As the lead for Public Protection for Police Scotland, I write in response to the request for evidence from the Public Petitions Committee inquiry into Child Sexual Exploitation (CSE).

The prevention and investigation of child abuse has been a high priority for the police and partners in Scotland for some time. CSE is a recognised strand of child abuse. In some instances new technologies and behaviours have created significant challenges for policy makers and practitioners. CSE is a form of child abuse which is currently receiving high levels of public and media scrutiny, largely due to the widespread interest and perceived shortcomings in recent high profile investigations in England and Wales.

Research indicates that large numbers of perpetrators involved in CSE are White British, however there has been widespread media reporting about ‘Asian Grooming Gangs’. This has the potential to cause significant community tension. It is difficult to establish whether perpetrators belong disproportionately to any particular ethnic group due to the limited availability of accurate data across the country. In two large scale CSE investigations in Scotland a significant proportion of the identified perpetrators were from ethnic minority communities. It is not possible to draw conclusions from this relatively small dataset and more accurate data and wider research is required. It is acknowledged that extremist groups have attempted to associate CSE with wider immigration and nationality issues and this has the potential for significant community unrest.

Police Scotland work with local partners through participation in Child Protection Committees (CPC) and Adult Protection Committees (APC) to develop multi-agency guidance and protocols in a variety of business areas which overlap with CSE. Each of the local CPCs in Scotland is at varying stages of progress in relation to developing specific CSE protocols. Difficulties can be encountered in developing a shared understanding of the issue across statutory partners and third sector providers at a national level. It is considered that there is a need for national coordination or oversight to drive local CPC activity.

The creation of Police Scotland provides an opportunity to enhance national policy, coordination and operational responses to CSE and other areas of child abuse. Recent developments in Police Scotland have included the formation of a National Rape Task Force underpinned by 14 divisional rape investigation teams. A National Human Trafficking Unit has also been established, with an emerging picture concerning internal trafficking of young people within the UK, being facilitated from one place to another for the purposes of sexual exploitation. The new structures are already delivering improved practice with
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a drive towards a greater emphasis on identification, investigation, prevention and proactive targeting of perpetrators.

In addressing the key points raised in the second tranche call for evidence I would like to offer the following responses:-

*What barriers exist to identifying, disrupting or prosecuting child sexual exploitation (CSE) perpetrators? How might these be overcome?*

**Barriers to Identification**

There is a significant knowledge gap amongst professional groups and members of the public in Scotland and it is acknowledged that the wider community is pivotal to recognising and reporting CSE concerns. Not all children who are at risk, or victims of CSE are previously known to police and social services. Even where the young person is known the abuse is not always recognised by professionals. Under-age sexual activity regularly causes dilemmas for professionals and can sometimes result in disparate practice and inconsistent information sharing. Victims of CSE do not readily identify themselves as victims, with perpetrators often having an inordinate amount of power and control over them.

*How they can be overcome*

- It is suggested that a national funding stream should be identified to support a broad based Marketing and Communications Campaign (including advertising) to improve public and professional awareness of the issues associated with CSE.
- Direct work is also required with children and young people to raise awareness and increase their resilience.
- Single and multi-agency training for universal, statutory and third sector providers should be reviewed at a national level and multi-agency training developed to ensure that CSE is properly identified and addressed.
- Revision of National Guidance and promotion of consistent standards in responding to under-age sexual activity.
- Victim engagement strategies need to be carefully planned, structured and sustained to secure co-operation of reluctant and hostile complainers. It is acknowledged that this may have an adverse impact on finite resources due to competing demands.
- There are opportunities to build upon existing education programs for young people to ensure that key messages around grooming and CSE are delivered to the appropriate target audience. Previous education programs have been targeted at 12 and 13 year olds and upwards, however there is a body of opinion that this should now be targeted at younger age groups as part of the preventative approach.

**Barriers to Disrupting**
The absence of accurate data on the scale and extent of CSE in Scotland causes difficulty in designing and implementing effective multi-agency responses.

Whilst there is a plethora of legislative options available that can be used to disrupt and prosecute offenders and these are being communicated to frontline officers, there remains a general lack of awareness amongst frontline and specialist staff.

Challenges can arise from the fact that many 16 and 17 year old victims of CSE are not entitled to the protective measures available under the Children’s (Scotland) Act 1995 and the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005.

Difficulties can also be encountered in accessing perpetrator behaviour programs provided by partners in the absence of criminal justice involvement.

**How they can be overcome**

- An initial problem profile and ongoing scoping should take place to accurately scope the scale and extent of CSE and to influence the design and delivery of services.
- Additional mandatory training to be provided to frontline and specialist police officers highlighting legislative options to disrupt and prosecute CSE offenders.
- Multi-agency victim, offender and location structures are recognised as good practice and should be established in each Local Authority area. This will require sustained resource and funding commitment from police and partners. There are opportunities to link this to existing Multi-Agency Risk Assessment Conferencing (MARAC) and Multi-Agency Tasking and Coordinating (MATAC) structures which have proved highly successful in supporting domestic abuse victims and tackling offenders.
- Consider revised legislation to ensure compatibility between CSE definition and the definition of a child.
- There may also be benefit in additional perpetrator programs being developed to address offending behaviours at an early stage. This could potentially be modeled similar to the Caledonian Project which is already delivering positive outcomes in working with domestic abuse perpetrators.

