



## **Teeswide Safeguarding Adults Board**

### **Learning from Regional and National SAR Cases**

#### **Thematic Analysis of SARs involving Adult Sexual Exploitation (ASE)**

##### **Introduction**

The Teeswide Safeguarding Adults Board (TSAB) published Molly's SAR in June 2022.

- [Overview Report](#)
- [Learning Briefing](#)

Molly was 25 years old. She was known to multiple agencies and was discussed at the Team Around the Individual Panel (a multi-agency high risk, complex case management group) for over a year before she died. She was known to have been a victim of child abuse and there were previous concerns about domestic abuse in her adult life. There were also concerns around Self-Neglect, homelessness, self-harm, substance misuse and sexual exploitation by multiple perpetrators. Molly was found deceased at a property of a person not well known to her.

The Review highlighted lots of good practice and multi-agency working, however professionals were frustrated and saddened that despite their best efforts to protect Molly, they felt powerless to prevent such a tragic outcome. The following themes and learning points were identified:

##### **Multi-Agency Working and Safeguarding**

- Strengthening multi-agency safeguarding arrangements for high risk, complex cases
- Understanding multi-agency forums such as Multi-Agency Risk Assessment Conference (MARAC), Multi-Agency Tasking and Coordination (MATAC) etc and how they interface with safeguarding

##### **Legal Literacy**

- Seeking legal advice at the earliest opportunity for complex cases
- Understanding legal options available to disrupt perpetrators
- Understanding legal options available for people who have mental capacity but where their decisions place them at significant risk of harm or death
- Understanding mental capacity / executive capacity and the potential impact of coercion and substance misuse on decision making

##### **Support for Victims**

- The need to improve the victim's journey through the criminal justice system to create better outcomes for victims of ASE
- Supporting victims to disclose abuse or give evidence
- Being aware of language and victim blaming, such as 'not being a credible witness'
- Understanding trauma, further embedding trauma informed practice and exploring alternative therapy options available
- The need for more appropriate accommodation

##### **Perpetrator Management**

- Improving opportunities to gather intelligence and evidence to improve chances of conviction of perpetrators
- Disruption tactics, which may help multiple victims

##### **Support for Staff**

- Understanding vicarious trauma and appropriate support for staff who are managing complex cases

- Risks to staff when trying to support individuals who are associated with perpetrators/involved in organised crime.

TSAB, via the Call for Action Group, led by Cleveland Police will develop a Teeswide Adult Sexual Exploitation (ASE) Strategy and Guidance. Research is being conducted via the group to try to understand the prevalence of ASE in Teesside.

Discussions are ongoing with the Vulnerable Exploited Missing and Trafficked (VEMT) Group now known as the Tees Exploitation Group (TEG) on how to incorporate adults as well as children. The Cleveland Anti-Slavery Network has an established [Modern Slavery / Human Trafficking Victim Care Pathway](#) in place.

The Team Around the Individual (TATI) arrangements are being fully reviewed to develop a consistent, Teeswide approach for managing the most complex and high-risk cases.

Some of the issues identified in Molly's case had national implications and TSAB together with Newcastle SAB (see Joint Serious Case Review below) highlighted concerns via the SAR Escalation Protocol. As a result, the following will be taken forward:

- Department of Health and Social Care to consider taking a lead role in developing a national definition of Adult Sexual Exploitation and practice guidance
- Criminal Justice issues will be taken to the Ministry of Justice

The Independent Reviewer of Molly's report highlighted that nationally there is very little research, policy, procedures, or guidance around ASE and guidance around exploitation is very much focused on children. The Review recommended for TSAB to understand what other SABs have experienced in relation to ASE cases to identify good practice and learning, to pick up on any elements that are relevant to TSAB.

The TSAB Business Unit circulated an email via the National Business Managers Network with a request for colleagues to share any recent cases that involved ASE as a key theme. This report reflects on Molly's case and another 5 SARs (1 SAR has been removed prior to publication due its highly confidential nature).

