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## <NUMBER> CARING FOR CHILDREN AND YOUNG PEOPLE AT RISK OF SEXUAL EXPLOITATION

### Related Policies

WMV Child Safety Policy

### Scope

*These procedures apply to the following persons: individuals elected to Wesley Mission Victoria boards, committees and sub committees, permanent and casual employees, volunteer carers, mentors or other volunteers, contractors, sub contractors, agency staff providing care in WMV facilities or on behalf of WMV, persons working as “lead tenants”, students completing practical work or other placements and any other person involved with Wesley Mission Victoria.*

*These procedures are consistent with DHS Child Protection Practice Advice 1597 (March 2014)*

### Definitions and Abbreviations

**Carer** is a volunteer or staff member who cares for clients, usually in a residential setting.

**Child or Young Person** includes all children and young people under the age of 18 years receiving services from WMV.

**Grooming:** deliberately establishing an emotional connection to lower a child’s inhibitions in preparation for sexual activity/abuse with the child.

**Person of interest** is defined for the purposes of these procedures as someone known or suspected to be sexually exploiting a child or young person. It also refers to someone the police wish to speak with or investigate in relation to a crime. A person of interest may or may not have convictions for child or other sexual offences or be subject to restrictions or monitoring by police or other agencies.

**Sexual exploitation** is the involvement of children and young people under 18 in exploitative situations and relationships with an adult where the young person receives ‘something’ (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, or engaging in sexual activities with the person/ persons exploiting them or others.

**Sexual Offences and Child Abuse Unit:** Specialised Victoria Police units that provide a response to adult victims of sexual assault and child victims of sexual or physical abuse.

**Volunteer** includes a range of voluntary roles including but not limited to foster parents, individuals

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*providing direct care of children on camps and overnight (including on a temporary or extended basis) and persons acting as mentors.*

## Sexual exploitation

Sexual exploitation of children is defined as:

The involvement of children and young people in exploitative situations and relationships with an adult where the young person receives 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, or engaging in sexual activities with the person/ persons exploiting them.

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 or mobile phone without immediate payment or gain.

Individuals exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength or economic resources. Violence, coercion and intimidation of the child/ young person by the person exploiting them are common features.

## Grooming

It is common for a person intending to sexually exploit a child or young person to make efforts to build rapport with the child in order to reduce their resistance to, and increase compliance with, sexual activity.

Grooming behaviour may include:

- inappropriate 'accidental' touching of the child/young person
- giving gifts or attention to the child/young person for inappropriate purposes
- exposing the child/ young person to pornography or sexual acts (either openly or "accidentally")
- talking about sex inappropriately in front of a child/ young person
- Manipulating a child/ young person through threats or the misuse of authority
- Creating 'special' relationships with particular children/young people
- Seeking to spend time with children alone or outside the work role

## Children and young people at risk of sexual exploitation

Children and young people at risk of sexual exploitation also often exhibit high risk behaviours including self harm, misuse of drugs and alcohol, serious offending, extreme risk taking, high levels of aggression and repeated absconding

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They include both males and females and may include children vulnerable due to a disability. Victims of sexual exploitation may be encouraged to recruit other young people known to them, including others in out of home care.

Children or young people at risk may be particularly vulnerable to;

- psychological dependence on the perpetrator
- peer pressure
- fear of retribution
- desire for money, drugs or gifts
- distorted perceptions about appropriate adult behaviour
- a drive for control as a result of unresolved trauma
- the offer of warmth and connection as a result of loss of family

#### Indicators of risk or involvement in exploitative relationships

Indicators that a child or young person may be at serious risk of, or is already being sexually exploited, include situations where they:

- regularly abscond from their placement or spend irregular periods of time at the placement.
- are picked up in cars by unknown adults from residential care units or other out of home care placement.
- are associating with other young people who are involved with older men, or are known to be sexually exploited
- are associating with young people who are highly sexualised, accessing or being fixated with online pornography, having open and indiscriminate sexualised friendships or being preoccupied with sexual matters
- are receiving or sending sexually explicit messages and images via text or internet based social media sites
- believe they are in a loving romantic relationship with an adult
- have experienced significant childhood trauma, including sexual abuse
- have disengaged from supports
- have significant drug and alcohol misuse or are mixing with persons involved in these activities. (Young people with significant drug and alcohol misuse must be referred to an alcohol and drug treatment service – see WMV Substance use by young people in residential care procedures).
- have mental health concerns and/or are experiencing deterioration in their mental health after being missing from their residential or other placement.
- have money or items that have come from unknown sources.

