstances, it would be preferable for them to have the phone for at least 12 - 24 hours.
- Billing and historic cell site enquiries can be completed also on the victim's mobile phone under a RIPA authority. There would be a cost implication for the police, but the phone would not need to leave the children's possession for this to occur.
- Covert download of phone content, i.e. text/digital media/email, would be more difficult and would require the phone to be taken into police possession for several hours. This would be more beneficial following a missing episode and could be achieved for example if the parent / guardian confiscated the phones for 24 hours as a punishment for going missing. As before a RIPA would be required to examine the content of the phone.

### **Facebook and Other Social Media**

The police can access open Facebook/Twitter pages without the owner being aware that the page is being viewed. Although CSE victims typically only allow access to identified 'friends' this may still disclose some information. You should consider gaining the appropriate authority to gain further access.

### **Laptops and Computers**

If a victim is using one laptop or computer, you may be able to monitor the activity on it. In any investigation, you must seize all computers, 'phones, storage devices and so on for examination.

### **Tenancy Breaches**

You should liaise with housing officers, tenancy enforcement and landlords over potential breaches of tenancy agreements or housing contracts with recommendations to take action against the perpetrators.

**Trigger Plans** Please refer to niche – events/reports tab for children where CSE Trigger Plans will be attached as a document.

### **UK Human Trafficking Centre (UKHTC) and Child Exploitation and On-line Protection (CEOP)**

UKHTC and CEOP can offer tactical advice on the conduct of organised and complex CSE investigations.

**Vehicle stop checks** Conduct proactive stop/checks of vehicles of suspects known to be engaged in CSE.

### **Warrants**

When you are investigating offences of rape and other serious indictable offences you can use:

- PACE warrants to search premises for material that is likely to be relevant evidence;
- Protection of Children Act allows entry and search where there are reasonable grounds for suspecting the presence of indecent photographs or pseudo photographs of children on the premises;
- S50 Children Act 1989 order authorises you to enter and search premises for a child where there is reason to believe that a child who is subject of a care order, emergency protection order or police protection order is being held in circumstances amounting to an offence under s49 of this act (keep away child without lawful authority);
- Misuse of Drugs Act – If there is a strong link between drug dealing and men engaged in CSE and you are finding it difficult to obtain evidence of CSE offences, you may find it easier to progress possession/supply offences using warrants under this act.

# Appendix A

## Intelligence Submission Form



INFORMATION SHARING WITH WILTSHIRE POLICE RELATING TO  
TRAFFICKING/CHILD SEXUAL EXPLOITATION/CRIMINAL EXPLOITATIONS (GANGS)

v1.3 01/2017

**RESTRICTED (when completed)**

This form is for the purpose of sharing information with police – if the information relates safeguarding concerns or is a new referral regarding a child/young person not previously discussed as part of Multi Agency Child Protection Procedures then refer immediately to Family Contact Point/MASH or the allocated Social Worker if an open case.

Date/time of Report:	
Person submitting report and Contact details: <b>THIS MUST BE COMPLETED – details required – telephone number, email, and address</b>	

How do you know this information? *Tick as appropriate.*

Reporting person (i.e. you) saw it/knows it	
Person who made report to you knows it	
Third party information	
Might be false	
Don't know	

<i>Please complete all questions</i>	YES	NO	If not, how could the Police engage them?
If the information was obtained from another person, would they be willing to engage with the Police?			
Does anyone else know this information?			<b>Who?</b>
How accurate do you believe the information to be? <b>Consult guidance notes below</b>	On a scale of 1 to 5: 1 $\longrightarrow$ 5 (Known to be true beyond doubt) (Suspected to be false)		

### Information

Please provide as much information as possible, including:

- Full names (incl. aliases/streetnames/nicknames)
- DOBs
- Descriptions
- Addresses (incl. frequently attended addresses/locations)
- Dates/time seen
- Vehicle registrations

**Accuracy, Brevity, Clarity is essential**

**Information:**

Email completed form via secure mail to [CSEPPD@wiltshire.pnn.police.uk](mailto:CSEPPD@wiltshire.pnn.police.uk)