### **Joint Serious Case Review Concerning Sexual Exploitation of Children and Adults – Newcastle (2018)**

- [Overview Report](#)
- [Easy Read](#)

The Joint Serious Case Review (SCR) focused on multiple victims' journeys, of girls, young women or people with a learning disability who had been sexually exploited by groups of men. The Review recognised the importance of how victims are treated when giving evidence/disclosures and trying to stop 'victim blaming'. The SCR recognised the need to have strong links between children and adult services where there are concerns regarding exploitation, the need for specific ASE guidance, improving survivors' experiences of the criminal justice system and bringing perpetrators to justice.

Although this case dates back quite some time (commenced pre-Care Act), it is pertinent to consider due to the vast amount of learning and work that has taken place in Newcastle. The SCR made 15 national recommendations, the main theme around these recommendations was to ensure that national developments in relation to sexual exploitation considered both child and adult victims. There were difficulties in getting full engagement on all of the recommendations at a national level and Newcastle SAB reached a point where they felt they were unable to progress any further.

As mentioned previously, this case together with Molly's, were recently escalated to the National Executive Group.

### **Laura (2021) – Warrington SAB**

- [Executive Summary](#)
- [Learning Briefing](#)

Laura was 22 years old. She had experienced at least three sexual assaults. She was diagnosed with borderline Emotionally Unstable Personality Disorder with anti-social and schizotypy aspects. Laura was a resident of a Psychiatric Intensive Care Unit. She regularly absconded, attempted suicide and self-harm attempts including the use of ligatures. Laura sadly took her own life.

#### **Key Findings**

The Review recognised there is a national shortage of safe, and treatment-evidenced support for people with complex mental health support needs. Treatment options are not widely available and often have long waiting periods before they can be accessed. The delay in access created risks for those service users most in need of treatment.

#### **Learning and Recommendations**

When service users have a history of trauma, it is important that this is taken into account when responding to current presentations and needs. Additional support could have been offered to Laura that was responsive to her capacity to engage as this changed over time. The Review recommends encouraging staff to take account of an individual's history of trauma to inform response decisions. Trauma Informed Practice and learning from it is to be promoted.

### **Rachel (2019) – Solihull SAB**

- [Overview Report](#)
- [Learning Briefing](#)

Rachel was 20 years old. She had been a victim of sexual abuse as a child and had a history of mental health difficulties, substance misuse, self-harming behaviours, would often go missing and numerous suicide attempts. She experienced periods of homelessness and was a victim of sexual exploitation and trafficking from the age of 17 onwards. Some perpetrators were known to be part of organised crime groups. Rachel was found dead in her bedroom at the supported living accommodation where she had been living. Following a Coroner's Inquest, the cause of death was recorded as drug related.

#### **Key Findings**

Rachel was known to multiple agencies which at times was overwhelming for her. She also experienced a loss of valued relationships established with some professionals because of unavoidable changes in worker or her several moves to different accommodation.

Rachel experienced coercion and threats from perpetrators and often indicated that the more professionals tried to contact her, the more she was placed at risk of violence.

All too often the focus and attention has been on the behaviour of victims who are often inappropriately blamed for apparently consenting to sexual exploitation, rather than assessing the impact of the environment surrounding them.

A professional can reasonably override a person's decision not to give consent to share information where other people may be at risk, a serious crime has been committed or might be prevented, or where coercion appears to be influencing the decision not to give consent. Information sharing should be legally proportionate.

An important factor governing the police's approach is that sexual exploitation of adults is not an offence in itself, unless it involves trafficking. Therefore, for the sexual offences team to commence an investigation, there needs to be a complainant and a reported offence. A key priority therefore will be to explore the opportunities for joint working with the police to share information and support the victim through the investigation process to secure their engagement with the investigation. This is especially important in cases like Rachel's where the victim either could not disclose because of coercion, or would not disclose because she lacked confidence as to whether she would be believed or would be protected.

### **Learning and Recommendations**

There should be a single joint strategy group, with responsibilities to develop strategic priorities, coordinate actions and oversee delivery of these, in respect of both children and adults who are victims, or at risk of exploitation.

