

# Risk and associated investigations

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Whenever the police have concern for a child, and at every stage of their involvement with that child, decisions are made which involve identifying, assessing and managing risk. Concerns for a child can arise from circumstances not explicitly reported as child abuse, and from reports relating to other matters (for example, burglary).

## Risk

### Circumstances of the child

Relevant lines of enquiry for investigators include:

- whether injuries sustained by the child are compatible with any explanation offered
- whether such injuries have been repeated
- cause of the injury
- whether a weapon was used
- whether the child is a victim of [neglect](#) or has a chaotic lifestyle

For further information see [Missing children or families](#).

### Behaviour and circumstances of the suspect

- History of violent or sexual offending – a child who is living with a parent, carer or other adult who has a history of violent or sexual offending, whether convicted or not, is at a higher risk of suffering harm. There is a link between those convicted of sexual activity with, or rape of, a child and convictions for other sexual offences, particularly when the child was under 13 years at the time of the offence. Sexual offending can also include non-contact activities such as those relating to downloading child abuse images. See also [Ministry of Justice MAPPA Guidance](#).

- Child abuse – this includes any history of contact between children’s social care and the suspect relating to allegations of offending, and also when there are children connected to the suspect who are, or have been, the subject of a child protection plan.
- Domestic abuse – in households where domestic abuse takes place, there is a risk of harm to children through direct abuse, and by their witnessing the abuse of others. Officers should not rely on the presence of another person to protect a child, and should consider whether that person has the capacity or ability to protect them. See also [domestic abuse](#) investigations.
- Abuse of animals – see [animal abuse](#) investigations.
- Grooming – see [grooming](#).
- Failure to provide medical care for a child when required – can indicate wilful neglect. Removing a child from medical treatment and failing to keep appointments with healthcare professionals may also indicate a risk of harm to the child.
- Threats or attempts by a parent or carer to commit suicide or self-harm – should prompt further investigation into the welfare of any children in the person’s care. Close attention should be paid to child contact arrangements where parents are separated, particularly where there is a perpetrator of domestic abuse who has a history of self-harming or has made threats or attempts to commit suicide. In these cases the suspect should also be considered as potentially homicidal and a risk to their children and any former or current partner.
- Misuse of illegal, non-prescription or prescription drugs and/or alcohol – can affect a person’s ability to care for a child and have a direct impact on the health of an unborn child. There is also a risk of harm to young children from accessible alcohol and drugs or drugs paraphernalia. Some children may require particular medication or care such as tube feeding. The consequences could be fatal if this is forgotten or wrongly provided by someone under the influence of alcohol and/or drugs.
- History of mental ill health – if a parent or carer has a history of mental ill health this does not in itself indicate any heightened risk, but when considered with other factors it may do so. The impact of risk to the child depends on the type and severity of the parent or carer’s condition.
- Failure to take responsibility for previous abuse or to acknowledge that there are problems, particularly in the face of strong evidence – can heighten the impact of other risk factors.
- Access to children – where suspects have access to children (through their personal circumstances, profession or hobbies), this should be recorded and considered as a [risk](#) factor in decisions relating to those suspects (and any actual or potential victims). There are, however,

complex interrelationships between these risk factors, for example:

- some offenders target vulnerable children, so previous abuse can make some children more susceptible to further abuse (for example, being groomed by an offender using the internet and/or by being the victim of trafficking offences)
- risk factors that apply to parents or carers may be relevant, for example, where one parent or carer is also a victim or perpetrator of domestic abuse
- child protection decisions may be affected by a parent's, carer's or victim's non-cooperation, or by indications of threats or manipulation
- a victim of **domestic abuse** may not cooperate with agencies in order to hide their abuse

## Assessing and managing risk

The circumstances of both the **suspect** and the **child** suspected of being abused must be considered in any decision-making process relating to risk.

Police forces need to establish internal systems and multi-agency protocols (for example, with children's services, including children's social care) to ensure that concerns for children are prioritised and actioned appropriately by each agency. For the police, systems for managing information about concerns for children and the role of frontline supervisors are key to ensuring that cases are prioritised for action and that the capacity to deal with cases is managed.

For further information see:

- **APP on risk**
- **Suicide prevention and risk management for perpetrators of child sexual exploitation and indecent images of children (IIOC)**

## Common Law Police Disclosure

This **scheme** ensures that where there is a public protection risk, the police will pass information to any relevant employer or regulatory body to allow them to act swiftly to mitigate any danger. It replaces the Notifiable Occupations Scheme.

## Associated investigations

The following types of investigation (listed in alphabetical order) are likely to include potential child abuse issues. They should be investigated to ensure the welfare of the child. An internal referral should be sent to the child abuse investigation unit and, where appropriate, an external referral made to children's social care.

## Abandoned babies or children

Where a child or baby is found abandoned, the focus of the investigation should be on locating the parent or carer and investigating potential criminal offences. Such cases can be complex in terms of the state of mind of the parent or carer. Any media strategy should take account of this and concentrate on the wellbeing of the baby or child and the parent or carer, without drawing attention to any potential criminal offences.

Where the parent or carer is not identified, the results of the investigation may be important to a child in the future. They might want to know about their background or find their parents when they are adults. Officers involved in the investigation should consider making contact details available for a child to use in the future. In these circumstances, a police investigation may be a child's only link with their past. Decisions about maintaining records of such investigations should take this into account and be made in consultation with children's social care.

