

MULTI AGENCY PROTOCOL 4 CHILDREN AND YOUNG PEOPLE WHO ARE SEXUALLY EXPLOITED THROUGH PROSTITUTION

1.1 Guidance

1.2 Any young person under the age of 18 believed to be or at risk of being sexually exploited through prostitution is a child/young person at risk of significant harm. Any person under 18 years of age, who is involved in prostitution, **should be viewed as a victim of abuse**. *Safeguarding Children Involved in Prostitution, DOH 2000.*

1.3 Services that encounter a child or young person, have a responsibility to safeguard and promote their welfare and to co-operate effectively to prevent children becoming involved in and to divert children out of prostitution. The identification of a child involved in prostitution or at risk of being drawn into prostitution, should **always** trigger the agreed local Area Child Protection Committee (Safeguarding Board) procedures, to ensure the child's safety and welfare and to enable the police to gather evidence about abusers and coercers, *Safeguarding Children Involved in Prostitution, DOH 2000.*

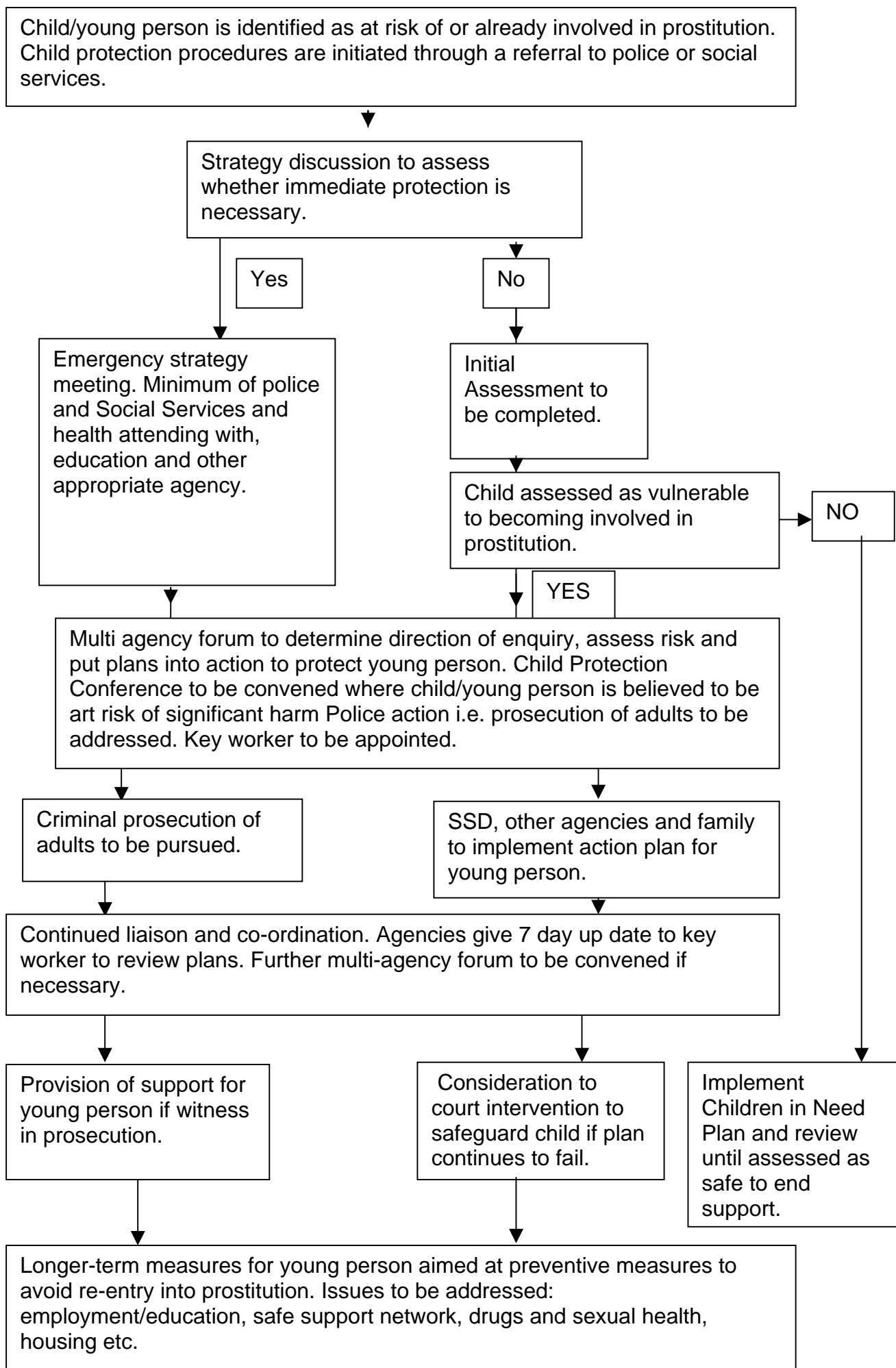
2.1 The Criminal Law relating to prostitution.

