

**Crime and Policing Bill: The Children's Society Written Evidence**

**About The Children's Society**

1. The Children's Society is a leading national charity committed to improving the lives of children and young people. Across England and Wales, we support the most disadvantaged children through our specialist services including working with missing children, children with experiences of sexual exploitation, criminal exploitation, children experiencing and witnessing violence and abuse, children experiencing poor mental health and wellbeing and asylum-seeking, migrant and trafficked children. We work to tackle the underlying causes that prevent young people who face multiple disadvantage and vulnerabilities from thriving.
2. In the last year:
  - a. The Children's Society reached 72,016 young people through our services. 97% of children and young people supported by our services reported that they were happy with the support they received, and 92% said that the service had helped or improved their situation
  - b. 13,696 supporters took campaign actions with us to call for change for young people
  - c. Over 3,200 people joined our work by volunteering
  - d. 5,865 parents and carers were supported by our services
3. The Children's Society also has an extensive programme of research, policy work and advocacy around improving the mental health, social care, welfare and justice systems for children and young people. We provide developing insight into the lives of children and young people facing multiple disadvantages in the UK.

**Executive summary**

4. The Children's Society welcomes the introduction of the Crime and Policing Bill and measures intended to keep young people safe from some of the most serious crimes committed against children, including sexual abuse, child abduction and child criminal exploitation (CCE). The creation of a standalone offence of CCE is a long awaited and critical step forward to finally hold perpetrators, not victims, to account. However, the bill must go further to ensure that every child is fully protected from harm.
5. Primarily, The Children's Society want to see changes to Clause 17 to ensure that the new offence of CCE works to protect all children and young people from criminal exploitation, and to introduce a statutory definition of CCE, to ensure consistency in the identification of, and support for, victims. Additionally, we are concerned that the new offence of cuckooing at Clause 37 could criminalise young people being exploited. We want to see this offence amended to apply only to adults over the age of 18.
6. It must also be acknowledged that whilst this bill is a huge step forward for ensuring perpetrators of CCE are brought to justice, more must be done to provide adequate support for child and young victims of exploitation. The Children's Society calls for a statutory defence for victims of CCE, to encourage them to come forward and give evidence without fear of being convicted for offences connected to their exploitation. The bill must also be supported by a shift in focus and investment towards early intervention support for those experiencing and at risk of exploitation.
7. Further, The Children's Society is concerned about potential unintended consequences of some measures being brought forward in the bill, including the further criminalisation and adultification of young people, especially those from some ethnic groups. We encourage the bill to adopt and introduce protections so that young people coming into contact with the law are seen and treated as children.
8. More widely, we are encouraged by new measures to help tackle child sexual abuse. We call for the bill to go further and also ban the harmful practice of coerced internal concealment.

### **Child criminal exploitation and 'cuckooing'**

9. The Children's Society has long been campaigning for legislative changes to provide much-needed, targeted responses to adults who exploit children.
10. Currently, perpetrators criminally exploiting children may be prosecuted under the Modern Slavery Act 2015 for slavery, servitude and forced and compulsory labour offences, and trafficking for the purposes of exploitation. However, this is rare. Although there have been around 22,000 children referred to the National Referral Mechanism (a framework for identifying victims of modern slavery, exploitation and trafficking) as suspected of all forms of sexual or criminal exploitation, between April 2016 and March 2021, there were just 185 prosecutions under the Modern Slavery Act where children were victims, and only half of them were successful.<sup>1</sup> We also know through our work with young people that the true number of children being exploited is likely to be much higher than the officially reported cases due to a fear of coming forward and seeking support.
11. The new CCE offence is an important step forward, but more needs to be done to ensure that the legislation is fit for purpose.

#### *A statutory definition*

12. Alongside the offence, the bill must incorporate a statutory definition of CCE, to provide much-needed clarity for all those working with children at risk of and experiencing CCE.
13. Statutory guidance has attempted to define CCE in the past, including *Keeping Children Safe in Education* and *Working Together to Safeguard Children*. However, in our work with front-line practitioners, we know that having multiple CCE definitions across different guidance is impractical, confusing, and can lead to inconsistencies in responses to victims – including missed opportunities for disrupting exploitation before it takes place<sup>2</sup>. Speaking to The Children's Society in January 2024, a Police Officer said: "*We definitely need the definition to do our job, it's a 21st century crime we are prosecuting with outdated legislation.*"
14. Whilst we acknowledge that placing a definition in statute carries some risk of inflexibility in responding to exploiters' methods in the future, the benefits of a broad, principle-based and future-proof definition would vastly outweigh these. A single, statutory definition is essential – to establish a shared understanding of CCE across multi-agency services, to support the proper identification of children experiencing CCE as victims of abuse, to ensure more consistent data collection and reporting, and to help to end the current postcode lottery in support for victims. As drafted, Clause 17 provides an incomplete and unsatisfactory description of CCE for these purposes.