For further information see:

- [ACPO \(2010\) Communication Advisory Group Guidance](#)
- [APP on media strategy](#)
- [APP on information management](#)
- [APP on engagement and communication](#)

## Allegations against people who work with children

Where allegations of child abuse have been made against a professional which suggest a child is suffering or is likely to suffer significant harm and/or suggest that a person is unsuitable to work with children, these should be investigated in accordance with [HM Government \(2018\) Working Together to Safeguard Children](#).

## Animal abuse

Where animal abuse has occurred in a household, there is an increased likelihood that other abuse has taken place and that children are at risk of harm. In cases where a child perpetrates cruelty to animals, this may indicate that the child has suffered abuse and/or may be at risk of perpetrating abuse in the future.

For further information see [NSPCC \(2005\) Understanding the links: child abuse, animal abuse and domestic violence.](#)

## Bullying in schools

Both victims and child perpetrators of bullying in school raise issues about safeguarding children. All schools should have policies for dealing with bullying to resolve the matter without recourse to the criminal justice system. This does not preclude a criminal investigation where criminal offences occur. In such cases investigating officers should consult police schools liaison officers, where they exist, and make contact with the school to establish whether there have been previous allegations against the alleged perpetrator. Early intervention in cases of suspected bullying in schools is essential. [Restorative justice](#) approaches in some instances may help to reduce bullying and victimisation in school.

For further information see [Youth Justice Board](#) for England.

## Child abduction (including parental abduction)

Under the [Child Abduction Act 1984](#), it is an offence for a person connected with a child under the age of 16 years to take or send that child out of the UK without appropriate consent. It is also an offence under the Act for a person not connected with the child, without lawful authority or reasonable excuse, to take or detain a child under the age of 16 years, so as to remove or keep that child from a parent or carer with lawful control.

A complaint relating to parental abduction may be reported directly to the police or through a solicitor. The police should take immediate action with an all ports alert where there is a real and imminent danger of abduction within the next 24 hours. There does not need to be any type of court order in place for the police to take this action to prevent abduction.

- The National Border Targeting Centre is the UK Border Agency's hi-tech hub where watch-list checks on passengers entering and leaving Britain are carried out.

- [\*\*Child Rescue Alert\*\*](#) has now been adopted by the majority of forces in England and Wales (accessed via the Managed Learning Environment).
- [\*\*Reunite\*\*](#) is the leading UK charity that specialises in helping parents whose children have been abducted and taken abroad

For further information see:

- [\*\*Advice on the use of child abduction warning notices\*\*](#)
- APP on kidnap and extortion

## Child homicides

The investigation of child homicide is specialised and has its own unique characteristics. See [\*\*unexpected death of a child\*\*](#).

For further information see:

- [\*\*A Guide to Investigating Child Deaths\*\*](#)
- [\*\*APP on managing sexual offenders and violent offenders\*\*](#)

## Child trafficking

This is the practice of transporting children into, out of or within the UK for the purposes of exploitation. See forthcoming APP on human trafficking.

## Complex child abuse

Complex abuse was defined in [\*\*HM Government \(2006\) Working Together to Safeguard Children\*\*](#) and [\*\*Home Office and Department of Health \(2002\) Guidance on Complex Child Abuse Investigations: Inter-Agency Issues\*\*](#) as:

*Abuse involving one or more abuser and a number of related or non-related abused children or young people. The abusers concerned may be acting in concert to abuse children (or young people), sometimes acting in isolation, or may be using an institutional framework or position of authority to recruit children (or young people) for abuse.*

This APP on child abuse does not give a prescriptive definition of complex. The use of the term should be determined on a case-by-case basis depending on the facts and local force procedures. The following factors may make a case complex:

- multiple offenders
- multiple (actual or potential) victims
- particular victim vulnerabilities
- environment, for example, institution, establishment, club, group, internet-based
- number of scenes or locations
- length of time between the offences and the report
- alleged offending occurring over a long period of time

Such abuse is often reported a long time after the offending took place.

Children living away from home (including foster care, residential care, private fostering, health settings, residential schools, prisons, young offender institutions and secure units) may be particularly vulnerable to child abuse.

The investigation of complex child abuse is time-consuming and requires specialist skills from both the police and children's social care. It may also require the assistance of [NSPCC Inform](#), particularly where allegations relate to members of staff from children's social care or foster carers. Inform is an information resource which makes publications, books and guidance available to anyone accessing the website.

For further information see:

- [HM Government \(2018\) Working Together to Safeguard Children](#)
- [Welsh Assembly Government \(n.d.\) Safeguarding Children: Working Together Under the Children Act 2004](#)
- [HMIC \(2013\) 'Mistakes were made'. HMIC's review into allegations and intelligence material concerning Jimmy Savile between 1964 and 2012](#)
- [Managing complex child abuse investigations](#)
- [APP on child sexual exploitation](#)

## County lines child criminal exploitation



There is no legal definition of child criminal exploitation (CCE). CCE often occurs without the victim being aware that they are being exploited and involves young people being encouraged, coerced, manipulated or threatened to carry out crime for the benefit of others. Children are groomed into criminal behaviour on behalf of older criminals, often with the promise of something they desire as a reward. Criminal networks take advantage of the child's desire for instant wealth and limited options to earn large sums of money and distance themselves from police intervention and other criminals. Using the child creates distance between the drug or violent offence(s) and the perpetrator.