**Barriers to Prosecuting**

Recent media reports have indicated a reluctance by prosecution services to prosecute CSE cases where there are concerns over the complainer’s credibility as a witness. This is supported by previous experience in Scotland. There is a public perception that criminal justice processes are not wholly supportive of victims and while positive developments will be made with the introduction of the Victims and Witnesses Bill, broader work needs to be done to improve public confidence in the criminal justice system in general. The automatic entitlement to special measures available under the Vulnerable
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Witnesses (Scotland) Act 2004 is currently restricted to child witnesses and does not include all CSE victims.

**How they can be overcome**

- Targeted training and awareness raising for criminal justice professionals to understand wider issues associated with CSE.
- Improved guidance or codes of practice on cross examination during CSE cases.
- Media/Marketing strategy to address wider public confidence in the criminal justice system.
- Extension of specialist courts with dedicated legal professionals similar to the Domestic Abuse Court model.
- Extend the automatic entitlement to special measures under the Vulnerable Witnesses (Scotland) Act 2004 to all CSE or sexual crime victims.

**What difficulties exist around keeping looked after children and young people (accommodated or at home) safe from CSE perpetrators?**

It is recognised that victim networks can formulate over large geographic areas due to changes of placements, where the young person maintains contact with friends, often through the use of mobile technology and social media. This can unwittingly allow perpetrators access to a wider number of potential victims and place vulnerable children and young people who are looked after and accommodated at increased risk.

There are identified inconsistencies in the risk assessment applied to repeat missing persons who are looked after and accommodated. Difficulties can also be encountered in delivering safety messages to vulnerable children and young people who are outwith mainstream education.

**How might these be overcome?**

- Standardisation of the guidance across Scotland for managing missing children and young people who are looked after and accommodated.
- Wider development of trigger protocols for young runaways.
- National funding to support the appointment of local Missing Person Co-ordinators.
- National co-ordination and delivery of training and awareness raising for staff in care home settings, and carers.
- Improved training and awareness raising for police officers.
- Increased involvement of third sector in supporting structured return interview processes and associated risk assessments for CSE. This will require a sustained funding commitment.

**What barriers exist to combating CSE perpetrators use of online/social media?**
Police Scotland continues to work with Child Exploitation Online Protection (CEOP) and other UK forces to proactively target offenders who prey on children and young people using the relative anonymity of the internet. There continues to be significant success in bringing offenders to justice, many of whom have very sensitive positions in the community which often brings them into close contact with children.

Police Scotland is already building on the success of the legacy forces in targeting perpetrators in the online environment using a range of tactics. This is proving very successful with one such example being a recent operation concerning two 13 year old females who were groomed, exploited and sexually abused by numerous individuals across the UK. This operation resulted in 37 arrests across the country, with a total of 108 intelligence packages distributed to forces nationwide in respect of other potential victims and perpetrators. This operation uncovered numerous individuals of concern, some of whom were already well known to police and partners for previous sexual offending.

Many young people and their parents or guardians do not readily recognise the darker side of social media and the internet and the risks associated with leaving their profiles open and/or interacting with strangers online. More alarmingly, CEOP has an evidence base to show that there has been a significant rise in young people posting self generated indecent images of themselves or others via social networks and other mediums in recent times. There are currently no barriers to creating a fabricated social media profile that makes the user appear much younger or more attractive to their target.

Often the perpetrator sends indecent images of children to their victim to try to ‘normalise’ behaviour and encourage the victim to do similar. On many occasions this results in threats to expose the victim if they do not agree to participate in more depraved sexual acts. In these situations many young people do not know how to break the cycle of abuse for fear of widespread exposure to their family and social circle. Young people need to know how to protect themselves and when abuse occurs know where to turn to for support.

It is also known that children and young people are trafficked and exploited through prostitution and this can often involve the advertising of services via the internet. There are inherent difficulties in trying to tackle demand of this nature in the online environment. This is due to criminals practical knowledge of Scottish law around brothel keeping and the absence of any specific support for those involved in the ‘off street’ sex industry.

How might these be overcome?

- Existing education programs should continue to be built upon to raise awareness of online safety amongst young people and their parents/guardians.
- High level discussion should take place to consider updating existing legislation. There are clear opportunities to address this gap and make Scotland a sector leader in creating a hostile environment for criminals who traffick and exploit vulnerable persons.
• Improved cooperation between Internet Service Providers (ISP) and law enforcement to tackle perpetrators of online abuse.

What types of training has your organisation had on ways of identifying, disrupting or prosecuting CSE perpetrators?