Professionals need an understanding of the process and possible benefits of the National Referral Mechanism for victims of human trafficking, including the importance of partnership working with the agency commissioned to provide independent support when a 'positive reasonable grounds' decision has been made.

Professionals need to have access to updated legal guidance, including reference to current case law, on different legal options which are available to protect adult victims of sexual exploitation, including situations where mental capacity may be impaired because of coercion.

There needs to be a firming up of the multi-agency pathways and eligibility criteria for considering what support might be provided when child victims transition into adulthood. For some young people their circumstances and needs do not readily fall into the existing transition arrangements and referral routes into adult services.

### **Oldham SAB – Confidential Report**

This section has been removed due to its confidential nature.

### **Adult K (2020) – Doncaster SAB**

- [Overview Report](#)
- [Learning Briefing](#)

Adult K was 19 years old when she died, which was recorded as drug related. She was a Looked After Child from the age of 14. K would often go missing and would be secretive about where she was staying and who she was associating with. Both prior to and after K became looked after, there were concerns that she was at high risk of sexual exploitation.

The focus of the SAR was to examine the effectiveness of multi-agency working and processes in responding to sexual exploitation both pre and post 18 years of age.

### **Key Findings**

Differences in the response to sexual exploitation which flow from the change in legal status when victims reach 18 years of age including how this can affect professionals' engagement and information sharing.

The arrangements to support transition into adulthood, and how current referral pathways and application of eligibility criteria affect access to future support.

There should be multi-agency processes for assessing risk, protection planning and coordination of action to disrupt or pursue alleged perpetrators both in respect of adult and child victims.

Themes were identified around:

- Use of language
- Consent to sexual activity
- Contextual safeguarding
- Use of the National Referral Mechanism for victims of human trafficking
- Information sharing in respect of adults
- Multi-agency arrangement to respond to sexual exploitation post 18 years of age
- Transition process
- Safeguarding response to adult victims
- Partnership working in respect of adult victims

Increasingly, concern is being voiced by a range of professionals nationally that a strict interpretation of the eligibility criteria set out in the Care Act 2014 is too often resulting in adult victims of sexual exploitation not qualifying for services because they are judged not to have care and support needs. This can result in young people who are experiencing various developmental or mental health difficulties being denied support unless they have previously received a formal mental health diagnosis.

For adults, current legislative frameworks places an emphasis on promoting wellbeing and that adults have the right to make informed decisions about their own lives, even if those decisions appear unwise. The decision whether to seek or initiate a safeguarding response is also affected by the issues around consent. In contrast to the position in respect of a child, consent would usually need to be sought from an adult victim because of the fundamental principle enshrined in the Mental Capacity Act 2005 that it must be assumed that they have mental capacity to make decisions about their care and protection. However, professionals need to be alert to the possibility that coercion or other factors become so significant that they have a serious adverse impact on how this 'right / ability' is exercised, and victims may not be able to make free informed choices about their safeguarding needs.

### **Learning and Recommendations**

The SAB and Safeguarding Children Partnership should consider extending the remit and membership of the existing Child Exploitation and Missing Sub-Group to include strategic oversight of arrangements to address the risk of children being victims of sexual exploitation after they transition into adulthood and up to their 21<sup>st</sup> birthday.

The SAB should satisfy itself that there is a shared understanding across the safeguarding partnerships that young adults may continue to be at risk of sexual exploitation after they reach 18 years of age, and that this requires consideration of a safeguarding response.

The SAB should satisfy itself that there are multi-agency processes in place to share information, assess risk and coordinate interventions to protect victims, including action to disrupt and pursue alleged perpetrators.

The SAB should request its statutory partners to provide a position statement on the effectiveness of transition arrangement for victims of sexual exploitation and the extent to which they are able to access support to meet their assessed needs as they transition into adulthood. The findings should inform any necessary work to:

- Clarify transition pathways and eligibility for services
- Ensure that the prevention duty set out in the Care Act 2014 is being applied in a flexible way which supports the identification of future support needs; maps existing services and develops a commissioning strategy to extend the range of support.