Children make up on average 20% of the individuals either implicated or exploited on county lines and are often found in possession of the commodity. (Source: National County Lines Coordination Centre – County lines information collection matrix and tactical assessment).

## What is a county line?

The Home Office defines a county line as:

*...a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas [within the UK], using dedicated mobile phone lines or other form of “deal line”. They are likely to exploit children and vulnerable adults to move [and store] the drugs and money and they will often use coercion, intimidation, violence (including sexual violence) and weapons.*

The deal line is most commonly run from a mobile phone, but it could also include the use of internet or social media platforms. A line can run within a single local authority or police force area. Distance is not defined provided the methodology is present. Every force in the UK is currently affected by county lines.

For further information, see [Methodology](#) (This link requires the reader to be logged into [Knowledge Hub](#)).

## How and why are children groomed?

Any child might be groomed or targeted in county lines. But in particular those who are vulnerable by virtue of their domestic situation (for example, domestic abuse in the household), live in poverty, have special educational needs or learning difficulties (for example, ADHD or autism), misuse of drugs or through living in care, might be targeted. Others who have no previous contact with services or obvious vulnerability might be recruited because they are colloquially known by



recruiters as a 'clean skin' and therefore are less likely to come to the attention of the authorities.

Many children are unlikely to disclose that they have been exploited and many will not see themselves as victims. In some cases, when a child recognises that they have been exploited, due to the nature of their exploitation, they may be too fearful to disclose what has happened to them. This could be due to debt bondage, sexual offences committed against them or threats of digital collateral.

Children could be exploited through the promise of money or status or to feel part of a group or relationship. Equally, debt bondage or other forms of victimisation can be a significant factor in their recruitment, with criminals grooming them with a view to retaining them in the recruitment cycle to pay off a 'debt'. The risk factors are similar to those described in ['Responding to child sexual exploitation' APP](#).

Children may be recruited by peers who themselves have been exploited, directly approached by criminals or their associates, or via social media. They are befriended and ultimately groomed into a position whereby they are then coerced to work on a county line through either a perceived voluntary basis or against their will. Threats of violence or sexual abuse against themselves or loved ones, or actual violence or sexual abuse can occur if they don't comply.

The 'willingness' or 'voluntary' nature of a victim's involvement in criminality should be assessed with the impact of the grooming process in mind.

There may be warning signs that indicate that a child is being exploited. The absence of such indicators does not mean they are not being exploited. Some of the more common warning signs identified by practitioners are:

- being arrested in possession of drugs or cash (consider 'plugging')
- being in possession of more than one phone (particularly a cheap mobile or 'burner' phone)
- travelling away from their home area (there might be train tickets that indicate this)
- missing episodes
- a change in behaviour
- new possessions that parents or guardians have not purchased and cannot account for (for example, new trainers or clothing/electronic devices)
- unexplained injuries

- disclosure of being in debt
- new peers, particularly with the use of nicknames

## Links to other crime types

The criminal exploitation of a child or young person in county lines offending will almost certainly involve the commission of a crime, or have the potential for a crime to be committed.

These include:

- drugs-related offences
- theft offences, including robbery and aggravated burglary
- human trafficking – including children being moved in, out of or within the UK
- sexual violence, including rape and other sexual offences
- grooming – both online and face to face
- financial crime – fraud, money muling, money laundering
- gang and youth violence
- knife and gun crime
- child abuse
- kidnap and blackmail offences
- anti-social behaviour

Identifying and linking offences relating to county lines at an early stage ensures that effective safeguarding and risk management processes are implemented. [Professional curiosity](#) is key.

## Plugging

Plugging is a term used to describe the internal secretion of a package of drugs inside a bodily orifice. Drugs are usually concealed in a condom or similarly effective packaging and placed inside the rectum or vagina using lubricant. The objective of plugging is to transport or conceal drugs without detection. Plugged packages usually contain drugs, which are individually wrapped, and quantities can be recovered with over 100 wraps inside. Children are often coerced into plugging drugs. This type of exploitation can have serious health implications, especially if packages burst.

For further information access the County Lines community on [Knowledge Hub](#). (Knowledge Hub login required).

## Non-prosecution of child victims

The **Modern Slavery Act 2015** should be applied to investigations involving the exploitation of children in county lines. The exploitation of a child tends to involve facilitating the movement of that child, which is contrary to Section 2 of the Act (human trafficking). Additionally, Section 1 (slavery and servitude) may also be relevant offences.

When considering the involvement of a child in a criminal offence, practitioners should consider whether there are any offences under the Modern Slavery Act.

- The Act provides a defence under section 45, which, if used successfully, can lead to the child not being prosecuted for their criminal activity. Schedule 4 lists the offences to which the defence does not apply and these will generally be offences against other people (such as assault). However, for offences such as drug dealing, drug cultivation and shoplifting, the defence could apply.
- The Act provides opportunities to pursue a prosecution against the perpetrators of exploitation

When a child is investigated for criminal offences, officers should look for indicators and evidence of exploitation to support the use of the section 45 defence, should it be raised at any stage. The decision-making process should be fluid and impartial throughout the investigation.

