

**Amendment to introduce a statutory definition of child criminal exploitation.**

Barnardo's, alongside The Children's Society, is calling for Part 1, Section 3 of Modern Slavery Act to be amended, through the Police, Crime, Sentencing and Courts Bill, to introduce a statutory definition of 'child criminal exploitation'. We support Amendment NC17 which puts forward the following statutory definition:

***"Child Criminal Exploitation is when another person or persons manipulate, deceive, coerce or control the person to undertake activity which constitutes a criminal offence where the person is under the age of 18."***

**What is child criminal exploitation (CCE)?**

- CCE is **child abuse**. Children who are criminally exploited are trafficked, exploited or coerced into committing crimes such as carrying drugs or weapons. These children are often threatened and blackmailed, subjected to physical, emotional or sexual abuse, and/or at risk of serious violence.
- A child from any background – sometimes as young as 9 – can be coerced into criminal exploitation, however **gangs often target vulnerable children**, such as those with disabilities, are in care or from minority backgrounds.
- The scale of this harm is unknown. In 2019, it was estimated that **27,000** children are at high risk of gang exploitation;<sup>1</sup> and **1 in 25** of all young people experience broader risk factors linked to exploitation.
- In 2020, the number of 'children in need' assessments that **identified gangs as a factor increased by 34%**.<sup>2</sup>
- These figures vastly **underestimate the scale of the issue** as many children do not know they are in or admit to being in a gang.
- Children who are at risk or are being criminally exploited often go unidentified and unsupported. The former Children's Commissioner for England found only a fraction of children involved in gang violence are known to children's services.<sup>3</sup>
- More worrying even when children are known to authorities they are not always safeguarded and supported. Serious Case Reviews<sup>4</sup> have illustrated those children who experience CCE, knife crime and/or gang involvement are often passed from service to service without meaningful engagement.<sup>5</sup>
- This Bill is an opportunity to introduce a statutory definition of child criminal exploitation ensure victims of child criminal exploitation are recognised in a similar way.

<sup>1</sup> Children's Commissioner, 2019. [Keeping kids safe - Improving safeguarding responses to gang violence and criminal exploitation](#).

<sup>2</sup> Department for Education, 2020. [Characteristics of children in need, Reporting Year 2020](#)

<sup>3</sup> Children's Commissioner, 2019. [Keeping kids safe - Improving safeguarding responses to gang violence and criminal exploitation](#).

<sup>4</sup> A Serious Case Review occurs when a child dies, or is seriously harmed, as a result of abuse or neglect. A case review is conducted to identify ways that local professionals and organisations can improve the way they work together to safeguard children.

<sup>5</sup> The Child Safeguarding Review Panel - It was hard to escape Safeguarding children at risk from criminal exploitation, June 2020.

## About 'Archie'

The Serious Case Review into the fatal stabbing of a 15-year-old boy known as 'Archie' in Sheffield in 2018 contains a list of failings by authorities to protect him from harm.<sup>6</sup> Agencies were too slow to act; information was not shared; youth engagement was abruptly ended, and the list goes on.<sup>7</sup> 'Archie' is just one of many children not being seen as victims and not being protected from further harm or harming others.

## Why introduce a statutory definition of child criminal exploitation?

- Children who have been criminally exploited often go **unidentified and unsupported** by services until they are caught by the police or arrive at A&E, at which point they are often **viewed as perpetrators**. A definition would raise awareness of the problem amongst professionals and ensure the effective identification of children at risk with the implementation of timely and appropriate support.
- Children who have been or are at risk of criminal exploitation are **victims in need of safeguarding**. However, responses to these children vary significantly between different local authorities and police forces. Some have effective pathways to protect children from exploitation, however many have not. We need effective and consistent support for all children at risk.
- Contextual safeguarding identifies **risks outside the family home**, such as in schools, shopping centres and online, and looks at how we can best understand these risks and keep children safe. However, the criminal justice system and statutory safeguarding systems are not set up to ensure a consistent approach to contextual safeguarding. Having a statutory definition will help improve this.
- There are strong parallels here with how children who had been sexually abused and exploited had in decades past been seen as 'criminals', 'child prostitutes' and 'rent boys'. Barnardo's has supported victims of child sexual exploitation and campaigned for decades to show these children were and are victims of abuse.
- Children who are sexually exploited are now recognised as victims thanks to the definition of 'child sexual exploitation' introduced following a Government consultation in 2016. The same should apply to children who have been criminally exploited, yet too often they are criminalised rather than supported – or simply fall through the cracks. This Bill is an opportunity to ensure victims of child criminal exploitation are recognised in a similar way.

## About Barnardo's

Barnardo's is the UK's largest national children's charity. In 2019/2020, we supported 358,800 children, young people families and carers through more than 800 services and partnerships. During the pandemic Barnardo's led *See, Hear, Respond*, a unique programme of 80+ charities and community-based organisations across England. The programme provided targeted support to vulnerable groups of children through a blended offer including an online support hub, online counselling and therapy, access to specialist group work, face-to-face 1:1 support, detached youth work, and support with reintegration into education. The programme supported over 27,000 children at risk of being criminally exploited through detached youth

<sup>6</sup> Sheffield Children Safeguarding Partnership: Learning brief. [Archie – Serious Case Review](#)

<sup>7</sup> Recommendations from the review included Sheffield Safeguarding Children Board and the Community Safety Partnership should ensure there are structures in place to assess, refer and intervene with vulnerable people who may be exploited by gangs and Organised Crime Groups operating in the city.

work and received 1,943 individual referrals for support regarding child sexual abuse outside of the family home and wider criminal exploitation. For more information contact Claire, Public Affairs Manager, [claire.stewart@barnardos.org.uk](mailto:claire.stewart@barnardos.org.uk)