The SAB should seek assurance that professionals across the adults and childrens safeguarding partnerships have the necessary awareness of law and complex issues in

relation to consent to sexual activity, taking account of sexual exploitation and wider coercive and control issues.

The SAB should seek assurance that risk assessments in response to possible sexual exploitation identify the circumstances without recourse to language which could imply that victims are making lifestyle choices.

The SAB should seek assurance that professionals across the adult and childrens safeguarding partnerships have the necessary understanding of the process, and potential benefits in respect of the National Referral Mechanism for victims of human trafficking.

The SAB and SCP should seek assurance that its Joint Information Sharing Protocol sets out the circumstances in which information can be shared without an adult's consent and that quality assurance processes are provided through the Caldicott Guardians within organisations.

## Summary

Having reflected on the above cases, there are notable gaps in the system as a whole to effectively protect victims of ASE. The complexities and risks can change so frequently, and this creates significant barriers and challenges for victims and the professionals supporting them. The following 10 themes have been identified.

- **ASE Guidance**

Tackling Adult Sexual Exploitation needs strategic direction and a multi-agency approach. From the cases reviewed it was quite stark how similar the findings were to each other. This strongly suggests that SABs across the country are facing the same issues and begs the question as to whether there should be national direction and guidance in relation to Adult Sexual Exploitation.

Many of the SARs recognised the need for ASE Guidance which could include both children and adults. It was evident that professionals need practical tools to support them with complex cases and to fully understand the referral pathways and legal options available to support victims.

- **Multi-Agency Approach to Prevention / Protecting Victims and Disrupting Perpetrators**

All agencies play a key role in preventing ASE; to work together effectively to de-escalate situations before a crisis occurs. For example, children who are groomed and sexually exploited can continue to be exploited as adults. Organisations across the Criminal Justice System, Police, Prison Service and Probation can help to prevent ASE through effective management of perpetrators. The voluntary sector and specialist services can support survivors, to empower them to improve their circumstances and independence away from abusers to prevent re-victimisation.

All agencies play a key role in gathering/reporting intelligence to the police to help to understand the 'bigger picture' in relation to victims, known/alleged perpetrators and locations of interest.

In many cases there were recommendations to ensure that there are multi-agency processes in place to share information, assess risk and coordinate interventions to protect victims, including action to disrupt and pursue alleged perpetrators.

- **Strategic Oversight of Complex Cases**

In many cases there was an acknowledgment that due to the complexity and high risk of ASE cases they may need strategic oversight. There was also reference to other multi-agency forums such as high-risk panels, Vulnerable Exploited Missing Trafficked or the National Referral Mechanism and how these can be used to protect people. In Molly's case, understanding how these different forums interface with each other was a key learning point.

- **Understanding Trauma and the Impact of Coercion**

From the sample of cases reviewed, the individuals were all young women (or girls). Often, they showed self-neglecting behaviours, such as self-harm/substance misuse. They may have experienced homelessness and/or have complex needs, such as mental health issues or were at high risk of harm and abuse due to coercion and violence from perpetrators. In a number of cases individuals had died due to suicide or a drug related death. Embedding Trauma Informed Practice has been highlighted as a learning point in most cases.

Due to the trauma ASE victims experience, they may have low self-esteem or engage in risk taking behaviours, which can sometimes be used as a coping mechanism. This can increase their vulnerability and dependence on others, who may exploit them. Perpetrators can use substances as a means of gaining power and control by increasing the victims' addiction and reliance on substances. It may appear that individuals are 'consenting' to sex, but this could be in exchange for things such as food, shelter, drugs, alcohol or money. Some victims may be deemed as having mental capacity to make their own decisions and that they are therefore choosing to be in the circumstances they find themselves in. Practitioners need to understand the potential impact that homelessness, poverty, coercion and substances may have on people's decision making and act in a legally proportionate way.

