



# 4LSAB Adult Sexual Exploitation Guidance

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## 1. Introduction

The guidance provides advice and information to support multi-agency working with adults who are experiencing or at risk of experiencing Adult Sexual Exploitation (ASE). It is acknowledged that ASE can occur at the same time as Criminal Exploitation and other forms of abuse. This Guidance has been signed off by the Safeguarding Adults Boards across Southampton, the Isle of Wight, Portsmouth and Hampshire. This guidance should where appropriate, be read in conjunction with the 4 Local Safeguarding Adults Boards (4LSAB) [Multi-Agency Safeguarding Adults Policy and Guidance](#). It is intended to support good practice across all agencies across the 4LSAB area.

For further information on raising a safeguarding concern, please refer to the [4LSAB Multi-Agency Framework to support decision making in relation to adult safeguarding concerns](#).

**Children who are exploited:** The link below will take you to resources that have been developed and agreed for use across all four of the Hampshire, IOW, Portsmouth and Southampton Local Safeguarding Childrens Partnership areas. Professionals should use these tools with any child who is thought to be at risk of or known to be at risk of one or more forms of exploitation.

[3.2 Children who are Exploited | Hampshire, Isle of Wight, Portsmouth and Southampton \(hipsprocedures.org.uk\)](#)

There is also a 4LSAB [Multi Agency Framework for Managing Risk and Safeguarding People Moving into Adulthood](#)

**Sexual exploitation:** Actual or attempted abuse of a position of vulnerability, power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

<https://www.who.int/docs/default-source/documents/ethics/sexual-exploitation-and-abuse-pamphlet-en.pdf>

Sexual exploitation is a form of sexual abuse. A person can be a victim of sexual exploitation, actual or threatened, physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. Sexual Exploitation may occur when:

- it is in exchange for necessities, such as food, shelter, or protection.
- it is in exchange for something they need or want.
- they are made to feel frightened of the consequences if they do not (coercion)
- the person who is exploiting them stands to gain financially or socially.

Sexual exploitation can be in relation to both children and adults. An adult may have been sexually exploited as a child, re-exploited in adulthood, or exploited for the first time when over the age of 18.

There can be some circumstances where adults are at increased risk of being sexually exploited. For example, if they:

- are homeless.
- are using drugs or alcohol.
- are lacking the mental capacity to consent to sexual activity.
- are being trafficked.
- were sexually abused as a child.
- Are in an abusive relationship

Sexual exploitation has a serious effect on the health and wellbeing of adults. Common mental health problems that people who have been sexually exploited may include, post-traumatic stress disorder (PTSD), depression and anxiety. People who have been sexually exploited may sometimes have complicated feelings about the person who has exploited them: this can include thinking positively about their relationship, which makes it difficult to understand the harm they have experienced.

As well as the possible impact on mental wellbeing, sexual exploitation often has a harmful impact on a person's physical health. There is also a strong link between sexual exploitation, drug and/or alcohol use. People may be sexually exploited when they have taken drugs or been drinking alcohol or because they are dependent on drugs and/or alcohol. People may also use drugs and/or alcohol as a means of coping with the trauma they have experienced (this is sometimes called self-medication).

Taken from [‘A brief guide to sexual exploitation’ \(Research in Practice, October 2017\)](#).

## **2. Identifying Adult Sexual Exploitation**

How might you recognise ASE? – Please note that this list is not exhaustive and not all of the signs below need to be present. There is also a need to acknowledge that adults may make these decisions without recognising the risks they pose.

General indicators:

- Being vulnerable to being manipulated or coerced into sexual relations
- Being socially isolated
- Being in an abusive relationship (whether aware or not)
- Having previous experience of being sexually abused or exploited
- Sexually transmitted infections
- Mood swings or changes in emotional wellbeing
- Drug and alcohol use
- Displaying inappropriate sexualised behaviour
- Having a low self-image, low self-esteem, self-harming behaviour including cutting, overdosing, eating disorder
- Disengagement from employment or support services
- Forming on-line relationships without due care for safety

- Having physical symptoms (bruising indicating either physical or sexual assault) including: Bruising, particularly to the thighs, buttocks and upper arms and marks on the neck. Torn, stained or bloody underclothing. Bleeding, pain or itching in the genital area.
- Unusual difficulty in walking or sitting.
- Foreign bodies in genital or rectal openings
- Phone calls, emails or letters from adults outside the usual range of social contacts of a sexual nature
- Infections, unexplained genital discharge
- Pregnancy in a woman who is unable to consent to sexual intercourse.
- The uncharacteristic use of explicit sexual language or significant changes in sexual behaviour or attitude.
- Incontinence not related to any medical diagnosis.
- Self-harming or non-fatal suicide attempts
- Excessive fear/apprehension of, or withdrawal from, relationships.
- Fear of receiving help with personal care.
- Reluctance to be alone with a particular person.