Whether or not a section 45 defence is raised, it is the duty of the investigator to obtain evidence relating to the potential exploitation of the child. This could assist in determining whether a child is a victim of modern slavery. Whether the defence is raised or not, early consultation with the Crown Prosecution Service (CPS) is advised, particularly around evidencing exploitation and its link to the offending. Evidence gathered can be key to identifying perpetrators of modern slavery.

If it is suspected that a child is a victim of modern slavery, the investigator will ensure that a **referral to children's social care** is made and a strategy discussion held. A referral must be made to the **National Referral Mechanism (NRM)**, preferably as a multi-agency submission.

The NRM will initially make a reasonable grounds decision as to whether that person is likely to be a victim of slavery. Following a further period of consideration of all of the available information, the NRM will make a positive or negative conclusive grounds decision. A positive grounds decision has the potential to support a section 45 defence. However, it is still possible to prosecute a defendant (if considered appropriate) who has received a positive conclusive grounds decision (R v DS and R v A).

Ultimately, when a decision is made to prosecute and a defence is subsequently raised, it is a matter for the court to decide whether the defendant is in fact a victim of slavery.

## Investigation and effective response

Pursuing perpetrators who exploit children under modern slavery legislation, as well as drug offences, enables the perpetrators to be made accountable for offences committed by the exploited child. It provides for the possibility of longer custodial sentences and allows for applications for slavery and trafficking orders under the Modern Slavery Act.

### Consideration for investigations

- Key to the investigation is showing the attribution between the victim, offender and facilitation/arrangement of the victim's travel.
- Investigators must show 'why' the child was 'chosen'. Evidence can include the child's vulnerabilities and any academic research or professional opinion on why children are chosen over adults.
- Due to the transient nature of the county lines business model, victims and perpetrators will move or be moved between and within force areas using various different methods of transport. Identifying and evidencing this is vital.
- Investigators should obtain relevant evidence, intelligence and information from all police forces, local authorities and other partners in which that child has, or has been known to, come to notice.
- Identify perpetrators, disruption opportunities and provide early intervention.
- Safeguard and protect children and vulnerable victims having regard to [statutory requirements](#), including submission of NRM where victims of modern slavery are identified or identify themselves.
- Conduct financial enquiries to identify disruption opportunities and consider Proceeds of Crime Act (POCA) seizures

For further tactical investigation methods, access the County Lines community on [Knowledge Hub](#). (Knowledge Hub login required).

## Use of civil and criminal orders in county lines investigations

Criminal and civil orders are available, which, if used appropriately, will help to disrupt those involved in criminal exploitation. They can provide a form of safeguarding for victims. Breaches of orders can also be used in future prosecutions under the Modern Slavery Act.

There are two civil orders available under Part 2 of the Modern Slavery Act, which can restrict defendants who pose a risk of committing modern slavery offences in the future and protecting those at risk. These are a slavery and trafficking prevention order (STPO) and a slavery and trafficking risk order (STRO).

### Slavery and trafficking prevention orders (STPO)

STPOs can be made in respect of individuals who have been convicted or cautioned, for slavery or human trafficking offences, or equivalent offences abroad\*.

\*Further information can be found within the Modern Slavery Act 2015.

There are two scenarios in which an STPO can be applied for.

- On conviction, the judge will consider the risk that the defendant may commit further slavery or human trafficking offences and the necessity of the order to protect the public or a person/s from harm.
- A free-standing STPO on application can be made for an individual who has previously been convicted, found not guilty by reason of insanity, or a finding that the defendant is a person with a disability, and has done the act charged in respect of a slavery or human trafficking offence, or been cautioned for a slavery or trafficking offence in the UK, or been convicted or cautioned for an equivalent offence abroad. The court must be satisfied there is a risk the defendant may commit another slavery or human trafficking offence and that the STPO is necessary to protect against the risk of harm from the defendant committing the offence.

### Slavery and trafficking risk order (STRO)

STROs are aimed at individuals who have NOT been convicted of a slavery or human trafficking offence, however there is evidence that they pose a risk of harm. The court will make an order if it is satisfied the defendant acted in a way that means there is a risk the defendant will commit a slavery or human trafficking offence and it is necessary for the purpose of protecting the public from the harm likely to occur from the commission of the offence.

### Interim orders

It is possible to apply for an interim STPO on application or STRO if the decision on the application for the full order has not yet been determined.

#### Drug dealing telecommunications restriction order (DDTRO)

DDTROs are aimed at causing disruption on mobile phones used by individuals involved in criminal activity. This type of order is authorised by a county court. The court can grant an order requiring the disconnection of a communication device/phone number used in connection with drug dealing offences.

