

Child Sexual Exploitation

Fact Sheet 1 – An insight into CSE

What is Child Sexual Exploitation?

The revised definition is:

“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 occur through the use of technology”.

This is a vast improvement on the lengthy and unfathomable original definition. Broken down, what does this mean?

Coercion, manipulation and deceit – Most children and young people are initially groomed by a perpetrator without any form of threats or intimidation. However, in certain circumstances such as gang related exploitation, intimidation, threats and the use of force can develop rapidly. Perpetrators use various methods to contact the victim and gain their trust. These may include:

- presents, gifts and treats
- cash
- false promises of friendship, love and affection.
- showing attention and care, devoting time or taking an interest in a child and their activities
- paying compliments
- supplying cigarettes, alcohol and drugs - these may be provided so that the victim becomes increasingly dependent on their supply, with harder drugs introduced later
- offering to pay off a debt
- falsely offering to provide opportunities e.g. modelling, music, acting

Sexual activity includes:

- kissing, touching and rubbing
- masturbation
- taking indecent images or filming
- encouraging children to watch sexual activity
- encouraging children to act in a sexually inappropriate way
- grooming
- digital penetration
- sexual assault
- rape

The type of offenders and the methods they use differ greatly. Whilst most CSE offenders are male, safeguarding professionals should remember that sexual abuse is not solely carried out by adult males. Peer on peer abuse is often quoted as the most common form and there may not be a large age gap between victim and perpetrator. Women too are involved in abuse, sometimes working for a controlling male, but they can also work alone. Below are the widely-accepted forms of exploitation used by perpetrators to coerce, groom and force children into exploitative situations:

Methods

Boyfriend Model – befriending and grooming a young person into a ‘relationship’, then going on to pressure or force the victim to have sex with them, friends or associates. It is common for a boyfriend to be significantly older than the victim, but this is not always the case.

Peer on Peer – a very prevalent form of exploitation. Can typically involve the victim being sexually bullied on social media, at school or within social groups. Increasingly there is evidence that sexual exploitation is endemic in street gangs with sex being used as a commodity in exchange for acceptance, to gain status, initiation, protection, or as a form of punishment or in exchange for drugs.

Inappropriate relationships – usually involves one perpetrator who forms a friendship with the victim and then goes on to exert inappropriate power and control over a young person. Control can be physical, emotional or financial.

Organised/Networked – synonymous with the Rotherham, Rochdale and Oxford exploitation cases. Children are ‘recruited’, then intimidated or forced into sexual activity with multiple men, often being trafficked between groups in different towns and areas.

Familial – exploitation by parents or other relative(s), potentially for financial reasons or linked to drug misuse.

On-Line – exploitation through social networking, chat rooms, instant messaging, dating sites etc. Abuse can take the form of encouraging the child to take part in sexual activity, filming or taking images of the activity, grooming, bullying, harassment, baiting etc. Often this can occur without the child’s realisation. Perpetrators may act alone but also link in with other likeminded individuals, to share indecent images or extreme pornography. In our view this is becoming the most prevalent form of exploitation.

Opportunistic – often involves a predatory paedophile who rather than grooming a child over a long period, seizes a chance to exploit a child by offering a ‘reward’ or money in exchange for sexual acts. In some models, such as online grooming an abuser may take many months to build up the victim’s trust, making them feel loved, wanted and cared for. The aim will be to ensure the child is completely immersed and emotionally involved in the relationship, part of which may also involve encouraging them to disconnect from friends and family. This grooming phase will often happen without the child or young person being aware of what is happening. Once the victim has been ‘taken in’, more persuasive methods can be used to keep control such as:

- physical and sexual violence
- threats and intimidation against them or threats to harm their family
- blackmail (common meaning rather than the UK legal term) such as threatening to circulate images

- psychological control

Levels of CSE risk

There has in the past been some differences in how social care and police look at the varying risk categories of CSE. Although this has improved recently we recommend that all authorities move towards agreed and shared levels of risk. The pan-London CSE Protocol model gives a good example of the varying levels:

Category 1 - A vulnerable child or young person, where there are concerns they are being targeted and groomed and where any of the CSE warning signs have been identified. However, at this stage there is no evidence of any criminal offences.

Category 2 - Evidence a child or young person is being targeted for opportunistic abuse through the exchange of sex for drugs, perceived affection, sense of belonging, accommodation (overnight stays) money and goods etc. This includes being sexually exploited through the use of technology without receiving any reward. i.e. the exchange of indecent images on-line. The likelihood of coercions and control is significant.