Many incidents of CSE occur in the context of a ‘relationship’ and a significant investment has been placed in delivering domestic abuse training to frontline and specialist officers. Specialist training is delivered at the Scottish Police College (SPC) regarding the investigation of child abuse, which includes CSE. There are also various ongoing child protection inputs to probationary and supervisory courses across Scotland. This is supplemented with Continuous Professional Development (CPD) seminars with a one day seminar on CSE having been delivered to two hundred police officers at the SPC on Monday 29th April 2013. The event was perpetrator focused and received very positive feedback, with the Senior Investigating Officer (SIO) for the high profile Rochdale investigation and a victim of child abuse being amongst the speakers. This was a police only event with plans to deliver a multi-agency seminar in the near future. There have also been numerous CPD events delivered across Scotland in recent months on the Investigation of Rape and Serious Sexual Offences, in addition to ongoing specialist training for Sexual Offence Liaison Officers (SOLO) and SIOs.

The Association of Chief Police Officers (ACPO) are developing an e-learning training package on CSE for every frontline police officer in England and Wales as part of their commitment to the Department for Education’s National Action Plan on CSE. Agreement has been reached that this will be made available for adaptation to a Scottish context once complete. In the meantime e-brief slides have been circulated to all frontline operational police officers highlighting the definition and risk factors associated with CSE to assist in improving awareness.

(For Police Scotland) Have you used the 2005 and 2009 Acts to disrupt, prosecute, charge or convict perpetrators of CSE, do problems remain about using these Acts? If so please detail.

The provisions of the Sexual Offences (Scotland) Act 2009 are used on a daily basis to hold the perpetrators of sexual abuse to account. The Protection of Children and the Prevention of Sexual Offences (Scotland) Act 2005 is less well known to frontline officers, however recent efforts have been made to raise awareness of the legislation through targeted briefings to officers with an associated intelligence requirement. The legislation is being effectively marketed across Police Scotland not only as an enforcement tool but also a prevention tool through officers being encouraged to ‘police’ perpetrator behaviours through the use of Risk of Sexual Harm Orders (RSHO).

A good example of a RSHO being used in practice concerns a case where an adult male was arrested for underage sexual intercourse with a 15 year old victim. On attending court he was released by the Procurator Fiscal without being put before the Court. There was historic intelligence relating to a previous investigation when he lured a 9 year old niece onto a balcony with
sexual intent. He was not charged or convicted. It was assessed that he posed a significant risk of harm and police applied for a RSHO which was granted, with a condition that the suspect did not approach or contact females under 16 years of age. He was managed by the local Offender Management Unit (OMU) as a non registered sex offender. The order was proactively policed and it was identified that he had breached the terms of the order, leading to his arrest and remand to prison. This resulted in an offender who posed a serious risk of harm to underage females being incarcerated and reduced the threat to this vulnerable group.

Operational experience has highlighted cases involving older victims where the opportunity to pursue perpetrators utilising the 2005 legislation has not been available due to the age of the victim. This has been previously highlighted in the barriers to disruption.

(For Police Scotland) Lack of coordination, and differing policies, among Scotland’s eight police forces were previously seen as difficulties in countering CSE. The Scottish Government has stated that it is looking to improve the way CSE is identified by the new single police force. How does Police Scotland intend to make this improvement?

There are two significant Information Technology (IT) developments for Police Scotland in the form of the proposed National i6 IT project (under consideration) and an interim National Vulnerable Persons Database (VPD) which has been developed to record all child and adult concerns, including a category for CSE. The VPD system will help standardise the police recording of CSE, with a phased rollout supported by a national training package planned to commence in July 2013.

A Strategic forum to improve inter-agency responses to CSE has been established covering part of the country, and is currently being expanded in terms of membership and remit to include the whole of Scotland. A scoping exercise is underway to assess the scale and extent of CSE, with briefings having been provided to a number of Local Authorities and Health Boards. This has greatly assisted in improving awareness amongst partners, helping professionals to better recognise risk factors and identify concerns, and ensure the appropriate and timely sharing of information to allow effective strategies to be put in place to protect victims and target offender networks.

In some areas of Scotland, the police are facilitating the ingathering of CSE concerns across agencies and using this to inform multi-agency discussion, risk assessment, safety planning and the tasking and coordinating of resources to protect victims and tackle perpetrators. This is something that I am working to further develop across the country.

I represent Police Scotland on the Scottish Government Ministerial Working Group on Child Sexual Exploitation which is reporting direct to the Minister for Children and Young People and I have established a small team of officers with terms of reference to consider national approaches to CSE, including the development of national policies, procedures and structures, and the development of a national capability to tackle this emerging threat to Scotland.
This is being done in close collaboration with colleagues in England and Wales to ensure we learn from their experiences.

I have also tasked a Police Scotland National Action Plan to be developed to address CSE and we will continue to work in close collaboration with the Scottish Government, Local Authorities, Health Boards and third sector providers to drive consistent improvements in practice across the country.

Police Scotland is committed to ensuring a consistent level of service to all of our communities. We recognise the need to provide reassurance and support to the most vulnerable individuals and groups by identifying their needs and expectations. Police Scotland works in close partnership with other agencies to ensure we meet these expectations and keep people safe.

I trust you will find this information useful, however please do not hesitate to get in touch should you require any further information. I can also confirm that I am willing to attend in person to give oral evidence to the Committee should this assist with your inquiry.

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