| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 23-0452Responded to: 12th April 2023 |
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Your recent request for information is replicated below, together with our response.

**I am emailing to request published or unpublished literature from your Police force that focuses on identification and response to child criminal exploitation. For example;**

**• Practices for managing child criminal exploitation inquiries, reports, or cases.**

**• Strategies used by police forces (or partner agencies) to identify potential child criminal exploitation victims and methods to record these (including any flags which are commonly highlighted in CCE cases).**

**• Strategies used by police forces (or partner agencies) to respond to evidence of child criminal exploitation.**

**• Multi-agency (local authority, social services, care homes, accommodation, charities) identification, reporting, and response to child criminal exploitation.**

Child Criminal Exploitation (CCE) is not defined in law but is a term that has become associated with “county lines”. County Lines is a term used in Scotland (and wider UK) 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. They are likely to exploit children and vulnerable adults to move and store drugs and money, and they will often use coercion, intimidation, violence (including sexual violence) and weapons.

CCE occurs where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child into any criminal activity, in exchange for something the victim needs or wants, for the financial or other advantage of the perpetrator or facilitator, or through violence or the threat of violence. The victim may have been criminally exploited, even if the activity appears consensual. Child criminal exploitation does not always involve physical contact – it can also occur through the use of technology. The criminal exploitation of children is not confined to county lines but can also include other forms of criminal activity such as theft, acquisitive crime, knife crimes and other forms of criminality.

CCE requires a multiagency child protection response and is usually initiated by the Interagency Referral Discussion. Most local partnerships have guidance and processes in place to tackle all forms of Child Exploitation including sexual, criminal, trafficking etc. These multiagency protocols can usually be found published online by the relevant agency.

In relation to Police Scotland, we hold the following documents which are publically available. As such, in terms of Section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information sought. Section 16 requires Police Scotland when refusing to provide such information because it is exempt, to provide you with a notice which:

* states that it holds the information,
* states that it is claiming an exemption,
* specifies the exemption in question and
* states, if that would not be otherwise apparent, why the exemption applies.

I can confirm that Police Scotland holds the information that you have requested and the exemption that I consider to be applicable is set out at Section 25(1) of the Act - information otherwise accessible:

“Information which the applicant can reasonably obtain other than by requesting it under Section 1(1) is exempt information”

I have included the relevant links below:

[Child Protection – Standard Operating Procedure](https://www.scotland.police.uk/spa-media/boxmpeao/child-protection-sop.pdf)

[Child Protection – Inter-Agency Referral Discussion – Standard Operating Procedure](https://www.scotland.police.uk/spa-media/l23d3qtb/child-protection-inter-agency-referral-discussions-sop.pdf)

[Scottish Multi-agency Strategic Threat Assessment Overview 2022 (scotland.police.uk)](https://www.scotland.police.uk/spa-media/5itlmput/smasta-2022-official-july-2022.pdf)

We also would also direct you to the National Guidance for Child Protection in Scotland 2021 which are available on the Scottish Government website.

[National Guidance for Child Protection in Scotland](https://www.gov.scot/publications/national-guidance-child-protection-scotland-2021/)

In addition, Police Scotland hold a number of other documents that reference CCE that are not publically available. They have been provided as either extracts or within the 23-0452 Applicant data attachment.

## Human Trafficking – Standard Operating Procedure

Please find the relevant extract from this document below:

“Consideration must be given to a persons’ ability to consent freely when they are in a position of vulnerability and their ability to exercise free will is compromised. Threats, force or violence are not required to secure services or benefits where the victim is a child or vulnerable adult or where the person is trafficked for the purposes of sexual exploitation. For the purpose of trafficking, a child is any person under 18 years of age. Children cannot give consent to being exploited, even if they are aware / agreeable to the exploitation.

Child Victims (Under 18 years)

* Social Work will be the lead agency.
* Child protection procedures must be followed.
* Where a potential victim of trafficking (PVoT) intimates or appears to be under 18 years of age, the circumstances will immediately be brought to the attention of the Divisional Public Protection Unit.
* If any dispute in relation to child’s age, they should be treated as a child, until an age assessment is carried out by social work. In addition, ‘emergency powers’ as outlined in Sections 37-39, 55 and 56 of the Children’s Hearing (Scotland) Act 2011 should be considered.
* An Initial Referral Discussion should be convened with all key agencies involved and should include decision regarding referral into the National Referral Mechanism.
* If indicators exist and a PVoT is under the age of 18, an NRM must be completed.

## Child Sexual Exploitation Intelligence Toolkit

This document deals with child sexual exploitation rather than Child Criminal Exploitation but has been deemed to be within scope of your request.