2.2 Prostitution is not of itself illegal. There are, however, offences that make the selling (or buying) of sexual services on a street or in a public place illegal. These offences rely on a persistent pattern of illegal activity being established. It is legally possible for a child over age 10 to be charged with one of these offences. Statistics show that in each year children have been cautioned and convicted for soliciting offences. Although the Government does not rule out the possibility that criminal justice action may be necessary in certain circumstances, **it should only be considered where all attempts to divert the child from prostitution have failed.**

2.3 The effect of Section 65 of the Crime and Disorder Act 1998 is that, a prostitute's caution can no longer be issued to a female under 18. This Guidance, therefore replaces Home Office Circular 109/59 in respect of those aged under 18 (both male and female) who are exploited through prostitution, in how to deal with those under 18 who are found to be persistently loitering, soliciting or importuning. *Safeguarding Children Involved in Prostitution, DOH 2000.*

2.4 Many children who are involved in prostitution may not be soliciting or loitering on the streets. They may be found in rooms hidden away from public view. It is important to emphasise that these children are not breaking the law in these circumstances but are being abused and exploited and therefore in need of intervention. Not all children exploited through prostitution will recognise that they are being abused. The process of grooming a child generates trust and dependence from the child to the abuser, they will not always recognise they are being prepared for exploitation. Grooming takes

the form of befriending and supporting the child. Often money and clothes are used to strengthen their bond. The child sees the abuser as a friend or partner and will often be very loyal towards them. The Sexual Offences Act 2003 has made grooming an offence in order to protect children from sexual exploitation.



3.1 Identifying Children involved in prostitution.

3.2 There is no single pattern of how children become exploited through prostitution. The most common factors are vulnerability and low self-esteem. Any agency becoming or being made aware of any child or young person displaying behaviours such as absconding, truancy, older friends (male or female) unexplained sums of money and/or dramatic changes in appearance should consider the possibility that they may be vulnerable to or already involved in prostitution. Substance misuse can also be an indicator of exploitation and increases a young person's vulnerability to being exploited through prostitution. Although these examples do not definitely indicate sexual exploitation, agencies should be aware of the indicators to inform assessment of risk the young person may face. *Safeguarding Children Involved in Prostitution, DOH 2000.*

3.3 Police

3.4 Children involved in prostitution may also come to the attention of the police during unrelated investigations. In these circumstances, the police should consider the need to take immediate appropriate action to safeguard the child. This applies equally if a young person is found loitering or soliciting. See section 5.1.

3.5 Health agencies

3.6 Health professionals from all settings should be vigilant to young people presenting with sexually transmitted diseases, requesting contraception and/or termination advice.

3.6 Education

3.7 Education staff should be vigilant when young people present requesting health advice or are truanting. The emergence of older and significant boy or girl friends can also be a warning regarding the child's vulnerability.

3.8 Self-disclosure.

3.9 Sometimes the young person will disclose that they are involved in prostitution, in these circumstances the young person should be advised that the information would have to be shared with the Police and Social Services. See section 5.5.

4.1 Sharing Information.

4.2 *Working Together to Safeguard Children* provides guidance on the sharing of information. It states that personal information about a child held by professionals and agencies is subject to a legal duty of confidence and should not normally be disclosed without the consent of the subject. However, it stresses that the law permits the disclosure of confidential information necessary to safeguard a child. Disclosure should be justifiable in each case, according to the particular facts of the case and legal advice should be sought in cases of any doubt. **All agencies, including the voluntary sector should refer concerns to their lead Child Protection worker.**

5.1 Handling Individual cases.

5.2 Where a child is possibly involved in prostitution.

5.3 Any agency that is concerned regarding the possibility that a young person is or may be likely to be involved in prostitution should, at the minimum, share their concerns with social services.

- i) This may result in no further action if there is insufficient concern
- ii) Or may lead to an initial assessment being undertaken
- iii) If the child is assessed as not at risk of significant harm but in need, then a child in need plan will be put in place and will involve the child, parents/carers, education, health and any other relevant agency
- iv) Where there is a risk of significant harm identified then a multi-agency forum meeting will be convened see section 5.4.

5.4 Where a child is involved in prostitution or vulnerable to become involved in prostitution.

5.5 Any agency that becomes aware that a child is involved, or on the edge of prostitution, must alert their named Child Protection worker and notify the Police or Social Services, giving as much detail as possible.

- i) A strategy discussion between the police and the manager of the referral team or relevant Long Term Team from Social services will agree the most appropriate action.
- ii) This will trigger a multi-agency forum meeting involving, at minimum the police and social services and where possible, health, parents/carers and any other relevant agency. See appendix for multi-Agency Forum Meeting.
- iii) Alternatively, an initial assessment will be convened in order to assess the needs of the child, this will occur where concerns do not meet the child protection threshold.
- iv) The meeting will assess the level of risk and plan an appropriate response to safeguard the child. Where relevant Child Protection Procedures will be implemented and a key worker appointed to co-ordinate the plan. The option of holding a Child Protection Conference should be considered at this meeting and at any point during the process.
- v) A core assessment will be undertaken.
- vi) Once the risk to the child has been reduced, a prevention of re-entry to prostitution plan will be required to support the child. This will involve issues around employment, housing, support networks and possible support if they are a witness in any prosecution of coercers or abusers.

Prepared by: Agnes Gault, Independent Reviewing Manager, Quality Assurance Team on Behalf of Swindon Policy & Procedures Sub-group

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