#### *Closing loopholes in the offence*

15. Whilst we welcome the intent behind the new CCE offence, we believe it can be strengthened in order to fully protect young people from harm:

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<sup>1</sup> Office for National Statistics. 2022. "Child Victims of Modern Slavery in the UK - Office for National Statistics." <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/childvictimsmodernslaveryintheuk/march2022>.

<sup>2</sup> The Children's Society. 2024. "Child Criminal Exploitation (CCE) – case for legal change." Available on upon request.

- a. Firstly, it should be broadened to bring in scope activities which put young people at significant risk and are linked to 'criminal conduct,' but do not constitute a crime – such as carrying large amounts of cash on public transport. Widening the offence in this way mirrors language elsewhere in the bill (Clause 32 'Controlling another's home for criminal purposes) and clarifies that perpetrators can and should be brought to justice for exploiting children before a crime is committed.
- b. Secondly, we are concerned that as drafted, the offence provides a basis for a perpetrator's defence in cases where they 'reasonably believe' that a child is over 18. We know from our work directly with young people how important it is for them to be seen as children by adults working in agencies meant to support them<sup>3</sup>, and, as set out in the Jay Review of Criminally Exploited Children, that adultification often plays a role in the criminalisation of children<sup>4</sup>. We call for this part of Clause 17 to be removed and for the bill to clarify that the offence occurs whether or not a perpetrator has knowledge that the child is under 18.

*Controlling another's home for criminal purposes*

16. Clause 32 introduces a new offence of 'cuckooing' – the targeting and controlling of another person's home for criminal purposes, often linked to drug supply and wider forms of exploitation and abuse. Our exploitation practitioners often support young people who have been forced or coerced into criminality in these 'cuckooed' properties, so we are encouraged to see this highly exploitative practice be outlawed.
17. However, as drafted, Clause 32 offers no explicit protections for young people in these situations. In fact, it's broad interpretation of how a person could control another's home – including restricting who can enter, occupy or leave a property, and controlling the delivery of items to a property – creates a very real risk that young people being coerced or forced into carrying out exactly these types of activities, often through intimidation, debt bondage and violence<sup>5</sup>, will once again be treated as offenders and not victims. We strongly recommend that Clause 32 be amended to explicitly exclude children from criminal liability under this offence.

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<sup>3</sup> The Children's Society. 2024. "Everyone has a role to play in preventing child exploitation."

<https://www.childrenssociety.org.uk/sites/default/files/2025-01/Youth%20Voice%20Report-v2.pdf>

<sup>4</sup> Action for Children. 2024. "Shattered lives stolen futures: The Jay Review of Criminally Exploited Children."

[https://media.actionforchildren.org.uk/documents/Shattered\\_Lives\\_Stolen\\_Futures\\_Report\\_-\\_Full\\_Report.pdf](https://media.actionforchildren.org.uk/documents/Shattered_Lives_Stolen_Futures_Report_-_Full_Report.pdf).

<sup>5</sup> The Children's Society. 2019. "Counting Lives." <https://www.childrenssociety.org.uk/sites/default/files/2020-10/counting-lives-report.pdf>.

## **Legislative protections and support for young victims of exploitation**

18. The Children's Society welcomes the government's intention for the bill to hold perpetrators of abuse and exploitation against children to account. However, the legislative framework for tackling these harms must also provide adequate support and protections for victims, included funded early intervention and prevention measures. Without these, children and young people being exploited will not come forward to report their experiences, and risk becoming further entrenched in a cycle of exploitation and criminality.

