



Under-age Sexual Activity Inter-agency Guidance

ELBEG 2011

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1. Introduction

The *National Guidance Under-age Sexual Activity: Meeting the Needs of Children and Young People and Identifying Child Protection Concerns (2010)*¹ acknowledges that increasing numbers of young people are engaging in a range of sexual activity before the age of 16.

The reasons behind this behaviour can vary considerably. In some cases the activity will be wholly consensual; in others it will happen in response to peer pressure or as the result of abuse or exploitation.

Young people who are sexually active will have differing needs therefore services and practitioners must provide a range of responses.²

The National Guidance provided by the Scottish Government sets out the legal issues and guidance for practitioners on how they can strike a balance between assuring the freedom of young people to make decisions and protecting them from activity that could give rise to immediate harm and/or longer-term adverse consequences.

The law is clear that sexual intercourse in young people under 16 is illegal. However, **it does not follow that every case presents a child protection concern** and it is important that a proportionate response is made.

If there is no child protection concern there may still be needs to be addressed either on a single agency or multi-agency basis.

When a practitioner becomes aware that a young person is sexually active or is likely to become sexually active, they should undertake an assessment of risks and needs so that the appropriate response can be provided.

The practitioner has a duty of care to ensure that the young person's health and emotional needs are addressed and to assess whether the sexual activity is of an abusive or exploitative nature. This process may not always be straightforward, so it will require sensitive handling, use of

professional judgment and good partnership communication.

2. Purpose of this Guidance

This guidance will:

- Complement the *National Guidance for Child Protection in Scotland (2010)* and the *Under-age Sexual Activity: Meeting the Needs of Children and Young People and Identifying Child Protection Concerns (2010)*³, both issued by Scottish Government, ensuring all practitioners are familiar with the criteria contained within.
- Set out guiding principles that will complement other local policies and procedures.
- Provide guidance for practitioners as to what they can/should do on the basis of their assessment of risk.
- Signpost local resources and services
- Provide practitioners with an understanding of likely responses by agencies including the police when information is shared with them.

3. Guiding Principles

UN Convention on the Rights of the Child⁴

For the purposes of this guidance the most relevant elements are:

- The best interests of the child shall be a primary consideration. (*article 3*)
- The views of children shall be given due weight in accordance with their age and maturity and provided with the opportunity to be heard or through a representative or appropriate body. (*article 12*)
- Children should be protected from abuse and in particular all forms of sexual exploitation and sexual abuse including inducement or coercion to engage in any

¹ For further information

www.scotland.gov.uk/Publications

² For further information see Appendix E

³ For further information ;

www.scotland.gov.uk/Publications

⁴ For further information:

www.unicef.org/crc/

unlawful sexual activity, exploitative use in prostitution or other unlawful sexual practices or the exploitative use of children in pornographic performance or materials.
(article 34)

4. Information Sharing and Confidentiality

Children and young people have the same right to confidentiality as adults i.e. that personal and private information should not be shared without consent unless there is a compelling reason to do so.

Information may be shared without consent where a situation is assessed as a child protection concern; there is a wider issue of crime prevention, public safety implications or when an investigation might be prejudiced.

Professionals are required to ensure that children and young people know from the outset that confidentiality is not absolute; however, reasonable attempts should be made to discuss the issue and the limits of confidentiality with them before information is shared.

When professionals share relevant and proportionate information they should record these decisions and reasons and, where this has been decided without the consent of the child or young person, should provide reasons and explanation to them.

These principles are widely accepted and repeated throughout Government guidance documents and form an integral part of the *Getting it Right for Every Child* (GIRFEC)⁵ agenda to ensure the safety, well-being and full development of children.

5. Recording

Where a practitioner has granted young person confidentiality or has shared information with another agency, the decision and reasons should be recorded in accordance with each organisation's protocol.

⁵ For further information
www.scotland.gov.uk/Topics/People/Young-People/childrenservices/girfec

Practitioners receiving or providing information have legal and professional duties to ensure that the information is accurate, relevant and sufficient for its purpose and that any disclosure is lawful – either through the consent of the young person concerned or where justified, as previously outlined.

6. Legislation and Relevant Guidance

The Sexual Offences (Scotland) Act 2009⁶ enacted in December 2010 largely replaced the Criminal Law (Consolidation) (Scotland) Act 1995 for new offences and over a three year period will replace common law relating to sexual offences, such as sodomy and lewd, indecent or libidinous practice or behaviour.

The Act sets out a legal definition of consent, clarifies offences of rape and, where previous legislation differentiated between girls and boys, the new legislation is gender neutral.

