



North Yorkshire and City of York Safeguarding Children Partnership

Out of Area Young People arrested who appear to be at Risk of Criminal Exploitation Protocol

**North Yorkshire Safeguarding Children
Partnership and City of York Safeguarding
Children Partnership**

**Out-of-Area Young People
Arrested who Appear to be at
Risk of Criminal Exploitation
Protocol**

Title	Out-of-Area Young People Arrested who Appear to be at Risk of Criminal Exploitation Protocol
Version	4
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Update and Approval Process			
Version	Group/Person	Date	Comments
1.	Exploitation Documents Task and Finish Group	18/09/2024	Protocol review with task and finish group
2.	City of York Safeguarding Children Partnership Safeguarding and Professional Practice Sub-Group	24/10/2024	Signed off by City of York Safeguarding Children Partnership Safeguarding and Professional Practice Sub-Group
3.	City of York Safeguarding Children Partnership Child Exploitation Sub-Group	07/11/2024	Signed off by City of York Safeguarding Children Partnership Child Exploitation Sub-Group
4.	North Yorkshire Council	28/11/2024	Signed off by North Yorkshire Strategic Group

North Yorkshire and City of York Safeguarding Children Partnership

Out-of-Area child arrested in North Yorkshire, who appears to be at risk of criminal exploitation

Summary of Key Actions -

- Formal safeguarding referral, at the earliest possible moment
- Welfare/safeguarding interview(s) with the child
- Consultation with the child's home area services
- Consideration of a Strategy Discussion before the child is released.
- Safety Plan to protect the child through to handover.

1. Formal safeguarding referral, at the earliest possible moment –

Police officers should be aware of the general indicators of CCE/County Lines - children trafficked from urban areas who have no obvious reason to be in North Yorkshire or City of York, in possession of substantial quantities of drugs and/or cash, often armed with large knives or other weapons, and may be accompanied or arrested with adults. This is not the only form of Child Criminal Exploitation, and other forms of exploitation should be considered.

Police officers who arrest children under these circumstances should promptly make a written safeguarding referral. If the arrest was a planned intelligence-led operation, a confidential referral might be helpfully made in advance. Custody Sergeants should check at booking-in that a safeguarding referral has been made. Youth Justice workers who are informed of the arrest should also check that a referral has been made and if not ensure one is completed.

Referrals should be made by the normal form and process to NYC Customer Service Centre/York MASH. It is important that the referral explicitly sets out the urgent safeguarding requirement, for example: *"This child appears to be suffering or at risk of significant harm, as a result of criminal exploitation."*

The Local Authority should then expedite screening and allocation. Police powers to detain the young person are constrained by PACE (Police and Criminal Evidence Act [Police and Criminal Evidence Act 1984 \(PACE\) codes of practice - GOV.UK](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/222222/Police_and_Criminal_Evidence_Act_1984_(PACE)_codes_of_practice_-_GOV.UK.pdf) (www.gov.uk), we have a small window for assessment and planning, therefore the

response needs to be in line with this. Outside office hours, referrals are screened by Emergency Duty Team (EDT) Customer Advisors. To expedite a response, it is preferable that the referring officer also contacts EDT by phone.

North Yorkshire & City of York Out of Hours Emergency Duty Team Number: **0300 131 2 131**

2. Welfare/safeguarding interview(s) with the child

Safeguarding activity should be informed by the child's family background and immediate circumstances, and take regard of their wishes and feelings. To ensure this, the child should be visited in custody and spoken to privately at the earliest opportunity. During normal working hours, the initial welfare visit will be made by the Youth Justice Officer or Social Worker and out of working hours by a member of the Emergency Duty Team. . Visits will need to be arranged with the Custody Sergeant, to avoid impact upon Police detention and investigation processes.

The initial welfare visit is a professional task of engagement, information-gathering and assessment, to ascertain the young person's background and circumstances, how they came to be involved in this activity and how services might be able to protect them. (The Custody Safety document should be utilised to record the discussion and to set out any immediate plans. Please see Appendix A for the Custody Safety Planning Form.)

It will be important to clarify with the child that this is not a criminal investigatory interview. We do not want them to admit crimes or name their associates, and it is better if they do not do so as we might be obliged to disclose information of that kind to the Police.

Visiting professionals should also be careful to avoid inadvertent obstruction of criminal investigations. If the child asked for any calls or messages to be sent for example, this must be consulted with Police before action. Ideally the visiting professional should talk to Police colleagues before meeting the child, and also debrief with them afterwards to share information and agree actions, sharing what is necessary and proportionate.

If the worker who makes the initial visit establishes an influential rapport with the young person, it may be helpful for them to remain (or return) to support the formal PACE interview in capacity of Appropriate Adult. Otherwise, Youth justice volunteer AA's will be available as required during normal service hours, and EDT will attend otherwise.