- **Support for Staff and Vicarious Trauma**

Due to their complexity, it was recognised that staff may need additional support (including emotional support) for managing ASE cases. Cases with such tragic outcomes can also have a profound impact on staff.

There needs to be provisions in place to keep staff safe when visiting individuals who may be associated with violent perpetrators or organised crime groups.

- **Transition**

A number of cases recognised the link between exploited children continuing to be exploited as adults and the change in legal frameworks once someone reaches the age of 18. There needs to be closer links with children and adult services so that the level of support and protection continues after someone turns 18.

- **Engagement**

People who suffer from trauma may struggle to engage with support services; they may feel overwhelmed by the number of agencies involved, they may be withdrawn, depressed, have anxiety or mental health issues that may make it difficult for them to actively engage with services. Disclosing or talking about sexual abuse and exploitation can also be incredibly difficult for someone. They may be coerced and fear reaching out for help due to threats or physical acts of violence from perpetrators - they may feel it is safer to keep quiet. When professionals contact victims, this can place victims at further risk of abuse, so the approach to engage needs to be carefully planned.

In some cases, victims who disclosed abuse but where prosecution was unsuccessful, led to them feeling services were unable to protect them and it impacted significantly on their mental health, increased their use of substances and they became more withdrawn from services. Support for victims may be life-long, for example when a perpetrator leaves prison.



For ASE cases professionals should always consider whether a key worker or advocate would be of benefit to support the individual through safeguarding or legal processes.

- **Criminal Justice Issues and Victim Blaming**

Lack of prosecutions can lead to victims feeling helpless and unable to escape their situation and increases the perpetrators' level of power and control and potential for abuse/criminal activity to continue. In Molly's case being told she was 'not a credible witness' had a detrimental impact on her, leaving her feeling that she was not believed. This language is a form of victim blaming.

In some instances, victims retracted their statements against perpetrators, which may have been due to fear or coercion or believing that nothing would happen to convict the perpetrator and providing evidence puts them at significant risk.

There is of course the added complication where victims may not wish to speak to police, due to their potential witnessing or involvement in other crimes.

An important factor from Rachel's case was understanding the police's approach to ASE; sexual exploitation of adults is not an offence in itself, *unless* it involves trafficking. Therefore, police are unable to commence an investigation unless there is a complainant and a reported offence. It is therefore crucial that victims feel confident in giving evidence and that they will be supported, believed, and protected.

As ASE is not a crime in its own right, there is a risk that police forces are not recording ASE and therefore do not have an accurate understanding of the prevalence of ASE within their locality. TSAB has also recognised that there may need to be some focused work on how Local Authorities record ASE as there are often overlaps with other forms of abuse.

### **Legal Literacy and Consent**

Legal Literacy was a key theme, particularly around mental capacity and the potential impact of coercion / substance misuse on decision making. There was learning for professionals around consent: believing that the individual had capacity to decide not to share information, be involved in the safeguarding process etc. which can be overridden if there are high risks to the person and/or others and where coercion may be an influencing factor on their decision. There may also be misconceptions around the individual consenting to be in 'relationship(s)' which may not necessarily be the case when fear, coercion and control are considered. Due to the complexity of the cases, seeking legal advice was identified as a key learning point as well as understanding what legal options are available to support victims and disrupt perpetrators.

- **Lack of Appropriate Accommodation and Specialist Support**

Often to protect ASE victims the focus is to move them to a safe place; however, this does not necessarily address the root cause of the issue which is the perpetrator(s) and moving a victim may traumatise them even further, moving them away from their trusted support networks. Breakdowns in accommodation can result in several moves or can lead to individuals absconding. In some instances, it may also put other vulnerable residents at risk by perpetrators visiting premises.

Finding suitable accommodation that gives the victim enough time and space away from perpetrators is vital, to help them to build their self-esteem, independence, and resilience.

On a national level, it appears that there is a lack of appropriate accommodation available for victims of ASE. There appears to be limited options and some SARs have recommended that commissioners should consider what is available within their localities to support complex individuals who are known to be victims of ASE.