## Supporting resources

- [CPS county lines typology](#)
- [Schedule 4 of the Modern Slavery Act 2015](#)
- [Civil orders](#)
- [R v DS \[2020\] EWCA Crim 285](#)
- [R v A \[2020\] EWCA Crim 1408](#)
- [National County Lines Coordination Centre YouTube channel](#)
- [Knowledge Hub](#)
- [Home Office: 'Criminal Exploitation of children and vulnerable adults': County Lines guidance](#)
- [HMICFRS: 'Both sides of the coin: The police and National Crime Agency's responses to vulnerable people in "county lines" drug offending'](#)
- [Channel 4: 'Parents caught up in UK drug gangs – to protect their children'](#)
- [The Children's Society – 'County lines and child criminal exploitation'](#)
- [The Children's Society: 'Counting lives – Responding to children who are criminally exploited'](#)
- [Waltham Forest Safeguarding Children Board: 'Serious Case Review – Child C'](#)
- [Crimestoppers: 'County Lines: Combatting the exploitation of children and vulnerable people by criminal gangs'](#)
- [APP on Missing persons](#)
- [APP on Modern slavery](#)
- [APP on Child sexual exploitation](#)
- [College of Policing and National Police Chiefs' Council: 'National Vulnerability Action Plan \(NVAP\) 2020-2022'](#)

- [Vulnerability, Knowledge and Practice Programme: 'Spotlight on... Exploitation, county lines, threats and weapons'](#)

## Delayed reporting of child abuse allegations

Allegations of child abuse are often made by adults and children a long time after the abuse has occurred, particularly when the abuser is known to them or is a member of their family. There are many reasons for an allegation not being made at the time, including fear of reprisals, the degree of grooming and control by the abuser, shame or fear that the allegation may not be believed, or not understanding that something is abuse. The allegation may be triggered by the person becoming aware that the abuser is being investigated for a similar matter, or suspecting that the abuse is continuing against other children.

Where a report is made a long time after an offence has occurred officers should consider all investigative possibilities, including those which may be the result of advances in forensic science. This APP is applicable to child victims and adults who were abused as children. Importantly, victims may not report all details of the offences initially – this takes time and trust needs to be built between the victim and investigators. It is likely that additional details will emerge throughout the course of the investigation, in court and/or via third-sector agencies. [Registered intermediaries](#) can be used to facilitate communication in such circumstances. However, [counselling](#) for both children and adult victims of abuse should be provided at the first point of contact.

The term historic should be used with care. From the victim's perspective, the harm caused by being sexually abused as a child can have lifelong effects, and is far from historic in terms of its impact on the victim. For several years, the proportion of sexual offences reported to the police that are non-recent, for example, occurring more than 28 days prior to the report, has grown and these now comprise 30-40% of all recorded serious sexual offences.

For further information see:

- [Ministry of Justice \(2012\) The Registered Intermediary Procedural Guidance Manual](#)
- Forthcoming APP on working with vulnerable people

## Domestic abuse



Research suggests that there are significant links between child abuse and domestic abuse. Where one type of abuse exists the other is also likely to be present. Children who witness domestic abuse are exposed to harm and may also be the victims of direct abuse. Links between domestic abuse and child abuse should be considered wherever either type of abuse is suspected. This is particularly important where the victim is 16-17 years old, as the definition of domestic abuse has been extended to include people under the age of 18 (previously this only applied to persons aged 18 years and over).

If the victim of domestic abuse is pregnant there will also be safeguarding issues. Under the [\*\*Children Act 1989 section 47\*\*](#), there is a duty on local authorities to make enquiries and investigate in order to safeguard and promote the welfare of the unborn child. If a child is normally resident at an address where there is suspected domestic abuse, or a victim of domestic abuse is pregnant, officers will need to make an internal referral to the child abuse investigation unit. An initial child protection conference (also known as a pre-birth conference) may be required.

Working practices should reflect the needs of the victim and of the investigation to ensure that each case receives an appropriate police response. Force systems should provide a holistic, whole-family approach to the investigation and police and multi-agency action.

For further information see:

- [\*\*HM Government \(2018\) Working Together to Safeguard Children\*\*](#)
- [\*\*Royal College of Psychiatrists\*\*](#)
- [\*\*The Hideout\*\*](#)
- [\*\*APP on domestic abuse\*\*](#)

## **Fabricated or induced illness**

This is the phenomenon of parents and carers inflicting harm on children in their care by fabricating or inducing illness, and subsequently bringing this to the attention of medical practitioners for unnecessary examination and treatment. There are examples of such harm being inflicted on the child while the child is under medical supervision, including interference with intravenous lines, suffocation and deliberate poisoning.

For further information see [\*\*Department for Children, Schools and Families \(2008\) Safeguarding Children in whom illness is fabricated or induced.\*\*](#)

## Female genital mutilation

Female genital mutilation refers to the removal of part or all of the female genitalia for cultural or other non-therapeutic reasons. Any such procedure in the UK is unlawful under the [Female Genital Mutilation Act 2003](#).

If a child has already undergone female genital mutilation, a strategy discussion should be held to assess the implications for the child and the coordination of the criminal investigation.

Arrangements (including medical and therapeutic assessments) should be made to safeguard the child. Particular attention should be paid to the potential risk to other female children in the same family. See APP on female genital mutilation.

## Forced marriage

This is a marriage conducted without the full and free consent of both parties. Children (female and male) can be subjected to forced marriages both in the UK and abroad.

For further information see:

- [Forced Marriage Unit \(FMU\)](#)
- [APP on forced marriage and honour based violence](#)

## Grooming

Grooming is the process of reducing the resistance of a child, their parents or carers to abuse. This may be achieved by increasing a child's, parent's or carer's fear of what might happen should they report the abuse, and encouraging them to believe that the abuse is acceptable. Abusers often prime and control their victims. This can occur over a short period of time or a number of years. Grooming may take place through personal contact with the child, parent or carer, or through other means of communication such as the internet. Victims are sometimes groomed to introduce further victims to the process of grooming and abuse.

