

Friday 11 March 2016

By email: CSEdef.Consultation@homeoffice.gsi.gov.uk

Statutory definition of child sexual exploitation (CSE)

The Association of Directors of Children's Services Ltd (ADCS), the Local Government Association (LGA) and the Society of Local Authority Chief Executives (Solace) welcomes the opportunity to make a brief submission to this Home Office consultation.

The definition of CSE is currently:

'Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child's immediate recognition; for example being persuaded to post sexual images on the Internet/mobile phones without immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability.'

The new definition of CSE proposed in this Home Office consultation, is:

'Child sexual exploitation is a form of child abuse. It occurs where anyone under the age of 18 is persuaded, coerced or forced into sexual activity in exchange for, amongst other things, money, drugs/alcohol, gifts, affection or status. Consent is irrelevant, even where a child may believe they are voluntarily engaging in sexual activity with the person who is exploiting them. Child sexual exploitation does not always involve physical contact and may occur online.'

ADCS, the LGA and Solace welcome efforts to simplify this definition. The proposed form of words clearly articulates what CSE is and importantly does this in a way that is more accessible to the general public, including children and young people themselves. However, we are concerned that the definition of this complex and wide-ranging issue is a little too broad:

- It is important to be clear that CSE is a form of child sexual abuse
- Whilst the proposed wording captures the nature of this abhorrent crime against a single child, it is our belief that it fails to address the model of organised and systematic exploitation of children and young people by multiple perpetrators operating in groups or gangs
- We are concerned that the phrase 'consent is irrelevant,' could be misinterpreted and requires further qualification for the avoidance of future doubt.

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We therefore propose the following revisions to the new definition of CSE:

“Child sexual exploitation is a form of child sexual abuse. It occurs where anyone under the age of 18 is manipulated, coerced or forced by a person (or persons) into sexual activity in exchange for, amongst other things, money, drugs/alcohol, gifts, affection or status. A child may have been groomed or otherwise manipulated to believe that they are engaging in this activity voluntarily, but this apparent consent is irrelevant. Child sexual exploitation does not always involve physical contact and may occur online.”

For further information, please contact Katy Block, ADCS Policy Officer,
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Additional information:

The Association of Directors of Children’s Services Ltd (ADCS) is the professional association for directors of children’s services (DCSs) and their senior management teams. Under the provisions of the Children Act 2004, the DCS is the chief officer responsible for the discharge of local authority functions with regard to education and wider children’s services, including social care.

The Local Government Association (LGA) is the national voice of local government. We work with councils to support, promote and improve local government. We are a politically-led, cross party organisation which works on behalf of councils to ensure local government has a strong, credible voice with national government. We aim to influence and set the political agenda on the issues that matter to councils so they are able to deliver local solutions to national problems. The LGA covers every part of England and Wales, supporting local government as the most efficient and accountable part of the public sector.

SOLACE is the representative body for senior strategic managers working in the public sector in the UK. We are committed to promoting public sector excellence. We provide our members with opportunities for personal and professional development, and seek to influence debate around the future of public services to ensure that policy and legislation are informed by the experience and expertise of our members.

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