### *Statutory defence*

19. Section 45 of the Modern Slavery Act 2015 provides for the non-prosecution principle under international law, whereby victims of slavery and human trafficking who are coerced, forced or otherwise compelled into committing an offence are not prosecuted for their actions. Despite this, young victims of CCE continue to face criminalisation and are too often seen as complicit in their own exploitation by law enforcement agencies.<sup>6</sup> The bill presents an opportunity to align the new CCE offence with existing Modern Slavery Act protections for victims, to help ensure that children being criminally exploited receive sufficient safeguarding interventions. We call on the bill to be amended to explicitly include CCE within the 'meaning of exploitation' at Section 3 of the Modern Slavery Act.
20. An amendment of this kind would not allow children who have committed very serious crimes because of exploitation to avoid any criminal justice response, as the most serious offences, including murder, are excluded from Section 45 defences. However, it is crucial that these children should also receive therapeutic and recovery support as part of their rehabilitation journey, to prevent reoffending or re-victimisation. We know from our work with young people being criminally exploited that there is often no binary definition between victim and offender.

### *Early intervention and prevention*

21. More widely, The Children's Society is clear about the importance of early intervention and prevention. One of the key themes identified in our [\*Counting Lives\*](#) report was the recognition that very often, children and young people are not identified early enough by safeguarding partners so that exploitation can be prevented or stopped from escalating. Whilst a statutory definition of CCE will go some way to ensuring consistent identification, practitioners also pointed to the lack of resources available to them to provide meaningful engagement with young people at risk of exploitation, such as the opportunity for long-term support, relationships with the same worker, or the chance to take part in activities that they love.<sup>7</sup>
22. Recent research by the Children's Charities Coalition found that long-term underinvestment in children's services has shifted resources away from prevention, with expenditure on early intervention services falling by 42%, while spending on late

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<sup>6</sup> The Children's Society. 2019. "Counting Lives."

<sup>7</sup> Ibid.

intervention has risen by 57%.<sup>8</sup> These cuts impact disproportionately in the most deprived areas, and unequally across services. Universal services such as youth services and children's centres – which we know offer early opportunities to identify and engage young people at risk of exploitation – have been particularly badly hit, with funding reductions of over 70% since 2010. The Jay Review further highlighted how the inconsistency in funding for exploitation services is a barrier to sustainable outcomes and has prevented a focus on prevention<sup>9</sup>.

23. We are concerned about the bill's lack of focus on early intervention and preventative support for young victims. Responses to CCE must be holistic, addressing risk presenting factors such as a child going missing from home, abuse and violence, and trauma-informed, to take into account the impact on a child's emotional health and wellbeing. Children should be supported for as long as it takes for them to build trusted relationships with professionals and recover. Alongside the new measures in the bill, specific, ring-fenced investment in early intervention and prevention services for criminally exploited young people is essential.

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<sup>8</sup> Children's Charities Coalition. 2025. "A long road to recovery: Local authority spending on early intervention children's services 2010/11 to 2023/24." [https://media.actionforchildren.org.uk/documents/A\\_long\\_road\\_to\\_recovery\\_childrens\\_charities\\_coalition\\_report\\_April\\_2025.pdf](https://media.actionforchildren.org.uk/documents/A_long_road_to_recovery_childrens_charities_coalition_report_April_2025.pdf).

<sup>9</sup> Action for Children. 2024. "Shattered lives stolen futures: The Jay Review,"

## **The criminalisation of young people**

24. The Children's Society is supportive of the government's ambitions to make communities safer and welcomes the bill's intent to protect young people from crime. Recent data released by the Office for National Statistics shows the impact of crime on young people's feelings of safety; in 2024, it was estimated that 48.3% of 10- to 15-year-olds had seen or heard about a violent incident involving people they knew of a similar age in the preceding 12 months, 14.6% felt that in their daily life they were likely or very likely to see people they believed were involved in gangs, and 9% avoided travelling alone because they were concerned about people carrying weapons.<sup>10</sup>
25. However, we are concerned that new measures in the bill which strengthen the criminal justice response to offences like anti-social behaviour (in Part 1), retail crime (in Part 2), and the use of offensive weapons (Part 3) will offer little real protection to young people. Punitive measures such as these address the symptoms, not the root causes, of youth offending – namely poverty, disadvantage, social exclusion and a failure to address the needs of young people<sup>11</sup> – and will only lead to their further criminalisation. This is of particular concern for young people who are being criminally exploited, and for Black and other ethnic minority groups, for whom the impact of racism and racial disparity on their experiences in the criminal justice system is well-evidenced.<sup>12, 13, 14, 15</sup>
26. Evidence shows that for children who have committed low-level or first-time offences, actions that divert them away from the criminal justice system can protect them from future involvement in crime, and lower the severity of any crimes they do later commit.<sup>16</sup> Diverting children into effective services, such as mentoring and therapy, is proven to be a big opportunity to reduce re-offending, particularly for very young children<sup>17</sup>. In the context of criminal exploitation, long-term, coordinated safeguarding responses to youth offending, that offer meaningful alternatives to offers made by criminal groups and help

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<sup>10</sup> Office for National Statistics. 2025. "Sources of support and perceptions of safety among children in England and Wales."