Please see the 4LSAB – [7 minute guide on Professional Curiosity](#) and this practitioner guidance on [Trauma Informed Practice](#).

The sexual exploitation of adults often occurs by someone who is known to the person (even for a short period of time) or people who are organising or benefitting from the exploitation of the adult, and a period of grooming is likely to have occurred. 'Grooming is a form of abuse that involves manipulating someone until they're isolated. Dependant, and more vulnerable to exploitation.' Ann Craft Trust. Further information may be found [here](#).

The perpetrator may be regarded by the adult as a friend. Apparent collusion, (however unconscious) with the perpetrator can add to confusion when attempting to identify an adult at risk as a victim of trafficking or exploitation. Disclosure from the adult can take time, especially where they are within the control of the perpetrator and relies on a relationship of trust and safety being established with the professional/person of trust working with the adult.

Sexual abuse can also happen in care settings, sometimes when people have impaired mental capacity. The Social Care Institute for Excellence (SCIE) was asked by the Department of Health and Social Care to undertake a detailed evidence review, and have produced this briefing in March 2022: [Sexual Incidents in Adult Social Care](#). The briefing is a summary of a full evidence review and is relevant to anyone working in adult social care or safeguarding.

### **Adults Who Go Missing:**

It is important to be aware that there are many possible reasons why an adult may go missing, this has been known to be an indication that they are being sexually exploited. Adults who may be less able to protect themselves from exploitation because of their disability or other vulnerability factors and are going missing on a

regular basis could become vulnerable to being groomed and sexually exploited. Indicators may be:

- Being frequently missing, appearing with unexplained gifts or money
- Being frequently missing, staying out overnight or returning late with no plausible explanation
- Going missing and being found in areas where they have no known links
- Returning under the influence of drugs and/or alcohol

If an adult with care and support needs, who maybe at risk of abuse and neglect whereabouts cannot be established and the circumstances are out of character, or the context suggests the person may be the subject of crime, or they may be a risk to themselves or others, concerns should be raised with the appropriate services (please see reporting concerns framework in the Introduction).

Sexual abuse and exploitation can occur alongside Domestic Abuse. For more information and guidance on support and referrals please visit each area:

Hampshire and Isle of Wight: [Practice Guidance and Resources | Hampshire Safeguarding Adults Board \(hampshiresab.org.uk\)](https://www.hampshiresab.org.uk)

Southampton: [Domestic abuse \(southampton.gov.uk\)](https://www.southampton.gov.uk)

Portsmouth: <https://www.portsmouthsab.uk/abuse/domestic-abuse/>

### **3. Sexual Exploitation and Modern Slavery**

Modern slavery is a complex crime and may involve multiple forms of exploitation. It can encompass:

- Sexual Exploitation
- Human trafficking
- Slavery, domestic servitude, and forced or compulsory labour
- An individual could have been a victim of human trafficking and/or slavery, servitude and forced or compulsory labour.

Most victims of modern slavery are women and children, but men can also be victims and affected. Victims are forced into sex work or to perform sexual acts against their wishes and without their consent. This includes escort work, pornography, distributing of adult images without consent or making indecent images of children. In relation to sexual exploitation, they are often required to continue in order to have the basic necessities of life including food and shelter.

Each police district in Hampshire has a single point of contact for modern slavery. If you do have an enquiry then you can now contact your local district modern slavery officer via 101, requesting to speak with them if you want to report a potential incident of modern slavery.

The National Referral Mechanism (NRM) is a framework for identifying and referring potential victims of modern slavery and ensuring they receive the appropriate support.

Victims may not be aware that they are being trafficked or exploited, and may have consented to elements of their exploitation, or accepted their situation. If you think that modern slavery has taken place, the case should be referred to the NRM so that the Single Competent Authority (SCA) can fully consider the case. You do not need to be certain that someone is a victim.