Some SARs identified gaps in specialist services with recommendations to liaise with commissioners to broaden the level of support available to victims of ASE.

### **Suggestions for the Teeswide Safeguarding Adults Board**

The existing recommendations from the Molly SAR and subsequent action plan should cover the majority of findings within this report. TSAB's existing training programme, communication and engagement plan/activities, multi-agency audit programme, Quality Assurance Framework, quarterly performance reports and learning from regional and national SARs will also cover aspects of learning detailed within the report.

There are some areas that may need further consideration:

1. The Call for Action Group is leading on several key pieces of work, which will take a significant amount of consultation and time to complete:
  - a) ASE Strategy and Guidance
  - b) Pilot of Victim, Offender, Location, Time (VOLT) approach at TATI meetings
  - c) Research to understand the prevalence of ASE in Teesside

The Chair of this group is due to attend a future Board meeting to update on progress. It would be helpful to discuss if anything can be done in the interim to support practitioners who are managing ASE cases now.

2. TSAB should continue to raise awareness of ASE and trauma through training and campaigns, including raising awareness of victim blaming, relevant TSAB guidance and signposting to specialist support services.
3. TSAB should raise awareness to professionals that sexual exploitation of adults is not an offence in itself, *unless* it involves trafficking. Therefore, for police to commence an investigation, there needs to be a complainant and a reported offence. It is crucial that victims feel confident in giving evidence and that they will be supported, believed, and protected. TSAB to remind professionals of the importance of information sharing and reporting intelligence to the police.
4. Through TSAB's request for single agency assurance against the Molly SAR Action Plan, enquire with Cleveland Police how intelligence and data is gathered, collated, and shared in relation to ASE.
5. Is there enough capacity within specialist support services in Tees to meet the level of need?
6. Is there enough appropriate accommodation available in Tees to support victims of ASE, particularly those who need protecting from organised crime groups?
7. This report to be shared locally (including with the Call for Action Group), regionally (North East SAR Champions, Changing Lives STAGE Project) and with the National Business Managers Network and National SAB Chairs Network to consider learning from a national perspective.
8. The National SAR Library was used to find recent SARs where ASE was a key theme. Unfortunately, the functionality of the website did not allow to filter by recent

cases and where sexual exploitation was a **key** theme (only that the term 'sexual exploitation' appeared somewhere within the report). TSAB Business Unit will enquire regarding functionality of the National SAR Library to see if it is possible to filter in this way.

This report will be logged as evidence against the Molly SAR Action Plan.

### Useful Resources

- [TSAB Sexual Exploitation Leaflet](#) (English) and [Vietnamese](#)
- [Cleveland Anti-Slavery Network Victim Care Pathway](#)
- [TSAB Vulnerable Witness Guidance for Social Workers](#)
- [Warrington Trauma Informed Practice Information](#)
- [Warrington Trauma Informed Practice 7 Minute Briefing](#)
- [Solihull All Age Exploitation Reduction Capability Framework](#)
- [Solihull All Age Exploitation Reduction Strategy](#)
- [Solihull Adult Exploitation Pathway](#)
- [Oldham Adult Complex Safeguarding and Exploitation Strategy](#)
- Oldham SAB's [Tiered Risk Assessment and Management \(TRAM\) Protocol](#) and [TRAM Summary Guide](#) to manage complex, high risk cases.
- [Oldham Engagement Strategies](#)
- [Oldham Executive Capacity Guidance](#)
- [Doncaster Guidance on Supporting Adults who Disclose Historical Child Sexual Abuse](#)
- [Newcastle SAB Exploitation Flowchart](#)
- [Newcastle SAB Exploitation Checklist](#)
- [Newcastle SAB Exploitation Language Guidance](#)
- [Newcastle SAB Exploitation Poster](#)
- [Disruption Options for Perpetrators of Exploitation](#) (NWG, Barnardo's and NCTS)
- [Changing Lives STAGE Project](#)