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## Responding to information that a child or young person is being sexually exploited

DHS Child Protection have a number of requirements of case managers where children or young people are identified as being vulnerable to exploitation or involved with exploitative relationships with adults. They include:

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#### a. High Risk Youth Schedule

Case managers are required to place young people confirmed, or strongly suspected of being, sexually exploited, on the divisional high risk youth schedule enabling a rigorous review of the case history, planning, intervention and outcomes via a multi disciplinary panel which assists in identifying appropriate risk management strategies and future interventions.

The panel receives regular information regarding the young person from the case manager and care team to facilitate their advice and decisions. Advice from the panel informs any required changes to the young person's crisis or behaviour management plan to be implemented by carers and the care team.

##### Required carer and manager actions

- WMV out of home care Team Leaders or Program Managers must ensure that all care staff and other relevant individuals are alerted to any changes in the young person's crisis/ behaviour management plan with regard to sexual exploitation and that strategies contained in the plan are implemented consistently.

#### b. Sexual exploitation template

The sexual exploitation template is a tool used by Child Protection to support the gathering of relevant information regarding incidents of sexual exploitation, the alleged person exploiting the child and the child or young person. The Child Protection case manager is responsible for the completion of the template.

Once completed the information contained in the template is reviewed by the Child Protection Operations manager and shared with the DHS Principal Practitioners office and the Victoria Police Sex Offences and Child Investigation Team (SOCIT). SOCITs have primary responsibility for local investigations of allegations and concerns of sexual abuse and exploitation.

The template is updated as new information is identified by carers or other members of the care team and conveyed to the child's case manager.

##### **Required carer and manager actions**

1. Carers must inform team leaders or program managers and the child's case manager as soon as possible of any behaviour or circumstances (outlined above) by a child or young person which may indicate the child is being sexually exploited or at risk of sexual exploitation.

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2. Team Leaders must ensure that all relevant details are recorded on the Client Information System and a DHS critical incident report is completed.
  
3. Carers must record relevant information regarding the child or young person's movements and actions which may assist the case manager and police to investigate the possibility of a young person's involvement in an exploitative relationship. Information recorded should include:
  - Details of behaviours which may indicate involvement in an exploitative relationship.
  - Details of the young person's social media or internet usage as appropriate
  - Details of unexplained absences from placement including dates and times the young person leaves and returns.
  - Details/descriptions of people who accompany the child or collect them.
  - If the child is collected by an unknown adult, details of the car and number plate if possible including any details of occupants in the car.
  - Any unexplained items or money that the carer observes the young person to have in their possession.
  - Details of the young person's friendship network or persons with whom they associate.
  - Details of the names of individuals or locations the young person may mention to carers or other residents
  
4. Case managers must be informed immediately of any significant incidents or new information and the care team provided with a summary on a regular basis.
  
5. Team leaders and program managers must take appropriate steps (in consultation with the case manager, care team and police) to minimise the opportunity for other young people in placement to be procured by the victim or others to participate or attend locations where the activities take place. (Particular attention to the likelihood of peer pressure and fear of being excluded from a friendship group needs to be considered).
  
6. The case manager in consultation with the Team Leader and the care team should consider the need for sexual health information, medical assessment and referral for specialist counselling of young people identified as victims of sexual exploitation.

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7. Program managers in consultation with senior managers should consider the provision of age appropriate information regarding personal safety, protective behaviours and sexual health for all children in out of home care.
  
  8. Carers must safely and calmly attempt to dissuade any young person from leaving a placement where permission to do so has not been provided using appropriate preventative or de escalation strategies.
    - Preventative strategies include: identifying triggers or early signs of particular behaviour and attempting to divert the young person's attention or intentions by arranging an activity, games outing, spending time alone with the child or young person undertaking an activity; requesting the child/ young person assists with a household task, turning lights down or off, turning down radios, televisions, removing others from the space.
    - De-escalation strategies include: appearing calm and in control, not raising voices or arguing with a child/ young person, listening, acknowledging anger, asking what will help the young person to feel better, finding ways to help the young person save face by not leaving the placement.
  
  9. Carers must not physically restrain or contain a young person by locking doors unless such strategies are part of an endorsed behaviour management plan and it is safe for the carer to do so.
  
  10. If there is an opportunity to speak to an unknown adult attempting to collect a child from a placement and it is safe to do so, carers must tell the person:
    - that the young person does not have permission to leave the placement.
    - That details of the incident must be reported to Child Protection.