<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/sourcesofsupportandperceptionsofsafetyamongchildreninenglandandwales>.

<sup>11</sup> West Midlands Combined Authority and West Midlands Police and Crime Commissioner. 2021. "Punishing Abuse: Children in the West Midlands Criminal Justice System." <https://www.westmidlands-pcc.gov.uk/ground-breaking-report-evidence-shows-too-many-young-people-in-the-criminal-justice-system-suffer-from-violence-poverty-and-abuse-growing-up/>.

<sup>12</sup> Lammy, D. 2017. "Lammy review: final report." [online] GOV.UK. <https://assets.publishing.service.gov.uk/media/5a82009040f0b62305b91f49/lammy-review-final-report.pdf>.

<sup>13</sup> Her Majesty's Inspectorate of Probation. 2022. "Adultification bias within child protection and safeguarding." <https://cloud-platform-e218f50a4812967ba1215eaecede923f.s3.amazonaws.com/uploads/sites/32/2025/01/Academic-Insights-Adultification-bias-within-child-protection-and-safeguarding.pdf>.

<sup>14</sup> User Voice. 2021. "Black is guilty in their eyes: Experiences of Black and Mixed Heritage boys in youth justice services." <https://www.uservice.org/wp-content/uploads/2021/10/Experiences-of-Black-and-Mixed-Heritage-Boys-in-Youth-Justice-Service-June-2021.pdf>.

<sup>15</sup> Davies, J. and Marsh, N. 2020. "Boys to men: the cost of 'adultification' in safeguarding responses to Black boys." *Critical and Radical Social Work*, [online] doi: 10.1332/204986020x15945756023543.

<sup>16</sup> Youth Endowment Fund. 2023. "Arrested children: how to keep children safe and reduce reoffending." <https://youthendowmentfund.org.uk/wp-content/uploads/2023/12/Arrested-children-How-to-keep-children-safe-and-reduce-reoffending.pdf>.

<sup>17</sup> Local Government Association. 2022. "Supporting the youngest children in the youth justice system: what works to reduce reoffending and improve outcomes?" <https://www.local.gov.uk/publications/supporting-youngest-children-youth-justice-system-what-works-reduce-offending-and>.

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children feel safe and protected, must be offered alongside or in place of a criminal justice response<sup>18</sup>.

27. We are clear that young people coming into contact with the law – whether through criminal exploitation or not – deserve a chance at making positive change in their lives. The bill, as drafted, fails to provide for this. We urge the government and Parliamentarians to reconsider measures that risk young people's criminalisation, and to mitigate any unintended, harmful consequences of the bill's punitive approach to offending.

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<sup>18</sup> The Children's Society. 2019. "Counting Lives."



**Child sexual offences**

28. The Children's Society welcomes the measures brought forward in the bill that seek to tackle the sexual abuse and exploitation of children, both on and offline. This includes Clause 36 which criminalises the use of AI to generate child sexual abuse (CSA) material, Clause 43 which recognises grooming as an aggravating factor in sentencing, and Clause 45 which introduces a new mandatory duty for those working with children and young people to report suspected CSA. These are horrific crimes that have a lasting impact on young people's lives.
29. However, we think the bill can and should go further, specifically by criminalising coerced internal concealment. In our work with young people and police forces across the UK, we have most commonly identified this when children who are being exploited by organised crime groups are forced to carry drugs internally as a method to move them from one place to another. Packages are inserted into a child's body rectally, vaginally, or ingested orally, with substances that pose a significant physical health risk should they rupture, including the risk of death. We believe that the physical violation and sexual nature of being forced or coerced to carry drugs in this way is tantamount to sexual abuse, and must be addressed as such in legislation.
30. We understand through our work with practitioners that it can be very difficult to engage young people where there are concerns around coerced internal concealment, and that in cases where it has been confirmed, young victims often do not feel able to talk about their experiences. Compounding this challenge is the very limited data and evidence on the scale of the issue. This points to the necessity of specialised and targeted support and better mechanisms for identifying and reporting such cases. A new standalone offence will help address these issues, and rightly hold the perpetrators of this horrific type of abuse to account.

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