[National referral mechanism guidance: adult \(England and Wales\) - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Please note that to make a referral direct you will have to be a first responder.

Please follow this link to find out more:

[Modern Slavery | Hampshire Safeguarding Adults Board \(hampshiresab.org.uk\)](http://hampshiresab.org.uk)

There is also a [Modern Slavery Victim pathway](#).

#### **4. Mental capacity in relation to sexual relationships**

Practitioners face the challenge of balancing the promotion of the rights and needs of the adult (which include their right to a sexual life) with the need to support the adult to manage and reduce their risk of sexual harm. Adults should be supported to make their own decisions wherever possible: however, in cases where there are questions about decision-making and risk of harm, assessment of the adult's mental capacity to make decisions about their safety is key. Sexual acts with an adult who lacks the mental capacity to consent are sexual assault and are a criminal offence under Sexual Offences Act 2003.

[Sexual Offences Act 2003 \(legislation.gov.uk\)](http://legislation.gov.uk)

This is a helpful guide in relation to this complex area of [capacity and intimate relationships](#)

##### **Assessing capacity to consent**

The assessment should be undertaken by a practitioner who knows the adult. It does not need to be undertaken by a doctor, psychiatrist or psychologist, unless there is a particular reason that would be required (e.g. if the adult had a particularly complex mental health issue that was affecting their understanding about sexual relationships).

However, the adult may need specialist input to the assessment such as an Independent Mental Capacity Advocate (IMCA).

The courts (and relevant case law) regard the choice to form a sexual relationship or consent to sexual acts as a fundamental need and right. The adult being assessed should not be expected to approach decisions about sex with a greater level of reflection and rational analysis than other adults generally demonstrate.

The ability to use or weigh relevant information must form part of the evaluation of capacity to consent to sex, alongside the ability to understand and retain information and to communicate a decision once made.

Decisions that others may consider unwise are not necessarily in themselves evidence that the adult lacks capacity in relation to sexual relationships.

Practitioners should ensure that all reasonable steps have been taken to support decision making, including supporting the person to weigh up risks and benefits. The assessment of whether a person has the capacity to consent to sexual relations is an assessment that looks at their general capacity to consent to sex (the ability to decide to have sexual activity), rather than being specific to any particular person (partner) or any particular occasion (the ability to decide to have sexual activity with X).

[Rape and Sexual Offences - Chapter 6: Consent | The Crown Prosecution Service \(cps.gov.uk\)](https://www.cps.gov.uk/rpe-and-sexual-offences-chapter-6-consent)

The Supreme Court, following the Court of Appeal, held that the relevant information that a person must be able to understand, retain and use or weigh, to have capacity to engage in sexual relations may include:

- The sexual nature and character of the act of sexual intercourse, including the mechanics of the act.
- The fact that the other person must be able to consent to the sexual activity and must in fact consent before and throughout the sexual activity.
- The fact that P can say yes or no to having sexual relations and is able to decide whether to give or withhold consent.
- That a reasonably foreseeable consequence of sexual intercourse between a man and woman is that the woman will become pregnant.
- That there are health risks involved, particularly the acquisition of sexually transmitted and transmissible infections, and that the risk of sexually transmitted infection can be reduced by taking precautions such as the use of a condom.

The ability to understand the concept of and the necessity of one's own consent is fundamental to having capacity; in other words that the person knows that she/he has a choice and can refuse.

<https://www.communitycare.co.uk/2021/11/25/supreme-court-rules-on-mental-capacity-and-sexual-consent/>

## **5. Supporting Adults at Risk of Adult Sexual Exploitation**

It is important for adults who have been sexually exploited to be supported in a way that will help their health and wellbeing. The support a victim of sexual exploitation needs will vary from one person to the next. Whether sexual exploitation happened in the past or is ongoing, there are many reasons why a person can find it difficult to get the help they need.