Grooming is also a key element in crimes relating to trafficking of children. Victims can be trafficked internally within the country or externally to another. Children who are trafficked may behave as if they are complicit because they have been groomed by the trafficker to believe that they are being smuggled into a country for a better life or are in some way 'choosing' a particular way of living.

This can make it more difficult to identify them as victims of child abuse and to provide them with the appropriate support. The [\*\*Sexual Offences Act 2003 section 15\*\*](#) introduced a specific criminal offence of meeting or travelling to meet a child following sexual grooming with the intention of committing a relevant sexual offence. See [\*\*APP on child sexual exploitation\*\*](#).

## **Honour-based violence and other illegitimate justifications for abuse**

Illegitimate justification for violence and abuse (including murder) is sometimes referred to as honour-based violence. There have also been examples of child abuse linked to belief in spirit possession, witchcraft or other spiritual or religious belief.

For further information, see:

- [\*\*HM Government \(2007\) Safeguarding Children from Abuse Linked to a Belief in Spirit Possession\*\*](#)
- [\*\*Department for Education 2012 publication, National action plan to tackle child abuse linked to faith or belief\*\*](#)
- [\*\*APP on forced marriage and honour based violence\*\*](#)

## **Indecent images of children**

Under the [\*\*Protection of Children Act 1978\*\*](#) (as amended by the [\*\*Criminal Justice and Public Order Act 1994\*\*](#) and the [\*\*Sexual Offences Act 2003\*\*](#)), there are a number of offences which are associated with indecent images of children.

These are to:

- take, or permit to be taken or to make, any indecent photograph or pseudo-photograph of a child (meaning in this Act a person under the age of 18 years)
- distribute or show such indecent photographs or pseudo-photographs
- have in their possession such indecent photographs or pseudo-photographs, with a view to their being distributed or shown by himself/herself or others
- publish or cause to be published any advertisement likely to be understood as conveying that the advertiser distributes or shows such indecent photographs or pseudo-photographs or intends to do so

- download an indecent photograph of a child onto a computer. This is considered to be possession for the purposes of [sentencing](#)

For further information see:

- [ACPO \(2013\) Guidelines on the Presentation of Images to Court in Indecent Images of Children Cases in England and Wales](#) [RESTRICTED] (available to authorised users who are [logged on to College Learn](#))
- National guidance developed by NCA CEOP relating to the identification of victims, offenders and locations during the investigation of indecent images of children (IIOC)
- [NPCC Helpful Family Pack](#) – information surrounding the police investigation for the family of a suspect arrested in relation to online offending, in particular IIOC

For information on self-taken images see:

- [our briefing note – Responding to the taking or sharing of nude and semi-nude images by young people](#)
- [CPS \(2014\) Guidelines on prosecuting cases involving communications sent via social media](#)

## Indecent photographs

The [Protection of Children Act 1978 section 7\(2\)](#) broadly defines an indecent photograph without defining the term indecent as including: ‘an indecent film, a copy of an indecent photograph or film, and an indecent photograph comprised in a film.’ The Act defines copy as including negatives and a computer disk or any form of electronic means that can be converted into a photograph. Film is defined as ‘any form of video recording’.

## Indecent pseudo-photographs

The [Act](#) defines a pseudo-photograph as an image, whether made by computer graphics or otherwise, which appears to be a photograph, and broadly defines an indecent pseudo-photograph without defining the term indecent as including ‘a copy of an indecent pseudo-photograph, including data stored on a computer disk or by any other form of electronic means that can be converted into a pseudo-photograph’.

## Interpretation of indecency

R v Stamford [1972] 2 QB 391 states:

*Whether or not a photograph or pseudo-photograph is indecent is a question of fact, and as a question of fact it is something for a jury or magistrate to decide. The jury should apply the standard of decency which ordinary right-thinking members of the public would set – the ‘recognised standards of propriety.’*

Each indecent image of a child should be judged on its own without context to other images or the motivation of the photographer.

In R v Graham-Kerr [1988] 1 WLR 1098, the accused had taken photographs of a young boy in a nudist meeting at public swimming baths. The Court of Appeal held that the motivation of the photographer had no influence on the decency or otherwise of the photographs taken – a photograph is an indecent photograph of a child if it is indecent, and if it shows a child.

## Sentencing Advisory Panel Guidelines

The Sentencing Advisory Panel (SAP) Guidelines were originally introduced following R v Oliver [2002] EWCA Crim 2766, and others.

### SAP scale

- Level one – images depicting erotic posing with no sexual activity.
- Level two – sexual activity between children, or solo masturbation by a child.
- Level three – non-penetrative sexual activity between adults and children.
- Level four – penetrative sexual activity between children and adults.
- Level five – sadism or bestiality.

The guidelines divided images into categories for sentencing purposes based on the Copine Scale (Combating Paedophile Information Networks in Europe). This is an image categorisation scale devised by Cork University’s Copine project for assessing quantities and types of abusive material available on the internet.

The guidelines were revised in 2013. For [section 1](#) offences committed on or after 3 December 2012, this is an offence listed in Part 1 of Schedule 15B for the purposes of section 224A (life sentence for second listed offence) of the Criminal Justice Act 2003.