3. Consultation with the child's home area services

North Yorkshire and City of York agencies should work together to gather relevant information from the home area services, ensuring that we understand the young person's involvement with Children's Services, Youth Justice and Police (also wider relevant agencies e.g., Education & CAMHS, where possible).

However, the formal process of consultation, negotiation and joint planning with the home area Local Authority must be co-ordinated by the NYC/City of York safeguarding social worker, to ensure clarity and consistency of decision-making.

4. Recorded Strategy Discussion before the child is released (if appropriate)

A recorded Strategy Discussion must be considered in all cases. The home area authority must be invited and encouraged to participate in the Strategy Discussion, and it may be agreed that they lead it. More often this responsibility will lay with North Yorkshire or City of York Children's Services, as the area where the young person was 'found at risk of significant harm'.

The strategy discussion should record a provisional view of whether an National Referral Mechanism referral is appropriate, and if so identify who holds responsibility for this.

Youth Justice services should participate in the Strategy Discussion where practicable, including both home area services and the local teams in North Yorkshire or City of York area.

5. Safety Plan to protect the child through to handover.

A safety plan is a plan to safeguard the child and return them to the care or oversight of their family and/or home area services. This should particularly include consideration of travel, where applicable, and the likelihood of renewed contact with exploiters.

Consideration should be given to the powers and duties set out in the Bail Act 1976, and the young person should not be released from Police custody until there are safe arrangements for their accommodation and care. However, detention under arrest is strictly regulated by the "PACE Clock" and cannot be used in place of welfare provision. Partners need to move briskly to have a package ready.

It would rarely be appropriate for a child in this situation to be left to make their own way home on public transport. If the home area local authority is not willing to make arrangements for collection (by family or professionals) then it may be necessary for North Yorkshire or City of York agencies to take the child home, or to arrange an escorted journey. In that situation we might wish to recover costs from the home Local Authority.

<p>Complicating Factors</p>		<p>Outcomes</p>
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JUDGEMENT QUESTION

On a scale of 0 – 10 (where 0 is no confidence at all, and 10 means we have total confidence), if this young person is released from custody now, how confident are we that they have all the help they need to stay as safe as possible?

Judgement Score & Brief Rationale

0 ----- 1 ----- 2 ----- 3 ----- 4 ----- 5 ----- 6 ----- 7 ----- 8 ----- 9 ----- 10

Sample Questions

Here are some ideas of questions that might be useful in assessing a young person's safety while not interfering with a criminal investigation and when that young person might be scared that telling us things will make them less safe.

Critical Health Question

In cases where substance use is an issue, be sure to ask whether the young person has any addiction, specifically to heroin, crack cocaine, or alcohol.

Judgement Questions

These are great ways to explore how safe a young person feels. Importantly, it is a way that a young person can tell us something when they feel unable to tell us something explicit. Some examples:

- *On a scale of 0 – 10 (where 0 is not safe at all and 10 is totally safe), how safe did you feel this morning?*
- *You've been arrested. Without telling me any details, on a scale of 0 – 10, how much of this is because of choices you have made (where 0 is not your choice at all and 10 is totally your choice)?*
- *Think about the most important person in your life. On a scale of 0 – 10 (where 0 is not safe at all and 10 is totally safe), how safe do you think they would think you are?*
- *Imagine you were released from the police station right now, on a scale of 0 – 10 (where 0 is not safe at all and 10 is totally safe), how safe do you think you would be?*
- *Imagine you were released from the police station right now, on a scale of 0 – 10 (where 0 is not a chance and 10 is totally confident), how confident do you feel that you won't be arrested again for the same (same kind?) of offence?*
- *On a scale of 0 – 10 (where 0 is least happy and 10 is totally happy), how happy are you about how your life is going this week?*

Also remember 'change' questions to help understand the young person's perspective, particularly what will help to build safety for them. Some examples:

- *You tell me that your score is 4. I wonder what the first thing that you would notice was different in your life if the score was 5 / the one thing you would need to keep doing to stop your score dropping to 3?*

Circular and Reflexive Questions

These are great questions to explore what is going on for a young person without asking them leading or direct questions which might be seen as overly confrontational. They are also helpful to find out what other support is available to a young person. Some examples:

- *Who worries about you the most / the least? If we were to ask them what they worried about, what do you think they'd say?*
- *If you had a really big problem, who would be the one person you would be able to tell about it? Who could you trust to help you out?*
- *Who was the last person to help you with a problem? How did they help you?*
- *If we were to tell them that you were in the police station, what do you think they'd do or say?*

If something was worrying you, who would be the first person to notice? What would be the first thing they might notice? If you told them that you felt unsafe or worried, what do you think they would say?