Please find a copy of this document attached.

I must advise that it has been necessary to withhold some of the information requested, therefore, in terms of Section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information sought.

Section 16 requires Police Scotland when refusing to provide such information because it is exempt, to provide you with a notice which:

* states that it holds the information,
* states that it is claiming an exemption,
* specifies the exemption in question and
* states, if that would not be otherwise apparent, why the exemption applies.

I can confirm that Police Scotland holds the information you have requested and the exemption that I consider to be applicable is set out at:

* Section 30(b)(ii) – free and frank provision of advice or exchange of views
* Section 30(c) - Prejudice to the Effective Conduct of Public Affairs
* Section 35(1)(a)&(b) – Law Enforcement
* Section 39(1) – Health, safety and the environment

## Section 30(b)(ii) – free and frank provision of advice or exchange of views

Information is exempt under sections 30(b)(ii) if disclosure would, or would be likely to, inhibit substantially:

 (ii) the free and frank exchange of views for the purposes of deliberation (section 30(b)(ii)).

The provision of advice between senior officers and partner agencies in relation to a specific subject matter, as well as the exchange of views on both operational and corporate considerations take place routinely for much of our policing business. This documents our thinking and deliberation on the issues raised and our final decision making.

If released, those deliberations, including the subject matter discussed would be substantially inhibited, prejudicing the ability to respond effectively to sensitive issues and require the Service to assess correctly the harm in any potential future disclosure.

Pre-empting these decisions by releasing information into the public domain is likely to frustrate this process and would inhibit the manner in which those issues are debated, effectively undermining the ability to ensure that there is sufficient opportunity to ensure all potential concerns and viewpoints are accurately identified and addressed.

## Public Interest Test

It could be argued that there is a public interest in disclosure of such information as it would contribute to greater transparency and openness.

That said, disclosure would harm the efficiency and effectiveness of the Service and the flow of information to the Service would be harmed by release of such information. If individuals were unwilling to contribute to such deliberations or put forward proposals in the future fearing their initial views were publicly attributable, or in case any non-factual information was disclosed prior to matters being finalised, any efforts to achieve honest opinions, would be hindered and as such the balance of the public interest test favours retention of the information.

## Section 30 (c) - Prejudice to the Effective Conduct of Public Affairs.

Where necessary some internal names / telephone numbers and email addresses have been redacted. To release these details publicly through FOI legislation could negatively impact on the operational effectiveness of various departments and external partner agencies. While it is acknowledged that the disclosure of this information would support transparency and better inform the public as to how the Service conducts its business, there are already established routes for the public to make contact with the police and the disclosure of these additional details would not support the effective conduct of public affairs. As a result, section 30(c) of the Freedom of Information (Scotland) Act 2002 is engaged.

**Section 35(1)(a)&(b) – Law Enforcement**

Information in relation to specific police tactics has been redacted where necessary. Release of this information would be likely to prejudice substantially the ability of the police to investigate and detect crime, and would have a similar detrimental impact on the apprehension or prosecution of offenders.

It would provide an insight into child exploitation investigations and would be extremely useful for criminals and those intent on wrongdoing and would assist them in circumventing the efficient and effective provision of law enforcement by the police service, which in turn would have an adverse impact on the safety of the officers involved and the general public.

This would increase the risk to the personal safety of individuals and also the safety of the police officers responding to incidents.

This is a non-absolute exemptions and requires the application of the public interest test.

## Public Interest Test

Public awareness would favour a disclosure as it would contribute to the public debate surrounding an area of particular interest namely serious crimes against children.

I would, however, contend that the efficient/effective conduct of the service and public safety favours retention of the information as it cannot be in the public interest to release information that would prejudice law enforcement or which is likely to have an adverse impact upon public safety.

## Section 39(1) – Health, safety and the environment

Disclosure of the information requested would prove extremely useful for criminals and those intent on wrongdoing, which in turn would have an adverse impact on the safety of the officers involved and the general public.

This would increase the risk to the personal safety of individuals and also the safety of the police officers responding to incidents.

This is a non-absolute exemption and requires the application of the public interest test.

## Public Interest Test

Public awareness would favour a disclosure as it would contribute to the public debate surrounding an area of particular interest namely serious crimes against children.

I would, however, contend that the efficient/effective conduct of the service and public safety favours retention of the information as it cannot be in the public interest to release information that would prejudice law enforcement or which is likely to have an adverse impact upon public safety.

## Police Scotland Memo 008-19 County Lines – Child Exploitation

Please find the relevant extract from this document below:

County Lines – Child Exploitation

Organised Crime Groups from England continue to pose a significant threat to parts of Scotland through the use of the County Line methodology where young persons from urban areas in England are forced to work in remote areas in order to deal controlled drugs on behalf of the group based in England.