For convictions on or after 3 December 2012 (irrespective of the date of commission of the offence), these are specified offences for the purposes of the Criminal Justice Act 2003 section 226A (extended sentence for certain violent or sexual offences).

#### Revised offence categorisation

Source: Sentencing Council Guidelines

	Possession	Distribution	Production
<b>Category A</b>	Possession of images involving penetrative sexual activity.	Sharing images involving penetrative sexual activity.	Creating images involving penetrative sexual activity.
	Possession of images involving sexual activity with an animal or sadism.	Sharing images involving sexual activity with an animal or sadism.	Creating images involving sexual activity with an animal or sadism.
<b>Category B</b>	Possession of images involving non-penetrative sexual activity.	Sharing images involving non-penetrative sexual activity.	Creating images involving non-penetrative sexual activity.
<b>Category C</b>	Possession of other indecent images not falling within categories A or B.	Sharing other indecent images not falling within categories A or B.	Creating other indecent images not falling within categories A or B.

Distribution includes possession with a view to distributing or sharing images.

Production includes the taking or making of any image at source, ie, the original image.

Note: in most cases the intrinsic character of the most serious of the offending images will initially determine the appropriate category. If, however, the most serious images are unrepresentative of

the offender's conduct, a lower category may be appropriate. A lower category will not, however, be appropriate if the offender has produced or taken (that is, photographed) images of a higher category.

For further information and advice see Sentencing Council Guidelines and consult a CPS lawyer.

## **Victim identification**

Investigations relating to abusive or indecent images of children provide the opportunity to identify, locate and safeguard victims, hold offenders who appear in the images to account, and identify potential victims within the perpetrators' network of relationships. Every effort should be made to identify the victims of abuse whose images are distributed via the internet or by other means.

## **Handling images**

Local force computer forensic departments have built up 'hash value' data sets which can be used quickly to grade bulk quantity seizures and ascertain which images may not have been seen before. These 'new' images may be significant from a victim identification perspective. They should be inspected to establish any links to the person from whom they have been seized, or to identify any clues which may enable the victim in the images to be traced. Clues to tracing victims may appear in non-indecent images within the seized material. The Victim Identification Team at CEOP can be consulted and asked to check the Childbase images database to establish if such material has been seized previously.

Large quantities of images should not be dip-sampled or top-skimmed when being counted and categorised. If these methods are used it is extremely likely that victims of child abuse will be missed. Should such methods be necessary to reduce forensic backlogs or for the purposes of expediency in individual cases, images that have not been properly analysed should be forwarded to the Victim Identification Team at CEOP for further analysis.

Sometimes an image may not be intrinsically indecent but may be unusual in the context of the person in possession of it (for example, a person with no young children in their family having photos of young children in a playground). This kind of information may be relevant to managing sexual or violent offenders and potentially dangerous persons, and decisions relating to, for example, applications for civil orders. See APP on [managing sexual offenders and violent offenders](#).



## Managing sexual offenders and violent offenders

Investigations that take place as part of the management of sexual offenders and violent offenders can relate to child abuse. Multi-agency public protection arrangement (MAPPA) offenders and potentially dangerous persons can have an offending background which includes child abuse. Such abuse can also be uncovered when managing offenders who have no record of such offending behaviour. For example, evidence of potential or actual child abuse could be uncovered during a home visit to a registered sexual offender who has established an intimate relationship with an individual who has children. In all such cases, potential child abuse should be investigated. Information should be recorded and stored on appropriate police systems, including the violent offender and sex offender register (ViSOR) database.

In some cases, child abuse offenders who are not managed within MAPPA or as potentially dangerous persons need to be included in force systems which manage such individuals.

For further information see [APP on managing sexual offenders and violent offenders](#).

## Missing children or families

A missing child (whether reported or not) or a family or child missing significant appointments (for example, with healthcare professionals) and/or being suspected of having moved out of the local area without notice may indicate child abuse. Children who go missing may be at risk while they are missing and/or may have run away to escape abuse.

Before missing children are returned, enquiries should be made to discover the reasons for their disappearance through 'safe and well' interviews. These enquiries can result in further [concerns about the child](#) and reveal incidents of abuse. In some cases a child may be found who has not been reported missing, which may be because the child has been deliberately excluded from the home environment. In such cases officers should consider the child's safety and vulnerability.

Information obtained during missing persons investigations (for example, where a child or children are regularly found at the same address or with the same person) may indicate a need for further investigation.

For further information see:

- [APP on child sexual exploitation](#)
- [APP on missing persons](#)

## Offending by children

When children are reported to be abusing others, offending in other ways, or involved in substance abuse, this should be recognised as a possible indicator that they are or have been a victim of child abuse. Local force policies in respect of notifying relevant agencies of youth offending should be followed.

Sexual offending by children, even if relatively minor (for example, exposure) may escalate to more serious sexual offending. This should be referred to children's social care so that issues can be dealt with at an early stage.

For further information see:

- [APP on managing sexual offenders and violent offenders](#)
- Forthcoming APP on identifying and reducing risk
- [Ministry of Justice MAPPA Guidance](#)
- [HM Government \(2018\) Working Together to Safeguard Children](#)
- [Welsh Assembly Government \(n.d.\) Safeguarding Children: Working Together Under the Children Act 2004](#)

## Rape, sexual activity and pregnancy of a child

Forthcoming [APP on rape and sexual offences](#) provides advice on investigating such cases and includes information about services for children provided by sexual assault referral centres and independent sexual violence advisors. For example, some sexual assault referral centres deal with adults only, but others may have child interview facilities and general services aimed at the needs of children. Where child therapists are not provided, they need to be made available.