### Care team or professionals meetings

To ensure all information relating to a child or young person's sexual exploitation is sufficiently collected and documented, regular care teams (for children in out of home care) and professionals meetings should occur. Effective links and information sharing arrangements between WMV, Child Protection, the police and other professionals are crucial to achieving positive outcomes.

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## Identifying alleged offenders

Children and young people who are being sexually exploited often refuse to identify or report their abusers due to threats against them, gifts offered by perpetrators, their perceived relationship with the perpetrator, expected consequences of telling and for boys and young men in particular, fear of being labeled as homosexual. (Royal Commission into institutional responses to Child Abuse Forum – Robyn Miller)

When young people are unable or unwilling to inform police or other associated professionals of the exploitative activity Child Protection may consider the strategies listed below.

*Decisions to implement the strategies below may be taken only by Child Protection. Any related actions or tasks requested of WMV carers and managers by Child Protection must be endorsed by a WMV senior manager prior to any action be taken.*

### 1. Removal of a client's mobile phone

When a child who is the subject of a custody to Secretary or guardianship to Secretary order is exposed to sexual exploitation, and information on the activity or identity of the perpetrators is believed or confirmed to be held on the child or young person's mobile phone, the phone may be removed from them for the purpose of assisting police to conduct inquiries or to prosecute persons of interest.

The case manager must consult with Child Protection senior management regarding the proposed removal of mobile phone, unless the child or young person willingly co-operates with their case manager or carers in relinquishing it.

A mobile phone may only be removed or confiscated from a young person if it is believed:

- information of a sexually exploitative nature is contained in the phone;
- information on the phone may assist police to cease or disrupt the exploitative activity;
- the immediate safety of the child will be compromised due to them responding to phone based threats or demands to engage in sexually exploitative activity;

**and**

- the young person leaves the phone unattended; or
- the young person has possession but agrees to relinquish it.

A mobile phone should not be forcibly removed from a young person's possession.

### Considerations when planning to remove a phone

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Due to likely negative responses, detailed planning is required to remove a mobile phone from a child or young person. This includes giving consideration to the following:

- input from members of the care or professional network associated with the young person
- the range of negative responses from the child or young person, including destruction of property, self harm or harm to others
- timing, including support to care staff and others if the phone is removed outside core business hours
- likely police involvement
- post removal support to the young person
- likely and immediate engagement of the young person in sexually exploitative acts to procure funds to purchase another mobile phone if a replacement is not provided by the case management service
- the view of the divisional or statewide principal practitioner.

### **Principles Child Protection must consider when removing a mobile phone from a young person**

- the Department of Human Services, as a responsible parent for children on custody to Secretary and guardianship to Secretary orders, must take reasonable and appropriate actions to ensure the safety and wellbeing of children
- consent from the young person, whilst advised, is not required to non-forcibly remove an implement (phone) that may imperil their safety
- sexual exploitation is abuse, and a child under the age of 18 years cannot consent to their own abuse.

## **2. Family Violence and Personal Safety Intervention Orders**

An intervention order is a court order designed to protect a person by placing limits on the behavior of another person. Contravention or breach of an intervention order can lead to criminal charges resulting in potentially significant penalties, including fines and terms of imprisonment.

When information is received that a child or young person is being sexually exploited by an identifiable alleged perpetrator, the child's parent, a child protection practitioner or a member of Victoria Police may apply for an intervention order to protect that child or young person's safety.

Interim intervention orders may be made ex parte (in the absence of the respondent) and urgently, thereby providing immediate legal protection to a child or young person at risk of sexual exploitation.

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### 3. Offences in relation to children in out of home care

If Child Protection receives information that an identifiable person of interest is engaging in any of the offences under ss. 495, 496 and 497 of the Children, Youth and Families Act 2005 (with or without the intent to sexually exploit that child) Victoria Police may interview and charge that person.

Offences include:

- harbouring or concealing a child subject to specific court orders
- Counseling or inducing such children to be absent from placement without lawful authority, and
- entering, lurking and loitering where children are placed.

#### Variations to Procedure

##### Service Specific Variations

#### Related Documents

##### Related Forms, Guidelines, other documents

DHS Program requirements for residential care services in Victoria. April 2014.

##### Related Local Procedures

WMV Child Safety Procedures

WMV Responding to allegations of physical and sexual assault

WMV Children in out of home care with sexualised behaviours

WMV Managing challenging behaviour by children and young people

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### External Context

#### Relevant Standards

&lt;add text&gt;

#### Relevant Legislations / Regulations

&lt;add text&gt;

### Revision Record

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