Category 3 - A child or young person whose sexual exploitation is habitual, often self-denied and where coercion / control is implicit. This is often carried out by multiple perpetrators.

What is the law around CSE?

CSE is not a specific criminal offence. There have been recent calls for a definite offence of child sexual exploitation to be created, but there has been very little movement on this, mainly because sexual offences against children are already well covered under the Sexual Offences Act 2003. There are several criminal offences and orders that can be used in the fight against perpetrators of CSE. It is important to remember that whilst many criminal offences incorporate ages and consent within their wording, a child groomed and abused by an adult or a peer in a position of power should not be seen as being able to consent. Where sexual activity takes place with the consent of a young person who is 16 or 17 years old professionals should not take this to mean that the young person is no longer at risk of sexual exploitation.

The Sexual Offences Act 2003 has a range of offences that deals with sexual offences against children. These are broadly split into five categories:

- offences against children under the age of 13 – Section 5 to 8
- offences against children under the age of 16 – Section 9 to 15
- offences against children under the age of 18 – Section 16 to 29
- offences of abusing children through prostitution and pornography – Section 47 to 51
- sections 1 to 4 cover the offences of rape, sexual assault and sexual activity of any person regardless of age, although under S5 there is a specific offence of rape of a child under 13 years.

For the full range of offences please follow the link to the government website:

<http://www.legislation.gov.uk/ukpga/2003/42/contents>

Some salient points:

- offences against children under the age of 13 (S5 to 8) are offences regardless of consent or the defendant's belief of the child's age
- offences against children under the age of 16 (S9 to 15) are offences regardless of whether the child consented to the sexual activity but there is a potential defence if the defendant reasonably believed that the victim was 16 years or over
- offences against children under the age of 18 (S 16 to 24) are sexual offences that cover an abuse of position of trust and familial child sex offences
- offences of abusing children through prostitution and pornography (S47 to 51) cover: paying for sexual services of a child, causing or inciting child prostitution or pornography, controlling a child prostitute or a child involved in pornography, arranging or facilitating child prostitution or pornography
- grooming - sexual grooming is committed if an adult has met or communicates with a child on at least two previous occasions, then meets, arranges to meet or travels with the intention of meeting a child under 16, intending to commit a sexual offence

Sexual Harm Prevention Order (SHPO) is an order that can be made by the court where a person has been convicted or cautioned for a sexual or violent offence and whom poses a risk of sexual harm to the public. The order may prohibit the person from doing certain acts including travelling overseas. Where a SHPO is issued the subject of the order comes under the notification requirements for Registered Sex Offenders (RSO) for the duration of the order. The SHPO will be valid for at least a minimum of five years. Breaching the order is a criminal offence punishable by a maximum of 5 years' imprisonment.

Sexual Risk Order (SRO) is an order that can be made by a court where a person hasn't been convicted of a sexual or violent offence but who still poses a risk of sexual harm. The subject of the order must have done an act of a sexual nature and as a result poses a risk of harm to the public. The order may prohibit the person from doing certain acts including preventing travel overseas. The subject of the SRO is required to notify the police of their name and home address within 3 days of the order being made, and to notify any changes to this information within 3 days. The SRO will valid for at least two years and like a SHPO has no maximum duration, with the exception of any foreign travel restrictions which, if applicable must be renewed at certain periods. Breach of the order is a criminal offence punishable by a maximum of 5 years' imprisonment.

Hotel Notices – are notices that require the owner, operator or manager of relevant accommodation to disclose information where intelligence indicates the premises are being or have been used for the purpose of child sexual exploitation. The police, where they reasonably believe that the hotel has been or will be used for the purposes of child sexual exploitation, may serve the owner, operator or manager an order to provide information about their guests. This includes name and address or other relevant information. The specified period cannot be more than six months, although a further notice can be issued if the grounds still exist. The hotel operator commits a criminal offence if they fail to comply with the notice without a reasonable excuse.

We are of course slightly bias, but for more information on CSE we recommend reading the 'The London Child Sexual Exploitation Operating Protocol – 3rd Edition'. Since its inception in 2013 it has become an excellent resource. It can be found at:

<https://www.cscb-new.co.uk/wp-content/uploads/2017/09/LONDON-CSE-PROTOCOL.pdf>

Notes:

