

Chapter Eleven

Children and Young People Abused through Prostitution

Introduction

- 11.1 This chapter provides the procedure for dealing with children and young people where it is suspected that they are being abused through prostitution.
- 11.2 The prostitution of children and young people is sexual exploitation and takes the form of the exchange of sexual services for some form of payment such as money, drink, drugs, and accommodation.
- 11.3 This exploitation exposes them to all forms of abuse and assault, can damage their health and may even threaten their lives. It deprives them of their childhood, self-esteem and opportunities for good health, education and training. It results in their social exclusion.
- 11.4 Both genders are at risk of sexual exploitation but the routes in to prostitution and individual experiences are different.
- 11.5 Prostitution is not of itself illegal, though there are offences that make the selling or buying of sexual services on a street or in a public place illegal.
- 11.6 Children and young people under the age of sixteen cannot, by law, consent to sexual intercourse and anyone engaging in sexual activity with a child under the age of sixteen is committing an offence.

Please refer to Chapter 21: Managing Reports of Under Age Sexual Activity.

- 11.7 The Sexual Offences Act 2003 is designed to protect everyone from sexual crimes and has strengthened the law to protect children and young people.
- 11.8 All agencies must seek to recognise situations where children and young people might be involved, or are at risk of becoming involved, in prostitution. It is important that prevention, protection and re-integration strategies are put in place to ensure good outcomes for these children and young people.
- 11.9 Prostitution can have devastating consequences for the individual involved, their family and for the wider community.
- 11.10 All children are vulnerable to prostitution, but particular consideration needs to be given to children looked after in residential and foster care, children and young people missing education, unaccompanied asylum

seeking children and children and young people who may be trafficked, because of their particular needs and circumstances.

Key Aims of the Procedure

11.11 The main purpose of this procedure is to enable all agencies to work together to safeguard and promote the safety and welfare of children and young people abused through prostitution abusers.

The aims and objectives of agencies must be to:

- recognise when children and young people are at risk of being exploited or of being involved in prostitution
- all professionals should be alert to the risk of abuse to children and young people through exploitation or involvement in prostitution and should have an awareness of indicators and early means of identifying such young people
- prevent children and young people from entering into prostitution through training/awareness raising and early intervention measures
- children and young people involved in prostitution should be treated primarily as the victims of abuse, and their needs carefully assessed. They are likely to be in need of welfare services and, in many cases, protection under the Children Act 1989
- consideration should be given to the child/young person's health and education needs and they should be regarded as a child in need and assessed in accordance with the assessment framework
- agencies with statutory child protection duties must consider at all stages the need for urgent action that may be necessary to secure the child/ young person's safety
- help the child understand the physical and emotional dangers of these activities
- provide children and young people with opportunities to exit safely from prostitution
- investigate and prosecute those who coerce, exploit and abuse children and young people through prostitution
- each agency should monitor and develop data collection systems on all confirmed cases and those where there is some cause for concern for the purpose of identification and referral, prevention and service development
- the identification of a child /young person involved in prostitution or at risk of being drawn into prostitution should always trigger these procedures to ensure the child's safety and welfare, and to enable the police to gather evidence about abusers and coercers

All agencies should comply with this procedure and identify a key contact person in their agency for consultation and advice.

11.12 Issues to be considered when working with children and young people who are believed to be involved or likely to be involved in prostitution.

- children and young people should be key to and part of the decisions made about them and their views and wishes should be

sought and taken into account. All decisions should be made with the full knowledge and participation of the child and their family

- the child /young person should be kept at the centre of the work and intervention and it may be necessary to manage what seems like unacceptable risk
- it is acknowledged that enquiries into exploitation and involvement in prostitution are particularly difficult and sensitive, especially when the child/young person does not see themselves as a victim of abuse. Such children/young people may be fearful of the police or children's social care and may initially respond best to informal contact with health, education or voluntary sector outreach workers
- gaining the child's trust and confidence is vital if he or she is to be helped to be safe and well and supported to exit from prostitution and achieve positive outcomes
- it is recognised that children and young people may say they have chosen to be involved in prostitution but the vast majority of children do not voluntarily enter prostitution: they are coerced, enticed and can be utterly desperate. Their ability to provide informed consent may be compromised for a variety of reasons and all children and young people involved, whatever their gender or sexual orientation must be viewed as victims of abuse
- young people aged 16/17 may have accommodation and financial issues and the need for a safe place to stay
- a young person who is being sexually exploited may feel in control of the situation and have a distorted perception of the danger because of their individual experiences. They may make it very clear that intervention is unwelcome and unwanted. This is of particular concern for the young people aged 16-17 who are more likely to be independent and living away from home and their support networks. Additionally they are more likely to be treated as adults and not as a child in need. This should not prevent appropriate intervention to safeguard the young person in question and investigate and prosecute those people who are carrying out the abuse and exploitation
- this is an extremely vulnerable group of young people and their decisions to become involved in prostitution should be understood in the context of their vulnerability and exploitation
- professionals and volunteers involved with young people may have developed a trusting relationship with the child and be concerned that a referral to children's social care will result in the child withdrawing from support services e.g. contraception, counselling or substance misuse treatment
- in this event it will be important to discuss these issues in the strategy meeting and carefully plan the timing of the child/young person's involvement in the process

What to do when there are concerns about a child young person involved in prostitution

- 11.13 When a child/young person is involved in or likely to be involved in prostitution they should always be referred to children's social care and should be treated as a child in need and regarded as likely to be suffering or at risk of suffering significant harm
- 11.14 The referral should be made to the local area duty points unless the child/young person is being looked after by the local authority, in which case the referral should be made directly to the named social worker.
- 11.15 Should professionals have any concerns that they would like to discuss prior to a referral they can do so by consulting with the key contact person in own agency or directly with key contacts in children's social care.
- 11.16 All professionals are encouraged to consult/seek advice when they are concerned about a child /young person especially when they are not sure they have enough 'evidence' or are not sure about the risk indicators.
When there are early stage concerns a referral should always be made to children's social care for consultation and assessment.

Handling Individual Cases

- 11.17 The general procedures set out in Chapter 5 Child Protection Referrals and Related Criminal Investigations should be followed and the following points should be noted.
- 11.18 On being notified of a concern about a child/young person, children's social care has a duty to decide within 24 hours whether an initial assessment is required and then, within 7 days, whether a more detailed and comprehensive (core) assessment is required.
- 11.19 A core assessment should be completed **within 35 working days** and must consider the child's needs including their health and educational needs.
- 11.20 Child protection enquiries should be initiated when the initial assessment recognises that the child/young person is involved or likely to be involved in prostitution and at risk of significant harm.
- 11.21 In these circumstances a strategy meeting is held as soon as possible to plan the enquiry, decide on appropriate intervention and develop an exit strategy.
- 11.22 A child will be considered to be at risk of significant harm if:
- a parent or carer is encouraging their involvement in sexual exploitation and abuse
 - a significant adult/s is exercising power over them in a way which is placing them at risk of significant harm
 - they are at immediate risk of being sexually exploited or abused

- 11.23 Action should be taken to protect the child and young person from any immediate danger. This may involve being taken into police protection (Children Act 1989 Section 46). The circumstances will then be assessed by children's social care and the child/young person placed with parents or in other appropriate accommodation.
- 11.24 The area in which the exploitation has taken place may be some distance from the child/young person's home. It will normally be appropriate to return the child/young person to their home area. However, in exceptional circumstances this may put the child/young person at risk of immediate physical harm and in these cases it may be appropriate to relocate the child/young person to a safe area in alternative accommodation.
- 11.25 Services should be provided alongside the assessment when a child is involved or is at risk of involvement in prostitution.
- 11.26 An assessment of the risk to and needs of the child /young person must include assessment of the risks and needs of siblings and other children in the household.
- 11.27 A child protection conference will be convened within 15 days of the last strategy meeting in the event a child/young person is deemed to be at continuing risk of significant harm and their family unable to protect them. This may result in the child/young persons being made subject of a child protection plan.
- 11.28 A family group meeting can be considered as part of the child protection plan. Its task is to empower the family to use its own resources to produce a plan to protect the child. Other agencies must provide appropriate resources to support the plan.
- 11.29 All child protection plans should be monitored and regularly reviewed. The process of initial assessment and strategy discussion to consider whether child protection enquiries under Section 47 are required can be re-started at any time if new information indicates concerns about involvement or a return to involvement in prostitution.

Role of Police

- 11.30 The priority of the police is the investigation and prosecution of offenders who have been involved in abusing children through sexual exploitation. The focus will be to concentrate on securing evidence against those suspected of exploiting children and young people. The police will support the child or young person throughout any prosecution.
- 11.31 The initial presumption should always be that a child or young person is not soliciting or involved in prostitution voluntarily and that the focus should primarily be on diversion. The police will attend and contribute

to strategy meetings in relation to concerns relating to a child or young person thought to be being abused through sexual exploitation.

- 11.32 Criminal action in respect of the child or young person will only be considered in limited circumstances and in consultation with other agencies. Should a prosecution be agreed then the youth offending protocol will be followed. However this will only be after consideration has been given to administering a reprimand or final warning if appropriate.
- 11.33 Children involved in prostitution may also come to the attention of the police through normal police work or during unrelated investigations. In these circumstances the police should consider the need to take immediate appropriate action to safeguard the child or young person. Consideration should be given to using powers under Section 46 of the Children Act 1989. In these circumstances a referral will always be made to children's social care and the Child Abuse Investigation Unit.
- 11.34 The Sexual Offences Act 2003 deals with the offences of exploitation of children whether through prostitution or pornography and has created a number of offences that apply to both types of exploitation.
- 11.35 Where information is disclosed about an alleged abuser/s it is the role of the divisional police (not CAIU) to investigate and prosecute those who coerce and abuse children through prostitution. The relevant local policing unit (LPU) should be informed and included in any planning meeting.
- 11.36 Where there are concerns that the child's family have had a role to play in the abuse or have not taken appropriate action to protect the child/young person then police from CAIU will be involved and usual procedures apply.
- 11.37 Enquiries should consider information about the alleged abuser/s own family and whether they should be referred to children's social care as a cause for concern and whether enquiries should be made.

Strategy meeting

- 11.38 The Strategy meeting will be chaired by a children's social care manager, usually the manager of the team working with the child/young person. For children and young people who are looked after by the local authority the strategy meeting will be chaired by an independent reviewing officer (IRO). The allocated worker or team manager working with the child will contact the independent review service in the City or County to arrange.
- 11.39 The meeting should be attended by representatives from the relevant LPU and/or CAIU, other agencies that know the child/young person and those agencies with specialist knowledge of the related issues.

- 11.40 The meeting should share all relevant information about the child/young person to determine the appropriate course of action, plan the child protection enquiry and agree any immediate and short term plans to protect the child. There should be agreement on individual roles and responsibilities and the timing of involvement of the child/young person and their family.
- 11.41 In complex situations where one or more children /abusers are involved and different professionals are carrying out enquiries it may be necessary to reconvene the strategy meeting several times to take stock of progress and agree further enquiries.
- 11.42 The strategy meeting should identify those agencies best suited to develop an exit strategy together with the child/young person and their family.
- 11.43 The strategy meeting should normally reconvene at the conclusion of enquiries.
- 11.44 It will be important to make general recommendations about ways to improve working practices especially in the areas of prevention and engagement with the child /young person to achieve better outcomes and planning of service
- 11.45 Where the child is looked after the strategy meeting recommendations should be made available to the Looked After Children's review.
- 11.46 Any specific plans for support and/or exit strategy are to be included in the child's care plan, and reviewed within the Looked after Children reviews, including the named specialist professionals as appropriate to advise or to provide resources.
- 11.47 Young people who are leaving or have left care will have a 'pathway plan' up to the age of at least 21 years. The pathway plan is reviewed every six months. A personal advisor will be responsible for supporting them and for co-ordinating services to meet their needs as identified in their pathway plan. It will be essential that where appropriate, mechanisms are put in place to ensure the young person's advisor is involved in planning for his or her continued protection from becoming involved in prostitution and if necessary diversion from prostitution.
- 11.48 The plan should be reviewed and urgent support should be provided if a young person becomes involved in prostitution after the pathway plan has been drawn up

All meetings must consider and agree plans to support the child to exit from prostitution as a priority.

Exit Strategy

- 11.49 It is important to recognise that just as entry into prostitution may involve a complex set of factors so will leaving it particularly if there is a strong relationship of dependency with a coercer or abuser. Children and young people may face many barriers to exiting prostitution, including:
- fear of retaliation from pimps
 - lack of alternative sources of income
 - drug addictions
 - feelings of attachment to the “prostitute community”
 - it should also be recognised that young people may be able to earn significant amounts from prostitution – well above what can be achieved elsewhere
- 11.50 The exit strategy should be developed with the child/young person and their family/significant others and should address the individual needs of the child/young person.
- 11.51 The child is an important contributor to plans being made and should be enabled to participate and make their views known. However, professionals who are assessing the views of children involved must be aware that those who abuse and coerce them may have ‘groomed’ them and conditioned their responses, and as such they are capable of denying their abuse and coercion. They may reject help or support.
- 11.52 The exit strategy should include plans and strategies to keep the child/young person safe. It should also draw on existing reintegration processes to enable a return to education or employment.
- 11.53 It should include support to return to education or employment and help to secure appropriate health services. Consideration should be given to pursuit of leisure activities, and the development of positive networks of friends and relatives to divert the child/young person from prostitution and offer continuing support. It should also ensure children/young people have someone to turn to and more opportunities to discuss problems in a confidential environment.
- 11.54 The voluntary sector has a particular role in working with these children/ young people in an attempt to enable them to exit prostitution and make positive choices and changes in their life.
- 11.55 The creation of a successful exit strategy and reintegration into a life free of prostitution are dependent on working with the child/ young person to construct a plan that they can agree to. Wherever possible family members/significant others should also be involved in work with the child/young person.
- 11.56 The incidences of children/young people from different ethnic backgrounds involved are not well documented; nor are disability / learning ability generally.

Role of Other Agencies

11.57 Identification and prevention is a key element in protecting children and young people and great emphasis is placed on awareness raising and training and the important role of health and education in preventing children and young people entering into prostitution. Targeted services in the form of out reach work and drop in centre's are the most effective means of reaching young people.

Confidentiality and Data protection

11.58 Where there are concerns that a child young person is involved in prostitution all agencies have a responsibility to report their concerns and share information.

11.59 The need for a child or young person to be safeguarded overrides their right to confidentiality.

11.60 Workers in contact with young people may wish to inform them that they cannot keep the concerns secret from agencies responsible for safeguarding and this will take precedence over obtaining their permission. However where there is no immediate risk of harm intervention should take place in consultation with the young person and their family where relevant.

11.61 Data protection should not be a bar to sharing information but is in place to ensure that personal information is shared appropriately

11.62 Both 'Working Together to Safeguard Children' and the 'Assessment Framework for Children in Need and their Families' provide guidance that parents will be informed of any referral made to children's social care, and asked for consent for information to be gathered from other agencies, unless to do so will place the child at risk of significant harm. However, in cases where the police are involved, the decision about when to inform the parents may have a bearing on the conduct of police enquiries and should form part of any strategy discussion.

Please refer to Chapter 2: Information Sharing.

Take from ESCAPE membership

APPENDIX 1

All needs updating

- **Leicestershire Police CAIU** 0116 248 5345
- **New Futures Project** 0116 255 9696
- **GU Medicine** 0116 258 5208
- **Domestic Violence Helpline** 0116 244 0090
- **Drugs Alcohol Response Team** 0116 222 9555
- **Leicester City Housing Department** 0116 252 6850
- **Education Welfare Service** 0116 221 1260
- **NSPCC** 0808 800 5000
- **Children's Social Care**
 - Leicestershire:**
 - Bassett Street 0116 278 7111
 - Coalville 01530 275 200
 - Hinckley 01455 636 964
 - Melton 01664 564 698
 - Market Harborough 01858 465 331
 - Loughborough - Pennine House 01509 266 641
 - Loughborough – Gladstone Avenue 01509 610311
 - CPRU (County) 0116 265 7595
 - Leicester City**
 - Beaumont Leys 0116 299 5799
 - Fairway 0116 283 1515
 - Greyfriars 0116 253 1191
 - CPIRS (City) 0116 225 4714
 - Rutland** 01572 758 331
- **Leicester City Youth Offending Team** 0116 299 5830
- **Leicestershire & Rutland Youth Offending Service**
 - Hinckley 01455 636 098
 - Thurmaston 0116 260 6000