In addition to general witness and victim support services, there are specialist services for victims of sexual violence and abuse. See [SupportLine](#) for a detailed list of support services available in the UK for victims of child abuse and their families.

## Sexual activity

Allegations of sexual activity with a child, including situations when the child claims to be consenting, should be considered as potential child abuse. A child under the age of 13 years cannot lawfully consent to sexual activity. The pregnancy of a child under 16 years could provide evidence in a criminal investigation. Under the [Sexual Offences Act 2003](#), in addition to specific offences relating to rape and sexual activity with a child, it is an offence under the [Child Abduction Act 1984 section 2](#) for a person acting without lawful authority or reasonable excuse to take a child under 16 years from the possession of their parent or guardian.

In some cases the effects of the abuse may mean that the child does not realise that they are being abused, resulting in their playing down and/or denying the abuse – they may also claim that they are consenting to it. Any police investigation should consider such issues, including when interviewing the victim and the suspect. Sometimes sexual abuse committed against a child is reported when the victim is an adult, see forthcoming APP on working with vulnerable people.

## Sexual activity with consent

There may be a correlation between those convicted of unlawful sexual activity with a child or rape of a child, and convictions for other sexual offences, particularly when the child was under 13 at the time of the unlawful sexual activity or rape. See forthcoming APP on rape and sexual offences.

When the police are investigating a case where a child claims to be consenting to sex, the police and children's social care should liaise to ensure that all relevant information is shared and a decision is made about any risk of harm and how to proceed in the best interests of the child. For example, where it is clear that a child over 13 is engaged in consensual sexual activity with another child of a similar age, this may include determining the degree to which the police need to become involved.

A child's right to respect for a private and family life and the claim by the child to be consenting to sex do not affect the duties on agencies to consider the possibility that a child may be suffering harm, and to take appropriate action to protect the child and any other children at risk of harm. To assess whether an underage child engaging in sexual activity is likely to be at risk of significant harm, checks usually need to be made with the police (for example, relating to any information about the offending history of the suspect). Local police and multi-agency protocols should include arrangements for contact with the police in such cases, whether or not a full criminal inquiry is later considered necessary.

## Sexual exploitation of children

Children who are being [sexually exploited](#) are victims of abuse.

## Stalking and harassment

Offences relating to stalking and harassment are known to affect children. See forthcoming APP on stalking and harassment.

## Travelling sexual offenders

Some sexual offenders travel abroad to abuse children. In some cases abusers take children with them, pre-arrange access to children or travel to locations where they have ready access to children who are abused by sexual exploitation. Particular countries are attractive destinations for abusers because of a low age of consent to sex, tolerance of sex with children, inadequate legislation, poorly resourced law enforcement and/or an established sex industry that includes [child sexual exploitation](#). Other factors influencing travel to specific destinations include choosing countries where poverty leaves children vulnerable to exploitation or where children are less physically developed for their age and appear to be younger. Foreign nationals, not restricted by British monitoring, may also travel to the UK for the purpose of sexually abusing children.

Under the [Sexual Offences Act 2003 section 114](#), the police may apply for a foreign travel order. This prevents qualifying offenders from travelling abroad where and so far as it is necessary to protect a child or children from sexual harm outside the UK (for example, those dealt with by the courts in respect of certain sexual offences against a child under 16 years, either in this country or abroad). The police may apply for a foreign travel order separately or at the same time as applying for other civil orders.

For further information see:

- [APP on managing sexual offenders and violent offenders](#)
- [CEOP](#)

## Unexpected death of a child

In this context, an unexpected death is defined as the death of a child which was not anticipated as a significant possibility 24 hours before the death, or where there was a similarly unexpected collapse leading to, or precipitating, the events which led to the death. The guidelines in [The Royal College of Pathologists and The Royal College of Paediatrics and Health \(2004\) Sudden unexpected death in infancy: A multi-agency protocol for care and investigation](#) have introduced the concept of a Child Death Rapid Response Team, multi-agency information-sharing meetings, standard post-mortem procedures and a Child Death Review Process. The police response is of crucial importance at every stage of the process. Some forces have created a cadre of child abuse investigation unit SIOs on a call-out rota, which enables them to act as the initial investigating officer for all investigations into child deaths.

Where there are no obvious suspicious circumstances, it is likely that a child discovered apparently dead at home will be transported by ambulance to an emergency care department before the police are informed. As soon as a report of a childhood death is received, the police should deploy a senior detective, ideally from the child abuse investigation unit, to the location where the body is situated to take control. Where possible, deployment should be carried out in a discreet and sensitive manner using unmarked vehicles.

Avoidable (preventable) causes of infant death include pre-birth maternal smoking and, following birth, paternal smoking, overheating and suffocation while the infant was in bed with an individual aged 16 years or above, who was under the influence of alcohol or a prohibited drug at the time. The definition of bed includes any kind of furniture or surface being used by the individual for the purpose of sleeping.

For further information see:

- [Practice advice on child death investigation](#)
- [APP on managing sexual offenders and violent offenders](#)

## Tags

Child abuse