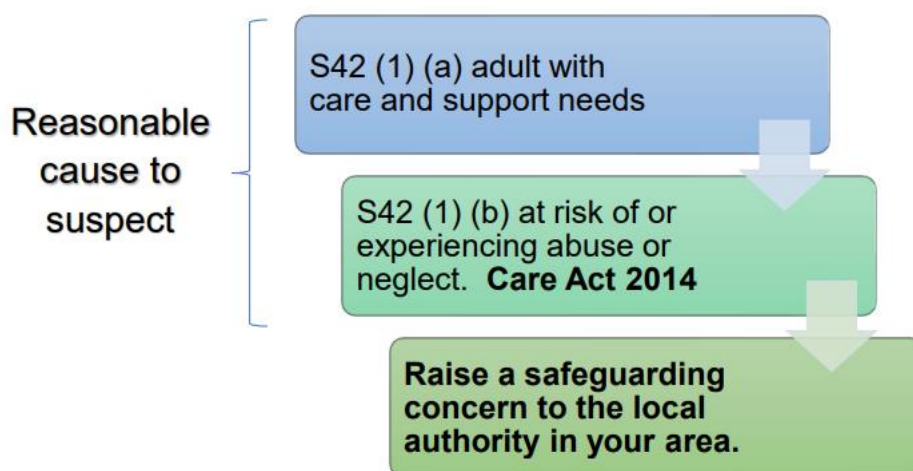
People who need support may feel frightened, unsafe, ashamed or worried that they will not be taken seriously, they may no longer be able to access their home or other necessities provided; they may also find it difficult to understand or explain what has happened to them. Please see the [Trauma-Informed Practice Page](#) for further information.



## Safeguarding

Any concerns of abuse and or neglect should be reviewed against statutory criteria under s.42 Care Act 2014 by the Local Authority. When deciding to report a safeguarding concern to the Local Authority, those considering reporting a safeguarding concern would have:

**reasonable cause to suspect that the adult may have needs for care and support (whether they are receiving care and support or not) and where there is reasonable cause to suspect that the adult is at risk of or experiencing abuse or neglect.**



The local authority must make (or cause to be made) whatever enquiries it thinks necessary to enable it to decide whether any action should be taken in the adult's case (whether under this Part or otherwise) and, if so, what and by whom.

The priority should always be to ensure the safety and well-being of the adult. However, this should be carefully balanced with the adult's views and wishes and any risks to others. The adult should experience the safeguarding process as empowering and supportive, ensuring that the principles of making safeguarding personal are followed.

[4LSAB Safeguarding Concerns \(hampshiresab.org.uk\)](http://hampshiresab.org.uk)

Whether the concern constitutes a crime, which you may be required to report to police, even if the individual does not wish to pursue police action. Please discuss with your line manager on a case-by-case basis.

For those who may disclose historic incidents there is guidance that can be found [here](#).

If the concern does not meet the s.42 criteria or a discretionary enquiry, consideration should be given to other risk management frameworks such as [Multi-Agency Risk Management \(MARM\)](#).

Consider the following:

- The duty to provide Advocacy under the Care Act 2014 in some circumstances.

There is a 4LSAB One Minute Guide to advocacy that can be found [here](#).

## 6. Links to advocacy services:

- Hampshire: [VoiceAbility | Hampshire](#)
- Portsmouth: [Portsmouth - South West Advocacy Network \(swanadvocacy.org.uk\)](#)
- Southampton: [www.theadvocacypeople.org.uk](#)
- Isle of Wight: [www.southernadvocacyservices.co.uk](#)

## 7. Legislation

[Care Act 2014](#)

[Human Rights Act 1998](#)

[Sexual Offences Act 2003](#)

[Mental Capacity Act 2005](#)

### Further resources

#### Local Services:

[Home - Hampshire Hub \(hampshirerasac.org.uk\)](#)

[Support for rape and sexual assault | Hampshire and Isle of Wight Constabulary](#)

[Sexual Health Services in Hampshire](#)

[START is a sexual trauma service](#)

[Portsmouth Abuse and Rape Counselling Service \(PARCS\)](#)

[Yellow Door Southampton](#)

[CIS'ters – Rape and sexual abuse support.](#)

#### National Organisations:

[Beyond the Streets](#) - UK Charity working to end sexual exploitation.

[The Survivors' Trust](#)

[Safe Line](#) – National Male Survivor Helpline

[The National Association for People Abused in Childhood \(NAPAC\)](#)

[Rape Crisis England & Wales](#)

[Revenge Porn Helpline](#)

[GALOP - LGBT+ Rape and Sexual Abuse Helpline](#)