The Act maintains the age of consent at 16 but creates offences dependent upon the age of the child.

A '**young child**' under the Act has not attained the age of 13 years.

An '**older child**' under the Act has attained the age of 13 years, but has not attained the age of 16 years.

The law and Scottish Government guidance is clear that **all** sexual activity involving a child who at the time of the activity is or was a '**young child**', is Child Protection and **must** be referred to one of the Core Agencies (Police, Health or Social Work (Children & Families) for discussion as an Inter-agency Referral Discussion (IRD).

Practitioners should make reference to local Child Protection Procedures and policies. A '**young child**' cannot give consent to sexual activity.

Sexual activity between an adult (16 or over) and an '**older child**' will be an offence.

Sexual activity between consenting '**older children**' will be an offence, and both parties may be liable to prosecution under the Act.

⁶ For further information
www.legislation.gov.uk/asp/2009/9/contents

It is recognised that some 'older children' will engage in consensual sexual activity with each other and that some 'older children' will also engage in consensual sexual activity with adults, both of which may not be abusive or exploitative, dependant upon circumstances. This document aims to provide guidance in assessing such circumstances.

7. Lord Advocate's Guidelines to Chief Constables – Reporting to the Procurator Fiscal of Offences Alleged to Have Been Committed by Children (November 2010)

The above document⁷ contains guidance to police in Scotland on the categories of offences, which require to be jointly reported to the Procurator Fiscal and the Children's Reporter and police must take cognisance of it.

The Lord Advocate's Guidelines in relation to under age sexual activity allows for the application of discretion by police officers but sets out the indicators of risk that require to be considered.

Even where an investigation may take place, the police are not obliged to refer every case for prosecution. The Procurator Fiscal Service would require serious cases such as rape, assault with intent to rape and cases where a 'young child' is the victim to be reported to them.

(More detailed information on the Lord Advocate's Guideline is contained in Appendix A)

8. Assessment of Risk

When to Assess Risk

When any practitioner becomes aware that a 'young child' is, has been or is likely to become involved in any form of sexual activity they **must automatically share this information as a Child Protection concern.**

Where any practitioner become aware that an 'older child' was involved in any form of sexual activity when under the age of 13 years they **must automatically share this information as a Child Protection concern.**

Reference should be made to the *Edinburgh and Lothians Inter-agency Child Protection Procedures* or *Scottish Borders Child Protection Procedures*⁸, as appropriate, and the matter referred to one of the Core Agencies without delay.

Where practitioners become aware that an 'older child' is, has been, since attaining the age of 13 years, is or likely to become sexually active, the practitioner is required to ensure an assessment of risk is carried out.

This should be carried out without delay to ensure that the 'older child' does not continue to be exposed unnecessarily to risk, if it is present.

However where:

- There is perceived to be immediate risk to the 'older child', or any other person.
- There is evidence or belief the 'older child' is involved in pornography or prostitution.
- The 'other person' is or was in a position of trust to the 'older child'.

The practitioner **must automatically share this information as a Child Protection concern** in line with the Edinburgh and Lothians Inter-agency Child Protection Procedures.

Who should undertake the Assessment of Risk?

For any assessment of risk to be effective it must be carried out by someone who is skilled and experienced.

It may be that the practitioner, who first becomes aware of a young person's sexual activity, does not feel qualified or confident enough to effectively assess the risks posed.

In these circumstances it is imperative that practitioners seek guidance and assistance either from supervisors, designated members of staff for child protection or partner agencies in order that a decision can be made in identifying who will complete the assessment of risk.

⁷ For further information www.crownoffice.gov.uk/Publications/2010/12/Lord-Avocate-Guidelines-Offences-committed-children

⁸ Access to Inter-agency Child Protection Procedures can be obtained via Local Authority Internet and intranet sites and Health & Police intranet sites.

It may be that a professional already identified within the GIRFEC framework is best placed to carry out the assessment.

This decision-making process and agreed outcome should be recorded by all involved, in keeping with locally agreed procedures.

The *National Child Protection Guidance (2010)* provides detailed information on risk factors associated with child protection.

Information Gathering to allow Assessment of Risk

The 'younger child'- where a child is, or was at the time of any sexual activity, under 13 years of age, they are a 'younger child' and no assessment is necessary before making a child protection referral without delay.

The 'older child' – children living with a disability, affected by poverty, looked after children or children living away from home, those who have been previously abused, or as a consequence of their sexual identity may be at greater risk of sexual abuse or exploitation.

Practitioners carrying out an assessment of risk will need to satisfy themselves that they have enough information about the 'older child' to fully understand their wider circumstances. If a practitioner knows the child and those involved in the child's life, it may be that they believe they have sufficient information on which to base assessment.

Successive inquiry reports however show that one agency rarely knows everything relevant about a child, their family and wider relationships, and gathering of information from other agencies and practitioners involved with the child will almost invariably provide relevant information to assist in the assessment of risk.

The 'other person' involved in the sexual activity – it will be important to establish if the 'other person' is an 'older child' or if they are an adult, whether any 'grooming' (coercion, provision of gifts, treats or money, befriending the child or family, using the internet to develop relationships) was used to establish a relationship.

Other considerations would include whether there was any attempt to secure secrecy beyond

the norm, is there any previous concerning behaviour or a pattern of targeting young people in relationships or for sexual activity?

The relationship – is there any issue of power imbalance or coercion within the relationship?

Age itself can be an imbalance, however, two young people of similar age might still experience imbalance of power in many areas including size, material wealth, psychological, social, intellectual and physical development, gender, race and sexual knowledge.

The use or administering of drugs or alcohol as a dis-inhibitor, or taking advantage when used voluntarily by the 'older child' and the issuing of threats, aggression, bribes or isolation of the 'older child' from peers could all lead to power imbalance to affect sexual activity.

The Sexual Offences (Scotland) Act 2009 provides a defence for an adult to certain sexual activity with an 'older child' that the age gap between the two parties does not exceed 2 years.

Whilst this might provide some guidance to practitioners to assist in their assessment, it is in no way a licence for sexual activity regardless of other factors.

Other factors – what were the circumstances of the sexual activity, does the location give cause for concern, are there additional risks or adversity impacting on the 'older child' (e.g. homelessness) and does the 'older child' deny, minimise or accept the concerns held by professionals?

Where information is sought and shared between agencies about 'older children' engaged in sexual activity it is important that records are maintained of what information is shared, with whom and why.

Any decisions or agreement reached should be recorded and shared with the 'older child' at the very least to keep them informed but ideally to gain their engagement with any risk assessment and any proposed activity.

Outcomes of Risk Assessment

Where a practitioner carries out assessment of risk there are a number of likely outcomes and responses that can be indicated.

'Older Child' who is not at risk of harm

Where the practitioner's assessment is that the sexual activity, whilst remaining illegal, is fully consensual with no abuse or coercion on either party the practitioner will:

- Maintain the 'older child's' confidentiality rights beyond any information sharing already carried out.
- Provide practical assistance and advice, signposting to appropriate services as required.
- Clearly record the information considered and rationale applied in assessing the risk as per local agency requirements.

'Older child' who is not at risk of harm but other concerns have been identified

Where the sexual activity is fully consensual with no abuse or exploitation but there are concerns about the 'older child's' risk taking, use of substances, or other factor not amounting to a risk of harm to them or others the practitioner will:

- Maintain the 'older child's' confidentiality rights beyond any information sharing already carried out.
- Provide practical assistance and advice, signposting to appropriate services as required.⁹ With their permission, refer them to clinical or support services to help address the concerns.
- Clearly record the information considered and rationale applied in assessing the risk as per local agency requirements.

'Older child' who is at risk of harm

Where the assessment of risk indicates that the 'older child' is believed to have been is currently or is likely to be at risk of harm the practitioner will:

- Where appropriate, speak with the 'older child' prior to making a Child Protection Referral.
- Make a Child Protection Referral, to any of the three Core Agencies (Police, Health, Social Work (Children & Families)) without delay in line with the *Edinburgh and Lothians Inter-agency Child Protection Procedures* and *Scottish Borders Child Protection Procedures*, as appropriate, whether the 'older child's' agreement is secured or not.
- Efforts to seek the child's agreement to the referral should not expose the child to continued risk or impede any subsequent investigation.
- Clearly record the information considered and rationale applied in assessing the risk and the action taken, in keeping with agency protocol.

Possible Outcome of Child Protection Referral

All three of the Core Agencies are committed to ensuring the best interests of the child are at the forefront of everything they do in relation to Child Protection. This will most likely involve joint discussion.

Not every discussion between agencies meets the threshold of being an Inter-agency Referral Discussion (IRD) as set out in the Inter-agency Child Protection Procedures and not every set of circumstances resulting in an IRD dictates that a full investigation is required.

However, even where an investigation is carried out and identifies activity that is deemed criminal under the law, police have discretion whether or not to report to the Procurator Fiscal or the Children's Reporter.

Recording of information concerning unlawful sexual activity is however important. This allows judgement to be made and patterns to be identified where people choose to target young or vulnerable people for sexual exploitation.¹⁰

⁹ See appendix E for available local services.

¹⁰ For further information on indicators of potential risk see Appendix D.

9. Police Response on Receipt of Information of Underage Sexual Activity

Where police receive information about unlawful sexual activity they take account of the Lord Advocate's Guidelines alongside this guidance in their decision-making.

Information received directly by police - where the information is received directly by the police it is likely they will seek information from other agencies on the wider circumstances on which to base a sound assessment of risk.

Information passed to the police by another agency – where information is passed to the police by another agency, police will check their available information systems in order to identify information held about the '*older child*', the '*other person*' in the sexual activity and wider persons in the life of the child where they impact on the decisions made in respect of the child.

Relevant information to assist in assessing of risk will be shared with those agencies and practitioners involved in the process.

Where no risks of abuse or exploitation are identified as a result of the sharing of information, police will record the information they have received, shared and the outcome of any decisions made.

This will include:

- Submission of an entry to INFO (the police force primary recording system for public protection) ensuring both parties are named.
- Submission of an intelligence log onto the Scottish Intelligence Database (SID) in respect of each person whose activity is illegal, clearly identifying the outcome of the risk assessment and that no criminal investigation was undertaken.
- No crime will be recorded.

The effect of these records will be to enable retrieval of the information should either party be named in a future concern. However, the information will be recorded allowing proportionate decisions to be made on the need

for any 'disclosure' enquiry, as per Protecting Vulnerable Groups Scheme.¹¹

Where the sexual activity is fully consensual with no abuse or exploitation but there are concerns about the older child's risk taking- such concerns may include the use of substances, or other factor not amounting to a risk of harm to them or others police will ensure:

- Submission of an entry to INFO.
- Submission of an intelligence log onto the SID clearly identifying the outcome of risk assessment and that no criminal investigation was undertaken.
- No crime will be recorded.
- Submission of a referral to social work to address the issues of risk taking behaviour.

Where risks are identified as a result of sharing of information, police will consider how to proceed based on the best interests of the child and the nature of the sexual activity.

The factors to be considered include those listed within the Lord Advocate's Guidelines in Appendix A.

Police have discretion to decide whether to pursue an investigation or alternatively to pass information to the most appropriate partner to progress.

Where an investigation has been pursued, the police are not obliged to refer every case for prosecution and indeed will not report an '*older child*' to the Procurator Fiscal where the crime or offence is not one, which by law requires to be prosecuted on indictment, without first discussing with the local Sexual Offences Team of Crown Office and Procurators Fiscal Service Office (COPFS).¹²

Following any investigation the police will decide whether:

- There are no further grounds for investigation or referral, in which case the details are retained for information.

¹¹ For further information:

<http://www.scotland.gov.uk/Topics/People/Young-People/children-families/pvglegislation>

¹² S.3 Lord Advocate's Guidelines, December 2010

- The case should be dealt with through continuation of the child protection measures already underway or instigation of new measures.
- The case should be reported to the Children's Reporter either in terms of child welfare or child offending; and/or;
- The case should be reported to the Procurator Fiscal.

The Lord Advocate's Guidelines makes it clear that only the most serious offences committed by children should be reported to the Procurator Fiscal (as well as what constitutes a serious offence).

Where risks have been identified police will ensure they record the information they have received, shared and the outcome of any decisions made.

This will include:

- Submission of an entry to INFO (ensuring both parties are named. This may include an IRD if that route was followed.
- Submission of an intelligence log onto SID in respect of each person who's activity is illegal, clearly identifying the outcome of the risk assessment, whether any investigation was undertaken and whether any report was made to either the Procurator Fiscal or Children's Reporter.
- Where information gathered substantiates that a crime has been committed, a Crime Report will be submitted.

10. Historical Abuse

It may become apparent to practitioners that an adult or an '*older child*' was engaging in sexual intercourse as a '*young child*' or that they have been a victim of sexual abuse or exploitation previously.

In such circumstances the practitioner will be required to pass this information as a Child Protection concern to one of the Core Agencies where an IRD will be conducted.

Every reasonable effort should be made by the practitioner to seek the agreement of the adult or young person to sharing information. Where this is not reached the adult or young person should be advised that this will be the course of action and that the practitioners can give no commitment to absolute confidentiality.

Practitioners may, in their work with an adult, have reported to them that the adult had been a victim of sexual abuse or exploitation as a child.

In such circumstances the adult should be encouraged to report this to the police to allow a fuller investigation to be considered and where appropriate for an IRD to be initiated.

Where a practitioners knows or suspects that another child(ren) or indeed a vulnerable adult is at risk or maybe at risk of abuse they are required to pass this information to one of the Core Agencies. This will allow an investigation to consider what risk, if any, is posed to another child or vulnerable adult.

In such circumstances the consent of the adult should be sought to share this information with the Core Agencies. However, where this is not agreed the adult should be advised that this would be the course of action to ensure the protection of another child or vulnerable adult from harm and no commitment to absolute confidentiality can be given by the practitioners.

Appendix A – Lord Advocate’s Guidelines (2010)

This Guideline provides guidance to police in Scotland on the categories of offences that require to be jointly reported to the Procurator Fiscal and the Children’s Reporter and police must take cognisance of it.

The following is taken from the above document but amended to contain information only relevant to this guidance on under-age sexual activity.

Children under the age of twelve years will, from the commencement of Section 52 of the Criminal Justice and Licensing (Scotland) Act 2010, no longer be liable to prosecution in respect of any alleged criminal conduct and will therefore not be jointly reported to the Procurator Fiscal.

Category 1

Offences which require by law to be prosecuted on indictment or which are so serious as normally to give rise to solemn proceedings on the instructions of the Lord Advocate in the public interest. (see explanatory notes below)

Category 3

Offences alleged to have been committed by children as described in section 93(2) (b) (ii) of the Children (Scotland) Act 1995. (aged 16 or 17 and subject of a supervision order)

Category 5

Offences alleged to have been committed by children within one month of their 16th birthday.

EXPLANATORY NOTES

CATEGORY 1

Offences which require by law to be prosecuted on indictment

These offences fall under two headings –

- (1) *Common law offences* that are within the exclusive jurisdiction of the High Court of Justiciary namely treason, murder and rape; and
- (2) *Statutory offences* for which the statute only makes provision for prosecution on indictment or for a penalty on conviction on indictment - for example, contraventions of the:
 - Criminal Law (Consolidation) (Scotland) Act 1995 Section 5(1), and
 - Sexual Offences (Scotland) Act 2009, Section 1, 2, 18 and 19.

Offences That Normally Give Rise to Solemn Proceedings

Offences that may be prosecuted on indictment on the instructions of the Lord Advocate in the public interest is a wider category of offences, which often depends on the facts and circumstances of a particular case. Early discussion with the local Procurator Fiscal is advised where there is any doubt.

Some common areas of offending which may fall to be considered under this heading are:

- (1) Offences which are *normally* indicted in the High Court of Justiciary – the relevant offences are attempted rape, incest and related offences (contrary to the Criminal Law (Consolidation) (Scotland) Act 1995 Sections 1-2). Also Sodomy and contraventions of section 3 of Criminal Law Consolidation (Scotland) Act 1995 (intercourse with a child under 16 by a person in a position of trust) where the offence occurred on a date prior to 1 December 2010.
- (2) Another relevant offence which may fall into this category as being that normally prosecuted on indictment is Assault with intent to Rape.
- (3) The following Sections of the Sexual Offences (Scotland) Act 2009 contains

offences that can be prosecuted on indictment:

- Sections 3, 4, 5, 6, 7, 8, 9 and 11 - offences capable of being committed against adults (aged over 16) and younger (aged under 13) and older (aged 13, 14 and 15) children who do not consent to the conduct.
- Sections 20, 21, 22, 23, 24, 25 and 26, - offences capable of being committed against a younger child (aged under 13) who consents to the conduct.
- Sections 28, 29, 30, 31, 32, 33, 34, 35 and 36 – offences **only capable of being committed by a person who has attained the age of 16** against an older child (aged 13, 14 or 15) who consents to the conduct. These offences should only be considered for joint reporting where the offence has been committed by a “child” aged 16 or 17 who is subject to a supervision requirement.
- Section 37 – offences involving older children engaging in sexual conduct with each other. See paragraph (4) below.

Offending behaviour which is covered by any of the aforementioned offences **may** fall to be jointly reported for consideration. The facts and circumstances of the offence are therefore vitally important when considering whether the offence is so serious in its nature as to merit being prosecuted on indictment.

Where there is any doubt at all that the offence **may** fall into this category, contact is to be made with the local Area Sexual Offences Team to discuss the facts of the particular case, either by telephone or by submission of an occurrence report for advice & direction prior to submitting a full report.

- (4) Section 37 of the Sexual Offences (Scotland) Act 2009 creates the offence of older children engaging in sexual conduct

with one another. This is not an offence, which requires by law to be prosecuted on indictment but it may, depending on the facts and circumstances, be so prosecuted.

When considering whether to report jointly allegations which are covered by this Section, officers should pay regard to the following indicators:

- Age of the parties involved;
- Any power imbalance between the parties, for whatever reason;
- Overt aggression, manipulation, coercion or bribery;
- Misuse of substances as a dis-inhibitor, especially where this is at the instigation of the more dominant party;
- Whether the child's own behaviour, because of the misuse of substances, places him/her at risk so that he/she is unable to make an informed choice about any activity;
- Whether any attempts to secure secrecy have been made by the dominant party beyond what would be considered usual in a teenage relationship;
- Whether the either party is known to one of the agencies;
- Whether the parties deny, minimise or accept concerns;
- Whether the evidence is suggestive of grooming.

This is not an exhaustive list. Where, however, elements in this list or other circumstances are present which indicate that a young person may not have given free agreement to the activity concerned the matter should be jointly reported.

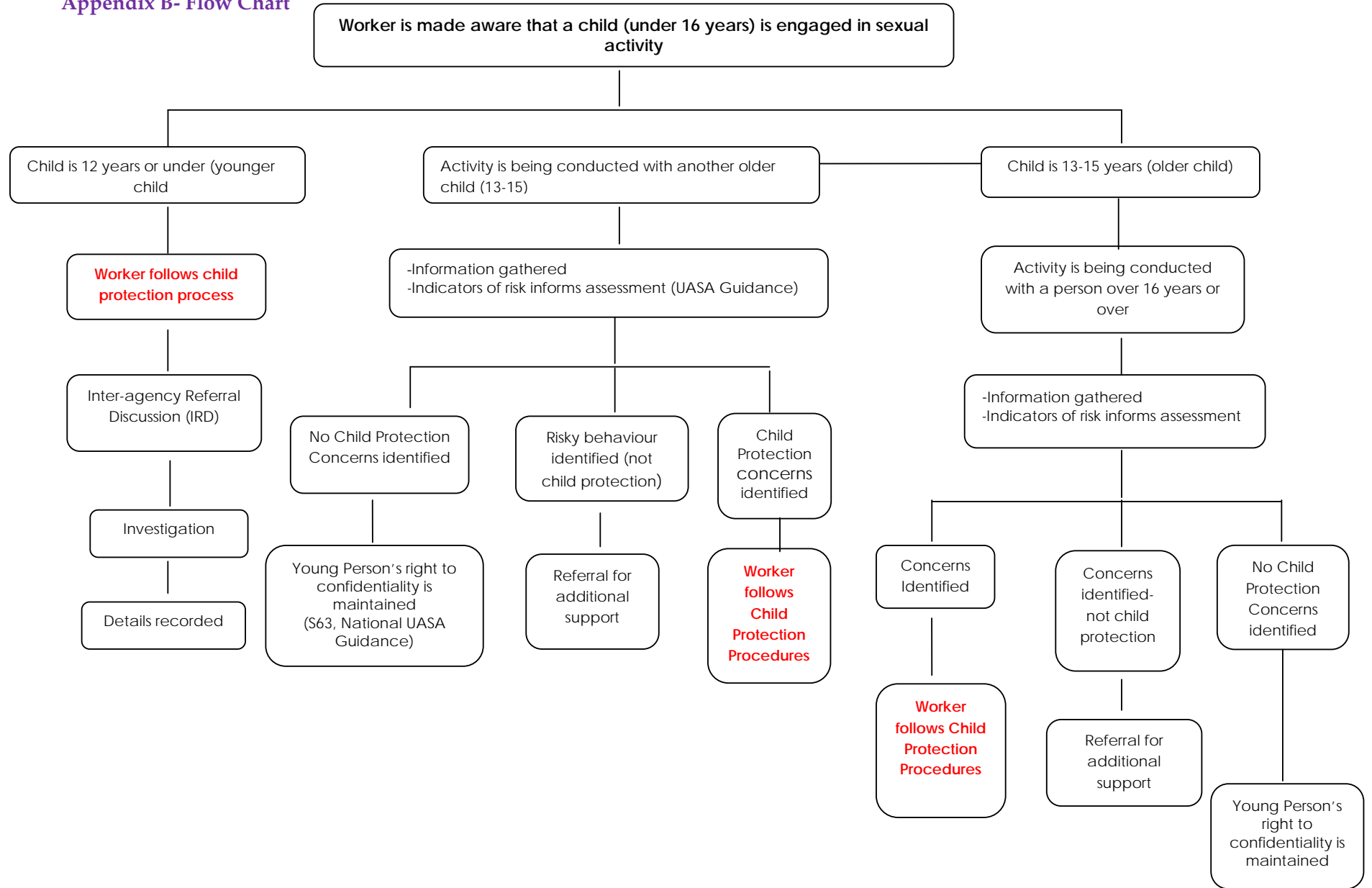
It should be re-emphasised that only offences which are normally prosecuted on

indictment are to be reported jointly and that any cases of doubt should be discussed with the local Procurator Fiscal in advance of any report being submitted.

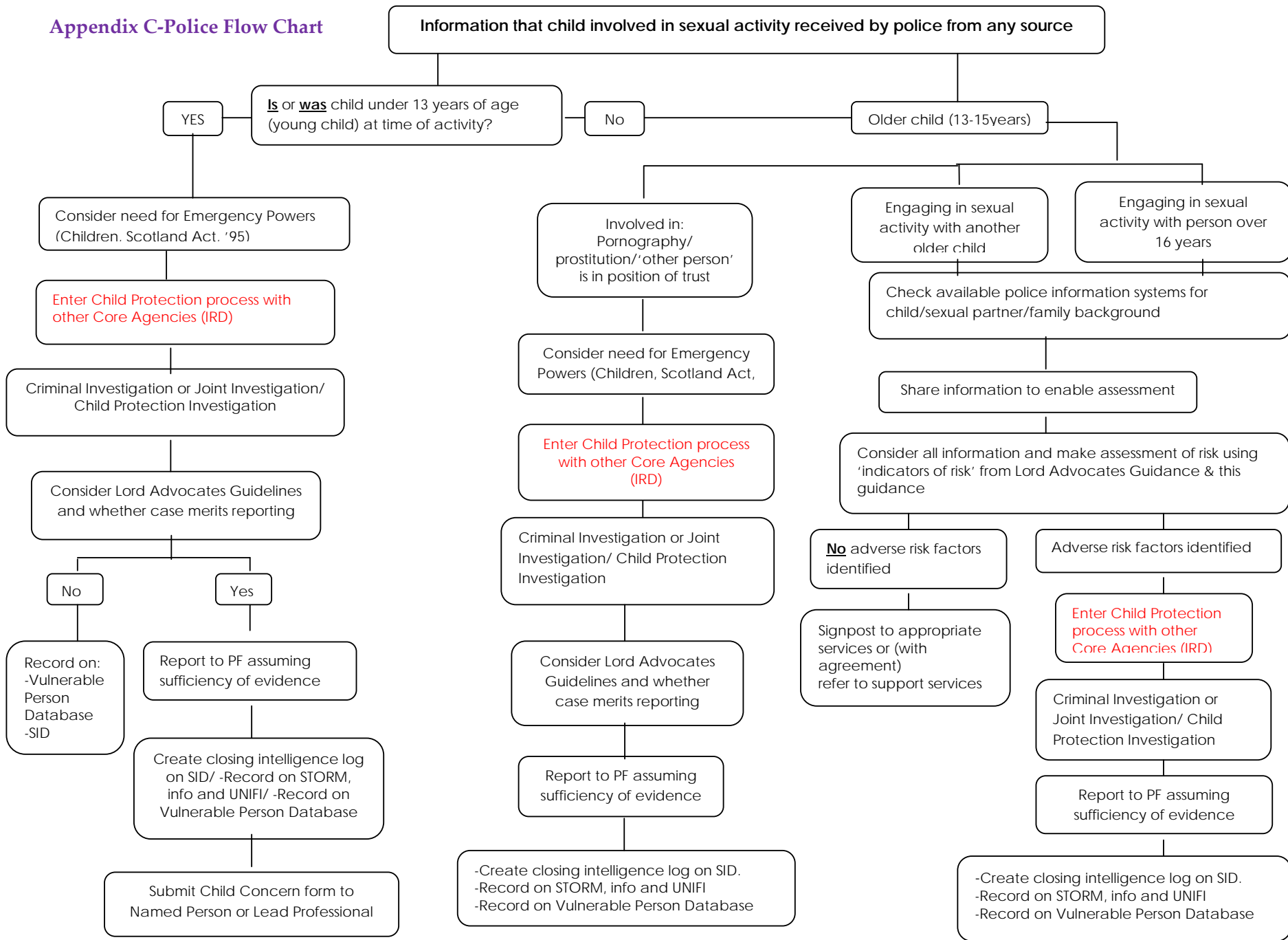
The *National Guidance for Child Protection in Scotland (2010)* and the *Under-age Sexual Activity: Meeting the Needs of Children and Young People and Identifying Child Protection Concerns* advises that when the police are made aware of cases of under-age sexual activity they will consider how to proceed based on the best interests of the child and young person and the nature of the sexual activity, for example, the age of the individual or whether there is information that coercion has taken place.

The document, supported by Crown Office and Procurators Fiscal Service, is clear that police have local discretion to decide whether to pursue an investigation or alternatively to pass information on to the most appropriate partner to progress.

Appendix B- Flow Chart



Appendix C-Police Flow Chart



Appendix D- Indicators of Potential Risk- Aide Memoire

This is not an exhaustive list but highlights some typical factors that may indicate a child protection concern.

- Is the child under 13 years of age or did the sexual activity take place when the young person was under 13?
- Did the young person agree to the sexual behaviour at the time?
- Did the young person understand the sexual behaviour they were involved in?
- Did the young person's own behaviour place them in a position where their ability to make an informed choice about the sexual activity was compromised e.g.
 - alcohol use
 - drug use
- Was the young person able to give informed consent? Issues to consider:
 - mental health issues
 - learning disability
 - any other condition that would heighten the young person's vulnerability
- Was there a concerning imbalance of power or other relevant imbalance present in the relationship? e.g. differences in size; differences in age; material wealth and/ or differences such as; psychological, social, intellectual and physical development, gender, race; levels of sexual knowledge can be used to exert power.
- Was there any manipulation, bribery, threats, aggression and/or coercion involved?
- Did the 'other person' use 'grooming' methods to gain the trust and friendship of the young person?
- Did the 'other person' attempt to secure secrecy beyond what would be considered usual in teenage sexual activity?
- Was the 'other person' known by the practitioner to be or have been involved in concerning behaviour towards other children and young people?
- Was the young person (male or female) frequenting places for prostitution?
- Is there evidence of the young person being involved in prostitution or in the making of pornography?
- Was the young man frequenting places where men have sex with men in circumstances where additional dangers, e.g. physical assault, might arise?
- Were there any other concerning factors in the young person's life that may increase their vulnerability e.g. homelessness?
- Did the young person deny, minimize or accept the concerns held by the practitioners?

Where the issue involves a young person from within a community that traditionally keeps within closed boundaries e.g. travelling communities or ethnic communities; practitioners and services need to consider how information is to be shared and what additional risks need to be considered to ensure that the investigation does not place the child or young person at increased risk of harm.

Appendix E – Contacts and Resources

1. Child Protection – Social Work Services

City of Edinburgh

Social Care Direct 0131 200 2324

East Lothian 01875 824 090

Midlothian 0131 271 3860

West Lothian

Bathgate Children & Families Social Work 01506 776 700

Broxburn Children & Families Social Work 01506 775 666

Livingston Children & Families Social Work 01506 282 252

Scottish Borders

Integrated Children's Services :

Berwickshire Duns 01361 886115

Cheviot Kelso 01573 223501

Eildon Galashiels 01896 661880

Teviot & Liddesdale Hawick 01450 364777

Tweeddale Innerliethen 01896 833489

Out of Hours

Edinburgh, East Lothian and Midlothian
(Emergency Social Work Service) 0800 731 6969

Scottish Borders
(Emergency Duty Team) 01896 752 111

West Lothian
(Social Care Emergency Team) 01506 777 401/2

Lothian & Borders Police 0131 311 3131

Health

NHS Borders

Child Protection Advisor 01896 662 762

NHS Lothian

Paediatrician on-call for Child Protection
(main switch-board for Sick Children's Hospital) 0131 536 0000

2. Sexual Health and Support Services

City of Edinburgh

Chalmers Sexual Health Centre	0131 536 1070
Health Opportunities Team	0131 468 4600
C:card Services	0131 537 8300
Caledonia Youth	Clinic: 0131 229 3596 Admin: 0131 229 1402

Healthy Respect: young people's drop-in 0131 536 1070
www.healthyrespect.co.uk

STAR (Surviving Trauma, Abuse and Rape)	0131 556 9437
The Junction	0131 553 0570

East Lothian

See Healthy Respect drop-ins and Chalmers clinic in Musselburgh

Midlothian

Young Persons Advisory Service	0131 4540757
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West Lothian

Chill Out Zone	01506 652436
Young person's Sexual Health Clinic	
Bathgate Primary Care Centre (Friday pm)	01506 630771
Young person's Sexual Health Clinic	
Armadale Clinic (Friday pm)	01506730339

Lothians

Chalmers Sexual Health Centre operates clinics throughout the Lothians.

For further information contact the central service: 0131 536 1070
www.lothianssexualhealth.scot.nhs.uk

Scottish Borders

Borders Sexual Health	01896 663700 www.borderssexualhealth.org.uk
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