

## Summary

- The Police, Crime, Sentencing and Courts Bill provides a key opportunity to tackle child criminal exploitation (CCE) and serious youth violence.
- Children who have been criminally exploited are **victims of child abuse**, who are coerced into committing crimes. However, rather than being treated as victims, they are often unfairly criminalised. Barnardo's, alongside organisations including The Children's Society, is calling for the Bill to be amended to introduce a **statutory definition of 'child criminal exploitation'** to help identify child victims and make sure they are supported appropriately. This will help to place CCE on a similar statutory footing as child sexual exploitation.
- No one agency can tackle serious violence alone. Barnardo's welcomes Part 2, Chapter 1, introducing a new legal duty requiring local public services to work together in '*Serious Violence Partnerships*' to prevent and reduce serious violence. However, we believe this section could be strengthened by specifically including measures to prevent CCE and safeguard victims, **establishing a National Serious Violence Oversight Board** and **requiring local Serious Violence Partnerships to publish a strategy for providing specialist training** on child criminal exploitation and serious youth violence to local multi-agency partners.

## Child criminal exploitation and serious youth violence

- **Child criminal exploitation is child abuse.** Children are trafficked, exploited and/or coerced into undertaking criminal activity, including carrying drugs or weapons. They are often threatened, blackmailed, subjected to physical, emotional or sexual abuse, and/or at risk of serious violence.
- In England and Wales, there were **44,285 police-recorded offences** involving a knife or sharp instrument and 23 children aged just 17 or younger were murdered with a knife or sharp object in the 12 months to March 2020.<sup>1</sup>
- In 2019/20, of those admitted to hospital for assault by sharp object 16.2% were aged 18 or younger.<sup>2</sup>
- In 2019, the Children's Commissioner for England estimated that there were **27,000** children at high risk of gang exploitation;<sup>3</sup> and in 2020, the number of 'children in need' assessments that **identified gangs as a factor increased by 34%** compared to last year.<sup>4</sup>
- In the year ending 2020, **4,946** children entered the National Referral Mechanism as victims of trafficking and exploitation in the UK – the main reason for referrals was criminal exploitation. 40% of all child referrals for criminal exploited cited county lines.<sup>5</sup>

## Introducing a statutory definition of 'child criminal exploitation'

- Barnardo's has a long history of supporting children who have been abused and/or exploited. Many of our services support children who have been criminally exploited or impacted by serious youth violence. They report that children are still frequently being treated as criminals by agencies that come into contact with them and are not being

<sup>1</sup> ONS, February 2021. [Homicide in England and Wales.](#)

<sup>2</sup> NHS Digital, 2020. [Hospital Admitted Patient Care Activity](#), 2019-20: External causes tables, 17 September 2020 and earlier editions.

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

<sup>4</sup> Department for Education, 2020. [Characteristics of children in need, Reporting Year 2020](#)

<sup>5</sup> Home Office, 2020. [Modern Slavery: National Referral Mechanism and Duty to Notify Statistics.](#) County lines is 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".

appropriately safeguarded. One CCE Barnardo's service manager said 'our project workers are often the only people advocating and championing for a young person as a *victim* of child exploitation'.

- Children who have been criminally exploited are **often not identified or supported 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, as they are **victims of criminal exploitation** in need of safeguarding.
- However, **responses vary significantly between 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. We recently sent Freedom of Information requests to police forces to understand the number of recorded victims of CCE in their areas and their characteristics. Although the majority of relevant police forces (30 out of 47) replied to the FOI request, only one police force was able to provide any data on CCE. The majority of police forces indicated it would require a prohibitively expensive manual search of arrest reports and many asked questions about how CCE is defined. Without a statutory definition, it is difficult for forces to identify and record child criminal exploitation properly let alone consider improvements in referrals and support for those suffering from CCE.
- Barnardo's has supported and campaigned for decades for children who have been sexually abused to be seen as victims. **Children who had been sexually abused and exploited** used to be labelled as 'criminals', 'child prostitutes' and 'rent boys'. Following a Government consultation in 2016, these children are now recognised as victims due to the introduction of a definition of 'child sexual exploitation'. The same should apply to children who have been criminally exploited.
- Barnardo's, alongside The Children's Society, is calling for Part 1, Section 3 of Modern Slavery Act to be amended, in this Bill, to **introduce a statutory definition of child criminal exploitation**: "(7) 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."
- This definition would:
  - Create a framework to ensure children who have been exploited can access support either by being recognised as a 'child in need' or by making it easier for these children to be referred through the National Referral Mechanism (NRM).<sup>6</sup>
  - Create a consistent understanding of criminal exploitation amongst public authorities, enabling them to identify and support children as victims.

### **Ensuring Serious Violence Partnerships prioritise the safeguarding of children and young people affected by serious youth violence and criminal exploitation**

- We welcome Part 2, Chapter 1 which will **introduce a new legal duty requiring local public services to work together in 'Serious Violence Partnerships'** to tackle serious violence. This will bring together chief officers of police, specified health authorities, local authorities, probation service providers, youth offending teams and fire and rescue services to plan, prevent and reduce serious violence.
- However, as the duty currently stands, **it will not go far enough to protect and safeguard children** from serious youth violence and criminal exploitation.

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<sup>6</sup> National Referral Mechanism was established in the [Modern Slavery Act 2015](#).

We believe this **duty can be strengthened** by:

- Prioritising the safeguarding of children at risk of CCE and involved in serious violence. Each local strategy must ensure that there are clear pathways to support for children when they present to these agencies with signs of being criminally exploited. This should be on the face of the Bill with more details in the accompanying guidance.
- **Establishing a National Serious Violence Oversight Board.** Serious violence and child criminal exploitation inevitably cross boundaries and are not confined to one local area. A National Serious Violence Oversight Board will enable analysis on national trends and real scrutiny on what is and is not working at a national level.
- **Requiring local Serious Violence Partnerships to publish a strategy for providing specialist training on child criminal exploitation and serious youth violence to all specified authorities named in Chapter 1, Part 2 of this Act.** Training professionals is crucial to identifying and safeguarding children at risk of child criminal exploitation.

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### **About Barnardo's**

Barnardo's is the UK's largest children's charity. In 2019/2020, we supported 358,800 children, young people, parents and carers, through more than 800 services and partnerships. Including services supporting children who have been criminally exploited:

**ROUTES** works with 8–18-year-olds at high risk of committing or being victims of serious violence. Most of the work is in Bristol, working with children affected by gangs. Some staff are based in Somerset working with children affected by county Lines. Staff provide one-to-one intervention, relationship-building and a specialist response to trauma. There are also targeted group work sessions and preventative sessions for inner-city schools and pupil referral units.

The **National Counter Trafficking Service (NCTS)** supports children to cope with the practical and emotional traumas of being trafficked and help them to understand and navigate social care services, the police and immigration. Barnardo's runs the specialist **Independent Child Trafficking Guardianship Service (ICTGS)** – defined in s48 of the Modern Slavery Act 2015 and commissioned by the Home Office – in Cymru, East Midlands, West Midlands Combined Authorities, Bedfordshire, Gloucestershire, (including Bristol), Warwickshire, all London Boroughs, Hampshire and the Isle of Wight, Kent, Surrey, Essex, Greater Manchester, North & West Yorkshire, Lancashire & Merseyside.

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