A number of recent instances in Scotland have occurred where young persons aged 16 years have been arrested and appeared at court in respect of misuse of drugs offences where the possibilities of child exploitation have not been explored.

In the case of misuse of drugs offences, there is a duty to report an accused aged 16 or 17 years to the Crown Office and Procurator Fiscal Service for a decision to be made as to how to proceed, however, this does not negate the need to explore areas of potential vulnerability or exploitation in terms of being coerced to work on behalf of a Crime Group.

There is an appreciation that challenges are faced when dealing with young persons aged 16 and 17 in situations where they have been reported for committing a crime and do not wish to engage with Police or partners. On these occasions, the young person can often be treated solely as an accused and subject to the judicial system in Scotland with no considerations of the associated vulnerabilities and the potential that exploitation may be involved.

A recent case involved a young person aged 16 years from England, who had been dealing controlled drugs in Scotland for a county line based in England, and who was arrested on two separate occasions within a matter of days whilst in Scotland. The young person was treated as an adult accused and appeared at the Sheriff Court on both occasions where the vulnerabilities in respect of exploitation were not fully explored until such as time the young person had returned to England.

Recognising the challenges in differentiating between treating a young person as an accused and / or a victim, it is requested when young persons aged 16 or 17 years who normally reside in another force area enter Police custody and there are circumstances suggesting that they may have been exploited, consideration is given for suitably trained Officers to conduct a debrief interview to explore potential exploitation. This should be carried out, notwithstanding the fact offending behaviour has been identified and the young person is to be reported to COPFS.

As a guide, the following points should be considered when dealing with such a young person in the circumstances outlined;

* Liaison with the home Force of the young person in respect of intelligence and to facilitate transfer of information and continuity of processes.
* Consideration of liaison with local Social Work to provide initial support and services.
* Consideration of liaison with Social Work located within young person’s home area to obtain all information relevant.
* Debrief process to identify additional vulnerabilities, including exploitation
* Remarks in the SPR ensuring COPFS are advised of the vulnerabilities involved

For further guidance in respect of County Lines, please refer to the various briefing documents on the Force intranet.

## Human Trafficking Handbook

Please find the relevant extract from this document below:

Child Trafficking

This section does not supersede existing multi agency child protection procedures that should remain the primary guidance. This should be read in conjunction with the Scottish Government publication ‘Safeguarding Children in Scotland who may have been trafficked’.

Many societies have traditions where members of extended family take care of children who are related to them but not their own. In some countries this is the only effective social welfare available. Compassionate and essential as this is, it also leads to opportunities for exploitation by unscrupulous people. Exploitation becomes more likely as parents get increasingly desperate to move their children out of places ravaged by war, disease or poverty. Moving children to another country or another part of a country in the developing world means it is very unlikely parents will visit because of poverty or difficulty in obtaining travel.

It is unlikely that a child rescued from a trafficking situation will have genuine documentation to prove their age. In these cases the child should be given the benefit of the doubt in accordance with the Council of Europe Convention on Action against Trafficking in Human Beings until an age assessment can be carried out.

Care should be taken with unaccompanied children arriving at ports of entry claiming asylum. Traffickers may have told them to do this stating that this will give them a right to remain in the UK and claim benefits or if the child is then placed in care they soon disappear and are thought to return to their traffickers.

In some cases these children may not speak the language of their new home, may have different traditions and beliefs and have few skills that can be sold. They are only likely to be able to find work in the informal market, exposing them to greater risk of exploitation.

The Human Trafficking Handbook also contains a list of specific concerns and indicators that police officers should look out for. I would advise that exemptions under Sections 35(1)(a)&(b) and 39(1) apply and would direct you to the exemptions applied above to the Child Sexual Exploitation Intelligence Toolkit document for the rationale behind this.

## County Lines Victim Guidance Document

Please find a copy of this document attached.

I would advise that exemptions under Sections 30(c), 35(1)(a)&(b), S38(1)(b) and 39(1) apply to some of the contents and would direct you to the exemptions applied above to the Child Sexual Exploitation Intelligence Toolkit document for the rationale behind this.

## 20210514 - County Lines Training Powerpoint

Please find a copy of this document attached.

I would advise that exemptions under Sections 30(c), 35(1)(a)&(b), S38(1)(b) and 39(1) apply to some of the contents and would direct you to the exemptions applied above to the Child Sexual Exploitation Intelligence Toolkit document for the rationale behind this.

If you require any further assistance please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by email or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by email or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.